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Congressional Record

PROCEEDINGS AND DEBATES OF THE 88th CONGRESS, SECOND SESSION

SENATE

THURSDAY, AUGUST 20, 1964

The Senate met at 10 o'clock a.m., and was called to order by the Acting President pro tempore [Mr. **METCALF**].

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Thou Father of life and of light: At the day's beginning, we pause in this sheltered sanctuary of Thy grace to make sure that Thy light is not shuttered from our inner lives. We lift our soiled and shadowed faces to the one true light, knowing that if we keep our hearts with Thee, there is no darkness from without which can dim the light that is within.

We are conscious that Thou needest no sacrifice our hands can bring, nor any offering our lips can frame; but because we live in Thy world and share Thy bounties, because we breathe Thine air, and Thy power sustains us, and Thy goodness preserves us, and Thy mercy follows us all the days of our lives, we praise and magnify Thy glorious name.

Grant us Thy grace this day to walk circumspectly, not as foolish, but as wise, redeeming the time because the days are evil.

We ask it in the name of the One whose goodness is the prophecy of man's best. Amen.

THE JOURNAL

On request by Mr. **MANSFIELD**, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, August 19, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Ratchford, one of his secretaries, and he announced that the President had approved and signed the following acts:

On August 19, 1964:

S. 1991. An act to charter by act of Congress the Pacific Tropical Botanical Garden; and

S. 2881. An act to amend the Alaska Omnibus Act to provide assistance to the State of Alaska for the reconstruction of areas damaged by the earthquake of March 1964 and subsequent seismic waves, and for other purposes.

On August 20, 1964:

S. 2642. An act to mobilize the human and financial resources of the Nation to combat poverty in the United States.

REPORT ON U.S. PARTICIPATION IN THE UNITED NATIONS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 188)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Pursuant to the provisions of the United Nations Participation Act, I transmit herewith the 18th annual report covering U.S. participation in the United Nations during 1963.

This report describes in detail the day-to-day, month-to-month work of the United Nations system of agencies on behalf of peace and security, economic and social development, the trust territories, human rights and legal and constitutional developments. It also reports on administrative and financial matters.

The 18th General Assembly was concerned with many of the most urgent problems of our times: peace and disarmament, national independence and human rights, and international cooperation along a broad spectrum of human endeavor.

As in other years and with other institutions, the U.N. record for 1963 was an amalgam of progress and problems as the Organization sought to cope with many of the world's most basic and difficult issues. This report is a factual accounting of what was accomplished on the United Nations agenda for mankind—and of its unfinished business.

In transmitting this report to the Congress I should like to add two observations which go beyond the scope of the objective record of U.N. activities during the year.

First, the extraordinary importance which this Government attaches to the United Nations was underscored by the fact that two Presidents of the United States addressed the same Assembly.

On September 20, President Kennedy went to the rostrum of the General Assembly to tell the delegates of more than a hundred countries that:

> The badge of responsibility in the modern world is a willingness to seek peaceful solutions.
>
> If either of our countries [the United States and the Soviet Union] is to be fully secure, we need a much better weapon than the H-bomb—a weapon better than ballistic missiles or nuclear submarines—and that better weapon is peaceful cooperation.

When tragedy struck 2 months later, the General Assembly convened a special plenary meeting in honor of President Kennedy. Speaker after speaker rose to pay solemn tribute to the great qualities of my predecessor—and above all to the U.S. commitment to the United Nations which he both symbolized and strengthened.

When Ambassador Stevenson expressed the gratitude of our people to all the peoples who shared our grief, he also assured the delegates, on my behalf, that "there will be no Johnson policy toward the United Nations, any more than there was a Kennedy policy. There was—and is—only a U.S. policy."

By this time the work of the United Nations for 1963 was drawing rapidly to a close. Christmas was approaching. My own schedule was crowded by the extraordinary pressures of the first weeks in office.

Yet I asked to go to the United Nations in the closing days of its work to address the General Assembly. I wanted to demonstrate to the world that neither tragedy nor transition could cause this country's support for the United Nations to waver. I wanted to confirm personally that international cooperation lies at the heart of U.S. foreign policy regardless of who sits in the office of President and regardless of what party label he wears.

I told the assembled delegates at that moment:

> The greatest of human problems, and the greatest of our common tasks, is to keep the peace and save the future. * * * If there is one commitment more than any other that I would like to leave with you today, it is my unswerving commitment to the keeping and to the strengthening of the peace.
>
> Now, on the world scale the time has come, as it came to America 30 years ago, for a new era of hope—hope and progress for that one-third of mankind that is still beset by hunger, poverty, and disease.
>
> And more than ever we support the United Nations as the best instrument yet devised to promote the peace of the world and to promote the well-being of mankind.

Second, the work of the United Nations reflected the often harsh and sometimes hopeful political and economic realities of the world in which it operates, and thus demonstrated once again its relevance to contemporary international affairs.

We see this relevance in the stepped-up activities of the Security Council over the past months, particularly in the peacekeeping field.

We see it in the dialogue on trade and economic policies now beginning between developed and developing countries.

We see it in the Assembly debates over the final steps in the process of decolonization.

We see it in the universal relief and overwhelming acceptance which greeted

Assembly resolutions endorsing the limited nuclear test ban agreement, the new communications link between Moscow and Washington, the expressed intent of the United States and the Soviet Union not to place weapons of mass destruction in outer space, and renewed efforts by the 18-Nation Disarmament Committee to seek agreement "with energy and determination."

We see it in the Assembly resolution setting forth certain legal principles to govern the use of outer space—and in calls for continuing cooperation in scientific exploration, weather forecasting, and communications in outer space.

And we see it, finally, in the peacekeeping efforts which continued in the Congo and along the armistice lines between Israel and the United Arab Republic. In these efforts, as more recently in Cyprus, the members of the United Nations reaffirmed their commitment to the increasingly vital task of helping to keep the peace—a task of growing importance to this Nation and to the world.

In short, the General Assembly was a faithful mirror of political reality, which is another way of saying that it was useful because it dealt in an intensely practical way with current human events.

I take this occasion to remind the Congress of these points because they are not all recorded in the following report, and because they illustrate how closely we associate our future hopes for world peace and progress with the fortunes of the United Nations.

Lyndon B. Johnson.

The White House, *August 20, 1964*.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 1006. An act to amend the Act of June 12, 1960, for the correction of inequities in the construction of fishing vessels, and for other purposes;

S. 3075. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes;

H.R. 4766. An act for the relief of the Boren Clay Products Co.; and

H.R. 9419. An act to provide for the regulation of the business of selling securities in the District of Columbia and for the licensing of persons engaged therein, and for other purposes.

LIMITATION OF DEBATE DURING MORNING HOUR

On request by Mr. Mansfield, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

FINANCIAL HISTORY OF THE JOHNSON FAMILY

Mr. MANSFIELD. Mr. President, last night I had printed in the Record an editorial entitled "Fairplay" published in the Philadelphia Inquirer of August 19. It deals with the tendency in some quarters to take potshots at the financial position of the President and his family. The editorial properly castigates the political prowlers who slink into the financial history of the Johnson family and, finding nothing suitable for jackals, slink out again to spread the halftruth and half innuendo.

This is an election year and there is a desperate search underway for political missiles to hurl at the admirable conduct of the Presidency by Mr. Johnson during the past 9 months. I suppose, in the circumstances, it is understandable if there is a desperate resort to extremism in this respect. But it is nonetheless despicable and deplorable.

In my judgment, the people have enough sense to turn away from these political prowlers who pander to the worst in political taste. Their merchandising of suspicion as to the integrity of the Johnson family will not hurt the President. But it will do the Nation no good if, confronted as we are with great issues of national unity and stability in a world of cataclysmic change, we countenance a presidential campaign attuned to the titillations of a pitchman at a financial peepshow.

I am delighted, therefore, that the President has seen fit to make public a full statement of his financial situation. If this sort of information must enter into the considerations of the November election at all, it is best, then, that it enter accurately rather than through the back door of the political bookie.

I would hope but would not expect, in the light of the desperation of the opposition, that the President's statement will put an end to the matter. I would hope and would expect that Democrats will not respond in kind.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the President pro tempore, announces the appointment of the following-named Senators to the eighth regular session of the General Conference of the International Atomic Energy Agency, which will convene in Vienna, Austria, on September 14, 1964; Senator Pastore, of Rhode Island, and Senator Hickenlooper, of Iowa.

And, as alternates, the following Senators; namely, Senator Church, of Idaho, and Senator Aiken, of Vermont.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on excessive cost to the Government in rentals of electrical accounting machines by General Dynamics/Astronautics, a division of General Dynamics Corp., San Diego, Calif., Department of the Air Force, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on reduced manpower utilization due to unnecessary home leave, Department of State, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on deficiencies and problem areas relating to right-of-way activities of the Federal-aid highway program, in the State of Nebraska, Bureau of Public Roads, Department of Commerce, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

Application for a Loan Under the Small Reclamation Projects Act of 1956

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, an application for a loan from the Byron-Bethany Irrigation District, of Byron, Calif., under the Small Reclamation Projects Act of 1956 (with accompanying papers); to the Committee on Interior and Insular Affairs.

Report on Tort Claims Paid by Department of the Air Force

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on tort claims paid by that Department, for the fiscal year 1964 (with an accompanying report); to the Committee on the Judiciary.

Report on Claims Paid Under Military Personnel Claims Act

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on claims paid under the Military Personnel Claims Act, for the fiscal year 1964 (with an accompanying report); to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BURDICK, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 130. An act to provide for the payment of compensation, including severance damages, for rights-of-way acquired by the United States in connection with reclamation projects the construction of which commenced after January 1, 1961 (Rept. No. 1507).

By Mr. INOUYE, from the Committee on Armed Services, without amendment:

H.R. 11594. An act to authorize the Secretary of the Navy to convey to the State of California certain lands in the county of Monterey, State of California, in exchange for certain other lands (Rept. No. 1509).

By Mr. McINTYRE, from the Committee on Armed Services, without amendment:

H.R. 9803. An act to authorize the Secretary of the Army to acquire the building constructed on the Fort Jay Military Reservation, N.Y., by the Young Men's Christian Association (Rept. No. 1510).

By Mr. SALTONSTALL, from the Committee on Armed Services, without amendment:

H.R. 11338. An act to remove certain conditions subject to which certain real property in South Boston, Mass., was authorized to be conveyed to the Massachusetts Port Authority (Rept. No. 1511).

By Mrs. SMITH, from the Committee on Armed Services, without amendment:

H.R. 12278. An act to authorize the Secretary of the Navy to convey to the city of Sunnyvale, State of California, certain lands in the county of Santa Clara, State of California, in exchange for certain other lands (Rept. No. 1512).

By Mr. GRUENING, from the Committee on Interior and Insular Affairs, with an amendment:

S. 883. A bill to amend the Mineral Leasing Act of 1920 in order to authorize geothermal steam leases under the provisions of such act (Rept. No. 1508).

By Mr. RUSSELL, from the Committee on Armed Services, with an amendment:

H.R. 9124. An act to amend title 10, United States Code, to vitalize the Reserve Officers' Training Corps programs of the Army, Navy, and Air Force, and for other purposes (Rept. No. 1514).

MANAGEMENT AND MULTIPLE USE OF PUBLIC LANDS—REPORT OF A COMMITTEE (S. REPT. NO. 1506)

Mr. MOSS. Mr. President, from the Committee on Interior and Insular Affairs, I report favorably, with amendments, the bill (H.R. 5159) to authorize and direct that certain lands exclusively administered by the Secretary of the Interior be classified in order to provide for their disposal or interim management under principles of multiple use and to produce a sustained yield of products and services, and for other purposes, and I submit a report thereon, which I ask to have printed.

The PRESIDING OFFICER (Mr. Proxmire in the chair). The report will be received and printed, and the bill will be placed on the calendar.

Mr. MOSS. Mr. President, this is a bill, the so-called multiple-use bill (H.R. 5159) on which our committee has worked long and diligently.

I believe that this represents a great advance in the management of our public lands.

Mr. METCALF. Mr. President, I congratulate the junior Senator from Utah [Mr. Moss], particularly, for the great conservation work that he has done over the years he has served in the Senate. Conservation has no better friend than Ted Moss, for he is cut from the same conservation mold as Teddy Roosevelt. The multiple-use bill now before the Senate is in the fullest sense the Moss bill. He is the original sponsor of this legislation. He is the man who insisted that the Secretary of Interior press forward in improved public land management, and he is the man who brought this bill through the Committee on Interior and Insular Affairs to the floor of the Senate.

In this work he has been ably aided not only by the chairman of the Public Lands Subcommittee, the Senator from Nevada [Mr. Bible], but also by the cosponsor of identical legislation in the Senate with him, the senior Senator from Wyoming [Mr. McGee].

These three Senators have worked long and hard to devise legislation that would provide for wise land use. That is what this bill will do. There are many groups who depend upon the public lands for their economic livelihood and for recreation.

Ted Moss, Gale McGee, and Alan Bible have brought forth legislation which will advance the legitimate interests of all who use the public land while at the same time providing the means for their conservation development.

Finally, I would point out that Senator Moss, Senator McGee, and Senator Bible have shown that it is possible to fashion a legislative enactment that will assure that where public land should be disposed of in the interest of developing the rapidly growing West, it can be done in a sane and sensible way. This multiple use bill recognizes that the test of wise land use is management, and I congratulate them on their good work.

What are some of the ways in which this legislation will help to improve the management of public lands?

Mr. MOSS. Presently the Bureau of Land Management operates under many public land laws and without any central guidelines in the implementation of policy. This legislation will put together, in one place, the basic authorities which will define and describe the ways in which public land may be retained for management or disposed of for essential public or private use.

For example, the first thing the Secretary of the Interior will have to do is to develop and promulgate regulations containing criteria by which he will determine which of the public lands and other Federal lands administered by the Bureau of Land Management shall be either disposed of because they are needed in the private or local government economy or retained because those economies can be better served by continued Federal management.

Mr. METCALF. How will the Secretary of the Interior know what the local people want?

Mr. MOSS. First, the regulations will become effective only after the Secretary has given proper notice, at least 30 days, and held a public hearing on it. In addition, the Secretary shall have to publish his notice in the Federal Register and send copies to the President of the Senate and the Speaker of the House. We have every assurance from the Secretary of the Interior and especially from Assistant Secretary of the Interior Carver that there will be the closest working relationship with local groups in reviewing and developing the criteria under which this legislation will operate.

Mr. METCALF. What will be done after the regulations are published?

Mr. MOSS. For one thing, section 1(b) of the bill provides that the Secretary shall review the public lands in the light of these criteria in the regulations to determine which lands shall be classified as suitable for disposal and which lands shall be classified as more suitable for retention in Federal ownership.

The legislation sets forth in that section some of the pertinent factors such as ecology, priorities of use, and the relative values of the various resources in particular areas that the Secretary shall take into consideration in making these designations.

Mr. METCALF. What will be the value of making this type of determination?

Mr. MOSS. There are two basic values. First, the Federal Government will have a better idea of which lands justify the investment of Federal funds for such conservation measures as range treatment, forest improvement, recreation, and watershed protection. The criteria for investments will include the likelihood that a tract will remain in Federal management. Secondly, private citizens and local governments desirous of acquiring public lands will be able to proceed with a greater degree of certainty as to the availability of the land for private or local public use. This would be a good place to emphasize, it seems to me, that the entire purpose of this legislation is to secure better BLM cooperative working relationships with other groups.

Mr. METCALF. How, then, is this local cooperation to be better carried out?

Mr. MOSS. Section 2 of this legislation specifies that any classification which provides for a sale or disposal in excess of 2,560 acres or that provides for the exclusion of a use permanently or for a substantial period of time for land to be retained for management must be given wide local circulation. While section 4 provides that the publication of such notice of proposed classification shall have a segregative effect on the land, the Secretary will give full attention to the views that may be expressed by various people concerned and interested in public lands before reaching a conclusion.

Mr. METCALF. I know that the Senator from Utah is interested in mining and mineral development in his own State as I am interested in the development of the resources of Montana, and we are all interested and concerned in how the bill would affect mining and mineral leasing laws of the West. I wonder if the Senator from Utah would tell me how the proposed legislation would affect the existing mining and mineral leasing laws.

Mr. MOSS. The proposed legislation would in no way diminish or affect the operation of the mining and the mineral leasing laws. However, under it the Secretary could designate an area as being primarily valuable for the production of minerals. He could give a priority to mineral development in that area. This would make it easier from an administrative standpoint to recognize mining as the greatest value producer on that land. Likewise, on another area where the major value might be livestock production the Secretary could give that use a priority. However, this act directs the Secretary to find out how many different uses, such as water development, mining, grazing, and recreation could be accommodated in one area and assure that the surface and subsurface resources are so utilized that in combination they will best meet the present and future needs of the American people. Section 5(b) of the bill contains a complete definition of the term "multiple use."

I have given this subject a great deal of study and would like to set forth in the Record at this point, and I ask unanimous consent that it be printed, six concepts of land and resource use that are encompassed in the term "multiple use." These were developed by the Senator from Wyoming [Mr. McGee] and myself in connection with our version of a multiple-use bill and in our opinion they fully define the concepts involved in multiple use along with the language found in the bill.

There being no objection, the concepts were ordered to be printed in the Record, as follows:

Multiple-Use Concept

1. That an area will be zoned in conformity with a comprehensive, long-range land use plan, and that such plan will be based on an inventory and evaluation of the available resources and requirements for such resources and on the topography and other features of the area;

2. That a "use zone" shall be a geographical area of a sufficient size and like topography for which planning may be meaningfully projected and execution readily accomplished as a unit;

3. That a determination will be made of a primary use which will be permitted within each use zone and that such determination will be based on a weighing of the relative values to be obtained by the development and management of the resources for alternative possible use;

4. That such determination will be made with the object of obtaining the greatest benefits for the most people over the largest period consistent with the national interest and that due consideration will be given to intangible values as well as tangible values such as dollar return or production per unit and that due consideration will be given to designated for a zone to the extent that such uses are compatible with and do not impair the primary uses according to a seasonal schedule or otherwise;

5. That the management of the renewable resources will be such as to obtain a sustained regular or periodic yield or supply of products or services without impairment of the productivity, enjoyment, or carrying capacity of the land;

6. That the use zone and permitted user will be reviewed and reevaluated periodically.

Mr. METCALF. The Senator from Utah has mentioned livestock production. What effect will the proposed legislation have on the 29,000 ranchers who use the public lands for grazing?

Mr. MOSS. This legislation should increase the stability of the grazing use on public lands. The delineation and naming of areas under BLM administration will be part of a program for determining the types of investments needed to attain full productivity from the public lands. This will help to assure that the maximum amount of grazing or any other use that can be economically obtained from public land will be provided.

The legislation does not change the Taylor Grazing Act concept which provides that a rancher will be granted a grazing permit but specifies that the amount of grazing in any given year must, in effect, be related to the conservation capacity of the land.

Mr. METCALF. In my preliminary statement I mentioned the contribution which the Senator from Utah and his subcommittee have made to conservation during this session of the Congress, which will be known as a conservation Congress as a result of his contribution. Part of that has been the development of recreational facilities on our public lands and in our national parks, including national parks in his home State and the area known as canyon lands which I hope will be established as the Canyon Lands National Park. How will the proposed legislation improve the development of recreation on the public lands?

Mr. MOSS. First, of course, the Recreation and Public Purposes Act which provides a means for transferring lands to local government for recreation and other purposes will not be disturbed. The Bureau of Land Management will continue its efforts to encourage local governments to develop outdoor recreation facilities.

Second, the authority of the States with regard to wildlife is in no way changed or diminished. The Bureau of Land Management will continue to work cooperatively with the States to provide essential wildlife habitat on public lands. This legislation, however, will give clear authority to the Bureau of Land Management to develop needed recreational facilities on public lands. There is already extensive recreation use being made on the public lands and until recently the Bureau had no funds to provide limited recreational facilities. The result was that unsupervised public use made for unsanitary situations. The Bureau is now endeavoring on a sanitation and protection basis to provide minimum-type facilities—that is, campgrounds with tables, restroom facilities, good drinking water, and fireplaces in order that the public can continue to use the land without harm to it or to adjacent private land. Under this legislation it will be possible for the Bureau to have a more comprehensive program within the basic framework of providing the essential facilities needed for sanitation and protection. This legislation, however, does not prescribe the type of recreational facilities that the Bureau should undertake. This is left to the good sense of the administrators.

Mr. METCALF. The proposed legislation only provides the authority to classify lands for disposal or retention but does not provide any funds to effect multiple-use management. How, then, will the public lands receive the investments that may be needed to effect multiple-use management?

Mr. MOSS. As this legislation is applied and as the administering agency develops the facts regarding the conservation condition of the public lands and the likelihood of their continued retention in public ownership, the agency will be in a better position to present to the Secretary of the Interior and ultimately to the Congress requests for needed funds for conservation investment. There is absolutely no doubt that with our expanding population and the increased demands upon the public lands that it is going to be essential in the years immediately ahead to bring these lands up to their full conservation utilization. This legislation, therefore, is one basis upon which facts will be gathered for the wise use and continued development of the public lands of the United States.

Mr. METCALF. I thank the Senator from Utah. Again I congratulate him on reporting this worthwhile and important conservation measure to the Senate this year. I congratulate him for his other outstanding conservation work.

Mr. MOSS. I thank the Senator from Montana for asking these questions and helping to clarify this conservation bill. The Senator himself is one of the great champions in this body of conservation. His work in the House of Representatives before he came to the Senate stamped him as a leader in this field. He has continued to be a leader during the time that he has served in the Senate. I am grateful indeed for his support. I am sure that with this bill and others that we are working on in the present Congress we can do a good job of conservation.

AUTHORITY FOR COMMITTEE ON FINANCE TO FILE A REPORT ON H.R. 11865—SUPPLEMENTAL AND INDIVIDUAL VIEWS

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Senator from Virginia [Mr. Byrd], chairman of the Finance Committee, I ask unanimous consent that the Finance Committee may have until midnight tonight to file supplemental and additional views, in addition to the report of the Finance Committee itself, on the bill H.R. 11865, the Social Security Amendments of 1964.

The PRESIDING OFFICER. Without objection, it is so ordered.

Subsequently, Mr. Byrd of Virginia, from the Committee on Finance, reported favorably, with amendments, the bill (H.R. 11865) to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes, and submitted a report (No. 1513) thereon, together with the supplemental views of Senators Anderson, Douglas, Gore, McCarthy, Hartke, and Ribicoff, and the individual views of the Senator from Illinois [Mr. Douglas]; with report, together with supplemental and individual views, was ordered to be printed, and the bill to be placed on the calendar.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. RUSSELL. Mr. President, from the Committee on Armed Services, I report favorably the nomination of nine flag and general officers in the Army, Navy, and Air Force. I ask that these names be printed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations ordered to be placed on the calendar are as follows:

Maj. Gen. Paul S. Emrick, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general;

Maj. Gen. Richard Davis Meyer, Army of the United States (brigadier general, U.S. Army), to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general;

Rear Adm. Lloyd M. Mustin, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Herbert H. Eighmy, Elton W. Sutherling, William A. Evans, and Bernhard H. Bieri, Jr., for permanent promotion to the grade of rear admiral in the U.S. Navy;

Brig. Gen. William Donald Graham, Army of the United States (colonel, Medical Corps, U.S. Army), for temporary appointment as major general in the Army of the United States; and

Col. Norman Everett Peatfield, Medical Corps, U.S. Army, for temporary appointment as brigadier general in the Army of the United States.

Mr. RUSSELL. Mr. President, in addition, I report favorably 522 promotions in the Navy in the grade of lieutenant commander and below. Since these names have already appeared in the Congressional Record, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk, for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations ordered to lie on the desk are as follows:

Alfred W. Snell, and sundry other officers, for promotion in the U.S. Navy.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD:

S. 3141. A bill for the relief of Robert C. Lindstrom; to the Committee on the Judiciary.

By Mr. DIRKSEN (by request):

S. 3142. A bill relating to the foreign tax credit under section 901 of the Internal Revenue Code of 1954 in the case of International Standard Electric Corp.; to the Committee on Finance.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

By Mr. SALINGER (for himself and Mr. Kuchel):

S. 3143. A bill to designate as Clair Engle Lake the reservoir created by the Trinity Dam, Central Valley project, California; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Salinger when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY:

S. 3144. A bill for the relief of Dr. Rafael F. Fernandez;

S. 3145. A bill for the relief of Dr. Essam Eldin Ahmad Awad;

S. 3146. A bill for the relief of Dr. Soo Hyun Nam;

S. 3147. A bill for the relief of Augusto Donadel; and

S. 3148. A bill for the relief of Maria Franginisot; to the Committee on the Judiciary.

By Mr. LAUSCHE:

S. 3149. A bill for the relief of Diego Perez-Stable; to the Committee on the Judiciary.

By Mr. FONG:

S. 3150. A bill for the relief of Mrs. Edith Kiaer; to the Committee on the Judiciary.

By Mr. KEATING:

S. 3151. A bill for the relief of Casimiro Giurici;

S. 3152. A bill for the relief of Emilio Smaila;

S. 3153. A bill for the relief of certain Philippine nurses; and

S. 3154. A bill for the relief of Loretta Negrin; to the Committee on the Judiciary.

By Mr. CASE (for himself and Mr. Morse):

S.J. Res. 197. Joint resolution requesting the President to proclaim the week of November 16 to 22 as National Student Council Week; to the Committee on the Judiciary.

(See the remarks of Mr. Case when he introduced the above joint resolution, which appear under a separate heading.)

FOREIGN TAX CREDIT IN THE CASE OF INTERNATIONAL STANDARD ELECTRIC CORP.

Mr. DIRKSEN. Mr. President, by request, I introduce, for appropriate reference, a bill which deals with the foreign tax credit under section 901 of the Internal Revenue Code of 1954 in the case of the International Standard Electric Corp. I presume this comes to me as a member of the Finance Committee. I ask unanimous consent that a brief statement indicating the difficulty and purpose of the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and referred; and, without objection, the explanation will be printed in the Record.

The bill (S. 3142) relating to the foreign tax credit under section 901 of the Internal Revenue Code of 1954 in the case of International Standard Electric Corp., introduced by Mr. Dirksen, by request, was received, read twice by its title, and referred to the Committee on Finance.

The statement presented by Mr. Dirksen is as follows:

Statement

International Standard Electric Corp. ("ISE") is a Delaware corporation, wholly owned by the International Telephone & Telegraph Corp. ("ITT"), is part of the ITT system of companies, and is included in ITT's consolidated tax returns. Its principal assets consist of stocks of foreign corporations and industrial property rights associated with numerous patented electrical and electronic devices. Its principal business activity is the conduct of ITT's foreign operations, including liaison with majority- and minority-owned subsidiaries and with the licensees of its industrial property rights. Until 1961, ISE owned a minority interest of 22.278 percent in Nippon Electric Co. ("Nippon"), one of its Japanese licensees. In that year, it reduced its equity to 15 percent by a sale of a portion of its stock, upon which it realized a gain of $10.8 million.

ISE believed, at that time, that the provisions of the tax convention between Japan and the United States prevented the Japanese from imposing a tax upon these profits.

In 1957, and again in 1961, the U.S. Treasury Department discussed with the Japanese National Tax Administration the interpretation of the provision of the convention that ISE relied upon in planning the sale of Nippon stock. The subjects covered in these discussions were not announced and the interpretation has never been published. In absence of knowledge as to the interpretation, or even the existence of these discussions, ISE was inadvertently misled into believing that the sale was not subject to Japanese income taxes.

In 1961, during the negotiations on a protocol to the tax convention, the Japanese representatives raised the question of taxing ISE upon the profits derived from the sale of Nippon stock. The Treasury representatives were not aware of the facts of the case and made no attempt to persuade the Japanese not to impose the tax. Through a misunderstanding, undoubtedly created by the fact that the negotiations were conducted through translators, the Japanese were of the opinion that our Treasury Department had acquiesced in their decision to tax ISE. The Treasury Department did not apprise ISE of these discussions and did not make any request to ISE for information with respect to the sale either during or after the negotiations.

Had ISE been aware of the views expressed in 1957 and 1961 by the Treasury Department and the Japanese Tax Administration, ISE could have completely avoided these Japanese income taxes simply by rearranging the terms of the sale. Alternatively, had ISE been given the opportunity to present its case during the 1961 negotiations, it is probable that the Japanese representatives would not have misunderstood the position of our Treasury Department. Had ISE been informed, after the close of negotiations, of the position taken by the Japanese negotiators, the company could have taken effective steps to settle this matter with the Japanese National Tax Administration before the final assessment of the tax.

The clearly inadvertent failure on the part of the Treasury Department to inform ISE of the discussions in 1961 or to publish the interpretations discussed in 1957 and 1961 have resulted in payment by ISE of a tax to Japan. For technical reasons, this tax cannot be utilized under the provisions of the code that permit a taxpayer's domestic tax liabilities to be offset by allowing the taxpayer a credit for foreign taxes paid. After provision for this Japanese tax, the affiliated group, of which ISE is a member, will have paid taxes with respect to its 1961 income, at an effective rate in excess of 83 percent. This bill is designed to provide relief by enabling the affiliated group to utilize the tax paid to Japan as a credit against its American tax liabilities.

DESIGNATION OF CLAIR ENGLE LAKE AND RESERVOIR

Mr. SALINGER. Mr. President, it is my honor to join with my colleague, the senior Senator from California [Mr. Kuchel], in introducing a bill to honor the late Senator Clair Engle for his historic contributions to western water, power, and recreational development.

We propose to our colleagues that the reservoir behind Trinity Dam in Trinity County, Calif., be hereafter known as Clair Engle Lake.

Through his 14 years in the House of Representatives and his one term in the Senate, Clair Engle was the author or coauthor of almost all major legislation affecting the huge California Central Valley project.

We believe his energetic dedication to the preservation and development of natural resources in the West deserves a fitting memorial.

Clair Engle came from the mountain country in which Trinity Dam is located. He was present for its dedication on October 14, 1961.

A key unit in the Trinity River division of the Central Valley project, it now serves as a major supplier of both water and power and is one of the most popular recreational areas in all of California.

It is Senator KUCHEL's belief and mine that the U.S. Senate, to which Clair Engle brought humor, integrity, and a dedication to the cause of freedom, could pay him no higher a tribute than to name this huge public project in his honor.

We ask your concurrence in this bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3143) to designate as "Clair Engle Lake" the reservoir created by the Trinity Dam, Central Valley project, California, introduced by Mr. SALINGER (for himself and Mr. KUCHEL), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

DESIGNATION OF NATIONAL STUDENT COUNCIL WEEK

Mr. CASE. Mr. President, on behalf of the Senator from Oregon [Mr. MORSE] and myself, I introduce for appropriate reference, a joint resolution requesting the President of the United States to proclaim the week of November 16 to 22 as National Student Council Week. The students councils of our secondary schools now represent a national institution and merit nationwide recognition by all our citizens. Many of our Nation's future leaders are to be found in these student organizations.

The student council is more than an organization contributing to high school administration. As an elected body, it also is a training ground for democratic procedures and ideals. The members of these councils are learning early to deal with community affairs and are given lessons in the duties and responsibilities of citizenship in a democracy. It goes without saying that we in Congress, who serve as models for these councils, should foster and encourage this type of experience. The celebration of a National Student Council Week is one way we can show our faith in the ability and responsibility of American youth.

My own State of New Jersey was the first to declare a statewide Student Council Week in 1959 by proclamation of the Governor. Since then, I note that out of 38 so far studied, 14 celebrate a Student Council Week, with 9 more possible in the near future. In 1963, the New Jersey Association of High School Student Councils was given responsibility at the annual national association convention of promoting the idea of a National Student Council Week. I am happy to support this effort, and I urge others to do so.

At this point, I ask unanimous consent for insertion in the RECORD of the entire text of the proposed joint resolution.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 197) requesting the President to proclaim the week of November 16 to 22 as National Student Council Week, introduced by Mr. CASE (for himself and Mr. MORSE), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas the several States have had statewide student council weeks; and

Whereas the National Association of Student Councils in convention at Ann Arbor, Michigan in June of 1963 approved the student council week project; and

Whereas the student council more than coordinates student activities and contributes to orderly administration of our secondary schools, but also fosters a sense of citizenship and provides a training ground for youngsters interested in participating in democratic government; and

Whereas the values acquired within the student council have great significance when carried over into adult life; and

Whereas the need for efficient and responsible government is even more urgent in these days of strife, it is especially fitting that student councils receive recognition: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of November 16 to 22 of every year is designated as National Student Council Week, and the President of the United States is authorized and directed to issue annually a proclamation setting aside that week as a public occasion and inviting the people of the United States to observe that week with appropriate ceremonies.

PRINTING OF REVIEW OF REPORTS ON PERDIDO PASS CHANNEL, ALA. (S. DOC. NO. 94)

Mr. McNAMARA. Mr. President, I present a letter from the Secretary of the Army, transmitting a favorable report, dated May 25, 1964, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of the reports on Perdido Pass Channel, Ala., requested by a resolution of the Committee on Public Works, U.S. Senate, adopted March 26, 1960. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

USE OF THE WORDS "UNDER GOD" IN PREAMBLE TO CONSTITUTION—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. BOGGS. Mr. President, at its next printing, I ask unanimous consent that the name of the junior Senator from Nebraska [Mr. CURTIS] be added as a cosponsor of the joint resolution (S.J. Res. 192) proposing an amendment to add the words "under God" to the preamble of the U.S. Constitution.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF PUBLIC HEARINGS ON NOMINATIONS OF CHARLES A. MUECKE TO BE U.S. DISTRICT JUDGE, DISTRICT OF ARIZONA, AND FRANCIS C. WHELAN TO BE U.S. DISTRICT JUDGE, SOUTHERN DISTRICT OF CALIFORNIA

Mr. JOHNSTON. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Tuesday, September 1, 1964, at 10:30 a.m., in room 2228 New Senate Office Building, on the following nominations:

Charles A. Muecke, of Arizona, to be U.S. district judge for the district of Arizona, vice Dave W. Ling, retiring.

Francis C. Whelan, of California, to be U.S. district judge for the southern district of California, vice Leon R. Yankwich, retired.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and the Senator from Mississippi [Mr. EASTLAND] as chairman.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 1169. An act to authorize a per capita distribution of $350 from funds arising from judgments in favor of any of the Confederated Tribes of the Colville Reservation; and

S. 2961. An act to provide for the disposition of the judgment funds on deposit to the credit of the Northern Cheyenne Tribe of the Tongue River Indian Reservation, Mont.

The message also announced that the House had passed the bill (S. 27) to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 5837) to amend the act entitled "An act to authorize the purchase, sale, and exchange of certain Indian lands on the Yakima Indian Reservation, and for other purposes," approved July 28, 1955.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 98) to amend the Internal Revenue Code of 1954 with respect to exportation of imported distilled spirits, wines, and beer.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 4844) relating to the release of liability under bonds filed under section 44(d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. BOGGS, Mr. BYRNES of Wisconsin, and Mr. CUR-

TIS were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 5739) to amend the Internal Revenue Code of 1954 to correct certain inequities with respect to the taxation of life insurance companies; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. BOGGS, Mr. BYRNES of Wisconsin, and Mr. CURTIS were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 10467) to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. BOGGS, Mr. BYRNES of Wisconsin, and Mr. CURTIS were appointed managers on the part of the House at the conference.

IN MEMORY OF THE LATE ERNEST MARTIN HOPKINS, FORMER PRESIDENT OF DARTMOUTH COLLEGE

Mr. McINTYRE. Mr. President, rising amid the traditional New England architecture that abounds on the campus of Dartmouth College in the hills of Hanover, N.H., stands a new and imposing structure of ultramodern design. It is dedicated to the arts.

It was in no way incongruous that this multimillion-dollar cultural center, incorporating all that was new in design, acoustics and lighting, should be named the Hopkins Center. For on that November day in 1962 when the building was dedicated, Dr. Ernest Martin Hopkins rose to the thunderous applause of a distinguished audience and spoke words as young and new and forward looking as the center itself.

It was my great good fortune to have spent my undergraduate days at Dartmouth while Dr. Hopkins was president of the college. He was known then, as indeed through his entire academic career and up to his death some days ago, as a man not bound by tradition. He was interested in the "whole man" long years before the phrase became a cliche. He did not feel it was enough to have a high scholastic rating; he wanted to know about a student's outside activities, his personality and his range of interests.

Dr. Hopkins was a stern fighter against censorship in the classroom or library. He was dedicated to the principle of a broad, liberal arts curriculum and of allowing students to go in the direction their intellectual curiosity took them.

Ernest Martin Hopkins was associated with Dartmouth College for 65 of his 86 years. He poured into it over those years his strength, his determination, his intellect, and his love.

His mortal figure will be seen no more, trudging across the snow-covered streets of his beloved Hanover. But, Mr. President, as long as there remains a Dartmouth College, he shall be there—for he was one with it and inseparable from it.

BOBBY BAKER—UNWELCOME GUEST

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial published in the Morning News of Wilmington, Del., entitled "Unwelcome Guest."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

UNWELCOME GUEST

Bobby Baker, a former Democratic Secretary of the Senate who made a very good financial thing out of his job, is apparently planning to go to Atlantic City during the Democratic National Convention.

Baker was charged by a Senate committee with having committed "gross improprieties" during his tenure of office, but the full-scale investigation demanded by Senator JOHN J. WILLIAMS, of Delaware, and others was carefully avoided by the committee's Democratic majority.

Convention leaders have indicated that Bobby Baker's presence is as a private citizen. He would be highly unwelcome in any other capacity.

It is, we believe, a vain wish. Baker will be an unwelcome visitor, not only at Atlantic City, but throughout the campaign. That's the way it is with a political whitewash. It is hard to get people to believe in it.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I move that the Senate turn to the consideration of Calendar No. 1427, and that the rest of the calendar be considered in sequence.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The clerk will state the first measure to be considered.

INCREASE IN AMOUNT OF FUNDS AUTHORIZING A STUDY OF ADMINISTRATIVE PRACTICE AND PROCEDURE

The resolution (S. Res. 352) to increase the amount of funds authorizing a study of administrative practice and procedure was considered and agreed to, as follows:

Resolved, That S. Res. 261, Eighty-eighth Congress, agreed to February 10, 1964 (authorizing a study of administrative practice and procedure), is hereby amended on page 2, line 22, by striking out "$120,000.00" and inserting in lieu thereof "$130,000.00".

INCREASE IN AMOUNT OF FUNDS TO INVESTIGATE ANTITRUST AND MONOPOLY LAWS OF THE UNITED STATES

The resolution (S. Res. 353) to increase the amount of funds to investigate antitrust and monopoly laws of the United States was considered and agreed to, as follows:

Resolved, That S. Res. 262, Eighty-eighth Congress, agreed to February 10, 1964 (authorizing an investigation of antitrust and monopoly laws of the United States), is hereby amended on page 3, line 8, by striking out "$512,000.00" and inserting in lieu thereof "561,000.00".

INCREASE IN AMOUNT OF FUNDS AUTHORIZING A STUDY OF MATTERS PERTAINING TO CONSTITUTIONAL AMENDMENTS

The resolution (S. Res. 354) to increase the amount of funds authorizing a study of matters pertaining to constitutional amendments was considered and agreed to, as follows:

Resolved, That S. Res. 264, Eighty-eighth Congress, agreed to February 10, 1964 (authorizing a study of matters pertaining to constitutional amendments), is hereby amended on page 2, line 18, by striking out "$55,000.00" and inserting in lieu thereof "$59,000.00".

INCREASE IN AMOUNT OF FUNDS TO INVESTIGATE MATTERS PERTAINING TO CONSTITUTIONAL RIGHTS

The resolution (S. Res. 355) to increase the amount of funds to investigate matters pertaining to constitutional rights was considered, and agreed to, as follows:

Resolved, That S. Res. 265, Eighty-eighth Congress, agreed to February 10, 1964 (authorizing an investigation of matters pertaining to constitutional rights), is hereby amended on page 2, line 16, by striking out "$165,000.00" and inserting in lieu thereof "$182,000.00".

INCREASE IN AMOUNT OF FUNDS TO STUDY MATTERS PERTAINING TO IMMIGRATION AND NATURALIZATION

The resolution (S. Res. 356) to increase the amount of funds to study matters pertaining to immigration and naturalization was considered, and agreed to, as follows:

Resolved, That S. Res. 266, Eighty-eighth Congress, agreed to February 10, 1964, to study matters pertaining to immigration and naturalization, is hereby amended on page 2, line 16, by striking out "$135,000.00" and inserting in lieu thereof "$145,000.00".

INCREASE IN AMOUNT OF FUNDS TO INVESTIGATE PROBLEMS CREATED BY FLOW OF REFUGEES AND ESCAPEES FROM COMMUNIST TYRANNY

The resolution (S. Res. 358) to increase the amount of funds to investigate problems created by the flow of refugees and escapees from Communist tyranny was considered, and agreed to, as follows:

Resolved, That S. Res. 271, Eighty-eighth Congress, agreed to February 10, 1964 (authorizing an investigation of refugees and escapees from Communist tyranny), is hereby amended on page 2, line 17, by striking out "$87,500.00" and inserting in lieu thereof "$93,800.00".

INCREASE IN AMOUNT OF FUNDS TO INVESTIGATE ADMINISTRATION, OPERATION, AND ENFORCEMENT OF THE INTERNAL SECURITY ACT

The Senate proceeded to consider the resolution (S. Res. 357) to increase the amount of funds to investigate the administration, operation, and enforcement of the Internal Security Act which had been reported from the Committee on Rules and Administration, with an amendment, in line 6, to strike out "$386,577.48" and insert "$386,600.00"; so as to make the resolution read:

Resolved, That S. Res. 268, Eighty-eighth Congress, agreed to February 10, 1964 (relating to an investigation of the administration, operation, and enforcement of the Internal Security Act), is hereby amended on page 3, line 2, by striking out "$360,000.00" and inserting in lieu thereof "$386,600.00".

The amendment was agreed to.

The resolution, as amended, was agreed to.

INCREASE IN AMOUNT OF FUNDS FOR STUDY OF THE REVISION AND CODIFICATION OF STATUTES OF THE UNITED STATES

The Senate proceeded to consider the resolution (S. Res. 359) to increase the amount of funds for a study of the revision and codification of the statutes of the United States which had been reported from the Committee on Rules and Administration, with an amendment, in line 5, after the word "thereof", to strike out "31,045.12" and insert "$31,000.00"; so as to make the resolution read:

Resolved, That S. Res. 272, Eighty-eighth Congress, agreed to February 10, 1964 (study of the Revision and Codification of the Statutes of the United States), is hereby amended on page 2, line 17, by striking out "$28,200.00" and inserting in lieu thereof "$31,000.00".

The amendment was agreed to.

The resolution, as amended, was agreed to.

INCREASE IN AMOUNT OF FUNDS TO INVESTIGATE JUVENILE DELINQUENCY

The Senate proceeded to consider the resolution (S. Res. 360) to increase the amount of funds to investigate juvenile delinquency which had been reported from the Committee on Rules and Administration with an amendment, in line 5, to strike out "$250,000.00" and insert "$213,000.00"; so as to make the resolution read:

Resolved, That S. Res. 274, Eighty-eighth Congress, agreed to February 10, 1964 (authorizing an investigation of juvenile delinquency), is hereby amended on page 3, line 2, by striking out "$188,000.00" and inserting in lieu thereof "$213,000.00".

The amendment was agreed to.

The resolution, as amended, was agreed to.

PRINTING OF ADDITIONAL COPIES OF PART 9 OF HEARINGS ENTITLED "ADMINISTRATION OF NATIONAL SECURITY"

The resolution (S. Res. 362) to print additional copies of part 9 of the hearings entitled "Administration of National Security," was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Committee on Government Operations ten thousand additional copies of part 9 of the hearings entitled "Administration of National Security" held by its Subcommittee on National Security Staffing and Operations during the second session of the Eighty-eighth Congress.

AUTHORIZATION TO PRINT ADDITIONAL COPIES OF HEARINGS ON THE FEDERAL RESERVE SYSTEM

The concurrent resolution (H. Con. Res. 330) authorizing the printing of additional copies of hearings on the Federal Reserve System was considered, and agreed to.

PRINTING OF ADDITIONAL COPIES OF SCHOOL PRAYER HEARINGS

The concurrent resolution (H. Con. Res. 336) to provide for the printing of 4,000 additional copies of school prayer hearings was considered, and agreed to.

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON THE FEDERAL RESERVE SYSTEM

The concurrent resolution (H. Con. Res. 346) authorizing the printing of additional copies of hearings on the Federal Reserve System was considered, and agreed to.

PRINTING OF ADDITIONAL COPIES OF "ANNUAL REPORT FOR THE YEAR 1962, COMMITTEE ON UN-AMERICAN ACTIVITIES"

The concurrent resolution (H. Con. Res. 347) authorizing the printing of additional copies of House Report No. 176, 88th Congress, 1st session, entitled "Annual Report for the Year 1962, Committee on Un-American Activities" was considered, and agreed to.

PRINTING AS HOUSE DOCUMENT THE PUBLICATION "WORLD COMMUNIST MOVEMENT, SELECTIVE CHRONOLOGY, 1818–1957," VOLUMES 2 AND 3, AND TO PROVIDE FOR PRINTING OF ADDITIONAL COPIES

The concurrent resolution (H. Con. Res. 348) to print as House document the publication "World Communist Movement, Selective Chronology, 1818–1957," volumes 2 and 3, and to provide for the printing of additional copies, was considered and agreed to.

PRINTING OF ADDITIONAL COPIES OF HOUSE REPORT NO. 1480

The concurrent resolution (H. Con. Res. 349) authorizing the printing of additional copies of House Report No. 1480 was considered and agreed to.

PRINTING OF COMPILATION OF WORKS OF ART AND OTHER OBJECTS IN THE U.S. CAPITOL, AS A HOUSE DOCUMENT

The concurrent resolution (H. Con. Res. 350) authorizing the printing of a compilation of works of art and other objects in the U.S. Capitol, as a House document, and for other purposes was considered and agreed to.

MARGE DESTITO

The resolution (S. Res. 364) to pay a gratuity to Marge Destito was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Marge Destito, widow of Ross Destito, an employee of the Senate at the time of his death, a sum equal to three months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

TEMPORARY PLACEMENT IN ROTUNDA OF THE CAPITOL STATUE OF FATHER EUSEBIO FRANCISCO KINO AND CEREMONIES IN CONNECTION THEREWITH

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 273) to place temporarily in the rotunda of the Capitol a statue of Father Eusebio Francisco Kino, and to hold ceremonies on such occasion.

Mr. GOLDWATER subsequently said: Mr. President, for many years residents of Arizona, students of the history of our great Southwest, and others throughout the Nation have sought to memorialize Father Eusebio Francisco Kino—cartographer, explorer, historian, astronomer, agriculturist, ranchman, pioneer, and man of God—by placing his statue in Statuary Hall of the U.S. Capitol. It long was hoped—but in vain—that this could have been accomplished in 1962, the 50th anniversary of my native State and the 250th anniversary of Father Kino's death.

Although legislation which I sponsored to authorize placement of the statue in the Capitol first was brought before this body just 2 years ago and was approved without dissent, technical and parliamentary difficulties prevented its implementation in time to coincide with the two anniversaries I mentioned. Today, the resolution is again before us, having been approved without objection by the other House of Congress.

In urging passage of this resolution today, I wish to take just a few minutes to describe Father Kino's career so that all here may understand and appreciate his greatness.

Eusebio Francisco Kino was born in the Tyrol section of Italy in 1645, and was ordained by the Society of Jesus as a youth. He came to Lower California in 1681, and 6 years later was transferred to northwestern Mexico.

In his lifetime, Father Kino made 35 mapping journeys, including explorations of the Colorado, Santa Cruz, and San Pedro rivers and the area around the present site of Yuma. He blazed the trail from southern Arizona into Mexico which is known as El Camino del Diablo, or the Devil's Highway. He personally baptized more than 4,500 Indians and established a chain of 25 major missions in the Southwest. He taught the Indians of the area to cultivate such crops as wheat, corn and beans and introduced the first large-scale cattle ranching to the area.

A brilliant as well as a tireless man, Father Kino lectured before rulers and the most learned societies in Europe and held astronomical disputations with the savants of Mexico City. He correctly mapped much of the unknown lands of California and Arizona. But most of all, Father Kino was a man of his people and of his God.

For these and many other of Father Kino's achievements, I strongly urge passage of House Concurrent Resolution 293, a bill similar to my Senate resolution which passed in the 87th Congress.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

ACCEPTING STATUE OF FATHER EUSEBIO FRANCISCO KINO OF ARIZONA, TO BE PLACED IN THE STATUARY HALL COLLECTION

The concurrent resolution (H. Con. Res. 274) accepting the statue of Father Eusebio Francisco Kino of Arizona, presented by the State of Arizona, to be placed in the Statuary Hall collection was considered and agreed to.

PRINTING OF PROCEEDINGS IN CONNECTION WITH UNVEILING OF STATUE OF FATHER EUSEBIO FRANCISCO KINO OF ARIZONA

The concurrent resolution (H. Con. Res. 275) providing for printing of proceedings in connection with the unveiling of the Father Eusebio Francisco Kino of Arizona, statue was considered and agreed to.

EMPLOYMENT BY SMITHSONIAN INSTITUTION OF ALIENS IN A SCIENTIFIC OR TECHNICAL CAPACITY

The bill (H.R. 10178) to authorize the Smithsonian Institution to employ aliens in a scientific or technical capacity was announced as next in order.

Mr. THURMOND. Mr. President, reserving the right to object, I should like to make inquiry as to how far it is proposed to go.

Mr. JORDAN of North Carolina. Mr. President, in certain areas of meteorite geology and oceanographic research programs and other phases of the work connected with the Smithsonian Institution, it is necessary to employ experts in various fields. It has been customary for other agencies to be able to employ aliens who have been cleared, but only when Americans are unavailable for such jobs. The aliens must be fully investigated before they are ever cleared for the jobs. This is not to say that there will be any employed. This is a bill to authorize the employment of such experts when necessary.

Mr. THURMOND. Mr. President, do I correctly understand the distinguished Senator to say that no aliens will be employed except when Americans are unavailable, and that, if employed, they would have to be screened so that there would be no question about their loyalty?

Mr. JORDAN of North Carolina. That is correct.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

Mr. ELLENDER subsequently said. Mr. President, I was informed just now that several resolutions, beginning with Senate Resolutions 360, 359, 357, 358, 356, 355 354, 352, and 353 were agreed to. These deal with increased amounts necessary for certain committees.

I move to reconsider the vote by which all these resolutions were agreed to, so that I can have a look at them.

Mr. DIRKSEN. Mr. President, the majority leader motioned those resolutions up this morning. I would almost be compelled to——

Mr. ELLENDER. I have the right to reconsider. That is all I want.

ADJUSTMENTS IN ANNUITIES UNDER FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 745) to provide for adjustments in annuities under the Foreign Service retirement and disability system which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Foreign Service Annuity Adjustment Act of 1964".

Sec. 2. (a) Annuities paid from the Foreign Services retirement and disability fund on the date of enactment of this Act, based on service performed by annuitants which terminated prior to October 16, 1960, shall be adjusted under the provisions of section 821(b) of the Foreign Service Act of 1946, as amended, relating to the formula for reduction in annuity to provide for a surviving widow, as though such provisions had been in effect on the date of the annuitant's separation from the Service, or, in the case of any annuitant who makes an election under paragraph (1) or (2) of this subsection, in accordance with the following:

(1) An annuitant who at time of retirement was married to a wife who is still living (and to whom he is married on the date of enactment of this Act), and for whom he has not elected a widow survivor benefit before such date of enactment, may, within one hundred and twenty days after such date of enactment, elect to provide a widow survivor benefit of $2,400 per annum. The annuity of an annuitant who makes an election under this paragraph shall be reduced by $300 per annum.

(2) An annuitant who at time of retirement was married to a wife who is still living (and to whom he is married on the date of enactment of this Act) and for whom he has elected, before such date of enactment, a widow survivor benefit of less than $2,400 per annum, may, within one hundred and twenty days after such date of enactment, elect to provide a widow survivor benefit of $2,400 per annum. The annuity of an annuitant who makes an election under this paragraph shall be reduced by $300 per annum in lieu of any reductions of his annuity in effect on the date of enactment of this Act because of elections made by him before such date of enactment in connection with the provision of a widow survivor annuity.

(b) If an annuitant referred to in paragraph (a)(1) or (a)(2) of this section dies within one hundred and twenty days after the date of enactment of this Act, without having made an election under such paragraph (a)(1) or (a)(2), his surviving widow shall be paid the greater of—

(1) $2,400; or

(2) the annuity to which she may be entitled from the Foreign Service Retirement and Disability Fund as his widow under any provision of law in effect on the date of the death of the annuitant.

Sec. 3. If a former participant whose service as a class 4 Foreign Service officer was terminated prior to October 16, 1960, and who elected a deferred annuity, dies before becoming eligible to receive an annuity, the benefit of the surviving widow, if she was eligible under the terms of the law in effect upon his separation from the Service, shall not be less than $2,400 per annum.

Sec. 4. In any case in which an annuitant who retired prior to October 16, 1960, dies before the date of enactment of this Act, leaving a widow to whom he was married at time of retirement who is not entitled to receive an annuity as his widow under the Foreign Service Retirement and Disability System, and who is not receiving benefits as his widow under the Federal Employees' Compensation Act, the Secretary of State shall grant such widow, whether remarried or not, an annuity of $2,400 per annum.

Sec. 5. The annuity of each widow survivor annuitant who, on the date of enactment of this Act, is receiving a survivor annuity from the Foreign Service Retirement and Disability Fund of less than $2,400 per annum is hereby increased to $2,400 per annum.

Sec. 6. The annuity benefits elected or provided with respect to any widow under section 2, 3, 4, or 5 of this Act shall be in lieu of any annuity benefits to which such widow otherwise would be entitled as the widow of the Foreign Service officer with respect to whom such annuity benefits are so elected or provided.

Sec. 7. Any increase, adjustment, or grant of an annuity under section 2, 4, or 5 of this Act shall commence on the first day of the month following the expiration of the 120-day period beginning on the date of enactment of this Act, and the monthly rate payable shall be fixed at the nearest dollar.

Sec. 8. Annuity benefits provided by this Act shall be paid from the Foreign Service

Retirement and Disability Fund; except that, no part of such fund shall be applied toward the payment of any benefits under section 2, 4, or 5 of this Act until an appropriation is made to such fund in an amount which the Secretary of the Treasury estimates to be necessary to prevent an increase in the unfunded liability to such fund for the first fiscal year during which such benefits are payable.

SEC. 9. Title VIII of the Foreign Service Act of 1946, as amended, is amended as follows:

(1) Section 821(b) of such Act (22 U.S.C. 1076(b)) is amended to read as follows:

"(b)(1) At the time of retirement, any married female participant may elect to receive a reduced annuity and to provide for an annuity payable to her husband, commencing on the date following such participant's death and terminating upon the death of such surviving husband. The annuity payable to the surviving husband after such participant's death shall be 50 per centum of the amount of the participant's annuity computed as prescribed in paragraph (a) of this section, up to the full amount of such annuity specified by her as the base for the survivor benefits. The annuity of the participant making such election shall be reduced by 2½ per centum of any amount up to $2,400 she specifies as the base for the survivor benefits plus 10 per centum of any amount over $2,400 so specified.

"(2) At the time of retirement, the annuity of each married male participant computed as prescribed in paragraph (a) of this section shall be reduced by $300 to provide for his surviving wife a minimum annuity of $2,400; except that, if his annuity is more than $4,800, he may elect up to 50 per centum of such annuity for his surviving wife, and if such election is made, his annuity shall be further reduced by 10 per centum of the difference between $4,800 and the base he specifies for the survivor benefit."

(2) The first sentence of section 832(b) of such Act (22 U.S.C. 1082(b)) is amended by inserting immediately before the period at the end thereof the following: "; except that the annuity of any widow shall not be less than $2,400".

(3) At the end of title VIII of such Act add the following:

"PART J—COST-OF-LIVING ADJUSTMENTS OF ANNUITIES

"SEC. 882. (a) On the basis of determination made by the Civil Service Commission pursuant to section 18 of the Civil Service Retirement Act, as amended, pertaining to per centum change in the price index, the following adjustments shall be made:

"(1) Effective April 1, 1964, if the change in the price index from 1962 to 1963 shall have equaled a rise of at least 3 per centum, each annuity payable from the fund which has a commencing date earlier than January 2, 1963, shall be increased by the per centum rise in the price index adjusted to the nearest one-tenth of 1 per centum.

"(2) Effective April 1 of any year other than 1964 after the price index change shall have equaled a rise of at least 3 per centum, each annuity payable from the fund which has a commencing date earlier than January 2 of the preceding year shall be increased by the per centum rise in the price index adjusted to the nearest one-tenth of 1 per centum.

"(b) Eligibility for an annuity increase under this section shall be governed by the commencing date of each annuity payable from the fund as of the effective date of an increase, except as follows:

"(1) Effective from the date of the first increase under this section, an annuity payable from the fund to an annuitant's survivor (other than a child entitled under section 821(c)), which annuity commenced the day after the annuitant's death, shall be increased as provided in subsection (a)(1) or (a)(2) if the commencing date of annuity to the annuitant was earlier than January 2 of the year preceding the first increase.

"(2) Effective from its commencing date, an annuity payable from the fund to an annuitant's survivor (other than a child entitled under section 821(c)), which annuity commences the day after the annuitant's death and after the effective date of the first increase under this section, shall be increased by the total per centum increase the annuitant was receiving under this section at death.

"(3) For purposes of computing an annuity which commences after the effective date of the first increase under this section to a child under section 821(c), the items $600, $720, $1,800, and $2,160 appearing in section 821(c) shall be increased by the total per centum increase allowed and in force under this section and, in case of a deceased annuitant, the items 40 per centum and 50 per centum appearing in section 821(c) shall be increased by the total per centum increase allowed and in force under this section to the annuitant at death. Effective from the date of the first increase under this section, the provisions of this paragraph shall apply as if such first increase were in effect with respect to computation of a child's annuity under section 821(c) which commenced between January 2 of the year preceding the first increase and the effective date of the first increase.

"(c) No increase in annuity provided by this section shall be computed on any additional annuity purchased at retirement by voluntary contributions.

"(d) No increase in annuity provided by this section shall apply to amounts paid under authority of section 5 of Public Law 84–503, as amended, section 4 of the Foreign Service Annuity Adjustment Act of 1964, or any other law authorizing annuity grants to widows.

"(e) The monthly installment of annuity after adjustment under this section shall be fixed at the nearest dollar."

Mr. SPARKMAN. Mr. President, I shall make a brief statement on the bill (S. 745). The bill provides for adjustments in annuities under the Foreign Service retirement and disability system. As amended by the House, it covers individuals in the following categories:

First, approximately 178 annuitants who retired prior to October 16, 1960, whose wives are still living and for whom they have provided no survivor annuity, may elect to provide such an annuity in the amount not to exceed $2,400. The cost of the annuity will be computed under the more liberal formula set forth in section 821(b) of the Foreign Service Act of 1946, as amended in 1960.

Second, about 83 annuitants who retired before October 16, 1960, and who provided a survivor annuity of $2,400 or more will automatically have the cost of their annuities recomputed in accordance with the 1960 formula.

Third, approximately 93 annuitants who, upon their retirement before October 16, 1960, elected a survivor annuity of less than $2,400 would be permitted to bring their survivor annuity up to $2,400 and pay the cost for such annuity under the more liberal formula of the 1960 act. If annuitants choose not to elect a larger annuity up to $2,400, the cost of the survivor annuity for which they are now paying will be reduced in accordance with the formula now in effect.

Fourth, 27 widows whose husbands failed to provide an annuity for them, and who are not receiving benefits under the Federal Employees' Compensation Act, would be entitled to receive $2,400 annually.

In this connection, S. 745, as amended by the House, provides that after the date of its enactment, married Foreign Service officers now in active service would be required to provide, upon their retirement, a minimum annuity of $2,400 for their widows. This provision assures that all future widows of Foreign Service officers will receive an annuity of at least $2,400.

It makes this a one-time operation, without recurrence in the future.

In addition, the bill provides for cost of living adjustments based upon a price index analysis made annually by the Civil Service Commission. However, it prohibits payments of cost of living increases to those 27 widows who would be entitled to receive annuity grants, as distinct from those widows who receive annuities based upon death in service or elections made by their husbands for such annuities.

Mr. President, I believe I should point out that there are several basic differences between S. 745 as it was passed by the Senate on January 27, 1964, and as it was amended by the House.

Under the terms of the bill approved by the Senate, a Foreign Service Officer retiring prior to October 16, 1960, would be able to take out the maximum annuity for his widow pursuant to the more liberal provisions of the 1960 act, that is, up to 50 percent of the full annuity to which he is entitled at the time of his retirement. On the other hand, as I pointed out previously, the House amended the bill by limiting the amount of the annuity which he could provide for his widow to $2,400, regardless of whether he might be eligible to take out a larger annuity under the 1960 act.

In addition, as passed by the Senate, S. 745 would require any annuitant electing to provide his widow with an annuity under the more liberal provisions of the 1960 act to repay the amounts such an annuity would have cost from the date of his retirement. There is no comparable provision in the House version of the bill.

Moreover, as I mentioned earlier, the House version requires Foreign Service Officers now in active service to provide a minimum annuity of $2,400 for their prospective widows. There is no comparable provision in the Senate version.

Mr. President, I continue to feel that there is a dire need for the enactment of legislation to provide for these adjustments in annuities under the foreign service retirement and disability system. In my view, the disparity in the costs and benefits between the retirement and disability systems in effect today are so great as to create an injustice and constitute reasonable and just grounds for supporting legislation to remove the inequities. It seems to me that S. 745, as amended by the House, represents a fair compromise. I might add, it has the approval of all interested parties, and the estimated cost of financing it is only $2,870,600, as compared to $3,407,000 for the Senate version of the bill. I hope, therefore, that the Senate will approve it without delay.

I move that the Senate concur in the House amendment.

Mr. WILLIAMS of Delaware. Mr. President, I have listened with interest to my good friend from Alabama, and I marvel at the manner in which he mentioned that the bill will only cost $2.8 million.

There are some features of the bill which are meritorious, but there are some which I think should not pass. For example, I would go along with the phase of the bill which deals with pensions for the widows. Both the Senator from Ohio [Mr. LAUSCHE] and I sponsored an amendment to the bill, when it went through the Senate, to take care of them.

But there is another phase to this bill. There are 178 retirees from the Foreign Service who are living today and who at the time of their retirement did not think enough of their wives to designate them as beneficiaries. The reason they did not designate them as beneficiaries at that time was that they wanted to draw higher annuities. After having drawn higher annuities for a period of years they now want Congress to authorize them to designate their wives as beneficiaries without their paying back the overpayments.

In the Senate bill, which was supported by the Senator from Ohio and myself, we allowed them to make this belated choice, but we provided, in an amendment approved by the Senate, that they would have to pay back out of their future annuities the extra money which they would not have collected if they had designated their wives as beneficiaries at the time of retiring.

The Senate considered this a fair settlement, but the House amendment before us now strikes out this repayment requirement.

It will give this small group a windfall of over $2 million.

To show the Senate how some of these so-called poor fellows are struggling to get along and cannot take care of their wives I will cite one particular case. This man retired on July 31, 1956. Since that time he has drawn retirement pay of $17,500 a year from the Government. He did not designate his wife as his beneficiary. Now we are asked to let this man designate his wife as his beneficiary but keep all the extra money he has drawn during these intervening 8 years. We are now asked to give this individual the right to declare his belated recognition of his wife. In my book the fact that he did not recognize his responsibility to her 8 years ago does not mean that we should give him what in this case amounts to $9,600 extra. This man, who has been drawing $17,500 a year from the Government in retirement benefits, can afford to support his wife and pay back to the U.S. Government the $9,600.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. I am certain that if Senators knew exactly what was happening in this situation, they would rebel. The Senator from Delaware has just pointed out the case of a Foreign Service employee who went on retirement 8 years ago. Is that correct?

Mr. WILLIAMS of Delaware. That is correct.

Mr. LAUSCHE. His retirement pay was $17,500 a year. He did not deem it necessary to name his wife as a potential beneficiary, if he preceded her in death. The consequence was that when he retired 8 years ago, the amount which was paid to him was larger than would have been paid if he had designated his wife as beneficiary.

For 8 years he has been receiving $17,500. During those 8 years, if he had designated his wife 8 years ago as a beneficiary, he would have received a lesser amount.

Now Congress says to 126 of them in this category, "You have received more than you would have received if your wife had been designated as a beneficiary when you retired, but we will now allow you to designate her." They have had a windfall of a substantial sum.

Eight years ago there were others who retired. They designated their wives as beneficiaries. Those retirees received less money.

I cannot see how we can justify the proposed action on any moral ground.

If I may continue, yesterday morning the Senator from Tennessee [Mr. WALTERS] read a paper to a group of 20 Senators at a breakfast meeting. His theme was, "Obey the Law." He pointed out that riots are occurring in various parts of the country, and that law and order are being violated. He spoke about the Ten Commandments. In those Ten Commandments is the mandate, "Thou shalt not steal."

We are stealing from the taxpayers money that belongs to them and paying it to individuals who are not entitled to it. I think this is a scandal.

May I ask the Senator from Delaware a question? Is it not a fact that when this fund was established in 1924, it was set up on a basis that was actuarially sound?

Mr. WILLIAMS of Delaware. The civil service retirement fund was. I personally do not think it ever has been actuarially sound since the Congress has been too generous in approving benefits without having the courage to attach a price tag on them.

It is far from being actuarially sound now. The Civil Service Commission has stated that in order to make the fund actuarially sound the Federal Government and the employees together would have to contribute about 28 percent.

Mr. LAUSCHE. It is 29.5 percent that is required now.

Mr. WILLIAMS of Delaware. I stand corrected. At the moment they are paying only 6.5 percent each; 6.5 percent is contributed by the Government, and 6.5 percent is contributed by the employee. The contributions now are less than half what is necessary to maintain present annuities.

If we adopt the principle which is advocated in the bill today for the employees covered by it, why should not the civil service employees, who are members of the civil service retirement fund, have the same right. They, too, will come in and ask the same benefits instead of having their annuities reduced if they designate their wives as beneficiaries. They will have considerable merit to their argument if they come in and say we should do the same for them.

I do not believe we have any choice except to reject the conference report and to send the bill back to the House and ask the House to take the measure which was passed in the Senate. That amendment would provide that the employees could even now elect to designate their wives as beneficiaries, but either at a reduced annuity or we would insist that they pay back into the Federal Treasury the amount that they had collected from the Government to which they are not entitled.

Mr. President, I ask for a division on the motion of the Senator from Alabama to concur in the House amendment.

Mr. LAUSCHE. Mr. President——

Mr. WILLIAMS of Delaware. I believe we have the votes now if we get a vote on it.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

Mr. LAUSCHE. May I continue?

Mr. MANSFIELD. I temporarily withdraw my suggestion of the absence of a quorum.

Mr. LAUSCHE. When the fund was established the contribution by the employee was 5.5 percent and by the Government 5.5 percent. The fund was actuarially sound with the 11-percent contribution.

Since 1924, 13 liberalizations have been made in the fund. The result is that now the Government owes $284 million to the fund. By the Government, I mean the taxpayers. In addition to the $284 million, the contributions to the fund, to make it actuarially sound, would have to be 29 percent.

The Senator from Connecticut [Mr. RIBICOFF], in connection with the medicare bill, made the statement that when we get above 10 percent in contributions, we are likely to be in trouble. In connection with this fund, we will have to go to 29.5 percent.

One hundred and twenty-six individuals, who did not think enough of their wives to designate them as beneficiaries, and preferred to get an increased retirement check, now come to Congress with this bold, brazen, indefensible proposal, and in effect they say, "We did not designate our wives when we retired. We did not designate them as potential beneficiaries. When we did not designate them, we gave ourselves more money than we would have received if we had designated our wives as beneficiaries."

Now, 8 years later, with respect to one of these retirees—and probably there are others who retired 5, 6, 7, or 8 years ago—this person gets $17,500 a year. Others, I am sure, receive similar amounts. Each one receives more money than he would have received if he had designated his wife as a beneficiary. Now they say, "Let us be permitted to designate our wives as beneficiaries, but do not require us to pay back the excess money which we received."

The Senator from Tennessee [Mr. WALTERS] was not in the Chamber when I mentioned him a moment ago. He delivered a superb paper yesterday on the need of inculcating in the minds of the people of our country the essentiality of obedience to law and order. I see the Senator in the Chamber. I mentioned that the Senator spoke of the Ten Commandments and spoke on the principles enunciated in the Sermon on the Mount. He said that we must maintain law and order and not violate the laws.

Yet it is proposed that Congress have the audacity to put its stamp of approval on the requests of these 126 persons, to give them a windfall to which they are not entitled.

I ask this question of the Senator from Delaware: Did some of the retirees designate their wives as beneficiaries during the life of this act?

Mr. WILLIAMS of Delaware. Oh, yes. It is my understanding that the majority of them do.

Mr. LAUSCHE. Many of them did?

Mr. WILLIAMS of Delaware. Yes.

Mr. LAUSCHE. Is it fair to them, whose annuity was reduced because they designated their wives, to have them suffer a loss, while we are giving these 126 persons this additional benefit?

Mr. WILLIAMS of Delaware. No; that is the point I made. Many people in the civil service retirement fund will be affected by our decision here. The Civil Service Commission has a formula under which the annuity is reduced by a certain amount if a person designates his wife as a beneficiary. That is very proper. That must be done in order to keep the fund actuarially sound. All the employees who have taken a reduced annuity over the years will have a valid argument that they be treated in the same way. They will have every right to say, "You should give us the same consideration."

Furthermore, there are many people on social security who draw their benefits with the understanding that they cannot make more than a certain amount of money. If they do their social security benefits are reduced by that excess.

The Government does not hesitate to withhold that additional benefit from the social security retirees. Most of the time the pension in such a case would be about $1,200 or $1,500.

The case I have cited is a glaring example, but in this case the man was drawing $17,500 a year. If he had designated his wife his retirement pay would have been reduced to $16,300 a year. Instead of doing that, he said, in effect, that he would let someone else take care of his wife. He was not satisfied to take a reduced annuity. Now he is asking the Government to take care of it and to pay the $9,600 which he should be paying back to the Federal Treasury.

Another man, who retired on July 31, 1958, is drawing a pension of $10,368.95. During the 6 years that he has been drawing his pension he has received $7,200 over and above what he would have received if he had designated his wife as a beneficiary at the time.

Why should he not pay the excess back to the Treasury? He has received it. It was not due him. The man who did designate his wife had his annuity reduced by that amount?

The motion of the Senator from Alabama to concur in the House amendment should be rejected. The Senate should insist on the Senate bill, which in my opinion was a very fair bill as it was amended by the amendment of the Senator from Ohio [Mr. LAUSCHE], of which amendment I was a cosponsor.

Mr. President, I ask for a division.

Mr. LAUSCHE. Mr. President, may I ask one further question?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

Mr. THURMOND. Mr. President, will the Senator withhold that request?

Mr. MANSFIELD. I withhold it temporarily.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. THURMOND. I am in hearty accord with what has been said by the able Senator from Delaware and the able Senator from Ohio. At the time these people retired, they had a choice. In making their choice, they did not designate their wives. Yet they come in now and ask that they be able to designate their wives without reducing their retirement pay. This is unjust to the taxpayers of this country. It is not in accordance with the retirement law. In the next place, it is unjust to those employees who took a reduced amount in order to take care of their wives.

In the third place, it is unfair for a man even to make such a request of the Government. It seems to me that the Government has gone overboard in the matter of retirement benefits. I am wondering how long this country can stand, when we pay such large retirement benefits as were paid in the one case that was mentioned as an illustration. When people who are retiring can draw such large amounts, it seems to me that they ought to be grateful enough if Congress even allows them to have deducted from their retirement the amount they should have deducted in the beginning to take care of their wives. Instead of that, they want to have their wives taken care of and still not repay the amount that should have been deducted. This is a great mistake. I do not believe it is honest. It is not just. In my opinion, the people of the country will not approve of such a procedure.

I highly commend the able Senator from Delaware and the able Senator from Ohio for pressing this matter.

Mr. SPARKMAN. Mr. President, I do not care to prolong the debate. All these matters were discussed in January, when the Senate passed the bill. These questions were considered in the other body. The amendment was agreed to there. Now the bill has come back to the Senate. It is lower in cost than the bill that passed the Senate. Of course, individual cases can be picked out—perhaps 3 or 4 can be picked out—of a list of 178. But one thing must be remembered. Congress, in 1960, amended the retirement act and reduced the rate that was required.

What we are doing now is to say that this small group of people who had not taken advantage of the benefit at that time may, by paying the rate set in 1960, provide a survivor annuity of not to exceed $2,400 a year.

Furthermore, prior to 1960, in order to get a $2,400 annuity for one's wife, the premium that had to be paid was $1,200. That explains why many of these persons did not take the benefit. They would have had to pay $1,200 for a $2,400 survivor annuity. I submit that that is a pretty steep premium.

It is a very small group that we are considering today. But only a few weeks ago the Senate passed the pay raise for the military personnel of the United States. I am not sure, but I believe there is a recomputation provision in the military retirement law. How much do military personnel pay for their retirement? Not one single dime. Yet I did not hear a single word of protest on the floor of the Senate when that bill was passed.

I am not complaining about that arrangement. It is historic; I have supported it, and I still support it. But why are there protests when a small group has been adversely affected by legislation passed by Congress, and not a word is said when the millions who are affected by the military pay raise bill were benefited?

The members of the judiciary throughout the country do not pay a single dime toward their retirement. They do not get $2,400 retirement for $1,200. They receive full salary for life. Yet there was not one single word of protest about that.

Mr. LAUSCHE. Mr. President, I must challenge that. I protested it vigorously. I resent the statement that no protest was made.

Mr. SPARKMAN. Very well. I heard no protest.

Mr. WILLIAMS of Delaware. There was plenty of protest.

Mr. SPARKMAN. I will accept the statement of the Senator from Ohio.

Mr. THURMOND. The Senator from South Carolina voted against the bill.

Mr. SPARKMAN. The military pay increase bill?

Mr. THURMOND. No; I voted for that.

Mr. SPARKMAN. I was talking about the military pay raise bill.

Mr. THURMOND. Military personnel can be sent to Vietnam or anywhere else, and their lives are in jeopardy.

Mr. SPARKMAN. So can the Foreign Service personnel and their families be sent anywhere. They are sent to the same places as are the military.

Mr. THURMOND. Their lives are not in jeopardy, as are the lives of the military. The Senator knows they are not. The Senator seeks to compare military personnel with State Department personnel, who are sitting back in their buildings safe and secure. The military man is out on the battlefield, subjecting his life to the action of the enemy at any time.

Mr. SPARKMAN. I said I was not objecting to the military pay scale. When I was a Member of the House of Representatives, I was chairman of the Subcommittee on Pay and Allowances. I sponsored the pay raise bill of 1942, which was a historic pay bill, and the bills for retirement and recomputation. I am not protesting against that. I am only talking about drawing the line now against a few persons who have been adversely affected by an act of Congress itself.

The bill as it has come from the House would cost less than the bill that the Senate sent over. The Senate argued all these points in January; then we passed the bill on a voice vote.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. SPARKMAN. I yield.

Mr. LAUSCHE. What about the persons who retire and designate their wives as beneficiaries, and consequently receive less income? What is their position compared to the benefaction that will be given to the 126 persons who did not see fit to designate their wives, and have received $1,200 more a year for 8 years—$9,600—which went into their pockets, but who now say, "Give me the retirement benefit and also include my wife." What about that situation?

Mr. SPARKMAN. I shall add one word and then I shall have concluded. It should be remembered that a large number of these Foreign Service officers retired long ago, before the act of 1960. A great many of them—practically all of them—received relatively low salaries. I think we can imagine what a $1,200 premium for a $2,400 benefit would amount to.

I do not care to discuss the question further because we have already gone over the ground thoroughly.

Mr. WILLIAMS of Delaware. Mr. President, the Senator from Alabama was not quite correct in his statement as to the cost of the bill. He said that the House amendment now before us is lower in cost than the bill that was reported to the Senate. To that extent he is correct. But it is not lower in cost than the bill that was finally passed by the Senate, because the bill that we passed was amended by the adoption of the Lausche-Williams of Delaware amendment. That amendment provided that the money should be repaid to the Federal Treasury. Neither of the two proposals affects the 26 widows. But those other retirees who are living, the ones who would collect the $2,184,102.36 under the House bill, would have been required to pay that money back to the Federal Treasury under the Lausche-Williams of Delaware amendment.

Why should they not have to pay it back? They are still living.

As I pointed out before, one person, whose case I frankly admit is a glaring one, is still drawing $17,500 a year in retirement benefits. Why should he not pay back to the Treasury his $9,600 overpayment? Another person retired on July 31, 1952, and is drawing an even $8,100. He has drawn $14,400 that he should pay back to the Treasury. Other Government employees are required to refund these overpayments. Another man retired January 31, 1957, drawing retirement benefits of $10,554.10, and that man has had 7 years overpayment. Why should he not pay back $8,400 into the Federal Treasury?

There are many such cases.

Mr. President, I ask unanimous consent that a report giving a breakdown of every one of these cases showing the date they retired, the annuity which they received, and the amount which they would have to pay back into the Federal Treasury in order to designate their wives as provided for in this bill, be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Foreign Service officers retired prior to Oct. 16, 1960—Elected full annuity—Married at time of retirement

Date retired	Full annuity at retirement	Assumed reduction in annuity		Years elapsed, retirement to August 1964	Total assumed deductions
		Election of $2,400 survivor benefit	Election maximum benefit of less than $2,400		
Apr. 30, 1951	$5,990.12	$1,200		13	$15,600.00
Mar. 31, 1943	5,020.50		$1,121.82	21	23,558.22
July 31, 1958	10,368.95	1,200		6	7,200.00
June 30, 1952	3,192.37		798.09	12	9,577.08
May 31, 1953	7,134.36	1,200		11	13,200.00
Apr. 30, 1959	7,665.48	1,200		5	6,000.00
Dec. 31, 1945	6,000.00	1,200		19	22,800.00
May 31, 1953	7,486.52	1,200		11	13,200.00
Dec. 31, 1948	2,135.82		533.96	16	8,543.36
Nov. 30, 1959	7,223.80	1,200		5	6,000.00
Dec. 20, 1952	6,455.88	1,200		12	14,400.00
Do	4,087.72		1,021.93	12	12,263.16
Mar. 31, 1941	2,367.00		532.50	23	12,247.50
Aug. 31, 1951	6,669.05	1,200		13	15,600.00
July 31, 1947	6,400.00	1,200		17	20,400.00
July 31, 1948	5,296.28		1,108.39	16	17,734.24
May 31, 1948	7,645.06		998.22	16	15,971.52
July 31, 1948	6,645.25	1,200		16	19,200.00
Dec. 31, 1959	5,490.27	1,200		5	6,000.00
Dec. 31, 1949	7,280.00	1.200		15	18,000.00
May 31, 1956	5,133.79	1,200		8	9,600.00
Jan. 31, 1953	6,686.03	1.200		11	13,200.00
Jan. 31, 1960	6,320.24	1,200		4	4,800.00
Jan. 31, 1934	1,623.87		405.97	30	12,179.10
May 3, 1954	2,357.50		589.38	10	5,893.80
Sept. 30, 1944	5,969.20	1,200		20	24,000.00
Oct. 31, 1959	4,156.60		1,039.15	5	5,195.75
Aug. 31, 1959	7,810.94	1,200		5	6,000.00
May 31, 1959	5,149.97		1,011.12	5	5,055.60
Feb. 28, 1955	8,100.00	1,200		9	10,800.00
Mar. 31, 1952	6,223.38	1,200		12	14,400.00
Apr. 30, 1949	4,570.63		952.26	15	14,283.90
July 31, 1957	7,578.52	1,200		7	8,400.00
Nov. 30, 1959	6,323.11	1,200		5	6,000.00
June 30, 1954	6,732.60	1,200		10	12,000.00
Jan. 18, 1953	8,100.00	1,200		11	13,200.00
Nov. 30, 1958	9,568.83	1,200		6	7,200.00
Aug. 31, 1950	4,350.97		906.45	14	12,676.30
July 2, 1953	2,190.75		547.63	11	6,023.93
Nov. 30, 1959	6,761.31	1,200		5	6,000.00
Mar. 15, 1953	8,100.00	1,200		11	13,200.00
Sept. 30, 1953	3,741.76		935.44	11	10,289.84
Sept. 30, 1959	6,215.13	1,200		5	6,000.00
June 30, 1959	7,236.46	1,200		5	6,000.00
Mar. 11, 1953	5,595.91	1,200		11	13,200.00
Nov. 30, 1946	4,764.48		1,141.77	18	20,551.86
Nov. 30, 1957	7,903.60	1,200		13	15,600.00
Dec. 31, 1955	4,570.77		1,091.75	9	9,825.75
Sept. 30, 1957	7,553.42	1,200		7	8,400.00
Dec 31, 1953	8,100.00	1,200		11	13,200.00
Nov. 5, 1954	3,500.00		875.00	10	8,750.00
June 30, 1951	7,946.10	1,200		13	15.600.00
June 30, 1959	$4,663.04		$1,165.76	5	$5,828.80
June 30, 1953	6,063.03	$1,200		11	13,200.00
Apr. 30, 1951	5,885.06	1,200		13	15,600.00
Mar. 31, 1952	6,850.03	1,200		12	14,400.00
Dec. 31, 1952	8,100.00	1,200		12	14,400.00
July 31, 1956	17,500.00	1,200		8	9,600.00
Nov. 30, 1949	5,659.85	1,200		5	6,000.00
Sept. 30, 1951	4,739.87		987.48	13	12,837.24
July 31, 1953	3,659.06		914.76	11	10,062.36
Dec. 31, 1945	5,764.00	1,200		19	22,800.00
June 30, 1950	4,179.05		1,041.29	14	14,578.06
June 30, 1959	5,772.25		1,031.25	5	5,156.25
Nov. 30, 1953	6,361.13	1,200		11	13,200.00
Sept. 30, 1953	3,822.47		955.61	11	10,511.71
June 30, 1956	5,778.82	1,200		8	9,600.00
Aug. 31, 1951	6,666.59	1,200		13	15,600.00
Nov. 30, 1949	3,791.83		789.96	15	11,849.40
June 30, 1952	1,954.13		488.53	12	15,862.36
May 31, 1957	4,774.74		852.63	7	5,968.41
Oct. 31, 1954	7,010.10	1,200		10	12,000.00
Nov. 30, 1947	2,951.39		614.87	17	10,452.79
Feb. 28, 1943	4,222.99		1,048.33	21	22,014.93
Dec. 31, 1948	4,286.60		893.04	16	14,288.64
Nov. 30, 1951	7,287.80	1,200		13	15,600.00
July 31, 1955	6,662.66	1,200		9	10,800.00
Apr. 30, 1957	6,982.22	1,200		7	8,400.00
Nov. 30, 1946	4,703.16		979.82	18	17,636.76
Feb. 28, 1946	4,210.55		897.73	18	16,159.14
Jan. 31, 1954	6,190.13	1,200		10	12,000.00
Sept. 30, 1958	4,114.97	1,200		6	7,200.00
Oct. 31, 1943	4,796.00		1,035.83	21	21,752.43
Sept. 30, 1953	4,700.18		984.67	11	10,831.37
June 30, 1947	3,653.59		778.46	17	13,233.82
June 30, 1954	6,820.06	1,200		10	12,000.00
May 31, 1947	3,747.64		787.32	17	13,384.44
June 30, 1939	4,272.62		977.50	25	24,437.50
Jan. 31, 1956	7,056.74	1,200		8	9,600.00
Sept. 30, 1947	6,072.89	1,200		17	20,400.00
June 30, 1950	5,602.06	1,200		14	16,800.00
Aug. 31, 1955	6,926.08	1,200		9	10,800.00
Apr. 30, 1952	7,297.03	1,200		12	14,400.00
Mar. 31, 1959	9,829.56	1,200		5	6,000.00
Oct. 31, 1959	9,914.73	1,200		5	6,000.00
Feb. 29, 1960	7,809.52	1,200		4	4,800.00
Oct. 31, 1951	6,124.75	1,200		13	15,600.00
Mar. 31, 1955	5,511.40	1,200		9	10,800.00
Oct. 31, 1947	2,906.33		698.64	17	11,876.88
Nov. 30, 1959	5,444.88	1,200		5	6,000.00
Do	5,569.39	1,200		5	6,000.00
Dec. 31, 1951	6,769.13	1,200		13	15,600.00
July 31, 1956	10,167.51	1,200		8	9,600.00
Nov. 30, 1946	4,876.11	1,200		18	21,600.00

Foreign Service officers retired prior to Oct. 16, 1960—Elected full annuity—Married at time of retirement—Continued

Date retired	Full annuity at retirement	Assumed reduction in annuity		Years elapsed, retirement to August 1964	Total assumed deductions
		Election of $2,400 survivor benefit	Election maximum benefit of less than $2,400		
Dec. 31, 1940	$1,475.00		$368.75	24	$8,850.00
Dec. 31, 1945	3,004.37		639.32	19	12,147.08
Aug. 31, 1951	6,665.99	$1,200		13	15,600.00
Dec. 31, 1940	3,727.40	1,200		24	28,800.00
June 30, 1959	8,778.98	1,200		5	6,000.00
May 31, 1960	5,794.04	1,200		4	4,800.00
July 31, 1949	4,391.19	1,200		15	18,000.00
Mar. 31, 1958	7,172.62	1,200		6	7,200.00
July 7, 1952	3,297.86		824.46	12	9,893.52
Mar. 31, 1957	8,795.71	1,200		7	8,400.00
Sept. 30, 1953	5,060.53		1,063.14	11	11,694,54
Dec. 31, 1947	4,440.16		925.03	17	15,725.51
June 30, 1946	4,666.39	1,200		18	21,600.00
July 31, 1947	5,719.40	1,200		17	20,400.00
Nov. 30, 1951	8,015.00	1,200		13	15,600.00
Sept. 30, 1948	7,902.83	1,200		16	19,200.00
Apr. 30, 1959	4,349.18	1,200		5	6,000.00
July 31, 1952	8,100.00	1,200		12	14,400.00
June 30, 1955	5,948.93	1,200		9	10,800.00
Sept. 30, 1951	4,502.77		938.07	13	12,194.91
July 31, 1960	3,445.02		861.25	4	3,444.96
Sept. 30, 1958	5,138.55	1,200		6	7,200.00
Feb. 28, 1942	6,000.00	1,200		22	26,400.00
Apr. 14, 1952	4,744.04	1,200		12	14,400.00
May 31, 1957	5,321.72	1,200		7	8,400.00
May 31, 1952	7,139.64	1,200		12	14,400.00
Nov. 30, 1949	5,702.43	1,200		15	18,000.00
Mar. 31, 1946	3,083.23		672.18	18	12,099.24
May 31, 1959	5,237.09	1,200		5	6,000.00
Sept. 30, 1955	7,595.67	1,200		9	10,800.00
Nov. 30, 1947	4,156.87		944.74	17	16,060.58
Dec. 20, 1952	5,740.46	1,200		12	14,400.00
Aug. 31, 1947	6,336.00	1,200		17	20,400.00
May 31, 1960	4,711.36		899.13	4	3,596.52
Jan. 31, 1957	10,554.10	1,200		7	8,400.00
Oct. 31, 1953	4,429.37		894.35	11	9,837.85
Sept. 30, 1951	5,531.37	1,200		13	15,600.00
Apr. 30, 1958	6,917.15	1,200		6	7,200.00
June 30, 1952	$3,448.75		$862.18	12	$10,346.16
Dec. 31, 1949	5,390.26		1,145.94	15	17,189.10
July 31, 1953	8,100.00	$1,200		11	13,200.00
May 31, 1951	4,503.96		1,089.68	13	14,165.84
July 31, 1953	2,196.74		549.18	11	6,040.98
July 31, 1957	7,408.46	1,200		7	8,400.00
Jan. 31, 1945	5,782.00	1,200		19	22,800.00
Nov. 30, 1946	4,141.69		982.99	18	17,693.82
Dec. 31, 1955	7,409.82		1,080.59	9	9,725.31
May 31, 1955	8,097.10	1,200		9	10,800.00
Feb. 29, 1956	7,469.52	1,200		8	9,600.00
Sept. 30, 1953	4,774.56	1,200		11	13,200.00
Apr. 30, 1957	5,767.73	1,200		7	8,400.00
Aug. 31, 1955	4,533.95	1,200		9	10,800.00
Feb. 28, 1959	6,598.46	1,200		5	6,000.00
Apr. 26, 1955	8,100.00	1,200		9	10,800.00
June 30, 1951	4,581.53		954.48	13	12,408.24
Aug. 31, 1958	8,785.86	1,200		6	7,200.00
May 31, 1946	6,604.07	1,200		16	19,200.00
Nov. 30, 1946	2,728.00		625.68	18	11,262.24
Feb. 29, 1956	4,371.66		996.62	8	7,972.96
July 31, 1953	7,368.23	1,200		11	13,200.00
Dec. 31, 1953	5,791.65	1,200		11	13,200.00
Oct. 31, 1959	4,414.26	1,200		5	6,000.00
July 31, 1951	6,590.60	1,200		13	15,600.00
July 31, 1960	5,043.46	1,200		4	4,800.00
Apr. 30, 1954	8,100.00	1,200		10	12,000.00
Aug. 31, 1944	3,758.23		898.34	20	17,966.80
Oct. 31, 1946	4,961.89	1,200		18	21,600.00
Apr. 30, 1944	3,376.39		844.09	20	16,881.80
Jan. 31, 1950	7,351.00	1,200		14	16,800.00
July 31, 1953	4,657.47	1,200		11	13,200.00
May 31, 1957	6,944.94	1,200		7	8,400.00
June 30, 1949	3,401.26		770.68	15	11,560.20
Nov. 30, 1946	4,319.27	1,200		18	21,600.00
Total					2,184,102.36

NOTES.—Original statistics reflected 178 officers electing full annuity—married at time of retirement. One officer died on July 28, 1964 (reflected on other report—widow report) therefore, only 177 officers left.

Widows of foreign service officers who retired prior to Oct. 16, 1960, who elected full annuity and who died between Aug. 29, 1954,[1] *and present*

[This table is based on the assumption that all officers could have elected a survivor benefit of $2,400]

Date retired	Death	Elapsed years	Assumed reduction for election of $2,400 survivor benefits	Total assumed deduction
Feb. 28, 1957	Oct. 8, 1963	6	$1,200	$7,200
Nov. 30, 1959	Sept. 17, 1963	4	1,200	4,800
Feb. 1, 1941	Jan. 22, 1959	18	1,200	21,600
July 31, 1933	Apr. 19, 1962	29	1,200	34,800
Nov. 30, 1948	June 28, 1960	12	1,200	14,400
Oct. 31, 1948	Aug. 7, 1963	15	1,200	18,000
Dec. 31, 1945	Aug. 31, 1960	15	1,200	18,000
June 30, 1954	Aug. 15, 1957	3	1,200	3,600
Aug. 31, 1943	Sept. 5, 1958	15	1,200	18,000
July 31, 1943	July 6, 1959	16	1,200	19,200
Sept. 30, 1936	Mar. 3, 1959	23	1,200	27,600
June 30, 1945	May 11, 1959	14	1,200	16,800
Nov. 30, 1947	Feb. 19, 1960	13	1,200	15,600
Nov. 30, 1952	Nov. 19, 1962	10	1,200	12,000
Aug. 1, 1945	Nov. 12, 1955	10	$1,200	$12,000
Nov. 30, 1947	Dec. 7, 1956	9	1,200	10,800
Sept. 30, 1953	May 7, 1957	4	1,200	4,800
Mar. 31, 1947	Aug. 12, 1956	9	1,200	10,800
Sept. 1, 1944	Nov. 20, 1958	14	1,200	16,800
Oct. 31, 1953	Apr. 8, 1959	6	1,200	7,200
Mar. 31, 1946	July 3, 1962	16	1,200	19,200
Dec. 1, 1939	July 15, 1955	16	1,200	19,200
July 31, 1951	June 12, 1962	11	1,200	13,200
Mar. 1, 1942	Apr. 21, 1957	15	1,200	18,000
Dec. 31, 1949	Mar. 27, 1958	9	1,200	10,800
Nov. 30, 1950	Aug. 2, 1959	9	1,200	10,800
Oct. 31, 1934	Dec. 23, 1956	22	1,200	26,400
Sept. 30, 1951	July 28, 1964	13	1,200	15,600

[1] Widows whose husbands died prior to Aug. 29, 1954, were covered under sec. 5 of Public Law 84-503, as amended, and are therefore already receiving grants of annuities of $2,400.

Mr. WILLIAMS of Delaware. Mr. President, I am ready to vote.

Mr. LAUSCHE. Mr. President, I should like to inquire of the Senator from Delaware how many are there in that list which the Senator has before him—is it 120-some?

Mr. WILLIAMS of Delaware. I believe it is 178.

Mr. LAUSCHE. Correct. Is it not a fact that every one of those persons, because he did not designate his wife as beneficiary, received more money than he would have received if he had so designated?

Mr. WILLIAMS of Delaware. Certainly; and all they would have to do under the Lausche-Williams amendment would be to go ahead and designate them now, take a reduced annuity and pay back the overpayment they have received.

Mr. LAUSCHE. Mr. President, if we as Senators manage our household affairs the way we are managing this fund, everyone will be in the poorhouse. If citizens who are listening to this debate manage their households in this manner, they too, will be in the poorhouse. Everyone here must dig into his pocket to provide this largesse that has fallen to these 126 retirees who did not think adequately of their marital obligations to designate their wives as beneficiaries.

We are, in effect, taking property belonging to one person and giving it to another who is not entitled to it.

I repeat, the papers are full of disobedience to law and order. On the floor of the Senate it is argued that the Supreme Court is not obeying the law. Others claim that the Senate is not obeying the law in trying to enact the Dirksen amendment. Riots are occurring all over the country. People are looking with indifference upon women being assaulted and not raising their voices in protest—not even thinking of calling the police to give protection.

What can we expect, when we follow a course of conduct of this type? We are telling the youth of the country that they need not comply with their obligations, that they need not comply with the law, because Congress is not doing so, because it is taking money belonging to one individual and giving it to another to whom it does not belong.

I shall not be a party to it. I shall not have it said that I have subscribed to this case and the ones that the Senator from Delaware mentioned.

It was argued when the bill was before the committee that the poor man is not able to take care of it. The record shows that one man was receiving $17,500 a year retirement pay; and if he had designated his wife he would have received $16,300. For 8 years he received $1,200 a year more than he would otherwise have received. He received $9,600.

Now we say to him, "What you have done is fine. Keep the $9,600. We will now allow you to designate your wife as beneficiary without paying into the fund the $1,200 a year in excess of what you should have received."

Mr. WILLIAMS of Delaware. The Senator from Ohio will agree with me, I am sure, that this man, even under the revised formula, would still get a $16,300 pension and is adequately able to take care of his wife without any charity from the taxpayers, as is provided for in the House amendment.

Mr. LAUSCHE. Mr. President, let me conclude by saying that this is a black day, in my opinion. It is a day not in conformity with the high ideals and the ethical character ascribed to Congress. It is completely contrary to any concept of morality. Yet it will be passed, but it will not be passed with my approval.

Mr. THURMOND. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. THURMOND. Is it not just such actions as these that cause the people of this country to lose confidence in their legislators?

Mr. LAUSCHE. It cannot be otherwise.

Mr. THURMOND. Anything more important than the question of the confidence of the people in such an action as this is bound to have the opposite effect.

Mr. LAUSCHE. I have become convinced that in government what the top people do becomes an example for what others should do. They will emulate them, and the emulation, if the conduct of the high officials is good, will be good among the lower level. If the higher officials become irresponsible to their moral obligations, the attitude will percolate throughout the whole country. That is what is happening in our Nation today.

Mr. SPARKMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McGovern in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 552 Leg.]

Aiken
Anderson
Bayh
Boggs
Carlson
Clark
Cotton
Curtis
Dominick
Douglas
Ervin
Gore
Hart
Hayden
Javits
Jordan, Idaho
Keating
Kuchel
Lausche
Long, Mo.
Mansfield
McCarthy
McClellan
McGee
McGovern
Metcalf
Monroney
Morton
Moss
Neuberger
Pell
Proxmire
Ribicoff
Salinger
Simpson
Sparkman
Talmadge
Thurmond
Walters
Williams, Del.
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Maryland [Mr. Brewster], the Senator from Virginia [Mr. Byrd], the Senator from Nevada [Mr. Cannon], the Senator from Alaska [Mr. Gruening], the Senator from Washington [Mr. Magnuson], the Senator from Oregon [Mr. Morse], and the Senator from Maine [Mr. Muskie] are absent on official business.

I also announce that the Senator from Alabama [Mr. Hill] and the Senator from Massachusetts [Mr. Kennedy] are absent because of illness.

I further announce that the Senator from Mississippi [Mr. Eastland] and the Senator from New Jersey [Mr. Williams] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. Hickenlooper] is absent on official business as a delegate to attend the meetings of the Interparliamentary Union at Copenhagen, Denmark.

The Senator from Kentucky [Mr. Cooper], the Senator from Iowa [Mr. Miller], the Senator from Arizona [Mr. Goldwater], and the Senator from Kansas [Mr. Pearson] are necessarily absent.

The Senator from Texas [Mr. Tower] is detained on official business.

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. Allott, Mr. Bartlett, Mr. Beall, Mr. Bennett, Mr. Bible, Mr. Burdick, Mr. Byrd of West Virginia, Mr. Case, Mr. Church, Mr. Dirksen, Mr. Dodd, Mr. Edmondson, Mr. Ellender, Mr. Fong, Mr. Fulbright, Mr. Hartke, Mr. Hickenlooper, Mr. Holland, Mr. Hruska, Mr. Humphrey, Mr. Inouye, Mr. Jackson, Mr. Johnston, Mr. Jordan of North Carolina, Mr. Long of Louisiana, Mr. McIntyre, Mr. McNamara, Mr. Mechem, Mr. Mundt, Mr. Nelson, Mr. Pastore, Mr. Prouty, Mr. Randolph, Mr. Robertson, Mr. Russell, Mr. Saltonstall, Mr. Scott, Mr. Smathers, Mrs. Smith, Mr. Stennis, Mr. Symington, and Mr. Yarborough entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays of the pending question.

The years and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama [Mr. Sparkman] to concur in the House amendment. The yeas and nays have been ordered, and the clerk will call the roll.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LAUSCHE. A Senator who wishes to vote to reject the bill as now written should vote "nay." To approve it, he should vote "yea." Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Was that a parliamentary inquiry?

The PRESIDING OFFICER. That is correct.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Maryland [Mr. Brewster], the Senator from Virginia [Mr. Byrd], the Senator from Nevada [Mr. Cannon], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from Minnesota [Mr. Humphrey], the Senator from Washington [Mr. Magnuson], the Senator from Oregon [Mr. Morse], and the Senator from Maine [Mr. Muskie] are absent on official business.

I also announce that the Senator from Alabama [Mr. Hill] and the Senator from Massachusetts [Mr. Kennedy] are absent because of illness.

I further announce that the Senator from Mississippi [Mr. Eastland] and the Senator from New Jersey [Mr. Williams] are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. Byrd], the Senator from Mississippi [Mr. Eastland], the Senator from Alaska [Mr. Gruening], the Senator from Alabama [Mr. Hill], and the Senator from Oregon [Mr. Morse] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. Hickenlooper] is absent on official business as a delegate to attend the meetings of the Interparliamentary Union at Copenhagen, Denmark.

The Senator from Kentucky [Mr. Cooper], the Senator from Iowa [Mr. Miller], the Senator from Arizona [Mr. Goldwater], and the Senator from Kansas [Mr. Pearson] are necessarily absent.

The Senator from Texas [Mr. Tower] is detained on official business.

If present and voting, the Senator from Kentucky [Mr. Cooper], the Senator from Arizona [Mr. Goldwater], the Senator from Iowa [Mr. Miller], the Senator from Kansas [Mr. Pearson], and the Senator from Texas [Mr. Tower] would each vote "nay."

The result was announced—yeas 24, nays 57, as follows:

[No. 553 Leg.]

YEAS—24

Bartlett
Bayh
Bible
Fulbright
Hartke
Inouye
Jackson
Johnston
Long, Mo.
Long, La.
Mansfield
McCarthy
McGee
McGovern
McIntyre

Metcalf
Neuberger
Pastore
Pell
Randolph
Salinger
Smathers
Sparkman
Yarborough

NAYS—57

Aiken
Allott
Anderson
Beall
Bennett
Boggs
Burdick
Byrd, W. Va.
Carlson
Case
Church
Clark
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Edmondson
Ellender
Ervin
Fong
Gore
Hart
Holland
Hruska
Javits
Jordan, N.C.
Jordan, Idaho
Keating
Kuchel
Lausche
McClellan
McNamara
Mechem
Monroney
Morton
Moss
Mundt
Nelson
Prouty
Proxmire
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smith
Stennis
Symington
Talmadge
Thurmond
Walters
Williams, Del.
Young, N. Dak.
Young, Ohio

NOT VOTING—19

Brewster
Byrd, Va.
Cannon
Cooper
Eastland
Goldwater
Gruening
Hayden
Hickenlooper
Hill
Humphrey
Kennedy
Magnuson
Miller
Morse
Muskie
Pearson
Tower
Williams, N.J.

So Mr. SPARKMAN's motion to concur in the House amendment was rejected.

Mr. FULBRIGHT. Mr. President, I move that the Senate disagree to the amendment of the House and request a further conference with the House thereon and that the Chair appoint the conferees on the part of the Senate at the further conference.

The motion was agreed to; and the Presiding Officer (Mr. MCGOVERN in the chair) appointed Mr. FULBRIGHT, Mr. SPARKMAN, Mr. HUMPHREY, Mr. HICKENLOOPER, and Mr. AIKEN conferees on the part of the Senate at the further conference.

WIND RIVER IRRIGATION PROJECT, WYOMING

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar 1399, Senate Joint Resolution 6.

The **PRESIDING OFFICER.** The joint resolution will be stated by title.

The LEGISLATIVE CLERK. A joint resolution (S.J. Res. 6) to cancel any unpaid reimbursable construction costs of the Wind River irrigation project, Wyoming, chargeable against certain non-Indian lands, which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the resolving clause and insert:

That (a) all reimbursable construction costs heretofore incurred at the Wind River Indian irrigation project, Wyoming, shall be allocated against the total irrigable acreage in the project according to present land classifications.

(b) The costs so allocated to land that passed out of Indian ownership prior to March 7, 1928, shall be canceled by the Secretary of the Interior if the patent from the United States contained no recital to the effect that the land is subject to irrigation construction charges, and the purchaser did not sign a contract to pay construction charges.

(c) Land that passed out of Indian ownership prior to March 7, 1928, shall, if the patent from the United States contains a recital to the effect that the land is subject to irrigation construction charges, either past or future, be subject to a lien in favor of the United States for such charges.

(d) Reimbursable construction charges hereafter incurred at the Wind River Indian irrigation project, Wyoming, shall be allocated against all irrigable acreage in the project according to land classifications then in effect, shall be a lien against the land, and shall not be subject to cancellation on the ground that the land was conveyed with a paid-up construction charge. Any such paid-up construction charge shall be deemed to mean a construction charge incurred prior to the date of this Act.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "Joint resolution to cancel any unpaid reimbursable construction costs of the Wind River Indian irrigation project, Wyoming, chargeable against certain non-Indian lands."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1464), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The substitute language adopted by the committee was prepared and submitted by the Department of the Interior who urges its adoption and the enactment of the bill.

The need for the enactment of this bill is evidenced by the fact that testimony indicated land transfers on the Wind River Indian irrigation project have come to a virtual standstill. The people do not know whether or not they are liable for the construction charges of the irrigation project, and if so, for what amount. The adoption of Senate Joint Resolution 6 will resolve all doubts and permit the Wyoming residents living on the project to make land transfers, but more important to acquire financing for any necessary improvements or developments that may be in order.

The bill would cancel unpaid reimbursable construction costs on non-Indian land if the purchaser of that land bought it prior to March 7, 1928, without knowledge of the construction charges. That knowledge would have been acquired by a contract to pay such charges or a recital in the patent that the land was subject to such charges. Those who purchased their land prior to March 7, 1928, but had knowledge of the reimbursable construction charges will be held liable for those charges. Those persons who purchased the land after March 7, 1928, are charged with the responsibility of knowing that a lien was placed against the land on the Indian irrigation project for the payment of reimbursable construction costs because of the general lien laws of 1928.

The committee was informed that most of the persons who acquired their land after March 7, 1928, did, in fact, have knowledge of the obligation to pay the construction charges. However, most of the land was sold prior to 1928 and did not contain lien statements in the deed and no restrictions or contracts for repayment were signed by the owners.

Mr. McGEE. Mr. President, the action of this body in approving Senate Joint Resolution 6 will set to rights an inequity that has been a source of worry and uncertainty for about 200 farmers in central Wyoming.

These are people who purchased or inherited land and who were led to believe that their title to that land carried with it a release from the obligation to pay old irrigation construction charges. There is a complicated history behind the ownership of this land but I think it can be fairly summarized in saying that these people believed these construction charges were reflected in the price of the land as it was purchased from its original Indian owners.

Four years ago, however, these people were notified that these construction charges, some dating back several decades, were due. As you can well imagine this created a great deal of uncertainty about the value of these lands because of the alleged liens hanging over them. A number of landowners have suffered greatly because this development has made it impossible for them to sell their land or even to compute its true worth.

Mr. President, by the passage of this bill we have executed the good faith of the Government in carrying out the original intent of Congress when these lands were improved and allowed to be sold to non-Indian owners. This does not cancel the payment obligations of any landowner whose obligation was set forth in the terms of his purchase contract.

We have lifted a great burden from the people of this area and demonstrated again that the end of Government is fair and equitable treatment for all citizens.

FAIR VALUE FOR IMPROVEMENTS LOCATED ON RAILROAD RIGHT-OF-WAY

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar 1417, H.R. 1136.

The **PRESIDING OFFICER.** The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 1136) to authorize the Secretary of the Army to pay fair value for improvements located on the railroad right-of-way owned by bona fide lessees or permittees.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to—

(1) the Farmer's Grain Company, of Carlisle, Iowa, the sum of $43,100;

(2) John H. McKlveen, Joseph L. McKlveen, G. M. Henderson, and S. L. Henderson, a partnership doing business as McKlveen Lumber Company, of Prairie City, Iowa, the sum of $13,000; and

(3) the Vanderzyl Brothers Fuel Company, of Pella, Iowa, the sum of $27,250.

The payment of the sum specified in the case of each such party shall be in full satisfaction of all claims of such party against the United Steast for the loss of a leasehold interest held in certain lands taken by the United States in connection with the Red Rock Reservoir project on the Des Moines River in Iowa, and for the loss of certain improvements owned by such party which were situated on the lands in which such leasehold interest was held: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "A bill to compensate certain parties for the loss of their leasehold interests in lands taken by the United States in connection with the Red Rock Reservoir project."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1480), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF AMENDMENTS

The purpose of the amendment in the nature of a substitute is to provide for direct payments to the named claimants for their loss of the leasehold interest held in certain lands taken by the United States in connection with the Red Rock Reservoir project on the Des Moines River in Iowa. The bill before amendment would permit the Secretary of the Army to pay fair value for improvements located on the railroad rights-of-way owned by these lessees.

PURPOSE

The purpose of the proposed legislation is to authorize and direct the Secretary of the Treasury to pay out of any money in the Treasury not otherwise appropriated, to (1) the Farmer's Grain Co. of Carlisle, Iowa, the sum of $43,100; (2) John H. McKlveen, Joseph L. McKlveen, G. M. Henderson, and S. L. Henderson, a partnership doing business as McKlveen Lumber Co., of Prairie City, Iowa, the sum of $13,000; and (3) the Vanderzyl Bros. Fuel Co., of Pella, Iowa, the sum of $27,250, in full satisfaction of their claims against the United States for the loss of a leasehold interest held in certain lands taken by the United States in connection with the Red Rock Reservoir project on the Des Moines River in Iowa and for the loss of certain improvements owned by such party which were situated on the lands in which such leasehold interest was held.

STATEMENT

The Chief of Engineers, under the supervision of the Secretary of the Army, is constructing the Red Rock Reservoir on the Des Moines River, Iowa, in accordance with the comprehensive plan for the upper Mississippi River Basin approved in the Flood Control Act of June 28, 1938 (52 Stat. 1215) as amended. In this connection it will be necessary to relocate portions of the facilities operated by three railroad companies: The Chicago, Rock Island & Pacific Railroad Co., the Chicago, Burlington & Quincy Railroad Co., and the Wabash Railroad Co.

Information before the committee discloses that improvements have been constructed by at least three lessees on the right-of-way of the Wabash Railroad Co. which will be affected by the construction of the Red Rock Reservoir project and who will be required to remove their improvements. The lessees are the named claimants in the bill who have erected structures under leases with the railroad company providing for termination upon 30 days' notice by either party, coupled with the requirement that upon termination the lessee must at his own expense remove all improvements from the premises. These are considered to be month-to-month tenancies, and the lessees to be "tenants at will."

In the acquisition of property by the Federal Government, the essential guidelines concerning entitlement to payment have been established as a result of court interpretation of the guarantee of just compensation contained in the fifth amendment to the Constitution of the United States. Under these determinations it has been held that "tenants at will," or licensees under revocable licenses, do not possess a compensable property interest. Under these circumstances there is no authority under which the owners of property located on the rights-of-way of the sections of railroad to be relocated may be compensated.

At the time that H.R. 1136 was being considered by the House Public Works Committee, the question of compensation for owners of property located on rights-of-way of the sections of railroad to be relocated, was raised. The Department of the Army made the suggestion that a determination be put off until a Select Subcommittee on Real Property Acquisition would make its report to the House. However, the House Public Works Committee took the position that since the dam will be well under construction and the acquisition of rights-of-way will be underway, or possibly completed by that time, it would be of little value in the present instance for a decision in the matter to be postponed until a general conclusion is reached concerning the whole field of Government acquisition of rights-of-way. That problem was recognized in the past and there have been a number of instances where the Congress has enacted special laws to permit payment for such improvements in individual cases. Furthermore, Congress has recognized the inequities in similar cases. At the Gavins Point, Fort Randall, and Oahe Dam and Reservoir projects on the Missouri River the Secretary of the Army was authorized to pay lessees owning improvements situated on a railroad right-of-way the fair value of such.

The House Public Works Committee, therefore, concluded that these claims have established deserving and equitable cases and that as a matter of equity the Secretary of the Army should be permitted to reimburse the tenants for the property in question.

This committee has amended the House-passed bill in order to authorize and direct the Secretary of the Treasury to make direct payments to these claimants and the sums involved have been verified and such evidence is on file with the committee. It should be noted that the estimated cost under the House-passed bill was $125,000; under the direct appropriations authorized the total for the three claims involved amounts to $83,350. Time is of the essence in this matter and the committee is of the opinion that private relief is merited in this situation, and accordingly, the committee recommends favorable consideration of H.R. 1136, as amended.

Evidentiary material relating to these claims is on file with the committee.

DEVELOPMENT OF COAL ON PUBLIC DOMAIN

Mr. MANSFIELD. Mr. President, S. 2327, Calendar No. 1401, relating to the development of coal on the public domain, was passed yesterday.

H.R. 8960, an identical bill, was received from the House. The House bill should be passed. I therefore move that the votes on the passage of S. 2327 be reconsidered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

Mr. MANSFIELD. Mr. President, I move that S. 2327 be indefinitely postponed.

The motion was agreed to.

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of H.R. 8960.

The PRESIDING OFFICER. The bill will be stated by title.

The bill (H.R. 8960) to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal in the public domain, and for other purposes, was read twice by its title.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

The bill was ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO SENATOR MOSS

Mr. ANDERSON. Mr. President, the Current News, published by the Salt River project, recently included an excellent article, one of a series, on "Champions of Reclamation." The article covered the work of the junior Senator from Utah [Mr. MOSS] in the field of conservation and reclamation. In 1963, I stepped down as chairman of the Senate Interior Subcommittee on Irrigation and Reclamation, because of other responsibilities; but I left the chairmanship in excellent hands—those of Senator Moss. He has done a responsible and constructive job, not only for his own State, not only for the water-short areas of the West, but also for the entire Nation, because he recognizes that the strength and well-being of the entire Nation depend on the strength and well-being of its States. One of the principal ways in which the water-short areas of our country have had the opportunity to grow is through the wise and effective use of available water.

FRANK Moss is truly a champion of reclamation.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Current News, July 1964]

CHAMPIONS OF RECLAMATION

"Reclamation is my business."

In these four simple words, Senator FRANK E. MOSS, of Utah, described his stand on reclamation when the Current News contacted him a few weeks ago in Washington. In fact, this has been his philosophy ever since he was elected to the U.S. Senate in 1958.

In his committee assignments, and they are many, he is in close touch with matters of the greatest importance to his State of Utah and the West—independent business, mining, water conservation and control, public lands, national parks and forests, and highways—and he has earned a reputation in Washington as a champion of reclamation and a man deeply concerned in the conservation of our national resources.

His dedication to reclamation is well-known among members of the Interior and Insular Affairs and Public Works Committees of the U.S. Senate. In addition to serving on these two standing committees, he is also chairman of the important Interior Subcommittee on Irrigation and Reclamation. This committee considers all bills which authorize reclamation projects and which amend irrigation and reclamation legislation. He was also a member of the Senate Select Committee on National Water Resources a few years ago, which made its recommendations to the Senate regarding the Nation's water requirements in relation to expected supplies through 1980.

Senator Moss has chaired many public hearings as a member of the Interior Public Lands Subcommittee, and was a leader in the successful fight in the Public Works Committee to write improved water pollution control legislation. After a major Senate address, "Our Blessed Land," he emerged as a principal spokesman for full and balanced conservation of our natural resources—a subject which can be expected to remain one of his major interests in the years to come.

Born in 1911 in Holladay, Utah, he has been aware of the critical need to conserve our natural resources for many years, pointing out in his "Blessed Land" address that we are now consuming about 280 billion gallons of water a day in irrigation, industry, and in our homes.

"Demands are expected to double by 1980," he said, "soaring to about 600 billion gallons daily. This is close to the ceiling on the total supply engineers tell us can be made available, as a practical matter, with present engineering knowledge and techniques."

His approach to all reclamation problems is direct and forthright, reasoning in his own mind both sides of the question and the impact of a proposed reclamation project not only on its immediate area, but its effect on the entire Nation. His broad concept in reclamation was stated in remarks he made before the Utah Bar Association last year, when he discussed Utah reclamation problems.

At that time he brought up the problem of "selling" western reclamation to eastern Congressmen and Senators, who are concerned with mass transportation and urban renewal—subjects equally strange to western Congressmen and Senators.

"We have to emphasize over and over again," he said, "that reclamation projects are built on a reimbursable basis, with the assurance that most of the money appropriated by the Federal Government will be paid back, with interest, by the water users—and, furthermore, that western reclamation projects have already established wonderful payback records. The easterners remind us that mass transportation and urban renewal and area redevelopment are primarily loan programs too, and that their credit rating is just as good as ours, and that they need these projects to stimulate their economy just as surely as we must have water resource development to stimulate ours."

He admitted, however, that many eastern, mideastern, and southern Members do understand the importance of the adequate supply of water to the West, and the necessity for setting up new water development programs in the semiarid West.

He went on to say that these people know that facilities built to store and transport the water conserved by reclamation projects are built to last many lifetimes, so that the water may be available for use by industry, by municipalities, by farmers, and for other beneficial consumptive uses that the future may require.

"I feel confident that if we of Utah can show we understand the problems of other sections of the country," he told the Utah Bar Association, "the men and women who represent those sections will be willing to listen to ours, and there will be no trouble getting the money we need to construct the initial phase of the central Utah project, and securing the authorization and the appropriations to construct the ultimate phase."

This indicates briefly the thinking of FRANK E. MOSS, not only as a Senator from Utah, but as a champion of reclamation who takes into consideration more than the welfare of his constituents, but our Nation as a whole. It is the kind of thinking which makes him a strong, respected man in Washington.

IS PEACE A THREAT TO PROSPERITY?

Mr. McGOVERN. Mr. President, I have just finished reading a stimulating editorial by Mr. David Lawrence, the distinguished editor of the U.S. News & World Report. The editorial, entitled "Is Peace Our Big 'Danger'?" appears in the issue of August 24.

While I do not agree entirely with some of Mr. Lawrence's observations, I wholeheartedly endorse the conclusion of his article, which reads, in part, as follows:

> To be forewarned is to be forearmed. Some day there may be an "outbreak" of peace instead of an outbreak of war.
>
> An outbreak of peace could bring panic to the economy of this country. It could cause large-scale unemployment in defense plants. It could demolish the delicate balance-of-payment and trade relationships between the different nations of the world. It could cause a collapse of financial markets and affect the prices of commodities.
>
> What are we doing to prepare ourselves for such an emergency? Certainly, somewhere in the moon budget or in the pork-barrel projects, some funds could be found to set up a national commission to conduct a comprehensive study of the best ways to meet the danger to our economic equilibrium if there were a sudden peace.

Mr. President, nearly a year ago, I introduced proposed legislation calling for the establishment of the kind of national peace preparation commission to which Mr. Lawrence has referred. My bill, S. 2274, would create a National Economic Conversion Commission to develop blueprints, in cooperation with Government, industry, and labor, looking toward the orderly transition of our economy from war production to peacetime production.

While there has been considerable editorial and congressional support for the resolution, there has also been some editorial misunderstanding. The Minneapolis Tribune, a very fine Midwest newspaper, and Barron's Weekly both have editorialized recently that they regret the fact that my bill would add Government bureaucracy and interference to the economy.

Actually, the bill is designed to do just the opposite. It is designed to prevent the kind of confusion and heavy Government interference which might be necessary if we fail to do adequate advance analysis with reference to arms cutbacks and their impact on the economy. My bill seeks to bring to bear the best brains of both Government and private industry on the challenge of finding useful alternatives to arms production excess to our national defense needs.

I ask unanimous consent that the editorial by Mr. Lawrence be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From U.S. News & World Report, Aug. 24, 1964]

IS PEACE OUR BIG DANGER?

(By David Lawrence)

These are days when we are being told that the Nation has never been more prosperous, that business is getting better and better, and that corporate profits are growing larger and larger. Oddly enough, Congress is at the same time authorizing almost a billion dollars for an antipoverty program. Nevertheless, the Democratic Party's slogan for the presidential campaign is to be: "You've never had it so good."

But—and there are many "buts" in the picture—the fact is that we haven't had a surplus in the Federal budget in 4 years, and the whole economy is supported today by a set of artificial props and a variety of financial narcotics which are ominous.

The spending of $54 billion a year for national defense and $5 billion a year for an eventual excursion to the moon means the difference between prosperity and depression. Much of the expenditure for defense projects is unproductive and impermanent. It isn't the same as constructing new highways or the building of new plants and equipment by industry.

Appropriations for defense are deemed necessary, of course, to protect the country—our lives and properties. Supposing, however, that some day we wake up and read in the newspapers that the Soviet Union has been swept by revolution and that a free government, determined to live in peace with the rest of the world, has taken over in Moscow. This would mean, too, that Red China would be deprived of a powerful military ally. What would then happen to the economy of this country? What would be the impact also on European and Latin American business operations?

In a sense it becomes dangerous to have peace. But to complete the Chestertonian paradox, there is in the immediate future no danger that we shall have peace. Instead, we shall continue to be involved in small wars, as in southeast Asia and in the Congo, and we will be committed to relatively large expenditures annually for armament.

But how can we manage to overcome the insecurity of economic life and yet preserve our effective armament?

This calls for statesmanship and economic sense. For the truth is that we are not making economic progress today despite the glowing phrases about our so-called high record of profits. The figures show, for instance, that in manufacturing we had a higher margin of profit in relation to sales from 1947 to 1950 than we have had in any year since.

Even in relation to our gross national product, profits were at a higher percentage annually from 1946 to 1951 than in any succeeding year.

We are borrowing money today to stimulate the economy—an unsound device that sooner or later fails to maintain public confidence. Reduction of taxes is used as an incentive to business expansion, but it doesn't last for more than a year or so before another shot in the arm has to be given to the economic organism.

Deficit spending is extolled—as if it isn't important whether a balanced budget will ever be achieved.

The only conclusion to be drawn is that, necessary as our armament expenditures seem to be and unnecessary as the spending of other billions appears to be just to get to the moon, we are not adapting our economy to meet the risks that lie ahead. Should we allow our other expenses to rise, even though our annual outlay for armament and moon stunts continues to be around $60 billion a year?

No better remedy for economic ills has been discovered than the one which nations throughout history have found effective. It requires that fiscal affairs be conducted with prudence—lately a misused word. Also, we must forgo the impulse to win votes in election years by inflating the economy with doses of deficit spending.

To be forewarned is to be forearmed. Some day there may be an outbreak of peace instead of an outbreak of war. Peoples do, upon occasion, take things in their own hands, as the Russians did in 1917 when they overthrew a totalitarian government which was believed until then to be impregnable.

Revolution doesn't always lead to the attainment of freedoms, but a collapse of the Communist regime in Moscow would completely change the outlook and diminish the risks of war which prevail today.

An outbreak of peace could bring panic to the economy of this country. It could cause large-scale unemployment in defense plants. It could demolish the delicate balance-of-payment and trade relationships between the different nations of the world. It could cause a collapse of financial markets and affect the prices of commodities.

What are we doing to prepare ourselves for such an emergency? Certainly, somewhere in the moon budget or in the pork-barrel projects, some funds could be found to set up a national commission to conduct a comprehensive study of the best ways to meet the danger to our economic equilibrium if there were a sudden peace.

TWO IMPORTANT ASPECTS OF THE CAMPAIGN

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that there be printed in the RECORD an article by Mr. Max Freedman from last night's Washington Evening Star entitled "Economic Theory Versus Prosperity"; and one from this morning's Washington Post by Mr. Walter Lippmann entitled "Why Not Victory?" Both are very good comments on two important aspects of the coming campaign and I commend them to my colleagues.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Aug. 19, 1964]

ECONOMIC THEORY VERSUS PROSPERITY

(By Max Freedman)

In this election campaign not least among the obstacles facing Senator GOLDWATER is the general level of national prosperity. He will have to meet the argument that this is hardly the time for change, when jobs are plentiful, prices stable, profits high, and when the direction of economic policy in Washington enjoys a large measure of confidence. We are now in the longest period of peacetime expansion without any recession and without inflation since 1957.

Of course, most of the credit for this achievement belongs not to the politicians and officials in Washington but to the American people themselves. Nevertheless, the policies of the Government do have a profound influence on the economy; and if things had gone wrong, the Government certainly would be blamed for the recession. It therefore deserves some credit when business conditions are prosperous and expanding.

The Johnson administration can take this credit with propriety because it has refused to be complacent about prosperity. It has taken measures to safeguard it, and has at the same time begun the biggest campaign against poverty in our history.

This issue of poverty provides a test case between the two candidates. Senator GOLDWATER is not insensitive to suffering, not blind to the misery and degradation caused by poverty and unemployment.

But he believes in an economic philosophy which exalts the virtues of competition and rewards the strong and resourceful. He thinks the best way to deal with poverty is to give business more freedom, to reduce its taxes, and to give it incentives for expansion. All this will provide more jobs, and the submerged minority too unskilled to find work will be taken care of from the American people's sense of compassion. But the vital point for Senator GOLDWATER is that the Government should prate less about poverty and work harder for prosperity.

The record shows that President Johnson is fully aware of the strong points in this argument. The cordial relations which he has established with many business leaders shows that he is the friend and supporter of the competitive system. But he has a more sensitive and instructed awareness of the imperfections of that system than Senator GOLDWATER has ever allowed to cross his mind.

It is important to realize that the President is moving against poverty not only because he hates unnecessary suffering but also because he wishes to end the waste of human resources, perhaps the greatest of all economic evils. At present the unemployed live on charity and are a drag and burden on the economy. If a reasonable percentage could be trained for jobs under modern conditions, they would add more than $10 billion to the economy, would provide a new market for goods and services, and would stimulate business expansion.

Thus President Johnson sees no contradiction at all between working for business growth by tax incentives and ample credit, working for stability in labor-management relations, and working to ease the burden of poverty. These are all parts of a comprehensive and consistent program which stands in vivid contrast to the meager assumptions of Senator GOLDWATER that all will be well if only business is given a free hand.

Moreover, President Johnson can point to the wrong decisions which he has avoided. Senator GOLDWATER will discover, if he ever has the chance to look at the Nation from the White House, that it is a total myth that the economy runs itself without making any demands on the Government. He will learn that the President is constantly being given advice based on the limited views of the business and labor communities, and he must balance and correct these views by the more accurate information available to the Government.

For example, the President was urged to seek an even bigger tax cut, or a combination of reduced taxes and larger Government spending. He rejected this advice because it would have strained the economy and produced a serious rise in prices. He also was urged by industry to work for a wage freeze to cut costs and to give American exports an advantage in foreign trade. He refused to follow this advice because it would penalize the worker, reduce purchasing power, and increase the threat of strikes. Similarly, he resisted demands from trade unions for the encouragement of large wage increases and the establishment of a 35-hour week because these measures would have raised costs, hurt exports, and threatened a new cycle of inflation.

The lesson for Senator GOLDWATER is that the men who run America's free economy never want to run it in conditions of perfect freedom for all. They want to run it under conditions favorable to themselves and their own economic interests. Senator GOLDWATER's economic beliefs, with their fear of the Federal Government, leave him virtually defenseless in resisting the predatory demands of powerful groups in the economy.

[From the Washington (D.C.) Post, Aug. 20, 1964]

TODAY AND TOMORROW

(By Walter Lippmann)

WHY NOT VICTORY?

There has been some complaint from the Goldwater camp about the Secretary of State and the Secretary of Defense speaking out on the campaign issues. According to tradition they ought, it is said, to stand apart from the party conflict. There has indeed been such a tradition.

But it has been based on another tradition, which is that politics stops at the waters' edge and that on the main lines of foreign policy and national defense the two parties are agreed.

Since the convention at the Cow Palace, the Republican Party has been challenging the basic principles and objectives of American foreign and defense policy. That being the case, the responsible Cabinet officers have not only the right but the duty to explain and defend the policies of which they have the most detailed knowledge and for which, next to the President, they have the highest responsibility.

For working journalists, whose first concern is to find out what is going on, these days are like trying to read and understand a very difficult book in the midst of a crowd of people blowing horns and banging on tin pans. But we must try.

What, for example, are we to make of the fact that with our present military power, which Secretary McNamara has been describing, we are not "winning" the war in South Vietnam, we are in such trouble over Cyprus, we face the prospect of more trouble in the Congo, British Guiana is a worry, and Castro does not go away? The Goldwater answer to these questions is that all these troubles are being promoted and controlled from Moscow and Peiping, and the troubles would cease if we had a President who had the nerve to use our immense nuclear power to command Moscow and Peiping to cease and desist. This sounds simple and gutsy. But if the Communists did not cease and desist, the Goldwater strategy would force us to choose between admitting that we had been bluffing and accepting a war in which 100 million Americans might be burned up.

Either way, it would not be much of a victory, and the simple solution, which has such incalculable risks, is really no solution at all.

The question remains: Why, with all our military power, can we not make the outer world behave as we think it should? It throws light on this question, I believe, to notice that the second super power, namely the Soviet Union with its formidable nuclear arsenal and its immense army, is also finding that it cannot make all its wishes prevail. The latest evidence of this is that the Soviet Union, which stretches across northern Asia to the Pacific, finds itself blackballed as a member of the Afro-Asian group of Communist parties. This is as if the United States were excluded from the Organization of American States.

If we look around some more, we see that the other great powers—Britain, France, Italy, Germany, and Japan—are also finding that their public influence has declined in regions where their military superiority is obvious. The advanced nations of the world seem to be in the grip of a paradox: though their military power increases, their political power in large areas of the world diminishes.

This paradox can, I believe, be explained. While the great powers have been making themselves infinitely stronger, the weak peoples have invented and are perfecting a method of warfare which enables them to elude and circumvent the great warfare of the great powers. The weapons of the weak may be nonviolent civil disobedience as Gandhi used it in India, or it may be violent as Mao practiced it in China and as General Giap practices it in Indochina. The point is that modern weapons, conventional or nuclear, cannot find targets to hit which will defeat the guerrilla warfare of the weak.

The only way to defeat the guerrilla is to put much larger numbers of men on the ground, in the jungles and in the swamps and on the plains and in the mountains. As against Africans and Asians, white men cannot win such wars. What is more, white men, including the Russians, will not mobilize the large enough masses of men required for this kind of warfare. The experience of the British and the French, the Belgians and the Dutch, is that guerrilla warfare in Africa and Asia can have no victorious military solution.

The plain fact is that the suppression of guerrilla warfare is primarily and predominantly a job for the infantry and not for the airmen. The essence of GOLDWATER's military strategy is the illusion of a major general in the Air Force, that wars can be won by bombing, and the short and simple way to victory is not through the mud and the jungle but by air. The Navy and the Army do not share this illusion.

THE CIVIL RIGHTS ACT OF 1964

Mr. ROBERTSON. Mr. President, some days ago, I was requested by Dean Manion, of South Bend, Ind., to make a recording for use on his radio and television forum of my views on the constitutionality of the Civil Rights Act and the current practice of the U.S. Supreme Court to invade the legislative field.

Since I regard my distinguished colleague from North Carolina, Hon. SAM J. ERVIN, JR., as the best constitutional lawyer in the Senate, I asked for an expression of his views on the following questions:

First. Judge Caldwell, of Florida, asserts that the Supreme Court is exhibiting contempt for the Constitution in a grasp for arbitrary power. Do you agree?

Second. Judge Caldwell says that the recently passed civil rights bill is in several respects unconstitutional. What do you think about the constitutionality of the civil rights bill?

Third. Suppose this present Court declares the act constitutional; does that permanently refute all that you and the others have said and make the bill constitutional?

Fourth. Walter Lippmann and others have written that when critical reforms are necessary and no other branch of State or Federal Government will establish them, then the Supreme Court must step in and accomplish the reforms by court decree. What do you think of this theory?

Fifth. What can we do about this revolutionary Supreme Court? These men are appointed for life and may be there for a long time. How can we preserve the Constitution in the meantime?

Since witnesses appeared yesterday before the platform committee of the National Democratic Convention urging that the Democratic Convention which convenes on the 24th adopt a plank affirming the constitutionality of the Civil Rights Act, it becomes very pertinent to remind the delegates at that convention of the reasons those of us who voted against the civil rights bill gave for believing it to be unconstitutional. Therefore, I ask unanimous consent to have published in the RECORD at this point, the letter to me from Senator ERVIN which summarizes our views on that vital subject.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON THE
JUDICIARY, SUBCOMMITTEE ON
CONSTITUTIONAL RIGHTS,
Washington, D.C., August 18, 1964.

Hon. A. WILLIS ROBERTSON,
U.S. Senate,
Washington, D.C.

DEAR WILLIS: In response to your letter of August 13, I am happy to give you my views on the questions you have outlined.

1. I agree with the thrust of Judge Caldwell's statement in that I feel the Supreme Court has grasped power through interpretations of the Constitution that cannot be reconciled with the intent of the Founding Fathers or of the Congress and the States when ratifying and amending the Constitution. Many of the majority decisions in recent years have exhibited either ignorance of or contempt for the letter and spirit of the Constitution, especially the nature of the Federal system of checks and balances and separation of powers. This is abundantly clear in the reapportionment cases and the sit-in cases.

3. As you know, my basic objection to the civil rights bill was its patent unconstitutionality.

Title I, concerning voting is clearly violative of article I, section 2, which gives to the States sole authority for fixing the qualifications of voters. Titles II and VII, the public accommodations and equal employment sections, are unwarranted and illegal invasions of the rights and obligations of States. A statute similar to title II was declared unconstitutional in the civil rights cases of 1883.

Title IV authorizing the Attorney General to sue for the integration of public schools would go far beyond the constitutional mandate issued by the Supreme Court in 1954. In my opinion one of the greatest lawyers and jurists of our generation was the late Judge John J. Parker of the U.S. Court of Appeals for the Fourth Circuit. In the case of *Briggs* v. *Elliott,* Judge Parker correctly interpreted the decision of the Supreme Court in the Brown case:

"It is important that we point out exactly what the Supreme Court has decided and what it has not decided in this case. It has not decided that the Federal courts are to take over or regulate the public schools of the States. It has not decided that the States must mix persons of different races in the schools or must require them to attend schools or must deprive them of the right of choosing the schools they attend. What it has decided, and all that it has decided, is that a State may not deny to any person on account of race the right to attend any school that it maintains. This, under the decision of the Supreme Court, the State may not do directly or indirectly; but if the schools which it maintains are open to children of all races, no violation of the Constitution is involved, even though the children of different races voluntarily attend different schools, as they attend different churches. Nothing in the Constitution or in the decision of the Supreme Court takes away from the people freedom to choose the schools they attend. The Constitution in other words, does not require integration. It merely forbids discrimination. It does not forbid such segregation as occurs as the result of voluntary action. It merely forbids the use of governmental power to enforce segregation. The 14th amendment is a limitation upon the exercise of power by the State or State agencies, not a limitation upon the freedom of individuals."

Title IV flys directly in the face of this decision by vesting in the Attorney General the power to seek Federal court decrees for compulsory integration against every public school board anywhere in the United States which has "failed to achieve desegregation."

Title VI is an unconstitutional delegation of the powers of Congress and the judiciary to the executive. This part of the bill would give the executive branch and its various agencies the uncontrolled power to cut off Federal aid to any project that is deemed to be "discriminatory." Congress has set up no standards by which discrimination would be determined.

My long study of our Constitution and the relevant court cases, has convinced me that the Civil Rights Act—not only in the nature of its provisions, but also the vagueness and ambiguity inherent in those provisions—is totally repugnant to the Constitution.

3. For the reasons I have stated above, I believe the Supreme Court will declare the act unconstitutional. I do not have so little confidence in the intellectual integrity or the judiciary stability of the Supreme Court as to be able to entertain the opinion that it would be willing to distort the plain words and principles of the Constitution to the extent it would take to uphold this act.

However, if the Supreme Court should swerve so far from precedent as to find this statute valid, then the Constitution will, indeed, be nothing more than what the courts say it is.

After a law has been passed by Congress, signed by the President, and upheld by the courts, we of course, have no choice but to obey it. This does not mean, however, that a subsequent court test at a later date might not result in a different decision. There has been ample precedent of late for the Supreme Court to overrule a previous decision. Further, I have taken an oath to uphold and defend the Constitution; and I interpret this oath to mean I must seek to repeal any tyrannical legislation. As more and more people come to realize the nature of the act we have just adopted, I am confident that Congress will reconsider its action.

4. I could not disagree more with this statement. The courts should be in the business of dispensing justice and not reforming society. The courts exist to apply the laws; Congress exists to make the laws. Political reforms can properly and constitutionally only be accomplished by the political branches of government. To vest in any individual or group of individuals not directly responsible to the people—such as the courts—the authority to carry out policy reforms, is the very antithesis of democracy. When reforms are necessary, the people will vote for them or see that they are made through their elected representatives. The present trend away from relying

on political institutions, unless checked, can only result in judicial tyranny.

5. First, the people of the country should demand that the President appoint and the Senate confirm only those lawyers considered for the Supreme Court who exhibit a knowledge and understanding of the Constitution and the principles of American government. If the Nation will become more aroused over Court appointments, the people's voice will be heard.

Second, it is my view that members of the Supreme Court should be chosen only from those with judicial experience. If we followed this practice, I am confident that we would have a Court more familiar with its proper role in our government. Therefore, I endorse, and I hope the Senate will pass, Senate Resolution 114, introduced by Senator STENNIS, which would require that every other individual confirmed by the Senate for the Supreme Court have at least 10 years judicial experience.

These, briefly, are my views on the questions you have submitted. I hope they will prove useful to you and that you will have a successful appearance on the "Manion Forum."

With all kind wishes, I am,

Sincerely,

SAM J. ERVIN, JR.

SECOND CONGRESS OF CZECHOSLOVAK SOCIETY OF ARTS AND SCIENCES

Mr. HRUSKA. Mr. President, the more than 700 intellectuals who make up the Czechoslovak Society of Arts and Sciences will hold their second congress on the campus of Columbia University on September 11 through 13.

Many of these college professors, artists, musicians, and writers come from the ranks of political refugees who escaped Czechoslovakia after the Communist seizure. But others are American-born artists and scientists who share with their fellow Czechs an intense feeling of devotion to this land which gives them the opportunity of self-expression in the atmosphere of freedom.

The first congress was held here in Washington 2 years ago and was a pronounced success. Sponsors of the congress at Columbia are planning an even more ambitious program with more than 100 papers to be read, ranging in subjects from the humanities to the social sciences and the technical disciplines.

It is a pleasure, Mr. President, to salute the outstanding work of the Czechoslovak Society of Arts and Sciences and its parent organization, the Czechoslovak National Council of America.

I ask unanimous consent to have printed in the RECORD a brief statement describing the organization and activities of the society.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE CZECHOSLOVAK SOCIETY OF ARTS AND SCIENCES IN AMERICA

There are no statistics, only estimates of the numbers of Czech and Slovak intellectuals abroad. Before 1939, it was rare for a college professor, writer, or artist to leave Czechoslovakia for permanent settlement abroad. Then came World War II. The German onslaught precipitated the emigration or escape of some 20,000; among these exiles, at least one-fourth were intellectuals. At the war's conclusion some returned home. The majority, though, remained in America, England, France, and other Western countries.

A still greater exodus began in 1948, when the Communists seized power in Czechoslovakia. In the decade following the coup, over 60,000 people escaped to the West. Again, we lack statistics, but it is estimated that about one-tenth of these emigrees, some 6,000, are intellectuals, scholars, and professional people. Most of them found their way to the United States, Canada, and Australia; a few hundred established themselves in England, France, West Germany, and various countries in Asia and Africa.

ORGANIZATIONAL EFFORTS

In 1958, a group of scholars led by Dr. Václav Hlavaty, the mathematician of the University of Indiana, and Dr. Jaroslav Nemec of the National Library of Medicine began to organize these intellectuals throughout the world into society of arts and sciences. Later, the body became incorporated under the statutes of the State of New York as a nonprofit cultural organization, assuming its present name: the Czechoslovak Society of Arts and Sciences in America, Inc. Its activities, as outlined in its bylaws, consist in assisting and coordinating the educational, scientific, literary, and artistic endeavors of Czech and Slovak inteligentsia abroad. By a ruling of the U.S. Treasury Department, contributions to the organization are tax deductible.

The society is known among the Czechs and Slovaks as SVU—Spolecnost pro Vědy a Umění. Those living in the free world welcomed its establishment enthusiastically and have supported it loyally. Comments in the Communist press in Czechoslovakia itself range from outright condemnation to reluctant acknowledgment of its significance.

From its inception the society has maintained its nonpolitical nature and has tried not to become an instrument in the cold war. The membership, of course, is opposed to any totalitarian ideology, be it Nazi or Communistic, knowing that culture and freedom are inseparable.

PUBLICATIONS

The organization has embarked on an extensive publishing program. In 1962, it issued a monograph, "Antonín Dvorák," by composer Karel B. Jirák of Roosevelt University. Mouton and Co., The Hague, published for the society, René Wellek's "Essays on Czech Literature" in 1963. A volume of Slovak and Czech poetry was published. Also, several studies in mimeographed form, including "Czech and Slovak Periodical Press Outside Czechoslovakia and International Political Causes of the Czechoslovak Tragedies of 1938 and 1948."

In honor of Professor Hlavaty's 70th birthday, a symposium on relativity and geometry is soon to be published for the society by Indiana University Press. Another volume "in honorem," on early Slavic and Byzantine history, is planned for the 75th birthday of Father Francis Dvorník of Harvard University. A who's who among Czechs and Slovaks abroad is now in preparation; it will comprise short biographies of more than two thousand intellectuals of Czech and Slovak origin. Already in press in Egon Hostovsky's novel "Tri noci" ("The Three Nights"); Cassell and Co. in London has just released the book in an English translation.

Since 1959, the society has been publishing a monthly information bulletin, Zprávy SVU (News of SVU). In January 1964 it began publishing also a quarterly for literature, philosophy, and the arts, entitled "Promeny" ("Metamorphoses").

THE CONGRESSES

The society held its first congress in 1962 in Washington, D.C. Sixty papers were read, ranging in subject from linguistics to sociology and science. The proceedings of the congress are being published this month, August 1964 by Mouton, The Hague, in a 600-page book under the title, "The Czechoslovak Contribution to World Culture."

The second congress will be held at Columbia University, New York, on September 11–13, 1964. The central theme of the congress is: Czechoslovakia, Past and Present. Ninety-eight papers have been registered for reading so far by scholars and pedagogues from the United States, Canada, and Western Europe. Miloslav Rechcígl, Jr., of the National Institutes of Health, is in charge of the lecture program. John G. Lexa, of New York University, is chairman of local arrangements. The lectures have been divided into the following sections and symposiums:

1. "Early and Medieval History and Civilization."
2. "Humanities and Linguistics."
3. "Modern Czechoslovak History."
4. "The First Czechoslovak Republic" (symposium).
5. "Contemporary Czechoslovakia: Socioeconomic Aspects" (symposium).
6. "Contemporary Czechoslovakia: Cultural Aspects" (symposium).
7. "Contemporary Czechoslovakia: Political and International Aspects" (symposium).
8. "Literature."
9. "History of Science."
10. "Czechoslovakia and Its Neighbors: Nationalism versus Federalism" (symposium).
11. "The Social Sciences."
12. "Czechoslovakia and Its People: At Home and Abroad."

Two exhibits will be displayed at the congress: one featuring the Czechoslovak fine arts and the other, books on Czechoslovakia and books and music written by Czech and Slovak authors abroad since the end of World War II. Czech and Slovak periodicals published outside of Czechoslovakia also will be shown.

Another feature of the congress will be a literary evening. The leading contemporary Czech and Slovak writers and poets living abroad will read from their works; Czech and Slovak music and dances also will be performed. As a part of the congress a banquet will be held at which the Kohon Quartet will perform.

OFFICERS AND MEMBERSHIP

Present membership in the society exceeds 700. René Wellek, of Yale University is president. Vratislav Bušek, former rector of Comenius University, Bratislava; Conductor Rafael Kubelik, and Father Felix Mikula, former aid to the Prague Archbishop Josef Beran are vice presidents. Rudolf Sturm of Skidmore College serves as secretary general.

Among the members are pianist Rudolf Firkušny, Singer Jarmila Novotná, Illustrator Miroslav Sašek, Composer Jaromír Weinberger, and some 400 scholars teaching at American and Canadian universities from Harvard to Florida State to California to Vancouver. Members of the society living outside of the Western Hemisphere teach and do research at the University of London, Oxford, Cambridge, the universities of Strasbourg, Munich, Stockholm, Singapore, Sydney, and several other institutions of higher learning.

Inquiries concerning the Czechoslovak Society of Arts and Sciences in America, Inc., should be addressed to Dr. Sturm at Skidmore, Saratoga Springs, N.Y. 12866.

THE CONSERVATION CONGRESS

Mr. JAVITS. Mr. President, the 88th Congress has frequently, of late, been called the conservation Congress. This Congress has established a very outstanding record in the conservation field which includes action on H.R. 3846, the land and water conservation fund bill, the wilderness bill, the Fire Island National Seashore bill, and the Tock's Island National Recreation Area measure among many others. I ask that an editorial describing these accomplishments, from the New York World-Telegram of August 4, entitled "The Conservation Congress," be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Conservation Congress

"If this Congress keeps up the way it is going, I think it will be known as the conservation Congress."

So said Representative Morris Udall, of Arizona, during the debate on the wilderness bill.

A few minutes later the House adopted 2 amendments to strengthen the bill and then passed it by the overwhelming vote of 373 to 1.

If the 88th Congress keeps on going in that fashion, it will indeed go down in history as "the conservation Congress."

To earn that title, Congress needs to do these things:

Work out prompt agreement of the two Houses to reconcile their differing versions of the wilderness bill. With Senator Clinton Anderson, of New Mexico, and Representative Wayne Aspinall, of Colorado, in charge, there's no difficulty there.

Take quick action in the Senate on the House-passed land and water conservation fund bill. The House version is an improvement over the original draft submitted by the administration; it substantially meets all objections. The Senate would make no mistake to pass the House version unamended.

But Congress should not be content to pass only these two big bills.

The proposed river basin planning bill would improve the coordination of the various Federal agencies involved in water projects. It would provide a new type of Federal-State agency to assist the States to become more active in planning the desperately needed conservation of their dwindling water resources.

There is yet time to add these to the Nation's list of permanent outdoor treasures: Fire Island National Seashore, Tock's Island National Recreation Area, Indiana Dunes National Lakeshore, Sleeping Bear Dunes National Lakeshore, Ozark National Rivers, Big Horn Canyon National Recreation Area, Lake Mead National Recreation Area, and Oregon Dunes National Seashore.

In making this list, it's quite possible that one or more areas just as deserving have been left out. If so, Congressmen can add them to the list.

The way Congress is going, many big things can still be accomplished in the time that remains.

SETTLEMENT OF OBLIGATION TO SENECA INDIANS

Mr. SCOTT. Mr. President, it is a source of great relief to me that both the Senate and the House this week approved the conference report authorizing payment for damages incurred by the Seneca Indians displaced by the flooding of the Allegheny Reservoir-Kinzua Dam project in northwestern Pennsylvania. For months I had viewed with concern the conference deadlock between the House version and the less generous Senate measure. I salute the members of the conference committee for at last bringing some relief measure before the two bodies. Now the Senecas may begin the task of relocating and rehabilitating themselves—only a few months before closure of the dam.

I am pleased that the measure which has been adopted includes funds for rehabilitation, as well as the direct and indirect damages to the Indian nation. But while the $15 million figure is a substantial one and represents a compromise toward the larger House fund, I do not think we Members of the Senate should be congratulating ourselves for a "generous" settlement. The original recommendation of the Interior Department was that Congress approve a $29 million fund, and we have fallen far short of that mark.

The construction of the Kinzua Dam was an important and forward-looking gesture by the Government, but of equal importance and concern, it seems to me, is the honoring of our moral and traditional obligations to the great Seneca Indian Nation. We must never neglect this responsibility for the sake of expediency.

COMMISSIONING OF POLARIS SUBMARINE "CASIMIR PULASKI"

Mr. DODD. Mr. President, on August 14, the U.S.S. *Casimir Pulaski*, perhaps the mightiest addition to our Polaris submarine fleet, was turned over to its crew and thus commissioned in the service of the U.S. Navy, at Groton, Conn. The commissioning ceremony took place at the docks of the Electric Boat Co., whose engineers and craftsmen had created this marvel of modern military science, which adds so powerfully to the security of the free world.

It was my privilege to be present at the launching of the *Casimir Pulaski* last February 1; and I could not help feeling pride at the time in the industry and craftsmen of my home State who had produced this magnificent vessel and so many of its sister vessels of our Polaris submarine fleet.

I could also not help feeling how appropriate it was that this vessel, which protects not merely our freedom but the freedom of the entire Western World, should have been named after a man who came from his native Poland to fight for freedom in far away America. This thought was expressed in a particularly eloquent manner by President Johnson in the remarks that were broadcast at the dockside in Groton, Conn., on the occasion of the commissioning of the *Casimir Pulaski* on August 14. I, therefore, ask unanimous consent to insert into the Record at this point the text of the President's remarks on this occasion.

I also ask consent to insert into the Record the address delivered on this occasion by Postmaster General John A. Gronouski.

There being no objection, the addresses were ordered to be printed in the Record, as follows:

Address of President Lyndon B. Johnson

I am proud to participate today in these ceremonies. We are adding a name, that all Americans honor, to our nuclear fleet which all freemen so greatly trust. Our birth as a nation was attended by many brave men from many lands. Their names we shall never forget and never cease to revere.

On the scroll of freedom no name is written larger than that of General Pulaski. In his native Poland and on these shores he fought with a valor always so much a part of the Polish people. He reached our country saying "I came to hazard all for the freedom of America." On October 11, 1779, at the Battle of Savannah he gave his all laying down his life that our Nation might be born in freedom.

In this century, America has sent her sons to hazard all for freedom around the world. Many have not returned, but our sacrifice has not been in vain. In our times the world is safer and freedom is more secure. The hope for peace is brighter and the confidence and ultimate victory for our cause has never been greater than it is now.

In all the history of man, few peoples have been privileged to bear the responsibilities for all mankind which are borne now by this generation of Americans. Those responsibilities require us to run a responsible course through the perilous seas of our times. The U.S.S. *Pulaski,* which we commission today, is part of our great effort to uphold the trust for peace which rests in our hands.

Today, no nation on earth is so strong as ours. That strength is committed to peace and that commitment is both irrevocable and unhesitating. Any who choose to be enemies of peace can trust that America's strength will be ready for use as the ally of peace. All who choose to be friends of peace can likewise trust that America's great strength will be used responsibly by a nation that is deeply conscious of its responsibilities to all mankind.

We Honor Both a Memory and a Debt

(Address by John A. Gronouski, Postmaster General of the United States)

Today, we honor both a memory and a debt.

A memory of a romantic young nobleman from Poland who gave his life to help this Nation win its independence.

A debt not only to Casimir Pulaski, but to all of those Europeans who came to this country during our Revolution because they believed in liberty and because they understood that ours was the greatest experiment in the history of mankind. The freedom that we have enjoyed for nearly 200 years now was bought not only with our blood, but with theirs as well.

They came to our aid in an hour of need, and now, in this century, the task has fallen to us of coming to theirs. This we have done in two World Wars—and this we will continue to do. But the responsibility is great; we can meet it only by maintaining our strength.

And so, with the commissioning of this nuclear submarine—the *Casimir Pulaski*—we mark a major addition to the mightiest deterrent force the world has ever known. The word "deterrent" is used advisedly. While this one ship will carry inside her more destructive power than all of the explosives used in World War II, her purpose is to safeguard the peace, all over the globe.

In this respect, we are reminded of the words of our late, beloved President John F. Kennedy, spoken at his inauguration in 1961. He declared: "Only when our arms are sufficient beyond doubt, can we be certain beyond doubt, that they will never be employed."

To achieve this end was one of his driving forces as President—just as it has been a driving force of his successor, President Lyndon B. Johnson.

And, as a measure of their success, President Johnson was able to report only last June:

"In every area of national strength America is stronger today than ever before. It is stronger than any adversary or combination of adversaries. It is stronger than the combined might of all the nations in the history of the world.

"Against such force the combined destructive power of every battle ever fought by man is like a firecracker thrown against the sun."

In less than 4 years we have attained a 150-percent increase in the number of nuclear warheads and a 200-percent increase in total megatonnage in our strategic alert forces; a 60-percent increase in the tactical nuclear force in Western Europe; a 45-percent increase in the number of combat-ready Army divisions; a 44-percent increase in the number of tactical fighter squadrons; a 75-percent increase in airlift capability; a 100-percent increase in funds for general ship construction and conversion to modernize our fleet; an 800-percent increase in the Department of Defense special forces trained for counterinsurgency.

Four years ago our military structure was inflexible. We had enough destructive power to wipe out any nation in the world, but our strategic forces were excessively vulnerable and therefore less creditable. We lacked hardened and dispersed bases, sufficient number of bombers on alert and improved warning systems. And worst of all, our conventional forces were woefully unprepared to meet the challenge of anything less than all-out war. Our choice of response to limited aggression was nonexistent; we could trigger world war III—and risk catastrophic losses ourselves—or we could let the aggression go unchecked.

We were, in effect, musclebound by our nuclear capability.

Today we have diversity and balance.

We have drastically reduced the chances of a general war by achieving a degree of deterrent power that could mean total destruction to any nation foolish enough to attack us or our allies.

We now have more than 1,100 strategic bombers, many of which are equipped with air-to-surface and decoy missiles to help them reach their designated targets. Of these, 540 are maintained constantly on alert, ready to take off and fly to their targets in the face of a surprise missile attack.

We have now more than 800 fully armed, dependable intercontinental ballistic missiles deployed on launchers—almost all in hardened and dispersed silos—about 30 times the number we had 4 years ago, and 4 times the number presently in operation by the Soviets.

We now have 256 Polaris missiles deployed in 16 nuclear submarines, and this occasion today brings to 24 the total number of missile carrying submarines which have been commissioned. By 1967, the entire 41-ship Polaris force will be operational.

And while we have been adding to our strategic forces, we have been strengthening and revitalizing our limited war capability. This Nation now has a balanced limited war military force which will permit a response graded to the intensity of any threat of aggression.

We have increased the strength of the Active Army by 100,000 men, and the number of Army combat divisions from 11 to 16.

For the Air Force, we have raised the number of tactical fighter squadrons from 55 to 79, and at the same time, have increased our airlift capability by 75 percent.

For the Navy, there has been a 100-percent increase in the funds for general ship construction and conversion which will mean, by the end of the current fiscal year, an increase in the active fleet from 817 to 883.

And finally, we have built an effective counterinsurgency force almost from scratch—a force that will permit us to meet the threat of guerrilla action anywhere in the world, in any type of terrain.

Thus have we made the world a safer place in which to live—by making war more dangerous to wage.

But this is only part of the task. Not only must we be strong enough to win any war, but, as President Johnson said in his State of the Union message last January, "We must be wise enough to prevent one."

I know there are those among us in the Nation today who believe that war is inevitable between the Western World and the Communist nations. They believe that "the tide is running against freedom" and they scream "no win" when we refuse to be pressured into dropping a nuclear bomb on a band of guerrillas.

To those people, the choice is clear cut: The Communists are our sworn enemies and they must be destroyed before they destroy us.

In the past, they have advocated action in Korea, in Berlin, in Cuba, and in Vietnam that would probably have set off the very war that we have built a mighty defense force to prevent. And they justify their extremism with the old cliche, "Better dead than Red."

This is a comfortable way of viewing world affairs—but it is hardly a substitute for a thoughtful, responsible foreign policy.

Perhaps it would be valid if their premise were correct, but the fact is that the tide is not running against freedom. To the contrary, every indication of the past 20 years indicates that freedom is the wave of the future.

Any American who does not believe that our economy can stand up against peaceful competition with the Communists has no faith in free enterprise.

Any American who thinks an uncommitted nation would willingly choose totalitarianism over democracy has no faith in our system of government. Since World War II, some 48 new nations have been formed and not one has gone over to communism.

This Nation's policies are based on the belief that we can maintain a just world peace by making the alternative to peace unacceptable to any would-be aggressor; and further, on the belief that within the framework of that peace, we can compete with the Communists and beat them in any area they choose.

It is also based on the unswerving belief that with wisdom, patience, dedication, and strength, we will some day welcome the people of Eastern Europe back into the community of free nations.

Again there are those in the Nation who insist that we slam the door of friendship on those unfortunate people because they are living under Communist domination. And again I say that this is an irresponsible course of action.

Events of the past several years have clearly demonstrated that the people of Eastern Europe are gravitating toward the West, despite the actions of their governments. We must continue to encourage that movement.

As President Johnson said at the dedication of the George Marshall Research Library last May:

"We will continue to build bridges across the gulf which has divided us from Eastern Europe. They will be bridges of increased trade, of ideas, of visitors, and of humanitarian aid. We do this for four reasons: First, to open new relationships to countries seeking increased independence yet unable to risk isolation; second, to open the minds of a new generation to the values and the visions of the Western civilization from which they come and to which they belong; third, to give freer play to the powerful forces of legitimate national pride—the strongest barrier to ambition of any country to dominate another; fourth, to demonstrate that identity of interest and the prospects of progress for Eastern Europe lie in a wider relationship with the West."

The barriers to Eastern Europe are falling. We have given hope to the people of those nations, where before there had been only despair.

We will not turn our backs on them now—for to do so would only be pushing them forever into the Soviet camp.

We will continue to encourage these people with our aid, our trade, our people, and our culture until once again they are a part of the community of free nations.

The process may well be a slow and agonizing one, for we are engaged in "a long, twilight struggle." But we will prevail. We must prevail.

And so let this submarine, the *Casimir Pulaski,* symbolize more than our debt of gratitude to a great Polish patriot and a great friend of America. Let it symbolize our determination both to preserve order in a chaotic world, and to further the cause of liberty, not only in Pulaski's homeland, but throughout Eastern Europe.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 6233. An act to provide for the conveyance of certain land of the United States to the Pascua Yaqui Association, Inc.;

H.R. 9976. An act for the relief of Elmer Levy;

H.R. 10204. An act to extend the Osage mineral reservation for an indefinite period; and

H.R. 12128. An act to amend the act of March 10, 1964.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 284. An act for the relief of Ethel R. Loop, the widow of Carl R. Loop;

S. 2288. An act for the relief of John J. Feeney; and

S. 2944. An act for the relief of the Greater Community Hospital Foundation, Inc.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 6233. An act to provide for the conveyance of certain land of the United States to the Pascua Yaqui Association, Inc.;

H.R. 10204. An act to extend the Osage mineral reservation for an indefinite period; and

H.R. 12128. An act to amend the act of March 10, 1964; to the Committee on Interior and Insular Affairs.

H.R. 9976. An act for the relief of Elmer Levy; to the Committee on the Judiciary.

The **PRESIDING OFFICER.** Is there further morning business? If not, morning business is concluded.

The Chair lays before the Senate the unfinished business.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

PESTICIDES: A KEY TO MANAGED ABUNDANCE

Mr. HRUSKA. Mr. President, during the recent debate on the agriculture appropriations bill, reference was made to the wide scope and complexity of the many areas of activity covered by the measure. Those who participated in the extended hearings and currently in the agricultural aspects of the supplemental appropriations bill are in a special position to appreciate the months of painstaking planning and investigation required by a bill of such breadth. As one who did participate in this procedure, I share the admiration and respect expressed by many of our colleagues for the excellent work of the chairman of the subcommittee, the senior Senator from Florida [Mr. HOLLAND].

His efforts are characterized by a measured but persistent drive, unfailing patience, and courtesy. He is always willing to allow for exploration of detail, but at the same time sees that steady progress is made. He has a unique ability to lay down ground rules upon which decisions are later based. These rules sometimes operate against an activity or view for which he has a decided preference, but he is not reluctant to apply them to himself as well.

Working at the chairman's side in this task was the senior Senator from North Dakota [Mr. YOUNG], whose experience in and knowledge of agriculture is well known among his colleagues and in the Department of Agriculture. He made his usual contribution to the high quality of the consideration given this year's bill.

Raymond Schafer of the staff is among the best of the professional committee aids in the Senate. He is hard working, well informed, and always very understanding. He hews with unflagging fidelity to the line of policy laid down by the committee members. Similar assistance was provided by Edmund King of the minority staff who again this year rendered his characteristically efficient and capable service. I thank them both.

There are many topics in the bill upon which I should like to comment. In the main, however, they have been well covered in the committee report, the chairman's comprehensive summary and discussion on the floor of the Senate.

It is my purpose to confine my comments to a subject of wide and vital interest to the entire public, and especially to the members of the farming, food-producing, and food-processing industries.

This subject is the $69 million appropriation for plant and animal disease and pest control. This includes about $29 million which our committee, at the request of the President, added to the House-passed bill for pesticide research, education, and regulation. The size of this fund alone indicates the reason and support for it.

When the request came before the committee, the chairman appropriately scheduled extended and thorough hearings on the entire subject. It is well that a study in depth was given this matter on which wide publicity and attention have been centered in recent times.

It is regrettable that so much of this publicity has amounted to a campaign against the use of pesticides. The picture has been clouded by emotion, even hysteria, based upon insufficient information and outright misinformation at the cost of a realistic, balanced view based on scientific considerations.

A concern about dangers to human safety and health in every regard, including the use of pesticides, is commendable. No one would seek to deny or even limit this in any way.

But, before we commit ourselves to one measure or another, it is equally imperative to determine the means by which human safety and health can best be assured.

There are unquestionably some dangers in the improper use of pesticides. But there are also dangers in a cessation of their use. Our common well-being is not advanced by emphasizing only the dangerous use and effect, to the exclusion of their undisputed advantages, some of which I shall shortly point out.

TWO OPPOSING VIEWS

Recent testimony of two members of the President's Cabinet illustrates the point. It is found in hearings before a Subcommittee of Government Operations on the subject of environmental hazards, especially pesticides and other chemical poisons.

One of these officials, Secretary of Interior Udall, at the conclusion of his testimony stated that "there is much that we know; there is more that we do not. And to learn more is an urgent matter and one requiring greatly expanded research." But then he went on to say:

> Your statement, Mr. Chairman, announcing this series of hearings, said, "We are faced squarely with the problem of learning to control the movement of persistent toxic compounds beyond the restricted locations to which they are applied or discontinuing their use. That is the policy question confronting this Nation today." Phrased another way, the question is, Can we afford to use these persistent toxic chemicals if we cannot control the movement of their residues after use? From my point of view, the answer is an unequivocal "No."

A few days after Secretary Udall testified, the witness was Secretary of Agriculture Freeman. The subcommittee chairman called to his attention the first statement quoted above and inquired whether Mr. Freeman shared its viewpoint. Mr. Freeman's reply:

> I think anyone would agree that persistence is a key question. The extent of that persistence and the magnitude of its expansion is precisely what we don't know, and that is the key question that calls for extending scientific research. That is why I have directed in the Department of Agriculture a concentration on that very question which we know very little about, and which we hope in the years ahead that the research will give us adequate information in connection with the whole matter of persistence and expansion.

A few moments later, Secretary Freeman amplified his remarks by saying:

> My point, Mr. Chairman, is that we need to have a good deal more information in connection with both the drift, the direction, and the persistence. This is something that we do not know.
>
> In terms of the ultimate decision when we have the facts, which we don't have now, if a strong challenge to public safety is a part of the record, immediate cancellation of the question of use will be taken.
>
> If no such danger is considered, the adverse effect must be evaluated in relation to the value of the pesticide. In reaching the decision on an action under the law, first consideration is given to the public interest.
>
> In other words, we have got to balance all the factors and all the equities and make a value judgment which will in some instances probably be a difficult one, because as I testified before this committee before, we would not be enjoying many, many things in terms of our own standard of living, in terms of the nutrition and health and welfare of our people if it were not for agricultural productivity.

The road indicated by Secretary Freeman is the one which the Appropriations Committee has chosen. It did so by approving a total of $69 million for plant and animal disease and pest control. The wisdom of this choice is supported by evidence in the hearings and elsewhere.

IMPACT OF NONUSE PESTICIDES

To what was Secretary Freeman referring when he said that "we would not be enjoying many, many things in terms of our standard of living in terms of nutrition, health, and welfare of our people if it were not for agricultural productivity?"

In the past quarter century, there has been a revolution in farming methods, producing a 60-percent increase in total farm output, based chiefly on technological progress. Key factors in this dramatic change have been the availability of more effective pesticides and improved utilization of them.

Knowing this, America's farmers are deeply and understandably concerned about official statements which would seem to seek to limit their opportunity to use products without which they could not long remain in the business of producing food and fiber.

Consumers, too, are vitally and directly concerned because the farm revolution of the past 25 years has brought an abundance of high-quality farm products—at the lowest overall cost in the world. Americans today spend a smaller share of their income for food than any nation in the world. To deny or impair the key factors making this possible would threaten this enviable position.

Testimony by competent witnesses proves that without pesticides the consumer would not only pay much higher prices but receive poorer products. The level of living would be reduced drastically. The dependability of our food supply would be severely threatened.

We find that if the use of chemical pesticides were prohibited, these results would likely occur:

Livestock output would drop by about 25 percent and crop production by nearly 30 percent in the first few years.

Farm exports would be eliminated. They now total about $6 billion a year. What a blow to our already dwindling gold supply.

Price of farm products would likely increase 50 to 75 percent.

Cost of food to consumers would soar.

Quality of food would be greatly impaired.

Vegetable, fruits and nut yields would be reduced 50 to 60 percent.

Perhaps the total loss of fruit production in citrus and peach-producing States.

EFFECTS ON HUMAN HEALTH AND WELFARE

Dr. Nyle C. Brady, director of Science and Education, in the Department of Agriculture, testified before the Appropriations Committee:

> Without the use of pesticides, the increase of house flies and cockroaches in homes, restaurants, and dairies would result in a great increase in various intestinal diseases, such as dysentery, and there would be large outbreaks of food poisoning. Although malaria and yellow fever no longer exist in the United States, these could be reintroduced by stowaway insects on intercontinental aircraft. There are still outbreaks of mosquito-borne encephalitis, and resulting losses of human life.
>
> The extreme difficulty of controlling the various insect-borne diseases without the use of insecticides is such that vast areas of our Atlantic, gulf, and Pacific coasts would be virtually uninhabitable.

These are a few of the factors which must be considered in arriving at the value judgment to which Secretary Freeman referred in his testimony.

These facts are at striking variance with the emotional portrayal of the death of a town and all forms of life in and near it on account of "a white powder falling from the sky like snow and a fearful blight" creeping over the land.

The fact is that without the materials of which the white powder is symbolic and through an attitude of letting nature take its course, there would likely be a threat of famine instead of the present problem of surpluses.

SEARCH FOR MORE KNOWLEDGE

The need for more knowledge is urgent. Research should be pressed firmly and in several sensible directions which will include:

First. Biological, sterility, and nonchemical methods of destroying insects and diseases.

Second. Genetic and varietal resistance of plants to insects and diseases.

Third. Improved conventional pesticides for greater specificity, and improved equipment for application.

Fourth. Effects of pesticides and feed additives on soils, crop and farm water supplies, as well as on poultry and livestock and their products.

These and other areas will be explored, and, as improvements are perfected and demonstrated, they will be put into use.

However, certain questions are already clearly indicated.

The increased emphasis on nonchemical means of coping with diseases and pests is sound, but must be kept in proper perspective because:

First. The problems associated with the use of chemicals have not been scientifically determined and confirmed.

Second. Their widespread acceptance necessitates an adequate return on the investment so as to assure improvements in composition and application.

Third. The time to make available and effective the nonchemical approaches will be extensive because they are also laden with problems in discovery and development.

SCIENTIFIC DETERMINATIONS ON CHEMICAL PESTICIDES

The rejection of chemical pesticides before more accurate and dependable knowledge is obtained about their effects would be both premature and foolish.

The point of attack centers primarily on the so-called persistent pesticides, the familiar ones like DDT, 2,4-D, dieldrin, chlordane, and others. We are told, not by scientists, that these materials accumulate in human fat, building up to the point where ultimately they will destroy the food chain and ultimately human life.

What are the facts? The June 1 issue of the Journal of the American Medical Association carries an article reporting the works of Drs. William S. Hoffman, William I. Fishbein, and Morton B. Andelman. These scientists of the Chicago Board of Health conclude that after a certain length of time, DDT in human fat tends to remain constant. This study corroborates the report from previous investigations of the Food and Drug Administration and the Public Health Service which were started in 1951. The general conclusion was that there has been no accumulation of the pesticide in the general population in spite of the fact that millions of pounds of this material have been used in recent years.

The findings of this study cast grave doubt on the arguments against DDT and, by inference, on the claim that there are increases also in residues of other chlorinated hydrocarbons such as alrin, chlordane, dieldrin, endrin, and heptachlor. The Chicago study, reconfirmed by studies in other geographical areas, offers impressive evidence to those who have questioned the safety of these products.

I wish to emphasize that I favor every reasonable precaution to be used in the application of pesticides, but this whole question must be kept in balance. We are not asking the American farmer to give up his tractor or other farm machinery because accidents and misuse annually take hundreds of lives and maim thousands more. There have been deaths due to misuse of pesticides. Great care must be exercised to reduce this hazard by every means possible. Deaths among wildlife from pesticides have been few and human deaths have all been traced to accidents, suicides, and such carelessness as leaving pesticides where children can get at them as they sometimes do with aspirin.

The studies of food in the marketplace conducted by the Food and Drug Administration indicate that residues are well within the safety margin. They further state that refined techniques of analysis can detect residues long before they could ever be a hazard to personal health.

Much work has been done by the industry, the Department of Agriculture, State agriculture experiment stations and land-grant colleges to improve target-hitting qualities and increase the efficiency of application of pesticides. Educational programs promoting the safe use of pesticides also have been underway for some time. These programs are the joint efforts of the agricultural industry and the National Safety Council.

NEED FOR PERSISTENT PESTICIDES

Much has been said about persistent pesticides. There are some who would ban them entirely. Others talk about persistent toxic chemicals, failing to define "toxic." This term means absolutely nothing to the pharmacologist, the toxicologist or the clinician. Practically everything is toxic. An excellent address by Dr. Maurice H. Seevers was recently published in the Journal of the American Medical Association. Entitled "Perspective Versus Caprice in Evaluating Toxicity of Chemicals in Man," it was inserted in the August 13 CONGRESSIONAL RECORD. I urge my colleagues to read it.

There is a well-defined need for persistent pesticides. They were developed because public health needed a weapon against the malaria-carrying mosquito. The advent of persistent pesticides heralded the eradication of this disease. Prior to chlordane, there was no effective protection against the termite, which still does millions of dollars of damage annually. Without persistent pesticides, weed control would be impossible and American farmers would be forced to use less productive methods.

Most pests of economic importance to the farmer live in the soil. The soil application of a persistent pesticide controls these insects while they are in larva form, before they can cause major damage. Cutworms, cornborer, alfalfa aphids, armyworms, rootworms, white-fringed beetles, Japanese beetles and the like can be effectively and economically controlled with persistent pesticides. The alternative to persistent pesticides is more frequent applications of chemicals which are highly toxic and pose an immediate threat to the applicator's life.

These are but a few of the problems we must face. They cannot be solved individually nor can they be solved by any individual. The Congress must cooperate as well. A prime example is in the milk situation which exists here in the Washington milkshed area, as well as throughout the country. Milk is being dumped on the farms and in the dairies because our scientists can detect today what they could not yesterday. We are playing a dangerous numbers game with the dairy farmers where an infinitesimal blip on a residue computing or detecting machine can bankrupt a farmer.

For years, heptachlor and dieldrin have been used on alfalfa to protect it from weevils. It has been recommended by the Department of Agriculture and land-grant colleges throughout the country. The registrations and recommendations were based on the chemist's ability to measure residues in milk down to the almost unheard of level of 0.1 parts per million, or 1 part in 10 million. Along came better methods of analysis and the scientist can now measure down to 0.01 parts per million. Now, because the scientist can see **that amount and not** because of any health hazard, Farmer Jones must dump his milk. This is economically wrong and represents, in my opinion, very poor judgment.

To make matters worse, we were told in committee that the Government agencies concerned did not even discuss the situation. The Food and Drug Administration knew that the Department of Agriculture had registered and was recommending the use of pesticides that under the current directions could result in residues below 0.1 part per million but above 0.01 part per million. Notwithstanding such knowledge, Food and Drug took immediate, sudden, drastic action, which considered judgment would class as unneeded.

The National Academy of Sciences is carefully studying this problem and will make its recommendations to the departments concerned. When the report is available, I will study it carefully and, if legislation is warranted, I will sponsor the proper bill. In the meantime, it is my hope that the departments will reevaluate their positions and take no action on residues such as these unless, of course, there is an imminent health hazard.

Mr. President, I have singled out the milk situation but this is only an example. Other raw agricultural commodities are similarly affected. There are hundreds of labels registered under a zero tolerance and there are hundreds more registered under the no-residue provisions of the Miller pesticide residue amendment of our food and drug laws.

The Miller amendment carries the name of its sponsor, Dr. A. L. Miller, former Congressman from Nebraska, with whom I had the pleasure of serving in the House. We have discussed this amendment on many occasions. No one envisioned at the time of the bill's passage that the zero and no-residue requirements would require crops to be seized unless there was a health hazard. It is difficult to understand why these actions are now being taken.

In this regard, it is gratifying that the Departments of Agriculture and Health, Education, and Welfare referred to the National Academy of Sciences the problem of zero tolerances for residues in certain foods. It is beyond question that great care should be exercised on behalf of safety standards, but we should not be so foolish as to permit congressional intent and objectives to be distorted by constantly improving techniques of detection. This Senator joins in the hope that the National Academy will finish its studies and recommendations on schedule by the first of the year. This would permit Congress at that time to consider such changes in statute as might be indicated and required.

PROBLEMS OF BIOLOGICAL, STERILITY, AND NONCHEMICAL PESTICIDES

The road for any of the nonchemical methods is long and expensive, whether we use parasites, predators, diseases, sterility, collection, and destruction by mechanical methods, attractants for insects, by natural biological agents on plant diseases, nematodes, and weeds or by biological methods for animal parasites.

These avenues of pest control are not new. In fact, before the modern-day pesticides were developed, these were the only means of control. There has been success in this field; but there have also been some dramatic failures and the repercussions sometimes have been greater than the original problem. Whenever a natural enemy is introduced into a new environment, the threat of the enemy itself becoming a serious menace is considerable.

Hawaii has suffered from a difficult rat problem. Years ago, the mongoose was introduced as a natural enemy. Soon the mongoose became a predator and nearly caused the extinction of several species of native birds in Hawaii. Even today, that State must support an expensive program aimed at eliminating the mongoose. When researchers were looking for the natural enemy of the imported fire ant, they found it to be an even more serious threat to agriculture and health. The gypsy moth was brought into the United States by a biologist hoping to establish a source for silk but now it is systematically devouring millions of board feet of lumber. The ladybug was also introduced into this country for control purposes only to become an economic pest to potatoes.

No natural parasite or enemy of another insect will eradicate the other. Soon they reach an equilibrium and multiply at about the same rate.

Turning to the field of bacteria, we face even more serious consequences. If someone had suggested that we use bacteria when Pasteur made his discoveries, he undoubtedly would have been thrown in jail. The bacteria scare became so great that some people refused to shake hands with friends for fear of being contaminated.

On the one hand, we condemn persistent pesticides and on the other we ask for research on bacteria such as the milky spore disease to control Japanese beetles. The very nature of this disease requires that it be persistent over many years, constantly growing and contaminating larger areas. What would happen if it got out of control, if suddenly it became injurious to humans? Let me point out that these avenues have been explored by Government scientists and they claim that it is highly improbable. There is one advantage about chemicals, however, and that is if we put a quarter of a pound on per acre for treatment, it will not grow into 10, 20 or even a thousand pounds.

Accepting that we need better methods for insect control, I trust our scientists will not be too eager to replace the chemical solutions we now have. The standards we have developed in the use of chemicals, while adequate for them, would, however, be woefully inadequate in determining the safety of biological controls.

In hearings before another Senate Committee, Chancellor Emil M. Mrak, of the University of California, and a leading food scientist, concluded that while biological control plays an important part in the war on pests, "it is not, nor will it be, the complete answer to our problems"—Committee on Government Operations, August 21, 1963.

As long as these nonchemical pesticides are still in process of discovery, and need more experience to gage their value, we should continue to explore, refine, and improve chemicals. This includes the element of education regarding proper use, a field which is wisely given funding in this year's appropriation for the Department of Agriculture.

The importance of protecting the great stake we have in chemical pesticides would be difficult to overstate.

We are being asked by some persons, no doubt well intentioned, to give up proven and established benefits because of an unproven and, sometimes, a somewhat irrational fear.

The testimony by Secretary Freeman and by Dr. Brady, who will head up the new pesticide research program, is reassuring in that it recognizes this very point.

It is my hope that they will stand firm in the position they have taken, resisting the cries of the alarmists and proceeding with scientific detachment in the pursuit of the additional knowledge which all of us agree is needed.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield to the chairman of the subcommittee of the Committee on Agriculture and Forestry.

Mr. HOLLAND. I most thoroughly agree with the excellent statement just made by the distinguished Senator from Nebraska.

I want the RECORD to show that no member of our committee has contributed more to the matter of reaching an understanding of this new question which was first submitted by way of a supplemental request to our subcommittee for $29 million. It has now gone through the subcommittee, the full committee, Senate action, and conference action. It will be reported later in the day to the Senate.

I think it is a highly constructive move. I recognize the great importance of the principle announced by the Senator from Nebraska that we should insist upon the handling of this important research program in an objective way, with full recognition of the fact that insecticides are of great value to agriculture and the general public, and that the sole purpose of the investigation is to see that they are used in such a manner as to avoid danger; or, if alternate methods can be developed which will be free from danger, that that course of action will be followed.

There is great necessity for continuing the control of pests and diseases, which control has been made so possible by the use of chemicals.

I thank the Senator for his very constructive contribution to this field.

Mr. HRUSKA. I thank the Senator from Florida.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. DIRKSEN. The distinguished Senator from Nebraska placed great emphasis on the need for scientific information and the fact that we cannot proceed on the basis of unconfirmed press reports.

I notice that the Association of Midwest Fish and Game Commissioners has asked the Department to withdraw a product known as Endrin in the trade. I am quite familiar with the matter. I understand this was done on the basis of an unconfirmed press report. This would indicate that, too often, misinformation or lack of information conceivably could achieve this result. The association introduced a resolution. Has the distinguished Senator from Nebraska some additional comment to make in view of the information he has on this subject?

Mr. HRUSKA. My recollection of the testimony in the committee is that it indicated that Endrin was the only pesticide that could control the cotton bollweevil, the cornborer, the rootworm, the sugarbeet borer, and many other vegetable crops. Yet some people would deny the farmer the use of this tool with which to combat pesticides and thus make it virtually impossible for them to produce some crops.

I well recall that some 4 or 5 years ago the rootworm made its invasion into the southern counties of Nebraska. Had it not been for the discovery—after much give and take, and hit and miss—of the proper chemical insecticide, none of those counties would have been able to produce any corn.

We may think of Endrin as being difficult to manage and harsh in its results in some aspects. But when we think of an entire crop of corn threatened to the point of extinction, we must go into the area of making a proper judgment, as defined by the Secretary of Agriculture, Orville L. Freeman. Referring to the Association of Midwest Fish and Game Commissioners if that is the organization to which the Senator refers—it is to be hoped that they would back up and take the active spectrum into consideration, instead of only one ray of light therefrom.

Mr. DIRKSEN. I thoroughly agree with that judgment.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. PROXMIRE. I commend the Senator on the constructive and conscientious work he has done. We both recognize that consumers must be protected. Health must take primacy over any other question. The Senator has covered that problem very well in his remarks in pointing out that it is necessary to continue additional research so that health can be protected and we can preserve the magnificent productivity that we have achieved on our farms through scientific research in pesticides. This is a matter on which we should proceed with not only recognition of the consumer's importance, which should have primacy, but also of a very real, human, and serious problem to the producers.

There is case after case in Wisconsin—and when the Senator finishes, I shall discuss that on my own time—of dairy heards being affected, and the farmers who own the dairy herds being placed in an unfortunate position because of what has happened as a result of the residue from pesticides.

Mr. HRUSKA. I recognize that the problem is of great and immediate importance to dairy States. I again refer to the fact that the problem has been referred to the National Academy of Sciences, so that it can perform some work in the field, which now requires a statutory zero tolerance—and which the departments are enforcing—so that standards of safety for human welfare that would seem to be indicated might be agreed upon.

When that report comes from the National Academy, I believe that Congress will be ready to take steps to modify the present statutory policy.

HIGH COST OF SPACE

Mrs. NEUBERGER. Mr. President, a recent survey of members of the American Association for the Advancement of Science brought forth some responses which indicate that those scientists, in the majority, do not feel that the national interests demand giving high priority to landing men on the moon. That point is the subject of an interesting article which was published recently in the Christian Science Monitor. As one who has not wholeheartedly been in support of the multibillion-dollar space program, I was attracted to the article. It asks the following question:

> Is the country primarily after scientific knowledge? Then $5 billion a year is too much to pay for the expected return, in the opinion of many scientists.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, July 15, 1964]

HIGH COST OF SPACE: A NAGGING QUESTION

(By Robert C. Cowen)

Ranger 7's brilliant success lifted a shroud of frustration from one aspect of the U.S. space program. But a question often asked about that program still nags—is it wise to spend $5 billion and more a year on space for the indefinite future?

In this form, the old question about the wisdom of spending $20 billion to send men to the moon takes on a new dimension.

It becomes a question of adding an expenditure that will likely continue year in and year out for decades to come. Even more to the point, it is a question of committing a major part, currently about one-third, of Federal research and development money to this one endeavor.

This is evident in current cost estimates of the National Aeronautics and Space Administration (NASA).

According to these, the direct cost of the first lunar landing will likely be only $2 billion. The rest of the $30 to $40 billion NASA probably will spend by 1970 is to go for building a broad space effort that will be a continuing part of U.S. national activity.

In this, the vaunted Apollo moon mission will be merely the beginning of extended lunar exploration. Beyond lie Mars and Venus as targets for unmanned probes and astronaut-explorers. There will be steadily increasing activity in space near the earth, too.

Here is a demanding effort that is becoming an accepted part of the American national way of life apparently without full realization of its fiscal consequences.

To be sure, there has been much debate over going to the moon. This is largely irrelevant to the present situation.

In spite of the misgivings of many citizens, including some scientists, space research with manned lunar landings has generally become an accepted national effort. But there has been little public discussion of the wisdom of allowing this to be built into the economy as a $5 billion plus activity that would cause great economic dislocation if it were later cut back.

Already the space business has become one of the biggest industries in the United States. It is building vested interests that will be as hard to curtail as those connected with the outmoded naval shipyards or arsenals the Department of Defense now is trying to shut down.

It is this prospect that causes concern in the scientific community today rather than the older debate over sending man to the moon.

This is illustrated by a recent survey of 2,000 randomly selected members of the American Association for the Advancement of Science. The results, published in the AAAS magazine Science, were based on the 1,134 responses to the survey questionnaire which came back within 3 weeks of the original mailing.

These show 62 percent do not feel American national interests demand giving high priority to landing men on the moon by 1970, while 31 percent believe that they do. However, 20 percent think it reasonable to try for such a landing by 1970. Another 23 percent think it reasonable to try for it by 1975, 19 percent name 1980.

The most important justification for sending men to the moon is to gain scientific knowledge, in the opinion of 58 percent of those responding. Only 13 percent name national prestige, and only 7 percent give possible military advantages as the main grounds for justification.

As to the level of space spending, 30 percent think it should be 0 to 10 percent of the total Federal research and development expenditure. Another 31 percent think it should run to 10 to 20 percent of that total. If the space program were cut to 20 percent of R. & D. expenditure, it would run at only $3 billion a year. The lunar landing would be put off until the 1970's.

Dr. Phillip Abelson, editor of Science, says he takes these results to mean the moon program and extensive space research have been accepted as reasonable national objectives. But the survey does show serious concern over the level of spending these now involve.

This probably is representative of the majority opinion of American scientists generally. Some, of course, are enthusiastically for the present space program. But many, indeed, a heavy majority in the Science poll, apparently doubt the wisdom of embedding a $5 billion effort deeply into the economy.

A comment written on one of the Science questionnaires is typical of what one often hears when scientists discuss the space program conversationally. It was written by a former president of the American Chemical Society. "If we were struggling to maintain a high living standard we could not afford the luxury of space travel," it says, "but we have an affluent society and can spare the effort. It is an innocent, harmless project which appeals to the public spirit of adventure. * * * All the money is spent within the country and spurs the economy. It is vastly better to stimulate the economy and arouse the enthusiasm of the public in this way than to have it done by war."

But spending a third of the national research budget on this adventure makes it a very expensive luxury. This is what causes many scientists to boggle. They object that the United States is taking on this level of continuing effort without having clearly defined its goals in space.

Is the country primarily after scientific knowledge? Then $5 billion a year is too much to pay for the expected return in the opinion of many scientists.

Are searching for unforeseen military capabilities or the gaining of national prestige the primary goals? If they are, they have yet to be spelled out in a way that would justify commitment of a third of the R. & D. budget.

The cost of the space program has been pushed to the $5 billion level largely by the rush to get to the moon in this decade. Take the urgency out of the moon program, and that cost could be cut substantially without, in the long run, sacrificing American space competence or scientific knowledge. This seems to be what many scientists recommend today.

Thus, when a new Congress unhampered by election-year semantics takes up the NASA budget next year, it should give priority to reassessing why the United States is going into space. With basic goals clearly defined, both Congress and the public will be much better able to judge whether or not a more modest space program is in order.

HEARINGS ON NEEDED RETIREES' LEGISLATION BY RETIREMENT SUBCOMMITTEE

Mrs. NEUBERGER. Mr. President, I am pleased that the Retirement Subcommittee of the Post Office and Civil Service Committee has completed hearings on retirement legislation. The distinguished chairman of the subcommittee, the senior Senator from Wyoming [Mr. McGEE] is to be commended for his work in behalf of retired Federal employees. The distinguished chairman of the committee, the Senator from South Carolina [Mr. JOHNSTON] spoke at the opening of the hearings and gave his support for retirees' legislation.

I am hopeful that Congress will take favorable action on needed retirees' legislation which I and other Members of Congress have sponsored.

Mr. President, I ask unanimous consent to have printed in the RECORD my testimony of August 19 before the Retirement Subcommittee of the Senate Post Office and Civil Service Committee.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

TESTIMONY BY SENATOR MAURINE B. NEUBERGER BEFORE THE RETIREMENT SUBCOMMITTEE, SENATE POST OFFICE AND CIVIL SERVICE COMMITTEE, AUGUST 19, 1964, IN SUPPORT OF S. 2144, S. 2680, AND S. 1058

Mr. Chairman, I am appreciative that your subcommittee is holding hearings on important retiree legislation. All too frequently the needs of retirees are overlooked.

My bill, S. 2144, would amend the Civil Service Retirement Act to provide for the recomputation of annuities of retired employees who elected reduced annuities at the time of retirement to provide for survivorship benefits.

Congress in 1962 in the Postal and Federal Salary Act wisely liberalized survivorship costs for future retirees. Under the terms of this law a Federal employee can provide survivorship benefits by having the annuity reduced by 2½ percent of the first $3,600 and 10 percent of any amount in excess of this sum. The survivor would be entitled to 55 percent of the basic annuity. This provision, however, is applicable only to those who have retired after October 10, 1962, and elected survivorship benefits.

Mr. Chairman, as your subcommittee well knows, a vast and complicated pattern of annuity reductions applies to those who have retired before the October 10, 1962, date and the cost of providing survivorship benefits is vastly higher than that given by the 1962 law for future retirees.

My bill, S. 2144, proposes a recomputation of annuities to base the cost for all survivorship benefits on the 1962 formula. This would be a just correction of a disparity affecting some 200,000 of our retirees. Why should people retiring at different times be forced to pay such a varying price to protect their survivors? Under different retirement laws the cost of survivorship protection runs up to 25 percent, depending on the date of retirement.

My bill provides a uniform basis of figuring survivorship benefits for all retirees who have elected such benefits. It would apply the formula contained in Public Law 87–793. This 1962 formula is a wise one, and should be made applicable to all.

Mr. Chairman, I would also like to discuss briefly two other bills I have sponsored to benefit retired Federal employees. These bills, like S. 2144, have the active support of the National Association of Retired Civil Employees, which is truly the champion of Federal retirees.

My bill, S. 2680, provides for a 5-percent annuity increase for those who retired prior to January 1, 1963. In my opinion the 5-percent annuity increase voted by Congress in 1962 was inadequate. Inflation is the greatest enemy of retired employees of the Federal Government and their dependents and survivors, who are attempting to live on meager retirement annuities. The 5-percent increase effective January 1, 1963, was only half enough to make ends meet. An analysis of cost-of-living figures since 1956 will show that only one-half of the gap was covered by annuity increases.

Congress in 1962 provided for an automatic annuity increase system, dependent on increases in the cost of living, but the 5-percent annuity increase then voted was not adequate. My bill would retain the cost-of-living adjustment procedure and provide a blanket increase in annuity benefits of 5 percent.

Congress has just completed enacting substantial salary increase legislation for active Federal employees. Last year and this year it enacted pay increases for members of the Armed Forces. It seems inconceivable that Congress will omit increased benefits for retired Federal employees after considering favorably the needs of the other members of the Federal family.

Mr. Chairman, the last bill I wish to discuss is S. 1058, which would liberalize the survivorship provisions under the retirement system. One of the serious weaknesses of the survivorship program is that when a person retires with a reduced annuity with a survivorship annuity provision, the survivorship provision covers only benefits for the spouse living at the time of retirement. If this spouse should die prior to the death of the annuitant, there is no way in which survivorship benefits, under present law, can be extended to a new husband or wife. This is indeed cruel, and creates extreme hardship in many cases. I have received heart-rending letters from all parts of the country pointing out this hardship situation.

Mr. Chairman, S. 1058 would alleviate this hardship by providing that an annuitant retired on a reduced annuity with a survivor anuity may, in the event of death or divorce of his spouse and remarriage continuing for at least 2 years, designate the second wife or husband to receive survivor annuity benefits.

Other governmental retirement laws such as social security and railroad retirement provide adequately for survivorship, without the restrictions imposed by the civil service retirement system. Congress should give favorable consideration to liberalizing the survivorship provisions along the lines which exist in social security and railroad retirement.

As a member of the President's Commission on the Status of Women, I feel that present civil service survivor provisions are unduly restrictive and primarily cause grievous injury to widows, who are oftentimes left destitute in old age. I ask Congress to extend simple justice to our retired Federal employees by liberalizing the survivorship provisions.

PROTECTION OF RESEARCH INVESTMENTS

Mrs. NEUBERGER. Mr. President, among the largest items in our national budget are the vast sums being spent on research and development. During the past 2 years, the Federal Government has been spending about $15 billion annually for this purpose.

Since the U.S. Government finances almost 70 percent of our total research effort, and since a large part of Government-financed research is devoted to pushing forward the frontiers of knowledge, what happens to the results of this research has an important effect on the country.

The disposition of patent rights resulting from Government research and development can be used for the advantage of special groups in our society or to establish and strengthen private monopolies. On the other hand, Government research can be used directly for the benefit of all our people and indirectly to provide a technological basis for the progress of our whole economy.

The man who has done most to see that the public derives the maximum benefits from the great sums spent by the Government in research and development is the distinguished Senator from Louisiana [Mr. LONG]. Some of his recent efforts can be seen in such legislation as the Saline Water Act, the Mass Transit Act, the Arms Control Act, and others. His latest achievement is embodied in the Water Resources Act recently signed by the President.

Since water is of such great importance to all of us, the whole country should be grateful to Senator LONG for his efforts in assuring that the results of the research in this field will be made freely and fully available to those who paid for it and whom the research is intended to benefit—the public.

I ask unanimous consent that a recent article on this subject published in

Labor on August 1, 1964, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Vital Battle Won

> As it finally passed Congress, the bill establishing a water research program contains a provision which attracted little notice but has a vital pocketbook interest to the American people.
>
> This provision says that all discoveries and inventions made by expenditure of public funds in developing ways to conserve and purify water—the first necessity of life—shall be freely available for use by anyone, and shall not be monopolized by means of private patents.
>
> The bill originally passed by the House contained no such provision, but the Senate put it in after a plea by Senator RUSSELL B. LONG, Democrat, of Louisiana. He urged that "Federal research money not be used to create private monopoly rights that would cost the people of this Nation hundreds of millions of dollars."
>
> When the bill went back to the House, Congressman EMILIO Q. DADDARIO, Democrat, of Connecticut, urged that the antiprivate patent provisions be stricken out, but the House accepted the Senate version.

WISCONSIN AGRICULTURIST'S EXCELLENT ARTICLE AND EDITORIAL ON PESTICIDES

Mr. PROXMIRE. Mr. President, the distinguished Senator from Nebraska [Mr. HRUSKA] has delivered a very instructive and thoughtful speech on a serious problem to our farmers in connection with the residue from pesticides. One of the outstanding farm newspapers in the Nation is the Wisconsin Agriculturist. The Wisconsin Agriculturist made a careful study of the problem; and not only did the newspaper discuss the subject in terms that are thoughtful and appropriate, but also in terms that are human and understandable.

A member of the staff of the newspaper visited one of the farms which has suffered from a trace of DDT and talked with the farmer. He found out the farmer's problem and then analyzed it in a fine article, which also discussed what could be done about the problem. I should like to read from the article because I think it is a thoughtful and helpful one in showing what the problem is. It relates not only to the antipoverty bill, which recently passed the Senate, but also to the supplemental appropriation bill, which contains provisions regarding other proposed legislation which may very well be before the Senate before we finally conclude.

Richard Sauter is a farmer in Jefferson County, Wis. Recently State officials advised him to dump his milk. Inspectors had found traces of DDT in the milk. Mr. Sauter said in an interview with the Wisconsin Agriculturalist:

> We bought the farm 7 years ago and are in debt up to our neck. They said we couldn't sell milk or the cows. That meant we couldn't even sell out.
>
> We were scared. We would be out of business in 60 to 90 days without an income.
>
> Workload wasn't lessened a bit.

Of course, the cows must be milked in the hope that eventually the residue will disappear, so the farmer cannot look for other work. The article continues:

> "I was working for nothing and didn't have time to get an outside job.
>
> "One of the first things I did was go to the people holding my mortgage, my implement dealer and other creditors. They all said they would go along with me."

ONLY SIX HERDS AFFECTED

> Sauter is only one of six Wisconsin farmers who received visits recently from Wisconsin Department of Agriculture officials carrying bad news of traces of DDT in their milk.
>
> "I was confident someone would do something," Sauter says. "I didn't think they would let a man go down the drain in the United States."
>
> Some of the financial pressure was taken off Sauter 8 days after he started dumping. Milk from 22 of his 33 cows had no traces of DDT. Their milk was okay'd for sale. DDT-free milk from cows in other affected herds was also freed for market.

Sunday morning, 3 or 4 weeks ago, at Madison, I received a call from a farmer who had a herd of 60 cows. He had the same problem. Although he had to dump his milk, he had not been able at that time to free milk from any of his cows for sale. We have been working hard on the problem, trying to find out whether we can segregate the cows that are free from traces of DDT.

I continue to read from the article:

CO-OP MAY GIVE HELP

> Sauter expects financial help from Pure Milk Association, Chicago. He isn't sure whether or not it will cover 100 percent of the value of the milk he dumped.
>
> Pure Milk has set up a committee to study the DDT residue problem. Whether the committee will recommend that the cooperative pay its members for milk dumped because of DDT traces hadn't been decided at press time.
>
> Any recommendations of the committee would have to be voted on by the board of directors. Help would be limited to members.

An overwhelming majority of Wisconsin farmers are not members of that very fine and successful cooperative. I continue to read:

> Pure Milk Products Cooperative, Fond du Lac, has decided to make up losses its members suffer from milk dumped—so long as it isn't their fault. Other dairy organizations are expected to consider similar action.

That action is in the tradition of Wisconsin. Our people have demonstrated self-help and self-reliance in trying to solve their problems themselves whenever they can possibly do so without relying on either the State government or the Federal Government. They deserve credit for having gone to the lengths to which they have gone. I continue to read:

> Loss isn't limited to value of the milk Sauter dumps in his woodlot.
>
> "We took the cows off grain so we could get some meat off them. Now production is way down," he says. "And cows freshening might also have this residue. It could go on for quite a while."
>
> Many farmers breathed a sigh of relief when testing proved that DDT residue was limited to these few herds.
>
> But Sauter looks at the experiences of himself and the four other farmers as only the beginning.
>
> "There's going to be a lot more of this in the future," he says. "We farmers don't know which way to run. They keep outlawing chemicals that have been approved."
>
> Causes of residues in the herds has yet to be definitely proven. Indications are that Sauter's herd picked up DDT from sprayed sweet corn silage he bought. This also looks like the cause on two of the other farms.

SUSPECT INSECTICIDE

> A barn insecticide is suspected as the villain on the other two farms. The manufacturer has taken the product off the market.
>
> "I'll never buy any more sweet corn silage," Sauter says. "If other farmers do, I suggest that they get a signed statement saying it hasn't been sprayed with DDT.
>
> "But we buy a lot of hay. It can't all be tested. We could get caught with a barn full of sprayed hay.
>
> "They should thoroughly test chemicals before releasing them. We can't afford to have them experimenting on us."
>
> Traces of DDT residues in these six cases was apparently through no fault of the farmers. But this is no reason to relax when using chemicals.
>
> How can you protect yourself? Always read the label. There's no room for doubt—let alone error—in today's world of farm chemicals.
>
> Ask yourself if you are going to use the chemical for an approved purpose. Approval for beef cattle doesn't mean the chemical is okay for milk cows.

This article goes into the steps which the State has taken, with considerable pains, to try to prevent this kind of situation in the future.

One of the most thoughtful and remarkable editorials I have read for a long time in a farm newspaper was written by the publishers of the Wisconsin Agriculturist in commenting on the article. I say it is remarkable because they are as deeply concerned with the consumer and the effect on the consumer as taxpayers as they are with the farmer. I should like to read this excellent editorial, which is entitled "Farmer Walks a Tightrope":

> Today's food producer walks a narrow line. He cannot grow crops, produce milk, and livestock products economically without the use of newer pesticides.
>
> On the other hand, today's food producer runs the risk of traces of pesticide residues showing up—even accidently—in the food products he produces.
>
> When livestock eat even very tiny amounts of some of them—like DDT—animals deposit traces of the pesticide in their body fats. It then shows up in carcasses or is gradually given off in milk.
>
> U.S. Food and Drug Administration says that milk shall have zero tolerance for pesticides. The reasons make sense. Milk is the main food for babies.
>
> Yet no one has determined at what level a pesticide may become harmful. No one has even proven that small traces of DDT in food affects health. Tests have shown that most adults have small amounts of DDT deposited in their body fats with no harm to them.
>
> Scientists are constantly developing tests that can detect smaller and smaller amounts of pesticide residues in food.
>
> In the last year the Food and Drug Administration has developed a new method 10 times more sensitive for spotting heptachlor and dieldrin. Nearly 30 milk producers were recently shut off the District of Columbia market because small traces of heptachlor and dieldrin were found in the milk.
>
> Until recently the U.S. Department of Agriculture recommended using heptachlor and dieldrin to control alfalfa weevil. Tests

> at that time were not sensitive enough to pick up residues in milk from cows fed treated alfalfa.
>
> The tests do now. USDA has taken them off the recommended list for alfalfa.
>
> More recently inspectors found traces of DDT in milk produced on six Wisconsin farms——

To which I have just referred—

> Until last fall food and drug authorities figured the testing error for DDT was 2.5 parts per million. Refined methods now allow them to reduce the testing error to 1.25 parts per million.
>
> The Wisconsin herds barely had more than this amount of DDT residues in the milk.
>
> Undoubtedly tests will become even more sensitive in the future. More herds will be found giving off very small traces of pesticides. Pesticides we now think are safe could turn up in new tests.
>
> Several things need to be done to protect producers. One organization has already promised to come to the rescue of its members who are found to have affected herds. Others are expected to follow.
>
> But with this exception it is now the producer who takes all the loss. Surely a food producer has a grave responsibility to use pesticides only as recommended. If he fails, he should suffer for his carelessness.

As I pointed out, if a farmer today is to compete successfully and do the kind of efficient job he needs to do to stay alive, he really must use pesticides. He has no choice.

To continue with the editorial:

> But we also need to outline legal responsibilities of others. What about the man who sells feed laden with residues? Or the supplier or manufacturer whose product carries traces of chemicals that show up in foods or milk?
>
> Shouldn't Government assume its share of responsibility too? Heptachlor and dieldrin were recommended by USDA based on tests available at the time. More refined tests found traces in the milk.
>
> USDA changed its recommendations.

As the editorial states, the Department changed its recommendations, it had a right to do it, and it should do it to protect consumers. The editorial continues:

> But it was milk producers that paid the penalty.
>
> Certainly more research is needed. Nobody knows how long a cow will give off traces of DDT or other pesticides in her milk.
>
> We should take a new hard look at tolerance levels, as we get tests that can spot smaller and smaller amounts of chemicals.
>
> You can find phosphorus from a finger print on a plate if your test is extremely sensitive.
>
> We've got to protect the consumer. But we also have a responsibility to the producer.

This editorial is very pertinent to legislation which is about to come before the Senate. It has been considered by the Appropriations Subcommittee, headed by the distinguished Senator from Florida [Mr. HOLLAND], who performs distinguished service on that committee.

I should like to quote briefly from an analysis of the legislative situation:

> U.S. Senate has taken action to help protect financial losses caused by pesticide-contaminated milk. It tacked an amendment onto President Johnson's antipoverty bill.
>
> The amendment calls for indemnity payments for milk taken off the market because of residues of chemicals which had previously been approved for use. Indemnity would be at fair market value. It would continue for the rest of the year, pending further legislation.
>
> Wisconsin has been in the news about milk contamination. But the amendment arose from milk condemned in the Washington area. Senator MILTON R. YOUNG, Republican, of North Dakota, offered the amendment and received strong backing from Maryland's two Senators, DANIEL BREWSTER and J. GLENN BEALL.
>
> The amendment was approved even though the administration hasn't gone on record in favor of direct cash payments to farmers in these cases. Administration forces appear to be sympathetic but don't want to see payments for misuse of chemicals.
>
> At press time, the Senate's Agricultural Appropriations Subcommittee was considing another effort to help dairymen steer clear of pesticide residues.
>
> The subcommittee is preparing its version of USDA's budget bill for the next fiscal year. Bill includes requests for extra funds for pesticide research.
>
> National Milk Producers Federation proposes that $1.3 million of the extra pesticide money be earmarked for 18 new laboratories.
>
> The labs would be used to test cattle feeds for pesticide residue. This would enable dairymen to clear feeds before putting them in the feedbunk.
>
> Early reaction to the plan is good. But final action hinges partly on whether lawmakers will be willing to increase the budget. Or whether USDA's research officials will agree to switching research funds to the testing labs.
>
> National Grange and other farm groups are urging Congress to approve a new credit bill. Purpose would be to aid dairymen who have been cut off the market because of pesticide residues.
>
> Bill would authorize Farmers Home Administration to make loans to farmers hit by economic disaster. However, prospects of approval this year are dim.
>
> The plan runs into objections based on the possibility that big loans to a few farmers could give FHA credit program a black eye.

It is my understanding that the conference committee will make its report to the Senate later. I believe the bill is now in the House. Is that correct?

Mr. HOLLAND. That is correct.

Mr. PROXMIRE. I understand there will perhaps be some provision in this regard in the agricultural appropriation bill.

I should like to ask the Senator from Florida whether or not the agricultural appropriation bill provides for any such protection.

Mr. HOLLAND. First, I wish to express appreciation for the more than kind comments the distinguished Senator from Wisconsin has made about me. I want it understood that they should be directed to the whole committee. He is a very active member of that committee and is entitled to his full share of credit.

We have started on a very large program in the field of pesticides, as the Senator has mentioned. It will be enacted in final form as a part of the agricultural appropriation bill, the conference report on which was agreed to last night by all conferees of both Houses, and is being considered by the other body today and should be in the Senate late this afternoon.

There is nothing in that particular bill that relates to the problem directly. There was much in our hearings which related to this problem. The distinguished Senator will recall that the question was discussed at the time of the markup. It was understood, first, that we would stand on the amendment in the antipoverty bill, and, second, that in the supplemental appropriation bill we would also consider the item. I have been sitting in the hearings on the supplemental bill.

This problem has been properly raised, and raised in great detail, in our hearings. If there is something that needs to be done other than with reference to the antipoverty bill, I am sure the supplemental bill will afford us the chance to do it.

I have confidence, however, that the item in the antipoverty bill, which is also being considered by the Appropriations Committee, will be approved and will in large measure take care of those problems for the immediate future.

I think the Senator's efforts in this whole field have been highly constructive, and the record will show much about this problem that will be of interest to millions of the people of our Nation who have a concern in it either as producers or distributors, or as manufacturers and distributors of insecticides, or who as consumers are interested in this very important problem.

I congratulate the Senator.

Mr. PROXMIRE. Mr. President, if the Senator will yield further, as I understand, two approaches are being used; one is to provide some kind of indemnification or relief to the farmers who have suffered serious losses which have occurred to their herds. That was provided, as I understand, in the antipoverty bill, and it is also included in the supplemental appropriation bill. The other was through the regular Agricultural Department appropriation bill, which provided for some funds for research, to permit scientists to determine how they could solve the problem more quickly and thereby protect both the consumer and the producer.

Mr. HOLLAND. The Senator from Wisconsin is correct. The package for the initiation of this research program, which relates to the direct problem the Senator has mentioned, and similar problems in the field of insecticide residue, is included in the conference on the agricultural appropriation bill, to which I have referred.

The whole amount involved in the supplemental request that was made was $29 million. The actual appropriation which will be made, assuming approval of the conference report, does not quite reach that total. However, it is very impressive. I cannot give the Senator the exact amount. It is in the neighborhood of $28 million. It is well distributed among various agencies which, by research of one kind or another, should throw some light on the question and bring greater assurance to those who use the insecticides and those who consume the products.

We hope it will bring about a cessation of the situation under which one agency of Government certifies a product, and approves the method of application; then later, with improved technical methods of determining the residue, the other department of Government turns down the product.

This procedure is a cause of great distress and anxiety. We are trying to organize a program to meet this problem as fully as possible.

I believe that the Senator from Wisconsin, through the contribution he has made in the RECORD, will aid in the solution in the appropriate way, through these new programs—about 12 separate ones, as I recall—which will be started in the various parts of the Department of Agriculture, to try to solve the problem he has mentioned, and problems in allied fields of agricultural production and use. I thank the Senator for his contribution.

Mr. PROXMIRE. I thank the Senator very much.

RELEASE OF LIABILITY UNDER CERTAIN BONDS

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 4844) relating to the release of liability under bonds filed under section 44(d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BYRD of Virginia. I move that the Senate insist upon its amendments and agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BYRD of Virginia, Mr. LONG of Louisiana, Mr. SMATHERS, Mr. WILLIAMS of Delaware, and Mr. CARLSON conferees on the part of the Senate.

CORRECTION OF CERTAIN INEQUITIES WITH RESPECT TO TAXATION OF LIFE INSURANCE COMPANIES

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 5739) to amend the Internal Revenue Code of 1954 to correct certain inequities with respect to the taxation of life insurance companies, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BYRD of Virginia. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BYRD of Virginia, Mr. LONG of Louisiana, Mr. SMATHERS, Mr. WILLIAMS of Delaware, and Mr. CARLSON conferees on the part of the Senate.

CONTINUATION FOR A TEMPORARY PERIOD CERTAIN EXISTING RULES RELATING TO DEDUCTIBILITY OF ACCRUED VACATION PAY

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 10467) to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BYRD of Virginia. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferee on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BYRD of Virginia, Mr. LONG of Louisiana, Mr. SMATHERS, Mr. WILLIAMS of Delaware, and Mr. CARLSON conferees on the part of the Senate.

GUARANTEE TO ELECTRIC CONSUMERS IN THE PACIFIC NORTHWEST—CONFERENCE REPORT

Mr. JACKSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1007) to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of Aug. 18, 1964, p. 20145, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JACKSON. Mr. President, the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1007) to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 4, 5, and 7, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 6, and agree to a substitute amendment.

The present bill (S. 1007) differs from the bill previously passed by the Senate in the following respects:

Amendments Nos. 1, 2, and 3 relate to the pullback provisions to govern the marketing of northwest power outside the Pacific Northwest. The amendments would give the Secretary of the Interior or the Bonneville Power Administrator authority to enter into contracts for the sale of energy outside Bonneville's marketing area with cancellation clauses not in excess of 60 days for energy and 60 months for peaking capacity in lieu of 7 days and 48 months, respectively, as provided in the original bill.

It should be noted that the longer cancellation periods placed in the legislation are maximum periods and do not prohibit the Secretary or Administrator from negotiating shorter cancellation clauses in the contracts. Amendments Nos. 4, 5, and 7 are merely technical and renumber previous references to section 8 in the original bill.

The substitute amendment for House amendment No. 6 relates to the language of section 8. In lieu of the language inserted by the original House amendment, the committee of conference agreed to insert the following:

> SEC. 8. No electric transmission lines or related facilities shall be constructed by any Federal agency outside the Pacific Northwest for the purpose of transmitting electric energy between the Pacific Northwest and Pacific Southwest, nor shall any arrangement for transmission capacity be executed by any Federal agency for the purpose of financing such lines and related facilities to be constructed by non-Federal entities, except those lines and facilities recommended for Federal construction in the report of the Secretary of the Interior submitted to Congress on June 24, 1964, as supplemented on July 27, 1964, or as hereafter specifically authorized by Congress: *Provided*, That, except with respect to electric transmission lines and related facilities for the purpose of transmitting electric energy between the two regions above mentioned, nothing herein shall be construed as expanding or diminishing in any way the present authority of the Secretary of the Interior to construct transmission lines to market power and energy.

For many years, it has been recognized that substantial benefits would result from an electrical interconnection between the Pacific Northwest and the Pacific Southwest. Through the Interior and Appropriations Committees of both Houses, Congress has considered various aspects of the Pacific Northwest-Pacific Southwest intertie during the last 5 years. Many diverse and competing interests have been involved. After almost 5 years of consideration and thousands of manpower hours of negotiations, Secretary Udall on June 24 transmitted to the House and Senate Appropriations Committees the comprehensive report on the Pacific Northwest-Pacific Southwest intertie. This report recommended to the Congress a bold plan of interconnecting the two regions which will produce benefits of great magnitude to the people of the West. The combination plan of construction recognizes the interests of the Federal Government, the local public utility agencies, the investor-owned systems, and their consumers. It utilizes the great resources of each of these segments of the electrical industry for the benefit of the customers of each. As reported by the Secretary of the Interior, this combination plan—Federal, public, and private—produces more benefits than any single ownership plan of all Federal, all local public, or all private. Subsequent negotiations resulted in amendments to the June 24 report which are set out in letters to the chairmen of the House and Senate Appropriations Committees from the Secretary of the Interior dated July 21 and July 27, 1964. The final recommendations of the Secretary are set out in a committee print entitled "Department of the Interior of the United States of America—Report to the Appropriations Committees of the Congress of the United States Recommending a Plan of Construction and Ownership of EHV Electric Interties Between the Pacific Northwest and Pacific Southwest," dated 1964, containing 53 pages plus roman numerals III to XIII.

On July 29, the President of the United States transmitted to the Congress amendments to the request for appropriations for the Department of the Interior for $45.5 million to permit the Bonneville Power Administration and the Bureau of Reclamation to proceed in constructing portions of the intertie plan as amended. These appropriations which are part of the public works bill have been enacted by Congress and are now awaiting the signature of the President.

The Appropriations Committees directed, however, that none of these funds can be expended until there has been enacted into law S. 1007 or similar legislation and further directed that the moneys be used to initiate construction of three of the four transmission lines between the power system of the Bonneville Power Administration and the Pacific Southwest as recommended in the report of June 24, 1964, as amended on July 21 and 27, 1964. Further, the committee's recommendations were based on acceptance by the Secretary of the Interior of those proposals for participation in the construction of the intertie transmission facilities submitted by non-Federal agencies, which the Secretary indicated in his report, as amended, he will utilize in effectuating the intertie.

The four-line combination system to be built partly by Federal, local public, and private entities is described as follows:

First. A 750,000-volt direct current line from the Dalles Dam, Oreg., via Nevada to Sylmar substation, Los Angeles, plus a 345,000-volt alternating current line from Hoover Dam to Phoenix, Ariz.

Second. A 500,000-volt alternating current line from John Day Dam, Oreg., via Round Mountain substation and the Central Valley of California to Vincent substation near Los Angeles, plus a 230,000-volt alternating current line from Round Mountain substation to Cottonwood or Keswick substation.

Third. A 750,000-volt direct current line from the Dalles Dam, Oreg., to Hoover Dam connected to Los Angeles by a 750,000-volt direct current line and to Phoenix, Ariz., by a second 345,000-volt alternating current line.

Fourth. A 500,000-volt alternating current line from John Day Dam, Oreg., to Vincent substation near Los Angeles.

The Federal intertie lines to be constructed by the Bureau of Reclamation in the Pacific Southwest are as follows: First, a 750,000-volt direct current line, connecting with a similar BPA line, from the Oregon-Nevada border via central Nevada to Hoover Dam; second, a 345,000-volt alternating current line from Hoover Dam to Phoenix; third, a 500,000-volt alternating current line, connecting with a similar BPA line, from the Oregon-California border to Round Mountain substation in northern California; and, fourth, a 230,000-volt alternating current line from Round Mountain substation to Cottonwood or Keswick substations.

The term "Pacific Southwest" as used in the revised section 8 of S. 1007 is understood to consist of the States of California, Nevada, and Arizona.

The report of the Secretary of the Interior to the Senate and House Appropriations Committees on the Pacific Northwest-Pacific Southwest intertie dated June 24, 1964, section IV, page 6, describes the method of accounting which will be followed as between the Colorado River power system, the Central Valley project, and the Columbia River system. Further, it is understood that these accounts will be kept in such manner that power revenues of projects in one of the above mentioned river basins will not be used to assist irrigation projects in another of the river basins; for example, Central Valley power revenues will not be used to assist irrigation projects in the Columbia drainage basin or vice versa.

It is contemplated that BPA will sell surplus energy at the southern Oregon boundary for approximately 2 mills per kilowatt-hour, and surplus capacity for approximately $9 per kilowatt year or such other systemwide rates as BPA may establish from time to time. Exchanges with other power systems, including the Bureau of Reclamation, will be arranged at the same point upon terms customary in the industry.

I would like to clarify two matters in the "Statement of Managers on the Part of the House" relating to the conference report on S. 1007 which was printed in the CONGRESSIONAL RECORD August 17 and read to the House August 18 in connection with the adoption by the House of the Conference Report No. 1822 dated August 17. I have discussed the need for this clarification with Representative ASPINALL, chairman of the House Committee on Interior and Insular Affairs.

One matter relates to the map printed on page 8 of that document. This map represents the plan as recommended on June 24 and does not incorporate the amendments to the report as set out in the July 21 and July 27 communications. The final map appears on page v of the committee print entitled "Department of the Interior of the United States of America—Report to the Appropriations Committees of the Congress of the United States Recommending a Plan of Construction and Ownership of EHV Electric Interties Between the Pacific Northwest and Pacific Southwest," dated 1964 and referred to above. As noted earlier the final plan includes a Federal line from John Day Dam to Round Mountain substation in northern California plus a smaller voltage line over to Cottonwood or Keswick substations. Also the final plan and map indicate that the 750,000-volt direct current interconnection between Hoover and Los Angeles will be a non-Federal public or private line.

The other matter relates to a listing of the four-line system recommended by the Secretary. It should be pointed out that the 500,000-volt alternating current line from the California-Oregon boundary to Round Mountain substation about 100 miles south of the State boundary, as set out in paragraph No. (5) of page 4 of the conference report, No. 1822, is the northernmost end section in California of one of the two 500,000-volt alternating current lines from John Day Dam in Oregon to Vincent substation in Los Angeles, also listed on page 4 of the conference report.

The intertie has involved many differing points of view—philosophic, geographic, legal, engineering, and new electric transmission techniques. This compromise, supported by all interested groups, is a milestone in Federal, local public, and private utility cooperation. May I compliment and thank the chairman of the House and Senate Appropriations Committees and their members; the chairman of the House Interior Committee and its members; and the members of my Senate Interior Committee for their long and patient efforts. May I also thank and commend Secretary of the Interior Udall, Bonneville Power Administrator Charles Luce, who, more than any other individual, is responsible for putting this package together; and the representatives of the local public and investor-owned utilities who have worked cooperatively and diligently on this project.

Mr. MAGNUSON. Mr. President, I would not wish to let this occasion pass without reiterating what my colleague from Washington has said. This is a milestone. It is a subject as to which there were many conferences and many differences of opinion. They were all finally resolved after long, hard work. My colleague from Washington contributed as much as or more than anyone else to the final result.

The bill before the Senate today would retain in many respects the historic and legal preference rights of the Pacific Northwest for the producers of this power, but it would also allow us to share the so-called interruptable power, or dump power, with our friends to the Southwest—Nevada, California, and Arizona—who sorely need low-cost hydroelectric power. This is the beginning of an integrated system which will react to the benefit of every consumer in the far western States, including Nevada and Arizona.

I wish to add to what my colleague from Washington said about those who worked so hard, a tribute to the distinguished Senator from Nevada [Mr. BIBLE], who is in the Chamber, and who participated in many of the later sessions. He understands the difficult, serious problems that confronted us.

I am pleased to observe in the Chamber the new distinguished Senator from California [Mr. SALINGER]. As I recall, his first vote in the Senate following his arrival was an affirmative vote for the adoption of the general plan in the appropriation bill, which was followed by the preference bill.

This project will mean much to all States and much to the people. It will prove that we can all get together to solve our problems, even though there are differences of opinion, for the good of the consumer, so that we may make the best use of the God-given resources in those areas.

Mr. JACKSON. Mr. President, I wish especially to express appreciation to my senior colleague from Washington [Mr. MAGNUSON]. As a member of the Committee on Appropriations, he has followed this project since its inception. As chairman of the Committee on Interior and Insular Affairs, I have had the responsibility for handling the preference and priority provision, which is represented in the conference report now before the Senate and is the culmination of this effort.

Likewise, the distinguished senior Senator from Nevada [Mr. BIBLE], both as a member of the Committee on Appropriations and of the Committee on Interior and Insular Affairs, has been most diligent in helping to speed the success of the project.

Mr. BIBLE. Mr. President, I thank the Senators from Washington. I do not wish this occasion to pass without associating myself with the remarks of both the distinguished Senators from the great State of Washington. I am aware of the many heartaches, problems, and complexities that have been inherent in this problem, first on the legislative level, then on the appropriations level.

The junior Senator from Washington, chairman of the Committee on Interior and Insular Affairs, labored with great patience, diligence, and perseverance during the course of this Congress, over the last 2 years. He has now reached the end of the problem. This, again, illustrates that men of good will can sit around a conference table and hammer out legislation that is as worth while as this particular bill is.

As the distinguished senior Senator from Washington [Mr. MAGNUSON] has said, this project is truly a milestone. It will also be a landmark for the people of many other areas to study carefully. The project will be mutually beneficial to the Pacific Northwest and to the fast-growing southwestern part of the United States.

In the years ahead, it will prove to be a cash-register item for the Federal Government. The results of these efforts show that the producers of private and public power can exist together.

I close by paying a high compliment to both Senators from Washington, the one who worked so hard in the legislative field, and the other who worked equally hard in the appropriations field. I salute them for a task well performed.

Mr. President, I also pay tribute to my distinguished colleague from Nevada [Mr. CANNON], who is not a member of the Interior and Insular Affairs Committee, but who frequently met with me on this problem, and has been of invaluable help in moving this project along.

Mr. MAGNUSON. Mr. President, let me add that both Senators from Oregon [Mrs. NEUBERGER and Mr. MORSE] participated in these meetings and helped us all along the way.

A part of the lines goes through the State of Oregon, and the dams we mentioned are also part of both the States of Washington and Oregon.

Of course, the Senator from Arizona [Mr. HAYDEN] deserves great credit for his great efforts. He has probably had more experience in these matters than any other man who ever served in the Senate. Without his help we should not have gotten very far.

Mr. JACKSON. Mr. President, the two Senators from Idaho [Mr. JORDAN and Mr. CHURCH] have been extremely helpful, as well as the two Senators from Montana [Mr. MANSFIELD and Mr. METCALF], all of whom represent the Northwest area affected by the proposed legislation.

It is also in the area of the junior Senator from California [Mr. SALINGER] who has been likewise of great support and assistance in this proposed legislation.

Mr. SALINGER. Mr. President, the Senate's action today approving the Pacific Northwest conference report marks a new era in the technological development of the West.

The way is now clear for construction of the Pacific Northwest-Pacific Southwest intertie, the largest single electric transmission project in our Nation's history.

The intertie signals a new era both in the development of Western power resources and in the recognition by Western States of their mutual interdependence.

Gov. Edmund G. Brown, of California, and the members of the California congressional delegation deserve the greatest praise for their joint efforts with the Department of the Interior in developing this project.

The practical result of the intertie will be to conserve from $15 to $30 million worth of electrical energy annually that previously was lost to our Western economy because the Bonneville power projects on the Columbia River did not have an accessible market for it.

The four transmission lines from the Columbia in Washington to Hoover Dam on the Colorado and to Los Angeles and other points in California will carry more than 4 million kilowatts of power.

This is equal to the output of two Grand Coulee dams or the daily power requirements of six San Francisco's. Eleven Western States will benefit directly from the project and the entire Nation will realize the economic benefits of the West's great productivity.

It was not my privilege to serve in the Senate through the many years of conception and planning of this tremendous public project. But I wish now to express my admiration to all who were responsible for bringing this complex, and often controversial, undertaking to the point of reality.

I also acknowledge the great efforts on this matter of the distinguished senior Senator from California [Mr. KUCHEL], the chairman of the Senate Interior Committee [Mr. JACKSON], and the senior Senator from Washington [Mr. MAGNUSON].

Mr. MORSE subsequently said: Mr. President, the Senate in granting approval of the regional preference bill, S. 1007, is the final, and perhaps most important, step clearing the way for construction of the monumental Pacific Northwest-Pacific Southwest electrical intertie. We may now use the funds previously appropriated by the Congress for the intertie. Heretofore, the spending of those funds has been contingent upon the enactment of this regional preference legislation.

S. 1007 was introduced in the Senate on March 4, 1963, and was reported in the Senate on April 24, 1963. In the form in which this bill passed the Senate, it was a highly meritorious piece of legislation, designed to serve a vital function in protecting the interests of the Pacific Northwest, and for that reason, it had my enthusiastic support. In its original form this bill guaranteed electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric dams in the area by limiting the sale, delivery, and exchange of power to surplus energy and surplus peaking capacity. The bill also granted reciprocal protection to consumers in other regions.

Such legislation is vitally needed in order to guarantee the people of a given region first call on the resources of that region and is of great importance now due to approval by the Congress of interregional power transmission lines. The Congress wisely made the spending of the intertie appropriations contingent on the passage of this bill, to insure that the otherwise very valuable intertie project would not be used to deprive any region of its resources upon which it should have first call as a matter of right. It was my pleasure, Mr. President, to give S. 1007, which provided this insurance, my full support when it passed the Senate more than a year ago.

Unfortunately, the House saw fit to amend the Senate version of the regional preference bill in such a way as to make it entirely unacceptable to its original supporters in the Senate. For this reason S. 1007, until last week, languished in conference since October of 1963, because the Senate conferees were strongly of the opinion that in good conscience they could not accept the House amendments.

The amendment which was at the root of this stalemate, and which necessitated my emphatic opposition to the

House version of the bill, was the now famous Westland amendment. This language, inserted in the bill by the House Interior Committee as section 8 of the bill, specified:

> No electric transmission lines or facilities shall be constructed outside the Pacific Northwest by any Federal agency for the purpose of transmitting electric energy for sale or exchange pursuant to this act except those lines and facilities hereafter specifically authorized by Congress.

This language would have required separate authorization for any and each interregional power transmission line, and would have had the obvious effect of delaying the construction of the Federal portions of the intertie. The advocates of an all-private intertie "package" hoped that the Westland amendment would enable private interests to step in and build all of the lines. As I have pointed out time and time again over the past several months, such an arrangement would have been to the benefit of no one—at least of all the individual electric consumer—except of course the profit-bloated private power monopolies.

Mr. President, it is of the utmost importance that the public power "yardstick" principle be maintained as we move into this new field of interregional power transmission, and the only means by which this principle can be protected is through the existence of public lines to set the rate standard for private service. It is for that reason that I have been unalterably opposed to the Westland amendment to the regional preference bill, because it could only act to decrease the chances that the yardstick principle would be applied to the intertie.

It was for this same reason, Mr. President, that I opposed the original intertie "package" submitted by the Secretary of the Interior in June of this year. It contained no guarantee that any of the intertie lines would be publicly owned, and left the door wide open to the possibility that, in fact, all of the lines would be controlled eventually by private power interests.

I have always been at a loss to understand how the Secretary of the Interior and the Administrator of the Bonneville Power Administration could have been drawn in on that gimmick, and why they were willing to use their position to underwrite such an unsound principle. The language contained in the Secretary's original Intertie proposal could have been used to the great disadvantage of the power consumers in the Pacific Northwest, and could have significantly damaged the great power legislation that dates back to the passage of the Bonneville Power Act.

I have expressed before, and I express again, my great disappointment that the Secretary of the Interior would have advocated at any time, even for a moment of time, this kind of private power steal from the power consumers of the Pacific Northwest. If Mr. Udall continues to act so as to require constant watching, then, in my judgment, the sooner he gets out of the Cabinet, the better it will be for the power consumers of the Pacific Northwest.

As I pointed out in my speech here in the Senate on August 5, Mr. President, if we turn over to a private utility the power generated at a public dam, and if the power taken at damsite is transmitted over private utility transmission lines, we might as well turn the dam over to the private utility. Whoever controls the transmission lines controls the dam, and both the Secretary of the Interior and the Administrator of Bonneville Power Administration, Mr. Luce, know it. They also know of the great fight that the liberals in the Senate have had to make for well onto 40 years to get approval of the public power yardstick principle. I think it is unfortunate that the two Senators from Oregon had to carry on such a vigorous battle against the proposed program of the Secretary of the Interior and the Administrator of the Bonneville Power Administration.

Furthermore, the construction of extra-high-voltage transmission lines between regions, which will be involved in the Oregon-California intertie lines, constitutes pioneering in the transmission of electrical energy. If the private electric utility monopoly had been permitted to be the sole pioneer in this field—and the Secretary of the Interior was willing to permit them to be—public power transmission of this type would have suffered and would probably have been eliminated.

I opposed the original intertie proposal made by Secretary Udall, and on the basis of that opposition, which I share with Senator NEUBERGER and several other colleagues, the intertie "package" was changed so that the "yardstick" principle has been maintained and Pacific Northwest consumers have been protected.

In this connection it is interesting to note that the final form of the intertie proposal, as it was approved by Congress, includes two all-Federal transmission lines, one to Hoover Dam and another down into Central Valley, Calif. Moreover, Mr. President, the committee report on the intertie appropriations contains the provisions that wheeling rates for the private lines are not to exceed the cost of service on the Federal lines, and that any contracts between the Government and private utilities must be made public and lie before the Senate for 60 days before they become effective.

May I point out, Mr. President, that none of these provisions were found in the original proposal submitted by Secretary Udall. They are provisions which the junior Senator from Oregon and I recommended and fought for over the past months. The final form of the intertie "package" contains these recommendations, and for that reason I have supported it.

In the same fashion, I have opposed the Westland amendment to the regional preference bill. Now, at last, however, the Senate and House conferees have come to a reasonable agreement, which removes the dangers contained in the Westland amendment. Mr. President, in the conference report, this amendment has been changed so as not to apply to the Oregon-California intertie transmission lines. Now the Federal portions of the intertie do not require separate authorization under S. 1007.

With this last alternation the regional preference has become what it was originally meant to be: a means of protecting the individual electric consumer, instead of an instrument of the private power interests.

On August 18, 1964, the House approved the conference report on the regional preference bill. With the Senate's approval of the report today, the last obstacle to the construction of the intertie will be removed, and this monumental project can now be started with the assurance that the interests of the people of the Pacific Northwest, as well as those of electric consumers throughout the Western States, will be truly served rather than undermined.

Mr. President, I have made this speech to keep the record straight. I have also made this speech in answer to the kept press in my State, such as the Portland Oregonian, which always does the journalistic lobbying work for the private power interests. More specifically, it is in answer to the smear editorial which the Oregonian published some time ago and which I answered previously on the floor of the Senate, seeking to give the false impression that the two Senators from Oregon had little to do with the fight that brought about the intertie settlement.

The truth is that it was the two Senators from Oregon, ably assisted by Representative Moss, of California, and other members of the California delegation, who stood up against the attempt of the Secretary of the Interior and the Administrator of the Bonneville Power Administration, to slip through the Congress an intertie settlement which would have done irreparable damage to the power consumers of the Northwest.

Finally, Mr. President, let me serve notice on the yellow journals of my State that the senior Senator from Oregon intends to continue the fight he has made for 20 years to insure that the power consumers of the Northwest are not fleeced by the private power monopoly interests, even though these interests have had the aid of the Portland Oregonian and other reactionary newspapers in the State.

Mr. JACKSON. Mr. President, before I conclude the final chapter on this proposed legislation, it is gratifying that the ranking minority member of the Senate Interior and Insular Affairs Committee, the distinguished minority whip, was interested in the pending legislation from the very beginning. He played a leading role in making this legislation possible. As a member of the Appropriations Committee, he followed through in connection with the appropriations necessary to implement the basic legislation that is being approved today.

I also want to express my appreciation to the senior Senator from New Mexico [Mr. ANDERSON], who, as the ranking member of our committee, contributed greatly to this success we all share today.

Mr. President, I move the adoption of the conference report.

The report was agreed to.

CUBAN EXPROPRIATION OF AMERICAN PROPERTY

Mr. SALTONSTALL. Mr. President, since 1959, the Castro government has seized over $1 billion worth of property in Cuba owned by U.S. citizens or companies. The U.S. Government has protested these confiscations and the Cuban Government has been urged to either return the properties to their rightful owners or pay adequate compensation for them, as required by international law. To date, the Cuban Government has neither returned the properties nor offered to pay compensation.

I have corresponded at length with the Department of State on this subject over the past 2 years, and discussed it with Secretary of State Rusk. I am informed that all U.S. efforts to rectify this situation have been completely unsuccessful and I understand that the Department of State, in complete frustration, has no plans for further action at this time.

Mr. President, I do not believe that the U.S. Government should accept this status quo. It is extremely important that American persons and companies be assured that the full power of the U.S. Government under principles of recognized international law will back them up, and assure them of the protection necessary to encourage and to increase investment abroad. Massachusetts companies and citizens lost property under the Cuban expropriation, and I know that other Senators can say the same for citizens and companies in their States. We cannot expect success in urging increased U.S. investments abroad, unless we leave no stone unturned to combat illegal expropriations of U.S. holdings by foreign nations.

The Department of State has taken the position that right and law are on our side, but there is nothing further we can do. I believe that we must continue to try. There is a way, through the United Nations, to do so.

I have recommended to the Department of State that the Cuban expropriation issue be raised in the United Nations. This is one channel we have not tried. After some years of diligent work, the U.S. delegation to the United Nations, and certain others, succeeded in drafting a resolution which was accepted by a vote of 87 for, 2 against, and 12 abstentions, entitled "Permanent Sovereignty Over Natural Resources," numbered United Nations Resolution 1803. I quote from the applicable part of the resolution concerning expropriations:

> Paragraph 4. Nationalization, expropriation or requisitioning shall be based on grounds or reasons of public utility, security or the national interest which are recognized as overriding purely individual or private interests, both domestic and foreign. In such cases the owner shall be paid appropriate compensation, in accordance with the rules in force in the state taking such measures in the exercise of its sovereignty and in accordance with international law. In any case, where the question of compensation gives rise to a controversy, the national jurisdiction of the state taking such measures shall be exhausted. However, upon agreement by sovereign states and other parties concerned, settlement of the dispute should be made through arbitration or international adjudication.

Mr. President, in the absence of success of all direct U.S. efforts to effect restitution or compensation to American owners of seized properties in Cuba, I believe that this issue should be raised in the United Nations under Resolution 1803. The State Department agrees that the Cuban expropriations legally come within the purview of this United Nations resolution, but they argue that raising this issue in the U.N. would cause Cuba to wage propaganda about U.S. overflights over Cuba, and our naval base at Guantanamo Bay. I do not believe that Cuba can bona fidely question our aerial surveillance or the treaty rights accruing to the United States under the signed agreements concerning the U.S. naval base at Guantanamo Bay. Furthermore, I do not believe that the United States need fear propagandizing in the United Nations, nor need we apologize for U.S. actions in relation to Cuba.

While it is up to the President and the State Department to conduct our foreign relations, I respectfully submit that Cuban propaganda is no longer news; we have been through that mill.

What is vital is that our citizens' property has been seized. Most of the OAS members have recently and dramatically voted to cut off relations with Cuba. Cuba stands branded as unfit, under the Castro regime, to share in the economic and political life of this hemisphere. Why should we refrain from asserting U.S. citizens' property rights? Not just Massachusetts citizens' property is involved, or property of citizens of other States, but properties of many foreign nationals was also seized.

Let us give these nations an opportunity to join with us in asserting our rights as defined by the United Nations.

Mr. President, the charter of the U.N. was designed to accommodate just such issues as this. Eighty-seven member nations of the U.N. voted for Resolution 1803. If this issue cannot be raised in the U.N., then we can rightly question whether the U.N. is fulfilling the function for which we believed it designed.

In summary, the legal questions concerning expropriation of American property in Cuba are clear. Cuba and the United States, as members of the United Nations, have sworn to uphold the rules and principles on which the United Nations is founded. Negotiations through regular channels have met no success. Let us raise this issue in the United Nations, where I am confident the position of the United States will be supported, and then Cuba can decide whether to flout a specific U.N. resolution as well as generally accepted international law.

Mr. President, I trust that the State Department will review its decision on this problem so important to many of our citizens. If it will, it may well find a different attitude in the U.N. than was held a few years ago.

Mr. President, I have brought this matter up at this time because I have been considering it for several years, as many Massachusetts citizens are deeply involved in the subject of expropriation.

Mr. President, I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11369) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 6910) to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

ORDER OF BUSINESS

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. CLARK. What is the pending business?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Montana [Mr. MANSFIELD] and the Senator from Illinois [Mr. DIRKSEN] on the question of apportionment.

Mr. CLARK. Mr. President, does the Senator from Vermont desire to take the floor at this time?

Mr. AIKEN. No. I thought that before the vote on this amendment I should suggest the absence of a quorum.

Mr. CLARK. I believe that should be done.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPRESSION OF SENSE OF CONGRESS WITH RESPECT TO ENFORCEMENT OF PROVISIONS OF ARTICLE 19 OF THE UNITED NATIONS CHARTER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1419, House Concurrent Resolution 343.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (H. Con. Res. 343) expressing the sense of Congress with respect to the enforcement of the provisions of article 19 of the United Nations Charter.

The PRESIDING OFFICER. Is their objection to the present consideration of the resolution?

There being no objection, the concurrent resolution (H. Con. Res. 343) expressing the sense of Congress with respect to the enforcement of the provisions of article 19 of the United Nations Charter was considered and agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar Order No. 1418, Senate Concurrent Resolution 93 be indefinitely postponed.

The PRESIDING OFFICER. Is there objection? The Chair hears none; and it is so ordered.

RESPONSIBILITY OF PRESIDENT AND PRESIDENTIAL CANDIDATE ON QUESTIONS OF DEFENSE

Mr. MANSFIELD. Mr. President, I call to the attention of the Senate three recent editorials, which appear in the Denver Post, the St. Louis Post-Dispatch, and the Washington Daily News. Individually, they deal with questions of defense and certain political polemics in connection therewith, the latest on yesterday in Illinois. They refer to the offhand interpretation which was given in a political setting to the President's recent order to the 7th Fleet to repel the attacks upon its units in the Gulf of Tonkin. They refer also to certain gross distortions as to the capacity of the Defense Establishment to deliver nuclear weapons in the event we are compelled to war during the coming decade.

The relevant facts are clear in both cases. In the case of the orders to the 7th Fleet, President Johnson was and has remained in general command, as Commander in Chief, of all naval activity involved. Very specifically, he has retained absolute personal control over the command of nuclear weapons in that situation and in all situations which may arise anywhere in the world.

It is one thing for a presidential candidate to announce that he will delegate to military commanders, the most profound responsibilities of the office he seeks even before he is elected to it. That is harmless nonsense which the people of the Nation can dispel by their votes in November. But it is quite another matter for a presidential candidate to say to the Nation and to the world that the incumbent President has already done so. That is disingenuously dangerous. It suggests to the world—and to the Asian world in particular—on the authority of one of the two major political parties, that this Nation treats lightly those immensely destructive nuclear devices whose relatively feeble antecedents totally destroyed two Japanese cities in a matter of seconds. A great nation can carry many burdens, Mr. President, but it cannot long sustain them on a reputation of irresponsibility.

May I say, too, that it is one thing for a presidential candidate to have a special penchant for airplanes because of an early and continuing association with the Air Force. That is a sentimentality which is as understandable as is my affinity—as a long-since retired private, first class—for the Marines. But it is quite another for a presidential candidate to say to the Nation and to the world that our capacity for the delivery of nuclear explosives will decline 90 percent in the next decade because we are not building enough manned bombers. The facts are the opposite. Our capacity to deliver strategic explosives is growing rapidly with the multiplication of the supplies of the Polaris and other missiles produced by an ever-advancing military technology.

There is no gap, Mr. President, in our defenses and none is foreseeable. The military defenses of the Nation are and will remain far superior to the power of any conceivable combination of enemies. If there is a gap, it is a gap in good sense. For, it is not good sense to equate the defense of the Nation with a particular vehicle or a single service. After all we do have an army and a navy too and they do have some capacity for contributing to the military security of the Nation. Nor is it good sense to alarm the Nation or the world by suggesting, contrary to the facts, that our defensive capacity is being eroded because every effort is being made to keep it abreast of modern development without the bankrupting waste of billions of dollars for unnecessary equipment. That is a disservice which partisan politics or a sentimental simplicity may help to explain. Notwithstanding, it is no less a disservice.

Mr. President, I ask unanimous consent that the three articles previously cited be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch,
Aug. 16, 1964]

UNJUSTIFIED AND IRRESPONSIBLE

In two instances in recent days Senator GOLDWATER has given evidence of a frightening lack of responsibility in discussing U.S. military policies. He distorted the facts and misrepresented the true situations in connection with this country's nuclear delivery capability and with President Johnson's alleged authorization to field commanders to use atomic weapons.

The latter incident had its origin at the Republican unity meeting in Hershey, Pa., where Senator GOLDWATER held a press conference in the presence of General Eisenhower, who had heartily endorsed him as the GOP presidential candidate. This question was put to Mr. GOLDWATER by a reporter with reference to the war in Vietnam:

"Could you amplify the remark you made about the use of weapons? It seems to indicate that President Johnson is now agreeing with your position on this. Do you mean that the President has given field commanders the right to use any weapons, including atomic weapons?"

To which the Senator replied:

"I would suggest you read his admonition to the commander of the 7th Fleet in which he said to use any weapons. Now, I think I know what he means, but I also know what I meant when I said that the Supreme Commander of NATO should have a little more say so in the choice of—tactical nuclear weapons, not to give them the ICBM or IRBM, but merely tactical weapons and I imagine those people, although I don't know, in the Pacific have a right to use these weapons if the commander thinks it is necessary. I am only quoting his admonition. I don't know what went on in the orders. I haven't seen the orders."

Last August 3 Mr. Johnson said he had instructed the Navy to give its forces orders "(A) to attack any force which attacks them in international waters and (B) to attack with the objective not only of driving off the force but of destroying it."

Secretary of State Rusk and Secretary of Defense McNamara, and then the White House, flatly denied there was anything in any statements or supporting papers that would authorize the use of nuclear weapons. Secretaries Rusk and McNamara termed the assertion "unjustified and irresponsible."

Taxed with the denials, Mr. GOLDWATER said he had not meant to imply that President Johnson authorized the use of nuclear weapons. The object of his criticism, he said, was Mr. Johnson's fuzzy language. The language was not fuzzy and it was not the object of Mr. GOLDWATER's criticism. The Senator did not imply anything—he said it. He shot from the hip, which he acknowledges is a habit, without, apparently, knowing or caring what he was talking about.

The origin of the second incident was a speech to the National Association of Counties. Mr. GOLDWATER said: "Under our present defense leadership, with its utter disregard for new weapons, our deliverable nuclear capacity may be cut down by 90 percent in the next decade."

The Pentagon labeled this statement "not only without foundation but contrary to the facts." The Pentagon said: "The facts are that in 1970 we will have a capability to deliver on target two and a half times as many warheads as we had in 1961 and a greater number than we have today." The Defense Department then listed the tremendous advances in defense capability since mid-1961, with projections to mid-1970, showing the numbers and destructive force of various types of missiles and bombers.

Senator GOLDWATER's comment was that the Pentagon figures were "lies." He said at Hershey he would be very glad to get into an argument about it. And he also, if indirectly, revealed his motivation. Mr. GOLDWATER has been complaining about the phasing out of manned strategic bombers, and the Pentagon statement clearly showed the ascendancy of the missiles.

So at Hershey Mr. GOLDWATER argued that "by not building new carry-on bombers" we will have to depend on missiles in another 10 years. His attitude toward the bomber is understandable. He is a major general in the Air Force Reserve and so his views can be discounted as representing the narrow viewpoint of one branch of the military service rather than the total Defense Establishment. His right to promote the ambitions of the Air Force in a political campaign is questionable, to say the least.

President Johnson's reply to all this was calm, patient, and resolute. In a New York speech to the American Bar Association he said the course of U.S. policy in southeast Asia will not be diverted by political attacks at home. He added it has never been the policy of an American President "systematically to place in hazard the life of this Nation by threatening nuclear war."

The President went further at a press conference Saturday. He said that in making loose charges Senator GOLDWATER was doing "a disservice to our national security, a disservice to peace and, for that matter, a disservice to the entire free world." Mr. Johnson was right. In forcing the Government to set out the true facts, Senator GOLDWATER has put the country in the position of brandishing its nuclear might. How will the world view that?

[From the Washington Daily News, Aug. 19, 1964]

ABSURD CHARGE

If any American has lost sleep over recent talk of holes in our defense system, he should be reassured by the statistics of Defense Secretary McNamara.

In long-range missiles (ICBM) we are ahead of the Russians 800 to 200, according to Mr. McNamara. In Polaris-type submarine missiles we lead 256 to 142 and ours are by far superior. In long-range bombers, which are the specific subject of recent dispute, our edge is even greater—1,100 to 100, or 1,100 to 250 if you count Soviet bombers able to reach only a fringe of the United States.

As to Senator GOLDWATER's fear that U.S. deliverable nuclear capacity may be cut down by 90 percent in the next decade, Secretary McNamara answers:

"Our strategic forces are and will remain in the 1960's and 1970's sufficient to insure the destruction of both the Soviet Union and Communist China under the worst imaginable circumstances accompanying the outbreak of war. There should be no doubt about this in the mind of any American. There is none in the minds of our enemies."

Senator GOLDWATER himself is author of a statement, 2 years ago, which, in our opinion, applies accurately to the pressent situation. We quote from his book, "Why Not Victory?"

"During the Presidential campaign of 1960 the absurd charge was made by Mr. Kennedy and others that America had become—or was in danger of becoming—a second-rate military power. Any comparison of overall American strength with overall Soviet strength reveals that the United States was not only superior, but so superior both in present weapons and in the development of new ones that our advantage promises to be a permanent part of the United States-Soviet relations for the forseeable future."

Events proved both the bomber gap and the missile gap to be phony. Current implications that our guard has been let down, or is going to be let down, may be filed away in the same envelope.

These observations are not intended to discount BARRY GOLDWATER as a candidate for President. A man should be judged on his total program, balancing the good with the bad, and the campaign barely has started. But we would say he comes out on the far short end of this particular argument.

[From the Denver Post]

SENATOR GOLDWATER JUGGLES WORDS

("When I use a word," Humpty Dumpty said, in a rather scornful tone, "it means just what I choose it to mean—neither more nor less." "The question is," said Alice, "whether you can make words mean so many different things." "The question is," said Humpty Dumpty, "which is to be master—that's all." "Through the Looking Glass.")

Any American who pays attention to politics is certainly familiar with hundreds of practical demonstrations of Humpty Dumpty's thesis. We all expect that a candidate will take great pains to display his mastery over not only his own words but also over those of his opponent.

Words are stretched, phrases are twisted, sentences are willfully misunderstood—all for anticipated political gain. And we accept this semantic juggling—with all its "doublethink"—as part of the political game.

The 1964 presidential game is still in the early innings, but already the Republican candidate, Senator BARRY GOLDWATER, has given us two splendid examples of political humpty-dumptyism. The Senator, perhaps smarting from his reputation for making words mean so many different things, has now attempted to show us that he is the master of the words.

The first example came this week at the so-called unity meeting of the GOP leaders at Hershey, Pa. There the luminaries of the Republican Party, many of whom only weeks and days before had expressed doubts and dismay about the words of Senator GOLDWATER, agreed after listening to the Senator speak that his words offered no cause for doubt or dismay, that he was, in fact, not only the master of his words but also the master of the Republican Party.

Although the candidate insisted that he took no new line and expressed no new thoughts, the Republican leaders—except Governors Romney and Rockefeller, who retained some doubts—embraced the candidate wholeheartedly and commended him profusely for the moderation and reason of his words, "The question is, which is to be master."

Such expressions of unity are, again, part of the political game. Everyone expects them —and would be surprised only if they did not come.

The second example of Senator GOLDWATER's humpty-dumptyism came in a press conference after his speech. In an attempt to show that he was also master of President Johnson's words, the Senator contended that the President's orders concerning the Vietnam crisis could be interpreted to mean that the U.S. military commanders in southeast Asia had been authorized to use nuclear weapons.

From this, the Senator concluded that he could no longer be charged with being triggerhappy, because the President had done precisely what he, GOLDWATER, had been advocating; namely, 'empowered field commanders to use nuclear arms.

At the time of GOLDWATER's charge, the actual orders to the 7th Fleet had not been made public, but in a statement to the American people on August 3, the President said he had instructed the Navy to give its forces orders "(A) to attack any force which attacks them in international waters and (B) to attack with the object not only of driving off the force but of destroying it."

There was no mention of the use of nuclear weapons.

Precisely because there was neither affirmative nor negative reference to the use of nuclear arms, Senator GOLDWATER was able to fill the verbal vacuum with his own purely political interpretation.

If anything has been clear in the U.S. nuclear policy—whether under Truman or Eisenhower or Kennedy or Johnson—it is that the President must specifically approve the use of nuclear weapons for a specific purpose at a specific time. To contend, as Senator GOLDWATER did, that authorization for the use of nuclear arms can simply be inferred is to attribute to the U.S. Government an entirely unwarranted irresponsibility and laxity.

The day after he mastered President Johnson's words, GOLDWATER compounded the humpty-dumptyism by contending that his words did not mean so many different things, that he had, in fact, not meant to imply that the President had authorized the use of nuclear weapons. "Curiouser and curiouser," as another Lewis Carroll line puts it.

The White House, in answering GOLDWATER's original charge, took a direct approach, the sort that is practiced on this side of the looking glass. The White House called in reporters and showed them the copies of actual orders to the 7th Fleet, which orders specified the use of "conventional ordnance only."

As the campaign proceeds, we can expect more of this humpty-dumptyism from Senator GOLDWATER. After all, it's part of the game. But we all know what happened to Humpty-Dumpty.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. CLARK. Mr. President, I return to the discussion of the Dirksen amendment to the foreign aid bill.

On Tuesday, August 18—2 days ago—I started what I had thought at the time would be a fairly extensive speech in opposition to the Dirksen amendment. But, as so often happens in the Senate, where we pay little attention to the rule of germaneness, and tend to legislate by fits and starts, there were a number of subjects including conference reports, which other Senators desired to have brought up, and I yielded the floor, not to regain it for some 48 hours, before I had done more than get halfway through my discussion of the analogy between the Dirksen "rotten borough" amendment and the successful effort to eliminate rotten boroughs in the House of Commons in England back in the 1830's.

In a moment I should like to return to the historical analogy, but first I should like to call to the attention of whoever may still be reading the CONGRESSIONAL RECORD these days—because I note, not for the first time, that there are only 3 of the 100 Senators in the Chamber—to a couple of things that occurred in connection with the rotten borough amendment since I spoke 2 days ago.

First was the publication yesterday of one of the periodic opinion polls conducted by Dr. George Gallup. That poll dealt with the reaction of the people of this country to the controversy now raging on the subject of reapportionment. We have heard in this Chamber about the public furor which is sweeping the country against the decisions of the Supreme Court of the United States, which, in a series of cases beginning with Baker against Carr in 1962, and ending with the decisions following the basic case of Reynolds against Sims, decided by the Supreme Court of the United States on June 15, 1964, has reestablished by decree of the Supreme Court of the United States the ancient and honorable principle of American democracy and support of majority rule. These decisions establish that in the

Congress, that is to say, in the House of Representatives, in the State legislatures, and in all statewide elections for public office, the rule of representation is one citizen, one vote. The Court has struck down a number of provisions of State law which would give the weight of 100 votes—sometimes 1,000 votes—to one citizen living in a relatively sparsely populated legislative or county district for every one vote represented by those who live in more densely populated areas. These highly wise and salutary decisions of the Supreme Court of the United States—at least in my opinion they are salutary and wise—have been said by the proponents of the Dirksen rotten borough amendment to have caused chaos, confusion, and an uproar among the people, an uprising which requires that the Congress should go to the extreme length of tacking a rider onto the foreign aid bill to staying the enforcement of the decisions of the Supreme Court of the United States.

In colloquy with the Senator from Wisconsin [Mr. PROXMIRE] 2 days ago, we contended that the so-called chaos and confusion was nonexistent and that it was confined to the lamentations of a relatively small number of State legislators, their friends and protagonists who are afraid that if the principle of majority rule were to be applied in connection with their own election, they would lose their jobs. However, we contended that the American people as a whole supported the Supreme Court of the United States and thought that its recent line of decisions was sensible and wise.

It is a source of some satisfaction to me to find that Dr. Gallup's poll comes to the same conclusion as the Senator from Wisconsin [Mr. PROXMIRE] and I stated.

The gravamen of the Gallup poll as it was printed in the Washington Post on Wednesday, August 19, is that a constitutional amendment that would undo the Supreme Court's rulings on apportionment of State legislatures is likely to run into trouble with the voters of the Nation.

I have always been strongly of the view that if the voters of America understood how they were being represented as a result of malapportionment of State legislatures they would rise up and, on the whole, render three loud cheers in support of Chief Justice Earl Warren and his colleagues who represented the large majority of the Supreme Court in these rulings, just as an overwhelming majority of the American people have now risen up in support of the other outstanding landmark decision of the Warren Court, Brown against Board of Education, in the school desegregation decision of 1954.

The Senator from Wisconsin and I contended that the Supreme Court was in good favor with the American people, and that those who follow the lead of the Senator from Illinois [Mr. DIRKSEN] in supporting the rotten-borough amendment represented a minority view.

Dr. Gallup finds, in his first test of public reaction to the Supreme Court's ruling, that the opinion among those who have an opinion divided 3 to 2 in support of the Supreme Court of the United States.

Dr. Gallup finds that at this point about one-fourth of those interviewed had not yet formed an opinion on this issue. He points out that it will be debated, as indeed it will, in the campaign and in the months to come, just as it is being debated now in the greatest deliberative body in the world, whence all save two of Senators have now fled. Nevertheless, in the long run, on the whole, sooner or later, more or less, what is said on the floor of this body tends to be reported in our free press, over our free radio, over our free television stations, and is more likely than not eventually to seep into the consciousness of the American people.

There has as yet been relatively little debate on the Supreme Court's decision—some newspaper articles, to be sure; some debate in the House; some debate in the Senate; but compared to the debate which has raged for over a hundred years with respect to civil rights, the debate on reapportionment has hardly scratched the surface of the public consciousness. Yet the unanswerable arguments of those who support the great decision of this great Court have apparently, according to Dr. Gallup, come home.

His pollsters—I presume that is a word which will soon appear in Webster's dictionary as a new part of our American language, if it has not already appeared—asked the following question, which I paraphrase, but I believe accurately: "The Supreme Court has ruled that the number of representatives of both lower house and the senate in all State legislatures must be in proportion to population. In most States this means reducing the number of legislators from the rural areas and increasing the number from urban areas. Do you approve or disapprove of this ruling?"

Dr. Gallup found that the results, for the Nation as a whole, were that 47 percent of those queried approved the decision of the Supreme Court of the United States; 30 percent disapproved; and 23 percent had not made up their minds or had no opinion.

The survey showed very little difference between Republicans, Democrats, and independents on this issue.

I take heart from the Gallup poll. I think it strengthens the hands of the relatively small number of Senators who have been opposing the Dirksen amendment. I think it shows that the people of the United States are on our side.

It may be that these arguments will be pressed home at the Democratic National Convention at Atlantic City next week in connection with the framing and adoption of a platform. I am not saying they will be; I am saying they may be. As these arguments are pressed home in the Congress, at the Democratic National Convention, and across the country, I am sanguine enough to be confident that the arguments against the unsound proposals advanced by the Senator from Illinois [Mr. DIRKSEN], and in the other body by Representative TUCK, will appeal to the American people and that, in due course, they will be defeated.

So those of us who wish to fully ventilate this issue are encouraged to continue, in view of the results of the Gallup poll.

The second thing that has happened since I spoke on the floor 2 days ago and engaged in a colloquy with the Senator from Wisconsin, which I think is desirable to call to the attention of the Senate, is the forthright stand taken yesterday by the Attorney General of the United States, Robert Kennedy, in opposition to tampering with the decisions of the Supreme Court of the United States. The Attorney General appeared yesterday before the platform committee of the Democratic National Convention and stated his views on those matters of public policy which are within the cognizance of the Department of Justice, which he has so ably headed for nearly 4 years.

After giving his views of what the planks in the Democratic platform dealing with civil rights should be, he was asked a question from the floor. The question was: What is the position of the Department of Justice with respect to whether there should be legislation or a constitutional amendment which would affect adversely in any way the reapportionment decisions of the Supreme Court of the United States? He answered categorically: "The Department of Justice is opposed to tampering by legislation or constitutional amendment with the decisions of the Supreme Court of the United States."

I take great heart in that forthright and candor statement of the Attorney General.

We know that two very able lawyers in the Department of Justice, Solicitor General Archibald Cox, and Deputy Attorney General Nicholas deB. Katzenbach, were called in by the minority leader, with the consent and approval of the majority leader, to work on the technical and legal problems involved in drafting and modifying to some extent the watered-down Dirkensen rotten borough amendment.

I have always contended—and the statement of the Attorney General makes it abundantly clear that this contention is correct—that those able attorneys were called in, not as protagonists for tampering with the decisions of the Supreme Court of the United States, but merely as technicians to draft language which in their opinion might stand the test of constitutionality if passed by Congress and challenged in the court. Therefore, it is now very clear indeed that no one in the Department of Justice, from the Attorney General down, favors the Dirksen amendment, and that no one in the Department of Justice wants to see the Dirksen amendment adopted.

This, again, gives me great heart to continue this debate in opposition to the Dirksen amendment, for the purpose of establishing that it is an unsound, unwise and, possibly, an unconstitutional effort, whose parliamentary procedures are unacceptable, unusual and without any justification, and in violation of sound legislative procedures.

It is a great comfort to have the Attorney General of the United States on our side in this fight, which I am confident we shall win.

I hope that as a result of the Gallup poll and the forthright stand of the Attorney General, a number of Members of the Senate who may have been wavering as to how they would vote on the Dirksen rotten borough amendment may conclude to come to our side, to the side of sanity, to the side of democracy, to the side of fundamental American principles of majority rule, to the side of the great Supreme Court cases, and to the side of the outstanding Attorney General of the United States.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to my friend the Senator from Wisconsin. I was about to return to the historical discussion that he and I engaged in the other day with respect to the British reform acts. But this would be a good place to pause if the Senator wishes to ask a question or make a comment.

Mr. PROXMIRE. First, on the question asked in the Gallup poll, as the Senator read the question into the RECORD, I am sure he was struck by the fact that this was about as fair a question as could possibly be designed.

Mr. CLARK. So it seemed to me.

Mr. PROXMIRE. There is nothing in the question about whether a person favors a one-man-one-vote standard. If it had been in the question, it possibly would have biased people against the Dirksen amendment and in support of the Supreme Court.

For example respondents are asked in this question whether they approve having State senators on a population basis. Now if there is one simple principle of American Government organization with which people are familiar it is that the composition of the Senate of the United States is not based on population, but is based on providing two Senators from every State.

Mr. CLARK. That came about as the result of the great compromise, which had to be made, with logic, justice, and intelligence, in order to have the Constitution of the United States ratified.

Mr. PROXMIRE. Yes. The wording of the question as it was asked by Gallup interrogators was as follows:

> The U.S. Supreme Court has ruled that the number of representatives of both the lower house and the senate in all State legislatures must be in proportion to the population.

It seems to me that that first sentence would provide, if anything, a tendency for those who are uncertain to have the Senate proposal carry. In most States this means reducing the number of legislators from rural areas and increasing the number from urban areas.

The next sentence in the question reads:

> In most States this means reducing the number of legislators from rural areas and increasing the number from urban areas.

That sentence, too, put people on notice that this process would be disruptive and that some people would lose representatives and that the number of representatives elsewhere would be increased.

There is nothing here to show—at least nothing directly in this question, unless a respondent is particularly perceptive—that everyone everywhere should have an equal vote, that everyone should be treated fairly, and that no one should have an advantage over anyone else. These are arguments for our position, and nobody can deny that they are valid arguments.

However, these arguments were not implied in the question. It was a straightforward question. If there is any doubt about bias, I am sure that the most objective analysis would say that there might be a slight bias in the question in favor of the Dirksen position.

Mr. CLARK. I agree with the Senator. I point out to him also that the question makes specific reference to the Supreme Court of the United States, which many of our conservative friends in this body identify with the Devil, which they seem to believe is in a state of great unpopularity in the country generally. I do not mean to imply that I think the Supreme Court is the Devil. However, there are those who do not identify the Supreme Court with the cause of justice, equity, and right.

Mr. PROXMIRE. Polls have been proved wrong at times, even though they have never been too wrong; but sometimes they have been wrong enough so that in a close election they have picked the wrong candidate as the winner. One of the most highly respected is the Gallup poll. At Harvard University, where I studied public opinion and analysis, and at other great universities also, it is felt that this poll is about as scientifically constructed as possible.

It is said by Gallup that this question was put to a cross section sampling of people across the Nation, meaning that it was as fair a determination of how all the American people felt as thoughtful, objective, and scholarly people could make.

It was very carefully designed, so that it would not represent the opinion of all urban people or all rural people, or all rich or poor people, or people representing one race or another. To the contrary, it is a precise reflection of the makeup of this country. The result was 61 percent in favor of the Supreme Court decision and 39 percent against it.

It is my conclusion, based on having worked on reapportionment in Wisconsin and having discussed it with many people over the years in our State legislature, that the more this question is discussed and the more it is explained, the more those who thought about it favored the bill.

In the House yesterday, there was an initial vote on the Tuck bill which would deny the Supreme Court the right to reapportion State legislatures. The bill received an almost 2-to-1 vote of approval. Then, after debate—and the House never has a long debate—a number of minds were changed. In the course of brief afternoon debate the situation was changed to the position where many more Representatives opposed the Tuck bill.

Mr. President, will the Senator yield on one further point?

Mr. CLARK. I yield.

Mr. PROXMIRE. I agree with the Senator. It is of great significance that the country's leading legal officer, Attorney General Robert Kennedy, has made it crystal clear that he opposes any kind of legislative or congressional interference with the Supreme Court. As the Senator from Pennsylvania has so well said, the Department of Justice must be relied upon for the best advice we can get, aside from the Supreme Court. So far as I can see, the Department of Justice does not in this case represent any vested interest. It has no ax to grind. The Attorney General has available the best legal advice in the Nation.

On the basis of all this impressive background, the Attorney General, whom I consider to be a man of sound judgment—he is a controversial figure, of course, as are all people of importance—came forth, as the Senator from Pennsylvania has so well said, four square, without qualification, without diluting his position at all, on the side of those who feel that it would be a great mistake to enact any legislation like the Dirksen amendment.

Mr. CLARK. There is no question about it. I was present and heard his words.

In an article published in the New York Times this morning, under the byline of Anthony Lewis, one of the most highly respected and accurate reporters covering Washington today, the Attorney General is quoted as saying:

> We are very strongly against any steps that might be taken against the Supreme Court decision.

The Attorney General commented, to be sure, rather informally, in further response to the question he was asked, that the Department of Justice had appeared as a party in court to support the position eventually taken by the Court in its decisions beginning with Baker against Carr and continuing through the most recent ones.

Mr. HOLLAND. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am happy to yield.

Mr. HOLLAND. I thank my friend for yielding. I was a little surprised when I heard the distinguished Senator from Pennsylvania use 2 colorful expressions. I heard him speak of the opponents of his position on the current Dirksen proposal as associating the Supreme Court with the Devil. If I misunderstood him, he can correct me.

Mr. CLARK. I should like to correct the Senator from Florida to this extent: I was using the phrase, obviously, in lighter vein. If the Senator was of the view that it was intended seriously, I should like to make it clear for the RECORD that I was really "ribbing" the proponents of the Dirksen amendment. Perhaps I went a little too far.

Mr. HOLLAND. I thank the Senator for his gracious apology. That is all right.

However, the case is not so simple as that. We who prefer to side with Mr.

Justice Harlan and his very fine opinion, in which he chastised his brethren on the Supreme Court for trying to put themselves in the position of overlordship over the States—I believe that is the word he used—and to agree with Mr. Justice Frankfurter—retired now, of course—Mr. Justice Brandeis, and others whom I could mention, need not be charged with taking a position which is not supported by the most dignified and most capable legal authorities.

A real question exists. I merely wanted to invite the Senator's attention to it. I observe that my good friend from Wisconsin [Mr. PROXMIRE] is still in the Chamber. In the opinion of the Senator from Florida, the authority whom the Senator from Wisconsin quoted, the present distinguished Attorney General, Mr. Kennedy, is not to be compared in his capacity, in his legal ability, in his experience, in his legal qualities, from any standpoint, with Mr. Justice Harlan, Mr. Justice Frankfurter, Mr. Justice Brandeis, Mr. Justice Cardozo, and others who have taken a position completely opposite to that which is now taken by young Mr. Kennedy.

A Senator who leans upon that authority for his position is leaning upon the authority of a lawyer who, as I recall, argued one case before one court, and that was after he became Attorney General. As I recall, his first case before a court was before the Supreme Court of the United States. He went into it in a kind of family party, and I am sure that all enjoyed it with him, when he appeared against one of the Southern States in a very popular cause in the Nation generally—that is, the cause that he opposed was unpopular—and to this day I believe that is the only case that the learned Attorney General has ever argued before any court at any time.

So to compare an authority of that type with Mr. Justice Harlan and the others whom I have named, who were diametrically opposed in their opinion to the judgment of the majority of their brethren on the Supreme Court at this time, is to lean upon a weak reed, if I may say so to the distinguished Senator from Wisconsin.

Mr. CLARK. Mr. President, the Senator from Florida may recall that I have the floor.

Mr. HOLLAND. I thank my friend for yielding.

Mr. CLARK. I shall be happy to yield to the Senator from Florida in a moment. Perhaps the Senator from Wisconsin and I might combine our replies to the Senator from Florida. I should like to defend the Supreme Court of the United States and let the Senator from Wisconsin defend the Attorney General of the United States, although the Attorney General needs no defense from either of us.

I shall merely point out a couple of inaccuracies in what the Senator from Florida said. He has a tendency to paint with a rather broad brush.

The basic fact is that the decision in Reynolds against Sims, handed down on June 15 of this year, and which has aroused most of the controversy, was a decision of 8 to 1. Every single Justice on the Supreme Court except Justice Harlan concurred in the result.

Many times throughout history as small a minority as one out of nine has proved, in the great, broad sweep of history, to be correct, and the majority has proved to be incorrect. I have warm personal affection as well as high regard for the legal abilities of Mr. Justice Harlan. I have read with some interest his dissenting opinion. To my mind, every point in it was conclusively answered in the majority opinion written by Chief Justice Warren, an opinion which was concurred in by every other Justice on the Supreme Court. In my opinion, Justice Warren's opinion is one of the most closely reasoned, irrefutable, and logical arguments in support of the theory of one person, one vote, and no more than one vote, in connection with representation, that has ever been put on paper.

Justice Harlan's dissent is an able, legalistic, realtively obsolete opinion, dealing with a conception of the Constitution which is quite rigid and quite inflexible. It states a view as to the 14th amendment. I know that some of the colleagues of the Senator from Florida, and even the Senator from Florida himself, believe that it was illegally adopted. Nevertheless, it has been the law of the land for almost 100 years. To me, Justice Harlan's dissent is not at all persuasive. I recognize the right of the Senator from Florida to disagree. I see him on his feet. In just a moment, I shall yield to him again.

I should like to complete my thought. It is true that former Justice Felix Frankfurter filed a dissent in the earlier case of Baker against Clark, which was decided shortly before he resigned from the Supreme Court, full of years and, to my way of thinking, full of glory. He came on the Court as a flaming liberal, but left it as an ultraconservative. That was his right. He was a wonderful judge and a great law professor. Justice Frankfurter took no part in the decision of Reynolds against Sims, which is now the subject of the Dirksen amendment, and which the amendment seeks to reverse.

As to some of the other judges whom the Senator from Florida undertook to identify, Justice Brandeis took no part in the case of Baker against Carr. He has been off the Court for years. He probably sat in the Green case, which in effect was reversed by Baker against Carr at a later date.

Justice Cardozo was one of the Court's great Justices, but he took no part in these decisions.

So while everything the Senator from Florida said was, in a broad sense, correct, he did not attempt to pin down the fact that the decision which the Senator from Wisconsin and I are defending was an 8-to-1 decision. The one dissenter based his dissent, to my way of thinking, strictly on technical grounds.

Let me say to the Senator from Florida that if he wishes me to yield to him, I shall be happy to do so; but I should like the Senator from Wisconsin at some point to rise in defense of that great Attorney General, Robert Kennedy.

Mr. PROXMIRE. I rise now for that purpose.

Mr. HOLLAND. If the Senator will permit me, before he begins, let me say that I appreciate the admission by the Senator from Pennsylvania that Justice Harlan took a strong position against the other eight. The point I make is that those of us who choose the logic and wisdom of Justice Harlan are clearly entitled to the good faith which he displayed in his opinion. He did not refer to his eight brethren as "devils," or to the majority of the Court as such. It was a good faith difference of opinion.

Insofar as Justice Frankfurter is concerned, let me add to what the distinguished Senator from Pennsylvania said, that he not only grew older in years but also wiser in judgment as he became older, and that his opinion in the case to which he referred is one of the landmarks on this particular matter.

Mr. CLARK. This must, of course, be a matter of opinion.

Mr. HOLLAND. Exactly. Since it is an opinion, no bricks should be thrown. So far as the Senator from Florida is concerned, he is not going to throw any bricks at anyone, but he will say that those who maintain the position which he maintains, that the decision is both unfortunate, unwise and not in accordance with the Constitution, have respectable reasons for saying so, and that our position cannot be challenged except upon the question as to who is right and who is wrong. That is the only basis upon which we can discuss it.

Mr. CLARK. I quite agree.

I now yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, the Senator from Pennsylvania has said that the Attorney General of the United States needs no defense from me or from the Senator from Pennsylvania. Attorney General Kennedy is a man who, again and again, has demonstrated rare courage in all kinds of ways and has used excellent judgment. He is a man who, as Attorney General, does not have to spend years in court. This applies to all U.S. Attorneys General. He is primarily an administrator. Mr. Kennedy is a fine administrator. But as an administrator he must select able lawyers to advise him. He has done so. He has done that on the basis of advice of the ablest lawyers in government, and he has come to this conclusion on the relation of Congress and the Supreme Court. I believe that he has the kind of judgment of men and of issues which would suggest that this conclusion should be given great weight.

Let me say to the Senator from Florida that when he says the eminent Justices to whom he refers have completely disagreed with what the Attorney General has said, I disagree completely with him, because what the Attorney General has said is that Congress in this case should not interfere with the Supreme Court. I believe that Justice Harlan would say the same thing.

The Senator from Florida said that he chooses the logic and the wisdom of Justice Harlan. Justice Harlan had never indicated that if Congress disagreed with the decision of the Supreme

Court, Congress should feel free to pass legislation nullifying it. It seems to me that Justice Harlan, being the kind of scholar he is, would recognize that at times he is in the minority, as many able judges have been throughout history, and that he would seek the opportunity to reverse the decision of the Supreme Court, but to do it through the judicial process. This is the procedure the Attorney General defends. The Attorney General and the nine Supreme Court Justices are all in agreement on this issue.

Mr. HOLLAND. The two Senators who have just spoken are not in accord with me. They may be right and I may be wrong. The Senator from Florida has a very strong conviction that he is right in this matter. He agrees with his friend the Senator from Wisconsin, that Justice Harlan would never suggest what the legislative branch should do, that he has too fine a sense of proportion. He is too great a believer in preserving the principles of government. But I wish to say, before I am called from the floor—and I do have to leave—that a good portion of the time the Senator from Florida has spent since he has been in the Senate has been spent in correcting things that the Supreme Court has done. He fought the Tidelands case for years to overcome what he thought was an improper decision. It was not strictly a constitutional matter, but it was a matter in which we finally prevailed on the floor of the Senate. The Court, with an exception or two, followed us. The Senator from Florida did the same thing in connection with the railroad rates case, and in connection with the insurance case, with which I am sure my friend the Senator from Wisconsin is familiar. So when the time comes when the elected representatives of the people are said not to have any right to stand up for what they believe is sound under our system of government, on a constitutional question, that will be a poor time for our country.

The Senator from Florida feels that those who are taking the position which he takes are just as much entitled to be respectfully heard, and to have their good motives recognized, as are Senators who are on the other side of the fight, and not in any sense to be downgraded as to their reasons for being in the fight.

Mr. PROXMIRE. The Senator is absolutely correct. I do not know of anyone who has questioned the motives of the Senator from Florida, or other Senators who disagree with us. Indeed, other Senators may well be in the majority. I believe that most of them are confident that they are.

Mr. HOLLAND. I would hope that that is the case.

Mr. PROXMIRE. The whole reason for the existence of the Senate is so that Senators may voice their opinions and speak their minds. But the argument I am making is that if the Dirksen amendment is to stay the Supreme Court from protecting for a year or more the right which they regard as constitutional and fundamental—I say that not Justice Frankfurter, not Justice Harlan, not Justice Brandeis—no Justices of the Supreme Court could be summoned to support that kind of legislative position.

The Senator from Florida is entitled to completely disagree with the Supreme Court Justices, but I say that his agreement with Justice Harlan as supporting the Dirksen amendment does not make any sense to me, because the worst part of the amendment is that it would tell the Supreme Court what it could and could not do in protecting basic American rights.

Mr. HOLLAND. It is time for the people to be heard. When we reach the point where we cannot ask for time for the people to be heard, this country will be in a sorry state. I have seen the Senator from Wisconsin argue for causes which were lost before he even started arguing for them, so I know he subscribes to the principle that we must stand up for what we believe in, to the best of our ability, and defend what we believe in.

I believe with all my heart that our Constitution does not mean what the Supreme Court decision by a majority of the Court says it means. I believe that if it did, the 14th amendment would never have been adopted, because each of the States outside the South adopted it and had bicameral legislatures in which different standards of elections were prescribed. How can it be said with any reasonable degree of accuracy that those States would have approved the 14th amendment if they had known that the people voting for ratification in many instances were voting themselves out of office, voting out of existence the very basis upon which the legislatures were founded. So the question, after all, is one which I believe the Senate and the House can decide. Both sides are entitled to recognition as having the best motives.

A while ago the Senator from Pennsylvania used a term which I believe he was not using seriously, because I believe that he knows that no Member of the Senate regards the Supreme Court as a group of devils. The Senator from Florida does not. He has appeared before the Supreme Court. He has argued before the Court. He goes over there from the Senate to sponsor friends who wish to be admitted to practice before the Supreme Court, and he does it with a great sense of respect for the Supreme Court and, of course, for the dignity that prevails there—and he has always had that feeling. But he does not agree in advance with the Supreme Court on everything that it does. He has not done so in this instance.

I am sorry, but I must leave now to join a conference in my office. I hope that my two distinguished friends will excuse me.

Mr. CLARK. The Senator has made a good speech. God bless the Senator from Florida.

(At this point Mr. SALINGER took the chair as Presiding Officer.)

Mr. PROXMIRE. The Senator from Florida is very eloquent in many ways, and I say this in all sincerity. I do not question his integrity for one moment. I should like to say that we must not get away from the fact that the heart, the core, the central objection to the Dirksen amendment is what it would do to suspend the rights of the Supreme Court to protect a constitutional right. No matter what the oratory may be, this is the core and the heart of our objection.

The Senator cannot get away from that. I am sure he must know that he cannot properly call on any Supreme Court Justice who has ever served to support the position that Congress should move in on the Supreme Court, as is proposed in this amendment.

Mr. HOLLAND. I understand that one former member of the Supreme Court, recently retired, is voicing that kind of sentiment all over the Midwest at this time.

I am very grateful to the distinguished Senators. I believe we understand each other completely. I recognize that they have great integrity and ability in this matter. And I hope they will recognize that the opponents have the same qualities.

Mr. PROXMIRE. We certainly do. I yield to the Senator from Michigan.

Mr. McNAMARA. Mr. President, I congratulate the Senator for making it very plain and clear for the record that neither the Attorney General of the United States nor any of his staff approved of the Dirksen amendment.

The record might possibly reflect the impression that the Senator is bringing the Attorney General into this matter. I believe the RECORD should show—and I am sure the Senator from Pennsylvania [Mr. CLARK] agrees—that the Attorney General and his staff were brought into this controversy by the proponents of the Dirksen amendment. They tried to create the impression that the amendment was approved by very important people on the staff of the Attorney General. We did not bring the Attorney General into this matter. He was brought in by the opposition.

I congratulate the Senator from Pennsylvania for bringing that point up at this time and stating the position of the Attorney General.

Mr. CLARK. Mr. President, I thank the Senator from Michigan very much. I would like to copper finish that statement, if I might. Before the Senator entered the Chamber, I pointed out that yesterday the Attorney General, before the Democratic platform committee, brought himself into the controversy when, in response to a question, he stated categorically in the words of Anthony Lewis, of the New York Times. "We are very strongly against any steps that might be taken against the Supreme Court."

Robert Kennedy, the Attorney General, said that. I heard him say it. He pointed out that Mr. Katzenbach and Mr. Cox, very able lawyers, were brought into the effort to modify the original Dirksen amendment in a way that, in their judgment, might make it constitutional. But they expressed no views of the Dirksen amendment whatever.

Now that the Attorney General has stated his wholehearted opposition to the Dirksen amendment, one must assume that Messrs. Cox and Katzenbach concur in the view of their chief.

Mr. President, before I return to the historical aspects of this rotten borough amendment, and continue my analogy between the history of the first reform bill in England in the 1830's and this effort to overturn fair representation, 132 or 133 years later, I should like to note for the Record that I have—and these figures are perhaps 2 days old at the present time—received 92 communications with respect to the public position I have taken on the Dirksen amendment. Eighty-eight of these confirm the position I have taken in opposition to the amendment. Four of them object to my stand and support the Dirksen amendment.

These communications come from pretty highly regarded sources in the United States. I shall not read them all. But I would like to call attention to them.

I ask unanimous consent that these telegrams and letters may be printed in full at this point in the Record.

There being no objection, the telegrams and letters were ordered to be printed in the Record, as follows:

Philadelphia, Pa.,
August 17, 1964.

Hon. Joseph S. Clark,
Old Senate Office Building,
Washington, D.C.:

I am sending the following telegram to President Johnson:

"Senator Dirksen's proposed amendment will delay our program for adequate legislative reapportionment in Pennsylvania considerably.

"The Supreme Court's action was the one hope for the 70 percent of Americans who now live in our urban centers.

"We in Pennsylvania, and in Philadelphia particularly, are vitally affected by the failure of the Republican legislature to apportion legislative districts equitably.

"We do hope that the administration will be helpful to our big cities in America so that we will ultimately get adequate representation.

"The Republican Governor of Pennsylvania has failed not only to give us fair representation, but only recently gerrymandered many legislative districts in Philadelphia to our disadvantage. If Senator Dirksen's amendment is approved, our legislative program for Philadelphia will be jeopardized for another generation."

I am further advised that Mayor Tucker, of St. Louis, and other officials of the U.S. conference of mayors are also opposed to Senator Dirksen's amendment.

James H. J. Tate,
Mayor, City of Philadelphia.

Washington, D.C.,
August 13, 1964.

Hon. Joseph S. Clark,
Senate Office Building,
Washington, D.C.:

Pending proposal to stay court orders affecting reapportionment of State legislatures is derogatory of U.S. Constitution which provides for separation of powers between branches of Federal Government. It is unthinkable that the Congress should deem a suspension of constitutional rights to be in the public interest, as this amendment specifically states. The Senate is considering this revolutionary proposal without any hearings whatsoever. The most elementary considerations of due process require that interested citizens be granted an opportunity to present their views to the appropriate committee. AFL–CIO executive council is unanimously on record opposing any legislative interference with the judicial branch. Therefore I strongly urge you to vote against any such proposal and to exert every effort to assure adequate hearings on this highly important question.

Andrew J. Biemiller,
Director, Department of Legislation, AFL–CIO.

Washington, D.C.,
August 13, 1964.

Hon. Joseph S. Clark,
Senate Office Building,
Washington, D.C.:

We urge you to vote against new compromise proposal for holding up reapportionment of State legislatures. Produced without hearing in secret conferences unrepresentative of any broad range of Senate views, it still amounts to congressional interference with judicial process. The whole matter deserves a great deal more consideration than it can be given this late in the session. We urge you not to be stampeded into acting hastily.

Walter P. Reuther,
President, Industrial Union Department, AFL–CIO.

Washington, D.C.,
August 14, 1964.

Senator Joseph S. Clark,
Senate Office Building,
Washington, D.C.:

I strongly urge your opposition to the amendment, now being considered by the Senate, providing for a stay of proceedings for reapportionment of State legislatures. Such an amendment raises serious long-range constitutional questions which demand a careful and judicious hearing by an appropriate Senate committee—not the hasty action now underway. I hope you will exert every effort to defeat this proposal.

Jacob S. Potofsky,
General President, Amalgamated Clothing Workers of America, AFL–CIO.

Altoona, Pa.,
August 17, 1694.

Senator Joseph Clark,
Senate Office Building,
Washington, D.C.:

We urge you to oppose any legislation interfering with the judiciary and urge that adequate hearing of any reapportionment legislation be held before floor action is taken.

A. L. Rhodes,
President, Local 180, UWUA, AFL–CIO.

Pittsburgh, Pa.,
August 14, 1964.

Hon. Joseph S. Clark,
Senate Office Building,
Washington, D.C.:

On behalf of the membership of District No. 16, United Steel Workers of America, I urge you to vigorously oppose any legislation aimed at reversing the Supreme Court decision regarding reapportionment of State senate and legislatures. Would appreciate your comments.

Paul R. Normile,
Director, District No. 16, United Steel Workers of America.

Clearfield, Pa.,
August 14, 1964.

Senator Joseph S. Clark,
Senate Office Building,
Washington, D.C.:

We urge you to oppose any legislation interfering with judiciary, also that adequate hearing of any reapportionment legislation be held before floor action is taken.

Anthony J. Spagnolo,
Secretary, Local No. 75.

Clearfield, Pa.,
August 14, 1964.

Hon. Joseph S. Clark,
Senate Office Building,
Washington, D.C.:

Regarding pending reapportionment legislation, we urge you to oppose any legislation interfering with judiciary, also that adequate hearings of all legislation be held before action is taken.

Corinne C. Anderson,
ACWA, Local 118, Curwensville, Pa.

Canton, Pa.,
August 15, 1964.

Senator Joseph Clark,
Senate Office Building,
Washington, D.C.:

Urge you oppose by every means Dirksen amendment hoax.

Henry N. Hallett.

Uniontown, Pa.,
August 15, 1964.

Senator Joseph S. Clark,
Senate Office Building,
Washington, D.C.:

Members Uniontown Typographical Union No. 262 strongly urge opposition to legislation interfering with judiciary. Urge adequate hearings be held on any reapportionment legislation.

Norman C. Hall,
President.

Altoona, Pa.,
August 15, 1964.

Senator Joseph Clark,
Washington, D.C.:

Our central body considers the attempt to negate the Supreme Court ruling on reapportionment as being un-American, undemocratic and in a sense dishonest. Such unfair tactics breed resentment and we look to you to prevent this abuse.

George G. Russell,
Chairman, Legislative Committee Central Labor Council.

Philadelphia, Pa.,
August 14, 1964.

Hon. Joseph S. Clark,
Washington, D.C.:

More than 25,000 members of the AFL–CIO in Philadelphia urge that you oppose the Dirksen amendment postponing proper reapportionment in conformity with the U.S. Constitution, no action by Congress should infringe upon citizens right guaranteed under the State or Federal Constitution.

Philadelphia Council, AFL–CIO,
Joseph T. Kelley,
Secretary-Treasurer.

Oklahoma City, Okla.,
August 15, 1964.

Senator Joseph Clark,
Senate Office Building,
Washington, D.C.:

You have our support, defeat the "rotten borough" amendment.

Mr. and Mrs. Wallace Friedberg.
Bethany, Okla.

Miami, Fla.,
August 14, 1964.

Senator Joseph Clark,
Senate Office Building,
Washington, D.C.:

Thanks for filibustering against malapportionment rider to foreign aid bill. If you delay passage until convention believe grassroots opposition to rider can be mustered. Please do not give up. If your fight fails, hopes of millions of disenfranchised citizens are killed. Don't let us down.

Aubrey V. Kendall,
President, Young Democratic Club of Dade County.

LEBANON, PA.,
August 16, 1964.

Senator JOSEPH CLARK,
Washington, D.C.:

I hereby request that you uphold Federal court decision on reapportionment of State legislature.

HENRY L. GENSLER,
Secretary-Treasurer of United Labor Council of Lebanon County.

YORK, PA.,
August 14, 1964.

Senator JOSEPH S. CLARK,
Senate Office Building,
Washington, D.C.:

Our council urges you to oppose any legislation interfering with judiciary, and insisting that adequate hearings of any reapportionment legislation be held before floor action is taken. Your cooperation will be greatly appreciated.

Yours truly,

EUGENE H. GROVE,
Secretary, York Building and Construction Trades Council, AFL–CIO.

AMBRIDGE, PA.,
August 14, 1964.

Senator JOSEPH CLARK,
Senate Office Building,
Washington, D.C.:

Preservation of principle of proportionate representation in election process essential. Your every resistence to legislative efforts to revamp recent Court decision upholding this principle will be appreciated.

KAY KLUZ,
Director, District No. 20, Unted Steel Workers of America.

LANCASTER, PA.,
August 17, 1964.

Hon. JOSEPH CLARK,
Senate Office Building,
Washington, D.C.:

Request your support of the Supreme Court reapportionment of State legislatures and urge you to oppose any legislation interferring with the judiciary and urge adequate hearings of any reapportionment legislation be held before floor action is taken.

WILLIAM MYERS,
President, Lancaster Labor Council.

MEADVILLE, PA.,
August 17, 1964.

Hon. JOSEPH S. CLARK,
Senate Office Building,
Washington, D.C.:

Crawford County Labor Union Council urges you to oppose any effort to suspend Federal court orders on reapportionment of State legislatures until after adequate hearings have been held.

WALTER B. ANDRE,
Secretary.

BRISTOL, PA.,
August 17, 1964.

Senator JOSEPH CLARK,
Senate Office Building,
Washington, D.C.:

Bucks County Council, AFL–CIO, is urging that you oppose any legislation interfering with the judiciary and urging that adequate hearings of any reapportionment legislation be held before floor action is taken.

FRANK FLATCH,
President.

PITTSBURGH, PA.,
August 14, 1964.

Hon. JOSEPH S. CLARK, Jr.,
Senate Office Building,
Washington, D.C.:

We oppose any action to interfere with judicial court orders requiring reapportionment of State legislatures. Ask that you use your influence and knowledge to require that adequate hearings be held on reapportionment legislation before floor action is taken. We support the judicial action on this matter and oppose legislative action to suspend court orders on reapportionment.

Your support requested and appreciated.

WM. J. HART,
President, Allegheny County Labor Council.

JAMES PUGLIN,
Executive Secretary.

UNIONTOWN, PA.,
August 15, 1964.

Senator JOSEPH CLARK,
Senate Office Building,
Washington, D.C.:

Members of Carpenter Local No. 1010 request your opposition to any legislation interfering with judiciary. Strongly urge adequate hearing on any reapportionment legislation.

RAY E. GLOVER,
President, Carpenters Local No. 1010.

CAMBRIDGE, MASS.,
August 16, 1964.

Senator JOSEPH S. CLARK,
U.S. Senate,
Washington, D.C.:

We want to indicate our support of your efforts to defeat the Dirksen amendment to the foreign aid bill which seeks to delay reapportionment of State legislatures.

CHARLES L. ODOROFF.
SETTA ODOROFF.

ALLISON PARK, PA.,
August 16, 1964.

Hon. JOSEPH CLARK,
Senate Office Building,
Washington, D.C.:

Am against attachment court rider to foreign aid bill. Issue should stand on own merits.

R. C. BLACKMOND.

POTTSVILLE, PA.,
August 16, 1964.

Hon. JOSEPH CLARK,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Please do not suspend hearings on reapportionment of State legislature. Please oppose the above and bring to the floor for a vote thereby going along with the decision of the Federal court as this will be in the publics interest and distribute reapportionment fairly. Please confirm your position on the above and please vote yes for reapportionment in our State.

Sincerely and fraternally yours,

VINCE ZIMMERS,
Union Delegate, Local Union 517.

CRESSONA, PA.,
August 16, 1964.

Hon. JOSEPH CLARK,
U.S. Senate,
Washington, D.C.

SIR: Please do not suspend hearings on reapportionment of State legislature. Please oppose the above and bring to the floor for a vote, therefore, going along with the winning of the Federal court's decision on the above, as this will be in the public interest and will distribute representation fairly. Please confirm your position on reapportionment, this council asks your vote favorably on the above.

CLARENCE DUSTY KRAUSE,
President, Schuylkill County Building & Construction & Trades Council.

UNIONTOWN, PA.,
August 15, 1964.

Senator JOSEPH S. CLARK,
Senate Office Building,
Washington, D.C.:

Members of Local 131, ACWA, strongly urge opposition to legislation interfering with judiciary, urge adequate hearing of reapportionment legislation be held.

MARIE GEORGIANA,
President.

DONORA, PA.,
August 14, 1964.

Hon. JOSEPH CLARK,
Senate Office Building,
Washington, D.C.:

United Steel Workers legislative committee of Washington County strongly urges that you oppose any legislation which pertains to reversal of the U.S. Supreme Court's decision regarding the reapportionment of the State senate and State legislatures.

A. P. DELSANDRO,
Legislative Representative.

HARRISBURG, PA.,
August 14, 1964.

Hon. JOSEPH S. CLARK,
Senate Office Building,
Washington, D.C.:

We respectfully urge that you oppose any effort to suspend any Federal court orders requiring reapportionment of State legislatures and that you further oppose any legislation limiting or interfering with the judiciary. We will also appreciate your demanding that adequate hearings on any reapportionment legislation be held before same is referred to floor action. Your confirmation and acknowledgment will be deeply appreciated.

HARRY BOYER,
President.

MICHAEL JOHNSON,
Executive Vice President.

WILKES-BARRE, PA.,
August 14, 1964.

Senator JOSEPH CLARK,
Washington, D.C.:

Urging you oppose any legislation interfering with judiciary and urging that adequate hearings of any reapportionment legislation be held before floor action is taken.

HENRY DEPOLO.

UNCASVILLE, CONN.,
August 15, 1964.

Senator JOSEPH S. CLARK, Jr.,
U.S. Senate,
Washington, D.C.:

Please help defeat Dirksen and all similar delaying proposals. Thanks.

ROBERT H. BARNES.

CRESSONA, PA.,
August 16, 1964.

Senator JOSEPH CLARK,
U.S. Senate,
Washington, D.C.

SIR: Please do not suspend hearings on reapportionment of State legislature. Please oppose the above and bring to the floor for a vote, therefore going along with the winning of the Federal court's decision on the above, as this will be in the public's interest and will distribute representation fairly. Please confirm your position on reapportionment. This council asks your vote favorably on the above.

CLARENCE DUSTY KRAUSE,
Recording Secretary of United Labor Council of Schuylkill County.

TALLAHASSEE, FLA,
August 14, 1964.

U.S. Senator JOSEPH CLARK,
Senate Office Building,
Washington, D.C.:

Our deep appreciation to you and colleagues for maintaining ceaseless opposition to Dirksen efforts to delay or thwart long overdue legislative reapportionment. Southern Democrats supporting Dirksen rider are precisely same ones already surreptitiously working for general election defeat of President Johnson. He could carry most, if not all of South if supported by southern Democratic Senators for whom the party has made possible rich political and personal rewards.

Jim and Ann Ethridge.

Wilkes-Barre, Pa.,
August 14, 1964.

Senator Joseph Clark,
Washington, D.C.:

Urging you oppose any legislation interfering with judiciary and urging that adequate hearings of any reapportionment legislation be held before floor action is taken.

Harold Coslett.

Wilkes-Barre, Pa.,
August 14, 1964.

Senator Joseph Clark,
Washington, D.C.:

Urging you oppose any legislation interfering with judiciary and urging that adequate hearings of any reapportionment legislation be held before floor action is taken.

Edward McHugh,
Business Agent, Ironworkers Local No. 489.

Philadelphia, Pa.,
August 14, 1964.

Senator Joseph Clark,
Senate Office Building,
Washington, D.C.:

I respectfully request you to oppose any legislation that would further delay the apportionment of State legislatures as ruled by the Supreme Court.

Hugh Carcella,
Director, District No. 7, United Steelworkers of America.

Seattle, Wash.,
August 14, 1964.

Senator Joseph S. Clark,
Senate Office Building,
Washington, D.C.:

Please keep fighting Dirksen's redistricting amendment. How can we forestall this threat to democratic government?

Ann Widditsch.

August 14, 1964.

Joseph S. Clark,
Senate Office Building,
Washington, D.C.:

More than 50,000 members of the IUE, AFL–CIO, in Pennsylvania urge that you oppose the Dirksen amendment postponing proper reapportionment in conformity with the U.S. Constitution. No action by Congress should infringe upon citizens' rights guaranteed under the State or Federal Constitution.

Harry Block,
President, District Council No. 1, IUE, AFL–CIO.

Wilkes-Barre, Pa.,
August 14, 1964.

Senator Joseph Clark,
Washington, D.C.:

Urging you oppose any legislation interfering with judiciary and urging that adequate hearings of any reapportionment legislation be held before floor action is taken.

Wyoming Valley Trades Council.

Pittsburgh, Pa.,
August 8, 1964.

Hon. Joseph Clark,
Senator from Pennsylvania,
Washington, D.C.

Dear Senator Clark: Once again the Supreme Court has come to the rescue of our liberties, this time by decreeing that representation in State legislatures shall be based on the principle of "one citizen, one vote," and by ordering that legislative districts be made to contain as nearly as possible equal numbers of voters. And once again forces of reaction are attempting to reverse the Court's decision. Special interest groups that have for too long held power through inequitably apportioned State legislatures are trying to maintain that power by legislation and constitutional amendment. We urge you to oppose all such attempts.

In particular we ask that you vote against Senator Dirksen's bill to postpone the reapportionments ordered by the Court, and against any constitutional amendment to permit districting either house of a State legislature on any basis other than population.

Yours truly,

Barbro Helstrom.
Carl W. Helstrom.

State College, Pa.,
August 13, 1964.

Senator Joseph Clark,
Senate Office Building,
Washington, D.C.:

I approve of your stand on reapportionment.

Helen Striedieck,
Faculty Wife and Secretary.

State College, Pa.,
August 14, 1964.

Senator Joseph Clark,
U.S. Senate,
Washington, D.C.:

I heartly approve of your efforts for equality in the redistricting controversy.

R. T. Duquet.

Rockville, Md.,
August 13, 1964.

Hon. Joseph S. Clark,
Washington, D.C.:

Just heard you on CBS re Dirksen amendment and debate. More power to you.

Alice Hostetler.

Philadelphia, Pa.,
August 14, 1946.

Hon. Joseph S. Clark,
Washington, D.C.:

Compromise of Dirksen plan to delay reapportionment of State legislatures is not acceptable. Please do all possible to insure both early reapportionment and passage of foreign aid bill.

Norval Reece,
Executive Director, Americans for Democratic Action, Southeastern Pennsylvania Chapter.

American Association of
University Women,
Washington, D.C., August 7, 1964.

Hon. Joseph S. Clark, Jr.,
U.S. Senate,
Washington, D.C.

Dear Senator Clark: We have read in the press of Senator Dirksen's intent to add a rider to the Foreign Assistance Act authorization bill, S. 2658. We believe such a rider would be likely to influence votes on the foreign assistance bill to its detriment. The American Association of Univeristy Women has this year, as in the past, supported this legislation as a vital instrument of U.S. foreign policy in carrying on economic and social assistance programs to promote conditions favorable to democracy, security and peace throughout the world.

We urge Senate approval of the authorization recommended by the Foreign Relations Committee and appropriation of the full amount authorized. In our opinion this "bare bones" request for next year's program should not suffer further reduction.

We oppose the Dirksen rider for several reasons: first, that it could harm the AID legislation; second, that the rider on reapportionment is not germane to S. 2658. We also firmly believe that such a serious matter as representation and reapportionment, so long overdue in many States, should be discussed on its own merits rather than as a rider to an unrelated and important piece of legislation.

In addition to our opposition to the addition of Dirksen's rider we also wish to express our sincere hope that any further amendments to S. 2658 which would complicate the implementation of the AID program can be avoided.

Respectfully,

Dr. Alona E. Evans,
Area Representative, World Problems.
Mrs. George C. Hahn,
Chairman, Legislative Program Committee.

Mr. CLARK. The first telegram is from Mayor James H. J. Tate, of Philadelphia, in which he states:

> Senator Dirksen's proposed amendment will delay our program for adequate legislative reapportionment in Pennsylvania considerably. The Supreme Court's action was the one hope for the 70 percent of Americans who now live in our urban centers. We, in Pennsylvania, and in Philadelphia, particularly, are vitally affected by the failure of the Republic legislature to apportion legislative districts equitably.

Mayor Tate advises me that his position is shared by Mayor Tucker, of St. Louis, and other officials of the U.S. Conference of Mayors, who are also opposed to Senator Dirksen's amendment. He urges me to continue my opposition to the amendment.

The next telegram, which I shall not read, takes the same position. It is from Mr. Andrew J. Biemiller, director of the Department of Legislation of the AFL–CIO.

Next is a telegram from Walter P. Reuther, urging me to vote against the new compromise proposal for holding up reapportionment. I have a similar telegram from Jacob S. Potofsky, general president of the Amalgamated Clothing Workers of America, AFL–CIO.

I have a telegram from the Philadelphia Council of the AFL–CIO, signed by Joseph P. Kelly, secretary-treasurer of the Philadelphia Council, AFL–CIO.

I have a similar telegram from William J. Hart, president of the Allegheny County Labor Council. There is a telegram from Harry Boyer and Michael Johnson, executive vice president of the Pennsylvania State AFL–CIO.

There is a well-worded letter from the area representative and the chairman of the Legislative Program Committee of the American Association of University Women, from their Washington headquarters, representing the national organization.

I believe that as the gravamen of this debate is made manifest through the country, we shall find the American people expressing to their Representatives in Congress, in no uncertain terms, their distaste of and opposition to the rotten borough amendment.

Mr. President, I now return to the scene of the 1830's and the analogy between the controversy over the first reform bill in the House of Commons and the efforts at that time to give England a fair and equitable legislative representation in the House of Commons, and the efforts of those who support the Dirksen amendment to turn back the clock in our country and deny to the people of the States that equitable representation in their own State legislatures which the Supreme Court of the United States has held they are entitled to as a matter of constitutional right.

In my comments on this subject, which appeared at pages 20000–20003 of the Congressional Record for Tuesday, August 18, I had reached the point where the general election in England of August 1831, had brought in a Whig majority in the House of Commons which installed Lord Grey as the new Prime Minister and turned out the Duke of Wellington, who had been a Tory Prime Minister in the preceding Cabinet.

Lord Grey, who served in the House of Lords, introduced the first reform bill, which abolished a large number of rotten boroughs—and I described in my earlier remarks what a rotten borough was—and distributed their seats in the House of Commons among the British cities which had hitherto been unrepresented in Parliament, and enfranchised about one-half of the British middle class. Since Prime Minister Grey was in the House of Lords, Lord John Russell managed the first reform bill in the House of Commons.

The bill created a real controversy in the England of its day, a controversy not unlike, and probably a good deal more severe than the controversy which arose in this country as a result of the decisions in the Supreme Court of the United States starting with Baker against Carr in 1962 and ending for the time being, so far as a comprehensive exposition of the constitutional and equitable points involved are concerned, with Chief Justice Warren's opinion in Reynolds against Simms, decided on June 15.

In those days in the House of Commons a major debate was held on second reading. The debate continued for 3 weeks. When the bill was called for a vote on second reading, it was passed by 1 vote. Under the procedure then in existence in the House of Commons the bill was referred to committee after having passed second reading, a principle which Senators will note we honor in theory in this body today. We give bills two readings before we refer them to a committee, but we do not ordinarily engage in debate until after the committee has reported, although there are exceptions to that practice.

When the bill was defeated in the House of Commons, after having passed second reading, the Grey Cabinet resigned. King William then sat on the throne of England, and at that point the status of the British Crown gave the king a good deal more power than he has today, although substantially less power than George III had at the time of the American Revolution. King William had to make up his mind, for he had the complete right to determine whether to dissolve Parliament and call for new elections or to send for another Member of either House of Commons or the House of Lords and ask him to form a new Cabinet. Lord Grey asked him to dissolve Parliament and call for new elections, which he finally did.

In the ensuing election almost all of what were then called the open constituencies, which were largely English county seats, where the people on the whole got a fair vote, supported Lord Grey and Lord Russell. In fact, they carried 74 out of the 80 English county seats. That gave the reform bill a clear majority in the House of Commons, and the bill was passed.

Then it went over to the House of Lords. I remind Senators that in those days the House of Lords was of at least equal preeminence with the House of Commons, and no bill could become law of which the House of Lords did not approve. It was almost 80 years later that the British constitutional procedure was amended so that any bill which passes the House of Commons three times will become law whether or not the House of Lords approves.

In those days the House of Lords had to approve or there would be no legislation. The House of Lords threw out the bill on second reading.

Then the strong advocates of parliamentary reform urged King William to create enough additional peers to give him the votes to pass the bill in the House of Lords. The closest analogy to that suggestion of which I can think was the effort of President Roosevelt to pack the Supreme Court. One can well imagine what an uproar that suggestion caused in the England of 1832. Lord Grey did not ask King William to appoint those peers, but he brought in a new bill in the House of Commons modified to meet some of the reasonable criticisms which had been advanced during the course of the debate, and also in order to save a few faces and thus get a few more votes for the bill. But the new bill did not weaken as a democratic measure in any significant way the first reform bill. The new bill was promptly passed by the House of Commons, and in April of 1832, it got by the House of Lords on second reading by nine votes.

Things looked pretty good, but the next month the House of Lords attempted to take the bill out of the hands of the minister in charge—that would have been Lord Grey—and to amend it in their own way.

That action resulted in the resignation of Lord Grey and his Cabinet, creating another constitutional crisis.

At that point the King asked the Duke of Wellington, the head of the Tory Party, who opposed reform, to come back and form a Tory Ministry for the purpose of carrying the bill through the House of Lords in the same way that the Duke of Wellington had pushed Catholic emancipation, which he also opposed, through the Parliament 3 years earlier.

Wellington, who was a great patriot and a strong partisan of the monarchy, agreed to undertake that task, which he did not like, but he could not get the leading Tories in the House of Commons to cooperate with him by going into the Cabinet. So he had to tell the King that he could not form a Cabinet That action forced King William to go back to Lord Grey, who said at that point that he would serve again as Prime Minister only if the King gave him a written promise to pack the House of Lords to the extent necessary to get the bill through.

This threat was made known to the existing Lords, who were not very happy at the thought of having mere commoners join them in their aristocratic body, and they caved in. The reform bill became law.

To be sure, the situation today is not nearly as desperate as it was in England in 1832. But the bold tactics of Lord Grey, Sir John Russell, and King William might well provide models of political conduct for liberal leadership in both the House and the Senate, and at least a suggestion for the presidential action which would be necessary in order to assure the success of congressional reform—not that the President could "pack" the Senate, but that he could bring the influence of his office to bear in support of the Supreme Court of the United States and, indeed, in opposition to the Dirksen amendment.

Mr. President, this concludes my discussion of the analogy between the first reform bill in England and the constitutional crisis which confronts us today.

My friend the Senator from Oklahoma [Mr. Monroney], has asked me to yield to him. I ask unanimous consent that I may yield to him without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The Senator from Oklahoma is recognized.

ESTATE OF MARY L. McNAMARA

Mr. MANSFIELD. Mr. President, will the Senator from Oklahoma yield me half a minute?

Mr. MONRONEY. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 919, Senate bill 83.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 83) for the relief of the estate of Mary L. McNamara.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. McGOVERN. Mr. President, the purpose of S. 83, a private bill for the relief of the estate of Mary L. McNamara, is to permit the estate, notwithstanding any statute of limitations, to file a claim for credit or refund for overpayment of income tax for the taxable year ending October 31, 1956. The executor of the estate filed a tax return for the year ending October 31, 1956, disclosing a tax of $5,555.03. More than 3 years after the date of the filing of the return, a claim for a refund in the amount of $2,891.86 was filed. The claim was executed by the First National Bank of the Black Hills, the special administrator of the estate.

It is not disputed that an error was made in the filing of original return; but the claim for a refund was filed after the expiration of the statutory period. The original executor of the estate died 3 days before the expiration of the statutory period; and the special administrator promptly filed a claim for a refund.

This bill would authorize a claim for a refund to be filed at any time within 1 year after the date of its enactment.

Any refund would inure to the benefit of St. John's McNamara Hospital, of Rapid City, S. Dak., the residuary legatee of the Mary McNamara estate.

The bill has been reported favorably by the Committee on the Judiciary, with a recommendation that it pass without amendment.

The Senator from Iowa [Mr. MILLER] has delayed the passage of the bill until he could check on its merits; but he has advised me today that he will not object to it passage.

I feel certain that the Senate will act without further delay on this bill.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 83) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any period of limitations or lapse of time, claim for credit or refund of overpayment of income tax for the taxable year ending October 31, 1956, by the estate of Mary L. McNamara, of Rapid City, South Dakota, may be filed at any time within one year after the date of the enactment of this Act. The provisions of sections 6511(b) and 6514 of the Internal Revenue Code of 1954 shall not apply to the refund or credit of any overpayment of tax for which a claim for credit or refund is filed under the authority of this Act within such one-year period.

SAVERY-POT HOOK, BOSTWICK PARK, AND FRUITLAND MESA RECLAMATION PROJECTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1416, House bill 3672.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 3672) to provide for the construction, operation, and maintenance of the Savery-Pot Hook, Bostwick Park, and Fruitland Mesa participating reclamation projects under the Colorado River Storage Project Act.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment on page 5, after line 15, to insert a new section, as follows:

> SEC. 5. For a period of ten years from the date of enactment of this Act, no water from the projects authorized by this Act shall be delivered to any water user for the production of newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. McGEE. Mr. President, I would like to compliment this body on its action in passing this legislation which will be of real benefit to the States of Wyoming and Colorado. As reclamation projects go, these three are not large, but they will bring an economic stability to the areas in which they are located that will mean great improvements for the area residents.

In the Little Snake River Basin on the Wyoming-Colorado border the farmers and stockmen have been plagued by a constant shortage of late season water. With the passage of this bill and its provision for the construction of two reservoirs there will be water to finish off the crops and to keep the animals until the most advantageous marketing situation.

Mr. President, the direct benefits of projects such as these are obvious but the indirect benefits sometimes go unnoticed. For this project will provide not only much greater stability and economic growth but will raise standards through the entire area. The water provided by this project will not only grow crops it will increase land values and tax receipts on the local level. More tax receipts mean better schools, better roads, and more incentive to people to stay in the area or move into it because of the new advantages it offers.

Speaking for the people of Wyoming I would again express my congratulations for the farsighted action taken here today.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. MONRONEY. Mr. President, I ask unanimous consent that when the Senator from Pennsylvania resumes the speech he was making it not be counted as a second speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, before the Senate talks to death the Dirksen-Mansfield amendment regarding reapportionment of State legislatures, it is time for us to stop, look, and listen. It is high time that the historic relationships between the Federal and State Governments not be destroyed because of haste and misunderstanding.

The far-reaching decision of the U.S. Supreme Court was handed down on June 15 of this year. It was the first definitive decision giving a clear course of what the Court had in mind for apportionment of State legislative bodies.

Since June 15, some of the States have been subjected to decisions by three-judge Federal district courts, directing them to comply with this very recent decision posthaste. These decisions have varied in several States.

Appeals can be taken from these lower court orders, but an appeal without a stay will be meaningless. The right which is at stake is the right of the citizens of the various States to have an opportunity to comply by means of their own choosing with the June 15 U.S. Supreme Court edict.

Without a stay being assured, the experience and previously accepted legality under our Constitution, going back to the States admittance to the Union, is in danger of being swept away. Without a stay, the very considerable efforts that have been made in some States to enact new apportionment laws, and elections that have been held under new laws, will be voided.

In several States, as in Oklahoma, the State legislatures and the State supreme courts had acted to provide reapportionment plans which they believed to be acceptable to the U.S. Supreme Court. There was no precise formula, until June 15, by which they could accurately determine just what was expected of them.

By sweeping decisions, varying in several States, no opportunity for an orderly transition to meet the newly prescribed formula has been given. In many other States with grossly disproportionate population ratios among the various districts, no action at all has been taken or yet ordered by the local Federal courts.

In several others, steps have been underway to try to arrive at what the legislatures or the State supreme courts or State commissions have believed to be a fair apportionment. These, it is true, have varied. It is virtually impossible to determine an exactly equal apportionment for every district without actually assuming the tedious task of drawing lines through every neighborhood.

One accepted unit of government for more than a century in legislative districting has been the county. In many cases, to effect exact mathematical reapportionment, it is necessary to throw two or more counties together or in more populous counties to draw the lines down certain streets or alleys in the cities.

Simple elemental justice requires that redrafting or redesigning of election districts be undertaken cautiously and judiciously. Citizens should not be expected to adapt to new districting by sudden action. Hasty and ill-advised redistricting formulas promulgated by the courts instead of by the people themselves can result in confusion and inequities. Good local self-government cannot be imposed from above. It must be generated by the people themselves.

Even if the results of new apportionment cause drastic revisions of election districts, the fact that it was done by local authority rather than Federal court order makes it far more acceptable to the State involved. The fact that time was given for this consideration to meet the new guidelines also adds to better acceptance and lessens Federal dictation over local affairs.

I cannot agree with my colleagues who interpret this amendment as a means to preserve the "rotten borough" system or to preserve unequal districts to protect individual officeholders. It is nothing of the kind. These county units, whether we like it or not, form a basis for governmental units of local administration of all kinds. Even more, their economic interests and their opportunity to participate in State or even Federal programs are governed substantially by their geographic designation as local governmental entities.

It is traditional in all of our States that the people in the smaller political subdivisions exercise their strength competitively in their State legislatures seeking to insure the progress and prosperity of their separate localities. The formulation by the courts of new local governmental units leads too often to something worse than malapportionment. To mix a large county with a small county in the same legislative district will inevitably eliminate the smaller county from any representation whatever. Because of the larger county's loyalty to its candidates, the larger and more populous counties will dominate their smaller neighbors who are combined with them. It is a sorry state of affairs when a new wrong is committed in a mistaken and ill-conceived attempt to right an old wrong. Where this must be done, local authority leads to better acceptance of this disagreeable task.

Because of the threatened upheaval of what has for scores of years been an accepted right of the States to determine these election districts under State constitutions providing for various types of population and even area formulas, there is great fear and resentment evident throughout most of our States over Federal direction of methods by which better apportionment in election districts will take place.

I think it is fundamental to a continuance of State determination, long considered to be controlling in the composition of these legislative assemblies, to be allowed two fundamental things:

First, and foremost, is time to make adjustment to the new formula so recently pronounced by the U.S. Supreme Court. The order came down after elections in several States were already underway. Time to adjust their elections—including file time, campaigns, and first and second primaries—was not available with the election schedule they had to meet.

Second, the right of the State legislative bodies, their supreme courts or apportionment commissions, to have ample opportunity to apportion within the framework of the June 15 decision of the U.S. Supreme Court. We should block an unwarranted and unnecessary dictation by Federal authority to remove precipitously from State authority another chance to meet the Court's requirements.

The Dirksen-Mansfield compromise would leave the courts free to declare existing districts unconstitutional. But action would then be stayed for a year or so to let the legislature or State apportionment commission act. If it did not act, the compromise would affirm the power of the courts to do the job.

This is not a compromise, as some have argued, to strip the Supreme Court of its power over apportionment. It is an effort to prevent a chaotic condition on elections already underway and to give the local authorities an opportunity to meet the new guidelines laid down by the U.S. Supreme Court so very recently.

The relationship between the Federal and State governments already has been strained. Any unnecessary jamming of the gears of our State election processes can be avoided by the extra year or so provided in the compromise amendment.

No State in the Union has a legislative reapportionment crisis more immediate, more perplexing, or more severe than the situation which now confronts the citizens of Oklahoma.

On Friday, August 7—just 13 days ago—a three-judge Federal court in Oklahoma City vacated the primary and runoff primary elections for State legislative nominations. These elections were held on May 5 and on May 26 of this year. These elections were held before the U.S. Supreme Court issued its definitive one-man, one-vote order of June 15.

The lower court order vacating our Oklahoma primaries was issued in spite of the High Tribunal's opinion of June 15, which cautioned and admonished the lower courts against disruption of the election process in these words:

> In awarding or withholding immediate relief, a court is entitled to and should consider the proximity of a forthcoming election and the mechanics and complexities of State election laws and should act and rely upon general equitable principles. With respect to the timing of relief, a court can reasonably endeavor to avoid a disruption of the election process which might result from requiring precipitate changes.

If I can read and under the English language, it appears to me to mean just what it says in recognizing the danger of unnecessary haste. Even if the High Court had failed to express it, I do not believe the lower Federal tribunal was justified in canceling two primary elections in Oklahoma until the people of Oklahoma themselves had had an opportunity to adjust and comply with the Supreme Court's latest order.

The compromise proposal now before the Senate seeks to provide that opportunity and I will support it as plain, simple justice.

The lower court order of August 7 is being appealed to the U.S. Supreme Court. However, the Governor of Oklahoma, acting on the court's order of August 7, has proclaimed a special election for September 29, and the filing period for the special election starts at the end of this month. If the lower court order is to be reviewed by the Supreme Court before the court-ordered special election is held, a stay must be obtained immediately.

Because of the importance of this case, coming as it does as one of the first tests on appeal from a three-judge Federal court to the U.S. Supreme Court on its latest apportionment decision, a stay is desperately needed if confusion is to be avoided. Surely a State which has made progress toward better apportionment should not be thrown into such straits until the full Supreme Court has reviewed the case.

The statutory right of an appeal from a three-judge Federal court provides that one justice can grant or deny such a stay. Thus, the order, if such a stay is denied, could take from the State the authority over its election processes already in motion and substitute a new set of legislative elections under election districts prescribed, not by State authorities, but by the Federal district court.

The Dirksen-Mansfield compromise amendment if passed in time will prevent this disruption and give the State another chance to meet the formula of the Supreme Court.

A full review by the U.S. Supreme Court, sitting in regular session, will, I am confident, bring into focus the fact that Oklahomans have made real progress toward compliance with the U.S. Supreme Court reapportionment rulings and are now in a position to conform in an orderly and reasonable manner with the latest order issued only 2 months ago.

Oklahoma recognized the malapportionment of our State legislature and endeavored to correct it. For example, the old apportionment of the State senate allowed 24.5 percent of the State population to be represented by a majority in the upper house.

By act of the legislature, in its 1963 session—modified by the State supreme court—this ratio increased to 44.5 percent for majority of the State legislature.

The same act brought the percentage of the house up from its former 29.5 percent to better than 35.6 percent.

It was under this combined State supreme court and legislative apportionment that the primary elections were held until the Federal district court acted.

It is interesting to note that the apportionment plan for the upper house which the Court invalidated was only 4.7 percent below the Federal court-dictated plan.

It is 13.1 percent below the Court's proposal for representation in the house of representatives. However, in comparison with other States, the 44.5 percent figure for the Oklahoma State Senate would put the State among the leaders of the Nation in population balance. It would rank 13th among all States.

It would hardly seem to me that this failure by a margin of 4.7 percent to measure up to the Court-dictated program for the State senate would be sufficient excuse to justify the invalidation of the primary elections.

Oklahoma has made other efforts to reapportion. On May 26 the people of Oklahoma by a convincing majority adopted an amendment to the State constitution relating to reapportionment of the legislature. Many who are not versed in the legal technicalities thought this amendment was in compliance with the Federal Constitution.

In fact, the three-judge Federal court order of August 7, while rejecting the numerical apportionment, accepted parts of the May 26 amendment to the Oklahoma State constitution. The amendment provided for a commission which could rectify any legislative enactment failing to comply with proper apportionment requirements.

I again repeat that the State of Oklahoma has made a reasonable effort toward reapportionment.

One of the apparent reasons for the lower Federal court's extreme action in voiding the elections and assuming the power to prescribe its own reapportionment instead of giving the State an opportunity to work out an acceptable formula was that the history of the case showed lack of action. The three judge-Federal court specifically mentioned that the litigation went back to a case 9 years ago.

I might point out that at that time there had been no apportionment decisions whatsoever by the U.S. Supreme Court in the direction a one-man, one-vote principle. It was not until 1962 that apportionment was determined to be within the jurisdiction of Federal courts. Then the Supreme Court failed to spell out its definitive position. It was not until June 15 that this was forthcoming from the Highest Tribunal.

In addition to drawing up election district lines and scrambling various districts only a short time before the legislative elections were to be completed, the local three-judge Federal court also terminated the remaining 2-year terms of State senators elected for a 4-year term in 1962.

This court order effectively destroyed the holdover continuity which is basic to the Oklahoma State Senate and is common in a majority of our States.

In summary: The three-judge Federal court, failing to give the State of Oklahoma any reasonable time to meet the June 15 definitive order of the U.S. Supreme Court under its own machinery, improved by the establishment by the State of a reapportionment commission that could correct any malapportionment that the existing legislature might propose, acted in such haste and assumed such powers as to substitute Federal judicial authority for the rights of the people of Oklahoma to rearrange their own legislative districts in accordance with the June 15 decision.

It further voided the nominations of candidates already chosen in two primary elections and halted the election now in progress.

Further, it terminated the existing remaining 2-year terms of half of the members of the State senate.

I have cited at some length the effects of this summary action by the court in my own State. Surely the efforts of the Federal courts to correct what they have determined to be one malapportionment does not warrant riding roughshod over the rights of the State to be given all reasonable time and opportunity to develop its own constitutional apportionment.

This story of the problems of Oklahoma will not be unique as the sweep of the decision is felt across our Nation. The need here is time. Not time for undue delay nor indefinite postponement, but time for a careful and thoughtful approach to a problem that would give the States the maximum right to decide the intimate details pertaining to the arrangement of balanced election districts.

The right of each citizen to have an equal voice in the conduct of its State affairs is not at issue in the Dirksen-Mansfield amendment. At issue is the fundamental right to put before the proper State authorities the first responsibility for making the decisions affecting that State.

Under the terms of the amendment before the Senate, this would be done. It is not an effort to suspend or to withdraw from the U.S. Supreme Court its power, but to provide for some time in which the local governments can have a reasonable chance to read, understand, and consider their course in the light of a decision which finally provided the formula on June 15 of this year.

In some States the local Federal courts have ordered the States within a very limited time to adopt new apportionment systems. In others, action has not been imminent. In still others, the action by the Federal courts has not yet been started.

The amendment by its very terms applies only to legislatures elected before January 1, 1966, scarcely 17 months off. It further provides that if action is not taken to properly apportion the legislative bodies the courts then may prescribe the redistricting themselves.

This would mean that only the legislature elected in November would not be thrown out, because of its alleged malapportionment.

I fail to see any compelling reason for creating the havoc and confusion that hasty and ill-considered action will bring. After all, systems under which the State legislatures are malapportioned are not greatly different from those existing in the U.S. House of Representatives. This year the U.S. Supreme Court has determined the right to order reapportionment of congressional districts on a more balanced basis. But it has not required the voiding of any elections now in progress. It has not declared any Member of any Congress elected by this unequal representation illegally elected and thus ended their terms of office. It apparently is giving the State legislatures, which are responsible for the unequal apportionment now existing, the time necessary to draw the district lines for seats in the lower House of the Congress.

What applies to the House of Representatives in the need for time to make well-considered judgments on the rearrangement of congressional districts certainly applies with equal force to the State legislatures.

We are dealing with long-established customs and traditions, recognized and understood areas of representation. It is true that the apportionment of both the Federal and State legislatures has not kept pace with shifting populations. The plain, simple fact is that there will always be some degree of malapportionment. The census figures are usually 1 or 2 years old by the time they are used. The ability to find an exact mathematical balance for clear dividing lines of legislative districts, whether State or Federal, will defy our best computers.

Somehow I feel that the answer to better and more representative government at the State or even Federal level is not necessarily computerized accuracy in drawing up election districts, as desirable as some equalization can be.

Government has strong human factors woven through its fabric and one of these is a desire of all parts of this Nation, big and little, grassroots and metropolitan centers, to have a sense of participation and of membership in our democratic system.

This amendment as I read it asks for time to make this adjustment which is a major one in State and Federal relationships. To adjust this best to the consent of all the governed requires as much reliance on the people of the affected State as is possible. This short period of time provided by the Dirksen-Mansfield amendment provides a period to secure orderly and thoughtful adjustment. It recognizes human as well as mathematical factors.

Mr. President, because of the limited time and because of the urgency, particularly as it affects my State of Oklahoma, which is approaching an election, I deeply regret that the liberal Members of this great body have chosen to filibuster on this important measure, thus forestalling an opportunity for relief by the legislative route, which, at best, could only give us time in which the local authorities could devise methods of meeting the reapportionment problem that would meet the June 15 mandate of the Supreme Court.

This mandate was not available when the election processes were started. It is a disservice for Federal judges to stop in midcourse, or even beyond midcourse, an election that is due to be completed in only a couple of months, and to force a special election to be held under a completely new redistricting system that badly scrambles the districts. Candidates already have spent their money and time in order to win the nomination, not only in the first primary, but in the runoff primary. They will now have to go into a "sudden death" primary in districts that will be completely foreign, in part, not only to themselves, but also to the constituencies they seek to represent.

I hope that before it is too late we may have action on this vital amendment.

I thank the Senator from Pennsylvania for his courtesy in yielding.

Mr. CLARK. In a moment, I shall yield, by arrangement, to the distinguished Senator from Mississippi [Mr. STENNIS], to enable him to call up a conference report which he tells me can be disposed of quickly.

I would hope that the Senator from Oklahoma would find it possible to remain in the Chamber because, first, it is never a privilege, it is always a source of some dismay to me, to find myself in disagreement with my very close friend; second, I feel that it would be helpful to an understanding of the serious problem which confronts us to have some discussion of the situation in Oklahoma. The Senator from Oklahoma obviously is far better versed in conditions in his own State than I.

However, we have a mass of material furnished us by those who strongly oppose delay in the action, and I should like to discuss with the Senator from Oklahoma the purport of this information, which is to the effect that Oklahoma has had since the early days of 1962, when the decision of Baker against Carr came down, to put its house in order.

This material would indicate that the court has been most solicitous of the rights of the legislature of Oklahoma to reapportion in accordance with the general principles set forth in Baker against Carr; that the very able assistance of the University of Oklahoma's Bureau of State Research was called upon for assistance; that a plan was submitted which was considered by many to be equitable, and that, generally speaking, the situation in Oklahoma is far from being in the best condition, as the Senator from Oklahoma has indicated. But I shall postpone that discussion because I promised the Senator from Mississippi that I would yield to him first.

Mr. MONRONEY. I thank the Senator from Pennsylvania. I shall be present when he reaches that part of the discussion.

Mr. CLARK. Mr. President, I yield, without losing my right to the floor, to the Senator from Mississippi.

MILITARY CONSTRUCTION APPROPRIATIONS, 1965—CONFERENCE REPORT

Mr. STENNIS. I thank the Senator from Pennsylvania for yielding to me.

Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11369) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER** (Mr. SALINGER in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The **PRESIDING OFFICER.** Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. STENNIS. Mr. President, I shall make only a brief statement in connection with the submission of the conference report on H.R. 11369, the military construction appropriation bill for fiscal year 1965. The total of the bill, which includes both military construction and family housing is $1,570,968,000. This is an amount $28,046,500 under the House bill and $12,001,000 under the Senate bill.

For the military construction portion of the bill, the conferees agreed to provide $939,817,000. This is an amount $8,839,000 under the House bill and $25,501,000 under the Senate bill.

For the family housing portion of the bill, the conferees agreed to provide $631,151,000. This is $19,207,500 under the House bill and $13,500,000 over the Senate bill. In reaching this decision, the conferees agreed to provide 8,250 new housing units rather than the 7,500 proposed by the Senate and the 9,590 proposed by the House.

I ask unanimous consent that a tabulation showing the action of the Congress on the budget request be printed in the RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. STENNIS. Mr. President, when the bill was originally presented on the floor of the Senate, I described in a great deal of detail the items which were included and the action which the Senate was taking. I shall confine my present remarks to the items in conference.

For the Department of the Army, the action taken by the conferees is detailed on page 3 of the conference report. The items for the Navy and the Air Force are detailed on the pages following.

I might mention specifically a couple of items which were in conference. One of them was the problem of relocating the 5th Army Headquarters from Chicago. Although no funds have been provided by the conference for the relocation, the conferees agreed that it should be clearly understood that they have no objection to such relocation from Chicago, but that the Secretary of Defense shall be expected to study the proposed relocation site giving consideration to the requirement for family housing and to other available sites in the area.

The Senate prevailed in its position of appropriating $10,800,000 for the Army National Guard construction program rather than the $6 million as proposed by the House. The total will enable the National Guard to accomplish 40 armory and 24 nonarmory projects and will permit a speedup in project construction.

I have already spoken of the agreement on new family housing projects. I would only add that the conferees agreed that the housing projects added by the Senate for the naval shipyard at Bremerton, Wash., and for Offutt Air Force Base, Nebr., shall receive the same consideration in the construction program as other approved items.

It is true that not all of the items which the Senate had approved and which the Senate conferees strove to maintain in the bill were so treated. However, it was a full and fair conference, and I believe that the report which you have before you generally reflects a wise course of action.

I wish to thank the Senate conferees for their excellent cooperation and assistance. If there are any questions, I shall be happy to attempt to answer them.

EXHIBIT 1.—*Military construction appropriation bill, 1965*

Item	1964 appropriation	1965 budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1964 appropriation	Budget estimate	House	Senate
Military construction, Army	$200,646,000	$408,000,000	$301,000,000	$311,977,000	$300,393,000	+$99,747,000	−$107,607,000	−$607,000	−$11,584,000
Military construction, Navy	198,853,000	278,000,000	247,000,000	250,899,000	247,867,000	+49,014,000	−30,133,000	+867,000	−3,032,000
Military construction, Air Force	468,275,000	406,000,000	346,000,000	342,986,000	332,101,000	−136,174,000	−73,899,000	−13,899,000	−10,885,000
Military construction, Defense agencies	24,000,000	34,000,000	12,656,000	12,656,000	12,656,000	−11,344,000	−21,344,000		
Military construction, Army Reserve	4,500,000	5,000,000	5,000,000	5,000,000	5,000,000	+500,000			
Military construction, Naval Reserve	6,000,000	7,000,000	7,000,000	7,000,000	7,000,000	+1,000,000			
Military construction, Air Force Reserve	4,000,000	5,000,000	5,000,000	5,000,000	5,000,000	+1,000,000			
Military construction, Army National Guard	5,700,000	6,000,000	6,000,000	10,800,000	10,800,000	+5,100,000	+4,800,000	+4,800,000	
Military construction, Air National Guard	16,000,000	14,000,000	14,000,000	14,000,000	14,000,000	−2,000,000			
Loran station	20,500,000	5,000,000	5,000,000	5,000,000	5,000,000	−15,500,000			
Total, military construction	948,474,000	1,168,000,000	948,656,000	965,318,000	939,817,000	−8,657,000	−228,183,000	−8,839,000	−25,501,000
FAMILY HOUSING									
Family housing, Army:									
Construction	34,681,000	52,728,000	40,446,000	32,216,000	35,600,000	+919,000	−17,128,000	−4,846,000	+3,384,000
Operation, maintenance, and debt payment	183,396,000	173,328,000	173,328,000	173,328,000	173,328,000	−10,068,000			
Family housing, Navy and Marine Corps:									
Construction	68,248,000	96,219,000	72,481,000	59,144,000	64,544,000	−3,704,000	−31,675,000	−7,937,000	+5,400,000
Operation, maintenance, and debt payment	93,944,000	97,739,000	97,739,000	97,739,000	97,739,000	+3,795,000			

EXHIBIT 1.—*Military construction appropriation bill, 1965*—Continued

Item	1964 appropriation	1965 budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1964 appropriation	Budget estimate	House	Senate
Family housing, Air Force:									
Construction	$61,027,000	$88,635,000	$64,013,500	$52,873,000	$57,589,000	−$3,438,000	−$31,046,000	−$6,424,500	+$4,716,000
Operation, maintenance, and debt payment	193,514,000	198,859,000	198,859,000	198,859,000	198,859,000	+5,345,000	----	----	----
Family housing, Defense agencies:									
Construction	50,000	981,000	981,000	981,000	981,000	+931,000	----	----	----
Operation, maintenance, and debt payment	2,546,000	2,511,000	2,511,000	2,511,000	2,511,000	−35,000	----	----	----
Total, family housing	637,406,000	711,000,000	650,358,500	617,651,000	631,151,000	−6,255,000	−79,849,000	−19,207,500	+13,500,000
Total	1,585,880,000	1,879,000,000	1,599,014,500	1,582,969,000	1,570,968,000	−14,912,000	−308,032,000	−28,046,500	−12,001,000

Mr. MANSFIELD. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from Montana.

Mr. MANSFIELD. There was a $510,000 item, I believe, for the Malmstrom Air Force Base. Could the Senator from Mississippi, the chairman of the committee which handled the military construction appropriation bill, tell me if it was retained in conference?

Mr. STENNIS. Yes. I am glad to report to the Senator from Montana, who was helpful himself in having the bill presented, that this item is included in the final bill, and the money is being provided. It is somewhat less than the sum originally planned—$450,000 is included in the bill for that item, which it was found would supply the needs by reducing somewhat the ground planned, but it serves the same purpose.

Mr. MANSFIELD. I thank the Senator for that encouraging statement. I understand it is somewhere in the vicinity of $450,000.

Mr. STENNIS. The Senator is correct.

Mr. MANSFIELD. The distinguished Senator knows that there is a certain amount of money included for the Minuteman missile installation to be built in the vicinity of the Malmstrom Air Force Base—approximately $60 million. This money is to build an additional wing of Minuteman missiles to round out the 150 Minuteman missile complex now in existence, thereby raising the complex as a whole to 200. Is that money, in the amount of $60 million, in this appropriation for that purpose?

Mr. STENNIS. The Senator is correct. That amount is very definitely included in the appropriation bill. It is enough, I am sure, to construct this highly important and, to me, really much-needed missile installation.

Mr. MANSFIELD. I thank the Senator.

Mr. STENNIS. I thank the Senator for his interest in that item, as well as the first item which he mentioned. I believe that the development fund of the missile program including the Minuteman—and this will be a Minuteman base—is timely. We are moving more and more into that kind of missile and away from using liquid fuel missiles.

Mr. President, this report was concurred in by all the conferees on both sides of the aisle.

Mr. PROXMIRE. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. PROXMIRE. The Senator from Mississippi has performed what I believe to be one of the really outstanding tasks in Congress on this appropriation bill.

Mr. STENNIS. I thank the Senator for his comments.

Mr. PROXMIRE. I know the Senator has worked many hours and weeks. He has patiently heard witnesses, has gone into the greatest detail, and has been extremely meticulous; and as a result, I believe, of his expertness, his fairness, and his great experience in this field, we were able to come forward with an appropriation bill which I believe not only the military can applaud, because it gives them what they need, but also the taxpayers can applaud with great enthusiasm.

This is an appropriation bill in cost far below what the administration recommended. We all recognize that we have an expert administration which is conscious of costs in the defense area; and yet the Senator from Mississippi was able to save taxpayers millions of dollars and was able to go well under the House figure. I believe that the chairman of the subcommittee is a model for all of us to emulate.

I pay this tribute to the Senator from Mississippi because I feel so strongly about it. I am a new member of the Appropriations Committee, and I would like him to know how greatly impressed I have been with the very fine example he has set for all of us.

Mr. STENNIS. I thank the Senator for his kind and generous words. I thank him on behalf of each member of the subcommittee. Credit goes to all alike. We worked together on both sides of the aisle. We worked out the problems together. The chairman does no more than any of the other members.

There was a reduction from the budget request originally in the authorization of around $300 million. We feel that that was done without taking any bone or muscle out of the military program. We did not leave out anything that we thought was near the line of safety. I believe that it is a rather firm and hard bill. A few projects were merely deferred until next year, when they will take their place in the line of priority.

The House subcommittee has done a very fine job in connection with the bill. The chairman of the subcommittee for many years has been Hon. HARRY SHEPPARD, Representative from the 33d district of California. He is retiring this year; he is not offering himself for reelection. As he leaves, he will leave a record hard to equal, and it will not be exceeded. As I said the other day when we closed our conference, through his fine knowledge of construction and the engineering profession, as well as military matters, he literally saved hundreds of millions of dollars over the course of the years, and has helped to build a fine, strong, and effective military organization.

Mr. KEATING. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. KEATING. The Senator will remember the amendment which I offered, which was taken to conference. I know that it has been eliminated. I should like to have a review by the distinguished Senator.

Mr. STENNIS. I am glad to give the Senator a report. I commend him again for his vigilance and his assistance in the matter which affects his State.

The attitude of the conference on that matter was that it was considered and settled in the authorization bill at the conference, and we could not get anything done in this bill. We are not averse to the Senator's position as a general proposition. I believe that I can assure him his State will have as much protection as any other State. I do not believe that anything particularly adverse is going to happen because of the situation in his State. We all have problems relating to these bases, some of which are totally eliminated, and some of which are transferred; but we could not get any legislation that would carry out the Senator's wishes.

Mr. KEATING. The amendment was directed to the use of Federal funds for the construction of new facilities when there were existing facilities which could do the same job. It seemed reasonable to say that the taxpayers' money should not be spent in that way. I hope that at least we can have the assurance of the subcommittee which the Senator so ably heads that it will keep an eye on this situation. I hope that when the services come in with requests for funds for the construction of a new facility, the subcommittee will be sure that a thorough canvass is made of existing facilities—not merely in New York—which can do the job which they are seeking to do by the new building. I hope that now the subcommittee will be unusually alert to the possibilities of saving additional funds for the taxpayers.

Mr. STENNIS. The Senator from New York [Mr. KEATING] can have that double assurance. He can also state that he has further alerted us to the situation on the items of money that are left out of the bill for the very reasons that the Senator from New York has given. The items were left out where there has not been a sufficient study to justify the expenditure of this new money. They were deleted from the bill. We are alert to those matters.

Mr. KEATING. I am grateful to the committee for their consideration of the matter. I am sure the Senator was conscientiously endeavoring to support the position of the Senate. His assurances that the subcommittee will follow this matter very carefully in the future is reassuring.

Mr. STENNIS. We want to be helpful to the Senator in his position, as well as to save money where we can.

Mr. KEATING. I thank the Senator.

Mr. JAVITS. Will the Senator yield?

Mr. STENNIS. I yield.

Mr. JAVITS. I am sure that this matter has been well covered in the colloquy, concerning the amendment of Senator KEATING, in which I had the privilege of joining.

As I understand it, the committee purports to deal directly with the substance of the matter that is involved.

Mr. STENNIS. That is correct.

Mr. JAVITS. I, too, wish to express my appreciation. We all live in this same house all the time. We should be vigilant, as the Senate is expected to be. I am very grateful to the Senator from Mississippi and to the committee for the statement that they will keep a close rein on this money.

Mr. STENNIS. We intend to. I thank the Senator for his interest in the measure, and his fine attitude. It is not something that can be put into strict law, as the Medes and the Persians of old did.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 11369, which was read as follows:

> *Resolved,* That the House recede from its disagreement to the amendment of the Senate numbered 1 to the bill (H.R. 11369) entitled "An Act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes", and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$300,393,000".
>
> *Resolved,* That the House recede from its disagreement to the amendment of the Senate numbered 3, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$332,101,000".

Mr. STENNIS. Mr. President, I move that the Senate concur in the amendments of the House to Senate amendments Nos. 1 and 3.

The motion was agreed to.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. CLARK. Mr. President, somewhat earlier when I yielded to the Senator from Mississippi so that he might present a conference report, the Senator from Oklahoma [Mr. MONRONEY] had graciously agreed that we might engage in a colloquy with reference to some of the aspects of apportionment in Oklahoma.

There are other conference reports coming up. I have an engagement out of the city. The Senator from Oklahoma [Mr. MONRONEY] has another engagement. Neither is running out on the other. We shall return to this subject when the Senate convenes after the Democratic Convention.

I yield the floor.

THE MONTANA CENTENNIAL BAND

Mr. MANSFIELD. Mr. President, before we turn to the next order of business, I should like to make a few remarks which I hope will not be considered a violation of the rules of the Senate. I will not seek to achieve undue recognition for any one individual or group.

This is a proud day for the Treasure State. The State of Montana has, in the Nation's Capital, one of the best bands that it has ever been my pleasure to listen to and watch in Pasadena, Calif., in various parts of the State of Montana, and here in Washington, D.C. This band is called the Montana Centennial Band. The band is named in recognition of the fact that we are celebrating the 100th anniversary of Montana becoming a territory.

The band has already performed in the rotunda of the Old Senate Office Building. It will perform this evening at 7 o'clock on the steps of the Senate wing of the Capitol.

This extraordinary group, brought together with little preparation and no consideration as to where they come from, has really turned out to be the shining light in the celebration of Montana's anniversary.

These youngsters, both boys and girls, come from the mining camps and the big cities, such as Great Falls and Billings—each city with a population of approximately 55,000. They come from the ranches, and they come from the small towns. They have contributed greatly to publicizing the State of Montana and what it stands for. By their attitude and deportment in general, they have brought great credit upon our State and our country as well.

I wish to pay special commendation to the directors of the band, James Tibbs, of Missoula County High School, and Roger Heath, of Great Falls High School. The band includes, as majorettes, Paulette Forsythe, of Great Falls, State champion; Gwen Loyd, of Great Falls; and Sherry Humber, of Butte. This group is extremely talented; intellectually talented as well as musically.

I am delighted as the Senator from the State of Montana, and as the majority leader of this body, to pay my respects to them publicly and to tell them personally how much I have enjoyed what they have done for our State.

Mr. DIRKSEN. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I believe it is highly fitting and proper that the majority leader should call attention to this great musical organization from Montana. I am delighted on my own score, particularly in view of the fact that long ago when I was in grade school and high school, we knew nothing about school bands. In the first place, I do not believe that anyone could afford the instruments in those days. Second, there were no instructors that I know of. Third, one had to work so much of the time to stay in school that he did not have time to tootle an instrument.

That all changed when I had a youngster of my own. I have forgotten whether she played a flute or a piccolo. I vowed that when I got around to it and was not incumbered with public duty I would find a piccolo instructor and start playing the piccolo. Even at my age, there is something entrancing and stimulating about music. The whole country is filled with school bands. It is a wonderful thing in our generation. It gives them the opportunity to learn music. It makes them better citizens. I have an idea that if we find a youngster who is playing a slide trombone, a piccolo, or a French horn, we do not have to bother too much about the question of juvenile delinquency. So, hail to Montana's Centennial Band, and may they wave long and proudly.

Mr. MANSFIELD. Mr. President, there is nothing I can add to that, because everything has now been said. I thank the distinguished minority leader for the kind words about a band that, I repeat, in my opinion, is one of the outstanding musical organizations in the whole Nation.

FOOD FOR PEACE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Agriculture and Forestry be discharged from further consideration of H.R. 11846, and that it be laid before the Senate for present consideration.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 11846) to amend the act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

The PRESIDING OFFICER. Without objection, the committee is discharged from further consideration of the bill.

Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. DIRKSEN. Mr. President, I should like to have the distinguished Senator from South Carolina [Mr. JOHNSTON], who is the Senator in charge of the bill, say something about the last proviso in the bill. The language is rather obscure. It states:

> *Provided,* That no food product purchased pursuant to the authority contained herein

> shall constitute less than 50 per centum by weight of the grain from which processed, or contain any additive other than for normal vitamin enrichment, preservative, and bleaching purposes.

I believe there are some processors in the trade who are not quite sure what that language means, particularly the first clause. I am sure that it was put in there for a purpose, but there ought to be enough legislative history to point to when the time comes for interpretation of the provision.

Mr. JOHNSTON. Mr. President, the Senator from Illinois is entirely correct when he asks for that information. When the Senator first requested the information, I asked for and received a statement from the Department of Agriculture so that there would be no question in regard to it. I should now like to read to the Senate and for purposes of the RECORD the statement I received:

> The proviso in the proposal legislation requiring the food product to constitute at least 50 percent by weight of the grain from which processed does not mean the product purchased by CCC must be 50 percent or more of a particular lot of grain, or that the product must have been processed directly in a continuous process from the grain. Rather, it means that the physical properties of the product are such that it shall constitute 50 percent or more of the weight of the grain in its raw commodity form which is represented in such product. For example, any products such as corn meal, gelatinized corn meal, wheat flour, grits, and bulgur which products constitute more than 50 percent of the weight of the corn or wheat from which processed could be purchased under this authority, whereas, wheat germ mono sodium glutamate and corn oil which products constitute considerably less than 50 percent of the weight of the respective grain kernels could not be purchased thereunder.

I believe that that statement clarifies the point about which the Senator from Illinois inquired.

Mr. DIRKSEN. I think that is sufficient. As my distinguished friend well knows, quite a number of questions have been asked about precisely how that provision would be interpreted. I believe the explanation is adequate.

Mr. JOHNSTON. I did not introduce the bill. The bill was not my bill. I only handled it in the committee and reported it from the committee.

Mr. DIRKSEN. Yes. I believe I ought to make a correction in what I said previously. The chairman of the committee, the Senator from Louisiana [Mr. ELLENDER], sponsored the bill to begin with.

Mr. JOHNSTON. That is correct.

Mr. DIRKSEN. There is a companion House bill. We did get an order to take up the House bill in lieu of the Senate bill.

Mr. JOHNSTON. Yes. The need for the proposed legislation grew out of the fact that since the enactment of the 1958 act, other grain food commodities such as bulgur, rolled wheat, and grits have been found to be acceptable and useful forms of grain products for relief distribution.

Mr. DIRKSEN. I believe it would be advisable in connection with the discussion to have printed at this point in the RECORD the statements on the first page of the report indicating the purpose and the need for the proposed legislation.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that those excerpts from the report be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> The purpose of this bill is to include bulgur, rolled wheat, grits, and other grain food products within the provisions of the act of August 19, 1958. That act provides that when the Commodity Credit Corporation has wheat or corn available for donation to needy persons, in lieu of processing such wheat or corn into flour or cornmeal, it may purchase such flour or meal in quantities equivalent to the amount of grain to be donated and sell an equivalent amount of grain on the open market. The authority provided by this act results in a considerable saving to the CCC over the former procedure of actually moving CCC grain into a processing plant and then taking delivery of and distributing the flour or cornmeal milled from that particular grain.
>
> NEED FOR THE LEGISLATION
>
> Since the enactment of the 1958 act, other grain food commodities such as bulgur, rolled wheat, and grits, have been found to be acceptable and useful forms of grain products for relief distribution. These products are now being procured under the old process of actually consigning CCC grain to the mill for processing and receiving back the product. As in the case of flour and cornmeal, a substantial saving may be made by purchasing the product from the processors and selling an equivalent amount of grain on the open market. The bill amends the act of 1958 to make this possible.

The PRESIDING OFFICER. The bill is open to amendment. If there is no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 11846) was ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, in view of the action of the Senate relative to the bill (H.R. 11846), I ask that Calendar No. 1381, Senate bill 2634, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. PROXMIRE. Mr. President, earlier the senior Senator from Pennsylvania [Mr. CLARK], who unfortunately had to leave for an appointment downtown, brought out the fact that he had some material available on the apportionment situation in Oklahoma. One of the strongest arguments that was cited by the distinguished Senator from Oklahoma in his very eloquent appeal to the Senate in support of the Dirksen-Mansfield amendment was that the proposed amendment would provide time, and that the legislators need time in order to reapportion. He suggested that the Supreme Court had been too precipitate in requiring action by the legislature.

Mr. President, I have before me a decision of the U.S. District Court for the Western District of Oklahoma in the case of Moss against Burkhart on August 3, 1962, more than 2 years ago, and nearly 2 years before the June 1964 decision of the Supreme Court. The district court in Oklahoma directed a population apportionment. I read from page 3 of the mimeographed copy of the decree:

> Those counties having multiple senatorial districts will be districted within themselves. The matter of forming legislative districts, either house or senate, among counties is left to the discretion of the legislature, under the pertinent provisions of the Constitution with respect to substanial numerical equality, compactness, and contiguity.

As I have said, that was August 3, 1962, and the Legislature of Oklahoma was given notice and given time to move ahead. This was not something that has come up suddenly in the past few weeks in Oklahoma in the middle of their election. The legislature was served notice, 2 years ago.

Apportionment had been an issue in Oklahoma frequently, for many years. The record indicates a continuous struggle on the part of those who thought that there should be more equal apportionment; so the action is not something which was insisted upon impulsively in June 1964, by the Supreme Court.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MONRONEY. It is true that in Oklahoma, as in almost all other States, there has been a running discussion between various groups in the State over the question of the apportionment of the State legislature. The proper division between area and population representation, particularly in the upper house, is a question of long standing and almost universality within the various States of the Union.

The fact remains, however, that all this discussion, until the Court's decision of June 15, 1964, and its decision on June 22, 1964 affecting Oklahoma, had not been definitive in any way as to what Oklahoma or any other State was to do.

Our State supreme court twice, on appeals, had ruled that it had no authority to direct the State legislature to reapportion. That very three-judge Federal court in November 1956, ruled, one judge dissenting—and, incidentally, one of the judges is now a court of appeals judge and participated in the most recent decision—that the Federal court had no right to intervene in an apportionment case.

It was not until the decision in 1962, to which the Senator from Wisconsin has referred, that the Federal court took cognizance of jurisdiction in apportionment cases or indicated any legal responsibility or any legal ability to deal with what it might consider malapportionment.

At that time it did not direct any course for the State to follow. In spite of the lower court's ruling, I am sure the Senator from Wisconsin recognizes the statutory right, for any case decided by a three-judge Federal district court to go directly to the Supreme Court on appeal. That appeal was taken after the lower court ruled, following the original Supreme Court decision in Baker against Carr, and was not decided by the Court until June 22, 1964—this year.

How the distinguished Senator from Wisconsin would approve this kind of action, occurring only a few months ago, and allow the Court not only to void a primary and a runoff election, but to dislocate the efforts of both the constituencies and the candidates who had been elected, and have the cost that went into the campaign for those elections held for naught, on the basis of such a decision as came down after two primary elections had been held, I do not know.

Being the liberal he is, I do not see how he feels this is proper consideration for the rights of the States, with respect to elections in progress, about which the Supreme Court itself cautioned when it handed down its decision on June 15, 1964.

Mr. PROXMIRE. If the Senator will yield at that point, to get all the dates in proper order, it was August 1, 1962, that the Federal court directed the legislature of the State of Oklahoma as follows:

> The matter of forming legislative districts, either house or senate, from the counties is left to the discretion of the legislature, under the pertinent provisions of the constitution with respect to substantial numerical equality, compactness, and continuity. Five months hence, when the legislature convenes, it must apportion itself in accordance with the constitutional mandate or be judicially reapportioned. We have withheld judicial reapportionment on the solemn word of the intervening legislators that once their constitutional duty is uneqivocally and inescapably clear, they will discharge it with befitting honor and fidelity.

Then on July 18, 1963, after the legislature had reconvened, and after it was clear, in the judgment of the Federal court, that the right of a substantially equal vote was not to be afforded Oklahoma citizens, the district court said this:

> After a careful consideration of all the exigencies, we have reluctantly decided to reapportion the Oklahoma Legislature by judicial decree because we are convinced—

This was in July 1963—

> from all that has transpired in these prolonged proceedings, that the legislature, as now constituted, is either unable or unwilling to reapportion itself in accordance with our concept of the requirements of the equal protection clause of the 14th amendment.

So here we have the Court, in mid-1963, having requested the State legislature to apportion itself 1 year earlier, and having referred the solemn word of the Oklahoma Legislature, being flatly rebuffed.

Ample time was allowed. The Oklahoma Legislature was allowed time to act. It did not act.

It was only after that that the court proceeded and, as I have said, proceeded unwillingly and reluctantly, to decide to go ahead if that right was to be protected.

Then it was decided by the State of Oklahoma—those who wanted to prevent population apportionment—to appeal to the Supreme Court. They decided to delay by appeal of the Federal district court decision. Of course, the Supreme Court had to act on the basis of what was represented to the Court. Then on June 22, 1964, it affirmed the lower court judgment, the judgment of the district court for the western district of Oklahoma.

On the basis of this timing, it seems to me clear that the Court's action was not sudden. It was on 2 years' notice. The legislature knew it was going to take place. There was ample time. It was the initiative of the State of Oklahoma to appeal. The fact that the Oklahoma Legislature was not prepared with the ordered apportionment the Federal Court had directed, it seems to me was the responsibility of the Oklahoma State Legislature, and those who opposed the reapportionment ordered by the Court.

Mr. MONRONEY. I thank the Senator for his study of the case. But I am sure he realizes that the State of Oklahoma, as is true in the State of Wisconsin or any other sovereign State is entitled to appeal from a decision of the Federal district court. There is a specific provision for a direct appeal to the Supreme Court from a decision of a three-judge Federal court. Does the Senator wish to deny the State of Oklahoma the right of appeal? Does he assume that the State of Oklahoma should have tuned in on the thought waves of the Supreme Court as to what it thought was proper apportionment? The State of Oklahoma did what any other State would do, and that was to appeal the decision, which the State thought was in error, to the Supreme Court. This order was stayed by the Supreme Court, and it had no effect until the decision of June 22, 1964. I do not think the Senator would wish his State to have complied with such an order to the Wisconsin Legislature. It was not a request. It was a direction to come forward with a plan of reapportionment or the Federal Court would put in its own. I know of no case in recent history where the Federal courts have dictated to the legislatures; and I have served in the U.S. Congress for some time. I have never known how a Federal court would go about enforcing such an order. I do not know, even between these two great legislative bodies, how we would go about meeting the ideas of the Court.

Mr. PROXMIRE. If the Senator will yield, if we do not rely on the decisions of the State courts or the U.S. Supreme Court there is no recourse. It is unfortunate that in practically all the States the legislatures reapportions itself. It is common knowledge that this is an extraordinarily difficult thing to do, because of the shift in population. If we are to apportion on any kind of population representation basis it will be painful for the legislature to act. The legislatures have resisted it again and again. It is only with intervention that it can be done.

Mr. MONRONEY. I regret that the Senator did not hear a portion of my speech. One of the moves toward fair apportionment was action by our State legislature in the submission of a constitutional amendment to provide for a reapportionment commission.

In the final analysis, the decision will be made by the State of Oklahoma, not in a Federal courtroom. This is a procedure that even the three-judge court found constitutional.

Mr. PROXMIRE. I see nothing wrong with that.

Mr. MONRONEY. Is that not what the Senator and I have discussed, pointing out that we are just as well apportioned in our upper house—and that is where most of the malapportionment occurs in most States—as is the State of Pennsylvania? The distinguished Senator from Pennsylvania and I discussed this subject on the floor of the Senate, when he referred to the rotten borough system. We have just about the same apportionment as Pennsylvania. Forty-four and a half percent of the people are able to elect a majority. The Senator from Pennsylvania stated that in his State the percentage is 42.4. Therefore, the State of the Senator from Pennsylvania is a little more out of compliance than is the State of Oklahoma. We have moved forward. This is a result of an effort made by the State legislature and the State supreme court, to comply with the order of the Court, which was vague as to the details, only holding up a bright, shiny light toward which we were to move for a better proportion of representation.

The Court order on reapportionment, which was to be put in force in the decision of June 17, 1963, unless the legislature saluted and obeyed and acted quickly, was far different from the recent order of the Court that was made in the State of Oklahoma. Two different districting systems were used.

This later decision was orally pronounced on August 1, if I am correct, not too many days ago. My understanding is—and we checked this point as late as 1 o'clock today—that the three-judge Federal court has yet to complete its final order on how we are to redistrict, at this late date. Yet my friend from Wisconsin expects us to cancel out the May primary elections and to throw our remaining elections into confusion.

We have been ordered to hold an election of virtually all of the Members of the House and of the Senate. This would detract from the active consideration of the other offices, such as the Presidency of the United States and congressional nominations, including a seat in the U.S. Senate, while this extraordinary, sudden death primary ordered by the Federal court is held.

Who gave the Federal court the right to suspend Oklahoma State law requiring a runoff primary? Who gave it the right to make election laws for the State of Oklahoma? That is how far reaching it is. This disrupts the normal, time-tested elections laws of the State of Oklahoma.

Mr. PROXMIRE. First, there may be some disruption and some difficulty and a great deal of inconvenience. However, as I understand, the Governor has set a special primary election on September 29, 1964. This is in compliance, presumably, with the district court order. This will take place unless a Justice of the Supreme Court grants a stay. It is settled.

On the other hand, if the Dirksen amendment is adopted it could very well mean in Wisconsin that the apportionment that was already approved by the Supreme Court of Wisconsin would be thrown out.

Mr. MONRONEY. Has it been approved by a three-judge court?

Mr. PROXMIRE. Our primary election will be held on September 9. It would mean that that election might have to be held over again, and that it might be thrown out.

Mr. MONRONEY. Ours is thrown out, unless Congress acts, or a court, by one judge, grants a stay on our appeal from the situation that the court has created.

Mr. PROXMIRE. That might be. There is no easy solution to this problem. There is no happy solution to it. The court had allowed time for the Legislature of Oklahoma to redistrict. I call attention to the fact that the language was very clear. The solemn word of the legislators was secured that they would apportion. Time was allowed. A full session was allowed. It was only then, more than a year ago, that it was concluded that they never would get apportionment that way.

Mr. MONRONEY. The Senator is talking about the lower court decision. That was appealed to the United States Supreme Court. A stay had been granted. In other words, the local court's decision had no force and effect until it was settled by the decision generally approved on June 15, 1964 and specifically, as to Oklahoma, on June 22, 1964.

There was nothing in the original decision to firmly establish guidelines for redistricting and reapportionment and there were none until the one-vote, one-man principle came down. In its last decision the Supreme Court said:

> In awarding or withholding immediate relief, a court is entitled to and should consider the proximity of a forthcoming election and the mechanics and complexities of State election laws and should act and rely upon general equitable principles. With respect to the timing of relief, a court can reasonably endeavor to avoid a disruption of the election process which might result from requiring precipitate changes.

I charge that this is what is happening in my State and what will happen in many other States.

The idea that any legislature could read with any degree of certainty or finality what the Court wished us to do in its original decision is pure wishful thinking.

The three-judge court which directed our legislature to comply did not know what the Supreme Court was thinking, or else, I presume, it would have reinstated and directed that the previously directed apportionment plan was to be put into effect instead of the one that they directed to be put into effect.

How can a State comply without due notice and due time to act in such an important matter as choosing the makeup of a legislature?

This decision not only set up new districts, but it invalidated the election of Senators who still had 2 years to serve. It mixed up the candidates far beyond the districts in which the election had been held. A man who might have been nominated in two counties found himself running in counties where constituents had not heard of him and with him not knowing very much about the constituency.

Mr. PROXMIRE. I know that the Senator from Florida [Mr. HOLLAND] has been patiently waiting to bring up a conference report, so I shall be very brief.

Mr. HOLLAND. I shall be glad to wait until the Senators have concluded their colloquy.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Florida for the purpose of bringing up his conference report. After he has concluded, the Senators from Oklahoma and Wisconsin will resume their colloquy.

Mr. HOLLAND. I appreciate the kindness of the Senators from Wisconsin and Oklahoma.

Mr. TOWER. Mr. President, will the Senator from Florida yield me 3 minutes?

Mr. HOLLAND. I yield 3 minutes to the Senator from Texas.

INACCURATE, BIASED REPORTING BY DREW PEARSON

Mr. TOWER. Mr. President, I wish to introduce into the RECORD today an example of inaccurate, biased reporting on the part of one of our nationally syndicated columnists and commentators. The article has caused a great deal of heartache on the part of everyone concerned.

Mr. Drew Pearson authored an article published on August 4 in which he said the President of Costa Rica, while on a state visit to this country and a guest at the King Ranch in Texas, "was so shocked at Fascist conversation that a protest was made to the State Department."

Mr. Pearson said the guests from Cost Rica were "dumfounded to hear some of their hosts talk with glee about the assassination of President Kennedy."

This is completely untrue, as will be documented shortly by the introduction of correspondence between the State Department and myself, and between the Costa Rican Embassy and Mr. Richard M. Kleberg, Jr., of the King Ranch.

I will go into that further in a moment, but as of now it is sufficient to point out that the Costa Rican Embassy, after a telephone conversation with Costa Rican President Orlich and Foreign Minister Oduber, says Mr. Pearson's article "is not only untrue but an absurd fabrication."

This is another example of a columnist allowing his pet hate to get the better of his judgment and direct the course of his pen. Mr. Pearson is apparently so intent on writing something that he thinks will harm the presidential aspirations of Senator GOLDWATER that he will go to any length to accomplish his end. In this article, for example, he goes to great length to smear the Kleberg family in Texas, a pioneer family that has contributed greatly to the growth and development of our State. The reason for this, of course, is so that he will then be able, by the process of guilt by association, to point out that "most of the Kleberg family were ardent Goldwaterites," and that "Richard Kleberg, Jr., and his daughter were the most reactionary Goldwaterites" who were present at the gathering at which the alleged "fascist conversation" took place.

Mr. Pearson does not identify the source of his information. He states the matter flatly as truth. The only trouble, from Mr. Pearson's viewpoint, is that those who were present, from President Orlich on down, say that no such conversation took place, that they had a delightful time as guests of the King Ranch, and that no protest was made to our State Department. Our own State Department agrees.

It is exceedingly unfortunate that Mr. Pearson, in his continuing zeal to damage Senator GOLDWATER, should so smear and malign honorable people.

It is unfortunate that a report of this kind should cloud an otherwise happy and successful visit to this country by the President of Costa Rica and his staff.

I know the Kleberg family personally. I know them to be gracious and tolerant, as well as patriotic and hard working. I know they would never do the things attributed to them by Mr. Pearson.

With that background, Mr. President, I wish to place in the RECORD certain articles and correspondence concerning this matter, in order that the Senate, and the American people, may know the truth.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "King Ranch Awes, Worries Costa Rica Chief," written by Drew Pearson and published in the Wichita Falls, Tex., Record-News of August 4, 1964; a letter dated August 10, 1964, from the State Department to me; a letter dated August 6, 1964, from the Ambassador of Costa Rica to Mr. Kleberg; and the statement of Mr. Robert J. Kleberg, Jr., dated August 6, 1964.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wichita Falls (Tex.) Record News, Aug. 4, 1964]

KING RANCH AWES, WORRIES COSTA RICA CHIEF

(By Drew Pearson)

WASHINGTON.—It hasn't leaked out of the diplomatic corps, but the President of Costa Rica, while on a state visit to the King Ranch in Texas, was so shocked at Fascist conversation that a protest was made to the State Department.

President Francisco J. Orlich and his party spent 3 days at the famous King Ranch, largest in the world. They enjoyed viewing its amazing operation of Santa Gertrudis cattle and its quarter horses. But they were dumfounded to hear some of their hosts talk with glee about the assassination of the late President Kennedy as if it were a boon to the country.

In Costa Rica, Kennedy has been almost deified, and President Orlich was so upset over the gloating over Kennedy's death that his party complained about it to State Department officials.

Old Bob Kleberg, senior member of the family which owns the King Ranch, was the height of courtesy. He did not engage in any Fascist conversation or gloating; it was the younger members of the farflung family who did.

The King Ranch covers 837,000 acres of Texas land. The Klebergs also operate ranches in Australia, Argentina, Peru, and until seizure by Castro, a 30,000-acre cattle ranch in Cuba. In Pennsylvania, the family owns the Buck and Doe Run Valley Farm of 10,000 acres near Coatesville. While in Kentucky it owns a horse breeding farm near Lexington.

ROLLCALL OF FAMILY

Various members of the Kleberg family came to the ranch for the Costa Rican visit, including Dr. Deaver Alexander, of the University of Pennsylvania, who manages the King farm near Coatesville.

James Clement, whose father was former chairman of the Pennsylvania Railroad, also was present, together with Bob Shelton, who married one of the Kleberg daughters and opened the family ranch in Argentina.

Also present was Mrs. Tobin Armstrong, married to a top Republican leader for Texas and a big Goldwater organizer. In fact, most of the Kleberg family were ardent Goldwaterites, except for the Alexanders, who as Pennsylvanians were loyal to Governor Scranton.

Richard Kleberg, Jr., and his daughter were the most reactionary Goldwaterites. He is the son of the late Congressman of the same name for whom President Johnson served as an assistant when he first came to Washington. Kleberg, Senior, was defeated for Congress when this writer revealed that he had required one of his clerks to kick back part of his salary.

President Orlich and his party stayed at the Santa Gertrudis ranchhouse. Named for Alice Gertrudis, for whom the King Ranch special breed of cattle is named. But the guests would drive 50 miles to another ranchhouse for lunch or dinner—incidentally, without leaving the confines of the ranch.

Dinner was called for 8 p.m. But the family lingered over cocktails around the swimming pool until around 11 p.m. when they finally sat down to dinner. By this time some of those present were pretty well oiled and the conversation took on a fascist tone. There was gloating that Kennedy had been killed, speculation that the time had come for real people to take over the United States.

AN AMAZING RANCH

During more sober daylight visits, however, the Costa Ricans saw an amazing ranch operation, including a screw-worm fly factory, where boxes of sterile male screw-worm flies are packed. The boxes are then dropped over the ranch by airplane. When the box drops, it breaks open, releasing the sterile male flies. Each box contains food for the flies to live on temporarily, and when released they mate with females, thereby reducing the fly population.

The Costa Rican president also inspected the huge new brushclearing machine invented by the Klebergs which consists of two bulldozers in tandem. It chops up cactus, mesquite and underbrush, chews it up and spews it out to one side. The machine weighs 107,000 pounds and cost $1 million to develop.

The King Ranch also has developed its own grasses, the Klebergs having gone to South Africa to experiment with different types of grass.

One of the most impressive sights was the forest of oil wells which dot the ranch, together with the cracking plant, owned by the Klebergs, which produces oil worth $250,000 a month.

As the Costa Rican party drove over the vast acreage they passed herds of red-bronze Santa Gertrudis cattle herded by Mexican cowboys who sat stern and motionless like statues on their cow ponies. Much of the labor is Mexican and never leaves the ranch.

The ranch is one of the most fascinating feudal empires in the world and the Costa Rican president who represents one of the most democratic countries in Latin America was both awed and concerned over it.

BEHIND THE SCENES

Intelligence reports that North Vietnamese battalions had crossed into South Vietnam have turned out to be exaggerated. They were based upon capture of three North Vietnamese soldiers who told about hundreds of others. But no others materialized.

President Johnson has personally approved plans to carry out his promise not to make civil rights an issue in the coming campaign. He has ordered party officials to avoid inflamatory debate of civil rights at the Democratic convention, but to deplore violence and plead for racial peace instead. The Democrats will point out that ignorance and poverty are the real causes of racial injustice and that the President's antipoverty program offers the best way to correct abuses.

DEPARTMENT OF STATE,
Washington, D.C., August 10, 1964.

Hon. JOHN G. TOWER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TOWER: Thank you for your telephone inquiry concerning an article in the Washington Post on August 4.

In response to your question whether there has been any official complaint to the Department by members of the party of the President of Costa Rica concerning their visit to the King Ranch, July 2 to 5, I can inform you that the Costa Ricans have not complained to the Department of State regarding any aspect of the visit. On the contrary, members of the party expressed informally their appreciation for the restful, pleasant, and friendly visit at King Ranch.

Our Ambassador has advised the Department of State that he has discussed the article with both President Orlich and Foreign Minister Oduber. Both gentlemen not only deny any protest to the Department but also any knowledge of such an incident. If they are queried by the press, they have said they will reply accordingly.

If I can be of further assistance in this matter, please let me know.

Sincerely yours,

ROBERT E. LEE,
Acting Assistant Secretary for Congressional Relations.

EMBAJADA DE COSTA RICA,
Washington, D.C., August 6, 1964.

Mr. RICHARD M. KLEBERG, Jr.,
King Ranch,
Kingsville, Tex.

DEAR MR. KLEBERG: On July 16, 1964, I had the pleasure of writing to you and Mrs. Kleberg to convey, on behalf of President and Mrs. Orlich, our deep appreciation for the many courtesies you extended to us during our visit to the King Ranch.

I said then that "you proved to be the perfect hosts" and that you "saw to it that the days we spent there were full of enjoyment and relaxation."

Those words were not mere cliches of protocol. They expressed the true feelings of President and Mrs. Orlich and of all of us who had been fortunate enough to visit with you.

You will understand therefore how shocked I was upon learning that a recent publication has tried to give the opposite impression.

I have just had a telephone conversation with President Orlich and with Foreign Minister Oduber. Both of them agree with me that it is not only untrue but an absurd fabrication to state—as such publication does—that a protest was made to the State Department as our reaction to a Fascist conversation we were supposed to have heard, which offended our feelings. We did not at any time hear such Fascist conversation or anything that could have offended our feelings. We received from you nothing but courtesy, good will, and friendliness.

When we approached the State Department in regard to our visit to the King Ranch, it was to convey our gratitude for having made it possible for us to spend such delightful days there.

With my best personal regards and good wishes.

Sincerely,

GONZALO J. FACIO,
Ambassador of Costa Rica.

STATEMENT OF MR. ROBERT J. KLEBERG, JR., AUGUST 6, 1964

Drew Pearson, in his column of August 4, 1964, stated that President Orlich, of Costa Rica, while on a state visit to King Ranch, Tex., was so shocked by the kind of talk he heard that a protest was made to the State Department. The alleged talk was supposed to have included reference to the death of President Kennedy as if it were a boon to the country. The statement that there was any such talk here is wholly false and out of character for the people present who were as deeply distressed as everyone else in America over this great tragedy. Upon being informed of the publication of the column, I immediately called the officials of the Department of State who had charge of the arrangements for President Orlich's visit and the officials who head our Latin American policy to learn whether any protest had been made as alleged in the column.

All of such officials have informed me that no such protest was made and that on the contrary, President Orlich and his party were delighted with their reception at King Ranch, a fact which is borne out by letter received by myself from members of President Orlich's immediate family and party since the visit.

To make doubly sure that there was no such protest, officials of the State Department called the Ambassador of Costa Rica in Washington who was present during the visit to Texas, to learn from him whether any such protest had been made or was contemplated. The Ambassador of Costa Rica, in answer to this inquiry, informed officials of the Department of State that no such protest had been made and that a letter had been sent us expressing appreciation for the visit. The Ambassador further stated that since being informed of the publication of the column he would write me a letter for publication denying categorically the statements of the columnist.

We, at King Ranch, have a long history of association, affection and friendship with Latin Americans, and are naturally disturbed by this false and irresponsible charge of discourtesy to the head of a Latin American government while our guest.

Mr. TOWER. I thank the Senator from Florida for yielding.

Mr. HOLLAND. I am happy to have yielded to the Senator from Texas.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11202) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 2, 6, 7, 26, and 43, to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

H.R. 1213. An act for the relief of World Games, Inc.;

H.R. 2215. An act for the relief of E. A. Rolfe, Jr.;

H.R. 3071. An act to provide for the establishment of Fort Larned as a national historic site, and for other purposes;

H.R. 4018. An act to authorize establishment of the Saint-Gaudens National Historic Site, N.H., and for other purposes;

H.R. 4149. An act to provide for the satisfaction of claims arising out of scrip, lieu selection, and similar rights;

H.R. 4818. An act to amend section 25 of title 13, United States Code, relating to the duties of enumerators of the Bureau of the Census, Department of Commerce;

H.R. 5708. An act to bring certain U.S. commissioners within the purview of the Federal Employees' Health Benefits Act of 1959 and the Federal Employees' Group Life Insurance Act of 1954;

H.R. 5941. An act for the relief of Mrs. Julian A. Erskine;

H.R. 7088. An act for the relief of Joseph Di Ciccio;

H.R. 9425. An act to amend title 13, United States Code, to authorize reimbursement of census enumerators for certain telephone tolls and charges;

H.R. 9560. An act for the relief of Lim Sam Soon;

H.R. 10410. An act to amend further the Farm Credit Act of 1933, as amended, to provide that part of the patronage refunds paid by a bank for cooperatives shall be in money instead of class C stock after the bank becomes subject to Federal income tax, and for other purposes; and

H.R. 11134. An act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1965, and for other purposes.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1965—CONFERENCE REPORT

Mr. HOLLAND. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11202) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. SALINGER in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HOLLAND. Mr. President, I shall not quote from the report in detail. It has already been placed in the CONGRESSIONAL RECORD and appears on pages 20615 through 20617.

The report was agreed to unanimously and was signed by the conferees of both Houses.

I pay my compliments and respects to the other nine members of the conference committee. Present in the Chamber is the ranking minority member of the Senate conferees, the distinguished senior Senator from North Dakota [Mr. YOUNG], who with the distinguished senior Senator from South Dakota [Mr. MUNDT] represented the minority for the conferees of the Senate. The distinguished senior Senator from Georgia [Mr. RUSSELL], the distinguished senior Senator from Louisiana [Mr. ELLENDER], and I, as chairman of the agriculture subcommittee, represented the majority for the Senate conferees.

The Members of the House who served so cooperatively and cordially in the conference were the chairman of the House conferees, Representative WHITTEN, Representatives NATCHER, MAHON, HORAN, and MICHEL.

The conference was long, extending through almost all of 2 days; but it was most pleasant, and I am deeply obligated to all of the nine other conferees.

The conference bill totals $5,137,162,200, a reduction of $546,294,400 under the estimates—and $1,109,135,015 under the 1964 appropriations.

The total is under the House bill by $145,333,800, and is under the Senate bill by $201,510,325.

These reductions come from the fact that in several instances we took the lower figure of each of the two Houses.

Mr. President, I wish to make a statement in regard to certain items in the conference report. The conference committee met for several hours on each of 2 days to work out the several differences between the House version and the Senate version of the agricultural appropriation bill. There were many individual items within the amendments of the Senate to the original House bill.

PESTICIDES PROGRAM

The Senate had included $29 million in the bill for the accelerated pesticides program. This resulted from an amendment to the budget submitted directly to the Senate in Senate Document No. 85 after the House had acted upon the original budget estimates. Almost all of this program was adopted by the conference committee, with two exceptions.

The construction of a forestry research laboratory was deleted pending the completion of plans and specifications for the rebuilding of this laboratory in the Northeast. The former laboratory, which conducted insect research on forestry products, had been destroyed by fire early this year. We were advised that construction would not begin until the latter part of next year.

The conference committee did not agree to the use of $2 million for research by grants, but did agree to the full increase over 1964 approved by the Senate for payment to the State experiment stations under the formula of $8,504,000. This amounted to $5,262,000 under the Hatch Act formula, and $3,242,000 for distribution under the formula for research facilities.

CONSTRUCTION OF LABORATORY FACILITIES

All of the laboratory facilities together with funds for plans and specifications for additional laboratory facilities which were carried in the bill as it passed the Senate have been retained by the conferees, including $1 million for the construction of a peanut quality laboratory at Dawson, Ga. The disposition of the Dawson laboratory was passed over last year without prejudice and has been agreed to, as I have just indicated, and will be used to conduct the program of research originally recommended by the Department.

USE OF SECTION 32 FUNDS FOR RESEARCH

Senators will recall that in the House version of the agricultural appropriation bill full use was made of the provision agreed to last year to utilize up to $25 million of section 32 funds for research purposes. The House-passed bill included the full use of this authorization and the Senate reduced it from $25 million to $11 million by restoring to direct appropriation several research items for long-term investigations totaling $6,150,000. The conference committee agreed to the Senate action in regard to these several items, and in most instances to the amount carried in the Senate bill.

I believe that the conferees in both the House and Senate are in general agreement that the use of section 32 funds should be limited to emergency unforeseen research needs, and that long-term research investigations should be moved as rapidly as possible from financing under this provision to the regular appropriation process from general revenue funds. The conference agreement on the use of section 32 funds for research totals $12,175,000 instead of $11 million as recommended by the Senate and $25 million as originally recommended by the House.

The conference report on page 9 sets forth the amounts agreed to as follows:

COST OF PRODUCTION AND UTILIZATION RESEARCH

For cost-of-production research—$5 million—as provided in the Senate version of the bill. The items involved in the $5 million are listed on pages 12 through 14 of the Senate committee report, and the amounts in the Senate report are the amounts agreed to in the conference.

For industrial and utilization research, the conferees agreed to the $5 million amount recommended by the Senate and the general research objectives as described by the Senate which appear on pages 14 and 15 of the Senate committee report.

RESEARCH ON HEALTH-RELATED PROBLEMS OF TOBACCO

The House bill provided $1,500,000 to accelerate tobacco research on the health-related problems of tobacco and directed that the full amount of increase from section 32 funds be used at the University of Kentucky. In the Senate version of the bill only $1 million was provided for this unbudgeted program to accelerate tobacco research on the health aspects, and with directions that it be divided among major types of tobacco, including work at the University of Kentucky and the acceleration of the work at the Federal station at Oxford, N.C. After careful and thorough consideration of this matter in conference, a total of $2,175,000 has been agreed to and is recommended in the conference report for tobacco research. The amount agreed to will provide $1,500,000 on health-related problems of tobacco in Kentucky, and a minimum of $675,000 for the health-related problems of tobacco in the Flue-cured area.

In connection with the Oxford, N.C., station the conference committee believed it feasible to modernize the research facilities at that location prior to greatly expanding the expenditures for research, and $500,000 of the amount agreed to is for the purpose of construction and alteration of research facilities at the Oxford, N.C., Federal research station.

Mr. MORTON. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield to the Senator from Kentucky.

Mr. MORTON. On behalf of myself and the senior Senator from Kentucky [Mr. COOPER] who cannot be here, I wish to thank the distinguished Senator from Florida and the members of the conference for handling this item. I remember that there was a colloquy about it, and I had planned to offer an amendment when the bill was on the floor; but the Senator generously agreed to take it to conference. He has done everything he said he would do, and we are deeply grateful.

I wish to point out that the research work to be carried on at the University of Kentucky will be in the nature of a national program insofar as all types of tobacco are concerned. Speaking for the people of Kentucky, we are indeed grateful.

Mr. HOLLAND. I am certain that the strong urgings and importunings of the two Senators from Kentucky had much to do with this result, as well as the equally strong urgings of the two distinguished Senators from North Carolina. The conference committee as a whole felt that this was one of the most serious problems confronting any basic commodity in agriculture. We believe that we have started the research program as well as it can be started in 1 year.

Mr. MORTON. I agree with the general philosophy of the Senator from Florida as to section 32 funds, that it should be used for emergency research rather than long-range research. In view of the recent developments at the Public Health Service and elsewhere, this is an emergency.

Mr. HOLLAND. The conference committee so regarded it, or it would not have treated the matter—I will not say so generously, but so fully and so much in accord with the request of both major factors of industry—that is, the burley tobacco industry, which is so greatly centered in Kentucky and the Flue-cured tobacco which is centered along the Atlantic seaboard, but which I believe the State of North Carolina is the largest producer.

TOBACCO RESEARCH

Mr. MORTON. Mr. President, on behalf of my colleague [Mr. COOPER] I ask unanimous consent to have printed in the RECORD a statement prepared by him on the subject of tobacco research.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

Kentucky is an agricultural State, and the leading producer of burley tobacco. I am also interested in the farm programs as a member of the Senate legislative Committee on Agriculture and Forestry, and each year I have supported, before the Committee on Appropriations and on the Senate floor, programs which are important to thousands of small farmers in Kentucky and throughout the Nation. The committee has done good work in providing for these programs, and at this time I wish only to call attention to an item which is discussed in the conference report now before the Senate.

The House bill provided $1,500,000 for tobacco research, and the report of the House committee directed that the funds were to be used at the National Tobacco Research Laboratory established, largely with State funds, at the University of Kentucky, adjacent to the new medical school and Spindletop Research Center.

The Senate committee reduced the amount provided by the House to $1 million, and directed that the funds should be equally divided between Kentucky and North Carolina, the leading producers of burley and Flue-cured tobaccos, respectively. When the bill was before the Senate, I prepared an amendment for myself and Senator MORTON to restore the House amount. The RECORD contains our rather full discussion, together with the statements of the Senators from North Carolina [Mr. ERVIN and Mr. JORDAN] and the responses of the chairman of the subcommittee [Mr. HOLLAND] and the Senator from North Dakota [Mr. YOUNG] giving assurance that the Senate conferees would keep an open mind on this subject and consider in conference the special need for additional and expanded research at this time.

I am very glad that the conference agreed to provide the full amount of $1,500,000 for tobacco research at the University of Kentucky, as adopted by the House. In addition, the conference report provides $175,000 for tobacco research in the Flue-cured area, together with $500,000 for the renovation or construction of research facilities at the Oxford station—which I am sure is agreeable to the Senators from North Carolina.

This marks the serious beginning of work which can make an important contribution to the questions which have been raised about smoking and health, which I do not derrogate and which are of concern to tobacco growers and to the Nation.

I commend and express my appreciation to the members of the conference for their recognition of the need for research, and their action to provide funds promptly to the Department of Agriculture for this purpose.

Mr. HOLLAND. At this point, I wish to pay tribute to the Senator from North Dakota [Mr. YOUNG], for his great effectiveness throughout the consideration of the bill.

Mr. YOUNG of North Dakota. Mr. President, this was one of the most difficult appropriation bills to work on. I do not know of any appropriation bill which has been given greater scrutiny in conference by Members of the House as well as the Senate than this one. It was gone over carefully, and the smallest item was studied. We had some tough problems to deal with. Tobacco research was badly needed. Probably one of the most pressing problems was that of pesticides, and the appropriation was increased by some $29 million.

This amount is needed to get started and to take care of this pressing problem that has concerned all the people of the United States. I believe that, all in all, the conference committee did a very good job in handling the bill. The distinguished Senator did a very commendable job. He is a very able leader and a good friend of agriculture.

Mr. HOLLAND. I thank the distinguished Senator who was certainly most effective in his cooperation with us in this work.

Mr. CASE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. CASE. I ask the Senator from Florida to yield now because unfortunately I have to leave the Chamber, but before I do so I wish to—as the most junior member of the subcommittee, as well as the Committee on Appropriations on our side of the aisle—to express to him my appreciation of his general service as a member of the Committee on Appropriations, and chairman of the Subcommittee on Agricultural Appropriations, and more particularly, this time, my appreciation of his understanding of the needs of our State which is not now regarded as a big agricultural State, although it still is an important producer of many things which people consume—livestock included. Particularly his understanding of the needs of New Jersey seashore, which of course is very much the same as the seashore all along the coasts of our counrty, and for his support in the establishment there of a material center at a cost of $102,000 to the Federal Government and $250,000 in the site donated by the State—a cooperative feature which will be vastly useful, and which he supported last year, which we lost in conference, which he again supported this year, and was able to recommit in conference. This was done not only to our very great satisfaction but also to the very great good of the people of New Jersey and the entire country.

Mr. HOLLAND. I thank the distinguished Senator. I should like to say that I believe all members of the committee would say inclusion of this item was due to the persistence of the distinguished Senator from New Jersey. I am glad that this center has become established because the sandy dune types of soils along the Atlantic coast in that area will benefit from the operation of this new plant materials center.

Mr. CASE. I thank the Senator from Florida.

Mr. HOLLAND. Only two new facilities outside of this year's budget request were authorized this year. One is for the State of New Jersey, which has been mentioned, and the other one is for a peanut research laboratory in Dawson, Ga. New research laboratories have been ardently sought by various Senators. They were not included this year until they could be studied by the Department of Agriculture, but their omission was without prejudice as to their merit, because each one was meritorious.

Mr. CASE. I have one further comment unrelated to the State of New Jersey. The solution brought about in the long-standing peanut controversy is one of the major and signal contributions of the Senator from Florida.

Mr. HOLLAND. I thank the distinguished Senator. I happen to like peanuts. I hope we will achieve some new results from the new laboratory.

SPECIAL MILK PROGRAM

Mr. President, in regard to the special milk program, the Senate had recommended a direct appropriation of $106 million in lieu of the budget estimate of $99,831,000 to be derived from section 32 funds. The conferees finally reached a figure of $103 million, of which one-half, or $51,500,000 is to be derived from section 32.

This committee has previously expressed its opposition to the increasing tendency to utilize the section 32 permanent authorization for paying the expenses of authorized programs, for which direct appropriations are authorized out of general funds.

Mr. PROXMIRE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. PROXMIRE. I am grateful to the Senator from Florida, the Senator in charge of the bill, and the chairman of the Agricultural Subcommittee, for the excellent fight he made for this provision. I know that he wished very much to win full conference approval of the $106 million for the school milk program. He and I agreed that it would have been done at no cost to the taxpayers but would have meant more milk for schoolchildren. I know that under the circumstances it was impossible to get the $106 million. I also recognize that the Senator feels as deeply as any man in the Senate about the integrity of section 32 funds.

So I am grateful that he made this fight. Certainly, it is in the interest of the dairy farmer and the schoolchildren of America, and I believe in the long run to the real interest of the taxpayers. This was a fine achievement on his part. I am grateful to him for it.

Mr. HOLLAND. I thank the distinguished Senator. Let me say again that his perseverance in this matter has paid off. I am only sorry that we could not get the entire $106 million recommended by the Senate and which would have meant more in meeting the demands for milk resulting from the growth in the number of children who are eligible to receive value from the special milk program. As much as I regretted to do so, I was willing to yield on the point of half that sum coming out of section 32 funds. However, I wish to say that we included words in the amendment which will shortly be considered which will prevent a recurrence in the use of section 32 funds for this purpose in the future.

The conference action in dealing with this item also provides that there will be no recurrence of financing the special milk program—which I strongly support—from section 32 because a provision has been inserted in the amendment which is reported in technical disagreement to preclude further use of section 32 funds for financing the special milk program. It is our belief that the abuse of section 32 funds should be stopped, and I hope that the action taken by the conference committee will serve as a strong reminder to the executive branch of the Government not to further attempt to dip into section 32 funds for the financing of programs which have their separate legislative authorization and for which appropriations are authorized to be made.

Mr. President, I am happy to say that for the first time all conferees in the conference were in accord on the proposal that section 32 funds should not be used hereafter to fund activities which are covered by regular authorizations and are supposed to be handled out of general revenue funds.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. YOUNG of North Dakota. I concur in the statement the Senator just made. All members of the conference were of the general feeling, both on the Committee on Appropriations and on the standing Committee on Agriculture and Forestry, that section 32 funds should not be used in a very large measure for purposes such as this. They should be used to help the perishable commodities industry when they are in trouble.

Mr. HOLLAND. I thank the Senator. Coming from a State which is not so much interested as some of the other States in perishable commodities, such as vegetables, fruits, and the like, I think the attitude of the Senator is to be greatly appreciated and commended. However, his State does raise a great deal of mutton and lamb, and is interested in the same problem to that extent.

SOIL CONSERVATION SERVICE

The Senate bill had included funds to modernize the plant materials station operated by the Soil Conservation Service at Pullman, Wash., and funds to provide for a plant materials station on the eastern Coastal Plains to be located in New Jersey. Neither of the actions taken in this regard involve the changing of the amount as between the House and Senate version of the appropriation for the Soil Conservation Service.

I am pleased to report to the Senate that the conferees have agreed to the actions taken by the Senate in regard to these two plant materials stations.

Mr. President, I have no further statement to make in regard to the action of the conference on the agricultural appropriation bill. Unless there are questions I move that the conference report be agreed to.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. ALLOTT. First of all, I realize, as do my colleagues, what a difficult task has been accomplished. There are many items in the bill. I would indeed be remiss if I did not express my appreciation to the distinguished chairman [Mr. HOLLAND] and to the distinguished Senator from North Dakota [Mr. YOUNG] both of whom have been quite understanding. I should like to comment about two or three items.

Mr. HOLLAND. I thank the distinguished Senator from Colorado, not only for myself, but for the Senator from North Dakota. We appreciate his kind comment.

Mr. ALLOTT. It comes from the heart. I know how much devotion Senators have poured into their work on the bill.

I am particularly appreciative of the fact that the conferees were able to retain the full amount for the construction of the sugarbeet, forage, and range research facilities at Fort Collins, Colo., in the amount of $1 million. This is a facility that is very greatly needed. It will serve a great portion of the Midwest and the Great Plains States, as well as other parts of the country. It is not only a very badly needed facility, but also it is a facility that will be put to good use, particularly in these days. As the Senator so well knows, the sugar question is quite important.

There was an item in the bill, of $250,000 that was included, I believe, under the heading of "General research," for wheat research. It is my understanding that that is included in the total amount.

Mr. HOLLAND. The Senator is correct.

The conferees were all agreed that the beet sugar industry was a very large and developing industry under the present circumstances, and that it has not been sufficiently recognized heretofore. We were glad to put in the full amount.

Mr. ALLOTT. This is one area in which all portions of the sugarbeet industry were interested—not only the producers themselves, but also the processors and everyone else concerned.

I should also like to express my appreciation for the retention in conference of the $568,000 which was added by the Senate in its bill to the Great Plains conservation program.

This has saved millions of dollars worth of land, grass, and other natural resources over a period of years. Because of the great drought that seems to be afflicting a large portion of the West, Midwest, and Southwest at the present time, we can very well utilize this money.

We appreciate this action by the committee, and the fact that they were able to convince the House conferees that this item was needed. It is something that I am sure the people of Colorado and the West would wish me to comment on and thank the committee for.

Mr. HOLLAND. I thank the Senator. We were advised by the staff of the committee—and I may say that on both sides of the aisle, we have very able staff members—that this is the first time that the full budgeted amount has ever been allowed by Congress for the Great Plains program, which indicates, I think—considering the economy trend that is shown in the bill itself generally, since we are well under all figures—that the program has been showing fine results. There was no strong opposition to granting the full amount.

Mr. ALLOTT. I thank the Senator.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. YOUNG of North Dakota. I was very much pleased to hear the comment of the Senator from Colorado. He comes from a great wheat State, too. He is interested in research for wheat.

The Senator from Florida knows that we tried to get additional funds on the Senate side for more nutrition research. The sum of $2 million was proposed to start nutrition laboratories in the Great Plains country and begin planning on a laboratory at Beltsville. On the Senate side, we decided not to provide for any new laboratories this year.

I hope that next year we shall get started in that direction. The work on nutrition is very important. It could have a widespread effect in the future.

I join the Senator from Colorado in expressing appreciation for the fact that we are finally getting a good start in the field of wheat nutrition.

Mr. HOLLAND. I thank the Senator. I hope that the $250,000 shows such good results that we may get more for research in the field.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. HUMPHREY. May I ask the Senator just what happened to the timber price reporting feature of the Senate bill?

Mr. HOLLAND. That was one of the items which we were not able to retain, I regret to say. I also regret to say that we were unable to retain the full amount on the flower reporting program. This is an industry of $1.2 billion, a goodly portion of which is centered in my own State. We were not able to get the consent of the House conferees to retain but half of that amount, and we were not able to get their consent to retain any of the item on the timber report.

The conferees, however, request, on page 8 of the conference report:

> The conferees request the Forest Service to explore the possibility of using existing cooperative forest services to provide timber price information.

I do not know whether that means much or not. But the timber experts on the conference committee seemed to think they might get the wheels started toward the direction in which the Senator from Minnesota has been interested for so long—I think for 3 or 4 years—and has ardently desired them to start.

Mr. HUMPHREY. I thank the Senator. It is my hope that the Department of Agriculture, in its next budget, will include that item, because the timber price reporting service is of great importance to our timber farmers. Timber production is like any other crop, such as cotton, rice, wheat, or feed grains. The farmers need timber pricing information for commodity price marketing purposes, as in the case of any other product. I regret we were not able in the conference, to succeed in obtaining those surveys. I thank the Senator from Florida for his helpfulness in the Senate committee.

I am hopeful, too, that the flower reporting service might also be included next year, because that is a very important area of agricultural production. It ought to be given the same consideration as we give to other commodities. I hesitate to call flowers a commodity because they have a character of their own, but I surely concur with the Senator's hope in that matter.

Mr. HOLLAND. I thank the distinguished Senator. Commenting briefly on that point, the flower industry is now an industry which produces $1,200 million a year. It has asked for very little. It has no price support. The industry is found in many States. Pilot reporting programs are now operating in six States at a very modest cost of $37,600. My own State of Florida is one of the six major producing States, and therefore has the advantage of that operation. For that reason I was particularly sorry that we could not expand the service to the other 11 States, making 17 in all. They are the major producing States and they were included in the request of the national flower industry. This year the service was requested to be extended to those 11 additional States. However, I am happy to say to the distinguished Senator that we did increase slightly both production and marketing research, by $150,000.

Mr. HUMPHREY. I do indeed. If the Senator will permit me to do so, I should like to add my voice to that of the Senator from North Dakota [Mr. YOUNG] and the Senator from Colorado [Mr. ALLOTT] in reference to these new laboratories, particularly insofar as the wheat laboratory is concerned. I believed that those are wise investments. I never have seen a research laboratory yet which could really be called an expenditure. In terms of spending, ultimately more comes back in return than the amount spent. If it were not for research in American agriculture, our whole agricultural structure today would be in shambles.

I commend the committees of Congress and the Senators and Representatives who serve on those committees for taking the initiative on these questions. Actually, for many years the executive branch has been less forward in the subject of research than the Congress. I believe the record thus far shows that the initiative taken by the Congress in research facilities has been wise and prudent and naturally has saved money for the taxpayers. It has improved farm income and actually has benefited the entire economy.

I know that the chairman of the subcommittee, the Senator from Florida [Mr. HOLLAND], now handling the bill, had to take the position that no new laboratories would be included in the appropriation.

Mr. HOLLAND. Except the budgeted ones.

Mr. HUMPHREY. Except the budgeted ones. That is correct. Many of us came in with other suggestions. I came in with some proposals that I thought would be very beneficial not only for the area of the Nation that I am privileged to represent in part, but for the whole Nation. I am hopeful that the record of the hearings before the Subcommittee on Agricultural Appropriations of the Senate Committee on Appropriations will be studied by the executive branch so that when the new budget is presented, the case that was made for some of these laboratories can be budgeted, because I know how important it is that we adhere as much as possible to budgeted items, even though I must say, with all due respect to the Bureau of the Budget and the executive department, there are times when we are wise in making our own decision and using the Budget Bureau figures only for guidance.

Mr. HOLLAND. I believe the distinguished Senator from Minnesota is correct. The conference report covers an appropriation for research into pesticides under the recommendations of the Budget Bureau. Everyone is familiar with what is happening in connection with the pressing question of the effect of pesticides. Also, there is a pressing need in the tobacco industry for research, and there is a sizable program in that field. We will not hesitate to do what the Senator has suggested when there is a pressing need that has not been recommended by the Budget Bureau.

As a member of the committee and as a Senator for his State and the Nation, the Senator from Minnesota has been very diligent. I am only sorry that the committee—and in fact the country—is not able to move along quite so fast as the Senator sometimes would like to see us move. But I think we have moved rather constructively this time, and I hope that the results accomplished will so indicate.

Mr. HUMPHREY. I thank the Senator. I wish to add one word. As the Senator will recall, I was deeply interested in the expansion of the rust laboratory facilities, which are studying rust affecting our wheat production. I have both a sentimental interest and an economic interest. My late uncle, Dr. Harry B. Humphrey, was the chief plant pathologist for the Department of Agriculture for many years. He was the head of the USDA graduate school at the Department of Agriculture. He was one of the pioneers in this whole field of rust control. As a young man and boy, I used to travel with him through the wheat fields of the Midwestern States. I can remember many times looking across those fields. He would spot a place where we could see the wheat sort of dip, and we would know that in that area there was rust or some affliction of the crop.

Our University of Minnesota at St. Paul, on its agriculture campus, has a laboratory facility at the present time exploring into ways and means of controlling this rust infection, because it is an infection, on the wheat stem and finally on the wheat kernel itself.

I am hopeful that next year the Department of Agriculture will see the importance of waging a continuing battle against rust, because there are many variations of it. We correct one only to find another. It is like trying to find the proper type of mycin drug to control a virus in the human body. As a pharmacist of sorts, though no longer really up to date, I know that the mycin family of drugs must be constantly updated. New compounds have to be perfected to combat infection.

So let us hope that the Department of Agriculture will give us a break on the rust laboratory in the appropriation for the next fiscal year. I know that my friend from Florida will be the first to embrace that recommendation. He has been simply magnificent.

The Senator from Florida has been magnificent in terms of our agricultural economy and our agricultural appropriations. I would not wish to sit down without paying my respects to him for his diligence, his care, his generosity, and yet for his prudence in the appropriation.

Mr. HOLLAND. Mr. President, I certainly appreciate that statement for myself and all members of our subcommittee on both sides of the aisle and all members of the committee, of which the distinguished Senator from Minnesota is one of the more diligent members.

I must say that we had our attention called very fully to this dear desire of the Senator from Minnesota in connection with the experimentation and research for wheat rust. I should like the Record to show why the request was not granted. There were either eight or nine—I have forgotten which—ardent requests by various Senators, all of which had merit. We put them all back in the Department and said, "Go over all these things and look at them in connection with your other establishments. Come back with some strong specific recommendations to us."

We think that that is the orderly way.

COFFEE RESEARCH FUNDS AGREED UPON

Mr. FONG. Mr. President, I want to express my deepest appreciation for the action of the conferees on the Agriculture Department appropriation bill (H.R. 11202) in retaining the Senate increases for coffee research.

On August 8, the Senate approved $37,500 for research on a mechanical harvester for coffee cherries and earmarked $25,000 more than the budget provided for research on the market potential of Kona coffee. Both of these amounts were added by the Senate to the bill as it was passed by the House of Representatives.

While these amounts are small compared with the billions of dollars provided in this bill for the Department of Agriculture and related agencies, they are very important to the future of the coffee industry in Hawaii.

Through research we hope to reduce production costs and increase the market for Hawaii's coffee.

The State of Hawaii is the only one of our 50 States that grows and exports coffee—a very fine, high-grade coffee grown principally in the Kona district of our largest island, Hawaii.

In volume, Hawaii's Kona coffee represents much less than 1 percent of world production. It has little, if any, impact on world coffee prices.

But world coffee prices have a tremendous impact on Kona coffee prices. History shows that as world coffee prices go, so goes the price of Hawaii's Kona coffee.

During the drastic coffee price decline of 1959–63, Kona coffee farmers suffered real hardship. From a high of $6.5 million for the 1958 crop, the Kona coffee industry fell to a low of $1.8 million in 1962. The number of coffeegrowers in Hawaii also declined.

As long as Kona coffee is sold as green coffee, as is most of the world's coffee, Kona coffee prices will fluctuate with the world coffee price.

For some time, Kona coffee farmers, their organizations, and other components of the coffee industry in Hawaii have been striving to strengthen the industry in both domestic and world markets with the help of our State Department of Agriculture, the University of Hawaii, the Extension Service, and other agencies of the U.S. Department of Agriculture.

Since coming to the Senate, I have sought assistance in Congress and in the executive branch for this important segment of Hawaii's economy. Some progress has already been made.

Last year, in response to my request, the Senate Agriculture Appropriations Subcommittee recommended $25,000 for research on a mechanical harvester for coffee. As one-half of the 1964 fiscal year had elapsed when this bill went to conference, the final amount allowed was $12,500. This was a good beginning.

This year I requested $40,000 to provide for a full year's research for this important research project, through which a less costly method than the present hand harvesting of Kona coffee will some day be developed.

In addition, I requested $25,000 more than the $13,000 contained in the 1965 budget for an expanded research program in the market potentials of Kona coffee.

I was delighted that the Senate Agriculture Appropriations Subcommittee once more supported these requests for research assistance for Kona coffee. Later, the full appropriations and the Senate itself concurred in these increases.

In closing, I want to say "mahalo"—thank you—to my good friends, the distinguished senior Senator from Florida [Mr. Holland] chairman of the subcommittee, the distinguished senior Senator from North Dakota [Mr. Young] ranking minority member, and all the other members of the Senate Agriculture Appropriations Subcommittee for their support of these vital funds for Hawaii's coffee industry. In them, the farmers of Hawaii and of all America have stanch friends and champions.

I want to express my gratitude also to the Members of the Senate Appropriations Committee, who sustained their subcommittee's recommendations on coffee research and to the House conferees for their support of these items.

I know all the people of Hawaii engaged in production and marketing of coffee join me in expressing appreciation.

Mr. HOLLAND. Mr. President, unless there are some additional questions, I move that the conference report be agreed to.

The PRESIDING OFFICER. The question is on the motion of the Senator from Florida.

The motion was agreed to.

Mr. HOLLAND. Mr. President, I move that the vote by which the conference report was agreed to be reconsidered.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 11202, which was read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 35 to the bill (H.R. 11202) entitled "An Act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes", and concur therein.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 2, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following: "$114,991,000, plus not to exceed the following amounts, to remain available until expended, for the planning, construction, alteration, and equipping of research facilities: $1,000,000 for crops research facilities at Fort Collins, Colorado; $850,000 for facilities at the Agricultural Research Center, Beltsville, Maryland; $800,000 for a stored product insects laboratory, Savannah, Georgia; $260,000 for plans for a livestock insects and toxicology laboratory, College Station, Texas; $338,000 for plans for a plant disease, nematode, and insect laboratory, Beltsville, Maryland; $160,000 for plans for an insect attractants and stored product insects laboratory, Gainesville, Florida; $1,000,000 for a peanut quality research laboratory, at Dawson, Georgia, on a site acquired by donation; and $240,000 for plans for a western cotton insects and physiology laboratory, Tempe, Arizona; a cotton disease laboratory, College Station, Texas; a cotton physiology laboratory, Stoneville, Mississippi; pilot cotton ginning facilities at Stoneville, Mississippi, and Mesilla Park, New Mexico; and facilities in the high plains region in Texas for cotton ginning and storage research; in all, $119,639,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 6, and concur therein with an amendment, as follows: In lieu of the sum of $4,000,000, insert "$2,000,000."

After the sum of $25,000, change the word "for" to "Of."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 7, and concur therein with an amendment, as follows:

In lieu of the sum of $2,750,000, insert "$1,900,000".

In lieu of the sum of $900,000, insert "$50,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 26, and concur therein with an amendment, as follows:

Restore the matter stricken, amended to read as follows: ", of which $51,500,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612): *Provided,* That hereafter appropriations under this head shall be made in accordance with the provisions of Public Law 87-128".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 43, and concur therein with an amendment, as follows: Restore the matter stricken, and add at the end thereof the following: ": *Provided further,* That no part of any funds in this paragraph may be used to administer a program which makes rural housing grants pursuant to section 504 of the Housing Act of 1949, as amended".

Mr. HOLLAND. Mr. President, unless there are questions about any of the amendments, I move that they be considered and agreed to en bloc.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the Senate has concurred in the House amendments to the Senate amendments.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a comparative table showing the budget estimate, the House, the Senate, and the conference allowances on the various appropriation items in the agricultural appropriation bill for 1965.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparative statement of appropriations for 1964 and estimates and amounts recommended in bill for 1965

	Item	Appropriations, 1964 (adjusted)	Budget estimates, 1965 [1]	House bill, 1965	Senate bill, 1965	Conference allowance
	TITLE I—GENERAL ACTIVITIES					
	Agricultural Research Service:					
	Salaries and expenses:					
S. 85	Research	[2] $96,433,075	[3] $116,832,875	$97,656,000	$120,564,000	$119,639,000
H. Doc. No. 240, S. 82, S. 83, S. 85.	Plant and animal disease and pest control	64,318,000	69,605,000	65,255,000	69,036,400	68,793,200
	Meat inspection	27,896,000	30,837,000	30,454,000	30,837,000	30,837,000
H. Doc. No. 284	1964 supplemental		90,000			
	Total, salaries and expenses	188,647,075	217,364,875	193,365,000	220,437,400	219,269,200
S. 82	Salaries and expenses (special foreign currency program)	1,250,000	4,000,000		4,000,000	2,000,000
	Total, Agricultural Research Service	189,897,075	221,364,875	193,365,000	224,437,400	221,269,200
	Forest Service:					
S. 85	Research (1965 supplemental)		2,750,000		2,750,000	1,900,000
	Cooperative State Research Service:					
S. 85	Payments and expenses	41,428,000	51,232,000	42,440,000	52,482,000	49,932,000
	Extension Service:					
S. 85	Payments to States and Puerto Rico	67,295,000	66,805,000	67,295,000	72,100,000	72,100,000
S. 85	Retirement costs for extension agents	7,272,500	7,510,000	7,410,000	7,510,000	7,510,000
	Penalty mail	3,113,000	3,113,000	3,113,000	3,113,000	3,113,000
S. 85	Federal Extension Service	2,401,000	2,551,000	2,451,000	2,551,000	2,451,000
	Total, Extension Service	80,081,500	79,979,000	80,269,000	85,274,000	85,174,000
	Farmer Cooperative Service	1,059,200	1,102,200	1,082,000	1,102,000	1,102,000
	Soil Conservation Service:					
	Conservation operations	97,926,000	98,750,000	100,511,000	100,511,000	100,511,000
	Watershed planning			5,524,000		5,524,000
	Watershed protection	63,447,000	65,848,000	60,324,000	65,848,000	60,324,000
	Flood prevention	25,423,000	22,656,000	25,423,000	22,656,000	25,423,000
	Great Plains conservation program	13,612,000	14,744,000	14,176,000	14,744,000	14,744,000
	Resource conservation and development	1,496,000	2,044,000	1,496,000	2,044,000	1,770,000
	Total, Soil Conservation Service	201,904,000	204,042,000	207,454,000	205,803,000	208,296,000
	Economic Research Service:					
S. 85	Salaries and expenses	9,246,800	9,976,000	9,476,000	10,576,000	10,576,000
	Statistical Reporting Service:					
	Salaries and expenses	10,590,900	11,431,400	11,431,000	11,892,000	11,481,000
	Agricultural Marketing Service:					
	Marketing services	[4] 37,192,600	[5] 39,515,125	39,389,000	39,590,125	39,566,000
H. Doc. No. 203	1964 supplemental		173,000			
	Payments to States and possessions	1,500,000	1,425,000	1,500,000	1,500,000	1,500,000
	Special milk program	99,834,000			106,000,000	51,500,000
	Transfer from sec. 32 funds (special receipts)		(99,831,000)	(99,831,000)		(51,500,000)
	School lunch program	136,616,000	147,610,000	146,400,000	146,400,000	146,400,000
	Transfer from sec. 32 funds	(45,000,000)	(45,000,000)	(45,000,000)	(45,000,000)	(45,000,000)
	Total, Agricultural Marketing Service	275,142,600	188,723,125	187,289,000	293,490,125	238,966,000
	Foreign Agricultural Service:					
H. Doc. No. 240	Salaries and expenses	18,587,500	20,524,000	18,790,000	20,488,000	20,488,000
	Transfer from sec. 32 funds	(3,117,000)	(3,117,000)	(3,117,000)	(3,117,000)	(3,117,000)
	Commodity Exchange Authority	1,053,000	1,119,000	1,100,000	1,119,000	1,119,000
	Agricultural Stabilization and Conservation Service:					
	Expenses, Agricultural Stabilization and Conservation Service	[6] 117,970,500	114,562,000	105,602,000	105,602,000	105,602,000
	Transfer from Commodity Credit funds	(91,720,000)	(87,508,000)	(87,508,000)	(87,508,000)	(87,508,000)
	Sugar Act program	78,000,000	87,500,000	86,400,000	87,500,000	87,500,000

See footnotes at end of table.

Comparative statement of appropriations for 1964 and estimates and amounts recommended in bill for 1965—Continued

	Item	Appropriations, 1964 (adjusted)	Budget estimates, 1965 [1]	House bill, 1965	Senate bill, 1965	Conference allowance
	TITLE I—GENERAL ACTIVITIES—continued					
	Agricultural Stablization and Conservaton Service—Continued.					
H. Doc. No. 203	1964 supplemental		$6, 400, 000		$4, 800, 000	$2, 500, 000
	Agricultural conservation program	$215, 000, 000	225, 000, 000	$225, 000, 000	225, 000, 000	225, 000, 000
S. 85	Conservation reserve program	294, 000, 000	194, 000, 000	194, 000, 000	194, 000, 000	194, 000, 000
	Cropland conversion program	11, 350, 000	10, 000, 000	7, 200, 000	10, 000, 000	7, 500, 000
S. 83	1964 supplemental		10, 000, 000		10, 000, 000	7, 500, 000
S. 82	Emergency conservation measures	4, 000, 000	4, 000, 000		4, 000, 000	4, 000, 000
	Total, Agricultural Stabilization and Conservation Service	720, 320, 500	651, 462, 000	618, 202, 000	640, 902, 000	633, 602, 000
	Office of Rural Areas Development	120, 000	124, 000	124, 000	124, 000	124, 000
	Office of Inspector General	9, 712, 400	9, 874, 000	9, 874, 000	9, 874, 000	9, 874, 000
	Office of the General Counsel	3, 698, 500	3, 853, 000	3, 784, 000	3, 853, 000	3, 853, 000
	Office of Information	1, 634, 000	1, 648, 000	1, 648, 000	1, 648, 000	1, 648, 000
	National Agricultural Library:					
S. 85	Salaries and expenses	1, 326, 140	1, 547, 000	1, 347, 000	1, 547, 000	1, 547, 000
	Library facilities	450, 000	7, 000, 000			
H. Doc. No. 240	Office of Management Services	2, 541, 200	2, 482, 000	2, 482, 000	2, 482, 000	2, 482, 000
H. Doc. No. 240	General administration	3, 223, 000	3, 357, 000	3, 530, 000	3, 314, 000	3, 314, 000
	Total, title I, general activities	1, 572, 016, 315	1, 473, 590, 600	1, 393, 687, 000	1, 573, 157, 525	1, 506, 747, 200
	TITLE II—CREDIT AGENCIES					
	Rural Electrification Administration:					
	Loan authorizations:					
	Electrification	[7] (425, 000, 000)	[8] (365, 000, 000)	[9] (365, 000, 000)	(365, 000, 000)	(365, 000, 000)
	Telephone	(70, 000, 000)	(63, 000, 000)	[10] (70, 000, 000)	(70, 000, 000)	(70, 000, 000)
	Total, loan authorizations	(495, 000, 000)	(428, 000, 000)	(435, 000, 000)	(435, 000, 000	(435, 000, 000)
	Salaries and expenses—REA	11, 149, 000	11, 428, 000	11, 641, 000	11, 428, 000	11, 578, 000
	Farmers Home Administration:					
	Rural housing loans	25, 000, 000				
	Direct loan account:					
	Real estate loans	(60, 000, 000)	(25, 000, 000)	(60, 000, 000)	(60, 000, 000)	(60, 000, 000)
	Operating loans	[11](300, 000, 000)	(300, 000, 000)	[11](300, 000, 000)	(300, 000, 000)	(300, 000, 000)
	Total, direct loan account	(360, 000, 000)	(325, 000, 000)	(360, 000, 000)	(360, 000, 000)	(360, 000, 000)
	Rural renewal	1, 200, 000	2, 190, 000	1, 200, 000	1, 200, 000	1, 200, 000
	Rural housing for the elderly revolving fund	3, 500, 000	5, 000, 000	3, 500, 000	5, 000, 000	5, 000, 000
H. Doc. No. 240	Salaries and expenses	38, 043, 900	40, 184, 000	39, 544, 000	39, 794, 000	39, 544, 000
	Total, Farmers Home Administration	67, 743, 900	47, 374, 000	44, 244, 000	45, 994, 000	57, 322, 000
	Total, title II, credit agencies:					
	Loan authorizations	(855, 000, 000)	(753, 000, 000)	(795, 000, 000)	(795, 000, 000)	(795, 000, 000)
	Direct appropriation	78, 892, 900	58, 802, 000	55, 885, 000	57, 422, 000	57, 322, 000
	TITLE III—CORPORATIONS					
	(Including Public Law 480 and other assistance programs)					
	Federal Crop Insurance Corporation:					
	Administrative and operating expenses:					
	Appropriations	6, 944, 000	6, 942, 000	6, 942, 000	6, 942, 000	6, 942, 000
	Premium income	(3, 505, 000)	(3, 649, 000)	(3, 638, 000)	(3, 638, 000)	(3, 638, 000)
	Commodity Credit Corporation:					
	Reimbursement for net realized losses	2, 699, 400, 000	1, 724, 000, 000	1, 724, 000, 000	1, 574, 000, 000	1, 574, 000, 000
	Limitation on administrative expenses	(41, 650, 000)	(37, 351, 000)	(37, 351, 000)	(37, 351, 000)	(37, 351, 000)
	Public Law 480:					
	Sales for foreign currencies	1, 452, 000, 000	1, 893, 000, 000	1, 612, 000, 000	1, 737, 000, 000	1, 612, 000, 000
S. 85	Emergency famine relief	215, 451, 000	220, 453, 000	220, 453, 000	220, 453, 000	220, 453, 000
S. 85	Long-term supply contracts	52, 515, 000	55, 000, 000	55, 000, 000	35, 000, 000	35, 000, 000
	Total, Public Law 480	1, 719, 966, 000	2, 168, 453, 000	1, 887, 453, 000	1, 992, 453, 000	1, 867, 453, 000
	International Wheat Agreement	86, 218, 000	31, 838, 000	31, 838, 000	31, 838, 000	31, 838, 000
	Bartered materials for supplemental stockpile	82, 860, 000	120, 000, 000	82, 860, 000	102 860, 000	92, 860, 000
	Total, title III, corporations	4, 595, 388, 000	4, 051, 233, 000	3, 733, 093, 000	3, 078, 093, 000	3, 573, 093, 000
	TITLE IV—RELATED AGENCIES					
	Farm Credit Administration:					
	Limitation on administrative expenses	(2, 785, 000)	(2, 876, 000)	(2, 876, 000)	(2, 876, 000)	(2, 876, 000)
	Total appropriations:					
	Title I—General activities	1, 572, 016, 315	1, 473, 590, 600	1, 393, 687, 000	1, 573, 157, 525	—1, 506, 747, 200
	Title II—Credit agencies	78, 892, 900	58, 802, 000	55, 885, 000	57, 422, 000	<57, 322, 000
	Title III—Corporations (including Public Law 480 and other assistance programs)	4, 595, 388, 000	4, 051, 233, 000	3, 733, 093, 000	3, 708, 093, 000	>3, 573, 093, 000
	Title IV—Related agencies	(2, 785, 000)	(2, 876, 000)	(2, 876, 000)	(2, 876, 000)	(2, 876, 000)
	Grand total	6, 246, 297, 215	5, 583, 625, 600	5, 182, 665, 000	5, 338, 672, 525	>5, 137, 162, 200
	1965 appropriations	6, 246, 297, 215	5, 564, 212, 600	5, 182, 665, 000	5, 321, 122, 525	5, 125, 262, 200
	1965 supplemental		2, 750, 000		2, 750, 000	1, 900, 000
	1964 supplementals		16, 663, 000		14, 800, 000	10, 000, 000

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[1] H. Doc. 266, dated Jan. 21, 1964, unless otherwise indicated.

[2] Includes $5,041,375 for marketing research which is merged with this appropriation.

[3] Includes $4,459,875 for marketing research which is merged with this estimate.

[4] Excludes $5,041,375 for marketing research which is merged with "Salaries and expenses, Agricultural Research Service."

[5] Excludes $4,459,875 for marketing research which is merged with "Salaries and expenses, Agricultural Research Service."

[6] Includes $13,600,000 deficiency for fiscal year 1964 submitted in H. Doc. 203 of Jan. 21, 1964.

[7] Includes $150,000,000 contingency authorization.

[8] Includes $65,000,000 contingency authorization.

[9] Includes $90,000,000 contingency authorization.

[10] Includes $7,000,000 contingency authorization.

[11] Includes $50,000,000 contingency authorization.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 26. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes;

S. 1169. An act to authorize a per capita distribution of $350 from funds arising from judgments in favor of any of the Confederated Tribes of the Colville Reservation; and

S. 2961. An act to provide for the disposition of the judgment funds on deposit to the credit of the Northern Cheyenne Tribe of the Tongue River Indian Reservation, Montana.

NATIONAL WILDERNESS PRESERVATION SYSTEM—CONFERENCE REPORT

Mr. ANDERSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4) to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today).

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ANDERSON. Mr. President, this Congress has responded in clear terms to a broad band of social and economic problems. What we have done we have done not only to meet the urgency of the moment, but for the future. In no area has this Congress more decisively served the future well-being of the Nation than in passing legislation to conserve natural resources and to provide the means by which our people could enjoy them.

One of the brightest stars in the constellation of conservation measures is the wilderness bill. This bill, which we are about to send to the President of the United States, will create a system to protect over 9 million acres of the public lands and forests in their natural majesty. And this bill provides that additional wilderness areas can be preserved.

The path of wilderness legislation through Congress has sometimes been as rugged as the forests and mountains embraced by the wilderness system. Many Americans, both in and out of Congress, have pioneered and blazed the trail that led to the establishment of the wilderness system. Among those who have been in the vanguard is the senior Senator from Minnesota. Senator Humphrey introduced the first wilderness bill in the Senate in 1956. And while that original proposal has undergone major revision, the concept proposed by that bill was carried through to reality in the conference report now before us. There were many others who labored diligently to shape into substance what had long been a dream.

While we stretch out the highways to carry ever-expanding traffic, while we build whole new communities to house a growing population, and while we consume more acreage for a burgeoning industry, we have set aside part of our land as it was when human eye first saw it—unscarred by man, primeval, a memoral to the Creator who molded it.

I was asked by one of the Members of the Senate about the destruction of wilderness areas during the 19 years that mining laws are to be applicable, and about the language in the House amendment in that respect. I assure that Senator that I shared his concern. I feared that the language of the amendment might be misinterpreted to mean that mechanized equipment could be used in prospecting—that bulldozers might be used to prospect or even cut long roads to the prospect areas.

We were assured by the House conferees that the House language has no such meaning.

We were told that the Forest Service has managed to avoid serious damage to the primitive, wild, and wilderness areas for 25 years or more; that Forest Service regulations governing mining activities in the areas can be continued and, indeed, that the regulations can be strengthened. The bill provides that activities in the areas shall be in harmony with the wilderness concept under reasonable regulations.

This was a crucial question in regard to the bill.

I have a great personal interest in the Gila wilderness in New Mexico. I do not want to see the beauty and the primitive grandeur of that area disturbed. I would be much happier if I knew that all new mining activity in the area was being stopped.

If there were to be a relaxation of mining regulations which would permit serious depreciation of wilderness values, I would have sought to still be in conference. It is true that the Forest Service has managed to protect most of the primitive and wilderness areas from depredations in the past. With the assurance that the regulations governing mining can be strengthened, I feel we have a meritorious bill.

The Senator from Colorado [Mr. Allott] asked me a question a while ago. I hope he will ask it again. We are anxious to clear up any questions.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. ALLOTT. I would like to make some legislative history on an item which appears in the statement of managers on the part of the House on page 9 of the conference report, which deals with the 7,000 acres in the Gore Range-Eagles Nest Primitive Area, which may be deleted from that area and made available for Interstate Highway 70. I should have said, "not to exceed 7,000 acres." With respect to this area of 7,000 acres which may be utilized for a highway tunnel for Interstate Highway 70, as well as a water tunnel to supply the Denver area with water, I want to be sure that in authorizing the deletion of this amount of land it was the clear intention of the conferees that it could be used for those purposes, and that the conferees considered the uses to which it might otherwise be put.

Mr. ANDERSON. Yes. I want to assure the Senator that the matter was carefully considered. All the conferees agreed that the use of the 7,000 acres for this purpose would be in the public interest.

The language in section 3(c) is:

> Notwithstanding any of the provisions of this act, the Secretary of Agriculture may complete his review and delete such area as may be necessary.

And so forth.

Therefore, we had to get in that language. It actually says the Secretary shall complete his review and shall delete. We had to give it the language of the act, but we all intended that it shall come out for that purpose.

Mr. ALLOTT. The report uses the words "in the public interest." The conferees were all of one mind that it was in the public interest to take out that land from the southern tip of the primitive area. Is that correct?

Mr. ANDERSON. The Senator is correct. All the conferees agreed that it was in the public interest to take out the area of 7,000 acres.

Mr. ALLOTT. Mr. President, I ask unanimous consent to have printed at this point in the Record paragraph 3 of the statement contained in the report.

There being no objection, the extract was ordered to be printed in the Record, as follows:

> 3. The conferees understand that Forest Service officials tentatively have decided that an undetermined amount of land, but not exceeding 7,000 acres, in the Gore Range-Eagles Nest Primitive Area, Colo., should be deleted and made available for Interstate Highway 70; in addition, the Denver Water Board has a plan for a tunnel in the general area. Under existing regulations the Chief of the Forest Service has been delegated authority to modify primitive areas and eliminate portions. Inasmuch as S. 4 as passed by the House would withdraw this authority from the Department of Agriculture, the conferees have provided that the Secretary of Agriculture may complete his review of the suitability or nonsuitability of the Gore Range-Eagles Nest Primitive Area for preservation as wilderness and delete up to 7,000 acres from its southern tip if he determines that such action is in the public interest. In this connection the conference committee noted that, if the President recommends that the Gore Range-Eagles Nest Primitive Area be designated as a wilderness area for inclusion in the wilderness system, he may recommend the addition of other lands, not now within the primitive area, to replace the 7,000 acres that may be deleted.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ANDERSON. Yes; I am happy to yield. I said he was the author of the original bill in 1956. I am happy to repeat that and to pay him tribute for the leadership he gave in this important cause.

Mr. HUMPHREY. I am grateful for those kind words. I rise to commend the Senator from New Mexico for the leadership he gave to this measure, and indeed, he made it possible for this bill to be here. I also want to salute the minority whip, the Senator from California [Mr. KUCHEL], for his cooperation, and indeed the Senator from Idaho [Mr. CHURCH] for his determined and skillful job in managing this bill in the Committee on Interior and Insular Affairs and on the Senate floor.

The bill as finally worked out may not meet all the criteria some persons had in mind for a wilderness preservation program, but in the main I would say it is a great forward step. It will do much not only for today, but for the future. Of all the pieces of legislation that have been passed, in terms of looking to the future, in terms of providing for the recreational needs of our people, in terms of preservation of the great resources of America and the need of a growing population to know something of the great out of doors, untouched and unscathed, nothing is more significant than this piece of legislation. I commend all the members of the committee who have worked so hard. It is a job well done. I am really pleased to be present when this important piece of legislation is being passed.

Mr. ANDERSON. I only want to say I am glad the Senator did include all the members of the committee. I have been on the Interior and Insular Affairs Committee longer than any other member. I never saw members on both sides of the aisle work better than they did on this bill. A great many questions were asked, but a careful bill has been worked out. We owe a debt of gratitude to all who contributed to this effort.

Mr. HUMPHREY. May I add that some of the conservation groups did yeoman labor on this bill. One of their members departed. I refer to Howard Zahniser, of the Citizens' Committee on Natural Resources; and the Secretary of the Interior, the Honorable Stewart Udall, surely should receive a note of commendation. I cannot help think of that public-spirited citizen who for many many years would be in the galleries when we were considering the wilderness bill. Howard Zahniser gave his life for it. I hope sometime in the future there will be some memorial to him because of his dedication to this important cause.

Mr. President, after 8 years of lengthy debate and partial action by one House of Congress or the other, the wilderness bill is about to become law. This occasion should not pass without a few words of tribute to the countless Americans who did their part to make this effort a successful one.

We have learned in those 8 years that it is one thing to speak out for the preservation of this Nation's precious wilderness areas, and it is quite another thing to enact a sound, fair, and meaningful national policy which makes that preservation possible.

In an age of automation, mechanization, and exploitation of our vast natural resources, the amount of public lands shielded from the onslaught of man's ambition and genius becomes even smaller. Our task in this age has been to stand off and ponder the consequences of that onslaught. I believe that this bill contains our verdict, and I believe that we can all be grateful that the verdict came while we still had wilderness to preserve.

During the 85th and 86th Congresses it was my privilege to be the principal sponsor of wilderness legislation. Since that first major wilderness bill was introduced in March 1957, both the Senate and the House have taken thousands of pages of testimony. During the 85th and 86th Congresses we held hearings not only here in Washington but in Oregon, California, Utah, New Mexico, the State of Washington, and Arizona. This pattern continued under the masterful leadership of the Senator from New Mexico [Mr. ANDERSON].

In 1961 Senator ANDERSON guided his wilderness bill to an overwhelming victory of 78 to 8. This margin demonstrated both the skill of the Senator from New Mexico and the soundness of the bill. Unfortunately, of course, the bill did not pass in the other body.

Last year, again under the adroit leadership of Senator ANDERSON and of the distinguished minority whip, Senator KUCHEL, the wilderness bill received a resounding vote of 73 to 12. I salute, too, the distinguished Senator from Idaho [Mr. CHURCH] for his determined and skillful job in managing this legislation in the Interior Committee and on the Senate floor.

Similar legislation finally saw the light of day just recently in the House of Representatives when that body approved H.R. 9070 on July 30. Once the bill had reached the floor, the voice of the majority was loud and clear as the bill passed 373 to 1.

Now, finally, a wilderness bill has passed both Houses, it has been thrashed out in conference, and it awaits the final nod from Capitol Hill before going to the President's desk. This is not only another mark of distinction for the 88th Congress, but a milestone in the lifelong efforts of many Americans to guard our primitive areas from abuse and ruination.

Those 8 years of legislative struggle have brought many modifications in the specific procedures for identifying and protecting certain wilderness areas. The proposal to establish a permanent national wilderness preservation council has been eliminated. The original definition of a wilderness area has been modified considerably. The regulations for the protection of wilderness areas have been revised and liberalized.

The changes have been many, but they have all been made in the interest of balance between the need for effective wilderness preservation and the need for realistic land-use programs or legitimate economic and commercial use. The bill is not an ideal one for all interests concerned—very few bills are—but neither is it an empty one with acceptability as its only virtue. It will help us to insure that these federally owned wilderness lands—some million acres—will be administered in such a way as to leave them unimpaired. And that is the crucial point, because once an act of destruction occurs in our wilderness areas, it cannot be undone. Prevention, in the form of a clear national policy, is far better than regret.

And so I salute those who made the passage of this bill possible by calling the Nation's attention to the problems it will help us to solve and by working year in and year out to bring about decisive action. There are many names I could cite—too many to mention now—but let me say again that this bill is, in a very real sense, a monument to the untiring work of the late Howard Zahniser, who was executive director of the Wilderness Society. He carried this fight for many years and he never wavered in his firm belief that eventually the wilderness bill would become law. Spencer Smith, Citizens Committee for Natural Resources, has been a stalwart leader in this effort which has required so many years and so much patience and determination. And, as I mentioned earlier, let us not forget the dedicated work of our Secretary of the Interior, the Honorable Stewart Udall.

To these men, to my colleagues in the Senate and in the House, and to the many others whose work was so vital, I say "A job well done." As far as our wilderness policy is concerned, Mr. President, we are finally out of the woods.

Mr. ANDERSON. I thank the Senator.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Mississippi.

Mr. STENNIS. I commend the Senator from New Mexico and the other members of the committee for the form in which they worked this bill out. I did not favor S. 4 in the form in which it was passed by the Senate on April 9, 1963, although I was in great sympathy with the overall objectives of the bill. My basic objection to the passage of S. 4 at that time was based on the provision thereof which provided for the immediate inclusion in the wilderness system of some 52 million acres of land now classified as primitive. Although the inclusion of this land would be subject to subsequent congressional veto, I believe the Congress should retain authority to include such land by specific action.

The conference committee agreed to accept the House provision which provided for this affirmative congressional control, which I believe represents the proper approach. I am pleased that the conferees reached this agreement because I have always been a strong advocate of conservation legislation, and I believe that we should maintain for future generations these wilderness areas. With this provision requiring specific congressional authority for inclusion of new areas in the wilderness system, I can now vote for and support passage of this act.

Mr. ANDERSON. Mr. President, I move the adoption of the conference report.

Mr. ALLOTT. Mr. President, I should like to make a few remarks concerning the bill. This action will terminate what has probably been one of the most controversial bills before the Congress. The effort to achieve this legislation has gone on for almost 8 years now.

I voted against the Senate version of the bill twice. I voted against it because I was opposed to giving the Secretary or the President, as the case may be, the right to administratively include certain lands and areas within provisions of the bill, thereby leaving Congress with only what in effect was a negative veto.

I am happy to say that the bill as it is now written contains the principle that Congress must act affirmatively, by statute, to incorporate new areas into the wilderness area.

I believe these remarks are necessary, because certain extreme people from time to time have misinterpreted my position. I have never at any time been opposed to the establishment of a wilderness system. My approach was originally based upon the acceptance of a wilderness system consisting of a little more than 8 million acres. With the designation later of the wilderness area in Idaho, that acreage was increased to a little more than 9 million acres. The fact that the Senate bill also included the possibility that the Secretaries of the Interior and Agriculture could have designated as much as 63 million acres, leaving only a veto power to Congress, which would be subject to a great many objections, caused me grave concern.

To the basic wilderness area as it was designated then and as it exists now I have never objected. We shall achieve a better and more rational wilderness system this way than we would have under the original provisions of S. 4.

I am also happy that the present bill incorporates features of multiple use that the other bill did not contemplate. I believe this will give a reasonable opportunity in the future to do two things. First of all, it will make it possible to accurately appraise the land that is now suitable for inclusion in the wilderness area, and allow Congress the opportunity to put it in the system and give Congress time to study it. Secondly, it will give impetus to the opportunity for natural resources development, particularly in the West, where nearly all of the proposed wilderness areas are located, to which the Western States are justly entitled.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. ALLOTT. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. McNAMARA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SAVERY-POT HOOK BOSTWICK PARK AND FRUITLAND MESA PROJECTS, COLORADO

Mr. ALLOTT. Mr. President, I ask unanimous consent that the Senate reconsider the vote by which H.R. 3672, Calendar 1416, was passed earlier today.

Mr. SIMPSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, that it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. PROXMIRE. Mr. President, the distinguished Senator from Oklahoma and I were engaged in a discussion of the Oklahoma situation and the effect of the Supreme Court decision on apportionment, which was made on June 19, 1964, affirming the district court decision on Oklahoma elections.

In the course of our discussion, the Senator from Oklahoma indicated that there was no guidance and no real direction available to the Oklahoma Legislature as to what the district court was talking about in 1962 when it told the legislature to reapportion.

I quote from the language of the court on August 3, 1962, in the case of Moss against Burkhart:

> The matter of forming legislative districts, either house or senate, among counties is left to the discretion of the legislature, under the pertinent provisions of the Constitution with respect to substantial numerical equality, compactness, and contiguity. In this connection, the memorandum and suggested order and decree, filed in this court on July 30, 1962, by the Honorable Fred Hansen, first assistant and acting attorney general, is recommended as a most helpful treatise, and contains a suggested order and decree which indicates a legislative apportionment for both houses, which has been studied by the court, and which is believed to meet the desired standards.

Mr. MONRONEY. The Senator is now quoting from the lower court decision, the three-judge Federal court, not the U.S. Supreme Court. Is that correct?

Mr. PROXMIRE. That is correct.

The legislature was told precisely and exactly what the court had in mind. There was no vagueness about it.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MONRONEY. By the lower Federal court, that is.

Mr. PROXMIRE. Yes. It was told by the local Federal court, which is the only agency that could act under those circumstances, barring an appeal, and which could make this kind of direction.

The distinguished Senator from Oklahoma has argued with great force that Oklahoma really had no knowledge until the Supreme Court acted on June 22, 1964.

It is my contention that the State of Oklahoma had full knowledge. It was told clearly and in detail in 1962. It was told in most emphatic language in 1963. The promise was obtained in 1962. It was reviewed at the end of 1963. In February 1963 the Oklahoma Legislature acted. But how did it act? It apportioned the legislature in a way which was not in compliance with the Federal court order.

If no Federal district court but only the U.S. Supreme Court can give effective notice of any apportionment action, one can imagine how long it would take to obtain reapportionment in the various 50 States. The Oklahoma Legislature is not satisfied with the Supreme Court. This is not for the Oklahoma Legislature. They want to go to Congress. They want a super-Supreme Court.

They want Congress to set aside a decision by the Supreme Court. All of us may disagree with what the Supreme Court says, but once it acts, it seems to me, as good citizens, we have no recourse except to accept what the Court has said. Once we throw the umpire out of the ballgame, there can be no just decision, and we all know it.

Mr. MONRONEY. That would be true if there were no Supreme Court and if a sovereign State did not have the right to appeal to the Supreme Court in a situation governing a most fundamental States right that has been in existence since our entrance into the Union in 1907. Our county unit system of electing our legislature was approved by Congress when we were admitted as a State.

There had been no action to disallow this, until Oklahoma appealed to the Supreme Court of the United States, and the decision came down on June 22, 1964. It is true that we received notice 1 week earlier of what the Court's intent was in its decision of June 15; but I do not believe the Senator would want his State of Wisconsin, which he has the great honor to represent so well on the floor of the Senate, to suffer a major change in its entire apportionment philosophy on the basis of a lower court decision. That decision had no force or effect of law, because it had been appealed and had been stayed by the Supreme Court of the United States in February 1964, so that our elections could proceed. This was one of the purposes of the stay.

A short time before that, the State supreme court had issued a standby formula for use in our elections in case the Supreme Court stayed the inferior court's order.

The Senator is arguing about the decision of one U.S. district court supporting the one-person, one-vote principle. But other district courts of the United States held differently in the reapportionment matter. So the question was unsettled and uncertain in the minds of many local authorities and many men who hold high rank and high position in our Federal Government. They themselves could not determine or guess or conjure up in their minds or read the thought waves concerning what the Supreme Court would finally decide, and finally did decide on June 15, 1964, after our two elections were over.

Oklahoma has not been treated fairly by the precipitate action of the lower court in directing the Governor of a sovereign State to call an election and telling him that he must use available State funds in the sum of $330,000 for the cost of a new election. It did not tell him that Oklahoma was to observe ordinary Oklahoma election laws. The court ignored a fundamental State process calling for preferential primary and secondary primary elections.

I have been advised by the Legislative Reference Service that it knows of no case in history in which the Supreme Court has directed a State to vacate two statewide elections. It is without precedent. If the Senator wishes it to occur throughout America, so that citizens will no longer have the right to appeal to the Supreme Court, and have a stay to prevent action until the Supreme Court decides—he is privileged to choose that method.

Mr. PROXMIRE. I would put it exactly the other way. Of course, it should have the right to appeal to the Supreme Court.

Mr. MONRONEY. The State has an even greater right.

Mr. PROXMIRE. But once the Supreme Court has acted, there should not be any appeal to Congress to have the question decided, which is what the Dirksen amendment would do.

Mr. MONRONEY. The Senator is talking about a situation in a State he does not know enough about. There was no appeal to Congress from the legislature. I object on principle to the suspension by the Federal court of a statewide election. I have had no official communication from the legislature. I have seen a few of its members as they have come through Washington; but no formal protest has been made to Congress.

I think the people of Oklahoma realize that Congress would have no objection to granting at least a reasonable time in which to comply with the decision that came down after the two elections had been held in Oklahoma. They feel it is their right, and I feel it is their right, when they amended their election laws and passed a constitutional amendment to give the reapportionment commission the right, if the legislature does not act to provide constitutional apportionment within 60 days after a session begins, to take up the case.

This is an improvement. We have made progress. We have a right as citizens—and I think the State also should have the right—to arrange our affairs to comply with the Supreme Court decision.

Mr. PROXMIRE. I should like to read from a report of the Bureau of Government Research of the University of Oklahoma, made in April 1961. The bureau made a study of the history of apportionment in Oklahoma to show how necessary and desirable it was in terms of protecting the interests of American citizens for the courts to act. The fact is that this report goes back 43 years, to the time of the last remedy. It goes back 53 years to get the complete picture of what was at stake.

REAPPORTIONMENT, 1911

House: The reapportionment of house membership by the legislature complied fully with the plan established in the constitution. It respected the condition which provides that should the population of any county fail to equal one-half representation ratio (population of the State divided by 100) it shall be attached to an adjoining county for the purpose of making such county a part of a representation district. The application of this rule resulted in the establishment of Cimarron and Texas as a single representation district, and Harper was joined to Beaver County for the same purpose.

Senate: No reference to reapportionment of the senate is made in the act of 1911.

There was a partial reapportionment later.

REAPPORTIONMENT, 1921

House: The legislature, in this instance also, complied with the constitutional formula. Two two-county districts (Cimarron and Texas, Beaver and Harper) were retained, and more populous counties were granted additional representation in the manner prescribed by the constitution.

Senate: No reference to the senate is made in this act. The original apportionment remained in effect, except for changes made in 1919.

In 1931 began the basis for the need for recourse to the Supreme Court.

House: In this act, the reapportionment of membership in the house, as well as in the senate, was made with little or no regard—

This is not a statement by the Senator from Wisconsin; it is a statement in the report of the Bureau of Research of the University of Oklahoma—

with little or no regard for the apportionment formula. Each county was granted a minimum of one member. The one-half representation ratio requirement was ignored. Oklahoma and Tulsa Counties were granted the maximum number (seven) which any county may elect.

Senate: This act makes no provision for reapportionment of the senate. However, in 1937, another new district was created.

REAPPORTIONMENT, 1941

House: Reapportionment in 1941 followed the pattern set in 1931. Counties, diminishing population notwithstanding, were granted a minimum of one representative.

In other words, Mr. President, malapportionment was continued and was aggravated as time went on.

Senate: Another partial reapportionment of the senate was effected in the act of 1941.

REAPPORTIONMENT, 1951

House: Legislation, in this instance, continued to disregard constitutional provisions regulating apportionment. The extent to which gross inequalities had developed are revealed in other sections of this study.

Senate: No reference to the senate was made in the Apportionment Act of 1951.

Mr. President, it was after this history or more than 30 years of repudiating its own State constitution that efforts were made to provide relief by Federal court action for American citizens who live in Oklahoma. It was then that the local Federal court decided it was desirable to act in the case of Moss against Burkhardt.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MONRONEY. Twice, in October 1943 and in February 1952 the Oklahoma Supreme Court ruled that it lacked authority to force a legislature to act on reapportionment. In 1956, Federal Judges Murrah and Rizley, with Judge Wallace dissenting, ruled that the Federal court had no right to intervene.

There was no remedy at court, either the State court or the local three-judge Federal court, to deal with the problem until the decision came down in 1962 in Baker against Carr.

So no matter how we look at it, no matter how we try to analyze the agitation, that is a State problem. I am sure the distinguished Senator from Wisconsin knows that we have been interested in this subject. It has been one of long discussion, long duration. There have been several votes of the people of the State on whether they want it reapportioned or not, and these proposals have been defeated. As late as September 1960, the people voted against reapportionment. Thus, until there was the assumption of Federal jurisdiction—and that is about all it amounted to—in 1962, there was no authority.

Oklahoma's constitution—and it is the constitution with which we came into the Union, and which was accepted by Congress, not knowing that the Supreme Court might someday establish Federal jurisdiction—limited the membership from any county to not more than seven.

Mr. PROXMIRE. Is it not true that in 1911 and 1921 the Oklahoma Legislature recognized that unless some smaller counties were attached to larger counties to make a more representative district, there would be malapportionment, and that the State did comply with that constitutional requirement in Oklahoma in 1911 and 1921, but has not done so since? Has not the Oklahoma Legislature been in clear and conspicuous violation of the Oklahoma constitution for more than 30 years?

Mr. MONRONEY. I believe that is probably correct. This is one of the reasons we have malapportionment, and have had, because our predecessors wished to see all counties represented. We feel that it is important to a State, as large and as widespread as ours, for counties to have a voice in State government. It is the unit we deal with primarily at the State level, the school level, and in administering agricultural programs.

Mr. PROXMIRE. In Oklahoma, ever since 1931, when the legislature failed to apportion, the citizens of the State have been denied the protection of their own constitution, which had been complied with in 1911 and 1921. The State supreme court, as the Senator from Oklahoma has told us, in Jones against Freeman, decided that they did not have power to give protection to citizens in providing equality in voting for the State legislature, and that if they could not get recourse from the State legislature which the State supreme court said must apportion, they were out of luck. So the only recourse the citizen has is the Federal court.

Mr. MONRONEY. It is not only true on the legislature, it is also true in many States in congressional apportionment. I am very glad that the Supreme Court has taken jurisdiction of this matter. Certainly, it will help in a State as progressive as Wisconsin where the smallest district—the 10th District—in the U.S. Congress is less than half its largest district.

Mr. PROXMIRE. We have had apportionment in Wisconsin for the 1964 election. The old 9th District has been eliminated and the 10th District has been increased to include much of the 9th District, so that now Wisconsin has about as perfect a congressional apportionment as there is in the country. We did lag. There was a period of years when there was no apportionment, but the State of Wisconsin is now well apportioned for congressional as well as State legislative districts. I agree with the Senator from Oklahoma that the action of the Supreme Court has been helpful.

Mr. MONRONEY. The State of Wisconsin had a right to do it, which is another great thing, and is the thrust of my speech. I am seeking to preserve the right of the State of Oklahoma, having finally received the guidelines laid down on what apportionment should be, to have time to do it itself, rather than having it thrust upon it by a mandate from a three-judge Federal court.

Incidentally, this new districting proposal varied a great deal in composition from the one which the court in July 17, 1963, ordered us to adopt or suffer the consequences. So that within a little over a year, we see the ideal district lineup which the court had proposed in 1963, changed to another plan which the court now considers ideal.

This, I am pointing out, is a major change in the authority which States have historically had. A reasonable delay to enable us to comply is going to be quite important. If we do not accept some logical, reasonable, tempered delay to allow States to adjust to the Supreme Court's order, I am afraid that some of the action which we have seen in the other body as late as yesterday might be the recourse taken by Congress, or it could be the recourse that might lead to the submission of a constitutional amendment. These are principles dear to the hearts of States—to regulate their intimate affairs in the composition of their own legislatures. The Dirksen amendment will not override, overrule, or reverse the Supreme Court. It merely permits a reasonable amount of time, a deliberate delay, in order to give the States one last chance to comply with an order which was not known to anyone until it was announced by the Supreme Court on June 15 of this year.

Mr. PROXMIRE. Let me say to the Senator from Oklahoma that in my judgment the Dirksen amendment may override the action of a State legislature, as I have indicated earlier. I will read the clear language:

> Any court of the United States having jurisdiction of an action in which the constitutionality of the apportionment or representation in a State legislature * * * is drawn in question, shall, upon application—

No alternative—"shall", as long as any member of the State legislature or anyone else applies—"shall stay the proceedings"—I am skipping some of the language—"for such period"—and the period is defined—"to permit any State election of representatives occurring before January 1, 1966, to be conducted in accordance with the laws of such State in effect immediately preceding any adjudication of unconstitutionality."

That means, as I understand, since there has been adjudication in Michigan, Wisconsin, and a number of other States, that in those States, all the painful work we have already gone through to set up an election procedure, the apportionment we have achieved with such great pain and difficulty, and which has been finally agreed upon, would be thrown out. We would have to go back and candidates would have to file in new districts. Candidates for the State legislature in Wisconsin would have to file or have to run twice. The same thing may be true in other legislatures.

The Senator from Oklahoma is going to say that perhaps this does not apply where the State court has acted. That is the opinion of some lawyers. The lawyer who handled this case before the State supreme court is one of the most competent lawyers I have ever known. He said there is a real question about it. He does not know for a certainty. I understand that outstanding lawyers in Michigan also say that there is serious question in this matter.

Mr. MONRONEY. The Senator knows that a Federal court has not thrown out the reapportionment in his State. It has been approved by the State supreme court. There is a plan in being. This amendment is not going to upset the reapportionment which has occurred in his State.

Mr. PROXMIRE. What is the language? The language is:

> Any court in the United States having jurisdiction of an action—

Certainly, the Federal court in the western district of Wisconsin or the eastern district of Wisconsin can have the same jurisdiction as the Federal court in Oklahoma had. It has jurisiction—

> any court * * * shall upon application—

Shall stay the proceedings of the election for this period, and if the State is requested it means that the election must be conducted in accordance with the laws of the States in effect immediately preceding any adjudication of unconstitutionality.

I cannot read that any way except that we shall be in jeopardy. There is a saving clause, "in the absence of highly unusual circumstances." But would it apply to Wisconsin? Who knows? I believe that if the Senator from Oklahoma is right in his debate today and I am wrong, the amendment which I have offered would, on line 15, page 2 of the amendment, add a "not" so that for the period necessary to permit an election of a representative before January 1, 1966, it would read, "shall not be deemed to be in the public interest in the absence of highly unusual circumstances," then one might argue that there are highly unusual circumstances in Oklahoma. Oklahoma has had an election. And under these circumstances, perhaps there would be a stay.

It we were to get the concurrence of the leaders on both sides, I would be willing to move ahead and have a vote, and perhaps thereby save the embarrassment for the State of Oklahoma which was mentioned by the Senator from Oklahoma.

Mr. MANSFIELD. Mr. President, what was the proposal?

Mr. MONRONEY. To adopt the amendment of the Senator from Wisconsin, which would change the language on line 15, page 2, so that instead of reading, "shall be deemed in the best interest in the light of highly unusual circumstances," would read, "shall not be deemed." This would reverse the whole thrust of the purpose of securing some delay so that the States would have the opportunity to express their own will.

Mr. MANSFIELD. The Senator offered that amendment and then withdrew it.

Mr. PROXMIRE. Yes. But I am telling the Senator from Oklahoma that if he will support me on this amendment and use his influence with the distinguished Senator from Montana, and persaude some of his Republican friends, along with the distinguished minority leader [Mr. DIRKSEN], to support the amendment, I shall do everything I can to persuade those who are with me now to move ahead for an immediate vote. I will act if we can get sufficient support to pass it. If we can pass it, we can get the bill out of the way, go home and save Oklahoma and Wisconsin. We shall all be happy.

Mr. MANSFIELD. Perhaps the Senator wants to put it in reverse. If the Senator from Oklahoma could persuade the Senator from Wisconsin to come around to our point of view, I am sure we could do that in a hurry.

Mr. MONRONEY. I cannot go along with the extreme interpretation of the Senator as to line 6, page 1, of the words, "any court of the United States." The language applies only to a Federal court. It could not mean any other court than a Federal court.

Mr. PROXMIRE. The Senator is correct. It means the Federal court.

Mr. MONRONEY. Of course it does.

Mr. PROXMIRE. It means the Federal court only.

Mr. MONRONEY. I do not believe the Supreme Court or any Federal district court will come in and upset the Wisconsin situation. But we object to being forced to do this, and to being the first State, that any research can show, where a Federal court has called off State elections of a general statewide nature.

Can the Senator give me any precedent for this?

Mr. PROXMIRE. There is great inconvenience in Oklahoma. There is no question about that.

Mr. MONRONEY. It is not the inconvenience that we complain about.

Mr. PROXMIRE. But the Governor of Oklahoma has set a special primary election using the redistricting plans of the bureau of government research. That election will take place on September 29, 1964.

If sometime in September we pass the Dirksen amendment, what effect will that have? Will three elections be held in Oklahoma under three loose interpretations?

Mr. MONRONEY. That is what we are afraid of.

Mr. PROXMIRE. That is why we should not pass the Dirksen amendment.

Mr. MONRONEY. The Governor was ordered to call the special election by the Federal court. What right has the Federal court to order the Governor of a sovereign State to call an election? This is a procedure that strikes at the comity of the Federal system. This has caused the people of Oklahoma—many of whom are in favor of apportionment—to complain about the power to upset the election, to destroy the terms of half of our State senate; to further prescribe the system under which we can hold an election; to tell the Governor that he must call it, and to tell the Governor what funds he must use to pay for the election.

These are prerogatives that belong to the State historically. We are asking in the Dirksen amendment for a stay of execution until we can approach this dispassionately, so that we might have a chance to arrive at our own redistricting.

We have a built-in system, in which if the legislature does not redistrict, the reapportionment commission must.

Certainly this delay is no less than any State is entitled to, and no less than the Congress, recognizing the duality of the State and Federal system, should grant.

Mr. PROXMIRE. We cannot get away from the practical fact that the Governor of Oklahoma has called an election. It is true that he was ordered to do so by the Court. He has been told to do so. He has no alternative. I believe this is a necessary occurrence to protect the rights of citizens. Whether anyone agrees with it or not, he has been ordered to hold an election. He will do so. The election will take place.

If the Dirksen amendment passes, it will bring real chaos to Oklahoma. I do not know what will be done. One election has been set aside. There will be another election on September 29. It would be much clearer if we should accept the situation as it is and permit one man, one vote—the fundamental principle which Thomas Jefferson espoused and which others who studied this in great detail espouse—and let that go into effect in our State legislatures. By doing so, we would avoid a most impractical situation in Oklahoma.

Mr. MONRONEY. The Senator is mixing two questions. One question is that of jamming into gear a new election which would be held under a system that is alien in the State of Oklahoma. Under ordinary procedure in the first and second primaries, the candidates must be majority candidates. They must win by more than 50 percent to represent their party. A sudden death primary is generally a primary held in the State when some member of the elective branch of the Government has died and one office is to be filled. It has never been used in a general election. By calling the sudden death primary, much of what the opponents are seeking to achieve in reapportionment is being destroyed. There will be minority representatives. A man who wins the election and runs as a party nominee will not be placed in this position because of a majority vote.

Mr. PROXMIRE. Does the Senator not believe that there will be an election held in Oklahoma on September 29, as ordered by the Governor?

Mr. MONRONEY. I cannot read the judge's mind as to what he wishes the State of Oklahoma to do. We shall have to wait until one man on the Supreme Court passes on the plea—that is being made now to the Supreme Court—to stay the order of the lower court directing the State of Oklahoma to hold an election, and validate the elections already held.

Mr. PROXMIRE. Now we come to the right course of action. This is the proper way to handle it. This is the way we seek to handle the problem. Oklahoma has gone to the Supreme Court to request a stay. It should abide by the Court's decision as everyone else in America does.

Mr. MONRONEY. We are doing that. One man makes this decision.

Mr. PROXMIRE. But to have Congress step in and intervene is to attempt to do something which we, as Congress, are not competent to do. We have not studied the question. It is unconstitutional to have the Congress of the United States tell the Supreme Court when and how it can execute an order. It makes no sense to the Senator from Wisconsin. Oklahoma should stay within the rules of the game and abide by the stay from the Supreme Court.

The Senator says that one Supreme Court Justice would grant the stay. Let him do it. But they should not come to Congress and say that Congress should now step in.

Mr. MONRONEY. I would rather trust the full Court than one Judge. I still feel it is in the interest of Congress, sitting as the legislative body of the United States, to express its will wisely and temperately, as it will do in this amendment. We are dealing not only with the State of Oklahoma. A stay might be granted in the case of the State of Oklahoma; but evils may arise in other States about which we do not yet know. For that reason I am for the amendment.

First. For a question of the importance of the one involved, sufficient time has not been allowed for the States to adjust and to find exactly what is expected of them under the Supreme Court order.

Second. I do not think that a court has the right to suspend an election that is in progress or to suspend election laws forthwith;

Third. I believe that any reapportionment that is made, since a very great change of custom results, should be left to the will of the people who know the situation best. For that reason, I have felt that the Dirksen-Mansfield amendment is necessary. I hope that the Senate will get on with its business, and that this talkfest, in which distinguished Senators are now engaging, will end and we shall have at least some knowledge of what will happen in the election that faces the entire Nation within a short period of 2 months or so.

Mr. PROXMIRE. Oklahoma is a State whose legislature, since 1921, has not abided by its own constitution. Very clearly it has not. Under those circumstances it seems to me that the only recourse open to citizens of Oklahoma is to do what they have done: Ask for an order of the Supreme Court to give them an equal opportunity to elect their own legislature.

I should like to ask the distinguished Senator from Oklahoma if he does not honestly regard the amendment as a most grave and serious precedent for the Congress of the United States to stay, by congressional action, a Supreme Court decree. Does not the Senator from Oklahoma recognize that if we take such action in this apportionment case in 1964, in subsequent years we might act on some other question at any time when a majority of Members of the House or the Senate, in a moment of great popular turmoil might move in on the Supreme Court with the same kind of order and say to the Supreme Court that constitutional rights, sacred rights, shall be suspended? This is the gravest kind of interference with the Court, which is our final great protector of human rights.

Mr. MONRONEY. We must measure the degree of interference by the Congress. We should very calmly consider whether it would be in the public interest to furnish enough time to permit States to adjust their election system to the Supreme Court decision of June 15.

I believe it is in the public interest that the Senate agree to the amendment, and that time be allowed States so that legislatures can arrange to meet the constitutional test of the Court and to do their own job of reapportionment.

Furthermore, I believe that is the proper way to go about the question, and far preferable to the action taken by the other body, which deliberately denied jurisdiction over the question to the Supreme Court.

I am glad that the Senate, including the distinguished majority leader and the distinguished minority leader, have taken this course. I believe a disservice is being done to the cause of complying with what I conceive to be the clear language of the Court, which has said, "Go slow. Do not disrupt the elections. Give these people a chance."

That is clearly specified in Justice Warren's opinion. The language of that opinion stands on all fours with the meaning of the Dirksen-Mansfield amendment. I can see no harm that would result by a decent period of time being allowed the States to comply. By the very terms of the amendment the

States must comply with constitutional apportionment or the courts would by directive of Congress go forward and do so.

Mr. PROXMIRE. The Senator from Oklahoma is a fairminded and thoughtful man. I appreciate what he has said in his opposition to the Tuck bill. I presume that he is opposed to the Tuck bill. I believe that he thinks that the Dirksen-Mansfield amendment is a more moderate step.

Yet, I call his attention to a fundamental question which he has not yet answered. How about the very serious nature of the proposed action as a precedent for Congress to step in and stop Supreme Court decrees, Supreme Court decisions, which are designed to protect constitutional rights? If we take the proposed action in the present case, would that not be a big precedent, a precedent that we have rarely if ever had before in American history?

Mr. MONRONEY. Other efforts have been made by the Congress.

As I read the amendment, it is a very calm and temperate approach stating the public interest on this vast question. It is far more in line with our philosophy of government to take this step than the one which the courts have taken to suspend the elections now in progress and to reapportion States, without giving them an opportunity to reapportion themselves under the Supreme Court's latest order, and to declare vacant seats of Senators who in 1962 were elected with 4-year terms.

Those are dangerous precedents. Those are rules that will plague the country and the Court in the long run; for the Court's own sake I think this amendment is needed, because the consent of the governed is very important in making any kind of government work. We should give the States an opportunity without undue delay, to meet the latest pronouncement of the Supreme Court.

CONSTRUCTION OF LOWER TETON DIVISION OF TETON BASIN FEDERAL RECLAMATION PROJECT, IDAHO

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1123) to provide for the construction of the lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes, which was to strike out all after the enacting clause and insert:

That, in order to assist in the irrigation of arid and semiarid lands in the upper Snake River Valley, Idaho, to provide facilities for river power opportunities created thereby and, as incidents to the foregoing purposes, to enhance recreational opportunities and provide for the conservation and development of fish and wildlife, the Secretary of the Interior is authorized to construct, operate, and maintain the Lower Teton division of the Teton Basin Federal reclamation project. The principal engineering features of the said project shall be a dam and reservoir at the Fremont site, a pumping plant, powerplant, canals and water distribution facilities, ground water development, and related facilities in the upper Snake River Valley, Idaho. In the construction, operation, and maintenance of the said project and project works the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof and supplementary thereto). The project shall be operated consistent with the existing agreements as to storage rights in the Federal reclamation reservoirs in the upper Snake River Basin.

SEC. 2. The period provided in subsection (d) of section 9 of the Reclamation Project Act of 1939, as amended, for repayment of construction costs properly allocable to any block of lands and assigned to be repaid by the irrigators may be extended to fifty years, exclusive of a development period, from the time water is first delivered to that block, or as near that number of years as is consistent with the adoption and operation of a repayment formula as therein provided. Costs allocated to irrigation in excess of the amount determined by the Secretary to be within the ability of the irrigators to repay within a fifty-year period shall be returned to the reclamation fund from revenues derived by the Secretary from the disposition of power marketed through the Bonneville Power Administration.

SEC. 3. (a) The Secretary is authorized to construct, operate, and maintain or otherwise provide for basic public outdoor recreation facilities, to acquire or otherwise to include within the division area such adjacent lands or interests therein as are necessary for public recreation use, to allocate water and reservoir capacity to recreation, and to provide for the public use and enjoyment of division lands, facilities, and water areas in a manner coordinated with the other division functions. The Secretary is authorized to enter into agreements with Federal agencies or State or local public bodies for the operation, maintenance, or additional development of division lands or facilities, or to dispose of division lands or facilities to Federal agencies or State or local public bodies by lease, transfer, conveyance, or exchange upon such terms and conditions as will best promote the development and operation of such lands and facilities in the public interest for recreation purposes. The costs of the aforesaid undertakings, including costs of investigation, planning, Federal operation and maintenance, shall be nonreimbursable. Nothing herein shall limit the authority of the Secretary granted by existing provisions of law relating to recreation development of water resource projects or to disposition of public lands for recreation purposes.

(b) Costs of means and measures to prevent loss of and damage to fish and wildlife resources shall be considered as project costs and allocated as may be appropriate among other division functions.

SEC. 4. (a) The Secretary is authorized to amend contracts heretofore made under the Acts of September 30, 1950 (64 Stat. 1083), and of August 31, 1954 (68 Stat. 1026), whereby the water users assumed an obligation for winter power replacement based on the winter water savings program at the Minidoka powerplant to relieve the contractors ratably by one-third of that obligation, and to make new contracts under these Acts on a like basis. To the extent such annual obligations are reduced, the cost thereof shall be included in the cost to be absorbed by the power operations of the Federal Columbia River power system.

(b) The actual construction of the facilities herein authorized shall not be undertaken until at least 80 per centum of the conservation capacity in Fremont Reservoir is under subscription, nor until negotiations have been undertaken in accordance with the provisions of (a) of this section.

(c) No construction shall be undertaken on facilities of the Lower Teton division which are required solely to provide a full water supply to lands in the Rexburg Bench area until the Secretary has submitted his report and finding of feasibility on this phase of the division to the President and to the Congress.

SEC. 5. There is hereby authorized to be appropriated for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, the sum of $52,000,000, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved therein, and, in addition thereto, such sums as may be required to operate and maintain said division.

Mr. CHURCH. Mr. President, I move that the Senate disagree to the amendment of the House and request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JACKSON, Mr. ANDERSON, Mr. CHURCH, Mr. KUCHEL, and Mr. JORDAN of Idaho conferees on the part of the Senate.

WATERSHED PROJECTS APPROVED BY THE COMMITTEE ON PUBLIC WORKS

Mr. McNAMARA. Mr. President, in order that the Senate and other interested parties may be advised of various projects approved by the Committee on Public Works, I submit for inclusion in the CONGRESSIONAL RECORD, information on this matter:

Projects approved by the Committee on Public Works on August 20, 1964, under the Watershed Protection and Flood Prevention Act, Public Law 566, 83d Congress, as amended

Project	*Estimated Federal cost*
Home Supply, Colo	$903,868
Beaverdam Creek, Ga	1,361,465
South Fork of Little River, Ga	670,560
Crabtree Creek, N.C	4,023,930
Four Mile Creek, Okla	753,738
Three and Twenty Creek, S.C	974,450
Total	8,688,011

ST. STEPHEN'S DAY

Mr. KEATING. Mr. President, today is a very special day for the Hungarian people all over the world. It is a day set aside in honor of the first great king of Hungary, Stephen I. So extensive was this man's accomplishments in both ecclesiastical and governmental affairs and so large was his contribution to the development of Christianity in Hungary that he was canonized in 1073.

St. Stephen inherited the Hungarian throne from his father in 996. At that time there was no domestic order and the borders of Hungary were being challenged by the Karvars and other barbaric peoples. In a matter of years, Stephen brought order to this country and reorganized his state as a political and religious unit upon a system which remained for centuries the unaltered basis of Hungary's entire social and political structure.

Stephen's governmental reorganization was quite modern and very advanced for his time. He turned his native country into a model of internal order and peace. At the same time, prosperity came to Hungary. Stephen was concerned with the social structure of his country and reformed it to increase the rights of the freemen. First, personal freedom was made inalienable except upon conviction for a proven crime. They were entitled to meet in a free assembly and their lands were inalienable and free of any obligation except military service. All this was 200 years before the signing of the Magna Carta and hundreds of years before our own Revolutionary War which we fought to secure these and other rights.

Stephen's sense of governmental organization was also sure. He divided Hungary into 46 counties, each administered by a count. These men collected the taxes and led the freemen of his county into war when necessary. The so-called "unfreed" portion of the population were no longer enslaved and could achieve full citizenship by royal grant. The immigrants who now entered the country in large numbers could often make advantageous terms for themselves amounting to personal freedom. They were often governed in minor matters by their own laws and no attempt was made to Magyarize them.

In addition, Stephen expanded the borders of Hungary and organized the church in his country. He was a great patron of the Benedictines and bestowed upon this order large estates and the right to collect many tithes.

St. Stephen's accomplishment was a large one. He brought order and peace to a great country; but, at the same time, his reign was an enlightened one. His contribution to the spread of Christianity was great. His judicial and social reform was, for his time, amazingly well advanced and equitable. At a period in history when feudalism and despotism were common, Stephen's government stands by itself as a example of far-sighted and fair government. He never abused his personal power and seemed to put the well-being of his country and his people ahead of his own personal gain.

The Hungarian people are justly proud of their past which included such men as St. Stephen. Unfortunately, Hungary today does not have the advantage of such enlightened leadership. The Communist government has ruthlessly stamped out Stephen's reforms, some of which had existed up to the Second World War. Hungary's past is indeed glorious, and its future will be glorious also. Tyranny has visited the borders of Hungary before and her citizens have always resisted it and, soon, destroyed it. The Hungarian people have demonstrated time and time again that their love of liberty is not dead. They want the freedom that has been their tradition since the days of their great king and saint, St. Stephen. This dedication to the ideal of liberty is an example to all of us who value our freedom and hope that some day it will be a living part of every country in the world.

This is a special day for Hungary. Yet it is a special day, too, for all men. Stephen's example is a universal one, one to which all freemen can look for inspiration and guidance. At the same time we can reiterate our hope and fervent wish that in the very near future Hungary will be a free and independent nation once again.

NASSER THREAT TO ISRAEL

Mr. KEATING. Mr. President, the United Arab Republic's President, Gamal Abdel Nasser, is continuing his military buildup against the State of Israel at a rate that is causing alarm on the part of many thoughtful citizens. Nasser is creating a totalitarian and militaristic state to support his imperialistic ambitions against Israel.

While the United States continued to provide substantial economic assistance to Nasser, particularly in the form of surplus grains, Nasser is proceeding to take over control of all utilities, all transportation, practically all big industries, all foreign trade, and a very large percentage of all domestic commerce. No family, regardless of its size, can own more than 100 acres of land. There is complete government control of radio, press, all media of communication, plus the army. When Nasser succeeds in thoroughly stifling domestic criticism and independent thought, he will undoubtedly be prepared to put his greatly strengthened military machine to work in achieving conquest of Israel.

Mr. President, a recent column by the noted columnist, Victor Riesel, discusses at some length Nasser's totalitarian control. I ask unanimous consent that this interesting and perceptive report be printed following my remarks in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NASSER THREAT TO ISRAEL GROWS

(By Victor Riesel)

CAIRO, UNITED ARAB REPUBLIC.—President Gamal Abdel Nasser's militarily controlled government is swiftly wiping out capitalism.

Some call this "desert socialism." But it is rather the destruction of businessmen and industrialists to prevent any independent thought or political opposition.

History has proved that counterrevolutions come from the middle class, not the bedraggled proletariat, and Nasser wants to keep his own revolution intact.

Thus, virtually unnoticed by the people of the West, Nasser is setting a precedent for Moslem lands in which live more than 300 million people.

In Egypt he has taken over all utilities, all transportation, virtually all big industry, 85 percent of all commerce, all foreign trade, and is restricting the exit of his citizenry so that only a handful can leave the country.

Until recently it was possible for a landowner to operate 200 acres. This was changed to 100 acres, and then to 100 acres a family, regardless of the size of the family.

The Government owns everything of value ranging from the assembling of autos and TV sets to the newspapers. Under this brand of Arab socialism, Nasser appoints a national association for each industry.

In turn, the association names four "management" men to a nine-man board to run each shop, mill, factory, store, and newspaper. The workers "elect" four others to the board and Nasser names the chairman. These boards make all policy.

There is a touch of Peronism about all this.

The Egyptian leader is putting his secondary power structure into the hands of his labor leaders.

He starts at the top by making Cabinet members out of them. His Minister of Labor is Anwar Salama, former chief of the United Arab Republic Federation of Labor and former head of the oil workers.

The current president of the oil workers union, who also doubles as the vice president of the United Arab Republic Federation of Labor, is Ali Said Ali. Nasser has made him a minister without portfolio and a member of the Joint Presidential Council of Egypt and Iraq.

It becomes apparent that the old Latin American pattern is being used in the United Arab Republic.

The army builds a labor movement and gives the people more than they had under the dissolute King Farouk, who had so many palaces he lost count of them.

Capitalism is crushed. Free enterprise is routed. The chance of political or physical opposition is wiped out.

There is no doubt that this combination has given President Nasser absolute internal power.

There also is no doubt that the United Arab Republic leaders see this "desert socialism" as giving them the base for industrialization and militarization sufficient to crush the modern State of Israel.

In Egypt one is reminded of this in virtually every conversation. You come away sadly convinced that Nasser will attempt it—sooner than many think.

ADJOURNMENT

Mr. MORSE. Mr. President, under the previous order I move that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 44 minutes p.m.) the Senate adjourned, in accordance with the previous order, until tomorrow, Friday, August 21, 1964, at 10 o'clock a.m.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 20, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 139: 17: *How precious are Thy thoughts unto me, O God! How great is the sum of them!*

Almighty God, we rejoice that Thy all-pervading presence is our shield in the stillness of the night and our strength in the struggles of each new day.

Thou knowest how greatly we need the blessings of insight and inspiration, of faith and courage, which Thou alone canst give.

Help us to understand more clearly that the measure of our trust and obedience is the measure of our wisdom and peace of mind.

We humbly acknowledge that the windows of our souls often become opaque and our vision of life's highest values becomes eclipsed by the transient and temporary.

Inspire us with the dawning of that day when men and nations shall cultivate a capacity for more kindly and charitable feelings toward one another.

Hear us in the name of the Christ who became the Son of man that we might become truly the sons of God and the brothers of all mankind. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On August 14, 1964:

H.R. 1997. An act to amend subsection (c) of section 1332 of title 28, United States Code, relating to diversity of citizenship;

H.R. 2989. An act to further amend the Missing Persons Act to cover certain persons detained in foreign countries against their will, and for other purposes;

H.R. 4088. An act for the relief of the Industrial Tractor Parts Co., Inc.;

H.R. 4739. An act to amend section 406 of title 37, United States Code, with regard to the advance movement of dependents and baggage and household effects of members of the uniformed services;

H.R. 4871. An act for the relief of Glenn C. Deits and others;

H.R. 7751. An act to extend certain construction authority to the Administrator of Veterans' Affairs in order to provide adequate veterans' hospital facilities in Los Angeles, Calif.;

H.R. 8251. An act to amend section 612, title 38, United States Code, to authorize dental services and treatment in cases where discharges were corrected by competent authority from dishonorable to conditions other than dishonorable;

H.R. 8523. An act to authorize the conveyance of certain lands to the city of Saxman, Alaska;

H.R. 8611. An act to facilitate the performance of medical research and development within the Veterans' Administration, by providing for the indemnification of contractors;

H.R. 9372. An act to remove a cloud on the title of certain property owned by Wilmer Allers and Jane B. Allers, both of Malin, Oreg.;

H.R. 9521. An act to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior;

H.R. 9634. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Girl Scouts of the United States of America for use at the 1965 Girl Scouts Senior Roundup encampment, and for other purposes;

H.R. 10319. An act to amend title 10, United States Code, to authorize increased fees for the sale of U.S. Naval Oceanographic Office publications;

H.R. 10610. An act to provide for the conveyance of certain real property under the control of the Administrator of Veterans' Affairs;

H.R. 10611. An act to provide for the conveyance of certain real property under the control of the Administrator of Veterans' Affairs;

H.R. 11035. An act to authorize the extension of certain naval vessel loans now in existence;

H.R. 11049. An act to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes;

H.R. 11064. An act to provide for the conveyance of certain real property of the United States situated in the State of Virginia;

H.R. 11255. An act to validate certain payments of per diem allowances made to members of the Coast Guard; and

H.J. Res. 925. Joint resolution creating a joint committee to commemorate the 100th anniversary of the second inaugural of Abraham Lincoln.

On August 18, 1964:

H.R. 10041. An act to improve the public health through revising, consolidating, and improving the hospital and other medical facilities provisions of the Public Health Service Act.

On August 19, 1964:

H.R. 7381. An act to simplify, modernize, and consolidate the laws relating to the employment of civilians in more than one position and the laws concerning the civilian employment of retired members of the uniformed services, and for other purposes;

H.R. 8009. An act to amend title 38, United States Code, to provide veterans with urgently needed nursing home care and nursing care facilities while reducing the cost to the United States of caring for such veterans, and for other purposes;

H.R. 8925. An act to amend title 38 of the United States Code in order to provide that a disability which has been rated at or above a certain percentage for 20 or more years may not thereafter be reduced below such percentage;

H.R. 8999. An act to provide for the settlement of claims of certain inhabitants of the United States living in the area inundated by the sudden floods of the Rio Grande as a result of the construction of the Falcon Dam, and for other purposes;

H.R. 10939. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes; and

H.R. 11611. An act to establish a National Commission on Technology, Automation, and Economic Progress.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 439. An act to provide for the establishment of the John Muir National Historic Site in the State of California, and for other purposes;

H.R. 931. An act to provide for the establishment of the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial in the State of Pennsylvania, and for other purposes;

H.R. 1213. An act for the relief of World Games, Inc.;

H.R. 3545. An act to amend section 131 of title 13, United States Code, so as to provide for taking of the economic censuses 1 year earlier starting in 1968;

H.R. 4818. An act to amend section 25 of title 13, United States Code, relating to the duties of enumerators of the Bureau of the Census, Department of Commerce;

H.R. 5708. An act to bring certain U.S. commissioners within the purview of the Federal Employees Health Benefits Act of 1959 and the Federal Employees' Group Life Insurance Act of 1954;

H.R. 9178. An act to amend section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes;

H.R. 9425. An act to amend title 13, United States Code, to authorize reimbursement of census enumerators for certain telephone tolls and charges;

H.R. 9638. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of phosphate on the public domain; and

H.R. 11960. An act to authorize the exchange of public domain lands heretofore withdrawn and reserved for the use of the Hanford project of the Atomic Energy Commission, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill and a joint resolution of the House of the following titles:

H.R. 5932. An act to amend the Federal Employees Health Benefits Act of 1959 so as to authorize certain teachers employed by the Board of Education of the District of Columbia to participate in a health benefits plan established pursuant to such act and to amend the Federal Employees' Group Life Insurance Act of 1954 so as to extend insurance coverage to such teachers; and

H.J. Res. 733. Joint resolution to designate the powerhouse on Clear Creek at the head of Whiskeytown Reservoir, in the State of California, as Judge Francis Carr Powerhouse.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 10809. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1965, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. RUSSELL, Mr. STENNIS, Mr. PASTORE, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. COTTON, Mrs. SMITH, and Mr. ALLOTT to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 1442. An act to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof, and for other purposes;

S. 1974. An act to amend the Federal Employees' Group Life Insurance Act, as amended, with regard to filing designation of beneficiary;

S. 2315. An act to authorize the Weather Bureau to make appropriate reimbursement between the respective appropriations available to the Bureau, and for other purposes;

S. 2687. An act to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes; and

S.J. Res. 174. Joint resolution to authorize and direct the Bureau of Commercial Fisheries to conduct a survey of the marine and fresh-water commercial fishery resources of the United States, its territories, and possessions.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 26. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 793) entitled "An act to promote the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California and to aid in the administration of the Klamath reclamation project."

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. Johnston and Mr. Carlson members of the joint select committee on the part of the Senate for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 65–4.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 4844) entitled "An act relating to the release of liability under bonds filed under section 44(d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Byrd of Virginia, Mr. Long of Louisiana, Mr. Smathers, Mr. Williams of Delaware, and Mr. Carlson to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 5739) entitled "An act to amend the Internal Revenue Code of 1954 to correct certain inequities with respect to the taxation of life insurance companies," disagreed to by the House: agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Byrd of Virginia, Mr. Long of Louisiana, Mr. Smathers, Mr. Williams of Delaware, and Mr. Carlson to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 10467) entitled "An act to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Byrd of Virginia, Mr. Long of Louisiana, Mr. Smathers, Mr. Williams of Delaware, and Mr. Carlson to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 12196) entitled "An act to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to increase salaries, to adjust pay alinement, and for other purposes," agrees to the conference requested by the House, and appoints Mr. Bible, Mr. McIntyre, and Mr. Beall to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 745) entitled "An act to provide for adjustments in annuities under the Foreign Service retirement and disability system," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Fulbright, Mr. Sparkman, Mr. Humphrey, Mr. Hickenlooper, and Mr. Aiken to be the conferees on the part of the Senate.

FEDERAL HYDROELECTRIC PLANTS, PACIFIC NORTHWEST

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, less than 48 hours ago I said on the floor of this House that I had no crystal ball but I warned the Members of the House on adopting the conference report on S. 1007.

Before that conference report has been adopted by the Senate, believe it or not, the Secretary of the Interior has suddenly discovered that a map incorporated in that report—which he furnished to the House and Senate conferees—is not the correct map.

On the desk of the senior Senator from Arizona is a letter from the president of Pacific Power & Light Co. which says in part:

> With respect to any high voltage large capacity direct current line, it is suggested that in view of the many technical problems which are indicated and the lack of experience in the operation of such lines over land, that careful and exhaustive tests be made before the very large sums of money involved in construction are committed.

Gentlemen, this comes back to haunt you in less than 48 hours, not 10 years.

NATIONAL MONUMENT TO THE WRIGHT BROTHERS

Mr. HARVEY of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, I am today introducing a bill proposing that the birthplace of Wilbur Wright be made a national monument. With regard to the importance of flight in the history of progress of the world and the contribution that Wilbur and Orville Wright made, I think it is fitting that this area, his homestead, which is now a State memorial, be made a national monument.

FINANCING THE CAMPAIGN OF BARRY GOLDWATER

Mr. DOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, I noted with interest that President Johnson and his family have financial holdings worth $3.4 million, according to their own audit.

This, of course, is quite a different and lower figure than that which has been arrived at by independent and disinterested members of the press who have made an intensive study of the situation. I do not need to read from the many stories in the Washington Star, Wall Street Journal, or Life magazine to remind my colleagues that these holdings are generally valued from $10 to $15 million.

But since the President is so willing to place a lower value on his holdings, I suggest that the Republican Party offer to buy his many and varied holdings for the price he now places on them. I am sure that we could then sell these same properties at a very good price, and use the profit to finance the campaign of Barry Goldwater.

Are you listening, Mr. President?

SETTLEMENT OF CLAIMS AGAINST THE UNITED STATES

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6910) to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

> Page 1, line 4, strike out "1963" and insert "1964".

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CLAIR ENGLE RESERVOIR

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, today I am introducing a bill to designate the reservoir behind the Trinity Dam in honor of our late colleague, Senator Clair Engle. I think that it is most appropriate to designate this major unit of the Trinity River Division, Central Valley project as the Clair Engle Reservoir, because Senator Engle, both during his 6 years in the U.S. Senate and more than 14 years in the House of Representatives, was one of the principal advocates of expanding the Central Valley project. He authored the legislation to authorize the Trinity River division, the American River division, and the Sacramento Valley canals.

As I have stated in the bill that I introduced, Senator Clair Engle was an outstanding leader in the area of natural resources development, not only of our State of California, but also throughout the Nation. He had great vision for the necessity to conserve and put to the best possible beneficial use all the water and power resources of the Nation. Not only did he desire to conserve the natural water resources but he also sparked the first Federal participation in the problem of saline water conversion. As Senator Engle himself said, "If we can develop low-cost means of bringing water to the thirsty lands and people of the world, we will bring a boon to mankind that is more meaningful than the conquest of outer space."

Senator Engle during his 20 years here in the Halls of Congress was in the forefront of efforts to improve Federal programs for forest roads and trails, insect disease, reforestation and fire control for the protection of wildlife of all kinds and especially for the restoration of the declining salmon and steelhead fisheries of the Pacific coast.

He was a prime mover in the establishment of the Point Reyes Seashore. The many projects for which he fought so tirelessly will stand as a memorial to his great service as a national leader, and I think that it is only appropriate that we name one of the largest and most beautiful lakes in all the State of California in his honor.

TO REMOVE FLIGHT HAZARD AT U.S. NAVAL AIR STATION, NORFOLK, VA.

Mr. HARDY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 12308) to authorize removal of a flight hazard at the U.S. Naval Air Station, Norfolk, Va.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy is hereby authorized to proceed with the construction at the Naval Air Station, Norfolk, Virginia, for the purpose of removing a flight hazard.
>
> SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EIGHTEENTH ANNUAL REPORT COVERING U.S. PARTICIPATION IN UNITED NATIONS DURING 1963—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 188)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed with illustrations:

To the Congress of the United States:

Pursuant to the provisions of the United Nations Participation Act, I transmit herewith the 18th annual report covering U.S. participation in the United Nations during 1963.

This report describes in detail the day-to-day, month-to-month work of the United Nations system of agencies on behalf of peace and security, economic and social development, the trust territories, human rights and legal and constitutional developments. It also reports on administrative and financial matters.

The 18th General Assembly was concerned with many of the most urgent problems of our times: peace and disarmament, national independence and human rights, and international cooperation along a broad spectrum of human endeavor.

As in other years and with other institutions, the U.N. record for 1963 was an amalgam of progress and problems as the Organization sought to cope with many of the world's most basic and difficult issues. This report is a factual accounting of what was accomplished on the United Nations agenda for mankind—and of its unfinished business.

In transmitting this report to the Congress I should like to add two observations which go beyond the scope of the objective record of U.N. activities during the year.

First, the extraordinary importance which this Government attaches to the United Nations was underscored by the fact that two Presidents of the United States addressed the same Assembly.

On September 20, President Kennedy went to the rostrum of the General Assembly to tell the delegates of more than a hundred countries that:

> The badge of responsibility in the modern world is a willingness to seek peaceful solutions.
>
> If either of our countries—the United States and the Soviet Union—is to be fully secure, we need a much better weapon than the H-bomb—a weapon better than ballistic missiles or nuclear submarines—and that better weapon is peaceful cooperation.

When tragedy struck 2 months later, the General Assembly convened a special plenary meeting in honor of President Kennedy. Speaker after speaker rose to pay solemn tribute to the great qualities of my predecessor—and above all to the U.S. commitment to the United Nations which he both symbolized and strengthened.

When Ambassador Stevenson expressed the gratitude of our people to all the peoples who shared our grief, he also assured the delegates, on my behalf, that "there will be no Johnson policy toward the United Nations, any more than there was a Kennedy policy. There was—and is—only a U.S. policy."

By this time the work of the United Nations for 1963 was drawing rapidly to a close. Christmas was approaching. My own schedule was crowded by the extraordinary pressures of the first weeks in office.

Yet I asked to go to the United Nations in the closing days of its work to address the General Assembly. I wanted to demonstrate to the world that neither tragedy nor transition could cause this country's support for the United Nations to waver. I wanted to confirm personally that international cooperation lies at the heart of U.S. foreign policy regardless of who sits in the office of President and regardless of what party label he wears.

I told the assembled delegates at that moment:

> The greatest of human problems, and the greatest of our common tasks, is to keep the peace and save the future. If there is one commitment more than any other that I would like to leave with you today, it is my unswerving commitment to the keeping and to the strengthening of the peace.
>
> Now, on the world scale the time has come, as it came to America 30 years ago, for a new era of hope—hope and progress for that one-third of mankind that is still beset by hunger, poverty, and disease.
>
> And more than ever we support the United Nations as the best instrument yet devised to promote the peace of the world and to promote the well-being of mankind.

Second, the work of the United Nations reflected the often harsh and sometimes hopeful political and economic realities of the world in which it operates, and thus demonstrated once again its relevance to contemporary international affairs.

We see this relevance in the stepped-up activities of the Security Council over the past months, particularly in the peacekeeping field.

We see it in the dialogue on trade and economic policies now beginning between developed and developing countries.

We see it in the Assembly debates over the final steps in the process of decolonization.

We see it in the universal relief and overwhelming acceptance which greeted Assembly resolutions endorsing the limited nuclear test ban agreement, the new communications link between Moscow and Washington, the expressed intent of the United States and the Soviet Union not to place weapons of mass destruction in outer space, and renewed efforts by the 18-Nation Disarmament Committee to seek agreement "with energy and determination."

We see it in the Assembly resolution setting forth certain legal principles to govern the use of outer space—and in calls for continuing cooperation in scientific exploration, weather forecasting, and communications in outer space.

And we see it, finally, in the peacekeeping efforts which continued in the

Congo and along the armistice lines between Israel and the United Arab Republic. In these efforts, as more recently in Cyprus, the members of the United Nations reaffirmed their commitment to the increasingly vital task of helping to keep the peace—a task of growing importance to this Nation and to the world.

In short, the General Assembly was a faithful mirror of political reality, which is another way of saying that it was useful because it dealt in an intensely practical way with current human events.

I take this occasion to remind the Congress of these points because they are not all recorded in the following report, and because they illustrate how closely we associate our future hopes for world peace and progress with the fortunes of the United Nations.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *August 20, 1964*.

MILITARY CONSTRUCTION FOR THE DEPARTMENT OF DEFENSE FOR FISCAL YEAR ENDING JUNE 30, 1965, AND FOR OTHER PURPOSES

Mr. SHEPPARD. Mr. Speaker, I call up the conference report on the bill (H.R. 11369) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the statement.

The conference report and statement follow:

CONFERENCE REPORT (H. REPT. No. 1831)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11369) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$247,867,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$631,151,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$35,600,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$64,544,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$57,589,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1 and 3.

HARRY R. SHEPPARD,
R. L. F. SIKES,
GEORGE MAHON,
CHARLES R. JONAS,
E. A. CEDERBERG,
Managers on the Part of the House.
JOHN STENNIS,
RICHARD B. RUSSELL,
ALAN BIBLE,
ALLEN J. ELLENDER,
HARRY F. BYRD,
THOMAS H. KUCHEL,
By L. S.
LEVERETT SALTONSTALL,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11369) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Amendment No. 1—Military construction, Army: Reported in disagreement. The managers on the part of the House will offer a motion to appropriate $300,393,000 instead of $301,000,000 as proposed by the House and $311,977,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

Fort Polk, La., rehabilitation of facilities	$627,000
Fort Sill, Okla., ammunition igloos	788,000
Fort Sheridan, Ill., dispensary and dental clinic	789,000
Fort Lewis, Wash., rehabilitation of facilities	878,000
National War College, D.C., modernization of facilities	1,550,000
Edgewood Arsenal, Md., environmental health building	2,200,000
Picatinny Arsenal, N.J., propellant plant	365,000
Military Academy, N.Y., rehabilitation and modernization of facilities	350,000
Kwajalein Island	225,000
Minor construction	1,500,000
Estimates not originally financed	147,000
Fort Campbell, Ky., deletion of 3 tactical equipment shops	−553,000
Schofield Barracks, Hawaii, deletion of 2 tactical equipment shops	−693,000
Reduction in BOQ program	−1,800,000
Projects approved by the House, but not contained in the Authorization Act (Public Law 88–390)	−11,080,000

In addition the conferees have reduced the total funds available for this appropriation by $6,128,000 instead of $10,228,000 as proposed by the House and $2,028,000 as proposed by the Senate and will expect the Army to meet this funding reduction by recoupment of funds from prior appropriations and savings in this construction program.

The conferees have approved $9,175,000 for funding of bachelor officer quarters without regard to specific line items, but with the understanding that no part of these funds shall be obligated until specific approval has been obtained from the Committees on Appropriations of the House of Representatives and the Senate.

The conferees have no objections to the relocation of Fifth Army Headquarters from Chicago. They will expect the Secretary of Defense to restudy the proposed relocation site giving consideration to the requirement for family housing and other available sites in the area.

Amendment No. 2—Military construction, Navy: Appropriates $247,867,000 instead of $247,000,000 as proposed by the House and $250,899,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

NSB, New London Conn., chapel	$565,000
Dredging	775,000
NS, Adak, Alaska, powerplant	1,800,000
NAS, Brunswick, Maine, chapel	275,000
NAS, Miramar, Calif., officers open mess	350,000
MCAF, Santa Ana, Calif., equipment maintenance shop	$108,000
NWS, Concord, Calif., gymnasium	189,000
MCSC, Albany, Ga., religious education building	69,000
Power facilities	32,000
NAF, Naples, Italy, barracks	423,000
NS, Roosevelt Roads, P.R., target complex	500,000
Land acquisition	30,000
Camp Butler, Okinawa, vehicle body and paint shop	104,000
Minor construction	500,000
Access roads	50,000
NAS, Sanford, Fla., facilities for support of heavy attack aircraft mission	2,004,000
NPF, Indian Head, Md., propellant facility	2,000,000
NS, Kodiak, Alaska, restoration of damaged facilities	6,854,000
MCAF, Futema, Okinawa, instruction building	202,000
MCAF, Iwakuni, Japan, fueling and logistical facilities	194,000
Reduction in BOQ program	−664,000
Projects approved by the House, but not contained in the Authorization Act (Public Law 88–390)	−17,073,000

In addition, the conferees have reduced the total funds available for this appropriation by $1,593,000 instead of $3,173,000 as proposed by the House and will expect the Navy to meet this funding reduction by recoupment of funds from prior appropriations and savings in this construction program.

The conferees have approved $2,861,000 for funding of bachelor officer quarters without regard to specific line items, but with the understanding that no part of these funds shall be obligated until specific approval has been obtained from the Committees on Appropriations of the House of Representatives and the Senate.

The conferees have not approved the request for $204,000 for an equipment shop at NAF, Naha, Okinawa, as proposed by the Senate. Any future request for this item should be combined with additional Air Force requirements of a similar nature at this installation.

Amendment No. 3—Military construction, Air Force: Reported in disagreement. The managers on the part of the House will offer a motion to appropriate $332,101,000 instead of $346,000,000 as proposed by the House and $342,986,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

Newark AFS, Ohio, logistical facility (alteration)	$800,000
Valkaria, AFS, Fla., land acquisition	446,000
Lackland AFB, Tex., dining halls (alterations)	943,000
Randolph AFB, Tex., fire station	354,000
Andrews AFB, Md., high altitude training facility	95,000
Scott AFB, Ill., hospital facilities	125,000
Grand Forks, AFB, N. Dak., commissary	171,000
Malmstrom AFB, Mont., officers open mess	450,000
Minot AFB, N. Dak., theater	355,000
AF Academy, Colo., planning funds for fieldhouse	350,000
Missile and space projects	2,000,000
Classified location, security service	71,000
Minor construction	875,000
Sheppard AFB, Tex., replacement of damaged facilities	769,000
Elmendorf AFB, Alaska, replacement of damaged facilities	$668,000
Shaw AFB, S.C., hospital facilities	3,001,000
BOQ program	258,000
Estimates not originallly financed	295,000
Lackland AFB, Tex., deletion of composite training facility	—2,200,000
Classified—Deletion of classified missile and space projects	—2,155,000
France—Deletion of jet fuel storage facilities	—1,479,000
Projects approved by the House, not in the Authorization Act (Public Law 88-390)	—22,294,000

In addition, the conferees have reduced the total funds available for this appropriation by $2,203,000, instead of $4,406,000 as proposed by the House, and will expect the Air Force to meet this funding reduction by recoupment of funds from prior appropriations and savings in this construction program.

The conferees have approved $2,919,000 for funding of bachelor officer quarters without regard to specific line items, but with the understanding that no part of these funds shall be obligated until specific approval has been obtained from the Committees on Appropriations of the House of Representatives and the Senate.

The conferees are in agreement that the $2,000,000 approved for missile and space projects may be used to provide facilities for present requirements and/or those which might be required in the future.

Amendment No. 4—Military construction, Army National Guard: Appropriates $10,800,000 as proposed by the Senate instead of $6,000,000 as proposed by the House.

Amendment No. 5—Family housing, Defense: Appropriates $631,151,000 instead of $650,358,500 as proposed by the House and $617,651,000 as proposed by the Senate. The conferees have approved funds for the construction of 8,250 units of new family housing instead of 9,590 units as proposed by the House and 7,500 units as proposed by the Senate. These funds are to be allocated to the military services by type and location by the Secretary of Defense. The Secretary is directed to inform the Committees on Appropriations of the House of Representatives and the Senate of the allocations to the several services prior to the execution of this program.

Amendment No. 6—Family housing, Defense: Authorizes not to exceed $35,600,000 for the construction of family housing for the Army, instead of $40,446,000 as proposed by the House and $32,216,000 as proposed by the Senate.

Amendment No. 7—Family housing, Defense: Authorizes not to exceed $64,544,000 for the construction of family housing for the Navy and Marine Corps instead of $72,481,000 as proposed by the House and $59,144,000 as proposed by the Senate.

Amendment No. 8—Family housing, Defense: Authorizes not to exceed $57,589,000 for the construction of family housing for the Air Force instead of $64,013,500 as proposed by the House and $52,873,000 as proposed by the Senate. The conferees are in agreement that any requirements for family housing for Offutt Air Force Base, Nebr., may be included in the list of projects for which these funds are to be allocated.

HARRY R. SHEPPARD,
R. L. F. SIKES,
GEORGE MAHON,
CHARLES R. JONAS,
E. A. CEDERBERG,
Managers on the Part of the House.

Mr. SHEPPARD. Mr. Speaker, I yield myself such time as I might require.

Mr. Speaker, this bill provides approximately $1.5 billion for the military construction and family housing programs for the military services. The conference report is unusual in that it is approximately $308 million below the budget, $28 million below the House, $12 million below the Senate and $14.9 million below appropriations for fiscal year 1964. The conference report is unanimous on the part of the managers on the part of the House and the Senate and I urge its adoption.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from Iowa.

Mr. GROSS. As I understand it, this bill calls for the spending of $1.5 billion, approximately?

Mr. SHEPPARD. Yes.

Mr. GROSS. It is some $15 million below last year?

Mr. SHEPPARD. That is also correct.

Mr. GROSS. If we are getting the right information on the closing of the bases, when will it be reflected in real reductions in military construction? The President has stated he has closed installations and bases. I would like to know when these are going to be reflected in appropriations.

Mr. SHEPPARD. I am sure the gentleman well knows that, insofar as this subcommittee is concerned, the question the gentleman has propounded is not within our immediate jurisdiction. Those who handle other bills may have the information the gentleman desires.

Mr. GROSS. I would like to suggest to the Military Subcommittee on Appropriations that next year we get some kind of a real rundown on the alleged closing of military bases and military installations over the country, and how much we have saved, if anything, on the closing of these installations or bases. I do not think that is reflected anywhere, and I would like to know.

I question whether the President is closing installations at the rate he told the Nation he would close them. Yet he has told the country he is closing them.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from North Carolina.

Mr. JONAS. May I say to the gentleman from Iowa there is one item in the report that was not mentioned in the colloquy between the gentleman from Iowa and the chairman of the subcommittee. This conference report is $308 million below the budget figures.

Mr. GROSS. That is the asking price. We get that all the time, and we always expect that to be higher than a cat's back.

Mr. JONAS. I am surprised that the gentleman would not give the committee a little credit for cutting $308 million out of the request for military construction.

Mr. GROSS. I will say that in my career I have had some connection with horsetraders. They ask $200 for a swayback, but never ever expect to get it.

I give the committee credit for whatever savings have been effected, but I refuse to be carried away by the claim of a cut based upon the highly inflated budget request.

Mr. JONAS. I, too, understand from the remarks of the gentleman from Iowa that he is willing to credit the subcommittee and the conferees with having saved $308 million under the budget, but that he does not consider that a very substantial cut. It is in my book.

I would also call attention to one item in this bill that increases the amount substantially. This is family housing. We have men in the services that are not adequately housed. We have a long-range program of trying to provide servicemen with adequate housing. This bill contains about $630 million for family housing, which is a substantial part of the total amount of the bill.

While I am on my feet, if the gentleman will yield further, I wish to concur in his remarks that this report is unanimous. We have had differences within the committee and within the conference. The conference report represents compromises that had to be made to have an agreement. The managers on the part of the House are unanimous in recommending that this conference report be accepted by the House. We feel it provides adequately for the military construction needs of the country. We do not believe it is extravagant. We think we have made all of the cuts which we should make. I join the chairman of the subcommittee in urging the House to approve the report.

Mr. SHEPPARD. Under leave granted to revise and extend my remarks and include certain tabulation, I insert a table showing a summary of the congressional actions, to date, on the budget estimates for military construction, with appropriate comparisons.

Military construction appropriation bill, 1965

Item	1964 appropriation	1965 budget estimates	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1964 appropriation	Budget estimate	House	Senate
Military construction, Army	$200, 646, 000	$408, 000, 000	$301, 000, 000	$311, 977, 000	$300, 393, 000	+$99, 747, 000	−$107, 607, 000	−$607, 000	−$11, 584, 000
Military construction, Navy	198, 853, 000	278, 000, 000	247, 000, 000	250, 899, 000	247, 867, 000	+49, 014, 000	−30, 133, 000	+867, 000	−3, 032, 000
Military construction, Air Force	468, 275, 000	406, 000, 000	346, 000, 000	342, 986, 000	332, 101, 000	−136, 174, 000	−73, 899, 000	−13, 899, 000	−10, 885, 000
Military construction, defense agencies	24, 000, 000	34, 000, 000	12, 656, 000	12, 656, 000	12, 656, 000	−11, 344, 000	−21, 344, 000	--------	--------
Military construction, Army Reserve	4, 500, 000	5, 000, 000	5, 000, 000	5, 000, 000	5, 000, 000	+500, 000	--------	--------	--------
Military construction, Naval Reserve	6, 000, 000	7, 000, 000	7, 000, 000	7, 000, 000	7, 000, 000	+1, 000, 000	--------	--------	--------
Military construction, Air Force Reserve	4, 000, 000	5, 000, 000	5, 000, 000	5, 000, 000	5, 000, 000	+1, 000, 000	--------	--------	--------
Military construction, Army National Guard	5, 700, 000	6, 000, 000	6, 000, 000	10, 800, 000	10, 800, 000	+5, 100, 000	+4, 800, 000	+4, 800, 000	--------
Military construction, Air National Guard	16, 000, 000	14, 000, 000	14, 000, 000	14, 000, 000	14, 000, 000	−2, 000, 000	--------	--------	--------
Loran station	20, 500, 000	5, 000, 000	5, 000, 000	5, 000, 000	5, 000, 000	−15, 500, 000	--------	--------	--------
Total, military construction	948, 474, 000	1, 168, 000, 000	948, 656, 000	965, 318, 000	939, 817, 000	−8, 657, 000	−228, 183, 000	−8, 839, 000	−25, 501, 000
FAMILY HOUSING									
Family housing, Army:									
Construction	34, 681, 000	52, 728, 000	40, 446, 000	32, 216, 000	35, 600, 000	+919, 000	−17, 128, 000	−4, 846, 000	+3, 384, 000
Operation, maintenance, and debt payment	183, 396, 000	173, 328, 000	173, 328, 000	173, 328, 000	173, 328, 000	−10, 068, 000	--------	--------	--------
Family housing, Navy, and Marine Corps:									
Construction	68, 248, 000	96, 219, 000	72, 481, 000	59, 144, 000	64, 544, 000	−3, 704, 000	−31, 675, 000	−7, 937, 000	+5, 400, 000
Operation, maintenance, and debt payment	93, 944, 000	97, 739, 000	97, 739, 000	97, 739, 000	97, 739, 000	+3, 795, 000	--------	--------	--------
Family housing, Air Force:									
Construction	61, 027, 000	88, 635, 000	64, 013, 500	52, 873, 000	57, 589, 000	−3, 438, 000	−31, 046, 000	−6, 424, 500	+4, 716, 000
Operation, maintenance, and debt payment	193, 514, 000	198, 859, 000	198, 859, 000	198, 859, 000	198, 859, 000	+5, 345, 000	--------	--------	--------
Family housing, Defense Agencies:									
Construction	50, 000	981, 000	981, 000	981, 000	981, 000	+931, 000	--------	--------	--------
Operation, maintenance, and debt payment	2, 546, 000	2, 511, 000	2, 511, 000	2, 511, 000	2, 511, 000	−35, 000	--------	--------	--------
Total, family housing	637, 406, 000	711, 000, 000	650, 358, 500	617, 651, 000	631, 151, 000	−6, 255, 000	−79, 849, 000	−19, 207, 500	+13, 500, 000
Total	1, 585, 880, 000	1, 879, 000, 000	1, 599, 014, 500	1, 582, 969, 000	1, 570, 968, 000	−14, 912, 000	−308, 032, 000	−28, 046, 500	−12, 001, 000

Mr. LLOYD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER.** Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. LLOYD. Mr. Speaker, I would like certain basic facts to be known concerning the military construction appropriation bill for fiscal year 1965, H.R. 11369.

The Department of Defense requested $2,323,000 for new and improved facilities at Hill Air Force Base, Ogden, Utah. The House Appropriations Committee deleted $1,787,000 which would have enabled an existing facility at Hill to be adapted for work on engines of the F-4C twin jets.

Now I would be the first to admit that I am interested in this work because of the jobs and income it would mean for my State. But I will not advocate any work, in Utah or elsewhere, that does not serve national defense interests with all possible economy.

This money was deleted on the assumption—never supported by any kind of detailed information—that the work proposed for Hill AFB might be better accomplished at an existing Navy installation. Of course, it is true that the Air Force and the Navy both use this aircraft, but that simple fact does not justify this action.

When this question was raised by members of the subcommittee, Air Force witnesses said the matter had been throroughly reviewed. In a memorandum later submitted for the Record, it was shown that the decision to perform the Air Force F-4C jet engine work at Hill had been agreed to by the Air Force, by the Navy and the Office of the Assistant Secretary of Defense for Installations and Logistics.

Nevertheless, the appropriation bill was written to exclude the adaptation of existing facilities at Hill to perform this vital work and the measure passed on May 26, 340 to 5.

At the same time, I wrote Secretary Zuckert, asking for a more detailed statement on the justification for doing the work at Hill. On June 3, I received from the Air Force a detailed, 6-page memorandum which reinforced the earlier request, noting the decision "was based on coordinated planning by the Air Force, Navy and the Office of the Secretary of Defense."

All this information has been made available to the members of the Subcommittee on Military Construction.

Subsequently, the Senate restored these funds. But in conference, the funds were again deleted and the bill we approved today sustained the orginal position of the House.

My purpose in recapitulating this matter is to show that the deletion of funds to do the necessary rebuilding of existing facilities at Hill was not accompanied by any justifying statement.

Of course, we are all interested in economy. If the work can be done more cheaply and if the national defense need is adequately met by transferring the work elsewhere, then I would make no objection.

But in my opinion, no such showing has been made. Obviosuly, the work on these jet engines will have to take place. Will the Air Force be required to engage in the expensive and time-consuming prospect of ferrying its planes to a Navy station; will it have to do the work without adequate facilities; will the service be performed promptly and to the necessary standards; will we get less than full and efficient use of the existing facilities at Hill; will the readiness of these planes be sacrificed?

Not one these questions has been answered, except by an expression of hope that perhaps the work might be undertaken elsewhere.

I submit that this is not economy, this is not responsive to our national needs and this omission will need early correction in the 89th Congress.

Mr. SHEPPARD. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The **SPEAKER.** The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: On page 7, line 4, strike out "$301,000,000" and insert "$311,977,000".

Mr. SHEPPARD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Sheppard moves that the House recede from its disagreement to the amendment of the Senate numbered 1 and concur therein with an amendment as follows: In lieu of the sum proposed by said amendment insert "$300,393,000".

The motion was agreed to.

The **SPEAKER.** The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 3: Page 3, line 1, strike out "$346,000,000" and insert "$342,986,000".

Mr. SHEPPARD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Mr. SHEPPARD moves that the House recede from its disagreement to the amendment of the Senate numbered 3 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$332,101,000".

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the conference report and include a tabulation showing the details of the action taken in the conference.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CALL OF THE HOUSE

Mr. ASHBROOK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 243]

Adair
Albert
Alger
Ashley
Barry
Blatnik
Bolton,
  Frances P.
Buckley
Burton, Utah
Daddario
Dawson
Dingell
Dulski
Flynt
Hanna
Harsha
Harvey, Mich.
Healey
Hoeven
Hoffman
Jones, Ala.
Jones, Mo.
Kee
Kilburn
Landrum
Lipscomb
McClory
Madden
Martin, Mass.
May
Miller, N.Y.
Morrison
Moss
Nedzi
Patten
Pilcher
Pillion
Pirnie
Powell
Purcell
Rains
Reuss
Roberts, Ala.
Roosevelt
Rostenkowski
St. George
St Germain
Shipley
Short
Siler
Smith, Calif.
Thompson, La.
Toll
Tollefson
Van Pelt
Whalley
Willis
Younger

The SPEAKER. On this rollcall 373 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tomorrow night to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. BALDWIN. Mr. Speaker, reserving the right to object, may I ask the gentleman from Virginia if one of the privileged resolutions he mentions would be the Appalachia bill?

Mr. SMITH of Virginia. It is.

Mr. BALDWIN. I would have to object to that unanimous consent request.

Mr. SMITH of Virginia. Then I will file it today.

The SPEAKER. The gentleman from Virginia will file it today. Does the gentleman insist on his objection?

Mr. BALDWIN. Yes, I will have to insist on my objection.

The SPEAKER. Objection is heard.

RECOMMENDATION FOR THE NEXT INAUGURATION

Mr. FULTON of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Speaker, I take the time this morning to make a recommendation to the inaugural committee next year for the inauguration. I strongly recommend that the east front of the Capitol inaugural platform be changed and put on the west front of the Capitol where there will be adequate room.

I further recommend that enough grandstand seats be made available to take care of every Member, their wives or their friends in the Congress, and also the people in high-level agencies, which can be done adequately on the other side of the Capitol.

The inaugural ceremonies have far outgrown the east side of the Capitol. First, there is no room, secondly, there is traffic.

I likewise recommend that the inaugural parade proceed from the Capitol in two parts, going down either side of the Mall, which will shorten the parade by 50 percent, then proceed to the Washington Monument and come over to the White House doubled. Then the President will be watching one-half of the time, because the parade will be in double line. This will permit everybody to see the parade, because there will be four sides to the parade instead of two sides to the parade, and it will permit everybody to see the inaugural ceremonies who want to.

I strongly recommend that the inauguration, whether it be a Republican or Democratic President, be changed from the east side of the Capitol to the west side of the Capitol.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from Iowa.

Mr. GROSS. I suspect it will be rather cold on west front of the Capitol, colder than on the east front where it is usually held. I suggest we move next January's inaugural to the home State of the next President, down at Phoenix, Ariz., where it will be warm.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL, 1965

Mr. WHITTEN. Mr. Speaker, I call up the conference report on the bill (H.R. 11202) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read the statement.

The conference report and statement follow:

CONFERENCE REPORT (H. REPT. No. 1832)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11202) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 10, 11, 16, 19, 41, 46, and 50.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 8, 9, 11a, 13, 14, 15, 17, 20, 22, 27, 30, 31, 32, 36, 37, 38, 40, 42, 44, 45, 47, and 49, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$68,793,200"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$49,932,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the matter stricken and proposed by said amendment, insert the following:

"WATERSHED PLANNING

"For necessary expenses for small watershed investigations and planning, $5,524,000.

"WATERSHED PROTECTION

"For necessary expenses to conduct river basin surveys and investigations, and research and to carry out preventive measures, including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act, approved August 4, 1954, as amended (16 U.S.C. 1001–1008), and the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), to remain available until expended, $60,324,000, with which shall be merged the unexpended balances of funds heretofore appropriated or transferred to the Department for watershed protection purposes; *Provided,* That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed $100,000 shall be available for employment under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a): *Provided further,* That not to exceed $4,000,000, together with the unobligated balance of funds previously appropriated for loans and related expense, shall be available for such purposes."

And the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,770,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$11,481,000"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$39,566,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$103,000,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$12,175,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows: ", of which amount $500,000 shall remain available until expended for construction, alteration and modification of research facilities."; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$90,000,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$15,000,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$11,578,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$92,860,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 6, 7, 26, 35, and 43.

JAMIE L. WHITTEN,
WILLIAM H. NATCHER,
GEORGE MAHON,
WALT HORAN,
ROBERT H. MICHEL,
Managers on the Part of the House.

SPESSARD L. HOLLAND,
RICHARD B. RUSSELL,
ALLEN J. ELLENDER,
MILTON R. YOUNG,
KARL E. MUNDT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11202) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

The managers, in consideration of this bill in conference, had budget estimates of $29,000,000 for pesticides research (S. Doc. No. 85); $1,000,000 for bollweevil eradication and $4,000,000 for emergency conservation measures (S. Doc. No. 82); $10,000,000 for the Cropland Conversion program (S. Doc. No. 83); plus $2,000,000 for Cost-of-production research on cotton authorized by the wheat-cotton bill recently adopted by Congress. This is a total of $46,000,000, of which $44,000,000 was not submitted by the Budget Bureau in time to be considered in the bill by the House. A substantial portion of these items was agreed to in conference in view of their importance to agricultural programs in the coming year.

The conferees, at the instance of the executive branch, have unanimously supported funds in this bill to increase research attention to pests and pesticides in the continuing fight between man, pests and disease, so as to maintain our fine food supply and high standard of living. In addition, the conferees have provided the Secretary with $250,000 for the purpose of coordinating the work of the Department in this area, and for the determination and agreement on standard tests and the determination of safe and practical tolerances in cooperation with other departments and agencies of Government.

It is to be noted that it is in these areas where there must be agreement if our food supply is not to be needlessly jeopardized.

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

Amendment No. 1—Salaries and expenses: Authorizes the construction or improvement of six buildings at a cost of not to exceed $45,000 as proposed by the Senate instead of five buildings as proposed by the House.

Amendment No. 2—Research: Reported in disagreement. The managers on the part of the House will offer a motion to appropriate $119,639,000 instead of $97,656,000 as proposed by the House and $120,564,000 as proposed by the Senate. The appropriation agreed to provides the following amounts for items provided under Section 32 funds in the House bill:

Staffing and operating new facilities	$1,350,000
Research on pesticide residues including expansion of plans for weed control laboratory as provided by House	1,500,000
Foot-and-mouth disease laboratory, including $250,000 for renovation of facilities	375,000
Construction of facilities, Fort Collins, Colo	1,000,000
Renovation of facilities, Beltsville, Md	850,000
Peanut Research Laboratory, Dawson, Ga	1,000,000

In addition the following Senate increases are agreed to:

Food science research	$250,000
Stored products insect research	200,000
Funds to be distributed to 11 research locations	100,000
Wholesaling and retailing research	200,000
Pesticide research (S. Doc. 85), including $250,000 for the use of the Secretary in coordinating pesticide activities	13,758,000
Cost of production research on cotton	1,400,000

In connection with the peanut research laboratory, it is agreed that quality research on Virginia and Spanish type peanuts shall continue at the Southern Regional Utilization Laboratory at New Orleans, Louisiana. Also, it is agreed that the new Southeastern Regional Laboratory, provided last year is an addition to the national utilization research laboratories and is not intended to displace such existing utilization laboratories but primarily to meet the research problems of the Southeast area.

The planning and construction funds included in the bill are provided with the firm understanding that total construction costs of facilities as set forth in the Senate report are the full amounts to be used for construction, including plans and specifications. The total cost of the new insect laboratory at the Beltsville Research Center shall be limited to $3,225,000.

Amendment No. 3—Research: Eliminates language inserted by the Senate.

Amendment No. 4—Plant and animal disease and pest control: Appropriates $68,793,200 instead of $65,255,000 as proposed by the House and $69,036,400 as proposed by the Senate. The increases include the following items:

Plant quarantine inspection	$105,000
Animal inspection and quarantine	100,000
Federal Insecticide, Fungicide, and Rodenticide Act	300,000
Fire ant eradication	750,000
Sheep scabies eradication	783,200
Pesticide research (S. Doc. 85)	700,000
Boll weevil eradication (S. Doc. 82)	800,000

The conferees are in accord with Senate report language concerning reprogramming of funds.

Amendment No. 5—Meat inspection: Appropriates $30,837,000 as proposed by the Senate instead of $30,454,000 as proposed by the House.

Amendment No. 6—Special foreign currency program: Reported in disagreement. The managers on the part of the House will offer an amendment to appropriate $2,000,000 instead of $4,000,000 as proposed by the Senate.

The conferees are not fully satisfied that all projects proposed under this program are essential and productive. All projects must be reviewed more critically to make certain that they are of real benefit to American agriculture and will produce worthwhile results.

Forest Service

Amendment No. 7—Forest protection and utilization: Reported in disagreement. The managers on the part of the House will offer a motion to appropriate $1,900,000 instead of $2,750,000 as proposed by the Senate.

Cooperative State Research Service

Amendments No. 8 through 12—Payments and expenses: Appropriate $49,932,000 instead of $42,440,000 as proposed by the House and $52,482,000 as proposed by the Senate, and insert language relative to basic research and grants for facilities as proposed by the Senate. The increase agreed to includes:

Pesticide research (S. Doc. 85)	$3,000,000
Grants for facilities (S. Doc. 85)	3,242,000
Salary adjustments	1,250,000

Funds for grants for support of basic scientific research have not been included. The Committees expect future requests for such grant funds to be supported by details on each such grant proposed.

Extension Service

Amendments No. 13 and 14—Cooperative extension work, payments and expenses: Appropriate $72,100,000 as proposed by the Senate instead of $67,295,000 as proposed by the House.

Amendment No. 15—Retirement and employee's compensation costs for extension agents: Appropriates $7,510,000 as proposed by the Senate instead of $7,410,000 as proposed by the House.

Amendment No. 16—Federal Extension Service: Appropriates $2,451,000 as proposed by House instead of $2,551,000 as proposed by Senate.

Farmer Cooperative Service

Amendment No. 17—Salaries and expenses: Appropriates $1,102,000 as proposed by Senate instead of $1,082,000 as proposed by House.

Soil Conservation Service

Conservation Operations

The conferees have agreed to the use of funds provided under this head for modernization and construction of plant materials centers as follows:

To modernize equipment and facilities	$53,000
To rehabilitate center, Pullman, Wash	70,000
To establish center in New Jersey	102,000

Amendment No. 18—Watershed planning and protection: Appropriates $5,524,000 for small watershed planning as a separate item as proposed by the House and restores paragraph for watershed protection as proposed by the House.

Amendment No. 19—Flood prevention: Appropriates $25,423,000 as proposed by the House instead of $22,656,000 as proposed by the Senate.

Amendment No. 20—Great Plains conservation program: Appropriates $14,744,000 as proposed by the Senate instead of $14,176,000 as proposed by the House.

Amendment No. 21—Resource conservation and development: Appropriates $1,770,000 instead of $1,496,000 as proposed by the House and $2,044,000 as proposed by the Senate. The use of this appropriation shall be limited to those pilot projects already approved and underway.

Economic Research Service

Amendment No. 22—Salaries and expenses: Appropriates $10,576,000 as proposed by the Senate instead of $9,476,000 as proposed by the House.

Statistical Reporting Service

Amendment No. 23—Salaries and expenses: Appropriates $11,481,000 instead of $11,431,000 as proposed by the House and $11,892,000 as proposed by the Senate. The amount agreed to includes an additional $50,000 to extend the pilot flower estimates program. The conferees request the Forest Service to explore the possibilities of using existing cooperative forestry services to provide timber pricing information.

Agricultural Marketing Service

Amendment No. 24—Marketing services: Appropriates $39,566,000 instead of $39,389,000 as proposed by the House and $39,590,125 as proposed by the Senate. The additional amounts included are:

Poultry inspection	$152,000
Market news service	25,000

The conferees do not concur in the language in the Senate report which might appear to concur in the closing of certain market news offices after the current fiscal year. These offices have been rendering a valuable service for many years and should be continued in operation permanently.

It is further agreed that the language in the Senate report concerning the Market news service was intended to permit the transmission of weather data along with market reports and routine administrative instructions.

Amendment No. 25—Special milk program: Provides $103,000,000, one-half by appropriation and one-half by transfer from section 32 funds. The House bill provided $99,831,000 by transfer from section 32 and the Senate bill provided $106,000,000 by direct appropriation.

Amendment No. 26—Special milk program: Reported in disagreement. The managers on the part of the House will offer a motion to provide $51,500,000 of the total funds by transfer from section 32.

Amendment No. 27—Section 32: Provides $35,000,000 for the Food Stamp Plan as proposed by the Senate instead of $45,000,000 as proposed by the House.

Amendments No. 28 and 29—Section 32: Provide $12,175,500 instead of $25,000,000 as proposed by the House and $11,000,000 as proposed by the Senate. The amount agreed to includes funds for the following purposes:

Cost of production research as provided in Senate bill	$5,000,000
Utilization research as provided in Senate bill	5,000,000
Research on health-related problems of tobacco in Kentucky	1,500,000
Research on health-related problems of tobacco in Flue-cured area	175,000
Construction and alteration of research facilities in Flue-cured area	500,000
Total	12,175,000

Foreign Agricultural Service

Amendment No. 30—Salaries and expenses: Appropriates $20,488,000 as proposed by the Senate instead of $18,790,000 as proposed by the House. The Department should give attention to having the sales manager report directly to the Secretary of Agriculture in order to give increased attention to sales of commodities for dollars.

Commodity Exchange Authority

Amendment No. 31—Salaries and expenses: Appropriates $1,119,000 as proposed by the Senate instead of $1,100,000 as proposed by the House.

Agricultural Stabilization and Conservation Service

Amendment No. 32—Expenses, ASCS: Inserts Senate language dealing with activities of employees and ASCS Committeemen.

Amendment No. 33—Sugar Act program: Appropriates $90,000,000 instead of $86,400,000 as proposed by the House and $92,300,000 as proposed by the Senate.

Amendment No. 34—Cropland conversion program: Appropriates $15,000,000 instead of $7,200,000 as proposed by the House and $20,000,000 as proposed by the Senate. The amount provided is to cover full financing for both the 1964 and 1965 programs.

Amendment No. 35—Emergency conservation measures: Reported in disagreement. The managers on the part of the House will offer a motion to appropriate $4,000,000 as proposed by the Senate.

Office of General Counsel

Amendment No. 36—Salaries and expenses: Appropriates $3,853,000 as proposed by the Senate, instead of $3,784,000 as proposed by the House.

National Agricultural Library

Amendment No. 37—Salaries and expenses: Appropriates $1,547,000 as proposed by the Senate instead of $1,347,000 as proposed by the House. The additional amount is to establish and maintain a Pesticides Information Center.

General administration

Amendment No. 38—Salaries and expenses: Appropriates $3,314,000 as proposed by the Senate instead of $3,530,000 as proposed by the House.

Rural Electrification Service

Amendment No. 39—Salaries and expenses: Appropriates $11,578,000 instead of $11,641,000 as proposed by the House and $11,428,000 as proposed by the Senate. The amount agreed to includes $150,000 to meet additional responsibilities required by last years directive of the Committees and to process loan applications without delay.

Farmers Home Administration

Amendment No. 40—Rural Housing for the Elderly Revolving Fund: Appropriates $5,000,000 as proposed by the Senate instead of $3,500,000 as proposed by the House.

Amendments No. 41 and 42—Salaries and expenses: Appropriates $39,544,000 as proposed by the House instead of $39,794,000 as proposed by the Senate, and provides $2,250,000 transfer from the Agricultural Credit Insurance fund as proposed by the Senate instead of $2,000,000 as proposed by the House.

Amendment No. 43—Salaries and expenses: Reported in disagreement. The managers will offer a motion to restore House language which provides $500,000 for temporary field employment and to restrict the use of funds under this head for rural housing grants.

Commodity Credit Corporation

Amendment No. 44—Reimbursement for net realized losses: Appropriates $1,574,000,000 as proposed by the Senate instead of $1,724,000,000 as proposed by the House.

Amendment No. 45—Limitation on administrative expenses: The managers on the part of the House have receded to Senate amendment No. 45, which prohibits mandatory micronaire readings on cotton for fiscal year 1965.

The managers have taken this action because the Department, in setting up mandatory micronaire readings, did not follow provisions of law requiring 1 year's waiting period after notice as required by the Cotton Standards Act.

In taking this action, the managers on the part of the House do not take any position against voluntary micronaire reading.

TITLE V—GENERAL PROVISIONS

Amendments No. 46 and 47—Public Law 480: Appropriate $1,612,000,000 for title I sales as proposed by the House instead of $1,737,000,000 as proposed by the Senate, and appropriate $35,000,000 for title IV contracts as proposed by the Senate instead of $55,000,000 as proposed by the House.

Amendment No. 48—Bartered materials for supplemental stockpile: Appropriates $92,860,000 instead of $82,860,000 as proposed by the House and $102,860,000 as proposed by the Senate.

TITLE V—GENERAL PROVISIONS

Amendment No. 49—Section 501: Permits the purchase of 474 automobiles as proposed by the Senate instead of 472 as proposed by the House.

Amendment No. 50—Section 507: Deletes language of the Senate related to use of increases provided in the bill. It is expected that the Department will follow the procedures outlined in its explanatory outlines as submitted to the conferees on this amendment.

JAMIE L. WHITTEN,
WILLIAM H. NATCHER,
GEORGE MAHON,
WALT HORAN,
ROBERT H. MICHEL,
Managers on the Part of the House.

Mr. WHITTEN. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, this is the appropriation bill for the Department of Agriculture for the coming fiscal year. The House conferees are in agreement substantially on the various items. As conference reports go, this represents a compromise in some instances on the part of all of us to see that the basic problems of agriculture are met. The special problems our colleagues in the House have called to our attention have had adequate attention in this bill.

The bill before us is substantially below the budget. It is under the House amount that we passed in May. It is also under the Senate bill. However, I think I should say in candor that this is largely because of the Commodity Credit Corporation restoration of capital impairment.

I have said before that the Department of Agriculture this year had a larger reduction in the Budget than all the rest of the Government put together. But we will have to meet the problems that will arise, and I anticipate that in the coming year there may be a supplemental bill to take care of the needs of the Department of Agriculture.

Your managers on the part of the House had a special situation which we faced in conference. A total of $42 million in extra requests were sent to the Senate after the House had already acted on the bill. This is largely in the area of pesticides, disease, and pest control, and emergency conservation measures.

In addition, this bill provides funds for the special milk program. The House provided this by section 32 funds. The other body appropriated fully for that from the Treasury, and in the conference this was split 50-50. To the extent that section 32 funds are not used, they revert to the Treasury.

Agriculture continues to be the very base of our standard of living and our welfare, and the biggest market for business and industry, where only 8 percent of our people are engaged in agriculture to support the other 92 percent, thereby making it possible to have our high standard of living. The managers on the part of the House have made it possible in this bill for Agriculture to do a good job.

I very much enjoyed working with my colleagues on the Democratic side, and on the Republican side, all of whom have been most cooperative. This conference report does not represent the views of all of us individually, but it does represent the composite viewpoint of the House and the Senate.

Mr. Speaker, under leave to revise and extend my remarks, I include a table on H.R. 11202, the Department of Agriculture appropriation bill for 1965.

The table follows:

H.R. 11202, Department of Agriculture and related agencies appropriation bill, fiscal year 1965

Item	1964 appropriation	1965 Budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1964 appropriation	Budget estimate	House	Senate
Title I, general activities	$1,572,016,315	$1,473,590,600	$1,393,687,000	$1,573,157,525	$1,506,747,200	−$65,269,115	+$33,156,600	+$113,060,200	−$66,410,325
Title II, credit agencies	78,892,900	58,802,000	55,885,000	57,422,000	57,322,000	−21,570,900	−1,480,000	+1,437,000	−100,000
Title III, corporations	4,595,388,000	4,051,233,000	3,733,093,000	3,708,093,000	3,573,093,000	−1,022,295,000	−478,140,000	−160,000,000	−135,000,000
Title IV, Farm Credit Administration	(2,785,000)	(2,876,000)	(2,876,000)	(2,876,000)	(2,876,000)	(+91,000)			
Total	6,246,297,215	5,583,625,600	5,182,665,000	5,338,672,525	5,137,162,200	−1,109,135,015	−446,463,400	−45,502,800	−201,510,325
Loan authorization	(855,000,000)	(753,000,000)	(795,000,000)	(795,000,000)	(795,000,000)	(−60,000,000)	(+42,000,000)		

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. I should like very much for the chairman of the subcommittee to answer some questions. Does not this bill cut back funds for the food stamp program from the current level of $45 million a year as voted by the House to only $35 million, the amount voted by the Senate?

Mr. WHITTEN. On this item I commend the gentlewoman on her deep interest in this program. It is due largely to her efforts that the House passed the legislation.

The House in this instance did recede and agree with the Senate. The fact is that this is largely because of, and in knowledge of, the fact that there will soon be a request in the amount of $60 million, both in appropriated funds and section 32 funds. The House and Senate took this action knowing in the bill now under consideration, and mention was made in the conference, that the supplemental was pending and would have the attention of the Congress.

Mrs. SULLIVAN. This would not allow any additional projects to be established and would also mean a 25-percent cutback in the operation of every food stamp program throughout the country, in Detroit, Pittsburgh, St. Louis, and 40 counties throughout the country. How can the committee justify cutting back the existing programs 25 percent when Congress has just passed a bill to expand the program nationally?

Mr. WHITTEN. These projects often are better when you do not move too fast. It was anticipated by the managers on the part of the House that our action would not result the cutback which the gentlewoman has mentioned. This program will be going ahead but it will to some degree be slower than the expansion called for in the supplemental estimate.

Again as I recall, the most recent bill does provide that certain steps be taken as to what communities and what areas qualify.

So we do not feel, and certainly there is no intent here to cut down on existing programs. But it would have the effect, perhaps, of making the increased expansion less rapid than was thought might be the case.

Mrs. SULLIVAN. I would like to ask the gentleman this question. Is he going to support the President when the supplemental bill comes before him?

Mr. WHITTEN. May I say to the gentlewoman I had some reservations in in the past about many phases of the bill, but I voted for the bill. Certainly, I have supported funds for items even when I was opposed to them. I think I have the responsibility of implementing the programs that are sent to our committee. As the gentlewoman knows, in this instance, I voted for the program to begin with.

Also, may I say, in asking the department witnesses as to the effectiveness of this program, it has proved much more satisfactory than many folks in the department thought it would in these pilot counties where they have been operating.

Mrs. SULLIVAN. I thank the gentleman.

Mr. Speaker, I think every Member who has a food stamp project operating in his district will be terribly concerned over the action of the conferees on this bill in agreeing to a figure of only $35 million for the food stamp program. We are now operating that program on a pilot basis in 43 areas of the country at an annual rate of about $45 million a year. That is the amount we provided last year. It is the amount the House voted earlier this year just for the present program, before passage of my bill to make it into a national program. We can send this bill back to conference or we can correct this mistake by passing the amount requested by the President in a supplemental. That would give us $60 million for the rest of this year—for an orderly expansion of the program.

Mr. Speaker, the Senate cut back the food stamp program by 25 percent from the level now in effect in the 43 pilot projects. The conferees went along with that. The House had voted enough money for a continuation of all of the existing projects and for some slight expansion of the program. Since then, Congress has passed the bill for a nationwide program. Under the food stamp bill as sent to the White House, we may spend up to $75 million this fiscal year and $100 million next year with a maximum of $200 million the third year. Part of the 1965 fiscal year has already gone by. In order to reach the level of operations authorized for this year in H.R. 10222, the food stamp bill, we now need only about $60 million for this year. This will permit an operating rate for the remainder of this fiscal year of about $75 million a year, rising to a rate of $100 million by next July. So we need $60 million to expand the program; we need at least $45 million to continue the present level of operations. This bill permits and allows only $35 million to be used this year for the food stamp program. That would mean a substantial cutback in all of the operating projects. Every one of them would have to be cut back about 22 percent.

FRESH FOODS INSTEAD OF POWDERED SURPLUSES

I am not going to ask that this bill be sent back to conference to restore the $10 million the Senate cut from it. Instead, I am asking that the Committee on Appropriations assure us it will act on a supplemental and that it will provide enough money in that supplemental to undo the mischief perpetrated on the food stamp program by this Senate amendment. The President, in House Document No. 344, asked for $15 million in direct appropriations and $45 million in section 32 money for the food stamp plan this year. This money is absolutely essential.

Mr. Speaker, section 32 is and can be a legitimate source of financing for any program which helps to eliminate agricultural surpluses. Nothing does that more intelligently than the food stamp program. It uses up surpluses by making millions of new customers in the grocery stores for fresh meat, milk, fresh eggs, fresh vegetables—all of the commodities section 32 money is supposed to be used for. So please do not tell us section 32 money should not go into the food stamp plan. The $45 million of section 32 money which is supposed to be earmarked for the food stamp plan would do the farmers of this country far more good than the millions upon millions of dollars of section 32 money we have spent supporting cattle prices. The food stamp plan creates new customers for beef and veal and dairy products—regular customers who will buy these products week in and week out under the food stamp program. In many areas of the country, the needy never get any of these fresh meats or fresh dairy products. They have to live on the powdered, canned or dehydrated varieties which they receive as handouts from the Government.

Mr. HECHLER. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman.

Mr. HECHLER. Mr. Speaker, I would like to support the observations of the gentlewoman from Missouri. I am very hopeful action will be taken under the forthcoming supplemental appropriation bill to expand the excellent food stamp program which has meant so much to the State of West Virginia and other States as well.

I commend the gentleman from Mississippi and hope that we may obtain his support for a further extension of the food stamp program.

Mr. WHITTEN. May I say to the gentleman from West Virginia, the reason that the supplemental estimates were sent to the Senate is because it came down too late to have the attention of our subcommittee. It was not sent to the Senate because of any disposition on the part of the subcommittee of the House.

Mr. HECHLER. I thank the gentleman from Mississippi. I would like to stress that the food stamp plan has been so successful in the pilot counties in which it has been in effect, that I trust that sufficient funds will be made available to extend the food stamp plan to all counties in West Virginia.

Mr. WHITTEN. Mr. Speaker, I yield to my chairman, the gentleman from Texas [Mr. MAHON], who in addition to being chairman of our Committee on Appropriations was also one of the managers on the part of the House.

Mr. MAHON. Mr. Speaker, I rise to commend the gentleman from Mississippi [Mr. WHITTEN] and his subcommittee on what I consider to be an excellent bill.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MAHON. Mr. Speaker, with the adoption of the two appropriation conference reports today, the status of the appropriations business of the session moved substantially closer to completion.

Only two regular bills plus the customary closing supplemental remain and all three are in advanced stages. The Labor-HEW bill is pending in conference, having just passed the other body on yesterday.

The foreign aid appropriation bill is still pending in the Senate committee but I understand is in position to be moved promptly following the disposition of the authorization bill.

And the usual session-end supplemental, while still in our Committee on Appropriations, is ready to be reported.

So, I would say we apprehend no insurmountable difficulties in bringing the appropriations business to a close altogether compatible with the timing of the sine die adjournment.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Illinois.

Mr. FINDLEY. I heard the food stamp program mentioned a moment ago. There was some question when the appropriation bill was before the House as to whether the pilot food stamp program for which some $45 million was provided would run concurrently when, and if, the national food stamp program began.

Now that the national food stamp program is underway, can the gentleman advise me if the pilot food stamp program will operate concurrently with the national food stamp program?

Mr. WHITTEN. In this bill there is $35 million which is the Senate figure instead of $45 million which is the amount that went through the House.

It is my understanding that the supplemental food stamp program would be available for the overall program, including the present pilot program as well as the enlarged program.

As I stated earlier, my recollection of the legislation is that certain steps must be made prior to the expansion of the program. Doubtless it will take some time for them to set in motion the food stamp program in new areas.

Mr. FINDLEY. The gentleman indicated earlier that some restoration of the Commodity Credit Corporation funds might be necessary on a supplemental basis. I have heard a rumor that the capital fund may be in such a critical position, perhaps even by the first of the year, that restoration may be needed as one of the first items of business in January. Can the gentleman provide us information as to that?

Mr. WHITTEN. It is my individual judgment, I say in perfect candor, that it probably may occur early in the new year.

I point out, as Members will see in the report, that once again we have tried to strengthen the hand of the sales manager of the Commodity Credit Corporation.

That Corporation has three sources of funds. The first is to increase the capital stock, which would have to come from another committee. Another is a restoration of capital impairment through appropriations. The third—which should be used first, always—is to provide funds from the sale of commodities.

It is my information that the sales manager in the Department is about the third assistant to an assistant to an assistant. In our report we ask that attention be given to permitting the sales manager to report directly to the Secretary of Agriculture. It is my judgment that if such were done, and if he were turned loose to sell commodities for dollars, it might be a long time in the new year before we would find it necessary to appropriate additional funds. If that is not done, it could happen fairly early in the year.

Mr. FINDLEY. I thank the gentleman.

Mr. MATTHEWS. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Florida.

Mr. MATTHEWS. Mr. Speaker, I first of all want to congratulate the Subcommittee on Agricultural Appropriations, its chairman, the gentleman from Mississippi [Mr. WHITTEN], and all of the members. As usual, they have given us, I think, an excellent bill based on a most intensive study of the great needs of American agriculture.

I am particularly pleased with the money they have provided to give us an opportunity to accelerate work on pesticide residues. One of the biggest needs in America today is to continue to develop pesticides which will enable the American farmer to produce his crops and yet will not be harmful to the consumer. Many of us on the Committee on Agriculture have felt that we need to evaluate more carefully the effects of pesticides in order to assure that pesticides that are not harmful may be used by those engaged in American agriculture.

Recognizing the tremendous problem of adequate pesticide research, the President submitted to the other body Senate Document No. 85 after the House Appropriations Committee had made their report to the House, and in this particular Senate document an amount of $29 million was requested to accelerate work on pesticide residues.

It is my understanding that in this total amount, there is an item of $160,000 for planning the Laboratory for Insect

Attractants, to be located in the immediate vicinity of the Federal Entomology Laboratory in Gainesville, Fla., which is in my home district.

With the action that we are taking in the House today, it is my further understanding that this amount of money will now be available to begin immediate planning for this Laboratory, which will eventually cost in the neighborhood of $2 million, and I welcome this action. Let me emphasize that the dedicated scientists now working in the Entomology Laboratory will be able to cooperate better with the Laboratory for Insect Attractants because of its location. I am sure that other dedicated scientists will come here to add to the amount of knowledge that we desperately need for the adequate use and control of pesticides.

Mr. BURLESON. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Texas.

Mr. BURLESON. May I direct the gentleman's attention to page 6 of the conference report, having to do with the Peanut Research Laboratory at Dawson, Ga. As everyone will remember, this is an item on which we have had debate for several years. Twice the House has turned down the proposition of creating a new laboratory in Dawson, Ga., for reasons well defined in the RECORD.

May I ask the gentleman if this Laboratory, costing $1 million, is for only quality research on peanuts?

Mr. WHITTEN. I will say that we have designated it a quality research laboratory, but I do think if other problems arise which it could handle, certainly the committee would not be in a position of trying to restrict the best use of the facilities which may be built there.

I wish to say at this time that I do not know of anyone who has spent more time trying to resolve the difference of viewpoint among my colleagues than I have in this instance. As the gentleman knows, our committee in several cases has brought out funds for this Laboratory, and the difference has been with respect to the amount and certain permission to operate. This year, the House stood by our suggestion on this by a very close vote.

When this bill went to the Senate, the Senate was unanimous in favor of the Laboratory at Dawson, Ga. There was not a single exception taken by any Senator from any State to it. That left the House conferees in the position of having had a close vote in the House as against the unanimous position of the Senate.

We all have the highest regard for our colleague, the gentleman from Georgia [Mr. FORRESTER], as we do for our other colleagues who have a somewhat competitive problem.

In the bill before us we direct that the research being done at New Orleans on Spanish peanuts and Virginia peanuts be continued. If in the future the peanut industry should feel that these things can be done better somewhere else, we can meet that problem at that time.

Mr. BURLESON. I appreciate what the gentleman says, and I know he speaks the truth. I am aware that not one voice in the other body was raised against this item and I realize House conferees find themselves in a handicapped position.

Be this as it may, I insist that the report before us is fundamentally different and weaker than that previously adopted by this House.

Heretofore the contention has been and successfully so, that this Laboratory was specifically and exclusively identified for quality research and was intended to serve all major peanut-producing areas of the country.

In the last sentence of the paragraph following the itemization of the various activities it states:

> It is not intended to displace such existing utilization laboratories but primarily to meet the research problems of the Southeast area.

And that is the very thing we have been arguing against and fighting here for all of these years. It is dedicated to the Southeast. It now seems that the other areas are not to benefit at all which has been a strong suspicion all along.

The SPEAKER. The time of the gentleman from Mississippi has again expired.

Mr. WHITTEN. Mr. Speaker, I yield myself 5 additional minutes.

Mr. BURLESON. Will the gentleman yield further so I may finish?

Mr. WHITTEN. May I correct the gentleman? He is now discussing the Southeastern Laboratory at Athens, Ga., which is altogether different from the Peanut Laboratory.

Mr. BURLESON. There is nothing in here which limits the Dawson Laboratory to quality research. That is the thing with which we have been concerned for so long. In the hearings before the gentleman's Subcommittee on Appropriations, I recall there was a witness interested in this research question who suggested that if this Research Laboratory was located in the Southeast, dedicated to the development of a commodity in the Southeast, exclusive to these other major areas, such as Virginia and Carolina and the southwestern area, a laboratory of the same nature and for the same purpose, should be located in each of the other areas. I doubted the wisdom of such an arrangement at the time but now we are being forced into such a position. I see the handwriting on the wall here today. As I understand the parliamentary situation we are unable to offer a motion to remove this provision from the bill. It becomes a matter, as I understand it, of accepting this item or voting down the entire conference report. Certainly I am not one who likes to relax and enjoy it, because I do not think it is right. We will come back before the gentleman's committee and ask, if this thing goes on in this way, to have a laboratory placed in the Virginia-Carolina area and in the Southwest that we may have a chance to compete in this tremendously important industry.

Mr. WHITTEN. May I say again to the gentleman he is discussing the wrong Laboratory. The Laboratory he is describing was approved last year. It is already in existence, and it is not in this bill at all. It is a utilization laboratory comparable to the ones in New Orleans, Illinois, and California. That is the Athens Southeastern Utilization Laboratory, which the Congress approved last year.

Mr. BURLESON. No. I am talking about the Peanut Research Laboratory at Dawson, Ga., costing $1 million.

Mr. WHITTEN. The language the gentleman referred to does not apply to that Laboratory.

Mr. BURLESON. It is not what it says but what it does not say which creates the issue. It should say that this Laboratory be limited to quality research; it should say it does not serve all areas impartially; it should say that representatives of the industry in other areas should have some voice in what is done at the Laboratory and how these large sums of money are spent. It does not; and what is being done here is to the disadvantage of the other areas.

Originally there was supposed to be one laboratory put in a central area where it would serve all types of peanuts. Representatives of the other areas were ignored—were frozen out and the location at Dawson, Ga. was arbitrarily decided on. This accrues to the disadvantage of the other areas. I appreciate the gentleman's fight in this matter and am well aware of it. He got no support in the Senate from anyone, but Mr. Speaker, we say that appropriations originate in the House of Representatives, but they go over to the other side and they drop everything in the basket in an appropriation bill. I am not too sure that the Committee on Appropriations of the House of Representatives does originate appropriations when they can come over here and drop in all of this sort of stuff we have turned down time and again. I say that with all deference to the Committee on Appropriations. It seems to me, if we are going to uphold the principle of appropriations originating in the House of Representatives, the Committee on Appropriations put up some fight with the other body on things such as this. There should also be an authorization for projects of this kind by a legislative committee but there is none.

Mr. WHITTEN. May I say to the gentleman I think I have shown good stamina. I stood up to this until very recently, and so has the gentleman, but we have not had any help on the other side.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from North Carolina.

Mr. COOLEY. I will agree with the remarks just made by my colleague from Texas, and I also wish to compliment the gentleman from Mississippi for the manner in which he has conducted himself in regard to this particular Laboratory. It is my recollection of it that everybody in the industry wanted the Research Laboratory. We are only fussing about where it should be located. We want it located in our area, and my dear friend from Georgia wanted it in his area. Now we ended up and we thought we would have three, one in all three areas. However, he has been a little bit more lucky than we have been in this go-around. I do want to say, though, I do not think the people in our area have changed their views on this particular Laboratory at all.

Mr. WHITTEN. We have tried to keep the quality work where it is now to the degree that other sections, including that of the gentleman from North Carolina, desire. The other body said that this was a national laboratory and you could not have peanut quality research anywhere else. We have no such broad coverage for this Laboratory in this bill.

Mr. COOLEY. Mr. Speaker, I am sorry that the gentleman from Georgia will not be back here next year to help us out on this Laboratory.

Mr. WHITTEN. The gentleman from Georgia has staying power, too. I think we would have to agree to that.

Mr. FOUNTAIN. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman.

Mr. FOUNTAIN. Mr. Speaker, I want to associate myself with the views and comments just expressed by the distinguished gentleman from Texas [Mr. BURLESON].

On at least two occasions before today, this House has gone on record against funds for a proposed Peanut Laboratory at Dawson, Ga. This record of debate in the past will show that the House thought this new program unnecessary—certainly for a Peanut Laboratory at Dawson. I am opposed to this Laboratory as proposed.

At one time my peanut people favored such a laboratory at any neutral location for utilization and quality research in connection with all types of peanuts, without favoritism to any peanut-growing area. However, they were not consulted when the time came for action, and the purpose and direction of the proposal had been so substantially changed, that, to us it became an unnecessary expense which is not in the best interest of the total peanut growing industry.

However, if I read the conference report correctly, the proposal is far worse than it was before. Now, it appears that the Laboratory, while not displacing existing utilization laboratories, is primarily to meet the research problems of the Southeast area.

I am mindful of the cooperation we have heretofore had from the House conferees, for which I thank them. I realize the problems you have faced in the past, and the problem you obviously faced this time in your deliberations with the Senate conferees. I regret you did not stand your ground because I know of no facts or circumstances, and none have yet been presented, which justify a change in our position.

At the same time, I must thank the gentleman from Mississippi [Mr. WHITTEN] and the other able House conferees for their help in the past. I realize you could not hold up an entire conference report involving over $5 billion because of a million-dollar item.

As was suggested by the gentleman from Texas [Mr. BURLESON], in connection with the observation made by the gentleman from North Carolina [Mr. COOLEY], we in the North Carolina and Virginia area at no time have insisted upon such a research laboratory for our particular area. It was our thinking that we already had adequate research laboratories in neutral areas which could be expanded to carry on the work requested through this particular Laboratory. However, the executive secretaries of the North Carolina-Virginia Peanut Growers Associations, and, I believe, some others had suggested a compromise of three less expensive laboratories, one for each of the great peanut areas, and that peanut growers themselves would assess themselves so much a bag as a means of matching Federal funds granted. If these funds are approved, as it now appears they will be, since parliamentary procedures will not permit us to amend this report, I want to serve notice on the committee that in all probability the peanut picture will have become so competitive that the other great peanut-growing areas, North Carolina-Virginia and southwestern, will appear before you seeking the other two laboratories at one time suggested. We want fairness. We want equity. If additional laboratories appear to us necessary, we will ask for them, and we hope our requests will be granted.

Mr. WHITTEN. Certainly the committee will be glad to consider your requests. We cannot commit ourselves in advance, as the gentleman knows—but we always try to be courteous and fair.

Mr. FOUNTAIN. While on my feet, Mr. Speaker, I want to comment upon one other item in this report. I note that you have brought to an end a practice or authority which I did not know existed in connection with rural housing. You have prohibited the Farmers Home Administration from making outright grants—gifts—for house repairs. I understand the housing act has some such provision. I doubt that 25 Members of the House know of the authority.

The FHA has been doing a good job. It administers many vital programs extremely helpful to agriculture and our rural people. It should not be saddled with any such authority or responsibility. Yesterday, in advising a representative of the press in my congressional district that a land reform program with outright grants to individuals was knocked from the so-called poverty bill, he told me of a release he had received from the Farmers Home Administration advising that such grants were available for home repairs, modernization, and so forth. While they were available to very low income homeowners who cannot borrow or otherwise get the necessary funds, I fear such an open-door opportunity could lead to the termination of programs that are otherwise good and helpful.

I want to commend the conferees for offering amendment No. 43 which should end such grants. However, since the grants were authorized under section 504 of the Housing Act of 1949, as amended, that section would have to be amended or repealed as may be necessary, to put an end to any such authority.

Mr. ABBITT. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield.

Mr. ABBITT. Mr. Speaker, I notice an item in the conference report on page 6 that the Peanut Research Laboratory at Dawson, Ga., is to receive $1 million. That, of course, is the same item that we have been discussing here. Am I correct that it is not possible under the parliamentary procedure for a Member to present an amendment which would strike that one item out of the conference report, or does the conference report have to be voted up or down? In other words, can we get a separate vote on this item?

Mr. WHITTEN. The entire report has to be voted up or down. May I say, for what it may be worth, that I think the overwhelming majority of the Members want to see some solution of this matter.

It is my understanding that it would be impossible to reach this one item under the existing parliamentary situation.

Mr. ABBITT. If the gentleman will yield further, may I say one further thing? It is my understanding based upon a reading of the language as used in the report that we can expect further quality research work being carried out at New Orleans to continue until some other steps have been taken either by this matter or some other laboratory facility.

Mr. Speaker, under the parliamentary situation now existing it is impossible as I understand it for those of us who oppose the item of $1 million for the Peanut Laboratory at Dawson, Ga., to get a separate vote on this particular expenditure. It is either vote for the entire conference report or against the entire report because the conferees from the House and the conferees for the Senate have agreed on this item and there is nothing in dispute as far as this amount is concerned. I am very much opposed to this Laboratory and in view of the fact that this House has on two occasions, by a rollcall, voted down this item I had hoped that we would at least be given the right to have the Members express themselves on this particular appropriation before the conferees of the House yielded to the other body.

I also wish to set the record straight as to the position of the senior Senator from Virginia. I received a letter from him dated August 14, 1964, which is as follows:

U.S. SENATE,
COMMITTEE ON FINANCE,
Washington, D.C., August 14, 1964.

Hon. WATKINS M. ABBITT,
House of Representatives,
Washington, D.C.

DEAR WATT: As you know, the Association of Virginia Peanut and Hog Growers, Inc., is opposed to the inclusion of an appropriation of $1,600,000 in the agriculture appropriation bill for a peanut laboratory at Dawson, Ga. I am advised that a majority of the peanut industry in Virginia and the Virginia shellers and growers also oppose this item.

I regret that it was included in the bill as it passed the Senate. I should be pleased if it were deleted in the House-Senate conference on the bill, and you are at liberty to use this expression of my opposition to the item if it would be helpful toward this end.

You have my very best wishes.

Faithfully yours,

HARRY F. BYRD.

Mr. WHITTEN. May I say to the gentleman that these laboratories are not built overnight. It will be some little time before this is in full operation.

Mr. HALL. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Missouri.

Mr. HALL. I thank the gentleman.

Mr. Speaker, I appreciate the gentleman yielding and I do not want to discuss peanuts, either the quantity or the quality. I want to discuss something that I think is rapidly growing into another "sacred cow" of the Congress, a "fairhaired boy" so to speak, and that is excessive research on pesticides.

Mr. Speaker, I would like to hear what the gentleman from Mississippi has to say—and I see one, two, three, four, five, six, seven different items including a special appropriation for the Secretary of the Department of Agriculture to coordinate all research on pesticides.

Being a man of science, I appreciate research. But I do not want to go overboard.

The SPEAKER. The time of the gentleman from Mississippi has again expired.

Mr. WHITTEN. Mr. Speaker, I yield myself 3 additional minutes.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, and if I may continue for 1 minute to complete my point, I understand that this is research reported in disagreement. But there are over $120 million involved here. We have pesticide research in one item amounting to $85 million. We are setting up a new $14 million Pesticide Research Laboratory, a program of research on pesticide residues under the control laboratory.

I happen to know, Mr. Speaker, if the gentleman will yield further, from a chance remark that I made on the air- and water-pollution bill here a while back, that every chemist in the country is nervous about this "sacred cow" developing with reference to the question of Endrin and pesticides used in our food and fiber production which is certainly intimately tied up in this bill.

Mr. Speaker, I believe I can name 20 additional agencies of the U.S. Government that are now interested in pesticide research.

I just wonder if it all should not be under the U.S. Public Health Service, at least as a coordinating agency, since this is a matter of health?

Mr. WHITTEN. May I say to the distinguished gentleman that I am bound to agree with him to a great degree with reference to this being an "open sesame." However, I believe this is brought about because of some rather irresponsible news releases and other publications which have excited the American people.

We have had an investigation going on with regard to this question and I am convinced that there is no evidence thus far that human health has been endangered in the least. There is absolutely no evidence of that. But such releases have excited about 92 percent of the American people who do not live on farms.

May I say that the best we can do in regard to this problem is to enable Agriculture to continue to use these essential tools where 8 percent of the people of the country can free the other 92 percent to supply a high standard of living. Otherwise, somebody might have to go back to the farm. But, Mr. Speaker, if we give some other Department the right to veto the essential tools of Agriculture, we might all go hungry.

Mr. Speaker, in this conference report on appropriations for the Department of Agriculture, we have provided $25½ million in extra funds for additional research and other work on pesticides and residues, including biological and other approaches to the insect and disease problems of American farm products. But perhaps more important than that, we have provided for the Office of the Secretary of Agriculture an additional $250,000 for the purpose of "coordinating the work of the Department in this area; to insist upon determination and agreement on standard tests; and the determination of safe and practical tolerances, in cooperation with other departments and agencies of Government."

Mr. Speaker, on my desk now is a statement from the Department that they are required to pay an estimated $8,800,000, under section 331 of the Economic Opportunity Act, for damages to dairy farmers in this area by action of local boards of health. According to my information, this payment is required, regardless of whether the chemicals were properly used and despite the fact that there has not been in the past and there is no evidence now that chemicals when properly used have endangered the public health.

It is imperative that the President, the Congress, or someone, stop this witch hunt now in progress on the use of essential tools of Agriculture, else some will have to go back to the farm and others will likely go hungry. Our subcommittee has had an investigation going in this area for some time, and at this point it is clearly apparent that the two things essential for all our people, for our food supply and high standard of living, are agreement on standard tests and upon safe and practical tolerances as called for in our conference report.

We expect to continue our investigation of this subject and our insistence upon agreement and full cooperation among all departments and agencies in these essential areas.

The SPEAKER. The time of the gentleman from Mississippi has again expired.

Mr. WHITTEN. Mr. Speaker, I yield myself 1 additional minute.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I would like to say to the gentleman that I appreciate his statement. I tried to stipulate in the beginning that I was not against research. I appreciate the importance of food and fiber materials, but I hope I have made it clear that in addition to the research provided for herein, many other branches of Government in the Cabinet are doing the same thing, and that some source should be appointed which will coordinate all of this as well as the spending of money so that we do not develop another sacred cow.

Mr. WHITTEN. It is to be hoped that the President's Science Advisory Committee will come up with some coordination of these activities. The gentleman is right that we need coordination and the elimination of duplication wherever it exists.

I am absolutely in accord with the gentleman's viewpoint.

Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Speaker, as has been pointed out by the able chairman of this Subcommittee on Agriculture Appropriations, the Honorable JAMIE WHITTEN, of Mississippi, we bring you a conference report on agriculture appropriations. None of us, perhaps, is completely satisfied with this report; yet it reflects the actions of the many segments of the Congress and a deepseated desire on the part of agriculture interests everywhere for the stepping up of research. We on the subcommittee feel that we have met the requests of our colleagues; that the research items contained in this conference report truly represent a meeting of minds of the members of our subcommittee and those of the Senate subcommittee; and that they will prove of benefit in the future to agriculture.

There are two phases of the action on the USDA appropriation bill this year that I would like to mention. I do this because so many of our problems arise not from the actions of one department, but quite often from the conflicts, misunderstanding, and lack of unanimity of purpose of one or more departments. The result of all of this is often action by the Congress calling for further appropriations and, as in this bill, crash programs.

We have, in the legislation before us, stepped up tobacco research considerably. This action, of course, was triggered by the Surgeon General, who is one of the main spokesmen for HEW—almost equal, I feel, to the Secretary of our Department of Health, Education, and Welfare—on the effects of cigarettes on human health. Tobacco is an important source of revenue for this Nation of ours, and it is but natural that we should be called upon to apply more money in a search for more knowledge and basic cures for the complaints carried in the Surgeon General's report. At this point, I want to convey my respect of one member of my subcommittee, the Honorable WILLIAM H. NATCHER, of Kentucky, and his activities in this field. He represents one of the great tobacco States. Kentucky, on her own, and with her own money, has placed herself almost miraculously in a position to be of maximum assistance to a Federal effort in this regard, and our subcommittee has taken full advantage of this.

There is one more item that falls into this general category of lack of Federal purpose, misunderstandings, and sometimes hasty action between various departments. You will recall the cranberry episode of some years ago, where one department, HEW, virtually libeled the entire cranberry industry of the United States. Subsequent knowledge proves to us that if there was any excuse for action on the part of HEW, it should have been action on the local level, and should not have been accorded the national publicity that it was given just prior to Thanksgiving, one of the best cranberry market periods of the year.

I might add here that we have paid in indemnities from the Federal Treasury a considerable amount of money to the cranberry industry, and we have still to repay the damage that was done. We face today the dilemma growing out of the condemnations of milk supplies in the Washington area milkshed, where so far as I can ascertain, the producers were living up to the regulations laid down by the Department of Agriculture. Indemnities here are in the offing. I understand this amounts to an additional $8,800,000.

And now we have in this bill many new appropriations in many categories that have been triggered by the publication recently of the book "Silent Spring," by the late Rachel Carson.

It is not my purpose here to debate the rightness or wrongness of the charges that have caused these substantial items of increase to appear in the conference report here before us. But rather my purpose is to point up some of the difficulties that arise when some seven agencies within the Department of Agriculture, some five agencies in the Department of the Interior, some eight agencies in the Department of Health, Education, and Welfare as well as the Army Engineers embark upon phases of a crash program designed to assist in all of the problems that are involved in the protection of our growing crops, whether they be land crops, or from the sea or air.

A perusal of the hearings will disclose that there is no real coordinating influence in this crash program to solve our pesticidal problems. I feel that there should be. The hearings will show that a certain National Academy of Sciences and National Research is recognized as a coordinating influence but is certainly not designated as such. Nor does this council appear before any of the subcommittees handling these appropriations to relate their progress, their achievements, to admit their mistakes, to justify the size of these appropriations we consider today and those that we can be sure we will have next year.

I feel that this is a matter that someone in the President's office—and, I am certainly not advocating any additional personnel down at the White House—should take cognizance of and be in a position to insist on coordination to the end that we may have results, and that we may have them with the least wastage of the public money. Such teamwork before the fact could avoid hasty action and save money. Had there been better coordination between HEW and Agriculture, many expensive mistakes could have been avoided, such as in the case of cranberries and others. This is definitely within the hopes we hold for the new Select Committee on Federal Research.

You can rest assured as we review these matters next year that I shall remain quizzical in this matter in the name of fiscal integrity and the fiscal well-being of our Nation.

Mr. Speaker, I ask unanimous consent to include additional information for inclusion in the RECORD at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Funds being spent for pesticide activities

DEPARTMENT OF AGRICULTURE

	1964	1965
Agricultural Research Service	$16,437,000	$32,395,000
Research to avoid or minimize pesticides residue hazards associated with the control of agricultural pests, including research on biological controls, methods for improving conventional pesticides and other approaches to pest control.		
Forest Service	3,079,000	4,979,000
Research to develop biological or safe chemicals for the prevention and control of damage to forests from insect, disease, and animal pests.		
Experiment stations	4,561,000	10,803,000
For grants to State agricultural experiment stations and other nonprofit institutions of higher education to perform basic and applied research on pesticides.		
Extension Service	2,000,000	4,200,000
Education program on use of pesticides and residue problems for dissemination to producers of agricultural commodities and the general public.		
Economic Research Service		500,000
Economic research on comparative farm costs and returns and collection of basic data on current practices, costs, and methods of controlling insects, involving use of toxic chemicals in major agricultural areas of the Nation; and effects of restrictions on the use of toxic chemicals in agricultural production.		
National Agricultural Library		200,000
Specialized library services to scientists primarily to establish an information center on current and past pesticides research.		
Agricultural Marketing Service [1]	367,000	367,000
Research to control insects in marketing channels without harmful residues.		
Total, Department of Agriculture	26,444,000	53,444,000

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE [2]

Food and Drug Administration	$4,530,000	$4,920,000
Establishment and review of tolerances for pesticides; field inspections; sample collection and analysis; research to establish methods of detection and analysis and incidence of pesticide residues in individual foods.		
Public Health Service:		
Community health:		
Communicable disease activities	460,500	467,000
Diagnostic and chemical analysis of samples submitted by State health departments in cases of suspected pesticide poisoning; physiological and pathological studies of tissue changes, studies of changes in pesticides after absorption in animal tissue, and exploration of mechanisms by which pesticides are stored in the bodies of animals.		
Environmental health:		
Environmental health sciences	630,000	3,877,000
Community pesticide studies to determine level of pesticides in the environment, how they enter man's body, effects on human health; research on modes of action and specific effects of long-term, low-dose exposure in animals and humans; and establishment of pesticide intelligence system.		
Air pollution	20,000	25,000
Collects data on high concentrations of known toxicants, including pesticide saturations in the atmosphere.		
Environmental engineering and sanitation	1,018,000	1,031,000
Studies to detect presence and amount of pesticides in milk, shellfish, and drinking water.		
Occupational health	43,000	45,000
Studies on effects of selected pesticides on leukocytes from animals with cutaneous hypersensitivity to chemical agents.		
Water supply and water pollution control	613,000	1,427,000
Investigations on pesticide pollution in waters of the lower Mississippi; research at Southeastern Water Pollution Laboratory on why and under what natural circumstances pesticides enter the aquatic environment.		
National Institutes of Health	3,846,000	4,345,000
Principally through research grants and contracts, studies are made of toxicological effects on animals and humans; pesticides included in searches for carcinogenic agents; pesticides tested for effectiveness in attack on specific disease vectors and as a causative agent in specific disease conditions.		
Total, Public Health Service	6,630,500	11,217,000
Grand total, Department of Health, Education, and Welfare	11,160,500	16,137,000

See footnotes at end of table.

Funds being spent for pesticide activities—Continued

DEPARTMENT OF THE ARMY[3]

	1964	1965
Corps of Engineers: Research on control of aquatic plants	$137,000	$172,000

DEPARTMENT OF THE INTERIOR[3]

	1964	1965
Bureau of Sport Fisheries and Wildlife:		
To determine better methods of controlling noxious fishes, birds, and mammals	$1,334,500	$1,396,000
To determine impact of chemical pesticides on sport fish and wildlife and their environments; also possible methods of lessening harmful effects	934,000	2,063,000
Bureau of Commercial Fisheries:		
To determine better methods of controlling fish and shellfish predators	160,000	160,000
To determine impact of chemical pesticides on commercial fishes including shellfishes	190,000	500,000
Bureau of Reclamation:		
Research on aquatic weed control[4]	149,500	109,000
Research on range weed control[4]	94,500	92,150
Bureau of Land Management: Research on control of insects and noxious plants	67,600	84,600
Geological Survey: Expenditures attributable to pesticide research in water resources investigations and research	76,500	114,000
Total, Department of the Interior	3,006,600	4,518,750

SUMMARY

	1964	1965
Total of 22 Federal Government agencies listed above	$40,748,100	$74,271,750

Mr. WHITTEN. I yield to the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Speaker, when this bill was considered on the floor of the House on May 19, I pointed out the phoniness of our total figure of $5,642,058,000 simply because we failed to appropriate the full amount required to restore the capital impairment of the Commodity Credit Corporation. At the time, this figure amounted to $975,400,000, and we were not kidding anybody by making it appear that we were "saving" nearly a billion dollars. The Senate did even worse than the House in this item, and so now we have a situation where we are better than a billion dollars in arrears so far as restoring the capital impairment of Commodity Credit.

Now what does this mean? Well, of course, it means as soon as the election is over there will be a monumental supplemental request for this amount; for if Public Law 480 sales and the like continue, there will be serious jeopardy to the whole price support structure because of a lack of funds.

Now I want to review, if I might, very briefly, the total dollar expenditures for the Department of Agriculture for the past few years:

	Billion
Fiscal year 1960	$5.4
Fiscal year 1961	5.9
Fiscal year 1962	6.6
Fiscal year 1963	7.7
Fiscal year 1964	7.9

Now in this conference report we have a figure of $5,137,162,200 which on paper will appear to reflect a fabulous reduction in the cost of running the Department of Agriculture. I say again that we should be appropriating at least a billion dollars more to be honest with ourselves.

This ever-continuing rise in the cost of the Department is due to a number of factors, not the least of which are the two commodity programs for feed grains and cotton. The official records show that the feed grain program has cost approximately $2½ billion for the first 3 years of its operation—1961, 1962, 1963. Current estimates now show that the feed grain program for 1964 will cost in excess of $1.2 billion, and the new cotton program will cost a total in excess of $750 million for the 1964 crop. In other words, these two programs will cost the taxpayers nearly $2 billion in 1964.

Mr. FINDLEY. Speaking of restoration of the capital fund of the Commodity Credit Corporation, aside from that item, would the spending by the Department of Agriculture be up under this appropriation bill, or down?

Mr. MICHEL. Well, there is no question but aside from that, there are increases in practically every category.

Mr. FINDLEY. Would the gentleman agree then that the billion-dollar cut in spending for the Department of Agriculture about which the administration has done some bragging is based entirely upon the unlikely assumption that the capital needs of the Commodity Credit Corporation will be down to the extent indicated by this bill? If further restoration is needed, as many of us expect, quite early in the year, the total spending by the Department of Agriculture may well exceed the previous fiscal year rather than be less.

Mr. MICHEL. I think what the gentleman says is true.

Mr. FINDLEY. I am surprised that the conference report provides even less money for the restoration of Commodity Credit Corporation funds than the House provided. Can the gentleman give any explanation of why the figure is down?

Mr. MICHEL. The other body apparently was not willing to go even to the extent of what this body did in facing up to our obligation and in a matter of compromising, give and take, this is the figure that we arrived at.

Mr. FINDLEY. Could this possibly have been done to keep the total figure the same despite the fact that a few additional items were included by the conference?

Mr. MICHEL. I think the gentleman is correct.

Mr. FINDLEY. Am I correct that the restoration of funds for the Commodity Credit Corporation partly reflects the need created by the tremendous export subsidies provided by the taxpayers by means of CCC early this year on transactions benefiting certain Communist countries, for example, the immense sales of wheat to Russia. As I recall, during the consideration of the appropriation bill earlier this year the gentleman reported the outlay for export subsidies on the Russian wheat sale was in excess of $42 million. Am I correct there?

Mr. MICHEL. Yes, I believe that is correct and it would have been higher had the commitment for the entire sale gone through.

The gentleman made an estimate along with the gentleman from Illinois, that it would be in the neighborhood of $100 million, but the fact that they did not follow through on the total sales they anticipated reflects itself in the figure of $42 million.

Mr. FINDLEY. During the same period when the East German Communists were shooting down American airmen, the administration paid out $1.7 million in export subsidies to make possible some wheat sales to that same Communist government. I presume this additional subsidy benefiting the Communists also cut into CCC capital funds?

Mr. MICHEL. Yes, it would be.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. WHITTEN. Mr. Speaker, I yield the gentleman an additional 5 minutes.

Mr. MICHEL. I believe, in proper response to the gentleman's question, the gentleman understands that what we get from the department is a request in total for what impairment there is in the Commodity Credit Corporation structure. The specific items do not come to us.

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[1] The work of the Agricultural Marketing Service in this area is being shifted to the Agricultural Research Service in 1965.

[2] Except for NIH research grants and contracts, the Department's studies are coordinated with those of the Departments of Agriculture and Interior through the Federal Committee on Pest Control, chaired by Dr. Robert J. Anderson, Chief, Bureau of State Services, Public Health Service.

[3] Above includes research on methods using mechanical and biological controls as well as chemicals.

[4] Includes construction of test facilities.

What the gentleman talks about does take place in the machinations of the Commodity Credit Corporation.

Mr. FINDLEY. Many wheat farmers are disturbed over the administration's dumping of Government wheat, at about $1.40 a bushel, in order to drive down the market price of wheat this year. Is there any limitation on spending provided in this legislation which would prohibit or restrain the Secretary of Agriculture from further dumping of this sort?

Mr. MICHEL. No. The gentleman recognizes that in an appropriation bill all we can do is write in limitations, rather than to legislate on the bill. We do not have any kind of specific limitation which would go as far as the gentleman has in mind. That is the prerogative of the Secretary.

Mr. FINDLEY. Can the gentleman give us any information as to how the research on soybeans program is provided for in this legislation?

Mr. MICHEL. That item is covered in the amendment in which we receded to the Senate point of view, which is outlined in the Senate bill. There is earmarked there for soybeans an amount of $465,000, which is certainly ample and in good measure to handle the problem confronting those folks in the soybean area, and I personally will continue to exert my influence to see that this kind of research is pursued vigorously.

Mr. FINDLEY. I was pleased to see in the committee report on the appropriation bill, H.R. 11202, the statement on page 16 which declared that one of the problems facing American agriculture in maintaining its purchasing power has been the failure of the Federal Government to use the provisions of section 22 to limit imports of competitive products where necessary to prevent undue competition from abroad.

Has there been any action since that time on the part of the President to utilize section 22 funds to relieve the hardship brought upon the cattlemen in the United States by beef imports?

Mr. MICHEL. Of course, the gentleman knows so far as section 22 is concerned, we as a committee have nothing to do with the operation of this provision except to provide the money for those people who might be called upon to come up with the information the President may need with respect to imports.

Mr. FINDLEY. So far as the gentleman knows, the President has taken no action to use section 22 funds for the purpose of relieving hardship on cattlemen caused by beef imports.

Mr. MICHEL. So far as I know, none. That is one of the reasons why we had before us a couple of days ago the bill from the Ways and Means Committee to do something in this area. Not that I would concede very much will be done by that action.

Mr. CHAMBERLAIN. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Michigan.

Mr. CHAMBERLAIN. I thank the gentleman for yielding.

As the gentleman from Illinois will recall, during the House consideration of this bill, I expressed my concern over funds made available in this bill for beetle eradication. I hasten to add cereal leaf beetle, for the benefit of the teenagers.

In the conference report I do not note any reference to this cereal leaf beetle research.

Mr. MICHEL. Yes. If the gentleman will turn to page 9 of the conference report, he will see an item in there of cost of production research as provided in the Senate bill, a total of $5 million. Then, if the gentleman will refer to the Senate bill, he will note there is a breakdown where he will see for the cereal leaf beetle an amount of $200,000 in compliance with the full amount of the request.

Mr. CHAMBERLAIN. Specifically designated for this research.

Mr. MICHEL. And the gentleman from Michigan is quite well aware that the big problem is in the State of Michigan and south in Indiana to some degree.

Mr. CHAMBERLAIN. I thank the gentleman, and I assure him this is appreciated.

Mr. MICHEL. Mr. Speaker, I yield back the balance of my time.

GENERAL LEAVE TO EXTEND

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that I, as well as the other members of the subcommittee speaking on this bill, may have permission to revise and extend our remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ABBITT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a letter from the senior Senator from Virginia [Mr. BYRD].

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WHITTEN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment number 2: Page 3, line 12, insert: "(2) $115,316,000, plus the following amounts, to remain available until expended, for the planning, construction, alteration, and equipping of research facilities: $1,000,000 for crops research facilities at Fort Collins, Colorado; $850,000 for facilities at the Agricultural Research Center, Beltsville, Maryland; $800,000 for a stored-product insects laboratory, Savannah, Georgia; $260,000 for plans for a livestock insects and toxicology laboratory, College Station, Texas; $338,000 for plans for a plant disease, nematode, and insect laboratory, Beltsville, Maryland; $160,000 for plans for an insect attractants and stored-product insects laboratory, Gainesville, Florida; $1,600,000 for a peanut research laboratory, at Dawson, Georgia, on a site acquired by donation, and: *Provided,* That research investigations undertaken at the national peanut quality evaluation laboratory must be truly national in scope and must give equivalent treatment to the different types of peanuts produced and marketed in the major peanut producing areas; and $240,000 for plans for a western cotton insects and physiology laboratory, Tempe, Arizona; a cotton disease laboratory, College Station, Texas; a cotton physiology laboratory, Stoneville, Mississippi; pilot cotton ginning facilities at Stoneville, Mississippi, and Mesilla Park, New Mexico; and facilities in the High Plains region in Texas for cotton ginning and storage research; in all, $120,564,000:"

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 2 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following: "$114,991,000, plus not to exceed the following amounts, to remain available until expended, for the planning, construction, alteration, and equipping of research facilities: $1,000,000 for crops research facilities at Fort Collins, Colorado; $850,000 for facilities at the Agricultural Research Center, Beltsville, Maryland; $800,000 for a stored-product insects laboratory, Savannah, Georgia; $260,000 for plans for a livestock insects and toxicology laboratory, College Station, Texas; $338,000 for plans for a plant disease, nematode, and insect laboratory, Beltsville, Maryland; $160,000 for plans for an insect attractants and stored-product insects laboratory, Gainesville, Florida; $1,000,000 for a peanut quality research laboratory, at Dawson, Georgia, on a site acquired by donation; and $240,000 for plans for a Western cotton insects and physiology laboratory, Tempe, Arizona; a cotton disease laboratory, College Station, Texas; a cotton physiology laboratory, Stoneville, Mississippi; pilot cotton ginning facilities at Stoneville, Mississippi, and Mesilla Park, New Mexico; and facilities in the High Plains region in Texas for cotton ginning and storage research; in all, $119,639,000."

Mr. FINDLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Mississippi yield for a parliamentary inquiry?

Mr. WHITTEN. I yield for that purpose.

The SPEAKER. The gentleman from Illinois will state his parliamentary inquiry.

Mr. FINDLEY. Mr. Speaker, if amendment No. 2 is voted down or rejected, would it then be in order for an amended amendment No. 2 to be offered which would be the same as the first amendment except for the deletion of one item?

The SPEAKER. The Chair will state, if a motion to recede and concur is voted down, another motion to recede and concur would be in order.

Mr. WHITTEN. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 6: Page 6, line 13, insert:

"SALARIES AND EXPENSES (SPECIAL FOREIGN CURRENCY PROGRAM)

"For payments in foreign currencies which accrue under title I of the Agricultural Trade

Development and Assistance Act of 1954, as amended (7 U.S.C. 1704), for market development research authorized by section 104(a) and for agricultural and forestry research and other functions related thereto authorized by section 104(k) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(a)(k)), to remain available until expended, $4,000,000: *Provided*, That this appropriation shall be available in addition to other appropriations for these purposes, for payments in the foregoing currencies: *Provided further*, That funds appropriated herein shall be used for payments in such foreign currencies as the Department determines are needed and can be used most effectively to carry out the purposes of this paragraph, and such foreign currencies shall, pursuant to the provisions of section 104(a), be set aside for sale to the Department before foreign currencies which accrue under said title I are made available for other United States uses: *Provided further*, That not to exceed $25,000 for this appropriation shall be available for payments in foreign currencies for expenses of employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), as amended by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a)."

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Whitten moves that the House recede from its disagreement to the amendment of the Senate numbered 6 and concur therein with an amendment, as follows: In lieu of the sum of $4,000,000, insert: "$2,000,000"; and after the sum of $25,000, change the word "for" to "Of".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 7: Page 7, line 17, insert:

"FOREST SERVICE

"*Forest protection and utilization*

"For an additional amount for 'Forest protection and utilization', for Forest research, $2,750,000, of which $900,000 for Forest research construction shall remain available until expended."

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Whitten moves that the House recede from its disagreement to the amendment of the Senate numbered 7 and concur therein with an amendment, as follows: In lieu of the sum of $2,750,000, insert "$1,900,000"; and in lieu of the sum of $900,000, insert: "$50,000".

The motion was agreed to.

The SPEAKER pro tempore (Mr. Holifield). The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 26: Page 18, line 17, strike out: "to be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612)."

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Whitten moves that the House recede from its disagreement to the amendment of the Senate numbered 26 and concur therein with an amendment, as follows: Restore the matter stricken, amended to read as follows: ", of which $51,500,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612): *Provided*, That hereafter appropriations under this head shall be made in accordance with the provisions of Public Law 87–128.".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 35: Page 26, line 7, insert:

"EMERGENCY CONSERVATION MEASURES

"For emergency conservation measures, to be used for the same purposes and subject to the same conditions as funds appropriated under this head in the Third Supplemental Appropriation Act, 1957, to remain available until expended, $4,000,000, with which shall be merged the unexpended balances of funds heretofore appropriated for emergency conservation measures."

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Whitten moves that the House recede from its disagreement to the amendment of the Senate numbered 35 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 43: Page 32, line 10, strike out: ": *Provided*, That, in addition, not to exceed $500,000 of the funds available for the various programs administered by this Agency may be transferred to this appropriation for temporary field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574) to meet unusual or heavy workload increases."

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Whitten moves that the House recede from its disagreement to the amendment of the Senate numbered 43 and concur therein with an amendment, as follows: Restore the matter stricken, and add at the end thereof the following: ": *Provided further*, That no part of any funds in this paragraph may be used to administer a program which makes rural housing grants pursuant to section 504 of the Housing Act of 1949, as amended."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

DEVELOPMENT OF THE APPALACHIAN REGION

Mr. ELLIOTT, from the Committee on Rules, reported the following privileged resolution (H. Res. 861, report No. 1835), which was referred to the House Calendar and ordered to be printed.

H. Res. 861

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11946) to provide public works and economic development programs and the planning and coordination needed to assist in the development of the Appalachian region. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Public Works now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

ESTABLISH A NATIONAL WILDERNESS PRESERVATION SYSTEM

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The Clerk read the statement.

The conference report and statement follow:

Conference Report (H. Rept. No. 1829)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4) entitled "An act to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter inserted by the House amendment insert the following:

"SHORT TITLE

"Section 1. This Act may be cited as the 'Wilderness Act'.

"WILDERNESS SYSTEM ESTABLISHED STATEMENT OF POLICY

"Sec. 2. (a) In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as 'wilderness areas', and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as 'wilderness areas' except as provided for in this Act or by a subsequent Act.

"(b) The inclusion of an area in the National Wilderness Preservation System notwithstanding, the area shall continue to be managed by the Department and agency having jurisdiction thereover immediately before its inclusion in the National Wilderness Preservation System unless otherwise provided by Act of Congress. No appropriation shall be available for the payment of expenses or salaries for the administration of the National Wilderness Preservation System as a separate unit nor shall any appropriations be available for additional personnel stated as being required solely for the purpose of managing or administering areas solely because they are included within the National Wilderness Preservation System.

"DEFINITION OF WILDERNESS

"(c) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude of a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

"NATIONAL WILDLIFE PRESERVATION SYSTEM—EXTENT OF SYSTEM

"SEC. 3. (a) All areas within the national forests classified at least 30 days before the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as 'wilderness', 'wild', or 'canoe' are hereby designated as wilderness areas. The Secretary of Agriculture shall—

"(1) Within one year after the effective date of this Act, file a map and legal description of each wilderness area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made.

"(2) Maintain, available to the public, records pertaining to said wilderness areas, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Maps, legal descriptions, and regulations pertaining to wilderness areas within their respective jurisdictions also shall be available to the public in the offices of regional foresters, national forest supervisors, and forest rangers.

"(b) The Secretary of Agriculture shall, within ten years after the enactment of this Act, review, as to its suitability or nonsuitability for preservation as wilderness, each area in the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as 'primitive' and report his findings to the President. The President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as 'wilderness' or other reclassification of each area on which review has been completed, together with maps and a definition of boundaries. Such advice shall be given with respect to not less than one-third of all the areas now classified as 'primitive' within three years after the enactment of this Act, not less than two-thirds within seven years after the enactment of this Act, and the remaining areas within ten years after the enactment of this Act. Each recommendation of the President for designation as 'wilderness' shall become effective only if so provided by an Act of Congress. Areas classified as 'primitive' on the effective date of this Act shall continue to be administered under the rules and regulations affecting such areas on the effective date of this Act until Congress has determined otherwise. Any such area may be increased in size by the President at the time he submits his recommendations to the Congress by not more than five thousand acres with no more than one thousand two hundred and eighty acres of such increase in any one compact unit; if it is proposed to increase the size of any such area by more than five thousand acres or by more than one thousand two hundred and eighty acres in any one compact unit the increase in size shall not become effective until acted upon by Congress. Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of primitive areas or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value. Notwithstanding any other provisions of this Act, the Secretary of Agriculture may complete his review and delete such area as may be necessary, but not to exceed 7,000 acres, from the southern tip of the Gore Range-Eagles Nest Primitive Area, Colorado, if the Secretary determines that such action is in the public interest.

"(c) Within ten years after the effective date of this Act the Secretary of the Interior shall review every roadless area of five thousand contiguous acres or more in the national parks, monuments and other units of the national park system and every such area of, and every roadless island within, the national wildlife refuges and game ranges, under his jurisdiction on the effective date of this Act and shall report to the President his recommendation as to the suitability or nonsuitability of each such area or island for preservation as wilderness. The President shall advise the President of the Senate and the Speaker of the House of Representatives of his recommendation with respect to the designation as wilderness of each such area or island on which review has been completed, together with a map thereof and a definition of its boundaries. Such advice shall be given with respect to not less than one-third of the areas and islands to be reviewed under this subsection within three years after enactment of this Act, not less than two-thirds within seven years of enactment of this Act, and the remainder within ten years of enactment of this Act. A recommendation of the President for designation as wilderness shall become effective only if so provided by an Act of Congress. Nothing contained herein shall, by implication or otherwise, be construed to lessen the present statutory authority of the Secretary of the Interior with respect to the maintenance of roadless areas within units of the national park system.

"(d)(1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to the suitability of any area for preservation as wilderness—

"(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

"(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided,* That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

"(C) at least thirty days before the date of a hearing advise the Governor of each State and the governing board of each county, or in Alaska the borough, in which the lands are located, and Federal departments and agencies concerned, and invite such officials and Federal agencies to submit their views on the proposed action at the hearing or by no later than thirty days following the date of the hearing.

"(2) Any views submitted to the appropriate Secretary under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to the President and to Congress with respect to such area.

"(e) Any modification or adjustment of boundaries of any wilderness area shall be recommended by the appropriate Secretary after public notice of such proposal and public hearing or hearings as provided in subsection (d) of this section. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective only in the same manner as provided for in subsections (b) and (c) of this section.

"USE OF WILDERNESS AREAS

"SEC. 4. (a) The purposes of this act are hereby declared to be within and supplemental to the purposes for which national forests and units of the national park and national wildlife refuge systems are established and administered and—

"(1) Nothing in this Act shall be deemed to be in interference with the purpose for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215).

"(2) Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act (Public Law 539, Seventy-first Congress, July 10, 1930; 46 Stat. 1020), the Thye-Blatnik Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and the Humphrey-Thye-Blatnik-Anderson Act (Public Law 607, Eighty-fourth Congress, June 22, 1956; 70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.

"(3) Nothing in this Act shall modify the statutory authority under which units of the national park system are created. Further, the designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq.); section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

"(b) Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

"PROHIBITION OF CERTAIN USES

"(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

"SPECIAL PROVISIONS

"(d) The following special provisions are hereby made:

"(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.

"(2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in consultation with the Secretary of Agriculture, such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present; and the results of such surveys shall be made available to the public and submitted to the President and Congress.

"(3) Notwithstanding any other provisions of this Act, until midnight December 31, 1983, the United States mining laws and all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the effective date of this Act, extend to those national forest lands designated by this Act as 'wilderness areas'; subject, however, to such reasonable regulations governing ingress and egress as may be prescribed by the Secretary of Agriculture consistent with the use of the land for mineral location and development and exploration, drilling, and production, and use of land for transmission lines, waterlines, telephone lines, or facilities necessary in exploring, drilling, producing, mining, and processing operations, including where essential the use of mechanized ground or air equipment and restoration as near as practicable of the surface of the land disturbed in performing prospecting, location, and, in oil and gas leasing, discovery work, exploration, drilling, and production, as soon as they have served their purpose. Mining locations lying within the boundaries of said wilderness areas shall be held and used solely for mining or processing operations and uses reasonably incident thereto; and hereafter, subject to valid existing rights, all patents issued under the mining laws of the United States affecting national forest lands designated by this Act as wilderness areas shall convey title to the mineral deposits within the claim, together with the right to cut and use so much of the mature timber therefrom as may be needed in the extraction, removal, and beneficiation of the mineral deposits, if needed timber is not otherwise reasonably available, and if the timber is cut under sound principles of forest management as defined by the national forest rules and regulations, but each such patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except as otherwise expressly provided in this Act: *Provided*, That, unless hereafter specifically authorized, no patent within wilderness areas designated by this Act shall issue after December 31, 1983, except for the valid claims existing on or before December 31, 1983. Mining claims located after the effective date of this Act within the boundaries of wilderness areas designated by this Act shall create no rights in excess of those rights which may be patented under the provisions of this subsection. Mineral leases, permits, and licenses covering lands within national forest wilderness areas designated by this Act shall contain such reasonable stipulations as may be prescribed by the Secretary of Agriculture for the protection of the wilderness character of the land consistent with the use of the land for the purposes for which they are leased, permitted, or licensed. Subject to valid rights then existing, effective January 1, 1984, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

"(4) Within wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (2) the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

"(5) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou Roadless Areas, in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purposes of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats.

"(6) Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.

"(7) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

"(8) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

"STATE AND PRIVATE LANDS WITHIN WILDERNESS AREAS

"SEC. 5. (a) In any case where State-owned or privately owned land is completely surrounded by national forest lands within areas designated by this Act as wilderness, such State or private owner shall be given such rights as may be necessary to assure adequate access to such State-owned or privately owned land by such State or private owner and their successors in interest, or the State-owned land or privately owned land shall be exchanged for federally owned land in the same State of approximately equal value under authorities available to the Secretary of Agriculture: *Provided, however*, That the United States shall not transfer to a State or private owner any mineral interests unless the State or private owner relinquishes or causes to be relinquished to the United States the mineral interest in the surrounded land.

"(b) In any case where valid mining claims, or other valid occupancies are wholly within a designated national forest wilderness area, the Secretary of Agriculture shall, by reasonable regulations consistent with the preservation of the area as wilderness, permit ingress and egress to such surrounded areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated.

"(c) Subject to the appropriation of funds by Congress, the Secretary of Agriculture is authorized to acquire privately owned land within the perimeter of any area designated by this Act as wilderness if (1) the owner concurs in such acquisition or (2) the acquisition is specifically authorized by Congress.

"GIFTS, BEQUESTS, AND CONTRIBUTIONS

"SEC. 6. (a) The Secretary of Agriculture may accept gifts or bequests of land within wilderness areas designated by this Act for preservation as wilderness. The Secretary of Agriculture may also accept gifts or bequests of land adjacent to wilderness areas designated by this Act for preservation as wilderness if he has given sixty days advance notice thereof to the President of the Senate and the Speaker of the House of Representatives. Land accepted by the Secretary of Agriculture under this section shall become part of the wilderness area involved. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

"(b) The Secretary of Agriculture or the Secretary of the Interior is authorized to accept private contributions and gifts to be used to further the purposes of this Act.

"ANNUAL REPORTS

"SEC. 7. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make."

And the House agree to the same.

WAYNE N. ASPINALL,
HAROLD T. JOHNSON,
COMPTON I. WHITE, Jr.,
JOHN P. SAYLOR,
ROGERS C. B. MORTON,
Managers on the Part of the House.

HENRY M. JACKSON,
CLINTON P. ANDERSON,
FRANK CHURCH,
THOMAS H. KUCHEL,
GORDON ALLOTT,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 4) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to the amendment to the text of the bill:

The amendment to S. 4 which was adopted in the House differed from the bill as it came from the Senate in many respects. The conference committee adopted the House version except for the following:

1. The House version definition of a wilderness area included a requirement that the area have at least 5,000 acres of land. The Senate version had no such minimum requirement. In recognition of the fact that some areas of less than 5,000 acres may be suitable for preservation as wilderness, the conference provided that a wilderness area shall have at least 5,000 acres of land or be of sufficient size to make practicable its preservation and use in an unimpaired condition.

2. S. 4 as passed by the House would have provided that all areas within national forests classified at least 60 days before the effective date as "wilderness," "wild," or "canoe" are designated as wilderness areas. The conference committee adopted a standard of administrative classification as "wilderness," "wild," or "canoe" 30 days before the effective date of the act in order to make certain that there will be no duplication in connection with reviews completed by the Secretary of Agriculture and the Chief of the Forest Service within the last month.

3. The conferees understand that Forest Service officials tentatively have decided that an undetermined amount of land, but not exceeding 7,000 acres, in the Gore Range-Eagles Nest Primitive Area, Colo., should be deleted and made available for Interstate Highway 70; in addition, the Denver Water Board has a plan for a tunnel in the general area. Under existing regulations the Chief of the Forest Service has been delegated authority to modify primitive areas and eliminate portions. Inasmuch as S. 4 as passed by the House would withdraw this authority from the Department of Agriculture, the conferees have provided that the Secretary of Agriculture may complete his review of the suitability or non-suitability of the Gore Range-Eagles Nest Primitive Area for preservation as wilderness and delete up to 7,000 acres from its southern tip if he determines that such action is in the public interest. In this connection the Conference Committee noted that, if the President recommends that the Gore Range-Eagles Nest Primitive Area be designated as a wilderness area for inclusion in the wilderness system, he may recommend the addition of other lands, not now within the primitive area, to replace the 7,000 acres that may be deleted.

4. The provision relative to review of roadless portions of units of the national park and wildlife refuge systems was amended to (1) make clear that the report to the President shall present the recommendations of the Secretary of the Interior as to the suitability or non-suitability of roadless areas or islands for preservation as wilderness, and (2) provide for an orderly submission of recommendations during the 10-year period by requiring that not less than one-third of the areas be reviewed within three years after enactment, not less than two-thirds within seven years after enactment, and the remainder within 10 years after enactment.

5. The conferees deleted the provision of the House version that would have required the President to identify the specific values in any particular area warranting its preservation as wilderness and requiring a recapitulation with each recommendation of other areas preserved by reason of the presence of the same or similar values.

6. The applicability of the mining and mineral leasing laws to wilderness areas designated by S. 4 was modified by the conference committee to expire December 31, 1983 (instead of 1989 as provided in S. 4 as passed by the House) with all minerals withdrawn effective January 1, 1984.

In consonance with the general philosophy of the act, the conference committee limited this provision to those lands designated by S. 4 as wilderness areas. However, the conference committee noted that, in the absence of compelling reasons to the contrary, a similar limitation of time should be placed on those primitive areas or portions of primitive areas that are in the future designated as wilderness areas. The conference committee expects that the mining industry and the agencies of the Department of the Interior will explore existing primitive areas so that when legislation pertaining to such primitive areas is considered at a later date Congress will have the benefit of professional technical advice as to the presence or absence of minerals in each area.

7. Both the House and Senate versions contain a provision designed to preserve the existing jurisdiction of the States respecting wildlife and fish. The conferees have adopted the Senate language on this point as more clearly stating that nothing in S. 4 shall be construed as affecting current jurisdiction or responsibilities of the States with respect to wildlife and fish in the national forests.

Both the House and Senate versions provide for the designation as wilderness of the San Gorgonio Wild Area, Calif., and its inclusion in the National Wilderness Preservation System. The proposed installation of facilities to provide skiing for large numbers of people was the subject of much discussion in the House Interior and Insular Affairs Committee during consideration of this legislation. That committee, by a vote of 14 to 11, voted to provide for the installation of facilities for large-scale skiing utilization but this provision was deleted by the House itself.

The conference committee considered the use of the San Gorgonio Area and specifically considered amendments proposed by Congressman JOHNSON of California, and Senator KUCHEL pertaining to this matter. The conference committee refused to accept any of the alternate proposals. The conference committee was of the opinion that both the House and the Senate having voted to place the San Gorgonio Wild Area in the wilderness system, this should be done at this time. Nonetheless, it is noted that the matter is not considered as closed; and, if the people of California continue to desire a restudy of the area, they should make their views known to their Representatives in Congress and be in a position to have legislation introduced at the start of the next Congress. This will permit consideration at hearings devoted solely to this matter.

WAYNE N. ASPINALL,
HAROLD T. JOHNSON,
COMPTON I. WHITE, Jr.,
JOHN P. SAYLOR,
ROGERS C. B. MORTON,
Managers on the Part of the House.

Mr. ASPINALL. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker and Members of the House, our committee on conference brings to you the conference report on the wilderness bill, one of the conservation bills that has gained so much publicity and so much interest throughout our country in the last many years.

Mr. Speaker, the language of the bill as amended by the conference report will be the language of the House bill, with seven changes.

Although these changes are not of major importance when compared with the main provisions of the legislation, nevertheless they are of sufficient importance for the Members of the House to know what took place in conference.

Mr. Speaker, the first amendment provides that an area under 5,000 acres, provided it has sufficient size to make practical its preservation and use in an unimpaired condition, may be included in the wilderness system, regardless of the fact that it is less than 5,000 acres.

The second amendment takes care of the situation that exists because two areas have been reclassified as wilderness within a period of time less than the 60-day period provided in the bill. The amendment provides that this act shall go into effect with regard to all of the areas classified within 30 days instead of 60, after final approval.

Mr. Speaker, the third amendment has to do with a provision, a particular provision with reference to a primitive area in Colorado where it is necessary to reclassify and, perhaps, declassify in the neighborhood of 7,000 acres in order to take care of the provisions of an agreement that has been arrived at heretofore between the National Forest Service and the State Highway Department of Colorado as well as the Bureau of Public Roads of the Federal Government. There is also involved the possible construction of a water tunnel in the area which may be declassified.

Mr. Speaker, the fourth amendment——

Mr. SAYLOR. Mr. Speaker, will the gentleman yield to me at that point?

Mr. ASPINALL. I am glad to yield to the gentleman from Pennsylvania.

Mr. SAYLOR. That was done in order to take care of a situation which would have been impossible under the terms of the bill, unless this specific exemption had been made; is that not correct?

Mr. ASPINALL. The gentleman is correct. The Saylor amendment approved at the time of the debate and House passage of the bill would have made it impossible to take care of this particular situation.

Mr. Speaker, the fourth amendment has to do with the study of roadless areas in the national parks, and provides for a staggered period of study. One-third must be reported in 3 years, the second third within 7 years, and the last third within a 10-year period.

Another amendment states very definitely that the President would not be required to identify all specific values in his recommendations because of the effect it would have upon a report in a detailed operation.

Mr. Speaker, another amendment has to do with the phasing out of the establishment of valid mining claims within a wilderness area. The final date for such ventures is established in the new bill as of 1983 instead of 1989.

Then, another amendment has to do with adoption of Senate language in S. 4, which preserved within the States their existing jurisdiction over fish and wildlife operations.

Now, Mr. Speaker, this brings to an end as far as the House of Representatives is concerned, with the adoption of this conference report, a long study, a long program of trying to secure Federal recognition of a wilderness system by statutory enactment.

This matter has been before Congress for something like 7 years. At times it seemed as if it would be impossible to arrive at any agreement between the groups and individuals desiring the establishment of wilderness areas or a wilderness system, and those in opposition to such a program—people and interests especially of the public land States where certain uses of the public lands, mean so much to the economy of the local governmental agencies and the economic interests of local communities.

May I pay tribute to those who have worked so long, so unselfishly, and so arduously in their endeavors to seek this legislation.

I desire to give particular recognition and I personally wish to comment on the cooperativeness and the industry of the gentleman from Pennsylvania [Mr. SAYLOR], the ranking minority member of the Committee on Interior and Insular Affairs.

There have been times when the gentleman from Pennsylvania and the chairman of the committee have been so much in opposition to each other on this legislation that it looked as if it would be impossible for us to ever get together. I think those who understand what is involved in this wilderness legislation can understand what at first divided us in our approach to the problem. The gentleman from Pennsylvania, especially during the last 2 years, has been most cooperative. He has consistently and forcefully presented his position and his personal views at all times as an able and conscientious legislator.

I speak about the cooperative attitude of the gentleman from Pennsylvania and his dedication to the work that has been entailed in this legislation. The gentleman from Pennsylvania has given a great deal of time to this, but at all times he has conscientiously represented the interests of conservation groups who were desirous of getting just as strong wilderness legislation as they could. The gentleman has not yielded except where it seemed to be absolutely necessary to yield in order to save the legislation. I wish to assure my friend from Pennsylvania that it is a personal pleasure to work with him on all of our natural resource projects.

I also wish to pay my compliments to the other members of the conference committee, the gentleman from New Mexico [Mr. MORRIS], the gentleman from California [Mr. JOHNSON], the gentleman from Idaho [Mr. WHITE], and the gentleman from Maryland [Mr. MORTON]. They, too, worked in a spirit of compromise that was necessary in order to resolve these issues.

The conferees of the other body did likewise. Each conferee was constructive, understanding, and effective at all times.

This legislation will be known as the Anderson-Saylor Act—named after two talented and able conservationists. But may I add also that it is the finished product of hundreds, yes thousands, of our farsighted citizens. Another name though stands out like a beacon light to all of us. That is the name of our late friend and coworker who gave so much of himself to make this moment possible—Howard Zahanizer—who, like the patriarch of old, was denied to experience his moment of victory.

We have legislation here that will be a landmark as far as the conservation movement is concerned. These areas will be permitted to be under Federal jurisdiction without too much expense so far as administration is concerned, serving the people of this generation and the generations to come, and it will be done as it should have been done in the first place by the Congress accepting its responsibility with respect to the determination of the use or uses of our public lands.

Mr. WESTLAND. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Washington.

Mr. WESTLAND. I have read this conference report, and I believe I am in complete agreement with the managers on the part of the House on this bill they have brought back.

I would like to ask the gentleman from Colorado one question: Does this legislation retain control of the public domain in the Congress?

Mr. ASPINALL. The gentleman is correct. The Congress has the final decision on what lands are placed in the wilderness category.

Mr. WESTLAND. Before the creation of any wilderness areas could be accomplished, it would require affirmative action by the Congress?

Mr. ASPINALL. The gentleman is correct.

The SPEAKER pro tempore (Mr. HOLIFIELD). The time of the gentleman from Colorado has expired.

Mr. ASPINALL. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker, for those who are dedicated to conservation, today is a red letter day. It is a far cry from the closing days of the session in 1956, when I introduced in the House and the Senator from Minnesota [Mr. HUMPHREY] introduced in the Senate the first wilderness bills. There have been times, as the chairman of the House Committee on Interior and Insular Affairs has stated, when it seemed that a compromise of the differences was impossible.

Beginning with the early part of the 88th Congress the chairman of the House Committee on Interior and Insular Affairs, the distinguished gentleman from Colorado [Mr. ASPINALL], and I, sat down and tried to work out our differences. These differences were so wide that many people thought that it was useless to ever attempt a compromise. While the gentleman from Colorado says that I gave on behalf of the people who represented the conservation interests, I want to say that the gentleman from Colorado gave in many ways.

When the House by an overwhelming vote of 373 to 1 adopted the bill H.R. 9070 as its version of the wilderness bill and we went to conference with the Senate, the Senate had taken the version of the bills, with some slight changes that were introduced back in 1956. I know of no conference between the House and the Senate in which the version of the two bills passed by the separate bodies have been as far apart as these two versions. I can say that it was with the utmost spirit of cooperation between the Senate conferees and the House conferees that we are able to come to you today with a good wilderness bill.

Let me point out the conferees on the part of the Senate: Senator JACKSON, of Washington; Senator ANDERSON, of New Mexico; Senator CHURCH, of Idaho; Senator KUCHEL, of California, and Senator ALLOTT, of Colorado.

The conferees on the part of the House were the chairman of the House Committee on Interior and Insular Affairs, Mr. ASPINALL, of Colorado, Mr. JOHNSON, of California, Mr. WHITE, of Idaho, Mr. MORTON, of Maryland, and myself.

You will notice of the 10 conferees, all but 2 come from west of the Mississippi River. Since this bill involves most of the areas west of the Mississippi River, I want to say on behalf of my colleague, the gentleman from Maryland [Mr. MORTON] and myself that I think we came away with the best part of this bill for the people of the United States.

The spirit of cooperation between the conferees was outstanding. Both the House and Senate conferees were interested in a bill. The gentleman from Maryland [Mr. MORTON] and myself, from the East, appreciate the fact that the men who were conferees from the West have living with them not only the miners and the lumbermen, but the folks who are interested in agriculture, the folks who are interested in the cattle industry; and all of these interests had to be considered.

I think it is a tribute to the great system of the American Government that we can come to you today with a unanimous report.

I would like to give particular credit to all the members of the House Committee on Interior and Insular Affairs.

Two years ago while a bill was reported out of that committee, it was only after a long and bitter fight, and it was reported out under such conditions that it was impossible for the House to work its will and the bill died upon adjournment.

But this year all of the members of the House Committee on Interior and Insular Affairs cooperated and when this bill was reported out, it was reported out unanimously.

Mr. Chairman, this will mark a great day in our history. I might say that while it is a great day, it is also a day of regret so far as I am concerned because the man who first came to me and talked about a wilderness bill to set aside and establish a wilderness system is no longer with us. That man is the late Howard Zahanizer who as Members of the House know, died early this year. I am sure were he alive today, the happiest man in the United States would be Howard Zahanizer. I am sure that his spirit is with everyone of us here today.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to my colleague, the gentleman from Washington.

Mr. PELLY. I would like to express the appreciation of thousands of my constituents to the gentleman in the well of the House and to the members of this committee for the diligent and careful way in which they have worked on this legislation.

Especially do I want to express my own appreciation to the gentleman from Pennsylvania for insisting that control over our wilderness systems remain in the legislative branch where it belongs.

Mr. SAYLOR. I thank my colleague.

Mr. KUNKEL. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to my colleague from Pennsylvania.

Mr. KUNKEL. Mr. Speaker, I would like to express my appreciation to my colleague, the gentleman from Pennsylvania, for the magnificent work that he has done on this bill. I was interested in wilderness legislation and in the steps to be taken to preserve the wilderness areas when I was in the Congress before. Ever since my return to the House of Representatives, I have done my best to cooperate and to secure legislation on this subject. Of course, during that time it became very obvious to me how difficult it was to reach an agreement which would satisfy everybody. I did not think it could be done, but I want to congratulate the chairman of the committee and my colleague, the gentleman from Pennsylvania, and the members of the committee as well and also the Members in the Senate for bringing this fine piece of legislation in. I think it is a red letter day and I feel very happy to have had a minor part in it myself.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to my colleague from California.

Mr. BALDWIN. I would like to commend the gentleman from Pennsylvania [Mr. SAYLOR] and the chairman of the committee, the gentleman from Colorado [Mr. ASPINALL] and the other conferees for the excellent work they did in the conference, and particularly for their successful efforts to resist an effort made in the conference to restore a provision dealing with the San Gorgonio wild area in California. I want to particularly commend the gentleman from Pennsylvania [Mr. SAYLOR] for his efforts over these many years that have largely resulted in the passage today of this wilderness bill.

The SPEAKER pro tempore (Mr. HOLIFIELD). The time of the gentleman has expired.

Mr. ULLMAN. Mr. Speaker, as a former member of the Committee on Interior and Insular Affairs and also of the Outdoor Recreation Review Commission, I have a longstanding interest in this legislation and know some of the basic problems that have too long delayed its passage. I want to pay special tribute to the distinguished chairman of the committee, the Honorable WAYNE ASPINALL, of Colorado, for his perseverance, and his conscientious dedication to the cause of effecting a compromise that would protect and preserve not only the great natural resources involved but also human and economic equities. This has been done. I commend the ranking minority member, the Honorable JOHN SAYLOR, for his important contribution—as well as the other members of the committee. This legislation adds another gold star to the 88th Congress' record of accomplishment. I am proud to support the conference recommendations and the legislation as finally written.

Mr. QUIE. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding and I want to congratulate him on an outstanding job in promotion and developing this wilderness bill. It was a privilege for me to be one of its proponents. Even though it is not all that I wanted, I believe it is an excellent bill and will greatly enhance our ability to protect the wilderness. I also want to thank the gentleman from Colorado [Mr. ASPINALL] and the other conferees for their work in bringing this bill back to us and even stronger than the one we passed earlier in the House.

The desire for adequate protection of wilderness areas will continue as is evidenced by the statement of Mr. William H. Magie, executive secretary, Friends of the Wilderness, in support of reclassification of the Boundary Water Canoe Area of Minnesota to complete wilderness status. He made this statement before the Secretary of Agriculture's Committee for the Review of the Boundary Waters Canoe Area on July 17, 1964. I would like to have it printed at this point in the RECORD:

STATEMENT BY MR. MAGIE

Friends of the Wilderness wishes respectfully to express its complete, emphatic, and most urgent support of the proposed change of status of the Boundary Waters Canoe Area, which is now before your committee.

Friends of the Wilderness is a voluntary organization of many thousands of members residing in all States of the Union and with some members in Canada. It was organized in 1949 to come to the support of the wilderness canoe country in the Superior National Forest at the time of the air ban conflict. We have continued in existence because of the crises which have never ceased. Our supporters come from all walks of life. Contrary to statements that have been made at other hearings, the great majority of our supporters are not the well-to-do class and leisure people. They are mostly the so-called little people, the working class, and most of them are young. The bulk of our contributions are in the individual memberships which amount to $1 each. We pay no salaries and no office expense. I write as executive secretary, which office I have held from the beginning, and for which I have never received one cent of pay.

Hearings such as these are not new to us, as one of the first hearings in regard to the airspace reservation in 1949, was held here in this very same room. I personally have attended hearings in regard to the wilderness canoe country since 1928, when the first hearings by the International Joint Commission were held in regard to the Backus plan of making a water reservoir out of the entire area. I was then a member of the U.S. survey which made the investigation.

We wish to emphasize, as strongly as we can, the very great immediate need for reclassification of the area to true wilderness status. We say this because of our bitter experience in trying to protect and preserve the unique Minnesota wilderness canoe country, a bitter experience extending over 40 years of constant struggle. This canoe country, besides being one of the choicest wilderness regions in the Nation and absolutely unlike any other in character, is also the closest by far to the center of our population. Thus, the successful rewards of potential exploitation are very great. The area has been under intermittent attack by people seeking to circumvent or overthrow the Forest Service's wilderness regulations, since at least 1926, when the first roadless area regulations and restrictions were set up. Congress has intervened directly to protect and preserve and consolidate this wilderness canoe country several times, first and fundamentally, back in 1930 when it prevented, with the Shipstead-Newton-Nolan Act, piratical wholesale flooding of hundreds of miles of public shoreline by timber companies and pulpmill operators under the guise of waterpower development.

Without this direct intervention of Congress more than a generation ago, this matchless natural area—which is uniquely rich in historical associations dating back to before the French and Indian Wars—would have been destroyed, for completely superficial reasons, long ago. But this act was not enough to discourage other exploiters who have seen in this very choice public land, manifold opportunities for getting rich quick. They have been biting at it ever since, with roads, airplanes, air-service resorts, logging, court actions, legislative campaigns, and fait accompli. Only constant vigilance and struggle on the part of dedicated men, both lay and in the Forest Service, and Conservation Organizations Women's Clubs, garden groups and many others, including Boy Scouts, Camp Fire Girls, and even the Minnesota State Legislature. Further intervention by the Congress, and the executive branch, have kept the wilderness canoe country from succumbing.

Our population is increasing at a rate that was considered fantastic 20 years ago. Our mobility and leisure are increasing even faster. The pressures that have besieged our unique wilderness canoe country for 40 years, have doubled and trippled since the end of World War II.

Members of this organization are not residents of the region itself entirely, though we have a large number of supporters here. But almost all of us have been in the canoe country many times, and all are acquainted with some wilderness, or wildernesses. To fully understand the value of a wilderness, gentlemen, you must have been there, and spent sometime there, not much necessarily, but enough to gain some readjustment from the accustomed environment you have left, and this one that is as old as man himself. It does not take long for most. After all, these were man's surroundings during most of his history. As late as a century ago, or less, they were usually a part of the daily environment of our forebearers. But now we are entering the space age. What are the values of such a wilderness today?

The values are both tangible and intangible. The tangible values are self-evident to most of us, alone transcending, in the scale of the welfare of all the people, the limited commercial values. The wilderness canoe country as one example, is a superlative experience for young people particularly—although all ages receive dividends of much the same kind. For young people it has rewards of body building, character building and self-reliance training and an unequaled opportunity to get close to and gain some understanding of nature. It has unusual ethical and spiritual values. It has citizenship values; it tends to provide an important link with our country's past, and a perception of it, that otherwise might be much slower in developing. Most of us know this from our youthful experiences in this region. And we also know that there is usually an unconscious awareness that is something like this: The country that knows enough, and cares enough, to set aside and preserve an exceptional wilderness, like our canoe country, and gives me the opportunity to adventure in it, at really little cost, that is within the reach of everyone. I am proud that this is my country, and that I have the privilege of being a citizen of it.

There are also the intangible values. We have touched on some of the intangible values above since they tend to join inevitably with the tangible values. As we said before, to understand these intangible values of a wilderness, such as our wilderness canoe country, one must expereince the canoe country himself. As modern man drifts farther and farther away from his old roots in the earth, he needs more and more, a few places where the natural environment survives. In an indefinable way, these are sort of spiritual reference points between the individual's earthbound past, and a future that is increasingly distant from it. Today, we unquestionably need such reference points, and we will need them more in the future. Our wilderness canoe country, that still remains, is actually limited, and we cannot expand it. When it's gone, and that day is not far off, if the present tactics and policies are allowed to continue, that are in use today. Then the canoe country will be gone, gone forever, and never can be replaced.

As long as the possibility of gaining, in one way or another, the use of this choice public timberland, represented in the wilderness canoe country, exists, so long will heavy and unprincipled pressures, be directed against it. Such practices as continued logging, reckless cutting in protected areas, stashed and unattended boats in interior lakes, speed and fishing boats powered with heavy duty motors, rail tracked portages, truck and jeep portages, amphibious vehicles, commercial houseboats, permanent tent camps, firearms and last but not least, snowmobiles, used in winter traffic. Reclassification of the BWCA to wilderness status would most certainly help to eliminate these malignant conflicting uses and practices that are making a mockery out of this great wilderness sanctuary.

The timber operators do not pay much for the peoples' trees: Let's look at the facts. According to Forest Service figures, given by L. P. Neff, forest supervisor, at a meeting last May in Grand Rapids, Minn., at which I was in attendance. The Forest Service receives on the average approximately $1.50 per cord of pulpwood under their present timber contracts. The average cordage, as given by them, is 10 cords per acre. This gives the taxpayer about $15 an acre in revenue. The Forest Service informs us, that it costs the taxpayer, from $30 to $50 an acre to replant the logged-off acre, depending on the ground preparation costs. These figures do not include the cost of administration, fire protection, high or low release as required after planting, or the cost of the maintenance of the access roads into the area, so that the work crews can get into the area to do their work. It will take at least 80 years before the replanted area, in the rocky terrain, can produce timber of suitable size to be merchantable. All in all, this timber cutting program in the BWCA, looks to us like a Government subsidized relief program for the timber industry, administered by the Forest Service. The taxpayer is going in the hole, somewhere in the neighborhood of $40 an acre, by the time the replanted area is ready for harvesting. We honestly believe that these areas are far more valuable to the people in their original state and that public recreation is incomparably its highest—and infinitely most valuable use. We believe that no other use is reasonably justified, nor should much longer be permitted.

For many years, the antiwilderness people and others, have sought to confuse the issues in regard to the preservation of the wilderness canoe country. This issue of reclassification is just another, and the efforts to open up the area with roads, give it to the timber barons, and cut the area in size, these are all just more steps in this cynical rape of the last great wilderness east of the Rockies—the Nation's unique and really incomparable wilderness canoe country—the only region of its kind within our borders, and the equal of anything in Canada. Why are these people against the preservation of the wilderness canoe country? Is it an ethical reason? Is it a justifiable reason? Is it even a good reason? Or is it for a little more private enrichment of a few selfish people who demand their pound of flesh from the irreplaceable public lands that belong to all of the people? For a few more paltry dollars in these entrepreneur's already fat bank accounts. For this, gentlemen of the committee, must our wilderness canoe country be sacrificed. You and your committee, by careful study and review, can more than justify the recommendation, that the BWCA be reclassified to true wilderness status. We emphatically urge this decision. May our wilderness canoe country—Minnesota's greatest treasure—live unspoiled forever and forever.

Mr. ANDERSON. Mr. Speaker, I would like to express my wholehearted approval of the conference report fashioned by the conferees reviewing the wilderness bill. It is my sincere conviction that such legislation is urgently needed to preserve those wilderness areas which are sources of delight and inspiration for millions of Americans who in ever increasing numbers travel great distances to imbibe the infinite beauty of nature untouched by man's spoiling hand.

Mr. Speaker, I am sure all of us would admit the quickening heartbeat and the sharp intake of breath when for the first time he sees a majestic waterfall tumbling hundreds of feet down the side of an imposing mountain, hears the steady roar of water pounding relentlessly upon jagged rocks below, and feels the cool, refreshing mist blowing in his face. Who has not felt more akin to nature when alone in the forest he admires the kaleidoscopic array of plant and animal life manifesting nature's imaginative and fertile hand? Who has not felt nature's rejuvenating power when he takes refuge from our highly industrial and mechanized society by seeking relaxation in the country where trees and meadows replace steel and concrete? Certainly such a heritage should be preserved for the enjoyment of future generations and not squandered by this generation's myopic outlook.

We are all poignantly aware that our rapidly expanding civilization ravages vast wilderness areas in the name of progress. Over a million acres of land each year are consumed for construction of new roads alone. Numerous subdivisions and other developments which are the inevitable concomitants of an increasingly urbanized society account for vast additional amounts of land that are denuded of forests and otherwise despoiled. Continued appeasement to commercial exploitation can result only in the destruction of natural beauty and further depreciation of the land's recreational value. Surely, the time has come when delay in protecting our wilderness areas would exhibit a selfish attitude wholly indifferent to our progeny.

Mr. Speaker, I am, therefore, proud to support the wilderness bill and the adoption of the conference report. What a great day it is for America and Americans to witness this forward stride in the development of a program for the protection of wildernesses in our national forests, parks, and wildlife refuges. I am convinced that this bill, germinated and nurtured in a spirit of careful deliberation, will grow to become an abiding landmark in the development of 20th century public land laws.

Mr. ASPINALL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that any Member desiring to do so may extend his remarks on the conference report just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

MAKING IN ORDER CONSIDERATION OF H.R. 7107, ESTABLISHMENT OF FIRE ISLAND NATIONAL SEASHORE

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 851) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7107) to provide for the establishment of Fire Island National Seashore, in the State of New York, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Interior and Insular Affairs now in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of H.R. 7107, it shall be in order in the House to take from the Speaker's table the bill S. 1365 and to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 7107 as passed by the House.

The **SPEAKER** pro tempore (Mr. Holifield). The gentleman from New York is recognized for 1 hour.

Mr. **DELANEY**. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska [Mr. Martin] and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 851 provides for the consideration of H.R. 7107, a bill to provide for the establishment of Fire Island National Seashore, in the State of New York, and for other purposes. The resolution provides an open rule with 1 hour of general debate, making it in order, after passage of the House bill, to take S. 1365 from the Speaker's table and insert the House-passed language after striking all after the enacting clause of the Senate bill.

Mr. Speaker, there are many national parks and preserves in the United States, but none within an hour's drive from the great metropolitan area of New York City.

The acquisition of Fire Island as a national park would afford to the many millions of people in the city of New York and the surrounding areas an opportunity to make daily visits to one of the finest beach areas in the entire world.

The island itself is a natural barrier reef just off the south shore of Long Island. Its overall length is 31 miles. Its width varies from some 200 yards to a half mile. One of the most unusual features of the island is the sunken forest preserve which, it is expected, will be donated to the Federal Government as part of the national seashore. The surface area is unspoiled. There are no roads on the island. Means of access today are by the great number of ferryboats which run from the mainland of Long Island over to Fire Island.

From an economic standpoint, the beach sustains one of the largest clam, oyster and shellfish beds. This is the principal industry for the people on the mainland. There are thousands who derive their livelihood as baymen, catching and processing this food from the sea. The stabilization of Fire Island under this program as a resort area will also protect this large industry and industries on the mainland of the great South Bay area of Long Island.

Protecting Fire Island from despoliation will preserve not only for today but also for many years to come one of the last frontiers of nature close to the New York metropolitan area and afford to the millions of people in that area an opportunity to visit a national park.

I urge the adoption of the resolution.

Mr. **O'BRIEN** of New York. Mr. Speaker, will the gentleman yield?

Mr. **DELANEY**. I yield to the gentleman from New York.

Mr. **O'BRIEN** of New York. I hope to have an opportunity during the debate to discuss the merits of the legislation, but at this point I wish to express the thanks of all supporters of this legislation to the distinguished gentleman from New York, who probably knows more about Fire Island than any other Member of Congress and perhaps more than anyone on Fire Island itself.

He has been a tower of strength as the advocate of this legislation, and we are most grateful to him.

Mr. **DELANEY**. Mr. Speaker, it has been my pleasure for more than 40 years to be a resident of this area. I think that speaks for itself, and I can recommend the adoption not only of the rule but of the legislation.

Mr. **MARTIN** of Nebraska. Mr. Speaker, I agree with the statements made by the gentlemen from New York in regard to House Resolution 851, which provides for an open rule with 1 hour of debate and provisions for adoption of Senate bill 1365.

When members of the Committee on Interior and Insular Affairs testified before the Committee on Rules, we were told this bill came out of their committee unanimously. There were no witnesses who presented themselves to the Committee on Rules in opposition. I know of no opposition to it from this side of the aisle, and I am in hearty accord with the adoption of this rule and the enactment of this legislation.

Mr. **DELANEY**. Mr. Speaker, I have no further requests for time and I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. **MORRIS**. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7107) to provide for the establishment of Fire Island National Seashore, in the State of New York, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7107, with Mr. Philbin in the chair.

IN THE COMMITTEE OF THE WHOLE

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The **CHAIRMAN**. Under the rule, the gentleman from New Mexico [Mr. Morris] will be recognized for 30 minutes and the gentleman from Pennsylvania [Mr. Saylor] will be recognized for 30 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. **MORRIS**. Mr. Chairman, I yield 6 minutes to the gentleman from Colorado [Mr. Aspinall], chairman of the Committee on Interior and Insular Affairs.

Mr. **ASPINALL**. Mr. Chairman, H.R. 7107 by our colleague, the gentleman from New York [Mr. Pike], deals with the proposed Fire Island National Seashore. This bill involves as little controversy as any bill calling for a major addition to the national park system that we have had before the Committee on Interior and Insular Affairs during my chairmanship and less than most. I lived through the Everglades fight, the Cape Cod controversy, the Point Reyes affair, and the Ozark Rivers matter. The problems involved in Fire Island have been so mild compared with those we ran into in these other cases that I sometimes wonder if the values we think are present for recreation are really present.

Two or three years ago I could not have said this, and I suspect that we can attribute the comparative absence of controversy in this case to four factors—first, the intense opposition that was raised locally when Mr. Robert Moses a few years ago proposed using Fire Island for a through road; second, the sobering effect that the hurricane of 1962 had on local opinion with regard to the use of Fire Island; third, the stimulating backfire that resulted from a proposal by the Secretary of the Interior for a much larger coverage than H.R. 7107 proposes; and, fourth, the calming and judicious approach that the gentleman from New York [Mr. Pike] took when he brought in his bill.

Fire Island is right at the doorstep of our largest city. It lies just off Long Island facing the Atlantic Ocean on one side and Great South Bay on the other. It is readily accessible not only to New Yorkers but to residents of New Jersey, Pennsylvania, Connecticut, and other States.

In terms of acreage, the Fire Island National Seashore will be a rather small addition to our national park system, since it involves only about 4,300 acres of land. As proposed in the Committee amendment to H.R. 7107, it will have about 25 miles frontage on the Atlantic and an equal frontage on the bay side of the island.

In terms of service to the public and the opportunity it will afford both for recreation and for important conservation work, Fire Island will be a very important addition to the national park system.

I just said that Fire Island affords both recreation and conservation opportunities. If this were a proposal for a big new Coney Island under Federal auspices, we would and ought to have nothing to do with it. Fortunately, there are already two areas on Fire Island—the Robert Moses State Park and the Smith Point County Park—which will take care of whatever mass recreation needs there are. The Fire Island National Seashore proper, on the other hand, will fit into the traditional role of such areas as this has been developed through experience at Cape Hatteras, Cape Cod, and other places. In some parts of the area—the Sunken Forest Preserve, for instance, which will be donated to the Government—the object will be pure conservation; in other parts, it will be a mixture of this and some of the quieter forms of recreation—hiking, camping, fishing, swimming, bicycling, and the like.

Dollarwise, H.R. 7107 involves a land acquisition cost estimated at $16 million and development costs over a 5-year period of about $5 million. Annual operating costs are estimated at $375,000.

We have included in H.R. 7107 one factor that some think is very valuable but about which others have their doubts. I refer to the creation of a temporary commission to advise the Secretary of the Interior during the course of setting up the Fire Island National Seashore. Nearly all of the members of the commission will be local residents. All will serve without compensation and the commission will go out of existence as soon as the national seashore is set up.

In providing for such an advisory commission we are following the precedent set in the Cape Cod case. The value of such a group has been attested to by the Superintendent of the Cape Cod National Seashore. I quote his words:

> I believe the advisory commission is a great asset to the Cape Cod National Seashore. Looking back to my 5 years' experience as Superintendent of the Cape Hatteras National Seashore, I can now understand that a similar commission at Cape Hatteras would have been very helpful.

I recommend enactment of H.R. 7107.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I am happy to yield to my friend the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Who presently owns this land?

Mr. ASPINALL. A part of the land, as I understand it, is in private ownership, most of it in fact.

Mr. GROSS. Most of it is owned privately?

Mr. ASPINALL. Yes.

Mr. GROSS. How do they get to this? Is it an island?

Mr. ASPINALL. This is an island. It is not connected to the mainland. However, there are ferries and boats running from the mainland over to the island, and there are also two bridges.

Mr. GROSS. One bridge?

Mr. ASPINALL. Two bridges.

Mr. GROSS. Are these toll bridges?

Mr. MORRIS. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from New Mexico.

Mr. MORRIS. There are two bridges.

Mr. ASPINALL. One bridge at each end.

Mr. MORRIS. One bridge at each end?

Mr. ASPINALL. Yes.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, are these toll bridges?

Mr. ASPINALL. No.

Mr. DELANEY. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from New York.

Mr. DELANEY. They are not toll bridges.

The CHAIRMAN (Mr. Philbin). The time of the gentleman from Colorado has expired.

Mr. SAYLOR. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, when the Outdoor Recreation Resources Review Commission filed its report with the President of the United States, one of the recommendations that that Commission made was that the Congress of the United States proceed to acquire land for recreation purposes close to population centers.

Mr. Chairman, one of the areas that has been recommended as a national recreation area is Fire Island.

In my opinion Fire Island meets all of the requirements that have been established for a national recreation area. It emphasizes the fact that it is not a park. It includes areas that contain small towns, but it encompasses things that should be preserved, not just for a few people but for all of the people.

Mr. Chairman, unless one has been fortunate enough to visit Fire Island and to see its stretches of sandy beach and dunes, its marshes, its holly forest, its myriad types of trees and plant life, and its sunken forest and some other of the great wonders of nature that there survive, it is impossible to believe that such a condition could still exist within a few miles of the teeming metropolitan area of New York City.

This island as you have been told represents a natural barrier reef which lies just off the south shore of Long Island. It is about 30 miles long, and is some places probably 200 yards to a half mile in width.

Mr. Chairman, the map that was presented before our committee shows that we not only took in the land areas, but we took in all of the offshore area in order to make sure that no developments would occur in this area which would interfere with the use of this as a recreation area.

One of the things that we made sure will happen if this bill is enacted is that there will be no highways constructed down the entire length of Fire Island. One of the things that caused a great deal of concern, was that some time ago someone had a concept that there should be a high-speed highway built down this island from the Robert Moses State Park north to the northern end of the island.

Mr. Chairman, if this national seashore is established, I am sure it will contribute to the concept of outdoor recreation as expressed in the reports of the Outdoor Recreation Resources Commission to the President, which has been approved by the Congress.

I urge that this bill be enacted and that the Fire Island National Seashore be established.

Mr. MORRIS. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from New York [Mr. O'Brien], who has been such a fine worker and who has worked so hard in behalf of this legislation.

Mr. DELANEY. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. Yes, I yield to the gentleman.

Mr. DELANEY. A moment ago the gentleman from Iowa [Mr. Gross] asked me whether or not the bridge to Fire Island is a toll bridge. I said that it was not. I want to correct that.

Now, the bridge that leads to Jones Beach does have a toll on it of 75 cents. That, of course, is not the bridge to Fire Island. The only way you can get to the bridge that goes to Fire Island is by a causeway. There is a toll on that, but not directly on the bridge that goes from the Jones Beach section over to Fire Island, but this toll has been on it for many, many years.

Mr. O'BRIEN of New York. Mr. Chairman, I thank the chairman of the subcommittee for informing the Committee that I have been interested in this bill. I was asked at one time why I was so interested, and I remarked that it happened to be the closest ocean to my district. It is also 150 miles away.

But it was more than that. I believed and still believe that if we are to give more lipservice to the idea of bringing recreation where there are people we could find no greater or better opportunity to do that than in the present instance.

I was impressed, too, by the fact this legislation is a triumph in a sense for local cooperation and Federal concern. As the chairman of the full committee said, I have never seen a greater degree of cooperation in connection with any project of this kind than exists at the present time in the Fire Island area.

I have noted that in this House sectionalism usually goes down the drain when we come to matters of health, conservation, and recreation. We from the East have supported conservation and recreation projects in the Far West and elsewhere, and we are grateful that the same cheerful hand is extended from other places, as I hope it will be for this project, and as it was for the great Cape Cod National Seashore project. This is the perfect wedding, Mr. Chairman, of conservation and recreation.

This will not be a Coney Island, but it will provide recreation for millions of people, and at the same time in that area there will be these quiet places, such as the Sunken Forest, where those who are not interested in the particular forms of recreation can enjoy some of these weirdly wonderful things of nature.

Mr. Chairman, I say that we have the ultimate stamp on this project. It is economically sound. We are about to approve a conference report on the land conservation fund. From that fund, I presume, will come the money for this project, but because of the sure number of people who will go to this project in a very short time the money that will come either from appropriations or from the conservation fund will be more than paid back.

So we have recreation, we have conservation, and we have conservatism all in one little package.

I urge most strongly that the House approve this bill.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Iowa.

Mr. GROSS. Is any of this land presently owned by the State of New York?

Mr. O'BRIEN of New York. The State of New York has a park, the Robert Moses State Park in that area, which will attract a great many of the people who go there. There is a county park, I believe, called Smith Park. This links the two in a sense, and also supplies some additional waterfront land where people may swim.

Mr. GROSS. Do I understand the land owned by the State and county is to be donated to this park?

Mr. O'BRIEN of New York. No. The parks are not to be donated unless at some time in the future there should be an agreement or an arrangement, which would, of course, require legislation and congressional approval.

Mr. GROSS. Is the gentleman saying that the State is going to have an inholding within this area?

Mr. O'BRIEN of New York. No, it will not be within the boundaries of the National Seashore Park.

Mr. GROSS. That is in addition to?

Mr. O'BRIEN of New York. Yes.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from New York.

Mr. WYDLER. I want to congratulate the chairman of the subcommittee for the effort he has put in making this Fire Island Seashore a reality. I would like to ask how the wilderness bill, which is about to become law, is going to affect this Fire Island National Park we are now creating? What will be the interaction between these two bills?

Mr. O'BRIEN of New York. I think that question was addressed to the chairman of the subcommittee, and I yield to him.

Mr. MORRIS. I know of no connection between these two bills.

Mr. WYDLER. Will the Secretary of the Interior at the time he is considering what lands to place under the Wilderness Act consider the lands we are now taking into the Fire Island National Seashore?

Mr. MORRIS. I think it would be too small an area to be considered as a wilderness area.

Mr. WYDLER. The gentleman does not think there is going to be any connection, then, between the two at all?

Mr. MORRIS. No. I cannot think of any connection between the two other than the fact that they are conservation-type legislation and will provide outdoor recreational opportunities for the people of this Nation.

Mr. WYDLER. I thank the gentleman.

Mr. SAYLOR. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. GROVER].

Mr. GROVER. Mr. Chairman, I rise in support of this legislation and as a cosponsor of the Keating bill.

I want to compliment the gentleman from New Mexico [Mr. MORRIS], the gentleman from New York [Mr. O'BRIEN], the gentleman from Pennsylvania [Mr. SAYLOR], and others who have worked on this bill for their zeal in making it possible to bring out this bill. I was born about 5 miles across the bay from this unmatched seashore. I still live there. This beautiful strand of beach and dunes many centuries ago was the haunt of the wampum-hunting Patchogue, Shinnecock, Sampwams, and other branches of the Long Island Indians. It has been the pride of my grandfather, my father, and many who loved the south shore. It will be available to many millions of people.

This is, I think, one of the finest pieces of legislation not really of a local nature but of a recreational nature affecting the State of New York and the east coast within Federal jurisdiction.

Again, I compliment the gentleman from New York [Mr. O'BRIEN], the gentleman from New Mexico [Mr. MORRIS], and the gentleman from Pennsylvania [Mr. SAYLOR] for their pursuing this effort. This is particularly a bipartisan conclusion, since originally it was proposed that part of this seashore plan be in my district, and that was a stretch of land topped off by Democratic point.

Mr. MORRIS. Mr. Chairman, I yield 7 minutes to the gentleman from New York [Mr. PIKE], the sponsor of the legislation. I commend him on the work he has done on this legislation. He has been very persistent, he has cooperated with the committee, and he has done a fine job.

Mr. PIKE. Mr. Chairman, I have spoken so often and so passionately before the House Interior Committee in session and to its individual members wherever I could buttonhole them that there is no need for me to do anything along these lines except to express my wholehearted support of this legislation and my appreciation to all of those in the Interior Committee and in the Rules Committee on both sides of the aisle who have contributed toward bringing it to the floor.

In complete honesty I am compelled to say that although the Fire Island National Seashore, as described in the bill before us, is wholly within my congressional district, it was not my brainchild. I was, in fact, one of those who wanted to preserve this magnificent beach and park area solely for the residents of the county in which it is located but that county simply decided it could not afford it. The first bill to establish a Fire Island National Seashore was introduced in the 86th Congress by my predecessor from the First Congressional District of New York, Stuyvesant Wainwright II; and since in the course of two political campaigns against him, one of which he won and one of which I won, I said some rather unpleasant things about him, it seems only fair that at this point I give him some credit.

During the 87th Congress similar bills were introduced first by the gentleman from New York [Mr. LINDSAY], and later by the gentleman from New York [Mr. RYAN]. In the 88th Congress bills were introduced by nine Members on both sides of the aisle.

I am pleased to be able to say that while there are some minor differences in the local area regarding details in the bill, I am told by the members of the Interior Committee that they have rarely seen so little local dissent over a bill of this magnitude, and I am further pleased to be able to state that almost every segment of local opinion in both political parties on Long Island favors this legislation.

In order to clear up a couple of points regarding this legislation and to establish a record as to congressional intent regarding the legislation I would like to point out to the chairman of the Interior Committee the fact that since this bill was amended in the committee to include certain lands under the waters of the Great South Bay I have been made aware for the first time that these underwater lands constitute something of a problem and are in a rather unique position. The title to some of these underwater lands is very good, deriving from old colonial grants and held today by private concerns engaged in an operation which I will describe simply as commercial shellfish farming. I have received from one of these companies a most articulate letter stating the following:

BLUEPOINTS CO., INC.,
West Sayville, Long Island, N.Y.,
July 17, 1964.

The Honorable OTIS G. PIKE,
Congress of the United States, House Office Building, Washington, D.C.

MY DEAR CONGRESSMAN PIKE: The establishment of a national park in the name of conservation and public enjoyment is, in itself, a good thing. Unfortunately, the practical steps in the procedure are complicated. Among the various practical problems that will be encountered is that of present private ownership within and adjacent to the contemplated park area.

Our company, at present, enjoys the ownership of a unique and valuable farm, 26 square miles in area, which abuts both north and south shores of Great South Bay. Hence, our property, for roughly 4 miles out of a 5-mile stretch, reaches along the high-water mark of the north shore of Fire Island from Seaview on the west to a point a mile east of Fire Island Pines on the east.

This area represents a colonial grant, a grant tested over and over, and most aggressively in recent years by even New York State, itself, through the agency of the Long Island Park Commission. Throughout, the title has stood without exception. Our company is operating this grant as it has always been operated—as a farm with planting of shellfish, shifting and cultivation. And, as always, we bear the usual privileges extended upland farms—that of paying property taxes; but, in our case, on underwater bottom. This overhead charge goes on year after year, ironic as it seems, paying for light district, water district, fire and school—despite the widely varying production nature permits us.

Actually, as with all farms, not all the area is usable: Great portions are mud in which no shellfish can long survive; or are stony in which present equipment is inefficient. It is estimated about one-half is productive at this stage of nature and the arts. The most naturally fruited portion is that of the southmost quarter—a band running parallel with Fire Island. Here are clean, sandy flats, more tidal action for cleansing and, hence, less danger of pollution (while the northern portion abuts a rapidly growing human population and the consequent threat of pollution). Here, in our experience, occurs the increasingly heavy natural clam sets which now are commencing to sustain our operations.

Up until 1944, the major business of this farm was the growing and marketing of oysters. In, say, 1937, the farm shipped 500,000 bushels of oysters and 90,000 bushels of clams. This ratio had been in existence from about World War I and had persisted. Natural factors combined with cultivation failures, resulted in a sudden disastrous decline in oyster production in the northeast as a whole. Bluepoints shared in the catastrophe and, since Great South Bay is not a natural oyster area in the first place (that is, all oysters coming from it since 1922 had first been shifted in from Connecticut) it suffered drastically. To add to the problem, in 1947 an algae blight struck South Bay and it appeared to be a lost area. However, by 1953, conditions had changed to the point where the farm began to recover. At this point it became necessary to develop a substitute for the now virtually moribund oyster industry. Hard clams proved the answer.

This resource had always been the stepsister in Great South Bay. Our farm had produced no more than 30 percent of hard clam production of the town in which it is located—Brookhaven—the rest resulting from the activities of many free baymen. Upon the recovery of the bay in 1953, efforts were made to better harvest this heretofore underutilized resource. We developed increasingly sophisticated equipment that resulted in more efficient production. The results were manifold: First, as more men turned from the arduous craft of the bays, production was still maintained and actually increased; the use of the equipment appeared, in itself, to stimulate further reproduction in the hard clams. In a word, we had begun to introduce into clamming the techniques that had been used successfully in oyster farming. In essence, we were now clam farming. The great difference now lay in the fact that whereas our seed oysters had come from Long Island Sound and had been shifted (transplanted) into South Bay, now our seed stock was local—and the great bulk lay in that fruitful southerly quarter. There is the spawning area; there is the source of the clams that we shift and relay near our shore plant for winter harvesting; there is the source of some 60 to 70 percent of current production throughout the year. At present, the area is currently yielding over $15,000 of market produce a week and has a range of ages of clams that warrants the prediction of a consistent equivalent production (God willing) for the next 5 years.

Providentially, this increased sophistication with attendant increased production has been able to subsidize our return into the oyster business. We have been able to support a losing investment in Connecticut and, in addition, develop the world's first commercial oyster hatchery at our farm in South Bay—this latter has been reasonably successful and is a continuing operation.

None of these results and none of the promises for the future would be possible if the company did not have private control of its farm and access to all production areas. We are now dependent upon, in all our plans, a rather restricted belt of highly fruitful clam grounds, as we have indicated. It is a resource not duplicated elsewhere on our farm and, indeed, in all probability on the northeast seashore. It is a unique and priceless asset, made productive as a food source by private effort and imagination. We cannot easily give it up.

We would appreciate your incorporating our remarks into the appropriate considerations of the committee. Now is the time to avoid difficult situations. For what, by careful planning, can be a public advantage, need not be a private loss.

Respectfully,

HUGH H. MERCER,
General Manager, Bluepoints Co., Inc.

I have discussed this matter with the Office of the Secretary of the Interior and have received from him a letter stating the following:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., August 13, 1964.

Hon. OTIS G. PIKE,
House of Representatives,
Washington, D.C.

DEAR MR. PIKE: We are most happy to answer your request for a statement on the effect which the proposed Fire Island National Seashore would have upon shellfishing in Great South Bay and Moriches Bay.

The need for an explanatory statement is occasioned by the fact that the seashore boundary would extend into the bays and include some privately owned land that is used for commercial shellfishing. In recommending such a boundary, we have felt that it is desirable to be able to prevent use of the shallow bay area in a manner that would destroy the presently unspoiled character of the seashore. For example, it would not be in the public interest if the bay area were filled and unrestricted development occurred.

Of course, shellfishing is not destructive of seashore values. Instead it is entirely harmonious with the conservation objective of your bill, H.R. 7107. In fact, section 5 expressly provides for the continuation of shellfishing on lands and waters in the Fire Island National Seashore in accordance with the laws of New York.

In these circumstances, we assure you that we would not acquire those privately owned lands in the bays that lie within the seashore boundary while they are used for shellfishing. On the contrary, we regard this as a traditional use which contributes to the seashore atmosphere that we expect to perpetuate.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

I would like to ask the chairman of the subcommittee if he does not feel that as a matter of policy the money which is authorized for the acquisition of this seashore and which may be hereafter appropriated for that purpose should in any event be used first for the acquisition of actual park lands which people may enjoy and only thereafter for the acquisition of lands under water?

Mr. MORRIS. For the purpose of legislative history, the answer to the gentleman's question is "Yes."

Mr. PIKE. I thank the chairman.

I would like the chairman's opinion further on whether it would not be the intent of Congress that in acquiring property for the establishment of this national seashore that all money available should first be used for the acquisition of as much unimproved property as can be obtained and that only where improved property interferes with the reasonable operation of the seashore that such property be acquired?

Mr. MORRIS. The answer to the gentleman's question is "Yes." We have no intention of trying to acquire more improved property than is necessary for the administration and preservation of this seashore.

Mr. BARRY. Mr. Chairman, will the gentleman yield?

Mr. PIKE. I am happy to yield to the gentleman.

Mr. BARRY. First of all, I want to commend the gentleman for his very thorough and concise statement and his research on the background of this legislation, and for having given credit to our former colleague, Stuyvesant Wainwright, for having initially introduced legislation. I was one of those who originally encouraged former Congressman Wainwright to go into the business of being a Congressman. I have a summer home in the area in Suffolk County. I know something about the efforts being made over the years to bring this about, and I wish to give my wholehearted endorsement to what has been done and I commend those who have had a part in it.

Mr. PIKE. I want to thank the gentleman.

Mr. Chairman, I thank the members of the committee on both sides and I particularly want to pay my respects to the gentleman from Pennsylvania who has encouraged me throughout this matter and who has told me not to get nervous when I do get nervous, and above all the gentleman from New Mexico who has borne with me through many impatient moments.

Mr. Chairman, I urge the adoption of this legislation.

Mr. SAYLOR. Mr. Chairman, I yield such time as he may consume to the gentleman from Iowa [Mr. KYL].

Mr. KYL. Mr. Chairman, I asked for this time merely to elaborate on the response to the question of the gentleman from New York a moment ago with respect to the relationship of this area to wilderness.

Of course, the wilderness bill which the House has just approved was special legislation which set up a new category of preservations in our whole preservation system. It cannot apply to this area.

However, the bill and the report on the bill regarding Fire Island stipulate that there is a portion of this area which has a uniqueness, a natural beauty, a significance to those who would study the ecology—bird life, plant life, and so on—in this area, and that this particular spot will be kept forever in as near its present state as possible.

In effect, what I am saying is that while this area could not be classified as a wilderness area, which would in fact limit entries to stipulated wilderness purposes, there are portions of the area which will be preserved in present condition without mass entry for recreation and without development of facilities, so that the area which has a particular merit can be preserved for all time exactly as it is.

That is probably the point the gentleman was trying to get at. There is a portion of the island which will be preserved, which will not be overrun by recreation seekers.

Mr. LINDSAY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Chairman and members of the committee, we are pretty close to the end of a long road. For almost as long as I have been in Congress I have pressed for the creation of the Fire Island National Seashore.

The first to see the wisdom of conserving this famous shoreline was our distinguished former colleague from New York, Congressman Stuyvesant Wainwright. Then in the 87th Congress I introduced new legislation and for a while was the only congressional supporter of the cause. It was deeply gratifying to be joined later by a number of distinguished New Yorkers in Congress, including our distinguished representatives in the other body, Senators Keating and Javits. Most importantly, legislation was introduced by our distinguished colleague the gentleman from New York [Mr. Pike], in whose district the island is located. We were pleased later to receive the backing of the administration.

I should like to express my appreciation to the distinguished gentleman from New York [Mr. O'Brien], and the gentleman from Pennsylvania [Mr. Saylor] for their diligence and leadership on this subject. Without them there would be no bill.

Americans have gradually wakened up to the necessity of conserving our outdoor spaces and recreation areas. Included in this necessity is our national seashore. Insofar as possible, it should be preserved from natural erosion and conserved for public us.

With the population movement and increase, outdoor areas and particularly natural beachfront become more in demand and more important. Fortunately, the Federal Park Service has long understood the importance of preserving such areas in their natural state. One need only examine what the Park Service has done in areas like Cape Cod to appreciate the intelligence and restraint that is used in the preservation of such areas. It is significant, for example, that the Department of the Interior early stated that it would have no interest in Fire Island in the event the proposed Moses roadway went through.

I have long been an admirer of Dr. Robert Cushman Murphy, one of many conservationists who have long sought the incorporation of Fire Island as part of the national seashore structure. I was delighted that the committee report printed Dr. Murphy's important statement on the subject of Fire Island. It should be put in the Record, and I am therefore repeating it at this point:

> East of Fire Island Inlet * * * lies a summerland that is still frontier. The longest continuous reach of barrier, the natural breakwater between peaceful lagoons and the Atlantic, Fire Island Beach extends—mostly roadless, trackless, isolated, and alluring—for 25 miles to the Moriches Inlet. Thence under other names it goes on toward Westhampton, where the bays narrow and where for the first time one finds thoroughfares leading from sand to soil. Settlements, small and far between, dot the beach; nevertheless, much of it remains as if in an unworldly trance which began in the time that the Indians vanished, and which now stands in danger of an unhappy awakening whenever the rush of "development" arrives. The beach has infinite solace for body and soul; it affords not only the usual charms of an unspoiled seashore, but also provides features so rare in our northern latitudes that they are in the nature of wonders. It is high time, therefore, to take counsel and to plan. The larger the human population destined to make use of Fire Island Beach, the more urgent it becomes that the face of nature be kept with as much as possible of its pristine complexion, instead of being first blemished and afterward restored with makeup.

I don't know how many Members of the House know the geography of Fire Island. It is about 32 miles long and its width varies from 200 yards to a half mile. In addition to its uninterrupted sand beach backed up by low dunes, it has marshy areas on the bay side—highly important for birds and other wildlife—and an almost unique holly forest with trees estimated to be several hundred years old.

This bill, I am pleased to say, is designed to fit in with and not disturb existing local conditions. For example, the bill exempts from condemnation most of the land within a number of small communities in the western part of the island, as long as the owners conform to approved and valid local zoning ordinances.

These communities are Kismet, Saltaire, Fair Harbor, Lonelyville, Atlantique, Robbins Rest, Ocean Beach, Seaview, Ocean Bay Park, Point O'Woods, Cherry Grove, Fire Island Pines, Water Island, and Davis Park.

The bill also provides, in conformity with established practice in similar bills, that landowners may elect to retain a life estate or an estate for 25 years in improved property that is taken for the national seashore.

Section 9 creates a temporary Fire Island National Seashore Advisory Commission along the lines of a similar commission which was set up for the Cape Cod National Seashore. Its membership will be composed almost entirely of persons nominated by local and State officials. It is to be hoped that care will be taken to see that its membership includes adequate representation of conservation, planning, recreation, and park interests. The function of this Commission will be purely advisory and its members, unless they are otherwise employed by the United States, will draw no salary from the Government or be entitled to reimbursement for expenses. The life of the Commission will expire 10 years after enactment of the act or upon creation of the Fire Island National Seashore, whichever occurs first.

Mr. Chairman, lastly, I want to stress the fact that this conservation measure will benefit the more than 16 million people in several States who live within a 100-mile radius. There are nine million alone in New York City. The west end of Fire Island is within 50 miles of the center of New York City. Think of what this can do for these city people. And I find it very exciting that residents and property owners on Fire Island have encouraged this development. This indeed is a public-minded group of people.

Mr. Chairman, I am very pleased that this measure is before the House, has already passed the Senate, and I urge its enactment.

Mr. SAYLOR. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. Halpern].

Mr. HALPERN. Mr. Chairman, I am proud to rise in support of H.R. 7107 providing for the establishment of Fire Island National Seashore on Long Island in my State of New York. And, I want to commend our able and distinguished colleague the gentleman from New York [Mr. Pike] for his outstanding work toward the realization of this legislation before us.

The Committee on Interior and Insular Affairs deserves our praise for its favorable and excellent report on this proposal. In particular I wish to extend my heartiest compliments to the hard-working, capable chairman, the gentleman from Colorado [Mr. Aspinall], and the enlightened and industrious ranking minority member, the gentleman from Pennsylvania [Mr. Saylor] for their tireless and devoted work in this and other great conservation efforts.

As early as 1955, the National Park Service recommended priority to Fire Island in its seashore recreation area survey. Out of the 126 areas studies Fire Island was listed 16th in the order of priority.

It is essential that this region be preserved as an outdoor recreation area, maintaining its beauty for the enjoyment of future generations. This legislation, furthermore, puts great emphasis on conservation. The island includes primitive areas which deserve to be protected. It is easily accessible to highly populated areas which need such an outlet. It is well suited for development as a recreation area.

Because of the nearby population, Fire Island could easily become injuriously overused. This legislation will preserve it for all time so that future generations may benefit as much as the present.

The small communities which have risen on the island will not be harmed by this bill. As long as those who hold property comply with zonal ordinances enacted for the benefit of all, owners will not be affected.

The National Park Service and the Bureau of Outdoor Recreation submitted a development plan to the committee which provides for a visitor center, picnic and camping areas, and walking trails. The plan is to be implemented with an absolute minimum of disturbance to the community. Hunting and fishing will be permitted. Provisions for erosion control are included in order to protect the seashore.

Mr. Chairman, H.R. 7107 is essential legislation for the people of my great State, and especially the densely inhabited regions adjoining Fire Island. I fervently hope that the House will record its overwhelming approval today.

Mr. MORRIS. Mr. Chairman, I yield 3½ minutes to the gentleman from New York [Mr. Ryan].

Mr. RYAN of New York. Mr. Chairman, in the first place I wish to commend the distinguished chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. Aspinall] the chairman of the subcommittee, the gentleman from New Mexico [Mr. Morris] and the gentleman from New York [Mr. O'Brien] for their outstanding efforts in behalf of this legislation. I also want to commend our colleague, the gentleman from New York [Mr. Pike] for his efforts to reach a satisfactory resolution of the question of the boundaries, which was before the committee for so long.

Mr. Chairman, the bill before us will insure that Fire Island will not become a part of our vanishing shoreline but that its beaches will be set aside for public use and enjoyment.

I have been deeply concerned about the preservation of Fire Island and the recreational opportunities it offers. I introduced legislation in the 87th Congress to establish a Fire Island National Seashore. After study by the Department of Interior the Secretary of Interior recommended on June 11, 1963, that a larger area be included. At the request of the Secretary, I joined our distinguished colleague, the gentleman from New York [Mr. O'Brien] in sponsoring the administration's bill.

Then on April 10, 1964, after further study, the Secretary of Interior appeared before the Subcommittee on National Parks and recommended an area corresponding to my original bill. And now after reconciling conflicting interests the committee has reported out a bill which includes a shorter shoreline, but which has the support of our colleague the gentleman from New York [Mr. Pike] who represents the area of Fire Island which is included in the pending bill.

I commend the gentleman from New York [Mr. Pike], for his willingness to assist us in arriving at a solution to the question of the boundaries. I have not been wedded to the specific boundaries set forth in any of the various bills. My principal concern has been the creation of a Fire Island National Seashore. Action in this session of Congress is vitally important. It will be regarded as a historic achievement by present and future generations.

The need for preserving natural open space for park and recreation use is dramatically evident along the Nation's seashores, where almost every desirable area has already been taken over for development.

Today, exclusive of Alaska, and Hawaii, there is only 1 mile of publicly owned shoreline available for public recreation use for every 130,000 people. This shrinks each day as our population grows, and the natural seashore vanishes.

In 1954 the National Park Service undertook a survey of the 3,700 miles of Atlantic and gulf shoreline. The Park Service described the situation in "Our Vanishing Shoreline" as "foreboding":

> Almost every attractive seashore area from Maine to Mexico that is accessible by road has been developed. * * * Inaccessible beach sites, including offshore islands, are almost the only hope for preservation today.

The report singled out Fire Island along with several others as being exceptionally well-suited for preservation.

As a result of this survey the 87th Congress authorized the establishment of three national seashore areas—Cape Cod Seashore, Mass., authorized September 26, 1961; Point Reyes National Seashore, Calif., authorized September 13, 1962; and Padre Island National Seashore, Tex., authorized September 28, 1962. The first such park to be created was Cape Hatteras National Seashore Recreation Area authorized by Congress in 1937. I believe that Fire Island should be designated as the fifth.

The Outdoor Recreation Resources Review Commission in its report of 1962 to the President and the Congress made the following point with respect to shorelines:

> Highest priority should be given to acquisition of areas located closest to major population centers and other areas that are immediately threatened. The need is critical—opportunity to place these areas in public ownership is fading each year as other uses encroach.

The western end of Fire Island is within 50 miles of New York City. More than 16 million people in several States live within a 100-mile radius. Fire Island represents one of the remaining stretches of ocean beach in the New York metropolitan region that possesses any considerable degree of original beauty and natural condition. It is, in fact, one of the few feasible and substantial segments of unspoiled beach and shore now remaining on the entire east coast with its vast population. Nowhere else in the country is there a greater need by so many people for additional outdoor recreational opportunities such as that which can be supplied in abundance and variety by the proposed Fire Island National Seashore. As a measure of its recreational possibilities, Fire Island was among the 15 areas designated for study as potential national preserves under the original shorelines area bill submitted to the Congress during the early part of 1961.

The Fire Island area is a long, narrow stretch of sand reef, varying from several hundred yards to a mile in width. The beach is clean, and gently sloping, insuring safe and enjoyable swimming in most places. The dunes are imposing and usually well stabilized by beach grass, bayberry, and other vegetation, and including some pitch pine. In places along the bay there is a fairly good growth of eelgrass providing food for wildfowl. Only at the unique Sunken Forest, located in the western half of the island, is there any considerable growth of trees. This forest is a gem of its kind—dominated by American holly trees, some several hundred years old, and also contains sassafras, red cedar, and pitch pine.

The climate of Fire Island is mild for its northern position. It is one of the few beach areas on the Atlantic which faces the sun throughout the day.

The Federal Government has already made a considerable investment in this property. The U.S. Army Corps of Engineers is currently embarked upon an 83-mile Federal-State beach erosion control and hurricane protection project which will involve, according to present plans, substantial work on Fire Island.

By 1965, more than $11 million of Federal, State, and local funds will be spent on Fire Island to protect hundreds of millions of dollars worth of property on the mainland for which the island serves as a barrier beach against the onslaughts of the Atlantic Ocean. This is another reason why the entire dune and oceanfront is a matter of prime public interest.

Mr. Chairman, Fire Island is one of our last opportunities to provide recreational facilities in a natural open state for the people of the New York metropolitan region. It is easily accessible to almost 20 percent of the population of the United States, to be found along the eastern seaboard extending from Washington, D.C., to Boston.

This is a heritage which must be preserved. It has been threatened by a proposal to build a highway down the middle of the island. What a desecration that would be. The pending bill would prohibit such a highway.

Mr. Chairman, this is a heritage which must be preserved. It has been threatened by a proposal to build a highway down the middle of the island. That would indeed be a desecration. I am glad to see that the pending bill would prohibit the construction of such a highway.

The passage of this bill today, Mr. Chairman, will mean the establishment of the Fire Island National Seashore, which will be a major accomplishment by a Congress which has shown itself to be conservation-minded and which has already passed other landmark legislation to preserve our natural resources. Let us act now to preserve the scenic beauty of Fire Island. Let us act now to bring to the people of a huge metropolitan region, to the people on the eastern seaboard, the opportunities which that will offer for recreation, for enjoyment and for future pleasure.

Mr. Chairman, again I commend the committee for bringing before us this very important landmark piece of legislation, and I urge its adoption.

Mr. SAYLOR. Mr. Chairman, I yield such time as he may require to the gentleman from New York [Mr. Wydler].

Mr. WYDLER. Mr. Chairman, I rise in support of this bill. On April 3, 1963, about 16 months ago, I wrote to Stewart L. Udall, Secretary of the Interior, asking him to clarify his Department's position relative to a national seashore at Fire Island. In April of that year he replied stating his support, but went on to state that "unless stronger support is forthcoming from the New York congressional delegation the prospects are not favorable for action."

The original bill for the establishment of a Fire Island National Seashore had been introduced by the gentleman from New York, Congressman JOHN LINDSAY, on February 11, 1963. Congressman RYAN had also introduced such a bill. In view of Mr. Udall's statement, I joined Senators JACOB K. JAVITS and KENNETH B. KEATING and the gentleman from New York, Congressman JAMES R. GROVER, JR., in introducing bills for the establishment of a national seashore at Fire Island.

Following this, the Secretary, true to his word, on June 10, 1963, reported favorably on the Lindsay bill to this committee and came out for the inclusion of Fire Island in a national seashore.

I urge the House to pass this bill without further delay. The protection afforded to the area involved is vitally needed. In so doing, however, I state my strong conviction that the way in which this national park is set up and run is as important as its establishment in the first instance. If it is to be just another public beach, it would better be left to State and local authorities.

Fire Island is, in the main, an unspoiled part of "Americana." I am personally disturbed by references to its becoming a public seashore recreation area with all this can imply.

The purpose of this bill as I envisioned it was to maintain Fire Island in a state of wilderness. In fact, I cosponsored a bill to establish a National Wilderness System, H.R. 5808, and this bill is about to become law. I hoped that the land at Fire Island would be included in its protection and preserved for the permanent good of the whole people. I was greatly disappointed today to hear that this is not the case. I do understand that the Secretary of the Interior will give some consideration to including the so-called Sunken Forest in the National Wilderness System, but in my opinion this is inadequate. I believe the Secretary has authority under the act to place most of the balance of the land at Fire Island in such a wilderness state.

In my mind, the reason for making Fire Island a national park is because it is the way it is and, therefore, we should keep it like it is, and not change it in into something else.

In closing, I wish to state that I do not feel that the limits of this park should be extended, even though the Secretary of the Interior has indicated there is such a possibility in the future.

Although I am confident the House will pass this bill and that it will become law, I believe the most important part of the establishment of the Fire Island National Seashore lies in the future. That is the part concerned with the actual manner in which it is to be set up, maintained, and developed in the years ahead.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I begin to get some idea of what this is all about. It is not proposed to turn or take all of the land over on Fire Island. There will be communities left there. What you are acquiring is the beach front and apparently the entire beach front except for the State holding, the State park at the western or southwest end of Fire Island; is that correct?

Mr. MORRIS. Robert Moses State Park is not within the boundaries.

Mr. GROSS. I understand that.

Mr. MORRIS. The Smith Point County Park is within the boundaries of the Fire Island National Seashore.

Mr. GROSS. Then you go the entire length of it and the Government, with this $16 million, will be acquiring what amounts to beach front property in many instances, is that not correct?

Mr. MORRIS. It will be necessary to acquire some of this, but we are trying to be very careful with the language of the legislation. We are not going to acquire any property that is not necessary for the administration of the park.

Mr. GROSS. I understand, but you must have the beach in its entire length?

Mr. MORRIS. Oh, yes.

Mr. GROSS. Yes. Now, do I understand that you are going to charge admission to go into this area?

Mr. MORRIS. Well, you can charge admission to national parks and national monuments at the present time under existing authority.

Mr. GROSS. I understand that. I asked you if you are going to charge admission to this park.

Mr. MORRIS. I think we probably will; yes.

Mr. GROSS. How are you going to collect from those who come across South Bay over to the island?

How do you propose to collect admissions from those who come by motorboats and other private boats?

Mr. MORRIS. May I say to my friend the gentleman from Iowa [Mr. GROSS] I said there probably would be an admission charge made. But, this is a presidential determination. The President will make the determination and he will take into consideration the factors that you mention, the practicability of charging a fee and the cost of administering a fee. If it is not practicable to charge a fee, there will not be a fee charged.

Mr. GROSS. You say they will leave this to the determination of the President?

Mr. MORRIS. Yes.

Mr. GROSS. It is our money with which he will be playing.

Mr. MORRIS. It is part of his. He pays taxes too.

Mr. GROSS. Well, sure, but I am talking about the taxpayers of the country.

Mr. MORRIS. Yes.

Mr. GROSS. I am surprised that we would leave it to the discretion of the President as to whether or not they are going to charge an admission fee.

Mr. MORRIS. Well, we feel that the President should have some determination as to who should pay.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield to me?

Mr. GROSS. Yes, of course.

Mr. ASPINALL. Under the present law and regulations the Secretary of the Department of the Interior has the authority to charge admission fees or entrance fees in areas under his jurisdiction such as national parks or national monuments.

Now, under the bill that we recently passed, the land and water conservation fund, we gave this authority to the President. Of course, he will look to his department heads and the Cabinet members, but he also has to report first to the Congress before he makes any announcement of fee schedules as to what his recommendations will be.

Therefore, Congress would have the opportunity to go ahead and study the question of fees from time to time.

Mr. GROSS. I can see no more reason why there should not be an admission charge here, once this is developed and once this land is acquired, than there should be an admission fee to Yellowstone, Yosemite, and all the other parks.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield to me at this point?

Mr. GROSS. Of course.

Mr. ASPINALL. I am with him on all fours. I feel the same way about it.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman.

Mr. KYL. I think that past experience as to the administration of the park system would indicate that if it is difficult to collect an entrance fee, this would not be charged. So, in the last analysis fees would probably be charged only where there are special facilities such as facilities for bathers and boaters and the other kind of facilities for which the individual would normally expect to pay some fee, whether the area under consideration is private or governmental.

Mr. GROSS. Let me ask my colleague from Iowa, since he is on his feet, this question: How is it proposed to keep the people who are on this beach out of the holdings of the private owners that are going to be left on Fire Island? How will they be kept off that property?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. SAYLOR. Mr. Chairman, I yield 2 additional minutes to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Of course.

Mr. KYL. I suppose the only answer to that question is in this nature, that wherever we have State highways or Federal highways we have private property adjoining them, and we would keep the people from the private portions of the island here out in the same way that we operate at other points where this situation exists.

Mr. GROSS. You mean that the Federal Government is going to erect a cyclone fence, a 35-mile-long fence, or something of that kind, or a Berlin wall?

Mr. KYL. If the gentleman will yield further, I would doubt seriously that such an extreme measure would be necessary. We do not find it necessary where we have other installations of that kind, certainly.

Mr. GROSS. I am surprised that you have not taken out more of the inholdings that will be there. I think more of them should have come out if it is proposed to open the entire beach of 35 miles to the public.

Mr. MORRIS. Mr. Chairman, I yield 3½ minutes to the gentleman from New York [Mr. Keogh], cosponsor of the legislation.

Mr. KEOGH. Mr. Chairman, I suspect that in an atmosphere of such complete harmony I should probably repress the urge to speak, but I think I must.

First, I must pay my compliments and my respects to the very able and distinguished chairman of the committee, the gentleman from Colorado [Mr. Aspinall], as well as the chairman of the subcommittee, the gentleman from New Mexico [Mr. Morris], for their patience and for their cooperation in getting us to the point along the legislative road that we are at today.

I must also join in the encomiums that have been directed to the personage of a former distinguished Representative of this body from New York, Stuyvesant Wainwright, for his insistence, and to his successor, the gentleman from New York [Mr. Pike], who has been the prime mover in this legislation.

I would be equally remiss if I did not pay my respects to the obviously able and gracious gentleman from Pennsylvania [Mr. Saylor], the ranking minority member of the committee, and the gentlemen from New York, who have arisen in support of the pending bill.

I can assure Members of this Committee that this is really evidence of what a representative body can do. When this proposition was first suggested it was met with a loud hue and cry on the part of many people, some of whom thought they might be affected, some of them who feared they would, and some of them who just do not want the ocean beach front to be made available to the citizens of our country.

But this committee patiently and intelligently conducted onsite inspections and onsite hearings, out of which has developed the final form of this legislation that we witness today that meets with the approval of everybody. Or, Mr. Chairman, I should say meets with the approval of practically everybody. Certainly it meets the approval of the vast majority of the people resident in the adjacent area of Long Island.

I, therefore, have to commend those who have really been doing the work. I also want to suggest to you, Mr. Chairman, that further evidence of the wisdom of the committee is the fixing of the easterly boundary of this seashore at a natural point, that is, where the red gully leads from South Bay into the Atlantic Ocean.

Mr. Chairman, I trust the bill will be passed overwhelmingly.

Mr. MORRIS. Mr. Chairman, I rise in support of H.R. 7107. Like the chairman of the full Committee on Interior and Insular Affairs, I am interested in seeing Fire Island preserved both for its recreational and for its conservation values.

Public interest in the preservation of this area dates back at least 30 years. As in many other instances, we have let time go by without doing anything. The chances are that if we had acted back in 1933 when Dr. Robert Cushman Murphy called attention to its importance, the land on the island could have been acquired for one-tenth of what it will cost today. The chances are also that if we had acted in 1955 when the National Park Service recommended it as one of the areas to the acquisition of which top priority should be given, it could have been had for a half or two-thirds of what it will cost today. And the chances are that if we wait another few years before enacting legislation such as this the price tag will go up another 50 percent or more. The point I am trying to make, since the "Why not wait awhile?" question will no doubt be raised in this connection as it was a few days ago when we considered the Ozark Rivers bill, is that we have everything to lose and nothing to gain by waiting.

Our Committee on Interior and Insular Affairs has pointed out time after time the ever-increasing demand on the part of the public for the sort of outdoor recreation opportunities that commercial enterprise cannot furnish. Meeting this sort of demand is part of the responsibility of the people's representatives when it involves matters that transcend State lines. It is part of our responsibility whether, in order to meet it, we have to set aside part of the public domain as in my own State of New Mexico or whether we have to purchase land that has gone into private ownership as in the present case.

It has already been pointed out in this debate, but it is worth pointing out again, that Fire Island is not a matter solely of importance to New York. Forty-five million Americans live within less than a day's drive of Fire Island—that is, within a 250-mile radius. They are not only New Yorkers, but people who live in Pennsylvania and Connecticut and Delaware and New Jersey as well. What we will be doing for this part of the country when we pass H.R. 7107 is what we have already done in the Boston area by creating the Cape Cod National Seashore, in the San Francisco area by creating the Point Reyes National Seashore, in the southeast by creating the Cape Hatteras National Seashore, and in the Gulf of Mexico by creating the Padre Island National Seashore. I do not mean to imply that every State is entitled to a national seashore—that would be pretty hard to find in New Mexico—but I do mean to say that the people of every region of the country, wherever it may be, are legitimately interested in outdoor recreation and that we ought to seize opportunities as they come along to furnish facilities for these people that cannot otherwise be furnished.

Mr. Chairman, I have visited the Fire Island in company with several of my colleagues on the Committee on Interior and Insular Affairs, and I can recommend it to all of you. Twenty-five miles of practically unspoiled beach on the Atlantic Ocean is something that is worth preserving. Forty-three hundred acres of land, most of it still vacant and all of it within little more than a stone's throw of Time Square, is worth preserving. An almost unique primitive forest of holly trees in such a location is worth keeping forever accessible to the American public. It is such features as these, plus the opportunities that Fire Island offers for hiking and camping and swimming, that make me glad that I have this opportunity to recommend, as I do recommend, passage of H.R. 7107.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the substitute as an original bill.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the purpose of conserving and preserving for the use of future generations certain relatively unspoiled and undeveloped beaches, dunes, and other natural features within Suffolk County. New York, which possess high values to the Nation as examples of unspoiled areas of great natural beauty in close proximity to large concentrations of urban population, the Secretary of the Interior is authorized to establish an area to be known as the "Fire Island National Seashore".

(b) The boundaries of the national seashore shall extend from the easterly boundary of Robert Moses State Park eastward to Moriches Inlet and shall include not only Fire Island proper, but also such islands and marshlands in the Great South Bay, Bellport Bay, and Moriches Bay adjacent to Fire Island as Sexton Island, West Island, Hollins Island, Ridge Island, Pelican Island, Pattersquash Island, and Reeves Island and such other small and adjacent islands, marshlands, and wet lands as would lend themselves to contiguity and reasonable administration within the national seashore and, in addition, the waters surrounding said area to distances of one thousand feet in the Atlantic Ocean and up to four thousand feet in Great South Bay and Moriches Bay, all as delineated on a map identified as "Fire Island National Seashore No. OGP–0002", dated June 1964. The Secretary shall file said map with the Federal Register. and it may also be examined in the offices of the Department of the Interior.

Sec. 2. (a) The Secretary is authorized to acquire, and it is the intent of Congress that he shall acquire as appropriated funds become available for the purpose or as such acquisition can be accomplished by donation or with donated funds or by transfer, exchange, or otherwise, the lands, waters, and other property, and improvements thereon and any interest therein, within the boundaries of the seashore as established under section 1 of this Act. Any property or interest therein owned by the State of New York, by Suffolk County, or by any other political subdivision of said State may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act. In exercising his authority to acquire property in accordance with the provisions of this subsection, the Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized by this Act, but the liability of the United States under any such contract shall be contingent on the appropriation of funds sufficient to fulfill the obligations thereby incurred.

(b) When the Secretary determines that lands and waters or interests therein have been acquired by the United States in sufficient quantity to provide an administrative unit, he shall declare the establishment of the Fire Island National Seashore by publication of notice in the Federal Register.

(c) The Secretary shall pay not more than the fair market value, as determined by him, for any land or interest therein acquired by purchase.

(d) When acquiring land by exchange the Secretary may accept title to any nonfederally owned land located within the boundaries of the national seashore and convey to the grantor any federally owned land under the jurisdiction of the Secretary. The lands so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from or pay cash to the grantor in order to equalize the values of the lands exchanged.

(e) With one exception the Secretary shall not acquire any privately owned improved property or interests therein within the boundaries of the seashore or any property or interests therein within the communities delineated on the boundary map mentioned in section 1, except beach or waters and adjoining land within such communities which the Secretary determines are needed for public access to the beach, without the consent of the owners so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid, zoning ordinance that is satisfactory to the Secretary. The sole exception to this limitation on the power of the Secretary to condemn improved property where appropriate zoning ordinances exist shall be in the approximately eight-mile area from the easterly boundary of the Brookhaven town park at Davis Park, in the town of Brookhaven, to the westerly boundary of the Smith Point County Park. In this area only, when the Secretary deems it advisable for carrying out the pruposes of this Act or to improve the contiguity of the park land and ease its administration, the Secretary may acquire any land or improvements therein by condemnation. In every case in which the Secretary exercises this right of condemnation of improved property the beneficial owner or owners (not being a corporation) of any improved property so condemned, provided he, she, or they held the same or a greater estate in the property on July 1, 1963, may elect as a condition of such acquisition by the Secretary any one of the following three alternatives:

(1) that the Secretary shall take the said property in fee simple absolute and pay the fair market value thereof as of the date of such taking;

(2) that the owner or owners shall retain a life estate in said property, measured on the life of the sole owner or on the life of any one person among multiple owners (notice of the person so designated to be filed in writing with the Secretary within six months after the taking) or on the life of the survivor in title of any estate held on July 1, 1963, as a tenancy by the entirety. The price in such case shall be diminished by the actuarial fair market value of the life estate retained, determined on the basis of standard actuarial methods;

(3) that the owner or owners shall retain an estate for twenty-five years. The price in this case shall likewise be diminished by the value of the estate retained.

(f) The term "improved property" as used in this Act shall mean any building, the construction of which was begun before July 1, 1963, and such amount of land, not in excess of two acres in the case of a residence or ten acres in the case of a commercial or industrial use, on which the building is situated as the Secretary considers reasonably necessary to the use of the building: *Provided*, That the Secretary may exclude from improved properties any beach or waters, together with so much of the land adjoining such beach or waters as he deems necessary for public access thereto.

SEC. 3. (a) In order to carry out the provisions of section 2, the Secretary shall issue regulations, which may be amended from time to time, specifying standards that are consistent with the purposes of this Act for zoning ordinances which must meet his approval.

(b) The standards specified in such regulations shall have the object of (1) prohibiting new commercial or industrial uses, other than commercial or industrial uses which the Secretary considers are consistent with the purposes of this Act, of all property within the national seashore, and (2) promoting the protection and development for purposes of this Act of the land within the national seashore by means of acreage, frontage, and setback requirements.

(c) Following issuance of such regulations the Secretary shall approve any zoning ordinances or any amendment to any approved zoning ordinance submitted to him that conforms to the standards contained in the regulations in effect at the time of adoption of the ordinance or amendment. Such approval shall remain effective for so long as such ordinance or amendment remains in effect as approved.

(d) No zoning ordinance or amendment thereof shall be approved by the Secretary which (1) contains any provisions that he considers adverse to the protection and development, in accordance with the purposes of this Act, of the area comprising the national seashore; or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under, or any exception made to, the application of such ordinance or amendment.

(e) If any improved property, with respect to which the Secretary's authority to acquire by condemnation has been suspended according to the provisions of this Act, is made the subject of a variance under, or becomes for any reason an exception to, such zoning ordinance, or is subject to any variance, exception, or use that fails to conform to any applicable standard contained in regulations of the Secretary issued pursuant to this section and in effect at the time of passage of such ordinance, the suspension of the Secretary's authority to acquire such improved property by condemnation shall automatically cease.

(f) The Secretary shall furnish to any party in interest upon request a certificate indicating the property with respect to which the Secretary's authority to acquire by condemnation is suspended.

SEC. 4. (a) Owners of improved property acquired by the Secretary may reserve for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a term that is not more than twenty-five years. The value of the reserved right shall be deducted from the fair market value paid for the property.

(b) A right of use and occupancy reserved pursuant to this section shall be subject to termination by the Secretary upon his determination that the use and occupancy is not consistent with an applicable zoning ordinance approved by the Secretary in accordance with the provisions of section 3 of this Act, and upon tender to the owner of the right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

SEC. 5. The Secretary shall permit hunting, fishing, and shellfishing on lands and waters under his administrative jurisdiction within the Fire Island National Seashore in accordance with the laws of New York and the United States of America, except that the Secretary may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment. Any regulations of the Secretary under this section shall be issued after consultation with the Conservation Department of the State of New York.

SEC. 6. The Secretary may accept and use for purposes of this Act any real or personal property or moneys that may be donated for such purposes.

SEC. 7. (a) The Secretary shall administer and protect the Fire Island National Seashore with the primary aim of conserving the natural resources located there. The area known as the Sunken Forest Preserve shall be preserved from bay to ocean in as nearly its present state as possible, without developing roads therein, but continuing the present access by those trails already existing and limiting new access to similar trails limited in number to those necessary to allow visitors to explore and appreciate this section of the seashore.

(b) Access to that section of the seashore lying between the easterly boundary of the Brookhaven town park at Davis Park and the westerly boundary of the Smith Point County Park shall be provided by ferries and footpaths only, and no roads shall be constructed in this section except such minimum roads as may be necessary for park maintenance vehicles. No development or plan for the convenience of visitors shall be undertaken therein which would be incompatible with the preservation of the flora and fauna or the physiographic conditions now prevailing, and every effort shall be exerted to maintain and preserve this section of the seashore as well as that set forth in the preceding paragraph in as nearly their present state and condition as possible.

(c) In administering, protecting, and developing the entire Fire Island National Seashore, the Secretary shall be guided by the provisions of this Act and the applicable provisions of the laws relating to the national park system, and the Secretary may utilize any other statutory authority available to him for the conservation and development of natural resources to the extent he finds that such authority will further the purposes of this Act. Appropriate user fees may be collected notwithstanding any limitation on such authority by any provision of law.

SEC. 8. (a) The authority of the Chief of Engineers, Department of the Army, to undertake or contribute to shore erosion control or beach protection measures on lands within the Fire Island National Seashore shall be exercised in accordance with a plan that is mutually acceptable to the Secretary of the Interior and the Secretary of the Army and that is consistent with the purposes of this Act.

(b) The Secretary shall also contribute the necessary land which may be required at any future date for the construction of one new inlet across Fire Island in such location as may be feasible in accordance with plans for such an inlet which are mutually acceptable to the Secretary of the Interior and the Secretary of the Army and that is consistent with the purposes of this Act.

SEC. 9. (a) There is hereby established a Fire Island National Seashore Advisory Commission (hereinafter referred to as the Commission). The Commission shall terminate on the tenth anniversary of the date of this Act or on the declaration, pursuant to sections 2(b) of this Act, of the establishment of the Fire Island National Seashore, whichever occurs first. The Commission shall consist of fifteen members, each appointed for a term of two years by the Secretary, as follows:

(1) Ten members to be appointed from recommendations made by each of the town boards of Suffolk County, New York, one member from the recommendations made by each such board;

(2) Two additional members to be appointed from recommendations of the town boards of the towns of Islip and Brookhaven, Suffolk County, New York;

(3) One member to be appointed from the recommendation of the Governor of the State of New York;

(4) One member to be appointed from the recommendation of the county executive of Suffolk County, New York;

(5) One member to be designated by the Secretary.

(b) The Secretary shall designate one member to be Chairman.

(c) A member of the Commission shall serve without compensation.

(d) The Commission established by this section shall act and advise by affirmative vote of a majority of the members thereof.

(e) The Secretary or his designee shall, from time to time, consult with the members of the Commission with respect to matters relating to the development of Fire Island National Seashore and shall consult with the members with respect to carrying out the provisions of sections 2, 3, and 4 of this Act.

(f)(1) Any member of the Advisory Commission appointed under this Act shall be exempted, with respect to such appointment, from the operation of sections 281, 283, 284, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U.S.C. 99) except as otherwise specified in paragraph (2) of this subsection.

(2) The exemption granted by paragraph (1) of this subsection shall not extend—

(i) to the receipt of payment of salary in connection with the appointee's Government service from any sources other than the private employer of the appointee at the time of his appointment; or

(ii) during the period of such appointment, and the further period of two years after the termination thereof, to the prosecution or participation in the prosecution, by any person so appointed, of any claim against the Government involving any matter concerning which the appointee had any responsibility arising out of his appointment during the period of such appointment.

Sec. 10. There is hereby authorized to be appropriated not more than $16,000,000 for the acquisition of lands and interests in land pursuant to this Act.

Mr. MORRIS (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

AMENDMENT OFFERED BY MR. PIKE

Mr. PIKE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Pike to the committee amendment: Page 16, line 24, and page 17, lines 12 and 21, strike out "July 1, 1963" and insert in lieu thereof "August 20, 1964".

Mr. PIKE. Mr. Chairman, this is a very simple amendment. I have discussed it with the members of the Committee. I will have to be honest and say it has not met with overwhelming enthusiasm by all the members of the committee, but I do think it is a valid, a reasonable, and a responsible amendment.

All we are saying with this amendment is that a bill which was drafted a year ago should be brought up to date in its language. Under the language of the bill as it is now before you, the Secretary can in a certain limited area condemn houses. He can condemn those houses in that area which were built subsequent to July 1, 1963. I am seeking to bring the date up to August 20, 1964, simply because I think it is fair and I think it is reasonable. The people who have built homes on this beach in the intervening year did not know that there was going to be a national seashore. Some of them knew that there was discussion about it, but there has been discussion about it, as many speakers have pointed out, since 1956.

All I am seeking to do in this amendment is say that as of today we will build no more homes in this area. Any homes that are built in this area may be condemned, but any homes which have been built up until today shall be free from condemnation.

There is only an 8-mile stretch in the entire bill in which any homes can be condemned. People can continue to build homes subject to reasonable zoning ordinances in the developed communities. It does seem to me that it is not fair to say that in some areas of the seashore people shall continue to build homes not only up to today's date but also in the future, whereas other people who have in good faith built homes since July 1, 1963, up to the present date run the risk of having their homes condemned.

I urge the Committee to adopt this amendment.

SUBSTITUTE AMENDMENT OFFERED BY MR. LINDSAY

Mr. LINDSAY. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. Lindsay as a substitute for the amendment offered by Mr. Pike: Page 16, line 24, and page 17, lines 12 and 21, strike out "July 1, 1963" and insert "January 1, 1964".

Mr. LINDSAY. Mr. Chairman, I am not in opposition to the Pike amendment. I am for the Pike amendment, but like the gentleman from New York I have canvassed the situation among the distinguished members of the committee and I do not think it will be accepted by the committee and, therefore, its chances of adoption are slight.

The committee view, as I understand it, is that its policy and practice in bills of this kind is to have a 2-year cutoff period. The purpose of that, as I understand it, is to guard against any kind or form of speculation when it is rumored that there will be condemnation by the U.S. Government, and perhaps other practices and procedures that are not compatible with the purposes of the legislation.

So the distinguished gentleman from New York [Mr. Pike] has offered an amendment which would bring it down to date. In other words, instead of a 2-year moratorium, there would be zero moratorium.

This substitute would change the date to January 1964 in the hope that a compromise of this kind would be accepted by the distinguished members of the committee.

I realize that even January 1, 1964, is outside the limits of the 2-year rule that the committee in past bills of this kind has sought to follow. But it still is a compromise which, it seems to me, is eminently sound and reasonable and which will protect the interest of those persons who have constructed property on the island in good faith and not in the least, in any way or fashion, seeking to develop or speculate or do anything else that would be inconsistent with the purposes of this bill. There are quite a few such persons. They are not speculators. They are not developers. They have invested for themselves and for their families in a modest family cottage on the island. Most of them are harassed New Yorkers who want to enjoy a couple of months of relief in the summer.

It seems to me this substitute provides an alternative which the members of the committee might wish to consider carefully before speaking against it.

Mr. SAYLOR. Mr. Chairman, I rise in opposition to both amendments.

Mr. Chairman, when this bill was originally introduced by the distinguished gentleman from New York [Mr. Pike] the date that he had in that bill was July 1, 1963.

He now seeks to change that date and make it August 20, 1964.

For the benefit of the members of the Committee, you should understand that in this area there have been a number of people who, knowing that Fire Island had a good chance of becoming a national seashore, have acquired property in this 8-mile area and have built homes. I do not accuse them of deliberate speculation because that has not been as severe on Fire Island as it has been in certain other areas. But when the House Committee on Interior and Insular Affairs first began to consider the classification of national seashores, we established a policy of making sure that speculation did not occur.

In all of the seashore bills that the House has passed, we have insisted that the date of condemnation which the Secretary of the Interior was given, antedate the time of passage of the bill.

For that reason, the amendment of the gentleman from New York [Mr. Lindsay] is preferable to the amendment of the gentleman from New York [Mr. Pike].

But if this House should continue the policy, and I believe we should, of adopting the same principles that we did when we established Cape Cod and Point Reyes National Seashore, we should insist on the original date in this bill.

For the information of the members of the Committee, I would like to say that when the House passed on August 7, 1961, the bill establishing the Cape Cod Seashore, we fixed the condemnation date of September 1, 1959, which was approximately 2 years before.

When we established the Point Reyes National Seashore on September 13, 1962, we established the date of September 1, 1959, or 3 years prior.

So that I think both of these amendments should be defeated and that the date of July 1, 1963, should be kept in the bill.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Iowa.

Mr. KYL. I think the gentleman from Pennsylvania has put his finger on the real answer to the problem here when he says that the development in this area has not been as substantial as it was in some previous areas because the precedents set in those previous bills made people realize that they probably would be subject to condemnation if the bill on the Fire Island establishment passed the House and Senate. So they were more cautious about doing this.

Therefore I would suggest that if we do not adhere to this period which has been a precedent in previous bills, every time we have such a prospective development from this point on there will be a regular Cimarron rush into the area to establish any kind of residence or commercial establishment to take advantage of the situation.

Mr. SAYLOR. The gentleman from Iowa is eminently correct in his analysis. I urge that both amendments be defeated.

Mr. MORRIS. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the Chairman of the National Parks Subcommittee, the gentleman from New Mexico.

Mr. MORRIS. I commend the gentleman for his excellent statement. I am certainly opposed to the two amendments. I feel that the property owners on Fire Island should not be treated in a different way from the property owners on Cape Code or the property owners at Point Reyes. We would be doing a great disservice to the whole country if we permitted such amendments to this legislation.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from New York [Mr. LINDSAY] to the amendment offered by the gentleman from New York [Mr. PIKE].

The substitute amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from New York [Mr. PIKE].

The amendment to the committee amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. PHILBIN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 7107) to provide for the establishment of Fire Island National Seashore, in the State of New York, and for other purposes, pursuant to House Resolution 851, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. MORRIS. Mr. Speaker, pursuant to House Resolution 851, I ask unanimous consent to take from the Speaker's table the bill S. 1365 and that it be immediately considered.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the purpose of preserving for public outdoor recreation purposes certain relatively unspoiled and undeveloped beaches, dunes, and other natural features within Suffolk County, New York, which possess high recreation values to the Nation, the Secretary of the Interior is authorized to establish an area to be known as the Fire Island National Seashore.

(b) The boundaries of the national seashore shall extend from the Fire Island Inlet to the Brookhaven-Southampton town line. The boundaries are delineated on a map identified as "Boundary Map, NS–FI–7100, Proposed Fire Island National Seashore, March 1964". The Secretary shall file the map with the Federal Register, and it may also be examined in the offices of the Department of the Interior.

SEC. 2. (a) The Secretary is authorized to acquire, and it is the intent of Congress that he shall acquire as appropriated funds become available for the purpose or as such acquisition can be accomplished by donation or with donated funds or by transfer, exchange, or otherwise, the lands, waters, and other property, and improvements thereon and any interest therein, within the boundaries of the seashore as established under section 1 of this Act. Any property or interest therein owned by the State of New York, by Suffolk County, or by a political subdivision thereof may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act. In exercising his authority to acquire property in accordance with the provisions of this subsection, the Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized by this Act, but the liability of the United States under any such contract shall be contingent on the appropriation of funds sufficient to fulfill the obligations thereby incurred.

(b) When the Secretary determines that lands and waters or interests therein have been acquired by the United States in sufficient quantity to provide an administrable unit, he shall declare the establishment of the Fire Island National Seashore by publication of notice in the Federal Register.

(c) The Secretary shall pay not more than the fair market value, as determined by him, for any land or interest therein acquired by purchase.

(d) When acquiring land by exchange the Secretary may accept title to any nonfederally owned land located within the boundaries of the national seashore and convey to the grantor any federally owned land under the jurisdiction of the Secretary. The lands so exchanged shall be approximately equal in fair market value but the Secretary may accept cash from or pay cash to the grantor in order to equalize the values of the lands exchanged.

(e) The Secretary shall not acquire any privately owned improved property or interests therein within the boundaries of the seashore, or any property or interests therein within the communities delineated on the boundary map mentioned in section 1, except beach or waters and adjoining land within such communities which the Secretary determines are needed for public access to the beach, without the consent of the owners so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid, zoning bylaw that is satisfactory to the Secretary.

(f) The term "improved property" as used in this Act shall mean any building the construction of which was begun before January 1, 1963, and such amount of land, not in excess of three acres, on which the building is situated as the Secretary considers reasonably necessary to the use of the building: *Provided,* That the Secretary may exclude from improved properties any beach or waters, together with so much of the land adjoining such beach or waters as he deems necessary for public access thereto.

SEC. 3. (a) In order to carry out the provisions of section 2, the Secretary shall issue regulations, which may be amended from time to time, specifying standards that are consistent with the purposes of this Act for zoning bylaws which must meet his approval.

(b) The standards specified in such regulations shall have the object of (1) prohibiting new commercial or industrial uses, other than commercial or industrial uses which the Secretary considers are consistent with the purposes of this Act, of all property within the national seashore, and (2) promoting the protection and development for purposes of this Act of the land within the national seashore by means of acreage, frontage, and setback requirements.

(c) Following issuance of such regulations the Secretary shall approve any zoning bylaw or any amendment to any approved zoning bylaw submitted to him that conforms to the standards contained in the regulations in effect at the time of adoption of the bylaw or amendment. Such approval shall remain effective for so long as such bylaw or amendment remains in effect as approved.

(d) No zoning bylaw or amendment thereof shall be approved by the Secretary which (1) contains any provision that he considers adverse to the protection and development, in accordance with the purposes of this Act, of the area comprising the national seashore; or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under, or any exception made to, the application of such bylaw or amendment.

(e) If any improved property, with respect to which the Secretary's authority to acquire by condemnation has been suspended according to the provisions of this Act, is made the subject of a variance under, or becomes for any reason an exception to, such zoning bylaw, or is subject to any variance, exception, or use that fails to conform to any applicable standard contained in regulations of the Secretary issued pursuant to this section and in effect at the time of passage of such bylaw, the suspension of the Secretary's authority to acquire such improved property by condemnation shall automatically cease.

(f) The Secretary shall furnish to any party in interest upon request a certificate indicating the property with respect to which the Secretary's authority to acquire by condemnation is suspended.

SEC. 4. (a) Owners of improved property acquired by the Secretary may reserve for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a term that is not more than twenty-five years. The value of the reserved right shall be deducted from the fair market value paid for the property.

(b) A right of use and occupancy reserved pursuant to this section shall be subject to termination by the Secretary upon his determination that the use and occupancy is not consistent with an applicable zoning bylaw approved by the Secretary in accordance with the provisions of section 3 of this Act, and upon tender to the owner of the right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

SEC. 5. The Secretary shall permit hunting and fishing on lands and waters under his administrative jurisdiction within the Fire Island National Seashore in accordance with the laws of New York, except that the Secretary may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment. Any regulations of the Secretary under this section shall be issued after consultation with the Conservation Department of the State of New York.

SEC. 6. The Secretary may accept and use for purposes of this Act any real or personal property that may be donated for such purposes.

SEC. 7. The Secretary shall administer, protect, and develop the Fire Island National Seashore in accordance with the provisions of this Act and the applicable provisions of the laws relating to the national park system, and the Secretary may utilize any other statutory authority available to him for the conservation and development of natural resources to the extent he finds that such authority will further the purposes of this Act. Appropriate user fees may be collected notwithstanding any limitation on such authority by any provision of law.

SEC. 8. The authority of the Chief of Engineers, Department of the Army, to undertake or contribute to shore erosion control or beach protection measures on lands within the Fire Island National Seashore shall be exercised in accordance with a plan that is mutually acceptable to the Secretary of the Interior and the Secretary of the Army and that is consistent with the purposes of this Act.

SEC. 9. There is hereby authorized to be appropriated not more than $16,000,000 for the acquisition of land and interests in land pursuant to this Act.

AMENDMENT OFFERED BY MR. MORRIS

Mr. MORRIS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MORRIS: Strike out all after the enacting clause of S. 1365 and insert in lieu thereof the provisions contained in H.R. 7107 as passed by the House.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 7107) was laid on the table.

AUTHORIZING STUDIES AND INVESTIGATIONS BY THE COMMITTEE ON THE JUDICIARY

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules I call up the resolution (H. Res. 809) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, for the purposes of the studies specified in clause (1) of H. Res. 36, Eighty-eighth Congress, approved by the House of Representatives on January 31, 1963, the Committee on the Judiciary is hereby authorized to send eight of its members and three of its employees to Europe, and to attend the twenty-fifth session of the executive committee and the twenty-second session of the Council of the Intergovernmental Committee for European Migration in Geneva, Switzerland. The subcommittee is authorized to sit and act whether the House has recessed or has adjourned, and to hold such hearings as it deems necessary: *Provided*, That the subcommittee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on the Judiciary of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided*, (1) That no member or employee of said committee shall receive or expend local currencies for subsistence an amount in excess of the maximum per diem rates approved for oversea travel as set forth in the Standardized Government Travel Regulations, as revised and amended by the Bureau of the Budget; (2) that no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation, if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

The SPEAKER. The gentleman from Missouri [Mr. BOLLING] is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON], and pending that I yield myself such time as I may consume.

Mr. Speaker, this is the annual resolution providing for travel of a number of the members of the Committee on the Judiciary to attend the annual meeting of the Council of the Intergovernmental Committee for European Migration in Geneva, Switzerland.

Perhaps it will refresh the memory of my colleagues if I say that this was the matter in which the distinguished gentleman from Pennsylvania, our late colleague, Francis Walter, always interested himself.

This is a resolution which was reported unanimously from the Committee on Rules. I know of no opposition to the resolution.

Mr. ANDERSON. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman.

Mr. ANDERSON. Mr. Speaker, I merely want to add to what the gentleman from Missouri has said. I think he has correctly described the nature and purpose of this particular travel authorization. It was cleared with the minority Members on this side of the aisle.

Mr. GROSS. Mr. Speaker, will the gentleman from Missouri yield?

Mr. BOLLING. I will be glad to yield to the gentleman from Iowa.

Mr. GROSS. I do not know whether the gentleman can answer this question or not, but what is accomplished at these meetings? Does the gentleman have any idea? How many Members did the resolution say would go on this junket?

Mr. BOLLING. Eight Members are provided for in this resolution and three members of the staff.

I will be delighted to yield to the gentleman from Colorado [Mr. ROGERS] to answer that question.

Mr. ROGERS of Colorado. This has been a study on European migration and how best to accomplish and bring about the orderly processes necessary to alleviate the situation which developed years ago. This is a conference. There has been an organization of this intergovernment committee that is there at all times. They will have an executive session starting on the 2d of November. The council itself will convene on the 9th of November.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. BOLLING. I yield to the gentleman from Iowa.

Mr. GROSS. If this would serve to cut down on the number of immigration bills on the Private Calendar each week, I might think there was something to this migration of the members of the Committee on the Judiciary over to Geneva, but I do not see any diminution in the number of private bills to bring people into this country. I wonder if that could be given a little attention when you go over to Geneva next time.

Mr. MEADER. Mr. Speaker, will the gentleman from Missouri yield?

Mr. BOLLING. I yield to the gentleman from Michigan.

Mr. MEADER. Mr. Speaker, I might say that the continuation of the work of the Intergovernmental Committee on European Migration might very well result in the diminution of private immigration bills and also pressures for changes in the immigration laws of the United States.

This Committee was the brainchild of the late Francis Walter and has been in existence some 10 or 12 years. I attended one of these council meetings myself 2 years ago at the request of the gentleman from Ohio [Mr. MCCULLOCH] who had been scheduled to be a member of the delegation but because of illness in the family was unable to go and asked me at the last minute to go. So I learned something about the operation of this organization.

At that time I believe that the Intergovernmental Committee on European Migration had been successful in resettling surplus populations of Europe to the number of some 1,200,000. This is a movement cooperated in and financed by some 30 nations and the business to be transacted in Geneva is one where policies are determined, appropriations are moved, and so on, for this international organization which has as its very worthy objective the movement of surplus populations of Europe into areas where people are needed and to provide training and skills and to send these surplus Europeans to places that are sparsely populated, such as areas in Latin America, Australia, Canada, and so on.

So I would say that the work of this Committee could very well result in fewer private immigration bills and reduced pressures on changing our immigration policies.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman from Michigan says that this has been going on for 10 or 12 years, if I understood him correctly. But I have seen no reduction in the number of bills on the Private Calendar. The question I really wanted to ask the gentleman was this, if he can tell me how it is possible to get counterpart funds in Geneva, Switzerland. Is there some way in Geneva of getting funds out of those numbered accounts that they tell me a lot of people have in the banks in Geneva? How do you get counterpart funds in Geneva, Switzerland?

Mr. BOLLING. Mr. Speaker, I would have to confess to the gentleman that I really do not know. I would say to the gentleman that one of the provisos here makes it clear that they may expend no moneys beyond the usual per diem.

Mr. GROSS. Perhaps after these lawyers make their trip to Geneva—and I hope the winter climate is good there—I hope they will be able to come back and tell the gentleman from Missouri and the gentleman from Iowa how they get counterpart funds in that country.

Mr. BOLLING. I shall ask them to do that.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL ARTS AND CULTURAL DEVELOPMENT ACT OF 1964

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 839 and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9586) to provide for the establishment of a National Council on the Arts to assist in the growth and development of the arts in the United States. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON] and pending that, I yield myself such time as I may consume.

Mr. Speaker, this rule provides for 1 hour of general debate under an open rule on the bill establishing a National Council on the Arts.

Mr. Speaker, there will be adequate time for the discussion of this matter during general debate.

Therefore, I reserve the balance of my time.

Mr. ANDERSON. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I must confess to at least a mild sense of disappointment as I gaze over this somewhat desolate Chamber this afternoon, desolate in the sense that these rows are largely unoccupied as we are met to consider this very important matter.

At first blush it might seem that——

Mr. BOW. Mr. Speaker——

Mr. ANDERSON. No; this was not an invitation I might say for my brethren to summon an audience. I will hasten to go on to say with respect to this matter that——

CALL OF THE HOUSE

Mr. BOW. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 244]

Adair
Albert
Alger
Auchincloss
Ayres
Baring
Bass
Bolton, Frances, P.
Buckley
Burton, Utah
Celler
Curtin
Curtis
Daddario
Davis, Tenn.
Dawson
Derwinski
Dingell
Duncan
Evins
Finnegan
Fino
Fisher
Flynt
Forrester
Gill
Glenn
Gonzalez
Goodell
Hall
Hansen
Harris
Harsha
Harvey, Mich.
Hays
Healey
Hébert
Hoeven
Hoffman
Holland
Jones, Ala.
Jones, Mo.
Kee
Keith
Kilburn
Landrum
Lankford
Long, La.
McClory
Madden
Martin, Calif.
Martin, Mass.
May
Miller, Calif.
Miller, N.Y.
Morrison
Moss
Nedzi
Pepper
Pilcher
Pirnie
Pool
Purcell
Rains
Reuss
Rivers, Alaska
Robison
Roosevelt
Rostenkowski
St. George
Sheppard
Shipley
Smith, Calif.
Springer
Steed
Teague, Calif.
Toll
Tollefson
Van Deerlin
Van Pelt
Weltner
Whalley
Willis
Younger

The SPEAKER. On this rollcall 349 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. ANDERSON. Mr. Speaker, for the benefit of those who have so recently joined us, just prior to the quorum call we were discussing House Resolution 839 which makes in order the consideration of the bill H.R. 9586 which would provide for the establishment of a National Council on the Arts to assist in the growth and development of the arts in the United States.

I might say that time changes everything; 25 minutes ago it might have appeared the interest in this body in culture was at a rather low ebb. There has been a rather heartening revival in the last half an hour.

I should make it clear that I think in the brief time allowed to me—and I will make it brief—we are dealing this afternoon with a sanitized, or perhaps I should say a skeletonized version of the original bill on which the Committee on Education and Labor conducted hearings back in April of this year.

I am not going to take time to discuss the bill itself, because there are members of the Committee on Education and Labor who are here and prepared to speak on it. However, I think it is significant and would be a help to those who want to follow the debate this afternoon to mark well the fact that the original bill provided not just for a Council of 25 members, not just for a modest authorization which will run, although the report is not clear, but I think the gentleman from New Jersey [Mr. THOMPSON] has estimated, to the extent of something like $200,000.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. The estimate is $150,000, total.

Mr. ANDERSON. A total estimate of $150,000.

Of course, this is a very small sum. It is insignificant in the light of some of the sums we authorize here from day to day. But the original bill provided in title II, I believe it was, for a foundation which would have authority to authorize grants-in-aid of initially $5 million a year and eventually $10 million a year. So I think once we set this particular kind of program in motion, which is what we will do when we pass this legislation, if we do, this afternoon, I think inevitably we will get to the point where the sponsors of this legislation and this council are going to recommend what was indeed included in the original bill; namely, a provision for grants-in-aid, running into the millions of dollars.

I took the time and the trouble this afternoon to read some of the testimony and hearings conducted on this bill and it is clear what the people who appeared and testified in support of this legislation really had in mind. You will find testimony from some of the musicians who serve with the great symphony orchestras of our land. They state that the minimum salary is something like $4,000 a year. I would agree with anyone who says it is an inadequate sum and we ought not to pay some of the outrageous and outlandish sums in salaries that are paid perhaps to other members of the entertainment industry. However, we are living in a free society not one like the U.S.S.R. where a commissar of culture sets salaries. On page 13 of the hearings you will find the testimony of one of the individuals, Mr. Frey, of Cincinnati, who testified for this bill. He said:

> I support this legislation essentially for two reasons: (1) The Nation's professional artistic efforts, especially the performing arts, desperately need this stimulus of Federal financial support.

That is what they are interested in. They are interested in financial subsidies. Maybe they are not to be blamed for believing they should come to the Federal Government for this. Certainly every other group in our society has been encouraged by this administration to come to Washington for some type of subsidy. I wonder just why it is that now in the dying days of this 88th Congress, when the national debt is standing at its present level, that a bill that has been before the Congress, I think the report says, since 1877 and which was originally introduced in the 43d Congress, why it is that now all of a sudden we feel we have arrived at that very happy situation when we can afford to begin subsidizing the arts. No matter how worthy that purpose might otherwise be, I think we ought to consider very carefully what the total import of the action that we take this afternoon will be. This is a bill that is superficially innocuous in the language in which it is written, but I think it is fraught with very grave and very important consequences as far as Federal finances are concerned.

I understand that at the platform hearings of the Democratic Party the other day the Secretary of the Treasury or one of the witnesses promised us that soon we are going to raise an additional $6 billion a year in tax revenues because of the growth in our economy. That may be, but let us wait. Would it not be a good idea to wait until we have seen the realization of this $6 billion in additional income, until we see the day come when we can go to the taxpayers of this country with something other than an unbalanced budget, before we launch yet another Federal program, before once again we involve the Federal Government in another facet of American life?

President Johnson under this bill would have a cultural adviser. Presumably this new face in the Presidential circle of advisers will enable the Chief Executive to distinguish between the Watusi and the Frug. For the culturally uninformed in our midst these are modern dances which seem to be in great vogue at Democratic barbecues.

Mr. Speaker, at a time when we are consistently racking up consecutive deficits, which since 1961 have amounted to around $30 billion, it would seem to be time to concentrate on putting our fiscal house in order rather than launching new programs which may be convenient or desirable but are not strictly necessary.

Mr. BOLLING. Mr. Speaker, I yield such time as he may require to the gentleman from Louisiana [Mr. BOGGS].

FURTHER LEGISLATIVE BUSINESS THIS WEEK

Mr. BOGGS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I take this time to announce to the House that after the completion of the bill which will be in order upon the adoption of this rule we have two other matters for consideration today and tomorrow: H.R. 3869, technical agricultural assistance to Guam; and H.R. 11893, to retain 1964 on coins temporarily. If we can complete these two matters today the only program tomorrow will consist of conference reports and other minor matters.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman.

Mr. ARENDS. Some of us would like to complete the business today, if we possibly can.

Mr. BOGGS. That is good; we hope so.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield for another inquiry?

Mr. BOLLING. I yield.

Mr. BROWN of Ohio. Mr. Speaker, is it the plan on tomorrow to adopt a resolution for a recess of the House?

Mr. BOGGS. I am not able to respond to that inquiry at this time.

Mr. ARENDS. Mr. Speaker, will the gentleman yield further?

Mr. BOLLING. I yield.

Mr. ARENDS. Mr. Speaker, can the gentleman tell us which conference reports may be brought to us tomorrow?

Mr. BOGGS. We are still not prepared to say. I do not expect any controversy, however.

The SPEAKER. The Chair will state that there is no knowledge now of any except that there are some meetings of conference committees. The Chair wanted that protection for the record.

Mr. ARENDS. Mr. Speaker, then there might or might not be some conference reports tomorrow?

The SPEAKER. That is the situation.

Mr. ARENDS. I thank the Chair. May I say that many of us would like to complete the business tonight.

The SPEAKER. So far as legislative matters are concerned, as the majority whip has stated, he is taking the Members into his confidence.

Mr. BOGGS. Mr. Speaker, if the gentleman will yield further, I might say that the Committee on Ways and Means and the Finance Committee are talking on some measures which impress me as being noncontroversial.

Mr. ANDERSON. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Speaker, I support H.R. 9586 to foster artistic and cultural endeavors by establishment of a National Council on the Arts.

Especially I support the underlying policy of this legislation; namely that the arts depend upon freedom and individual initiative. I have always contended that the arts are primarily a matter for both private and local support. However, as with education, I hold that in the national welfare the Federal Government does have some limited responsibility in the area of encouraging artistic and cultural endeavors, and in this regard I hope a National Council on the Arts can be effective.

Mr. Speaker, last evening the Members of the Congress who attended the White House reception had an eloquent example of and argument for this bill. I refer to the President and Mrs. Johnson's garden party when we witnessed the musical presentation entitled "Salute to the Congress." The ballet dancing, music and singing constituted a superb performance and is typical of ways in which a National Council on the Arts could encourage artistic production.

As to this bill, were it not for section 3 of this bill I could not support it. I refer to the provision that under this bill no department, agency, officer, or employee of the Federal Government shall exercise any control or direction over the policy of any group or State agency involved in the arts.

With that proviso I support the measure because its cost is modest and the returns, in my opinion, in the future to the artists and cultural professions will be very high.

Surely Congress should encourage, as this bill does, private initiative. Surely we should foster cultural endeavors by studying ways by which creative initiative in the arts can be encouraged.

I urge the passage of this bill.

Mr. ANDERSON. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. HORTON].

Mr. HORTON. Mr. Speaker, I rise in support of the bill before the House. H.R. 9586 is a legislative proposal in which I have been interested for many months, it is enthusiastically endorsed by a large body of my constituents, and offers Congress the opportunity to declare its encouragement of artistic and cultural advancement in America.

Speaking not only for myself but for the numerous and notable patrons of the arts whom I have the honor to represent, I wish to commend the distinguished gentleman from New Jersey [Mr. THOMPSON] and the distinguished gentleman from Michigan [Mr. GRIFFIN] for their leadership in bringing this bill to the House. The spirit of bipartisanship that is responsible for the progress of this legislation is becoming to the impartial nature of the arts.

This bill represents a very straightforward approach to maintain, develop, and disseminate the Nation's artistic and cultural resources. It establishes in the Executive Office of the President a Nation Council of the Arts. The duties and responsibilities of this 25-member Council are fourfold:

To recommend ways to maintain and increase the cultural resources of the United States.

To propose methods to encourage private initiative in the arts.

To advise and consult with government agencies at all levels on methods to coordinate existing resources and facilities and to foster the arts nationally and internationally.

To conduct studies and make recommendations on promoting creative activity and increased opportunity in the arts and on encouraging greater citizen enjoyment of the arts.

The appointment of this Council's membership by the President from among private citizens widely recognized for their broad knowledge, experience, or profound interest in the arts will provide appropriate representation of the major arts.

In outlining the provisions of this measure, I think it is important to point out that H.R. 9586 contains a specific section that assures that the Federal Government is not permitted to direct, supervise, or control the policy or program of any group, State, or State agency involved in the arts. While it should be implicit that no such nationalization of the arts is behind this bill, I think its authors have acted wisely in foreclosing the possibility of criticism that might spring from the absence of such a statement.

I also would like to note that passage of this bill should not be regarded as fulfilling our obligation to the arts. In that regard, let it be understood that H.R. 9586 pertains only to a National Council on the Arts. The creation of a National Arts Foundation as an independent Federal agency is not provided in this legislation.

The other body already has passed a measure that contains language establishing both a National Council on the Arts and a National Arts Foundation. This latter organization would be authorized to make matching grants to nonprofit professional groups engaged in or concerned with the arts and to the States for the support of existing arts projects and the development of new ones.

I had hoped—and so testified before Chairman THOMPSON's subcommittee—that the House could consider a bill as broad as that enacted by the other body. Chairman THOMPSON thoughtfully termed my home community of Rochester, N.Y., "one of the brightest spots on the cultural landscape." I urge the passage of H.R. 9586 in order that this "landscape" will be made even more fertile and better cultivated for the sustenance and nurture of artistic and cultural life.

Mr. ANDERSON. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky [Mr. SNYDER].

Mr. SNYDER. Mr. Speaker, I do not know when, if ever, the Congress of the United States is going to apply to its own actions that type of wise self-restraint which we from time to time insist that those in the executive and judicial branches must manifest in the conduct of their respective affairs.

Today the House of Representatives has a timely opportunity to set an example of prudence and self-restraint by rejecting the pending proposal.

It can do so simply by refusing to launch the Federal Government on a new and uncharted course into the seas of the arts—liberal and conservative, undulating and calm.

The proponents of this legislation state that this bill is modest, that it merely establishes a commission to contemplate and stimulate the arts.

But this bill is only the overture—the beguiling introduction to put you in a receptive mood, to persuade you that there is nothing amiss in the Federal Government's assuming a responsibility for the development of the arts.

The full production, like any other artistic or dramatic presentation, will be unfolded in several acts, scenes, installments, or cantos as the case may be.

The bill before you is merely the overture. It is the prelude to the first act. But the first act has already been written. That first act is contained in H.R. 9587. Now the impresarios of this production did not see fit to unveil act I before you at the present time. They elected to wait until you had been softened up or mesmerized by the overture.

If you approve the overture, then their act I—or H.R. 9587—will incredibly emerge—in that act you will see the bureaucracy unfolded, the grants doled out, and the loans established.

In that act also you will see the $10 million authorizations to carry out what has now somehow become a solemn obligation of the American taxpayer.

That brings us to act II. The complete details of act II have not yet been worked out, because the undertaking having been launcher, all elements of the arts must somehow be prominently and effectively brought into the act.

Some of those clamoring for position and pelf include all of music, both vocal and instrumental, the drama, the dance, costume design, fashion design, television, radio, tape recordings, paintings, photography, not to mention the folk arts.

Now, you can readily see that with all these avid participants, this production must now become an extravaganza requiring a larger stage, with panavision and stereo sound.

The original $10 million, in the name of all that is "arty," must be raised to at least $100 million, for after all, "the play is the thing," and "the show must go on."

This production, now having become a full-fledged extravaganza, with all the pomp and trappings, the bureaucracy must of course, be greatly expanded.

The production now requires more directors, more assistant directors, auditioners, writers, readers, choreographers, consultants, and all manner of artistic appraisers.

The curtain comes down on this final act with all local drama clubs, municipal symphonies, private entertainers, radio and TV stations—either under the direction of the newly created Federal Arts Department or enjoined from functioning for want of a license. All art forms have become standardized. Progress is possible only through recognition by the bureaucracy. No script, song, play, poem, book, or opera is attributed to any one individual. All artistic efforts are the work of the establishment.

The budget is now a rockbottom half billion dollars a year.

As the minority report says:

> We can fully expect, if this bill is sanctioned, that the Federal Government, in the name of art and culture, will soon be called upon to subsidize everything from belly-dancing to the ballet; from Handel to the hootenanny; from Brahms to the Beatles; from symphonies to the striptease. Perhaps even all the arts from the Mattachine Society to the musicals.

Do you want to save some future list of American taxpayers from the blessings of this bureaucracy? Do you want to save them from a potential one-half billion dollar annual expenditure? Do you want to exercise legislative self-restraint?

Then vote against this beguiling venture and prevent the rise of this extravaganza.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

IN THE COMMITTEE OF THE WHOLE

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9586) to provide for the establishment of a National Council on the Arts to assist in the growth and development of the arts in the United States.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 9586, with Mr. NATCHER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. POWELL. Mr. Chairman, I rise in support of the bill, H.R. 9586, which would provide for the establishment of a National Council on the Arts and assist in the growth and development of the arts in the United States. This act, to be known as the National Arts and Cultural Development Act of 1964, would usher in a new dimension in the area of education and cultural enlightenment.

The world has seen startling technological advances, but while man must travel in outer space soon to reach the moon, he still has far to go to learn to live on his own planet wtih his fellowman. Space-age progress in improved human relations crawls at a snail's pace out of the Dark Ages. One of the most effective instruments for bettering human relations rests with the most fundamental media of education—the arts. Presenting both a common language for communication among diverse people and a means of expression reflecting a people, the arts provide an unequal opportunity to understand our fellow man.

A UNESCO publication states:

> Man does not live by bread alone, nor by technology alone. Man also needs the truth that is found in a line and form and style and music and poetry. It is in his creativity that man reveals the best that is in him.

> And it is the appreciation of the creative works of others that reveals to him the best that is in his fellow man.

Throughout the diverse races and social groups which make up mankind, exist shared emotions, hopes, fears, joys, and sorrows—and a shared hope for a happier tomorrow. In all cultures these common feelings are expressed and understood through music, song, dance, drama, and arts of a people. Possessing a universal language which penetrates to the very heart of human existence, society has this basic gift for transforming alien neighbors into friends.

The arts can and do provide a basis from which to begin. They lead the way toward understanding the real character of a people, their way of life, their ideals, their values.

The fostering of artistic creativity and excellence has become a matter of national interest. As an essential medium of expression the arts are vital not only to the welfare of our own people but to the prestige of our Nation. Our late President Kennedy, who championed the arts, said:

> Above all, we are coming to understand that the arts incarnate the creativity of a free society. We know that a totalitarian society can promote the arts in its own way—that it can arrange for splendid productions of opera and ballet, as it can arrange for the restoration of ancient and historic buildings. But art means more than the resuscitation of a past: it means the free and unconfined search for new ways of expressing the experience of the present and the vision of the future. When the creative impulse cannot flourish freely, when it cannot freely select its methods and objects, when it is deprived of spontaneity, then society severs the root of art.

I am proud, therefore, to present today a bill that would establish a National Council on the Arts. This Council composed of the finest representatives of our culture, will survey the state of the arts in America and make recommendations for encouraging their development. More specifically, the Council is directed to—

First. Recommend ways to maintain and increase the cultural resources of the United States.

Second. Propose methods to encourage private initiative in the arts.

Third. Advise and consult with local, State, and Federal agencies on methods for coordinating existing resources and facilities and for fostering artistic and cultural endeavors and use of the arts both nationally and internationally in the best interest of this country.

Fourth. Make studies and recommendations as to how creative activity and high standards and increased opportunities in the arts may be encouraged and promoted, and greater appreciation and enjoyment of the arts by the citizenry encouraged and developed.

These duties and responsibilities of the Council enunciated in the bill before us are based upon certain declared purposes and goals. In the declaration of policy the following purposes are enunciated:

First. That the growth and flourishing of the arts depend upon freedom, imagination, and individual initiative.

Second. That the encouragement and support of the arts, while primarily a matter for private and local initiative, is also an appropriate matter of concern to the Federal Government.

Third. That the Nation's prestige and general welfare will be promoted by providing recognition that the arts and the creative spirit which motivates them and which they personify are a valued and essential part of the Nation's resources.

Fourth. That it is in the best interests of the United States to maintain, develop, and disseminate the Nation's artistic and cultural resources.

Fifth. That, in order to implement these findings, it is desirable to establish a National Council on the Arts to provide such recognition and assistance as will encourage and promote the Nation's artistic and cultural progress.

The Council to be established by this act, in the Executive Office of the President, would consist of 25 members and the Secretary of the Smithsonian Institution ex officio. They would be appointed by the President from among private citizens widely recognized for their broad knowledge, experience, or profound interest in the arts. Among the group would be practicing artists, civic leaders, members of the music profession, and others professionally engaged in the arts. The Chairman of the Council is to be appointed by the President by and with the advise and consent of the Senate to serve at the pleasure of the President not more than 8 years. This Chairman would be a full-time employee and would serve as the principal cultural adviser to the President. The Council would be required to submit an annual report of its activities to the President and to the Congress. This bill, therefore, would become a first step in awakening the American public to the realization that the arts fulfill basic human needs. In doing this we can submit through artistic activities meaningful and lasting bonds of friendship between other dissimilar peoples. Recognizing that the arts provide a common bond of understanding between nations and people, they can serve as a mighty bulwark for preservation of peace and the survival of mankind. Provision of opportunities for active experiences in the visual, plastic and the performing arts will be an essential for all individuals in the armed services. Let us vote today to establish this act so that Americans everywhere may renew their understanding and interest in the broadest cultural and artistic development possible.

I should like to take this opportunity of congratulating my colleague, the distinguished chairman of the subcommittee of the Committee on Education and Labor, the gentleman from New Jersey [Mr. THOMPSON], for the 10 years he has spent in bringing this bill before us. It merits the consideration of all of us. It should have the approval of a vast majority.

Mr. Chairman, I now yield to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield myself 8 minutes.

Mr. Chairman, the legislation before the Committee today, the National Arts and Cultural Development Act of 1964, is uncomplicated. It represents the culmination of much time and effort by many Members of the House, both past and present.

It is sponsored by myself as well as by the gentleman from New York [Mr. LINDSAY] the gentleman from Minnesota [Mr. FRASER], the gentleman from Connecticut [Mr. MONAGAN], the gentleman from Pennsylvania [Mr. FULTON], the gentleman from South Carolina [Mr. MCMILLAN], and many others. There are also numerous nearly identical bills introduced by other colleagues.

Its aim is to give immediate recognition and emphasis to the arts in the United States. Its enactment, by giving statutory recognition to culture, will place greater emphasis on the finer things in life. The creation of this Council, provided for in the bill H.R. 9586, is the least costly means of providing that emphasis.

There is every indication, whether we enact the legislation or not, that the President will create an Arts Council by Executive order. Creation by statute, however, tells the world that the Congress as well as the President, has concern for something more than "bellies and pocketbooks."

Legislation of this nature has been officially recommended to the Congress by two former Presidents, President Eisenhower and the late President Kennedy. I have here under date of August 8, a letter addressed to Speaker MCCORMACK which I will insert at the end of my remarks.

Mr. Chairman, this bill establishes in the Executive Office of the President a National Council on the Arts, period. The Council will consist of 25 members and the Secretary of the Smithsonian Institution, ex officio. The request for inclusion of the Secretary of the Smithsonian on the Council came to us from Dr. S. Dillon Ripley, and his letter will also be incorporated in my remarks.

The Chairman and 24 Commission members are to be appointed by the President from among private citizens widely recognized for their broad knowledge, experience, and profound interest in the arts.

The Chairman will be a full-time employee whose salary is established at $21,000 per annum. Members of the Commission will be per diem employees, subject to the usual Civil Service Commission regulations governing the use of temporary employees. A staff, permanent and paid, is authorized. Such appropriations as are necessary are authorized, and this means such sums as may be justified before the Appropriations Committees of the two Houses of Congress.

The Council is charged with the following duties and responsibilities:

To recommend ways to maintain and increase the cultural resources of the United States.

To propose methods to encourage private initiative in the arts.

To advise and consult with other local, State, and Federal agencies on methods for coordinating existing resources and facilities, and for fostering artistic and cultural endeavors and use of the arts, both nationally and internationally, in the best interests of this country.

To make studies and recommendations as to how creative activity and high standards and increased opportunities in the arts may be encouraged and promoted, and greater appreciation and enjoyment of the arts by the American people may be stimulated and developed.

That, Mr. Chairman, is the sum and substance of this bill.

It comes to you with strong bipartisan support. Members from both sides of the aisle, and from North, East, South, and West have sponsored legislation similar to this bill in this Congress. There is a strong, bipartisan, nationwide, historical interest in this subject. During the 46th Congress, Mr. Samuel Cox, a Member of the House from New York, introduced a bill creating a Federal Arts Commission. He had earlier served from Ohio and at that time was a Member from New York.

This predecessor more or less typifies the support which this legislation has enjoyed in the years since. Of the bills which have been introduced subsequently, they have been sponsored by Members from 20 States, from all sections, and the sponsoring Members have been from both sides of the political aisle.

When this legislation was brought to the floor of the other body, it bore the names of Senators from both sides of the aisle, and from every region of the Nation.

The hearing record before my subcommittee indicates the broad-based support for the bill. We heard from artists, from both the performing and visual fields; museum directors, gallery directors, entrepreneurs; businessmen, labor organizations, retired persons, educators—in fact from virtually every segment of American life. All were favorable—save one short letter.

I would be less than frank, Mr. Chairman, if I did not recognize, however, that not all members of the Committee on Education and Labor were in favor of this legislation. Minority views have been filed.

I believe these views, however, demonstrate clearly the need for a National Council on the Arts. I would hope that one of the early tasks of this Council would be to clearly set forth that there is a difference between a belly dancer and the ballet.

It is to underscore that difference, Mr. Chairman, that the Council is needed.

I ask that the House adopt this legislation.

Mr. Chairman, letters to which I referred are as follows:

THE WHITE HOUSE,
Washington, D.C., August 18, 1964.
Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: I am glad to learn that H.R. 9586, which provides for the establishment of a National Council on the Arts, is scheduled for floor action today. The principles expressed in this legislation are sound and have my wholehearted support.

There has been an encouraging growth of interest in the arts. For example, 85 cities and States have either formed or are in the process of forming arts councils, the number of symphony orchestras and the number of people who play musical instruments have virtually doubled in the last 25 years, and in the last 30 years the number of museums has grown from 1,500 to 5,000.

But there are many problems in the fields of the arts which not only are limiting their development, but threaten their very existence. Private initiative is, and should undertake the major responsibility for resolving these problems. However, they are also of vital concern to the Federal Government.

The formation of a council of outstanding representatives of the arts fields, as provided in the bill on the House floor, will help us express that concern and provide a method of cooperation with private groups that will have lasting benefits for all the people. In addition, this council will provide the much needed recognition of the artist, assure his place in society, and stimulate audience participation.

History has shown that, if we are to achieve the great society for which we are all working, it is essential that the arts grow and flourish.

Sincerely,

LYNDON B. JOHNSON.

SMITHSONIAN INSTITUTION,
Washington, D.C., May 19, 1964.
Hon. ADAM CLAYTON POWELL,
Chairman, Committee on Education and Labor, U.S. House of Representatives Washington, D.C.

DEAR MR. POWELL: H.R. 9587, a bill "To provide for the establishment of a National Council on the Arts and a National Arts Foundation to assist in the growth and development of the arts in the United States," was supported by my testimony on April 16, 1964, before the Special Subcommittee on Labor under the chairmanship of the Honorable FRANK THOMPSON, Jr. I appeared as vice president of the American Association of Museums.

Your favorable consideration is now requested of an amendment to H.R. 9587 which would include in the membership of the Council the Secretary of the Smithsonian Institution as a member ex officio. To accomplish this purpose, H.R. 9587 would be amended by adding at page 3, line 7, after the words "of this title," the following: "the Secretary of the Smithsonian Institution ex officio,"

This amendment is suggested because the Smithsonian Institution has been given responsibilities for the encouragement and support of the arts which are entirely compatible with the purposes of the pending legislation. Not only in the administration of one of the largest museum and art gallery complexes in the world, but also in the express wording of the act of May 17, 1938, are found the vital interests and responsibilities of the Institution in the purposes of H.R. 9587.

This Institution has been charged with maintaining a worthy standard of art objects for exhibition in its gallaries, to foster by public exhibitions from time to time in Washington and other parts of the United States a growing appreciation of art, and to solicit and receive donations of works of art and contributions of funds from private sources for the purchase of works of art. The Institution is further authorized to acquire and sell works of art, employ artists, award scholarships, conduct exhibitions, and generally "to do such things and have such other powers as will effectuate the purposes" of fostering an appreciation of art.

Such participation of the Smithsonian, however limited it would be, should become an effective contribution toward the objectives of this legislation.

Sincerely yours,

S. DILLON RIPLEY,
Secretary.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I rise in support of the bill, H.R. 9586, which would establish a National Council on the Arts.

The concept of a National Arts Council was proposed by President Eisenhower in his 1955 state of the Union address. The purpose of such a Council would be to examine the condition of the arts and to recommend appropriate ways by which the Federal Government might encourage artistic endeavors. Since that message there have been a number of bipartisan efforts in the Congress to enact legislation along the lines proposed by President Eisenhower. This bill is another such effort.

Many departments and agencies of the Federal Government conduct programs which affect the arts; many other Federal activities utilize the arts in a variety of ways. Most notably, there is increasing recognition of the importance to our foreign policy of cultural exchange. So there is necessarily a direct, but limited, Federal interest and involvement in the arts. One purpose of the proposed Council would be to assess this total Federal interest. A broader purpose would be to determine how our National Government might give recognition to the fundamental importance of the arts in our national life.

It has been argued by some of the opponents of this legislation that this proposal is but the forerunner of a complete usurpation of this area by the Federal Government. Such a contention reflects a low regard for the judgment of this body. We should not deprive ourselves of the effective cultural contributions inherent in the creation of this proposed National Arts Council, merely because of fears of future excesses. Let any future proposals be considered on their merits. Let this proposal be considered on its merits. Standing on its merits, this bill is worthy of support.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Iowa.

Mr. GROSS. Would it be possible to charge this off to foreign aid, since the gentleman has brought the international exchange into it? Would it be possible to charge this off to foreign aid and use counterpart funds, or something of that kind?

Mr. FRELINGHUYSEN. Quite obviously it would not be. I assume the gentleman is being facetious.

This is concerned primarily with the state of the arts in this country. I merely mentioned the fact that we are to some extent engaging in export and paying for the export of our artistic efforts to other countries as an example of what we are able to produce.

Mr. GROSS. Are we doing this because of the United Nations? I have not heard the United Nations mentioned yet.

Mr. FRELINGHUYSEN. I might say we are not doing it because of the United Nations. We are doing it in our own interest.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Connecticut.

Mr. MONAGAN. I wish to subscribe to what the gentleman from New Jersey said about this legislation, and particularly to the point he has made about not trying to look ahead to the future to foresee difficulties. Meeting such problems, if they arise, will depend upon the good sense of people in Government, in the Congress, and elsewhere, on whom we can rely in the future. This is no reason to oppose this modest step.

Not only do I support this proposal, but also I should like to say that I do not find anything abhorrent in the idea—when we are spending $50 billion for defense and $3 billion for foreign aid, and infinitely more than is proposed here for individual public works projects—of spending even a few million dollars to foster culture and the arts in this country. I believe that regard for the arts is a mark of a great nation, and I support this legislation.

Mr. FRELINGHUYSEN. I thank the gentleman.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mr. Sickles].

Mr. SICKLES. Mr. Chairman, as a member of the subcommittee which considered this bill, I rise in support of this bill and urge its approval by our colleagues.

I should like to assure our colleagues that this legislation has been carefully considered and carefully drafted to assure against any possibility of Federal dictation in the arts.

As is usual in legislation of this type those of us who conducted the hearings were sensitive to this question.

The bill contains a disclaimer. In addition we have described a 25-member Council to be representative of the major art fields. This very diversity precludes domination by any one art form, which in turn dictates complete freedom on the part of all of the arts.

How successfully we have been in bringing in a bill which will establish a domination-free Council is well documented in the hearing record. I invite the attention of the Committee to the testimony of the distinguished senior Senator from New York; to a letter from the president of the Musical Arts Association, which operates the Cleveland Symphony; and to a statement filed by the great musician, Alfred Wallenstein.

One of our "live" witnesses was Mr. William Boucher III, of Baltimore, one of Maryland's outstanding civic, cultural, and business leaders. I put the following question to him:

> Do you find among businessmen in the Baltimore metropolitan area, or in the State, any concern that this legislation will violate the Federal-State relationship and that the Federal Government should not participate and leave this to the States?

He replied categorically: "We are not afraid of that." He found the restrictions and the policy of the legislation sufficient.

Another Baltimore businessman, who is also a civic and cultural leader, Mr. Gordon Becker, testified. I asked him if he feared Federal control. "Absolutely not," he responded.

I should also remind the Committee that these gentlemen were referring to the broader bill before us during the hearings, a bill that authorized a foundation to administer Federal grants to States and nonprofit private agencies.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. Ashbrook].

Mr. ASHBROOK. Mr. Chairman, I thank the gentleman from New Jersey for yielding to me. Perhaps it is not exactly fair to use one of his own articles to speak against a bill which he favors, but the gentleman from New Jersey did mention the fact that those of us who filed minority views probably could benefit from some of the items which would be forthcoming should a bill of this type implement the commission which is suggested.

I wish to point out to the Members of this body that there is one very specific area in which we have some indication of what the Federal Government will do should something like this become law. I am talking about the U.S. Cultural and Artistic Exchange. I find it most interesting that on September 19, 1963, under the heading of "Washington Letter, by Your Congressman, Representative Peter H. B. Frelinghuysen", there was the following statement, which to my way of thinking very well epitomizes what we might expect when this becomes a full-blown Federal aid to the arts, as the gentleman from Kentucky suggested. I quote directly from the newsletter of the gentleman from New Jersey [Mr. Frelinghuysen], which is incisive and I believe very much to the point. The letter talks of the Subcommittee on International Organizations and Movements of the Foreign Affairs Committee holding hearings, and then reads as follows:

> Representative Edna Kelly, a Democratic colleague, took this opportunity to criticize as unsuitable a performance given in Cologne, Germany, last December under sponsorship of our cultural exchange program. The work was an interpretation of the Greek tragedy "Phaedra" conceived by Miss Martha Graham, a leading American exponent of the modern dance. The story of "Phaedra," incidentally, involves a stepmother's overwhelming lust for her young stepson.
>
> Both Mrs. Kelly and I were present at this particular performance, in the company of our Ambassador to Germany. I expressed the view then, and during the hearing, that the performance was in poor taste, and that the Government should take great care in the kind of production it sends overseas as part of our cultural exchanges. The dancing involved a number of nearly nude young men who reclined with great frequency on various couches with young women, in a way which left little to the imagination. In my opinion, such unnecessarily suggestive dancing was hardly an appropriate program for our Government to subsidize.
>
> The following day several New York newspapers rushed to the defense of the ballet in general and Miss Graham in particular, with cries of "censorship." Quite frankly, I had not proposed censorship. However, I should hope that even dance critics would recognize the necessity of some kind of standards, and a reasonable selectivity in the choice of programs and artists to be sent overseas. The basic theme of this particular presentation was unquestionably salacious, and in my opinion was aimed primarily at sexual titillation. I can see no justification for spending American taxpayers' dollars for such a purpose.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I feel constrained to yield 2 additional minutes to the gentleman from Ohio in order to ask if he would yield to me?

Mr. ASHBROOK. I will be very glad to yield to the gentleman.

Mr. FRELINGHUYSEN. I might say I appreciate the lengthy quote from my newsletter, but hardly see the relevance of that quote to the proposal that a Federal National Arts Council be established. One of the areas of inquiry of such a council, I might say, would well be to look into the nature of programs which we subsidize and send overseas and, if they are inappropriate, we would not do it. So there would be less chance of our getting our taxpayers' money misused if we had a directly focused attack.

Mr. ASHBROOK. If the gentleman will let me reply to his questiton, I would say quite the opposite. I say to my good friend from New Jersey it is a very good indication of the type of so-called art that the Federal Government sponsors and the Government will be patronizing. The hearings are replete with suggestions of fashion design and everything from this type of art right on down which should be subsidized. Myself, I think it is a very good indication of what will come not from this particular bill but from the full-blown program that you know and I know is what they have in mind. There will not be any commission that will report back to us and which will not advocate expanded Federal programs and participation and subsidization of the arts. It is my suggestion that is the type of program which will be very much in vogue where the Federal Government is patronizing the arts.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Will the gentleman in the well of the House or the chairman of the committee, either one, put on a little demonstration of the type of dance to which they refer?

Mr. ASHBROOK. I would say to the gentleman from Ohio [Mr. Brown] that the props are not particularly effective and could not be brought into the well. Otherwise we might ask the gentleman from New Jersey to help us out.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. Thompson].

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. Brademas].

Mr. BRADEMAS. Mr. Chairman, I rise in support of this bill, H.R. 9586, the National Arts and Cultural Development Act of 1964.

The United States is the most powerful nation in the world today. More of our people enjoy more of the material things of an advanced civilization than in any other nation. We are the military and financial keystone in the defensive arch formed by the nations of the free world.

Our athletes, generally speaking, outdo the athletes of the rest of the world.

One could go on and on enumerating fields in which the United States and the American people are first class indeed, and lead the nations of the world. In many respects we are leaders as well in the field which is the subject of this legislation before us today, culture and the arts.

Yet we lag in other ways, significant ways, in the encouragement that we give to cultural achievement.

The bill before us declares, in the language of the report:

> The encouragement and support of the arts, though primarily a matter of local initiative, is also of concern to the Federal Government; that the Nation's prestige and general welfare will be advanced by recognition of the arts and their creative spirit as a valued and essential part of the Nation's resources; that it is in the best interest of the United States to maintain, develop, and disseminate the Nation's artistic and cultural resources; and that it is, therefore, desirable to establish a national council on the arts to provide such recognition and assistance as will encourage and promote the Nation's artistic and cultural progress.

This legislation certainly is not aimed at control by the Federal Government or by State or local government of cultural and artistic activities in the United States, and if it were, I would strongly oppose the bill.

What the legislation does do is to provide official recognition of the highly important role of cultural and artistic activities in the United States to provide an appropriate avenue for encouraging a widespread interest in the arts and advice to the President with respect to the activities of the Federal Government in the arts.

The National Council on the Arts, which would be established by passage of H.R. 9586, is patterned after a proposal made by President Eisenhower in 1955. The Council has been endorsed by Vice President Nixon, President Kennedy, and President Johnson.

Here are their statements:

> In the advancement of the various activities which will make our civilization endure and flourish, the Federal Government should do more to give official recognition to the importance of the arts and other cultural activities. I shall recommend the establishment of a Federal Advisory Commission on the Arts * * * to advise the Federal Government on ways to encourage artistic and cultural endeavor and appreciation. (President Dwight D. Eisenhower, state of the Union address, Jan. 6, 1955.)
>
> I wholeheartedly support the objective of stimulating the advancement of the performing arts and promoting increased public appreciation of their important role in our national life. I think that a good first step toward meeting that objective would be a proposal by this administration to create a Federal Advisory Council on the Arts. * * * The Council would explore all aspects of the question—including the proper function of the Federal Government in cultural development—and make recommendations as to the best methods by which we can encourage activity in the performance and appreciation of the arts as well as fostering participation in them. (Vice President Richard M. Nixon, article in Equity magazine, November 1960.)
>
> Our Nation has a rich and diverse cultural heritage. * * * If we are to be among the leaders of the world in every sense of the word, this sector of our national life cannot be neglected or treated with indifference. Yet, almost alone among the governments of the world, our Government has displayed little interest in fostering cultural development. * * * The proper contributions that should and can be made to the advancement of the arts by the Federal Government * * * deserve thorough and sympathetic consideration. A bill (President Kennedy here refers to a forerunner of H.R. 9586) already reported * * * would make this possible, and I urge approval of such a measure establishing a Federal Advisory Council on the Arts to undertake these studies. (President John F. Kennedy in a message to the Congress Feb. 6, 1962.) (On June 12, 1963, President Kennedy issued Executive Order No. 11112, establishing an Advisory Council on the Arts. His death preceded appointment of the Council members and implementation of the order.)

On April 16, 1964, President Johnson announced the appointment of Mr. Roger Stevens as his special adviser on the arts and indicated his desire to have an advisory board on the arts "to assist Mr. Stevens and to provide a forum for the representatives of all the arts in the United States."

I hope the House will today pass this significant legislation.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Chairman, the gentleman from New Jersey [Mr. THOMPSON] suggested that some of us who signed the minority report may not be able to distinguish between ballet and bellydancing. And I hasten to rush to the forefront of such group. I will have to confess that I have not been exposed to the wonders of bellydancing. But I do question whether it is really in the public interest to spend $150,000 of tax money to dissipate the ignorance over the difference between ballet and bellydancing.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman.

Mr. JOHANSEN. Mr. Chairman, I asked the gentleman to yield in order to direct a question to either one of the gentlemen from New Jersey.

Does the authorization of this commission involve the establishment of any bureaucracy or group of permanent, regular Federal employees?

Mr. THOMPSON of New Jersey. As the report will indicate to the gentleman, it authorizes the establishment of a director to be paid $21,000 a year. It is anticipated that he will have four employees.

On page 7 of the bill, section 9, it states that:

> The Chairman is authorized to appoint, subject to the civil service laws, such secretarial, clerical, and other staff assistance as is necessary.

I am told by the prospective Chairman that that will be approximately four persons.

Mr. JOHANSEN. Is that the prospect for the next 5 years?

Mr. THOMPSON of New Jersey. I would answer the question, "Yes."

Mr. JOHANSEN. That information has been supplied to the committee and by the committee to the House?

Mr. THOMPSON of New Jersey. It has.

Mr. JOHANSEN. The committee felt that Public Law 801 applied to this?

Mr. THOMPSON of New Jersey. It did.

Mr. JOHANSEN. Mr. Chairman, let me say that I compliment the gentleman on acknowledging that fact and point out that when the poverty bill, that is going to include thousands of employees, was brought up the alibi was used for not complying with Public Law 801 that it was a new agency. That argument was a phony and the gentleman has, by his action in complying with it, demonstrated that that argument was a phony.

Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, stripped of all its verbiage and attendant oratory, the pending proposal is designed to launch the Federal Government into an entirely new area of responsibility—that of the major fields of the visual and performing arts. While the pending proposal is described as a modest one, calling merely for the creation of a National Council on the Arts, the fact remains that it is merely the visible part of the iceberg—the much larger and unseen portion will gradually become apparent.

I make this statement because the very duties outlined for this proposed National Council make it inevitable that the Council, once created, will be the spokesman and the driving force behind the creation of any number of plans and programs using Federal funds and Federal personnel to, in the words of this proposal, "recommend ways to maintain and exercise the cultural resources of the United States," and "to foster artistic and cultural endeavors, both nationally and internationally." With the type of open-end mandate for the Council which this proposal contains, it will be assumed—and I think inevitably so—that Congress has thereby committed itself to far-reaching Federal programs in this area and is waiting only the recommendations of the Council as to the type, nature, and size of such programs.

It is one of the ironies of this proposal that its declaration of policy recites that "the growth and flourishing of the arts depend upon freedom, imagination, and individual initiative" and then its substantive provisions proclaim that the same matters are also a matter of concern to the Federal Government. In this respect the pending bill is reminiscent of many proposals which come before the House, reciting in their preambles the virtues of the free enterprise system, and in their bodies providing for all manner of Government intrusion and interference designed to thwart that very system.

Mr. Chairman, if this bill is approved, we are setting in motion, unwittingly perhaps, greater and greater Federal intervention, expenditures, and responsibilities in the area of the arts with all that that entails. I make this statement because it is a truism. The hand of Federal intervention rarely retreats; almost without exception, it moves inexorably onward, ever usurping, ever reaching. This has been the unquestioned history of countless "limited" Federal actions.

As one example, we need only look at the so-called emergency education program for federally-impacted school districts. That program once begun as a temporary measure on a limited basis as a result of World War II is with us yet—even unto the second generation at a present annual cost of more than $350 million, and the end is by no means in sight.

Let us not today embark on a similar program of "limited" purpose with all that that inevitably foretells. Let us at best defer this dubious project until, at the Federal level, the ledgers make it clear that black ink has not been permanently abolished as a working tool of Government accountants.

Mr. Chairman, at the appropriate time I will offer an amendment which will delay the effective date of this legislation until that happy day when the Federal Government has finally finished a fiscal year with the budget in balance.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. CAREY].

Mr. CAREY. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, this is a most modest and minimal approach in this bill which simply recognizes the development, expansion, and maturation of the arts and culture which is now such a great part of the American scene, despite all these mounting arguments against it by the opponents. It is much desired in communities which have voiced their support for this bill in most certain terms.

Mr. Chairman, as a Member of the Congress representing a district in a great cosmopolitan area of New York, I know how much support there is in that community for this legislation.

Mr. Chairman, as such a Representative I can point and call the attention of my colleagues to something of a phenomenon that has taken place in that area in the arts and culture which so well mark progress in urban areas but which has even spread widely to the byways of Brooklyn.

Mr. Chairman, I might say that there has been a migration of art and culture away from those villages once described as Greenwich and Grammercy and Washington Square into the Brooklyn Heights which I represent. We so welcome this great rush of talent, of art and culture into this area that I can voice support for this bill most wholeheartedly on behalf of those artists who are now making their home in the congressional district which it is my honor to represent.

Mr. Chairman, I say that the outstanding developments in the city and in my own Brooklyn area which are denominated as the Brooklyn Institute of Arts & Sciences and the Brooklyn Philharmonic herald a great new day in our city for the development of these most welcome innovations that will mean a great blessing and benefit to future generations.

Mr. Chairman, I urge the passage of this legislation so that those who are contributing greatly to the American scene, both young and old, can look to leadership in Washington and see that we have an interest in the Congress in the development of our culture in the United States.

Mr. Chairman, perhaps the most effective arguments in behalf of this legislation was included in the testimony of the great photographer, Edward Steichen. He told how his father reacted when the young Steichen announced his desire to be an artist. The elder Steichen hit the ceiling and said, "What? Starve in a garrett and wear a velvet jacket and a bow tie?"

Mr. Chairman, fortunately, our attitudes toward artistic endeavor have improved since that scene over 50 years ago. But there is still a residue of that attitude prevailing.

We are apt to feel that culture is enjoyed only by dilettantes and practiced by "odd balls." In reality culture is the effort to raise the sights of an entire people. It will tend to encourage development of and appreciation for the arts.

This is of vital importance at this time in our national life for art is a truly universal language.

Recent history has demonstrated that the interpretation of a Texas pianist can be as readily understood in Vienna as in Houston or Chicago or New York; the best way we in the House can encourage American artists to tell the American story in a medium that can be understood in every other land, without having to go through an official interpreter.

This bill, creating a National Council on the Arts, tells the Nation and the world that the Congress as well as the executive has an interest in all of the arts and not just the performing arts.

This bill is modest and clear; it serves a noble purpose; and its cost is minimal.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Chairman, one of the earlier speakers against this bill stated that because an original bill introduced by some Members of Congress had asked for something beyond a pure arts council, that is to say, an arts foundation measure which had the possibility of direct subsidy in it, that was a reason for voting against this measure.

Mr. Chairman, bills are introduced all the time on the subject of education, calling for massive grants and aid to primary education, including teachers' salaries. Those have been regularly rejected. That does not mean that Members, therefore, vote against the National Defense Education Act, or therefore against aid to higher education. That is a nonsequitur and has no application. If that were true we would do nothing in this body.

What is the role of the Federal Government? The reason I support this bill and have pressed for it along with the gentleman from New Jersey for 6 years, as I see it, the role of the Federal Government, is not to subsidize the arts. It has never been my thought that the Government should go that far.

The role of the Government is to create or to insure that such environmental conditions exist that the arts can flourish.

There are all kinds of assistance that can be given by the Government which has nothing to do with subsidies. Right now various departments of the Government are heavily involved in the arts from the Pentagon to the Department of Agriculture; the Library of Congress is deeply involved in the arts. When we pass tax legislation here we may each time help or hurt some cultural endeavor. I have been pressing the Committee on Ways and Means for a long time to get rid of the Federal admission tax on musical performances because it is crushing private local initiative in the theater. I have pressed for a change in our tax laws so that the benefits of the capital gains section can be given to creative people. Patent owners have it, but not the copyright owners.

There are any number of these areas that should be canvassed and looked at, and this should and can be done by a high-level Council of this kind, with nonmoney groups, private citizens, donating their time, skill, and effort. That is because the Federal Government recognizes the arts and its importance as a national activity.

I think this is a modest proposal, one that recognizes the Federal Government is already deeply involved in the business of artistic endeavor.

In many ways, perhaps, this existing Federal involvement follows the advice of George Washington to the first Congress in 1790 when he declared:

> There is nothing which can better deserve our patronage than the promotion of science and literature.

John Quincy Adams in his first message to Congress called for the founding of a national university and for the passage of laws to encourage the arts, sciences, and literature.

Does the Congress want to close down those very excellent musical performances that go on regularly in the Library of Congress, which we support? Do we shut off those violin quartets that the Congress listens to because we say this will be followed by belly dancing next week? Certainly not. We do not close down these existing enterprises that the Federal Government supports. In most cases it is an indirect involvement.

I submit that this proposal, long made, actively supported in many parts of the United States by cautious people who do not want Federal interference in their creative endeavors, is a modest one, a correct one, and that this bill should be enacted into law forthwith.

The background for this proposal should be reviewed and the matter put in full perspective.

The idea that the Federal Government should assume a role in the encouragement of the arts is not new; but in recent years, it has been a source of heated controversy and profound misunderstanding. Certainly, the growth and development of the fine arts in the United States are in the national interest. We are continuingly engaged in an effort to strengthen our national security. Surely it is also in the national well-being to enhance the cultural life of our civilization.

What is the basis from which I speak today? It is my great privilege to represent in Congress the area in New York City which is undoubtedly the leading hub of cultural activity in the United States. Within the bounds of the district are the Metropolitan Opera, Carnegie Hall, Broadway's Great White Way, the New York City Ballet, the Metropolitan Museum of Art, the Museum of Modern Art, the New York Public Library, the Seagram Building, the Guggenheim Museum, Greenwich Village, Yorkville, Gramercy Park, Rockefeller Center, the New York Coliseum, Central Park, Cooper Union, New York University, the United Nations, Union Square—the centers of book and music publishing, the Nation's leading daily press, advertising, all major national radio and TV networks, scores of galleries, bookshops, and coffeehouses. The list could be extended indefinitely.

There is mounting evidence of increased interest in the arts in America. I am impressed and heartened by such signposts as the growth of the quality paperback, by the increase in symphony orchestras, and by the increased patronage of our Nation's art galleries. It must be pointed out, however, that while these hopeful signs are indicative of increased cultural consumption, they do not indicate that the creative climate is as healthy as it should be.

I think it is fair to state that our national leaders expressed a more profound concern with the growth and development of the fine arts in the early years of the country than they do today.

For example, George Washington in his first annual address to the Congress, January 8, 1790, declared "that there is nothing which can better deserve our patronage than the promotion of science and literature." John Quincy Adams in his first message to Congress called for the founding of a national university and for the passage of laws for the encouragement of the arts, sciences, and literature.

In 1846, the Smithsonian Institution was created to take advantage of a bequest of James Smithson to the United States. The Institution has expanded over the years and now includes no less than 10 bureaus, 4 of which are directly concerned with the arts: the U.S. National Museum, the National Collection of Fine Arts, the Freer Gallery—which operates only partly on Federal funds—and the world-renowned National Gallery of Art.

In 1910, Congress created the Commission of Fine Arts as guardian for the L'Enfant plan for the development of the District of Columbia.

The Library of Congress operates a music division which not only collects material relating to music, but also conducts a performance program.

The General Services Administration is charged, among other things, with the responsibility of design and construction of all public and administrative buildings of the Federal Government. Its annual payments to architects, muralists, sculptors, and painters are considerable.

For many years, the Department of Agriculture has had a program of making and using motion pictures in its educational program.

The National Park Service has a program for the conservation of our national historic and architectural monuments.

The Office of Education has several specialists serving in areas related to the arts.

The Department of State has engaged in cultural enterprises for a number of years. Particularly since World War II under the foreign building program, the Department has brought in leading architects to design many of our new embassy buildings. Under our educational and cultural exchange program, representatives of our artistic community have traveled throughout the world, testifying to the vitality of our national life.

So it is clear that Federal participation in the arts is hardly a new development. It has gone on with a large degree of success for many years. The hostility that has been expressed to a Federal entry is justified only when one examines the problem of Government control.

Institutions of American culture are confronted with a number of difficulties, the greatest of which is financial instability. No one embarks on a career in the arts to secure a "comfortable" existence as long as there exists a scarcity of opportunities and a surplus of hopefuls seeking them.

As the House hearings on this subject held in 1961 pointed out, production costs have far outpaced reasonably available revenues, and great patrons of the arts who once gave of their personal fortunes to support cultural activities are disappearing.

How then can we as a nation help to restore these institutions to financial vitality and to give the individual artist an opportunity to do what long and arduous years of training have prepared him to do?

It seems clear that Federal subsidies to the arts are not necessarily the answer to artistic development in this country. Rather the role of an enlightened citizenry is of paramount importance. It is the responsibility of individuals in all parts of the country—the general public as well as the wealthy patrons and benefactors—to provide the principal basis of support for the artistic community. Private enterprise and the American labor movement too must continue to bear a heavy share of this responsibility. There has been heartening progress in this area in recent years. Let us hope that it continues.

Further, financial support is only part of the problem. The function of the Federal Government should be to create healthy environmental conditions so that the arts can grow and flourish. Too often, Government, through such restraints as inequitable tax treatment, actually hinders artistic expression and surrounds the practice of the arts with unnecessary restrictions.

A number of State and local governments are providing increased assistance to the arts, and it is to them that we can turn to observe some of the more hopeful developments in the relationship between Government and the arts. A number of cities and States already have established executive offices whose purposes it is to give due recognition and status to the arts. New York State, under Governor Rockefeller, has developed one of the best. Many more are developing programs for the systematic improvement of the arts. It is on the local level that these programs should begin, for it is there that community resources for private participation can be best utilized.

The New York State Council on the Arts has been a great success in fostering and encouraging the arts, and in the words of Governor Rockefeller is "providing a pattern for emulation both for the Federal Government and for many of our States."

As I have stated, the Federal Government has taken an active role in support of the arts for a number of years. There is nothing new about this. However, widespread confusion exists because many people mistakenly assume that all Federal assistance to the arts must necessarily involve direct subsidies. In my opinion, subsidies are not the first order of business. The Government's best role is to make certain that the environmental conditions exist which will permit the arts to grow, advance, and flourish on their own. Recognition of the importance of the arts as a national good is important.

The step that the Federal Government should take at this time in order to give this recognition and to coordinate the existing Federal involvement in the arts is to establish a Federal Advisory Council on the Arts.

Three administrations—Eisenhower, Kennedy, and Johnson—have called for the creation of such a Council. I have pressed for it ever since I have been in Congress. It has always been a bipartisan proposal and has received widespread support throughout the country.

As I have pointed out many times, the proposed Council would have no authority or funds to dole out subsidies. The cost for its first year of operation would be extremely modest.

The structure and membership of the Council is defined in the Thompson-Lindsay bill. There is a Chairman and 24 members. The Chairman is full time and paid. The others are not. Certainly, the Council should be composed of individuals with broad judgment and the finest credentials. The Council would have the power to study the state of cultural resources in the United States, to propose methods of increasing private initiative in the arts, to support increased cooperation among local, State, and Federal departments and agencies as to foster greater activity in the forms and practice of the arts.

The Arts Council bill is only one form of recognition. Again, what I am talking about is indirect assistance, not direct.

There are other steps that should be taken. The Federal Government should remove unnecessary restrictions upon the creation, practice, and appreciation of the arts in America. Federal tax relief is therefore essential. I have long urged that the Federal Government repeal its 10-percent-admissions tax on live dramatic performances. The resultant saving would eventually be passed on to the public in the form of lower ticket prices. Indeed it would have to be passed on as there has been a sharp dropoff in public attendance. It would result in the creation and production of more and better plays, musical performances, and symphony and opera for the benefit of our citizens. Just recently I testified before the Ways and Means Committee in support of my bill to amend the Internal Revenue Code, pointing out the distressed condition of the New York theater, center of the Nation's cultural life. Without tax relief, the New York theater may find itself in a very serious position as it opens its new season in the fall. I had with me two show business constituents, Mr. Hal Prince, producer of such Broadway shows as "Pajama Game," "Damn Yankees," "West Side Story," and so forth, and Mr. David Merrick, producer of "Hello Dolly," "Carnival," "Oliver," who joined me in testimony of the seriousness of the financial situation of the theater.

Unfortunately, the Treasury Department persists in lumping the dramatic arts together with other failing industries. To the Treasury, the dramatic and musical arts, shooting galleries, dog races, and flea circuses are all the same. The Treasury Department retains the hidebound view that what is right for an industrial organization is right for the theater industry. Naturally, this position is conveniently overlooked when the Government, in response to Soviet competition, uses are arts as instruments of foreign policy in our cultural exchange program. But the Treasury Department fails to recognize that without a healthy environment for the creation of new plays, new works of music, and the like, there would be little or nothing to export. If this is the view of Government, then it is placing a strong barrier in the way of a free and healthy creative climate.

Another change in the tax law which I have sought to bring about through legislation is more equitable tax treatment to authors of literary, musical, or artistic compositions in the event that they sell the rights to their works. Under present law, tax treatment for authors of literary, musical, or artistic compositions is discriminatory. Benefit of capital gains tax treatment is given to the author of a patent in order to stimulate inventive activity. We should have a comparable means of stimulating literary, musical, and artistic creation. The bill (H.R. 2519) would repeal the exclusions which presently prohibit copyrights and literary, musical, and artistic compositions from considerations as capital assets. The bill further provides that transfer of copyrights or composition rights in the hands of the creator shall be considered a sale or exchange of a capital asset. Under present law such sales are taxed as ordinary income. Persons who acquire an interest in such property from the creator prior to the substantial completion of the copyrighted work would also receive this treatment. In order to avoid difficulties which could arise in the operation of this legislation, two limitations have been written into the bill. A transfer would apply only with respect to work that has been substantially completed. Second, only one copyright or composition of a taxpayer year would be eligible for this treatment. This bill came very close to being reported out by the Ways and Means Committee in the last Congress. It was stopped by the administration, which lobbied long, diligently, and senselessly against it.

A third area which has merited remedial action is the problem of authors, composers, artists including performing artists who receive income in fluctuating amounts from year to year and whose earnings may be concentrated in a comparatively short period while the completion of the work itself may have taken several years. I introduced a bill (H.R. 2520) which would permit writers, musicians, and artists to spread the compensation that they receive from a work of art over the period in which they have worked on the project in computing the tax on this income.

I was pleased, therefore, when the tax bill in this Congress gave recognition to the problem and contained a limited "averaging cut" provision. The bill did not give the relief afforded under my bill. The bill enacted does not deal with unused deductions and exemptions, and with small income variations.

Another proposal which I believe has great merit, long sponsored by the gentleman from Missouri [Mr. Curtis], a veteran member of the Committee on Ways and Means, would provide a charitable contribution deduction of up to 30 percent for contributions by an individual to nonprofit museums, libraries, and other facilities in support of the arts. Under present Federal income tax law, a deduction for charitable contributions by an individual is limited to 20 percent of his adjusted income in all cases except gifts to churches, schools, and colleges, and certain types of hospitals and medical research organizations where the limitation is 30 percent. The proposed legislation would permit an added 10 percent to libraries and museums of art, history, or science. John D. Rockefeller III has suggested that opera, symphony orchestras, ballet, repertory drama, and community art centers also be included. All these suggestions which have been proposed to aid the arts either through tax and tariff relief—the Tariff Act could well be liberalized with respect to the importation of works of art—the construction of physical plants—buildings, concert halls, and the like—should receive the closest and most detailed study from an advisory council on the arts. We could all benefit from the increased understanding that would result.

In the course of these remarks, Mr. Speaker, I have pointed to much that is hopeful in the artistic taste and expression of this Nation. But for all that is full of promise, there is much that is shoddy and distressing. Bad city planning has crowded out reason and justice. New construction too often destroys the good with the bad. Roads encroach upon precious solitude. Entertainment often aims at the lowest common denominator. These may afford satisfaction for the moment but how much will endure? Artistic endeavor in America must not be judged by false or ersatz criteria. When we mistake the package for the product, the shadow for the substance, quantity for quality and consumption for creation, we do ourselves a disservice as a Nation.

The great ages in the life of a civilization have been those in which the arts have flourished. The Age of Pericles in democratic Athens was as noted for its philosophers, sculptors, and playwrights as for its generals and statesmen. We should not forget this. It was hardly an accident. The quality of a society is measured as much by its culture as its political and economic attainments.

This bill, then, Mr. Chairman, represents an important effort to recognize the arts in the United States as a "national good." It is designed to pull together what at present is a scattered Federal concern. It is designed to give status to the concern and care of our National Government. It is a bill that has great merit and should be supported.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. Kluczynski].

Mr. KLUCZYNSKI. I want to thank the gentleman for giving me this time to speak out of order. We did it again this afternoon. The "go-go" White Sox beat the CBS, once known as the "Damyankees." The Baltimore Orioles will be in Chicago over the weekend and we are all set for them.

I say to you again as I did some years ago, come to the great Midwest, to that great Windy City, Chicago, and see the finest world's series you have ever witnessed. You are all welcome. See you in Chicago early in October.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. KLUCZYNSKI. I yield.

Mr. MILLER of California. Does that go to an invitation to the Syrena?

Mr. KLUCZYNSKI. Oh, yes, you can come as Congressmen, and you can eat and drink all you want to, but bring the moola with you.

Baltimore lost, 4 to 3, and the White Sox beat the Yankees 5 to 0. And, hooray. See you in Chicago.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana [Mr. Bruce].

Mr. BRUCE. Mr. Chairman, I do not believe it would be really necessary for the gentleman who preceded me to speak out of order. After all, CBS now owns the Yankees. So that puts them in the arts to some degree.

Mr. Chairman, I do not think there is much question in the minds of many of us who have studied the bill, especially the original section 2, that this bill would be putting the camel's nose under the tent. It is time that the Federal Government right here in the District of Columbia, for all practical purposes a national shrine, subsidizes some entertainment, and it is good entertainment, and it is doing a good job. But I believe that the argument defeats itself. The very fact that they are doing it does not necessarily mean that the same thing would hold true of a national cultural program.

It should be apparent to all of us that what was proposed first was to have a $5 million subsidy program the first year and a $10 million program the second year and each year thereafter. Who is going to define what the arts are? It is a question of opinion. Everything from beatniks to Bach may come under art, and rightly so. There are some areas of what we refer to as the beatnik mood of expression which under modern terminology are termed "art." But after all, the taxpayers should have some right to say where their money goes and into what areas.

We hear talk of "the great society." But who is to define the meaning of the phrase? Where do we stop? Are we to assume that the role of the Federal Government is to guide and direct the activities of every human being in our society? Have we now come to the point such as existed in ancient Rome where it was necessary to furnish bread and circuses to divert the minds of the people from what was happening? I think it is important for us to leave to the people the right to make their own decisions and determine what will happen to their society. In that case it will flourish, but not under "big brother." Are we to follow the Keynesian theories and even go back to those of the Fabian society holding there has to be a common centralized government plan in order to achieve success? I will reluctantly say that those who hold such ideas have met with some degree of success, but when we get into the area of culture, of the arts, we get into the most dangerous field of all. We get into the emotions, the grassroots expression of the American people.

For the life of me I cannot understand how we hope to improve culture by regimenting it, and that is what is in store for us under this bill.

I do not believe the sponsor of the bill himself will give you a pledge that next year or the year after he will not come in and recommend the bill as it was originally written with huge subsidies to be doled out by the Federal Government.

I do not think they are going to give up for a minute. They never have—those who honestly believe in the Federal Government doing these things. Personally, I believe people are sick and tired of it and want the Government to get its nose out of what is properly their personal business.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut [Mr. Giaimo].

Mr. GIAIMO. Mr. Chairman, I rise in enthusiastic support of this legislation. It is legislation which has been needed for a long time—and too long delayed. I should also like to commend the Education and Labor Committee for their leadership in this field.

Mr. Chairman, for many years, we have sought ways to assist the performing arts in this country. We have never wished for a federally supported system, but we have worked to devise ways in which the Government might help the arts to help themselves. This bill is not a subsidy and is in no way designed to encourage Federal expenditures for the arts.

It recognizes that there are many problems facing the arts and their development and in the development of our American culture.

This bill recognizes that perhaps a better atmosphere and a more understanding atmosphere concerning the problems of the performing artists and the problems of those who are interested in the arts and culture should be created at the national level; and that this problem should be a national concern.

In 1961, a resolution which I sponsored initiated a study into conditions affecting the income and employment of the performing arts in America. The distinguished sponsor of the legislation now before us, our colleague from New Jersey, was the chairman of the subcommittee which conducted this study. As I told Congress at the time, it is indeed a paradox that during the years that our Nation has stood at the very peak of its power and influence, the arts in America and those connected with them have suffered increasing poverty. Most institutions devoted to the performing arts in our country are in dire financial straits; unemployment among the performing artists is high and the promise of financial reward as an inducement for people with ability to remain in the field is grossly inadequate.

It is my hope that the creation of this Council will give the needed official recognition and coordination to the importance of the arts. We have always prided ourselves on creating and establishing a climate in which the free expression of thought and the creation of beauty can flourish. Although we have every right to be proud of America's contribution to the arts, there is a definite need for the encouragement and recognition which I feel that the National Council on the Arts will establish.

Through the years, I have sponsored legislation similar to this bill. I have supported President Kennedy's and President Johnson's efforts to establish an advisory board and special adviser on the arts. I have done this because I believe that we must offer to the creative artist a forum for the exchange of ideas and the opportunity to present his problems.

The drive to complete the John F. Kennedy Memorial Center for the Performing Arts has established clearly America's desire to give the recognition which is its due to the importance and vitality of the performing arts in America.

I urge adoption of this bill, Mr. Chairman. A dynamic, free society such as ours needs and deserves dynamic, free expressions of creativity. But they must be encouraged and fostered. The creation of a National Council on the Arts is an important step toward giving the arts their proper place in our society.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. Halpern].

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. HALPERN. I gladly yield to my colleague.

Mr. REID of New York. Mr. Chairman, I rise in strong support of H.R. 9586 to provide for the establishment of a National Council on the Arts to assist in the growth and development of the arts in the United States.

While the encouragement and support of the arts is primarily a matter for private and local initiative—I deeply believe this bill will help create a climate where the arts can flourish on their own.

Excellence in the arts is clearly a matter of national pride and should be recognized and fostered at the Federal level.

I am sure the National Council, whose members are to be appointed by the President from among private citizens, will make creative recommendations as to how high standards and increased opportunities in the arts may be encouraged and promoted to the benefit of all Americans.

I hope this important bill will be strongly supported.

Mr. HALPERN. Mr. Chairman, I rise to express my wholehearted and enthusiastic support for the legislation before us. Like the able gentleman from New York [Mr. Lindsay], I have for these past 6 years advocated this type of legislation and have been working closely with the distinguished gentleman from New Jersey [Mr. Thompson] toward the fulfillment of this objective. I want to commend the gentleman from New Jersey for his superb leadership in this field.

Over the years it has been my feeling that our Government must register in substantive terms its concern for and encouragement of the arts. H.R. 9586, though not completely what I had hoped for during this session, is nevertheless an important vehicle through which this encouragement can be channeled.

In my estimation it is fallacious to view H.R. 9586 as a cloak whereby the Federal Government may step toward harmful control over the arts. We know that art, which is above all self-expression and which cannot flourish under any regimentation, is an important national resource. I view with horror the subjection of art to any outside criteria. For the artist, whether he be musician, painter, dancer, or author, the criteria must be properly his own.

Whenever Government seeks to guide or direct the course of self-expression, art is practically dead. The artist must be left free from outside interference. For it is precisely the absence of restriction which in the end means the difference between art and naked fraud.

Therefore, if we believe that art is important for America, then we must insure that in giving it public recognition and encouragement, we do not trespass upon its inherent demands. H.R. 9586 remains true to the essential conditions whereby art is allowed to constitute its own pure force in American life.

The National Council on the Arts provided for in the legislation will, in the first place, recognize art as a private preserve of infinite importance to the Nation. Its establishment rightfully acknowledges that America's cultural resources are of prime significance to the well-being of all citizens.

The council will meet at least twice a year and will have the authority to recommend methods whereby private initiative in the arts can be promoted. Studies can be initiated and the advice and counsel of qualified persons is welcomed.

Mr. Chairman, I disagree with those who say that this council will automatically lead to an undiscriminating subsidization of everything from belly dancing to ballet. We have heard these unjustified fears voiced on many occasions. The facts simply do not support this contention.

The hearings recorded support from every segment of American enterprise. Business and financial leaders, educators, spokesmen for local and State governments, labor union leaders, and artists testified in favor of H.R. 9586. The report of the Committee on Education and Labor reads as follows:

> The hearings generated no expressions of hesitance or alarm that the legislation, even in the modest subrentions which have been eliminated from the legislation approved by your committee, might tend toward State control or undue influence in the arts.

President Eisenhower has officially endorsed legislation of this type. Similar backing was registered by the late President Kennedy and President Johnson has lent his support.

The bill contains specific reference to Federal intervention. Section 2 was amended to include a statement affirming our belief that the growth of the arts in this country depends upon individual initiative. Section 3 states clearly that in administering H.R. 9586, no department or employee of the Federal Government shall exercise any direction, supervision, or control over any group or State agency involved in the arts.

In my view these stipulations are more than adequate to insure that the arts remain an exclusive province of private initiative. The council shall have no power to intervene in existing productions and projects.

I will say quite frankly that I have long supported a more substantive and positive approach. There is no segment of endeavor in American life which more conclusively deserves the energetic support of all the people.

H.R. 9586, because it recognizes the importance of the Nation's cultural heritage and its artistic development, warrants our unreserved and total support. I trust the House will record itself overwhelmingly in favor of this bill today.

Mr. O'HARA of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. FARBSTEIN].

Mr. FARBSTEIN. Mr. Chairman, as I see it, art is the flourishing of individual talent and effort, and I believe we should encourage this.

Art is also entertainment.

I can envision additional functions which a National Council on the Arts could perform.

Complaint has been heard that the image of this Nation is one of cowboys and Indians, of gangsters and violence. A Council, in my opinion, could change this image.

It is claimed that violence in much of our entertainment has led to juvenile delinquency to some degree. In my opinion a Council could also help to change this.

Perhaps a Council can guide and gently prod those responsible for our entertainment to the understanding that there are other forms of art which are gentle yet enjoyable, peaceable yet thrilling.

For myself, I do not cringe from the thought of a subsidized theater.

We can concern ourselves about subsidization when that question arises. In the meantime, let us pass this bill to create a National Council on the Arts.

We do not live by bread alone. I do not believe we should make obeisance solely to Mammon—to the fatted calf.

I believe we should awaken to the fact that this is a very necessary project, and this is a bill which should be passed.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. TAFT].

Mr. TAFT. Mr. Chairman, I favor the purposes of this bill and the provisions of the bill as they presently stand. There is indeed a very deep national interest in the entire area of the arts which has long been a part of American life.

I believe we can agree that we have had problems in the field of the arts, if we look to our own communities. I am particularly proud of the heritage of my own city of Cincinnati, of the city of Cleveland, and of some other areas of Ohio, where we have had a flourishing cultural life for many years. I have seen, however, under the tax laws of today, the increased costs and the other problems arising in the field of the arts, that there is a cause for concern; and there is reason, in my opinion, for national concern.

This does not mean subsidization. It does not mean more controls. Let us confine ourselves to the provisions of the measure which is before us today.

All this means is that the Federal Government should, and our national leaders should, take a position of encouraging and inspiring those who do perform in the arts and add to the lives of all our citizens by doing so.

I believe this is a sound measure which deserves the support of the House. I do not see the bugaboo in it which many see. I believe it merits the support of all of us.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, I ask unanimous consent to speak out of order and to revise and extend his remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Chairman, I requested this time to advise the House that I have just come from the State Department, where the Communications Satellite Corporation has initialed for the U.S. Government the agreement which sets up a worldwide telecommunications system via satellite. Eleven countries initialed the agreement today. There are about seven more who will initial it within the next few months.

This is the advent of putting the information or the knowledge we have gained in space to practical purposes. During early hearings in this field a man skilled and knowledgeable in the field of communications said that when a communications system was established it would represent a facet of our economy in the neighborhood of some $10 billion a year.

This is merely one phase of putting outer space to work. It marks a step in this direction.

I am also happy to tell you that yesterday we orbited the communication satellite No. 3. At about 4 o'clock this afternoon this was given its final kick into its final orbit. Everything is working well. One of the most interesting parts of it is in order to get this communications satellite into orbit it is necessary to communicate with it. So they communicated with it via Syncom 2, which is in the same orbit and which will be the backup for bringing to this country for the first time live television of the Olympic games which will take place in Japan this year.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield the balance of my time to the gentleman from Michigan [Mr. GRIFFIN].

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. GRIFFIN], for 4 minutes.

Mr. GRIFFIN. Mr. Chairman, when this legislation was first presented to the subcommittee chaired by the gentleman from New Jersey [Mr. THOMPSON] on which I serve, I very much opposed it so long as it included title II which provided for direct subsidies and grants to the arts. We struck that title from the bill in the subcommittee and, in the form that the bill is now presented, I can support it. I support it on the limited basis that it is designed to give official recognition to the arts and to have a study made by prominent Americans of the proper role of the Federal Government in fostering and promoting the arts, but I do not support it if it is intended to be a first step toward a gigantic subsidy program.

I should like to say parenthetically that I represent a district which includes the National Music Camp at Interlochen, Mich., headed by the great Dr. Joseph Matty. It would be surprising indeed if I did not look with sympathy and interest on any legislation that affected the arts. However, I would follow that statement up with the reminder that such great institutions as the National Music Camp, although they may be eager for national recognition and the recognition of the great role that they play, have been developed without subsidies, without Federal grants, and without Government aid.

As the gentleman from New York [Mr. LINDSAY] has said and as others on both sides of the aisle have said and as the legislative history here should make very clear, there are many ways in which the Federal Government can support, encourage, and foster the arts without direct subsidies. We have tax laws and we have copyright laws, and I would be one of those who would say both President Kennedy and President Johnson in the conduct of the White House have done much to recognize and encourage the arts.

The Library of Congress and the symphonies that are conducted here on the Capitol steps and in many other ways are examples of how the Federal Government can subsidize the arts. Still it should be marked well in the legislative history here today that the committee and this Congress in its action today rejected the direct subsidy approach in not reporting a bill which contained title II. There should be taken no encouragement by the passage of this bill that the House would approve any recommendation by the study committee to launch a program of direct Federal subsidies or grants to the arts.

Mr. Chairman, I yield back the balance of my time.

Mr. WIDNALL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WIDNALL. Mr. Chairman, I support H.R. 9586, a bill which would establish a National Council on the Arts within the Executive Office of the President. I have supported legislation for this purpose ever since similar legislation was first introduced at the suggestion of President Eisenhower in his 1955 message on the state of the Union. At that time it was thought that such a National Arts Council would function best within the Department of Health, Education, and Welfare. However, I am in full accord with the idea that the Council should be placed within the Executive Office of the President and acquire the additional prestige, range of function, and national view which its location there would make possible.

I am also gratified to observe that President Johnson has decided that such a National Council on the Arts should not be appointed by direct Executive order unless it is first established by Congress, as this legislation will do.

Support of the arts at Federal level can succeed only in a constructive, bipartisan atmosphere. It was just such an atmosphere that led successfully last week to the passage of the first appropriation in congressional history for services of the National Symphony, the resident orchestra of the Nation's Capital. As I have frequently observed in remarks made on this floor, other great cities support their resident symphony orchestras with funds and it has been regrettable that before now this has not happened in the great city of Washington, D.C. In speaking to you on October 10, 1963, I commented at some length on the need for this kind of support here in the Capital of the United States. At that time I asked for a $100,000 annual appropriation for the National Symphony. Although our final action was for a smaller amount—$25,000 in fiscal 1965—it is a significant appropriation. It is a start on an important cultural program for those who live in Metropolitan Washington and for those who visit our Nation's Capital.

The joy of the National Symphony Orchestra in receiving this recognition from the city and the Federal Government that it so faithfully has served is reflected in a letter I received this morning from the manager of the National Symphony Orchestra which I include at this point in my remarks:

NATIONAL SYMPHONY ORCHESTRA,
Washington, D.C., August 17, 1964.

Hon. WILLIAM B. WIDNALL,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. WIDNALL: Both Houses of Congress have passed an appropriation bill for the District of Columbia which includes a small but highly significant item consisting of a grant of $25,000 for public service concerts by the National Symphony, the resident orchestra of the Nation's Capital. This is the first time that Congress has authorized a grant through the Washington city government earmarked exclusively for the National Symphony and it may be forcefully said that the origin of this important support of the arts at municipal level was your noteworthy speech in the House on October 10, 1963.

At that time you clearly pointed out that the greatest new support that has come to major orchestras in recent years has come from grants of public funds from State, county, and city governments, and you called for Congress to give the National Symphony the same sort of recognition that its sister orchestras receive in their own great cities. Although you called for an annual grant of $100,000, we are grateful for the $25,000 that Congress eventually voted because it represents the adoption in the Nation's Capital of the important principle of municipal support for the arts and because it means that we can add 1 more week of employment for our musicians while serving large numbers of residents of, and visitors to, Washington with symphony music.

The position you have taken on this legislation and the constructive effort that you have devoted to it is characteristic of your conviction that man does not live by bread alone and that the prudent development by Government of a wholesome atmosphere for the arts is important to the development of the United States.

Sincerely yours,
M. ROBERT ROGERS,
Manager.

All of this relates to the bill before us, which is a first step leading to the creation of a more wholesome atmosphere at the Federal level for the development of the arts. The reason for the Federal Government appropriating funds for the National Symphony Orchestra is clear. This step was necessary because the House and Senate Committees on the District of Columbia, and the House and Senate Appropriation Subcommittees on the District of Columbia, act as the municipal government of the District of Columbia. This is a unique situation which obtains with no other city in our country.

I urge you to vote for H.R. 9586. After passage of this bill we must look to the President to make thoughtful appointments under it which will make it possible to fulfill the intent of Congress that the arts in the United States be developed for all the people of the United States. It would be unfortunate if the first National Arts Council became the organ of a clique or the exponent of a narrow point of view. With prudent appointments of qualified citizens who have both knowledge of the arts and education, and a broad point of view toward their fellow man, I believe that a worthy program can be developed.

Certainly the time has come to try it.

This bill, H.R. 9586, is strongly supported by the National Committee for the Arts in America. The executive secretary, Mr. Jack Golodner, wrote me recently in part as follows:

> The need for Government to recognize the unique problems of the arts and the importance of dealing with them in an informed manner has been acknowledged by our three most recent Presidents, by all congressional committees that have investigated the situation, and by men and women who have made major contributions to the culture of our Nation. They all recognize that the council envisioned by H.R. 9586 is a necessary mechanism through which Congress and the Executive could receive constructive counsel in matters which influence the health and vitality of America's arts. The National Committee for the Arts in America respectfully requests that you give their recommendation every consideration.

I include as part of my remarks the names of some of the distinguished citizens who have advocated creation of a National Council on the Arts such as would be established by H.R. 9586.

Music: Rose Bampton, Samuel Barber, Mimi Benzell, John Brownlee, Hy Faine, Arthur Fiedler, Ira Gershwin, Boris Goldovsky, Vladimir Golschmann, Howard Hanson, Sol Hurok, Thor Johnson, Milton Katims, Herman Kenin, Mrs. Serge Koussevitsky, George London, Howard Mitchell, Dimitri Mitropoulos, Charles Munch, Patrice Munsel, Lily Pons, Fritz Reiner, Regina Resnik, Robert L. Shaw, Eleanor Steber, Rise Stevens, Leopold Stokowski, Gladys Swarthout, George Szell, Blanche Thebom, Alfred Wallenstein, and Frederick Fall.

Stage, screen, radio, television: Ralph Bellamy, Theodore Bikel, James Cagney, Warren Caro, Lucia Chase, Paddy Chayefsky, Samuel Chotzinoff, Charles Collingwood, Katherine Cornell, Agnes DeMille, Angus Duncan, Katherine Dunham, Andre Eglevsky, Clifton Fadiman, Paul Ford, Dave Garroway, Lillian Gish, Martha Graham, T. Edward Hambleton, Helen Hayes, Ralph Hetzel, Celeste Holm, John Houseman, Kim Hunter, Burt Lancaster, Howard Lindsay, Joshua Logan, Clare Boothe Luce, Gertrude Macy, Joseph L. Mankiewicz, Raymond Massey, Paul Muni, Lloyd Nolan, Frederick O'Neal, Vincent Price, Harold Prince, Edward G. Robinson, Richard Rodgers, Ruth St. Denis, Dore Schary, Dr. Frank Stanton, Rod Sterling, Robert Whitehead, Peggy Wood, Blanche Yurka, and Darryl Zanuck.

Literature, publishing, art criticism: Conrad Aiken, Hon. William Benton, Van Wyck Brooks, Pearl Buck, Richard Coe, Marc Connelly, James T. Farrell, John Hersey, Marianne Craig Moore, Reinhold Niebuhr, Elmer Rice, Aline Saarinen, Harry Scherman, Gilbert Seldes, Upton Sinclair, Rex Stout, James Thurber, Lionel Trilling, Louis Untermeyer, and Mark Van Doren.

Painting, sculpture, graphic art: Al Capp, Milton Caniff, Rene d'Harnoncourt, Lloyd Goodrich, Al Hirschfield, Stewart Klonis, Leon Kroll, Jaques Lipchitz, and Roy Neuberger.

Architecture and design: Pietro Belluschi, Henry Dreyfuss, Walter Gropius, William E. Hartmann, Philip Johnson, Vincent G. Kling, Lawrence Linnard, R. D. Tillson, Mies van der Rohe, Ralph Walker, Robert Law Weed, Harry M. Weese, and William W. Wurster.

Distinguished citizens: Mrs. Norman Chandler, Hon. Arthur J. Goldberg, A. Conger Goodyear, August Heckscher, Mrs. J. R. Killian, Mrs. Albert D. Lasker, Henry R. Luce, Stanley Marcus, Mrs. Robbins Milbank, Newton N. Minow, Newbold Morris, John D. Rockefeller III, Roger L. Stevens, Adlai Stevenson, Edward M. M. Warburg, and Cornelius Vanderbilt Whitney.

Mr. MORSE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MORSE. Mr. Chairman, I am happy to rise in support of this legislation. A nation is not judged by military might, industrial ingenuity, and natural resources alone. Its own citizens, other nations, and future historians judge it by the quality of its culture, and the importance it attaches to creative expression.

The U.S. Government from its earliest history has evidenced its support for the creative arts. The U.S. Constitution itself authorized Congress to provide protection for authors and inventors. George Washington commented in 1790 that "there is nothing which can better deserve our patronage than the promotion of science and literature."

I doubt that most of us realize the extent to which various departments and agencies are involved in cultural and artistic endeavors of one sort or another. There appears to be no coordination of any sort between these agencies and no central evidence of our continuing determination to strengthen the position of the arts in our society.

In this respect the Government has lagged behind the Nation. In recent years, we have witnessed a tremendous growth in public interest and participation in the arts. Paperback book sales have soared, symphony orchestras have enjoyed greater patronage, theater groups have sprung up all across the Nation, more and more art galleries have opened in towns and cities throughout the country.

These trends indicate a heartening upsurge in support for the arts. The modest bill before us today will do much to encourage these developments and provide a source of central coordination and direction in the National Council on the Arts.

In large measure, this bill is the product of the hard work and dedication of the gentleman from New York, Congressman John V. Lindsay. Congressman Lindsay, who represents the hub of our Nation's theaters, museums, and publishing houses, has labored mightily to bring this measure to the floor of the House. For more than 4 years he has mobilized important support for this legislation from leaders of all the arts and waged an unceasing campaign to impress all of us here in Congress with the importance of this public declaration of approval and encouragement.

I am proud to support the gentleman from New York, Congressman Lindsay, in this effort and I urge my colleagues to join us in voting for this measure.

Mr. ELLIOTT. Mr. Chairman, I support H.R. 9586, which is a bill to establish a National Council to encourage the growth of the arts in our country.

To my knowledge, this bill has been before the Congress for 15 years. When I was chairman of the Subcommittee on Special Education of the Committee on Education and Labor of the U.S. House of Representatives, I held very complete and thorough hearings on the subject matter of this bill. At that time we failed to pass a bill.

Through the years this proposed legislation has been kept alive through the foresight, persistence, diligence, and dedication of the gentleman from New Jersey [Mr. Thompson]. I believe the bill will pass the House this afternoon, and I want to congratulate Mr. Thompson upon having achieved a great victory which brings our country to officially give recognition to the importance of the arts in the development of our culture. As time unfolds greater and greater recognition will be given to the gentleman from New Jersey [Mr. Thompson's] outstanding contribution in this field.

Mr. MACDONALD. Mr. Chairman, I rise to speak briefly in support of this bill. It is a piece of legislation which shows, I think, the growth and maturity of our Nation. With the passage of this legislation, the United States will take a further step along the path which saw us, first, a fledgling Nation groping for our bearings, next, a young, vigorous people, flexing new-found muscles in a display of industrial strength and now, finally, a nation in its prime, combining raw physical strength and abundant energy with an active interest in developing our national intellect.

This bill, Mr. Chairman, is a fine embodiment of our concern with refining our national temperament. All great nations have experienced such a development, Mr. Chairman, the list is long, beginning with the nations of the Tigris-Euphrates Valley thousands of years before Christ and continuing down through ancient Greece and Rome to France, England, Holland, and Spain at the time of our own beginnings as a colony. It is fitting that the United States should join this illustrious list. It is not a matter of striving for something to which we are by nature alien. This is a matter of claiming our natural heritage.

H.R. 9586 seems to me admirably suited to the task at hand. I agree with those of my colleagues who feel that interest in the arts is a personal matter, one which ultimately rests with the individual as to the extent to which he desires to participate. I therefore support this bill as one which provides, I think, the proper approach to the field—providing incentive and broad guidelines and leaving more detailed activity to the States and communities.

In conclusion, I would like to compliment my colleague, the gentleman from New Jersey [Mr. Thompson] for his long and tireless efforts in behalf of this fine legislation. And I urge my colleagues to join with me, Mr. Chairman, in voting now to claim the heritage that belongs to us.

Mr. FOGARTY. Mr. Chairman, I would like to express sincere congratulations to my distinguished colleague, the gentleman from New Jersey, Congressman Thompson, for his notable dedication and perseverance in seeing H.R. 9586, the National Arts and Cultural Development Act of 1964, through to the floor of the House.

On this occasion, I again strongly urge passage of this legislation. It is of the utmost importance to the vitality of the arts and humanities in the United States and is a very big step in the right direction. The National Council on the Arts will be a much-needed coordinating and integrating device to serve the States in their rapidly developing assumption of responsibility toward public institutions of the arts such as theater groups, symphony orchestras and museums. It will provide all of our citizens with the benefit of some of the most experienced and discerning people in the country working toward the clarification of national needs and the definition of practical goals in the arts and humanities.

This is truly farsighted legislation and the benefits, in terms of stimulation, inspiration, and the dissemination of knowledge, will reach every corner of the land.

The enormous and nationwide increase of popular interest in the arts as reflected in recent statistics of attendance at theaters, concert halls, and museums presents an unmistakable mandate for action. Our country has more than 1,200 symphony orchestras. Eleven million adults play a musical instrument. There are now 26 State arts councils and commissions. Over 3,000 U.S. museums recently reported that their attendance during the past 10 years more than doubled and the total well exceeded the national population. In this decade, we are establishing a new museum every 3 days. Yet despite this massive interest and participation, training and public programs are suffering because of inadequate support. Consequently, I have been convinced for some time—as you know—that Federal support should be provided to States and professional groups working in the arts and education at all levels. Accordingly, I shall reintroduce in the next session of Congress a bill, presently designated H.R. 11045 and introduced on April 28 of this year. It calls for the creation of a National Arts Foundation and a National Institute of the Arts and Humanities.

My bill provides the necessary implementation of the basic aims of the National Council of the Arts by the creation of a National Arts Foundation and a National Institute of Arts and Humanities. These two programs are designed to meet the needs of the arts and humanities as they function both within American educational institutions and through our public organizations and institutions of the arts.

The Foundation, an independent agency in the executive branch of the Government, would make grants-in-aid to State arts councils or commissions and public institutions and nonprofit organizations such as museums and music, dance, and theater groups.

The Institute, operating within the U.S. Office of Education, would deal with the arts in education at all levels. Its grants-in-aid to States would be to State departments of education, to colleges and universities, and to professional organizations of the arts in education. Museums, which act at all levels, would apply to either the Foundation or the Institute, whichever would be appropriate to an individual project.

The advice, guidance and research of the Council will be invaluable, as will be the implied sturdy recognition of the value of our creative artists and performers. But recognition without vigorous implementation is a relatively shallow accomplishment. All the evidence indicates that one result of the labors of the Council will be the documentation and delineation of a crisis in the arts and education which imperatively calls upon our Federal Government for leadership and support.

My bill provides the required mechanisms. I believe them to be logical and workable. The two titles I have briefly described, together with the National Council, which I trust you will establish today, supplement and complement each other and respond to national needs in a manner consistent with the support provided in other areas, such as science and technology.

I should like to emphasize, however, that I consider passage of the present bill of central importance and believe it represents a noteworthy historical event by initiating a new, mature, and valid relationship between the Federal Government and the arts.

In closing I would like to call the attention of the Members of the House to the earnest efforts of my good friend and fellow Rhode Islander, the Honorable Senator CLAIBORNE PELL, whose untiring labors in the other body have contributed in such a large measure to the enactment of this legislation.

Mr. McDOWELL. Mr. Chairman, I shall support H.R. 9586, the bill to provide for the establishment of a National Council on the Arts to assist in the growth and development of the arts in the United States. This bill is similar to bills which I have introduced for the same purpose in previous Congresses.

The report accompanying this bill states that:

> Successive Congresses, more recently with the official endorsements of former Presidents Eisenhower and Kennedy, have failed to achieve concurrence by both the House and the Senate on various proposals akin to the bill herein reported. President Johnson, as the hearing record indicates, approves the principle of H.R. 9586.
>
> The hearing record, including support from the business and financial community, educators, representatives of Federal and State Governments, senior citizens, talented artists, organized labor, and many others, documents a widespread and growing nationwide approval for this bill.

President Eisenhower, in recommending legislation to the Congress to establish a Federal Advisory Council on the Arts—legislation, it should be noted with very similar purposes to those of H.R. 9586—said in his 1955 state of the Union message that:

> In the advancement of the various activities which will make our civilization endure and flourish, the Federal Government should do more to give official recognition to the importance of the arts and other cultural activities.

It is significant to note that H.R. 9586 is supported by a majority of the Republican members of the House Education and Labor Committee, as well as by all of the Democratic members. The minority members opposing this bill, despite its Republican antecedents, state that:

> It is true that the pending bill provides only for the creation of a National Arts Council; a broader bill, providing for the outlay of millions of dollars annually in the form of Federal grants and subsidies, not having been approved by the committee.

President Kennedy, in a Message to the Congress, February 6, 1962, said:

> Our Nation has a rich and diverse cultural heritage. If we are to be among the leaders of the world in every sense of the word, this sector of our national life cannot be neglected or treated with indifference. Yet, almost alone among the governments of the world, our Government has displayed little interest in fostering cultural development. The proper contributions that should and can be made to the advancement of the arts by the Federal Government deserve thorough and sympathetic consideration. A bill already reported would make this possible, and I urge approval of such a measure establishing a Federal Advisory Council on the Arts to undertake these studies.

During the American Revolution John Adams wrote his wife from Paris that:

> It is not indeed the fine arts which our country requires; the useful, the mechanic arts are those which we have occasion for in a young country. I must study politics and war, that my sons may have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy, geography, natural history and naval architecture, navigation, commerce and agriculture, in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry and porcelain.

In an editorial on "The New Role for Culture," Life magazine noted the concern that has been expressed because scientists and humanists "are no longer speaking to each other. The bond of a common language has been broken," it said, and this threatens our culture.

The editorial then declared that:

> Certainly top scientific centers like MIT and Cal Tech are insisting on rigorous training in the humanities to offset "the barbarization of specialization." But that is not the only kind of barbarization that threatens us, according to other critics. They fear the general decline of traditional culture standards through a process they call homogenization.

And the editorial concluded that:

> In building our civilization the arts of "painting, poetry, music, architecture," etc., have a more essential role than ever in our past. For the arts by their nature are equipped to impose form and meaning on the increasing complexities of human experience, including those of science. Moreover, though art is no substitute for religion, art is the only other human activity which speaks directly to the emotions.
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> * * * * *
>
> Thus great art, no less than politics and commerce, is a source of national strength and a world-unifier. Without it our lives are barren and our civilization is incomplete. All heirs of John Adams should turn to the task with new heart. Let a thousand cities appoint beaux arts commissions like that of Paris to preserve our landmarks and improve the general look of the place. Let millions more individuals pursue and refine their love of beauty both as creators and appreciators.

Just as the arts, including literature and music, are held to be essential in the education of American scientists by such leading institutions as the Massachusetts Institute of Technology and Caltech, as the Life magazine editorial I have quoted notes, so are they considered essential to the education of American military officers at West Point, Annapolis, and the Air Force Academy. The choral groups which are so much a part of the undergraduate life at these military institutions have their counterparts in the choruses at a number of U.S. military posts and bases here and abroad. More could be done with the advice and support of the National Council on the Arts which H.R. 9586 would establish. The President's Committee on Welfare and Morale in the Armed Services declared in 1951 that the armed services' morale activities, including the music, art, and other cultural activities, are essential. they include, as of now, the headquarters and regimental bands, libraries, arts, and crafts, hobby shops, drama, and other music, and recreational activities. These activities do not take second place to even internationally acclaimed activities as the Red Army Chorus and dance groups which have toured the leading concert halls of Europe and the United States. Rooted deep in our history, these morale activities are a source of national pride. They undergird the morale of our fighting men in war and in peace, contributing importantly to their inventiveness and physical and moral stamina, and their ability to survive under the most difficult conditions. Further, they provide an important bridge to the peoples of all those nations where we maintain military bases, and, since the arts represents man's universal feelings and ideals, they transcend language barriers. Since they so clearly contribute so much to the morale of our Armed Forces they should be improved and strengthened. They should not be neglected while clubs, golf courses, and other facilities for officers are established. Yet a recent report by the Comptroller General of the United States strongly criticized the Armed Forces for building and giving such facilities high priorities.

Speaking at the groundbreaking ceremonies for the Robert Frost Memorial Library at Amherst College, President Kennedy expressed some of his hopes for America. The speech was memorable, and adequately responded, I think, to the plea Robert Frost made to the Senate Committee on Labor and Public Welfare early in 1960 where he declared that:

> Everybody comes down here to get declared equal to somebody else and I want poets declared equal to—what shall I say? Scientists? No, big business.

President Kennedy said at Amherst College nearly 3 years later that:

> I look forward to a great future for America, a future in which our country will match its military strength with our moral strength, its wealth with our wisdom, its power with our purpose. I look forward to an America which will not be afraid of grace and beauty, which will protect the beauty of our natural environment, which will preserve the great old American houses and squares and parks of our national past, and which will build handsome and balanced cities for our future. I look forward to an America which will steadily raise the standards of artistic accomplishment and which will steadily enlarge cultural opportunities for all of our citizens. And I look forward to an America which commands respect throughout the world not only for its strength but for its civilization as well.

President Kennedy spoke often to young artists, and students majoring in the arts, whom he invited to the White House, about his interest in establishing American music and art prizes similar to national art prizes in Europe where they are an important part of the cultural life of all leading nations. I have provided for such prizes in some of the art bills I have sponsored, and I would hope that the establishment of such prizes in all major art fields would be one of the first proposals which the National Council on the Arts would direct its attention to, and advise the President and the Congress as to how they could best be established. I would hope they would be developed in cooperation with our colleges and universities, and such national institutions as the John F. Kennedy Center for the Performing Arts, and the Library of Congress.

Mr. O'HARA of Illinois. Mr. Chairman, I commend my good friend and colleague, the gentleman from New Jersey [Mr. THOMPSON], for the long, hard, dedicated fight he has made for that which is close to his heart, the artistic and cultural tones that give breath and depth to the life of nations and individuals. I have been privileged to stand with him in this good fight in many Congresses, and I am happy that at long last we seem close to the shores of accomplishment.

Mr. FRASER. Mr. Chairman, I support the National Council on the Arts, bill H.R. 9586, sponsored by the gentleman from New Jersey [Mr. THOMPSON].

Art is not the product of the artist alone. We too often forget that a play, a folk dance, or an orchestra is more than a spontaneous esthetic expression. Art is usually a combination of the concrete opportunities offered to the artist and his creative abilities.

This realistic approach to the arts was well stated by one of the witnesses at the hearings on the National Arts and Cultural Development Act of 1963:

> We have to put Government into this arts business simply because it is not a business. It is not now—and never can be—a commercial venture capable of sustaining itself any more than our public school systems, our libraries, and our museums.

Man's greatest cultural epochs occurred when the artist received eager support from his government. The royalties and honors awarded by the Greek civic competitions encouraged Sophocles, Aristophanes, and Euripedes. The great Italian and French artists of the Renaissance as well as the orchestras and composers of Austria and Germany were all supported by governments who successfully invested in their culture.

Although there was a time in the United States when private sponsors and philanthropic foundations could support art, that time is clearly past. In the recent past, Government support of artistic endeavors has had some convincing precedents brought out by Senator JAVITS, cosponsor of the Senate version of this bill:

> We are not adventuring in a completely new field, but one based on the experience of the nations of the world which have a general similarity to our own. One, we have our own State experience of which New York is a leading example. Second, we have a national experience. The Canadian Arts Council, now in its seventh year, covers a wide range of activities including the arts and education and has been a demonstrated success.

Thus the point is abundantly clear that we Congressmen also must not expect the American musician, painter, or dancer to strive only for box office appeal. He should have the opportunity to pursue his form of art to its pure expression.

Since there is such a need for Government participation in the encouragement of art, Representative THOMPSON's bill establishing the National Council on the Arts is the minimal action for this important sector of our life.

As you know, the National Council of the Arts will be a group of 24 authorities on the arts dedicated to studying and advising the President and the Nation on ways to encourage the flourishing of the arts.

This National Council will not be a planning agency regimenting all artists into restrictive programs. Instead, flexibility will be preserved by the Council's highly qualified advisers and by the bill's provision protecting the arts from Federal intervention.

If there is a drawback to this bill, it is because it fails to go far enough. The late President Kennedy implied that a National Arts Foundation was an urgent necessity:

> If art is to nourish the roots of our culture, society must set the artist free to follow his vision wherever it takes him.

My bill of June 24, 1963, as well as other similar bills, proposed such a National Arts Foundation. This Foundation would use the well-qualified National Council on the Arts as its leadership. Senator JAVITS stated in the hearings the critical direction of such a Foundation:

> The design or the thrust of this bill is to reach areas not being reached and to give that marginal help without which an activity might not proceed at all.

The Foundation would have provided the necessities for setting the artist free, not for building new theaters, or further financing the already institutionalized orchestras or theaters. This present bill (H.R. 9586) establishing a National Council on the Arts is an extremely important step toward such a constructive investment in our own culture.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Arts and Cultural Development Act of 1964".

Mr. ASHBROOK. Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. GROSS. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I am surprised at my friend from Michigan that he can endorse this bill and still think it is not going to do what all other bills of this nature have done in the past, just grow and grow and grow into a bigger bureaucracy.

A little while ago the gentleman from Michigan [Mr. JOHANSEN], raised the question of how many employees there were to be under the provisions of this bill. I got the impression that it was stated in the report that there would be only three or four.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, briefly.

Mr. THOMPSON of New Jersey. I meant no such implication.

Mr. GROSS. Then how many employees is it proposed to add to the Federal payroll by this bill?

Mr. THOMPSON of New Jersey. There will be five.

Mr. GROSS. Your report says nothing about the number of five.

Mr. THOMPSON of New Jersey. That is right.

Mr. GROSS. That is what I thought. We have to accept the gentleman's word. If you mean to say that you are creating a small new bureaucracy here today of only five persons, why not say so in the report? You are going to have a chairman at $21,000 a year. I do not know who he is going to be; evidently the gentleman from New Jersey knows. I guess there will be plenty of candidates for the job. President Johnson says he could not find anyone in his Cabinet qualified for the Office of Vice President of the United States. I do not know for what reasons. This may mean a number of unemployed Cabinet officers.

The Attorney General of the United States is on the way, we are told, to becoming a candidate for the U.S. Senate in the State of New York, not his home State of Massachusetts. If he does not make the grade there he might be unemployed and a candidate for this chairmanship. They say he has been interested in the arts. I do not know whether this budding new cultural bureaucracy is for the purpose of taking care of people who are about to become unemployed or what it is for. I reiterate, there is no employment limitation in this bill. Section 9 carries this language:

> The Chairman is authorized to appoint, subject to the civil service laws, such secretarial, clerical, and other staff assistance as is necessary to enable the Chairman and the Council, and its special committees, to carry out their functions and duties, and to fix the compensation of persons so appointed in accordance with the Classification Act of 1949.

It is wide open. Then the Chairman can go further—and listen to this:

> The Chairman is authorized to procure in accordance with such policies as the Council shall from time to time prescribe, without regard to the civil service laws and the classification laws, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Act of August 2, 1946, but at rates for individuals not in excess of $75 a day.

And, then you tell me that this is to be just a cozy little organization of four or five people. He can go out under the terms of subsection (b) and hire consultants at the rate of $75 a day.

Mr. Chairman, this is the biggest foot in the door you ever saw toward the creation of a brandnew bureaucracy in Government.

Now, why not at least wait until we can get the budget balanced? Why not wait until we can get our financial house in order before embarking on this boondoggle?

If there is another committee in Congress that can produce bills with less validity than the House Labor and Education Committee, I do not know which one it is. I think the Foreign Affairs Committee would probably be second in line, and I am on that committee.

Mr. Chairman, I think this bill takes the greaser. It has nothing to recommend it except to spend thousands of dollars a year out of an already busted U.S. Treasury. And the money is to be spent in the name of sweet culture. I wonder how this Nation managed to exist through all the years without a Federal bureau of culture.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield to me?

Mr. GROSS. I yield briefly to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I hesitate to ask the gentleman a question inasmuch as I am a member of both the Committee on Education and Labor and also the Committee on Foreign Affairs, but I would like to say to the gentleman that I do have an amendment at the Clerk's desk with respect to a ceiling on the authorization. I do think we should set a dollar figure which will automatically reduce the possibility of the budding bureaucracy to which the gentleman from Iowa referred. The ceiling would be $150,000.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GROSS. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The Clerk will report the motion.

The Clerk read as follows:

> Mr. GROSS moves that the Committee now rise and report the bill to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Iowa is recognized for 5 minutes on his preferential motion.

Mr. GROSS. Mr. Chairman, I shall not take the 5 minutes. I sometimes offer a preferential motion in order to get a little time. I do not care particularly for the additional time today. I have offered the motion in the hope that the Members of the House will strike the enacting clause and kill off this monstrosity here and now and without any more fuss and feathers.

Mr. Chairman, someone said something awhile ago about the dictates of good sense. I say to you that the dictates of good commonsense indicate that you should adopt this motion.

The CHAIRMAN. The question is on the motion of the gentleman from Iowa [Mr. GROSS].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 33, noes 69.

So the preferential motion was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DECLARATION OF POLICY

SEC. 2. The Congress hereby finds and declares—

(1) that the encouragement and support of the arts, while primarily a matter for private and local initiative, is also an appropriate matter of concern to the Federal Government;

(2) that the Nation's prestige and general welfare will be promoted by providing recognition that the arts and the creative spirit which motivates them and which they personify are a valued and essential part of the Nation's resources;

(3) that it is in the best interests of the United States to maintain, develop, and disseminate the Nation's artistic and cultural resources; and

(4) that, in order to implement these findings, it is desirable to establish a National Council on the Arts to provide such recognition and assistance as will encourage and promote the Nation's artistic and cultural progress.

ASSURANCE AGAINST FEDERAL INTERFERENCE IN THE ARTS

SEC. 3. In the administration of this Act no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control, over the policy or program determination of any group, State, or State agency involved in the arts.

ESTABLISHMENT OF THE COUNCIL

SEC. 4. There is hereby established in the Executive Office of the President a National Council on the Arts (hereinafter referred to as the "Council").

MEMBERSHIP OF THE COUNCIL

SEC. 5. (a) The Council shall be composed of the Chairman provided for in section 6 of this Act, and twenty-four members appointed by the President. Such members shall be selected (1) from among private citizens of the United States who are widely recognized for their broad knowledge of or experience in, or for their profound interest in the arts; (2) so as to include practicing artists, civic cultural leaders, members of the museum profession, and others who are professionally engaged in the arts; and (3) so as collectively to provide an appropriate distribution of membership among the major art fields including music, drama, dance, folk art, literature, architecture and allied arts, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, radio and television. The President is requested in the making of such appointments to give consideration to such recommendations as may from time to time be submitted to him by leading national organizations in these fields.

(b) Each member of the Council shall hold office for a term of six years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of the members first taking office shall expire, as designated by the President at the time of appointment, eight at the end of the second year, eight at the end of the fourth year, and eight at the end of the sixth year after the date of enactment of this Act. No member of the Council shall be eligible for reappointment during the two-year period following the expiration of his term.

(c) Any vacancy in the Council shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

CHAIRMAN OF THE COUNCIL

SEC. 6. (a) The President shall appoint, by and with the advice and consent of the Senate, a Chairman of the Council (hereinafter referred to as the "Chairman") from among private citizens of the United States who are widely recognized for their knowledge of or experience in, or for their profound interest in, the arts. In addition, he shall advise the President with respect to the activities of the Federal Government in the arts. If a vacancy occurs in the office of the Chairman the President shall fill the vacancy in the same manner in which the original appointment was made.

(b) The Chairman shall serve at the pleasure of the President, but not in excess of eight consecutive years, and shall not be eligible for appointment during the four-year period following the expiration of his last period of service as Chairman. The provisions of this subsection shall apply to any person appointed to fill a vacancy in the office of the Chairman.

(c) The Chairman shall receive compensation at the rate of $21,000 per annum, and shall be reimbursed for travel and subsistence expenses incurred by him while away from his home or regular place of business in accordance with the Travel Expense Act of 1949, as amended (5 U.S.C. 836–842), and the Standardized Government Travel Regulations.

DUTIES AND RESPONSIBILITIES OF THE COUNCIL

SEC. 7. (a) The Council shall meet at the call of the Chairman but not less often than twice during each calendar year. Thirteen members of the Council shall constitute a quorum.

(b) The Council shall (1) recommend ways to maintain and increase the cultural resources of the United States, (2) propose methods to encourage private initiative in the arts, (3) advise and consult with local, State, and Federal departments and agencies, on methods by which to coordinate existing resources and facilities, and to foster artistic and cultural endeavors and the use of the arts, both nationally and internationally, in the best interests of our country, and (4) conduct studies and make recommendations with a view to formulating methods or ways by which creative activity and high standards and increased opportunities in the arts may be encouraged and promoted in the best interests of the Nation's artistic and cultural progress, and a greater appreciation and enjoyment of the arts by our citizens can be encouraged and developed.

(c) In selecting subjects to be studied pursuant to subsection (b) of this section, the Council (1) shall consider requests submitted to it by the heads of departments and agencies of the Federal Government, and (2) may obtain the advice of any interested and qualified persons and organizations. In making its studies pursuant to such subsection, the Council may obtain assistance from such committees and panels as may be appointed by the Chairman from among those persons professionally qualified in the fields of art with which such studies are concerned, who are recommended to him by the Council.

(d) Not later than ninety days after the end of each fiscal year, the Council shall submit to the President and the Congress an annual report setting forth its activities pursuant to subsection (b) of this section. In addition, the Council shall submit to the President reports and recommendations with respect to its activities at such time or times as the President shall request or the Council deems appropriate. The President shall transmit such recommendations as he may deem fit, together with his comments thereon, to the Congress.

COMPENSATION OF MEMBERS OF THE COUNCIL

SEC. 8. Members of the Council, and persons appointed to assist the Council in making its studies, while attending meetings of the Council, or while engaged in duties related to such meetings, or while engaged in the conduct of studies authorized by this title, shall receive compensation at a rate to be fixed by the Chairman, but not exceeding $75 per diem and shall be paid travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

STAFF OF THE COUNCIL

SEC. 9 (a) The Chairman is authorized to appoint, subject to the civil service laws, such secretarial, clerical, and other staff assistance as is necessary to enable the Chairman and the Council, and its special committees, to carry out their functions and duties, and to fix the compensation of persons so appointed in accordance with the Classification Act of 1949.

(b) The Chairman is authorized to procure in accordance with such policies as the Council shall from time to time prescribe, without regard to the civil service laws and the classification laws, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), but at rates for individuals not in excess of $75 a day.

EXPENSES OF THE COUNCIL

SEC. 10. There are hereby authorized to be appropriated to the Council such sums as may be necessary to carry out the purposes of this Act.

GENERAL PROVISIONS

SEC. 11. (a) This Act shall not be deemed to invalidate any provision in any act of Congress or Executive order vesting authority in the Commission of Fine Arts or any other statutory Federal advisory body.

(b) Nothing contained in this Act shall be construed to authorized the Council to undertake any duty or responsibility which is the duty or responsibility of any other Federal advisory body established by law as of the date of enactment of this Act.

Mr. ASHBROOK (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RYAN of New York. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I commend the gentleman from New Jersey [Mr. THOMPSON] for his diligence and persistence through many years in sponsoring legislation to gain official recognition for the arts. The pending bills will establish a National Council on the Arts. I regret the omission of a National Arts Foundation as originally proposed by the gentleman from New Jersey [Mr. THOMPSON]. I introduced similar legislation—H.R. 11209.

We are at a time in the history of our Nation when new interest in and enthusiasm for the arts is on the uprise, when new cultural institutions are increasing, and when more people have the time and desire to enjoy the arts.

It is a time when there is a growing awareness of the importance of the arts to our own well-being and to our image abroad.

It is a time for providing a rich cultural heritage for our future generations.

It is a time when our scientific and technological development, our remarkable advances in health and medicine, and our gains in material prosperity will mean little if a cultural poverty should exist depriving us of the splendor, power, and strength of the arts.

Cultural opportunity cannot be fulfilled without official recognition and encouragement. Financial instability plagues our cultural institutions and artists. Our cultural resources are often neglected because of insufficient interest, guidance, and support.

In an address last October honoring the life of Robert Frost, President John F. Kennedy said:

> And the nation which disdains the mission of art invites the fate of Robert Frost's hired man, the fate of having nothing to look backward to with pride and nothing to look forward to with hope.

The mission of art must never be disdained in America. The Federal Government has a responsibility to encourage the arts to flourish. Congress has an immediate opportunity to support the mission of art by enacting H.R. 9586, a modest yet vital step necessary for the development of the arts in the United States. Providing for the establishment in the Executive Office of the President a National Council on the Arts, the bill would make statutory the President's Advisory Council on the Arts created by Executive order over a year ago.

Composed of the finest representatives of our culture, the Council would survey the state of the arts in America and make recommendations for encouraging their development. The Council is specifically directed to first, recommend ways to maintain and increase the cultural resources of the United States; second, propose methods to encourage private initiative in the arts; third, advise and consult with local, State, and Federal agencies on methods for coordinating existing resources and facilities, and for fostering artistic and cultural endeavors and use of the arts, both nationally and internationally, in the best interest of this country; and fourth, make studies and recommendations as to how creative activity, high standards, and increased opportunities in the arts may be encouraged and promoted and how greater appreciation and enjoyment of the arts by the citizenry may be encouraged and developed.

There are today many areas of special concern which demand immediate attention from a council such as is proposed by H.R. 3586. One important area is consideration of ways in which artistic talent might be cultivated and recognized.

I hope the Council will study the possibilities of the establishment of a National Arts Foundation which, in addition to the Advisory Council, is included in the Senate-passed National Arts and Cultural Development Act, S. 2379, and in H.R. 11209, the bill which I introduced this year. Such a foundation would provide much needed financial assistance for State, local, and nonprofit privately supported cultural activities. Underscoring the fact that private support for the arts is not adequate to meet the needs of the arts, Francis Keppel, testified that the American Association of Fund-Raising Counsel reported that some $500 million is being sought for various cultural undertakings, yet in 1962 private support amounted to less than $180 million.

Another current proposal which could well receive study is the establishment of a National Humanities Foundation to parallel the National Science Foundation.

The National Advisory Council on the Arts would meet the recommendations made by August Heckscher in his report:

> The Arts and the National Government—

In which he proposed a Council—

> to continue and fill out the work of study and gathering information begun with the limited resources of the special consultant; to review Federal policies and make recommendations for improving design; to recommend long-range programs; and to assure the active participation of the artistic community in the Government effort.

Mr. Chairman, it is time that our Government sought to promote the growth and flourishing of the arts in America.

To those who would object to the proposed legislation on the grounds that it would exert undue influence or Government control upon the arts, I would like to point out that no such fears were expressed by distinguished representatives of the arts who testified at the hearings. Government support for the arts in the many countries of the free world where it exists has not led to government control.

To those who would object to the proposed legislation on the grounds that support of the arts is not a legitimate concern of the Federal Government, I would remind them that the arts have been a concern of this Government since its founding as was intended by the Founding Fathers who in Jefferson's words saw "care of human life and happiness" as "the first and only legitimate object of good government."

Are not the arts, just as libraries and schools, necessary for the improvement of our way of life and for the development of the great society which President Johnson seeks for America?

Mr. Chairman, I urge passage of this legislation. Future generations will applaud our action in enriching their heritage.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments: Page 1, after line 7, insert the following:

"(1) that the growth and flourishing of the arts depend upon freedom, imagination, and individual initiative;".

Page 1, line 8, strike out "(1)" and insert "(2)".

Page 2, line 3, strike out "(2)" and insert "(3)".

Page 2, line 8, strike out "(3)" and insert "(4)".

Page 2, line 11, strike out "(4)" and insert "(5)".

Page 3, line 7, after "Act," insert the following: "the Secretary of the Smithsonian Institution, ex officio,".

Page 3, beginning in line 16, strike out "including" and all that follows down through "television" in line 20.

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. FRELINGHUYSEN

Mr. FRELINGHUYSEN. Mr. Chairman, I offer an amendment on page 8, line 13.

The Clerk read as follows:

Amendment offered by Mr. Frelinghuysen: On page 8, line 13, after the word "necessary" insert the following: "not to exceed $150,000".

Mr. FRELINGHUYSEN. Mr. Chairman, this amendment is self-explanatory. It is to establish a ceiling under which appropriations may be made available, but not to exceed $150,000.

During debate there was a discussion about the proposed budget of this new Council. It is my feeling $150,000 should be ample for the activities contemplated by this Council.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Iowa.

Mr. GROSS. Can the gentleman tell me how this Nation has managed to get along as long as it has without this bureaucracy?

Mr. FRELINGHUYSEN. Mr. Chairman, I might say to the gentleman from Iowa that I do not think that is the issue. I suppose if no such Council were established, the Nation would continue to exist. That is not to say, however, that the establishment of this Council will not be beneficial. I feel it will be helpful.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Chairman, I have discussed this matter with Members on this side, and we agree to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. Frelinghuysen].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ASHBROOK

Mr. ASHBROOK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Ashbrook: Page 6, line 13, strike out the period at the end of the sentence, insert a semicolon, and insert the following: "*Provided however*, That the Council shall not consider, study, or recommend activities or programs which involve, directly or indirectly, the use of Federal funds for grants or loans."

Mr. ASHBROOK. Mr. Chairman everyone knows the intention of this amendment. The gentleman from Michigan [Mr. Griffin], the gentleman from New York [Mr. Lindsay], and others have stated that they favor recognition of the arts; that they do not want any subsidy. I think many of us have a premonition that the Commission will report back they need so much money.

I urge adoption of the amendment to make sure we are having recognition here, and not a subsidy program.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio [Mr. Ashbrook].

Mr. Chairman, the action taken by the subcommittee and by the full committee, as related by the gentleman from Michigan [Mr. Griffin], was precise. There is no intention. However, I must oppose this amendment on the ground that there is absolutely no use of establishing a council and then telling it what it can or cannot study, especially on the negative side.

I urge defeat of the amendment offered by the gentleman from Ohio.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio.

Mr. Chairman, it does seem to me this would be an unwise limitation. We all know that the Federal Government is involved in a variety of ways in spending the taxpayers' money. This would prohibit the Council from taking a look at the wisdom of those expenditures, the cultural expenses of an institute.

I think it would be very unwise if we are going to establish a council if we should arbitrarily tie its hands with respect to the kind of recognition it might make.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. Ashbrook].

The question was taken; and on a division (demanded by Mr. Ashbrook) there were—ayes 42, noes 65.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Findley: Page 8, after line 24, add a new section to read as follows:

"Sec. 12. The authorization for an appropriation contained in this Act shall not be effective until such time as the receipts of the Government for the preceding fiscal year have exceeded the expenditures of the Government for such year, as determined by the Director of the Bureau of the Budget."

Mr. FINDLEY. Mr. Chairman, it is quite apparent that the spending under this authorization will be approximately $150,000. We should not jump to the conclusion that we have this kind of money in the Treasury ready to be spent. We are already heavily in debt. There is no balanced budget in prospect, so what we are talking about is authorization to spend more money of the taxpayers rather than spending it out of our own pockets.

The amendment would establish what I consider to be a proper priority; in other words, the authorization would not take effect until we have completed 1 fiscal year, at least, with a balanced budget. To me, our proper first line of defense is a sound fiscal system, and we are headed for trouble. If this would provide an incentive for some of our Federal employees to try to get our budget in line and balanced, then I think the authorization for this purpose would be well worth $150,000.

I urge the adoption of this amendment.

Mr. O'HARA of Michigan. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment is one that has been offered to a number of bills that have been before the House, and always offered by the gentleman from Illinois [Mr. Findley]. On each of these occasions that I can recall the amendments have been rejected for reasons that ought to be apparent to the Members of the House, involving the proper functions of our Government and the proper separation of the budgeting and appropriating functions from our legislative functions. I simply ask that the same treatment be accorded this amendment when offered to this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. Findley].

The question was taken; and on a division (demanded by Mr. Findley) there were—ayes 36, noes 60.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. Natcher, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 9586) to provide for the establishment of a National Council on the Arts to assist in the growth and development of the arts in the United States, pursuant to House Resolution 839, he reported the bill back to the House with sundry amendments adopted in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 213, nays 135, not voting 82, as follows:

[Roll No. 245]

YEAS—213

Abbitt
Addabbo
Andrews, Ala.
Ashley
Aspinall
Avery
Barrett
Barry
Beckworth
Blatnik
Boggs
Boland
Bolling
Brademas
Bromwell
Brooks
Broomfield
Brown, Calif.
Broyhill, Va.
Burke
Burkhalter
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cahill
Cameron
Carey
Chelf
Clark
Cleveland
Cohelan
Conte
Corbett
Corman
Curtin
Daniels
Davis, Ga.
Denton
Diggs
Donohue
Downing
Dulski
Dwyer
Edmondson
Edwards
Elliott
Ellsworth
Everett
Evins
Farbstein
Fascell
Feighan
Flood
Fogarty
Ford
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Gary
Giaimo
Gilbert
Glenn
Gonzalez
Goodell
Grabowski
Grant
Gray
Green, Oreg.
Green, Pa.
Griffin
Grover
Hagen, Calif.
Halpern
Hanna
Hansen
Harding
Hardy
Hawkins
Hechler
Herlong
Holifield
Horton
Ichord
Jennings
Joelson
Johnson, Calif.
Johnson, Pa.
Karsten
Karth
Kastenmeier
Keogh
King, Calif.
Kirwan
Kluczynski
Kunkel
Laird
Libonati
Lindsay
Lloyd
Long, La.
Long, Md.
McDade
McDowell
McFall
McIntire
McMillan
Macdonald
MacGregor
Mahon
Mailliard
Marsh
Mathias
Matsunaga
Matthews
Michel
Miller, Calif.
Minish
Monagan
Montoya
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Powell
Price
Pucinski
Quie
Randall
Reid, N.Y.
Reifel
Rhodes, Pa.
Riehlman
Rivers, Alaska
Rivers, S.C.
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Roush
Roybal
Rumsfeld
Ryan, N.Y.
St Germain
St. Onge
Saylor
Schneebeli
Schweiker
Schwengel
Scott
Selden
Senner
Sibal
Sickles
Sikes
Sisk
Slack
Smith, Iowa
Stafford
Staggers
Stratton
Stubblefield
Sullivan
Taft
Thomas
Thompson, N.J.
Thompson, Tex.
Trimble
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vinson
Wallhauser
Weaver
White
Wickersham
Widnall
Wilson, Charles H.
Wright
Young
Zablocki

NAYS—135

Abele
Abernethy
Anderson
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Baker
Baldwin
Bates
Battin
Becker
Beermann
Belcher
Bell
Bennett, Fla.
Berry
Betts
Bolton, Oliver P.
Bonner
Bow
Bray
Brock
Brotzman
Brown, Ohio
Broyhill, N.C.
Bruce
Burleson
Casey
Cederberg
Chamberlain
Chenoweth
Clancy
Clausen, Don H.
Clawson, Del
Collier
Cooley
Cramer
Cunningham
Dague
Derounian
Derwinski
Devine
Dole
Dorn
Dowdy
Duncan
Findley
Foreman
Fountain
Gathings
Goodling
Gross
Gubser
Gurney
Hagan, Ga.
Haley
Halleck
Harris
Harrison
Harsha
Harvey, Ind.
Henderson
Horan
Hosmer
Huddleston
Hutchinson
Jarman
Jensen
Johansen
Jonas
Kilgore
King, N.Y.
Knox
Kornegay
Kyl
Langen
Latta
Lennon
Lipscomb
McCulloch
McLoskey
Martin, Nebr.
Milliken
Mills
Minshall
Nelsen
Norblad
O'Konski
Passman
Pillion
Poage
Poff
Pool
Quillen
Reid, Ill.
Rhodes, Ariz.
Rich
Roberts, Tex.
Robison
Rogers, Tex.
Roudebush
Schadeberg
Schenck
Secrest
Short
Shriver
Siler
Skubitz
Smith, Va.
Snyder
Springer
Stephens
Stinson
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tuten
Utt
Waggonner
Watson
Watts
Weltner
Westland
Wharton
Whitener
Williams
Wilson, Bob
Wilson, Ind.
Winstead
Wydler
Wyman

NOT VOTING—82

Adair
Albert
Alger
Auchincloss
Ayres
Baring
Bass
Bolton, Frances P.
Buckley
Burton, Utah
Celler
Colmer
Curtis
Daddario
Davis, Tenn.
Dawson
Delaney
Dent
Dingell
Fallon
Finnegan
Fino
Fisher
Flynt
Forrester
Garmatz
Gibbons
Gill
Griffiths
Hall
Harvey, Mich.
Hays
Healey
Hébert
Hoeven
Hoffman
Holland
Hull
Johnson, Wis
Jones, Ala.
Jones, Mo.
Kee
Keith
Kelly
Kilburn
Landrum
Lankford
Leggett
Lesinski
McClory
Madden
Martin, Calif.
Martin, Mass.
May
Meader
Miller, N.Y.
Moore
Moss
Nedzi
Nix
Pilcher
Pirnie
Purcell
Rains
Reuss
Roberts, Ala.
Rostenkowski
Ryan, Mich.
St. George
Sheppard
Shipley
Smith, Calif.
Staebler
Steed
Thompson, La.
Toll
Tollefson
Van Pelt
Whalley
Whitten
Willis
Younger

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mrs. Frances P. Bolton for, with Mr. Hoffman against.

Mr. Pirnie for, with Mr. Adair against.

Mr. Auchincloss for, with Mr. Hoeven against.

Mr. Albert for, with Mr. Hall against.

Mr. Delaney for, with Mr. Smith of California against.

Mr. Dent for, with Mr. Younger against.

Mr. Garmatz for, with Mr. Moore against.

Mr. Fallon for, with Mr. Martin of California against.

Mr. Shipley for, with Mrs. St. George against.

Mr. Madden for, with Mr. Alger against.

Mr. Toll for, with Mr. Kilburn against.

Mr. Daddario for, with Mr. McClory against.

Mrs. Kelly for, with Mr. Colmer against.

Mr. Celler for, with Mr. Curtis against.

Mr. Rostenkowski for, with Mr. Whitten against.

Until further notice:

Mr. Lesinski with Mr. Whalley.

Mr. Leggett with Mr. Tollefson.

Mr. Dingell with Mr. Meader.

Mr. Thompson of Louisiana with Mr. Keith.

Mr. Baring with Mr. Ayres.

Mr. Jones of Alabama with Mr. Martin of Massachusetts.

Mr. Moss with Mrs. May.

Mr. Johnson with Mr. Van Pelt.

Mr. Roberts of Alabama with Mr. Fino.

Mr. Nix with Mr. Burton of Utah.

Mr. Nedzi with Mr. Harvey of Michigan.

Mr. Ryan of Michigan with Mrs. Kee.

Mr. Hays with Mr. Healey.

Mr. Hébert with Mr. Buckley.

Mr. Finnegan with Mr. Dawson.

Mr. Flynt with Mr. Lankford.

Mr. Holland with Mr. Fisher.

Mrs. Griffiths with Mr. Gibbons.

Mr. Steed with Mr. Bass.

Mr. Willis with Mr. Rains.

Mr. Hull with Mr. Sheppard.

Mr. Forrester with Mr. Staebler.

Mr. Landrum with Mr. Davis of Tennessee.

Mr. Gill with Mr. Purcell.

Mr. Pilcher with Mr. Reuss.

Mr. HARRIS changed his vote from "yea" to "nay."

Mr. DOWNING changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2379) to provide for the establishment of a National Council on the Arts and a National Arts Foundation to assist in the growth and development of the arts in the United States, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. GROSS. Mr. Speaker, I object.

DEDUCTIBILITY OF ACCRUED VACATION PAY

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report to accompany the bill (H.R. 10467) to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. GROSS. Reserving the right to object, Mr. Speaker, what is this?

Mr. MILLS. I am asking to have until midnight tonight to file a conference report on the bill H.R. 10467.

Mr. GROSS. What is the nature of the bill, if I may ask the gentleman?

Mr. MILLS. It is a bill reported by the Committee on Ways and Means. It passed the House unanimously. It deals with the question of vacation pay and the deduction of it for tax purposes.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

INSTALLMENT OBLIGATIONS TRANSMITTED AT DEATH

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H.R. 4844) relating to the release of liability under bonds filed under section 44(d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

TAXATION OF LIFE INSURANCE COMPANIES

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report to accompany the bill (H.R. 5739) to amend the Internal Revenue Code of 1954 to correct certain inequities with respect to the taxation of life insurance companies.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. GROSS. Reserving the right to object, Mr. Speaker, will the gentleman state the nature of this bill?

Mr. MILLS. This is another bill reported by the Committee on Ways and Means that passed the House by unanimous consent, to which have been added some amendments by the Senate, on which we resolved the differences between the House and Senate in conference. It is a bill involving an income tax matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent to revise and extend my remarks made in Committee of the Whole on the bill H.R. 9586 and to include extraneous matter, and I further ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on that bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight tonight to file a conference report.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. McMILLAN submitted a conference report and statement on the bill (H.R. 12196) to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to increase salaries, to adjust pay alinement, and for other purposes.

EXTENSION OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 865, Rept. No. 1836) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12298) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of the bill H.R. 12298, it shall be in order in the House to take from the Speaker's table the bill S. 2687 and to move to strike out all after the enacting clause of said Senate bill and to insert in lieu thereof the provisions contained in H.R. 12298 as passed by the House.

COMMITTEE ON RULES

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PROVIDING TECHNICAL AGRICULTURAL ASSISTANCE TO GUAM

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 850 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3869) to establish Federal agricultural services to Guam, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage, without intervening motion except one motion to recommit. After passage of H.R. 3869, the Committee on Agriculture shall be discharged from further consideration of the bill S. 692 and it shall then be in order to consider the Senate bill in the House.

Mr. SISK. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BROWN] 30 minutes, and pending that, Mr. Speaker, yield myself such time as I may consume.

Mr. Speaker, House Resolution 850 provides for consideration of H.R. 3869, a bill to establish Federal agricultural services to Guam, and for other purposes. The resolution provides an open rule with 1 hour of general debate. After passage of H.R. 3869, the Committee on Agriculture shall be discharged from further consideration of S. 692 and it shall then be in order to consider the Senate bill in the House.

Prior to World War II, the residents of the island of Guam grew most of the food they consumed. During the war, the island was ravaged by the Japanese and then became the site of substantial defense installations of the United States and sizable components of the Armed Forces and defense-related activities.

As a result of the combination of these activities, a large part of the productive land of Guam has been rendered useless for further agricultural production or has been occupied by the various defense installations which our Government has established on the island. As a natural outgrowth of this situation, food production on the island has suffered seriously.

The purpose of H.R. 3869 is to authorize the Secretary to assist the residents of Guam in reestablishing a subsistence type of agriculture on the island by providing technical advice and assistance from the Department of Agriculture consisting of the services of not more than three employees of the Department of Agriculture at any one time.

Mr. Speaker, I urge the adoption of House Resolution 850.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from California [Mr. SISK] has explained the rule. I think, however, I should advise the House that when the application for the rule was heard before the Committee on Rules, all the members of the minority on the Committee on Agriculture signed the report on the bill, H.R. 3869.

After considerable questioning in the Committee on Rules, there were certain agreements worked out or discussions at least held as to some corrective amendments. Since that time I have been informed that corrective amendments are being prepared which will limit the total expenditures under this bill to $60,000 with a limitation of time, as I understand it, of 5 years; and that there will also be only three new employees and there will be certain corrections in connection with the handling of the funds themselves, so that it will not be an open end authorization.

With that understanding, Mr. Speaker, I know of no opposition on this side of the House to the adoption of this rule, and I have no further requests for time.

Mr. DOLE. Mr. Speaker, will the gentleman yield ?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. DOLE. I would point out to the gentleman from Ohio that we have conferred and agreed on certain amendments that will be offered during the consideration of the bill. One would limit expenditures to $60,000 per year, another would limit the act to 5 years after the date of enactment. The other would take out all language authorizing the appropriation and expenditure of money for the purchase or rental of land or for construction or acquisition of buildings.

Mr. BROWN of Ohio. I thank the gentleman, a member of the Committee on Agriculture.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. MATSUNAGA. I will not object, Mr. Speaker, to the amendments to be offered by the gentleman from Kansas [Mr. DOLE].

Mr. BROWN of Ohio. I thank the gentleman from Hawaii.

Mr. Speaker, I yield back the balance of my time.

Mr. SISK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FEDERAL AGRICULTURAL SERVICES TO GUAM

Mr. MATSUNAGA. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3869) to establish Federal agricultural services to Guam, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Hawaii.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3869, with the gentleman from Massachusetts [Mr. PHILBIN] in the Chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Hawaii [Mr. MATSUNAGA] will be recognized for 30 minutes and the gentleman from Kansas [Mr. DOLE] will be recognized for 30 minutes.

Mr. MATSUNAGA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I speak now in behalf of 70,000 Americans who, although living on American soil, are without any voice or vote in this Congress. Because of Hawaii's proximity to them, these Americans have looked to the Hawaii congressional delegation to represent their interests in Congress. I am happy to do this, for these are deserving American citizens. I am, of course, referring to the people of Guam.

In the consideration of the bill under discussion, the foremost thought which needs to be borne in mind is that these are Americans, not foreigners—Americans who fought loyally and courageously with us, on our side, in World War II, and who suffered extreme hardships and heavy casualties in defense of our American ideal.

As Members know, Guam was fully utilized as a staging area by our military forces in World War II. Choice agricultural lands were taken over for military purposes and rendered useless for agriculture. The devastation was made complete by two typhoons which hit Guam in the latter part of 1962 and early 1963.

Mr. Chairman, I was privileged to visit Guam shortly after Typhoon Karen had bent her fury on that tropical island. The devastation I witnessed was almost unbelievable. It was as if a mad bull had been turned loose in a china shop.

The most amazing thing I discovered, however, was not the destructive power of the typhoon but the spirit of the people of Guam. In the face of utter desolation, Guamanians were primarily concerned with a determination to rebuild a better Guam. Their spirit and attitude in extreme adversity moved me to the resolution that I would do all within my sphere of influence to assist them.

It is with this thought in mind that I ask this august body to join me in passing H.R. 3869. The Senate has already passed a similar bill. As a matter of fact, the Senate passed similar bills in the 86th, 87th, and 88th Congresses.

This body considered a similar measure in the 86th Congress under a suspension of the rules. A large majority voted for its passage but not the necessary two-thirds majority.

The bill was not acted upon by the House Committee on Agriculture in the 87th Congress.

This bill now comes before us with the prior approval of the Senate and the recommendation of the administration.

All that this bill will do is to extend to Guam such services of the Department of Agriculture as are now made available to all other American territories. Puerto Rico, the Virgin Islands and American Samoa all have the benefit of these services.

Guam is the only territory under the American flag which does not. It is in keeping with plain justice, therefore, that this bill be passed.

Mr. Chairman, as originally reported, this bill had certain objectionable features to the minority. These objectionable features will be removed by amendments to be offered by the gentleman from Kansas [Mr. DOLE]. I will not object to such amendments. I ask this body, therefore, to assist Americans who have been crying for assistance for the last 5 years.

For the people of Guam I thank you very much.

Mr. DOLE. Mr. Chairman, I yield myself such time as I may consume.

I would simply point out, Mr. Chairman, that there will be amendments offered and these amendments will satisfy objections raised by the minority. I would also point out a minority report was filed and signed by all of the Republican members of the Committee on Agriculture, and our objections are based primarily on three things: First of all, there was no termination date and there has now been agreement on that. Second, it was an open end expenditure. There will be an amendment limiting this to $60,000 annually. Third, there was objection to the acquisition of lands and buildings and any other type of real estate in Guam, and expenditure of money for this purpose. This language will be stricken if the amendment I shall offer is accepted.

Mr. Chairman, I have no further requests for time.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from California.

Mr. HOSMER. Will it end up providing three agricultural experts? This is all? Or will there be others?

Mr. DOLE. The bill will provide for three agricultural experts and provide for expenditures with a limitation of $60,000 a year.

Mr. HOSMER. I thank the gentleman.

Mr. DOLE. I might point out there are now territorial services offered and expenditures of about $300,000 a year, but the technicians are Guamanians. The argument of witnesses before our subcommittee was that they are not experts in the field. Therefore, we insisted that a minimum number of USDA personnel be sent there and the cost be maintained at a very low level.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Iowa.

Mr. GROSS. Is that other bill going to be cut down by virtue of the experts we are sending over under the terms of this bill? Will expenditures under the present administration be cut back?

Mr. DOLE. No. This money is expended by the Guamanian territorial government.

Mr. GROSS. By it itself. It does not include funds from this Government?

Mr. DOLE. That is right.

Mr. GROSS. I see.

Mr. MATSUNAGA. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, I will use this 3 minutes only to say that I have never listened to a better speech than that made by our able colleague, the gentleman from Hawaii, SPARK MATSUNAGA.

Mr. MATSUNAGA. Mr. Chairman, I have no further requests for time.

Mr. DOLE. I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to establish and maintain an agricultural program in Guam which will include such programs administered by the United States Department of Agriculture, hereinafter referred to as "Department", as are determined by the Secretary will promote the welfare of that island. This authority may be exercised without regard to section 25(b) of the Organic Act of Guam (64 Stat. 390; 48 U.S.C. 1421c(b)), or any other provision of law under which Guam may have been excluded from such programs. The Secretary is authorized to provide for such modification of any such programs extended to Guam as he deems necessary in order to adapt it to the needs of Guam. The program authorized by this section shall be developed in cooperation with the territorial government of Guam and shall be covered by a memorandum of understanding agreed to by the territorial government and the Department. The Secretary may also utilize the agencies, facilities, and employees of the Department, and may cooperate with other public agencies and with private organizations and individuals in Guam and elsewhere: *Provided,* That the number of employees of the United States Department of Agriculture stationed on Guam to carry out the purposes of this Act shall not exceed five at any one time.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act. The moneys appropriated in pursuance of this Act shall also be available for the purchase and rental of land, the construction or acquisition of buildings, for the equipment and maintenance of such buildings, and such other expenditures as may be necessary to carry out the purposes of this Act. Sums appropriated in pursuance of this Act shall be in addition to, and not in substitution for, sums appropriated or otherwise made available to the Department, and may be allocated to such agencies of the Department as are concerned with the administration of the program in Guam.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 2, line 14, strike out "five" and insert "three".

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. MATSUNAGA

Mr. MATSUNAGA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Matsunaga: On page 2, line 17, after the words "such sums" insert ", but not to exceed $60,000 per annum,".

Mr. MATSUNAGA. Mr. Chairman, this amendment is in keeping with the suggestion made by the Committee on Rules. It has been agreed to by both proponents and opponents of the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Hawaii [Mr. MATSUNAGA].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DOLE

Mr. DOLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOLE: On page 2, line 18, strike all of line 18 after the words "this Act," and strike lines 19 through 22 and strike the words "this Act." on line 23.

Mr. DOLE. Mr. Chairman, this amendment, as I stated before, will eliminate any possibility of expenditure of funds for the acquisition of lands or buildings and strikes out all such language contained in section 2.

Mr. MATSUNAGA. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. DOLE].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DOLE

Mr. DOLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOLE: On page 3, line 4, insert the following:

"SEC. 3. All provisions of this Act shall terminate five years from the date of enactment of this Act."

Mr. MATSUNAGA. Mr. Chairman, if the gentleman will yield, we have no objection to this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas.

The amendment was agreed to.

The CHAIRMAN. If there are no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, the gentleman from Massachusetts [Mr. PHILBIN], Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 3869) to establish Federal agricultural services to Guam, and for other purposes pursuant to House Resolution 850, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on passage of the bill.

The bill was passed.

The SPEAKER. Pursuant to the provisions of House Resolution 850, the Committee on Agriculture is discharged from further consideration of the bill, S. 692, and it is in order to consider the Senate bill in the House.

The Clerk read the title of the bill.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to establish and maintain an agricultural program in Guam which will include such programs administered by the United States Department of Agriculture, hereinafter referred to as "Department", as are determined by the Secretary will promote the welfare of that island. This authority may be exercised without regard to section 25(b) of the Organic Act of Guam (64 Stat. 390; 48 U.S.C. 1421c(b)), or any other provision of law under which Guam may have been excluded from such programs. The Secretary is authorized to provide for such modification of any such programs extended to Guam as he deems necessary in order to adapt it to the needs of Guam. The program authorized by this section shall be developed in cooperation with the territorial government of Guam and shall be covered by a memorandum of understanding agreed to by the territorial government and the Department. The Secretary may also utilize the agencies, facilities, and employees of the Department, and may cooperate with other public agencies and with private organizations and individuals in Guam and elsewhere: *Provided,* That the number of employees of the United States Department of Agriculture stationed on Guam to carry out the purposes of this Act shall not exceed five at any one time.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act. The moneys appropriated in pursuance of this Act shall also be available for the purchase and rental of land, the construction or acquisition of buildings, for the equipment and maintenance of such buildings, and such other expenditures as may be necessary to carry out the purposes of this Act. Sums appropriated in pursuance of this Act shall be in addition to, and not in substitution for, sums appropriated or otherwise made available to the Department, and may be allocated to such agencies of the Department as are concerned with the administration of the program in Guam.

AMENDMENT OFFERED BY MR. MATSUNAGA

Mr. MATSUNAGA. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MATSUNAGA: Strike out all after the enacting clause of the bill S. 692 and insert in lieu thereof the text of H.R. 3869 as passed:

"That the Secretary of Agriculture is authorized to establish and maintain an agricultural program in Guam which will include such programs administered by the United States Department of Agriculture, hereinafter referred to as 'Department', as are determined by the Secretary will promote the welfare of that island. This authority may be exercised without regard to section 25(b) of the Organic Act of Guam (64 Stat. 390; 48 U.S.C. 1421c(b)), or any other provision of law under which Guam may have been excluded from such programs. The Secretary is authorized to provide for such modification of any such programs extended to Guam as he deems necessary in order to adapt it to the needs of Guam. The program authorized by this section shall be developed in cooperation with the territorial government of Guam and shall be covered by a memorandum of understanding agreed to by the territorial government and the Department. The Secretary may also utilize the agencies, facilities, and employees of the Department, and may cooperate with other public agencies and with private organizations and individuals in Guam and elsewhere: *Provided,* That the number of employees of the United States Department of Agriculture stationed on Guam to carry out the purposes of this Act shall not exceed three at any one time.

"SEC. 2. There are hereby authorized to be appropriated such sums, but not to exceed $60,000 per annum, as may be necessary to carry out the purposes of this Act. Sums

> appropriated in pursuance of this Act shall be in addition to, and not in substitution for, sums appropriated or otherwise made available to the Department, and may be allocated to such agencies of the Department as are concerned with the administration of the program in Guam.
>
> "SEC. 3. All provisions of this Act shall terminate five years from the date of enactment of this Act."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 3869) was laid on the table.

TEMPORARY RETENTION OF "1964" ON ALL COINS

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 843 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

> *Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11893) to authorize the mint to inscribe the figure "1964" on all coins minted until adequate supplies of coins are available. After general debate, which shall be confined to the bill and continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 11893, the Committee on Banking and Currency shall be discharged from further consideration of the bill S. 2950 and it shall then be in order to consider the Senate bill in the House.

Mr. TRIMBLE. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON] pending which I yield myself such time as I may consume.

Mr. Speaker, as will be observed by the reading of this resolution, it is a very simple one that makes in order the consideration of the bill H.R. 11893.

Mr. ANDERSON. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, the gentleman from Arkansas has correctly pointed out that this is permissive, temporary legislation which merely permits the Secretary of the Treasury, if he so decides on December 31, 1964, or prior thereto, that coins should continue to be inscribed with the year 1964, it will be permissible under this law. It is legislation that is necessary in view of the severe coin shortage that exists today. It is to prevent the hoarding of coins for speculative purposes.

I know of no opposition to the rule.

Mr. TRIMBLE. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. CASEY].

Mr. CASEY. Mr. Speaker, I commend this committee for making an effort to alleviate the coin shortage that is prevelant throughout the country. In my own particular home district in has been felt quite heavily.

I have a bill pending to authorize the Secretary of the Treasury, if he sees fit, to contract with private industry in connection with the minting of coins. When this bill is read for amendment I propose to offer my bill as an amendment. It will not be compulsory. It will just be an additional tool for the Secretary of the Treasury if he should see fit to exercise this authority and should the House see fit to grant him that authority.

At the present time all blame is laid on coin collectors. I want to say a good word for them. I do not know of their violating the law. It is just a natural inclination of coin collectors. I hope they are not violating the law, and I do not think they are. I have a 13-year-old boy who collectors a few coins and gets a great enjoyment out of it. But you cannot blame this on coin collectors altogether.

Part of the blame goes back during an administration several years ago, more than 4 years ago, when it closed a mint. Now we have a shortage of coins. That shortage is not going to be overcome until a new mint is built. There is money that has been provided for it, but we do not anticipate they will have the building ready in less than 3 years. I do not know what the final year will be. I think the estimate for the building across the street is way behind.

Mr. Speaker, we should give the Secretary of the Treasury this additional tool so he will have the opportunity to use it, if he so desires.

I hope my amendment will receive serious consideration when it is offered.

Mr. TRIMBLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

> Committee amendment: On page 1, lines 5, 6, and 7, strike out "January 1 of the year following the year in which the Secretary of the Treasury shall determine that adequate supplies of coins are available" and insert: "July 1 or January 1, whichever date first occurs after the date on which the Secretary of the Treasury determines that adequate supplies of coins are available,".

The committee amendment was agreed to.

Mr. PATMAN. Mr. Speaker, I move to strike the last word.

Mr. Speaker, H.R. 11893 is a temporary measure designed to help meet the acute shortage in coin supply. It would authorize—but not require—the Secretary of the Treasury to continue to use the inscription "1964" on all coins until such time as adequate supplies of coins are available.

It is obvious that adequate supplies of coins are not available to American business. All of us have been receiving complaints from businessmen in our districts about the inconveniences and hardships resulting from a shortage of coins. It is not likely that this shortage will be overcome by next January 1, although the mints now are producing all denominations of subsidiary coins at a record rate, under a crash program. By the end of this fiscal year, we will have reached a rate of coin production double the previous record rate established in the 1964 fiscal year when 4.3 billion coins were produced.

Nevertheless, a black market is now operating in coin supply. Some firms have acknowledge paying premiums, fees or kickbacks to so-called "coin merchants" in order to obtain coins for day-to-day business operations. Such a black market in the coin of the realm is intolerable. It is particularly prevalent in connection with new coins, but it is also taking place in the distribution and redistribution of circulated coins.

I am informed that banks have been receiving offers of unlimited supplies of circulated coins at 5 percent over face value, or in exchange for quantities of new, uncirculated coins. New coins are initially obtainable by dealers or coin investors only through the banks; apparently there is then a brisk secondary market among dealers and investors selling to each other. The numismatic publications are full of advertisements for either the purchase or sale of rolls or bags of uncirculated coins, including those minted this year.

Mr. Speaker, the solution to the coin shortage is production of more coins, and that is what the Treasury is undertaking to do. The Congress has provided funds for around-the-clock operation of both mints, 24 hours a day, 7 days a week. We have also provided funds for a new mint which should go into operation in Philadelphia within 3 years, turning out as many coins as the two present mints combined. In the meantime, however, the situation can be greatly helped by ending the hoarding of hundreds of millions of new coins that is now being carried on by large-scale operators.

We cannot afford the continued diversion for speculative investment purposes of vast numbers of new coins at this particular time. Those coins are needed in commerce. The Treasury has proposed this legislation as a means of discouraging the continued hoarding of 1964-date coins by making it uneconomical. If there are 16 billion coins bearing the inscription 1964, compared to about 4 billion coins for 1963, it is hardly likely any of the 1964's will ever acquire much numismatic value by reason of their date. Hence it would be poor business to tie up large sums of money in 1964 coins.

One point that should be stressed, Mr. Speaker, is that the passage of this legislation—already approved in the Senate—will not automatically mean the absence next year of any coins dated 1965.

If the coin shortage can be overcome by greater production before next January, the Treasury can change over to 1965-date coins on January 1. If the shortage is still continuing in January but is solved before next July 1, the Treasury can then convert its dies to use the 1965 date beginning July 1, 1965.

Under the bill as it passed the Senate and as it has been reported by the Committee on Banking and Currency, the Secretary of the Treasury may use this authority to change from the 1964 date beginning on any July 1 or January 1 following enactment of the legislation. Therefore, while there is not much probability of the 1965 date being used on coins produced in the first 6 months of the 1965 calendar year, it may be possible to make the change beginning next July 1.

I might point out that over the years in which this Government has been minting coins, there have been many years when no coins of one denomination or another were produced at certain mints, or at any of the mints. So every hobbyist with an extensive collection of American coins will have many blank years for certain issues. In 1933, the only coins produced at the Philadelphia Mint that entire year were pennies. In 1922, no quarters or dimes were produced there. Denver produced no half dollars in either 1955 or 1956.

Mr. Chairman, even the coin hobbyists are now coming around to recognizing the necessity for this legislation, although they may not like it. This bill should be passed as part of the administration's program for overcoming the persistent and distressing shortage of all denominations of coins.

Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks on this bill at this point in the RECORD.

Mr. TALCOTT. Mr. Speaker, I oppose passage of H.R. 11893 to permit the inscription of "1964" on 1965 coins. This is an express misrepresentation of a fact which no one, let alone Congress or the U.S. Government, should make. If we need to take some action to alleviate the shortage of coins, we could authorize the elimination of the date inscription permanently.

Mrs. SULLIVAN. Mr. Speaker, I am cosponsor with the gentleman from Texas, Chairman PATMAN of the Committee on Banking and Currency, and the gentleman from New York [Mr. KILBURN], ranking minority member, of H.R. 11893, so I am, of course, going to vote for its passage. As the gentleman from Texas, Congressman PATMAN has pointed out, however, this bill will not and cannot solve the coin shortage. But to the extent that it brings out of hiding in bank vaults and elsewhere quantities of new uncirculated coins being held for speculation as potential "rare" coins, it will certainly have an important effect in the present shortage situation.

The Treasury program for meeting the coin shortage contains a great many changes in production techniques and in operating policies. This particular piece of legislation represents the only request made by the Treasury to Congress—other than appropriations—to meet the coin shortage. So I believe most Americans will go along with the Government on this matter because no one will be hurt by the passage of this legislation. The average coin collector will be helped in the sense that it will be easier for him to obtain new coins for collection purposes without having to pay exorbitant premiums to dealers or to others with access to supplies of new coins from banks or bank employees participating in a coin black market.

BLACK MARKET OR GRAY

The Wall Street Journal, on June 8, called it a gray market. Technically, I suppose, that is more correct than the term "black market," because no law is violated by banks or bankers, or bank employees, bootlegging new coins at prices above their face values. A bill is now pending before the House Judiciary Committee to make such actions a violation of criminal law, however.

I was distressed to read in that same Wall Street Journal article on June 8 that a vending machine company in Chicago was doing a "brisk" business reselling at a profit the coins deposited in its vending devices.

It was selling $25 bags of pennies for $28 and $50 bags of nickels, dimes, and quarters for $55. These were not new coins; these were regular, circulated, run-of-the-mill coins. It is incredible that any vending machine companies, which are completely dependent on the availability of coins to the general public, would seek to profit from the coin shortage and cash in on it in this manner. I feel I have a right to be upset about this because I was the sponsor of the legislation in the last Congress which now makes it a Federal crime to use slugs or other counterfeit in making a purchase from a vending machine.

I have a personal interest, therefore, in wanting to see the vending machine companies show their appreciation for this valuable protection by assisting in the solution of the coin shortage in every way possible, rather than going into the sideline of selling coins at a profit.

I have discussed with a number of bankers the black market—or "gray market" as the Wall Street Journal prefers to call it—in the sale of new coins through banks to dealers or coin investors, and they tell me they are anxious to do all they can to stop this abuse of the banks' favored position in coin distribution.

Any citizen in this country who has not been able to buy one or two John F. Kennedy half dollars from a bank with which he deals regularly has a right to suspect that the bank—or some officials or employees of the bank—have been black marketing new coins. More than 100 million of these half dollars have been minted and distributed to the banks. How many are now hidden away in lots of $1,000 each, in the same bags in which they left the mint, is a matter of widespread conjecture. I believe passage of H.R. 11893 will help to bring many of these coins out of storage, for it is a certainty they will not retain any scarcity value very long if this bill passes. The Treasury estimates that as many as a billion new coins may come into circulation as a result of passage of H.R. 11893. The bill should pass.

ARTICLE BY ED O'BRIEN IN ST. LOUIS GLOBE-DEMOCRAT

Mr. Speaker, under permission granted in the House, I include herewith an excellent article on the coin black market by Edward O'Brien, chief of the Washington bureau of the St. Louis Globe-Democrat, as follows:

[From the St. Louis Globe-Democrat, July 30, 1964]

SOME BANKS, EMPLOYEES HIT IN COIN SHORTAGE

(By Edward O'Brien, Chief, Globe-Democrat, Washington Bureau)

WASHINGTON.—The Nation's banks have become a casualty of the coin shortage.

Representative LEONOR K. SULLIVAN, St. Louis Democrat and chairman of a House Banking Subcommittee handling coinage legislation, blames black marketing of new coins on some banks and bank employees.

Coin collectors' journals, she told the House, are crammed with advertisements for "unlimited numbers of bags of brand-new, uncirculated pennies, nickels, dimes, quarters, and half dollars at tremendous premiums."

As an old hand at the intricacies of money, she said these new coins can get into dealers' and speculators' hands "from only one source—and that is from banks receiving the coins from the Federal Reserve System for distribution through banks to the business community."

This practice, she warned, "is a blot on the entire banking industry"—the limited number who are guilty and the majority who are blameless. Leaders of the banking industry, she said, "are deeply concerned."

Recently a banking spokesman testified that he has heard charges that some bank tellers are themselves involved in coin dealer business firms. The spokesman said that at his own bank such goings on among employees would be cause for instant dismissal.

OFFERED BONUSES

In other cases, bank employees have been offered bonuses for diverting rolls of bright new coins, fresh from the nearest Federal Reserve bank, to dealers. The exact extent to which such offers have been accepted can't be pinpointed.

Attractive offers have also been dangled before banks themselves. Congressmen have seen copies, for example, of a New Jersey coin dealer's letter to banks proposing to swap large bags of circulated coins, which banks desperately need for their regular customers, for smaller quantities of new, uncirculated coins.

In one case, the dealer offered to turn in $3,000 worth of old coins for $1,000 in new coins. The dealer urged banks to call him collect if they were ready to do business.

Banks are being hurt also by being bypassed in the used-coin circulation system.

Representative SILVIO O. CONTE, Massachusetts Republican, said large chainstores are being forced more and more to "seek out new supplies of coins that were formerly furnished entirely from our banking system.

"Large stores have taken to seeking out new sources of coins from such places as highway toll booths, cafeterias, newspaper boys, and even the purchase of coins."

FEW USED COINS

Few used coins are making their way back to Federal Reserve banks because of the shortage at the consumer level. Practically the only coins being shipped from Federal Reserve banks are new ones—and there are only a fraction of the quantities needed.

The bill being enacted by Congress to put a 1964 date on all newly minted coins for an indefinite period hopefully will end or at least cool off the hoarding fever that has contributed to the shortage.

But the other causes will remain—the advent of a vending machine economy, the high level of retail spending, the growth of the country, and legitimate collecting—as distinct from speculative hoarding.

Mrs. SULLIVAN estimates that coin production will be doubled in the next year. If that does not cure the shortage, little else can be done until the new mint at Philadelphia is ready in 1967.

WALL STREET JOURNAL ROUNDUP ON MONEY MERCHANTS

Mr. Speaker, I have referred several times to the Wall Street Journal article of June 8. Under unanimous consent in the House, I submit the article referred to, as follows:

[From the Wall Street Journal, June 8, 1964]
1964]

BANKS, RETAILERS PAY PREMIUMS FOR COINS AS SHORTAGE SPURS RISE OF MONEY MERCHANTS

An underground gray market for coins in bulk is quietly developing in many parts of the country as a result of the increasing shortage of coins for changemaking purposes.

Bankers and retailers are naturally reticent about discussing the payment of premium prices for ordinary coins, but there is nothing illegal about the practice, and a Wall Street Journal survey indicates that bonuses of 1 percent to 5 percent over face value are becoming increasingly frequent in some cities for pennies, nickels, dimes, and half dollars in large quantities.

With this development has come the apperance of a new kind of entrepreneur—the money merchant—who acquires coins by the bagful and then tries to peddle them to the highest bidder.

"We try to stay away from paying premiums, but occasionally we're paying $2 extra for a bag of $200 in nickels," confides an officer of a Cleveland bank.

In Chicago, J. & J. Vending, a peanut and candy machine vendor, says it is doing a brisk business selling coins at the following rates: $28 for $25 bags of pennies and $55 for $50 of nickels, dimes, and quarters. Even at these premiums, the company is turning away customers. "We don't have enough volume to satisfy needs," says a spokesman.

In silver-hungry Las Vegas, many jackpot winners try to sell their coins to the casino at a premium rather than plunking them back into the slot machines. And large offerings, in $1,000 lots, are being proffered from other parts of the country at 20 percent above face value, according to Del E. Webb Corp., which operates two Las Vegas hotels and a casino through a subsidiary.

TRANSIT WORKERS WARNED

Church collections have become a prize attraction for coin wholesalers, who are wooing church elders and deacons with generous premiums. "Several of our good church accounts, which used to be sources of coins for us, have disappeared in this way," comments Fred Remmert, a vice president of Continental Illinois National Bank & Trust Co., of Chicago.

The Cleveland Transit System issued a stern directive recently after an official heard that employees at some change booths were offered expensive gifts to get them to swap coins for bills.

Although Americans pockets jingle with about $3 billion in change, up from $2.3 billion 3 years ago, the coin shortage, rather than easing shows signs of getting worse. And Federal Reserve Bank and Treasury officials as well as businessmen are apprehensive about the fall, when retailing volume normally picks up seasonally. Blame for the shortage is generally put on the inability of the Nation's two mints to keep up with the demand of a growing population spending money at a record rate. Meanwhile, the vociferous appetite of 8 million coin collectors (up from 2 million a decade ago) is pulling millions of dollars worth of coins out of circulation. The recent $57 million issue of Kennedy memorial half dollars disappeared almost instantaneously, for example.

Specific coins in short supply vary in different regions. Boston bankers say halves and nickels are scarcest there. An Atlanta bank is scrimping most for pennies. Cabell's Dairies, Inc., Dallas, says its main headache is nickels. United California Bank, Los Angeles, observes that "silver dollars all went out a month ago."

There is no doubt that money-in-the-slot vending and service devices are absorbing record numbers of coins, but whether this depletes the total supply available at any one time or instead speeds their circulation is debatable.

CLEVELAND APPEAL SLATED

The finger also has been pointed at the New York World's Fair as draining coins from other parts of the country. One enterprising New York retailer, Charles Lehman, assistant controller of Alexander's Department Stores, Inc., had the same idea and even followed a Wells Fargo money truck from the fairgrounds to its headquarters in the hope of buying some hard-to-get silver. He discovered the fair is barely self-sufficient in generating coins and uses all it receives for making change. In fact, the demand for change at the fair is so great that First National City Bank, which has a branch on the grounds, has ordered that all the $200,000 in coins coming in daily from concessions be counted and recirculated within 24 hours.

E. H. Germer, assistant treasurer of Horn & Hardart Baking Co., which operates a string of coin-consuming automated cafeterias, says the chain frequently gets down to a 2-hour supply of coins. "In the past we tried to have a full week's supply on hand at all times."

Last weekend, the Federal Reserve Bank of Atlanta, which distributes coins and currency to member banks in the Southeast, was down to only a little more than $200,000 in coins, mostly dimes and quarters; 5 years ago on the corresponding date its holdings came to about $3.5 million. The bank is considering a public appeal for coins, according to its president, Malcolm Bryan, who comments: "There's a vast amount stashed away in places like piggy banks and fruitjars."

Boris Weiss, controller for John's Bargain Stores, New York, which operates 323 stores specializing in items costing less than $1, thinks the coin problem is largely of the banks' own making. "For years," he says, "they've been giving out these little savings banks to customers and now they're all over the place, partially filled with coins that businessmen need. The result: When we go to the bank and ask for $25 in change they give us only about $3."

Public appeals for cooperation in turning in coins to banks and businesses are likely to become increasingly common. Central National Bank of Cleveland this week will put up posters in all its 35 branches encouraging customers to bring in coins. First National Bank of Orlando, Fla., recently hustled up about $15,000 in change when it ran a 1-week "green sale" offering a $1 bill for 98 cents in change. Bank officials were delighted. "We're so short of pennies we won't let most change customers have more than $5 worth," an official says. And an Atlanta bank is offering a free meal to any employee who turns in $100 in pennies.

A rare coup was achieved recently by a large midwestern grocery chain. It heard of a 3½-ton cache of U.S. pennies in a Canadian bank. It instantly dispatched a top executive to Canada, and after some negotiation he was able to buy the coins and have them transported at the chain's expense to the United States.

Such long-distance hauling of coins in bulk is becoming increasingly common. The Bank of California, San Francisco, recently began trucking in thousands of dollars worth of nickels from Oregon sources, after Railway Express shipments from Colorado dried up. "It's expensive, but we are getting coins," says a bank spokesman. Last month, the Philadelphia Mint shipped $30,000 in nickels to the Bank of Nevada in Las Vegas; but "we're in bad shape all over again," comments John Rayborn, manager of the bank's main office in Las Vegas, where casinos have taken to emptying nickel slot machines every 4 hours to keep customers supplied.

Mr. OLSEN of Montana. Mr. Speaker, this proposition is only a small part of the problem, I hesitate to say.

The fact is that the whole world is losing silver by use at more than twice the rate of production.

I want to reassert my conclusion that the coins of the United States must be of less silver because our silver store is diminishing rapidly.

It will diminish ever more rapidly because even the jeweler, the silversmith, and the industrial silver user is growing in each demand.

We, in the United States, do not produce enough silver even for coinage.

Silver prices will rise. Therefore, we must cut, at least in half, the silver content of our coins.

At present consumption rates, and they will increase, we will exhaust our silver storehouse in about 5 years.

When we go to the market for silver, its price will rise.

I support this bill as a deterrent against the hoarders of coins.

But I hope that very soon we will face and take action upon the shortage and the need for price change in silver.

Mr. DONOHUE. Mr. Speaker, I trust this House will adopt, without delay, this bill, H.R. 11893, designed to meet the very critical shortage in coin supply that is increasingly developing.

Many businesses in my area are acutely distressed and harassed in their normal operations by the lack of coins and the evidence shows this condition to be prevalent throughout the country.

This measure, therefore, is projected as a wise and restrained method, of temporary nature, to relieve the hardships and inconveniences being visited upon businessmen and customers alike from the current shortage of coins.

Mr. Speaker, we just cannot afford the continuing diversion of vast amounts of new coins for speculative investment purposes at this time; these coins are urgently needed for normal commerce transactions. The Treasury and other authorities have recommended this legislation as a wise way to discourage the continued hoarding of 1964 dated coins by making such practice uneconomical.

Mr. Speaker, the need for this bill is obviously urgent; it is in the overwhelming national interest and I hope it will be expediently enacted without delay.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. CASEY

Mr. CASEY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASEY: On page 2, after line 7, insert a new section as follows: "SEC. 3. The Secretary of the Treasury is authorized to procure by contract or otherwise the services of private manufacturers for or in connection with the minting of any coins of the United States."

Mr. CASEY. Mr. Speaker, this is the amendment I spoke of when we were speaking on the rule. It is true that the Treasury Department does now contract out with private industry for the metal strips for nickels and I believe they now also are doing it for the pennies, just for the making of the strips, just to relieve the smelting part of the mint. But I cannot conceive that the tremendous shortage is going to be alleviated by maintaining the 1964 date. No one has any interest but the coin collectors, and I cannot conceive that they are going to take enough coins out to cause a shortage. Maybe so. But I say, let us give the Secretary of the Treasury this additional authority. He may not use it, if he does not need it.

I know in my own district a short time ago, less than 30 days ago, I was talking to some bankers, and they said, "We have only $25 worth of nickels on hand today." They were not familiar with the speedy processes of this legislative body.

They thought that since I had introduced my bill a while back they were close to receiving some relief.

Discontinuing the date is not going to solve this problem. Let us give the Secretary of the Treasury an additional tool with which to work by authorizing him to do this if he so desires. He says he does not need it now, but there may be a time when he will need it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CASEY. I yield to the gentleman from Iowa.

Mr. GROSS. How are these coins minted? If these strips are made by private enterprise, are they then run through a machine?

Mr. CASEY. They are run through a machine and come out as blanks, and the blanks are run through the stamping machine.

Mr. GROSS. This final operation of stamping the coin would be done by the Government mint?

Mr. CASEY. I do not know.

I do not mind giving the Secretary of the Treasury the latitude to contract for any phase of minting. It has been done in the history of the United States. This is not a new idea. It has been done.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. CASEY. I yield.

Mr. ROGERS of Colorado. In the operation of the mint, when they take the metal they cut it, and as it is cut it is counted, whether it is pennies, nickels, dimes, quarters, or half dollars. As it is cut they know the exact number. In turn, that is placed in a machine that stamps it. Does the gentleman's amendment provide that it is to be cut and brought into the mint, and then put into the stamp?

Mr. CASEY. The gentleman heard my amendment. It gives the Secretary of the Treasury the right to contract with private enterprise on any phase of the operation of the Mint. I do not think the Secretary of the Treasury would be foolish enough just to give somebody an order without proper safeguards.

Mr. ROGERS of Colorado. What part would he want to contract?

Mr. CASEY. I do not want him to do it at all if he does not need it, but I want him to have the authority if he does need it.

Mr. ROGERS of Colorado. How can we ever be sure we are protecting the sanctity of our coins if we do not have some control? The only reason I am speaking on this is that I have visited the Mint time and time again.

Mr. CASEY. The gentleman knows the Secretary of the Treasury is no dummy. He is a high-caliber man with some degree of intelligence and judgment. I think he would put in any proper safeguard needed in this regard, because he has the Secret Service at his disposal, and he has all the power he would want to impose in the contract.

Mr. Speaker, I urge the adoption of my amendment.

Mr. PATMAN. Mr. Speaker, I rise in opposition to the amendment.

I appreciate the fact that the gentleman from Texas is sincere in trying to do something that would relieve the shortage of coins, but I believe his approach is a bad one. If this were to pass, of course, all the pressure in the world would be brought upon the Secretary of the Treasury at once to farm out the privilege of making these coins. The Secretary of the Treasury should not have to go through that. We know it would run the risk of legalized counterfeiting. We do not want to legalize counterfeiting in this country. We must keep the final steps in coinmaking under supervision as we have it today where the public and the Government in particular are protected.

The Treasury has been asked to make a report on this. This bill was offered by the gentleman from Texas [Mr. CASEY] and it was immediately sent to the Treasury. The Committee on Banking and Currency has not received a report on it as yet. I can promise the gentleman that the committee will consider it when we get a report from the Treasury and after this is gone into with the Treasury people who have to do with this type of work with regard to the minting of the coins.

But we are not in a position to pass on it now except that we do know it will run the risk of legalizing counterfeit money.

Mr. WIDNALL. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from New Jersey.

Mr. WIDNALL. At the time hearings were held on the bill, H.R. 11893, this matter was not brought before the committee; was it?

Mr. PATMAN. It was not considered by the committee. The gentleman from Texas did not present it to the committee.

Mr. WIDNALL. Therefore we have no testimony and no factual background in connection with this proposal on which to base a decision; is that not correct?

Mr. PATMAN. That is correct.

Mr. WIDNALL. This is an extremely important matter and involves the protection of our Government, and certainly there should be a firm opinion from our own Secretary of the Treasury in connection with it.

Mr. PATMAN. The gentleman is correct.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentlewoman.

Mrs. SULLIVAN. Mr. Speaker, did not Miss Eva Adams, Director of the Mint, assure us that anything that could be done by private industry in the manufacturing of these coins up to a certain point was being done now?

Mr. PATMAN. That is correct. And they are making these strips from which these coins are made. That is being done by private industry.

Mr. CASEY. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Texas.

Mr. CASEY. You say that I did not present this to the committee. I want to call the attention of the distinguished chairman of the Committee on Banking and Currency that my bill was introduced on May 12, 1964. The bill you now have up here was introduced on July 2, 1964. As you say, my bill has received very little attention—and that is right. I have had no report. Yet this bill received fine attention, and I did not receive any notice of any hearings on this bill and if I had, I would have been glad to appear before the committee.

Mr. PATMAN. The information as to the hearings was printed in the CONGRESSIONAL RECORD.

Mr. CASEY. I thank you very much. I just think the Secretary of the Treasury needs this additional authority.

Mr. PATMAN. As I say, the notice of the hearing was in the CONGRESSIONAL RECORD and if the gentleman ever asked to appear before the committee, I have no knowledge of it.

The SPEAKER. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. CASEY) there were—ayes 14, noes 58.

So the amendment was rejected.

Mr. POAGE. Mr. Speaker, I move to strike out the last word.

Mr. Speaker and my colleagues, I certainly do not mean to criticize anybody who has brought us a bill here to try to alleviate the coin shortage. It is a real shortage and it is a problem, and it is a problem that we need to deal with. But

I do not believe we can ever solve a problem of this kind by simply stating something on our coins that is not true. If in the year 1965 we print "1964" on the coin, we simply are making a false statement and I just do not think that is a very smart thing for the U.S. Government to do. Furthermore, I do not think it has a thing in the world to do with lessening the collections of the coins or adding to the number of coins that are going to be in circulation. I just have always been proud enough of my Government not to like to see it engage in that kind of practice.

Now I do not have any criticism of those who brought this bill here because they are trying to find a way to meet a problem. Everybody has to be his own judge as to how to meet this problem.

I merely wish for the RECORD to show very clearly that, as for myself, I shall have no part in that kind of procedure.

Mr. LATTA. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield.

Mr. LATTA. I wish to say to the gentleman from Texas, I agree with him 100 percent.

Mr. POAGE. I thank the gentleman.

Mr. GROSS. If the gentleman will yield, why have any date at all?

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

The SPEAKER. Pursuant to the provisions of House Resolution 843, the Committee on Banking and Currency is discharged from the further consideration of the bill (S. 2950), which the Clerk will report by title.

The Clerk read the title of the bill.

The Clerk read the bill, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding section 3517 of the Revised Statutes (31 U.S.C. 324), all coins minted after the date of enactment of this Act until July 1 or January 1, whichever date first occurs after the date on which the Secretary of the Treasury determines that adequate supplies of coins are available, shall be inscribed with the figure "1964" in lieu of the year of the coinage.
>
> SEC. 2. The requirement of section 3550 of the Revised Statutes (31 U.S.C. 366) that the obverse working dies at each mint shall be destroyed at the end of each calendar year shall not be applicable during the period provided for in section 1 of this Act.

AMENDMENT OFFERED BY MR. PATMAN

Mr. PATMAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. PATMAN: Strike out all after the enacting clause of S. 2950 and insert the provisions of H.R. 11893, as passed, as follows:
>
> "That, notwithstanding section 3517 of the Revised Statutes (31 U.S.C. 324), all coins minted from the date of enactment of this Act until July 1 or January 1, whichever date first occurs after the date on which the Secretary of the Treasury determines that adequate supplies of coins are available, shall be inscribed with the figure '1964' in lieu of the year of the coinage.
>
> "SEC. 2. The requirement of section 3550 of the Revised Statutes (31 U.S.C. 366) that the obverse working dies at each mint shall be destroyed at the end of each calendar year shall not be applicable during the period provided for in section 1 of this Act."

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 11893) was laid on the table.

ADJOURNMENT FROM FRIDAY, AUGUST 21, TO MONDAY, AUGUST 31

Mr. BOGGS. Mr. Speaker, I submit a concurrent resolution (H. Con. Res. 359) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

> *Resolved,* That the two Houses shall adjourn on Friday, August 21, 1964, and that when they adjourn on said day they stand, adjourned until 12 o'clock noon on Monday, August 31, 1964.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORITY FOR SPEAKER OF THE HOUSE AND PRESIDENT PRO TEMPORE OF THE SENATE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS DULY PASSED AND FOUND TRULY ENROLLED

Mr. BOGGS. Mr. Speaker, I submit a resolution (H. Con. Res. 360) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

> *Resolved,* That notwithstanding any adjournment of the two Houses until August 31, 1964, the Speaker of the House of Representatives and the President pro tempore of the Senate be, and they are hereby authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker I have asked for this time to inquire of the majority whip if he would kindly inform us as to what might occur the week we come back, beginning the 31st of August.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Louisiana.

Mr. BOGGS. I should like to comply with the request of the distinguished gentleman from Illinois, but unfortunately I am unable to do so until about noon tomorrow.

Mr. ARENDS. Tomorrow will be satisfactory. That will give us an opportunity to give the information to our colleagues.

Mr. BOGGS. I would hope to be able to make that announcement immediately after the House meets tomorrow.

Mr. ARENDS. I thank the gentleman.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I should like to inquire as to what is on the program for tomorrow.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Louisiana.

Mr. BOGGS. We had a similar inquiry, I say to the gentleman, earlier today. An announcement was made that so far as we know the only thing in order will be conference reports which, so far as I know, will be noncontroversial. There may be some other minor matters considered by unanimous consent.

Mr. GROSS. No legislative program?

Mr. BOGGS. No legislative program other than what I have said.

THE HONORABLE JAMES BENNETT

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks?

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I would like to join the many Members of Congress, in recognizing the forthcoming retirement of our friend, James Bennett, Director of the Federal Prison Bureau for the past 27 years. I met Jim Bennett nearly 10 years ago when I was Executive Assistant to Attorney General Herbert Brownell in the Department of Justice. I quickly developed a regard for him as an administrator of the highest ability and a person of the highest integrity. At that time and on many occasions since then I have sought his counsel on a number of matters.

Jim Bennett is a great American, a great humanitarian, and a great lawyer. He has worked for many Presidents and for many Attorneys General, but throughout every administration he has sought in many ways to improve the administration of justice. He is the friend of the Justices of the Supreme Court and judges on the Federal and State benches throughout the country. He has not only written and spoken on innumerable occasions concerning problems of criminal justice, but has frequently written articles and speeches for distinguished judicial figures. He is regarded as a world expert in his field. His work with the American Bar Association, the American Law Institute, and with many other legal bodies has produced many constructive results. I have personal knowledge of the tireless work he has done for more than 25 years to bring about better representation for indigent defendants in the Federal courts.

One of the problems about which Jim Bennett has been deeply concerned in recent years is the virtually unbounded traffic in firearms. He began trying to obtain strengthening amendments to the Federal and National Firearms Acts long before the tragic event of November 22, 1963, which brought the problem so sharply into focus for the rest of America. He has been a pivotal figure in developing a number of proposals for tightening the gaps in our firearms laws, and I hope that after his retirement he will continue to lend his persuasion and his prestige to efforts to obtain enactment of remedial legislation.

I am confident that although Jim Bennett is retiring as Director of the Federal prison system he will continue to be active in public affairs. And I look forward to many more years of association with him. Both he and his lovely wife, Marie, in their years of retirement together, have the grateful thanks of the people of the country.

REPORTING AND THE MINORITY VIEWS ON THE POVERTY BILL

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, the issues involved in so-called poverty bill officially entitled the "Economic Opportunity Act of 1964" have been so poorly reported to the public that it is necessary to utilize whatever media are available to make up for this poor performance.

The differences of opinion are not between one group which is for poverty and another group which is against it. The issues relate to an evaluation of what programs and institutions presently exist within our society which are directed to eliminating poverty and how these programs and institutions may be improved and whether new programs or institutions are needed.

If there is a difference in basic philosophy involved, and I believe there is, it lies in the belief of the Democratic spokesmen that a further grant of expenditures with the conmitant power and authority in the executive branch of the Government is necessary and the belief of the Republicans that the better solutions lie in placing greater emphasis on our private institutions and local and State governments.

The reports of the committees which accompany each bill which comes on the floor of the House for debate are the most neglected source of public information on the issues which face the Congress. These reports are not printed in great quantities and after a few years copies become hard to get. Accordingly, under unanimous consent, I am placing in the RECORD following these remarks the Republican views on H.R. 11377, the Economic Opportunity Act of 1964, as they were printed in the committee report accompanying the bill:

MINORITY VIEWS

We, the undersigned, strongly oppose enactment of this bill.

We urge every Member of the Congress to read this bill carefully and to study well the full implications of its content. If this course is followed, we are confident that the bill will be rejected.

POVERTY: A MATTER OF GENERAL CONCERN

Since the pending proposal purports to deal with the problem of poverty, we wish to make it clear at the outset that we do not regard poverty as a partisan political issue. Rather, we regard it as a problem of general humanitarian concern.

Be that as it may, the fact remains that no organized society in the history of the world has so effectively overcome the cruel grasp of poverty as has the United States of America. In terms of a "war against poverty" the whole history of America has been a history of spectacular and sustained accomplishment. In this struggle, our principal weapons have been a free and unregimented society, marked by a labor force and an industrial community untrammeled by the harsh hand of statism. While it is true that governments at all levels, as well as numerous private organizations, have contributed and are continuing to contribute mightily to the eradication of poverty in America, the fact remains that the principal source of accomplishment in this endeavor has been, and must continue to be, our free society and our competitive economy. The truth of this axiom is demonstrated by the repeated failure of other systems, based on authoritarian concepts, to rise, to any substantial degree, above the persistent problems of poverty and want.

The results achieved by the American system have been truly impressive. In 1929, using 1962 dollars as a standard, more than 50 percent of American families had an annual income of less than $3,000. By 1947, this figure had fallen to 30 percent, and by 1962 to 21 percent. In this same period, American families having an annual income of $6,000 or more rose from 15 percent to 48 percent—an unparalleled economic accomplishment. It is also worthy of note that the greatest deterrent to this accomplishment has been inflation, not neglect.

At this moment more than 70 million American citizens are gainfully employed. These Americans earn more, possess more, consume more, and live better than any other people on the face of the earth. The attainments of our society have been outstanding, indeed. And they should not be deprecated. That being so, the repeated outcry that one-fifth of all Americans exist in a state of poverty is, without more, a grave disservice to the Nation, both at home and abroad. To people in other lands, the word "poverty" has a far different meaning than it has in the United States. When these alien people are repeatedly told by our own national spokesmen that one-fifth of all Americans are poverty stricken, the prestige of America in the eyes of the world must inevitably suffer, even though the standard arbitrarily used by the proponents of this bill to define poverty in America—a cash income of $3,000 per year—would in most foreign lands constitute a regal state, indeed.

The poverty yardstick, a $3,000 annual cash income, put forward by the proponents of this bill, leaves much to be desired. It is a figure, the validity of which cannot be substantiated. Its application results in a host of inconsistencies, a few of which are set forth below:

1. In 1961, 1.75 million American families, with an income of less than $3,000, paid income taxes to the Federal Government in the amount of $3.98 billion; 4.1 million individuals, with an income of less than $1,500, paid Federal income taxes in the amount of $3.54 billion.

2. The average individual, retired on social security benefits supplemented by part-time earnings, loses all social security benefits before he can possibly attain a total annual income of $3,000.

3. According to figures released by the Office of the Secretary of Defense, 1,049,248 members of the U.S. Armed Forces had less than a $3,000 annual income, including all allowances for food, clothing, shelter, plus the value of Federal income tax exemptions.

The foregoing examples are by no means exhaustive. They merely indicate the imprecise and unreliable character of the so-called poverty standard upon which this proposal is predicated.

Another factor of vital concern in this area is the factor of inflation. Purchasing power, not cash income, is the only reliable measure of economic attainment. Inflation may push cash incomes up; it may also push living standards down. Inflation is, in a word, an insidious and destructive tax which has its cruelest impact on the poor.

The importance of this factor is well illustrated by the following observation of Mr. Herman Miller, Director of the Census, on page 26 of his book "Rich Man, Poor Man."

"* * * there was a slight drop in purchasing power throughout most of the Truman administration. Real family incomes were no higher in 1952, when Truman left office, than they were in 1945, when he entered it.

"The Eisenhower administration concentrated heavily upon the control of inflation. The figures show that this policy was quite successful in terms of producing increases in family purchasing power. During the 8 years of the Eisenhower administration real family income rose by $1,000 or a little more than $100 a year."

During the past 3 years, we as a nation may well have become stalled on a so-called poverty plateau—the latest figures showing that 20 percent of American families have an annual income of less than $3,000. This may explain at least in part the administration's sudden and dramatic war on poverty. But the techniques of waging war on poverty are many and varied. The mere spending of Federal funds may well create more actual poverty than it cures.

Nevertheless, as long as poverty exists by any standards, it continues to be a matter of primary importance and public concern. This does not mean, however, that every proposal offered in the name of poverty is meritorious. Nor does it mean that ineffective or even dangerous programs must be adopted solely for the sake of taking action. Only the demagog demands action without reason. Responsible leaders do not act until they weigh the merits of a proposed course of public policy. In the light of these precepts, let us examine the proposed poverty package now before us to determine its intrinsic worth as an item of public policy.

THE LANDRUM-POWELL POVERTY PACKAGE

Unfortunately, this bill is so disorganized in its concept and unrelated in its parts that it cannot be effectively discussed in general terms. For this reason, detailed consideration will be given herein to each of its separate titles and provisions. At the outset, however, it should be pointed out that (1) this proposal is a hastily assembled amalgam of old offerings, having little or no legislative support, interspersed with a varied assortment of discredited past programs and a partial duplication of existing programs; (2) this bill is marked by an administrative philosophy completely at war with the proven precepts of American government and society—a philosophy which accords no meaningful recognition, role, or purpose to established State and local governments or to local planning bodies, and looks only to Federal action directly upon citizens and private groups to carry out programs of Federal design; (3) it creates a new and unneeded layer of Federal bureaucracy—a so-called Office of Economic Opportunity—headed by a poverty czar upon whom is conferred an ill-defined and wide ranging authority. This authority will permit the poverty czar to embark upon any number of individual projects and at the same time review, reorganize, coordinate, and supervise a great number of programs and policies already entrusted for administration to Cabinet Secretaries and other agency heads. This reliance on broad, undefined power, with its companion reliance on direct Federal action at all levels in our society, represents a dangerous assault on the established system of State-Federal relationships, as well as upon the orderly administration of programs and policies already entrusted to established agencies of government.

With this general overview having been stated, let us proceed to a detailed consideration of the various parts of this multiplex proposal.

TITLE I—YOUTH PROGRAMS

Part A—Job Corps

The so-called Job Corps is one of the most highly publicized features of this bill. It is also one of the most questionable.

The high cost alone—$190 million in the first year for 40,000 enrollees, or $4,700 per enrollee—raises a serious question as to whether this is a wise use of financial resources. An even more serious question, however, is whether the Job Corps could or would have any measurable effect in removing the causes of youth unemployment and poverty.

This and related questions were raised by one of the expert witnesses called by the Republican members of the committee, Dr. Urie Bronfenbrenner, a distinguished social psychologist and professor in the departments of psychology and of child development and family relationships at Cornell University. Dr. Bronfenbrenner favored a Job Corps as a possible means of helping a limited number of young men (the same group that would be more effectively aided by the residential schools which the Congress has already authorized in the 1963 Vocational Education Act), but he stated that this Job Corps concept "does not hit at the heart of the matter."

Dr. Bronfenbrenner, quoting President Johnson's intent "to strike at poverty at its source," stated: "To me, this means striking at poverty where it hits first and most damagingly—in early childhood." He went on to express grave concern about the psychological effects on youth of the work camps, saying:

"Unless the young person is trained in a job which his home community can use, unless he has learned patterns of social and civic behavior which are appropriate to that community, and unless that community is prepared to accept him in a new and more positive role, the young person will return only to be pushed back into the part in which he was formerly cast—the social misfit."

Such questions do not appear to have occurred to those who hurriedly pieced this bill together from odd parts of old proposals. Instead, they invoked the CCC experience of the 1930's to deal with youth who have been described as "the social dynamite" of the 1960's, although the times, the problems, and the needs of youth are vastly different. The need is to equip these young people to cope with their community: the need is not to equip them to commune with nature.

Practical and effective steps are being taken, fortunately, in many of our cities and impoverished rural areas, to make lasting improvements in the opportunities available to young people, as well as to assist those who are in present difficulty. These efforts involve the hard and undramatic tasks of improving schools, providing meaningful training opportunities for out-of-school youth, and advancing the social climate of blighted neighborhoods.

The costly Job Corps would divert both resources and attention from the more productive programs for unemployed youth, and this without much promise of success for even the limited number of enrollees. Mr. Shriver and his associates described the benefits of the work camps glibly in terms of "improved work habits" or learning such skills as equipment operation and auto mechanics. Yet, when pressed on the point, they have all had to acknowledge that these camps would not equip those who would qualify for enrollment—draft rejectees and illiterate or semiliterate school dropouts—for employment in today's labor market.

Apparently the real purpose of the proposed Job Corps is merely to create the appearance of action by removing a limited number of troublesome young people from the streets and attempting to give them some degree of basic education. The real problems, as well as appropriate solutions, are ignored.

One such problem is the increasing shortage of teachers prepared to provide either basic literacy instruction or vocational education. Only last year Congress enacted a vastly expanded manpower retraining program, designed in large part to help unemployed youth, including the provision of basic education. Similarly, the Vocational Education Acts have been expanded, modernized, and amended to include both work-study aid and residential schools for the very same young people who would be drawn to the so-called Job Corps. The 1965 budget for these expanded programs exceeds $1½ billion.

Yet nobody knows where the additional teachers for these programs, much less for the Job Corps are to be found. On April 1, 1964, Secretary Celebrezze submitted a report to Congress on the Manpower Development and Training Act which stated:

"The search for adequately prepared teachers is causing increasing concern at all levels in the manpower program, because of the large expansion contemplated. The search will be made increasingly difficult by these factors: The development of new occupational offerings for which experienced teachers are not available * * * and the urgency of providing classes when needed, rather than waiting for teachers to complete their professional preparation."

Teachers for basic literacy education are in equally short supply.

The Job Corps proposed in this bill would require thousands of teachers who could be recruited, if at all, only at the expense of our existing vocational and manpower training efforts. This could, and probably would, cripple successful Federal, State, and local programs.

Problems of recruitment, of maintaining discipline, of trying to prevent the work camps from taking on the aspects of racial ghettos, and a multitude of similar problems have had little consideration from the would-be administrators of this program. One example of their freewheeling unconcern for reality will suffice.

Apparently with no prior thought, and as a quick "on the spot" answer to a question posed in committee, Mr. Shriver agreed that it would be a fine idea to make young women eligible for the work camps and training centers. Therefore, the bill was amended to provide this type of integration of the program. How much would this increase the costs per enrollee? What new problems would be presented in organizing the camps and centers? What need exists for this kind of experience for young women? These and a hundred other questions remain unanswered, for the simple reason that they had never been considered.

This one example, unfortunately, exemplifies the approach to the entire Job Corps proposal.

Part B—Work-training programs

The work-training—section—under which the Federal Government would pay part or all the costs of work done by unemployed young men and women for public or private nonprofit agencies—was scarcely discussed in committee. The types of work to be performed, the rates of pay, the hours per week, and related concepts remain undefined in the bill. The stated purposes are to permit the enrollees to remain in school or to increase their employability.

The estimated first-year cost of this program is $150 million—an amount equal to the total Federal effort next year in helping provide a national system of vocational education.

Clearly, no benefits commensurate with this huge cost could be expected, even if the objectives of the program were sharply defined. As the bill stands, there is no indication of the kind of special preparation for employment, if any, to be provided the enrollee, or how such training could be provided outside organized training programs.

There is another very disturbing aspect to this provision. Federal funds would be used to carry on unspecified work for private groups and organizations. The original bill contained an ambiguous restriction against paying for projects involving "construction, operation, or maintenance of any facility used or to be used for sectarian instruction or as a place for religious worship." The restriction, therefore, applied only to facilities, and not to work for religious organizations having nothing to do with physical facilities.

In committee, even this mild restriction was weakened by amending it to read "used or to be used solely for sectarian instruction or as a place for religious worship." This means that work could be financed for the construction, operation, or maintenance of any church facility that was partially used for any purpose other than instruction or worship. Thus even the original limited restriction has evaporated into thin air.

What kind of work for private organizations can be financed? It must be "an undertaking or service in the public interest" or to be connected with the natural resources or recreational areas of a State or community. But the Federal Director of the poverty program decides for himself what is "in the public interest." The bill provides neither definition nor criteria. Moreover, no approval by any local planning body would be required.

As with the "Job Corps" proposal, the contribution, if any, that this program will make toward equipping young people for employment is highly questionable. Having recently approved a vocational work-study program for youth in this age group, and having expanded the Manpower Act to assist the same individuals, Congress should place its reliance upon these established Federal activities rather than embarking upon new, costly, ill-considered efforts which would only compete with and confuse the existing programs.

Part C—Work-study programs

This proposed program would cost $72.5 million in the first year. Its purpose is to assist the very same college students now being aided by the massive student loan program under the National Defense Education Act. It is a total duplication of that assistance, which carries an authorization of $125 million for this year and $135 million for next year.

The only justification for a new Federal aid program for low-income college students is that the colleges and universities (and, we assume, the students) would not object to having the money. We had always assumed that the Federal Government did not seek to take over and to displace all forms of student financial assistance, but to make it possible for able but needy students to enter and stay in college. The National Defense Education Act student loan program serves that purpose, and from all the information presented to our committee, serves it well, indeed. Since this is so there can be no justification for yet another Federal "work-study" scholarship program encompassing the same group of students.

This proposed new student aid program has other objectionable features. It too would permit Federal funds to be used to pay for work of an undefined nature performed for private organizations (other than educational ones), including religious organizations. And it contains the very same meaningless "restriction" that applies to the "work-training" proposal concerning "construction, operation, or maintenance" of a facility used solely for religious instruction of worship.

TITLE II—URBAN AND RURAL COMMUNITY ACTION PROGRAMS

Part A—General community action programs

This is the program which—without definition or meaningful limitation—would thrust the "poverty czar" and his entire retinue of new Federal bureaucrats into every program, public or private, which relates to the health, welfare, education, housing, employment, and family life of every community in America.

The proposal has to be read and studied to be believed. The Director is authorized to pay part or all of the costs of "community action programs" which are "focused upon the needs of low-income individuals or families" in a "State, metropolitan area, county, city, town, multicity unit, or multicounty unit in an attack on poverty."

The Director decides which programs to approve; they may be those of any public or nonprofit private organization. The poverty czar need not obtain the consent of a State or of any State agency in order to conduct any program he pleases within any State. This bill does reserve to the Governors of our 50 States one solitary function in all this. To them is reserved the august right "to comment." Lesser public officials—mayors, school board members, county commissioners, and the like—apparently may not even comment on—and certainly cannot block—the activities of the poverty czar within their respective communities.

Perhaps even more serious than the absence of a requirement for local or State governmental approval is the failure to give any recognition or require any approval of the thousands of community health and welfare planning organizations throughout the country. In most of our better organized communities such bodies, including public and private agencies, are the planning centers for any war on poverty. Failure to require their assessment and approval of any program in the health and welfare field might not only jeopardize the new program but also seriously upset the ongoing programs in the particular community. Such councils have been set up to work out in advance the possible duplications and rivalries of various agencies and bodies dealing in related areas. The prospect of various public and private agencies rushing to the poverty czar to secure funds and authority to move into new areas without approval of community planning organizations is, to say the least, a frightening one.

This unbridled grant of power to the Director, with its concomitant demeaning of State Governors and duly elected local officials is one of the most glaring deficiencies in this legislation. In commenting on this aspect of the pending proposal, the U.S. Conference of Mayors stated in part:

"Any Federal legislation that is to involve local citizen action in a war on poverty must clearly place the responsibility for program development and execution with responsible local government * * * if the Federal Government's entry into this foray is to be most effective, its assistance must be channeled to local communities in a manner consistent with local government responsibility and obligation * * * to launch a program of new aids to local private groups without governmental coordination at the local level would be a step backward."

If this be true with respect to our American cities, it is no less true with respect to our American States. But the pending bill completely rejects this time-tested precept and purposely proceeds on the basis of naked Federal power.

Under this title, the Director can finance the programs of any private agency, so long as such agency is not operated for the profit of an individual. The Director must find only that the program financed with Federal funds constitutes "an attack on poverty." Presumably this could apply even to employers associations, unions, or political organizations.

Grants to Private Schools

This title, as rewritten by the majority on the committee, presents an interesting study of obfuscation which would never be chronicled in any "Profiles of Courage." The original title, we were told, was to center largely upon education; but such education could be conducted for public or private school pupils only by the public schools. This arrangement aroused the opposition of those desiring equal aid for private schools. The Democrats on our committee spent the greater part of their 2 weeks of private sessions on the bill on this issue.

After much deliberation, an unusual solution to the problem was found; a solution couched in language calculated to confuse everyone. Education—except for "special remedial and other noncurricular educational assistance" (whatever that may mean)—was dropped from the bill. Another amendment would prohibit "general aid" to any school or school system.

We were unable to obtain an intelligible explanation of the meaning of this new language. The restriction against "general" aid certainly does not apply to "special" aids of all kinds, if language has any meaning. Therefore, the new language would not prohibit a wide and completely undefined range of special aids for private schools. These would be in the form of direct grants. "Noncurricular" education covers any instruction not included in the curriculum; this could be a huge number of subjects in one school, and none at all in another. Likewise, "remedial" can be applied to any subject from algebra to zoology.

Thus, although the principal purpose and justification claimed for the original title has been substantially abandoned, the issue of direct aid for private schools remains.

Direct Federal Grants for Sectarian Purposes

As we have pointed out in the analysis of title I, language was included purportedly designed to bar aid for sectarian instruction or religious worship. On closer examination, the language only barred aid for "construction, operation, or maintenance" of facilities used for these purposes.

However, in committee the word "solely" was inserted in this clause so that construction, operation, or maintenance is barred only if a facility is used solely for sectarian instruction or religious worship. This means that a direct Federal grant can be made for the construction, operation, or maintenance of any facility—however religious or sectarian its purpose—so long as it will be used part of the time for poverty programs. If a church or church structure is to be used part of the time for programs approved under this bill, then the construction, operation, and maintenance of that church or church structure could be financed with Federal funds. What other meaning can there be to the clear language of the bill, which reads: "*Provided, however,* That no such work shall involve the construction, operation, or maintenance of any facility used or to be used solely for sectarian instruction or as a place for religious worship;"

Title II is completely wide open to the use of funds for sectarian purposes. Under the title, as we have noted, every nonprofit organization qualifies for assistance, but there is no language anywhere in the title which even purports to preclude sectarian use of the grants under the community action programs. This is a serious omission. Obviously, almost all religious organizations are active in combating poverty; they are fighting not only material poverty but also poverty of the mind and spirit. There is no question that their efforts are in the public interest and deserve the commendation of us all.

But we have here a very serious question of public policy that has nothing to do with devotion to our religious institutions; it involves only the question of government intervention by means of direct grants for religious use or for religious purposes. The original Landrum-Powell bill was defective in the cumbersome way by which it tried to cope with the church-state issue. The bill as amended by the committee is far worse. It offers no guidelines and no meaningful restriction whatsoever as to sectarian use of Federal funds. When direct Federal grants for religious purposes are possible, the wall of separation between church and state has been seriously breached.

Direct Federal Grants for Birth Control and Similar Programs

In committee, the principal sponsors of the bill often became furious when the effect of their own proposals were described. For example, when Mr. BELL and Mr. GOODELL, in the hearing on April 17, raised the question whether Federal funds could be used to finance birth control program, Mr. LANDRUM responded, in part, "This is the most fantastic inference it has been my privilege to hear any intelligent gentleman like you, or anyone else make." The very next witness here was the president of a leading private, nonprofit organization, who, speaking for himself, said:

"I personally feel that along with providing better schooling for our children, the Federal Government should start at once a long-range program to check the population explosion—and to make the two-child family popular and fashionable again. I urge that the United States should finance research in the problems of population control. This is a vital matter that should not be delayed."

On the very next day, the ultimate authority on the bill, Mr. Shriver, appeared to offer his final testimony. Mr. Bell asked for a direct answer as to whether a birth control program could be financed under the bill. There followed a rather rambling reply to the effect that the decision would be made by community organizations which submitted plans.

Mr. Bell concluded: "Then it [financing birth control programs] is possible under this legislation, as I see it?"

Mr. Shriver: "Presumably, if the plan came up in that way. Until you get the plan, it is always a hypothetical question."

Mr. Bell: "Would you approve of such a plan?"

Mr. Shriver: "If the plan came up and conformed to the principles of the legislation, surely I would."

Our point is not to criticize birth control programs. Many perfectly fine private nonprofit organizations have an interest in this work. They finance the activity with their private funds. Similarly, a number of State and local public programs are conducted in this field. They are financed with the approval of voters, who can control such matters at the polls. What this bill permits is the use of Federal funds to finance private organizations in such activities in a community without the approval of any public agency.

Duplication of Many Existing Programs

The fact is that this "community action program" duplicates scores of existing Federal programs—costing nearly tens of billions of dollars annually—that are already operating in every State in the Union. A detailed summary of many of those programs appears at a later point in this statement.

These existing Federal programs cover welfare, health, housing, education, manpower training, rehabilitation, maternal and child care, assistance for poor farm families, aid for the elderly, assistance for Indians, and many activities. These programs are almost wholly administered through the States, by State and local public agencies. To qualify for Federal aid, a State must adopt an approved State plan, and a high degree of coordination of effort at both the Federal and the State and local levels must exist.

Our committee did not hear one word of testimony as to how the new bureaucracy, through "community action," was going to bring about a single improvement in existing programs designed to reduce dependency or eliminate the causes of poverty. Why, then, do we need a "poverty czar" with these unlimited powers, including the power indiscriminately to spend public funds to aid and assist private organizations? Let us take a concrete example of an ongoing program—vocational rehabilitation. Next year the Federal contribution to a comprehensive Federal-State-local effort in this one field will be $140 million. The only thing the new bureaucracy could contribute to this highly successful program, other than unwanted confusion, is more funds. That is true in every field of endeavor mentioned in this title. Assuming any additional appropriations can be justified, Congress should appropriate the money for these programs directly to already established agencies.

Although it is not generally known, this title is based upon the Juvenile Delinquency Act which authorized a similar program of "community action" to curb youth offenses. The Juvenile Delinquency Act is admittedly experimental. It is being applied to only a limited number of communities throughout the country. It was intended, as a result of the experience gained under this act, that Congress could discover what is good or bad, what is effective or ineffective in such programs. The authors of this bill, however, cannot wait for the reports to come in. They have no time for thoughtful evaluation of results. They must pattern this bill upon a program which already has brought to light a number of weaknesses which should not be repeated in future congressional enactments in the community action field. Unfortunately, this bill perpetuates and compounds those shortcomings.

Part B—Adult basic education programs

Except for the fact that the authority for this proposed program is removed by this amendment from the Commissioner of Education and transferred to the "poverty czar," the program is identical to that contained in H.R. 5542. That bill was reported by this committee on August 7, 1963 (H. Rept. 638), and is currently before the House Rules Committee.

We have already stated our views with respect to H.R. 5542. In essence, it is our opinion that the Congress met the primary Federal concern in adult literacy education by placing that activity within the Manpower Development and Retraining Act, where it can be related directly to meaningful training for employment.

The inclusion of this program by the committee as an amendment to the original bill is fully consistent with the jerry-built nature of the entire proposal. It also reflects an impatience with the legislative process and the orderly functioning of Congress, by reintroducing in new trappings old legislative bundles which Congress has not embraced. Perhaps it is hoped that Congress will not recognize these perennials in their new garb for what they are.

TITLE III—SPECIAL PROGRAMS TO COMBAT POVERTY IN RURAL AREAS

An essential fact with respect to this title is that the Committee on Education and Labor should not have been obliged to consider it at all. Quite aside from the fact that this committee, clearly, has no jurisdiction in this field, the proposals embodied in this title impinge upon extremely important Federal agricultural programs and indeed, our entire agricultural economy. This title should have had the thorough consideration of the Committee on Agriculture, whose members possess a detailed knowledge of existing programs in agriculture, as well as an expert understanding of agricultural problems.

When the Secretary of Agriculture, during his testimony, was asked if this title should not be before the Agriculture Committee, he replied: "* * * I would just as soon stay out of trouble by not answering your question."

Only two members of our committee, both Republicans, serve on the Committee on Agriculture. Naturally, their views were not followed by the majority. This flagrant abuse of the committee system of the Congress is a serious matter. It goes to the heart of the legislative process. We are reluctantly coming to the conclusion that such serious matters do not at all concern the President, whose attention seems riveted on the subject of election year politics. We trust that the Congress will assert its independence, reestablish its integrity, and rebuff this attack on the orderly consideration of legislation.

Part A—Authority to make grants and loans

A basic fact pertinent to this entire title—and therefore unlikely to be mentioned in the majority views—is that the number of marginal farms has steadily declined, while the number of successful farms has remained the same since 1939. For example, in 1949 there were over 3 million farms with cash sales of less than $2,500. By 1964, scarcely half that number of marginal operations remained.

The Farmers Home Administration of the Department of Agriculture has a huge and successful program of direct loans for low-income farm families to assist them in improving their farm operations. The amount budgeted next year for the FHA loan program is $327.5 million. An additional $25.3 million is budgeted for rural housing grants and loans and rural renewal loans. This assistance is available on the basis of a careful, expert evaluation of farm operations. Secretary Freeman testified that 90 percent of the direct loan assistance went to farmers having a cash income of less than $3,000 annually.

The view of experts with which we have consulted is that the grant and loan program in this poverty bill is a dangerous perversion of the existing FHA loan program.

The purpose of part A is to permit the "poverty czar" to give direct grants of $1,500 to low-income farmers whose operations are so marginal and unpromising as to disqualify them for an FHA loan. These same farmers would also be eligible for additional loans up to $2,500. As the American Farm Bureau Federation spokesman, Dr. Harry L. Brown, a very distinguished Georgia educator and agriculturist, pointed out to our committee:

"This grant and loan program would, whatever the intention may be, operate to perpetuate subsistence farming and rural slums. Such grants and loans would apparently not be made to every low-income family, but only when it is determined administratively that a family would be better off where it is than some place else."

Dr. Brown further observed that the purpose of the FHA loan program, which he supported as sound, is "to provide assistance to those farmers who can enlarge their enterprises to become economic-sized operators." Thus, low-income farmers who are capable of creating a going agricultural enterprise that lifts them out of an impoverished state, are adequately assisted now. The purpose of this title is to keep some farmers in poverty.

To argue that unsuccessful agriculture should be encouraged in order to keep individuals on farms, even in a state of poverty, is to argue against the entire economic and social history of this country. As Dr. Brown stated:

"Despite all the gloomy assumptions that there is no place in the city except relief rolls for rural subsistence farmers, it is a fact that literally millions of people migrating from subsistence agriculture in the past 50 years have carved places for themselves in society, and this migration has furnished the personnel that man our commercial, industrial, and military establishments."

Family Farm Development Corporations

This is the land reform scheme which one of the Democratic members of our committee publicly described as looking like something from behind the Iron Curtain. In fact, it revives a highly unsuccessful "resettlement program" of the 1930's which was operated by the Farm Security Administration. This section authorizes the Director to organize public or private corporations and to finance their purchase of agricultural land, which would then be "reconstituted" into "family-sized farms" (as defined by the Director) and sold at a loss to low-income farmers.

The American Farm Bureau aptly states that "the concept that low-income families should be settled and maintained on little farms is an old reactionary idea. The result would be stabilized, Government-directed, and subsidized poverty." That was the precise result of the old resettlement program, and it was abandoned in a very few years. It is truly incredible that such a scheme should be revived in the economy of the 1960's.

The ignominious and ill-fated farm-resettlement program of the thirties, after which much of this particular title is patterned, was invested by a select committee of the House Agriculture Committee in 1944. That committee submitted a report to the

House strongly critical of the program, both in concept and in performance.

Following are a few findings and observations made by that committee, all of which may well be repeated by some future congressional committee should this proposed title go into effect:

"The investigation disclosed that, beginning with the administration of Rexford G. Tugwell and continuing throughout the administration of C. B. Baldwin, the Farm Security Administration was financing communistic resettlement projects, where the families could never own homes or be paid for all that they made or for all the time they worked, and was supervising its borrowers to the extent of telling the borrower how to raise his children, how to plan his homelife, and, it is strongly suspected in some cases, how to vote. Some families were 'kept on the Government' indefinitely, while other families that were willing to work just as hard and do their best to pay their debts, would not get any help from the Government at all.

* * * * *

"Families have been colonized, regimented, and supervised to an extent which cannot possibly be justified. It has been insisted arbitrarily that they keep records which many of them have found impossible to keep and maintain. They have been told what crops to plant and how they must be cultivated. They have been told from whom they must purchase and to whom they must sell. Their bank accounts have been completely controlled and kept under joint ownership by the Government, and they have not even been permitted to select their own work stock and other equipment. Supervisors of the Farm Security Administration have insisted upon discussing with members of the family the most intimate relationships.

* * * * *

"As a result of those factors previously discussed in this report, the committee is of the opinion that, up to the time of the recent changes in those in authority over Farm Security Administration, that agency has not been wisely administered and has been used as an experiment station of un-American ideas and economic and social theories of little or questionable value.

"The committee sees no need for the present duplication of Federal agencies furnishing analogous types of services to low-income farmers. Such duplication undoubtedly causes loss of Government manpower, increases Government expenses, and creates confusion in the minds of farmers who must necessarily utilize that type of credit."

While we do not wish to belabor the obvious, the fact remains that much of this title is alien in concept. Indeed, the case of this proposal has long been advocated by the Communist Party. As recently as 1955, the National Farm Commission of the Communist Party of the United States adopted the following proposition:

"Sharecroppers and tenants, Negro and white, should be aided to become owners. The Government to buy up tracts of land and make productive farms available to sharecroppers, tenants, and farmworkers on a low-cost basis."

Small wonder that Norman Thomas, long a perennial Socialist candidate for President, recently characterized this proposal "as a socialistic approach." Mr. Thomas should know.

Thus, the basic land-reform scheme embodied in this bill is both revolutionary and reactionary. The extraordinary powers handed to the poverty czar to administer this program border upon totalitarianism. In the language of section 303(b), the Director would "prescribe such rules and regulations regarding the organization, financial resources, operations, and activities of such (farm development) corporation as he deems appropriate." He is authorized to finance these corporations "upon such terms and conditions as he may determine."

The same kind of unbridled authority runs throughout this bill. For example, in this title, the Director himself determines what constitutes a low-income farm family, and the decision as to which families to help is left to the judgment of the Director. He would possess a degree of authority over agriculture and farm families not to be found elsewhere in the free world.

Cooperative Associations

The final grant of unlimited power in this part projects the Director into farm cooperatives to finance services to low-income rural families. This provision was scarcely discussed by the committee, which has little knowledge of the operation of farm cooperatives or of the large farmer-owned and farmer-controlled credit system.

Beyond question, however, the proposal envisages a system of cooperatives dominated by Federal agents, which would establish a system of soft credit for farmers arbitrarily identified by the new Federal agency as "low income." Whether it is wise or even feasible thus to set a section of the agricultural community apart is extremely dubious. Obviously, this entire proposal should receive careful study from those familiar with farm cooperatives. We must assume this is the reason why it was not sent to the Committee on Agriculture.

Assistance for Migrant Agricultural Employees and Their Families

Congress has long had before it a number of proposals for special assistance for migrant agricultural workers. Part B was not included in the original bill, but was inserted by the committee as an amendment. Accordingly, there were no hearings on this provision, and it has not been discussed in committee.

Five Senate-passed bills affecting migrant agricultural workers were referred to this committee on June 11 and 12, 1963. Only one has been acted upon. Rather than give a poverty director carte blanche power to develop programs covering the subject matter of these bills—which, if enacted, would place their administration in the proper Federal agencies—we believe that the pending bills should receive proper consideration in this committee. However, the proponents of this legislation, both in and out of Congress, do not hold the legislative process in such esteem.

TITLE IV—EMPLOYMENT AND INVESTMENT INCENTIVES

This title concerns itself with a subject matter—assistance to small business organizations—about which the Education and Labor Committee knows little and for which it is not legislatively responsible. This entire title of the bill falls clearly within the jurisdiction and competence of the Banking and Currency Committee of the House, and should, in all logic, have been referred to that committee for initial consideration.

Be that as it may, there is nothing in this title which should command the approval of Congress. Title IV would merely overlap and duplicate authority which already reposes in the Small Business Administration. This duplication of effort to give aid to small business organizations, by making and guaranteeing loans to such enterprises, can only lead to confusion and uncertainty in the administration of established programs.

The language and provisions of this title are incongruous and self-contradictory. For example, section 405(b) provides that before aid can be given under this title, financial assistance must not "otherwise be available on reasonable terms from private sources or other Federal, State, or local programs." But as another condition, section 405(a) requires that there be reasonable assurance of repayment of the loan before aid can be given. If the borrower could provide reasonable assurance of repayment, financial assistance would be readily available to him from existing programs. Thus he would not need to seek aid under this title. Even if these two conditions were given a liberal interpretation and application, it is doubtful whether anyone could qualify for assistance under this title as it is written. However, it is not inconceivable that the bureaucrats will find a way to spend the authorization.

As added conditions to receiving financial assistance, the Director may require the applicant to participate in a management-training program that the Director has approved. This is an unusual provision, to say the least. Not does it contemplate the lending money to persons incompetent to operate a business but, in typical bureaucratic fashion, it contemplates a further instrusion of Government to educate the borrower, presumably on the theory that once educated he may be able to pay off a later loan, but not the one for which his original lack of competence qualified him.

The authors of the bill made little effort to disguise the fact that this title adds nothing at all of an existing programs, as they specifically authorize the Director to transfer this alleged new program in its entirety to the Small Business Administration for execution.

As we repeatedly pointed out, it is completely unwise and unnecessary to involve a new bureaucracy in the administrative affairs of established Government agencies—in this case the Small Business Administration.

TITLE V—WORK EXPERIENCE PROGRAM

This title exemplifies the theme of duplication of function and redundancy of purpose that runs throughout the entire bill. If this title is enacted, nothing more would be accomplished than to permit the Director to intervene in four programs already in existence and now being administered by the Department of Health, Education, and Welfare, where they properly belong.

The basic purposes to be served by this title are identical with those already being served by the public welfare provisions of the Social Security Act, as amended in 1962. This title authorizes an expenditure of an additional $100 million (in addition to the $50 million already budgeted). However, the spending of this additional money at this time would both be unreasonable and unjustified (according to information presented by Secretary Celebrezze to the committee during recent hearings). With respect to the operation of these programs, Secretary Celebrezze stated:

"The enactment of the Public Welfare Amendments of 1962 which resulted from this effort, provided the authority and financial resources for a new approach to the problems of prolonged dependency where rehabilitation is possible. Accordingly, the Department is moving ahead with the States to institute measures designed to break the poverty cycle through community work and training projects, work incentives, day care for children of working mothers, and a full range of supporting social services. Funds are available to finance special demonstrations in public assistance, rehabilitation projects using the maximum flexibility in the provision of assistance and services. These activities are moving forward as rapidly as the States and localities are able to establish and staff them on a sound basis. The task is formidable, but the prospects of success are promising."

Other established programs in which this title would permit the new poverty czar to meddle are the Manpower Development and Training Act of 1963 (presently being administered by the Labor Department) and the Vocational Education Act of 1963 (presently being administered by the Department of Health, Education, and Welfare).

Nothing in the evidence or testimony presented to the committee would in any way justify approval of this title. The programs referred to above are already being administered by established Government departments. There is absolutely no reason to create a new superagency to oversee the work of these Cabinet-level administrators. If they are incompetent they should be replaced. If they are competent they should be spared the interference and harassment which this title contemplates.

Moreover, if there is need for more funds to carry out these programs those funds should be appropriated directly to the responsible departments—they need not and should not be channeled through the poverty czar acting as a transfer agent. This would merely increase the administrative costs of the program and would accomplish no worthwhile purpose.

TITLE VI—ADMINISTRATION AND COORDINATION

This title would create a new bureaucracy—the "Office of Economic Opportunity"—to be headed by a Director and four Deputy Directors. This title would confer upon the proposed Director of that Office the most sweeping and undefined grant of power to be found anywhere in the Federal Government. In addition to the specific grants of authority contained in this bill, there are at least six instances in which action by the Director is authorized, notwithstanding the existence of Federal law to the contrary.

For example, the Director, under this title, would be completely exempted from all provisions of Federal law relating to the "acquisition, handling, or disposal of real or personal property by the United States"; he would be empowered to "deal with, complete, rent, renovate, modernize, or sell for cash or credit at his discretion any property acquired by him in connection with loans, participations, and guarantees made by him pursuant to titles III and IV." In short, he is empowered to do whatever he pleases with such properties as farms, farm homes, businesses, farm cooperatives, and personal property of every description.

Moreover, there are no definitions of terms anywhere in this bill, except for three words, "State," "agency," and "family." There are virtually no criteria provided for the exercise of the vast powers conferred upon this poverty czar. For example, section 602(m) confers upon the Director general authority to "establish such policies, standards, criteria and procedures, prescribe such rules and regulations, enter into such contracts and agreements with public agencies and private organizations and persons, make such payments (in lump sum or installments, and in advance or by way of reimbursement, and in the case of grants, with necessary adjustments on account of overpayments or underpayments), and generally perform such functions and take such steps as he may deem to be necessary or appropriate to carry out the provisions of this Act."

We have not referred to the Director as a poverty czar in jest. The grant authority which this bill is designed to confer upon the Director would make him a czar in every sense of the word.

This title would also create two advisory councils, one composed of Cabinet officials or their delegates and one composed of representatives of the public. Neither council is given any power whatsoever to overrule the Director, nor has either council any administrative function to perform under the act.

Volunteers in Service to America

In testimony before the committee, Mr. Shriver and the Attorney General admitted that the administration-sponsored Domestic Peace Corps proposal, H.R. 5625, was being shelved and that the "Volunteers in Service to America" proposal was being substituted for it. Thus, in less than two pages of the new bill, with no standards or limitations, the poverty czar is given authority to establish any type of domestic peace corps program he desires, while a proposal on which there have been lengthy hearings and on which there is a measure pending, totaling 20 pages, is shelved. This is an obvious and flagrant attempt to sneak into law without proper congressional consideration an authorization which, when detailed and presented on its own merits. will almost certainly be rejected unless limited to proper fields of Federal activity. A proposal to substitute for this provision a defined program for Federal activity of this nature, making possible an extension of the International Peace Corps concept, was rejected without serious consideration by the administration and by the Democratic majority of the committee.

We therefore believe that this abbreviated and ill-considered version of a domestic peace corps should be stricken from this bill, and that resort be had to established legislative procedures.

One final point should be emphasized regarding the substantive provisions of this title. The term "coordination" is used in the title, as it was throughout the hearings on the bill, to suggest that the function of the Director is merely to "coordinate" programs to combat poverty. That is simply not true. Every authorization in this bill—save one to the President to transfer the entire agency without regard to existing law—is an authorization to the Director, to be used at his sole discretion. In all candor this title, fairly construed, means that the Congress is delegating sweeping and unfettered power to the Director to oversee the affairs of established agencies of Government. This, in our opinion, is an authority that Congress should weigh and then withhold.

Some Further Comments and Observations

In addition to the foregoing analysis, our consideration of this bill over the past months, both in and out of committee, compels us to make the following additional comments and observations.

H.R. 11377: A token war on poverty; a frontal assault on basic American precepts

Regardless of the exaggerated claims its proponents may make for it, the fact remains that this proposal does not and, as written, cannot deal effectively with the basic causes of poverty. It holds out extravagant promises to the unfortunate, but it contains no substance for their fulfillment.

The $962.5 million which this bill authorizes will make a significant contribution to the already vexing Federal deficit, but will make no significant contribution to the established multibillion-dollar antipoverty programs now being carried forward by the Federal Government.

Apart from that proportion of the recommended funds which will be used to add additional bureaucrats to the burgeoning Federal payroll, this bill will neither create nor encourage the creation of any substantial new employment. It will not prepare any substantial number of our unemployed for gainful employment in today's highly skilled labor market. Nor will this bill, despite its misleading title, contribute anything of substance to the expansion of economic opportunity. As an instrument for waging war on poverty, the pending bill is all promise and no progress, all mouth and no muscle.

However, as an assault on basic American precepts and the orderly administration of Government affairs, this bill, to say the least, is an instrument capable of indescribable havoc.

The creation of a new layer of Federal bureaucracy, headed up by a poverty czar with unlimited power to bypass all duly constituted State and local governments and to deal directly with groups and organizations of his preference in carrying forward myriad programs of his design, could well mark "finis" to any meaningful future for the States and local governments in the orderly conduct of this Nation's affairs.

This wide-ranging power, together with the czaristic endowment to embark upon new undertakings competitive with and duplicative of programs already well established, not to mention the additional power to "coordinate," "review," and otherwise interfere with the administrative functions of Cabinet officials and other agency heads, may well create administrative chaos throughout the Federal structure. It will, moreover, unnecessarily impede the administration of established programs, vital to the welfare of the Nation. Members should weigh these implications well. Let it not be written that we abandoned the strength of America for a slogan.

Present Federal antipoverty programs: Numerous, far reaching, well established

Much of the publicity surrounding the introduction and promotion of this legislation has been directed toward creating the impression that for the first time in history the Federal Government, in some manner, has suddenly become aware of the existence of poverty and, at long last, is undertaking to do something about it. This misleading and malicious myth must be exposed and discredited.

The Federal Government for a number of decades has been directly involved in combating poverty. Since the end of World War I it has been heavily committed to such activities. At the present time a substantial part of the total national budget is allocated to programs designed to prevent, alleviate, and overcome the effects and causes of poverty in America.

According to the Social Security Bulletin for November 1963, a total of $66.5 billion was spent by all levels of government for "social welfare" purposes in 1962. During the same year, an additional $33.5 billion was spent by private organizations for the same purposes. This constituted a total national effort of $100 billion.

During his testimony before the committee, Secretary Celebrezze conceded that the Federal Government was currently carrying forward 42 individual programs designed to combat and overcome the causes of poverty. These programs constitute a formidable Federal commitment to the war on poverty. According to the Bureau of the Budget these programs carried appropriations of almost $32 billion for the fiscal year 1964. These programs, together with their authorized appropriations for fiscal 1964, are set forth below:

Federal programs currently operating to combat poverty (appropriations for fiscal year 1964)

[In thousands of dollars]

DEPARTMENT OF AGRICULTURE	
Extension services	80, 180
Rural renewal	1, 200
Rural housing for elderly	3, 500
Direct loans	486, 000
Rural housing repairs	3, 355
Housing for domestic farm laborers	3, 000
Food distribution:	
Sec. 32 and CCC (domestic)	416, 200
Food stamp	44, 600
School lunch	182, 000
Special milk	100, 000
Forestry and soil conservation	509, 000
Total	1, 829, 035

Federal programs currently operating to combat poverty (appropriations for fiscal year 1964)—Continued

[In thousands of dollars]

DEPARTMENT OF COMMERCE	
Vocational training and retraining in redevelopment areas	8,500
Industrial and commercial loans	132,000
Public facility loans	(1)
Public facility grants	(1)
Technical assistance	4,500
Total	145,000
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE	
Public health	1,483,787
Indian health	65,048
Maternal, child health, and crippled children	68,777
Vocational education	56,917
Public library services and construction	7,500
Aid to impacted areas	344,410
National Defense Education Act	235,788
Teachers of handicapped children	14,185
Old age, survivors, and disability insurance benefits	17,071,940
Public assistance	2,886,055
Child welfare services	32,943
Juvenile delinquency	6,950
Vocational rehabilitation	128,407
Manpower development and training	164,977
Total	22,567,684
HOUSING AND HOME FINANCE AGENCY	
Urban planning	21,150
Urban renewal—contract authority	1,400,000
Appropriation to liquidate contract authority	104,805
Mortgage insurance—permanent indefinite authorization to expend from corporate debt receipts	142,395
Low-rent public housing	212,484
Public facility construction—financed from authorization to expend from public debt receipts enacted in 1961	----------
Low-income housing demonstration projects	43
Contract authority	5,000
Appropriation to liquidate contract authority	1,157
Loans for housing for the elderly	100,000
Federal National Mortgage Association—financed from authorization to expend from public debt receipts enacted in prior years	----------
Total	1,987,034
DEPARTMENT OF THE INTERIOR	
Indian affairs	217,541
Conservation:	
Bureau of Land Management	126,364
Geological Survey	63,700
Bureau of Reclamation	357,531
National Park Service	128,976
Fish and Wildlife Service	109,449
Research in health and safety in mining operations	1,596
Territories and the trust territory	46,506
Total	1,051,663

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[1] Included in industrial and commercial loans.

Federal programs currently operating to combat poverty (appropriations for fiscal year 1964)—Continued

[In thousands of dollars]

DEPARTMENT OF LABOR	
Employment services	173,330
Unemployment compensation	4,009,199
Labor standards	18,400
Total	4,200,929
FUNDS APPROPRIATED TO THE PRESIDENT	
Accelerated public works	30,000
Grand total	31,811,345

The programs listed above are well established, and their administration is in the hands of recognized Government agencies, manned by experienced personnel. If these programs need to be expanded or modified, their administration should, in our opinion, continue to vest in established Government agencies. We see no advantage—indeed we see serious disadvantages—in placing fragmentary duplications of these programs in the hands of a new and untried agency, headed by a new and untried "poverty czar." The duplication of function and administrative dispersal contemplated by the pending legislation invites administrative chaos and confusion which may well imperil the effective administration of existing programs. In our opinion the creation of the so-called Office of Economic Opportunity, to manipulate at large in these important areas, cannot be hazarded. There is no justification—economic, organizational, or administrative—for the creation of any such superagency.

The poverty package: A political project

We fully recognize that all legislative proposals coming before a congressional committee should be evaluated solely on their intrinsic merit. We have accorded this consideration to the pending bill and have found little to commend it. Accordingly, we are strongly recommending that this bill be rejected.

However, we do not deem it amiss to point out that in addition to its basic lack of merit, this bill suffers from the further fact that it is patently political in origin and purpose.

The proposal presently before the House is not the reasoned result of careful study and consideration, based upon established fact and proven need. It is, as we have already stated, a hastily assembled package of odd legislative retreads and rejects, interspersed with a sprinkling of old, unsuccessful experiments and a plagiarized assortment of existing programs, capped off with an administrative structure designed to promote a picture of personalized Federal largess.

From the moment this legislation was introduced "poverty" became the political watchword of the administration. Administration figures of every rank and region, from the President and his family to the poverty-czar-in-waiting, have been telling the world that prosperous America is poverty stricken. They have also been telling the unfortunate and underprivileged in this country that this bill will redeem them.

At the same time, the committee which considered this bill refused to plumb the problem, refused critically to analyze and evaluate the proposal. The chairman's lopsided gavel was used as an instrument of discipline to blunt exposure and to thwart inquiry. **Hearings were concluded abruptly with vital witnesses still unheard. All important decisions on markup of the bill were made during the Powell-Landrum lockout period of 10 days during which Republicans were excluded from committee chairs. As a consequence, the executive sessions were** bereft of meaningful debate and deliberation. Worthwhile amendments were turned aside by a straight line party vote. The party word had gone out; the product had to be delivered.

The day after this proposal was introduced, the Democratic National Committee delivered to the office of every Democratic Congressman a so-called "poverty kit," complete with prewritten speeches, canned press releases, and similar propaganda, to be used in all the hustings to promote and advance the political "poverty battle."

When one surveys the "fanfaronade" and staging that has been built around this proposal, including prearranged televised tours among prescreened unfortunates; when one ponders the ironfisted resolution which has driven this measure to this stage in the legislative process; when one contemplates the 35 million Americans whom the administration, without foundation in fact, cavalierly classifies as poverty stricken; when one dwells upon these matters and then analyzes the details of this proposal and learns that under its terms each person classified as poverty stricken would receive less than $28 per year—one cannot fail to suspect that political chicanery attends this entire undertaking. Indeed, when one contemplates and evaluates this whole performance, one is driven to concur with the reasoning of one of our great American newspapers, the Washington Star, which, after reviewing this sorry spectacle, published the following editorial:

"War on poverty

"The poor, it is said, will always be with us. And Lyndon B. Johnson doubtless will always be with the poor. Which may or may not be a comforting thought to the William David Marlow family.

"The Marlows were visited by President Johnson and Linda Bird at their home near Rocky Mount, N.C., on May 7. Since the story and pictures appeared hundreds of people have driven by to see the house, many of them shining their headlights in at night. One day the Marlows counted 146 carloads of people. A woman visitor wanted to buy the bed on which the President and his daughter had sat, offering a complete bedroom suite for it. Mrs. Marlow wouldn't trade. She said 'it's too good a sleeper.'

"There also seems to be a rather large question about the target chosen for this particular Presidential mission. A county official had urged Mrs. Marlow to have a wash out on the line and to be sure the kids were barefoot. In other words, live it down.

"But Mrs. Marlow, who evidently hasn't been boning up on wars on poverty, said the strange thing was that 'we didn't even feel like we were in poverty.' And Mr. Marlow, who was transplanting tobacco when a reporter got to him, said he expects to clear about $1,500 over and above all expenses this year.

"'What we need right now,' he said, 'is rain.'

"Perhaps President Johnson, whose talent for getting things done is legendary, will produce the rain. If he can, the rest of the 'war on poverty' should be a cinch. Meanwhile, however, the Marlow story deepens a small shadow of doubt which had already crossed our mind. Could there possibly be something just a little bit phony about this war?"

Further general observations

Most of the proposals contained in the pending poverty bill—such as the Job Corps, the work-study program, and the Domestic Peace Corps—have previously failed to obtain congressional approval. The remaining proposals are, for the most part, duplications of established antipoverty programs now being carried out by a number of departments and agencies of the Federal Government.

We believe that if present antipoverty programs need to be expanded, their administration should vest in the established agencies of Government. We cannot, therefore, subscribe to the creation of a new layer of Federal bureaucracy, the so-called Office of Economic Opportunity, which H.R. 11377 would superimpose upon established departments and agencies of Government and endow with extensive supervisory and regulatory authority over existing programs and policies. The creation of such a superagency, with its poverty czar Director, cannot be justified economically, organizationally, or administratively.

The pending proposal purposely bypassed established State and local funds. It accords them no recognition. It places no responsibility on them. And it permits them no meaningful participation in the administration and development of the various activities envisioned by the bill.

This undermining of traditional State-Federal relationships and this resort to direct Federal intervention in local affairs is, in our opinion, unnecessary and unwise. It would constitute a monumental error in judgment and pose a real danger to proven precepts of American governmental practices.

The pending proposal, by delegating a host of vague and unfettered powers to a new Federal poverty czar, permitting him to embark upon competing and overlapping programs and to influence the administration of existing programs, for which Secretaries of Departments and other agency heads are responsible, will result in administrative confusion and duplication. Present antipoverty programs now involve the expenditure of at least $10 billion of Federal funds annually. We must safeguard rather than imperil the effective administration of these programs.

This proposal is patently political in motivation. It is designed to arouse great expectations, but it contains no substance through which such hopes may be realized. It carries an authorization of less than $1 billion; this amount, if divided among all those persons whom the administration defines as "poverty stricken," would amount to less than $28 for each such person per year. To hold such a bill out as being truly designed to aid the poor and underprivileged is nothing more or less than political chicanery.

SUMMARY AND CONCLUSIONS

We, the minority members of the House Education and Labor Committee, have been constrained to vote against the pending proposal. We have done so because we believe it represents unsound legislation and because we do not believe its enactment would be in the public interest.

Our detailed comments on the various segments of the Landrum-Powell poverty package have already been set forth in this minority report. These comments, in our opinion, demonstrate beyond question the complete inadvisability of the enactment of this legislation. The principal reasons for our opposition to the Landrum-Powell poverty package may be specifically summarized and restated as follows:

1. Existing Federal programs directed at fighting poverty are completely ignored by this bill. The Director of a new Office of Economic Opportunity is given blanket authority to set up 11 brandnew programs bureaucratically unrelated to and uncoordinated with existing antipoverty programs.

2. State and local governments can and will be completely bypassed by the Federal poverty czar.

3. This proposal is completely steeped in partisan politics; it employs poverty as a political vehicle.

4. Direct aid to religious organizations for sectarian purposes is not prohibited in community action programs under title II. The bill gives no guidelines whatsoever for involvement of charitable and religious organizations, except to prohibit general aid to education. The majority tactic of striking all reference to religious or sectarian use of Federal funds does not solve the church-state issue, it merely ignores it.

5. Title III, aimed at rural poverty, will bestow gifts and loans on the most unpromising farmers, thus undermining and contradicting the best features of the present Farmers Home Administration program. It offers a backward-looking, reactionary program that will perpetuate poverty on the farm.

6. Title III also sets up an agrarian land reform program that a Democratic member of the committee publicly described as looking like something from behind the Iron Curtain. Certainly its origin is suspect.

7. The community action program in title II is patterned after the experimental aspects of the juvenile delinquency program which has proven to be cumbersome and unworkable.

8. Title IV sets up a new, overlapping industrial loan program, permitting the poverty czar to intrude upon and supervise activities of the Small Business Administration and the ARA.

9. Vital priorities, such as the acute needs of the very young children among the poor, are completely ignored. Priorities are indispensable if limited funds are to accomplish meaningful results.

10. No provision is made to supply existing statistical agencies with adequate funds to develop the desperately needed refinements of facts and figures about the poor in America.

11. The Powell-Landrum bill completely ignores elder citizens, the largest single group among the poor.

Approved:

PETER H. B. FRELINGHUYSEN.
ROBERT P. GRIFFIN.
ALBERT H. QUIE.
CHARLES E. GOODELL.
DONALD C. BRUCE.
JOHN M. ASHBROOK.
DAVE MARTIN.
ALPHONZO BELL.
M. G. (GENE) SNYDER.
PAUL FINDLEY.
ROBERT TAFT, Jr.

NASA PILOT-ENGINEER MILTON O. THOMPSON'S FLIGHT OF THE X-15

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, on August 12, NASA Pilot-Engineer Milton O. Thompson flew the X-15 rocket plane on a mission to test and measure the heating effect of atmospheric friction on certain aircraft structural components. In that flight he reached a height of 81,000 feet and traveled at over 3,500 miles an hour, returning safely in 7 minutes to the NASA Flight Test Center at Edwards Air Force Base. This was truly a remarkable demonstration of great engineering and piloting skill on the part of Mr. Thompson. And yet, such is the pace of technology and research in aeronautics that it merited only a 2-inch, 3-paragraph mention on an inside page of a big city newspaper.

In our preoccupation with our national space program, we often overlook the fact that aeronautical research and development is a very important and productive part of the whole NASA program.

The National Aeronautics and Space Administration, as you well know, was created in 1958 out of the National Advisory Committee for Aeronautics, whose history of outstanding achievement and contribution to the dramatic advance of aviation stretches back to 1915. And such vital research is still being done, as exemplified by the X-15 program.

I think, too, that we must continue to recognize and acknowledge the courage and high professional skill of the engineering test pilots who have proof-tested in the X-15 the ideas and concepts of hundreds of researchers. Men such as Scott Crossfield, who made the first flights, Joe Walker, who reached 67 miles up, Bob White and Bob Rushworth who have pushed the X-15 beyond 4,000 miles an hour, and Milt Thompson and his colleagues, who fly the missions that produce the less glamorous results but equally important scientific information.

These are the dedicated men who face hazards equally as great as those that confronted our astronauts. These are the men who are testing the forerunner to the true aerospace plane, vehicles that are equally at home in the atmosphere and in outer space.

I should point out that the technology that has evolved from the X-15 program has made possible the creation of the A-11 and the RS-71, hypersonic aircraft in the 2,000-mile-an-hour range, which offer great potential to our Air Force as versatile, high-flying reconnaissance vehicles. NASA, with the X-15, is contributing significantly to the supersonic transport program through new materials, construction techniques, guidance and control systems, and aerodynamic designs that are available now because the NACA had the foresight and determination to undertake the X-15 program in 1954, in association with the Air Force and the Navy.

In 1959, the first flight was made. Since then, the X-15 pilots have rocketed out into near space, where 99 percent of the earth's atmosphere is below them, have reached speeds 6 times the speed of sound that have made the plane glow red hot.

Now, an advanced X-15 is ready to reach for new heights and even greater speeds. Our investment in the X-15 program, and our confidence in the men and pilots who have made it so successful, have paid off handsomely for the individual taxpayer and for the country. Our world leadership and prestige in aeronautics have been enhanced manifold by the X-15. It has played an indispensable role in making sure that America's place in the search for new knowledge of flight will never be less than it is now.

ANADROMOUS FISH BILL

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. KEITH. Mr. Speaker, on Monday last, the House was scheduled, under suspension of the rules, to take up H.R. 2392. Unfortunately, lack of time prevented its consideration at that time and it is my understanding that it will again be scheduled after the forthcoming recess.

I strongly support this legislation as amended by the committee and should like to point out to my colleagues, the necessity of its consideration as soon as possible.

It is my firm belief that, until and unless a concerted effort is made by the Federal Government, in active cooperation with the affected States, one of our most valuable fish resources, the anadromous fish, will continue to be depleted. Soon it will reach the critical stage when only a crash program will suffice.

The word "anadromous," Mr. Speaker, designates the types of salt water fish which, during spawning season, migrate up fresh water streams and rivers where they spawn. The young, which are born in fresh water, then find their way back to the ocean. Among the most important species are the Atlantic salmon—which, incidentally, has been badly depleted in recent years and is no longer of commercial value on the east coast—herring and striped bass.

This legislation will enable the Secretary of the Interior, in cooperation with the States, to take the necessary steps to improve the conservation and development of this fish resource. In order to insure that the funds provided by this act will be used only in those States which have a genuine concern for the conservation and development of the anadromous fish within its borders, the bill provides that the State or other non-Federal Government interest bear at least one-half of the cost of the program. A true cooperative arrangement, as envisioned by this bill, can only be obtained where this is, in addition to a sharing of the decisionmaking, a sharing of the cost. This amendment was adopted by the committee and, in my view, greatly strengthens the potential value of this legislation.

A second amendment which I offered in committee and which was adopted, will limit the total amount of money which may go to any one State to 20 percent of the funds authorized. Under the original language of the bill, it would have been possible for one single State to receive all of the funds, although I recognize that this probably would not have come about. We have many coastal areas which can benefit from this legislation. This benefit should be widespread as possible, while assuring a qualitative program.

In my view, the bill as recommended by the committee will provide a valuable and badly needed program for conserving and developing an important fish resource.

Mr. Speaker, I hope for prompt enactment of this legislation.

WOOL IMPORTS—BROKEN PROMISES AND ANOTHER CLOSING

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, during the debate on the beef import bill on August 18, Congressional Record, House, page 20114, I referred to the plight of the wool manufacturing industry. I pointed out that it seemed strange that beef interests were getting relief—whether real or imagined is not yet known—at the same time that solemn promises for relief made by the Democratic administration to the wool manufacturers remained broken.

The plight of the wool manufacturing industry is a particularly poignant one for the reason that it has repeatedly had solemn promises from the administration for help similar to that promised and given to cotton. That the plight of the wool manufacturing industry is not a figment of the imagination is proved once again, I regret to say, by the recent closing of the Farnsworth Mill at Lisbon Falls, Maine. A constituent of mine has called to my attention the interesting commentary appearing in the Enterprise of Lisbon Falls, Maine, which I insert at this point in the Record.

FARNSWORTH BACKGROUND—POLITICS PART OF SAD STORY

(By Preston Gurney)

The thing that couldn't happen, did. The Farnsworth Mill, settled comfortably in the Sabattus Valley at Lisbon Center, had been weaving its beautiful fabrics ever since Deering Milliken began. The oldest mill to make up the combination that is ranked so high in American business, the Farnsworth was local, busy, and continuous.

Then, a bolt from the blue to complacent citizens of a secure industrial community, the news came.

Why?

The story was really told in the statement read by the mill manager, J. V. Roberts, lately come here to try to salvage the unprofitable plant. For 8 years in a row, Farnsworth had lost money. Not small money but some $2,700,000—at least twice its annual payroll to 300 local people.

Only those communities that have suffered such dismal news can appreciate how Lisbon felt. It was a stunning blow.

But the real story behind this somber news is not local. It is far more than local—it is State, national and international.

THE CRUX

There is one paragraph every person in Lisbon, and in the State, should read. It is in the statement of J. A. Meehan, company woolen manager, who gives the reasons why Farnsworth made this decision. He says:

"Throughout this period it had been hoped that the Government would take some effective action to correct the situation whereby woolen cloth manufactured out of waste and shoddy can be brought into the United States labeled new wool when U.S. labeling law requires that in this country only those fabrics made out of new wool may be labeled as such. This large and unfair raw material advantage which foreign competitors have, along with the growing volume of imports of fabrics made at very low labor rates in Italy and foreign countries, has caused the closing of many American woolen mills in the past few years, and the management of Farnsworth has reluctantly come to the conclusion that its operation must be liquidated to prevent further large losses."

SIMPLY

This means simply that the policy of our Government in Washington is such that woolen fabrics cannot be made at Lisbon Center, Maine.

Politically, this has tremendous meaning to us. The International Trade Agreements Act of 1962, pushed for vigorously by the Kennedy administration, may possibly be remembered during the time it had all its agitation. Nobody then realized, of course, that it would help put the Farnsworth Mill out of business—but almost every businessman in the United States knew it would. Gov. John H. Reed, of Maine, implored by businessmen and industrialists to take a firm stand on those portions of the bill that would harm Maine industry, finally submitted a mild report which, as far as effect went, did nothing to aid Maine.

Senator Edmund S. Muskie voted for the bill. In fact, he was currently busy with window-dressing tactics which tended to obscure the true meanings of the bill, and led many to believe that the warnings of industry were hysterical.

It is interesting to recall that Senator Margaret Chase Smith, back in 1958, was the only New England Senator to vote for what they called the peril point amendment. This was an amendment to trade bills which provided that when an American industry reached the point of peril, the trade agreements could be relaxed to protect it. This amendment has never passed, although in one term it came within a few votes of passing—and Senator Muskie voted against it.

COULD HAVE

The peril point amendment might not have saved Farnsworth because of intervening legislation, but it certainly would have helped. One of the strongest supporters of the peril point theory was the late Senator Owen Brewster, who foretold in his time that failure to pass it would cost Maine a good part of its industry.

Subject to these whims and caprices of modern government, the Farnsworth bravely continued to operate 8 years without a profit—indeed, with a loss. But the strain of almost $3 million was too much. The point of peril came, and was overcoming.

The Farnsworth Mill, as Manager Meehan puts it, is the victim of U.S. incompetency in Washington, and until the Government relaxes its sweet talk to foreign competitors, and begins a tight control of unfair practices there is not likely to be any salvation for Maine and her industry.

The fact that Farnsworth has closed is one thing; the reason why it has closed is another. Will the voters of Maine be able to see through those candidates and officials who are bent on destroying us—or will they not?

Never was a potent message so eloquently spoken—the Farnsworth has closed.

FARNSWORTH MILL, LISBON CENTER, MAINE

The directors of Deering Milliken, Inc., announce with regret that they have concluded they have no alternative but to discontinue operations at the Farnsworth Mill, Libson Center, Maine.

This has been a most difficult decision to make, because Farnsworth was the first plant in what is now Deering Milliken, Inc. The company tried, without success, to make a profit in this operation, but has been faced with losses for 8 years in a row, amounting to a total of $2,700,000.

Throughout this period it had been hoped that the Government would take some effective action to correct the situation whereby woolen cloth manufactured out of waste and shoddy can be brought into the United States labeled "new wool," when U.S. labeling law requires that in this country only those fabrics made out of new wool may be labeled as such.

This large and unfair raw material advantage which foreign competitors have, along with the growing volume of imports of fabrics made at very low labor rates in Italy and other foreign countries, has caused the closing of many American woolen mills in the past few years, and the management of Farnsworth has reluctantly come to the conclusion that its operation also must be liquidated to prevent further large losses.

This decision has been particularly difficult to make because of the longtime loyalty and cooperation of all those who have worked in the mill. It has been largely because of this loyalty and cooperation that the management has carried on so long in the face of adverse financial results, hoping against hope that the situation could be reversed.

Every attempt will be made to help those who are now employed to find work elsewhere.

J. A. MEEHAN,
General Manager,
Woolen Manufacturing Division, Deering Milliken, Inc.

POLITICAL PRESSURE GAGS KENTUCKIANS

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. SNYDER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SNYDER. Mr. Speaker, I feel compelled by the tide of recent events, particularly as they affect the overall progress of my district and my State, to point out for the RECORD the damage that can be caused to the economic well-being of our country by power-seeking politicians.

Specifically, I am referring to the rather harsh and repugnant political strategy recently instituted by the Governor of Kentucky against the very people whom he has sworn to serve.

Not too long ago, the Congress approved a measure which was given the dubious title "antipoverty" legislation. Everyone is, of course, against poverty. And so, the administration, by the very title of the legislation, sought to make it difficult for Members of the Congress to be against the "antipoverty" legislation. It made no difference whether or not this program was really a political ploy to further the objectives of the administration in power. It was said by the proponents of the so-called antipoverty legislation that this was designed to put people to work, to raise their standards of living—and in general to generate greater economic activity within our Nation.

These are indeed worthy objectives, but when such objectives are merely the facade of a raw socialistic political stratagem, it goes without saying that the roots of our very structure of government are being threatened.

Here we have the Democratic administration in Washington proclaiming its war on poverty when the very supporters of the administration at the State level initiate political vendettas which can only have adverse effect on the overall economy of the country and particularly on my State.

I have an article taken from the Louisville Courier-Journal of August 4 which so eloquently explains the situation to which I refer. That article which follows should bring to the attention of all citizens the type of political promises and shallow political trumpeting to which we in Kentucky have been—and are being—subjected. Such political chicanery, in effect, gags many responsible citizens who would like to honestly state their preferences.

The article follows:

BREATHITT TAKES FIRM STEPS TO HELP L.B.J. GARNER VOTES

(By Sy Ramsey)

FRANKFORT, KY.—Gov. Edward T. Breathitt is playing for keeps in the coming presidential election, which he calls "the most vital in my lifetime."

Against the threat of Republican nominee BARRY GOLDWATER carrying Kentucky in November, the Governor has privately handed down a hard line which says in effect:

Any support of GOLDWATER will be considered an unfriendly act against the State administration.

Breathitt's public utterance is in milder tones.

"I expect my political friends to support President Johnson," he said.

But at a cabinet meeting last week, he was much blunter. Breathitt said that anyone flirting with the GOLDWATER partisans would be cut off summarily from any extra favors from the administration.

ROAD CONTRACTORS INCLUDED

Sources close to the Governor interpret this to apply to contact men, venders, State legislators, and all local politicians who hope to get State help.

Contact men are local links to Frankfort, especially in patronage matters. Vendors include anyone trying to sell or continue to sell anything to the State.

Informants extend the Breathitt directive also to road contractors, fiscal courts, and private groups which actively seek road improvements, park facilities, or other State services.

Breathitt merely reiterates he will use every legal ounce of strength to prevent what he calls the disastrous possibility of a GOLDWATER victory.

"The whole future of Kentucky and the Nation is in the balance," he said. "GOLDWATER's approach to our problems would immensely set back Kentucky's progress."

Specifically, he said, the Arizona Senator's election would mean:

The end of the long-term program to lift depressed eastern Kentucky by its bootstraps.

The end of the proposed Federal Economic Opportunity Act which would retrain thousands of jobless Kentuckians.

A halt to development of the Tennessee Valley Authority and the death knell for a national recreation area between Kentucky and Barkley Lakes.

A slowdown not only in the Appalachian road program but possibly in Federal matching funds for highways elsewhere in Kentucky.

A crippling of operations in at least six State agencies that rely on Federal funds, especially economic security.

The administration effort to reverse the GOP presidential trend—the Democrats have not won a national election in Kentucky since 1952—began months ago with a massive unity move at the grassroots level.

The results showed in the recent county and State conventions—solid backing of Johnson and whomever he chooses as running mate plus dominance of State administration forces in the Kentucky delegation.

REMARKS OF PRESIDENT LYNDON JOHNSON UPON SIGNING OF RENEWAL OF HILL-BURTON ACT

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. SCHENCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SCHENCK. Mr. Speaker, it has been my privilege to serve for a number of years on the important and powerful House Committee on Interstate and Foreign Commerce. During this period of time I have become the second ranking Republican member of this committee and have also been the ranking Republican member on the Subcommittee on Public Health and Safety.

One of the important legislative jurisdictions of our committee are those which deal with the many questions pertaining to the Public Health Service, and I shall always be grateful for the opportunities I have had to share in the development of the provisions in many of these measures.

Mr. Speaker, our House Committee on Interstate and Foreign Commerce has been especially fortunate in having the distinguished and able gentleman from Arkansas, the Honorable OREN HARRIS as chairman of our entire committee, and the distinguished and able gentleman from Alabama, the Honorable KENNETH ROBERTS, as chairman of our Subcommittee on Public Health and Safety. It has been a privilege and an honor to serve with them and all my other colleagues on the many very important measures considered by our committee.

Mr. Speaker, one such measure has been the renewal from time to time of the very important and helpful Hill-Burton Act which has been of so much service to so many communities including a number of hospitals in our Third District of Ohio and States throughout our Nation in cooperation with the States to improve the health facilities and services of our great Nation.

On August 18, 1964, it was my privilege to attend a ceremony at the White House when President Lyndon Johnson signed into law a 5-year renewal of the Hill-Burton Act which has been expanded further in its provisions in the interest of better health for all the citizens of our Nation. President Johnson made very fitting comments in connection with the great benefits of this renewal of the Hill-Burton Act and presented each of us, privileged to see this ceremony, with one of the pens he used in signing this measure into law.

Mr. Speaker, by previous consent I include a copy of President Johnson's remarks on this occasion to be printed in the RECORD.

REMARKS BY THE PRESIDENT AT SIGNING OF THE HILL-BURTON ACT

Americans have always been great hospital builders.

At home, our first general hospital was built 25 years before the signing of the Declaration of Independence—and both events occurred in the same city, Philadelphia.

Abroad, men in many lands have first met America—and first understood the character of the American people—in hospitals built by American hands.

Since World War II, the Federal Government and the States—working together under the Hill-Burton program—have made long studies to keep up with our growing needs.

We have added more than 300,000 hospital and nursing home beds—and nearly 2,000 other health facilities.

Today, for every 10 hospital beds our growing population requires, 8 are in place and available for use.

We have many new hospitals today in cities large and small. But too many of our most important hospitals are too old. The hospitals which serve more than two-thirds of our population—in nearly 200 metropolitan areas—are obsolete, out of date, and desperately in need of modernization. This legislation today will help us get started on that long overdue job.

Our record on hospital beds is good. The record on nursing home beds is not as good.

For every 10 nursing home beds needed to provide long-term care for older citizens, only 4 beds are in service now. With our population over 65 increasing by 1,000 every 24 hours, we need to catch up—this legislation will help.

Good medical practice and good facilities are inseparable. America's families—old, young and middle aged—deserve the most modern hospital facilities.

We are meeting this demand. The 88th Congress is not only "the education Congress"—it is "the better health Congress." It has done more than any other Congress to provide the health facilities and health manpower the American people ought to have.

This Hill-Burton hospital construction program has been extended another 5 years. But Congress has also provided assistance for constructing mental health facilities, mental retardation facilities, and the medical and dental schools we need.

Congress has helped meet our health manpower needs by a program to overcome our critical shortage of nurses, a program to train more graduate public health personnel, and by providing assistance to students attending medical, dental and nursing schools.

We are supporting—as no nation on earth has ever before supported—the strength of our medical profession with modern facilities, more and better trained manpower, and productive research in more and more fields.

I believe we are pursuing a sensible and responsible course.

Americans have no patience with mixing politics and medicine—and there is going to be none of that.

Our American medical profession is the best the world has known. Our only purpose is to help that profession—never to harass it. We are casting our vote for the medical profession's effectiveness—regardless of how that profession casts its own votes in our elections.

I congratulate the Congress on this bill—and especially my two old friends and colleagues, Senator LISTER HILL and Congressman OREN HARRIS.

THE HISTORIC FEDERALIST PAPERS COMMENT ON THE SUBJECT OF WHY THE BRITISH SYSTEM OF ROTTEN BOROUGHS WAS SPECIFICALLY NOT ADOPTED IN THE CONSTITUTION OF THE UNITED STATES

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, in recent weeks a good deal of attention has been focused on the fact that the Constitution provides that Members of the Senate are required only to be "inhabitants" of the State from which they are elected on the date of their election. The fresh attention on this provision of article I, section 3 of the Constitution has led some people to conclude that it is therefore possible under our Constitution to elect to the U.S. Senate persons who are not bona fide residents of the States they seek to represent. It has been assumed that our Constitution really provides for persons to run in any area regardless of where they really live, much in the manner which obtains with the British Parliament and which in the past has led to the hateful system of so-called "rotten boroughs" in England.

A careful inspection of the Federalist Papers, however, those thoughtful analyses of the thinking and philosophy of our American Founding Fathers that lay behind the American Constitution which were written by Hamilton and Madison, discloses that this recent impression is totally contrary to the facts. As a matter of fact the Federalist Papers show that the Founding Fathers specifically included the requirement that Senators and Representatives be "inhabitants" of the State they are elected to represent so as to insure that we did not duplicate the British "rotten borough" system here in America, but rather made sure that those elected to the American Congress should be people who would "reside among the people at large" and display "knowledge of their circumstances and interests."

Our Founding Fathers wanted to make sure that we avoided the British system rather than imitating it, since they found that those elected under the British plan, without living in their constituencies and not understanding their interests and circumstances, "are more frequently the representatives and instruments of the executive magistrate than the guardians and advocates of the popular rights" or as the Federalist Papers went on to say, "a mere deduction from the real representatives of the Nation."

The "Federalist Papers" go on to point out that all the defects of the British system are the result in no small measure, of "the ignorance of the legislature concerning the circumstances of the people."

Mr. Speaker, in order to bring the essence of this very penetrating and timely analysis of the real meaning and purposes of the American Constitution I include the following excerpt from "Federalist Paper No. 36," written by James Madison.

The excerpt follows:

> The experience of Great Britain, which presents to mankind so many political lessons, both of the monitory and exemplary kind, and which has been frequently consulted in the course of these inquiries, corroborates the result of the reflections which we have just made. The number of inhabitants in the two kingdoms of England and Scotland cannot be stated at less than eight millions. The representatives of these eight millions in the House of Commons amount to five hundred and fifty-eight. Of this number, one ninth are elected by three hundred and sixty-four persons, and one half, by five thousand seven hundred and twenty-three persons. It cannot be supposed that the half thus elected, and who do not even reside among the people at large, can add anything either to the security of the people against the government, or to the knowledge of their circumstances and interests in the legislative councils. On the contrary, it is notorious that they are more frequently the representatives and instruments of the executive magistrate than the guardians and advocates of the popular rights. They might therefore, with great propriety, be considered as something more than a mere deduction from the real representatives of the nation. We will, however, consider them in this light alone, and will not extend the deduction to a considerable number of others who do not reside among their constituents, are very faintly connected with them, and have very little particular knowledge of their affairs. With all these concessions, two hundred and seventy-nine persons only will be the depositary of the safety, interest, and happiness of eight millions—that is to say, there will be one representative only to maintain the rights and explain the situation of twenty-eight thousand six hundred and seventy constituents, in an assembly exposed to the whole force of executive influence and extending its authority to every object of legislation with a nation whose affairs are in the highest degree diversified and complicated. Yet it is very certain, not only that a valuable portion of freedom has been preserved under all these circumstances, but that the defects in the British code are chargeable, in a very small proportion, on the ignorance of the legislature concerning the circumstances of the people. Allowing to this case the weight which is due to it, and comparing it with that of the House of Representatives as above explained, it seems to give the fullest assurance that a representative for every thirty thousand inhabitants will render the latter both a safe and competent guardian of the interests which will be confided to it.

THE 1964 CAPTIVE NATIONS WEEK AND HOUSE RESOLUTION 14

Mr. WHITE. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. FLOOD. Mr. Speaker, during the week of July 12–18, 1964, Americans across the country observed the Sixth Captive Nations Week. By all reports and evidence this year's observance surpassed those of all previous years. In every major city thousands of Americans attended their respective forms of observance. In Philadelphia, New York, Boston, Buffalo, Pittsburgh, Cleveland, Chicago, Milwaukee, Minneapolis, Los Angeles, San Francisco, and scores of other cities, the rallies were greater than ever before.

MOVEMENT FOR A SPECIAL HOUSE COMMITTEE ON THE CAPTIVE NATIONS

As in yesteryear, the significant feature about this highly successful Captive Nations Week is the persistent and strong demand on the part of politically active Americans for the establishment of a Special Committee on the Captive Nations. Along with many of my colleagues in both parties, I have urged that we meet this need in this Congress. There is still time to move the measure out of the Rules Committee for a clear-cut vote in this Chamber. It has beeen astonishing to all proponents of this vital measure that although the distinguished chairman of the Committee on Rules is on record favoring consideration of this measure, somehow such action has been blocked and no vote has as yet been taken on my resolution, House Resolution 14. There are 41 other identical or similar resolutions.

Mr. Speaker, I have no doubt that if we fail to act upon the measure in the remaining days of this session, the need for a Special Committee on the Captive Nations will in many sections of the country become an important issue during the coming campaign. With the remarkable bipartisan support given this measure, I earnestly hope we can avoid this consequence and move the measure for a vote at this time. It is most unfortunate so much time for constructive action has been wasted thus far. Again, I urge immediate consideration of the three dozen and more resolutions calling for the creation of this special committee. It appears that the few resisting such consideration fear a positive and favorable vote on the measure.

EXAMPLES OF CAPTIVE NATIONS WEEK 1964

Just to cite a few outstanding examples of the 1964 Captive Nations Week activity, I request that the following items be printed in the RECORD, appropriately appending my remarks:

First. Captive Nations Week proclamations issued by Gov. John Dempsey, of Connecticut; Gov. William W. Scranton, of Pennsylvania; Gov. Edmund G. Brown, of California; Gov. Karl F. Rolvaag, of Minnesota; Gov. Albert D. Rosellini, of Washington; Gov. Jack M. Campbell, of Mexico; Gov. Richard J. Hughes, of New Jersey; Gov. Mark O. Hatfield, of Oregon; Gov. Matthew E. Welsh of Indiana; Commissioner Walter N. Tobriner of the District of Columbia; Mayor William K. McBride of the city of Harrisburg; Mayor Victor H. Schiro, of New Orleans; Mayor Ralph S. Locher, of Cleveland, and Mayor John F. Shelley of San Francisco.

Second. The program, resolutions, and reports in the July 20 issues of the Philadelphia Inquirer and the Evening Bulleton of the Philadelphia Captive Nations Week observance.

Third. The addresses delivered at the Philadelphia observance by Gen. Harry H. LaBrum on "Captive Nations—America's True Allies" and Dr. Austin J. App of LaSalle College on "Liberation of the Captive Nations."

Fourth. The reports on the Buffalo Captive Nations Week observance in the July 13 issue of the Buffalo Courier-Express and the Buffalo News.

Fifth. The Georgetown University forum devoted to "Captive Nations Week. 1964."

Sixth. An article on "Captive Nations Week 1964," published in the July 13 issue of the American Security Council Washington Report.

Seventh. The huge observance report from the Republic of China, including the program, a Captive Nations Week message from President Chiang Kai-shek, an address by Mr. Ku Cheng-kang, the messages of Premier C. K. Yen and Phillippine Ambassador Narcisco Ramos.

Eighth. An article on "Proper Symbols of Freedom," written by Jeanne Bellamy in the July 9 issue of the Miami Herald.

Ninth. An article for Captive Nations Week, "S.S. Cyril and Methodius Aided Liberation of Captives" in the July issue of Good Shepherd, published by the Slovak Catholic Federation of America.

Tenth. An article on now to deal with the captive nations, written by Dr. Lev E. Dobriansky of Georgetown University and published in the spring issue of the Ukrainian Quarterly under the title, "Wanted: An Apparatus for the Cold War."

CAPTIVE NATIONS WEEK, JULY 12–18, 1964

In 1959, the Congress of the United States took formal cognizance of the plight of those countries subject to the domination of Communist Russia by designating a Captive Nations Week, a period that is to be observed annually until such time as independence shall have been achieved for all the captive nations of the world.

Poland, Hungary, Lithuania, Czechoslovakia, mainland China, North Korea, and North Vietnam are only a few of the countries now subject to oppressive Communist policies. We look forward to the day when they can again enjoy the freedom of thought they once knew.

As an indication of our awareness of the problems of the people in the Soviet-dominated countries, Connecticut is pleased to join in the nationwide recognition of Captive Nations Week, July 12 through July 18, 1964. May its observance strengthen the hope in the hearts of these people for the early restoration of their political, religious, and individual liberties.

CAPTIVE NATIONS WEEK—JULY 12–18, 1964

Whereas by a joint resolution approved July 17, 1959, the Congress has authorized and requested the President of the United States of America to issue a proclamation designating the third week in July as Captive Nations Week and to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world; and

Whereas the President has by such proclamation invited the people of the United States to observe this week with appropriate ceremonies and activities; and

Whereas the citizens of the Commonwealth of Pennsylvania are aware of and sympathetic toward the plight of those made captive under the yoke of communism; and

Whereas it is appropriate to demonstrate to the peoples of those nations the support of the people of the Commonwealth of Pennsylvania for their just aspirations for freedom and national independence:

Now, therefore, I, William W. Scranton, Governor of the Commonwealth of Pennsylvania, do hereby designate the week of July 12–18, 1964, as Captive Nations Week.

Given under my hand and the great seal of the State, at the city of Harrisburg, this 1st day of July, in the year of our Lord 1964, and of the Commonwealth the 188th.

WILLIAM W. SCRANTON,
Governor.

By the Governor:

HENRY S. BLOOM,
Secretary of the Commonwealth.

STATE OF CALIFORNIA,
Governor's Office, Sacramento.

The third week of July is being observed throughout our country as Captive Nations Week.

During this period, the American people are called upon as they daily enjoy their inheritance of freedom, to remember that millions of people throughout the world live under governments not of their own choosing and in societies in which they have no stake.

This remembrance will clearly remind us of the pricelessness of our freedoms. I call upon all Californians to enter into this observance.

EDMUND G. BROWN,
Governor.

PROCLAMATION

Whereas many nations today are restrained within the sphere of Soviet influence and the peoples of these nations are being deprived of their national independence and in many cases their individual liberties; and

Whereas it is the duty and the obligation toward humanity that the American people support the peoples within the Soviet sphere in their just aspirations for freedom and national independence; and

Whereas the Congress of the United States took recognition of the need for these peoples to receive our strong moral support and by joint resolution on July 17, 1959, approved proclamation of Captive Nations Week throughout the country:

Now, therefore, I, Karl F. Rolvaag, Governor of the State of Minnesota, do hereby proclaim the week of July 12–19, 1964, as "Captive Nations Week" in Minnesota and urge all citizens to pay solemn attention to the plight of peoples within the Soviet sphere and to realize our obligation to help supplant authoritarian rule and tyranny with the principles of freedom and human rights.

In witness whereof, I have hereunto set my hand and caused the great seal of the State of Minnesota to be affixed at the State capitol this 7th day of July in the year of our Lord 1964, and of the State, the 107th.

KARL F. ROLVAAG,
Governor.

JOSEPH L. DONOVAN,
Secretary of State.

THE STATE OF WASHINGTON

In keeping with our national tradition, the American people have always manifested an interest in the self-determination of other nations. However, the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the principle of liberty and independence which we hold dear.

Since 1918, the imperialistic and aggressive policies of Russian communism have resulted in the creation of a vast empire which has subjugated the national independence of many nations. These nations look to the United States for leadership in bringing about the restoration of their national sovereignty and freedom.

Now, therefore, I, Albert D. Rosellini, Governor of the State of Washintgon, do hereby designate the week of July 12–18, 1964, as "Captive Nations Week" and urge the people of Washington to observe this week with activities recognizing the plight of captive people throughout the world.

ALBERT D. ROSELLINI,
Governor.

STATE OF NEW MEXICO

PROCLAMATION

Whereas the cause of human rights and dignity remains a universal aspiration, and

Whereas justice requires the elemental right of free choice, and

Whereas this Nation has an abiding commitment to the principles of national self-determination and human freedom:

Now, therefore, I, Jack M. Campbell, Governor of the State of New Mexico, do hereby proclaim the week of July 19–25, 1964, as "Captive Nations Week in New Mexico." I invite the people of New Mexico to observe this week with appropriate activities, and I urge them to give renewed devotion to the just aspirations of all people for national independence and human liberty.

Done at the executive office this 25th day of June 1964, witness my hand and the great seal of the State of New Mexico.

——— ———,
Governor.

PROCLAMATION

Whereas many nations throughout the world have been made captive by the imperialistic and aggressive policies of Soviet communism; and

Whereas the peoples of the Soviet-dominated nations have been deprived of their national independence and their individual liberties; and

Whereas the citizens of the United States are linked by bonds of family and principle to those who love freedom and justice on every continent; and

Whereas it is appropriate and proper to manifest to the peoples of the captive nations the support of the Government and the people of the United States of America for their just aspirations for freedom and national independence:

Now, therefore, I, Richard J. Hughes, Governor of the State of New Jersey, do hereby proclaim the week of July 12–18, 1964, as "Captive Nations Week" in New Jersey.

Given under my hand and the great seal of the State of New Jersey, this 1st day of July, in the year of our Lord 1964 and in the independence of the United States the 188.

[SEAL] (S) RICHARD J. HUGHES,
Governor.

OFFICE OF THE GOVERNOR,
Salem, June 24, 1964.

CAPTIVE NATIONS WEEK

The period July 12–18 has been designated as Captive Nations Week. This week affords an opportunity for all Americans to reaffirm their determination to honor agreements to work ceaselessly for the freedom of those peoples of Albania, Bulgaria, Czechoslovakia, East Germany, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania.

This week also affords an opportunity to remember the peoples of China, North Korea, North Vietnam, Tibet and Cuba, who have fallen victim to the Communist conspiracy.

The right of all peoples to self-determination as to their form of government and to freely pursue their economic, social and cultural development is one which is dear to all Americans, but it has been denied to those people behind the Iron and Bamboo Curtains. These people have never ceased to strive for freedom, actively when the opportunity presented itself; passively when necessity demanded.

During the period July 12–18, 1964, I would hope that all Oregonians and all citizens throughout the United States and the free world will join with the American friends of the captive nations in observing Captive Nations Week with fitting and appropriate activities and ceremonies.

MARK O. HATFIELD,
Governor of Oregon.

STATE OF INDIANA

PROCLAMATION: CAPTIVE NATIONS WEEK, JULY 12–18, 1964

To all to whom these presents may come, greeting:

Whereas the President of the United States has proclaimed the week of July 12 to 18, 1964, is to be observed as Captive Nations Week; and

Whereas these nations look to the United States for leadership in achieving their liberation and restoring them to the enjoyment of their individual liberties and freedoms; and

Whereas the citizens of the United States are linked to them by bonds of family and the common belief that freedom and justice must prevail throughout the world; and

Whereas it is proper that we give expression of our support to the nations which are striving for personal liberty and independence; and

Whereas pursuant to house concurrent resolution No. 4, adopted by the Indiana Legislature in its 93d regular session, the Governor of the State of Indiana is authorized to initiate exercises in observance of Captive Nations Week in the 3d week of July each year:

Now, therefore, I, Matthew E. Welsh, Governor of the State of Indiana, invite its citizens to join with our sister States in observing Captive Nations Week with appropriate ceremonies and activities, during the week of July 12 to 18, 1964.

In testimony whereof, I have hereunto set my hand and caused to be affixed the great seal of the State of Indiana, at the capitol, in the city of Indianapolis, this 7th day of July 1964.

MATTHEW E. WELSH,
Governor of Indiana.

CAPTIVE NATIONS WEEK, JULY 12–18, 1964, BY THE COMMISSIONERS OF THE DISTRICT OF COLUMBIA

A PROCLAMATION

Whereas by a joint resolution approved July 17, 1959, the Congress authorized and requested the President of the United States of America to issue a proclamation designating the 3d week in July as Captive Nations Week, and to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all captive nations of the world; and

Whereas the chairman of the Washington Captive Nations Week Committee has requested the Commissioners of the District of Columbia to designate the week commencing July 12, 1964, as Captive Nations Week, to be observed with appropriate ceremonies and activities; and

Whereas there is a strong belief that the observance of Captive Nations Week throughout our country and our community will serve the cause of America and the entire free world: that the keeping alive of the spirit of liberation is the West's most effective instrument in the cold war and the chief deterrent to a shooting war; and that it will, in particular, strengthen the hand of the West with respect to the ever present critical situation facing Berlin; and

Whereas it is deemed appropriate and proper to extend to the peoples of the captive nations the support and sympathy of the people of our community for their just aspirations for freedom and national independence:

Now, therefore, we, the Commissioners of the District of Columbia have been requested to designate the week of July 12, 1964, as Captive Nations Week, and invite the people of the Nation's Capital to participate in the observance of this period by offering prayers in their churches and synagogues for the peaceful liberation of the subjugated peoples from the godless tyranny which oppresses them.

WALTER N. TOBRINER,
JOHN B. DUNCAN,
C. M. DUKE,
Commissioners of the District of Columbia.

CITY OF HARRISBURG

PROCLAMATION

Whereas the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of many countries; and

Whereas the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States to observe the bringing about their freedom and independence; and

Whereas the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe the week of July 12 to 18, 1964, with appropriate prayers, ceremonies and activities, expressing their sympathy with and support for the just aspirations of captive peoples for freedom and independence:

Now, therefore, I, Dr. Wm. K. McBride, mayor of the city of Harrisburg, Pa., do hereby proclaim that the week of July 12–18, 1964, be observed as Captive Nations Week and call upon our citizens to join with others in observing this week by offering prayers for the peaceful liberation of oppressed and subjugated peoples all over the world.

Done at the city of Harrisburg this seventh day of July in the year of our Lord 1964.

WM. K. MCBRIDE,
Mayor.

CITY OF NEW ORLEANS

PROCLAMATION

Whereas, universal peace and tranquility are the goal and objective of free men in every section of the world; and

Whereas, the United States derives its greatness through the democratic process, a result of harmonious national unity of its people, even though they stem from the most diverse of racial, religious, and ethnic backgrounds; and

Whereas, the Communist enslavement of a substantial part of the world's population makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples:

Now, therefore, I, Victor H. Schiro, mayor of the city of New Orleans, do hereby proclaim the period of July 12 to 18, to be Captive Nations Week 1964 in New Orleans.

Given under my hand and the seal of the city of New Orleans on this the 24th day of June 1964.

VICTOR H. SCHIRO,
Mayor.

CITY OF CLEVELAND

PROCLAMATION: DESIGNATING THE WEEK OF JULY 12–18, 1964, AS "CAPTIVE NATIONS WEEK"

Whereas by act of the U.S. Congress and by proclamation of the President, the week of July 12–18, 1964, will be celebrated as

"Captive Nations Week" throughout the entire country; and

Whereas "Captive Nations Week" provides an occasion for all Clevelanders to show that their friends, relatives and allies in Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, Rumania, China, North Korea, North Vietnam, Tibet and Cuba, have not been forgotten, and it presents an occasion for us to recall the sufferings of these enslaved peoples and the plight with which they are presented; and

Whereas the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples; and

Whereas it is fitting that we clearly manifest to such peoples through an appropriate and official means the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence:

Now, therefore, I, Ralph S. Locher, as mayor of the city of Cleveland, do hereby proclaim the week of July 12–18, 1964, as "Captive Nations Week" in Cleveland, and invite and urge all our citizens to give renewed devotion to the aspirations of all people for national independence and human liberty.

In witness whereof, I have hereunto set my hand and caused the corporate seal of the city of Cleveland to be affixed this 10th day of July 1964.

RALPH S. LOCHER,
Mayor.

Office of the Mayor: San Francisco

Whereas in accordance with Public Law 86–90, unanimously adopted by the 86th Congress, authorizing the 3d week of July each year to be proclaimed "Captive Nations Week" until such time as freedom and independence shall have been achieved for all the captive nations of the world, the period of July 12–18, 1964, will be observed throughout the United States as "Captive Nations Week"; and

Whereas both former President Kennedy and former President Eisenhower, as well as President Lyndon B. Johnson, have emphasized the need for our people to learn more about the captive nations, and this 6th annual observance of Captive Nations Week again provides an occasion for all Americans to show the people of the captive nations that they are not forgotten in their hopes for achieving liberty and independence; and

Whereas the people of our Nation have many roots in the various captive countries, and it is in keeping with our national tradition that the American people express their interest in the freedom of other nations:

Now, therefore, I, John F. Shelley, mayor of the city and county of San Francisco, do hereby proclaim the week of July 12–18, 1964, to be "Captive Nations Week" in San Francisco, and I do urge all citizens to join in appropriate observances thereof and to support the just aspirations of all peoples for national freedom and independence.

In witness whereof I have hereunto set my hand and caused the seal of the city and county of San Francisco to be affixed this 9th day of July 1964.

JOHN F. SHELLEY,
Mayor.

Captive Nations Week Observance Held By Philadelphia Captive Nations Committee, Sunday, July 19, 1964—1:30 P.M.

PROGRAM

National anthem.

Invocation: Rev. Father John J. Falatek.

Opening remarks: Ignatius M. Billinsky, executive vice chairman.

Address: Dr. Austin J. App, chairman.

Reading of Governor's proclamation: Mr. Harry Czaplicki, president, of the Polish American Congress, of eastern Pennsylvania.

Remarks: Representative of Gov. William Scranton.

Reading of mayor's proclamation: Mr. Harry Dombalogian, treasurer and representative of Armenian Revolutionary Federation of America.

Remarks: Representative of Mayor James H. J. Tate, Deputy City Representative Richard Olanoff.

Reading of captive nations resolution adopted by the Republican Convention: Walter T. Darmopray, Esq.

Main address: Gen. Harry J. LaBrum.

Introduction of national representatives: Jonas Stiklorious.

Adoption of resolution.

Benediction: Rev. Dr. Francis A. Shearer, executive secretary of the Board of Social Ministry of the Eastern Pennsylvania Synod of the Lutheran Church in America; laying of a symbolic wreath at the Liberty Bell.

Master of ceremonies: William Nezowy, Jr., field representative of Captive Nations Committee.

Greater Philadelphia Captive Nations Day Resolutions

(Presented by the Captive Nations Week Committee of Greater Philadelphia to the assemblage gathered for the observance of Captive Nations Week at the historic Independence Square of Philadelphia, July 19, 1964)

Whereas the U.S. Congress in July 1959 authorized the President of the United States to proclaim a Captive Nations Week each year, and which proclamation every President in the last 5 years has made; and

Whereas the Russian and Chinese Communist world continues its course of persecution, aggression, and enslavement and holds subjugated many nations and ethnic groups, namely: Albania, Armenia, Azerbaijan, Bohemia, Bulgaria, Byelorussia, China Mainland, Cossackia, Croatia, Cuba, Estonia, Georgia, Eastern Germany, Hungary, Idel-Ural, North Korea, Latvia, Lithuania, Outer Mongolia, Poland, Rumania, Serbia, Slovakia, Slovenia, Tibet, Turkestan, Ukraine, and North Vietnam; and

Whereas the Communist conspiracy similarly threatens Latin America and has already taken over Cuba and is causing disturbances in many other countries, such as Laos, South Vietnam, Cambodia; and

Whereas the people of the United States share with the enslaved nations their just aspirations for the recovery of their freedom and independence: Now, therefore, be it

Resolved by the Captive Nations Committee of Greater Philadelphia and the assemblage gathered here at Independence Square of historic Philadelphia for the observance of Captive Nations Week this July 19, 1964, That the U.S. Government should not treat the Soviet empire as a necessary factor for peace and order but as a tyrannical complex of colonialism whose dissolution democracy and world peace requires; and

That the present policy of peaceful coexistence, patched-up containment, and illusory cooperation with the communistic regimes saps the vital energies of our natural allies behind the Iron, Bamboo, and Sugar Curtains and weakens one of the most powerful leverages the free world possesses against further Sino-Russian aggression and the danger of a global holocaust and should be abandoned; and

That the U.S. Government should pursue and actively implement with all possible moral, economic, and diplomatic means a policy of eventual liberation and independence of all the captive nations in Europe, Asia, and the Americas, and recognize the strategic importance of these nations to our American interests and those of the free world; and

That cultural exchanges and economic dealings with the communistic countries, whenever they are more likely to confirm the communistic masters in their power than to give the oppressed people hope of eventual liberation should be avoided; and

That a freedom academy be established as an official training school for educating young Americans and dedicating them to the maintenance of freedom at home and its expansion abroad; and

That, in order to vitalize the congressional and annual Presidential Captive Nations Week proclamation a permanent congressional Captive Nations Committee should be established for gathering and analyzing data and materials concerning the captive nations and making the information available to the executive agencies of the Government; and finally

That copies of these resolutions be transmitted to the President of the United States, the Secretary of State, both Senators from Pennsylvania, all the Representatives of the Greater Philadelphia area, and also the presidential candidate of the Republican Party.

Presented by the Captive Nations Committee of Greater Philadelphia.

Signed: Austin J. App, Ph. D., chairman; Ignatius M. Billinsky, executive vice chairman; William Nezowy, Jr., field representative; Jonas A Stiklorius, corresponding secretary.

Approved by acclamation, July 19, 1964.

[From the Philadelphia (Pa.) Inquirer, July 20, 1964]

Break Up Soviet Empire, Friends of Captives Urge

The United States should treat the Soviet Union as "a tyrannical complex of colonialism" which must be dissolved if world peace is to be attained, members of the Captive Nations Committee of Philadelphia proclaimed Sunday.

A resolution to that effect was adopted by some 600 members of the organization, many of them in native costume, who attended a ceremony opposite Independence Hall which marked the opening of Captive Nations Week.

The committee includes people from 20 ethnic groups who have friends or relatives behind the Berlin wall, Iron, Bamboo, or Sugar Curtain (Cuba).

Resolutions also were approved which called for the organization of a permanent congressional Captive Nations Committee and a freedom academy.

The committee charged that the "present policy of peaceful coexistence and illusory cooperation with the communistic regimes saps the vital energies of our natural allies (held captive behind the Iron Curtain) and weakens one of the most powerful leverages the free world possesses against further Sino-Russian aggression."

J. Harry LaBrum, chairman of the board of education, said the people living in captive nations are the United States best allies. He urged those attending the observance to make their own "declaration of independence."

[From the Philadelphia (Pa.) Evening Bulletin, July 20, 1964]

Captive Nations Week Opens With Rites at Shrine

School Board President J. Harry LaBrum said yesterday this country is following a "dangerous course in foreign policy tending toward complete political accommodation of the mortal enemy which is the Soviet Union."

LaBrum was the guest speaker during ceremonies at Independence Hall marking the beginning of Captive Nations Week. About 500 persons attended.

LaBrum said Americans are suffering under many misconceptions about Russia and that these have been instrumental in forming U.S. policy toward the Soviet Union.

"Most Americans," he said, "when confronted with the subject of colonialism, envision white-helmeted British soldiers policing the colonial possessions in Africa and Asia."

PRESSURE ON CONGRESS

"Regrettably, most Americans do not regard the Soviet Union as the last and the greatest of all empires in history."

LaBrum said the present administration in Washington is "playing down the captive nations."

"Our State Department," he said, "has been exerting heavy pressure upon Congress not to implement the Flood resolution calling for the establishment of a permanent committee on captive nations in the House of Representatives."

He said this "policy of appeasement" is based on the "fallacious assumption that Khrushchev is sincere in his advocacy of peaceful coexistence" and that the satellite countries are becoming more independent from Moscow."

HELPING CAPTORS

"Thus," LaBrum said, "instead of helping the captive nations, we are helping their captors, the Communist governments, thus solidifying their hold over the enslaved peoples."

He said such a policy of accommodation will have disastrous results not only to the captive peoples but to the whole free world.

"The resistance of the captive peoples, which has long been a powerful deterrent to Soviet aggression," LaBrum said, "might be weakened to the point where it would cease to be a factor in the calculations of the Kremlin overlords.

"This would leave Khrushchev and his subservient puppets free to undertake further aggressive adventures against a West already considerably weakened by dissensions in NATO."

THE 4-POINT PROGRAM

Dr. Austin J. App, chairman of the Captive Nations Committee and a professor of English at LaSalle College, outlined a four-point program by which this country can aid the captive nations:

Develop an honest and determined will to really want to see these nations liberated."

Say so—"in and out of season." This means, he said, the application of a "constant and maximum moral pressure" to bring about the liberation.

Use all "economic might and diplomatic skill" to promote liberation.

Look benevolently upon all liberation and resistance efforts in the "Communist empires."

CAPTIVE NATIONS—AMERICA'S TRUE ALLIES

(Remarks of Gen. Harry H. LaBrum at the annual observance of Captive Nations Week, held on Sunday, July 19, 1964, in Philadelphia, Pa.)

Mr. Chairman, reverend clergy, distinguished guests, ladies and gentlemen, it is indeed my privilege and great honor to be here with you today, as we observe the sixth Captive Nations Week to mark this important event and law enacted by the U.S. Congress 6 years ago.

Most Americans, when confronted with the subject of colonialism, envision white-helmeted British soldiers policing the colonial possessions in Africa and Asia.

Regrettably, most Americans do not regard the Soviet Union as the last and the greatest of all empires in history. To most of us Americans, the Soviet Union is synonymous with Russia, and Russia in our limited knowledge, again is regarded as a unified and homogeneous nation, and the Soviet republics are vaguely comparable to the States of the American Union, and that the peoples of the U.S.S.R. are really Russians.

Such general misconceptions have been largely instrumental in our approach toward the Soviet Union and our dangerous course in foreign policy tending toward complete political accommodation of the mortal enemy which is the Soviet Union.

Our present administration in Washington is playing down the captive nations, despite the fact that the U.S. Congress passed the Captive Nations Week resolution in 1959. Our State Department has been exerting heavy pressure upon Congress not to implement the Flood resolution calling for the establishment of a permanent Committee on Captive Nations in the House of Representatives.

This policy of appeasement of the Kremlin tyrants is based on the fallacious assumption that Khrushchev is sincere in his advocacy of peaceful coexistence and that the satellite countries of Central and Eastern Europe are swaying away from the Kremlin and are becoming more independent of Moscow every day. Hence, we should trade with the satellite countries, have cultural exchange with them and provide them with economic assistance, such as the sale of wheat to the Soviet Union by this country.

Thus, instead of helping the capitive nations, we are helping their captors, the Communist governments, thus solidifying their hold over the enslaved peoples.

Such a policy of accommodation will have disastrous results not only for the captive peoples themselves, but the whole free world. The resistance of the captive peoples, which has long been a powerful deterrent to Soviet aggression, might be weakened to the point where it would cease to be a factor in the calculations of the Kremlin overlords. This would leave Khrushchev and his subservient puppets free to undertake further aggressive adventures against a West already considerably weakened by dissensions in NATO.

Therefore, in commemorating the sixth Captive Nations Week, we must forcefully bring to the attention of the American people the true facts concerning the captive nations of Europe and Asia.

The Soviet Union is guilty of violating the independence of nine Central and Eastern European nations made captive since the end of World War II—Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania.

The Soviet Union is guilty of forcibly depriving the captive non-Russian nations of the promised right of self-determination and of destroying the formerly independent states of Ukraine, Byelorussia, Georgia, Armenia, Cossackia, Azerbaijan, Idel-Ural, and Turkestan.

Communist Russia is guilty of fomenting Communist intrigues and infiltration in Cuba and in all other countries of Latin America.

Communist Russia is guilty of mass genocide committed on the non-Russian nations, and it is guilty of barbarous persecution of Catholicism, Orthodoxy, Protestantism, Judaism, Buddhism, and Islamism.

Three weeks ago Gen. Dwight D. Eisenhower, the 34th President of the United States, in speaking at the unveiling of the Ukrainian monument in honor of the Ukrainian poet Taras Shevchenko, in Washington, D.C., declared:

"In the nations of East and Central Europe, in the non-Russian nations of the U.S.S.R., and in Russia itself, where the poetry of Shevchenko is well known—there are millions of individual human beings who earnestly want the right of self-determination and self-government. His statue, standing here in the heart of the Nation's capital, near the embassies where representatives of nearly all the countries of the world can see it, is a shining symbol of his love of liberty.

"It speaks to these millions of oppressed.

"It gives them constant encouragement to struggle forever against Communist tyranny, until, one day final victory is achieved, as it most surely will be."

We appeal to the American people to give their full moral and material support to the captive nations and their never-ending struggle against Russian Communist tyranny and despotism. In helping sustain them in their gallant struggle against the common enemy, we are helping ourselves, because the captive nations are America's most reliable and most loyal allies as they fight for the same principles of freedom, independence and justice on which this great Republic was established by our Founding Fathers. Thank you.

LIBERATION OF THE CAPTIVE NATIONS

(By Austin J. App, Ph. D., LaSalle College; president, Federation of American Citizens of German Descent)

My thanks to Mr. William Nezowy for his kind introduction. Gen. J. Harry LaBrum, the reverend clergy, distinguished guests, ladies and gentlemen, the Captive Nations Committee of Greater Philadelphia is grateful that the Congress of the United States on July 17, 1959, authorized the President of the United States annually to proclaim the third week of July as Captive Nations Week. We are also grateful that every President has annually done so, including this June 20, President Johnson. We are also grateful to Governor Scranton for his Commonwealth proclamation on July 1, and to Mayor James H. Tate for his, for Philadelphia, on July 13. These endorse and dignify our Captive Nations Week observance here on Philadelphia's historic Independence Square this July 19 Sunday afternoon.

Most of all, we of the committee, Mr. Ignatius M. Billinsky, executive vice chairman; Mr. William Nezowy, field representative; and the officers of some 20 ethnic groups representing captive nations, are highly gratified to see so many of you here, many of you with relatives behind the Iron, Bamboo, and Sugar Curtains, and many others of you with no other ties than that of humanity, of a true American and Christian sympathy for enslaved peoples anywhere and a passion to get the American ideals of freedom and justice realized for peoples everywhere.

It is this Christian and American dedication to the liberation of enslaved and suffering peoples everywhere that moves us to this captive nations observance and resolves us to their eventual liberation. The Assembly of Captive European Nations (29 West 57th Street, New York), estimates that 223 million persons of the 321,122,000 people of the Soviet Union are denied self-determination. Among the captive satellites it lists 17 million Soviet zone Germans, and 93 million persons in Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania. It counts 133 million persons as captive races inside the U.S.S.R.—Ukrainians, Byelorussians, Armenians, Turkistanis, Tartars, Moslems, Mongolians, etc. The North Koreans, North Vietnamese, and Cubans are captive peoples among others outside of Europe. All these millions are denied self-determination and political freedom. They are colonies.

In the last 40 years there has been a lot of breastbeating about colonialism by Europeans in Africa and southern Asia, and America has expended much money and moralizing to provoke the independence of those colonial peoples, often even, as in the Congo, prematurely. What the world and particularly Washington, the center of politics, and New York, the center of propaganda, must come to realize is that the worst, most widespread, and most anachronistic colonialism in the world is and has been for decades the Soviet-Sino empires. Literally, the colonialism of the Soviets is the worst in all history.

It is the only tyranny that has had to put a barbed wire entanglement at its border, an Iron Curtain from the Baltic to the Balkans, not to keep an enemy out, but to keep its own people in. It has thus literally placed its captive nations into a huge concentration camp. The captive nations behind the Iron Curtain are the victims of the worst colonialism in history—and they must be helped to liberate themselves.

During my last four summers in Europe, I saw the 15-foot wide barbed wire "iron curtain" at Bratislava in Slovakia and near Lübeck on the Baltic, and I also saw the wire-topped wall rending Berlin, and I exclaimed in horror:

"My God, can it be that Americans who claimed to have fought two World Wars to make the world safe for democracy can complacently speak of containment and coexistence in the face of this outrage of barbed wire in the heart of Europe? Can we heartlessly condemn to interminable enslavement these many nations, most of whom our diplomatic stupidities in the Yalta and Potsdam pacts betrayed into Soviet captivity?"

As former Vice President Richard Nixon similarly exclaimed when he saw the Berlin wall: It would be the most irresponsible deed freemen could commit, if in the name of coexistence, they would draw a line through the center of Europe and forever condemn into communistic slavery the peoples on the other side of it.

To do so would not only be unprincipled, and a monstrous inhumanity, it would also almost certainly blueprint a third world war, possibly a fatal nuclear one. The persistent cold war is a prelude and a warning—and a symptom of the explosive plight of the captive nations. The Great Liberator, Abraham Lincoln, long ago perceived that a nation cannot endure half free and half slave. Let the cold war help us realize that Europe likewise cannot endure half free and half slave, nor in the long run can the rest of the world. The Communist tyrants will have to keep on subverting and subjecting more free peoples, more Czechoslovakias, Vietnams, Cubas, in order to divert attention from the failures of their proletarianism at home and try to make credible their satanic propaganda that only when once the whole world is proletarian will there be the plenty they keep promising but can nowhere deliver.

American foreign policy should therefore be consciously and explicitly directed to the liberation of all the captive nations. For those directly betrayed to Stalin at Yalta and Potsdam, this liberation is a direct moral duty for America, exactly as freeing the slaves was. For the other captive nations ours is a humanitarian duty, exactly as it was for us to work for the liberation of Ireland and of India.

But, we ask, how can and should America implement this policy of liberation for the captive nations in the vast and brutal Communist colonial empire?

The first step must be the honest and determined will on the part of our Government and publicists to really want to see these nations liberated, the way they wanted Czechoslovakia liberated from Hitler and India from Britain.

The second step is to say so—in and out of season. That means we must apply a constant and maximum of moral pressure. Moral pressure is the most powerful force in the world. It is in the long run more powerful than atom bombs. It was not primarily the Irish Republican Army that defeated the British Empire, nor any Hindu army. It was moral pressure—and very especially that generated and beamed from America. Instead of letting the Communists in the United Nations and elsewhere blow off about colonialism and discrimination in the free world, let our diplomats and publicists keep blasting at the Berlin wall, the Iron Curtain, the lack of free elections behind it, and keep demanding a stop to the most brutal of all colonialisms, that of the captive nations.

The third step is for the United States and the other cooperative free nations to use all their economic might and diplomatic skill to promote liberation. There should be no wheat deals or truck deals unless these are assured to give aid and comfort, not to the Communist masters, but to the captive populations.

And fourthly and finally, America and the free world must look benevolently upon all liberation and resistance efforts in the Communist empires. Liberations are seldom achieved without patriotic heroism. Some heroes must be willing to fight and die for it. The American colonies had to endure a Valley Forge to become free. Even Ireland got its independence only after some Irishmen, to dramatize the people's right and determination, were heroic enough to die for it in an Easter Rebellion. If it was right to urge populations in Nazi-occupied Europe to resistance, then it is doubly right to encourage it against the Communist tyranny. It is only internal resistance movement that can initiate the collapse of the wide flung Soviet Empire—and these need the boost in morale that comes from vocal outside sympathy.

The free world need not and should not promise armed intervention in behalf of uprisings, such as those of East Berlin and Hungary in the past. But it should assure them of sympathy and give them moral support. Our Government should further express its determination to grant diplomatic recognition at the earliest feasibility. The Hungarian Revolution, we are now told, quite certainly would have succeeded had not our Government tipped off Tito that the United States was not contemplating diplomatic recognition to the revolutionary regime. It was only after this assurance had been relayed to Moscow that the Soviet tanks dared to move in to crush the liberation.

Such a betrayal of freedom fighters must not happen again. The Communist tyrants sit on a powder keg of explosive enslaved peoples. Theirs is the last vast colonialism in the world. It must and can be brought to collapse. Both justice and expediency require that it be soon.

The alternative to its dissolution is very likely a third world war. The way Communists keep on subverting more and more countries, as recently Vietnam and Cuba, the more certain it is that unless the captive nations can be helped to liberate themselves to end Communist imperialism, America and the free world will soon face either becoming captive nations themselves—or fighting for their liberties with all their might and modern weapons.

From such a third world war and possible nuclear holocaust may God and wise policies preserve us. Internal combustion in the Soviet empire—is the best insurance against an eventual world conflagration. Let us therefore hope and pray that our moral pressure, our economic and diplomatic resources, and the will and heroism of the captive peoples, will soon bring about the collapse of the Soviet-Sino colonialisms and the liberation of all the captive nations. To this end we dedicate ourselves. We say, down with the Berlin wall, away with the Iron Curtain, and liberation for all captive nations. Let liberation, not containment be U.S. policy. Thank you.

[From the Buffalo (N.Y.) Courier-Express, July 13, 1964]

COMMUNISM FLAYED AS ENSLAVING FORCE

To compromise in the least with an alien philosophy such as communism, is to forfeit the past and betray the future, Common Council President Chester C. Gorski told a gathering at McKinley Monument in front of city hall Sunday during opening ceremonies of Captive Nations Week.

"This day is dedicated to the millions of ill-fated human beings who died and the millions who still live depressed, but still courageous, in what we know as the captive nations," Gorski said to the representatives of various countries under Communist rule.

He told them that mankind, at the beginning of the 20th century, stood at a pinnacle of achievement. Unfortunately, the hopes of peoples in some countries of the world have been betrayed, he added.

Mrs. Richard A. Slominski, a member of the board of education, read Mayor Chester Kowal's proclamation. The decree called for moral aid to captive nations and said they are "a reminder and somber warning to all free nations." The mayor also called for a halt to the "cancerous growth of communism." Mayor Kowal is in San Francisco for the Republican National Convention.

The civic opening followed a parade in Main Street from Tupper Street south to Genessee Street, and then west to the monument.

APPEALS FOR LIBERATION

Marchers carried signs naming various Iron Curtain lands and proclaiming opposition to Communist rule in them. "Americans hear our voice to liberate captive nations," read one of the banners.

At the monument, Dr. Nestor Proczyk, chairman of Citizens Committee To Observe Captive Nations Week (CCOCNW), advised that "it is our duty to ponder and to search for the most effective means to help captive nations and peoples out of their chains and slavery."

He quoted French Author Victor Hugo that, "Stronger than all the armies is an idea whose time has come." That idea, said Dr. Proczyk, is freedom for all nations and men.

Dr. Proczyk's address was preceded by raising the captive nations' flags in front of the monument. The Hungarian banner had a conspicuous hole in its center, marking where the red star of communism had been cut out. The flags will remain in front of the monument through the end of Captive Nations Week this Sunday.

West Seneca Supervisor William E. Doering read a proclamation giving the board of supervisors' endorsement to the weeklong observation.

CITES SIGNS OF COLLAPSE

Col. Almond E. Fisher, chief of contact with the Veterans' Administration, 1021 Main Street, was master of ceremonies. He read a letter from Senator KENNETH B. KEATING which lamented the "unfortunate plight of captive nations," and introduced former CCOCNW program chairman, Dr. Edward O'Connor.

Dr. O'Connor noted a dual element in the sixth annual observance: The death of President Kennedy and the signs of collapse inside the Russian empire.

Joseph Borczynski led singing of the national anthem and Zeon Deputat sang a solo, "On the Alert, America."

The Reverend John Sharvary, S.T.D. professor of theology at D'Youville College, gave the invocation and the Reverend Robert W. Vandermey, minister of Bible Presbyterian Church, Grand Island, the benediction.

Arthur J. Vater, New York State commander of the Veterans of Foreign Wars, was parade grand marshall.

The week's events will include a civic luncheon at noon Wednesday in Hotel Statler Hilton. Yaroslaw Stetzko, former prime minister of the Ukraine, will speak on the "Anti-Bolshevik Bloc of Nations."

A Captive National Festival at Albright-Knox Art Gallery will begin at 7:30 Sunday night. The Buffalo Civic Orchestra, directed by Jan Wolanek, will play and dancers and singers representing various captive nations will perform. Mayor Kowal will speak.

The lead band in the parade was the the Townsmen, of Red Jacket Post 3068, Veterans of Foreign Wars.

The band will represent Buffalo and Erie County in competition during the VFW National Convention August 23–36 in Cleveland.

[From the Buffalo (N.Y.) News, June 13, 1964]

PARADE EMPHASIZES CAPTIVE NATIONS' STAKE IN FREEDOM

Colorful ceremonies signaling the start of Captive Nations Week went on as scheduled Sunday, despite dismal skies and showers.

Marching units and bands from several Veterans of Foreign Wars posts and representatives of various national groups, some in native costume, paraded from Main and Tupper Streets to Niagara Square, led by Grand Marshal Arthur J. Vater, commander of the New York State VFW.

Speaking from a reviewing stand at city hall, Common Council President Chester C. Gorski said that "communism is tyranny—naked, brutal, and terrifying. The Communist myth, stripped of its beguiling clothes, is a wicked, foul, hateful story."

HOPES BETRAYED

He told the crowd of about 300 persons that, at the beginning of this century, mankind "stood at a pinnacle of achievement."

"Unfortunately, in some countries of the world, we find betrayal of many of these hopes," Mr. Gorski said. "The leaders of these countries have perverted the vehicles of progress, distorting and retooling it into weapons against civilization."

Dr. Nestor Procyk, assistant director of the West Seneca State School and chairman of Captive Nations Week, said that it is a "history-proven fact that the fate of these captive nations has a direct bearing on the fate of America."

Mrs. Richard A. Slominski, a board of education member, read Mayor Kowal's Captive Nations Week proclamation. The mayor is in Los Angeles attending the Republican National Convention as a delegate. William E. Doering, West Seneca supervisor, represented the board of supervisors.

CLERGYMEN TAKE PART

Zenon Deputat, a biology teacher at North Tonawanda Junior High School, sang "On the Alert, America." The words of the song, which warn against a Communist takeover here, were written by Dr. Procyk.

Col. Almond E. Fisher, a Congressional Medal of Honor winner and chief of contact at veterans hospital, was master of ceremonies.

The Reverend John Sharvary, professor of Theology at D'Youville College, gave the invocation, and the Reverend Robert W. Vandermey, pastor of Bible Presbyterian Church, Grand Island, said the benediction.

Observance of Captive Nations Week continues with a civic luncheon at noon Wednesday in the Statler Hilton, sponsored by the Kiwanis Club. It concludes Sunday evening with the Captive Nations Festival, beginning at 7:30 on the steps of the Albright-Knox Art Gallery in Delaware Park.

GEORGETOWN UNIVERSITY FORUM

Topic: Captive Nations Week, 1964.

Panel: Dr. Lev Dobriansky, Chairman, National Captive Nations Committee, professor of Soviet economics, Georgetown University; Mr. Brutus Coste, Secretary General, Assembly of Captive European Nations; and Mr. Donald L. Miller, editor, "Freedom Facts," All-American Conference To Combat Communism.

Moderator: Mr. Wallace Fanning.

The 1964 Captive Nations Week will be observed throughout the Nation during the week of July 12–18. In his proclamation of the week, issued on June 20, President Johnson declares that "this Nation is firmly committed to the cause of freedom and justice everywhere" and urges our people "to give renewed devotion to the just aspirations of all people for national independence and human liberty."

This will be the sixth annual observance of Captive Nations Week. In July 1959, the U.S. Congress passed the Captive Nations Week resolution, upon which the Presidential Proclamation and the observances are based. As Public Law 86–90, the resolution is self-renewing "until such time as freedom and independence shall have been achieved for all the captive nations of the world."

"Who are the captive nations of the world?" "How have the observances progressed in the United States?" "What effect have they had on the Communist regimes and the captive peoples?" "To what extent has the resolution been implemented by our Government?" "How does one reconcile the resolution and Captive Nations Week with our present policy of accommodation and interdependence toward some of the Communist regimes?"—these and similar questions will be fielded by our panel.

WASHINGTON REPORT

CAPTIVE NATIONS WEEK 1964

On June 20 the President issued his Proclamation of Captive Nations Week, designating the week of July 12–18, 1964, as the period for the annual nationwide observance and urging all Americans "to give renewed devotion to the just aspirations of all people for national independence and human liberty." The proclamation is a response to Public Law 86–90 which Congress passed as the Captive Nations Week resolution in July 1959. As in the past 5 years and in accordance with the spirit and content of this law, Americans across the Nation will conduct various activities aimed at making this sixth observance of Captive Nations Week the most impressive and instructive one yet.

The Johnson proclamation is not substantially different from the one released by President Kennedy last year, and in one respect it is even weaker. President Kennedy's proclamation at least specified the time-honored American principle of national self-determination for all the captive nations, including the dozen in the Soviet Union. Moreover, the current proclamation repeats a serious error of omission found in the previous Kennedy declaration. Evidently for the purpose of accommodating "good" Communists as against "bad" ones, no mention is made of communism as a tool of ideologic deception and, as in the earlier Eisenhower proclamations, the ultimate and determining reality of Soviet Russian imperio-colonialism is completely overlooked.

It is no secret that since 1959, when Khrushchev furiously denounced Congress' action, certain elements in the Department of State have attempted in a variety of ways to play down the resolution and, indeed, the whole captive nations issue. Down to the present, they have succeeded in influencing our Chief Executives to issue relatively weak proclamations that bear only a general similarity to the resolution. In large measure they have also been responsible for the late timing of the successive proclamations which gives inadequate encouragement to our citizens in preparing for the observances. Under President Kennedy, this technique was coupled with the maneuver of a concurrent presidential news release designed to submerge the proclamation in the press.

(EDITOR'S NOTE.—Dr. Lev E. Dobriansky is a professor of economics at Georgetown University. He is the author of the Captive Nations Week resolution (Public Law 86–90) which was passed by Congress in 1959. This resolution provides that the third week of July be set aside each year to remind the world of the nations held in bondage by Russian imperialism. Dr. Dobriansky is also a member of the American Security Council's strategy staff.)

Whereas Presidential proclamations for the observance of United Nations Day, Constitution Week and other events are issued 6 months in advance, those for Captive Nations Week have consistently been released on the very eve of the observance. The one in 1960 was issued after the week had begun. At the beginning of each year, the National Captive Nations Committee in Washington turns to the White House for an early Presidential proclamation, and every year the grand stall is methodically initated. This year has been no exception.

However, such as it is, the record has been broken by the Johnson proclamation. It was issued 3 weeks in advance of the week. But the circumstances surrounding the issuance are noteworthy. The proclamation was released at 4 p.m. on a Saturday when few or no reporters are regularly about the White House. For the time being, the intended result was realized: few papers in the country mentioned the proclamation and there was no upsetting reaction from Moscow. Our appeasing policy of silence was properly served.

Why the captive nations are deemphasized

These facts are intertwined with the Government's policy of silence regarding the captive nations. One obvious explanation is the administration's dominant political desire not to irritate Khrushchev with any recital of truths that would keep our citizens and the world mindful of the fate of the long list of captive nations. In the spirit of "peaceful coexistence," while the Russian dictator freely speaks out in Egypt against "U.S. imperialism" and "bourgeois nationalism" and in Scandinavia attempts to justify the enslavement of the non-Russian Baltic nations, our officials remain mute about the captive nations for fear that Khrushchev would be disturbed by the patent truth. Heard often and long enough without refutation, the Russian fables will be believed by millions all over the world.

Another reason offered for the deemphasis on Captive Nations Week is the need for improving relations and reducing tensions with the Soviet Union. Last year Moscow raised the question "Is it not high time to discontinue the 'Captive Nations Week' in the United States?" (The New Times, Jan. 23, 1963). Some in our Government would like to oblige the Soviet Russian imperio-colonialists on this score. Khrushchev has already found outspoken supporters for this unilateral psycho-political disarmament in our country. For example, George F. Kennan, who enjoys a brilliant reputation for success through successive error, severely criticizes the Captive Nations Week resolution in his recent book "On Dealing With the Communist World." He makes the observation that the resolution "has freed no captive nations, nor is it likely to do so."

It is obvious that, like proclamations, no resolution will free anyone anywhere. By its very nature, a resolution is an ideological commitment that necessitates action and implementation; and this requires not only reason but also will. It is because we have not expressed an official will to implement the captive nations resolution that absolutely no progress has been made toward the eventual liberation and freedom of the captive nations.

In our protracted failure to garner the necessary will to defeat Moscow in the cold war, we have now arrived at the irrational position of believing that world tensions will evaporate the less we say or do about the captive nations. In fact, many in our Government have begun to indulge in the self-hypnotism of imputing nationalism to Communist regimes in Europe and Asia with the wishful hope of weaning them away from colonialist Moscow.

With a grave lack of imagination, not to say logic, these political hypnotists would have us believe that any Communist regime, including Tito's, Mao's, or Castro's, could long endure with real independence and without ultimate reliance on the nonmonolithic power of the Soviet Union. What's more, there is a marked strain of naivete in this self-hypnotic position; namely, that the Gomulkas, Kadars; and Gheorghiu-Dejs are foolish enough not to be aware of this basic reality of ultimate dependence on Moscow. Regardless of how long their leashes may be, the survival of their regimes depends on the Russian imperium.

The fundamental intellectual error underlying the present policy of silence is the unfounded imputation of nationalism to the totalitarian, unrepresentative Communist regimes, which significantly preach "Socialist patriotism" in opposition to what peoples of the captive nations cherish as basic principle—patriotic nationalism. The great dangers of this error are many: Our neglect of the captive nations people in favor of their imposed, totalitarian governments; assist the further entrenchment of these regimes by aid and imprudent trade; the self-defeating provision of a "breather" for colonialist Moscow at a time when we should be capitalizing on imperial Russian troubles; and by avoiding positive and offensive policies. This won't be the first time we have contributed heavily to the preservation and growth of the Soviet Russian empire to our own national detriment.

Fortunately, in all sections of our country Americans are dedicated to the ideals of the resolution passed by Congress in 1959. They seek its implementation and firmly oppose the policy of silence, accommodation, and illusory interdependence with the Soviet Russian empire. The captive nations movement has grown so that the majority of our States formally proclaim the week and every major city holds an annual observance. In Congress, support for the resolution's implementation steadily increases.

Who's next?

Still, many of our citizens are unfamiliar with the long list of captive nations. It is a misconception to think that the only captive nations are in Central Europe. Actually, the majority of them are in the Soviet Union and Asia. It is this valid image of the Soviet Union, as a prison house of captive nations, that horrifies Khrushchev. On the psycho-political front in the cold war, we could with relatively little effort demolish Soviet Russian propaganda by concentrating on the captive non-Russian nations in the U.S.S.R. and exposing to the world the Soviet Russian imperialism and colonialism that alone hold that artificial state together. The U.S.S.R. has never been a monolith, and this real image is not exactly a pretty one for millions in the free world to behold: A minority elite in a minority nation of some 110 million Russians holding, with an assortment of non-Russian quislings, the reins of a vast empire and virtually bulldozing the rest of the world with illusory power.

The road we are now traveling and the rate at which we are going lead logically to the question "Who's Next?" in the roll call of captive nations. During Captive Nations Week, every thinking American should become familiar with the following roster of captive nations:

Country and people	*Year of Communist domination*
Armenia	1920
Azerbaijan	1920
Byelorussia	1920
Cossackia	1920
Georgia	1920
Idel-Ural	1920
North Caucasia	1920
Democratic Republic of Far East (Siberyaks)	1920
Ukraine	1920
Turkistan	1922
Estonia	1940
Latvia	1940
Lithuania	1940
Albania	1946
Bulgaria	1946
Outer Mongolia	1946
Serbia, Croatia, Slovenia, etc., in Yugoslavia	1946
Poland	1947
Rumania	1947
Czechoslovakia	1948
North Korea	1948
Hungary	1949
East Germany	1949
Mainland China	1949
Tibet	1951
North Vietnam	1954
Cuba	1960

Who's Next?

Program of the Mass Rally in Support of Captive Peoples' Struggle for Freedom

(Sponsored by people from all walks of life in the Republic of China)

Opening of the rally; chairman and members of the presidium in chairs; audience standing up; band play National anthem; salute to National Flag and to the late Dr. Sun Yat-sen, father of the Republic of China; silence for 1 minute in memory of the deceased captive people under Communist rule; read the message from His Excellency President Chiang; U.S. President's proclamation concerning Captive Nations Week, 1964, read by Mr. Robert S. Lindquist, Counselor for Political Affairs of the U.S. Embassy on behalf of His Excellency U.S. Ambassador Jerauld Wright; opening speech by Chairman Ku Cheng-kang; speech by His Excellency C. K. Yen; speech by His Excellency Philippine Ambassador to China and concurrently Dean of the Diplomatic Corps in Taipei Narciso Ramos; speech by Mr. Artus Berztiss, chairman of the Australian Subcommittee of the European Captive Nations Commission; commendation of commando heroes; adoption of declaration and other papers; slogans.

End of the meeting.

President Chiang Kai-shek's Message to the Mass Meeting in Support of the Captive Nations Week

The Captive Nations Week, a movement initiated and promoted by the Government and people of the United States, has as its aim the assertion of righteousness and the upholding of truth. It is also meant to extend sympathy and support to the peoples of captive countries for the just aspirations they have pressed and the heroic deeds they have demonstrated in their struggle for freedom and independence. This being the case, the movement deserves the approval and endorsement of the freedom-loving people of the entire world.

For the fourth consecutive year, our people from all walks of life have given warm response to this movement. At the mass rally last year. I said: "All the trouble in the world today has its root in Asia. The world shall have no peace unless the Communist menace on the Chinese mainland is eradicated."

Today the Chinese Communists are engaged in a sinister conspiracy with the Laotian and Vietnamese Communists, they have stepped up their aggression and subversive activities in Laos and Vietnam, aggravated the situation in southeast Asia and jeopardized the security of the entire free world. The aggressiveness of the Chinese Communists in pursuing their grandiose schemes is now fully exposed to the world.

For this reason, our efforts must not be limited to the liberation of peoples now in enslavement. There is an urgent need to halt Communist expansion in Southeast Asia so that peoples who are still free will not be enslaved.

By their persecutions and atrocities, the Chinese Communists have long incurred the hatred of our compatriots on the mainland. Now, with their conflict with the Russian Communists becoming increasingly acute, the Chinese Reds are facing isolation externally and disintegration internally. As a last resort, they have embarked on a policy of wanton aggression against the neighboring countries and launched a program of intensified oppression against the people at home. However, the more they repress our mainland compatriots, the more determined will become the latter's efforts to destroy tyranny. The many revolts against the Communist regime and the countless cases of defections to freedom in recent years have proved the existence of a growing opposition to Communism on the mainland.

Successive commando raids on the Shantung Peninsula in the north and the Leichow Peninsula in the south recently carried out by our anti-Communist Salvation Army have boosted the determination and fighting spirit of our mainland compatriots in their war against the Communists. These raids will further agitate the anti-Communist revolutionary movement on the mainland and lead to the eventual merger of assaults from both within and without. This actually heralds the commencement of our national recovery and salvation by a counteroffensive.

I fervently hope our compatriots in free areas will seize upon the first opportunity to work together with the freedom-loving nations and peoples of the world to give active support to the anti-Communist revolutionary movements on the Chinese mainland and in the southeast Asian countries. By these joint efforts, we shall overthrow the Peiping regime, eradicate the Communist evil in Asia, promote world peace, and begin a glorious new chapter in the history of man's struggle for freedom and against enslavement.

The Full Text of a Speech Delivered by Mr. Ku Cheng-kang, President of the China Chapter, APACL, at the Mass Rally of the People of All Walks of Life of the Republic of China in Response to the "Captive Nations Week"

At a time when the world Communists are intensifying their aggression in Asia, Africa, and Latin America and when the Chinese Communists are giving support to the Communist Parties of various countries in Asia to step up military aggression and armed subversion in Laos, Vietnam, and Malaysia, we, the people of the Republic of China and peace loving peoples in all parts of the free world are responding to the "Captive Nations Week" movement sponsored by the United States. On the basis of our understanding of the nature of the Communist aggression and the urgent need of the captive nations and peoples, we strongly advocate that the United States and all other free nations should take a step forward by providing practical and effective support to the captive nations and peoples so as to realize their desire for independence and freedom and to achieve the lofty goal for which the United States has started this movement.

The firm policy recently taken by the United States to protect Laos and Vietnam and to avert the crisis in southeast Asia has given immeasurable encouragement to the anti-Communist countries and peoples in southeast Asia and received hearty support of all Asian peoples. This shows that, in the struggle between the force of freedom and force of slavery in Asia, the United States has taken a firm stand to strike the one who strikes others and may prove to be a prelude to the decisive struggle between the forces of freedom and slavery in Asia.

Communist tactics taken in southeast Asia at the present stage are to exhaust the U.S. strength and to deal blows to the morale of the American people in the hope that the United States would be thus forced to withdraw from southeast Asia in the face of difficulties. At the same time, the Communists insist on calling the so-called international conference in Geneva. The purpose for this is to induce the United States to replace war with talks. In so doing, the Communists would be able to have a voice in the Asian affairs together with the Western Powers. The bitter lesson learned from the changing situations in Laos and Vietnam tells us that the neutralist line only helps the Communists in the realization of their policy to nibble at areas of the free world; that the policy of intimidation is incapable of arresting Communist expansionism and that negotiations and talks with the Communists are the surest means for them to digest the fruits of aggression. All these three policies are as impractical as they are ineffective. If any of them is adopted, the net result would only reduce the whole southeast Asia into a status of slavery in no time. Besides, the future of the free world would be seriously affected.

We have to clearly point out that the situation of southeast Asia has come to such a pass that the United States must definitely make up her mind to change her existing policy of containment and intimidation into a policy for the liberation of the Iron Curtain in Asia. As we know, the United States has certain misgivings in carrying out the policy of liberation. She is afraid that the Soviet Union may participate in the war; she is restrained by the policy of neutralization as advocated by France; and she is also under pressure from a section of American people who are afraid of war. Be this as it may, we are of the opinion that if the United States fights a limited war in southeast Asia to arrest Communist aggression, Soviet Russia will not take part in it. If the policy of neutralization should be put into force, it would practically mean a peaceful transfer of southeast Asia to the Communists. Because of that, it has been strongly opposed by all countries in southeast Asia. The fear of war as evinced by a section of American people is a sort of unsound psychology. The reason for this is not far to seek. As the United States is regarded by the Communists as their arch enemy, fear of war or avoidance of war would only end in inviting the war. Only by fearlessly facing the enemy can war be averted or be won. Thus, it is our hope that American people and statesmen must take the whole anti-Communist strategy into account. Peace is indivisible, and a price has to be paid for victory. The anti-Communist situation of the world has made abundantly clear that America would not be able to enjoy peace if Asia is not in peace and to achieve victory in defending Asia is also to achieve victory in defending America. Southeast Asia is a region where the United States must defeat Communist aggression. The reason for this is obvious, because the price the United States pays to strive for victory in the fight against Communists in southeast Asia is small but with high dividends. It is our sincere hope that the U.S. Government and people will make a decision and a wise choice without further delay.

All efforts of the free world at the present moment should have as their chief goal destruction of the Communist regime on the Chinese mainland which is the source of all troubles in Asia in the struggle for the preservation of freedom in southeast Asia. In this respect, the free world should lay emphasis on the following basic objectives.

Liberation of the Iron Curtain in Asia is not a purely military problem. It is withal an important political problem. The United States as the leader of the free world should make a great political appeal with the support of all Asian countries and peoples. We have to further point out that the task in the struggle for the liberation of the Iron Curtain in Asia should not be undertaken by the United States alone. On the contrary, it must be a joint action of all anti-Communist countries in Asia. The American responsibility lies in effectively planning and leading this struggle. What is more important, the United States must respect the views of the leaders of the anti-Communist countries in Asia; set up a united front of the anti-Communist countries in Asia; and unite the will and strength of all Asian peoples in striving for the victory of this crucial struggle.

In the process of the struggle for the liberation of the Iron Curtain in Asia, the Republic of China will naturally bear the responsibility she must take up and fulfill the obligations she is called upon to do. This is because the most important area of the Iron Curtain in Asia is the Chinese mainland and the chief threat to the security of Asia is the Chinese Communist regime. In addition, the Republic of China is deeply imbued with anti-Communist consciousness and determination and she has also completed all preparations for the recovery of the Chinese mainland and for the fulfillment of the sacred mission to rescue her people from the yoke of Communist tyranny. Thus, once the Armed Forces of the Republic of China under the leadership of President Chiang makes a clarion call for counteroffensive, it will certainly be responded with ovation by millions upon millions of enslaved people on the mainland. Thus, when the Republic of China assumes the responsibility to serve as the vanguard in the liberation of the Iron Curtain in Asia, it will certainly lay the successful foundation to achieve the victory in this historical struggle.

For coordinating the smooth development in the struggle for the liberation of the Iron Curtain in Asia, the anti-Communist struggles and antiviolence movements that have been widespread behind the Iron Curtain should be positively and effectively supported. The free world should not do or say anything either suggestive of appeasing the Communists or likely to dampen the ardor of the enslaved peoples in their struggle for freedom and to weaken their strength. Furthermore, the free world should do everything possible to cooperate with them, to respond to them and to encourage them to put up struggle with the Communists behind the Iron Curtain so as to rock the foundation of and destroy the Communist regime behind the Iron Curtain and to create a favorable situation whereby the anti-Communist forces on both sides of the Iron Curtain can be united into an integral whole. This is the surest and most effective guarantee for the successfuly liberation of the Iron Curtain.

Finally, we want to call on our own countrymen and all Asian peoples to take up the responsibility for the preservation of the freedom and security of the Asian peoples which is theirs. The Asian peoples should unite their will and strength and do their duty with the best of their ability in this anti-Communist struggle. We pledge that we shall fight with the peoples of Laos and Vietnam to the bitter end in their struggle for national independence and freedom. We must give positive support to the firm policy taken by the United States in the preservation of the freedom of Laos and Vietnam and in averting the crisis in southeast Asia. We should give our assurance that we shall fight and cooperate side by side with the United States in all her struggles for the maintenance of the freedom of Asia and eradication of the root of Red peril in Asia in order to complete this sacred mission.

PREMIER C. K. YEN'S MESSAGE TO THE MASS MEETING IN SUPPORT OF THE CAPTIVE NATIONS WEEK, TAIPEI CITY HALL, JULY 18, 1964

Mr. Chairman, ladies, and gentlemen, in order to support the U.S.-initiated Captive Nations Week and to encourage the emancipation of enslaved peoples, the civil organizations of the Republic of China jointly organize a mass meeting today. I feel very much privileged to be with you at this meaningful occasion.

The U.S. Government, as a gesture of sympathy and support for the peoples trapped behind the Iron Curtain, initiated the Captive Nations Week in 1959 under the leadership of General Eisenhower, President of the United States at that time. Since then, it has become an anti-Communist and antislavery movement all over the world. In 1961, the Chinese people enthusiastically rallied to this movement under the joint sponsorship of the Committee of Civil Organizations of Republic of China in Support of Struggle for Freedom behind the Iron Curtain and the Asian Peoples Anti-Communist League, China headquarters. During the last 3 years, our efforts in this vital field of activity have been very rewarding, especially in the sense that we have given critically needed encouragement to our enchained brethren on the China mainland in their fight to break the bondage.

About 1 billion human beings of the world today have become prisoners in Iron Curtain countries, subject to the relentless persecution and enslavement of their Communist masters. The free peoples of the world should help their 1 billion brothers and sisters, not only under a moral obligation, but also dictated by their own vital interests. In the moral sense, righteousness and justice must be maintained, while human dignity and the fundamental rights of the people must be protected. From the viewpoint of mutual interests, to assure the deliverance of all captive nations is to bring about peace and safeguard liberty for free nations. We firmly believe that freedom cannot coexist with slavery. As long as half of the world is enslaved, the freedom of the other half is endangered.

In support of the captive nations' struggle for freedom, however, we should take actions. Mere words are not enough. What they expect from us is only not sympathy, but our muscle as well. The pertinent question to ask today is what we can do as free nations, when the anti-Communist uprisings are raging behind the Iron Curtain, when economic depression, agriculture failures, and even starvation are commonplace of Communist countries, and when the Moscow-Peiping ideological dispute is deteriorating into intensified mutual denunciation. May we ask again what we should do to grasp this golden opportunity.

In this connection, I would like to emphasize the importance of the emancipation policy, which was advocated by the late Mr. Dulles, the famous Secretary of State of the United States. The essence of this policy is what President Chiang said last year at a similar mass meeting as we have today. He said, "If we cannot destroy the Iron Curtain and help enslaved peoples regain their freedom, international communism will extend its tentacles to bring all the world under its control." As we discern with increasing apprehension what has developed recently in Vietnam and Laos, we have ample reason to believe in what I have just quoted from President Chiang. We can also see that this policy of liberation and the Captive Nations Week are, in fact, closely correlated.

We are of the opinion that before adequate actions are taken by free countries to help emancipate captive nations from Communist domination, we should assume the following position:

(1) We shall not recognize the so-called fait accompli of the Communists. It is their standard strategy to grab some advantage through infiltration, subversion, and expansion in a chaotic situation, and then demand recognition from the free world of what they claim they have accomplished. If recognition is accorded, the consequence is to confirm their illegal seizure upon the people's rights by means of persecution and enslavement, and therefore seriously compromise the people's efforts to regain the lost freedom. On the other hand, if the nonrecognition policy is effectually carried out, Communist regimes will not be able to stand the resistance of the people and will be toppled by them in the long run.

(2) We shall not negotiate with Communist aggressors. We should never lose sight of the cold fact that Communist regimes are the result of armed rebellions and are sustained by terroristic measures only. They are a tyrannical yoke imposed on the people, and therefore can never represent the free will of the ruled. Free nations should not deal with such regimes. We certainly do not expect that the miserable conditions of enslaved peoples would be ameliorated through negotiations, nor do we believe that the Communist armed aggressions and subversive activities abroad will be stopped by talking. Negotiations with Communist regimes will only enhance their prestige, give them valuable materials for propaganda, and, what is worse, sacrifice the interests and wishes of captive peoples.

(2) We shall not assist the Communists in any form. It is evident that most Communist countries are facing economic crises, which are threatening their control over the oppressed peoples within and reducing their military capabilities to back their aggressive activities without. That is why they are taking peaceful offensives instead, and are offering trade opportunities as inducements. At this turning point of human history, the free countries all over the world should be firm in their attitude not to trade with Communist countries and not to assist them. If free countries are so nearsighted as to be persuaded to resume trade relationship, not only they themselves will suffer later, but, in a sense, they are serving as accomplices to continue the slavery of the unfortunate peoples behind the Iron Curtain.

(4) We shall not idly hope that the internal development of Communist regimes will change for the better. There are two dangerous illusions among free nations today. First, there are those who think that the international communism will be torn apart as a result of the power struggle between Khrushchev and Mao Tse-tung. Second, there are also those who believe that the second-generation Communists will be mild in attitude and reasonable in thinking. Because of these two illusions, a sort of wait-and-see attitude has developed. But as a matter of fact, this attitude will lead free countries right into the Communist trap so that enough time will be bought by the Communists to prepare for war and to suppress the uprisings in their own back yard.

Based upon the above observations, we come to the conclusion that in order to support captive nations in their struggle for freedom we should at least do the following: We shall not recognize Communist regimes, and we shall not idly wait. To translate these into possible terms, we shall refuse their existence as political entities, we shall destroy their domination over captive peoples, and we shall assist the emancipation efforts within the Iron Curtain. We want to invite the attention of free countries to the fact that in order to render effectual help to captive nations, we need actions. We must once again remind free countries that all the trouble in the world today has its root in Asia, which, in turn, is the occupation of the China mainland by the Communists. We must destroy the Communist tyranny from under its very foundation, and help free all captive nations. Thank you.

Message of Philippine Ambassador Narciso Ramos to the Mass Rally in Celebration of Captive Nations Week, Taipei, City Hall, July 18, 1964

I am happy to participate once again in the annual celebration of Captive Nations Week in Taipei under the sponsorship of the Committee of Civic Organizations of the Republic of China in Support of the Struggle for Freedom behind the Iron Curtain.

The distinguished chairman of the committee, Mr. Ku Cheng-kang, and his associates in this great effort deserve our admiration and gratitude for their energy, devotion, and zeal in carrying out the laudable purposes of Captive Nations Week initiated by the Government of the United States in 1959 and observed every third week of July since then throughout the free world.

We who are still enjoying the blessings of freedom should not remain indifferent and unconcerned with the misery and sufferings of the people behind the Iron Curtain. The least that we can do is to make them know that they are not forgotten and abandoned.

To liberate the captive nations under Communist control would require absolute unity of action among the free nations of the world. The biggest obstacle in achieving this objective is that many nations want to play ball with Communist regimes by selling to them equipment, foodstuffs, chemicals, and other supplies that they lack and which they need to keep them going.

If the free world would only deny to the Communist countries materials and supplies that are essential to their existence, they would collapse without the need of any military action.

Some concrete measures, not just talk, must be taken for the liberation of the captive nations. If military action is not advisable now, let all nations which cherish their freedom unite in imposing economic sanctions. This may not be enough, but at least it would be a step in the right direction toward the desired goal.

Declaration of the Captive Nations Week Mass Rally

In response to the Captive Nations Week sponsored by the United States of America, a mass rally by the people from all walks of life in the Republic of China is being held today in Taipei to express our profound respect for the righteous deed of the American Government and people in giving sympathy and support for the captive nations and peoples.

At a time when hundreds of millions of enslaved and persecuted people on the Chinese mainland are longing for deliverance from the tyrannical rule of the Peiping regime, we deem it all the more necessary and imperative to reiterate our unreserved support for the lofty aim of restoring the freedom and independence of all captive nations and peoples.

Today, the worsening Moscow-Peiping conflict has rendered inevitable a rupture between the two Communist regimes. Unity of the Communist bloc has become impossible as a result of its daily deepening internal crisis. Behind the Iron Curtain the upsurge of the captive people's struggle for freedom and against slavery is becoming more and more irresistible. The Peiping regime is quickly falling apart amidst its deteriorating internal and external crises. All this provides the free world with a most favorable opportunity for emancipating the captive nations and peoples.

It has been 5 years since the movement of the Captive Nations Week was set in motion by the Government of the United States in 1959. Though much has been done in these 5 years, all the captive nations and peoples have as yet not regained their freedom and independence. Much to be regretted is the fact that the Cuban people and part of the Laotian people, who used to breathe in a land of freedom, are now being enslaved by Communist dictators.

Especially worthy of attention today is the growing evidence of collaboration between the Peiping regime and the Communists in Laos and North Vietnam. The intensification of Chinese Communist military aggression and armed subversion of Laos and South Vietnam has seriously threatened peace and security in southeast Asia. Standing at the forefront of Communist aggression and subversion, the people of the southeast Asian countries are in danger of losing their freedom.

In view of this critical situation, we hold that the free world's sympathy and support for the captive nations and peoples cannot contribute much to the realization of their aspirations for freedom and independence. Only by rallying all forces of justice and by taking collective actions to render effective assistances to the captive nations and peoples is it possible to heighten their determination and whip up their morale in the struggle for freedom and against slavery. It is only by helping them to destroy the tyrannical rule of the Iron Curtain regimes that we can count on the days of restoring their freedom.

The determination of the United States to safeguard freedom and independence in Laos and Vietnam even at the risk of waging a war against the Communist aggressors has won the acclaim of all peaceloving people. In applauding this wise decision of the United States, we want to stress the imperative need of rallying all Asian countries and peoples in the common struggle for insuring peace and security in this area.

To the United States we want to make this appeal: The aggressive scheme and the ultimate aim of the Communists must be taken into full account and seriously dealt with. A firm anti-Communist stand, unaccompanied by appeasement and compromise, free from illusions of political solution and neutralization, is a dependable guarantee for keeping southeast Asia from falling into Communist hands.

Only when an active offensive is launched to destroy completely the supply bases of the Laotian Communists and the Vietcong forces, only when concrete actions are taken to cut off their reinforcement and supply lines, can this anti-Communist war be won and the people of Laos and Vietnam be emancipated from the Communist pillory of enslavement.

A Message to President Johnson of the United States

Dear Mr. President: Ever since 1961, the people of the Republic of China have responded most enthusiastically to the Captive Nations Week sponsored by your country. Today, a mass rally is being held in Taipei to reaffirm our full support for your lofty aim of helping the captive nations and people to regain their freedom and independence.

The tough measures which your country has taken to maintain freedom and independence in Laos and Vietnam play a vitally important role in stabilizing the critical situation and in encouraging the anti-Communist morale of all peace-loving forces in southeast Asia. To this the people of the Republic of China wishes to express their wholehearted support.

Failure or success of the anti-Communist war now going on in Laos and Vietnam has an important bearing on the security of Asia. It has a far-reaching effect on the prospect of the free world. It is therefore our fervent hope that you would continue to adhere firmly to your established policy of opposing the neutralization of southeast Asia.

It is also our ardent hope that you would adopt a more active strategy of offensive to curb the Communist aggressors by destroying the reinforcement and supply bases of Laotian Communists and Viet Cong forces. This is all the more necessary, as it will prevent the situation of southeast Asia from deteriorating and the free people from being enslaved.

The Peiping regime is the origin of all disturbances and chaos in Asia, particularly in Laos and Vietnam. We expect therefore that your concern for the collective interests of the free world and your awareness of the Asian people's common aspirations for survival and freedom would be substantiated by your timely moral and material aid to the Republic of China, the Republic of Korea, and the Republic of Vietnam. This will contribute immensely to the task of destroying the tyrannical rule of Communist regimes, the liberation of the Iron Curtain in Asia, and the earlier attainment of your lofty goal of assisting the captive nations and peoples to regain their freedom and independence.

KU CHENG-KANG,
Chairman, the Mass Rally of the People of the Republic of China in Support of the Struggle of Captive Nations and Peoples for Freedom.

LETTER TO THE PEOPLES OF THE CAPTIVE NATIONS

DEAR FRIENDS: For years, you have been the "innocent prisoners" under the rule of Communist "dictatorship." You have no freedom of movements; nor can you exercise any freedom of thought. While the Communists say that they are building "a Communist paradise" for you, what they have actually done is create a "Hell on earth." Thus, you have suffered all tribulations and privations imaginable in this world.

The intense power struggle between Khrushchev and Mao Tse-tung has led to the split of the Communist bloc which has in turn weakened the control exercised by the Kremlin over its satellites in Eastern Europe and brought about the decline in the world Communist movement. All this, it goes without saying, is the most favorable opportunity for the captive peoples shut behind the Iron Curtain in their struggle for freedom. Thus, "solidarity" as stressed by the Communists has become no better than scattered sand. And their slogan "People's revolution" is in fact a "revolution" which you, the captive peoples, can unfold for the overthrow of Communist tyranny.

As from 1959, the United States has started the "Captive Nations Week" set in July each year. The purpose for this is to convey to the captive nations and peoples their sympathy and support. Since 1961, people of all walks of life of the Republic of China have given their enthusiastic response to this movement, because millions and millions of our compatriots on the Chinese mainland have suffered the same fate. Like the peoples of those captive nations, they are in the deep water and hot fire, so to speak. Likewise, they are urgently expecting rescue given to them. It is exactly for this reason that we show brotherly concern and support to all captive peoples in any part of the Iron Curtain area. We shall also exert our utmost to give you our support so that all peoples of the captive nations may be able to regain their freedom at an early date.

We know that the areas shut behind the Iron Curtain, though they may either be in Europe or Asia geographically, are all under the tyrannical Communist rule. Such being the case, once one of the captive nations and peoples succeeds in the overthrow of its Communist regime, it will not fail in bringing about a chain reaction and rocking the foundation of all other Communist regimes. In other words, if the free world can open a gap in any Iron Curtain area either in Europe or Asia, it will invariably hasten the collapse of the whole Iron Curtain. The Government of the Republic of China has now completed all preparations for the counterattack of the mainland and begun commando raids in succession against various coastal areas on the mainland. The idea for this is to urge our enslaved compatriots to rise up in our common effort to destroy the Communist tyranny on the mainland.

We are confident that we have only one goal for struggle at present, namely, eradication of Communist tyranny and regaining of the divine right of freedom for mankind. Let us unite and strive for the liberation and deliverance of those enslaved peoples under the yoke of Communist rule without regard to area, nationality, race, profession, and religion.

KU CHENG-KANG,
Chairman, the Committee of the People the Republic of China in Support of the Peoples of the Captive Nations To Struggle for Freedom.

MESSAGE TO THE GOVERNMENT AND PEOPLE OF THE REPUBLIC OF VIETNAM

DEAR PREMIER NGUYEN KHANH AND PEOPLE OF VIETNAM: In resisting against Communist aggression and maintaining national independence and freedom of the people, you are heroically fighting the Communists under most difficult circumstances. For this you have our high respect and admiration. The success or failure of the war in which you are engaged will not only affect southeast Asia but also whole Asia. We, the people of the Republic of China, have suffered from the Communists most. For this reason, we pledge to do everything possible to help you in your struggle for national independence and freedom and against the Communists and are willing to fight side by side with you to eradicate the Red Peril and for the cause of the peace and freedom in Asia.

As the people of all walks of life of the Republic of China are holding a mass rally in support of the enslaved peoples of captive nations to strive for freedom in Taipei today, we specially cable you in support of your cause.

KU CHENG-KANG,
Chairman, the Committee of the People of the Republic of China in Support of the Peoples of the Captive Nations To Struggle for Freedom.

MESSAGE TO THE GOVERNMENT AND PEOPLE OF LAOS

DEAR PREMIER PHOUMA AND PEOPLE OF LAOS: At the instigation and with the support of the Chinese and Vietnamese Communists, the Pathet Lao forces violate the Geneva Accords and enlarge the scope of armed rebellion, with the result that a portion of your people are still being enslaved. We, the people of the Republic of China, have high admiration for the valiant struggle put up by your people in fighting for national independence and freedom and against the Communists and pledge that we shall exert our utmost to give you our support and to struggle with the people of your country for the eradication of the Red peril and for the peace and freedom in Asia.

We are holding a mass rally today in Taipei to support the peoples of the captive nations to strive for freedom. Aside from appealing to the United States and other free nations to provide your country effective and positive support in the war against communism, we specifically cable you conveying our sympathy and support to the struggle put up by your country for the cause of freedom and national independence.

KU CHENG-KANG,
Chairman, the Committee of the People of the Republic of China in Support of the Peoples of the Captive Nations To Struggle for Freedom.

[From the Miami (Fla.) Herald, July 9, 1964]

PROPER SYMBOLS OF FREEDOM

(By Jeanne Bellamy)

A new statue and three old flags in Washington are proper symbols of America's sixth Captive Nations Week. The July 12–18 observance was proclaimed by President Johnson under a standing request adopted by Congress in 1958.

The 14-foot statue in a small park in downtown Washington depicts Taras Shevchenko, a Ukrainian poet who, like Cuba's Jose Marti, became the apostle of liberty for his homeland.

From 40,000 to 60,000 persons of Ukrainian ancestry gathered for the unveiling of the Shevchenko monument. They came from Western Europe, Canada, Central and South America as well as the United States.

Dedication of the statue climaxed a long tussle over the pros and cons of honoring Shevchenko. Money for the project had been collected from 30,000 Ukrainian-Americans and 10,000 school children in 300 communities. Opponents, however, made two conflicting arguments. Some said the statue would worsen United States relations with Soviet Russia. Others contended the Communists, who had removed a giant iron cross memorializing the poet in the Ukraine, had since tried to "adopt" him and would use the statue as propaganda for communism.

The sponsors made sure there would be no Red wreath-layings at Shevchenko's statue. Its inscription says: "Dedicated to the liberation, freedom, and independence of all the captive nations * * * and the freedom of all mankind under foreign Russian imperialist tyranny and colonial rule."

The unveiling was done on Shevchenko's 150th birthday by Dwight D. Eisenhower, who had signed the 1960 Federal law authorizing erection of the monument on public grounds in Washington.

The three symbolic flags are the banners of Estonia, Latvia, and Lithuania—minus the hammer and sickle added after those Baltic Republics were forcibly incorporated into the Soviet Union.

Senator THOMAS J. DODD, Democrat, of Connecticut, reviewed the enslavement of those countries.

"The Soviet Union, in violation of solemn treaties," he said, "occupied the three small defenseless Baltic States and embarked upon an orgy of wholesale murder and mass deportations which can only be described by the term 'genocide.' Scores of thousands of Baltic citizens were deported to Siberia." DODD related.

Lithuania was hit hardest. "Some 400,000 Lithuanian citizens were either murdered by the Soviet secret police or deported to Soviet Siberia."

But the United States never has recognized the Communist puppet governments of the Baltic countries.

"The flags of a free Lithuania, a free Latvia, and a free Estonia still fly from their Embassies in Washington," DODD noted. He thinks the United States should raise the issue "at every session of the United Nations demanding the right of the Baltic peoples to self-determination."

That is the point of Captive Nations Week, and not just for the Baltic States. It covers all once-free nations under the Communist yoke in Europe and elsewhere.

Since 1948, the United States has taken in some 370,000 displaced persons and refugees from Eastern Europe. More than 74,000 came from the Baltic States, including Estonian families in tiny sailboats who landed in Miami. The other 296,000 escaped from Bulgaria, Czechoslovakia, Hungary, Poland, Rumania, and Yugoslavia.

To them, their children and grandchildren, the captivity of their native lands will never be accepted as permanent.

Captive Nations Week is America's way of saying, "We are with you."

SS. CYRIL AND METHODIUS AIDED LIBERATION OF CAPTIVES

During this, the Captive Nations Week (July 12–19), our thoughts turn to the two apostles, SS. Cyril and Methodius, who are patrons of the Slavonic nations in general and the Slovaks in particular, for the reason that they brought Christianity in the middle of the ninth century to the nations of central Europe, now under the domination of Reds.

History tells us that in ancient times, all Slavs spoke one language, which flourished and died unknown to the modern world. Scholars at one time believed that Old Slavonic or Church Slavonic, was the mother tongue of all Slav languages. Later, historians proved that it is only an older sister of the original mother tongue.

The Christian origin of the two apostles, whose feast day was observed on July 7, universally, can be traced to their native city of Salonika (Thessalonica), which was visited by St. Paul on his apostolic journeys.

What appeals to us in their missionary journeys during this Captive Nations Week is their constant desire to free the captives instead of accepting rich gifts for their missionary sacrifices. For instance, during the hazardous mission among the Khazars, a group of tribes in the Crimea on the Black Sea, after its successful termination, Cyril refused gifts from Chief Kagan or Cohen. Instead, he pleaded for the release of Greek captives. His wish was granted and 200 captives were released, which made Cyril very happy.

It is, no doubt, this noble gesture and the missionary zeal of the two apostles, prompted the ancient Slovak ruler Rastislav to petition Emperor Michael of Constantinople to send the two brothers to his great Moravian kingdom (A.D. 863) which included Slovakia. Rastislav was a Slovak ruler following his predecessors Pribina and Mojmir.

History tells us that after 40 months in his kingdom, the two apostles departed for Constantinople with their new disciples, probably to have them validly ordained. Ruler Rastislav pleased with their missionary work, showered upon them precious gifts of gold, silver, and other gems, but here again they refused them and pleaded for the release of the captives, which Rastislav reluctantly granted.

On their way home they stopped in Pannonia, then ruled by Kocel (Pribina's son 861–873), who received them joyously in 867 at Blatnohrad. They remained guests of Kocel for about 6 months, preaching in Slovak and teaching him and his court the sacred truths. Upon their departure, like in previous places, again they refused precious gifts and pleaded for the release of the captives. It is estimated that the two rulers—Rastislav and Kocel—released over 900 captives at their plea.

These are a few minor instances which prove their love for freedom and zeal for the liberation of captive nations, to which cause they dedicated their lives.

St. Methodius as archbishop was summoned in 871 to Ratisbon, Bavaria, where the Germans held him captive for 2½ years. Pope John VIII (872–882), compelled the Germans to release him and thus he returned to the missionary work among the Slavonic people. It was Pope Hadrian, who empowered Methodius to be the archbishop of the Slavs after the death of St. Cyril in the eternal city. The present Czechoslovakia, Hungary, and part of Yugoslavia were embraced in his archdiocese. In 874 the Bohemian Prince Borivoj, whose sister married King Svatopluk, received at Velehrad baptism from Methodius. In Nitra, Slovakia, the oldest Christian Church in Central Europe was built in A.D. 883, by Ruler Pribina. In A.D. 996, the Poles received Christianity under Duke Miescislas at the behest of his Bohemian wife, Princess Dombrowka. Everywhere, the two apostles and their successors aided in freeing the captives in the countries now enslaved by the Communists.

Let us, therefore, offer our prayers and sacrifices in honor of SS. Cyril and Methodius, especially during this week for the liberation of the captive nations for they experienced the same trials and tribulations which befell 1,100 years later on their successors in the countries behind the Iron Curtain.

The American Slovaks in honor of the two "captive nations apostles," erected at the behest of the Holy See and the expressed wishes of the beloved Pope John XXIII through Cardinal Pizzardo a minor seminary in Rome, which will train priests for future missionary work in Slovakia in commemoration of the 1,100th anniversary of the arrival of the two apostles in Slovakia. It was dedicated on September 15, 1963, after an audience with Pope Paul VI. Let us honor these apostles in some special way, especially during this Captive Nations Week and the current membership drive in memory of the centennial birthday of Father Murgas, the founder of the Slovak Catholic Federation of America.

[From the Ukrainian Quarterly, Spring 1964]

WANTED: AN APPARATUS FOR THE COLD WAR

(By Lev E. Dobriansky)

The year 1964 may well become the high point in American confusion on cold war issues. Aside from the presidential campaigns, a veritable bedlam of contradictory views and sentiments has emerged to the doubtless delight of the Kremlin's strategists. There can be no rational question about Moscow's deep interest in the continuance of this helpful situation. Punctuated by illusions of cold war cessation, imperial Communist fragmentation, and peaceful Russian intentions, our present mood is truly a boon to the Soviet Russian imperio-colonialists, who find themselves in a current maze of political and economic trouble. What in essence is a glorious opportunity for us to make major strides toward cold war victory is literally being squandered to the net benefit of the enemy in the senseless hope that somehow he will be transformed by force of changing circumstances.

Many in our society have thoroughly gulped the Russian peaceful coexistence thesis and remain hopelessly blind to this old Muscovite technique of softening up the opponent while the bear licks his temporary wounds. Uncounted Americans have even begun to believe that we are in reality on the road to ending the cold war. Apart from uninterrupted Russian cold war operations in various sectors of the globe, the idea that from the Russian viewpoint this phase of peaceful coexistence is a vitally necessary cold war period for unfolding successes later seems to be quite obscure to them. Moreover, this condition is abetted by official dissemination of myths regarding our state of improvement in the cold war.

One need only scrutinize the field of utterances and statements today to realize the scope and depth of our bedlam. Let's consider a few examples chosen at random for brief comment and contrast. The first is Senator J. W. FULBRIGHT's foreign policy address in Congress. The speech has stirred a great deal of controversy, and yet it is amazing how few have detected the really old myths used by the Senator to stage his assault upon supposedly old myths. It isn't possible here to dissect the speech as I would want, but the following points should be enough to indicate the Senator's solid contribution to our bedlam of thought.

Referring to "the relaxation of the cold war," the chairman of the Foreign Relations Committee thinks we can "deal with the Soviet Union, for certain purposes, as a normal state with normal and traditional interests." Shortly thereafter, he views the Soviet Union as "a great nation" and says that insofar "as a nation is content to practice its doctrines within its own frontiers, that nation, however repugnant its ideology, is one with which we have no proper quarrel."[1] The principle enunciated here is sound, but it is obviously misapplied. The Senator demonstrates his imprisonment within the walls of the oldest of myths; namely, the myth of the Soviet Union being Russia and thus a nation. At this late stage such a basic misconception is unpardonable. It shows how unfamiliar the Senator and many like him are with the root historical causes of the cold war. Above all, when truly old myths are adhered to in this fashion, we can estimate how much importance should be assigned to the Senator's higher judgments on the cold war.

The Senator's broader generalizations on the policy of peaceful coexistence, the so-called myth of Communist monolithism, the good Communist gangsters as against the bad ones, the desirability of trade with the Communist empire, and the permanence of the Castro regime can all be easily refuted. These, however, are aboriginal myths in the order of opinion and judgment; and not, as above, in the order of basic knowledge and understanding. Concerning totalitarian Castroism and FULBRIGHT's benign acceptance of its permanence, Senator THOMAS J. DODD, of Connecticut, virtually ripped the chairman's address apart on this point. As he stressed, "For the life of me, I cannot understand the argument, which is made by some, that a Communist tyranny in Cuba, stretching its tentacles into Brazil and into other countries of Latin America, is not a real menace to all of us."[2] The Senator lists concrete events of patriotic Cuban resistance to Moscow's puppet that justify a policy of liberation toward Cuba, not one of flabby acquiescence.

THE SIGNIFICANCE OF FULBRIGHT'S FABLES

It would be grossly naive to believe that FULBRIGHT's fables are exclusively his property. The Senator bespoke the thoughts and sentiments of countless Americans, both in high and low position, who have been engulfed by Moscow's calculated blandishments in behalf of "peace" and "normal relations." In fact, he perhaps transmitted more than he himself subscribes to with certitude and finality.

Not too long after his Senate address the chairman of the Foreign Relations Committee participated in a symposium held at the University of North Carolina on the subject "Arms and the Man: National Security and the Aims of a Free Society." His speech there discloses further fables shared by innumerable Americans. We are told, for example, that "we have responded by treating Communist ideology itself, as distinguished from the physical power and expansionist policies of Communist states, as a grave threat to the free world. The cold war, as a result, has been a more dangerous, costly, and irreconcilable conflict than it would be if we and the Communist states, confined it to those issues that involve the security and vital interests of the rival power blocs."[3] If there was ever a fable, this is it. Communist ideology has always been treated in combination with, not distinction to, Soviet Russian imperiocolonialism; and its grave threat resides in its nature as an instrument of deception.

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[1] FULBRIGHT, J. W. "Foreign Policy—Old Myths and New Realities," CONGRESSIONAL RECORD, Mar. 25, 1964, p. 6227.

[2] DODD, THOMAS J. "The Fallacy That Castro Is Here To Stay," CONGRESSIONAL RECORD, Apr. 2, 1964, p. 6790.

[3] FULBRIGHT, J. W. "The Cold War in American Life," CONGRESSIONAL RECORD, Apr. 7, 1964, p. 7093.

These and other statements by FULBRIGHT clearly prove his inability to understand the substance of Russian cold warfare. It is no wonder that Khrushchev has praise for FULBRIGHT's utterances. During his visit in Hungary the Russian dictator also praised the late President Kennedy for his American University speech in June 1963. Riddled with historical errors and muddled thoughts, that speech couldn't but bring comfort to the Kremlin's cold war strategists. Their work is made that much easier as the leaders of a great country exhibit their lack of understanding about the Soviet Union and Russian cold war machinations.

While some of our leaders fumble about these basic issues, it is most interesting to witness some of the things said by the enemy. Along with the praise for FULBRIGHT, Kennedy, and even President Johnson, Khrushchev's statements clearly give no indication of any change in Russia's cold war pursuit under cover of "peaceful co-existence." "The United States is an imperialist country," states Khrushchev, "but its government judges the world situation soberly."[4] In Russian cold war language this means we are playing nicely into Russian propaganda hands as concerns "abhorrence of war," "nuclear devastation" and the like.

It is noteworthy, too, that the butcher of Budapest seized this occasion in Hungary to blurt out this gem of Russian double talk: "We do not want war and we do not want to interfere in the internal affairs and questions of other countries. Who will win will be decided in the economic sphere." Then, as an afterthought, on people in the free world wanting assurances to eliminate capitalism, the noninterference advocate added, "But we shall only give help under certain circumstances." Evidently, Khrushchev sought to reinforce FULBRIGHT's fable about the Soviet Union and "its internal life, the gods and doctrines that it worships" as "matters for the Soviet Union to determine," but he just couldn't apply the unfounded rule of noninterference with reciprocal completeness. Of course, as we'll note below, the Russian cold war machine continues to operate at full capacity in all quarters of the world.

As another example of our present cold war confusion, the President's response to Khrushchev's praise is scarcely reassuring. At a news conference President Johnson declared, "I am glad to see that Mr. Khrushchev is playing the role of peace and seeking to preserve peace in the world. That certainly is the desire of this country. When he talks in peaceful terms, he will always have our ear."[5] This is an odd statement coming after Khrushchev paints the United States as "an imperialist country." Furthermore, there is no need to buttress the fraudulent peace role played by the Russian dictator when we know that his cold war agents are feverishly at work in Asia, Africa, and Latin America, seeking the overthrow of legitimate governments. If the President thinks that peace is merely the absence of a global hot war, then we're in for a difficult period ahead.

ANOMALIES IN THE COLD WAR

The confusion and consequent indecision about cold war issues in the United States constitute a tremendous gain for Moscow, particularly when it is confronted by a variety of difficulties within its own empire. The notion that we must not press Moscow and its puppets hard at this time because it would only serve to cement Communist bonds is quite specious. Including even mainland China, these bonds are unbreakable on grounds of mutual survival. Ultimately, all Communist regimes depend for their survival on the power and strength of Moscow's primary imperial sphere, the Soviet Union. Most of our programs today, such as cultural exchange, the nuclear test ban, wheat sales, scientific exchange, and trade with the Red empire, devolve to some net profit to the empire. We may think our actions along these lines are contributing to "peace" and even Communist fragmentation, but the facts are that our contributions in each of these and other areas, even in providing consumer goods, aid Moscow in its interminable cold war campaign. The satisfaction of diverse wants within the empire is not exactly a detriment to Moscow's cold war enterprise; on the contrary, it is a benefit.

But the two highly important developments in 1964 are the Red Chinese stress on "small nations" in the Soviet Russian empire, and the growing identity between Red Chinese and Soviet Russian policies in Latin America. Thus, while the United States sleeps in significant cold war terms, these two striking anomalies emerge to further complicate the broad cold war scene. Whereas in the cause of freedom we should be exploiting the colonial existence of the non-Russian nations in the U.S.S.R., we find the Red Chinese seizing upon this in their family quarrel with the Russians. This point has vexed Khrushchev so that he now has to speak out publicly about "no great nations and small" in the imperial Soviet Russian network.[6] Little wonder that he is seeking benighted American support for the traditional imperial Russian role on noninterference in the "domestic affairs" of the U.S.S.R.

Turning to Latin America, while many Americans nurture the illusion that the difference between Soviet Russia and Red Chinese cold war policies is one of nonviolent as against violent means, Russian literature abounds in support of both as the situation demands. As one Moscow organ puts it, "Theory is constantly being enriched by revolutionary practice, and the latter shows that there is no hard and fast line between peaceful and militant ways, that they often combine and complement each other."[7] In relation to Latin America, this is advocated by the Soviet Russians, with preference given to either as dictated by political circumstances. Khrushchev himself has said as much: "the Soviet Union supports the struggling peoples not only with sympathy of a moral kind * * * peoples rising up with weapons in their hands to fight their enemies know that we will help them to achieve victory."[8]

DESPERATE NEED FOR A U.S. COLD WAR APPARATUS

Just this slight survey of our present cold war confusion is sufficient to underscore our desperate need for a cold war apparatus. It goes without saying that scores of other examples can be cited as illustrations of our confusion. In the course of the presidential campaign into November this confused state will only become intensified. The question now is "What kind of apparatus could we establish to minimize such confusion which can only benefit the enemy?"

Our direct answer to this question is the creation of a Freedom Commission and a Freedom Academy. Five years ago this writer emphasized the need for these institutions in our society.[9] Today, and for the long future, this need is a desperate one. With the relatively declining long-run importance of military power as our chief source of deterrence against both the further expansion of Moscow's empire and the horrendous outbreak of a global hot war, the critical area of the foreseeable future will be that of vigorous and imaginative cold war activity. The sheer adequacy of imperial Russian arms and industrial capacity has produced a formidable power of influence that shifts the points of comparative advantage to operations within the cold war area. The skillful way Moscow has maneuvered many of our people into an uncritical acceptance of the peaceful coexistence myth is a clear case in point.

There are quite a number of us who have a deficient understanding of the purposes and objectives of the Freedom Com-Academy. As some know, several measures in favor of these vital institutions are before the Committee on Un-American Activities in the House of Representatives. Hearings on the bills have taken place, and the outlook for their passage in this Chamber of Congress seems bright. During these hearings many reasons and explanations were advanced in behalf of the two bodies. With an eye to our present cold war confusion, I shall dwell on some of the more fundamental ones.

One basic reason for having these agencies is that they would make possible concentrated studies of Russian cold war operations in terms of indispensable historical perspectives which would deepen our insights into the basic nature of the enemy. The Fulbright fables on the U.S.S.R. being a "normal state with normal and traditional interests" and the protracted ignorance shared by scores of others with regard to Soviet Russian imperiocolonialism in the U.S.S.R. itself sufficiently indicate the monumental task facing us. Careful and focused analyses along these lines would reveal that what we today classify as Moscow's cold war methods are essentially traditional to totalitarian Russian empire building. Contrary to general opinion, they are not the created products of so-called Communist ideology and tactics. Except for accidental refinements and considerable technologic improvements, most of the techniques manipulated by the rulers of the present Russian Empire, and also applied by their Red Chinese competitors, can be systematically traced as far back as the 16th century. In short, to really end the cold war means to liberate the captive non-Russian nations in the U.S.S.R.; or what is the same thing, the dissolution of the primary Soviet Russian empire.

Another dominant reason for creating Freedom Com-Academy is based on the urgent need for a methodical canalization and processing of all ideas bearing on the cold war and its victorious termination. The spectrum of cold war ideas and engagement is a most extensive one. Many solid ideas are lost in the educational or official shuffle; many opportunities to contest the "peaceful" aggressors are similarly lost. Inadequate thought and discussion, for example, have been given to a judicious implementation of the captive nations week resolution, which in 1959 and ever since has frightened Khrushchev. The typical, mythical image that millions throughout the world have of the Soviet Union—indeed, like Senator FULBRIGHT's—could easily be transformed if we even began to implement that resolution. Yet, curiously enough, elements in our own Government obstruct putting this to a test.

Still another reason for a Freedom Commission and an Academy is the stability of thought they would infuse in our society as concerns the cold war. Surely the grotesque confusion characterizing the American scene today would be virtually nonexistent, and the enemy would lack a convenient medium for his cold war advances. It is perfectly safe to say that because our people have not, by and large, understood the nature, scope, and depth of Moscow's cold war operations, they have been constantly subjected to wide fluctuations of mood and sentiment, giving way at times to dangerous complacency and even seeming indifferent toward the dynamic force of their treasured heritage and values and at other times to near-hysteria. How easily Moscow has catapulted us into a state of confusion with its deceptive peaceful coexistence strategem is in itself conclusive.

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[4] The Evening Star, Washington, D.C., Apr. 6, 1964.

[5] "President's News Conference," the Washington Post, Washington, D.C., Apr. 12, 1964.

[6] AP, Moscow, U.S.S.R., Apr. 13, 1964.

[7] Kommunist, Moscow, U.S.S.R., Nov. 16, 1963, p. 105.

[8] Pravda, Jan. 18, 1964.

[9] See Dobriansky, Lev E. "A Measure of Realism in the Cold War," The Ukrainian Quarterly, June 1959, pp. 107–115.

Needless to say, there is now much dispersed and frittered thinking in cold war dimensions. This condition will guarantee a continued instability in popular reactions and also a safe passivity in official determinations. With the Russians and Chinese operating in virtually every quarter of the free world, even endemic developments rapidly assume a broad cold war stigma. They require continuous, studied assessment leading to recommendations for not only adequate counteraction but also an effective offensive, and this not only on the terrain of the free world. The only practical apparatus for this type of concentrated and totalistic thinking is the proposed Commission and Academy. They would become institutional instruments of cold war enlightenment and stability. With the acceleration of thought they would provide, there would be little room on the national scene for many of the ludicrous and confusing notions circulating today.

In summary, then, to meet satisfactorily the tasks and requirements of the Russian psychopolitical challenge, an independent agency devoted exclusively to the content of cold war operation is indispensable. In truth, there is no existing agency or department in our Government that is equipped by intent or resources to meet these tasks. Actually, no existing governmental body is designed to treat and study Russian or Red Chinese cold war phenomena in all their interrelated aspects. Administratively, there is no principle of coordination and integration represented by any executive body in this intricate and complex field. Indeed, there is no principle of crystallization and conservation of thought represented. It may seem strange but there are cases where one department vies with another in a play-it-by-ear mood to determine whether even food possesses a cold war weight. All these defects and more would be corrected once the freedom institutions are created.

With these institutions, we would finally realize our want for an apparatus in the cold war. It would be a functioning apparatus, free of the routinous day-to-day operational responsibilities found in existing agencies and it would be staffed to deal with the foremost challenge of our time in a totalistic, continuous, and coordinated way, rather than the piecemeal, sporadic, and essentially defensive ways that have prevailed up to the present. Furthermore, there is no educational institution maintained by our Government or any private body that is capable of conducting these necessary and continuous studies and instruction on this new plane of comprehensive cold war thought. The Freedom Academy would fill this serious gap. Now for some negative support.

NOTES OF OPPOSITION TO THE APPARATUS

Considerable negative support for the Freedom Com-Academy can be obtained by a critical analysis of the paramount notes of opposition to the apparatus. Behind usual verbally graced generalities they reflect an uncertainty of position, misstatement of facts, and an evident incapacity to grasp the structure of cold war thought, which finds easy confirmation in our record of the past 20 years. Most of the criticisms arise from Government agencies that fear an encroachment upon their respective jurisdictions. Actually, there is more appearance in this than substance.

Some argue that the creation of Freedom Com-Academy would produce a confusion with, and a duplication of, work of existing agencies. As one executive head puts it, "In most of their functions, the proposed agencies would duplicate the work of existing Federal agencies and private organizations concerned with policy formulation, research, education indoctrination, and information programs."[10] Considering this and subsequent arguments, it is evident that their proponents either have no conception of total cold war or, if they do, are strenuously seeking any realization to safeguard the sanctity of their respective jurisdictions against an inevitable subsumption to the totality of cold war thought and performance. This first argument is specious because there is much confusion and frittered thought that require integration and rounded consolidation. Moreover, in fact, there would be not much to duplicate.

Others argue that the Foreign Service Institute, the National War College, and other public and private institutions already furnish instruction on Communist strategy. "Instruction in this area," writes one official, "is provided Government officials through the National and Service War Colleges, the Foreign Service Institute and training assignments at private institutions."[11] The writer has had direct experience at the National War College and is quite familiar with the curriculums at the other institutions. Plainly, this argument fallaciously magnifies a dearth of study and instruction and signifies by itself a dearth of understanding of what is involved in the Freedom proposal. Very little time is spent in a very superficial way on Communist strategy.

The same quoted source also maintains that a formulation of cold war strategy and tactics into an "operational science" is a delusion. "Furthermore," the source states, "we would be seriously deluding ourselves if we believed * * * that the strategy for waging our struggle against communism could be formulated into an 'operational science.'"[12] This argument only reinforces our comment above on understanding communism itself. The repetitive patterns of Russian aggression and conquest should alone suggest the operational scientific grounds of the study.

We are also told by the Department of State that the training of operational elements here and abroad should not be publicized and that the Russians would perhaps be disconcerted by what they may regard as a Cold War Institute and a training course for espionage. The Department declares, "This is not something that can properly be done by Americans alone, and by its very nature should not be a publicized operation."[13] It further states, "The Freedom Academy would be regarded abroad, and immediately characterized by Soviet propaganda, as a 'Cold War Institute,' which would be regarded as a training course for espionage and would give a completely incorrect connotation to the world of the U.S. concept of 'freedom.'" This. indeed, is a set of strange arguments for an open society that should never cease in espousing and working for universal freedom. Are we confessing here a weakness in terms of Russian propaganda and is the Department fearful of a dynamic Freedom Corps as against our essentially defensive Peace Corps?

The string of arguments concocted by the executive agencies, apparently in response to a single directive, is a long one. Many of the points aren't worth answering and, to an incisive mind, negatively support the cold war apparatus. Listen to this choice bit: "As with our society as a whole, the genius of American research and education lies in its pluralism, and to depart from this tested approach at a time when we face the most difficult international problems in our history would, in the Department's view, be most unwise."[14] This shifty argument partakes of philosophical sophistication but, aside from our perilous gap in cold war education, one wonders what happened to pluralism with the 1963 State Department proposal for a National Academy of Foreign Affairs, which from all indications would be an egregious and wasteful duplication of existing educational institutions.[15]

In this argumentation a pretty low depth is reached when one official brazenly states, "It is not the business of the Federal Government to indoctrinate our citizens * * * such a Freedom Commission would be charged with being a tax-supported, federally managed effort at mass indoctrination."[16] Indoctrination is not a dirty word, though, as many East Europeans know him as, this undertaker of once free nations tries to manipulate it as such. To comprehend any ideology demands an intellectual grasp of its scheme of doctrines, and to attain this necessitates a process of indoctrination, albeit a negative one. Clearly, the operations of the Freedom Com-Academy in the special field of cold war education would in essential form be no different from those executed by our Departments of State and Defense, which surely are not indoctrinating in the obtuse sense intimated by our rather shaky "global troubleshooter." His conspicuously weak presentation against the cold war apparatus was indeed its strongest negative defense.

For some good measure, these official notes of opposition also point out that in any case we are already making positive progress in economic buildups in the underdeveloped countries and, in the fashion of a passive model, in self-improvement at home. From the cold war viewpoint, this can best be answered by just observing the slow collapse of our policy of patched-up containment as evidenced today in Cuba, tomorrow perhaps in Chile, South Vietnam, Laos, or some other point on the terrain of the free world. It seems we have a greater breed of economic determinists in Washington than one could possibly find in Moscow.

WANTED: A COLD WAR APPARATUS

Additional reflection on these major official criticisms cannot but underscore our institutional want for a cold war apparatus. What many of these critics fail to understand is that total cold war thought—in our case necessarily oriented toward universal freedom—instrumentalizes everything (diplomacy, economics, science, culture, propaganda, in which we are next to pitiful, the military, even, among all other things in life, athletics) in an integrated, aggregated whole for positive action and successful performance. Moscow has schools for this, and they haven't been established for reasons of eternal contemplation. We have no such schools, and to refer to any in this country as comparable to theirs is the height of either ignorance or reckless foolery.

On grounds of national survival, we cannot afford to risk the prospects of psychopolitical attrition or isolation as the dikes of patched-up containment begin to fall about the world. There are paramilitary avenues of advancing freedom that have scarcely been recognized with national focus. It is for a special apparatus like Freedom Com-Academy to open and pave these avenues toward cold war victory.

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[10] Vance, Cyrus R. The Department of Defense. Letter to Hon. Francis E. Walter, May 23, 1962.

[11] Dutton, Frederick G. Department of State. Letter to Hon. Francis E. Walter, June 7, 1962.

[12] Ibid., p. 2.

[13] Ibid., p. 3.

[14] Ibid., p. 3.

[15] Murrow, Edward R. U.S. Information Agency. Letter to Hon. Francis E. Walter, Apr. 19, 1963.

[16] Harriman, W. Averell, statement before the House Committee on Un-American Activities, Feb. 20, 1964, p. 7.

MRS. LYNDON B. JOHNSON IN CANADA

Mr. WHITE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, today a great event is taking place at Campobello Island, New Brunswick, Canada. Our First Lady, Mrs. Lyndon B. Johnson, known to so many of us with great affection as Lady Bird, is joining the wife of the Prime Minister of Canada, Mrs. Lester Pearson, distinguished Government officials, and the newly appointed members of the United States-Canadian Commission in the inaugural ceremonies of the Roosevelt Campobello International Park Act.

The park was created by a treaty between our country and Canada. This Congress, through its actions, made this new symbol of our solidarity with our northern neighbors a meaningful event. That the park will also stand as a memorial to my late father and mother, of course, makes it particularly dear to me.

Mrs. Johnson's address on the occasion was so beautifully put, and so well summarized all the occasion stood for that I am pleased to have the privilege of including it in the RECORD for the enjoyment and benefit of all my colleagues and those who read this RECORD.

It is a very wonderful thing that a great lady, with so many demands for her time, would take this long trip to take part in this historic event. In behalf of all the members of my family, and many others, may I also take this opportunity to express our very heartfelt appreciation to a truly great lady.

REMARKS BY MRS. LYNDON B. JOHNSON, CAMPOBELLO ISLAND, NEW BRUNSWICK

Mrs. Pearson, Mr. Minister, the reverend clergy, members of the United States-Canadian Commission, distinguished guests, and friends of Campobello, it is a great pleasure to be here with my good friend, Mrs. Pearson. We both recall that auspicious moment last January when the agreement designating Campobello as an international park was signed in the Treaty Room at the White House.

We all know that Campobello is unique. Its name has become synonymous with greatness. In a troubled time, it stands as witness to our unfortified boundaries and to our friendship with our generous Canadian neighbors.

As an American, the journey to Campobello must always be partly a pilgrimage for me. It was here, among these bays and books and boats that the shaping of a President took place. In all of Franklin Roosevelt's accounts one senses the reservoirs of exuberance, strength, and vitality which summers on Campobello filled to overflowing. This island, this house obviously had an overreaching emotional attachment for him.

It was here too that tragedy struck, and it was here that a man triumphed over adversity. It wasn't until after the completion of his first hundred days as President in 1933 that Franklin Roosevelt returned to his beloved island. Having achieved spiritual victory over disaster, he could once more face the scene where fate struck him down.

Both Franklin and Eleanor Roosevelt knew the meaning of courage sustained by compassion in every day of their lives.

Because of the generosity and imagination of the Hammer family, today we dedicate this valuable landmark as an inspiration for all future generations. This island off the northeastern coast of our continent will always turn its face toward the sunrise of world events—the sunrise at Campobello.

It warms my heart to share this platform with members of the Roosevelt family. The spirit of Franklin D. Roosevelt surely hovers on this auspicious scene, ready to counsel the members of the Joint Commission.

In one of T. S. Eliot's "Four Quartets" he speaks of the "still point of the turning world" and adds, "in the end is my beginning." Campobello, fortunately for us all, is one of the still points in a changing world. I believe that Franklin Delano Roosevelt would consider that today we have made a good beginning. Thank you.

PRESIDENT'S EXEMPLARY ACT A MODEL FOR CONGRESS

Mr. WHITE. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, yesterday the President of the United States took a wise and praiseworthy step. In making available to the public a statement of the financial holdings of his family and himself, he serves as a model in a day and age when the private interests and special relationships of many men in public life have been called into question. The President serves as a model not only generally for all in Government and particularly for future Presidents, but I think as well particularly for us, the Congress.

We should embrace the moral leadership he has shown. The House of Representatives and the Senate ought to enact laws, not solely for officials of the executive branch, but for ourselves. These laws should require disclosure of income and assets and conflict of interests if any there be. If the President's noble action of yesterday can additionally serve the purpose of prodding the Congress into emulating him he will, indeed, have doubly served the Nation and the cause of confidence in Government.

APPORTIONMENT LEGISLATION

Mr. WHITE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. COHELAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. COHELAN. Mr. Speaker, yesterday's hasty action by the House in denying jurisdiction to the Federal courts in all matters relating to the apportionment of State legislatures, is clearly one of the most momentous of our time.

In light of the heated debate that has taken place, and is continuing, on this subject, I think it is regrettable that so many Members have not had an opportunity to read and study the full Supreme Court decision which prompted this precipitous move.

In order that we can properly weigh its great significance, I believe it is important for us to review exactly what the majority and dissenting members of the Court stated in the historic case of *Reynolds* v. *Sims* (Nos. 23, 27 and 41—October term, 1963). Therefore, I include, under unanimous consent, the Supreme Court's decision in its entirety at this point in the RECORD:

B. A. REYNOLDS, ETC., ET AL., APPELLANTS, *v.* M. O. SIMS ET AL.; DAVID J. VANN AND ROBERT S. VANCE, APPELLANTS, *v.* AGNES BAGGETT, SECRETARY OF STATE OF ALABAMA ET AL.; JOHN W. MCCONNELL, JR., ET AL., APPELLANTS, *v.* AGNES BAGGETT, SECRETARY OF STATE OF ALABAMA ET AL.

Mr. Chief Justice Warren delivered the opinion of the Court.

Involved in these cases are an appeal and two cross-appeals from a decision of the Federal District Court for the Middle District of Alabama holding invalid, under the Equal Protection Clause of the Federal Constitution, the existing and two legislatively proposed plans for the apportionment of seats in the two houses of the Alabama Legislature, and ordering into effect a temporary reapportionment plan comprised of parts of the proposed but judicially disapproved measures.[1]

I

On August 26, 1961, the original plaintiffs (appellees in No. 23), residents, taxpayers and voters of Jefferson County, Alabama, filed a complaint in the United States District Court for the Middle District of Alabama, in their own behalf and on behalf of all similarly situated Alabama voters, challenging the apportionment of the Alabama Legislature. Defendants below (appellants in No. 23), sued in their representative capacities, were various State and political party officials charged with the performance of certain duties in connection with State elections.[2] The complaint alleged a deprivation of rights under the Alabama Constitution and under the Equal Protection Clause of the Fourteenth Amendment, and asserted that the District Court had jurisdiction under provisions of the Civil Rights Act, 42 U.S.C. 1983, 1988, as well as under 28 U.S.C. 1343(3).

The complaint stated that the Alabama Legislature was composed of a Senate of 35 members and a House of Representatives of 106 members. It set out relevant portions of the 1901 Alabama Constitution, which prescribe the number of members of the two bodies of the State Legislature and the method of apportioning the seats among the State's 67 counties, and provide as follows:

"Art. IV, sec. 50. The legislature shall consist of not more than thirty-five senators, and not more than one hundred and five members of the house of representatives, to be apportioned among the several districts and counties, as prescribed in this Constitution; provided that in addition to the above number of representatives, each new county hereafter created shall be entitled to one representative.

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[1] *Sims* v. *Frink*, 208 F. Supp. 431 (D.C.M.D. Ala. 1962). All decisions of the District Court in this litigation are reported sub nom. *Sims* v. *Frink*.

[2] Included among the defendants were the Secretary of State and the Attorney General of Alabama, the Chairmen and Secretaries of the Alabama State Democratic Executive Committee and the State Republican Executive Committee, and three Judges of Probate of three counties, as representatives of all the probate judges of Alabama.

"Art. IX, sec. 197. The whole number of senators shall be not less than one-fourth or more than one-third of the whole number of representatives.

"Art. IX, sec. 198. The house of representatives shall consist of not more than one hundred and five members, unless new counties shall be created, in which event each new county shall be entitled to one representative. The members of the house of representatives shall be apportioned by the legislature among the several counties of the state, according to the number of inhabitants in them, respectively, as ascertained by the decennial census of the United States, which apportionment, when made, shall not be subject to alteration until the next session of the legislature after the next decennial census of the United States shall have been taken.

"Art. IX, sec. 199. It shall be the duty of the legislature at its first session after the taking of the decennial census of the United States in the year nineteen hundred and ten, and after each subsequent decennial census, to fix by law the number of representatives and apportion them among the several counties of the state, according to the number of inhabitants in them, respectively; provided, that each county shall be entitled to a least one representative.

"Art. IX, sec. 200. It shall be the duty of the legislature at its first session after taking of the decennial census of the United States in the year nineteen hundred and ten, and after each subsequent decennial census, to fix by law the number of senators, and to divide the state into as many senatorial districts as there are senators, which districts shall be as nearly equal to each other in the number of inhabitants as may be, and each shall be entitled to one senator, and no more; and such districts, when formed, shall not be changed until the next apportioning session of the legislature, after the next decennial census of the United States shall have been taken; provided, that counties created after the next preceding apportioning session of the legislature may be attached to senatorial districts. No county shall be divided between two districts, and no district shall be made up of two or more counties not contiguous to each other.

"Art. XVIII, sec. 284. * * * Representation in the legislature shall be based upon population, and such basis of representation shall not be changed by constitutional amendments."

The maximum size of the Alabama House was increased from 105 to 106 with the creation of a new county in 1903, pursuant to the constitutional provision which states that, in addition to the prescribed 105 House seats, each county thereafter created shall be entitled to one representative. Article IX, §§ 202 and 203, of the Alabama Constitution established precisely the boundaries of the State's senatorial and representative districts until the enactment of a new reapportionment plan by the legislature. These 1901 constitutional provisions, specifically describing the composition of the senatorial districts and detailing the number of House seats allocated to each county, were periodically enacted as statutory measures by the Alabama Legislature, as modified only by the creation of an additional county in 1903, and provided the plan of legislative apportionment existing at the time this litigation was commenced.[3]

Plaintiffs below alleged that the last apportionment of the Alabama Legislature was based on the 1900 federal census, despite the requirement of the State Constitution that the legislature be reapportioned decennially. They asserted that, since the population growth in the State from 1900 to 1960 had been uneven, Jefferson and other counties were now victims of serious discrimination with respect to the allocation of legislative representation. As a result of the failure of the legislature to reapportion itself, plaintiffs asserted, they were denied "equal suffrage in free and equal elections * * * and the equal protection of the laws" in violation of the Alabama Constitution and the Fourteenth Amendment to the Federal Constitution. The complaint asserted that plaintiffs had no other adequate remedy, and that they had exhausted all forms of relief other than that available through the federal courts. They alleged that the Alabama Legislature had established a pattern of prolonged inaction from 1911 to the present which "clearly demonstrates that no reapportionment * * * shall be effected"; that representation at any future constitutional convention would be established by the legislature, making it unlikely that the membership of any such convention would be fairly representative; and that, while the Alabama Supreme Court had found that the legislature had not complied with the State Constitution in failing to reapportion according to population decennially,[4] that court had nevertheless indicated that it would not interfere with matters of legislative reapportionment.[5]

Plaintiffs requested that a three-judge District Court be convened.[6] With respect to relief, they sought a declaration that the existing constitutional and statutory provisions, establishing the present apportionment of seats in the Alabama Legislature, were unconstitutional under the Alabama and Federal Constitutions, and an injunction against the holding of future elections for legislators until the legislature reapportioned itself in accordance with the State Constitution. They further requested the issuance of a mandatory injunction, effective until such time as the legislature properly reapportioned, requiring the conducting of the 1962 election for legislators at large over the entire State, and any other relief which "may seem just, equitable and proper."

A three-judge District Court was convened, and three groups of voters, taxpayers and residents of Jefferson, Mobile, and Etowah Counties were permitted to intervene in the action as intervenor-plaintiffs. Two of the groups are cross-appellants in Nos. 27 and 41. With minor exceptions, all of the intervenors adopted the allegations of and sought the same relief as the original plaintiffs.

On March 29, 1962, just three days after this Court had decided *Baker* v. *Carr*, 369 U.S. 186, plaintiffs moved for a preliminary injunction requiring defendants to conduct at large the May 1962 Democratic primary election and the November 1962 general election for members of the Alabama Legislature. The District Court set the motion for hearing in an order stating its tentative views that an injunction was not required before the May 1962 primary election to protect plaintiffs' constitutional rights, and that the Court should take no action which was not "absolutely essential" for the protection of the asserted constitutional rights, before the Alabama Legislature had had a "further reasonable but prompt opportunity to comply with its duty" under the Alabama Constitution.

On April 14, 1962, the District Court, after reiterating the views expressed in its earlier order, reset the case for hearing on July 16, noting that the importance of the case, together with the necessity for effective action within a limited period of time, required an early announcement of its views. 205 F. Supp. 245. Relying on our decision in *Baker* v. *Carr*, the Court found jurisdiction, justiciability and standing. It stated that it was taking judicial notice of the facts that there had been population changes in Alabama's counties since 1901, that the present representation in the State Legislature was not on a population basis, and that the legislature had never reapportioned its membership as required by the Alabama Constitution.[7] Continuing, the Court stated that if the legislature complied with the Alabama constitutional provision requiring legislative representation to be based on population there could be no objection on federal constitutional grounds to such an apportionment.

The Court further indicated that, if the legislature failed to act, or its actions did not meet constitutional standards, it would be under a "clear duty" to take some action on the matter prior to the November 1962 general election. The District Court stated that its "present thinking" was to follow an approach suggested by MR. JUSTICE CLARK in his concurring opinion in *Baker* v. *Carr*[8]—awarding seats released by the consolidation or revamping of existing districts to counties suffering "the most egregious discrimination," thereby releasing the strangle hold on the legislature sufficiently so as to permit the newly elected body to enact a constitutionally valid and permanent reapportionment plan, and allowing eventual dismissal of the case. Subsequently, plaintiffs were permitted to amend their complaint by adding a further prayer for relief, which asked the District Court to reapportion the Alabama Legislature provisionally so that the rural strangle hold would be relaxed enough to permit it to reapportion itself.

On July 12, 1962, an extraordinary session of the Alabama Legislature adopted two reapportionment plans to take effect for the 1966 elections. One was a proposed constitutional amendment, referred to as the "67-Senator Amendment."[9] It provided for a

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[3] Provisions virtually identical to those contained in art. IX, secs. 202 and 203, were enacted into the Alabama Codes of 1907 and 1923, and were most recently reenacted as statutory provisions in secs. 1 and 2 of title 32 of the 1940 Alabama Code (as recompiled in 1958).

[4] See "Opinion of the Justices," 263 Ala. 158, 164, 81 So. 2d 881, 887 (1955), and "Opinion of the Justices," 254 Ala. 185, 187, 47 So. 2d 714, 717 (1950), referred to by the District Court in its preliminary opinion. 205 F. Supp., at 247.

[5] See *Ex parte Rice*, 143 So. 2d 848 (Ala. Sup. Ct. 1962), where the Alabama Supreme Court, on May 9, 1962, subsequent to the District Court's preliminary order in the instant litigation as well as our decision in *Baker* v. *Carr*, 369 U.S. 186, refused to review a denial of injunctive relief sought against the conducting of the 1962 primary election until after reapportionment of the Alabama Legislature, stating that "this matter is a legislative function, and the Court has no jurisdiction." And in *Waid* v. *Pool*, 255 Ala. 441, 51 So. 2d 869 (1951), the Alabama Supreme Court, in a similar suit, had stated that the lower court had properly refused to grant injunctive relief because "appellants are seeking interference by the judicial departments of the State in respect to matters committed by the constitution to the legislative department." 255 Ala., at 442, 51 So. 2d, at 870.

[6] Under 28 U.S.C. 2281 and 2284.

[7] During the over 60 years since the last substantial reapportionment in Alabama, the State's population increased from 1,828,697 to 3,244,286. Virtually all of the population gain occurred in urban counties, and many of the rural counties incurred sizable losses in population.

[8] See 369 U.S., at 260 (Clark, J., concurring).

[9] Proposed Constitutional Amendment No. 1 of 1962, Alabama Senate Bill No. 29, Act No. 93, Acts of Alabama, Special Session, 1962, p. 124. The text of the proposed amendment is set out as Appendix B to the lower court's opinion. 208 F. Supp., at 443-444.

House of Representatives consisting of 106 members, apportioned by giving one seat to each of Alabama's 67 counties and distributing the others according to population by the "equal proportions" methods.[10] Using this formula, the constitutional amendment specified the number of representatives allotted to each county until a new apportionment could be made on the basis of the 1970 census. The Senate was to be composed of 67 members, one from each county. The legislation provided that the proposed amendment should be submitted to the voters for ratification at the November 1962 general election.

The other reapportionment plan was embodied in a statutory measure adopted by the legislature and signed into law by the Alabama Governor, and was referred to as the "Crawford-Webb Act."[11] It was enacted as standby legislation to take effect in 1966 if the proposed constitutional amendment should fail of passage by a majority of the State's voters, or should the Federal courts refuse to accept the proposed amendment (though not rejected by the voters) as effective action in compliance with the requirements of the Fourteenth Amendment. The act provided for a Senate consisting of 35 members, representing 35 senatorial districts established along county lines, and altered only a few of the former districts. In apportioning the 106 seats in the Alabama House of Representatives, the statutory measure gave each county one seat, and apportioned the remaining 39 on a rough population basis, under a formula requiring increasingly more population for a county to be accorded additional seats. The Crawford-Webb Act also provided that it would be effective "until the legislature is reapportioned according to law," but provided no standards for such a reapportionment. Future apportionments would presumably be based on the existing provisions of the Alabama Constitution which the statute, unlike the proposed constitutional amendment, would not affect.

The evidence adduced at trial before the three-judge panel consisted primarily of figures showing the population of each Alabama county and senatorial district according to the 1960 census, and the number of representatives allocated to each county under each of the three plans at issue in the litigation—the existing apportionment (under the 1901 constitutional provisions and the current statutory measures substantially reenacting the same plan), the proposed 67-Senator constitutional amendment, and the Crawford-Webb Act. Under all three plans, each senatorial district would be represented by only one senator.

On July 21, 1962, the District Court held that the inequality of the existing representation in the Alabama Legislature violated the Equal Protection Clause of the Fourteenth Amendment, a finding which the Court noted had been "generally conceded" by the parties to the litigation, since population growth and shifts had converted the 1901 scheme, as perpetuated some 60 years later, into an invidiously discriminatory plan completely lacking in rationality. 208 F. Supp. 431. Under the existing provisions, applying 1960 census figures, only 25.1% of the State's total population resided in districts represented by a majority of the members of the Senate, and only 25.7% lived in counties which could elect a majority of the members of the House of Representatives. Population-variance ratios of up to about 41-to-1 existed in the Senate, and up to about 16-to-1 in the House. Bullock County, with a population of only 13,462, and Henry County, with a population of only 15,286, each were allocated two seats in the Alabama House, whereas Mobile County, with a population of 314,301, was given only three seats, and Jefferson County, with 634,864 people, had only seven representatives.[12] With respect to senatorial apportionment, since the pertinent Alabama constitutional provisions had been consistently construed as prohibiting the giving of more than one Senate seat to any one county,[13] Jefferson County, with over 600,000 people, was given only one senator, as was Lowndes County, with a 1960 population of only 15,417, and Wilcox County, with only 18,730 people.[14]

The Court then considered both the proposed constitutional amendment and the Crawford-Webb Act to ascertain whether the legislature had taken effective action to remedy the unconstitutional aspects of the existing apportionment. In initially summarizing the result which it had reached, the Court stated:

"This Court has reached the conclusion that neither the '67-Senator Amendment' nor the 'Crawford-Webb Act' meets the necessary constitutional requirements. We find that each of the legislative acts, when considered as a whole, is so obviously discriminatory, arbitrary and irrational that it becomes unnecessary to pursue a detailed development of each of the relevant factors of the [Federal constitutional] test."[15]

The Court stated that the apportionment of one senator to each county, under the proposed constitutional amendment, would "make the discrimination in the Senate even more invidious than at present." Under the 67-Senator Amendment, as pointed out by the court below, "the present control of the Senate by members representing 25.1% of the people of Alabama would be reduced to control by members representing 19.4% of the people of the State," the 34 smallest counties, with a total population of less than that of Jefferson County, would have a majority of the senatorial seats, and senators elected by only about 14% of the State's population could prevent the submission to the electorate of any future proposals to amend the State Constitution (since a vote of two-fifths of the members of one house can defeat a proposal to amend the Alabama Constitution). Noting that the "only conceivable rationalization" of the senatorial apportionment scheme is that it was based on equal representation of political subdivisions within the State and is thus analogous to the Federal Senate, the District Court rejected the analogy on the ground that Alabama counties are merely involuntary political units of the State created by statute to aid in the administration of state government. In finding the so-called federal analogy irrelevant, the District Court stated:

"The analogy cannot survive the most superficial examination into the history of the requirement of the Federal Constitution and the diametrically opposing history of the requirement of the Alabama Constitution that representation shall be based on population. Nor can it survive a comparison of the different political natures of states and counties."[16]

The Court also noted that the senatorial apportionment proposal "may not have complied with the State Constitution," since not only is it explicitly provided that the population basis of legislative representation "shall not be changed by constitutional amendments,"[17] but the Alabama Supreme Court had previously indicated that that requirement could probably be altered only by constitutional convention.[18] The Court concluded, however, that the apportionment of seats in the Alabama House, under the proposed constitutional amendment, as "based upon reason, with a rational regard for known and accepted standards of apportionment."[19] Under the proposed apportionment of representatives, each of the 67 counties was given one seat and the remaining 39 were allocated on a population basis. About 43% of the State's total population would live in counties which could elect a majority in that body. And, under the provisions of the 67-Senator Amendment, while the maximum population-variance ratio was increased to about 59-to-1 in the Senate, it was significantly reduced to about 4.7-to-1 in the House of Representatives. Jefferson County was given 17 House seats, an addition of 10, and Mobile County was allotted eight, an increase of five. The increased representation of the urban counties was achieved primarily by limiting the State's 55 least populous counties to one House seat each, and the net effect was to take 19 seats away from rural counties and allocate them to the more populous counties. Even so, serious disparities from a population-based standard remained. Montgomery County, with 169,210 people, was given only four seats, while Coosa County, with a population of only 10,726, and Cleburne County, with only 10,911, were each allocated one representative.

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[10] For a discussion of this method of apportionment, used in distributing seats in the Federal House of Representatives among the States, and other commonly used apportionment methods, see Schmeckebier, The Method of Equal Proportions, 17 Law and Contemp. Prob. 302 (1952).

[11] Alabama Reapportionment Act of 1962, Alabama House Bill No. 59, Act No. 91, Acts of Alabama, Special Session, 1962, p. 121. The text of the act is reproduced as Appendix C to the lower court's opinion. 208 F. Supp., at 445–446.

[12] A comprehensive chart showing the representation by counties in the Alabama House of Representatives under the existing apportionment provisions is set out as appendix D to the lower court's opinion. 208 F. Supp., at 447–449. This chart includes the number of house seats given to each county, and the populations of the 67 Alabama counties under the 1900, 1950, and 1960 censuses.

[13] Although cross-appellants in No. 27 assert that the Alabama constitution forbids the division of a county, in forming senatorial districts, only when one or both pieces will be joined with another county to form a multicounty district, this view appears to be contrary to the language of art. IX, sec. 200, of the Alabama constitution and the practice under it. Cross-appellants contend that counties entitled by population to two or more senators can be split into the appropriate number of districts, and argue that prior to the adoption of the 1901 provisions of the Alabama constitution so provided and there is no reason to believe that the language of the present provision was intended to effect any change. However, the only apportionments under the 1901 Alabama constitution—the 1901 provisions and the Crawford-Webb Act—gave no more than one seat to a county even though by population several counties would have been entitled to additional senatorial representation.

[14] A chart showing the composition, by counties, of the 35 senatorial districts provided for under the existing apportionment, and the population of each according to the 1900, 1950, and 1960 censuses is reproduced as appendix E to the lower court's opinion. 208 F. Supp., at 450.

[15] 208 F. Supp., at 437.

[16] Id., at 438.

[17] According to the district court, in the interval between its preliminary order and its decision on the merits, the Alabama Legislature, despite adopting this constitutional amendment proposal, "refused to inquire of the Supreme Court of the State of Alabama whether this provision in the constitution of the State of Alabama could be changed by constitutional amendment as the '67-senator amendment' proposes." 208 F. Supp., at 437.

[18] At least this is the reading of the district court of two somewhat conflicting decisions by the Alabama Supreme Court, resulting in "a manifest uncertainty of the legality of the proposed constitutional amendment, as measured by State standards * * *." 208 F. Supp., at 438. Compare Opinion of the Justices, 254 Ala. 183, 184, 47 So. 2d 713, 714 (1950) with Opinion of the Justices, 263 Ala. 158, 164, 81 So. 2d 881, 887 (1955).

[19] See the later discussion, infra, at —, and note 68, infra, where we reject the lower court's apparent conclusion that the apportionment of the Alabama house, under the 67-senator amendment, comported with the requirements of the equal protection clause.

Turning next to the provisions of the Crawford-Webb Act, the District Court found that its apportionment of the 106 seats in the Alabama House of Representatives, by allocating one seat to each county and distributing the remaining 39 to the more populous counties in diminishing ratio to their populations, was "totally unacceptable."[20] Under this plan, about 37% of the State's total population would reside in counties electing a majority of the members of the Alabama House, with a maximum population-variance ratio of about 5-to-1. Each representative from Jefferson and Mobile Counties would represent over 52,000 persons while representatives from eight rural counties would each represent less than 20,000 people. The Court regarded the senatorial apportionment provided in the Crawford-Webb Act as "a step in the right direction, but an extremely short step," and but a "slight improvement over the present system of representation."[21] The net effect of combining a few of the less populous counties into two-county districts and splitting up several of the larger districts into smaller ones would be merely to increase the minority which would be represented by a majority of the members of the Senate from 25.1% to only 27.6% of the State's population.[22] The Court pointed out that, under the Crawford-Webb Act, the vote of a person in the senatorial district consisting of Bibb and Perry Counties would be worth 20 times that of a citizen in Jefferson County, and that the vote of a citizen in the six smallest districts would be worth 15 or more times that of a Jefferson County voter. The Court concluded that the Crawford-Webb Act was "totally unacceptable" as a "piece of permanent legislation" which, under the Alabama Constitution, would have remained in effect without alteration at least until after the next decennial census.

Under the detailed requirements of the various constitutional provisions relating to the apportionment of seats in the Alabama Senate and House of Representatives, the Court found, the membership of neither house can be apportioned solely on a population basis, despite the provision in art. XVIII, sec. 284, which states that "representation in the legislature shall be based upon population." In dealing with the conflicting and somewhat paradoxical requirements (under which the number of seats in the House is limited to 106 but each of the 67 counties is required to be given at least one representative, and the size of the Senate is limited to 35 but it is required to have at least one-fourth of the members of the House, although no county can be given more than one senator), the District Court stated its view that "the controlling or dominant provision of the Alabama Constitution on the subject of representation in the Legislature" is the previously referred to language of sec. 284. The Court stated that the detailed requirements of art. IX, secs. 197–200,

> "make it obvious that in neither the House nor the Senate can representation be based strictly and entirely upon population * * *. The result may well be that representation according to population to some extent must be required in both Houses if invidious discrimination in the legislative systems as a whole is to be avoided. Indeed, * * * it is the policy and theme of the Alabama Constitution to require representation according to population in both Houses as nearly as may be, while still complying with more detailed provisions."[23]

The District Court then directed its concern to the providing of an effective remedy. It indicated that it was adopting and ordering into effect for the November 1962 election a provisional and temporary reapportionment plan composed of the provisions relating to the House of Representatives contained in the 67-Senator Amendment and the provisions of the Crawford-Webb Act relating to the Senate. The Court noted, however, that "the proposed reapportionment of the Senate in the 'Crawford-Webb Act,' unacceptable as a piece of permanent legislation, may not even break the strangle hold." Stating that it was retaining jurisdiction and deferring any hearing on plaintiffs' motion for a permanent injunction "until the Legislature, as provisionally reapportioned * * *, has an opportunity to provide for a true reapportionment of both Houses of the Alabama Legislature," the Court emphasized that its "moderate" action was designed to break the strangle hold by the smaller counties on the Alabama Legislature and would not suffice as a permanent reapportionment. On July 25, 1962, the Court entered its decree in accordance with its previously stated determinations, concluding that "plaintiffs * * * are denied * * * equal protection * * * by virtue of the debasement of their votes since the Legislature of the State of Alabama has failed and continues to fail to reapportion itself as required by law." It enjoined the defendant state officials from holding any future elections under any of the apportionment plans that it had found invalid, and stated that the 1962 election of Alabama legislators could validly be conducted only under the apportionment scheme specified in the Court's order.

After the District Court's decision, new primary elections were held pursuant to legislation enacted in 1962 at the same special session as the proposed constitutional amendment and the Crawford-Webb Act, to be effective in the event the Court itself ordered a particular reapportionment plan into immediate effect. The November 1962 general election was likewise conducted on the basis of the District Court's ordered apportionment of legislative seats, as Mr. Justice Black refused to stay the District Court's order. Consequently, the present Alabama Legislature is apportioned in accordance with the temporary plan prescribed by the District Court's decree. All members of both houses of the Alabama Legislature serve four-year terms, so that the next regularly scheduled election of legislators will not be held until 1966. The 1963 regular session of the Alabama Legislature produced no legislation relating to legislative apportionment,[24] and the legislature, which meets biennially, will not hold another regular session until 1965.

No effective political remedy to obtain relief against the alleged malapportionment of the Alabama Legislature appears to have been available.[25] No initiative procedure exists under Alabama law. Amendment of the State Constitution can be achieved only after a proposal is adopted by three-fifths of the members of both houses of the legislature and is approved by a majority of the people,[26] or as a result of a constitutional convention convened after approval by the people of a convention call initiated by a majority of both houses of the Alabama Legislature.[27]

Notices of appeal to this Court from the District Court's decision were timely filed by defendants below (appellants in No. 23) and by two groups of intervenor-plaintiffs (cross-appellants in Nos. 27 and 41). Appellants in No. 23 contend that the District Court erred in holding the existing and the two proposed plans for the apportionment of seats in the Alabama Legislature unconstitutional, and that a federal court lacks the power to affirmatively reapportion seats in a state legislature. Cross-appellants in No. 27 assert that the court below erred in failing to compel reapportionment of the Alabama Senate on a population basis as allegedly required by the Alabama Constitution and the Equal Protection Clause of the Federal Constitution. Cross-appellants in No. 41 contend that the District Court should have required and ordered into effect the apportionment of seats in both houses of the Alabama Legislature on a population basis. We noted probable jurisdiction on June 10, 1963, 374 U.S. 802.

II

Undeniably the Constitution of the United States protects the right of all qualified citizens to vote, in state as well as in federal elections. A consistent line of decisions by this Court in cases involving attempts to deny or restrict the right of suffrage has made this indelibly clear. It has been repeatedly recognized that all qualified voters have a constitutionally protected right to vote, *Ex parte Yarbrough*, 110 U.S. 651, and to have their votes counted, *United States* v. *Mosley*, 238 U.S. 383. In *Mosley* the Court stated that it is "as equally unquestionable that the right to have one's vote counted is as open to protection . . . as the right to put a ballot in a box." 238 U.S. at 386.

The right to vote can neither be denied outright, *Guinn* v. *United States*, 238 U.S. 347, *Lane* v. *Wilson*, 307 U.S. 268, nor can it be destroyed by alteration of ballots, see

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[20] While no formula for the statute's apportionment of representatives is expressly stated, one can be extrapolated. Counties with less than 45,000 people are given 1 seat; those with 45,000 to 90,000 receive 2 seats; counties with 90,000 to 150,000, 3 seats; those with 150,000 to 300,000, 4 seats; counties with 300,000 to 600,000, 6 seats; and counties with over 600,000 are given 12 seats.

[21] App. F to the lower court's opinion sets out a chart showing the populations of the 35 senatorial districts provided for under the Crawford-Webb Act and the composition, by counties, of the various districts. 208 F. Supp., at 451.

[22] Cross-appellants in No. 27 assert that the Crawford-Webb Act was a "minimum-change measure" which merely redrew new senatorial district lines around the nominees of the May 1962 Democratic primary so as to retain the seats of 34 of the 35 nominees, and resulted, in practical effect, in the shift of only one senate seat from an overrepresented district to another underpopulated, newly created district.

[23] 208 F. Supp., at 439.

[24] Possibly this resulted from an understandable desire on the part of the Alabama Legislature to await a final determination by this Court in the instant litigation before proceeding to enact a permanent apportionment plan.

[25] However, a proposed constitutional amendment, which would have made the Alabama House of Representatives somewhat more representative of population but the senate substantially less so, was rejected by the people in a 1956 referendum, with the more populous counties accounting for the defeat.

See the discussion in *Lucas* v. *The Forty-Fourth General Assembly of the State of Colorado*, — U.S. —, ——, decided also this date, with respect to the lack of Federal constitutional significance of the presence or absence of an available political remedy.

[26] Ala. Const., Art. XVIII, sec. 284.

[27] Ala. Const. Art. XVIII, sec. 286.

United States v. *Classic,* 313 U.S. 299, 315, nor diluted by ballot-box stuffing, *Ex parte Siebold,* 100 U.S. 371, *United States* v. *Saylor,* 322 U.S. 385. As the Court stated in *Classic,* "Obviously included within the right to choose, secured by the Constitution, is the right of qualified voters within a State to cast their ballots and have them counted. * * *" 313 U.S., at 315. Racially based gerrymandering, *Gomillion* v. *Lightfoot,* 364 U.S. 339, and the conducting of white primaries, *Nixon* v. *Herndon,* 273 U.S. 536, *Nixon* v. *Condon,* 286 U.S. 73, *Smith* v. *Allwright,* 321 U.S. 649, *Terry* v. *Adams,* 345 U.S. 461, both of which result in denying to some citizens their right to vote, have been held to be constitutionally impermissible. And history has seen a continuing expansion of the scope of the right of suffrage in this country.[28] The right to vote freely for the candidate of one's choice is of the essence of a democratic society, and any restrictions on that right strike at the heart of representative government. And the right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise.[29]

In *Baker* v. *Carr,* 369 U.S. 186, we held that a claim asserted under the Equal Protection Clause challenging the constitutionality of a State's apportionment of seats in its legislature, on the ground that the right to vote of certain citizens was effectively impaired since debased and diluted in effect, presented a justiciable controversy subject to adjudication by federal courts. The spate of similar cases filed and decided by lower courts since our decision in *Baker* amply shows that the problem of state legislative malapportionment is one that is perceived to exist in a large number of the States.[30] In *Baker,* a suit involving an attack on the apportionment of seats in the Tennessee Legislature, we remanded to the District Court, which had dismissed the action, for consideration on the merits. We intimated no view as to the proper constitutional standards for evaluating the validity of a state legislative apportionment scheme. Nor did we give any consideration to the question of appropriate remedies. Rather, we simply stated:

"Beyond noting that we have no cause at this stage to doubt the District Court will be able to fashion relief if violations of constitutional rights are found, it is improper now to consider what remedy would be most appropriate if appellants prevail at trial." [31]

We indicated in *Baker,* however, that the Equal Protection Clause provides discoverable and manageable standards for use by lower courts in determining the constitutionality of a State legislative apportionment scheme, and we stated:

"Nor need the appellants, in order to succeed in this action, ask the Court to enter upon policy determinations for which judicially manageable standards are lacking. Judicial standards under the Equal Protection Clause are well developed and familiar, and it has been open to courts since the enactment of the Fourteenth Amendment to determine, if on the particular facts they must, that a discrimination reflects *no* policy, but simply arbitrary and capricious action." [32]

Subsequent to *Baker,* we remanded several cases to the courts below for reconsideration in light of that decision.[33]

In *Gray* v. *Sanders,* 372 U.S. 368, we held that the Georgia county unit system, applicable in statewide primary elections, was unconstitutional since it resulted in a dilution of the weight of the votes of certain Georgia voters merely because of where they resided. After indicating that the Fifteenth and Nineteenth Amendments prohibit a State from overweighting or diluting votes on the basis of race or sex, we stated:

"How then can one person be given twice or ten times the voting power of another person in a statewide election merely because he lives in a rural area or because he lives in the smallest rural county? Once the geographical unit for which a representative is to be chosen is designated, all who participate in the election are to have an equal vote—whatever their race, whatever their sex, whatever their occupation, whatever their income, and wherever their home may be in that geographical unit. This is required by the Equal Protection Clause of the Fourteenth Amendment. The concept of 'we the people' under the Constitution visualizes no preferred class of voters but equality among those who meet the basic qualifications. The idea that every voter is equal to every other voter in his State, when he casts his ballot in favor of one of several competing candidates, underlies many of our decisions." [34]

Continuing, we stated that "there is no indication in the Constitution that homesite or occupation affords a permissible basis for distinguishing between qualified voters within the State." And, finally, we concluded: "The conception of political equality from the Declaration of Independence, to Lincoln's Gettysburg Address, to the Fifteenth, Seventeenth and Nineteenth Amendments can mean only one thing—one person, one vote." [35]

We stated in *Gray,* however, that that case, "unlike *Baker* v. *Carr,* * * * does not involve a question of the degree to which the Equal Protection Clause of the Fourteenth Amendment limits the authority of a State legislature in designing the geographical districts from which representatives are chosen either for the State Legislature or for the Federal House of Representatives * * *. Nor does it present the question, inherent in the bicameral form of our Federal Government, whether a State may have one house chosen without regard to population." [36]

Of course, in these cases we are faced with the problem not presented in *Gray*—that of determining the basic standards and stating the applicable guidelines for implementing our decision in *Baker* v. *Carr.*

In *Wesberry* v. *Sanders,* 376 U.S. 1, decided earlier this Term, we held that attacks on the constitutionality of congressional districting plans enacted by state legislatures do not present nonjusticiable questions and should not be dismissed generally for "want of equity." We determined that the constitutional test for the validity of congressional districting schemes was one of substantial equality of population among the various districts established by a state legislature for the election of members of the Federal House of Representatives.

In that case we decided that an apportionment of congressional seats which "contracts the value of some votes and expands that of others" is unconstitutional, since "the Federal Constitution intends that when qualified voters elect members of Congress each vote be given as much weight as any other vote * * *." We concluded that the constitutional prescription for election of members of the House of Representatives "by the People," construed in its historical context, "means that as nearly as is practicable one man's vote in a congressional election is to be worth as much as another's." We further stated:

"It would defeat the principle solemnly embodied in the Great Compromise—equal representation in the House for equal numbers of people—for us to hold that, within the States, legislatures may draw the lines of congressional districts in such a way as to give some voters a greater voice in choosing a Congressman than others." [37]

We found further, in *Wesberry,* that "our Constitution's plan objective" was that "of making equal representation for equal numbers of people the fundamental goal * * *." We concluded by stating:

"No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined. Our Constitution leaves no room for classification of people in a way that unnecessarily abridges this right." [38]

Gray and *Wesberry* are of course not dispositive of or directly controlling on our decision in these cases involving State legislative apportionment controversies. Admittedly, those decisions, in which we held that, in statewide and in congressional elections, one person's vote must be counted equally with those of all other voters in a State, were based on different constitutional considerations and were addressed to rather distinct problems. But neither are they wholly inapposite. *Gray,* though not determinative here since involving the weighting of votes in statewide elections, established the basic principle of equality among voters within a State, and held that voters cannot be classified, constitutionally, on the basis of where they live, at least with respect to voting in statewide elections. And our decision in *Wesberry* was of course grounded on that language of the Constitution which prescribes that Members of the Federal House of Representatives are to be chosen "by the people," while attacks on State legislative apportionment schemes, such as that involved in the instant cases, are principally based on the equal protection clause of the 14th amendment. Nevertheless, *Wesberry* clearly established that the fundamental principle of representative government in this country is one of equal representation for equal numbers of people, without regard to race, sex, economic status, or place of residence within a State. Our problem, then, is to ascertain, in the instant cases, whether there are any constitutionally cognizable principles which would justify departures from the basic standard of equality among voters in the apportionment of seats in State legislatures.

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[28] The 15th, 17th, 19th, 23d, and 24th amendments to the Federal Constitution all involve expansions of the right of suffrage. Also relevant, in this regard, is the civil rights legislation enacted by Congress in 1957 and 1960.

[29] As stated by Mr. Justice Douglas in *South* v. *Peters,* 339 U.S. 276, 279:

"There is more to the right to vote than the right to mark a piece of paper and drop it in a box or the right to pull a lever in a voting booth. The right to vote includes the right to have the ballot counted. * * * It also includes the right to have the vote counted at full value without dilution or discount. * * * That federally protected right suffers substantial dilution * * * [where a] favored group has full voting strength * * * [and] the groups not in favor have their votes discounted." (Douglas, J., dissenting.)

[30] Litigation challenging the constitutionality of state legislative apportionment schemes had been instituted in at least 34 States prior to end of 1962—within 9 months of our decision in *Baker* v. *Carr.* See McKay, Political Thickets and Grazy Quilts: Reapportionment and Equal Protection, 61 Mich. L. Rev. 645, 706–710 (1963), which contains an appendix summarizing reapportionment litigation through the end of 1962. See also David and Eisenberg, Devaluation of the Urban and Suburban Vote (1961); Goldberg, The Statistics of Malapportionment, 72 Yale L.J. 90 (1962).

[31] 369 U.S., at 198.

[32] Id., at 226.

[33] *Scholle* v. *Hare,* 369 U.S. 429 (Michigan); *WMCA, Inc.* v. *Simon,* 370 U.S. 190 (New York).

[34] 372 U.S., at 379–380.

[35] Id., at 381.

[36] Id., at 376. Later in the opinion we again stated: "Nor does the question here have anything to do with the composition of the State or Federal Legislature. And we intimate no opinion on the constitutional phases of that problem beyond what we said in *Baker* v. *Carr.*" Id., at 378.

[37] 376 U.S., at 14.

[38] Id., at 17–18.

III

A predominant consideration in determining whether a State's legislative apportionment scheme constitutes an invidious discrimination violative of rights asserted under the equal protection clause is that the rights allegedly impaired are individual and personal in nature. As stated by the Court in *United States* v. *Bathgate,* 246 U.S. 220, 227, "the right to vote is personal * * *."[39] While the result of a court decision in a State legislative apportionment controversy may be to require the restructuring of the geographical distribution of seats in a State legislature, the judicial focus must be concentrated upon ascertaining whether there has been any discrimination against certain of the State's citizens which constitutes an impermissible impairment of their constitutionally protected right to vote. Like *Skinner* v. *Oklahoma,* 316 U.S. 535, such a case "touches a sensitive and important area of human rights," and "involves one of the basic civil rights of man," presenting questions of alleged "invidious discriminations * * * against groups or types of individuals in violation of the constitutional guarantee of just and equal laws." 316 U.S., at 536, 541. Undoubtedly, the right of suffrage is a fundamental matter in a free and democratic society. Especially since the right to exercise the franchise in a free and unimpaired manner is preservative of other basic civil and political rights, any alleged infringement of the right of citizens to vote must be carefully and meticulously scrutinized. Almost a century ago, in *Yick Wo* v. *Hopkins,* 118 U.S. 356, the Court referred to "the political franchise of voting" as "a fundamental political right, because preservative of all rights." 118 U.S., at 370.

Legislators represent people, not trees or acres. Legislators are elected by voters, not farms or cities or economic interests. As long as ours is a representative form of government, and our legislatures are those instruments of government elected directly by and directly representative of the people, the right to elect legislators in a free and unimpaired fashion is a bedrock of our political system. It could hardly be gainsaid that a constitutional claim had been asserted by an allegation that certain otherwise qualified voters had been entirely prohibited from voting for members of their State legislature. And, if a State should provide that the votes of citizens in one part of the State should be given two times, or five times, or 10 times the weight of votes of citizens in another part of the State, it could hardly be contended that the right to vote of those residing in the disfavored areas had not been effectively diluted. It would appear extraordinary to suggest that a State could be constitutionally permitted to enact a law providing that certain of the State's voters could vote two, five, or 10 times for their legislative representatives, while voters living elsewhere could vote only once. And it is inconceivable that a State law to the effect that, in counting votes for legislators, the votes of citizens in one part of the State would be multiplied by two, five, or 10, while the votes of persons in another area would be counted only at face value, could be constitutionally sustainable.

Of course, the effect of state legislative districting schemes which give the same number of representatives to unequal numbers of constituents is identical.[40] Overweighting and overvaluation of the votes of those living here has the certain effect of dilution and undervaluation of the votes of those living there. The resulting discrimination against those individual voters living in disfavored areas is easily demonstrable mathematically. Their right to vote is simply not the same right to vote as that of those living in a favored part of the State. Two, five, or 10 of them must vote before the effect of their voting is equivalent to that of their favored neighbor. Weighting the votes of citizens differently, by any method or means, merely because of where they happen to reside, hardly seems justifiable. One must be ever aware that the Constitution forbids "sophisticated as well as simple-minded modes of discrimination." *Lane* v. *Wilson,* 307 U. S. 268, 275, *Gomillion* v. *Lightfoot,* 364 U. S. 339, 342. As we stated in *Wesberry* v. *Sanders, supra:*

> "We do not believe that the Framers of the Constitution intended to permit the same vote-diluting discrimination to be accomplished through the device of districts containing widely varied numbers of inhabitants. To say that a vote is worth more in one district than in another would * * * run counter to our fundamental ideas of democratic government * * *."[41]

State legislatures are, historically, the fountainhead of representative government in this country. A number of them have their roots in colonial times, and substantially antedate the creation of our Nation and our Federal Government. In fact, the first formal stirrings of American political independence are to be found, in large part, in the views and actions of several of the colonial legislative bodies. With the birth of our National Government, and the adoption and ratification of the Federal Constitution, State legislatures retained a most important place in our Nation's governmental structure. But representative government is in essence self-government through the medium of elected representatives of the people, and each and every citizen has an inalienable right to full and effective participation in the political processes of his State's legislative bodies. Most citizens can achieve this participation only as qualified voters through the election of legislators to represent them. Full and effective participation by all citizens in State government requires, therefore, that each citizen has an equally effective voice in the election of members of his State legislature. Modern and viable State government needs, and the Constitution demands, no less.

Logically, in a society ostensibly grounded on representative government, it would seem reasonable that a majority of the people of a State could elect a majority of that State's legislators. To conclude differently, and to sanction minority control of State legislative bodies, would appear to deny majority rights in a way that far surpasses any possible denial of minority rights that might otherwise be thought to result. Since legislatures are responsible for enacting laws by which all citizens are to be governed, they should be bodies which are collectively responsive to the popular will. And the concept of equal protection has been traditionally viewed as requiring the uniform treatment of persons standing in the same relation to the governmental action questioned or challenged. With respect to the allocation of legislative representation, all voters, as citizens of a State, stand in the same relation regardless of where they live. Any suggested criteria for the differentiation of citizens are insufficient to justify any discrimination, as to the weight of their votes, unless relevant to the permissible purposes of legislative apportionment. Since the achieving of fair and effective representation for all citizens is concededly the basic aim of legislative apportionment, we conclude that the equal protection clause guarantees the opportunity of equal participation by all voters in the election of State legislators. Diluting the weight of votes because of place of residence impairs basic constitutional rights under the 14th amendment just as much as invidious discriminations based upon factors such as race, *Brown* v. *Board of Education,* 347 U.S. 483, or economic status, *Griffin* v. *Illinois,* 351 U.S. 12, *Douglas* v. *California,* 372 U.S. 353. Our constitutional system amply provides for the protection of minorities by means other than giving them majority control of State legislatures. And the democratic ideals of equality and majority rule, which have served this Nation so well in the past, are hardly of any less significance for the present and the future.

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[39] As stated by Mr. Justice Douglas, the rights sought to be vindicated in a suit challenging an apportionment scheme are "personal and individual," *South* v. *Peters,* 339 U.S., at 280, and are "important political rights of the people," *MacDougall* v. *Green,* 335 U.S. 281, 288. (Douglas, J., dissenting.)

[40] As stated by Mr. Justice Black in *Colgrove* v. *Green,* 328 U.S. 549, 569–571:

"No one would deny that the equal protection clause would * * * prohibit a law that would expressly give certain citizens a half vote and others a full viote. * * * [T]he constitutionally guaranteed right to vote and the right to have one's vote counted clearly imply the policy that State election systems, no matter what their form, should be designed to give approximately equal weight to each vote cast. * * * [A] State legislature cannot deny eligible voters the right to vote for Congressmen and the right to have their vote counted. It can no more destroy the effectiveness of their vote in part and no more accomplish this in the name of 'apportionment' than under any other name." (Black, J., dissenting.)

[41] 376 U.S., at 8. See also id., at 17, quoting from James Wilson, a delegate to the Constitutional Convention and later an Associate Justice of this Court, who stated:

"[A]ll elections ought to be equal. Elections are equal, when a given number of citizens, in one part of the State, choose as many representatives, as are chosen by the same number of citizens, in any other part of the State. In this manner, the proportion of the representatives and of the constituents will remain invariably the same." 2 The Works of James Wilson (Andrews ed. 1896) 15.

And, as stated by Mr. Justice Douglas in *MacDougall* v. *Green,* 355 U.S., at 288, 290:

"[A] regulation * * * [which] discriminates against the residents of the populous counties of the State in favor of rural sections * * * lacks the equality to which the exercise of political rights is entitled under the 14th amendment.

"Free and honest elections are the very foundation of our Republican form of government. Discrimination against any group or class of citizens in the exercise of these constitutionally protected rights of citizenship deprives the electoral process of integrity.

"None would deny that a State law giving some citizens twice the vote of other citizens in either the primary or general election would lack that equality which the 14th amendment guarantees. The theme of the Constitution is equality among citizens in the exercise of their political rights. The notion that one group can be granted greater voting strength than another is hostile to our standards for popular representative government." (Douglas, J., dissenting).

We are told that the matter of apportioning representation in a state legislature is a complex and many-faceted one. We are advised that States can rationally consider factors other than population in apportioning legislative representation. We are admonished not to restrict the power of the States to impose differing views as to political philosophy on their citizens. We are cautioned about the dangers of entering into political thickets and mathematical quagmires. Our answer is this: a denial of constitutionally protected rights demands judicial protection; our oath and our office require no less of us. As stated in *Gomillion v. Lightfoot, supra:*

"When a State exercises power wholly within the domain of state interest, it is insulated from federal judicial review. But such insulation is not carried over when state power is used as an instrument for circumventing a federally protected right." [42]

To the extent that a citizen's right to vote is debased, he is that much less a citizen. The fact that an individual lives here or there is not a legitimate reason for overweighting or diluting the efficacy of his vote. The complexions of societies and civilizations change, often with amazing rapidity. A nation once primarily rural in character becomes predominantly urban.[43] Representation schemes once fair and equitable become archaic and outdated. But the basic principle of representative government remains, and must remain, unchanged—the weight of a citizen's vote cannot be made to depend on where he lives. Population is, of necessity, the starting point for consideration and the controlling criterion for judgment in legislative apportionment controversies.[44]

A citizen, a qualified voter, is no more nor no less so because he lives in the city or on the farm. This is the clear and strong command of our Constitution's equal protection clause. This is an essential part of the concept of a government of laws and not men. This is at the heart of Lincoln's vision of "government of the people, by the people, [and] for the people." The equal protection clause demands no less than substantially equal State legislative representation for all citizens, of all places as well as of all races.

IV

We hold that, as a basic constitutional standard, the Equal Protection Clause requires that the seats in both houses of a bicameral State legislature must be apportioned on a population basis. Simply stated, an individual's right to vote for state legislators is unconstitutionally impaired when its weight is in a substantial fashion diluted when compared with votes of citizens living in other parts of the State. Since, under neither the existing apportionment provisions nor under either of the proposed plans was either of the houses of the Alabama Legislature apportioned on a population basis, the District Court correctly held that all three of these schemes were constitutionally invalid. Furthermore, the existing apportionment, and also to a lesser extent the apportionment under the Crawford-Webb Act, presented little more than crazy quilts, completely lacking in rationality, and could be found invalid on that basis alone.[45]

Although the District Court presumably found the apportionment of the Alabama House of Representatives under the 67-Senator Amendment to be acceptable, we conclude that the deviations from a strict population basis are too egregious to permit us to find that that body, under this proposed plan, was apportioned sufficiently on a population basis so as to permit the arrangement to be constitutionally sustained. Although about 43 percent of the State's total population would be required to comprise districts which could elect a majority in that body, only 39 of the 106 House seats were actually to be distributed on a population basis, as each of Alabama's 67 counties was given at least one representative, and population-variance ratios of close to 5-to-1 would have existed. While mathematical nicety is not a constitutional requisite, one could hardly conclude that the Alabama House, under the proposed constitutional amendment, had been apportioned sufficiently on a population basis to be sustainable under the requirements of the Equal Protection Clause. And none of the other apportionments of seats in either of the bodies of the Alabama Legislature, under the three plans considered by the District Court, came nearly as close to approaching the required constitutional standard as did that of the House of Representatives under the 67-Senator Amendment.

Legislative apportionment in Alabama is signally illustrative and symptomatic of the seriousness of this problem in a number of the States. At the time this litigation was commenced, there had been no reapportionment of seats in the Alabama Legislature for over 60 years.[46] Legislative inaction, coupled with the unavailability of any political or judicial remedy,[47] had resulted, with the passage of years, in the perpetuated scheme becoming little more than an irrational anachronism. Consistent failure by the Alabama Legislature to comply with state constitutional requirements as to the frequency of reapportionment and the bases of legislative representation resulted in a minority strangle hold on the State Legislature. Inequality of representation in one house added to the inequality in the other. With the crazy-quilt existing apportionment virtually conceded to be invalid, the Alabama Legislature offered two proposed plans for consideration by the District Court, neither of which was to be effective until 1966 and neither of which provided for the apportionment of even one of the two houses on a population basis. We find that the court below did not err in holding that neither of these proposed reapportionment schemes, considered as a whole, "meets the necessary constitutional requirements." And we conclude that the District Court acted properly in considering these two proposed plans, although neither was to become effective until the 1966 election and the proposed constitutional amendment was scheduled to be submitted to the State's voters in November 1962.[48]

Consideration by the court below of the two proposed plans was clearly necessary in determining whether the Alabama Legislature had acted effectively to correct the admittedly existing malapportionment, and in ascertaining what sort of judicial relief, if any, should be afforded.

V

Since neither of the houses of the Alabama Legislature, under any of the three plans considered by the District Court, was apportioned on a population basis, we would be justified in proceeding no further. However, one of the proposed plans, that contained in the so-called 67-Senator Amendment, at least superficially resembles the scheme of legislative representation followed in the Federal Congress. Under this plan, each of Alabama's 67 counties is allotted one senator, and no counties are given more than one Senate seat. Arguably, this is analogous to the allocation of two Senate seats, in the Federal Congress, to each of the 50 States, regardless of population. Seats in the Alabama House, under the proposed constitutional amendment, are distributed by giving each of the 67 counties at least one, with the remaining 39 seats being allotted among the more populous counties on a population basis. This scheme, at least at first glance, appears to resemble that prescribed for the Federal House of Representatives, where the 435 seats are distributed among the States on a population basis, although each State, regardless of its population, is given at least one Congressman. Thus, although there are substantial differences in underlying rationale and result,[49] the 67-Senator Amendment, as proposed by the Alabama Legislature, at least arguably presents for consideration a scheme analogous to that used for apportioning seats in Congress.

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[42] 364 U.S., at 347.

[43] Although legislative apportionment controversies are generally viewed as involving urban-rural conflicts, much evidence indicates that presently it is the fast-growing suburban areas which are probably the most seriously underrepresented in many of our State legislatures. And, while currently the thrust of State legislative malapportionment results, in most States, in underrepresentation of urban and suburban areas, in earlier times cities were in fact overrepresented in a number of States. In the early 19th century, certain of the seaboard cities in some of the Eastern and Southern States possessed and struggled to retain legislative representation disproportionate to population, and bitterly opposed according additional representation to the growing inland areas. Conceivably, in some future time, urban areas might again be in a situation of attempting to acquire or retain legislative representation in excess of that to which, on a population basis, they are entitled. Malapportionment can, and has historically, run in various directions. However and whenever it does, it is constitutionally impermissible under the equal protection clause.

[44] The British experience in eradicating "rotten boroughs" is interesting and enlightening. Parliamentary representation is now based on districts of substantially equal population, and periodic reapportionment is accomplished through independent Boundary Commissions. For a discussion of the experience and difficulties in Great Britain in achieving fair legislative representation, see Edwards, Theoretical and Comparative Aspects of Reapportionment and Redistricting: With Reference to *Baker* v. *Carr*, 15 Vand. L. Rev. 1265, 1275 (1962). See also the discussion in *Baker* v. *Carr*, 369 U.S., at 302-307. (Frankfurter, J., dissenting.)

[45] Under the existing scheme, Marshall County, with a 1960 population of 48,018, Baldwin County, with 49,088, and Houston County, with 50,713, are each given only one seat in the Alabama House, while Bullock County, with only 13,462, Henry County, with 15,286, and Lowndes County, with 15,417, are allotted two representatives each. And in the Alabama Senate, under the existing apportionment, a district comprising Lauderdale and Limestone Counties had a 1960 population of 98,135, and another composed of Lee and Russell Counties had 96,105. Conversely, Lowndes County, with only 15,417, and Wilcox County, with 18,739, are nevertheless single-county senatorial districts given one Senate seat each.

[46] An interesting pre-Baker discussion of the problem of legislative malapportionment in Alabama is provided in Comment, Alabama's Unrepresentative Legislature, 14 Ala. L. Rev. 403 (1962).

[47] See the cases cited and discussed in notes 5–6, supra, where the Alabama Supreme Court refused even to consider the granting of relief in suits challenging the validity of the apportionment of seats in the Alabama Legislature, although it stated that the legislature had failed to comply with the requirements of the State Constitution with respect to legislative reapportionment.

[48] However, since the District Court found the proposed constitutional amendment prospectively invalid, it was never in fact voted upon by the State's electorate.

Much has been written since our decision in *Baker* v. *Carr* about the applicability of the so-called federal analogy to state legislative apportionment arrangements.[50] After considering the matter, the court below concluded that no conceivable analogy could be drawn between the federal scheme and the apportionment of seats in the Alabama Legislature under the proposed constitutional amendment.[51] We agree with the District Court, and find the federal analogy inapposite and irrelevant to state legislative districting schemes. Attempted reliance on the federal analogy appears often to be little more than an after-the-fact rationalization offered in defense of maladjusted state apportionment arrangements. The original constitutions of 36 of our States provided that representation in both houses of the state legislatures would be based completely, or predominantly, on population.[52] And the Founding Fathers clearly had no intention of establishing a pattern or model for the apportionment of seats in state legislatures when the system of representation in the Federal Congress was adopted.[53] Demonstrative of this is the fact that the Northwest Ordinance, adopted in the same year, 1787, as the Federal Constitution, provided for the apportionment of seats in territorial legislatures solely on the basis of population.[54]

The system of representation in the two Houses of the Federal Congress is one ingrained in our Constitution, as part of the law of the land. It is one conceived out of compromise and concession indispensable to the establishment of our federal republic.[55] Arising from unique historical circumstances, it is based on the consideration that in establishing our type of federalism a group of formerly independent States bound themselves together under one national government. Admittedly, the original 13 States surrendered some of their sovereignty in agreeing to join together "to form a more perfect Union." But at the heart of our constitutional system remains the concept of separate and distinct governmental entities which have delegated some, but not all, of their formerly held powers to the single national government. The fact that almost three-fourths of our present States were never in fact independently sovereign does not detract from our view that the so-called federal analogy is inapplicable as a sustaining precedent for state legislative apportionments. The developing history and growth of our republic cannot cloud the fact that, at the time of the inception of the system of representation in the Federal Congress, a compromise between the larger and smaller States on this matter averted a deadlock in the constitutional convention which had threatened to abort the birth of our Nation. In rejecting an asserted analogy to the federal electoral college in *Gray* v. *Sanders, supra,* we stated:

"We think the analogies to the electoral college, to districting and redistricting, and to other phases of the problems of representation in State or Federal legislatures or conventions are inapposite. The inclusion of the electoral college in the Constitution, as the result of specific historical concerns, validated the collegiate principle despite its inherent numerical inequality, but implied nothing about the use of an analogous system by a State in a statewide election. No such specific accommodation of the latter was ever undertaken, and therefore no validation of its numerical inequality ensued."[56]

Political subdivisions of States—counties, cities, or whatever—never were and never have been considered as sovereign entities. Rather, they have been traditionally regarded as subordinate governmental instrumentalities created by the State to assist in the carrying out of State governmental functions. As stated by the Court in *Hunter* v. *City of Pittsburgh,* 207 U.S. 161, 178, these governmental units are "created as convenient agencies for exercising such of the governmental powers of the State as may be entrusted to them," and the "number, nature and duration of the powers conferred upon [them] * * * and the territory over which they shall be exercised rests in the absolute discretion of the State." The relationship of the States to the Federal Government could hardly be less analogous.

Thus, we conclude that the plan contained in the 67-Senator Amendment for apportioning seats in the Alabama Legislature cannot be sustained by recourse to the so-called federal analogy. Nor can any other inequitable state legislative apportionment scheme be justified on such an asserted basis. This does not necessarily mean that such a plan is irrational or involves something other than a "republican form of government." We conclude simply that such a plan is impermissible for the States under the Equal Protection Clause, since perforce resulting, in virtually every case, in submergence of the equal-population principle in at least one house of a state legislature.

Since we find the so-called federal analogy inapposite to a consideration of the constitutional validity of state legislative apportionment schemes, we necessarily hold that the Equal Protection Clause requires both houses of a state legislature to be apportioned on a population basis. The right of a citizen to equal representation and to have his vote weighted equally with those of all other citizens in the election of members of one house of a bicameral state legislature would amount to little if States could effectively submerge the equal-population principle in the apportionment of seats in the other house. If such a scheme were permissible, an individual citizen's ability to exercise an effective voice in the only instrument of state government directly representative of the people might be almost as effectively thwarted as if neither house were apportioned on a population basis.

Deadlock between the two bodies might result in compromise and concession on some issues. But in all too many cases the more probable result would be frustration of the majority will through minority veto in the house not apportioned on a population basis, stemming directly from the failure to accord adequate overall legislative representation to all of the State's citizens on a nondiscriminatory basis. In summary, we can perceive no constitutional difference, with respect to the geographical distribution of state legislative representation, between the two houses of a bicameral state legislature.

We do not believe that the concept of bicameralism is rendered anachronistic and meaningless when the predominant basis of representation in the two state legislative bodies is required to be the same—population. A prime reason for bicameralism, modernly considered, is to insure mature and deliberate consideration of, and to prevent precipitate action on, proposed legislative measures. Simply because the controlling criterion for apportioning representation is required to be the same in both houses does not mean that there will be no differences in the composition and complexion of the two bodies. Different constituencies can be represented in the two houses. One body could be composed of single-member districts while the other could have at least some multimember districts.

The length of terms of the legislators in the separate bodies could differ. The numerical size of the two bodies could be made to differ, even significantly, and the geographical size of districts from which legislators are elected could also be made to differ. And apportionment in one house could be arranged so as to balance off minor inequities in the representation of certain areas in the other house. In summary, these and other factors could be, and are presently in many States, utilized to engender differing complexions and collective attitudes in the two bodies of a state legislature, although both are apportioned substantially on a population basis.

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[49] Resemblances between the system of representation in the Federal Congress and the apportionment scheme embodied in the 67-Senator Amendment appear to be more superficial than actual. Representation in the Federal House of Representatives is apportioned by the Constitution among the States in conformity with population. While each State is guaranteed at least one seat in the House, as a feature of our unique Federal system, only four States have less than 1/435 of the country's total population, under the 1960 census. Thus, only four seats in the Federal House are distributed on a basis other than strict population. In Alabama, on the other hand, 40 of the 67 counties have less than 1/106 of the State's total population. Thus, under the proposed amendment, over ⅓ of the total number of seats in the Alabama House would be distributed on a basis other than strict population. States with almost 50 percent of the Nation's total population are required in order to elect a majority of the members of the Federal House, though unfair districting within some of the States presently reduces to about 42 percent the percentage of the country's population which reside in districts electing individuals comprising a majority in the Federal House. Cf. *Wesberry* v. *Sanders,* supra, holding such congressional districting unconstitutional. Only about 43 percent of the population of Alabama would live in districts which could elect a majority in the Alabama House, under the proposed constitutional amendment. Thus, it could hardly be argued that the proposed apportionment of the Alabama House was based on population in a way comparable to the apportionment of seats in the Federal House among the States.

[50] For a thorough statement of the arguments against holding the so-called Federal analogy applicable to State legislative apportionment matters, see, e.g., McKay, Reapportionment and the Federal Analogy (National Municipal League pamphlet 1962); McKay, the Federal Analogy and State Apportionment Standards, 38 Notre Dame Law. 487 (1963). See also Merrill, Blazes for a Trail Through the Thicket of Reapportionment, 16 Okla. L. Rev. 59, 67–70 (1963).

[51] 208 F. Supp., at 438. See the discussion of the District court's holding as to the applicability of the Federal analogy earlier in this opinion, ante, at ——.

[52] Report of Advisory Commission on Intergovernmental Relations, Apportionment of State Legislatures 10–11, 35, 69 (1962).

[53] Thomas Jefferson repeatedly denounced the inequality of representation provided for under the 1776 Virginia Constitution and frequently proposed changing the State constitution to provide that both houses be apportioned on the basis of population. In 1816 he wrote that "a government is republican in proportion as every member composing it has his equal voice in the direction of its concerns * * * by representatives chosen by himself." Letter to Samuel Kercheval, 10 Writings of Thomas Jefferson (Ford ed. 1899) 38. And a few years later, in 1819, he stated: "Equal representation is so fundamental a principle in a true republic that no prejudice can justify its violation because the prejudices themselves cannot be justified." Letter to William King, Jefferson Papers, Library of Congress, vol. 216, p. 38616.

[54] Art. II, sec. 14, of the Northwest Ordinance of 1787 stated quite specifically: "The inhabitants of the said territory shall always be entitled to the benefits of a proportional representation of the people in the legislature."

[55] See the discussion in *Wesberry* v. *Sanders,* 376 U.S., at 9–14.

[56] 372 U.S., at 378.

VI

By holding that as a federal constitutional requisite both houses of a state legislature must be apportioned on a population basis, we mean that the Equal Protection Clause requires that a State make an honest and good faith effort to construct districts, in both houses of its legislature, as nearly of equal population as is practicable. We realize that it is a practical impossibility to arrange legislative districts so that each one has an identical number of residents, or citizens, or voters. Mathematical exactness or precision is hardly a workable constitutional requirement.[57]

In *Wesberry* v. *Sanders, supra*, the Court stated that congressional representation must be based on population as nearly as is practicable. In implementing the basic constitutional principle of representative government as enunciated by the Court in *Wesberry*—equality of population among districts—some distinctions may well be made between congressional and state legislative representation. Since, almost invariably, there is a significantly larger number of seats in state legislative bodies to be distributed within a State than congressional seats, it may be feasible to use political subdivision lines to a greater extent in establishing state legislative districts than in congressional districting while still affording adequate representation to all parts of the State. To do so would be constitutionally valid, so long as the resulting apportionment was one based substantially on population and the equal-population principle was not diluted in any significant way. Somewhat more flexibility may therefore be constitutionally permissible with respect to state legislative apportionment than in congressional districting. Lower courts can and assuredly will work out more concrete and specific standards for evaluating state legislative apportionment schemes in the context of actual litigation. For the present, we deem it expedient not to attempt to spell out any precise constitutional tests. What is marginally permissible in one State may be unsatisfactory in another, depending on the particular circumstances of the case. Developing a body of doctrine on a case-by-case basis appears to us to provide the most satisfactory means of arriving at detailed constitutional requirements in the area of state legisatlive apportionment. Cf. *Slaughter-House Cases*, 16 Wall. 36, 78–79. Thus, we proceed to state here only a few rather general considerations which appear to us to be relevant.

A State may legitimately desire to maintain the integrity of various political subdivisions, insofar as possible, and provide for compact districts of contiguous territory in designing a legislative apportionment scheme. Valid considerations may underlie such aims. Indiscriminate districting, without any regard for political subdivision or natural or historical boundary lines, may be little more than an open invitation to partisan gerrymandering. Single-member districts may be the rule in one State, while another State might desire to achieve some flexibility by creating multimember[58] or floterial districts.[59] Whatever the means of accomplishment, the overriding objective must be substantial equality of population among the various districts, so that the vote of any citizen is approximately equal in weight to that of any other citizen in the State.

History indicates, however, that many States have deviated, to a greater or lesser degree, from the equal-population principle in the apportionment of seats in at least one house of their legislatures.[60] So long as the divergences from a strict population standard are based on legitimate considerations incident to the effectuation of a rational State policy, some deviations from the equal-population principle are constitutionally permissible with respect to the apportionment of seats in either or both of the two houses of a bicameral state legislature. But neither history alone,[61] nor economic or other sorts of group interests, are permissible factors in attempting to justify disparities from population-based representation.

Citizens, not history or economic interests, cast votes. Considerations of area alone provide an insufficient justification for deviations from the equal-population principle. Again, people, not land or trees or pastures, vote. Modern developments and improvements in transportation and communications make rather hollow, in the mid-1960's, most claims that deviations from population-based representation can validly be based solely on geographical considerations. Arguments for allowing such deviations in order to insure effective representation for sparsely settled areas and to prevent legislative districts from becoming so large that the availability of access of citizens to their representatives is impaired are today, for the most part, unconvincing.

A consideration that appears to be of more substance in justifying some deviations from population-based representation in state legislatures is that of insuring some voice to political subdivisions, as political subdivisions. Several factors make more than insubstantial claims that a State can rationally consider according political subdivisions some independent representation in at least one body of the state legislature, as long as the basic standard of equality of population among districts is maintained. Local governmental entities are frequently charged with various responsibilities incident to the operation of state government. In many States much of the legislature's activity involves the enactment of so-called local legislation, directed only to the concerns of particular political subdivisions.

And a State may legitimately desire to construct districts along political subdivision lines to deter the possibilities of gerrymandering. However, permitting deviations from population-based representation does not mean that each local governmental unit or political subdivision can be given separate representation, regardless of population. Carried too far, a scheme of giving at least one seat in one house to each political subdivision (for example, to each county) could easily result, in many States, in a total subversion of the equal-population principle in that legislative body.[62] This would be especially true in a State where the number of counties is large and many of them are sparsely populated, and the number of seats in the legislative body being apportioned does not significantly exceed the number of counties.[63] Such a result, we conclude, would be constitutionally impermissible. And careful judicial scrutiny must of course be given, in evaluating state apportionment schemes, to the character as well as the degree of deviations from a strict population basis. But if, even as a result of a clearly rational state policy of according to some legislative representation to political subdivisions, population is submerged as the controlling consideration in the apportionment of seats in the particular legislative body, then the right of all of the State's citizens to cast an effective and adequately weighted vote would be unconstitutionally impaired.

VII

One of the arguments frequently offered as a basis for upholding a State's legislative apportionment arrangement, despite substantial disparities from a population basis in either or both houses, is grounded on congressional approval, incident to admitting States into the Union, of state apportionment plans containing deviations from the equal-population principle. Proponents of this argument contend that congressional approval of such schemes, despite their disparities from population-based representation, indicate that such arrangements are plainly sufficient as establishing a "republican form of government." As we stated in *Baker* v. *Carr*, some questions raised under the Guaranty Clause are nonjusticiable, where "political" in nature and where there is a clear absence of judicially manageable standards.[64] Nevertheless, it is not inconsistent with this view to hold that, despite congressional approval of state legislative apportionment plans at the time of admission into the Union, even though deviating from the equal-population principle here enunciated, the Equal Protection Clause can and does require more. And an apportionment scheme in which both houses are based on population can hardly be considered as failing to satisfy the Guaranty Clause requirement. Congress presumably does not assume, in admitting States into the Union, to pass on all constitutional questions relating to the character of state governmental organization. In any event, congressional approval, however well-considered, could hardly validate an unconstitutional state legislative apportionment. Congress simply lacks the constitutional power to insulate States from attack with respect to alleged deprivations of individual constitutional rights.

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[57] As stated by the Court in *Bain Peanut Co.* v. *Pinson*, 282 U.S. 499, 501, "We must remember that the machinery of government would not work if it were not allowed a little play in its joints."

[58] But cf. the discussion of some of the practical problems inherent in the use of multimember districts in *Lucas* v. *The Forty-Fourth General Assembly of the State of Colorado*, — U.S., at —, decided also this date.

[59] See the discussion of the concept of floterial districts in *Davis* v. *Mann*, — U.S. —, — —, n. 2, decided also this date.

[60] For a discussion of the formal appointment formulae prescribed for the allocation of seats in state legislatures, see Dixon, Apportionment Standards and Judicial Power, 38 Notre Dame Law. 367, 398–400 (1963). See also The Council of State Governments, The Book of the States 1962–1963, 58–62 (1962).

[61] In rejecting a suggestion that the representation of the newer Western States in Congress should be limited so that it would never exceed that of the original States, the Constitutional Convention plainly indicated its view that history alone provided an unsatisfactory basis for differentiations relating to legislative representation. See *Wesberry* v. *Sanders*, 376 U.S., at 14. Instead, the Northwest Ordinance of 1787, in explicitly providing for population-based representation of those living in the Northwest Territory in their territorial legislatures, clearly implied that, as early as the year of the birth of our Federal system, the proper basis of legislative representation was regarded as being population.

[62] See McKay, Political Thickets and Crazy Quilts: Reapportionment and Equal Protection, 61 Mich. L. Rev. 645, 698–699 (1963).

[63] Determining the size of its legislative bodies is of course a matter within the discretion of each individual State. Nothing in this opinion should be read as indicating that there are any Federal constitutional maximums or minimums on the size of State legislative bodies.

[64] See 369 U.S., at 217–232, discussing the nonjusticiability of malapportionment claims asserted under the Guaranty Clause.

VIII

That the Equal Protection Clause requires that both houses of a state legislature be apportioned on a population basis does not mean that States cannot adopt some reasonable plan for periodic revision of their apportionment schemes. Decennial reapportionment appears to be a rational approach to readjustment of legislative representation in order to take into account population shifts and growth. Reallocation of legislative seats every 10 years coincides with the prescribed practice in 41 of the States,[65] often honored more in the breach than the observance, however. Illustratively, the Alabama Constitution requires decennial reapportionment, yet the last reapportionment of the Alabama Legislature, when this suit was brought, was in 1901. Limitations on the frequency of reapportionment are justified by the need for stability and continuity in the organization of the legislative system, although undoubtedly reapportioning no more frequently than every 10 years leads to some imbalance in the population of districts toward the end of the decennial period and also to the development of resistance to change on the part of some incumbent legislators. In substance, we do not regard the Equal Protection Clause as requiring daily, monthly, annual or biennial reapportionment, so long as a State has a reasonably conceived plan for periodic readjustment of legislative representation.

While we do not intend to indicate that decennial reapportionment is a constitutional requisite, compliance with such an approach would clearly meet the minimal requirements for maintaining a reasonably current scheme of legislative representation. And we do not mean to intimate that more frequent reapportionment would not be constitutionally permissible or practicably desirable. But if reapportionment were accomplished with less frequency, it would assuredly be constitutionally suspect.

IX

Although general provisions of the Alabama Constitution provide that the apportionment of seats in both houses of the Alabama Legislature should be on a population basis, other more detailed provisions clearly make compliance with both sets of requirements impossible. With respect to the operation of the Equal Protection Clause, it makes no difference whether a States' apportionment scheme is embodied in its constitution or in statutory provisions. In those States where the alleged malapportionment has resulted from noncompliance with State constitutional provisions which, if complied with, would result in an apportionment valid under the Equal Protection Clause, the judicial task of providing effective relief would appear to be rather simple. We agree with the view of the District Court that State constitutional provisions should be deemed violative of the Federal Constitution only when validly asserted constitutional rights could not otherwise be protected and effectuated. Clearly, courts should attempt to accommodate the relief ordered to the apportionment provisions of State constitutions insofar as is possible. But it is also quite clear that a State legislative apportionment scheme is no less violative of the Federal Constitution when it is based on State constitutional provisions which have been consistently complied with than when resulting from a noncompliance with State constitutional requirements. When there is an unavoidable conflict between the Federal and a State Constitution, the Supremacy Clause of course controls.

X

We do not consider here the difficult question of the proper remedial devices which federal courts should utilize in state legislative apportionment cases.[66] Remedial technique in this new and developing area of the law will probably often differ with the circumstances of the challenged apportionment and a variety of local conditions. It is enough to say now that, once a State's legislative apportionment scheme has been found to be unconstitutional, it would be the unusual case in which a court would be justified in not taking appropriate action to insure that no further elections are conducted under the invalid plan. However, under certain circumstances, such as where an impending election is imminent and a State's election machinery is already in progress, equitable considerations might justify a court in withholding the granting of immediately effective relief in a legislative apportionment case, even though the existing apportionment scheme was found invalid. In awarding or withholding immediate relief, a court is entitled to and should consider the proximity of a forthcoming election and the mechanics and complexities of state election laws, and should act and rely upon general equitable principles. With respect to the timing of relief, a court can reasonably endeavor to avoid a disruption of the election process which might result from requiring precipitate changes that could make unreasonable or embarrassing demands on a State in adjusting to the requirements of the court's decree. As stated by Mr. Justice Douglas, in concurring in *Baker* v. *Carr*, "any relief accorded can be fashioned in the light of well-known principles of equity."[67]

We feel that the District Court in this case acted in a most proper and commendable manner. It initially acted wisely in declining to stay the impending primary election in Alabama, and properly refrained from acting further until the Alabama Legislature had been given an opportunity to remedy the admitted discrepancies in the State's legislative apportionment scheme, while initially stating some of its views to provide guidelines for legislative action. And it correctly recognized that legislative reapportionment is primarily a matter for legislative consideration and determination, and that judicial relief becomes appropriate only when a legislature fails to reapportion according to federal constitutional requisites in a timely fashion after having had an adequate opportunity to do so. Additionally, the court below acted with proper judicial restraint, after the Alabama Legislature had failed to act effectively in remedying the constitutional deficiencies in the State's legislative apportionment scheme, in ordering its own temporary reapportionment plan into effect, at a time sufficiently early to permit the holding of elections pursuant to that plan without great difficulty, and in prescribing a plan admittedly provisional in purpose so as not to usurp the primary responsibility for reapportionment which rests with the legislature.

We find, therefore, that the action taken by the District Court in this case, in ordering into effect a reapportionment of both houses of the Alabama Legislature for purposes of the 1962 primary and general elections, by using the best parts of the two proposed plans which it had found, as a whole, to be invalid,[68] was an appropriate and well-considered exercise of judicial power. Admittedly, the lower court's ordered plan was intended only as a temporary and provisional measure and the District Court correctly indicated that the plan was invalid as a permanent apportionment. In retaining jurisdiction while deferring a hearing on the issuance of a final injunction in order to give the provisionally reapportioned legislature an opportunity to act effectively, the court below proceeded in a proper fashion. Since the District Court evinced its realization that its ordered reapportionment could not be sustained as the basis for conducting the 1966 election of Alabama legislators, and avowedly intends to take some further action should the reapportioned Alabama Legislature fail to enact a constitutionally valid, permanent apportionment scheme in the interim, we affirm the judgment below and remand the cases for further proceedings consistent with the views stated in this opinion.

It is so ordered.

(In the Supreme Court of the United States, Nos. 23, 27 and 41.—October Term, 1963, On Appeals From the United States District Court for the Middle District of Alabama.)

B. A. REYNOLDS, ETC., ET AL., APPELLANTS, *v.* M. O. SIMS ET AL.; DAVID J. VANN AND ROBERT S. VANCE, APPELLANTS, *v.* AGNES BAGGETT, SECRETARY OF STATE OF ALABAMA ET AL.; JOHN W. MCCONNELL, JR., ET AL., APPELLANTS, *v.* AGNES BAGGETT, SECRETARY OF STATE OF ALABAMA ET AL., JUNE 15, 1964

Mr. Justice Clark, concurring in the affirmance.

The Court goes much beyond the necessities of this case in laying down a new "equal population" principle for state legislative apportionment. This principle seems to be an offshoot of *Gray* v. *Sanders*, 372 U.S. 368, 381 (1963), i.e., "one person, one vote," modified by the "nearly as is practicable" admonition of *Wesberry* v. *Sanders*, 376 U.S. 1, 8 (1964).[1] Whether "nearly as is practicable" means "one person, one vote" qualified by "approximately equal" or "some deviations" or by the impossibility of "mathematical nicety" is not clear from the majority's use of these vague and meaningless phrases. But whatever the standard, the Court applies it to each house of the State Legislature.

It seems to me that all that the Court need say in this case is that each plan considered by the trial court is "a crazy quilt," clearly revealing invidious discrimination in each house of the Legislature and therefore violative of the Equal Protective Clause. See my concurring opinion in *Baker* v. *Carr*, 369 U.S. 186, 253–258 (1962).

I, therefore, do not reach the question of the so-called "federal analogy." But in my view, if one house of the State Legislature meets the population standard, representation in the other house might include some departure from it so as to take into account, on a rational basis, other factors in order to afford some representation to the various elements of the State. See my dissenting opinion in *Lucas* v. *The Forty-fourth General Assembly of Colorado,* — U.S. —, decided this date.

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[65] Report of Advisory Commission on Intergovernmental Relations, Apportionment of State Legislatures 56 (1962). Additionally, the constitutions of seven other States either require or permit reapportionment of legislative representation more frequently than every 10 years. See also the Council of State Governments, the Book of the States 1962–63, 58–62 (1962).

[66] Cf. *Baker* v. *Carr*, 369 U.S. 186, 198. See also 369 U.S., at 250–251 (Douglas, J., concurring), and passages from Baker quoted in this opinion, ante, at —, and infra, at —.

[67] 369 U.S., at 250.

[68] Although the District Court indicated that the apportionment of the Alabama House under the 67-Senator Amendment was valid and acceptable, we of course reject that determination, which we regard as merely precatory and advisory since the court below found the overall plan, under the proposed constitutional amendment, to be unconstitutional. See 208 F. Supp., at 440–441. See the discussion earlier in this opinion, ante, at —.

[1] Incidentally, neither of these cases, upon which the Court bases its opinion, is apposite. Gray involved the use of Georgia's county unit rule in the election of United States Senators and Wesberry was a congressional apportionment case.

(In the Supreme Court of the United States, No. 23.—October Term, 1963, on Appeal From the United States District Court for the Middle District of Alabama.)

B. A. REYNOLDS, ETC., ET AL., APPELLANTS, *v.* M. O. SIMS ET AL., JUNE 15, 1964

Mr. Justice Stewart.

In this case all of the parties have agreed with the District Court's finding that legislative inaction for some 60 years in the face of growth and shifts in population has converted Alabama's legislative apportionment plan enacted in 1901 into one completely lacking in rationality. Accordingly, for the reasons stated in my dissenting opinion in *Lucas* v. *The Forty-Fourth General Assembly of the State of Colorado,* ante, p. —, I would affirm the judgment of the District Court holding that this apportionment violated the Equal Protection Clause.

I also agree with the Court that it was proper for the District Court, in framing a remedy, to adhere as closely as practicable to the apportionments approved by the representatives of the people of Alabama, and to afford the State of Alabama full opportunity, consistent with the requirements of the Federal Constitution, to devise its own system of legislative apportionment.

(In the Supreme Court of the United States, Nos. 23, 27, 41, 20, 29, 69, 307 and 508, OCTOBER TERM, 1963, on Appeals From the United States District Court for the Middle District of Alabama; On Appeal From the United States District Court for the Southern District of New York; On Appeal From the Court of Appeals of Maryland; On Appeal From the United States District Court for the Eastern District of Virginia; On Appeal From the United States District Court for the District of Delaware; On Appeal From the United States District Court for the District of Colorado.)

B. A. REYNOLDS, ETC., ET AL., APPELLANTS, *v.* M. O. SIMS ET AL.; DAVID J. VANN AND ROBERT S. VANCE, APPELLANTS, *v.* AGNES BAGGETT, SECRETARY OF STATE OF ALABAMA ET AL.; JOHN W. MCCONNELL, JR., ET AL., APPELLANTS, *v.* AGNES BAGGETT, SECRETARY OF STATE OF ALABAMA ET AL.; WMCA, INC., ET AL., APPELLANTS, *v.* JOHN P. LOMENZO, SECRETARY OF STATE OF THE STATE OF NEW YORK, ET AL.; THE MARYLAND COMMITTEE FOR FAIR REPRESENTATION ET AL., APPELLANTS, *v.* J. MILLARD TAWES, GOVERNOR, ET AL.; LEVIN NOCK DAVIS, SECRETARY, STATE BOARD OF ELECTIONS, ET AL., APPELLANTS, *v.* HARRISON MANN ET AL.; MABEL V. ROMAN, CLERK, ET AL., APPELLANTS, *v.* RICHARD SINCOCK ET AL.; ANDRES LUCAS ET AL., ETC., APPELLANTS, *v.* THE FORTY-FOURTH GENERAL ASSEMBLY OF THE STATE OF COLORADO ET AL.; JUNE 15, 1964

Mr. Justice Harlan, dissenting.

In these cases the Court holds that seats in the legislatures of six States[1] are apportioned in ways that violate the Federal Constitution. Under the Court's ruling it is bound to follow that the legislatures in all but a few of the other 44 States will meet the same fate.[2] These decisions, with *Wesberry* v. *Sanders,* 376 U.S. 1, involving congressional districting by the States, and *Gray* v. *Sanders,* 372 U.S. 368, relating to elections for statewide office, have the effect of placing basic aspects of state political systems under the pervasive overlordship of the federal judiciary. Once again,[3] I must register my protest.

PRELIMINARY STATEMENT

Today's holding is that the Equal Protection Clause of the Fourteenth Amendment requires every State to structure its legislature so that all the members of each house represent substantially the same number of people; other factors may be given play only to the extent that they do not significantly encroach on this basic "population" principle. Whatever may be thought of this holding as a piece of political ideology—and even on that score the political history and practices of this country from its earliest beginnings leave wide room for debate (see the dissenting opinion of Frankfurter, J., in *Baker* v. *Carr,* 369 U.S. 186, 266, 301–323)—I think it demonstrable that the Fourteenth Amendment does not impose this political tenet on the States or authorize this Court to do so.

The Court's constitutional discussion, found in its opinion in the Alabama cases (Nos. 23, 27, 41, ante, p. —) and more particularly at pages 26–33 thereof, is remarkable (as, indeed, is that found in the separate opinions of my Brothers Stewart and Clarke, ante, pp. ——, ——) for its failure to address itself at all to the Fourteenth Amendment as a whole or to the legislative history of the Amendment pertinent to the matter at hand. Stripped of aphorisms, the Court's argument boils down to the assertion that petitioners' right to vote has been invidiously "debased" or "diluted" by systems of apportionment which entitle them to vote for fewer legislators than other voters, an assertion which is tied to the Equal Protection Clause only by the constitutionally frail tautology that "equal" means "equal."

Had the Court paused to probe more deeply into the matter, it would have found that the Equal Protection Clause was never intended to inhibit the States in choosing any democratic method they pleased for the apportionment of their legislatures. This is shown by the language of the Fourteenth Amendment taken as a whole, by the understanding of those who proposed and ratified it, and by the political practices of the States at the time the Amendment was adopted. It is confirmed by numerous state and congressional actions since the adoption of the Fourteenth Amendment, and by the common understanding of the Amendment as evidenced by subsequent constitutional amendments and decisions of this Court before *Baker* v. *Carr,* supra, made an abrupt break with the past in 1962.

The failure of the Court to consider any of these matters cannot be excused or explained by any concept of "developing" constitutionalism. It is meaningless to speak of constitutional "development" when both the language and history of the controlling provisions of the Constitution are wholly ignored. Since it can, I think, be shown beyond doubt that state legislative apportionments, as such, are wholly free of constitutional limitations, save such as may be imposed by the Republican Form of Government Clause (Const., Art. IV, § 4),[4] the Court's action now bringing them within the purview of the Fourteenth Amendment amounts to nothing less than an exercise of the amending power by this Court.

So far as the Federal Constitution is concerned, the complaints in these cases should all have been dismissed below for failure to state a cause of action, because what has been alleged or proved shows no violation of any constitutional right.

Before proceeding to my argument it should be observed that nothing done in *Baker* v. *Carr,* supra, or in the two cases that followed in its wake, *Gray* v. *Sanders* and *Wesberry* v. *Sanders,* supra, from which the Court quotes at some length, forecloses the conclusion which I reach.

Baker decided only that claims such as those made here are within the competence of the federal courts to adjudicate. Although the Court stated as its conclusion that the allegations of a denial of equal protection presented "a justiciable constitutional cause of action," 369 U.S., at 237, it is evident from the Court's opinion that it was concerned all but exclusively with justiciability and gave no serious attention to the question whether the Equal Protection Clause touches state legislative apportionments.[5] Neither the opinion of the Court nor any of the concurring opinions considered the relevant text of the Fourteenth Amendment or any of the historical materials bearing on that question. None of the materials was briefed or otherwise brought to the Court's attention.[6]

In the Gray case the Court expressly laid aside the applicability to state legislative apportionments of the "one person, one vote" theory there found to require the striking down of the Georgia county unit system. See 372 U.S., at 376, and the concurring opinion of Stewart, J., joined by Clark, J., id., at 381–382.

In Wesberry, involving congressional districting, the decision rested on Art. I, § 2, of the Constitution. The Court expressly did not reach the arguments put forward concerning the Equal Protection Clause. See 376 U.S., at 8, note 10.

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[1] Alabama, Colorado, Delaware, Maryland, New York, Virginia.

[2] In the Virginia case, *Davis* v. *Mann,* post, p. —, the defendants introduced an exhibit prepared by the staff of the Bureau of Public Administration of the University of Virginia in which the Virginia Legislature, now held to be unconstitutionally apportioned, was ranked eighth among the 50 States in "representativeness," with population taken as the basis of representation. The Court notes that before the end of 1962, litigation attacking the apportionment of State legislatures had been instituted in at least 34 States. Ante, p. 21, note 30. See infra, p. 24.

[3] See *Baker* v. *Carr,* 369 U.S. 186, 330, and the dissenting opinion of Frankfurter, J., in which I joined, id., at 266; *Gray* v. *Sanders,* 372 U.S. 368, 382; *Wesberry* v. *Sanders,* 376 U.S. 1, 20.

[4] That clause, which manifestly has no bearing on the claims made in these cases, see V Elliot's Debates on the Adoption of the Federal Constitution (1845), 332–333, could not in any event be the foundation for judicial relief. *Luther* v. *Borden,* 7 How. 1, 42–44; *Ohio ex rel. Bryant* v. *Akron Metropolitan Park District,* 281 U.S. 74, 79–80; *Highland Farms Dairy, Inc.,* v. *Agnew,* 300 U.S. 608, 612. In *Baker* v. *Carr,* supra, at 227, the Court stated that reliance on the Republican Form of Government Clause "would be futile."

[5] It is fair to say that, beyond discussion of a large number of cases having no relevance to this question, the Court's views on this subject were fully stated in the compass of a single sentence: "Judicial standards under the Equal Protection Clause are well developed and familiar, and it has been open to courts since the enactment of the Fourteenth Amendment to determine, if on the particular facts they must, that a discrimination reflects no policy, but simply arbitrary and capricious action." 369 U.S., at 226.

Except perhaps for the "crazy quilt" doctrine of my Brother Clark, 369 U.S., at 251, nothing is added to this by any of the concurring opinions, id., at 241, 265.

[6] The cryptic remands in *Scholle* v. *Hare,* 369 U.S. 429, and *WMCA, Inc.,* v. *Simon,* 370 U.S. 190, on the authority of Baker, had nothing to say on the question now before the Court.

Thus it seems abundantly clear that the Court is entirely free to deal with the cases presently before it in light of materials now called to its attention for the first time. To these I now turn.

I

A. The language of the fourteenth amendment

The Court relies exclusively on that portion of § 1 of the Fourteenth Amendment which provides that no State shall "deny to any person within its jurisdiction the equal protection of the laws," and disregards entirely the significance of § 2, which reads:

"Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State."

The Amendment is a single text. It was introduced and discussed as such in the Reconstruction Committee,[7] which reported it to the Congress. It was discussed as a unit in Congress and proposed as a unit to the States,[8] which ratified it as a unit. A proposal to split up the Amendment and submit each section to the States as a separate amendment was rejected by the Senate.[9] Whatever one might take to be the application to these cases of the Equal Protection Clause if it stood alone, I am unable to understand the Court's utter disregard of the second section which expressly recognizes the States' power to deny "or in any way" abridge the right of their inhabitants to vote for "the members of the [State] Legislature," and its express provision of a remedy for such denial or abridgment. The comprehensive scope of the second section and its particular reference to the state legislatures precludes the suggestion that the first section was intended to have the result reached by the Court today. If indeed the words of the Fourteenth Amendment speak for themselves, as the majority's disregard of history seems to imply, they speak as clearly as may be against the construction which the majority puts on them. But we are not limited to the language of the Amendment itself.

B. Proposal and ratification of the amendment

The history of the adoption of the Fourteenth Amendment provides conclusive evidence that neither those who proposed nor those who ratified the Amendment believed that the Equal Protection Clause limited the power of the States to apportion their legislatures as they saw fit. Moreover, the history demonstrates that the intention to leave this power undisturbed was deliberate and was widely believed to be essential to the adoption of the Amendment.

(i) Proposal of the amendment in Congress.—A resolution proposing what became the Fourteenth Amendment was reported to both houses of Congress by the Reconstruction Committee of Fifteen on April 30, 1866.[10] The first two sections of the proposed amendment read:

"SEC. 1. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

"SEC. 2. Representatives shall be apportioned among the several States which may be included within this Union, according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But whenever, in any State, the elective franchise shall be denied to any portion of its male citizens not less than twenty-one years of age, or in any way abridged except for participation in rebellion or other crime, the basis of representation in such State shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens not less than twenty-one years of age."[11]

In the House, Thaddeus Stevens introduced debate on the resolution on May 8. In his opening remarks, Stevens explained why he supported the resolution although it fell "far short" of his wishes:

"I believe it is all that can be obtained in the present state of public opinion. Not only Congress but the several States are to be consulted. Upon a careful survey of the whole ground, we did not believe that nineteen of the loyal States could be induced to ratify any proposition more stringent than this."[12]

In explanation of this belief, he asked the House to remember "that three months since, and more, the committee reported and the House adopted a proposed amendment fixing the basis of representation in such way as would surely have secured the enfranchisement of every citizen at no distant period," but that proposal had been rejected by the Senate.[13]

He then explained the impact of the first section of the proposed Amendment, particularly the Equal Protection Clause.

"This amendment * * * allows Congress to correct the unjust legislation of the States, so far that the law which operates upon one man shall operate equally upon all. Whatever law punishes a white man for a crime shall punish the black man precisely in the same way and to the same degree. Whatever law protects the white man shall afford 'equal' protection to the black man. Whatever means of redress is afforded to one shall be afforded to all. Whatever law allows the white man to testify in court shall allow the man of color to do the same. These are great advantages over their present codes. Now different degrees of punishment are inflicted, not on account of the magnitude of the crime, but according to the color of his skin. Now color disqualifies a man from testifying in courts, or being tried in the same way as white men. I need not enumerate these partial and oppressive laws. Unless the Constitution should restrain them those States will all, I fear, keep up this discrimination, and crush to death the hated freedmen."[14]

He turned next to the second section, which he said he considered "the most important in the article."[15] Its effect, he said, was to fix "the basis of representation in Congress."[16] In unmistakable terms, he recognized the power of a State to withhold the right to vote:

"If any State shall exclude any of her adult male citizens from the elective franchise, or abridge that right, she shall forfeit her right to representation in the same proportion. The effect of this provision will be either to compel the States to grant universal suffrage or so to shear them of their power as to keep them forever in a hopeless minority in the national Government, both legislative and executive."[17]

Closing his discussion of the second section, he noted his dislike for the fact that it allowed "the States to discriminate [with respect to the right to vote] among the same class, and receive proportionate credit in representation."[18]

Toward the end of the debate three days later, Mr. Bingham, the author of the first section in the Reconstruction Committee and its leading proponent,[19] concluded his discussion of it with the following:

"Allow me, Mr. Speaker, in passing, to say that this amendment takes from no State any right that ever pertained to it. No State ever had the right, under the forms of law or otherwise, to deny to any freeman the equal protection of the laws or to abridge the privileges or immunities of any citizen of the Republic, although many of them have assumed and exercised the power, and that without remedy. The amendment does not give, as the second section shows, the power to Congress of regulating suffrage in the several States."[20]

He immediately continued:

"The second section excludes the conclusion that by the first section suffrage is subjected to congresional law; save, indeed, with this exception, that as the right in the people of each State to a republican government and to choose their Representatives in Congress is of the guarantees of the Constitution, by this amendment a remedy might be given directly for a case supposed by Madison, where treason might change a State government from a republican to a despotic government, and thereby deny suffrage to the people."[21]

He stated at another point in his remarks:

"To be sure we all agree, and the great body of the people of this country agree, and the committee thus far in reporting measures of reconstruction agree, that the exercise of the elective franchise, though it be one of the privileges of a citizen of the Republic, is exclusively under the control of the States."[22]

In the three days of debate which separate the opening and closing remarks, both made by members of the Reconstruction Committee, every speaker on the resolution, with a single doubtful exception,[23] assumed without question that, as Mr. Bingham said, supra, "the second section excludes the conclusion that by the first section suffrage is subjected to congressional law." The assumption was neither inadvertent nor silent. Much of the debate concerned the change in the basis of representation effected by the second section, and the speakers stated repeatedly, in express terms or by unmistakable implication, that the States retained the power to regulate suffrage within their borders. Attached as Appendix A hereto are some of those statements. The resolution was adopted by the House without change on May 10.[24]

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[7] See the Journal of the Committee, reprinted in Kendrick, The Journal of the Joint Committee of Fifteen on Reconstruction (1914), 83–117.

[8] See the debates in Congress, Cong. Globe, 39th Cong., 1st Sess., 2459–3149, passim (1866) (hereafter Globe).

[9] Globe 3040.

[10] Globe 2265, 2286.

[11] As reported in the House. Globe 2286. For prior versions of the Amendment in the Reconstruction Committee, see Kendrick, op. cit., supra, note 7, 83–117. The work of the Reconstruction Committee is discussed in Kendrick, supra, and Flack, The Adoption of the Fourteenth Amendment (1908), 55–139, passim.

[12] Globe 2459.

[13] Ibid. Stevens was referring to a proposed amendment to the Constitution which provided that "whenever the elective franchise shall be denied or abridged in any State on account of race or color, all persons therein of such race or color shall be excluded from the basis of representation." Globe 535. It passed the House, id., at 538, but did not muster the necessary two-thirds vote in the Senate, id., at 1289.

[14] Globe 2459.

[15] Ibid.

[16] Ibid.

[17] Ibid.

[18] Globe 2460.

[19] Kendrick, op. cit., supra, note 7, 87, 106; Flack, op. cit., supra, note 11, 60–68, 71.

[20] Globe 2542.

[21] Ibid. It is evident from the context of the reference to a republican government that Bingham did not regard limitations on the right to vote or the denial of the vote to specified categories of individuals as violating the guarantee of a republican form of government.

[22] Ibid.

Debate in the Senate began on May 23, and followed the same pattern. Speaking for the Senate Chairman of the Reconstruction Committee, who was ill, Senator Howard, also a member of the Committee, explained the meaning of the Equal Protection Clause as follows:

"The last two clauses of the first section of the amendment disable a State from depriving not merely a citizen of the United States, but any person, whoever he may be, of life, liberty, or property without due process of law, or from denying to him the equal protection of the laws of the State. This abolishes all class legislation in the States and does away with the injustice of subjecting one caste of persons to a code not applicable to another. It prohibits the hanging of a black man for a crime for which the white man is not to be hanged. It protects the black man in his fundamental rights as a citizen with the same shield which it throws over the white man. Is it not time, Mr. President, that we extend to the black man, I had almost called it the poor privilege of the equal protection of the law?

"But, sir, the first section of the proposed amendment does not give to either of these classes the right of voting. The right of suffrage is not, in law, one of the privileges or immunities thus secured by the Constitution. It is merely the creature of law. It has always been regarded in this country as the result of positive local law, not regarded as one of those fundamental rights lying at the basis of all society and without which a people cannot exist except as slaves, subject to a depotism [sic]." [25]

Discussing the second section, he expressed his regret that it did "not recognize the authority of the United States over the question of suffrage in the several States at all." [26] He justified the limited purpose of the amendment in this regard as follows:

"But, sir, it is not the question here what will we do; it is not the question what you, or I, or half a dozen other members of the Senate may prefer in respect to colored suffrage; it is not entirely the question what measure we can pass through the two Houses; but the question really is, what will the Legislatures of the various States to whom these amendments are to be submitted do in the premises; what is it likely will meet the general approbation of the people who are to elect the Legislatures, three-fourths of whom must ratify our propositions before they have the force of constitutional provisions?

"The committee were of opinion that the States are not yet prepared to sanction so fundamental a change as would be the concession of the right of suffrage to the colored race. We may as well state it plainly and fairly, so that there shall be no misunderstanding on the subject. It was our opinion that three-fourths of the States of this Union could not be induced to vote to grant the right of suffrage, even in any degree or under any restriction, to the colored race.

"The second section leaves the right to regulate the elective franchise still with the States, and does not meddle with that right." [27]

There was not in the Senate, as there had been in the House, a closing speech in explanation of the amendment. But because the Senate considered, and finally adopted, several changes in the first and second sections, even more attention was given to the problem of voting rights there than had been given in the House. In the Senate, it was fully understood by everyone that neither the first nor the second section interfered with the right of the States to regulate the elective franchise. Attached as Appendix B hereto are representative statements from the debates to that effect. After having changed the proposed amendment to the form in which it was adopted, the Senate passed the resolution on June 8, 1866.[28] As changed, it passed in the House on June 13.[29]

(ii) Ratification by the "loyal" States.—Reports of the debates in the state legislatures on the ratification of the Fourteenth Amendment are not generally available.[30] There is, however, compelling indirect evidence. Of the 23 loyal States which ratified the Amendment before 1870, five had constitutional provisions for apportionment of at least one house of their respective legislatures which wholly disregarded the spread of population.[31] Ten more had constitutional provisions which gave primary emphasis to population, but which applied also other principles, such as partial ratios and recognition of political subdivisions, which were intended to favor sparsely settled areas.[32] Can it be seriously contended that the legislatures of these States, almost two-thirds of those concerned, would have ratified an amendment which might render their own States' constitutions unconstitutional.

Nor were these state constitutional provisions merely theoretical. In New Jersey, for example, Cape May County, with a population of 8,349, and Ocean County, with a population of 13,628, each elected one State Senator, as did Essex and Hudson Counties, with populations of 143,839 and 129,067, respectively.[33] In the House, each county was entitled to one representative, which left 39 seats to be apportioned according to population.[34] Since there were 12 counties besides the two already mentioned which had populations over 30,000,[35] it is evident that there were serious disproportions in the House also. In New York, each of the 60 counties except Hamilton County was entitled to one of the 128 seats in the Assembly.[36] This left 69 seats to be distributed among counties the populations of which ranged from 15,420 to 942,292.[37] With seven more counties having populations over 100,000 and 13 others having populations over 50,000,[38] the disproportion in the Assembly was necessarily large. In Vermont, after each county had been allocated one Senator, there were 16 seats remaining to be distributed among the larger counties.[39] The smallest county had a population of 4,082; the largest had a population of 40,651 and there were 10 other counties with populations over 20,000.[40]

(iii) Ratification by the "reconstructed" States.—Each of the 10 "reconstructed" States was required to ratify the Fourteenth Amendment before it was readmitted to the Union.[41] The Constitution of each was scrutinized in Congress.[42] Debates over readmission were extensive.[43] In at least one instance, the problem of state legislative apportionment was expressly called to the attention of Congress. Objecting to the inclusion of Florida in the Act of June 25, 1868, Mr. Farnsworth stated on the floor of the House:

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[23] Representative Rogers, who voted against the resolution, Globe 2545, suggested that the right to vote might be covered by the Privileges and Immunities Clause. Globe 2538. But immediately thereafter he discussed the possibility that the southern States might "refuse to allow the negroes to vote." Ibid.

[24] Globe 2545.

[25] Globe 2766.

[26] Ibid.

[27] Ibid.

[28] Globe 3042.

[29] Globe 3149.

[30] Such evidence as there is, mostly committee reports and messages to the legislatures from Governors of the States, is to the same effect as the evidence from the debates in the Congress. See Ark. House J. 288 (1866–1867); Fla. Sen. J. 8–10 (1866); Ind. House J. 47–48, 50–51 (1867); Mass. Legis. Doc., House Doc. No. 149, 4–14, 16–17, 23, 24, 25–26 (1867); Mo. Sen. J. 14 (1867); N. J. Sen. J. 7 (Extra Sess. 1866); N. C. Sen. J. 96–97, 98–99 (1866–1867); Tenn. House J. 12–15 (1865–1866); Tenn. Sen. J. 8 (Extra Sess. 1866); Va. House J. & Doc., Doc. No. 1, 35 (1866–1867); Wis. Sen. J. 33, 101–103 (1867). Contra, S. C. House J. 34 (1866); Tex. Sen. J. 422 (1866 App.).

For an account of the proceedings in the state legislatures and citations to the proceedings, see Fairman, "Does the Fourteenth Amendment Incorporate the Bill of Rights?" 2 Stan. L. Rev. 5, 81–126 (1949).

[31] Conn. Const., 1818, Art. Third, § 3 (towns); N. H. Const., 1792, Part Second, § XXVI (direct taxes paid); N. J. Const., 1844, Art. IV, § II, cl. 1 (counties); R. I. Const., 1842, Art. VI, § 1 (towns and cities); Vt. Const., 1793, c. II, § 7 (towns).

In none of these States was the other House apportioned strictly according to population. Conn. Const., 1818, Amend. II; N. H. Const., 1792, Pt. Second, §§ IX–XI; N. J. Const., 1844, Art. IV, § III, cl. 1; R. I. Const., 1842, Art. V, § 1; Vt. Const., 1793, Amend. 23.

[32] Iowa Const., 1875, Art. III, § 35; Kan. Const., 1859, Art. 2, § 2, Art. 10, §1; Me. Const., 1819, Art. IV–Pt. First, § 3; Mich. Const., 1850, Art. IV, § 3; Mo. Const., 1865, Art. IV, § 2; N. Y. Const., 1846, Art. III, § 5; Ohio Const., 1851, Art. XI, §§ 2–5; Pa. Const., 1838, Art. I, §§ 4, 6, 7, as amended; Tenn. Const., 1834, Art. II, § 5; W. Va. Const., 1861–1863, Art. IV, § 9.

[33] Ninth Census of the United States, Statistics of Population (1872) (hereafter Census), 49. The population figures, here and hereafter, are for the year 1870, which presumably best reflect the figures for the years 1866–1870. Only the figures for 1860 were available at that time, of course, and they would have been used by anyone interested in population statistics. See, e. g., Globe 3028 (remarks of Senator Johnson).

The method of apportionment is contained in N. J. Const., 1844, Art. IV, § II, cl. 1.

[34] N. J. Const., 1844, Art. IV, § III, cl. 1. Census 49.

[35] Ibid.

[36] N. Y. Const., 1846, Art. III, §§ 2, 5. Census 50–51.

[37] Ibid.

[38] Ibid.

[39] There were 14 counties, Census 67, each of which was entitled to at least one out of a total of 30 seats. Vt. Const., 1793, Amend. 23.

[40] Census 67.

[41] Act of Mar. 2, 1867, § 5, 14 Stat. 429. See also Act of June 25, 1868, 15 Stat. 73, declaring that the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama, and Florida, would be admitted to representation in Congress when their legislatures had ratified the Fourteenth Amendment. Other conditions were also imposed, including a requirement that Georgia nullify certain provisions of its Constituion. Ibid. Arkansas, which had already ratified the Fourteenth Amendment, was readmitted by Act of June 22, 1868, 15 Stat. 72. Virginia was readmitted by Act of Jan. 26, 1870, 16 Stat. 62; Mississippi by Act of Feb. 23, 1870, 16 Stat. 67; and Texas by Act of Mar. 30, 1870, 16 Stat. 80. Georgia was not finally readmitted until later, by Act of July 15, 1870, 16 Stat. 363.

"I might refer to the apportionment of representatives. By this constitution representatives in the Legislature of Florida are apportioned in such a manner as to give to the sparsely-populated portions of the State the control of the Legislature. The sparsely-populated parts of the State are those where there are very few negroes, the parts inhabited by the white rebels, the men who, coming in from Georgia, Alabama, and other States, control the fortunes of their several counties. By this constitution every county in that State is entitled to a representative. There are in that State counties that have not thirty registered voters; yet, under this constitution, every one of those counties is entitled to a representative in the Legislature; while the populous counties are entitled to only one representative each, with an additional representative for every thousand inhabitants." [44]

The response of Mr. Butler is particularly illuminating:

"All these arguments, all these statements, all the provisions of this constitution have been submitted to the Judiciary Committee of the Senate, and they have found the constitution republican and proper. This constitution has been submitted to the Senate, and they have found it republican and proper. It has been submitted to your own Committee on Reconstruction, and they have found it republican and proper, and have reported it to this House." [45]

The Constitutions of six of the 10 States contained provisions departing substantially from the method of apportionment now held to be required by the Amendment.[46] And, as in the North, the departures were as real in fact as in theory. In North Carolina, 90 of the 120 representatives were apportioned among the counties without regard to population, leaving 30 seats to be distributed by numbers.[47] Since there were seven counties with populations under 5,000 and 26 counties with populations over 15,000, the disproportions must have been widespread and substantial.[48] In South Carolina, Charleston, with a population of 88,863, elected two Senators; each of the other counties, with populations ranging from 10,269 to 42,486 elected one Senator.[49] In Florida, each of the 39 counties was entitled to elect one Representative; no county was entitled to more than four.[50] These principles applied to Dade County with a population of 85 and to Alachua County and Leon County, with populations of 17,328 and 15,236, respectively.[51]

It is incredible that Congress would have exacted ratification of the Fourteenth Amendment as the price of readmission, would have studied the State Constitutions for compliance with the Amendment, and would then have disregarded violations of it.

The facts recited above show beyond any possible doubt:

(1) that Congress, with full awareness of and attention to the possibility that the States would not afford full equality in voting rights to all their citizens, nevertheless deliberately chose not to interfere with the States' plenary power in this regard when it proposed the Fourteenth Amendment;

(2) that Congress did not include in the Fourteenth Amendment restrictions on the State's power to control voting rights because it believed that if such restrictions were included, the Amendment would not be adopted.

(3) that at least a substantial majority, if not all, of the States which ratified the Fourteenth Amendment did not consider that in so doing, they were accepting limitations on their freedom, never before questioned, to regulate voting rights as they chose.

Even if one were to accept the majority's belief that it is proper entirely to disregard the unmistakable implications of the second section of the Amendment in construing the first section, one is confounded by its disregard of all this history. There is here none of the difficulty which may attend the application of basic principles to situations not contemplated or understood when the principles were framed. The problems which concern the Court now were problems when the Amendment was adopted. By the deliberate choice of those responsible for the Amendment, it left those problems untouched.

C. After 1868

The years following 1868, far from indicating a developing awareness of the applicability of the Fourteenth Amendment to problems of apportionment, demonstrate precisely the reverse: that the States retained and exercised the power independently to apportion their legislatures. In its Constitutions of 1875 and 1901, Alabama carried forward earlier provisions guaranteeing each county at least one representative and fixing an upper limit to the number of seats in the House.[52] Florida's Constitution of 1885 continued the guarantee of one representative for each county and reduced the maximum number of representatives per county from four to three.[53] Georgia, in 1877, continued to favor the smaller counties.[54] Louisiana, in 1879, guaranteed each parish at least one representative in the House.[55] In 1890, Mississippi guaranteed each county one representative, established a maximum number of representatives, and provided that specified groups of counties should each have approximately one-third of the seats in the House, whatever the spread of population.[56] Missouri's Constitution of 1875 gave each county one representative and otherwise favored less populous areas.[57] Montana's original Constitution of 1889 apportioned the State Senate by counties.[58] In 1877, New Hampshire amended its Constitution's provisions for apportionment, but continued to favor sparsely settled areas in the House and to apportion seats in the Senate according to direct taxes paid; [59] the same was true of New Hampshire's Constitution of 1902. [60]

In 1894, New York adopted a Constitution the peculiar apportionment provisions of which were obviously intended to prevent representation according to population: no county was allowed to have more than one-third of all the senators, no two counties which were adjoining or "separated only by public waters" could have more than one-half of all the senators, and whenever any county became entitled to more than three senators, the total number of senators was increased, thus preserving to the small counties their original number of seats.[61] In addition, each county except Hamilton was guaranteed a seat in the Assembly.[62] The North Carolina Constitution of 1876 gave each county at least one representative and fixed a maximum number of representatives for the whole House.[63] Oklahoma's Constitution at the time of its admission to the Union (1907) favored small counties by the use of partial ratios and a maximum number of seats in the House; in addition, no county was permitted to "take part" in the election of more than seven representatives.[64] Pennsylvania, in 1873, continued to guarantee each county one representative in the House.[65] The same was true of South Carolina's Constitution of 1895, which provided also that each county should elect one and only one Senator.[66] Utah's original Constitution of 1895 assured each county of one representative in the House.[67] Wyoming, when it entered the Union in 1889, guaranteed each county at least one senator and one representative.[68]

D. Today

Since the Court now invalidates the legislative apportionments in six States, and has so far upheld the apportionment in none, it is scarcely necessary to comment on the situation in the States today, which is, of course, as fully contrary to the Court's decision as is the record of every prior period in this Nation's history. As of 1961, the Constitutions of all but 11 States, roughly 20 percent of the total, recognized bases of apportionment other than geographic spread of population, and to some extent favored sparsely populated areas by a variety of devices, ranging from straight area representation or guaranteed minimum area representation to complicated schemes of the kind exemplified by the provisions of New York's Constitution of 1894, still in effect until struck down by the Court today in No. 20, post, p. —.[69] Since Tennessee, which was the subject of *Baker* v. *Carr*, and Virginia, scrutinized and disapproved today in No. 69, post, p. —, are among the 11 States whose own Constitutions are sound from the standpoint of the Federal Constitution as construed today, it is evident that the actual practice of the States is even more uniformly than their theory opposed to the Court's view of what is constitutionally permissible.

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[42] Discussing the bill which eventuated in the Act of June 25, 1868, see note 41, supra, Thaddeus Stevens said:

"Now, sir, what is the particular question we are considering? Five or six States have had submitted to them the question of forming constitutions for their own government. They have voluntarily formed such constitutions, under the direction of the Government of the United States. * * * They have sent us their constitutions. Those constitutions have been printed and laid before us. We have looked at them; we have pronounced them republican in form; and all we propose to require is that they shall remain so forever. Subject to this requirement, we are willing to admit them into the Union." Cong. Globe, 40th Cong., 2d Sess., 2465 (1868). See also the remarks of Mr. Butler, infra, p. 19–20.

The close attention given the various Constitutions is attested by the Act of June 25, 1868, which conditioned Georgia's readmission on the deletion of "the first and third subdivisions of section seventeen of the fifth article of the constitution of said State, except the proviso to the first subdivision." 15 Stat. 73. The sections involved are printed in Sen. Ex. Doc. No. 57, 40th Cong., 2d Sess., 14–15.

Compare *United States* v. *Florida,* 363 U.S. 121, 124–127.

[43] See, e. g., Cong. Globe, 40th Cong., 2d Sess., 2412–2413, 2858–2860, 2861–2871, 2895–2900, 2901–2904, 2927–2935, 2963–2970, 2998–3022, 3023–3029 (1868).

[44] Cong. Globe, 40th Cong., 2d Sess., 3090–3091 (1868).

[45] Id., at 3092.

[46] Ala. Const., 1867, Art. VIII, § 1; Fla. Const., 1868, Art. XIV; Ga. Const., 1868, Art. III, § 3, ¶ 1; La. Const., 1868, title II, Art. 20; N. C. Const., 1868, Art. II, § 6; S. C. Const., 1868, Art. II, §§ 6, 8

[47] N. C. Const., 1868, Art. II, § 6. There were 90 counties. Census 52–53.

[48] Ibid.

[49] S. C. Const., 1868, Art. II, § 8; Census 60.

[50] Fla. Const., 1868, Art. XIV.

[51] Census 18–19.

[52] Ala. Const., 1875, Art. IX, §§ 2, 3; Ala. Const., 1901, Art. IX, §§ 198, 199.

[53] Fla. Const., 1885, Art. VII, § 3.

[54] Ga. Const., 1877, Art. III, § III.

[55] La. Const., 1879, Art. 16.

[56] Miss. Const., 1890, Art. 13, § 256.

[57] Mo. Const., 1875, Art. 4, § 2.

[58] Mont. Const., 1889, Art. V, § 4, Art. VI, § 4.

[59] N. H. Const., 1792, Part Second, §§ 9–11, 26, as amended.

[60] N. H. Const., 1902, Part Second, Arts. 9, 10, 25.

[61] N. Y. Const., 1894, Art. III, § 4.

[62] N. Y. Const., 1894, Art. III, § 5.

[63] N. C. Const., 1876, Art. II, § 5.

[64] Okla. Const., 1907, Art. V, § 10.

[65] Pa. Const., 1873, Art. II, § 17.

[66] S. C. Const., 1895, Art. III, §§ 4, 6.

[67] Utah Const., 1895, Art. IX, § 4.

[68] Wyo. Const., 1889, Art. III, § 3.

E. Other factors

In this summary of what the majority ignores, note should be taken of the Fifteenth and Nineteenth Amendments. The former prohibited the States from denying or abridging the right to vote "on account of race, color, or previous condition of servitude." The latter, certified as part of the Constitution in 1920, added sex to the prohibited classifications. In *Minor* v. *Happersett*, 21 Wall. 162, this Court considered the claim that the right of women to vote was protected by the Privileges and Immunities Clause of the Fourteenth Amendment. The Court's discussion there of the significance of the Fifteenth Amendment is fully applicable here with respect to the Nineteenth Amendment as well.

"And still again, after the adoption of the fourteenth amendment, it was deemed necessary to adopt a fifteenth, as follows: 'The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.' The fourteenth amendment had already provided that no State should make or enforce any law which should abridge the privileges or immunities of citizens of the United States. If suffrage was one of these privileges or immunities, why amend the Constitution to prevent its being denied on account of race, &c.? Nothing is more evident than that the greater must include the less, and if all were already protected why go through with the form of amending the Constitution to protect a part?" Id., at 175.

In the present case, we can go still further. If constitutional amendment was the only means by which all men and, later, women, could be guaranteed the right to vote at all, even for Federal officers, how can it be that the far less obvious right to a particular kind of apportionment of state legislatures—a right to which is opposed a far more plausible conflicting interest of the State than the interest which opposes the general right to vote—can be conferred by judicial construction of the Fourteenth Amendment?[70] Yet, unless one takes the highly implausible view that the Fourteenth Amendment controls methods of apportionment but leaves the right to vote itself unprotected, the conclusion is inescapable that the Court has, for purposes of these cases, relegated the Fifteenth and Nineteenth Amendments to the same limbo of constitutional anachronisms to which the second section of the Fourteenth Amendment has been assigned.

Mention should be made finally of the decisions of this Court which are disregarded or, more accurately, silently overruled today. *Minor* v. *Happersett*, supra, in which the Court held that the Fourteenth Amendment did not confer the right to vote on anyone, has already been noted. Other cases are more directly in point. In *Colegrove* v. *Barrett*, 330 U.S. 804, this Court dismissed "for want of a substantial federal question" an appeal from the dismissal of a complaint alleging that the Illinois legislative apportionment resulted in "gross inequality in voting power" and "gross and arbitrary and atrocious discrimination in voting" which denied the plaintiffs equal protection of the laws.[71] In *Remmey* v. *Smith*, 102 F. Supp. 708 (D.C. E.D. Pa.), a three-judge District Court dismissed a complaint alleging that the apportionment of the Pennsylvania Legislature deprived the plaintiffs of "constitutional rights guaranteed to them by the Fourteenth Amendment." Id., at 709. The District Court stated that it was aware that the plaintiffs' allegations were "notoriously true" and that "the practical disenfranchisement of qualified electors in certain of the election districts in Philadelphia County is a matter of common knowledge." Id., at 710. This Court dismissed the appeal "for the want of a substantial federal question." 342 U.S. 916.

In *Kidd* v. *McCanless*, 292 S. W. 2d 40, the Supreme Court of Tennessee dismissed an action for a declaratory judgment that the Tennessee Apportionment Act of 1901 was unconstitutional. The complaint alleged that "a minority of approximately 37 percent of the voting population of the State now elects and controls 20 of the 33 members of the Senate; that a minority of 40 percent of the voting population of the State now controls 63 of the 99 members of the House of Representatives." Id., at 42. Without dissent, this Court granted the motion to dismiss the appeal. 352 U.S. 920. In *Radford* v. *Gary*, 145 F. Supp. 541 (D.C.W.D. Okla.), a three-judge District Court was convened to consider "the complaint of the plaintiff to the effect that the existing apportionment statutes of the State of Oklahoma violate the plain mandate of the Oklahoma Constitution and operate to deprive him of the equal protection of the laws guaranteed by the Fourteenth Amendment to the Constitution of the United States." Id., at 542. The plaintiff alleged that he was a resident and voter in the most populous county of the State, which had about 15 percent of the total population of the State but only about 2 percent of the seats in the State Senate and less than 4 percent of the seats in the House. The complaint recited the unwillingness or inability of the branches of the state government to provide relief and alleged that there was no state remedy available. The District Court granted a motion to dismiss. This Court affirmed without dissent. 352 U.S. 991.

Each of these recent cases is distinguished on some ground or other in *Baker* v. *Carr*. See 369 U.S., at 235–236. Their summary dispositions prevent consideration whether these after-the-fact distinctions are real or imaginary. The fact remains, however, that between 1947 and 1957, four cases raising issues precisely the same as those decided today were presented to the Court. Three were dismissed because the issues presented were thought insubstantial and in the fourth the lower court's dismissal was affirmed.[72]

I have tried to make the catalogue complete, yet to keep it within the manageable limits of a judicial opinion. In my judgment, today's decisions are refuted by the language of the Amendment which they construe and by the inference fairly to be drawn from subsequently enacted Amendments. They are unequivocally refuted by history and by consistent theory and practice from the time of the adoption of the Fourteenth Amendment until today.

II

The Court's elaboration of its new "constitutional" doctrine indicates how far—and how unwisely—it has strayed from the appropriate bounds of its authority. The consequence of today's decision is that in all but the handful of States which may already satisfy the new requirements the local District Court or, it may be, the state courts, are given blanket authority and the constitutional duty to supervise apportionment of the State Legislatures. It is difficult to imagine a more intolerable and inappropriate interference by the judiciary with the independent legislatures of the States.

In the Alabama cases (Nos. 23, 27, 41), the District Court held invalid not only existing provisions of the State Constitution—which this Court lightly dismisses with a wave of the Supremacy Clause and the remark that "it makes no difference whether a State's apportionment scheme is embodied in its constitution or in statutory provisions," ante, p. 49—but also a proposed amendment to the Alabama Constitution which had never been submitted to the voters of Alabama for ratification, and "standby" legislation which was not to become effective unless the amendment was rejected (or declared unconstitutional) and in no event before 1966. *Sims* v. *Frink*, 208 F. Supp. 431. See ante, pp. 8–16. Both of these measures had been adopted only nine days before,[73] at an Extraordinary Session of the Alabama Legislature, convened pursuant to what was very nearly a directive of the District Court, see *Sims* v. *Frink*, 205 F. Supp. 245, 248. The District Court formulated its own plan for the apportionment of the Alabama Legislature, by picking and choosing among the provisions of the legislative measures. 208 F. Supp., at 441–442. See ante, p. 17. Beyond that, the court warned the legislature that there would be still further judicial reapportionment unless the legislature, like it or not, undertook the task for itself. 208 F. Supp., at 442. This Court now states that the District Court acted in "a most proper and commendable manner," ante, p. 51, and approves the District Court's avowed intention of taking "some further action" unless the State Legislature acts by 1966, ante, p. 52.

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[69] A tabular presentation of constitutional provisions for apportionment as of Nov. 1, 1961, appears in XIV Book of the States (1962–1963) 58–62. Using this table, but disregarding some deviations from a pure population base, the Advisory Commission on Intergovernmental Relations states that there are 15 States in which the legislatures are apportioned solely according to population. Apportionment of State Legislatures (1962), 12.

[70] Compare the Court's statement in *Guinn* v. *United States*, 238 U. S. 347, 362:

"Beyond doubt the [Fifteenth] Amendment does not take away from the state governments in a general sense the power over suffrage which has belonged to those governments from the beginning and without the possession of which power the whole fabric upon which the division of State and national authority under the Constitution and the organization of both governments rest would be without support and both the authority of the nation and the State would fall to the ground. In fact, the very command of the Amendment recognizes the possession of the general power by the State, since the Amendment seeks to regulate its exercise as to the particular subject with which it deals."

[71] The quoted phrases are taken from the Jurisdictional Statement, pp. 13, 19.

[72] In two early cases dealing with party primaries in Texas, the Court indicated that the Equal Protection Clause did afford some protection of the right to vote. *Nixon* v. *Herndon*, 273 U.S. 536; *Nixon* v. *Condon*, 286 U.S. 73. Before and after these cases, two cases dealing with the qualifications for electors in Oklahoma had gone off on the Fifteenth Amendment, *Guinn* v. *United States*, 238 U.S. 347; *Lane* v. *Wilson*, 307 U.S. 268. The rationale of the Texas cases is almost certainly to be explained by the Court's reluctance to decide that party primaries were a part of the electoral process for purposes of the Fifteenth Amendment. See *Newberry* v. *United States*, 256 U.S. 232. Once that question was laid to rest in *United States* v. *Classic*, 313 U.S. 299, the Court decided subsequent cases involving Texas party primaries on the basis of the Fifteenth Amendment. *Smith* v. *Allwright*, 321 U.S. 649; *Terry* v. *Adams*, 345 U.S. 461.

The recent decision in *Gomillion* v. *Lightfoot*, 364 U.S. 339, that a constitutional claim was stated by allegations that municipal lines had been redrawn with the intention of depriving Negroes of the right to vote in municipal elections was based on the Fifteenth Amendment. Only one Justice, in a concurring opinion, relied on the Equal Protection Clause of the Fourteenth Amendment. Id., at 349.

[73] The measures were adopted on July 12, 1962. The District Court handed down its opinion on July 21, 1962.

In the Maryland case (No. 29, post, p. —), the State Legislature was called into Special Session and enacted a temporary reapportionment of the House of Delegates, under pressure from the state courts.[74] Thereafter, the Maryland Court of Appeals held that the Maryland Senate was constitutionally apportioned. *Maryland Committee for Fair Representation* v. *Tawes*, 229 Md. 406. This Court now holds that neither branch of the State Legislature meets constitutional requirements. Post, p. 17. The Court presumes that since "the Maryland constitutional provisions relating to legislative apportionment [are] hereby held unconstitutional, the Maryland Legislature * * * has the inherent power to enact at least temporary reapportionment legislation pending adoption of state constitutional provisions" which satisfy the Federal Constitution, id., at 18. On this premise, the Court concludes that the Maryland courts need not "feel obliged to take further affirmative action" now, but that "under no circumstances should the 1966 election of members of the Maryland Legislature be permitted to be conducted pursuant to the existing or any other unconstitutional plan." Id., at 19.

In the Virginia case (No. 69, post, p. —), the State Legislature in 1962 complied with the state constitutional requirement of regular reapportionment.[75] Two days later, a complaint was filed in the District Court.[76] Eight months later, the legislative reapportionment was declared unconstitutional. *Mann* v. *Davis*, 213 F. Supp. 577. The District Court gave the State Legislature two months within which to reapportion itself in special session, under penalty of being reapportioned by the court.[77] Only a stay granted by a member of this Court slowed the process;[78] it is plain that no stay will be forthcoming in the future. The Virginia Legislature is to be given "an adequate opportunity to enact a valid plan"; but if it fails "to act promptly in remedying the constitutional defects in the State's legislative apportionment plan," the District Court is to "take further action." Post, p. 14.

In *Delaware* (No. 307, post, p. ——), the District Court entered an order on July 25, 1962, which stayed proceedings until August 7, 1962, "in the hope and expectation" that the General Assembly would take "some appropriate action" in the intervening 13 days. *Sincock* v. *Terry*, 207 F. Supp. 205, 207. By way of prodding, presumably, the court noted that if no legislative action were taken and the court sustained the plaintiffs' claim, "the present General Assembly and any subsequent General Assembly, the members of which were elected pursuant to Section 2 of Article 2 [the challenged provisions of the Delaware Constitution], might be held not to be a de jure legislature and its legislative acts might be held invalid and unconstitutional." Id., at 205–206. Five days later, on July 30, 1962, the General Assembly approved a proposed amendment to the State Constitution. On August 7, 1962, the District Court entered an order denying the defendants' motion to dismiss. The court said that it did not wish to substitute its judgment "for the collective wisdom of the General Assembly of Delaware," but that "in the light of all the circumstances," it had to proceed promptly. 210 F. Supp. 395, 396. On October 16, 1962, the court declined to enjoin the conduct of elections in November. 210 F. Supp. 396. The court went on to express its regret that the General Assembly had not adopted the court's suggestion, see 207 F. Supp., at 206–207, that the Delaware Constitution be amended to make apportionment a statutory rather than a constitutional matter, so as to facilitate further changes in apportionment which might be required. 210 F. Supp. 401. In January 1963, the General Assembly again approved the proposed amendment of the apportionment provisions of the Delaware Constitution, which thereby became effective on January 17, 1963.[79] Three months later, on April 17, 1963, the District Court reached "the reluctant conclusion" that Art. II, § 2, of the Delaware Constitution was unconstitutional, with or without the 1963 amendment. *Sincock* v. *Duffy*, 215 F. Supp. 169, 189. Observing that "the State of Delaware, the General Assembly, and this court all seem to be trapped in a kind of box of time," id., at 191, the court gave the General Assembly until October 1, 1963, to adopt acceptable provisions for apportionment. On May 20, 1963, the District Court enjoined the defendants from conducting any elections, including the general election scheduled for November 1964, pursuant to the old or the new constitutional provisions.[80] This Court now approves all these proceedings, noting particularly that in allowing the 1962 elections to go forward, "the District Court acted in a wise and temperate manner." Post, p. 14.[81]

Records such as these in the cases decided today are sure to be duplicated in most of the other States if they have not already. They present a jarring picture of courts threatening to take action in an area which they have no business entering, inevitably on the basis of political judgments which they are incompetent to make. They show legislatures of the States meeting in haste and deliberating and deciding in haste to avoid the threat of judicial interference. So far as I can tell, the Court's only response to this unseemly state of affairs is ponderous insistence that "a denial of constitutionally protected rights demands judicial protection," ante, p. 31. By thus refusing to recognize the bearing which a potential for conflict of this kind may have on the question whether the claimed rights are in fact constitutionally entitled to judicial protection, the Court assumes, rather than supports, its conclusion.

It should by now be obvious that these cases do not mark the end of reapportionment problems in the courts. Predictions once made that the courts would never have to face the problem of actually working out an apportionment have proved false. This Court, however, continues to avoid the consequences of its decisions, simply assuring us that the lower courts "can and * * * will work out more concrete and specific standards," ante, p. 43. Deeming it "expendient" not to spell out "precise constitutional tests," the Court contents itself with stating "only a few rather general considerations," Ibid.

Generalities cannot obscure the cold truth that cases of this type are not amenable to the development of judicial standards. No set of standards can guide a court which has to decide how many legislative districts a State shall have, or what the shape of the districts shall be, or where to draw a particular district line. No judicially manageable standard can determine whether a State should have single-member districts or multimember districts or some combination of both. No such standard can control the balance between keeping up with population shifts and having stable districts. In all these respects, the courts will be called upon to make particular decisions with respect to which a principle of equally populated districts will be of no assistance whatsoever. Quite obviously, there are limitless possibilities for districting consistent with such a principle. Nor can these problems be avoided by judicial reliance on legislative judgments so far as possible. Reshaping or combining one or two districts, or modifying just a few district lines, is no less a matter of choosing among many possible solutions, with varying political consequences, than reapportionment broadside.[82]

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[74] In reversing an initial order of the Circuit Court for Anne Arundel County dismissing the plaintiff's complaint, the Maryland Court of Appeals directed the lower court to hear evidence on and determine the plaintiffs' constitutional claims, and if it found provisions of the Maryland Constitution to be invalid, to "declare that the Legislature has the power, if called into Special Session by the Governor and such action be deemed appropriate by it, to enact a bill reapportioning its membership for purposes of the November, 1962, election." *Maryland Committee for Fair Representation* v. *Tawes*, 228 Md. 412, 438–439. On remand, the opinion of the Circuit Court included such a declaration. The opinion was filed on May 24, 1962. The Maryland Legislature, in Special Session, adopted the "emergency" measures now declared unconstitutional seven days later, on May 31, 1962.

[75] The Virginia Constitution, Art. IV, § 43, requires that a reapportionment be made every 10 years.

[76] The 1962 reapportionment acts were approved on Apr. 7, 1962. The complaint was filed on Apr. 9, 1962.

[77] The District Court handed down its opinion on Nov. 28, 1962, and gave the Virginia General Assembly until Jan. 31, 1963, "to enact appropriate reapportionment laws." 213 F. Supp., at 585–586. The court stated that failing such action or an appeal to this Court, the plaintiffs might apply to it "for such further orders as may be required." Id., at 586.

[78] On Dec. 15, 1962, the Chief Justice granted a stay pending final disposition of the case in this Court.

[79] The Delaware Constitution, Art. XVI, § 1, requires that amendments be approved by the necessary two-thirds vote in two successive General Assemblies.

[80] The District Court thus nailed the lid on the "box of time" in which everyone seemed to it "to be trapped." The lid was temporarily opend a crack on June 27, 1963, when Mr. Justice Brennan granted a stay of the injunction until disposition of the case by this Court. Since the Court states that "the delay inherent in following the state constitutional prescription for approval of constitutional amendments by two successive General Assemblies cannot be allowed to result in an impermissible deprivation of appellees' right to an adequate voice in the election of legislators to represent them," post, pp. 15–16, the lid has presumably been slammed shut again.

[81] In New York and Colorado, this pattern of conduct has thus far been avoided. In the New York case (No. 20, post, p. —), the District Court twice dismissed the complaint, once without reaching the merits, *WMCA, Inc.*, v. *Simon*, 202 F. Supp. 741, and once, after this Court's remand following *Baker* v. *Carr*, *supra*, 370 U.S. 190, on the merits, 208 F. Supp. 368. In the Colorado case (No. 508, post, p. —), the District Court first declined to interfere with a forthcoming election at which reapportionment measures were to be submitted to the voters, *Lisco* v. *McNichols*, 208 F. Supp. 471, and, after the election, upheld the apportionment provisions which had been adopted, 219 F. Supp. 922.

In view of the action which this Court now takes in both of these cases, there is little doubt that the legislatures of these two States will now be subjected to the same kind of pressures from the federal judiciary as have the other States.

The Court ignores all this, saying only that "what is marginally permissible in one State may be unsatisfactory in another, depending on the particular circumstances of the case," ante, p. 43. It is well to remember that the product of today's decisions will not be readjustment of a few districts in a few States which most glaringly depart from the principle of equally populated districts. It will be a redetermination, extensive in many cases, of legislative districts in all but a few States.

Although the Court—necessarily, as I believe—provides only generalities in elaboration of its main thesis, its opinion nevertheless fully demonstrates how far removed these problems are from fields of judicial competence. Recognizing that "indiscriminate districting" is an invitation to "partisan gerrymandering," ante, pp. 43–44, the Court nevertheless excludes virtually every basis for the formation of electoral districts other than "indiscriminate districting." In one or another of today's opinions, the Court declares it unconstitutional for a State to give effective consideration to any of the following in establishing legislative districts:

(1) history;[83]
(2) "economic or other sorts of group interests";[84]
(3) area;[85]
(4) geographical consideration;[86]
(5) a desire "to insure effective representation for sparsely settled areas";[87]
(6) "availability of access of citizens to their representatives";[88]
(7) theories of bicameralism (except those approved by the Court);[89]
(8) occupation;[90]
(9) "an attempt to balance urban and rural power;"[91]
(10) the preference of a majority of voters in the State.[92]

So far as presently appears, the only factor which a State may consider, apart from numbers, is political subdivisions. But even "a clearly rational state policy" recognizing this factor is unconstitutional if "population is submerged as the controlling consideration."[93]

I know of no principle of logic or practical or theoretical politics, still less any constitutional principle, which establishes all or any of these exclusions. Certain it is that the Court's opinion does not establish them. So far as the Court says anything at all on this score, it says only that "legislators represent people, not trees or acres," ante, p. 27; that "citizens, not history or economic interests, cast votes," ante, p. 45; that "people, not land or trees or pastures, vote," ibid.[94] All this may be conceded. But it is surely equally obvious, and, in the context of elections, more meaningful to note that people are not ciphers and that legislators can represent their electors only by speaking for their interests—economic, social, political—many of which do reflect the place where the electors live. The Court does not establish or indeed even attempt to make a case for the proposition that conflicting interests within a State can only be adjusted by disregarding them when voters are grouped for purposes of representation.

CONCLUSION

With these cases the Court approaches the end of the third round set in motion by the complaint filed in *Baker* v. *Carr*. What is done today deepens my conviction that judicial entry into this realm is profoundly ill-advised and constitutionally impermissible. As I have said before, *Wesberry* v. *Sanders*, *supra*, at 48, I believe that the vitality of our political system, on which in the last analysis all else depends, is weakened by reliance on the judiciary for political reform; in time a complacent body politic may result.

These decisions also cut deeply into the fabric of our federalism. What must follow from them may eventually appear to be the product of State Legislatures. Nevertheless, no thinking person can fail to recognize that the aftermath of these cases, however desirable it may be thought in itself, will have been achieved at the cost of a radical alteration in the relationship between the States and the Federal Government, more particularly the Federal Judiciary. Only one who has an overbearing impatience with the federal system and its political processes will believe that that cost was not too high or was inevitable.

Finally, these decisions give support to a current mistaken view of the Constitution and the constitutional function of this Court. This view, in a nutshell, is that every major social ill in this country can find its cure in some constitutional "principle," and that this Court should "take the lead" in promoting reform when other branches of government fail to act. The Constitution is not a panacea for every blot upon the public welfare, nor should this Court, ordained as a judicial body, be thought of as a general haven for reform movements. The Constitution is an instrument of government, fundamental to which is the premise that in a diffusion of governmental authority lies the greatest promise that this Nation will realize liberty for all its citizens. This Court, limited in function in accordance with that premise, does not serve its high purpose when it exceeds its authority, even to satisfy justified impatience with the slow workings of the political process. For when, in the name of constitutional interpretation, the Court adds something to the Constitution that was deliberately excluded from it, the Court in reality substitutes its view of what should be so for the amending process.

I dissent in each of these cases, believing that in none of them have the plaintiffs stated a cause of action. To the extent that *Baker* v. *Carr*, expressly or by implication, went beyond a discussion of jurisdictional doctrines independent of the substantive issues involved here, it should be limited to what it in fact was: an experiment in venturesome constitutionalism. I would reverse the judgments of the District Court in Nos. 23, 27, and 41 (Alabama), No. 69 (Virginia), and No. 307 (Delaware), and remand with directions to dismiss the complaints. I would affirm the judgments of the District Court in No. 20 (New York), and No. 508 (Colorado), and of the Court of Appeals of Maryland in No. 29.

APPENDIX A

Statements made in the House of Representatives during the debate on the resolution proposing the Fourteenth Amendment.[1]

"As the nearest approach to justice which we are likely to be able to make, I approve of the second section that bases representation upon voters." 2463 (Mr. Garfield).

"Would it not be a most unprecedented thing that when this [former slave] population are not permitted where they reside to enter into the basis of representation in their own State, we should receive it as an element of representation here; that when they will not count them in apportioning their own legislative districts, we are to count them as five fifths (no longer as three fifths, for that is out of the question) as soon as you make a new apportionment?" 2464–2465 (Mr. Thayer).

"The second section of the amendment is ostensibly intended to remedy a supposed inequality in the basis of representation. The real object is to reduce the number of southern representatives in Congress and in the Electoral College; and also to operate as a standing inducement to negro suffrage." 2467 (Mr. Boyer).

"Shall the pardoned rebels of the South include in the basis of representation four million people to whom they deny political rights, and to no one of whom is allowed a vote in the selection of a Representative?" 2468 (Mr. Kelley).

"I shall, Mr. Speaker, vote for this amendment; not because I approve it. Could I have controlled the report of the committee of fifteen, it would have proposed to give the right of suffrage to every loyal man in the country." 2469 (Mr. Kelley).

"But I will ask, why should not the representation of the States be limited as the States themselves limit suffrage? * * * If the Negroes of the South are not to be counted as a political element in the government of the South in the States, why should they be counted as a political element in the Government in the country in the Union." 2498 (Mr. Broomall).

"It is now proposed to base representation upon suffrage, upon the number of voters, instead of upon the aggregate population in every State of the Union." 2502 (Mr. Raymond).

"We admit equality of representation based upon the exercise of the elective franchise by the people. The proposition in the matter of suffrage falls short of what I desire, but so far as it goes it tends to the equalization of the inequality at present existing; and while I demand and shall continue to demand the franchise for all loyal male citizens of this country—and I cannot but admit the possibility that ultimately those eleven States may be restored to representative power without the right of franchise being conferred upon the colored people—I should feel myself doubly humiliated and disgraced, and criminal even, if I hesitated to do what I can for a proposition which equalizes representation." 2508 (Mr. Boutwell).

"Now, conceding to each State the right to regulate the right of suffrage, they ought not to have a representation for male citizens not less than twenty-one years of age, whether white of black, who are deprived of the exercise of suffrage. This amendment will settle the complication in regard to suffrage and representation, leaving each State to regulate that for itself, so that it will be for it to decide whether or not it shall have a representation for all its male citizens not less than twenty-one years of age." 2510 (Mr. Miller).

"Manifestly no State should have its basis of national representation enlarged by reason of a portion of citizens within its borders to which the elective franchise is denied.

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[82] It is not mere fancy to suppose that in order to avoid problems of this sort, the Court may one day be tempted to hold that all state legislators must be elected in statewide elections.

[83] Ante, p. 44.

[84] Ante, pp. 44–45.

[85] Ante, p. 45.

[86] Ibid.

[87] Ibid.

[88] Ibid.

[89] Ante, pp. 41–42.

[90] *Davis* v. *Mann, post,* p. 12.

[91] Id., at 13.

[92] *Lucas* v. *Forty-Fourth General Assembly, post,* p. 22.

[93] Ante, p. 46.

[94] The Court does note that, in view of modern developments in transportation and communication, it finds "unconvincing" arguments based on a desire to insure representation of sparsely settled areas or to avoid districts so large that voters' access to their representatives is impaired. Ante, p. 45.

[1] All page references are to Cong. Globe, 39th Cong., 1st Sess. (1866).

If political power shall be lost because of such denial, not imposed because of participation in rebellion or other crime, it is to be hoped that political interests may work in the line of justice, and that the end will be the impartial enfranchisement of all citizens not disqualified by crime. Whether that end shall be attained or not, this will be secured: that the measure of political power of any State shall be determined by that portion of its citizens which can speak and act at the polls, and shall not be enlarged because of the residence within the State of portions of its citizens denied the right of franchise. So much for the second section of the amendment. It is not all that I wish and would demand; but odious inequalities are removed by it and representation will be equalized, and the political rights of all citizens will under its operation be, as we believe, ultimately recognized and admitted." 2511 (Mr. Eliot).

"I have no doubt that the Government of the United State has full power to extend the elective franchise to the colored population of the insurgent States. I mean authority; I said power. I have no doubt that the Government of the United States has authority to do this under the Constitution; but I do not think they have the power. The distinction I make between authority and power is this: we have, in the nature of our Government, the right to do it; but the public opinion of the country is such at this precise moment as to make it impossible we should do it. It was therefore most wise on the part of the committee on reconstruction to waive this matter in deference to public opinion. The situation of opinion in these States compels us to look to other means to protect the Government against the enemy." 2532 (Mr. Banks).

"If you deny to any portion of the loyal citizens of your State the right to vote for Representatives you shall not assume to represent them, and, as you have done for so long a time, misrepresent and oppress them. This is a step in the right direction; and although I should prefer to see incorporated into the Constitution a guarantee of universal suffrage, as we cannot get the required two thirds for that I cordially support this proposition as the next best." 2539–2540 (Mr. Rogers).

Appendix B

Statements made in the Senate during the debate on the resolution proposing the Fourteenth Amendment.[1]

"The second section of the constitutional amendment proposed by the committee can be justified upon no other theory than that the negroes ought to vote; and negro suffrage must be vindicated before the people in sustaining that section, for it does not exclude the non-voting population of the North, because it is admitted that there is no wrong in excluding from suffrage aliens, females, and minors. But we say, if the negro is excluded from suffrage he shall also be excluded from the basis of representation. Why this inequality? Why this injustice? For injustice it would be unless there be some good reason for this discrimination against the South in excluding her non-voting population from the basis of representation. The only defense that we can make to this apparent injustice is that the South commits an outrage upon human rights when she denies the ballot to the blacks, and we will not allow her to take advantage of her own wrong, or profit by this outrage. Does any one suppose it possible to avoid this plain issue before the people? For if they will sustain you in reducing the representation of the South because she does not allow the negro to vote, they will do so because they think it is wrong to disfranchise him." 2800 (Senator Stewart).

"It [the second section of the proposed amendment] relieves him [the negro] from misrepresentation in Congress by denying him any representation whatever." 2801 (Senator Stewart).

"But I will again venture the opinion that it [the second section] means as if it read thus: no State shall be allowed a representation on a colored population unless the right of voting is given to the negroes—presenting to the States the alternative of loss of representation or the enfranchisement of the negroes, and their political equality." 2939 (Senator Hendricks).

"I should be much better satisfied if the right of suffrage had been given at once to the more intelligent of them [the Negroes] and such as had served in our Army. But it is believed by wiser ones than myself that this amendment will very soon produce some grant of suffrage to them, and that the craving for political power will ere long give them universal suffrage. * * * Believing that this amendment probably goes as far in favor of suffrage to the negro as is practicable to accomplish now, and hoping it may in the end accomplish all I desire in this respect, I shall vote for its adoption, although I should be glad to go further." 2963–2964 (Senator Poland).

"What is to be the operation of this amendment? Just this: your whip is held over Pennsylvania, and you say to her that she must either allow her negroes to vote or have one member of Congress less." 2987 (Senator Cowan).

"Now, sir, in all the States—certainly in mine, and no doubt in all—there are local as contradistinguished from State elections. There are city elections, county elections, and district or borough elections; and those city and county and district elections are held under some law of the State in which the city or county or district or borough may be; and in those elections, according to the laws of the States, certain qualifications are prescribed, residence within the limits of the locality and a property qualification in some. Now, is it proposed to say that if every man in a State is not at liberty to vote at a city or a country or a borough election that is to affect the basis of representation?" 2991 (Senator Johnson).

"Again, Mr. President, the measure upon the table, like the first proposition submitted to the Senate from the committee of fifteen, concedes to the States * * * not only the right, but the exclusive right, to regulate the franchise. * * * It says that each of the southern States, and, of course, each other State in the Union, has a right to regulate for itself the franchise, and that consequently, as far as the Government of the United States is concerned, if the black man is not permitted the right to the franchise, it will be a wrong (if a wrong) which the Government of the United States will be impotent to redress." 3027 (Senator Johnson).

"The amendment fixes representation upon numbers, precisely as the Constitution now does, but when a State denies or abridges the elective franchise to any of its male inhabitants who are citizens of the United States and not less than twenty-one years of age, except for participation in rebellion or other crime, then such State will lose its representation in Congress in the proportion which the male citizen so excluded bears to the whole number of male citizens not less than twenty-one years of age in the State." 3033 (Senator Henderson).

PHYSICIANS AND RETAIL DRUG BUSINESS

Mr. WHITE. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, recently, I requested the Antitrust Subcommittee of the House Judiciary Committee to investigate the alleged relationship between physicians and the retail drug business.

This alleged relationship is given considered and critical analysis by Mr. Philip F. Jehle, the very capable Washington legislative representative of the National Association of Retail Druggists.

As a former independent retail drugstore owner, I must say that the material presented in Mr. Jehle's testimony was most disturbing. If these allegations are fact then I firmly believe that in this situation there may be, at worst, violations of our antitrust laws and, at the very least, a very serious conflict of interest as well as a definite question of ethics. This situation could do considerable damage to our medical profession as well as very material damage to our retail druggists, especially the independent retail druggist.

Mr. Speaker, under consent I include Mr. Jehle's testimony in the body of the RECORD and commend it to the consideration of my colleagues:

STATEMENT OF PHILIP F. JEHLE, WASHINGTON REPRESENTATIVE AND ASSOCIATE GENERAL COUNSEL OF THE NATIONAL ASSOCIATION OF RETAIL DRUGGISTS, BEFORE THE ANTITRUST AND MONOPOLY SUBCOMMITTEE, U.S. SENATE

Mr. Chairman and members of the Senate Antitrust and Monopoly Subcommittee, my name is Philip F. Jehle, and I am the Washington representative and associate general counsel of the National Association of Retail Druggists.

As you know, the NARD is a professional association having a nationwide membership of more than 36,000 independent drugstore owners. The NARD speaks for these family pharmacists on all national legislative matters affecting their professional and business interests.

At the outset, let me express the appreciation of the Nation's independent druggists for this subcommittee's invitation to participate in exploring fairly and objectively the subject of physician-owned pharmacies. The information to be developed through the public hearings can and, I am sure, will be of invaluable assistance in clarifying the professional and competitive issues involved in the operation of such pharmacies. The information should also help to encourage good faith efforts on the part of all interested parties in working out a solution.

Medicine itself has been sharply divided on this important issue, and it should be clearly understood that the NARD, in responding to this subcommittee's request for its views, has no intention of criticizing this country's many thousands of honorable medical practitioners, or the medical profession generally. Nor would it be fair for this statement to be so construed.

The National Association of Retail Druggists believes that no physician should own or have an ownership interest in any retail pharmacy.

We believe that our position is solidly grounded both on ethical principles and on Federal antitrust law.

For many years now, as the record will show, the NARD officers and its members across the country have been meeting with medical society representatives and individual physicians at the national, State, and local levels to decide what action, if any, should be taken in respect to M.D.-owned pharmacies. Although a satisfactory solution has yet to be found, such interprofessional negotiations are still being carried on and will not be ended, it is hoped, until our differences are resolved.

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[1] All page references are to Congressional Globe, 39th Cong., 1st Sess. (1866).

Speaking frankly, many problems have been experienced in the interprofessional negotiations. But a thousand difficulties do not make a single doubt that pharmacy and medicine can and will work out a sound and constructive solution, fully consistent with the public interest.

FRAME OF REFERENCE

As a frame of reference for these hearings on M.D.-owned pharmacies, the members of this subcommittee should keep in mind one simple truth: The public is best served when guaranteed complete freedom in its choice of pharmacist and pharmacy. But, as with all liberties, such "freedom of choice" must be zealously protected, and any interference or enchroachment stoutly resisted.

THE COMPETITIVE PRACTICE AT ISSUE

As the term indicates, an M.D.-owned pharmacy is owned in part or wholly by one or more medical practitioners. In such a pharmacy, the physician owners possess and may exercise full management powers, not excepting employee hiring, firing, and supervision and inventory control. They also share in the profits of all prescriptions dispensed, including those written by themselves. Such a pharmacy, of course, is open to all members of the public, although customers may have no way of knowing who its owners are.

On this occasion, though the NARD feels constrained to comment only on the subject of M.D.-owned pharmacies, this is not to leave the impression that we are unconcerned by developments on another front; namely, the tremendous upsurge in drug dispensing by hospital pharmacies. At a later time and probably in another forum, the NARD will address itself to that serious problem.

GROWTH OF M.D.-OWNED PHARMACIES

As this subcommittee has learned, reliable statistics on the number and distribution of M.D.-owned pharmacies are not readily available from any source. Until 3 years ago, however, the American Druggists magazine, an independent drug field publication, made an annual State-by-State survey of M.D.-owned pharmacies. American Druggist dropped its survey at the end of 1961, when it counted about 1,200 such enterprises, and said it was doing so because of the formidable task of obtaining accurate and complete figures. It seems that medical practitioners with ownership interests in pharmacies were becoming somewhat reluctant to let the fact be known.

The last American Druggist survey of M.D.-owned pharmacies showed a 15-percent increase in the number of such operations over the previous year. And information which the NARD has received from sources such as State pharmacy boards, pharmaceutical association officials, and individual druggists reveals that M.D.-owned pharmacies have substantially increased every year since 1961. We believe the number of M.D-owned pharmacies now totals about 2,200.

We recognize that only a small percentage of all physicians is involved in the operation of retail pharmacies. Nor is the number of M.D.-owned pharmacies large when compared to the total number of drugstores in the country. But the hard fact is that M.D.-owned pharmacies are steadily increasing at a rate which portends disaster for the Nation's independent druggists.

ETHICAL CONSIDERATIONS

A physician's ownership of a pharmacy gives rise to a conflict of interest between the doctor's duty to what is best for his patients and his natural desire to maximize the profits of his drugstore. This conflict exists whether or not the physician's ownership interest is complete or partial. It varies only in degree with the size of the doctor's investment.

Where a physician owns a pharmacy, the opportunities for exploiting the patient are fairly numerous. Among the temptations he must resist are these:

1. The writing of prescriptions for unusually expensive drugs. Such prescriptions may be for drugs on which gross margins are largest.
2. The writing of prescriptions for larger quantities or in more expensive dosage forms than is warranted by the patient's condition.
3. The writing of unneeded prescriptions.

The pharmacy-owning physician is further tempted to make sure his patients go to his drugstore with the prescriptions he has given them. Common devices to insure that the patients do so include:

1. Writing his prescription orders in code.
2. Telephoning his prescriptions directly to his pharmacy.
3. Recommending his pharmacy and sometimes disparaging his competitors.
4. Prescribing brands or dosage forms of prescription drugs that only his pharmacy stocks.
5. Using prescription blanks which advertise his pharmacy.

Some physicians who own pharmacies do succumb to such temptations, as is demonstrated in the following three case histories:

(NOTE.—Except for deletion of names of cities, States, and parties involved, these reports are reproduced exactly as received from the State pharmaceutical association secretaries who prepared them.)

CASE NO. 1

In our Midwestern State, prescriptions filled in physician-owned pharmacies are priced as much as $1.50 to $2 higher than when dispensed by independent pharmacies.

When the patient asks for his prescription, the quantity of drugs prescribed is less than when the physician telephones his clinic pharmacy.

In some cities and towns in this State, every physician is associated with one or more clinic pharmacy. It is estimated the dollar volume of clinic pharmacies in this State well exceeds $1 million. Pharmacies that have resisted tie-ins with medical clinics have been forced out of business.

A town of 2,000 population supported two pharmacies and employed five pharmacists prior to the opening of a clinic pharmacy. Within 9 months, two pharmacists were layed off. Prescriptions dropped from 60 to 70 a day in the two pharmacies to less than 10 a day. When the physicians were called to authorize refills, the request was not honored and the patient was advised to come to the medical clinic for a recheck. Containers bearing labels of the independent pharmacies were destroyed and new prescriptions were issued that were directed to the clinic pharmacy.

Several pharmacists of this State are adamant and have inquired of their Congressmen as to why there has not been a congressional investigation.

Ten percent of the pharmacies in the State are owned by physicians. Physicians involved in ownership of clinic pharmacies number from a low of 3 to a high of 30.

CASE NO. 2

A small town in a large State once boasted three well-stocked pharmacies. Within 3 years, the independents have been replaced by one clinic pharmacy with a limited stock of drugs. The nearest independent drugstore is 20 miles away.

In this town the patient has no choice whatsoever. The prescription is automatically phoned to the physician-owned clinic pharmacy.

Elsewhere in the State, coded prescriptions are used to channel prescriptions to M.D.-owned pharmacies.

A clinic pharmacy in this same State shows gross sales of $880,000 for a 4-year period This business has been built on a limited inventory which includes nonbranded pharmaceuticals as well as an unlimited supply of physicians' samples. Clinic prescription prices are not adjusted to cheap generic drugs or free samples.

This particular clinic pharmacy has affected drug stores as far away as 30 miles.

Clinic physicians in this State have continuously refused to give prescriptions to the patient. When copies are requested from the clinic pharmacies, the request is refused. In an attempt to overcome patient irritability, refills are delivered through the mail if only a few miles away. A delaying medical service indeed.

Figures indicate that during a 5-year period, two drugstores in one town had a 70-percent decrease in prescriptions despite an increase in population. Also in this instance there is evidence of overprescribing as well as overpricing of prescriptions.

CASE NO. 3

In a large Western State, a pharmacist entered into negotiations with a group of physicians to rent space in their medical clinic for the purpose of operating a clinic pharmacy. The rental, established at 6 percent of gross sales, was to apply to sales made to the clinic physicians who were to receive their office and personal drugs and supplies at cost. However, operating expenses applied to the cost sales as well as to those made to patients.

After 2 years of hard work, the pharmacist-owner developed a successful business. Observing his success, the medical group decided to increase the percentage rental from 6 to 12 percent, an exorbitant and unreasonable rental.

The owner protested, but to no avail. Arguments and strained relations between the pharmacist and the medical group developed to the point where the pharmacist was forced to sell his pharmacy to the medical group. The medical group threatened to open another pharmacy on the property and put the pharmacist out of business by directing their prescriptions to the new pharmacy.

The medical group interviewed another pharmacist offering him a base salary of $15,000 a year plus a bonus if he would operate the pharmacy and pose as its owner. Actually, ownership of the pharmacy was to remain with the medical group.

The prospective new manager of the pharmacy was assured that the base salary of $15,000 would be maintained and the bonus increased by the medical group's writing more prescriptions for the patients of the clinic. The pharmacist turned down the offer.

Eventually, the pharmacy was leased at a percentage rental of 25 percent of gross sales.

Reports are that high volume and profits are maintained through: (1) direct lines to the clinic pharmacy; (2) overprescribing; (3) high prices for nontradename drugs.

Percentage rentals involving medical groups and a clinic pharmacy allow physicians to share in the profits of a pharmacy just as if there were a direct ownership interest.

Until 10 years ago, the Principles of Medical Ethics of the American Medical Association recognized and dealt effectively with the serious ethical problems arising from a physician's ownership of a retail pharmacy. At that time, section VII of the AMA's Principles provided:

"An ethical physician does not engage in barter or trade in the appliances, devices, or remedies prescribed for patients, but limits the sources of his professional income to professional services rendered the patient."

In June 1954, the AMA Principles of Medical Ethics was revised to read: "It is unethical for a physician to participate in the ownership of a drugstore in his medical practice area unless adequate drugstore facilities are otherwise unavailable."

In June 1955, the AMA adopted the following new language for its Principles of Ethics on the subject of Pharmacy Ownership: "It is not unethical for a physician to prescribe or supply drugs, remedies, or appliances as long as there is no exploitation of the patient."

Later, in June 1957, the pertinent section of the AMA Principles was revised: "Drugs, remedies, or appliances may be dispensed or supplied by the physician provided it is in the best interest of the patient."

In June 1958, the AMA issued a statement explaining its 1957 revision:

"It is the opinion of the judicial council that this language was adopted to permit both the practicing physician and the local medical societies to evaluate the many factual situations incident to prescribing and dispensing which are bound to arise in the practice of medicine. Under this language the doctor is permitted to exercise his own best judgment when caring for his patients. It is known that there will be situations when it is necessary or desirable for a physician to dispense or supply what he has prescribed. The principles permit this to be done. On the other hand, this broad language provides a means by which a component medical society can inquire into the facts of a particular practice. The profession thus can act to prevent abuse of discretion and protect patients from exploitation. In essence this language means that a physician in the exercise of sound discretion may dispense 'in the best interest of his patient'; it does not authorize him to dispense solely for his convenience or for the purpose of supplementing his income."

In November 1958, the AMA Judicial Council issued a clarification of the explanatory statement released in June of that year:

"It is known that there will be situations when it is necessary or desirable for a physician to dispense or supply what he has prescribed. The principles permit this to be done. In essence, this language states that a physician in the exercise of sound discretion may dispense in the best interest of his patient, but it does not authorize him to dispense solely for his convenience or for the purpose of supplementing his income.

"It is, however, the definite opinion of the members of the judicial council that the ownership of a pharmacy or the ownership of stock or financial interest in a pharmaceutical company can, under certain conditions, become unethical and contrary to the best interest of the public and the medical profession."

In June 1962, AMA published a "Physician-Pharmacist Code of Understanding" which contained this advice on M.D.-owned pharmacies:

"The principles of medical ethics provide that the physician may ethically dispense drugs provided it is in the best interest of the patient.

"Should the exercise of this permissive practice by physicians be of concern to pharmacists, efforts should be made locally among local physicians through their county medical society and the pharmacists through their county pharmaceutical association to resolve questions or problems, if any, relating to this practice. Only by mutual understanding, full knowledge of all the facts, and sincere efforts to cooperate can members of the two professions aid and assist each other as they seek to serve the public according to their ideals."

In June 1963, the AMA House of Delegates formally approved the following statement on M.D.-owned pharmacies and M.D.-repackaging firms:

"The principles of medical ethics provides: " 'Drugs, remedies or appliances may be dispensed or supplied by the physician provided it is in the best interests of the patient.' Under this language it cannot be considered unethical for a physician to own or operate a pharmacy provided there is no exploitation of his patient.

" 'It is unethical for a physician to have a financial interest in a drug repackaging company.

" 'It is unethical for a physician to own stock in a pharmaceutical company which he can control or does control while actively engaged in the practice of medicine.

" 'These practices are contrary to the best interest of the public and the medical profession.' "

The AMA's semantic exercise on the ethical issues notwithstanding, some very fine physicians and medical groups have spoken out sharply and clearly against the practice of physicians owning pharmacies. Dr. Edward L. Fitzgerald, a respected physician in Hutchison, Kans., wrote an article on M.D.-owned pharmacies several years ago for the professional publication New Materia Medica. In his article, "Why the Doctor Should Not Own Any Interest in a Retail Pharmacy," Dr. Fitzgerald argued forcefully and persuasively against what he considers an unethical practice.

The Texas Medical Association has also concluded that it is unethical for a physician to have an ownership interest in a drugstore. In a brilliant address to the AMA Institute 2 years ago, Dr. James H. Sammons, a councilor of the Texas Medical Association, told why the Texas Medical Association opposed pharmacy ownership by physicians. In pertinent part, Dr. Sammons explained:

"We further feel that a physician who owns a drugstore is going to tend to influence to an appreciable degree his patient's use of his own store.

"Finally, we feel very strongly that physician ownership of drugstores is adversely affecting medicine in the public eye. It is difficult, if not impossible, to discuss intelligently and convincingly the problems of the socialization and governmentalization of medicine with a patient who knows that the doctor or doctors in town own the drugstores from which he or they are buying their medications. This in the public eye becomes unequivocally greed of the worst sort. It is bad enough that the doctor's public image has been made to appear, by those forces within our Government which would destroy the private practice of medicine, one of financial concern primarily and human concern secondarily. It is folly to lend credence to this vicious distortion by adding the factor that we physicians may profit from the sale of the drugs used to obtain the well-being of our patients."

Out in Utah, a committee of the Salt Lake County Medical Society has said that "a physician should not profit financially from the care of his patients apart from fees for professional services rendered."

The Oklahoma Medical Association has also expressed its deep concern over the AMA's official stand on M.D.-owned pharmacies. Undoubtedly, many other State and local medical groups are likewise opposed strongly to the practice of physicians owning drugstores.

ANTITRUST ASPECTS

In addition to such ethical considerations, the practice of physicians having ownership interests in retail pharmacies has some serious antitrust aspects. These antitrust implications can best be understood in the light of the competitive rules applicable to the optical products industry.

A striking antitrust parallel exists between the case of the M.D. who shares in the profits from the dispensing of prescription drugs and the M.D. who shares in the profits from the dispensing of eyeglasses or contact lenses.

In June 1962, the Federal Trade Commission issued trade practice rules for the optical products industry.[1] Section 192.7 of these rules makes it an unfair trade practice for a dispenser of eyeglasses to give to an ophthalmologist "any payment arising out of or connected with his * * * sale or dispensing of eyeglasses or contact lenses to a patient of such doctor whether such payment be in the form of or is described or regarded as a rebate, credit, credit balance, gift, dividend, participation in or share in profits or otherwise; or for a dispenser to enter into or participate in any agreement, understanding, scheme, plan or concert of action with any doctor or with any other party or parties which provide for or facilitates any such payments."

As will be noted, the optical products industry trade practice rules prohibit a physician from participating in or sharing in the profits from the dispensing of eyeglasses or contact lenses which he has prescribed. The rules also prohibit the physician from requiring the patient who comes to him for an eye examination or for eye treatment to purchase from him the eyeglasses or contact lenses he may prescribe, where such practice would have a reasonable probability of substantially injuring competition. The only exception to this broad rule is where the physician, either himself or through a bona fide employee, dispenses the prescribed eyeglasses or contact lenses in his own professional offices.

We do not believe, however, that a pharmacy located in the same building as a clinic owned by physicians is within the exception contemplated in the Federal Trade Commission rules governing the optical products industry. For in the latter situation the patient would have no idea that the physicians own or have a financial interest in the pharmacy located in the clinic building and the same abuses mentioned above would be present. The exception stated in the FTC rules is clearly premised upon the fact that it would be obvious to the patient that the ophthalmologist is also the person selling contact lenses or eyeglasses to him and thus he is on notice to be wary of the prices charged for the glasses or lenses.

The FTC rules and the Federal district court judgment upon which they are patterned, provide instructive examples in the case of M.D.-owned pharmacies. Applying the principles underlying these rules and the related court decree to M.D.-owned pharmacies, we must conclude that a physician should not be permitted to share in the profits from the sale of drugs which he has himself prescribed. From an antitrust standpoint, no meaningful difference exists between the ophthalmologist who shares in the profits from the dispensing of eyeglasses and contact lenses which he has prescribed and the physician who shares in the profits from the dispensing of drugs which he has prescribed.

EFFORTS TO CURB M.D.-OWNED PHARMACIES

Progress in dealing with the practice of M.D.-owned pharmacies has been less than impressive to date.

As has been pointed out, interprofessional negotiations are continuing at the national level, but an early end is not yet in sight.

At the State level, the action taken so far has been more encouraging. In California, the legislature passed and the Governor signed into law last year a bill barring physicians from having an ownership interest in a retail pharmacy. This legislation and its shortcomings as well as its strength will be reviewed for this subcommittee by Mr. Ben Kingwell, a California pharmacy owner who is serving as president of the California Pharmaceutical Association.

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[1] These rules may be found in 16 CFR 192; 27 F.R. 62222; 4 C.C.H. Trade Reg. Rep., sec. 41192.

The States of North Dakota and Maryland have also recently passed legislation designed to curb M.D.-owned pharmacies. A number of other States are seriously considering similar legislation.

In Texas, the State medical association's code of ethics expressly forbids drugstore ownership by physicians. Unfortunately, such stricture seems to have had but little influence upon the 259 Texas physicians who have an ownership interest in a total of 117 pharmacies in that State.

Thank you, Mr. Chairman, for this opportunity to present the views of the Nation's independent druggists on this extremely important problem which so vitally affects the general public as well as the profession of pharmacy.

POST OFFICE MISMANAGEMENT

The SPEAKER pro tempore (Mr. Libonati). Under previous order of the House, the gentleman from Illinois [Mr. Derwinski] is recognized for 60 minutes.

Mr. DERWINSKI. Mr. Speaker, my purpose in taking the time of the House this afternoon is to point out the collapse in postal service that has rightfully drawn the wrath of the American public. I will submit for the Record specific examples of Post Office mismanagement which have been especially prominent under the maladministration of the present Postmaster General John A. Gronouski.

As background for the public complaints, I refer the Members to the hearings before the Subcommittee on Postal Operations of the House Post Office and Civil Service Committee which conducted extensive hearings on curtailment of postal services. I ask leave to insert in the Record at this point excerpts from the statement of Jerome J. Keating, president of the National Association of Letter Carriers, before the subcommittee:

In our opinion, based upon hard-won experience, the postal service of the United States is in the process of swift and continuing deterioration. Something must be done to preserve and improve it. I am pleased that this subcommittee has dedicated its efforts to that task.

We are greatly distressed over the callous regard shown service by present day postal administrators. The prime consideration now goes to economy and curtailment. Service is seldom stressed as the prime objective. Postal administrators have slashed and sliced and reduced the postal service in as many ways as the human mind could devise—without actually killing it. The service, of course, as a result of their ministrations, is a mere shadow of its former self, but it is still technically alive and breathing.

As you so well know, Mr. Chairman, the parcel post system has been the sick man of the Post Office for years. For far too long it was forced, by law, to operate on a break-even basis. Whenever it started to lose money, the Postmaster General was forced either to cut service or to petition the Interstate Commerce Commission for a rate increase. Sometimes the Postmaster General did both. This, of course, led to a loss of business, as customers abandoned parcel post for the express systems operated by private enterprise. And, of course, this loss of business forced further rate increases and further service curtailments.

We had hopefully thought that Congress had put an end to this frustrating nonsense when it granted the Department a moratorium on the necessity of operating parcel post on a break-even basis, on June 29, 1963. Under the provisions of that act it was understood that the Department would not reduce parcel post service any further, but would work toward finding solutions that would improve the service and get back some of the lucrative business it had been losing to its competitors.

This has not been done. The curtailment order which limits parcel post delivery to 5 days a week represents a service cut of 16 percent. It followed, typically, on the heels of a 13-percent increase in rates.

On March 24, 1964, I received a letter from Mr. William B. Henderson, executive vice president of the Parcel Post Association. This is a quotation from that letter:

"As you will appreciate, I've had numerous sad reports from members of the loss of business and damage to shipments as a result of the parcel post fiasco of last November and December and through January and most of February. I have discussed the situation with the Department, of course, and have some hope there will eventually be some improvement. But I'm certainly not optimistic."

In Buffalo, incidentally, the Christmas parcel post situation was such a fiasco that some Christmas packages were being delivered during the last week of March.

Much to the chagrin of the Post Office Department, Mr. Keating included as part of his remarks numerous editorials properly criticizing the cutback in postal services. I ask leave to include some of these articles as part of my remarks:

[From the San Francisco Chronicle, May 11, 1964]

Gronouski's Windows

The resentment of ordinary citizens over the shutdown of post office windows at night, on Saturday afternoon, and on Sunday has been growing in passion and ferocity for a week. One is hard put to recall a more desperate, niggardly, and contemptuous act of the Federal Government toward the American people whom it is supposed to serve.

Postmaster General Gronouski, who issued the 6 p.m. lights-out order, has undoubtedly estranged the affection of far more Americans for the Federal Government than any public servant since the era of the prohibition agents. He has shattered the postal tradition of serving the people no matter what the hour or weather. A New York Representative indicts him for the "rape of the postal service."

Until Mr. Gronouski retreats from his misguided edict, he will deserve no place in the pantheon of gigantic figures of the Post Office Department, among whom, may we remind him, are such figures as Benjamin Franklin, the first Postmaster General; Montgomery Blair, who was Abraham Lincoln's; Will Hays, who was Harding's; and Jim Farley, who was Roosevelt's. Some of these great Americans may have had their faults, but they took care of their patrons as well as the postmasterships.

[From the Day, New London, Conn., Apr. 27, 1964]

Opinion of the Day—"These Swift Couriers"

It's too much to expect that the public will take very kindly to the latest gimmick in the Post Office Department—something local postal employees have to apply under orders from Washington. The gist of it is curtailment instead of improvement in service. Kicks from the cash customers recently have had to do with poorer rather than better service—again on orders to curtail from Washington.

The sense of it all is that, by hook or crook, someone is bound he's going to put the Post Office on a paying basis. It's highly doubtful that it can be done, especially if the approach to it is to drive customers away rather than encouraging them to use the service more regularly, at a higher and more profitable rate.

The new rule involves, for instance, cutting out parcel post 1 day a week, drastically curtailing what window service is presently available on Saturdays. The customers are supposed to get to the post office on other secular days of the week, before the windows close, to transact any necessary business. The fact that many of them can't possibly do so under their own work schedules is seemingly brushed aside.

Like it or lump it, postal service is being curtailed or modernized. Various important functions of the Department, insofar as serving the public is concerned, will in effect be abandoned from Friday afternoon to Monday morning.

In short, someone is always thinking up a new restriction to stay these couriers from their appointed rounds, or save a few bucks at the expense of window service and it is not the rain, snow, heat, nor gloom of night. The old reliable postal service in several important respects has been limping along for some time.

In this instance Washington notes that the new rules have no bearing on fast handling of first-class matter. But they do give parcel post service a kick in the teeth, at a time when, in recent years, the rates for packages seem sometimes to have been raised well out of sight.

[From the New York Times]

Move Ill Timed

May 9, 1964.

To the Editor:

It is almost unbelievable that Manhattan as a result of the new "economy" drive of the U.S. Post Office has no postal window open after 6 p.m.

It seems to me that the people who are responsible for this strange decision have no idea how foolishly they acted. The Lexington Avenue office has been doing a landslide business at all hours, evening and night.

United Nations delegates and aids; employees of the nearby advertising and public-relations agencies who often work late at night; bellboys from the big hotels in the neighborhood; newspapermen and foreign correspondents, and many other people who work the night shift often stood in line at night to buy stamps and have their airmail packages weighed.

Today many steady customers of the Lexington Avenue post office, among them many foreigners, are at a loss to understand why the biggest city in the richest country of the world cannot afford a dignified 24-hour service of at least one stamp window at one of its more prominent post offices in the heart of the town.

Stamp machines are available, but they break down continuously, or if they do work, run out of stamps; and then there is the problem of getting change at night.

At a time when so much effort is being made to attract out of towners and foreigners to the World's Fair, and when the town is crowded with strangers, this "economy" move is about the most ill timed that could have been made.

Eugene Tillinger.

New York, May 4, 1964.

[From New York Times]

Against "Postal Economy"

May 19, 1964.

To the Editor:

I am shocked at the apparent acceptance by the public of the "postal economy" policy of Postmaster General John A. Gronouski.

Reduction of services is not economy. In effect it reduces communications efficiency and increases costs. It adversely affects business and can be explained only as a poor political gesture in an election year.

I deplore the reduction in postal services.

Sol A. Gross, D.D.S.

Baldwin, Long Island, *May 5, 1964.*

Partial Post

Economizing by the U.S. Post Office Department is, of course, to be commended. But there are times when it seems the economy is hardly worth the lessening in the service which the postal system is supposed to provide taxpayers—as in the case of the reductions in service announced recently by Postmaster General John Gronouski.

As of May 11 throughout the country, there will be no more parcel post delivery on Saturdays, and in some outlying areas of large cities, such as Toledo, none on certain other weekdays. Simultaneously, there will be a cutback in other services on Saturdays and Sundays—an end to windows for money orders, postal savings, inquiry and claims, general information, meter settings, registered mail, and c.o.d. services on those days. Only skeleton service will be maintained at all through a single, consolidated window. And at the main post office, that service will be maintained only from 8:30 a.m. to noon on Saturdays.

These changes represent an honest effort by the Postal Department to reduce expenditures. But a cut of 20 percent in parcel post service (from 6 days to 5 days) is not necessarily followed by a 20-percent cut in the cost of that service, since the same amount of parcel post will have to be delivered in a shorter period. Total savings for the entire nationwide system for these most recent slashes in service are expected to be about $12.5 million a year, which is a relatively small sum as Government expenditures go.

The Post Office is not in business to see how much of a deficit it can pile up by extending all kinds of services to everyone, whether they need it or not. On the other hand, it defeats its own purpose if, in trying to keep its deficits down, it prunes the basic job of delivering the mail to the point where it is giving only partial service—and then only on a curtailed basis.

[From the Southwest Virginia Enterprise, Wytheville, Va., June 4, 1964]

U.S. Postal Service Flayed by Salem Newspaper—Higher Cost—Less Service and It's Called Efficiency

(Note From the Enterprise Editor.—The following is a portion of an editorial appearing in a recent edition of the Salem Times-Register. It was submitted to us by interested people. One more example is the dilemma and problems facing small newspapers. A recent demand for complete changing of handling mails requires 4 to 6 hours extra time—the big headache is that we have received numerous complaints of the Enterprise being delivered later than ever in the past.)

The remarkable progress of the U.S. Post Office within the last 10 years is enough to give the average stamp buyer a solid lesson in governmental economics. The more money taken in, the fewer services are offered. This is known as efficiency.

It began as an "economic move" in the Truman administration. Someone in the upper reaches of the postal power echelon decided that two letter deliveries a day were too many. Henceforth, only one home delivery would be made. This, the Post Office assured us, would mean much faster processing of mail.

Next, the price of stamps went up from 3 to 4 cents. This was necessitated by the increase in the speedup of mail brought about by the decline in the deliveries mentioned.

Between 1962 and 1963, 1,300 employees in the post offices over the country were eliminated, and the price of stamps went up to 5 cents.

And then, the Post Office announced that remarkable improvement called the ZIP code. The ZIP code, we were told, was necessary in order to speed the mail even faster than it already was not going through. And yet, the U.S. postal machines made necessary by the ZIP code are not in use, though entire businesses have geared their mailing practices to this automated phantom, after having been assured that the mail would travel at the speed of light. At present, we are told, that the ZIP code is merely a method of "educating the public."

Meanwhile, the productivity of remaining postal employees increased 12 percent. And we are told that subsequent economics will produce a savings to the taxpayer of $12.7 million next year.

Therefore, by the logical reasoning of the postal authorities, the Post Office is further curtailing its services after hiking prices on all second- and third-class mail.

Henceforth there will be a reduction of parcel post deliveries which will be cut back from 6 to 5 days a week. And this, of course, is a perfectly logical development. Rates on parcel post have increased 13 percent, while the services will be reduced 18 percent.

It merely stands to reason that the more you pay, the less you will receive.

But the customer is not supposed to mind the inconvenience. In fact, postal authorities call their cutbacks in service by the Federal gobbledlygook term of "limited adjustments." And a stamp buyer is expected to stand in line all day, if need be, at the stamp window. Time was when there were three windows open on Saturday. Now, only one window will be open for 4 hours. And there will be no money orders available on Saturdays.

This will be fine for the customers, however, who is being taught a valuable lesson in planning. If you want your stamps, taxpayer, you better show up on Friday.

And while you are making this limited adjustment it would be wise to adopt the plan-ahead philosophy of the Post Office and stock up on 5-cent stamps which come in $5 rolls. This promotion of stamps is being undertaken by post offices all over the country in order to discourage the last-minute stamp buyer. The Post Office Department insists on cash on the barrelhead in advance of delivery.

No cash. No delivery. And the public be damned.

Of all the Government agencies in this country, none has a closer contact with the general public than has the Post Office. And none has a more deplorable public-relations program. Shorthanded, overworked, and plagued by governmental paperwork and political interference, postal employees often give short shrift to their customers.

Other important testimony given to the Postal Operations Subcommittee was the statement by E. C. Hallbeck, President of the United Federation of Postal Clerks, AFL–CIO. I ask leave to insert as part of my remarks excerpts from his testimony:

It seems to me that the Post Office Department is going completely against that modern trend. The only thing the postal service has to sell is service and if it does not give that service I think the reasons for its existence are being lost. If we can save x number of dollars by cutting out some service, it stands to reason we could save twice x dollars by cutting out all service, and I do not think the American public would stand for it.

We regard the present devotion of the Post Office Department to economy at all costs as a public disgrace, a calamity to clerks, and a reckless political adventure.

The attached memorandum was distributed by the postal service officer in Spokane, Wash., to all second class offices:

"Your response to recent inquiry regarding employment of substitute clerks during the pay period June 6 to 19 has been noted.

"It would be appreciated if you would review clerk and substitute schedules to determine whether you could absorb some of the absence or leave hours and perhaps place one of your substitutes on a leave without pay status for the period June 6 through 19 this year.

"The number of paychecks issued will be the criteria which will determine your adherence to the President's program to reduce clerical hire, and not the number of hours used. Perhaps you have a temporary substitute on your rolls who works a few hours per week or fills in when a regular is on leave, which could be taken up by a substitute or yourself.

"Your fullest cooperation is expected and will be appreciated. Please reply by return mail on the bottom of this letter as to what we may expect of you in this regard. Be sure to identify your office in the reply."

First of all, I do not believe that the President has a program specifically aimed at reducing clerical hire. If he has, someone should be sufficiently courageous to say so. If this is a campaign directed solely at one group of postal employees, they should be told so now.

On the basis of the letter from Spokane, Wash., I am persuaded that the Post Office Department is engaged right now in a deliberate fiscal yearend effort to hoodwink Congress and the American people on the degree of economy it is achieving.

In my judgment, the Department is trying to fool the Congress by measuring its economies not in the number of hours worked but through a payroll count which is being temporarily reduced by forcing beleaguered clerks to take leave without pay during the month of June regardless of mail volume or the needs of the service.

Obviously, the effects of this drastic order falls heaviest on those employees cut completely off the payroll. However, they are not alone. Those who remain on the payroll suffer equally adverse effects, as demonstrated in the memorandum attached from the postmaster at Pensacola, Fla., addressed to all employees.

I shall not read that, Mr. Chairman. I hope it will be accepted as a part of the record, and I ask that you note that regulars will be required to work overtime, substitutes may have to work long hours, approved leave for substitutes may have to be canceled, clerks may be called upon to perform mail handlers duties plus other changes of which the postmaster is presently unaware.

Mr. Speaker, I also submit excerpts from the statement of John W. McKay, president of the National Postal Union, before the subcommittee:

Impact of Curtailment in Specific Cities

We could cite dozens of postal installations in which the current curtailment program has not only disrupted mail service to the general public but has prevented the maintenance of an adequate employee group to handle properly the volume of mail daily. We would like to cite the following as typical examples of such offices, wherein employees are being made to do that which the Postmaster General promised would not be done, that is, effect savings out of the hides of the employees themselves.

Detroit, Mich.: On June 1, 1964, the president of our Detroit local, Mr. Al Werner, was advised by the director of installation services in that city that 120 substitutes would be "laid off" for one pay period, effective June 6-19, 1964. It was further stated that "No annual leave would be allowed for this period." Officials of our Detroit local immediately submitted protests and are now doing everything possible to bring about retention of the substitute employees who are urgently needed to keep the mails moving on time each day.

Cheboygan, Mich.: On May 25, 1964, one of our members in this office advised us that substitute hours had been cut severely, that the public was thoroughly disgusted with the mail service, and that an excessive burden had been placed on the one clerk now assigned to duty for one-half day each Saturday. The window clerk on Saturday is allotted one-half hour to record and distribute all registered, certified, and c.o.d. mail on hand; distribute all general delivery mail received that day, process and distribute postal-due mail, distribute parcel post to the lockboxes, distribute keys to parcel post carriers and make out any requisitions for stamps and any other miscellaneous supplies essential to operating the window. At the end of this one-half hour the window is opened for business, during which time the employee must service all the local patrons and explain why additional windows are not open to provide needed service.

Torrance, Calif.: Virtually unheard of a decade ago, this is now the fourth largest city in Los Angeles County. In 1963, its population was 109,000. One year later it rose to 120,000, and by December of this year it is estimated it will have a population of 130,000. Now, with the current manpower curtailment as ordered by the regional director at San Francisco, by the end of June this office will be operating with a complement of employees 23 short of what was allowed under the precurtailment authorization. The brunt of the curtailment at Torrance is being borne by substitutes working on a basis of 10–12 hours a day for 13 consecutive days before receiving a day off, and this is on the basis of straight time for everything over 40 hours per week. There is no time and a half in the Department for regulars or substitutes. Where is any semblance of modern working conditions when such arrangements are allowed to exist in a Government agency itself?

Stockton, Calif.: Postal workers here have been contacting their Representatives in Congress in an effort to rescind the Department's curtailment order. Despite assurances from one of the Assistant Postmaster Generals to the Congressmen in this area, that "no career employees will lose their jobs," six employees of this office have already received their termination notices and, out of the six, two are career employees. In addition, substitutes are being called upon to work 10 hours or more per day in order to keep any semblance of good mail service available to the general public.

Riverside, Calif.: Without any prior consultation, six temporary substitute employees of this office, all of them veterans, were terminated at the close of business on May 22, 1964. The employees were removed in compliance with instructions received from the regional director at San Francisco that the reduction in force must be made to comply with economy orders received from the Department. The employees involved have protested to the Department over the hasty termination action through which the reduction in force was effected.

Fresno, Calif.: In Fresno the postmaster was ordered by the regional director to eliminate eight employees, one way or another, on or before the end of June, in order to comply with orders received from the Department with respect to the economy program.

In discussing this with our representative in Fresno, I was advised that the orders came directly to the postmaster; that they did not care how he made the reduction, just get rid of eight bodies.

Summary: We have experienced many curtailment and economy programs conducted by officials of the Post Office Department during the past 25 years. However, in most situations of this type in the past there have been aspects of our national economy that may have necessitated or made advisable a tightening up of postal operations. However, on January 20, 1964, the White House released the first economic message of President Johnson, as transmitted to the Congress. On that date it was pointed out that—

"GNP (gross national product) passed the $600 billion mark, up $100 billion, a rise of 16 percent since 1961. Industrial production is up 23 percent. Average earnings in manufacturing now exceed $100 a week. Personal income reached an average rate of $2,500 per capita; total personal income is up $70 billion, or 17 percent. Corporate profits before taxes exceeded $50 billion, up $17 billion, or 44 percent."

Certainly, these unparalleled gains in the Nation's economy, all since early 1961 and all significantly indicative of the greatest peacetime prosperity in the history of the Nation, are such as to render a disruption of postal service not only untimely and unbusinesslike but the sheerest form of petty economy.

It has been asked: What is the answer? What can we propose? What do we suggest? What do we recommend?

We strongly urge the members of this subcommittee recommend a fitting report to the full House, that the Postmaster General and his staff be requested to rescind promptly the current curtailment program, fill authorized manpower quotas, eliminate the costly work measurement and POMSIP operations, and put the postal service back into full and complete operation.

One of the most current articles reporting on the deterioration of postal service under the Gronouski Administration is in the August 17 issue of the National Association of Manufacturers' newspaper. The article is entitled, "Delays and Damage in the Mail Levy Heavy Costs on Business, Members Say":

DELAYS AND DAMAGE IN THE MAILS LEVY HEAVY COSTS ON BUSINESS, MEMBERS SAY

The customer of a west coast firm posted his $18,000 payment last March 26. On May 6 the check reached its destination in the same State.

In the meantime, relations between buyer and seller became chilly, payment on the slow moving check was stopped and another one issued, and the financial resources of the supplier firm temporarily strained.

"The average speed of this delivery calculates out to be 500 feet per hour," writes the general manager of the aggrieved firm. "It would appear to us that even the swift-footed couriers of the Post Office can walk a little faster than 1⅔ football fields in an hour's time without excessive stimulation of their metabolism."

It would be miraculous if the U.S. Post Office, handling nearly 70 billion pieces of mail a year succeeded in delivery of each piece promptly, and in good condition. Of course, it does not. But the NAM Washington office and the field staff have been consulting members about how the Post Office serves their needs, and from the responses it is evident that the quality of the service is not so high as it has been in the past.

This can be costly to businessmen, in many ways. The example given above was unusual, but not unique. Another western firm reported that checks over $5,000, addressed to it at a prominent intersection where it had been established many years, were "returned for better address."

But the less unusual complaints are the ones which indicate that unnecessary heavy costs are being borne by American businesses—costs which have increased gradually and almost imperceptibly.

One of the largest users of parcel post told the NAM that it did not wish to be identified with complaints about the Post Office, but explained that "we prepare for the worst and are seldom disappointed."

Most of the companies which detailed their adverse experiences with the mails were small to medium sized. A few were large. The complaints most often made include:

1. Unaccountable delay of first-class and airmail letters.

2. Delay and damage in parcel post.

3. Curtailed delivery and shortened post office hours.

5. Special delivery that takes longer than ordinary mail.

Some of the larger firms and even smaller ones have turned to alternative means of communication and delivery at additional expense. One firm requires its salesmen to mail separate copies of each order from different boxes. All orders which require prompt delivery must be telephoned in at toll rates.

Another missed a factory payroll because it had entrusted its time data to the mails, which took 3 days to deliver the matter a distance of a few miles. Several reported lost mail. Still another reports that swift jets fly their mail from the West to New York in about 4 hours, but that it takes another day or two for the reports to reach their New Jersey headquarters, a 20-minute drive across the Hudson River.

A maker of precision instruments declares that he has had to resort to bulkier and bulkier protective packaging for his products—paying postage on the extra weight—but so far has been unable to get his wares through the mails reliably without damage.

A manufacturer reports that he was unable to find any open post office window from which to mail an emergency shipment of drugs on a Saturday. A member in a city with a population well in six figures complains that there is no parcel post delivery in his city at all on Tuesday, and that Wednesday swamps his employees with items mailed in for repairs.

The financial losses can be large in even a single mailing. One eastern department store arranged with the post office for the mailing of 250,000 invitations to its charge customers to shop on "Courtesy Days" this June, before a sale was announced to the general public. The mailing cost $20,000, and additional expense was incurred by putting extra sales people on the floors of all stores.

As the courtesy days opened, the stores were nearly empty. As they closed, the phones were busy with customers complaining that they had just received their announcements—6 and 7 days after they had been mailed in precise conformity with post office instructions.

NAM Reports has had its own troubles. Some members have received two weekly mailings by the same post. The printer mails a copy to himself as a service test, and has received copies mailed Saturday on the following Wednesday. The post office is minutes away from his plant.

While some responding NAM members were conscious of the climbing cost of postal service, only one complained of this—except that declines in service occurred simultaneously with the rate increases.

Yet, with all the complaints, about one response in every seven indicated complete satisfaction with the postal service. It must be assumed that many who were satisfied did not take the trouble to reply.

Those who did complain often took considerable care with documentation, enclosing photocopies of important letters that had been delayed and of correspondence with the post office.

Top executives of larger companies were less likely to have encountered the difficulties with the mail that others in their companies were familiar with. But it can be assumed that their difficulties can be proportional.

Some of the ways in which poor mail service can increase costs materially include:

1. Delay of correspondence pertaining to orders and bids which lose business.
2. Delay of bills and checks, which deprive the firm of use of money and occasionally of discounts.
3. Delay of shipments of repair parts which idle productive equipment.
4. Damage of needed materials, when postal insurance does not cover the cost of lost orders or production.
5. Expense of alternative means of communication and delivery.
6. Loss of goodwill when arguments arise over late payments.
7. Cost of lost days of exposure when advertising materials do not arrive on time, particularly when offer is for a limited time.
8. Delay of necessary action when reports are not received promptly.

After a substantial number of responses had been received from NAM members so that the pattern of their experience could be determined, the NAM Washington office consulted with Mr. Frederick Belen, Assistant Postmaster General for Operations. Mr. Belen is a career Post Office official, who is well aware of mail users' problems, and who takes them seriously.

He acknowledged that serious problems do exist, and made no rash promises about when they would end. He did have some suggestions for those who experience troubles with the mails.

First, complaints should be made to local postmasters. In many cases, the grumbling doesn't now reach his ears. Present all the factual data possible. Postmasters have some leeway in their operations, such as determining hours, which days parcel post shall be curtailed, and where boxes shall be placed and when collected.

Second, if the problem is beyond the abilities of the local postmaster, write to the field headquarters. There are 15, and your post office can tell you which is yours.

Third, if you still get no satisfaction, write to the Customer Relations Service, Post Office Department, Washington, D.C.

That might be a lot of trouble to go to for a delayed Christmas card, but might be worth while in the case of consistent difficulties.

Mr. Belen expressed considerable interest in the complaints from the Los Angeles area, where local deliveries between points only a few miles apart were reported to require days in transit. He promised to move on this situation, involving 28 post offices in the area, right away.

He outlined a number of future developments the Post Office is working on, including machine-read ZIP code and new methods of handling parcel post. And he advised NAM members never to mail first class letters in brown envelopes. The psychology of postal clerks is such that they classify these as nonpriority mail in the split second they have to contemplate them.

But not all the problems are about to be solved. While many of the delays obviously occur in the post offices themselves, others have developed as the number of passenger trains has diminished constantly. First-class mail suffers, and so do other classes. Post office trucks and contract truckers are substituted in some cases, and the Regular Common Carrier Conference, representing large truckers with interchange systems, have been trying to get the Post Office Department to include them in their developing plans for moving mail.

Airlifts are used for some first-class mail, but that program is not now being expanded.

In an age of automation, the Post Office so far has been able to do little to decrease its reliance on hand labor. Machines cancel 30,000 letters an hour, but the address on each envelope must be read by human eyes, often several times before it reaches its destination.

Eighty-five dollars of each $100 the Department spends is in payroll, and the Department is subject to the general economy orders of the President, and is expected to absorb 10 percent of the new pay increase for its employees by reducing their numbers through attrition.

The Department is pinning great hopes on its new mail distribution centers—where all the mail for a surrounding area, including city suburbs and neighboring towns—will be sorted down to the house numbers on particular routes. Some are in operation now, concentrating the work and reducing the importance of and employment in local post offices over the near-dead bodies of local politicians.

The Post Office has gone ahead despite political obstacles, but there are some experts who question the wisdom of the distribution center plan. They say that while the work is concentrated in one place, the same work has to be done in much the same way, and sometimes the mail must travel farther and be handled more times than under the old system. Besides, the veteran employees of the Department are now faced with memorizing new routing for much or all of the United States, on top of having to become familiar with the new ZIP code numbers.

Parcel post is a real problem child. Until recent years it paid its own way, and volume was increasing. As the service slowed and the damage increased, volume has fallen heavily. In addition, the profitable business use of parcel post has declined out of proportion, leaving more of the volume in the low-profit household service and on the long and expensive rural routes.

The answer to this problem is not in sight. Congress gave the Department a breather by declaring a moratorium on the requirement that parcel post pay its own way, and new methods are being tried. Still, as one postal union official testified in June before a congressional subcommittee, a package can't survive the 8-foot drop in some handling machines without damage "unless encased in concrete."

Postal employee unions' representatives have testified that where once the orders were to get every piece of mail delivered before quitting, they are now to quit on time. They tell of packages held over 2, 3 or more days. One instance involved 12,000 days delayed parcels in Flushing, N.Y.

The Post Office has an income of almost $5 million a year, and currently a deficit amounting to almost 10 percent before an arbitrary allowance from Congress to compensate for "public service" factors. It is the largest employer in the Federal Government, and it operates almost everywhere.

And so it is particularly subject to politics. Postmasterships are political plums, so the Department has a hard time abolishing or consolidating offices in the name of efficiency or economy. Postmasters are rewarded on their volume, so shifting mail for efficiency can become a political fight. Post offices are often the handsomest buildings in town, so there is pressure to have one in each town where its grandeur will be a matter of civic pride.

New post offices spring up in little towns, while big city installations constructed in the great days of passenger trains must still be occupied and used. They may be poorly situated and ill equipped to handle air traffic and trucks, but it is hard to get permission to change the pattern.

Last February, the Chicago post office was still trying to recover from the Christmas mail rush. The main office, built in the depression, is so deficient in dock space that trucks waited in a line seven blocks long at one time.

Another factor compounding the Post Office's trouble is said by some authorities to be quality of available personnel. When there is full, or nearly full employment, these clerical and carrier jobs attract less capable men than in harder times.

The postal unions are powerful and aggressive, and they have succeeded in persuading Congress to forbid individual work studies devised to improve efficiency.

Businessmen are aware that despite curtailments of service in general, the post office is not indifferent to their needs. The new ABCD—same day delivery in business districts for mail deposited in marked boxes—is working well and is valuable.

In the larger cities, the Department has established councils of businessmen who consult with the post office on service, although generally only the largest mailers are invited to join.

The customer relations office in Washington is new, although it, too, tends to concentrate on the problems of relatively few big mailers who produce the bulk of the mail.

Today, 80 percent of all the mail is business mail, and business would be paralyzed without the postal service. The post office is aware of this, and feels that the business community would prefer to help it solve its problems to paying higher postal rates. Thus:

1. The ZIP code, which requires business to perform extra work so that sorting and routing will be faster.
2. Mail haulers, paid by business to take mail to and from the post office—a service supposedly covered by postage, but used by business to gain time and convenience.
3. The program to advance mailing schedules to the earlier hours of the day. (Mr. Belen explained that this was misunderstood by business. They want the bulk mail, not your individual first-class letters, to be so advanced.)
4. Adoption of standard sizes of mailing pieces to facilitate machine handling.
5. Pool casing—a system in which a large mailer will place many packages for a particular destination in a carton addressed to the postmaster in the city in which it is to be opened and distributed. Damage reduction is the mailer's reward.

There is no doubt in the minds of those who have talked with the Post Office executives here that they are earnestly desirous of improving the service and of limiting their deficits, but it is hard to tell when the long period of reduced service and high damage will end.

Great hopes are placed on the distribution centers, but there is no great evidence of marked improvement where they now exist.

Reliance is placed on the ZIP code in the long run, but no machine has ever been built to accomplish the eventual aim—mechanical sorting.

It is also alleged by critics of the postal system that companies which have made the expensive conversion to the ZIP code may have to do it all over again in computer numbers, or supply magnetic or ultraviolet ink.

Right now, the Department is considering these ideas as partial solutions to its problems:

1. A new priority class of mail at premium postage rate which will move in the fastest possible way.
2. A minimum piece rate on parcel post of, say, 50 cents.

3. Ultraviolet ink on all but airmail stamps, so that these would be machine ejected from the run of the mail for faster processing.

The proverbial snow, rain, sleet, and hail don't bother the Post Office much these days. Today's problems are budget, politics, high labor content in a rising wage era, personnel, and a lag in transportation and other technology.

Business, which mails 8 of every 10 pieces handled, has an enormous stake in whether the Department's managerial expertise and imagination can keep ahead of the 3-percent annual increase in volume—or at least even with it.

However, Mr. Speaker, it is from the grassroots level that we are receiving the greatest complaints. A number of my colleagues have submitted a sampling of complaints received from their constituents. I include as part of my remarks at this point material from Representatives MAILLIARD, MOSHER, BURTON of Utah, REID of Illinois, UTT, HUTCHINSON, CRAMER, SCHNEEBELI, MCLOSKEY, WIDNALL, TOLLEFSON, HORTON, TEAGUE of California, ANDERSON, HOSMER, BALDWIN, and HALL:

DEAR CONGRESSMAN MAILLIARD: I am enclosing herewith a resolution adopted by the executive board and membership of our union local at our May membership meeting in opposition to a reduction of postal services.

Inasmuch as the contemplated reduction would adversely affect all residents of San Francisco in all walks of life, we seriously urge your efforts in support of said resolution and against any curtailment of postal service.

Thank you for your consideration.

——— ———.

DEAR CONGRESSMAN MAILLIARD: Thank you for your attention to the problem of the weekend closing of Rincon Annex, and your letter of May 11 on this subject.

For your further information, I have been in direct communication with Postmaster John F. Fixa. I think you should know that the mailomats and stamp vending machines referred to in his letter to you of May 5 are in my opinion inadequate and unattended.

For example, I personally visited the Rincon Annex on both June 6 and 7, Saturday and Sunday of last weekend. The 1-cent vending machines were empty of stamps on both occasions.

Furthermore, there is no changemaking machine in the Annex. The St. Francis Hotel and many other places seem to be able to accommodate the public by having dollar bill changers installed.

Finally, let me bring to your attention this sad state of affairs. I am able to attend to my postal needs without the Saturday and Sunday "open window policy" but there are countless who cannot. It is absolutely pathetic to see the number of people who come into Rincon over the weekends and are hopelessly lost—unable to get anyone (except a kindly guard and janitor) who are ill-equipped to take care of the countless questions and requests for change thrown at them.

Your continuing attention to this will be appreciated.

——— ———.

Re Rincon Post Office Annex curtailment of services.

WILLIAM S. MAILLIARD,
House of Representatives,
Washington, D.C.

DEAR FRIEND: Because you address "bulletins" to me, as friend, I am taking the liberty of using the same term and before I get along with my pet peeve of the moment, I wish to thank you sincerely for the "bulletins" you send out. The June 25, 1964, issue was brief but informative.

The curtailment of services by our post office is a shame, the city—our city has to have this false economy forced on it by the closing of the windows after 6 p.m. It puts the city in the same bracket as a post office in Hannibal, Mo., or Kankakee, Ill.

Mr. MAILLIARD, we are big league and should enjoy things big league, we pay our way, we spend big, and will support anything good.

We have prided our selves in having a post office service dating way back to when we used to call the Rincon Annex the Ferry Post Office.

The small businessman who made use of this service on Saturday afternoons, Sundays, and in the evenings has to have this service in order to compete with midwest and eastern order houses who have their own mail services right in their own companies. The small businessman in the bay area must compete during the day and fill the orders after the usual day for others is over. There are many others like myself who must get mail off during a weekend and who cannot.

I have tried to assist the post office in using ZIP code, I even wrote in a suggestion on advertising the ZIP code for the smaller city in the cancellation; i.e., where there would only be one or perhaps two ZIP numbers to designate the city. I did have a reply, "it wouldn't work;" at least I was trying to do my bit; I think the post office should go back to giving service to the city—till they do I won't ever use a ZIP code to help them.

Sincerely,

——— ———.

DEAR SIR: I would like to protest in the strongest possible terms the recent curtailments in mail service, particularly the elimination of parcel post delivery one day in the middle of the week. Our business is highly dependent on parcel post (of necessity, not of choice), and this constant nibbling away at the service, added to constant rate increases and general deterioration of efficiency, is beginning to cost us a great deal of money.

We distribute films, all dated materials for showing at a particular place on a particular day. Late arrival means the materials are worthless: we lose the rental, the customer's good will, and the postage both ways. Because of the unpredictable mail service, we are making as many outgoing shipments as possible by United Parcel Service; unfortunately, most customers must still use the mails for return shipments.

Further indication of the collapse of the service is an alarming increase in loss in the mails. We have had more losses in the past 7 months than in the preceding 5 years, at a cost to us of nearly $2,000.

The particular situation that prompts me to write is the fact that we now get no parcel post delivery one day of the week. Combined with the already excessive shipping time needed, it is just too much.

Economy in Government is fine, but I cannot understand this preoccupation on the part of Congress in attempting to put the Post Office on a "paying" basis. As I understand it, the Post Office was created as a public service, not as a profitmaking endeavor. There certainly doesn't seem to be much worry about making any other Government agencies self-sustaining. Considering the fact that the Post Office is one service that touches all the public nearly every day, it seems to me that it is entitled to more consideration, and attention, than it is receiving.

It's obvious that the Post Office is badly hamstrung by political interference and hasn't been able to keep up with the times. I strongly feel it is time for a sweeping investigation of the entire situation. From talking to a number of postal employees, one gets the impression that the system has more supervisors than it has workers. There's also a remarkably evident "don't give a damn" attitude on the part of a large percentage of employees. I gather this results from working conditions as much as from the pay scale.

I respectfully urge that you use your position to initiate, or lend support to a movement to do something about the postal situation before it becomes completely hopeless.

This letter is written to call attention to the curtailment of mail delivery, pickup and office service, in the interest of the so-called economy program of President Johnson to reduce Federal expenditures.

I understand that something is being done about the closing of the Rincon Annex on Sunday and holidays as well as curtailment of the service at that station on Saturdays, so my remarks do not necessarily apply to that station, which I might say, has served San Francisco for years.

In the postal district where I live the mail box I use is an example—the following is posted on the box: Daily except Saturday and Sunday: 10:41 a.m., 1:47 p.m., 5:19 p.m., and 6:12 p.m. (less than an hour apart); Saturdays: 10:41 a.m., 6:16 p.m.; Sundays and holidays: 5:56 p.m.

These are the approximate times on the other boxes in the district. The nearest box for later time is a 15-cent carfare each way for most people.

It hardly makes sense for two collections to be made within an hour and then no service until 10:41 the next morning—Sundays and holidays no service—pickup—from 6:16 p.m. on Saturdays until 5:56 p.m. on Sundays.

I might add also that our delivery of mail in this district is at an all-time low—sometimes when one is expecting a particular letter, such as social security, Federal retirement check, etc. as the case may be, it may or may not arrive and in some cases it is at least 4:30 or 5:00 p.m. or the next day—this is a hardship on some people although not in my own case. If those who need these checks could have any definite idea of when they might receive them they could adjust their affairs accordingly, I think.

I happen to be a retired Federal employee after nearly 34 years of happy and satisfactory employment and I do not believe that the average Federal employee is lax in performance of his duties, as is so often stated by those who do not know whereof they speak, but I think that this curtailment has lowered the morale of those postal employees who have to take on so much more of the work and they may have adopted an indifferent attitude.

Thank you for hearing me out.

Two specific complaints come to mind. One which I received in June from Berlin Heights, Ohio, expressing very serious objection to the closing of the post office on Saturday at noon. The letter went into some detail as to the hardship this unprecedented move makes on the people served by that post office.

In late July we received a letter from Fremont, Ohio, expressing serious opposition to the curtailment of postal service at that office. The letter went to considerable detail concerning the hardships that would result and pointed out that this would mean that some postal employees might be laid off and reporting the volume of complaints that come to them daily concerning curtailment of postal service.

In July, while I was in my District for a short time, my Washington office sent to me on July 15 airmail-special delivery a packet of letters prepared for my signature. It arrived in my Ogden office on August the 5th. I am unable to explain the delay—perhaps the postal authorities can. I have asked them to investigate.

I was much interested in the Postmaster General's recent boast to eliminate 5,000 postal jobs within the next year.

It would be interesting to know just how the Postmaster General plans to operate even a rudimentary postal system with 5,000 less employees unless, of course, he plans to return to the pony express which, at that might be an improvement over the present postal system, if it can be called a system.

Your attention is respectfully called to the fact that in October I received a letter from Pittsburg, Kans., which had been postmarked 30 days previously. I regularly receive mail from Kansas City, Mo., which is received anywhere from 2 days from postmark, which is reasonable, to a week, which is unreasonable.

This is not a situation which has occurred just since we moved to Illinois but also occurred when we lived in Iowa, and correspondents in other States complain of the same bad mail service. It would appear, therefore, that it is not merely a local system but is general, and that the situation is not the fault of the personnel but of the system itself.

I fail to see how the elimination of 5,000 jobs will alleviate the situation. I am sure that for the most part postal employees are conscientious and hardworking—those who are not should be replaced—not the job eliminated.

With the increase in postal rates we have a right to expect improved service, not worse.

Enclosed is a clipping from the "Voice of the People" column of the Chicago Tribune, dated January 14, 1964. You will note the writer shares my opinion that a return to the pony express might be an improvement.

Any comment you may care to make regarding the above will be sincerely appreciated.

AUGUST 20, 1964.

Mr. SPEAKER: I take this opportunity to call the attention of the Members of the House to the deterioration of the postal service. I know this from the letters of complaint which I receive from my constituents and also from my own personal experience. Recently, on a Saturday morning, in my district, I wanted to get in touch with the postmaster of the Santa Ana, Calif., post office. The first roadblock I ran into was the fact that the General Services Administration had removed all telephone trunklines to the post offices and had centralized them in a single switchboard for Federal offices in Santa Ana. The switchboard was closed on Saturdays and so I had to make a trip down to the post office and then to the annex, in order to find the postmaster as there was no telephone service.

I had been to the central post office to pick up a special delivery letter and found only one clerk on duty, selling stamps and receiving parcel post packages. No other services were available. There was a line waiting at this one window which extended out into the street and there was more than one-half hour delay in finally getting to the window.

When I finally found the postmaster, he told me that all of the goodwill that had been built up over the past years had been destroyed in 3 days' time. This is an inexcusable situation. It is penny wise and pound foolish. These services should and must be restored. The post office is the one agency of Government which has universal contact with the people.

Attached hereto are samples of some of the letters which I have received from my constituents on this subject, together with excerpts from an editorial from one of my district newspapers.

JAMES B. UTT.

MEMORANDUM FROM CONGRESSMAN JAMES B. UTT (CALIFORNIA) IN RE DETERIORATION OF POSTAL SERVICE

Specific complaints quoted from letters received from constituents by Congressman UTT.

"You should hear the private comments of the postal clerks on the new mail service. The service is far worse than it was 17 years ago."

"Mail is now being sent out from and brought into Del Mar (Calif.) by truck rather than by Santa Fe Railway. In other words we now have two incoming and outgoing mails per day instead of four. As a result of cancellation of the mail carrying contract, the Santa Fe has been given permission by California PUC to drop one train each way per day and have petitioned to be allowed to drop at least one more each way per day. This hurts not only Del Mar (and La Jolla), but also San Clemente, San Juan Capistrano, Tustin, Santa Ana, etc. Of late I have been watching the staff in the post office. I understand that there are six clerks there and if I am any judge of office work that is at least two more than can possibly be needed. Oh yes, I just heard a good one. The mail outbound from here for San Diego goes first to Oceanside, then back to San Diego, approximately 54 miles instead of 18. Economy—yes, indeed. If ever an organization needed a good going over its the Post Office Department."

"The U.S. Postal Service is an integral part of communications of every business and home in this country. Since, in a sense, it is a 'Government-operated monopoly' (we can't take our mail business elsewhere) * * * postal staffs and the services they render either add to or detract from this Nation's general efficiency.

"In this light, may we protest the new cutback of postal employees and services in Orange County's two largest cities—Anaheim and Santa Ana?

"Yesterday, for example, it took 25 minutes of waiting in line to purchase a roll of stamps. Where formerly four to six people served us, there were only two. If this inconvenienced only our firm, there would be no real problem. But, the wait we experienced was shared with dozens of other busy people who were losing time and business—which is ultimately a loss of tax revenues which could easily overshadow moneys saved in salary (by false economy). Only a few months ago the price of postage was increased to accommodate wage boosts and the postal deficit.

"From this vantage point, it would seem that private business could handle the Nation's postal services more efficiently and economically than it is being run by the Federal Government."

"This is to protest the so-called economy move by the Post Office Department eliminating certain services from the La Jolla Post Office. May you use your influence to expand the services of this vital communication function and strive for economy in "belt-tightening" if necessary. It seems to me that the commemorative stamps of twice the size of standard stamps would alone double the cost of paper for the Department. They could also take in more money if the parcel post size and weight limitations were made more realistic."

"Post Office to cut service. To save $12.7 million. A day? A month? A year? Probably a year, for the greatest amount of saving would be claimed for effect. Why must savings by the Government always be borne by the service that touches every citizen almost every day? Why is the Post Office Department the only Government department that has to defray its own costs? Why different from the other departments—Agriculture, Defense, Interior, State, for example—whose budgets grow and grow? Probably because a cut in these departments would not have the direct publicity value that a cut in Post Office Department services would have on the public (like the White House lights).

"Post office hours already are inconvenient, but the new schedule covers even more closely working hours of most people; unless one takes time off from work he either has to make a wild rush to do his post office business or let it go. A staggering of window hours seems little enough for the public to ask in return for the continuing rise in postal rates. The $12.7 million saved just about covers a week of our inactivity in Vietnam. Can't the Great White Father in Washington find some other overfed budget from which to cut this paltry sum and let the poor old taxpayer keep a few crumbs that fall from the sagging table set for so many others?"

"Is it not time to give some consideration to patrons of the Post Office? At 2 cents postage we got delivery twice daily. At 3 cents postage we laid off half our carriers and got mail once a day in the forenoon. At 4 cents we again laid off carriers, increased the length of routes and get mail sometimes by noon. At 5 cents we raised the pay of carriers, laid off enough to cover the cost and again gave them more mail to carry. We now get mail in the afternoon. I expect the next move will be 8-cent mail, no carriers, and mail delivered by the postmaster once a week. Let us find out if the Post Office is going to serve the public or not."

"Referred to the latest tightening of the screws upon the public and business by reducing the Saturday morning post office service—something put into effect on a virtual nationwide basis. And this came soon after a substantial raise in postal rates. (In Escondido the reduction cut to one the clerks on duty and eliminated virtually every service except the selling of stamps and giving explanations why he or she can't sell money orders, can't accept post office box rent, can't do this, can't do that. It also has resulted in longer lines to 'sweat out' on other days—except Sundays and holidays, or course.)"

"This is a false economy achieved 'only at the sacrifice of our historic concept of public service as the primary objective of the U.S. Post Office Department.' If service is still the primary objective of the Department, then that must be news to such men as Gronouski or his predecessor who caused the reprinting of 2 million stamps with deliberate errors. It is believed in some circles that about all Gronouski knew about postal services prior to his appointment was which side of a postage stamp to lick in order to affix it to an envelope. Since his curtailment order of May 4 there have been grave doubts expressed as to whether he even knows that now."

"Under the puddinghead type of management now controlling the Post Office Department (which shrinks in shame when its operations are compared to those in European countries) it's likely that times and even dates will be eliminated from postal cancellations. Thus there will be no way on earth for a recipient to determine within any reasonable period when a piece of first-class mail was mailed. The coverup would be complete. One wouldn't be able to determine if a letter took 4 days or 3 weeks to reach Escondido from, say, San Francisco. Because there have been well-authenticated cases of letters taking 5 days to reach Ramona from Escondido, perhaps the 3-week transit period from San Francisco to Escondido mail is not an adequate estimate."

Envelope addressed to a firm which had had the address used for years; returned, marked "unclaimed." "Addressee unknown." Relatively small office, but apparently the route address had been changed—so was not delivered.

Special delivery not delivered as such, but with regular mail. From a business firm.

Business firm: Received special delivery 2 days late even though on a direct train mail line only 2 hours distant from place of mailing. Had shifted to special delivery, because of undue delay in regular mail. Also—mail addressed to towns relatively close are routed to sorting center—then back through very town from which mailed—has resulted in unreasonable delays; in many cases, never delivered.

Extensive shipping damage in parcel post mailings. By a business firm.

Professional man: Delay in delivery—over 2 days—still not delivered; towns only 35 miles apart.

Three days delay in delivery of mail to town 25 miles distant. Business firm.

Five days for delivery of first-class mail—should come through in not longer than 2 days.

[From the St. Petersburg Times, May 2, 1964]

The Tradition of Service

Next to armies for the security of the nation, and peace officers for the protection of life and property, the first and perhaps the most universal of governmental functions is the maintenance of a postal service.

This fact is cited in view of the newest reduction in postal services which takes effect next Wednesday, when no parcel post will be delivered.

No governmental service affects as many citizens as directly and as frequently as that of the post office.

Yet in the past quarter-century or so, that word "service," and all its traditions, have been increasingly subordinated to a fetish of book-balancing.

Cost to mail users has constantly increased; service has constantly decreased.

Postmaster General Gronouski is not to blame for this latest cut in service, nor, except secondarily, are his predecessors to be blamed for earlier declines.

Certainly the blame does not lie with the hundreds of thousands of postal employees—a conscientious, underpaid, hard-working body of public servants.

In the main, we think, responsibility lies at the door of Congress. It has chosen to make the Post Office Department, which serves everyone, pay its own way. But the thought never has occurred to make farmers pay the cost of the Department of Agriculture, workers pay the cost of the Labor Department, or any of the special groups most benefited by the Departments of Interior, Justice, Commerce or Health, Education, and Welfare foot the bill to make those agencies self-sustaining.

Congress furthermore has seen fit to saddle the Post Office Department with such duties as the sale of duckhunters' stamps, registration of aliens, sale of money orders, repository of trust funds and postal savings—all having nothing to do with the primary business of mail delivery.

Congress has continued to charge the huge expense of carrying "franked" mail for all Members of Congress and every governmental agency instead of assessing this against the budgets of those having the franking privilege.

Not only has the tradition of service been all but destroyed by such tactics. The public also has been forced to expend incalculable millions on telephone, telegraph, air and railway express services to make up for the deficiencies of the post office by this false economy.

The public—all the citizenry—has been getting a raw deal and an expensive deal by this cavalier treatment of the postal service.

Assuredly users of the mails should bear the main burden of cost. Assured also, however, it is time to restore service to its premier consideration and stop this steady deterioration of one of Government's most vital functions.

April 19, 1963.

Hon. William Cramer,
House of Representatives,
Washington, D.C.

Dear Bill: The Postmaster General (Day) attempting to do something for the public according to the enclosed clipping. When the holiday season arrives, the Department puts on more carriers etc., but the windows, where parcel post is handled and stamps are sold still close at 4:30 and do not open on Saturdays.

Keep those offices open on Saturdays and until later in the afternoon.

ABCD Scores B Plus

ABCD got a nearly perfect score yesterday, its first day of operation in St. Petersburg.

ABCD which stands for accelerated business collection and delivery, is the system whereby firms and individuals can mail letters before 11 a.m. in a specified downtown area and have them delivered to other downtown locations by 3 p.m. the same day.

To test the efficiency of the system, a Times reporter mailed himself six letters from different locations in the downtown area, using mail boxes carrying the ABCD decal. All were mailed before 10 a.m. By 3 p.m., all but one had returned to him. Whereabouts of the elusive sixth letter remains unknown.

Thus, on the basis of this limited test drop, ABCD scores 83⅓ percent.

That's a pretty good score for a first day's operation. Post Office officials are sure they will be able to eliminate the kinks and score 100 percent before the week is over.

Dear Mr. Cramer: Will you please drop in to the Main Post Office of St. Petersburg on your next visit to your hometown. The service at the stamp and parcel post windows was very slow and I think that a little pressure might help this situation. Have heard many complaints and that's not the way to keep your Republican voters happy. Hope you can give this some time on your next visit. This is my first complaint but was sure disgusted at the service.

May 5, 1964.

Representative William C. Cramer,
House of Representatives,
Washington, D.C.

Dear Sir: We have just learned in a recent economy drive, the Post Office Department has decided to cut out parcel post deliveries on Wednesdays in the downtown St. Petersburg core area. I understand that this is being done nationally.

The aspect of this move that troubles us is that only the four downtown parcel post routes are affected, and that all the shopping plazas and shopping centers will still receive their normal deliveries. We do not believe that this makes any sense at all and would like to hear your views on the matter.

Very truly yours,

Dear Mr. Cramer: This letter is in regard to the poor mail service here in St. Petersburg, Fla. I stood in line for about 20 minutes waiting to mail a package, thus making me late to work at my job. On top of this, I invested extra money to send this parcel airmail special delivery as my children needed the contents of this package immediately. It took 5 days for this package to get from St. Petersburg to Pascagoula, Miss. This isn't the first time, but every time I have had stamps to buy, parcel post to mail, or any other post office business it's wait, wait, wait. Don't you think, as our Congressman, you could use you influence to better these conditions? We people here in St. Petersburg are getting thoroughly disgusted with mail service here. Speaking for myself and many of my friends, we would appreciate anything you can do on this matter.

St. Petersburg, Fla.,
May 2, 1964.

Mr. John A. Gronouski,
Postmaster General,
Washington, D.C.

Dear Sir: On April 8, 1964, I wrote the postmaster of St. Petersburg, Fla. I explained that in a new subdivision within two blocks of where I have resided for approximately 5 years that the mailboxes were being placed on the houses adjacent to the doors, whereas my mail was curbline delivery. In checking I definitely found out that in this new subdivision permission had been granted for these new residents to receive their mail at the door. The next day, April 9, I was visited by Mr. Bob Burklew, postal services representative out of the St. Petersburg post office. He confirmed the fact that in this new subdivision, known as Camelot Park, recently annexed by Kenneth City, Fla., they had been granted this privilege. No other section of Kenneth City, over 1,000 homes, is receiving such delivery. In Camelot Park, as in most cases in this area, there are no sidewalks, nor are there any circular driveways. And the mail in Camelot Park is handled by a delivery man who handles the curbline deliveries in this area.

There are at present only 21 homes constructed or under construction in Camelot Park and to my best knowledge only four families have moved in. Some months ago one of the councilmen in St. Petersburg, according to an item in the St. Petersburg Times, requested that the curbline boxes be removed from the streets in the city and according to the item he was advised that door-to-door delivery could not be made due to lack of sidewalks.

Mr. Burklew stated on April 8 they would take this matter up with the Atlanta regional office and I am quoting below a letter I received yesterday from Mr. L. E. Brandon, postmaster, St. Petersburg.

"I regret to inform you that your request for conversion from curbline mail delivery to door delivery has been denied at this time by the Chief of Delivery Services of the Atlanta regional office. It is the feeling of this office that at a later date some extension of door delivery may be allowed in your area but in accordance with existing orders this is not possible now."

I have a circular driveway at my residence, located in a solidly built-up area, located between St. Petersburg and Kenneth City, and Mr. Burklew stated that it might be arranged for me to move my box up in front of my entrance, but not adjacent to the door, and the delivery man could swing in and put mail in the box, but this would require the driveway to be kept clear. In Camelot Park they get out of the truck and walk to the box adjacent to the door. This is discrimination of the rankest kind. Please advise what will be done to remedy this situation?

St. Petersburg, Fla.,
May 12, 1964.

Hon. William C. Cramer,
House of Representatives,
Washington, D.C.

Dear Sir: This is a plea for you to do something to improve this Nation's postal service. I can understand delays and inconveniences during the Christmas rush, but it's inexcusable the rest of the year.

This past Monday morning, I stood in the parcel post line for over 20 minutes just to buy stamps. It seems we're having an economy kick at the main post office and the regular stamp window was closed. This sort of thing slows business down all over the Nation and is not economy—it's insanity. I have also recently noticed that letters and packages are taking longer to arrive.

Perhaps we could afford better postal service if we would stop throwing our money down foreign ratholes.

Yours very truly,

DAVID FLYNN.

ADJUSTMENTS IN POSTAL SERVICE SET

A number of adjustments will be made in local postal services starting Monday, St. Petersburg Postmaster L. E. Brandon announced yesterday.

The adjustments are in line with orders issued by Postmaster General John A. Gronouski under a plan designed to save $12.7 million annually, Brandon said. They include:

Reduction of parcel post delivery in the downtown area from a 6- to 5-day-a-week schedule.

A reduction of window service on Saturday mornings at main post offices and branch post offices. Contract stations will operate as usual.

In the downtown area, Brandon explained, parcel post will be delivered weekdays, except Wednesday. Wednesday was selected for closing because it is a fairly light day, with some offices closed, Brandon said. Orders of the Post Office Department call for closing 1 day a week.

First-class parcels, air parcel post and perishable articles will be delivered on Wednesday, as usual.

In the main post office on 31st Street, and the open-air post office downtown, windows to be closed on Saturday are inquiry and claims, box rent, collections, the information window, where meter settings are made and trust fund deposits accepted, domestic and international money orders and postal savings.

Windows remaining open will be: Main office lock box and stamps, parcel post and stamps, registry, c.o.d., and stamps. Open-air post office: General delivery, registry, c.o.d., stamps, and parcel post.

* * * * *

Orders from the Post Office Department emphasize the need to encourage patrons to make maximum use of stamp vending machines, and to transact as much postal business as possible on weekday.

The postmaster said no essential major services are affected under the changes. There will be no change in home delivery or special delivery, for example. Regular business mail deliveries will continue as usual. Letters and other first-class mail will be handled with the same priority.

The economy step, Brandon said, is in line with President Johnson's programs under which the recent Federal income tax cut was provided.

APRIL 30, 1964.

Hon. WILLIAM C. CRAMER.

DEAR SIR: I wish to protest the postal service being offered at the post office in St. Petersburg, Fla. The other day I went in to purchase three 5-cent stamps and had to wait 10 minutes to get waited on where they consolidated the stamp and parcel post window during lunch time.

Respectfully submitted.

APRIL 30, 1964.

DEAR MR. CRAMER: In regard to the present service in the main St. Petersburg post office, something should be done.

I am 8 months pregnant and waiting in line for nearly a half hour just to buy a book of stamps is very tiring as well as a waste of time. Can't something be done?

Sincerely,

RESOLUTION ON OPPOSITION TO DECREASE IN POSTAL SERVICE

Submitted to: Congressman HERMAN T. SCHNEEBELI, New House Office Building, Washington, D.C.

Whereas the primary mission of the Post Office Department is to provide maximum service to the mailing public at a minimum cost; and

Whereas in recent years the policy has been to reduce essential service and at the same time increase rates of postage to eliminate a nonexisting deficit; and

Whereas a recent economy order to be placed in effect on May 4 current, is an extension of this antipatron policy, to wit:

(a) A parcel post rate increase of 15 percent, effective April 1, and concurrently a decrease of parcel post delivery days from 6 to 5 days. The decrease in service is discriminatory since it is proposed that this reduction will affect only city residents, and will not affect the rural areas.

(b) Reduction and elimination in window service on Saturdays in all postal facilities.

Whereas if these eliminations of service become a reality, they will most assuredly be to the detriment of the entire mailing public: Therefore be it

Resolved, That this action be accomplished as soon as possible, and certainly prior to the proposed effective date of these cuts.

MAY 23, 1964.

DEAR MR. SCHNEEBELI: Just let me explain the address as it is not from your district. I work in Harrisburg as there is no work for me at home. My legal address is still 514 Poplar Street, Emporium, Pa. I am a registered Democrat, but have always voted for the person I thought best suited for the office.

I don't know if there is any pending legislation, or committees studying the postal system, but I'd like you to know how I feel about the latest economy move of the postal department in case you can pass the word along to where it may do some good.

The closing of all substations and most facilities of the main post office on Saturdays, has hurt the public and the postal clerks. Here in Harrisburg the main post office is out of the way for shoppers or pedestrians. Those people who can get there must wait in line while two very overworked clerks try to handle general delivery, parcel post, stamp sales, and listen to endless complaints and patiently explain to people why they can't sell money orders or take complaints about damaged parcels.

Working people can't get to post offices on weekdays so they are going to stop sending parcels and will get bank checks—banks are open one evening a week. It's not good business sense to raise rates, cut services, and overwork the personnel.

Maybe a discussion of this with some of your fellow Representatives will produce a good solution.

Sincerely,

Service hardships caused by consolidation of post offices: 10 letters on three consolidations.

Complaints on inability to secure city delivery for people living in town, but on the edge of it: 2 letters.

General poor delivery, and complaints on a lack of "first-class" service: 6 letters.

Complaint on the cutting back of Saturday window service: 1 letter.

Complaint on damaged packages: 1 letter.

Complaints on slow delivery: 2 letters.

Insufficient postal facilities: 4 letters.

WALDWICK, N.J.,
March 23, 1964.

DEAR MR. WIDNALL: Thank you for your letter with the inclosure from the Post Office Department, which I have read with interest.

The communication from the Post Office Department states that it does not appear likely that the volumes advertised in the list I received from Cross World Books, Chicago, contravened the U.S. statute prohibiting the mailing of matter which advocates or urges treason, insurrection, or forcible resistance of any law of the United States.

Nonetheless, these publications are Communist propaganda and are being sold in the United States by Cross World Books which is understood to be a registered agent of a foreign principal, evidently of the Soviet Union. It is common knowledge that the aim of communism is to dominate the world, and one of the methods they are using to accomplish this is the wide distribution of their literature. No doubt the vast flood of Communist literature going into the rest of the world is influencing many people, especially in the underdeveloped nations, to swing to the left. Therefore, I feel that the distribution of Communist publications in the United States by a registered agent of a foreign principal is for the long-range purpose of undermining our system of government, and to prepare it for a Communist takeover no matter how far in the future that may be.

Evidentally, it is not against the present U.S. law to mail these books in the United States. I personally feel that the law should be amended or changed and that these mailings be prohibited.

If the U.S.S.R. would allow the United States the same postal privileges and guarantee that the recipients of the U.S. books in the Russian language would be allowed to buy and read them without any fear of retaliation, then the United States could rescind the prohibition and again allow the distribution of Russian publications in this country.

Sincerely,

FEBRUARY 8, 1964.

Representative WIDNALL,
House of Representatives,
Washington, D.C.

DEAR SIR: I received the enclosed piece of open Communist propaganda through the U.S. mails today.

I was going to return it to the sender with the typed notation on it, but thought I should send it to you instead to register my protest against the use of the U.S. mails to disseminate communistic propaganda.

Capitalistic bookstores would not be allowed to operate in the U.S.S.R. and to send their literature through the Soviet mails.

Why should we allow communistic bookstores to operate in the United States and to send their poison through the U.S. mails?

As a Federal taxpayer part of my tax money goes to support the Federal Post Office system. I strenuously object to my money being used to aid in the distribution of communistic literature.

As my Representative in Congress, I hope you will do all you can to prevent the U.S. Post Office from being a channel for the distribution of Russian propaganda.

Sincerely,

MAY 14, 1963.

Hon. WM. B. WIDNALL,
Old House Office Building,
Washington, D.C.

DEAR SIR: I have been advised by my postmaster, Mr. Leo Degnan, of High Bridge, N.J., that the Post Office Department has decided to curtail a star route that originates in Dover, N.J., and at present terminates at High Bridge, N.J.

The Post Office Department states that after May 26, 1963, the service between Califon, N.J., and High Bridge will be discontinued. At present this service is the only satisfactory means of supplying a large group of aged and ailing people in nursing homes and many others living in adjacent areas to Califon with their necessary prescriptions and other drug needs. Discontinuation of this service would cause a serious inconvenience to many of your constituents.

May I request that you contact the Post Office Department, Director of Transportation Division, Post Office Box 7957, Philadelphia, Pa., and request them to reconsider their decision and ask them to retain this essential mail service between High Bridge and Califon, N.J.?

Very truly yours,

——— ———.

Franklin Lakes, N.J.,
May 5, 1964.

Dear Senator: This letter is in protest about the mail delivery in Franklin Lakes. There was no delivery of mail here yesterday. I just talked to our postmaster and he "explained" why, said they hope to make delivery today. To me this is preposterous.

I moved from tiny Blairstown, N.J., to Franklin Lakes in December and must say there never was this problem there. The Franklin Lakes postmaster said the delivery men have not yet been appointed even though they took their examinations over a year ago.

Sincerely,

June 3, 1964.

William B. Widnall,
House of Representatives,
Washington, D.C.

Dear Sir: Enclosed please find a copy of a letter from the Philadelphia regional director's office telling our postmaster that he cannot have any men to fill in for us during the summer vacation period. This is a real injustice. Are we not entitled to a summer vacation as most other people enjoy? This economy drive in the Post Office is going a little too far.

Can you secure a copy of the Executive order referred to in this letter? If so, please rush us a copy. If not we would like all information you can gather about this order. We are desperate—can you use your influence to help us? Thanks for listening, I hope you can straighten out this fiasco.

May 28, 1964.

This will refer to your memorandum of May 20, 1964, relative to the subject.

In view of the Executive order to reduce the number of employees below the level of November 22, 1963, and in order to maintain this level, we have been unable to authorize temporary employees for any replacement of annual leave absences at installations in the region.

I cannot tell you what policy on this subject we will follow after the close of the fiscal year on June 19. However, to date, we have not received any relaxation of restrictions on employment of temporaries to cover summer vacations.

I am cognizant of the many problems that you are confronted with in this area, and I very much appreciate your cooperation in our service improvement and economy programs. Your request will be held in abeyance and you will be advised promptly when this has been resolved.

Garfield, N.J.,
April 30, 1964.

Congressman William B. Widnall,
House of Representatives,
Washington, D.C.

Dear Congressman Widnall: Within the last 2 or 3 weeks, we received notice of the curtailment of the parcel post deliveries from 6 to 5 days effective May 4, 1964.

The members of our local branch were quite shocked to hear of the proposed curtailment, since it is a proven fact that the services rendered by postal employees to the American public is the only governmental agency that serves the taxpayers at their doorstep.

It is certainly unfortunate that the Post Office Department is required to be judged on a strictly business scale than a public service, which it rightfully is.

In behalf of the local unit, I wish to extend our thanks to you for your continuous support of our pay increase bills. We are certain you will continue your support of the present bill that is now in the committee.

Sincerely yours,

Ridgewood, N.J.
April 18, 1964.

Hon. William B. Widnall,
Old House Office Building,
Washington, D.C.

Dear Mr. Widnall: I have just learned that effective May 4, 1964, our local post office will curtail services. Parcel post will be delivered only 5 days per week and no money orders service on Saturday. Stamp window service will be cut to only one window being open on Saturdays. This morning, Saturday there were lines at two windows, these will be doubled in May.

It is my understanding that the Post Office is a service as opposed to a business. Our local fire and police departments are not expected to show a profit, neither should the U.S. Post Office. It should certainly be efficient and think of cost, but not at the expense of service. The Post Office is one of the very few services of Government which is of direct service to each and every citizen of our country, yet it seems to be the whipping boy all too often. Postal rates have just been increased and now this is being matched by a twenty percent reduction in service.

Three quarters of my books come in by parcel post; of this, 100 percent of my special orders is a part. Would appreciate your help and ideas on this subject.

Sincerely,

Hackensack, N.J.,
April 27, 1964.

William B. Widnall,
House of Representatives,
Washington, D.C.

Mr. Widnall: This is to bring to your attention the pending curtailment of parcel post from the present 6 days delivery to 5 days. The order is to take effect as of May 4, 1964, in the Hackensack office.

Our branch is against this reduction of service for the following reasons:

1. Parcel post need not be a losing proposition if better methods of handling and distribution are perfected. Our patrons have lost a degree of faith in parcel post because of delay in delivery and damaged goods. Flexibility in utilizing our manpower and elimination of the sack system will do much in restoring confidence and not reduction in service.

2. Parcel post rates have recently been increased—does this justify reduction in service?

3. The jobs of our people will be affected by the abolishment of the utility carrier.

4. Economy by greater efficiency is one thing; economy by curtailment of service another.

There are many more reasons why we oppost this change; however, this will give you an idea.

Respectfully,

A. A seven-month effort for a new apartment building to secure postal service.

B. Long delays in mail delivery of letters sent from Tacoma to Seattle and occasional loss of letters sent to the East.

C. Frequent damaging of parcel post packages.

D. Failure to return unclaimed mail to the sender, although return address was clearly marked.

General complaints were concerned mainly with delays in delivery and laxity in forwarding mail.

Sincerely,

STATEMENT OF HON. FRANK HORTON, OF NEW YORK, BEFORE THE SUBCOMMITTEE ON POSTAL OPERATIONS OF THE HOUSE COMMITTEE ON POST OFFICE AND CIVIL SERVICE, ON THE SUBJECT OF CURTAILMENT OF MAIL SERVICES, WEDNESDAY, JUNE 17, 1964

Mr. Chairman, thank you for giving me this opportunity to appear before your subcommittee and express my views on the reduced mail services which the Post Office Department is imposing on the mail-using public. Since the effect of these curtailed operations first became evident, they have distressed me; I congratulate the subcommittee for its responsibility in conducting this investigation and making a full disclosure of the facts surrounding the situation.

One would have to be very innocent and sheltered to believe that there are not many areas of Federal Government spending where prudent management cannot cause substantial savings for the American taxpayer. I never have hesitated to endorse expenditure reductions where there is demonstrated proof that they achieve real—not imagined—economy, and where that economy is in the best interests of my constituents and our country.

However, of late, we in the United States are witnessing a phenomenon which parades under the banner of "economy," but does not save any money. It may conserve a political image, but nothing else.

I now believe that the Post Office Department has joined the players in the game of "let's pretend economy." Despite proclamations of economy and better service, the elimination of essential mail services is working a great disadvantage on postal patrons the Nation over. My district has been hard hit by what the post office calls "certain adjustments and changes" that took effect on May 4 of this year. The results of these curtailments are widely apparent and disturbingly felt.

In the past month, I have received numerous complaints from my constituency on the deterioration in postal service. Mail delays are reported with increasing frequency, poor or no window service is occurring in more and more areas, and errors in deliveries are becoming a steadily increasing problem.

I find it difficult to reconcile the Post Office Department's reduced services with constantly mounting mail volume. Every day more people use the mails and depend on good service for vital business or personal reasons. Yet, in the face of this obvious demand for the best possible postal service, our service return has declined while our postage stamp investment has climbed.

For the subcommittee's information, I would like to quote some pertinent excerpts from a letter I received only a few days ago from William G. Martin, the president of Local No. 215 of the United Federation of Postal Clerks. Mr. Martin, as a working postal clerk, is intimately aware of the service cutbacks which have gone on in the Rochester, N.Y., post office. His comments are very revealing of why no savings have been realized despite curtailed services:

"By now you are probably aware of the relaxing of some of these curtailments in the large cities. We have added to our Saturday window service a little bit, but still have not returned to normal. Even so we are not offering any service to the public on Saturday afternoon, and still there is no money order, postal savings, box rental or meter settings. The parcel post delivery rules still have not been relaxed, therefore, leaving delivery on just 5 days a week.

"The working of third class matters on a 24-hour basis, has been written into the Postal Manual, so this looks as though it will continue indefinitely. This order has already resulted in the working of employees at 1 a.m. on junk mails in the Rochester Post Office, once or twice a week since they put the order out. They have also started to work these mails on weekends which was never allowed. This is of great concern to our substitute employees which were originally scheduled early in the day to work these matters, and now are being ordered to work these mails following the cleanup of first class matters late in the evening. With proper planning this would not be necessary, and all of these mails could be worked during the daylight hours.

"Let's look behind the reason for all these changes, economy, like you say, all false. They curtailed Saturday service so that the original hours spent by employees giving service to the public could be expended on distributing the mails. They changed the third-class order so that they could cover up their shortcoming on being unable to judge the mails so that these mails could be worked during the day. The Saturday curtailment hurt the public, and the third-class order is costing them 10 percent extra pay for night pay, so what have you saved?

"As you know in Rochester we are short about 62 empoyees, since November 1962, and with these employees we would not have to sacrifice all these changes. Last pay period the substitute employees averaged 101 hours during the 2 week period. The regular employees worked about 2,000 hours overtime, during this same pay period. During the present pay period the regular employees have worked about 3,000 hours overtime, and the subs are still working 12 hours a day. The vacancies that we have would just about reduce any need for this overtime, and long hours, but as I have told you before, they intend to cut 1,750 jobs in the New York region before July, and this goal still remains regardless of the extra expense of overtime. This is economy?"

Mr. Chairman, Mr. Martin's questions indeed are timely and, I am sure you agree, pertinent to this hearing. They are my questions, too, and the questions of millions of our fellow citizens.

It is tragic that the loyal and dedicated postal workers of America—the clerks and carriers—are made to bear the brunt of these false economies.

The mailmen and mail clerks are deserving of our everlasting respect and gratitude. As Jerry E. Bishop wrote not long ago in the Wall Street Journal: "The mailman on the route, for instance, is frequently a model of courtesy and dependability." And, writing of a "less familiar figure, but no less deserving of appreciation: the anonymous mail clerk," Mr. Bishop commented, "he shows an uncanny knack for deciphering illegible handwriting, routing to their proper destination letters on which the addresses would defy the most expert military cryptographers. Equally as impressive, the clerk often is able to direct a missive to its correct address despite an error by the sender."

There is probably no American who does not know the truth of these statements or would dispute this comment, a portion of a broadcast editorial by Richard M. Tobias, news director of radio station WHAM in Rochester, N.Y.:

"Now it goes without saying that there is probably no more dedicated a group of people in the Government than the postal workers of America. For far too long they have suffered long hours, pathetic pay, and public abuse.

"An economy move in the redtape and red ink of the U.S. postal system is most assuredly not in our best interests if it is predicated on the simplicity of slashing jobs."

Mr. Chairman, again I wish to thank the subcommittee for hearing me today. I hope the outcome of your study will establish that the Post Office Department has chosen the wrong way to go about the business of cutting costs. I also hope it will convince the Department of the need to restore these services, to better serve the mailing public, and to provide improved working conditions in the post offices of this country.

Dear Mr. Congressman: I wish to protest the recent service curtailments that the Post Office Department put into effect a few weeks ago.

I wasn't too concerned about these curtailments until I had occasion to go to the post office this past Saturday. I observed long lines of patrons, in which I happened to be one. I do not believe, that with the recent increases in the past years of postal rates, that this country should reduce service to the paying public.

I urge you to do all you can to restore the service and make the U.S. postal service the best in the world, as it should be.

Sincerely yours,

Hon. Charles M. Teague,
House Office Building,
Washington, D.C.

Dear Sir: We, the members of United Federation of Postal Clerks, hereby protest the cutbacks in postal service, and desire, if necessary, congressional action to restore the postal service to its former function as a service to the public and not a profit-making enterprise.

Our postal service has deteriorated to such an extent as to become a hollow mockery of the word "service." Adverse criticism is becoming the rule and not the exception. Employee morale is sinking lower and lower as the result of departmental indifference and congressional procrastination relative to the recent pay bill fiasco, otherwise known as H.R. 8996, the Morrison bill.

Curtailment of service, as outlined in the latest order from the Department, is entirely contradictory in nature, as for example; on the one hand they profess to want to cut down on the number of hours postal substitutes are required to work (between 8 and 12 hours per day at straight time), and, on the other hand, insist that regular career employees be utilized for weekend duty in the hope that their absence on weekdays can be absorbed. Net result is that the substitutes work from Monday through Friday, and the career employees get the Saturday and Sunday work. This is a mighty poor advertisement for the career service. Also it is false economy; it puts the experienced help on duty on weekends when the mail is light and delivery must wait until Monday morning, and places the burden of speedy and accurate distribution of the weekday mail on the inexperienced employees. Rather like putting the cart before the horse.

Curtailment of service in the fastest growing State in the Union and especially in the center of the Nation's population explosion is a distinct disservice to the public. The lack of coordination between officials of the Department and of the employees is very noticeable in the frequency of the erroneous statements from the Department.

However, we again wish to reiterate that any further cuts in service will only result in the post offices of the Nation resembling museums or possible morgues for lack of business.

As long as the Government wishes, and does consider, the delivery of the mails as a monopoly reserved only to them, it would seem only reasonable that they would attempt to do the best job servicewise that it is possible to do. Otherwise they have violated the public trust.

Yours truly,

[From the Camarillo Daily News, June 2, 1964]

Blue Lace Residents Seek Change in Mail Delivery

Congressman Charles M. Teague's battle with the U.S. Post Office Department over improved postal facilities in Camarillo ended with the announcement that a new post office will be located on Arneill Road, but even before that matter was settled, Teague, Republican, of Ojal, became embroiled in another controversy with the Department.

This time the debate concerns replacement of the mounted-urban type delivery service in Blue Lace Manor, a Camarillo housing tract off Somis Road, with regular walking-carrier delivery.

Residents of the tract have demanded that an immediate change be made but the Post Office Department has stated that nothing can be done at present and declined to set a time when the switch would be made.

Residents of the Blue Lace tract, along with those of El Camin tract and the Sunshine tract at the west end of town, receive their mail much the same as rural residents. That is, mail is deposited in rural type mail boxes by carriers in autos.

Blue Lace residents have signed three separate petitions to have the service changed to the regular door-to-door urban delivery. One was channeled to the regional postal office in San Francisco and the other two were sent to Congressman Teague and U.S. Senator Thomas Kuchel.

JONES CIRCULATES

All of the petitions were circulated by Elmer Jones of 1074 Milligan Drive, a retired engineer. He was assisted by John Rush, Camarillo representative on the Ventura County Planning Commission and also a resident of the tract.

The petition to the Post Office, signed by about 120 residents about the middle of March, was flatly rejected, according to Jones.

Residents then petitioned Senator Kuchel and Congressman Teague in April with 172 signing both documents.

Both Teague and Kuchel received replies from Deputy Assistant Postmaster A. C. Hahn stating that the Department "must defer for the present time delivery conversions involving increase in expenditures."

Teague wrote the Department a second time, restating the request. This time Hahn's reply was "We are unable to state definitely when these restrictions may be relaxed." Teague, in turn, wrote Jones last week "If you do not receive door delivery within the next 6 to 8 months, please remind me and I will go after them again." Jones said residents are not content to wait that long and more letters will be written.

Main objections to the rural-type service, according to Jones, are: Families in which both husband and wife work feel it isn't safe to leave mail in the boxes all day; mailboxes detract from the appearance of the street and it is an inconvenience to some residents.

Jones pointed out that some tracts built before and all tracts built since Blue Lace was constructed have the more desirable type of delivery.

Camarillo, Calif.,
April 1, 1964.

Congressman Charles M. Teague,
House Office Building,
Washington, D.C.

Dear Congressman Teague: Attached is a petition from the residents of Blue Lace Manor requesting your aid in securing urban in place of rural delivery. A similar petition has been submitted to the postal Department through the local postmaster without results. We have been attempting to secure more satisfactory mail service for approximately 5 years. We are only asking for service now furnished more recently built tracts in Camarillo.

Blue Lace Manor is located in Camarillo, has sidewalks and paved streets and otherwise complies with postal regulations for urban delivery.

The enclosed map shows that Blue Lace Manor is closer to the post office than other areas now receiving urban mail delivery. All areas except those marked R.F.D. and within the proposed incorporation limits of Camarillo now have house delivery.

I am attaching a notice from the postmaster which sets forth one of the many objections to rural delivery in a concentrated area. I have a list of many more valid objections which can be submitted if needed.

We thank you for your aid in this matter.

Sincerely yours,

Complaints concerning the deterioration of the postal system reaching me fall into several categories:

1. Communist propaganda being legally distributed: "I am against too many regulations but I understand much of this material is handled free and I think this is ridiculous."

2. Obscene literature being distributed legally: Making it illegal to sell obscene magazines to anyone under 17 is a step in the right direction, but how about the children and adults who look at these in stores? Why not make it illegal to display or sell them to anyone?

"There is enough immorality in the country without adding this kind of trash."

3. Women's working hours: "We would like to know why it is that the Post Office Department can work women more that 8 hours a day, when it is not allowed in private industry. Not only can we work as many as 12 hours a day but we must work as many hours as the supervisors want in order to hold our jobs. The long hours are not of too much importance to the men but the women are at times overpowered by the work, since our time is demanded at home when we leave the post office. All we are asking is time to enjoy our work and our families."

4. Failure to lessen mail route distance requirement: "We are living on a highly traveled blacktop road. We have to drive a half mile to the neighbors to get our mail. There is another household between these two points which would benefit if our mail could be delivered. The postal rates have been raised twice, and yet the service has not been improved. Last Christmas we had a package lay in sleet and rain a whole day. The postal Department says they cannot drive more than 1 mile to benefit two parties (they count backtracking).

"Including the backtracks, we are two-tenths of a mile over the limit. We asked that the box be placed at our field gate (within the limits providing a turning point). The Department refused, saying 'it would not be a benefit.' It certainly would benefit one party completely and would benefit us enough to get the mail when coming from the field, could send the children for it, and could at least see packages left at the box in the rain. As it is, it is not a benefit to either party.

"If the service has not improved over the time of the 3-cent letter rate, then why should we have to pay the 5-cent rate for the same inadequate service? With an increase of 2 cents per letter, I think they can afford to come the other two-tenths of a mile and complete the job."

5. Delays in mailing: "According to our * * * manager, Mr. * * *, Mr. * * * of the * * * post office, didn't evidence much concern about the fact it took 11 days for bulk mailing from * * * to be delivered in the area of * * *. If this is an indication that it cannot reasonably be expected that bulk mailing will receive better service than this, we would appreciate your so advising us.

"We most respectfully submit that we are concerned, because with the increased cost of mailing it appears that poorer service is being received.

"The U.S. mail is important to our business, as it is to all businesses in our country. * * * If information is not received in sufficient time, through poor mail service, sales suffer * * *."

"Mrs. * * * reports that a Christmas package which was mailed from Long Beach, Calif., on December 17, 1963, did not reach her until after the New Year.

"A State Republican organization mailed brochures from the printing company on March 2, with the intention of their reaching the members of the organization in time for their March 6 convention. The brochures were received on March 16."

6. Abuse of nonprofit organization mailing benefits: "I personally am a strong advocate of a balanced budget in the operation of the Government and if a raise in the postal rates is necessary to aid in balancing the budget I am willing to accept an increase in the rates.

"However, I am not willing to accept an increase in order to support the type of advertisement such as I have enclosed. Quite obviously the organization offering to be my benefactor is not established on a nonprofit basis and the fact that they can flood my mailbox with this and similar advertisements indicates to me that the system of charges is apparently out of balance.

"On the basis of our own mail I would estimate that fully 50 percent of it is advertisement. Most of it is useless drivel. * * * I do not believe that an alleged nonprofit organization should be allowed to send this type mail at a favored rate."

7. Extension of the franking privilege to include former Presidents: "Are former Presidents Hoover, Truman, and Eisenhower so poor that they cannot pay for their own postage?"

8. Saturday post office closing: "Maybe you think that they shouldn't be open, but I think otherwise. We want to mail our letters, buy stamps, and mail our money orders.

"And also think of the farmers. They come in on Saturdays and only Saturdays. Just think of it."

9. Damaged receipts: "With the increase in rates, I have received increasing complaints about damages to parcel post packages en route to their destination. In one instance, a man wrote that he had corresponded with the Post Office Department attempting to gain reimbursement for damages and was offered sympathy."

10. General poor service: "In 25 years the word 'service' has been lost in relation to the U.S. mail. The service has inversely decreased as the rates rose.

"Is it time that instead of constantly lowered standards that the Postal Department again award the public service?"

"I am told that in the vast metropolitan area of London that due to speed of delivery, mail is often used in lieu of telegrams. How do the English succeed where we fail so miserably?"

APRIL 24, 1964

"The San Francisco regional office of the Post Office Department is calling this consolidation of services a 'service adjustment'. Since the public (our patrons and your constituents) will not be able to buy money orders, postal savings, have meters set, make permit mailings or have their questions answered at the inquiry window on Saturdays any more (if this plan is carried out), I am calling this a service curtailment and a nonsensical one at that. Our patrons will now have to stand in line longer to pay the higher postal rates. This is not my idea of either good service or good business or whatever the department is calling it now.

"Postmaster General Gronouski in a speech April 18 had these words to say to a postmasters' convention: 'Our task in the months ahead will be to provide the best possible service at the lowest possible cost.' Elimination of WMS could cut millions off the cost he is concerned with. He also said, referring to job cuts, that '* * * by June 30 we will be down to our goal without compelling a single career employee to lose his livelihood or without a cut in essential services.' He recognizes a demand for additional services (from the same speech) and announces that the mail load is going up and our proportionate work force is going down. Then the San Francisco region orders the noted changes into effect. How is consolidating stamps and parcel post providing 'the best possible service'? How is curtailing the above-mentioned services not 'a cut in essential service'? It would seem to me that either the right hand doesn't know what the left hand is doing or it doesn't care.

"Another interesting point the Postmaster General mentioned was that 'we have reduced the after-5 o'clock first-class mail peak from 80 percent to 51.9 percent and each successive survey indicates it is still dropping.' Here in Long Beach 19 station relief clerks petitioned for a half-hour lunch period to miss some of the rush hour traffic and the tour superintendent turned them down because they were supposedly indispensable from 5:30 p.m. to 6 p.m. Again it seems to me that someone is not getting the word. The administration in Long Beach is not responsible for this curtailment—they are only following orders. We do, however, take this opportunity to publicly ask them to join with us in protesting these curtailments which we feel will be detrimental to the people of Long Beach."

MAY 11, 1964

"Postal clerks have been subjected to public criticism of long postal patron lines last Saturday due to postal curtailment orders of one clerk per station for Saturday service. Urge you protest to Postmaster General Gronouski to rescind curtailment orders that will not produce economy but only criticism of this Congress.

"The new economy move—cut back of post office deliveries, and Saturday service most especially, finds a sore spot in the lives of we people who have to work to keep ourselves and family in the position of having the necessities of life. Saturday is the only day we are able to go to the Post Office to take care of our personal needs, such as parcel post. Those who do not have checking accounts cannot have money orders issued on the only day they can get to the post office—Saturday.

"I learned on Friday from a postal employee who delivers packages to the office where I work that the day he has off there is no one to take his place delivering packages. Therefore, should the package or whatever, get on his truck the day he is off, it stays there until the following day. Has anyone taken into consideration what might occur if that truck should have something perishable on it—or more important, something vital to our country's defense?"

MAY 12, 1964

"Tell that Texan tightwad to turn the light back on in the White House and restore Saturday services to the post office. It is ridiculous to wait in line for an hour to buy a stamp and then find out that you can't buy a money order on Saturday. Get rid of the zip codes, too."

MAY 13, 1964

"I was down at the main post office last Saturday and there were two parcel post windows open—and two long lines of people waiting to be served. These lines reached the front door.

"Of all the bureaucratic nuts in Washington, and there are many, I wonder which one was responsible for this asinine display of misused authority. And all in the name of economy. If the Government would quit sending untold billions of dollars overseas every year so that dictators cannot build any more marble palaces or buy any more Lincolns, then thumb their noses at us, the post office windows could remain open and the public could receive the service to which they are entitled."

MAY 16, 1964

"We are concerned over the economy move in the post office. We were told in the beginning that nothing in it would hurt employees. Five employees have been fired, and the number would have been more had not three left—one to retire, one to enter the service, and the third because she was ordered to deliver special delivery letters after dark in a section of our town that she was afraid to enter.

"Such an epochal change in the modus operandi of the Post Office Department as we are now experiencing has sickened most of us—particularly those who used to boast of the fine fringe benefits of annual leave (which was almost canceled en masse this year). Sick leave benefits (which we are criticized if we dare try to use), and—we say in irony—job security. It goes without saying, we hope you can use your congressional influence to speak to the President and the Postmaster General to alleviate our condition."

MAY 18, 1964

"For gosh sakes do something about this gosh-awful folish so-called economy gimmick."

MAY 28, 1964

"This organization would like to protest vigorously the service curtailments of the postal service. While most of our members have no trouble filling their trash cans with the 'ads' so freely distributed, we find it irritating to know that a birthday gift or some other package of value, will sit at the post office, because someone in Washington feels that we are getting too much 'service'."

JUNE 14, 1964

"Our post office has been closed on Saturday here in Long Beach for the last month. We need our post office open at least one-half day on Saturday in consideration of all factory workers who can only get to the post office on Saturday. They have closed the stamp window, and I stood in line for about 1 hour for stamps last Saturday."

RICHMOND, CALIF.,

April 2, 1964.

Congressman JOHN F. BALDWIN:
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BALDWIN: President Roosevelt once said, "I owe my life to my hobbies, especially stamp collecting."

If philately can sustain the lives of great men (and small) I feel it is especially important for America in all of the 50 United States to keep this wonderful special services for stamp collectors.

This service brings in a great deal of revenue to the post office and to do away with it is a disservice to the American people.

To me this doing away with it is simply pennywise and pound foolish. Therefore I urge you to see that this service is continued.

Very truly yours,

ALAMO, CALIF.,
May 7, 1964.

Congressman BALDWIN,
Washington, D.C.

DEAR SIR: Economy in government are fine, but the best place to save money would be to cut back on foreign aid to dictators, instead of on our own citizens (such as the postal services cutbacks). Why should we do without while moneys in millions go to Spain, Formosa, Indonesia, and all sorts of places that could be happy on a little less—instead of making Americans pinch the pocketbooks. Please endeavor to turn this situation to the sensible solution. Thank you.

Sincerely,

MAY 8, 1964.

JOHN W. BALDWIN,
House of Representatives,
Washington, D.C.

HONORABLE BALDWIN: We respectfully solicit your cooperation in a pressing problem in the city of Concord regarding postal service. Numerous requests for assistance through the normal channels have met with no avail and we now ask your help in this matter.

We have a substantial amount of mail in and out of our plant, and during the last several months there have been more than a few cases of long delays in receiving mail from our plant. Specifically, there have been bank deposits mailed to our bank in Richmond, perhaps 25 miles away, taking 4 to 5 days to reach them; other very important Government contract quotations reaching their destination beyond the time specified on the bid forms when they had been dispatched from our plant in ample time, etc.

Serious complications have arisen due to these delays, even to loss of being awarded contracts, funds not reaching our banks, other important papers and documents not reaching persons and firms in time to meet commitments, etc.

Is it not possible that postal service can be established in a city of this size to be comparable to larger East Bay area cities? The establishment of our plant in this city, just last September, has resulted in bringing in many more homeowners, causing revenue to benefit this city very greatly, to say nothing of our own plant property taxes.

May we hear from you as to this urgent problem. Very many thanks for your early attention.

Very truly yours,

FEBRUARY 6, 1964.

DEAR SIR: I have a complaint to make in regards to the Post Office Department. I don't know if you are interested or not but perhaps you could inform someone.

Last November 14, a.m., I mailed a letter in San Francisco addressed to a party in Santa Clara, a distance of 40 miles. January 8, 1964, San Jose postmarked the envelope. January 9, 1964, Santa Clara postmarked the envelope. January 20, 1964, Santa Clara again postmarked the envelope with added stamp "Return to writer." We received it back January 21. The address was correct. The letter was important. The results were we received a very sarcastic letter for our thoughtlessness.

Another complaint—why does it take 3 days to send a regular letter to Los Angeles. I mail it Monday a.m. and it is not delivered until Wednesday (with luck). This an 8 hour trip by auto, 1 hour and 40 minutes by prop plane, less than 1 hour by jet.

Thank you for bearing with me, but I feel something should be done to improve our mail service.

Sincerely,

JULY 10, 1964.

JOHN F. BALDWIN,
U.S. Representative,
Washington, D.C.

DEAR CONGRESSMAN BALDWIN: I am a physician in an office building with three other doctors. We have had excellent mail service in the past—daily pickup and delivery of large volumes of mail. Recently the pickup of mail was discontinued, even though the postman makes daily deliveries. This seems to be a needless and nonproductive curtailment of service which should be rectified.

Sincerely yours,

JULY 8, 1964.

JOHN F. BALDWIN,
U.S. Representative,
Washington, D.C.

DEAR CONGRESSMAN BALDWIN: Recently we were informed that due to a new Government ruling our mail service has been severely curtailed. As a result we no longer have pickup of our outgoing mail. We have had this efficient service for many years and have depended upon it to a great extent. It seems ridiculous, as due to the volume of mail to be delivered to this building (four medical offices) the postman is required to make a daily delivery. Why should he not be able, because of the new ruling, to pick up our outgoing mail at the same time?

I realize our policy in attempting to aid other less fortunate countries, however, it does not seem fair or logical to have our own citizens sacrifice something as important to our own Nation's welfare as efficient, prompt postal service.

Sincerely yours,

ANTIOCH, CALIF.,
July 1, 1964.

Hon. JOHN F. BALDWIN,
U.S. Representative,
Washington, D.C.

DEAR JOHN: We practice medicine in a busy office with three other medical doctors, which needless to say involves a multitude of problems. Recently our problems have been considerably increased by the failure of the local post office to conduct daily mail pickup—in spite of the fact that they must make daily delivery in this office. This service we have been in the habit of receiving for the past 25 years or more.

We seriously wonder if this drastically reduced service is necessary inasmuch as our Government seems to have millions of dollars to spend on many very questionable items.

Sincerely yours,

PITTSBURG, CALIF.,
July 13, 1964.

Hon. JOHN BALDWIN,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BALDWIN: By my enclosure I wish to call attention to what I feel is unnecessarily poor postal service being rendered churches and other nonprofit organizations—I think particularly out of the Oakland service area. At any rate deliveries to members in the Oakland parish are likewise rather consistently delayed, and not alone because we now reside in a more peripheral service area.

While a special rate has been granted to church and nonprofit organizations I do not believe their material should be unduly delayed because of this. I am certain for instance that magazine publications receive equally favorable treatment as to rates and would most certainly object if their deliveries were equally as irregular.

As you can imagine many church and organizational activities are set up for particular dates and notifications of meetings can be of no value if material is delivered after they occur.

I have felt inclined to call this to your attention and would very much appreciate any assistance you may be able to provide.

Your truly,

SAN PABLO, CALIF.,
July 10, 1964.

Hon. JOHN F. BALDWIN,
House of Representatives,
Washington, D.C.

DEAR SIR: I am enclosing herewith an envelope which as you can see is postmarked

June 30, 1964, and was mailed from Oakland to my home at the above address. This was delivered yesterday, July 9, 1964. Nine days to deliver an envelope a distance of less than 20 miles.

I talked to the people at Fast Foto and they told me that deliveries up to 10 days to 2 weeks are not uncommon to points as close as San Leandro. Even considering that this is third-class mail, this is preposterous. We have had more than one occasion where first-class mail from San Francisco has taken 2 days to be delivered.

Is this what we get for the higher postal rates which went into effect the first of the year? Instead of better service we get reduced service and certainly less efficient service.

I think this is something that should be looked into.

Very truly yours,

Resolution Condemning Certain Acts of the Post Office Department

Whereas in his memorandum of June 22, 1961, the late President Kennedy stated: "The right of all employees in the Federal Government to join and participate in the activities of employee organizations and to seek to improve working conditions and resolutions of grievances, should be recognized in all departments and agencies"; which memorandum was implemented by Executive Order No. 10988; and President Johnson has followed this policy and as stated in the Official Department Bulletin of February 6, 1964, said: "The Federal Government must be a good employer";

Whereas despite these fine words, certain acts of the Department have cut the ground under the feet of the postal clerks as a craft and neutralized much of the fine intent of Executive Order No. 10988, said acts are as follows:

"Failure to negotiate with the United Federation of Postal Clerks on distribution standards imposed by the Works Measurement System after it has been established beyond a doubt that said system was a 'speedup' causing deterioration of labor-management relations in post offices, resulting in over 70 different bills being introduced in the Senate and House to do away with the Works Measurement System, with prominent Members of both Houses of Congress condemning the bad labor practices imposed by this system; negotiations on production are standard in private industry.

"Excessive, restrictive employment practices and arbitrary cutbacks in clerical personnel, in the face of an almost 3-percent annual increase in mail volume for the last several years, going even beyond the meat ax job freeze of October 1962, the additional 5,000 jobs cut by the desires of President Johnson, and the still further additional 3,100 more jobs cut by our overzealous Postmaster General; causing further deterioration of working conditions at workroom level, with the imposition of bad labor practices to offset loss of clerical personnel necessary to the public service;

"Extremely bad, inhuman treatment of career substitute clerks, consistent 12-hour days with 60- and 70-hour workweeks, without overtime, no time for family life, going back to the 19th century for sweatshop standards to the extent that Senator Olin D. Johnston, chairman of the Senate Civil Service and Post Office Committee, in his letter of April 28, 1964, expressed his concern to the Postmaster General about this matter;

"Undue pressure tactics of the Department through regional offices, in the name of economy, and efficiency, going to rockbottom extremes without regard to consequences or welfare of postal clerks, or the facts of life in labor-management relations at work floor level;

"The recent unilateral order by the Department over the protests of our national union to work circulars on Sunday and holidays, just a year after our national union had negotiated in good faith with the Department the discontinuance of this practice, which meant more clerks working over the weekend: Section 333.441 of the Postal Manual refers to circulars as the least important mail in the matter of time, being listed as sixth or last of all categories in importance of delivery;

"Operation Cattle Car: Forcing large numbers of employees from other units on to already overcrowded post offices, without regard to the facilities, the parking conditions, the lack of space and locker rooms, forcing the changing of units; all this done without any consultation with the employee organization involved to get our point of view": Therefore be it

Resolved, That we condemn the Department for all aforesaid acts as contrary to the spirit and intent of Executive Order No. 10988, and we call on our friends in Congress to pass legislation for legitimate recognition of postal unions; and be it further

Resolved, That we condemn the double standards of this administration calling for an end to unemployment, while excessive restrictive employment practices deny legitimate jobs in the postal service, the largest Government agency, to our unemployed; and we further condemn this excessive restrictive employment policy as contrary to the best interests of our national economy and national welfare; and be it further

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Hon. Durward Hall,
House Office Building,
Washington, D.C.

Good Morning Congressman Hall: I want to call to your attention one of the most unfair, unreasonable, and rediculous situations I can imagine.

It is unfair because it deals with price cutting where big business is shutting out little business. It is unreasonable because it involves a loss of tax money and a pricing system no businessman in his right mind would use. It is ridiculous because the Post Office Department is going to raise the price of parcel post to help offset an unavoidable loss.

Your own State of Missouri is engaged in a great campaign to attract industry and get more payrolls into this State. But every year one of our major industries, the printing industry, loses hundreds of thousands of dollars because of unfair competition. This money for labor and a product go out of this State. Missouri can use the business. Some 100 or more printers in your district need the business. We have the equipment and the labor, we only need the orders.

I am referring to the Government printing of envelopes. Of course, I realize it is an old story, but to me and this association some new research puts an entirely new light on the matter. Let's discuss it in simple economic terms, in dollars and cents.

Here are the prices charged by the post office in Columbia, Mo. (or any post office) for stamped envelopes:

Plain, stamped (unprinted) regular envelopes:

No. 6¾, 5 cents, $56.40 per 1,000; $28.20 per 500.

No. 10, 5 cents, $56.60 per 1,000; $28.80 per 500.

Printed, stamped regular envelopes:

No. 6¾, 5 cents, $58.90 per 1,000; $29.45 per 500.

No. 10, 5 cents, $60.10 per 1,000; $30.05 per 500.

Let's take the regular business No. 10 envelope for example: Note that you can buy 500 unprinted for $28.80. Notice that it only costs $30.05 to have the envelopes imprinted by the post office. In other words they will print 500 envelopes for $1.25.

Now, Mr. Congressman, no printer however big or little can make up a form and print one set of 500 envelopes for $1.25 and meet the provisions of the wage and hour law, or in fact, keep from losing money by any standard.

But this isn't bad enough. These envelopes are delivered at this price. They come from Akron, Ohio. A box of 500 No. 10 envelopes, according to our scales weighs almost 6½ pounds. The parcel post rate from Akron, Ohio, to Columbia, Mo., for 6½ pounds is 95 cents. This means the printing is being done for 30 cents. This is ridiculous. It is economic insanity.

Then it gets worse. From Akron, Ohio, to Salt Lake City or beyond the cost of the parcel post alone is $1.38—further west $1.59. This means that not only does the post office not charge for the printing, it actually loses from 13 cents to 34 cents on the parcel post mail service.

Now comes the Post Office Department seeking a raise in parcel post rates only to add to the printing deficit. This money is being used to subsidize a printing industry in Akron, Ohio. It is not fair.

Nor is it fair that the State of Missouri should lose business that rightfully belongs here to another State. It is not fair that the Federal Government, big business that it is, should be allowed to compete so unfairly with small printers. In fact, should the Government be in the printing business at all?

There is in the Congress at least five bills designed to put the Post Office Department out of the envelope printing business. At least one of the bills is by a Democrat and one by a Republican, so it is a bipartisan matter.

It should be enough that the Post Office Department can sell envelopes at a cheaper price than printers can buy them wholesale. Even these unprinted envelopes should be charged a regular parcel post fee which they are not. To compound the matter by price-cutting printing and unfair competition is unthinkable. This would not be allowed in private business, why can the U.S. Government break the laws that govern other businesses?

We are well aware of the big lobby which has successfully kept such bills locked in the Post Office Committee for these many years. Now we are asking that this envelope racket be exposed for what it really is.

Respectfully,

Mount Vernon, Mo.,
April 24, 1964.

Dear Mr. Hall: Could you please tell me why it is that our postal rates continue to increase right regular and yet the postal services continue to decrease? Getting more money and doing less work is a real deal but rather disgusting to the public.

Sincerely,

Mount Vernon, Mo.,
April 23, 1964.

Representative Durward Hall,
House of Representatives,
Washington, D.C.

Dear Sir: Today the local postmaster gave notice of no delivery of parcel post on Tuesday. What is wrong in Washington increased postage rates last year and decrease of services this year. We need delivery of parcels on Tuesday. How about this?

Sincerely,

Mount Vernon, Mo.,
April 28, 1964.

Sir: Would you care to explain to me why it is necessary to cut the delivery of parcel post?

The postage rates are continuously increasing as also is the salaries paid to postal workers.

If funds are becoming short isn't there something else that could be done?

This cut in delivery is very unhandy.

Miller, Mo.,
May 1, 1964.

Dear Mr. Hall: What is wrong with the postal system? We need full service in this rural area.

Mr. Speaker, in addition, I would like for the Record to include some of the complaints I have received from my constituents and ask leave to insert that material at this point in the Record.

May 28, 1964.

Postal Inspector,
Chicago District,
Chicago, Ill.

Dear Sir: The piece in a recent Chicago Tribune regarding local units to get more freedom was of interest to me.

Several years ago when postage stamps were 2 cents we had two mail deliveries each day and now with postage rates increased the mail service has deteriorated to the point it is pitiful.

My home is not more than six blocks from the post office which is rated as "first class." We get one delivery each day and when it arrives no one knows. I waited until 3 o'clock the other day as I wanted to get to the bank before it closed. I had to leave and left a note for the mail carrier which is attached. Delivery was at 3:45 p.m. Think of it in a first class district in the city limits and mail delivery late in the afternoon.

What is wrong? We speak about economy and then large headlines say another $3 billion allocated to foreign aid. What about the American taxpayer? Isn't he entitled to any consideration?

P.S.—I have subscribed to the Saturday Evening Post for many years. No Posts were delivered for 3 weeks and finally four Posts arrived in 1 day. Who was at fault I do not know.—H.R.C.

July 15, 1964.

Hon. Edw. J. Derwinski,
Blue Island, Ill.

Dear Congressman: I would like to call your attention to the deplorable parcel post mail service we are receiving in this area.

Enclosed are two post marks taken from packages we received today. You will note it has taken a week to get mail from Chicago to Park Forest.

Our sheet music business is geared to give our customers fast, efficient service and in both instances, we called our supplier in Chicago to help expedite the customer's order.

This sad situation is not just a recent development. Our parcel post service has been bad the last 2 years.

We will appreciate your efforts in looking into this problem.

July 19, 1964.

Congressman Ed Derwinski,

Dear Sir: While reading a copy of your July 15 Bulletin that was sent to a friend I was greatly surprised to find out that the State Department is improving the postal systems of foreign countries at our expense while our system is rapidly deteriorating.

Since the curtailment I have noticed situations like special delivery 4 days from New York to Chicago; air mail 3 days; announcements of sales received 2 days after sale which I know is not the fault of the local post offices; announcement of an important meeting not received or is delivered days after meeting is held.

Please do all you can to have these curtailments canceled and all services restored back to normal and improved not destroyed. Also advise me of Congressmen and Senators I could write that would help improve our postal system.

Inasmuch as the average family relies so much on the postal system for family news, business activities, announcements of various important activities, we need this service very much.

When you remind your constituents that "No king ever wielded a scepter more powerful than a 5-cent pencil in the hands of an American citizen when he sits down to write his Representative," you should add by pony express.

Dear Congressman Derwinski: Ten days to receive mail from a neighboring town is ridiculous. I have also had trouble receiving packages in very damaged condition and of one package, only a small portion of the wrapper was sent to me (no package).

The mail service this year was terrible to say the least. Something should be done about it and since you are our Congressman, we look to you for aid.

Yours truly,

February 27, 1964.

Indicator Digest, Inc.,
Palisades Park, N.J.

Gentlemen: Enclosed is a check for $10 to compensate you so that you can send future copies of both the regular and warning service to me by "special delivery" mail in the future. If this remittance is not sufficient—let me know—if too much—credit my account.

I am giving up trying to get one day delivery on airmail from Palisades Park even by using the Zip code—it has not helped one iota. This is strange too as up to a little over a year ago I never failed to obtain one day airmail delivery from you. The February 24 issue—airmailed February 25 was not delivered until noon today, barely before the market closed. Repeated efforts by appeals to the postmaster at La Grange have had no affect as not one single issue has been delivered the next day except one which was sent "special delivery."

Let us hope that despite the added expense we can obtain one day service and in time to be of use that day.

Sincerely yours,

P.S.—Postmaster, La Grange, an even more glaring example of the poor service is the enclosed first-class airmail envelope postmarked February 22 at Norwalk, Conn., and delivered February 25.

Worth, Ill.,
January 18, 1964.

Hon. Edward J. Derwinski,
Washington, D.C.

Dear Congressman: Yes, here I am again. I wrote to you approximately a year and a half ago concerning trouble I was having receiving mail from my pen pal in India. You did such an excellent and swift job in taking care of my problem by referring it to the chief postal inspector and by keeping me posted as to the proceedings. Now, I have a similar problem with which to trouble you, but I feel confident you can help me—would that all politicians were as efficient and conscientious as you.

(Enclosed are two articles of the many I have read concerning problems similar to mine, so, you see, mine is not an isolated case.)

On January 17, 1964, I received a combined Christmas gift and token of international friendship with the arrival of a parcel from my pen pal in India mentioned previously. In the box was a beautiful model in white stone of the famous Taj Mahal. This model was packed in a wooden box (each slab of wood being half an inch thick, mind you), sealed with nails (four in each side). Inside was a padding on the bottom to cushion it against any falling, and also shreds of paper as is commonly used packing crates. However, upon opening the box I was simply crushed to find the main part of the model in numerous smashed pieces. Oh, in time, I suppose I'll be able to paste everything back together fairly well, but that's not the point. The point is the handling of parcels, and all mail, for that fact.

My father imported, quite a while ago, some fishing poles from a commercial concern in Japan. They weren't packed half as well as this model and were quite delicate, yet not a thing was out of place. Now this package received special care, because it was from a large company that relies on the United States for export, and if anything had been damaged, the U.S. Post Office Department would have to answer to its own Government, to my father as a citizen, and to the Japanese postal authorities and the company for mishandling. But because the package I have just received is from a little known person in India to a little known person in the United States, it is of no importance and is just another package which can serve as a football, basketball, or what have you (as I have seen done with numerous packages in the train depot downtown) for any and/or all postal employees. We're not paying postage for this kind of service. What does one have to do to get or send a package in fairly good condition (either across the State or across the ocean)—pack it in zillions of pillows? In one of the articles I am enclosing, I agree with M.E.T. Our postage is continually increasing for one reason or another, and before you know it, it will equal the rates of the pony express days—$1 for half an ounce. Yet, as the price goes up, the service goes down. I'd gladly pay pony express rates if I could receive pony express personal service and handling, but this is not the case. It took my particular package 2 months to get here, and Bombay, from where it came, is a seaport. I wouldn't care if it took half a year, as long as this got here in one piece. Even after 2 months this condition is deplorable. It is entirely beyond my comprehensions as to how anything in this package could have been broken with the way it is packed. This is what disturbs me. It looks as if someone deliberately opened the box and smashed it with a hammer.

I have written to my pen pal to tell him of the incident so that he may file a complaint. Again, he will be very disappointed. I have complained to our post office this morning.

As a member of the Post Office Committee, would you bring my complaint to the attention of the Postmaster General and tell him I am very disgusted with this whole system in the handling of mail—packages and letters alike? Don't they check employees every once in a while to see what they're doing with the mail? Some, I don't doubt, can neither read nor write, and yet they are entrusted with a valuable Government job—any job is valuable to society; a Government post should be more so—and with valuable material—any personal material in the mail is considered valuable and important by both the sender and the receiver, and it should be handled as such.

Thank you for spending your valuable time reading this letter. Again, let me compliment you on the job you're doing for me and all your constituents, and I feel confident that you can do something for me in this present matter.

December 26, 1963.

Hon. Edward J. Derwinski,
Blue Island, Ill.

Dear Ed: Somewhere I remember reading that there is nothing more powerful than a citizen with a 5-cent lead pencil writing a letter to his Congressman.

Frankly, that's a lotta bunk because this letter cost about 75 cents (inflation).

My complaint is mail service in Chicago in December. In all my years I can never remember service being at such a low ebb. We have had 4- and 5-day service on first class from Chicago. Fourth class is horrible. As of this date we are still waiting for parcel post mailed from Chicago 10 days ago.

December 30, 1963.

Attention: Postmaster,
Harvey Post Office,
Harvey, Ill.

Gentlemen: Enclosed please find photo copy of two items that took much longer than necessary to arrive.

The first-class letter took 7 days from Rochester, N.Y., to Harvey.

The fourth-class package took 17 days from Glendora, Calif., to Harvey.

We find it very difficult to chalk this up to the Christmas rush. It looks more like a complete breakdown in the service.

In all the years that I have been in close contact with the post office I cannot remember delays of this type.

The Post Office Is No Place To Start an Economy Drive

(By Lyn Daunoras, Enterprise Publications staff writer)

This was the first Christmas season we can remember (and unfortunately we remember quite a few), when mail was not delivered on the Sunday before the holiday and twice a day during that week. We are, in fact, still awaiting the arrival of several cards that were mailed but not received, plus one package mailed December 18. Of course, it was mailed from way out in Cicero, but even we feel it should have gotten through by now.

It is not the fault of the local post offices and we wouldn't even ask the postmasters what the problem seems to be. One must realize that these men have to work with the small pittance of an appropriation they are allowed by a generous Congress that goes hog wild on foreign aid and clamps down on an economy drive when it comes to service for their own people.

We're not against foreign aid, but we still believe that charity begins at home and if we haven't sufficient funds to spread around, then the economy must begin from outside and work in rather than vice-versa. After all, it is the American people being taxed—and overtaxed—for moneys to swell the Washington coffers for the cutting of the budget pie.

The cost of mailing letters, third-class mail, packages and post cards has gone up and we don't believe anyone gripes about the increase as long as they continue to get good or improved service. But when costs go up and the service is worse than ever, the situation becomes too much.

We are victims, it seems, of our own generosity. Taxes take a sizable chunk out of our paycheck each week. Is it too much to expect that we get something for that money besides loans to countries that are not yet Communistic but are not particularly friendly and who look to us contempuously for help because there is nowhere else to turn? They make it all look as though they are doing us a favor by requesting the loan—a loan that is never repaid, by the way. Why doesn't Congress just call it a donation since that is, in fact, what it is?

And now, in trimming the budget for the coming year, we note that the appropriation for the post office has again been slashed. This means that we will eventually have to mail our packages in October in order for them to arrive at their destination by Christmas. And, no doubt, they will still have the brass to increase the costs again.

Don't know about anyone else, but the postal conditions are intolerable and certainly not what the American people are accustomed to receiving in the way of service. We're writing our Congressman and we would encourage a shower of letters from readers to Congressmen Harold Collier and Edward Derwinski advising them to bring the post office back into its own and cut down elsewhere. And if you haven't time to write, just mail them this column.

There must be another place to start economizing—why start with something so vital in our lives?

Hon. Congressman Derwinski: I believe the article written above conveys my opinion expressively. The Post Office Department is a service to the tax paying Americans—Let us always keep it that way.

As for a deficit for a revenue paying service, "There is no such thing."

Personally, I prefer two a day deliveries of the mail. I also think the Department should eliminate third-class (junk) mailing or at least make them pay their way.

April 8, 1964.

Representative Edward J. Derwinski,
House Office Building,
Washington, D.C.

Dear Congressman: May I call your attention to the deplorable service that is being rendered by the Post Office Department?

Our business is a service business and we rely heavily upon the mails. The service was bad enough before the recent so-called "economy program," but since the instituting of their present program it has become deplorable.

We rely upon the mails to give us service so we can be competitive, but it seems as though the customer and taxpayer in this case are clearly being discriminated against.

Our plant is not located in your district, but inasmuch as you represent my home district I trust you will use your good office to see if you can help alleviate this condition.

August 11, 1964.

Postmaster General,
Washington, D.C.

Dear Sir: When Congress increased postal rates about 2 years ago and everyone was assigned a ZIP code number, I thought it was with the understanding that postal service would be improved, but such does not seem to be the case.

Each week I receive an airmail letter out of New York on Friday afternoon which arrives here in Palos Park on Monday anywhere from 12 noon to 1:30 or 2 p.m. Only twice in the past 11 weeks did it arrive in Saturday's mail. Earlier letters received bore a 4 p.m. postmark; however, I understand you have eliminated the time stamp in recent weeks. Envelope from recent letter enclosed for your observation.

This, to my way of thinking, is very poor service, indeed.

August 13, 1964.

Representative Edward J. Derwinski,
House Office Building,
Washington, D.C.

Dear Congressman: The postal services of the United States of America has become progressively worse over the past several years. Whether it is directly the result of the Kennedy-Johnson administration or just coincidental, we don't know.

We do know from comments made that many people are aware of it. We lose no opportunity to suggest maybe a change in administration is needed.

One thing bad, of course, is the free mailing privileges of the military, charged against the Post Office costs. One case in point: The other day we had an order from the Navy that could have been shipped cheaper by motor truck freight than by normal parcel post rates—but we were furnished the Navy parcel post labels which required no postage. Now, maybe the Navy is charged for the postage on this on a central billing system—but are they?

I have never received an acknowledgement from the Post Office Department to my previous letter to Postmaster General Gronouski that you said you would like to be notified as to what his reply was when he did reply.

August 13, 1964.

Mr. John J. Drover, Jr.,
Postmaster,
La Grange, Ill.:

Please note the three enclosed pieces of mail. The large folder has been sent to us by your people twice now.

We don't see how any address could be any plainer.

It is: J. D. Culea Advertising, Inc., Mott Corp. account, 102 West Burlington Avenue, La Grange, Ill.

It sure as hell doesn't belong to Mott Corp. at 500 Shawmut Avenue, La Grange, Ill.

In view of your previous statement (which to date you have not retracted, rescinded, apologized for, or anything) that your people just don't make mistakes, and in view of your statement that a former piece addressed to E. S. Mott, 500 Shawmut Avenue, La Grange, Ill., was improperly addressed in order for it to be delivered to 500 Shawmut Avenue, La Grange, Ill., address, it appears (as you told me before) that there is a great amount of incompetency in the La Grange Post Office. The big question is, Where does it lie?

We shall check with J. D. Culea to see how long it takes your office to get these three pieces of mail delivered to the proper address.

Mr. Speaker, having presented all this evidence, the natural question to ask is, What is the Postmaster General doing about it? The answer is clear. Nothing.

Postmaster General Gronouski is nothing more than a political hatchet man for the administration, spending the taxpayers' funds under the title of Postmaster General, traveling around the country hurling abuse at the opposition, urging his employees to violate the Hatch Act, and by his absenteeism from his official office, contributing directly to the degeneration of postal services.

Never has the Post Office Department morale been as low. Never before have we had a Postmaster General who has stooped to such questionable political statements as Mr. Gronouski.

Traveling at public expense to Minneapolis last week to address a convention of postal employees, he detoured by way of La Crosse, Wis., to make a purely political asault on Senator Goldwater, the trip, evidently at public expense and hardly ethical or in the best service of the postal system.

In every major address before a postal employees' group, Mr. Gronouski has used his poison pen and abused the spirit of the Hatch Act. In addition, even when speaking of postal matters, he is hardly very factual. For example, in an address last Friday, August 14, before the National Association of Postal Supervisors, he took credit for annual step increases that the new pay bill provides. The truth of the matter is that he and his Department fought that particular phase of the bill throughout the entire legislative processing, but of course Mr. Gronouski is too busy making political speeches to know what really happens in the Post Office Department. While in Miami Beach last week, he delivered his usual political oration, again traveling at public expense with obvious political motivation. I ask leave to insert in the Record at this point in my remarks an article from the Miami Herald of Monday, August 17, in this regard:

GRONOUSKI WARNS DEMOCRATS AGAINST BEING COMPLACENT

(By Stuart Auerbach)

Postmaster General John A. Gronouski Sunday coupled a warning not to become complacent with a prediction that President Johnson would win election by "an overwhelming majority."

He told 200 Democrats at a reception that they have to work to insure the size of the President's victory.

"There is a feeling in some quarters like the one that developed in 1948 when Tom Dewey started selecting his cabinet in September," Gronouski said.

"If you rest on your laurels you're apt to be surprised the way Dewey was. No election is over until we see the count. The only way to win is by a lot of hard work."

Gronouski said Johnson can roll up a bigger victory than Franklin D. Roosevelt did in 1936—"except that I'm not sure which two States he'd lose."

The Postmaster General said his travels around the United States showed "there are a great number of fanatical people working in the Goldwater camp." He later said that John Birch Society members "are gleeful about this man, and they're out spending their money for him."

Goldwater, he said "does not in any sense of the word represent the mainstream of his own Republican Party."

Gronouski encouraged Dade Democrats in their voter registration drive, saying he's told postmasters across the country to make their lobbies available for such campaigns.

State Committeewoman Sophie Englander described the voter registration drive, and called for volunteers to help register 1.5 million Floridians who are eligible to vote.

Mr. Speaker, what conclusions can we reach from this discussion on the floor this afternoon? I could mention a number of practical suggestions on behalf of the public, suffering under this disturbing maladministration of the Post Office Department. The possibilities are:

First, the resignation of Postmaster General Gronouski and his replacement by someone knowledgeable in that field;

Second, the return of Mr. Gronouski to his desk to attempt to administer the Post Office Department, rather than to follow his present policy of political barnstorming at public expense;

Third, the investigation of his use of public funds on the political trail. I would strongly recommend that for the balance of the campaign, all trips made by Mr. Gronouski and all public relations costs involved in preparing and mailing his speeches be borne by the Democrat National Committee, rather than the U.S. taxpayers.

It is our intention, Mr. Speaker, to continue an exhaustive study of this maladministration of the Post Office Department under Mr. Gronouski. When Congress reconvenes after the Democrat Party National Convention, we will once again, on behalf of the taxpayers, direct the attention of the Members of the House to continuing developments in the Post Office Department.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman.

Mr. NELSEN. Mr. Speaker, my colleague asked, "What is the Postmaster General doing?" I would like to supplement the statement that my colleague made relative to a foray that the Postmaster General made into the State of Minnesota. In Minneapolis recently, in one of the newspapers, appeared a story, "Fridley Hears How To Get Post Office." Here is the quote:

"The way to get a post office here," Gronouski said in answer to the many requests, "is to send a Democratic Congressman to Washington this fall."

I would like to add, Mr. Speaker, with my remarks, an editorial in the Minneapolis paper titled "Gronouski's 'Barrel'."

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

(The matter referred to follows:)

GRONOUSKI'S BARREL

A reader called about the politically partisan performance of Postmaster General Gronouski in Fridley last week. His comment was "more in sorrow than." But he was still considerably irritated, and rightly so.

A group of Fridleyites, remember, were importuning Gronouski on behalf of a post office of their city. The Postmaster General replied by pointing to State Senator Richard Parish, DFL candidate to unseat Representative Clark MacGregor, and declaring: "The way to get a post office here is to send a Democratic Congressman to Washington this fall."

One may interpret this somewhat astonishing suggestion in two ways:

1. Even though Fridley deserves a post office on the merits of its case, it cannot get one unless the community elects a Democratic representative; or

2. Even though Fridley does not deserve a post office on the merits of its case, it can get one by electing a Democrat.

In either case, as the saying goes, "It's a h—— of a way to run a railroad."

Out of curiosity, we checked with Republican MacGregor to see whether he had been asked to support a Fridley Post Office and had rebuffed the appeal. His office reported he has never received any communication from Fridley regarding such an office.

So it seems that Fridley needn't yet turn to Senator Parish in last resort. For most Minnesotans have found that our Congressmen, of both parties, respond to reasonable appeals for help without regard for the political affiliation of those seeking help. We're sure Fridley will find this true if it calls on MacGregor.

Meanwhile Gronouski, whatever he may have done for the Democratic cause in the Third Congressional District, has hurt the image of politics in general by the introduction of this raw pork-barrel line.

Mr. NELSEN. I would like to add a comment with reference to this performance, where a Cabinet officer makes a speech of this kind and implies that the only way to get a Post Office is to elect a Democrat to the Congress. I would be equally critical if a Republican official made the same kind of statement, because in my judgment the Post Office Department, the Rural Electrification Administration, the Agriculture Department, or any other department, is not the property of the political parties; it is the property of the citizens of the United States.

When a Cabinet officer proceeds to make statements such as this it is easy to understand why there is a deterioration in the attitude of the people as far as their respect for the Government is concerned. When we have a Cabinet officer who will actually leave the impression that the Post Office is on the auction block, I think it is regrettable and inexcusable. I might add that in other departments there are similar performances.

I call attention to the Rural Electrification Administration. I am a former Administrator of that program. Never in any case did any one of us at the administrative level solicit funds for political purposes. But in that department there has been a promiscuous violation of the Hatch Act and the Corrupt Practices Act and employees have been called up to the administrative offices and solicited for funds and had their arm twisted, and good. This has been documented. Yet to this day the Civil Service Commission has done nothing to my knowledge, and I am waiting upon their report. I hope something will be done, because in my judgment the Post Office Department, the Rural Electrification Administration, or any other department should not be politically exploited, as they have been.

I compliment my colleague, the gentleman from Illinois [Mr. Derwinski], for taking this time to call attention to the Post Office Department which deserves to be very carefully scrutinized by the public on its performance.

Mr. DERWINSKI. I thank the gentleman from Minnesota.

Mr. Speaker, I believe it is proper for me to observe that the specific instances which the gentleman from Minnesota has given us are not unique or accidental developments, but part of a pattern.

I appreciate the gentleman's kindly and practical comments.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I am pleased to yield to the gentleman from Iowa.

Mr. GROSS. I, too, want to commend the gentleman and say that I think it would be greatly appreciated if Postmaster General Gronouski would pay more attention to the accumulation and dispatch of the mail and also the use to which the Post Office is being put these days through the promotion of politics.

Mr. Speaker, I have here a bulletin from Local 87 of the United Federation of Postal Clerks, which I am reliably informed was placed on the bulletin board of the post office in Kansas City, Mo.

After paying its tribute—it bears the date of August 1, 1964—to Congressman Bolling of that area for his active part in getting the pay bill into the hands of the conferees and so on and so forth, and pointing out that Congressman Gross, of Iowa, had kept it from going to conference "last week," it goes on to say that "our friends need your support when they consistently vote and act for us. We owe it to ourselves to vote for them. If you do not know who friends of labor are, see the list of candidates placed by COPE. Whichever way you vote be sure and vote Tuesday, August 4. This is the American way. Remember the primary is just as important as the regular election," and so on and so forth.

Mr. Speaker, the Members of the House will note that this bulletin went on the bulletin board in the post office of Kansas City prior to the primary election in Kansas City on August 4. This bears the date of August 1.

Mr. Speaker, I was particularly interested in the testimony of Mr. Keating—I believe the gentleman from Illinois [Mr. Derwinski], said that he was putting his testimony in the Record—and I should like to repeat a sentence or two of it.

Mr. Jerome Keating, president of the Letter Carriers, when he testified before a subcommittee of the House Post Office and Civil Service Committee with respect to mail service said:

> We are greatly disturbed over the callous regard shown for the service by present day postal administrators. The service is seldom stressed as the prime objective. Postal administrators have slashed and slashed and reduced the postal service in as many ways as the human mind could devise without actually killing it.

And, Mr. Hallbeck, the president of the Federation of Postal Clerks said:

> We regard the present devotion of the Post Office Department to economy at all costs as a public disgrace and a reckless political adventure.

Meanwhile Postmaster General Gronouski tours the country making political speeches at the post office dedications and elsewhere with the taxpayers footing his bills.

Mr. DERWINSKI. I appreciate the comments of the gentleman from Iowa who is a very able member of the House Committee on Post Office and Civil Service and knows well of what he speaks.

Mr. ABELE. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Ohio.

Mr. ABELE. I thank the gentleman from Illinois for yielding.

Mr. Speaker, I would like to read a part of this statement made by Postmaster General Gronouski at Athens, Ohio, at the dedication of a post office there on July 26 at 2 p.m. of this year.

Mr. Speaker, there are several clauses which I would like to read and insert in the Record at this point. This, mind you, is the dedication of a post office building at Athens, Ohio.

> In a very real sense, our locations for new post offices are chosen for us by local circumstances. Here in Athens the sequence of events began several years ago when Walter Moeller—who was then serving in Congress—came to the conclusion that your community growth had far outstripped the capabilities of your old facility. He brought this to the Department's attention, and being a persuasive man, convinced us that he was right. The case was taken up with equal fervor by Senator Stephen Young, who has been closely following the development of this post office.

Mr. DERWINSKI. The gentleman is pointing out that the Postmaster General in his district campaigned for his opponent under the guise of his departmental cloak.

Mr. ABELE. It just happens that coincides. They had a fundraising dinner the evening before. That was the political part. The dedication was nonpolitical the next day.

I would like to also read a section of the speech that Postmaster General Gronouski made at the dedication ceremonies, not a political fundraising speech:

> And yet there are those in the Nation today whose aversion to any Federal service borders on hysteria.
>
> Under the sanctimonious mantle of States rights, they not only oppose new Federal programs, but also call for that repeal of those already in existence. In essence, they would legislate us back into the 19th century. To cite only two examples, they would sell TVA and abolish social security, two of the most progressive and farsighted programs of modern times. The next logical step, of course, is to turn the Defense Establishment over to a private detective agency and sell the Post Office Department to a mail order house.

Here comes a section of the speech that I think is very important, especially to certain Members of the House. You will know whom I am talking about when I read it.

> When it comes to fiscal responsibility, the record of the Federal Government is unmatched—regardless of what the States' Righters claim.
>
> Actually, the issue of States rights is a myth—and has been for nearly 200 years. That issue was settled once and for all in "The Federalist Papers" and the subsequent adoption of the Constitution of the United States.

Mr. DERWINSKI. The gentleman has read some very interesting and frankly indicting statements of the Postmaster General. I am going to suggest—I do not think it is necessary—that the Postmaster General give specific attention to our discussion this afternoon, and I would hope he will see fit to answer some of these questions which we have raised.

Mr. ABELE. It also shows a complete ignorance of the constitutional background of our Government when one in the position he is in does not know any more about the background of our Government than the statement he has made, and I think the Members of the House should be made aware of that.

Mr. Speaker, I rise to state my objection to inadequate postal service and the political activities of the Postmaster General. The Postmaster General must be a very busy man, at least politically. As a member of the Post Office and Civil Service Committee I receive releases practically every day. Each press release is usually made in the name of the Post Office Department. A closer examination of these speeches shows that Mr. Gronouski is nothing more than advance man for the Democratic Party. His speeches are full of allusions to Republican candidates and quotes from Lyndon B. Johnson.

The Postmaster General came into my district last month under the guise of dedicating a new post office at Athens, Ohio. The preceding evening he spoke at a Democratic testimonial dinner for my opponent. The dedication ceremony turned out to be a complete Democratic ceremony. When I attempted to present a flag that was flown over the Capitol to the new post office I was informed that this honor had been given to Senator Young. Of course, the Senator was not present for the occasion and the flag was presented to the Athens Postmaster by my Democratic opponent. Any relation between the Postmaster General's remarks and a dedicatory address was purely coincidental. He used the occasion of this address to attack the rights of States. In his own words he stated, "Actually, the issue of States' rights is a myth and has been for nearly 200 years." In one sentence he attempted to nullify the rights of the several States. During the course of his speech he quoted his political "lord" three times and made several comments about the so-called Great Society.

Yes, our Postmaster General is a busy man. He keeps his traveling road show flying from one section of the country to another. In his most recent appearances before postal employee groups, he keeps referring to the recent pay raise legislation as the President's bill. Gronouski, the image-maker is doing his best to promote the Johnson image. However, he cannot cover up the image that is being formed by the postal service in this country. From all over the country, Congressmen are receiving complaints about the deterioration of the postal service. Now, there are many dedicated and hard-working people in the postal department. They represent some of the finest aspects of Government employees. However, they cannot perform their best service under stringent guidelines and curtailment of postal services. At the same time postal employees are receiving a pay raise, postal services are being curtailed. This is an unfortunate situation which must be corrected. Perhaps if the Postmaster General was more interested in minding his store rather than mending political fences a proper solution could be arrived at. All Americans await that day.

Mr. MacGREGOR. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Minnesota.

Mr. MacGREGOR. I wish to take this opportunity to commend the very distinguished gentleman from Illinois for discussing the question of the postal service, and of the nature of the present holder of the Office of Postmaster General bringing this information to the attention of the Members of this body, and of the people of this country.

Mr. Speaker, in the past 4 years, a large number of constituents have brought to my attention cases involving unreasonable delay in the delivery of mail and examples of unsatisfactory service by the Post Office Department.

I would like to list some of these cases here, but first I want to make clear that in no instance have I found unsatisfactory service due to the postal letter carriers or clerks. On the contrary, I have found their conscientious, considerate service beyond reproach. But the bureaucratic handicaps under which they must work to provide mail service to the public are unfortunate and unnecessary.

The following are just a few of the numerous examples which have come to my attention:

First. In Bayport, Minn., in 1961, there was no city delivery service, and, in spite of citizen protest, city delivery did not begin until June of the following year. A sufficient number of post office boxes have not yet been provided for Bayport residents, although the situation has been unsatisfactory for several years.

Second. The village of Edina is now served by three different post offices: the northwest corner of Edina by the post office in Hopkins, the southwest part by the Richfield branch of the Minneapolis Post Office, and the remainder of the village by the Edina branch of the Minneapolis Post Office. These inconsistencies in serving municipal needs cause confusion in mailing. Requests for more satisfactory Edina Post Office facilities—by village resolution in March 1961—have been denied repeatedly.

Third. Delivery of first-class mail within the limits of downtown Minneapolis often requires 2 days.

Fourth. In Crystal, Minn., delivery of first-class mail is even slower. In one case in particular, 4 days elapsed before first-class mail reached its destination. Delivery of mail in Crystal is further hampered by the practice of the post office of sending mail destined for delivery within the suburb to downtown Minneapolis to be weighed and sorted in the post office there and then returned to the suburb for delivery.

Fifth. In Bloomington, 2 days are often necessary for a letter to travel less than 2 miles within the city limits.

Sixth. The Anoka Post Office, serving 40,000 patrons with 24 routes, had only 1 telephone line in March 1962. Several months passed before permission was finally granted to the postmaster to obtain an additional line, after inquiries were made to Mr. Adrian Winkel, regional director.

Seventh. In Hopkins, the postal facilities are described as woefully inadequate.

Eighth. First-class mail, posted by a resident of Golden Valley, Minn., did not arrive in Santa Barbara, Calif., until 14 days later. Golden Valley patrons who complained to local postal officials about theft and destruction of their mail received no cooperation from the post office.

Ninth. In Coon Rapids, a bulletin of the Anoka District of the Viking Council, B.S.A., sent under permit, required 13 days for delivery from the downtown Minneapolis offices of the B.S.A. to a home in Coon Rapids. Other bulletins required 10 days for delivery less than 20 miles away.

Tenth. Minneapolis city residents suffer with reductions in the number of mail pickups and slow delivery.

The local postal employees have been cooperative and courteous in response to inquiries about unsatisfactory service, but they have been unable to take corrective action without the cooperation of higher postal authorities in Washington. For example, suburban post offices could not weigh and cancel third-class mail deposited there and destined for delivery in the suburban areas until permission to handle this mail was granted from higher authorities.

The Post Office Department in Washington has, after numerous studies, replied to my inquiries that the incidents of poor service which I mention are nothing more than unusual, isolated cases which are bound to occur in view of the large volume of mail handled by the postal system. Yet the fact remains that postal service in the Minneapolis area has been steadily deteriorating during the past 4 years, while the very same postal employees who were providing good service 4 years ago are continuing to do their jobs competently. Evidently, the responsibility for poor service rests elsewhere.

I am sure that the Washington officials in the Post Office Department will want to work to restore good postal service to all communities and to make certain that local authorities are not hampered in their efforts by cumbersome policies from above.

Mr. BEERMANN. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Nebraska.

Mr. BEERMANN. I thank the gentleman for yielding. I commend the distinguished gentleman from Illinois and want to associate myself with the remarks of my colleague on this vital question of postal service.

Mr. Speaker, we have all experienced inconvenience due to the inadequacies of this service and there is no doubt that illogical policies have worked a real hardship on many segments of the American public. My office has received a great many letters describing this hardship and the Members of Congress and the Post Office Department will undoubtedly benefit from this information.

The president of a postal clerk auxiliary had this to say:

> Far be it for me to condemn any legitimate economy measures which are always needed in our Government, but it does not seem fair to the public to first raise their postage and then curtail service.

The effect of illogical orders from the Post Office Department can be seen in these remarks by the president of a local unit of the United Federation of Postal Clerks: "The Post Office order places more personnel on duty over weekends, since there is no provision to permit paying extra for Saturday and Sunday work, postal clerks are given compensatory time off during the week to maintain a 5-day schedule. With such an arrangement, the backlog has again built up by the next weekend and you start lap two of the vicious circle."

We have also heard from wives of postal employees. The disruption of their family life by irrational policies is clearly shown in these statements: "But if he is scheduled to work third-class mail on the Saturdays and Sundays that he now has off he must, in order to work only 40 hours, stay off the job 2 days during the week. So, the result is that mail of all classes continues to pile up while the rights and family obligations of postal clerks are disregarded."

The American public has been deluged with propaganda on how businesses are benefited by the Department's policies. In an effort to inject an element of truth in this picture, excerpts from a letter from a businessman whose experiences have been quite the opposite are illuminating: "As I understand it, as of May 4, there will be no parcel post delivery in this city on Tuesdays. This is a very drastic change for certain businesses. The greatest volume of orders comes to our office on Tuesday and we complete the order and mail it out Tuesday night. If we do not have a parcel post delivery on Tuesday, we certainly will be in sorry shape."

Finally, the following comments by a patron clearly show who is bearing the brunt of the public's dissatisfaction with the policies of the Department: "With the Post Office known by every citizen, how can we explain to them the increased rates and shortened service? Of course, the clerks and carriers get the blame, not the Department."

The American public will no doubt appreciate it if Postmaster General Gronouski will take time out from his political speechmaking trips and classes to learn how to speak Polish before the coming campaign, and provide the promised superlative postal service.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that immediately following my remarks the following Members of the House be permitted to extend their remarks: The gentleman from Nebraska [Mr. CUNNINGHAM], the gentleman from New York [Mr. BARRY], the gentleman from Illinois [Mr. RUMSFELD], the gentleman from New York [Mr. LINDSAY], the gentleman from Connecticut [Mr. SIBAL], and the gentleman from Pennsylvania [Mr. GOODLING].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, these are just a few of the complaints I have received:

> The synod * * * maintains a book store. * * * It is a service institution, not only to our 177 churches in the synod, but to the religious community of ——— serving a good many different religious groups.
>
> Because of a new economy policy ordered from Washington, I am told at the local post office, there is no parcel post delivery in this area on Tuesday. I inquired as to whether or not we could have our parcel post picked up on Tuesday, and was told that I could not unless we arrange to pick it up every day of the week. It was also explained to me at the local post office that this was the result of our tax cut.

> We are very perturbed about the new postal changes. Our business is located in a residential area and is a mail-order business. Our work depends upon receiving first class and parcel post mail regularly. The discontinuing of parcel post deliveries 1 day a week would really upset our work schedule (we do not work Saturdays). We could do without Saturday deliveries, but not during the week. As it now stands, parcel post will be delivered Saturday, but as no one is here to accept it, it will be returned to the post office.

> Monday's packages are high in number so if all deliveries are not completed then—by eliminating Tuesday delivery, we may not get our packages until Wednesday—4 days late. This is serious to a mail order business that tries to give prompt service.

> The post office in the town of ——— is to be closed as of April 10. At first glance it would seem practical since ——— is a very small town, but it does have a bank, a lumber yard, two service stations, etc. However, I feel that a post office in that particular vicinity is important to our vacation business, which is about all we have to sell in the area. Aside from that, the residents involved will be forced to travel 7 miles to do business with the nearest post office.
>
> In view of the fact that the present administration has declared this portion of the country a depressed area * * * it would appear that removing the plant at this time would be a step in the wrong direction. Such action will certainly place a hardship on many residents besides causing the loss of identity to an area we are trying to build up in vacation popularity.

> In the last bulletin from the Post Office Department they gave orders to quit selling money orders on Saturdays and eliminate 1 day of parcel post delivery and cut down on the work of substitutes, while at the same time the Post Office Department receives more mail every year.
>
> I am an employee in the postal service and I feel that I am doing my best to serve the public efficiently, however, the way the President and the Postmaster General are trying to save money by curtailing services we are only letting the people of the United States down. * * * It has always been my opinion that the Post Office Department was a public service for the people and tried to serve the best interests of all the people of the United States.
>
> Two things that just burn the daylights out of me are as follows:
>
> 1. Parcel post no longer will be delivered on Tuesday. We rely on the postal service to deliver mail and parcels. We are paying a great deal more for this service this year than last year and then to have the service curtailed is just without rhyme or reason.
>
> 2. Because we rely so heavily on early receipt of our letters in the morning, like hundreds of other * * * firms we pick up our mail from the postal substation. Now they say that they are curtailing activities on Saturday and that no longer can we get our mail sorted and ready to pick up at 7:30 on Saturday.

Letter addressed to Mr. Elmer Behle—instead of Behlen—returned to sender marked "Addressee Unknown," even though route number was correct and the name Behlen is prominent in the community.

From a junior chamber of commerce president:

> We ——— feel that the recent curtailment of post office services is an ill-warranted blow to the American people. It appears to be a political maneuver which will result in more harmful effects than beneficial.
>
> Most of our American businesses depend on the services of the post office. Delivery dates are a most important factor. When parcel post delivery becomes unreliable—as this curtailment makes it—it will seriously hurt many small businesses. Some will be forced to use other, more expensive means of shipping.

> I have not found any mailboxes here in town where mail is picked up after suppertime. This sure delays mail as even if you use airmail it is a day late in getting started.

Mr. BARRY. Mr. Speaker, as a member of the Post Office and Civil Service Committee, and more importantly in this instance the Postal Operations Subcommittee, I am deeply concerned over evidence of deterioration in our postal service. So moved am I by the extent of the problem and its far-reaching ramifications, that I took occasion to call its attention to the Republican platform committee in San Francisco, and as a result it was pointed up as one of this administration's fiscally irresponsible failures at home. My testimony before the platform committee is appended to this statement.

The problem transcends party politics, however, since each Member of this House must answer to his constituents, all of whom are postal patrons and many of whom are postal workers, for the deterioration in postal service.

The failure of those who are in charge of postal policy to put service to the people first and foremost above all other considerations has had its deleterious effect all the way down the chain of command in the Post Office Department as confirmed by representatives of postal employee organizations before our subcommittee earlier this year.

False economies, service curtailments, manpower reductions, and lack of emphasis on service by postal administrators have resulted in chaotic conditions at post offices throughout the country. It has created a serious morale problem in a once proud postal service. As Jerry Keating, speaking on behalf of the National Association of Letter Carriers in testimony before our committee, put it:

> With the decline in service has come a similar decline in our opportunity to boast. Alas, we no longer boast; now we apologize.

Who knows more about service than those who render it? In this case, the one-half million clerk-carriers who have daily contact with postal patrons and conditions at their post offices. When they say they have to apologize, we can believe it, judging from the number of complaints that reach my office alone and multiplying it by the number of people who are victims of the same type of service and who direct their complaints to their carrier since he is much more accessible.

At this point, I would like to refer to the statement made by Jerry Keating to our subcommittee, which has been placed in the RECORD previously.

CURTAILMENT OF POSTAL SERVICES

The post office operations and services have rapidly deteriorated as the result of the Department's 1964 directives to drastically reduce manpower, to centralize regional offices, and decrease window and delivery service. These directives have not only impaired major post office services but have more far reaching implications than initially imagined.

Appropriate reductions in excess postal operations are beyond criticism. But the evidence shows that much of the curtailment has accomplished only a paper economy and is therefore misleading. The resultant effects are adverse to both patrons and postal employees and refute the established objectives of the Post Office Department; namely, that of service to the public.

These directives have affected the positions of thousands of postal employees causing wholesale reductions in service to the people. Main curtailments involve reduction in Saturday window service, not to exceed 4 hours, and consolidation of major operations to one window during this time, discontinued service on Sundays and after hours of any day of the week in major cities, parcel post delivery curtailment to 5 days, reduction in manpower and payroll listings and consolidation of regional post offices.

The Postal Operations Subcommittee and Members of Congress have received so many complaints from citizens, community associations, businesses, postal employees, and postal unions concerning the curtailment order that it became necessary to schedule hearings for investigation of the charges. Complaints heard on the part of citizens fully substantiate extreme suffering from the bad service and even postal employees are dissatisfied with the kind of service they are forced to give the public, and complain bitterly of the unfair treatment they have received from the Department.

Jerome Keating, president of the National Association of Letter Carriers, AFL–CIO, testified before the subcommittee concerning what he termed his increasing distress over the "callous" disregard for service needs by present-day postal administrators in Washington. The prime consideration, he said, "now goes to economy and curtailment. Service is seldom stressed as the prime objective." Postal administrators in Washington have "slashed and reduced postal service in as many ways as could be devised and the operation, as a result, is a mere shadow of its former self."

E. C. Hallbeck, president of the United Federation of Postal Clerks, testified that the Post Office itself is in grave danger of losing the sense of commitment that has distinguished its employees. Allotted clerk hours and budgets are cut with the "cool detachment of a professional executioner," while the mail volume soars upward.

Mr. Hallbeck asserted that the Post Office Department is engaged in a "deliberate fiscal yearend effort to hoodwink Congress and the American people on the degree of economy it is achieving, through a fictitious reduction of names on the payroll."

In order to give the appearance of economizing, the Department is measuring its thrift not by the number of hours worked but through a payroll count which is being temporarily reduced by forcing beleaguered clerks to take leave without pay, regardless of mail volume. The language of the directive states:

> The number of paychecks issued will be the criteria which will determine your adherence to the President's program to reduce clerical hire, and not the number of hours used.

As Mr. Hallbeck stated, this is a fraud on economy by disregarding the number of hours worked or the cost of overtime in order to present a reduction of names on the employment roster.

To make up for the effects of this drastic edict, the employees who remain on duty to replace employee layoffs must work longer hours, have their leaves canceled, and their duties interchanged. Postmasters, assistant postmasters, and supervisors, are performing clerks' duties to make up for employee shortage. Overtime pay using higher salaried employees to perform clerks' work is just part of the price of the paper economy. In many post offices, to replace dismissed or temporarily vacationed employees, additional trucks and equipment have been hired to offset the manpower shortage—to say nothing of adding to the Nation's unemployment problem.

The temper of the public regarding curtailment of mail service is reflected in the great number of editorials which have appeared in newspapers throughout the country on post office inefficiencies. Congressmen representing both urban and rural districts have received complaints from constituents which substantiate these accounts. Mail delays and errors in delivery are reported in increasing frequency. Centralized post offices have closed many regional offices with the effect of denying adequate postal facilities to expanding communities. Severely limited window service on Saturdays and curtailed evening and Sunday operations in cities have denied the working public access to the post office. Most of these people depend upon these hours to conduct postal business and find the long lines, of a half-hour to 2-hour waits wastefully prohibitive.

Despite the fact that Congress hopefully waived the necessity of operating the parcel post service on a break-even basis, parcel post operation has rapidly declined although Congress specifically stated that service was not to be reduced as a consequence of this concession. Notwithstanding Congress directive, the Department issued a curtailment order limiting delivery to 5 days a week. Meanwhile most post offices have suffered a backlog of packages piled deep in their corridors each weekend, further confusing operations and resulting in inefficient delivery service for mail of all classes.

These false economies are not comparable to the disruptions they have caused. Nor can the constantly mounting increase in mail volume, the increasing cost of postage, be reconciled with some of the exorbitant and costly programs which the Department still maintains. In committee testimony, John McKay, president of the National Postal Union, pinpointed the needless expenditures of funds being allocated just to measure management activity which not only serves to disrupt service operation, but costs the taxpayers at least $100 million annually.

By "paper" economy, false claims, unrealistic budget concepts, and prohibitive mail service curtailments, it is evident that the administration has lost sight of the basic purpose for which the post office was established.

I urge the Republican Party to resolve to reverse rapid decline of postal operations by reinstating services and manpower quotas necessary to put the post office back into full and complete operation and by reestablishing performance to meet public needs as the primary function of the Department.

These examples of prevailing conditions in the postal service as a result of current policy at the administrative level do not lie. They tell the story under the present administration of a significant failure at home, one that affects each and every one of us. The question is, Will the President continue to meet with indifference this disease in the postal service, or will he allow it to spread like a deadly cancer?

Mr. RUMSFELD. Mr. Speaker, I am most distressed by the rapidly deteriorating postal service in this country and particularly in rapidly growing suburban areas such as the 13th District of Illinois which I represent. Since coming to Congress I have received dozens of complaints of all types.

Specifically, I am concerned by the Post Office Department's continued failure to upgrade postal facilities in such rapidly growing areas as Schaumburg Township, Elk Grove Township, and Wheeling Township. Existing facilities, designed and located to serve a population only a fraction of what exists today, are inadequate, despite the efforts of local postal employees, to serve the needs of our area.

Mr. Speaker, let us look at the record of the Post Office Department in the 13th Congressional District of Illinois, which I am honored to represent.

A company in my district, one of the largest mailers out of the local post office, was assigned a medium box drawer which could not handle the mail of the company and necessitated waiting in line for the clerk to hand out the mail. The larger boxes in the post office—only five—have been assigned to the postmaster's friends.

This company goes on further to report that at least 50 percent of packages received from its suppliers and customers are damaged, and in at least 10 percent of the cases merchandise is missing because the packages were ripped open. Despite the use of tested corrugated cartons and reinforced tape combined with botton and top staples, and adequate inner packing materials, complaints are received that packages received by their customers are badly damaged. The president of the company reports that during 21 years or more of operating his company he has seen a progressive deterioration in recent years in service, morale, and efficiency of the Post Office Department. His conclusion is that it is "one heck of a mess."

Another company in my district reports that because the contents of their shipments are valuable, most of them are sent "Registered mail—Return receipt requested," which carries an additional charge. However, on several occasions the receipts are returned without signature. The president of the company goes on to say that although we are now paying more for postal service than we have in years, we are receiving curtailed service.

A constituent writes that it seems he contacts the post office once a year complaining about delivery of his mail, and that the service improves right after he writes but eventually lapses back to the original low level. In his 1964 letter, he again complains of misdeliveries along his street, which necessitates the exchange of letters among his neighbors. Newspapers coming through the mails are received one day late or misdelivered.

Another resident of our area reports that his mail is delivered to other addresses, although the envelopes are clearly typewritten. Usually this misdirected mail is placed in his mailbox on Sundays. Magazines are delivered 2 to 3 weeks late.

A letter airmailed to one constituent's daughter in the State of New York on a Monday reaches his daughter on Thursday. Regular mail to that point arrives on Wednesday. Business mail sent to Rhode Island from Chicago by airmail is not received until the second following morning. More and more he is receiving packages which appear to have been "opened by curiosity." These have never had the stamp "Opened for Postal Inspection."

A good constituent writes me that a package mailed from Chicago Heights, a suburb of Chicago, postmarked there July 14, 1964, arrived at his local post office in another Chicago suburb on July 27.

Another constituent asks:

> When did the Post Office determine to remove the requirement that a mailman must be able to read?

And points to the fact that his neighbors must exchange their mail since it is misdelivered. And, further:

> Where are the employees trained who work in parcel post? Certainly packages cannot be so thoroughly damaged without some sort of practice.

A constituent who lives within the city limits of his town receives his mail between 3 and 4 p.m., which places a considerable hardship upon him since he expects important mail which must be acted upon on the same day.

A resident of a suburb close to Chicago mailed a first-class letter and a special delivery letter one afternoon to the Chicago Loop. Although the morning delivery at the Loop office is generally at 8:30 a.m., the first-class letter was not received until 11:30 a.m. the following day and the special delivery letter not until 1:45 p.m.

Still another resident reports to me that his occupation makes it desirable to stop and get his mail early in the morning on the days when he has to leave town. Sometime ago he asked for this favor and was told by a postal employee that he was not to ask for such courtesy again because it was an annex station. My constituent asks that postal employees realize that the taxpayers pay their salaries and that courtesy and cooperation are expected of them. He commends his regular carrier but states that when a substitute is on duty, everything is wrong.

The following four complaints came from one source:

A check mailed from Detroit on February 3 and postmarked as arriving in

Chicago on February 4 was delivered to a Chicago office on February 21. ZIP code was included.

Three parcels sent by registered, first-class mail from Boston to Chicago, with registry number indicating they were accepted by the Boston Post Office at the same time were received in Chicago, two on March 5 and one on March 9. ZIP code was included.

A letter sent on February 5 in Chicago to a building four blocks away, in the same postal zone, arrived on February 12. ZIP code included.

Three packages sent from Chicago to Birmingham, Ala., on March 6; all arrived on March 13. However, two were sent by regular mail and the third by airmail. All packages mentioned ZIP code.

Delays in mail service cause our business firms a substantial sum of money in the form of overtime work, needless telephone calls, and so forth. When outgoing mail is involved, the delays experienced bear no relationship to whether the mail is brought personally to the post office, deposited in corner mailboxes, or dropped into an office building mail-chute.

The record continues:

Parents of senior students at a high school in my district were mailed invitations to a school meeting on a Thursday morning of one week. The invitations were not delivered until Tuesday of the following week. The meeting was scheduled for Monday of that week. To say the least, the parents of those 350 students were irate.

Two times in 1 week important letters mailed in Chicago reached a nearby suburb in my district 3 days later. Comment of my constituent:

> I can see no excuse for this.

One year ago, a constituent could count on next day delivery of airmail between Evanston, Ill., and Ft. Lauderdale, Fla. Today, the service requires 3 to 5 days.

Properly addressed mail, including ZIP code number, sent from Champaign, Ill., before the Christmas holidays was not even delivered by February 24, when my constituent decided to complain. He goes on to say that meeting notices mailed as much as 2 weeks prior to the scheduled meeting often fail to be delivered before the meetings. Packages mailed and received are many times badly damaged. Monthly publications sent under bulk rate permit regularly take as long as 3 weeks for delivery. My constituent complained to the local post office but was met with insults and deaf ears.

On February 21, 1964, I received a letter from a valued constituent saying he is still awaiting some Christmas mail and that his State license plates were mailed from Springfield on January 17 but were not received until the week of February 10. On February 21, he had not received his January issue of Reader's Digest.

A small but important business operating in my district which is involved in the testing of drugs and other materials for clients throughout the country must get the results of its tests to clients at the earliest possible moment, but an airmail, special delivery letter mailed to New York State on January 2, 1964, did not reach its destination within 4 days.

Seven days after a first-class letter was sent from Evanston, Ill., it reached Chattanooga, Tenn.

Seventy-nine hours between the time of mailing a registered, special delivery package from the 13th Congressional District in Illinois and receipt in Champaign, Ill., is not only inexcusable—it is ridiculous. So writes a lady, who says this was the final straw in the haystack of grievances. This package contained papers of students to be presented at a seminar at 3 o'clock on January 3, and the postcollege careers of the students could have been balanced on this presentation. Delivery of the package, unfortunately, was not made until after 4 p.m. The package was mailed on December 31 at 9:20 a.m. Normal time for delivery of parcel post between these two points is 24 to 36 hours. Weather was perfectly clear, holiday rush was over, but the Post Office Department goofed.

Another woman writes that after she had waited for 2 weeks for an important receipt from her bank in Chicago she became involved in expensive toll calls to the bank to see whether it had been sent. The bank finally found it in the returned mail. The envelope had been addressed to 503 instead of 502. She also tells me it takes 3 days to get a letter from one point to another in the 13th Congressional District.

The Postmaster General of the United States has recently called upon postmasters to take a more active role in their communities as spokesmen for the Government. Can Mr. Gronouski mean as spokesmen for the Democratic Party? Where are Mr. Gronouski's directives to the postmasters of the country to see that postal service is improved?

Mr. Speaker, the job of the Post Office Department is to handle the mail of the citizens of this country, in an expeditious and efficient manner. Under the administration of Mr. Gronouski, postal service has deteriorated to a degree never experienced in this country. Can this be blamed on a politically oriented Postmaster General? Possibly we are risking retribution by participating in this presentation of what is wrong with our Post Office Department today.

Mr. Speaker, the record speaks for itself. A modern society cannot function without expeditious postal service. The responsibility for the rapid deterioration of postal service rests squarely with the Postmaster General and the President of the United States.

Mr. Speaker, I wish to include in the RECORD at this point, a recent article from the Chicago Tribune and an article titled "Delays and Damage in the Mails Levy Heavy Costs on Business," from the August 17, 1964, issue of NAM Reports:

[From the Chicago (Ill.) Tribune]

POSTMASTERS' ROLE RIPPED BY JOHANSEN—PUSH ADMINISTRATION POLICIES, HE CLAIMS

WASHINGTON, August 18.—Members of Congress are studying a recent House speech by Representative AUGUST E. JOHANSEN, Republican of Michigan, in which he questioned the role assigned to the Nation's postmasters by Postmaster General John A. Gronouski. That role, according to JOHANSEN, is "commissar postmaster."

JOHANSEN quoted at length from a statement by Gronouski and issued by the Post Office, in which Gronouski called upon postmasters to get active in their communities as spokesmen for the Government.

HEART OF STATEMENT

"The nub of this directive," JOHANSEN told the House, "can be summed up on these two statements by the Postmaster General:

"First, the postmaster is 'often the principal spokesman for the Government in his locale.' I had naively supposed that this role was held by the Representative in Congress.

"Second, postmasters are directed to 'get active' in their communities and to 'state the policies of the Government on equal employment opportunity.'

"I had supposed that the business of the postmasters was to get the mail delivered."

ATTACKS THEIR ROLES

Continuing, JOHANSEN told the House:

"I suggest that the Postmaster General's directive will require postmasters to go far beyond this responsibility and to assume the role of public advocates and educators in fields totally unrelated to their official duties.

"I am certain that the overwhelming majority of the postmasters of the United States have no desire to become commissars for the Postmaster General."

[From NAM Reports, Aug. 17, 1964]

DELAYS AND DAMAGE IN THE MAILS LEVY HEAVY COSTS ON BUSINESS—MEMBERS SAY

The customer of a west coast firm posted his $18,000 payment last March 26. On May 6 the check reached its destination in the same State.

In the meantime, relations between buyer and seller became chilly, payment on the slow moving check was stopped and another one issued, and the financial resources of the supplier firm temporarily strained.

"The average speed of this delivery calculates out to be 500 feet per hour," writes the general manager of the aggrieved firm. "It would appear to us that even the swift-footed couriers of the Post Office can walk a little faster than 1⅔ football fields in an hour's time without excessive stimulation of their metabolism."

It would be miraculous if the U.S. Post Office, handling nearly 70 billion pieces of mail a year, succeeded in delivery of each piece promptly, and in good condition. Of course, it does not. But the NAM Washington office and the field staff have been consulting members about how the Post Office serves their needs, and from the responses it is evident that the quality of the service is not so high as it has been in the past.

This can be costly to businessmen, in many ways. The example given above was unusual, but not unique. Another western firm reported that checks over $5,000, addressed to it at a prominent intersection where it had been established many years, were returned for better address.

But the less unusual complaints are the ones which indicate that unnecessarily heavy costs are being borne by American businesses—costs which have increased gradually and almost imperceptibly.

One of the largest users of parcel post told the NAM that it did not wish to be identified with complaints about the Post Office, but explained that "we prepare for the worst and are seldom disappointed."

Most of the companies which detailed their adverse experiences with the mails were small to medium sized. A few were large. The complaints most often made include:

1. Unaccountable delay of first-class and airmail letters.
2. Delay and damage in parcel post.

3. Curtailed delivery and shortened post office hours.

4. Special delivery that takes longer than ordinary mail.

Some of the larger firms and even smaller ones have turned to alternative means of communication and delivery at additional expense. One firm requires its salesmen to mail separate copies of each order from different boxes. All orders which require prompt delivery must be telephoned in at toll rates.

Another missed a factory payroll because it had entrusted its time data to the mails, which took 3 days to deliver the matter a distance of a few miles. Several reported lost mail. Still another reports that swift jets fly their mail from the West to New York in about 4 hours, but that it takes another day or two for the reports to reach their New Jersey headquarters, a 20-minute drive across the Hudson River.

A maker of precision instruments declares that he has had to resort to bulkier and bulkier protective packaging for his products—paying postage on the extra weight—but so far has been unable to get his wares through the mails reliably without damage.

A manufacturer reports that he was unable to find any open post office window from which to mail an emergency shipment of drugs on a Saturday. A member in a city with a population well in six figures complains that there is no parcel post delivery in his city at all on Tuesday, and that Wednesday swamps his employees with items mailed in for repairs.

The financial losses can be large in even a single mailing. One eastern department store arranged with the post office for the mailing of 250,000 invitations to its charge customers to shop on "courtesy days" this June, before a sale was announced to the general public. The mailing cost $20,000, and additional expense was incurred by putting extra sales people on the floors of all stores.

As the courtesy days opened, the stores were nearly empty. As they closed, the phones were busy with customers complaining that they had just received their announcements—6 and 7 days after they had been mailed in precise conformity with post office instructions.

NAM Reports has had its own troubles. Some members have received two weekly mailings by the same post. The printer mails a copy to himself as a service test, and has received copies mailed Saturday on the following Wednesday. The post office is minutes away from his plant.

While some responding NAM members were conscious of the climbing cost of postal service, no one complained of this—except that declines in service occurred simultaneously with the rate increases.

Yet, with all the complaints, about one response in every seven indicated complete satisfaction with the postal service. It must be assumed that many who were satisfied did not take the trouble to reply.

Those who did complain often took considerable care with documentation, enclosing photocopies of important letters that had been delayed and of correspondence with the post office.

Top executives of larger companies were less likely to have encountered the difficulties with the mail that others in their companies were familiar with. But it can be assumed that their difficulties can be proportional.

Some of the ways in which poor mail service can increase costs materially include:

1. Delay of correspondence pertaining to orders and bids which lose business.

2. Delay of bills and checks, which deprive the firm of use of money and occasionally of discounts.

3. Delay of shipment of repair parts which idle productive equipment.

3. Damage of needed materials, when postal insurance does not cover the cost of lost orders or production.

5. Expense of alternative means of communication and delivery.

6. Loss of goodwill when arguments arise over late payments.

7. Cost of lost days of exposure when advertising materials do not arrive on time, particularly when offer is for a limited time.

8. Delay of necessary action when reports are not received promptly.

After a substantial number of responses had been received from NAM members so that the pattern of their experience could be determined, the NAM Washington office consulted with Mr. Frederick Belen, Assistant Postmaster General for Operations. Mr. Belen is a career post office official, who is well aware of mail users' problems, and who takes them seriously.

He acknowledged that serious problems do exist, and made no rash promises about when they would end. He did have some suggestions for those who experience troubles with the mails.

First, complaints should be made to local postmasters. In many cases, the grumbling doesn't now reach his ears. Present all the factual data possible. Postmasters have some leeway in their operations, such as determining hours, which days parcel post shall be curtailed, and where boxes shall be placed and when collected.

Second, if the problem is beyond the abilities of the local postmaster, write to the field headquarters. There are 15, and your post office can tell you which is yours.

Third, if you still get no satisfaction, write to the customer relations service, Post Office Department, Washington, D.C.

That might be a lot of trouble to go to for a delayed Christmas card, but might be worthwhile in the case of consistent difficulties.

Mr. Belen expressed considerable interest in the complaints from the Los Angeles area, where local deliveries between points only a few miles apart were reported to require days in transit. He promised to move on this situation, involving 28 post offices in the area, right away.

He outlined a number of future developments the Post Office is working on, including machine-read ZIP code and new methods of handling parcel post. And he advised NAM members never to mail first-class letters in brown envelopes. The psychology of postal clerks is such that they classify these as nonpriority mail in the split second they have to contemplate them.

But not all the problems are about to be solved. While many of the delays obviously occur in the post offices themselves, others have developed as the number of passenger trains has diminished constantly. First class mail suffers, and so do other classes. Post office trucks and contract truckers are substituted in some cases, and the regular common carrier conference, representing large truckers with interchange systems have been trying to get the Post Office Department to include them in their developing plans for moving mail.

Airlifts are used for some first class mail, but that program is not now being expanded.

In an age of automation, the post office so far has been able to do little to decrease its reliance on hand labor. Machines cancel 30,000 letters an hour, but the address on each envelope must be read by human eyes—often several times before it reaches its destination.

Eighty-five dollars of each $100 the Department spends is in payroll. And the Department is subject to the general economy orders of the President, and is expected to absorb 10 percent of the new pay increase for its employees by reducing their numbers through attrition.

The Department is pinning great hopes on its new mail distribution centers—where all the mail for a surrounding area, including city suburbs and neighboring towns—will be sorted down to the house numbers on particular routes. Some are in opeartion now, concentrating the work and reducing the importance of and employment in local post offices over the near-dead bodies of local politicians.

The Post Office has gone ahead despite political obstacles, but there are some experts who question the wisdom of the distribution center plan. They say that while the work is concentrated in one place, the same work has to be done in much the same way—and sometimes the mail must travel farther and be handled more times than under the old system. Besides the veteran employees of the Department are now faced with memorizing new routing for much or all of the United States, on top of having to become familiar with the new ZIP code numbers.

Parcel post is a real problem child. Until recent years it paid its own way, and volume was increasing. As the service slowed and the damage increased, volume has fallen heavily. In addition, the profitable business use of parcel post has declined out of proportion, leaving more of the volume in the low-profit household service and on the long and expensive rural routes.

The answer to this problem is not in sight. Congress gave the Department a breather by declaring a moratorium on the requirement that parcel post pay its own way, and new methods are being tried. Still, as one postal union official testified in June before a congressional subcommittee, a package can't survive the 8-foot drop in some handling machines without damage "unless encased in concrete."

Postal employee unions' representatives have testified that where once the orders were to get every piece of mail delivered before quitting, they are now to quit on time. They tell of packages held over 2, 3, or more days. One instance involved 12,000 days delayed parcels in Flushing, N.Y.

The Post Office has an income of almost $5 billion a year, and currently a deficit amounting to almost 10 percent before an arbitrary allowance from Congress to compensate for public service factors. It is the largest employer in the Federal Government, and it operates almost everywhere.

And so it is particularly subject to politics. Postmasterships are political plums, so the Department has a hard time abolishing or consolidating offices in the name of efficiency or economy. Postmasters are rewarded on their volume, so shifting mail for efficiency can become a political fight. Post offices are often the handsomest buildings in town, so there is pressure to have one in each town where its grandeur will be a matter of civic pride.

New post offices spring up in little towns, while big city installations constructed in the great days of passenger trains must still be occupied and used. They may be poorly situated and ill equipped to handle air traffic and trucks, but it is hard to get permission to change the pattern.

Last February the Chicago post office was still trying to recover from the Christmas mail rush. The main office, built in the depression, is so deficient in dock space that trucks waited in a line seven blocks long at one time.

Another factor compounding the post office's trouble is said by some authorities to be quality of available personnel. When there is full, or nearly full employment, these clerical and carrier jobs attract less capable men than in harder times.

The postal unions are powerful and aggressive, and they have succeeded in persuading Congress to forbid individual work studies devised to improve efficiency.

Businessmen are aware that despite curtailments of service in general, the post office is not indifferent to their needs. The new ABCD—same day delivery in business districts for mail deposited in marked boxes—is working well and is valuable.

In the larger cities, the Department has established councils of businessmen who consult with the post office on service, although generally only the largest mailers are invited to join.

The customer relations office in Washington is new, although it, too, tends to concentrate on the problems of relatively few big mailers who produce the bulk of the mail.

Today 80 percent of all the mail is business mail, and business would be paralyzed without the postal service. The post office is aware of this, and feels that the business community would prefer to help it solve its problems to paying higher postal rates. Thus:

1. The ZIP code, which require business to perform extra work so that sorting and routing will be faster.

2. Mail haulers, paid by business to take mail to and from the post office—a service supposedly covered by postage, but used by business to gain time and convenience.

3. The program to advance mailing schedules to the earlier hours of the day. (Mr. Belen explained that this was misunderstood by business. They want the bulk mail, not your individual first-class letters, to be so advanced.)

4. Adoption of standard sizes of mailing pieces to facilitate machine handling.

5. Pool casing—a system in which a large mailer will place many packages for a particular destination in a carton addressed to the postmaster in the city in which it is to be opened and distribute. Damage reduction is the mailer's reward.

There is no doubt in the minds of those who have talked with the Post Office executives here that they are earnestly desirous of improving the service and of limiting their deficits, but it is hard to tell when the long period of reduced service and high damage will end.

Great hopes are placed on the distribution centers, but there is no great evidence of marked improvement where they now exist.

Reliance is placed on the ZIP code in the long run, but no machine has ever been built to accomplish the eventual aim—mechanical sorting.

It is also alleged by critics of the postal system that companies which have made the expensive conversion to the ZIP code may have to do it all over again in computer numbers, or supply magnetic or ultraviolet ink.

Right now, the Department is considering these ideas as partial solutions to its problems:

1. A new priority class of mail at premium postage rate which will move in the fastest possible way.

2. A minimum piece rate on parcel post of, say, 50 cents.

3. Ultraviolet ink on all but airmail stamps, so that these would be machine-ejected from the run of the mail for faster processing.

The proverbial snow, rain, sleet and hail don't bother the Post Office much these days. Today's problems are budget, politics, high labor content in a rising wage era, personnel and a lag in transportation and other technology.

Business, which mails 8 of every 10 pieces handled, has an enormous stake in whether the Department's managerial expertise and imagination can keep ahead of the 3 percent annual increase in volume—or at least even with it.

Mr. LINDSAY. Mr. Speaker, I would like to add a word of my own knowledge about the increasingly bad postal service to which our people are being subjected. In past weeks and months I have received a great many letters from my constituents that document specific instances that are characteristic of the overall inefficiency and inadequacy of the postal service in my district. Many letters cite the infrequency of deliveries and parcel post service or the difficulty in finding convenient times when window service is available. Earlier this year the post office made substantial cuts in the already meager service it supplied to my district. If it had not been for the complaints of countless citizens and my own efforts to bring this matter to the attention of the Postmaster General and Members of this House, I have no doubt that the post office would have made further crippling cutbacks.

A curtailment of necessary services and facilities is bad enough, but we should expect, at least, that the few that remain would function with greater efficiency. I regret to report that such is not the case. Daily, I receive complaints about the increasing time it takes for letters to be delivered. Though my Manhattan district is no more than 12 blocks wide and 100 blocks long mail sent from one constituent to another often takes 2 to 3 days to reach its destination. A letter mailed from Rome, Italy, is likely to arrive at my district office before mail sent from just a few blocks away.

Delivery of the mail is one of the oldest and most basic services performed by the Federal Government. The people are taxed for and deserve to receive prompt and accurate service from the post office. I believe it is time we took a new and critical look at this problem of deteriorating postal service and I thank the gentleman from Illinois for yielding me this time to speak on the subject.

Mr. SIBAL. Mr. Speaker, last January, I brought to the attention of the House the fact that, beginning on the 1st of February, the Post Office would cease to record the hour of mailing on the postmark canceling the stamp. I protested to the Department to no avail. In response to my letters, I received two unenlightening replies, which I will insert in the RECORD at this point:

POST OFFICE DEPARTMENT, ASSISTANT POSTMASTER GENERAL, BUREAU OF OPERATIONS,
Washington, D.C., February 17, 1964.

Hon. ABNER W. SIBAL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: The Postmaster General has asked me to reply to your letter of January 24 concerning the omission of the time from postmarks.

Mail which is postmarked between 12:01 a.m. and 12 noon now shows the letters a.m. and mail postmarked between 12:01 p.m. and midnight now shows the letters p.m. Formerly, when a time was shown in postmarks it was necessary to interrupt the flow of mail every hour or half hour to change the type by hand. This was a time-consuming operation performed in all post offices.

The change was adopted only after careful study of results of experiments in several large cities. No time has been shown in postmarks applied at Philadelphia, Pa., since October 1961. In four other cities this experiment was conducted for more than 6 months. Based upon experience at the test offices substantial savings are expected from the adoption of this procedure throughout the postal service.

Approximately one-half of all first-class letter mail and a much larger portion of business mail has postage paid by meter stamps which do not show the hour of mailing. Therefore, a time has not been shown in meter postmarks on a substantial quantity of important business mail for many years.

It appears that the present practice of showing whether the mail is postmarked before or after noon meets the needs of most mailers.

Arrangements have been made whereby patrons who wish to establish a definite time of mailing may do so by obtaining an individual certificate of mailing or by use of the registered or certified mail service. In those cases the accepting employee will enter the time on the certificate or receipt if requested to do so.

Sincerely yours,

FREDERICK C. BELEN.

POST OFFICE DEPARTMENT, ASSISTANT POSTMASTER GENERAL, BUREAU OF OPERATIONS,
Washington, D.C., March 3, 1964.

Hon. ABNER W. SIBAL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: This will acknowledge your letter of February 20, having further reference to the omission of the time from postmarks.

All of the factors involved, including the points mentioned by you, were carefully evaluated in reaching a decision in this matter, and it was concluded that the advantages gained from omitting the time from the postmark far outweighed the disadvantages.

On the basis of the Department's study it is understood that indicating in the postmark whether it was applied before or after noon serves the purposes of most mailers.

It appears that in the few instances where the person finds it necessary to establish a specific time of mailing it would be possible to arrange to present the piece at the post office during business hours to obtain this evidence under the procedures establishd for this purpose.

The experiments conducted at several offices demonstrated that substantial savings in clerical time can be realized by discontinuing the changing of the hour- and half-hour type in canceling machines and other devices.

Bulk quantities of mail bearing meter or precanceled stamps are not postmarked. In those instances where individual pieces of precanceled or metered mail are deposited loose in collection boxes with stamped mail it would be costly and delay handling to cull such pieces. Therefore, they are frequently processed with the stamped mail.

Thank you for your continued interest in the postal service.

Sincerely,

W. H. MCMILLAN.

The matter was done quietly and was brought to my attention first by the secretary of state of Connecticut, Mrs. Ella T. Grasso. Mrs. Grasso wrote me enclosing a copy of a letter she had addressed to the Postmaster General objecting to the proposal because it raised serious questions about the handling of absentee ballots. Under unanimous consent, I place Mrs. Grasso's letter to the Postmaster General at this point in the RECORD:

JANUARY 22, 1964.

Hon. JOHN A. GRONOUSKI,
Postmaster General,
Washington, D.C.

DEAR MR. GRONOUSKI: It has been brought to my attention that beginning on February

1, 1964, post marks on all mail in the United States will no longer show the time of day, but will indicate only whether it is a.m. or p.m. Mr. John Heneghan, Hartford postmaster, who has been most cooperative with and helpful to our office has confirmed our understanding that such a change is to be made.

A problem will arise under the Connecticut absentee voting law if post marks will indicate only a.m. or p.m. instead of indicating a specific time.

Section 9–146 of the General Statutes of Connecticut provides as follows: "The absentee ballot shall be mailed by the elector or applicant so that it shall be received by the clerk of the municipality in which he is qualified to vote not later than 6 o'clock p.m. of the day prior to the day of such election, except that, when an election is to be held on Monday, the absentee ballot shall be mailed so that it shall be received by such clerk not later than 12 o'clock, noon, of the day of such election. Except as provided in section 9–156, no absentee ballot shall be cast in any municipality unless it was sent to the clerk of the municipality by mail and received by him before the time specified in this section."

The last sentence of section 9–142 of the General Statutes of Connecticut provides as follows: "This section shall not apply to members of the Armed Forces, and if more than one absentee ballot is received from any elector who is a member of the Armed Forces, the ballot of such elector bearing the latest postmark shall be cast if no absentee ballot of such elector has already been cast."

This office has advised that an absentee ballot is to be considered timely received by the municipal clerk under section 9–146 if it is picked up at the post office by the municipal clerk not later than the time limited in said section and contains a postmark designating a time no later than the time limited in said section.

Should this change in postmarks be made, it will become a problem as soon as it is effective because municipal elections are held throughout the year. An election is scheduled for March 16 in Wethersfield and others will be held later in the year to which this section is applicable.

We would therefore appreciate your advising us as to whether or not this change in postmarks, in fact, is to be made, and, if so, when it is to become effective. Moreover, if such a change is to be made, can your department treat absentee ballots differently and continue to imprint on the ballot envelope the same type of postmark which it has in the past?

If the change in postmarks is to become effective with respect to all mail without exception, we would appreciate any suggestion which you may have as to the processing of absentee ballots, either by the post office or by town clerks, or both, in order that a voter may continue to have the maximum time to submit his ballot within the limitation of section 9–146, referred to above.

Will you kindly advise us in this matter at your earliest convenience, in order that we may discuss it with Mr. W. Dudley Birmingham, president of the Town Clerks' Association of Connecticut, and other local election officials, in preparation for the coming municipal elections.

Your cooperation is deeply appreciated.

Sincerely yours,

Ella T. Grasso,
Secretary of State, Connecticut.

Mr. Speaker, it was evident, however, that much more was involved than the question of absentee ballots, and I may say, I do not know how this problem is going to be resolved.

The time service is not a frill. It is important to many legal processes. It is important to people who run promotional contests. Most of all, it is important to the general public which wants and is entitled to know the time its letters were mailed.

The Department says a great deal of money is to be saved by this step. I inquired how much but was told only that a "substantial saving in clerical time" would be realized. The Department would not give me an estimate, which is unusual. The departments are usually very good at estimating the vast benefits sure to result from their actions.

Economy is surely not the main reason for this move. Stamping machines could very easily be fitted with automatic time-changing devices at small expense. It does not have to be done manually. The removal of the hourly time does, however, make it more difficult to detect slow service.

The Department tells me there is a procedure by which citizens may have their letters stamped with the mailing time if they wish. But one finds that this involves locating a post office which is open, filling out a form and paying an extra fee. This is not the same thing at all.

This step is just another in a line of service cutbacks while costs rise in the postal department. The last thing the public needs is more procedures.

I protest this step, Mr. Speaker, and once more urge that it be reversed.

Mr. GOODLING. Mr. Speaker, the stated purpose of this hour is to discuss the deterioration of the postal service within the last few years. At the outset, it seems that 1 hour would not even give one sufficient time to point out examples of this deterioration within my own district.

Within the last 4 years, mail has been subject to unconscionable delays, even though the first-class postage rate has increased 150 percent in the last 31 years—an advance greater than that of the cost of living, and than that of the many commodities basic to the national economy, and that of the services essential to human welfare. Strangely, as postal rates have advanced, the quality of the postal service has declined, and at an alarming rate. A rate of decline more disheartening than the rate of increase of postal service costs. It seems today that even inefficiency is more expensive.

Residents of the 19th Congressional District write me constantly complaining of unreasonable mail delays from 1 to 3 or 4 days from nearby Philadelphia and New York. Ironically, they state that those letters bearing ZIP code numbers are always later than those without the ZIP number. I have in my file an article from the Washington Post stating that a machine to handle ZIP codes has yet to be invented.

Frankly, I am not an expert on the postal service and do not know if morale in the postal service is low, if there is inadequate supervision, or if the service is filled with incompetents who feel sure of their employment under an administration which will forgive any sin in an election year. Let me give you some examples of the incompetence and inefficiency which now vex the postal service.

In my district there is a borough called East Berlin. Although mail I address to East Berlin invariably carries the word, "Pennsylvania," in one-quarter inch bold-face type as part of the address, some letters have been sent to East Berlin, Germany. Others have been returned to my office with notice that I must affix foreign postage at a rate of 11 cents an ounce. The Postmaster General replied to my inquiry and I quote:

> I [the Postmaster General] have directed the appropriate officials to look into this matter and furnish you a full report as promptly as possible.

This was in March of this year. As yet I have not received a full report or even an empty one. The new motto of the postal service should be "What Is Possible Need Not Always Be Prompt."

Let me give you a further example. All my life I have expected the word "special" to mean "something out of the ordinary." Therefore, special delivery should mean mail delivery out of the ordinary. Now arises the case of the special Father Day cards. On June 20 of this year, two Father's Day cards were mailed at the same place, at the same time from Washington to York, Pa. They were received by the Washington post office at 3 p.m. that afternoon. Both cards carried special delivery stamps. The senders expected delivery in York on the 21st. One card showed an arrival time in York at 11 p.m., June 21. The other arrived at 2:30 a.m., June 22. The special delivery was made at 10 a.m. on June 22. It is unbelievable that it should require 2 full days to make special delivery of two letters posted in Washington to York, Pa., a distance of 90 miles. But as I said, this case is special.

A good 90 percent of the complaints I receive about the postal service come from businessmen in my district. They complain of unnecessary rerouting causing delays in mail deliveries. They report unnecessary and inconvenient changes in hours of delivery. I may report to the Congress that in almost every case where the complaint was referred to the post office the situation was remedied by reverting to the procedures in use before the great drives for economy within the postal service.

Mr. Speaker, prompt and adequate mail service is essential to the business community which President Johnson importunes to accelerate the economy; remember, it is business and not government that regulates our economy. It is the just right of a people who pay the highest postage rates in the world to expect adequate service, but we are confronted with the sorry fact that the postal service is slowly deteriorating and disintegrating.

The postal department is one of the few branches of Government that has a commodity to sell. That commodity is service. Let us get on with the business of giving better service.

DEFENSE POLICIES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. FORD] is recognized for 60 minutes.

Mr. FORD. Mr. Speaker, I wish to associate myself with the remarks made by the distinguished gentleman from Wisconsin [Mr. LAIRD] on the floor of this House yesterday concerning the testimony of Defense Secretary McNamara before the Democratic platform committee on Monday of this week.

I too would like to discuss the Secretary's statement because I believe it constituted, among other things, a partisan political attack on the Eisenhower administration and contained statements that undoubtedly created misleading conclusions or impressions. Some comments were less than objective.

As ranking minority member of the Defense Appropriations Committee which has been my committee through the administrations of Presidents Eisenhower, Kennedy, and Johnson, I believe I can speak with firsthand knowledge on the defense policies of all three administrations.

I was amazed to hear the Secretary of Defense make the following misleading statement about the Eisenhower administration:

> The defense establishment we found in 1961 was based on a strategy of massive nuclear retaliation as the answer to all military and political aggression. We, however, were convinced that our enemies would never find credible a strategy which even the American people did not believe.

Mr. Speaker, in the first place the nuclear policy of the Eisenhower administration was one of selective nuclear retaliation. The option of massive nuclear retaliation was merely one aspect of a comprehensive defense and foreign policy which encompassed other approaches to both political and military situations. Examples which clearly illustrate the broad range and strength of the Eisenhower posture include the successful operations in Lebanon and Quemoy-Matsu. Above all, this comprehensive Eisenhower-Dulles policy was credible to our own people as well as to friend and foe. NATO knew that our commitment was sound; communism knew that our position was firm. The Gulf of Tonkin incident would never have happened under the Eisenhower-Dulles policy and never did, because our adversaries knew clearly before any probing action that any direct attack upon the United States, its forces or possessions, would receive a response unacceptable to the adversary. This has not been clear under the present administration's policy. Our Communist enemies also knew that if U.S. retaliation were necessary no advanced warning to the aggressor would be forthcoming.

Further on in his statement, the Secretary continues to distort the record of the Eisenhower administration. He says:

> In 1961, we found military strategy to be the stepchild of a predetermined budget. A financial ceiling was placed on national security and funds were allocated not on the basis of military requirements, but according to the dictates of an arbitrary fiscal policy.

I have personally discussed this matter with former Secretary of Defense Thomas Gates and he has confirmed my own belief that under the Eisenhower administration, no essential military requirements were neglected on the basis of budgetary considerations, nor was there a budgetary ceiling imposed upon our national security. This matter was probed specifically by Congress, and in published testimony former Secretary of Defense Neil McElroy also stated in answer to a direct question that there was no budgetary ceiling imposed by former President Eisenhower.

It is true that less was spent annually on defense than in the last 4 years by approximately $10 billion per year. It is also true, that under Eisenhower more national security, based on results, was provided for less money. This was possible because Eisenhower's decisions were based upon intelligent understanding of the problems of our national security and military affairs not only for that immediate period but for the forseeable future. Proof of this is that today the overwhelming majority of our defense forces are the fruition of the development efforts begun in the Eisenhower years. Projecting present policies and developments into the 1970's one will find serious deficiencies in our defense posture.

Mr. McNamara in his testimony before the Democratic platform committee then went on to state:

> The nonnuclear force we found was weak in combat-ready divisions, weak in airlift capability, weak in tactical air support.

Mr. Speaker I categorically deny this charge based on results during the Eisenhower administration in successfully meeting international crises wherever they developed. Statistical support and testimony of military and foreign policy experts could be amassed to refute this charge. More importantly, however, all international crises during the Eisenhower years were successfully met. Despite so-called improvements under this administration they did not prevent the erection of the Berlin wall, the introduction of Soviet military hardware and personnel into Cuba, and further our flag was attacked in Panama and our ships in the Gulf of Tonkin were attacked.

Mr. Speaker, the so-called improvement under this administration—the increase in manpower—has cost the American taxpayer additional billions of dollars and many competent military authorities contend it was not needed. The basis for growth in airlift ability and tactical air support had already started and was growing during the Eisenhower years.

A little later in his statement, the Secretary discusses the role of the military. I would like to quote the Secretary at some length. He said:

> We could not have instituted the integrated system by which we have increased our strength without the wholehearted cooperation and support of our men and women in uniform. Neither this system nor any system—will ever be a substitute for sound military judgment. Under this administration, as never before, professional military judgment from all four services has been a critical factor in the planning of our defense strategy.

> As General Taylor, former Chairman of the Joint Chiefs of Staff, stated in 1963: "The voice of the American soldier is entitled to a serious hearing in our national councils—and I am happy to report that today he is receiving that hearing."

The question of the deteriorating condition of our civilian-military relationship has been too obvious to be refuted by a brief quote from the former Chief of Staff. This is shown in various congressional hearings and in the press—not to mention the former Chief of Naval Operations, Admiral Anderson's speech before the National Press Club in the same year, 1963. General Taylor, of practical necessity, would have had to make some such statement during his tenure in office. This is obviously a self-serving statement. One would be hard put to find a high-ranking retired officer who served under this administration and who would corroborate General Taylor's statement.

Few military men, who are not ordered to do so, will say that the military views have been heard and heeded by the Secretary of Defense. In fact, military men vehemently assert the opposite and deplore the degradation of military advice. The sad history of the TFX controversy, as one example, proves this. Both the Chief of Staff of the Air Force and the Chief of Naval Operations backed by the proceedings of four joint military boards recommended the Boeing aircraft and this recommendation was overthrown by an arbitrary decision of the Secretary of Defense.

Mr. Speaker, there are so many statistics that can lead to erroneous impressions in this statement that it is hard to single out any particular one for special attention. However, one that particularly struck me because I have had a long interest in the subject is contained in the following quote:

> [This administration] turned back to the private sector of our economy 1,100 square miles of real estate which is now tax producing instead of tax consuming.

Mr. Speaker, this is a particularly fitting example of the loose use of figures by this administration to enhance its image. They make a claim that is impressive on its face, realizing the average American has no way of checking the facts. I felt an obligation to check this out with the Defense Department and found the following to be the true facts according to Defense Department authorities.

At my request the Defense Department supplied a document that contained a listing of the military installations having the largest area which have been closed or reduced during the period January 31, 1961, through June 30, 1964. That list contained roughly three-quarters of the 1,100-square-mile figure used by the Secretary in his statement.

You will notice that the description in the title states that this is land that had been "closed or reduced." You will also notice that the Secretary, in his statement, clearly stated that this land, plus about 25 percent more, had been "turned back to the private sector" and had become "tax producing instead of tax consuming." There is quite a difference, which is obvious.

Since the Secretary's statement and the information supplied by the Defense Department were not compatible, I requested clarification.

I was informed that the list which I had been supplied was the basis for the figure in the Secretary's statement. I was further informed that it was not possible to determine whether this land had become "tax producing" without conducting a costly survey which had not been conducted. In other words, Mr. Speaker, an impressive claim was made that, if allowed to go unchallenged, would be politically advantageous to the administration, without any supporting evidence.

Finally, Mr. Speaker, I cannot leave this subject without making some reference to a fundamental aspect of our defense policy. In trying to assure the American people that our defenses are adequate for today and the future, the Secretary said:

> Let me assure you that our strategic forces are and will remain in the sixties and the seventies, sufficient to insure the destruction of both the Soviet Union and Communist China, under the worst imaginable circumstances accompanying the outbreak of war.

Let me just say that this is not a sufficient goal for the defense of this country. We need forces that are sufficient today and will be sufficient in the future not only to destroy the enemy but, far more important, that will deter the enemy from any unleashing war big or small. The Defense Establishment of this country has only one primary goal: To maintain the peace by effectively deterring war.

One final note, Mr. Speaker. I understand that Cabinet members have broken precedent by appearing before the Democratic platform committee because the subjects they discuss are so serious that the American people should have the true facts from the highest sources in our Government. The remarks of the gentleman from Wisconsin [Mr. Laird] and my remarks today as well as the discussion that will follow in the days ahead clearly demonstrate that the American people have been swamped with statistical data that can mislead them into inaccurate conclusions. This is a situation which I, as ranking minority member of the Defense Appropriations Committee, find deplorable. The record must be set straight and I intend to do so on other occasions when the necessary factual information can be obtained from the Department of Defense. As of this moment I have not gotten all of the cooperation I would expect on this important subject.

In the days ahead, I intend to set the record straight on at least one additional subject, that of nuclear control and related matters.

BRIEF OF THE MISSISSIPPI FREEDOM DEMOCRATIC PARTY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. Edwards] is recognized for 30 minutes.

Mr. EDWARDS. Mr. Speaker, I have just completed reading the brief submitted by the Mississippi Freedom Democratic Party for the consideration of the credentials subcommittee of the Democratic National Convention and the delegates to the Democratic Convention. The brief was prepared by Joseph L. Rauh, Jr., who had the assistance of Eleanor K. Holmes and H. Miles Jaffee.

The brief is most carefully documented and logically argued. The underlying issues now finding expression in the controversy over which delegation should be seated at the convention are most important not only to the Democratic Party but to the Nation. And the Nation will be watching how the Democratic Party resolves the problem now before it. I have made my own position quite clear in support of the seating of the Mississippi Freedom Democratic Party, but my decision was based on general concepts of justice. The brief prepared by Mr. Rauh presents all of the relevant facts and the precedents which should be guiding.

Mr. Speaker I ask unanimous consent that the brief prepared for the Mississippi Freedom Democratic Party be included in the Record at this point:

Brief Submitted by the Mississippi Freedom Democratic Party

INTRODUCTION

The question whether to seat the delegation of the Mississippi Freedom Democratic Party or the delegation of the "regular" or "traditional" Mississippi Democratic Party may well prove the most significant contest before the Democratic National Convention of 1964. For the issue is not simply which of two groups wears shiny badges of accreditation, but, far more fundamentally, whether the National Democratic Party takes its place with the oppressed Negroes of Mississippi or their white oppressors, with those loyal to the National Democratic Party or those who have spewed hatred upon President Kennedy and President Johnson and the principles to which they dedicated their lives. In the final analysis, the issue is one of principle: whether the National Democratic Party, the greatest political instrument for human progress in the history of our Nation, shall walk backward with the bigoted power structure of Mississippi or stride ahead with those who would build the State and the Nation in the image of the Democratic Party's greatest leaders—Thomas Jefferson, Andrew Jackson, and Franklin D. Roosevelt.

This is a legal brief and as such will cover both the facts and the law. But the legal precedents are necessarily limited, for the courts of this country have many times made clear that they will not decide political questions or intervene in disputes between rival delegations seeking recognition at a party convention.[1] This Convention and only this Convention can decide who are the proper delegates permitted to join in its deliberations.[2] As Governor Paul B. Johnson said in his keynote address to the Mississippi Democratic Party Convention on July 28, 1964, the question of which delegation to seat "is a decision that the National Party will have to make." And this was also conceded ten days earlier by Mississippi Democratic Party Chairman, Bidwell Adam, who said that the National Convention "could seat them [Freedom Party] if they wanted to. * * * They could seat a dozen dead dodos brought there in silver caskets and nobody could do anything about it."[3] Without appreciating Mr. Adam's analogy, the principle is clear beyond peradventure of doubt that this Convention is the court of last resort.

But the sparsity of legal precedents does not mean an absence of legal principles and guideposts to assist the Convention in arriving at its choice between two rival delegations. We believe that the rules of the Convention and accepted legal principles, as applied to the facts of this dispute, demonstrate overwhelmingly that the only valid decision this Convention can make—both in law and in equity—is to seat the delegation duly chosen by the state convention of the Mississippi Freedom Democratic Party on August 6, 1964.

The Freedom delegation comes as "bona fide Democrats" who have the interests, welfare and success of the Democratic Party at heart, and will participate in the Convention in good faith.[4] * * * We come as volunteers to lend support to the nominees of this Convention and to spread the principles and platform of the Democratic Party. We come as representatives of a functioning political organization; for this and other reasons[5] the challenge of the Freedom Party has no counterpart anywhere else in the South. And we come with the support of State Democratic Conventions or State Democratic Committees of California, Colorado, District of Columbia, Massachusetts, Michigan, Minnesota, New York, Oregon, Washington and Wisconsin who have recognized the legality of our position and the justice of our cause.

The "traditional" Mississippi delegation does not come as "bona fide Democrats" willing to "participate in the Convention in good faith * * *."[6] The delegates to the state convention of the Mississippi Democratic Party on July 28th arrived in cars bearing Goldwater bumper stickers,[7] "openly voiced themselves during recess and prior to the convention being called to order, as favoring the candidacy of Senator Barry Goldwater,"[8] adopted a Goldwater platform,[9] and then recessed until September 9 "for the purpose of allowing the Convention to swing to Goldwater."[10]

This recess is the regular short interlude which takes place once every 4 years to attend the National Convention while the rest of the time is spent in calling President Kennedy a "dimwit"[11] and President Johnson a "counterfeit confederate."[12] Indeed, it is not clear why the traditional Party leaders should even want to send delegates to the Convention of a national party from which they regularly declare their independence and to which they continuously profess deep-seated animosity. Quite likely it is because they do not want any other group—e.g., the Mississippi Freedom Democratic Party—to function in Mississippi as the representative of the National Party. Obviously, this strategy of fighting against the National Party and still not allowing any other group to represent it in Mississippi is what Governor Johnson had in mind when, in his keynote to the July 28th state convention, he said "this is a time * * * for carefully designed strategy * * * for judiciously chosen words." But no matter how "judiciously chosen" the words, the "carefully designed strategy" is one of "bad faith" to the National Democratic Party.

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[1] *Davis* v. *Hambrack*, 58 S.W. 779, 109 Ky. 276 (1900); *Phelps* v. *Piper*, 67 N.W. 755, 48 Neb. 724 (1896); *Smith* v. *McQueen*, 166 So. 788, 232 Ala. 90 (1936); *Wood* v. *State*, 142 So. 747, 169 Miss. 790 (1932).

[2] 18 Am. Jur., Elections, § 136; *Cain* v. *Page*, 42 S.W. 336, 19 K.L.R. 977 (1897); *Kearns* v. *Howley*, 41 A. 273, 188 Pa. 116 (1898).

[3] New York Times, July 20, 1964, p. 21.

[4] Resolution of the Democratic National Committee contained in February 26, 1964, Call For the 1964 Democratic National Convention.

[5] See Law Enforcement in Mississippi, a Special Report of the Southern Regional Council, July 14, 1964, which concluded that Mississippi is "not like any place else" (p. 6).

[6] See n. 4, supra.

[7] New York Times, July 29, 1964, p. 18.

[8] Jackson Clarion-Ledger, July 29, 1964, p. 18.

[9] See pp. 22 to 23, infra.

[10] Jackson Clarion-Ledger, July 29, 1964, p. 18.

[11] See p. 24, infra.

[12] See p. 25, infra.

We are not only willing to serve the National Democratic Party here and in Mississippi, we assert our right and our determination to do so. We hope that the delegates of the Freedom Party may be placed on the temporary rolls of the Convention by the Democratic National Committee or Subcommittee[13] and that this contest may end at that point. If it does not, we hope that a majority of the Credentials Committee of the Convention will determine that the Freedom Party be placed on the permanent rolls of the Convention. But if unsuccessful there, too, we are determined to put our case before the delegates themselves.[14] We are confident that the assembled representatives of this great, liberal Party will not turn its back on those who have sacrificed so much to support it.

STATEMENT OF FACTS

I. Why the Mississippi Freedom Democratic Party was formed

A. Negroes Have Traditionally Been Excluded From All Participation in the Mississippi Democratic Party

(i) Party Runs State. The Mississippi Democratic Party runs the State of Mississippi. It controls the Legislative, Executive and Judicial Branches of the Government of the State. All 49 Senators and all but one of the 122 Representatives are Democrats. There is no substantial Republican Party; there is no third party. There is just the Mississippi Democratic Party and its leaders are the State. As Governor Johnson said in his keynote to the "traditional" state convention, the Mississippi Democratic Party "holds all but a handful of the elective and appointive offices, from constable to governor * * * for the past 89 years, [it] is the framework, or the structure, through which Mississippians maintain political unity, and operate self-government."

(ii) Party prevents Negro Registration. The Mississippi Democratic Party uses its powers to exclude Negroes from registering and voting. Through Negroes represent over 40 percent of the State's population, all voter registrars in Mississippi are white. Today only some 28,500 Negroes are registered in Mississippi, as compared to 500,000 whites. This represents only 6.7 percent of the 435,000 Negroes 21 years of age in the State; this 6.7 percent should be compared with 39.1 percent in Georgia, 51.1 percent in Florida and 57.7 percent in Texas, and even Governor Wallace's Alabama has over three times as high a percentage of registered Negroes as does Mississippi.[15] While Negro registration in other Southern States increased sharply in recent months and years,[16] Mississippi went in the other direction; "the best estimate of 1962 registration indicates a drop in registration of 534."[17]

Keeping Negroes from registering and voting has been accomplished in a myraid of ways. The legislature and the white voter registrars have combined to make an obstacle course out of the simple process of registration. A series of state laws culminating in 1962 gives unlimited discretion to the white registrars to find that Negro applicants cannot interpret the constitution, cannot understand the obligations of citizenship, are not of good moral character, etc. As Prof. Russell H. Barrett of the University of Mississippi said in a recent speech:

"First, the whole pattern of voting requirements and of the registration form is calculated to make the process appear to the voter to be a hopelessly formidable one. The pattern is supposed to bristle with complexities which culminate in the publication of the would-be voter's name in the local newspaper for two weeks. A major purpose of all this is to so overwhelm the voter that he will not have the audacity even to attempt registration. Behind this approach is supposed to be—and all too often is—a collection of fears that someone will challenge the voter's moral character, that he may be prosecuted for perjury, or that he may be subjected to economic or other pressures if he attempts to register. Those who have for years controlled state politics assume that this fear will be a powerful weapon against voter registration, yet the plain fact is that it is by far the most vulnerable of their defenses.

"A second important point is that the law provides no clear or meaningful standards for its highly general requirements. These now familiar generalities require the voter to be able to explain any section of the constitution, to describe the obligations of citizenship, and to demonstrate to the Circuit Clerk that he is of good moral character. It is clear that those requirements were stated vaguely for one simple reason, to permit the Registrar to apply different standards to different people.

"It is worth quoting what was said in 1955 by the man who was then the President of the Mississippi Circuit Clerks' Association, Rubel Phillips. In complaining about the burden placed by the new law on circuit clerks, he said, 'Many clerks feel the law is discriminatory and that a burden is placed on them to disfranchise many persons who have been voting for years. * * * Lawyers with less than 10 years of experience probably wouldn't be able to answer the questions properly.'"[18]

If the Negro finally does surmount all these hurdles, cruel economic harassment follows. Jobs are lost, credit withdrawn, supplies refused. Indeed, the 1962 Mississippi law expressly provides for publication of the names and addresses of applicants in the newspapers, enabling economic pressure to be applied during the registration process.[19]

If the Negro should be able to run the registration obstacle course and brave the economic reprisals, dangers to life and limb are very real.

In 1955, Lamar Smith, a Negro, was killed after urging other Negroes to vote in a gubernatorial election. He was shot to death on the Brookhaven, Miss., courthouse lawn. A grand jury refused to indict the three men who were charged with the slaying.

In 1961, Herbert Lee, a Negro active in voter registration activities in Liberty, Miss., was shot to death by a member of the Mississippi State Legislature. Representative E. E. Hurst, a Citizen's Council member, was vindicated by the coroner's jury, which ruled the murder a "justifiable homicide."

In 1964, a witness to the Lee killing, Louis Allen, was shot to death near his home. Allen had been harassed by local police officials several times since the Lee killing. Local authorities there say they have not come up with any clues in the Allen killing.

In 1962, Mrs. Fannie Lou Hamer of Ruleville, Miss., Vice Chairman of the Freedom Party delegation here, was fired from her plantation job, where she had worked for 18 years, the same day she had gone to the county courthouse to attempt to register. The plantation owner informed her that she had to leave if she didn't withdraw her application for registration.

Leonard Davis, of Ruleville, was a sanitation worker for the city until 1962, when he was told by Ruleville Mayor Charles M. Dorrough, "We're going to let you go. Your wife's been attending that school." Dorrough was referring to the Student Nonviolent Coordinating Committee registration school in Ruleville.

Marylene Burkes and Vivian Hillet of Ruleville were severely wounded when an unidentified assailant fired a rifle through the window of Miss Hillet's grandparents' home. The grandparents had been active in voter registration work.

In Rankin County in 1963, the sheriff and two deputies assaulted three Negroes in the courthouse who were applying to register, driving the three out before they could finish the forms.

In Philadelphia, Miss., in 1964, three students, part of the 1964 summer registration drive, were killed.[20]

In the words of the Mississippi Advisory Committee to the United States Commission on Civil Rights, a body composed entirely of Mississippians, "terror hangs over the Negro in Mississippi and is an expectancy for those who refuse to accept their color as a badge of inferiority."[21] And the Southern Regional Council, a body composed entirely of Southerners, recently documented "the almost unrestrained lawlessness which is permitted within the state against one class of people."[22]

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[13] The Democratic National Committee has always heard challenges prior to determining which of two groups should be placed on the temporary rolls. For example, the Credentials Subcommittee of the Democratic National Committee heard the dispute over which Puerto Rican delegation should be seated in 1960 prior to the National Committee's action on the temporary rolls. Certainly the challenge made by the Freedom Party is at least as significant to the future of the Democratic Party as that made by the Puerto Rican rivals in 1960.

[14] We understand that 10 percent of the 108-member Credentials Committee or 11 members may file a minority report (Cannon, Democratic Manual for the Democratic National Convention of 1964, p. 35) and that a majority of 8 State delegations may obtain a roll call (Id., p. 54). We are sending a copy of this brief to Speaker JOHN MCCORMACK, the Permanent Chairman of the Convention, and to Senator JOHN O. PASTORE, the Temporary Chairman of the Convention, and are calling their attention to this footnote, so that they may be advised of the intentions of the Freedom Party and may in turn advise us if they have any different construction of the rules of the Convention.

[15] See report of Southern Regional Council for complete study of Negro registration in South. Washington Post, Aug. 3, 1964, p. 2.

[16] Ibid. For example, in the 2 years ending this past April, Negro registration in South Carolina increased by 32,140—more than the total Mississippi Negro registration.

[17] Report of the U.S. Commission on Civil Rights—1963, p. 20.

[18] Mississippi Free Press, Apr. 18, 1964, pp. 1, 4.

[19] Mississippi Code, sec. 3212.7, approved May 26, 1962. See also Washington Daily News, Aug. 12, 1964, p. 27.

[20] Mississippi—Subversion of the Right to Vote, pamphlet of the Student Nonviolent Coordinating Committee, Atlanta, Ga., 1964. This pamphlet reports each of the above examples except the last—which requires no documentation.

[21] Report on Mississippi, January 1963, p. 23.

Strange as it may seem, even obstacle course registration, intense economic pressure and frightening terror are not all. The statutes of Mississippi provide that "No person shall be eligible to participate in any primary election unless he * * * is in accord with the statement of the principles of the party holding such primary, which principles shall have been declared by the state convention of the party holding the primary."[23] And, carrying this out, the 1960 Platform and Principles of the Mississippi Democratic Party adopted June 30, 1960, provides:

"We hold as a prerequisite to voting in the Mississippi Democratic Primaries, or otherwise participating in the affairs of the Mississippi State Democratic Party, that the voter shall subscribe to the principles and platform of the party, and shall thereby repudiate his affiliation with any other party whatsoever, and affirm his allegiance to the Democratic Party of the State of Misisssippi and to its principles and platform."

Probably the single most sacred principle of the Mississippi Democratic Party is segregation. The 1960 Platform provides:

"We believe in the segregation of the races and are unalterably opposed to the repeal or modification of the segregation laws of this State, and we condemn integration and the practice of non-segregation."

The resolution at the 1964 State Convention on July 28 provides:

"We believe in separation of the races in all phases of our society. It is our belief that the separation of the races is necessary for the peace and tranquillity of all the people of Mississippi and the continuing good relationship which has existed over the years."

In a nutshell, the Mississippi Democratic Party makes a belief in segregation a prerequisite to participation in its affairs and thus in the political life and government of the State. A Negro's mere belief in his own dignity and the United States Constitution makes him ineligible to participate in the political processes of Mississippi.

(iii) Total Exclusion of Negroes. Never was the exclusion of Negroes more successfully carried on than in the selection of the delegation representing the Mississippi Democratic Party at this Convention.

Negroes in several parts of Mississippi attempted to attend the June 16th precinct meetings of the "traditional" Party. These meetings, in which all registered voters are theoretically entitled to participate, form the base of a pyramid which culminates in the Democratic State Convention. It is in the course of this series of meetings (precinct, county and State conventions) that State party officials and National Convention delegates are elected. In this presidential election year the registered Negroes, though few in number, were fighting not only for their right to be included in the Party, but also to insure that the State Party would remain loyal to the candidates of the National Democratic Party in November. To accomplish this, they pressed for the election of delegates who shared their views, as well as for the adoption of resolutions affirming loyalty to the national ticket.

The amount of Negro activity in the precinct meetings was sharply circumscribed at the outset by the outstanding fact of Mississippi politics: the almost complete disfranchisement of Negro voters. The climate of fear that pervades the state acted as a further check: a sworn affidavit from a resident of Neshoba County, for example, explains that no Negroes went to precinct meetings there 'because it was impossible * * * to make the attempt * * * without suffering great economic and physical harm."[24] This is, of course, the county where the three students were killed in June.

But despite the obstacles, many Negroes did attempt to participate in the precinct, county and state conventions. To no avail.

In many precincts Negroes went to their polling stations before the time designated by statute for the precinct meetings (10 a.m.), but were unable to find any evidence of a meeting. Inquiries addressed to public officials proved futile: some officials denied knowledge of any meeting, others claimed that the meeting had already taken place. In these precincts Negroes proceeded to hold their own meetings and elected their own delegates to the county conventions. In other precincts Negroes found the white precinct meetings, but were excluded. In Hattiesburg, Negroes were told that they could not participate without poll tax receipts, despite the recent Constitutional amendment outlawing such requirements. In still other precincts Negroes were allowed to attend the meetings, but were restricted in some way from exercising their full rights: some were not allowed to vote, some were not allowed to nominate delegates from the floor, others were not allowed to take part in choosing those who tallied the votes. In several meetings the Negroes were unable to introduce their resolution calling for loyalty to the National Party; in others they were unable to bring their "loyalty" resolutions to a vote; and in the three instances where "loyalty" resolutions were brought to a vote, they were overwhelmingly defeated.

On June 23, 1964, Negroes tried to take part in the second level of Democratic Party meetings, the county conventions. Most of them had been elected delegates to the county level by all-Negro precinct meetings. One, however, was a delegate from a multiracial meeting in Jackson. In Madison county, Negro delegates were excluded by a claim that the meeting was of the County Executive Committee (not a convention) and was thus open only to members. In Leflore county, the white convention officials refused to recognize the Negroes' credentials. In Washington county, Negro delegates were not allowed to participate meaningfully—the meeting refused even to consider their resolution of loyalty to the National Democratic Party. And so on.[25]

By the time the apex of the pyramid was reached—the state convention—there was not a single Negro delegate in a state with 435,000 Negroes of voting age. The exclusion was complete. Furthermore, and possibly even more significant here, there was not a single delegate to the state convention, white or black, willing even to offer a resolution of support for the National Democratic Party.

(iv) Conclusion. There has not been a single Negro State office holder in Mississippi since 1892—the inevitable result of this total exclusion from the political process. Negroes have been harassed and brutalized by the officials of a state wholly controlled by the "traditional" Democratic Party. Yet, despite the hopelessness and tragedy of their position, the Negroes of Mississippi have maintained their belief in the democratic process and in the Democratic Party.

B. The Mississippi Freedom Democratic Party Desires To Work Within the Framework of the National Democratic Party

At its convention on August 6, 1964, the Mississippi Freedom Democratic Party unanimously resolved that, "We deem ourselves part and parcel of the National Democratic Party and proudly announce our adherence to it. We affirm our belief that the National Democratic Platform of recent years has been a great liberal manifesto dedicated to the best interest of the people of our Nation of all races, creeds and colors."

These were not just words to bring to this Convention. Those who organized the Freedom Party had a deep dedication to the National Democratic Party. They did not seek an alliance with Republicans; they did not try to form a third party. They sought and still seek to be a part of the National Democratic Party.

Indeed, earlier this year and despite the obstacles that have been outlined above and more, the Freedom Party ran candidates in the June 2nd Democratic primary. Mrs. Victoria Gray, Freedom Party National Committeewoman, opposed Senator John Stennis; Mrs. Fannie Lou Hamer, likewise a Freedom delegate, opposed Representative Jamie L. Whitten; the Reverend John Cameron opposed Representative William M. Colmer; and Mr. James Houston opposed Representative John Bell Williams. Defeat cannot blur this very real effort to work within the framework of the Democratic Party.

These primary candidates of the Freedom Party ran on the Platform of the National Democratic Party. They articulated the needs of all the people of Mississippi, such as anti-poverty programs, medicare, aid to education, rural development, urban renewal, civil rights. They identified themselves with the National Party and its leaders. They demonstrated, even before the August 6th Freedom Party state convention, that they were "part and parcel of the National Democratic Party."

* * * * *

That is the story of why the Mississippi Freedom Democratic Party was formed—because the Negroes of Mississippi, totally excluded from political life by the Mississippi Democratic Party, nevertheless made their choice to work within the framework of the National Democratic Party. Now we turn from why the Mississippi Freedom Democratic Party was formed, to its organization and its operation.

II. Organization and Operation of the Mississippi Freedom Democratic Party

(i) Freedom Party Formed. The Mississippi Freedom Democratic Party was officially established at a meeting in Jackson, Mississippi, on April 26, 1964. The 200 to 300 delegates present elected a temporary state executive committee of 12 persons and the committee met regularly thereafter. The Party is open to all Democrats in Mississippi of voting age, regardless of race, creed, or color.

(ii) Freedom Party Follows Law. The Mississippi Freedom Democratic Party has made every possible effort to follow the laws of Mississippi regulating political parties.

It prepared a Freedom Registration Form and enrolled voters into the Freedom Party. As of the moment of the completion of this Brief, over 50,000 Mississippi residents of voting age were registered in the Freedom Party. Rev. Robert Spike, Executive Director of the Commission on Race and Religion of the National Council of Churches, described the Freedom Registration as "a remarkable achievement in the face of the most serious obstacles."[26]

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[22] See n. 5, supra.

[23] Mississippi Code, sec. 3129.

[24] This and other affidavits referred to are in the possession of the counsel for the Freedom Party.

[25] The facts concerning the precinct and county conventions are documented by affidavits and statements in the possession of the counsel for the Freedom Party.

[26] In November 1963, 83,000 Mississippi citizens, largely Negroes barred from the "traditional" party, voted for Mr. Aaron Henry

During the weeks of July 19 and 26, 1964, there were precinct meetings in 26 counties throughout the State of Mississippi. An estimated total of 3,500 persons participated in these meetings.

During the week of July 27, 1964, county conventions were held in 35 counties at which a total of 282 delegates were elected to the state convention. In 9 of the 35 counties the Freedom Party was unable to hold precinct meetings in the precincts because of various forms of harassment; instead, the precinct meetings were held immediately preceding the county conventions.

Some county meetings in addition to the 35 were held in Jackson, since holding them in the proper counties would have endangered lives. Neshoba county, with the county seat at Philadelphia, Mississippi, was an example of such a county.

On August 6, 1964, 240 delegates assembled at the Freedom Party state convention in Jackson to elect the officers of the Freedom Party, choose the delegation to this Convention and adopt a Platform and Principles.

Efforts were made to register the Freedom Party with the Secretary of State of Mississippi both before and after the state convention of August 6th, but all such efforts were rebuffed.

The figures on Freedom Party registration and the attendance at precinct and county conventions demonstrate the seriousness with which the Party has gone at its task of organizing a state party to serve the National Party. And all of this was accomplished in the face of ugly harassment and intimidation.

Harassment took a variety of forms. Requests made in Sunflower County, Lauderdale County, and Madison County for maps or descriptions of precinct boundaries were not even answered. Attempts to publicize precinct meetings as required by state law proved futile as newspapers and radio stations refused to print the advertisements or to announce them. In some areas of the state it was felt that the meetings could not be safetly publicized as earlier announcements had led to bombings or attempted burnings in Pike County. In Leake County a radio station requested the Party to withdraw its announcement. The manager of the station, displaying letters from the mayor, the chief of police, and the sheriff, feared reprisals against the property of the station as well as the families of the employees of the station. Meetings were often followed by arrests of local participants for minor driving offenses or interrogation of those who had attended. In one case, a truck carrying Freedom Registration forms was detained for over a day, two of its occupants taken to jail and beaten and two other of its occupants told to start walking back to Jackson. These incidents only complemented the continual harassment of the Party. In one day, June 24, 1964, the Jackson office of the Council of Federated Organizations reported 16 incidents of intimidation or violence, and other days in which ten or more such incidents were reported were not uncommon.[27]

(iii) Freedom Party Convention. The Freedom Party convention of August 6 democratically elected a National Committeeman (Rev. Edwin King), a National Committeewoman (Mrs. Victoria Gray), 44 delegates and 22 alternates to the Convention. They are honorable, hard-working and loyal Mississippians; [28] their names are set forth in Appendix B, but addresses and biographies, in the possession of counsel, are withheld for reasons of personal safety. Many of them are making great personal sacrifices to attend this Convention; they do so because of their deep dedication to the liberal principles of the National Democratic Party.[29]

The delegates to the state convention unanimously expressed their dedication to the National Party in the following statement of Loyalty:

"As members of the Mississippi Freedom Democratic Party:

"1. We undertake to assure that voters of the State of Mississippi will have the opportunity to cast their election ballots for President Lyndon B. Johnson and the Vice Presidential nominee selected by the Democratic National Convention at Atlantic City, and for electors pledged formally or in good conscience to the election of President Johnson and the Vice Presidential nominee, under the Democratic Party label and designation.

"2. We go farther than the above undertaking required by the rules of the Democratic National Convention and pledge to work dauntlessly for the election of President Lyndon B. Johnson and the Vice Presidential nominee selected by the Atlantic City convention.

"3. We deem ourselves part and parcel of the National Democratic Party and proudly announce our adherence to it.

"4. We affirm our belief that the National Democratic Platform of recent years has been a great liberal manifesto dedicated to the best interest of the people of our Nation of all races, creeds, and colors. We will proudly support the 1964 platform and the 1964 candidates of the Democratic National Party."

The Convention also adopted a platform supporting full employment, collective bargaining, food stamp programs, medicare, civil rights, reapportionment, job retraining, an anti-poverty program, United Nations, foreign aid, and the Peace Corps. In a word, it identified itself with the basic programs and principles of the National Democratic Party.[30]

(iv) Freedom Party Delegates Certified. The Freedom Party delegates elected at the August 6th convention were certified to the Chairman, John W. Bailey, and the Secretary, Mrs. Dorothy Vredenburgh Bush, of the Democratic National Committee that same day and the certification was delivered to Mr. Bailey's office on August 7th, the day after the convention. This certification was contained in a letter of August 6th from Mr. Lawrence Guyot, Chairman of the Freedom Party, to Mr. Bailey, requesting that the delegation be seated in place of the delegation chosen on July 28th by the Mississippi Democratic Party. This challenge followed an earlier letter from Mr. Aaron Henry, previous chairman of the Freedom Party, to M. Bailey, dated July 17, 1964, challenging "the delegation of the 'regular' Democratic Party" and asserting "the right of the delegation of the Mississippi Freedom Democratic Party to be seated at the National Convention as the true representative of Mississippi Democrats." Mr. Bailey was invited in the July 17th letter to attend the state convention on August 6th or send an observer, but he was not able to do so. The text of the Freedom Party letters of July 17th and August 6th are set forth in Appendix B.

III. Operation of the Mississippi Democratic Party

(i) "Traditional" Party Asserts Independence. Whereas the Freedom Party has made every effort to work within the framework of the National Democratic Party, the "traditional" Party has been at equal pains to demonstrate its independence of the National Party. The Mississippi Democratic Party has over and again declared in public speeches and printed matter that it is not a part of the National Democratic Party. The campaign literature for the selection of Governor Paul B. Johnson, in November of 1963, could not be clearer on this point: "Our Mississippi Democratic Party is entirely independent and free of the influence or domination of any national party".

"The Mississippi Democratic Party, which long ago separated itself from the National Democratic Party, and which has fought everything both national parties stand for * * *." "Both the National Democratic Party and the National Republican Party are the dedicated enemies of the people of Mississippi." [31] As late as June 25th of this year, Governor Johnson announced, "We haven't left the National Democratic Party, the National Democratic Party has left us." [32] Former Governor Ross Barnett flatly stated that "there is no place for Mississippi today in national Democratic or Republican parties." [33] Former Governor J. P. Coleman said, "This party has always been separate and distinct from the national party," [34] And Bidwell Adam, State Democratic Chairman, publicly announced he was "through with the National Democratic Party. The National Democratic Party will have to get somebody else to carry their banner." [35] Governors Coleman, Barnett and Johnson and State Chairman Adam, the leaders of the "traditional" party, may sing a different tune through their underlings at this Convention, but they cannot hide the words they use in Mississippi—that they will have nothing whatever to do with the National Democratic Party.

(ii) "Traditional" Party Opposes National Platform. The Mississippi Democratic Party has done far more than merely shout that it is not a part of the National Democratic Party. More fundamentally, it has opposed, and today opposes, everything for which the National Party stands.

On August 16, 1960, after the Kennedy-Johnson ticket was nominated, the recessed State convention resolved "that we reject and oppose the platforms of both National Parties and their candidates." Their leaders—the same leaders who are sending a delegation to this Convention—successfully campaigned for unpledged electors who cast their votes against President John F. Kennedy and Vice President Lyndon B. Johnson.

At their State convention just last month the "traditional" Party passed resolution after resolution opposing everything which the Democratic National Party has done and for which it stands. The State convention

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(chairman of the Freedom delegation here) for Governor in a mock election. Only the cruelest harassment prevented the Freedom Party from doubling that figure in the present registration. The type of harassment ranged from the murder of the three boys in Philadelphia down to the beating of two Freedom registration workers driving a truck containing Freedom registration forms.

[27] The facts concerning harassment and intimidation are documented by affidavits and statements in the possession of the counsel for the Freedom Party.

[28] The delegation has 64 Negroes and 4 whites. The party is open to all Democrats, and the number of whites on the delegation was limited solely by the number willing to brave certain reprisal.

[29] By secret ballot, as required by Mississippi statute, Mr. Aaron Henry and Mrs. Fannie Lou Hamer were elected chairman and vice chairman of the delegation, respectively. Mrs. Annie Devine was elected secretary.

[30] The platform and principles of the Mississippi Freedom Democratic Party, adopted at the State convention on August 6, is set forth in full in app. A.

[31] The Johnson Journal, vol. III, 1963, p. 1.

[32] Jackson Clarion-Ledger, June 26, 1964, p. 14.

[33] Biloxi-Gulfport Daily Herald, Mar. 26, 1963, p. 1.

[34] Biloxi-Gulfport Daily Herald, May 10, 1963, p. 1.

[35] Mongomery Advertiser, Sept. 29, 1962, p. 7A.

called for the repeal of the Civil Rights Act of 1964 which it denounced "as a naked grasp for extreme and unconstitutional Federal power" and "a betrayal of the American people." It favored "getting the United States out of the United Nations, and the United Nations out of the United States." It favored limiting the jurisdiction of the Supreme Court and removing certain of its members. The general philosophy of the "traditional" State convention was probably best expressed in the following resolution:

"We express our admiration, and appreciation of Gov. Ross R. Barnett and Gov. George C. Wallace, of Alabama, for their able, courageous, patriotic and effective work in awakening the American people to the utter necessity of the return of this country to true Constitutional Government and individual freedom.

"We are greatly indebted to Governor Wallace for his tremendous visit to Mississippi, and he and Governor Barnett occupy a permanent place in the heart of every true Mississippian." [36]

(iii) "Traditional" Party Attacks National Leaders. The violent opposition of the "traditional" party to the National Democratic leaders is almost too well known to repeat in this Brief. Governor Johnson may now speak with "judiciously-chosen" words so he can get his delegation seated here, but he was not so judicious in his campaign in 1963. Time after time he referred to the "Kennedy albatross" around the neck of his opponent or around the country's neck.[37] Four days before his election, Governor Johnson shouted that "my determination is to do anything I can to get the Kennedy dynasty out of the White House." [38] Johnson's campaign advertisement spoke of eliminating "Kennedyism from our state"; [39] he said the choice was between "political dictatorship sponsored by John Kennedy" or constitutional government.[40] He said that unless President Kennedy is defeated in 1964, "you've seen your last free election; [41] and only this past July 28th at the state convention, Governor Johnson repeated his belief that this "threatens to be the last free election in this fair land." Johnson said point number one in his program "will be to spearhead an all-out effort to secure cooperation from other governors and leaders to get the Kennedys out of the White House" [42]—small wonder, too, since he had already referred to them as "dimwits".[43] An official Johnson campaign ad showed a picture of a bed in which President Kennedy had slept and then stated: "Make sure that Kennedy never sleeps there again." [44] As though to clinch the matter, Governor Johnson's victory statement after his election proclaimed to the voters that "your victory is one over the Kennedys, the Adalai Stevensons and the northern Democratic overlords who also would like to destroy our way of life." [45] And as recently as August 13 of this year the Washington Post reported that Governor Johnson laced into the Johnson Administration as that "shifting, vacillating, crawfish government in Washington."

Other spokesmen for the "regular" party have also made clear their violent opposition to the National Party's leaders. Former Governor Ross Barnett, the true hero of the "traditional" state convention, has time and again referred to President Johnson as a "counterfeit confederate". On the 4th of July of this year he termed President Johnson a "counterfeit confederate who resigned from the South and may one day soon resign from the white race as well."[46] A few days later he said, "I would vote for Senator GOLDWATER before I would vote for Lyndon Johnson, a counterfeit confederate."[47] And on July 22nd the Clarion-Ledger reported from Houston, Texas: "Calling Lyndon Johnson 'a counterfeit confederate,' Barnett said 'he'll need more than an 87-vote landslide in Texas' to win the November election."

Governors Johnson and Barnett have been ably assisted by other leaders of the "traditional" party in their attacks upon Presidents Kennedy and Johnson. Mrs. Florence Sillers Ogden of Rosedale, sister of the Speaker of the Mississippi House of Representatives, "flayed the Kennedy administration and called on America's womanpower to turn back the tide of constitutional destruction which is engulfing the nation. * * * Never, never vote for a liberal. * * * [We stand for] free enterprise and prayer in the schools [and oppose] 'Kennedys, disarmament, and Communism'."[48] Congressman John Bell Williams said that "Kennedy is the most predatory chief executive of all time. If we don't stop him and his brother Bobby, human liberty will disappear from this nation and the face of the earth."[49] Judge Thomas Brady, temporary chairman at the recent "traditional" state convention, went beyond attacks on Presidents Johnson and Kennedy and called Speaker Sam Rayburn, who presided over Democratic National Conventions more often than any man in history, "that eggheaded man from Texas who is an arch-traitor to the South."[50]

Quite possibly a short excerpt from the Jackson Clarion-Ledger just after President Kennedy was assassinated best sums up the Mississippi "hate" campaign against the leaders of the National Democratic Party:

"At Pascagoula, attorney Robert Oswald resigned as president of the Mississippi Young Democrats. 'The tragic event in Dallas, Texas, in the light of the "Hate the Kennedy" attitude of the leadership of the Mississippi Democratic Party and its present administration should require no further explanation for my action.' " [51]

(iv) "Traditional" Party Villifies Negroes. This attitude of hatred towards Presidents Kennedy and Johnson, who worked so hard and effectively for civil rights, is hardly surprising when one pauses to consider the almost barbaric attitude of the leadership of the "traditional" Party to Negro citizens. To seat the delegation of Paul B. Johnson and Ross Barnett, while barring the Freedom Party from the convention door, would be a deliberate insult to the Negroes of America who support the National Party at the behest of those who would destroy it.

The undisputed leader of the Mississippi Democratic Party is Governor Paul B. Johnson. Mr. Johnson's attitude is, purely and simply, one of bigotry. On July 9, 1963, he bragged that "in the past few years we lost 270,000 good-for-nothing lazy Negroes." [52] On July 27, 1963, he said that Mississippi needs "an education program to teach some of our Negroes that they are wasting their time staying in Mississippi." [53] Along the same lines, he said, "You can't ask * * * Negro leaders what they want. You * * * tell 'em what they're going to get." [54] And in the Citizens Council Magazine for December, 1963, he is quoted as saying: "I am proud to have been part of the resistance last Fall to Meredith's entrance at Ole Miss"—resistance for which he is now under criminal charges for contempt of federal court. During his 1963 campaign, he repeatedly said, "You know what the NAACP stands for: Niggers, alligators, apes, coons and possums." [55] And on July 3d of this year, when Governor Johnson was asked if owners of public accommodations should comply with the Civil Rights Act signed by President Johnson the day before, he told newsmen, "I don't think they should." [56] And a few days later, Johnson refused even to talk with Commerce Secretary Luther Hodges and former Governor LeRoy Collins, President Johnson's civil rights relations team.[57]

Governor Ross Barnett, Paul Johnson's co-leader of the "traditional" Party and his co-defendant in the criminal contempt case, has a similar attitude towards Negroes. Only last month he cried out, "Let there be no misunderstanding regarding my position and my determination to unflinchingly and steadfastly continue to support Governor Wallace as long as he is in the race." [58] Nothing less could have been expected from the Governor, who, like Governor Wallace, was in open and malicious defiance of the Supreme Court and the President of the United States. Flatly stating that "there is no case in history where the Caucasian race has survived social integration," [59] he interposed the rights of the Sovereign State of Mississippi against the Federal Government. His disregard of constitutional authority impelled President Kennedy to use Federal marshals and troops so that a single Negro could enter the University of Mississippi.

The bigotry of both Governors Barnett and Johnson toward the Negroes of their State is nowhere better evidenced than in their succesful warfare against public school integration. Governor Johnson, in a speech to the Citizens Council on October 25, 1963, made clear his determination to keep Negro children out of white schools at any cost:

"As your governor, and as a man, I will resist the integration of any school anywhere in Mississippi. The closing of our schools is not the only answer. We can and will maintain a system of segregated schools. When local authorities are organized to resist and not surrender, your governor has great powers which have not yet been used.

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[36] This resolution sanctifying Governor Wallace only highlights the irony of excluding the Alabama delegation (apparently everyone agrees to this exclusion), while at the same time even considering the seating of the "traditional" Mississippi delegation. The 20 years of political perfidy of the "traditional" Mississippi Party makes the Alabama record seem almost like one of continued loyalty.

[37] See e.g., Biloxi-Gulfport Daily Herald, July 2, 1963, p. 11; id., July 18, 1963, p. 26; Jackson Clarion-Ledger, July 17, 1963, p. 1; Time magazine, Aug. 16, 1963, p. 17.

[38] Jackson Clarion-Ledger, Nov. 2, 1963, p. 8.

[39] Biloxi-Gulfport Daily Herald, Aug. 16, 1963, p. 9.

[40] Biloxi-Gulfport Daily Herald, Aug. 17, 1963, p. 1.

[41] Biloxi-Gulfport Daily Herald, Sept. 5, 1963, p. 9.

[42] Memphis Commercial Appeal, Oct. 26, 1963, p. 9.

[43] Biloxi-Gulfport Daily Herald, July 18, 1963, p. 26.

[44] Biloxi-Gulfport Daily Herald, July 9, 1963, p. 6.

[45] Jackson Clarion-Ledger, Nov. 7, 1963, p. 1.

[46] Jackson Clarion-Ledger, July 6, 1964, p. 5.

[47] Jackson Clarion-Ledger, July 18, 1964, p. 8.

[48] Jackson Clarion-Ledger, Jan. 20, 1963, p. 10.

[49] Biloxi-Gulfport Daily Herald, July 23, 1963, p. 7.

[50] Silver, James W., The Closed Society (1963), p. 50.

[51] Jackson Clarion-Ledger, Nov. 23, 1963, p. 5.

[52] Jackson Clarion-Ledger, July 9, 1963, p. 10.

[53] Jackson Clarion-Ledger, July 27, 1963, p. 6.

[54] Life magazine, Feb. 7, 1964, p. 4.

[55] Time magazine, Aug. 16, 1963, p. 17.

[56] Jackson Daily News, July 3, 1964, p. 2. Again illustrating how Mississippi stands aloof from the changing South, Governor Johnson's statement on the Civil Rights Act should be compared with that of those numerous other Southern leaders who have called for compliance.

[57] Jackson Clarion-Ledger, July 8, 1964, p. 1.

[58] Jackson Clarion-Ledger, July 18, 1964, p. 1.

[59] Memphis Commercial Appeal, Sept. 14, 1962, p. 1.

"We learn from our mistakes. I am proud to have been part of the resistance last Fall to Meredith's entrance at Ole Miss. Mississippi stirred the admiration of the world by her spirited stand against the Federal invaders. Yet, it is plain now that we might have done more, and should do more the next time. Interposition of your governor's body between the forces of Federal tyranny and his people, including our children, is a price not too great to pay for racial integrity. I pledge you here tonight that I am prepared to pay such a price! Remember, there is no such thing as 'token' integration. So-called 'token' integration is just a break in the levee that leads to the flood." [60]

What this means in further Mississippi violence only time can tell. Federal court orders are already in existence requiring partial integration of schools in Jackson, Biloxi and Leake County, Governor Johnson has yet to withdraw the position he so vigorously espoused before the Citizens Council last fall.

Possibly the most notorious bigot in the leadership of the "traditional" Party is Judge Thomas Brady, who acted as temporary chairman of the "traditional" state convention on July 28th and is the present "traditional" National Committeeman. He is the author of the famous "Black Monday" in which he called for the formation of a 49th state where Negroes could be sent and in which he termed the CIO and NAACP "Communist-front organizations." [61] In 1957 in an address to a California audience, Brady, who doubles as a State Supreme Court Judge, told his audience:

"I can, however, safely say that based upon the tests which are available from World War I, and from personal experience, there is a vast gulf of difference between the I.Q. of the Negro of the South, as well as in America, and the average white man. It is because of an inherent deficiency in mental ability, of psychological and temperamental inadequacy. It is because of indifference and natural indolence on the part of the Negro. All the races of the earth started out at approximately the same time in God's calendar, but of all the races that have been on this earth, the Negro race is the only race that lacked mental ability and the imagination to put its dreams, hopes and thoughts in writing. The Negro is the only race that was unable to invent even picture writing." [62]

Equally degrading to Negroes is this statement by Judge Brady:

"The purpose of this comparison is not to embarrass of humiliate anyone. You can dress a chimpanzee, housebreak him, and teach him to use a knife and fork, but it will take countless generations of evolutionary development, if ever, before you can convince him that a caterpillar or a cockroach is not a delicacy. Likewise the social, political, economic and religious preferences of the negro remain close to the caterpillar and the cockroach. * * * It is merely a matter of taste. A cockroach or caterpillar remains proper food for a chimpanzee." [63]

In 1960, Judge Brady was the only National Committeeman who refused to take the loyalty oath required by the rules of the Democratic National Convention. He returned to Mississippi and supported the unpledged elector slate against those pledged to John F. Kennedy and Lyndon B. Johnson and termed the Democratic Platform "very similar to the Constitution of the Union of Soviet Socialist Republics." [64] Only recently he called for an economic boycott against businessmen who voluntarily comply with the Civil Rights Act.[65] Although he has never previously had the gall to present his credentials to the Democratic National Committee, the "traditional" state convention had the effrontery to elect him as a delegate to this Convention.[66]

(v) "Traditional" Party for GOLDWATER. The "traditional" state convention of July 28 showed the true colors of that Party in more ways than just electing Brady a delegate. The delegates arrived in cars bearing Goldwater bumper stickers,[67] "openly voiced themselves during recess and prior to the Convention being called to order as favoring the candidacy of Senator BARRY GOLDWATER" [68] and then recessed until September 9 "for the purpose of allowing the Convention to swing to GOLDWATER.[69] As Richard Corrigan reported to the Washington Post from Jackson on August 2, 1964:

"In their convention last week, the Democrats muffled their enthusiasms for Senator GOLDWATER to protect their delegation to Atlantic City. They voted to send an uninstructed delegation and resolved that the national convention's nominees will appear on the ballot here next November, come what may.

"The Jackson convention took these steps to head off the challenge of the Mississippi Freedom Democratic Party, a biracial pro-Johnson organization which will try to unseat the regulars at the national convention.

"When the State convention reconvenes on September 9 it is expected to endorse Senator GOLDWATER."

But all this was only the final act of 20 years of political perfidy by the Mississippi Democratic Party, to which we now turn.

(vi) Twenty Years of Political Perfidy. In 1944, the Mississippi State Democratic Convention freed its presidential electors from the obligation to vote for the National Convention nominees.

In 1948, the Mississippi delegates bolted the National Democratic Convention. National committee members and other leaders of the Mississippi Democratic Party disassociated themselves from the National Democratic nominees and supported the "States Rights" candidates. The Governor of Mississippi, Fielding L. Wright, joined the States Rights ticket as Vice Presidential nominee and helped capture the State for STROM THURMOND.

In 1952 and 1956 the Mississippi Democratic Party continued this guerrilla warfare against the National Party. It redoubled its efforts to exclude Negroes loyal to the National Party and it "interposed" segregation against the principles of the National Party. Nevertheless, in both the 1952 and 1956 National Conventions, the "regulars" were seated at the expense of loyalist delegations seeking the right to support the National Party.

In 1960 the "traditional" state convention recessed so its delegation could attend the National Convention. After the nomination of President Kennedy and Vice President Johnson, the reconvened state convention rejected these candidates and opposed the platform adopted by the National Party. With the vociferous support of then Governor Barnett, the unpledged electors won the November election and all eight Mississippi electoral votes were cast for Senator BYRD of Virginia.

In 1964 history is about to repeat. As we have already seen, the "traditional" convention recessed so it could send delegates to this Convention and then reconvene "for the purpose of allowing the [State] Convention to swing to GOLDWATER." [70] Can this convention blind itself to what everybody sees?

(vii) "Traditional" Party Leaders Duck Convention. The "traditional" Party's contempt for the National Party is evidenced once more in the delegation which it is sending to this convention. Governor Johnson is not a delegate; neither is the Lieutenant Governor, the Attorney General, ex-Governor Barnett, ex-Governor Coleman, Senator STENNIS, Senator EASTLAND, any of the five Congressmen, or even the Party Chairman. As George Carmack, a Scripps-Howard staff writer, reported from Jackson the day after the Convention, this is a "Joe Doakes delegation." [71]

The state convention had obvious reasons for sending a "Joe Doakes delegation." There is no one among the group who can be asked to make a pledge to the National Convention or whose pledge, if asked and given, would bind the leaders of the "traditional" Party. There is no one to pledge the leadership of the Party to support President Johnson. There is no one to pledge the leadership to admit Negroes to the Party in the future. There are only the Joe Doakeses to warm the Mississippi seats at the National Convention and thus to keep the Freedom delegates from being seated. We believe we have the right to ask whether this Convention is going to prefer the Johnson-Barnett minions to loyal Democrats who have been crushed under their boots.

(viii) Conclusion. For 20 years, the Mississippi Democratic Party has not wanted to be a part of the National Party. It has claimed its independence of the National Party and its leaders have spewed hatred upon the candidates and principles of the National Party. Why, then, do they come here every four years and ask to be seated in the National Party? The answer is not far to seek. While the "traditional" Party does not want to be a part of the National Party, it does not want any other group to represent the National Party in Mississippi.[72] They want their cake and they want to eat it, too. They want the seats at the National Convention (so no one else can have them and represent the National Party back in Mississippi) and they want to be independent. They are engaged in political preclusive buying—they are trying to buy the seats at the Convention so the Freedom delegates won't get them, but they don't want to pay for the seats with loyalty to the National Party.

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[60] The Citizen, Official Journal of the Citizens' Councils of America, December 1963, p. 10.

[61] Brady, Tom P., Black Monday (1955), pp. 69, 73.

[62] Address by Judge Tom Brady to the Commonwealth Club of California at San Francisco, Oct. 4, 1957.

[63] Black Monday, p. 12.

[64] Jackson Clarion-Ledger, Oct. 26, 1960. p. 14.

[65] Jackson Daily News, July 8, 1964, p. 6.

[66] Recently, Brady has even announced that he will attend the Democratic National Committee meeting prior to the Convention. Memphis Commercial Appeal, Aug. 6, 1964, p. 18. Brady's successor as committeeman will be E. K. Collins, who, on Sept. 25, 1962, proclaimed: "We must win this fight regardless of the cost in human lives." Silver, n. 50, p. 118.

[67] See n. 7, supra.

[68] See n. 8, supra.

[69] See n. 10, supra.

[70] See n. 10, supra.

[71] Washington Daily News, July 29, 1964, p. 7.

[72] On Aug. 12, 1964, the "traditional Party obtained a temporary restraining order forbidding the Freedom Party from using the word "Democratic" in its name. This order is obviously a nullity—no State can deny Negroes participation in its Democratic Party and then bar them from forming a State group of their own to represent the National Democratic Party in that State. More significantly here, this is simply another device to keep the National Party out of Mississippi.

The Democratic Party has permitted this political double dealing for two decades. After 20 years, the questions before the Convention are becoming clear: Is the National Party once again going to seat those who oppose it? Is it going to seat the representatives of a recessed state convention that will find a method of supporting Barry Goldwater on September 9? Or is it, at long last, going to seat loyal Democrats ready and willing to support the National Party, its candidates and its principles?

We turn now to the legal answers to these questions.[72a]

LEGAL ARGUMENTS FOR SEATING MISSISSIPPI FREEDOM DEMOCRATIC PARTY

I

The rules of the convention forbid the seating of the "traditional" Mississippi Democratic Party delegation

The 1956 and 1960 Democratic National Conventions adopted the following rules:

"(1) It is the understanding that a State Democratic Party, in selecting and certifying delegates to the Democratic National Convention, thereby undertakes to assure that voters in the State will have the opportunity to cast their election ballots for the Presidential and Vice Presidential nominees selected by said Convention, and for electors pledged formally or in good conscience to the election of these Presidential and Vice Presidential nominees, under the Democratic Party label and designation;

"(2) It is understood that the Delegates to the Democratic National Convention, when certified by the State Democratic Party, are bona fide Democrats who have the interests, welfare and success of the Democratic Party at heart, and will participate in the Convention in good faith, and therefore no additional assurances shall be required of Delegates to the Democratic National Convention in the absence of credentials contest or challenge."

The Democratic National Committee has recommended that the rules quoted above again "be adopted as rules applicable to the 1964 Democratic National Convention." In line with this recommendation, these rules are contained in the Call for the 1964 Democratic National Convention issued by Chairman John M. Bailey on February 26, 1964.[73]

These two rules, considered separately or considered jointly, prevent the seating of the "traditional" Mississippi Democratic Party. We deal with each paragraph of the rules separately.

A. Paragraph (1) of the Rules Forbids the Seating of the Delegation of the "Traditional" Party Because That Party Has Not and Cannot Give the Required Assurances Concerning the November Ballot

Paragraph (1) of the rules requires a State Democratic Party in certifying delegates to this convention to undertake to assure that voters in the State will have the opportunity to vote for the presidential and vice presidential nominees selected by the Convention with pledged electors under the Democratic Party label and designation.[74] The "traditional" Democratic Party has not and under the laws of Mississippi cannot give this assurance; thus its delegation cannot be seated at this Convention.

On March 2, 1963, the Mississippi State Legislature at the "1st Extraordinary Session of 1963" amended the laws of Mississippi to keep electors pledged to the nominees of the Democratic National Convention off the ballot in 1964 and to put unpledged electors on the ballot in their place. Section 4 of Senate Bill No. 1522 adopted by the legislature on that date provides that "a primary election shall be held the first Tuesday in September in the year of the general election for President and Vice President . . ." Section 3 provides that at this September primary election there is to be on the ballot a slate of electors supporting the candidates for president and vice president of the national political party if 10 percent of the membership of the state convention so determines; also, upon motion supported by 10 percent of the membership of the state convention, a group of unpledged electors is to be on the primary ballot. Under Section 4 "the group of electors receiving the most votes at said [primary] election shall be placed upon the ballot in said general election as the electors of the said political party in this state, and no other group of electors shall be placed upon the said ballot as such electors of the said political party in this state."

The purpose of this 1963 law is as clear as its language—to keep electors pledged to the presidential and vice presidential nominees of the national ticket off the ballot. The sponsors of the bill described it as an attempt to keep Kennedy off the ballot as a Democrat in Mississippi.[75] Under the plan, two sets of electors would be proposed, one for the national ticket and one against. Whichever set lost would have to run as independents in the final presidential election. "Legislative backers said the move would show before election time that Democratic sentiment in the state was opposed to the National Administration."[76] And the Johnson Journal (Vol. III) in supporting the candidacy of Paul B. Johnson for Governor stated as follows:

" 'The Free Elector Plan is the foundation to future political independence for Mississippi and, as your governor, I shall utilize my every resource to assure the success of this plan.' Lt. Gov. Paul B. Johnson, who steered the enabling legislation to Senate passage earlier this year, has made this commitment to the great majority of Mississippians who join with him in demanding that the decent, conservative citizens of America take the offensive in the national struggle against alien ideologies.

"The Free Elector Plan is designed to withhold the electoral votes of several states (17 now have the necessary laws) from the presidential candidates of both national political parties so that, in a close contest like the 1960 election, these withheld votes would constitute the 'balance of power.' "

In view of the language and purpose of last year's Mississippi law, it is impossible for the "traditional" State Democratic Party to undertake to assure that President Johnson and his vice presidential running mate will be on the ballot in November with pledged electors. On the contrary, under existing Mississippi law, President Johnson must subject himself to a primary contest under the most unfavorable and improbable circumstances. In simple terms, the President of the United States and the head of the Democratic Party is required to run a primary election for the privilege of a place on the ballot under the name of his own party. Certainly this is the farthest thing from an assurance that he will be placed on the ballot with pledged electors. And what happened at the July 28th "traditional" State convention in no way changes this. Let us examine what did in fact happen there.

To begin with, the "traditional" Party adopted a resolution stating that:

"In keeping with the fair-play of Chapter 32 of the Laws of Mississippi of the First Extraordinary Session of 1963 providing for one slate of electors to support the candidates for President and Vice-President of the National Democratic Party, and a separate slate of electors who have announced their purpose not to support the said candidates of the National Democratic Party, that the voters of Mississippi will definitely have the opportunity, in the November 1964, General Election, to cast their election ballots for the Presidential and Vice-Presidential Nominees selected by the National Democratic Party at the Atlantic City Convention with electors pledged to support said Nominees."

The pledge contained in the above resolution is meaningless under the existing laws of the State of Mississippi. Unless electors pledged to President Johnson and his running mate win the September primary,[77] there is no way of their getting on the ballot under existing Mississippi law. Apparently, Governor Paul Johnson understands this very well. Thus he "said in his keynote address [at the State Convention] that he was ready to call a special session of the Legislature 'to make sure that everyone in the state has a right to a choice' in November."[78]

Even Governor Johnson now recognizes that, under the existing laws of Mississippi, President Johnson and his running mate will not be on the ballot in November with pledged electors. He therefore promised to call a special session of the legislature to get President Johnson on the ballot. But he has not done it. The significant point is that the Governor, after saying he would call a special session of the legislature to change the law of Mississippi, has failed to do so and there is nothing to stop the reconvened convention of September 9th from reversing the meaningless pledge it gave at its July 28th Convention.

Furthermore, and equally importantly, the resolution of the "traditional" Party quoted above is not in conformance with paragraph (1) of the rules. Paragraph (1) requires that there be assurance that the presidential and vice presidential nominees will be on the ballot with pledged electors "under the Democratic Party label and designation." The resolution of the "traditional" Party does not mention "under the Democratic Party label and designation"; that resolution would be fully met if the electors for President Johnson and his running mate were placed on the ballot as independents, but this would, of course, wholly fail to satisfy paragraph (1) of the rules.

Nor can this refusal to promise to put the electors for President Johnson and his running mate on the ballot "under the Democratic Party label and designation" possibly be considered an oversight. Paragraph (1) of the rules is crystal clear. The Freedom

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[72a] The above statement of facts has been reviewed for accuracy by Barney Frank, Teaching Fellow in Government and General Education at Harvard University, who spent substantial time in Mississippi collecting facts for the Freedom Party. Many others assisted in providing the facts outlined above.

[73] Cannon, Democratic Manual for the Democratic National Convention of 1964, p. 15.

[74] Paragraph (1) of the rules is solidly based on the Constitution. Where a State authorizes a political party to choose its nominees for presidential electors in a State-controlled party primary election and to fix qualifications for the candidates, it is no violation of the Federal Constitution for the party to require the candidates for the office of presidential elector to take a pledge to support the party's National Convention choices for President and Vice President or for the Party's officers to refuse to certify as a candidate for presidential elector a person otherwise qualified who refuses to take such a pledge. *Ray* v. *Blair*, 343 U.S. 214 (1952).

[75] Biloxi-Gulfport Daily Herald, Mar. 26, 1963, p. 1.

[76] Biloxi-Gulfport Daily Herald, Apr. 4, 1963, p. 1.

[77] It now appears unlikely that there will even be a September primary as required by law.

[78] New York Times, July 29, 1964, p. 18.

Party with no real experience in politics followed the rule with precision (see p. 19, supra). The "traditional" Party had a reason for leaving out this part of the pledge—they wanted to find a way of letting Mississippians vote Democratic and still not vote for President Johnson. Consequently, they decided to withhold the Democratic Party label and designation from President Johnson, so they could use it for unpledged electors or for electors pledged to Senator GOLDWATER.

As pointed out earlier in this Brief, Mississippi is sending a Joe Doakes delegation which can pledge nothing as far as the leadership of the "traditional" Party is concerned. Thus, any pledge by the delegates at this Convention to put the electors for President Johnson and his running mate "under the Democratic Party label and designation" would be meaningless. What is more, such a pledge would be worthless for the "traditional" Party violated the pledge it gave four years ago on this same point. At that time, in accordance with the rules of the National Convention, the "traditional" Party undertook to assure that the electors for President Kennedy and Vice President Johnson would be on the ballot "under the Democratic Party label and designation." After making this pledge, the "traditional" Party put two slates of electors on the ballot under the designation of "the Democratic Party of the State of Mississippi"—one pledged to Kennedy-Johnson and one unpledged. In other words, after promising to give the nominees of the 1960 Convention the benefit of the Party label, it added a slate of unpledged electors under that Party label and thus rendered the label worthless in violation of its pledge under paragraph (1) of the rules. As if to compound their infraction of the rules, the Mississippi "traditional" Party leaders then supported the unpledged slate as the real Democratic Party of the State of Mississippi.

This is the situation as the Democratic Convention meets at Atlantic City: the laws of Mississippi prevent President Johnson and his running mate from being on the ballot with pledged electors; the Governor promises a special session, but does not call it and instead awaits a reconvened session of the state convention to determine his course. The state convention adopts a resolution which is meaningless under the laws of Mississippi and which does not meet the rules because it does not promise the Party label to President Johnson and his running mate (a provision of the rules which it breached in 1960). If the rules of this Convention are to mean anything, the "traditional" state delegation cannot be seated under paragraph (1).

B. Paragraph (2) of the Rules of the Convention Forbids the Seating of the Delegation of the "Traditional" Party Because The Delegates Do Not Come As "Bona Fide Democrats" Willing to "Participate in the Convention in Good Faith."

Paragraph (2) reads in full as follows:

"(2) It is understood that the Delegates to the Democratic National Convention, when certified by the State Democratic Party, are bona fide Democrats who have the interests, welfare and success of the Democratic Party at heart, and will participate in the Convention in good faith, and therefore no additional assurances shall be required of Delegates to the Democratic National Convention in the absence of credentials contest or challenge."

This provision is clear. First, it means that, "in the absence of credentials contest or challenge," all delegates who meet the requirements of paragraph (1) with respect to candidates being on the ballot will be seated without any issue being made of good faith. But, second, it equally means that in the presence of credentials contest or challenge, the delegates must demonstrate that they "are bona fide Democrats who have the interests, welfare and success of the Democratic Party at heart, and will participate in the Convention in good faith." In a nutshell, where, as here, there is a contest or challenge, the delegates must demonstrate their good faith to the Convention. To read paragraph (2) any other way would be to violate the standard rule of construction requiring that "each word will have a meaning, and not so read that one word will cancel out and render meaningless another."[79]

Although the history of this paragraph (2) is scant, what history there is also supports the construction that paragraph (2) is an addition in substantive requirement to paragraph (1) and that challenged delegates must demonstrate their good faith. The addition of this second paragraph to supplement the undertaking in the first paragraph was a concession to the "Loyal Democrats," at the time led by Governor Daniels of Texas, who feared that the Loyalists in the South would be destroyed by a weaker pledge.[80] Two challenges were presented in 1956 and the issue was whether the "traditional" delegations from Mississippi and South Carolina could conform to paragraph (2) of the rules:

"To the South Carolina 'loyalists' Rawlings [Chairman of the Credentials Committee] explained that delegates elected in accordance with the rules of their state would be seated unless it were demonstrated that they 'are not Democrats to the point where they do not comply with the Call.' He re-read the Call and inquired whether it had been read to the state convention and 'whether or not those delegates subscribed to those resolutions.' The state chairman of the official party assured him that it had been read at the convention, and that the delegates were elected subject to the Call and would subscribe to the rules proposed in it."[81]

The Mississippi Democrats also agreed to conform to the Call assuring the Chairman that the state convention had been conducted "in absolute compliance with the Call."[82]

That same year, 1956, Adlai Stevenson stated that he was not then in accord with the loyalty oath. "But, speaking generally, I just don't believe that honorable men who have been elected to high office as Democrats and by Democrats will come to a Democratic Convention if they are publicly, secretly, or even conditionally pledged to support the Republican candidate."[83]

Indeed, this was the interpretation put on paragraph (2) by the Chairman of the Credentials Committee of the National Convention in 1956. A rival Mississippi delegation appeared to challenge the "traditional" Party. The following colloquy took place:

"Sweetland: 'Now, under the rules under which we are now operating, under the present rules of the Democratic National Committee, isn't an exception made in requiring a pledge of loyalty to the Party in the case of contested delegations, where such pledges may be required?' "

"Rawlings: 'Yes, I think that is true.' "[84]

Under paragraph (2) of the rules, there can be little question that where, as here, there is a contest or challenge, the challenged delegation must show its good faith. And this the "traditional" delegation cannot do.

As we have already seen, the "traditional" state convention recessed so it could reconvene in September and then come out for GOLDWATER (see pp. 31 to 32, supra). The "regulars" of Mississippi are unwilling to throw in their lot with the National Democratic Party. They proclaim their independence of it; they attack its leaders; they support its opposition. They bar Negroes (overwhelmingly for President Johnson) from voting. They come here for the sole purpose of warming 68 seats so that loyal Democrats cannot have them. It is hard to conjure up anything more clearly bad faith than coming to a Convention not to help the National Party win, but rather to exclude someone else.

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Both under paragraph (1) and paragraph (2) of the rules the Mississippi Democratic Party delegation cannot legally be seated. The only procedure at this Convention under which the "traditional" delegation could possibly be seated would be to suspend the rules and seat them despite the rules. Yet everyone knows that the "traditional" Mississippi delegation could not obtain the votes of two-thirds of the delegates to this Convention needed to suspend the rules and seat them; they could not get one-third or one-sixth to take such action. Certainly it is not the task of the Credentials Subcommittee of the National Committee or the Credentials Committee of the Convention to suspend the rules. Rather it is their duty to interpret and apply the rules—so doing, the "traditional" delegation cannot possibly be seated.

II. The delegation of the "traditional" party should not be seated because the State convention which selected and certified it was illegal and unconstitutional

It is hard to believe that anyone—even the "traditional" Party itself—will have the temerity to challenge the proposition that the state convention which selected and certified the "traditional" delegation was both illegal and unconstitutional. For the state convention of the "traditional" party was the culmination of a process of exclusion of Negroes in blatant violation of the 14th and 15th amendments to the Constitution. Negroes were excluded from every aspect of the political process leading up to the state convention—registration, precinct conventions predicated on registration, county conventions and finally the state convention—and this exclusion permeated and invalidated the state convention.[85] It is thus unnecessary to go beyond this simple proposition. Nevertheless, to make assurance doubly sure, we are adding the points contained in the succeeding pages.

A. The Convention of the "Traditional" Party Was Illegal and Unconstitutional Because That Party Runs the State of Mississippi and Uses Its Power To Exclude Negroes From Registration and Participation in the Political Processes of the State

Nowhere else in this country has a single party such pervasive control of the entire state governmental machinery as has the Mississippi Democratic Party. As Governor Paul Johnson said in his keynote address to the July 28th state convention:

"The Mississippi Democratic Party, for the past 89 years, is the framework, or the structure, through which Mississippians maintain political unity, and operate self-government."

Hence that Party is almost solely responsible for the daily state-sponsored discrimination against Negroes in all areas of life in violation of the Fourteenth Amendment.

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[79] *Tonis* v. *Board of Regents of U. of State of New York,* 67 N.E. 2d 245, 248, 295 N.Y. 286, 293 (1946).

[80] Holtzman, The Loyalty Pledge Controversy in the Democratic Party, 1960, p. 21.

[81] Holtzman, op. cit., p. 26.

[82] Holtzman, op. cit., p. 26.

[83] Holtzman, op. cit., p. 24.

[84] Official Proceedings of the Democratic National Convention, 1956, p. 822.

[85] *Nixon* v. *Herndon*, 273 U.S. 536 (1927); *Nixon* v. *Condon*, 286 U.S. 73, (1932); *United States* v. *Classic*, 313 U.S. 299 (1941); *Smith* v. *Allwright*, 321 U.S. 649 (1944); *Terry* v. *Adams*, 345 U.S. 461 (1953); *Davis* v. *State*, 23 So. 2d 87, 156 Fla. 178 (1945).

And that Party, through its control of the State, is the primary barrier to the aspiration of Mississippi Negroes to vote—all in violation of the Fourteenth and Fifteenth Amendments.

Yet, 20 years ago, the Supreme Court ruled that a political party may not obstruct the free exercise of the right to vote. The leading case, *Smith* v. *Allwright*,[86] forbids the exclusion of Negroes from primaries through the denial of party membership pursuant to a resolution of the party convention. In the Allwright decision, the Supreme Court quoted extensively from a Texas opinion to make a point no less applicable to Mississippi:

"Since the right to organize and maintain a political party is one guaranteed by the Bill of Rights of this State, it follows that every privilege essential or reasonably appropriate to the exercise of that right is likewise guaranteed,—including, of course, the privilege of determining the policy of the party and its membership."[87]

In a later decision, *Terry* v. *Adams*, the Supreme Court refused to allow the evasion of the Constitutional responsibilities outlined in *Smith* v. *Allwright*. Since its own primaries were subject to state regulation and therefore to Constitutiontal requirements, the Democratic Party of Texas had simply ratified the results of the primaries of the Jaybird Party which claimed the right to exclude Negroes, having declared itself a voluntary club. The Supreme Court pierced the facade and found that the real purpose of the Texas Democratic Party, not unlike that of the Mississippi Democratic Party here, was to "strip Negroes of every vestige of influence in selecting officials who control the local county matters that intimately touch the lives of citizens."[88]

No stronger case for unseating a delegation from a state party committed to racial segregation can be found than these words from the Supreme Court in the Allwright opinion:

"The United States is a constitutional democracy. Its organic law grants to all citizens a right to participate in the choice of elected officials without restriction by any State because of race. This grant to the people of the opportunity for choice is not to be nullified by a State through casting its electoral process in a form which permits a private organization to practice racial discrimination in the election. Constitutional rights would be of little value if they could be thus indirectly denied."[89]

The Supreme Court's decisive language is a mandate that the "traditional" Mississippi delegation be unseated for its participation in discriminatory practices that rob Negroes of the franchise.

B. The "Traditional" Party and Its Convention Are Regulated in Detail by the State and Its Actions in Excluding Negroes Are State Action in Violation of the Fourteenth Amendment

The State of Mississippi not only regulates party primaries, but also provides an extensive scheme for the regulation of the internal affairs of political parties and their state conventions.[90] Significantly, this scheme of state control is not at the mere suffrance of the legislature, but is a constitutional duty imposed by Article 12 of the Mississippi Constitution, which requires in Section 24 that:

"The legislature shall enact laws to secure fairness in party primary elections, conventions, and other methods of naming party candidates."

Using its authority under this section, the Mississippi legislature has declared that "it shall be unlawful for any person or group of persons to set up or establish any political party in this state, except in the manner provided by the laws of this state."[91] When this section is read together with the quoted section of the Mississippi Constitution, the conclusion is unavoidable that the state has undertaken to regulate political parties, thereby creating a relationship between state and party not unlike that recognized between state and primary in the cases that have come before the Supreme Court.[92]

The type of state regulation prescribed for political parties and state conventions closely parallels legislation regulating state primaries. A party must register with the state before it can conduct primaries or elections.[93] A wealth of detailed regulations surrounds the election of the state, district, and county committees of a party as well as the party convention itself.[94] The statute, for example, prescribes the mode of selection of delegates, the number of votes each county has at the convention, the apportionment of delegates, etc.[95] Whenever the statute requires the convening of the electors of the party, its language belies an interpretation condoning exclusion.[96] The barring of Negroes from the state convention is thus at odds with Mississippi law. And the extensive state regulation of the "traditional" state Democratic Party would, if followed, free a body intimately and officially tied in with voting rights from the unfairness that would and has tainted the electoral process in violation of the Fifteenth Amendment.

It is more than coincidental that the type of state regulation prescribed for political parties and State conventions in Mississippi closely parallels legislation regulating state primaries in Mississippi and the rest of the country. For the purpose of both kinds of legislation is precisely the same—to insure fairness in the pre-election procedure so that free elections will not be subverted somewhere early in the process. What has been said of the state's relation to party primaries is equally applicable to the convention situation:

"Under the holding in *Smith* v. *Allwright* any statutory regulation or recognition of a primary election would seem to be sufficient to warrant the conclusion that the state had taken the party and its officials as their agents in the conduct of a necessary part of the whole electoral process, and as a matter of public policy had elected to treat the party primary as a legitimate part of that process.[97]

Whether or not the exclusion is from primaries or from the convention of the chief political organ of the state, the result is the same—ostracism from political activity based solely on race. The Democratic National Convention should not ratify the unconstitutional practices of the State of Mississippi by seating delegates whose position in their state and Party flows from layers of unconstitutional conduct, and who are pledged to continue the subjugation of a people in violation both of the Constitution and the law.

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It is no answer to this fundamental legal and Constitutional argument to suggest that it might also be applicable to one or more other southern states. To begin with, there are no contesting delegations in any of the other southern states. Furthermore, Mississippi "is not like any place else."[98] Its exclusion process—from registration, from precinct conventions, from county conventions, from the state convention—is so complete that not a single Negro was permitted in the state convention which elected the delegates to Atlantic City. In other words, Mississippi Negroes were no merely hampered in joining in the selection of delegates to this Convention; they were totally excluded from the process of choice. Not only in this respect, but also in the state-wide and unending harassment and terror used to keep Negroes from the polling booth, Mississippi differs from other southern states.

Finally, it should never be forgotten that it is a crime to exclude Negroes from voting.[99] The "traditional" delegation to this Convention is part and parcel of a conspiracy to commit that crime. While criminal action is not possible in Mississippi because white juries will not convict white men for excluding Negroes from political processes, it is a totally different thing for delegates at this Convention to condone these felonies. This Convention would, indeed, be compounding a felony if it were to seat the "traditional" delegation and turn away the Mississippi Freedom Democratic Party.

III. Any fair comparison of the two parties can, in law and in equity, lead only to the seating of the delegation representing the Freedom Party

As has been pointed out earlier, Mississippi is not like any other place else, and that is the starting point of any legal analysis of the relative merits of the two delegations.

In order to illustrate this point, let us take a hypothetical case. Suppose Senator John Doe of State X, leading a conservative delegation to the Democratic National Convention, was challenged by a liberal delegation headed by Governor Richard Roe. The Convention would have little difficulty in finding a standard to use in determining which of the two delegations to seat. The standard could only be: "Which of the delegations better represents the registered Democratic voters of State X?" Since State X has a primary election for delegates to the National Conventions, all that the Democratic National Convention would have to do would be to determine which group was elected in the Democratic primary. And the same situation would apply in State Y where two delegations were sent to the Democratic National Convention representing rival state conventions—the question would be which of those two state conventions better represented the registered Democrats of State Y?

But this test simply does not work in Mississippi. Over forty per cent of the population, the group most likely to support the nominees of this Convention, has been excluded from the "traditional" Party and thus from the political processes of the State of Mississippi. The "traditional" Party cannot ask this Convention to use the test as to who represents the registered Democratic voters of Mississippi when it has itself blocked the Negroes represented by the Freedom Party from becoming registered voters. In more legal terms, the "traditional" Party is estopped from contending that Freedom Party people are not registered voters when

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[86] 321 U.S. 649 (1944).

[87] Id., at 655, quoting *Bell* v. *Hill*, 74 S.W. 2d 113, 120, 123 Tex. 531, 546 (1934).

[88] 345 U.S. 461, 470 (1953).

[89] *Smith* v. *Allwright*, 321 U.S. 649, 664 (1944).

[90] See Mississippi Code, sec. 3105 et seq.

[91] Mississippi Code, sec. 3107–06.

[92] See note 85 and pp. 47–49, infra.

[93] Mississippi Code, sec. 3107–03.

[94] Id., sec. 3107.

[95] Ibid.

[96] For example, sec. 3154, providing for the election of municipal executive committees mandates that the chairman of the county executive committee "shall call a mass meeting of the electors of their political faith," and sec. 3155 requires publication of that call, for a 3-week period preceding the mass meeting, apparently to assure the largest representation.

[97] Annotation, 151 A.L.R. 1121, 1122.

[98] Special Report, Southern Regional Council, Law Enforcement in Mississippi, July 14, 1964, p. 6.

[99] 18 U.S.C. 241, 242.

it is solely responsible for their not being registered.

What then should be the standard to determine which of the two competing Mississippi groups is to be seated at this Convention? Based on the legal precedents available and applying them to a situation where one of the contesting groups is excluded from the other contesting group, the following standard should govern: Where two groups, each representing a substantial number of Democratic voters or potential Democratic voters, appear at the Convention and ask to be seated, the Convention should choose that group which exhibits good faith to the National Party and carries on its activities fairly and openly. Or, to couch this standard in terms of paragraph (2) of the rules discussed earlier (pp. 43 to 46, supra), the Convention should choose that group which has "the interests, welfare and success of the Democratic Party at heart, and will participate in the Convention in good faith."

It is clear, of course, that the Freedom Party does represent a substantial number of actual and potential Democratic voters. Its registration of over 50,000 persons accomplished in the face of harassment and terror is a remarkable achievement, and there can be little doubt that the Party actually represents the full Negro potential vote of 435,000 Mississippi Negro citizens, as well as at least some white citizens. The ability of the Freedom Party to carry on precinct meetings and county conventions throughout the State and to carry on a state convention in the face of this same harassment and terror demonstrates the great depth of feeling for the Freedom Party among the Negroes of Mississippi. Its Statement of Loyalty (p. 19, supra) and its other activities demonstrate that it has the ability and the intention to operate in accordance with the rules of the National Party. In a word, it is not a paper party; it is a real party with a great potential for the future. It is the only hope for the National Democratic Party in Mississippi.

Two points remain to be developed. First, the legal precedents do in fact support the proposition that the Convention should choose the group which exhibits good faith to the National Party and carries on its activities fairly and openly. Second, applying such a standard, the Convention must choose the delegation representing the Freedom Party.

A. The Standard to Govern Convention Action is Which of the Two Groups Exhibits Good Faith to the National Party and Carries on Its Activities Openly and Fairly

Democratic National Conventions from 1836 to 1960 have many times been faced with competing delegations.[1] Whatever may have been in the minds of the delegates to the conventions when these conflicts were resolved, the standard utilized to determine the outcome of the contests was not articulated. Indeed, the most common method of resolving those conflicts has been the seating of both delegations without the adoption of a standard. But in no single instance were the equities as clearly with one side or the other as they are with the delegation of the Freedom Party here. In light of this, and especially in light of the violations of the rules by the "traditional" Party (Point I) and the illegality of its State convention (Point II), the only result consonant with fairness and equity is the seating of the Freedom Party and the exclusion of the "traditional" Party.

Though the precedents from earlier conventions are not helpful in providing a standard to resolve the present conflict, judicial precedents do offer certain base-line standards, despite the current reluctance of courts to intervene in the disputes of political parties.[2] Since judicial intervention in political matters has always been cautious, these decisions, largely from a period when courts more readily took such cases, yield a moderate and minimum standard of fairness not alone for courts but wherever the concern is with what is equitable.

Judgments as to fairness almost always require looking beyond the trappings of mere form. One decision, recognizing how inadequate is the standard based on "which of the two nominating conventions was the regular one,"[3] offered a more penetrating standard similar to that embodied in paragraph (2) of the rules of the Convention dealing with delegate qualifications.[4] The convention "organized and conducted more in consonance with the principles of honesty and good faith which should govern men" was to be recognized. Where the essential fair dealing was missing, courts often shunned the easy decision for the group appearing on the surface to be regular or traditional.[5] These decisions stand for the important proposition that legality, while incorporating form, procedure, and precedent, also transcends them, at least to the extent that what is clearly unfair is seldom legal.

The single most serious defect offending fairness that emerges from the judicial decisions is the failure of a state convention to fairly represent all members of the party. "Every elector of a particular party faith or belief is entitled to be represented in the conventions and primaries of his party when party measures are to be taken, or delegates are to be selected."[6] The almost exclusive and supreme powers of state conventions to govern their own affairs assumes, as one court put it, that "such conventions are * * * organized assemblages of electors or delegates fairly representing the entire body of electors of the political party which may lawfully vote for the candidates of any such convention."[7] The decisions leave the requirement of fair representation a near-axiom in such matters by their repeated emphasis on the simple proposition that "a convention must be a representative body."[8] And they leave no doubt that an unrepresentative convention is illegal. One decision put it bluntly: "No action by a state convention could validate a nomination * * * where the convention making it does not properly represent the electors of the district."[9]

The failure fairly to represent is most offensive where it flows from deliberate and arbitrary exclusion, as in Mississippi. The only ground for exclusion recognized in the decisions is best stated in a well known recent case, *Ray* v. *Gardner*,[10] where the Supreme Court of Alabama recognized the right to "exclude from party action all persons save those holding a present party allegiance." The "traditional" Democratic Party in Mississippi, whose "party allegiance" is questionable at best, has tossed away this standard to replace it with a requirement of belief in racial segregation (supra).

Moreover, the Freedom Party has met the test of exclusion found in the few cases which discuss such a situation. The court in *State* v. *Weston*,[11] refused to seat a group which claimed it had been excluded from a Democratic Party county convention because, as the court pointed up; there had indeed been an "opportunity for all claiming to be delegates to present their credentials to the regularly appointed committee of the convention [and] the contesting delegates made no attempt to be admitted to the convention by presenting their credentials to the proper committee or otherwise." In contrast, Mississippi Negroes made futile attempts all over the State to do just what *State* v. *Weston* impliedly requires, instead of what it disapproves as premature—"immediately proceed[ing] to organize another convention." Similarly, the court in another case, *State* v. *Johnson*,[12] held that "if such electors fail or decline to send delegates to the convention or if delegates sent disagree or act unwisely, then other matters may arise." But the wholesale refusal of Mississippi Democratic Party officials to admit or hear the Freedom Party people at all levels from precinct meetings to state convention left them with the choice of organizing their own convention or remaining outside the party. No court has frowned upon independent action under such circumstances of arbitrary exclusion; surely no political body would require citizens to choose to remain outside the party under the same circumstances.

The "traditional" Democratic Party of Mississippi, in excluding all except those committed to segregation, is entitled to no greater recognition than was the convention at issue in *State* v. *Johnson*, where the call was issued to "gentlemen whom I knew to be in sympathy with the principles of the financial plank of the party."[13] The Court found that this convention was illegal because no "opportunity" had been given all the electors "to say whether or not they desire their * * * principles to be represented." The result was the same in a case where a county was excluded.[14]

Exclusion from a state convention based on race and belief on matters of race is at least as serious as exclusion based on differences in economic policy or geographical location. The resulting illegality, long recognized in our law as offensive to the most elementary principles of fairness, arises from the arbitrary denial of voice and vote. The representatives and proceedings of a convention illegal when judged by the decisions of courts and unfair when judged by ordinary standards of fair play, deserve no recognition by a national convention with the power to make the fair and legal choice.

B. The Freedom Party Delegation Must Be Seated Under Any Standard Relating to Fairness and Good Faith

We shall not repeat the Statement of Facts here. But every word in that Statement demonstrates the Freedom Party's good faith toward the National Party and the "traditional" Party's bad faith.

The Freedom Party has demonstrated its good faith by:

Remaining within the Democratic Party despite the persecution of the Mississippi Democratic Party.

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[1] For the convenience of the delegates to this convention, we set forth in app. C a summary of these contests.

[2] For a particularly complete opinion emphasizing the inadequacy of courts to handle disputes within parties, as well as a survey of some of the important cases, see *Stephenson* v. *Board of Election Commissioners*, 76 N.W. 914, 118 Mich. 396 (1898).

[3] *Spencer* v. *Maloney*, 62 Pac. 850, 852, 28 Colo. 38, 48 (1900).

[4] See p. 36, supra.

[5] See e.g., *In re Woodworth*, 16 N.Y. Supp. 147 (1891).

[6] *State v. Hogan*, 62 Pac. 583, 584, 24 Mont. 383, 393 (1900). See also 18 Am. Jur. Elections, sec. 135.

[7] *State* v. *Rotwitt*, 46 Pac. 370, 372, 18 Mont. 502, 507 (1896).

[8] *State* v. *Johnson*, 46 Pac. 533, 534, 18 Mont. 548, 552 (1896).

[9] *State* v. *Hogan*, 62 Pac. 583, 587, 24 Mont. 383, 395 (1900); see also *State* v. *Weston*, 70 Pac. 519, 27 Mont. 185 (1902).

[10] 57 So. 2d 824, 826, 257 Ala. 168 (1952).

[11] See note 108, supra.

[12] 46 Pac. 533, 535, 18 Mont. 548, 552 (1896).

[13] Ibid.

[14] *State* v. *Rotwitt*, 46 Pac. 370, 18 Mont. 502 (1896).

Building a substantial organization over the opposition of the "traditional" party and opening it to all Democrats.

Undertaking to assure that Mississippi voters will have the opportunity to vote for President Johnson and his running mate with pledged electors under the Democratic Party label and designation.

Pledging to work dauntlessly for the election of President Johnson and his running mate.

Proudly announcing their adherence to the National Democratic Party.

Affirming their belief in the Democratic platform.

Risking harassment and even death to participate in this Convention.

The "traditional" Party has demonstrated its bad faith by:

Excluding Negroes (the group most likely to support President Johnson) from registration and from the Party, by harassment and terror.

Repeatedly proclaiming its independence of the National Party.

Opposing the platform and principles of the National Party.

Spewing hatred upon Presidents Kennedy and Johnson.

Viciously attacking Negroes and Negro organizations.

Enacting laws to keep the National Party off the ballot.

Recessing their convention so that they can turn to GOLDWATER.

Coming here only to keep the Freedom Party from being seated.

The contrast is clear; the choice is clear.[15]

CONCLUSION

The Democratic Party cannot fight the white backlash by surrendering to it. The seating of the Freedom delegation is legally and equitably right. The liberal principles upon which the Democratic Party has grown great demand that it stand with the Freedom Party at this Convention. The Democratic Party has won over the years when it stood fast for principle; it cannot win this time by hauling down the flag.

Respectfully submitted,

JOSEPH L. RAUH, JR.
ELEANOR K. HOLMES.
H. MILES JAFFE.

APPENDIX A. PLATFORM AND PRINCIPLES OF THE MISSISSIPPI FREEDOM DEMOCRATIC PARTY

The Freedom Democratic Party, believing that racial equality is only the first step in solving the basic problems of poverty, disease and illiteracy confronting American society, welcomes the participation of all Mississippi citizens in a joint effort to realize the goals of economic growth and individual self-fulfillment in a spirit of humane concern for the welfare of every person.

With all humility we ask the guidance of Almighty God in these difficult times. May His power and spirit fill us all as we approach these problems that beset us all.

We pledge to support the candidates and principles adopted by the National Democratic Party at its convention in Atlantic City in August 1964.

NATIONAL AFFAIRS

Be it resolved:

1. That we support the 1960 National Democratic Party platform, specifically insofar as the following principles apply to the State of Mississippi.

(a) Full employment as a fundamental objective of national policy and the necessity for Federal aid to the depressed areas of Mississippi and the rest of the Nation.

(b) Strong state and national action to eliminate artificial barriers to employment based on race, sex, religion, or national origin.

(c) The right to a job requires the full restoration of collective bargaining, and the repeal of anti-labor legislation designed to prevent the effective organization of unions.

(d) The right of every farmer, tenant, sharecropper and migrant worker to a decent living through the raising of farm incomes and wages, national and state legislation affecting wages and living conditions, food stamp programs to feed needy children, the aged and the unemployed, and the expansion of school lunch and milk programs.

(e) Medical care benefits to be provided as part of the social security insurance system.

2. That we wholeheartedly endorse the program embodied in the Civil Rights Law of 1964 and that we demand both state and national officials to implement the principles of this law.

3. That we insist that all officials of the state and national governments take steps to insure the impartial registration of all qualified voters in the State of Mississippi. We urge vigorous enforcement of the civil rights laws to guarantee the right to vote to all citizens in all areas of the country. We urge the abolition of the literacy test as a voting requirement. We further urge use of the 14th Amendment clause which allows for a reduction in Congressional representation when qualified voters are not registered.

4. That we vigorously support the Supreme Court school desegregation decision of 1954 and demand that immediate measures should be undertaken by the state and national governments to guarantee that the decision be enforced in the State of Mississippi.

5. That we support the Supreme Court re-apportionment decision of 1964 and call for a just system of representation in every legislative body in the United States consistent with the principle that each individual has an equal vote.

6. That we believe that an extensive job re-training program should be vigorously pursued by both the state and national governments in order that middle-aged people who are victims of an era of economic transition may continue to be self-sufficient members of the community.

7. That we applaud the start which has been made toward the amelioration of poverty under Presidents John F. Kennedy and Lyndon B. Johnson in such measures as area redevelopment, a broadened minimum wage, manpower training, food stamp legislation, and the omnibus anti-poverty measure. We call for the intensification of these programs during the next four years under continued liberal Democratic leadership and for the integration of these efforts with a creative public works program.

8. That we strongly endorse the efforts of Presidents John F. Kennedy and Lyndon B. Johnson to achieve international development and cooperation through such measures as support of the United Nations, a vigorous foreign aid program, attempts to bring about control of nuclear weapons, and the creation of the Peace Corps.

9. That we applaud the advance of freedom throughout the world and advocate American cooperation with the United Nations in a peaceful effort to eradicate tyranny in those areas of the world—such as South Africa, Angola, Southern Rhodesia, Hungary, and East Germany—where it still prevails.

10. That we oppose attempts by any nation or bloc to impose alien political systems or ideologies—communistic or otherwise—on any other nation.

11. That we vigorously condemn extremist and hate groups such as the Ku Klux Klan, the White Citizens' Council, the Association for the Preservation of the White Race, the John Birch Society, and the Black Muslims.

MISSISSIPPI AFFAIRS

Be it resolved:

1. That we urge careful consideration of the use of federal funds in Mississippi to insure that such grants will not be used for the perpetuation of segregation.

Specifically:

(a) That we oppose the use of Federal funds for the construction or maintenance of segregated community facilities in Mississippi.

(b) That we advocate the establishment of a State Fair Employment Practices Committee to assist in reviewing cases of employment discrimination.

2. That we advocate careful supervision of the use of Federal funds in order that the withholding of Federal funds will no longer be used as a means to threaten and harass Mississippi citizens who try to exercise their constitutional rights.

3. That we look for the appointment of Federal referees to supervise all Mississippi electoral procedures—from the first attempt to register to vote to the final counting of ballots—until all citizens of the State can rest assured of a meaningful voice in a democratic society.

4. That we advocate a substantial reduction in the State sales tax and a proportionate increase in the income tax.

5. That we condemn the use of State tax moneys to support the Sovereignty Commission and other organizations whose aim is to perpetuate the segregated society.

APPENDIX B

MISSISSIPPI FREEDOM
DEMOCRATIC PARTY,
POST OFFICE BOX 3127,
Jackson, Miss., July 17, 1964.

Mr. JOHN M. BAILEY,
Chairman, Democratic National Committee,
1730 K Street NW., Washington, D.C.

DEAR MR. BAILEY: I am writing as Chairman of the Mississippi Freedom Democratic Party to inform you that the Party will send a full delegation of delegates and alternates to the Democratic National Convention in Atlantic City next month. Our delegation will represent Democratic residents of the State of Mississippi who are loyal to the United States Constitution and to the National Democratic Party and most of whom are barred from the "regular" Democratic Party by terroristic and other unconstitutional methods. We hereby challenge the delegation of the "regular" Democratic Party and assert the right of the delegation of the Mississippi Freedom Democratic Party to be seated at the National Convention as the true representative of Mississippi Democrats. We shall present our case in full to the Democratic National Committee and the Democratic Convention in accordance with established procedures. We request tickets, floor privileges, badges, housing, and all the rights that accrue to a regular delegation.

Our delegation will be chosen through a nominating process of precinct and county meetings, district caucuses, and a state convention in accordance with Mississippi law. The procedure will be similar to that of the "regular" party except that our meetings will be open to all Democrats, while their meetings effectively bar Negroes.

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[15] The suggestion has been made that the legal case for ousting the "Traditional" Party has been more clearly established than the legal case for seating the Freedom Party. But these cases are really functions of each other. The National Democratic Party must have loyal representation in Mississippi. If the "Traditional" Mississippi Party will not provide it, the National Party must look elsewhere and the National Convention may legally seat a loyal group representing substantial numbers of citizens, in the interest of building such representation in Mississippi for the future. The fact that the loyal group may be small today—or that many of its members have been barred from registering by the harassment and terror of the disloyal group—hardly demonstrates that the best interests of the National Party will not be served by seating the loyal group and thus helping it to grow. Indeed, the seating of both delegations on numerous occasions in the past (see app. C) was obviously designed to encourage groups other than the "regular" group in the hope they would one day help the National Party.

You or your personal representative or representatives are invited to attend as observers our State Convention, which will be held in Jackson on August 6, 1964.

Yours for a National Democratic Party landslide in 1964!

AARON HENRY,
Chairman, Mississippi Freedom Democratic Party.

MISSISSIPPI FREEDOM
DEMOCRATIC PARTY,
POST OFFICE BOX 3127,
Jackson, Miss., August 6, 1964.

Mr. JOHN M. BAILEY,
Chairman, Democratic National Committee,
1730 K Street, NW.,
Washington, D.C.

DEAR MR. BAILEY: On July 17, 1964, Mr. Aaron Henry, acting Chairman of the Mississippi Freedom Democratic Party, wrote and informed you that, at the State Convention of the Mississippi Freedom Democratic Party on August 6, there would be elected delegates and alternates to the Democratic National Convention in Atlantic City.

This is to inform you officially that the State Convention of the Freedom Party met in Jackson earlier today, and to further inform you that I have now been elected chairman of the Freedom Party.

The State Convention consisted of delegates from county conventions which, in turn, were predicated upon precinct conventions, as required by Mississippi law.

The State Convention elected a delegation to the National Convention and the members of this delegation are listed in full on the attachment. I hereby certify on behalf of the Mississippi Freedom Democratic Party that these delegates and alternates were duly elected by the Freedom Party at its State Convention on this date, that they are loyal to the United States Constitution and to the National Democratic Party and are the true representatives of Mississippi Democrats. They are therefore entitled to be seated at the Atlantic City Convention in place of the "regular" delegation which seeks to be seated in violation of the Rules of the Convention and the Constitution of the United States and with total disloyalty to the National Party.

Mr. Aaron Henry has been elected Chairman of the delegation to the National Convention. I ask that he be permitted to appear before the Credentials Subcommittee of the National Democratic Committee, along with our Counsel, Joseph L. Rauh, Jr., to present our case for seating on the temporary rolls of the Convention and before the Credentials Committee of the Convention to present our case for seating on the permanent rolls of the Convention. A Brief on the factual and legal aspects of this contest is being prepared by Mr. Rauh and will be submitted to your office not later than noon, Tuesday, August 18.

Yours for a National Democratic Party landslide in 1964.

Sincerely yours,
LAURENCE GUYOT,
Chairman, Mississippi Freedom Democratic Party.

Certified by:
——, ———, (Signed)
MRS. PEGGY J. CONNOR,
Secretary, Mississippi Freedom Democratic Party.

MISSISSIPPI FREEDOM DEMOCRATIC PARTY DELEGATION

National Committeewoman: Mrs. Victoria Gray.

National Committeeman: Rev. Edwin King.

Chairman of the delegation: Mr. Aaron Henry.

Vice-chairman of the delegation: Mrs. Fannie Lou Hamer.

Secretary: Mrs. Annie Devine.

Delegates

Mrs. Helen Anderson, Dr. A. D. Beittel, Mrs. Elizabeth Blackwell, Mrs. Marie Blalock, Mr. Sylvester Bowens, Mr. J. W. Brown, Mr. Charles Bryant, Mr. James Carr, Miss Lois Chaffee, Mr. Chois Collier, Mr. Willie Ervin, Mr. J. C. Fairley, Mr. Dewey Green, Mr. Laurence Guyot, Mrs. Winson Hudson, Mr. Johnny Jackson, Mr. N. L. Kirkland, Miss Mary Lane, Rev. Merrill W. Lindsay, Mr. Eddie Mack, Mrs. Lula Matthews, Mrs. Yvonne MacGowan, Mr. Charles McLaurin, Mr. Leslie McLemore, Mr. Robert Miles, Mr. Otis Millsaps, Mrs. Hazel Palmer, Rev. R. S. Porter, Mr. Willie Scott, Mr. Henry Sias, Mr. Slate Stallworth, Mr. E. W. Steptoe, Mr. Robert Lee Stinson, Mr. Joseph Stone, Mr. Eddie Thomas, Mr. James Travis, Mr. Hartman Turnbow, Mr. Abraham Washington, Mr. Clifton R. Whitley, Mr. Robert W. Williams, Mr. J. Walter Wright.

Alternates

Mr. C. R. Darden, Mrs. Ruby Evans, Mr. Oscar Giles, Mr. Charlie Graves, Mrs. Pinkie Hall, Mr. George Harper, Mrs. Macy Hardaway, Mr. Andrew Hawkins, Mr. William Jackson, Mrs. Alta Lloyd, Rev. J. F. McRee, Rev. W. G. Middleton, Mr. Joe Newton, Mrs. M. A. Phelps, Mrs. Beverly Polk, Mr. Henry Reaves, Mr. Harold Roby, Mrs. Emma Sander Mrs. Cora Smith, Rev. R. L. T. Smith, Mrs. Elmira Tyson, Mr. L. H. Waborn.

APPENDIX C

SUMMARY OF CONTESTED DELEGATIONS—DEMOCRATIC NATIONAL CONVENTIONS

State, year, and action taken [1]

Pennsylvania, 1836: Both delegations seated and split vote of the State.

New York, 1848: Both delegations appeared before the credentials committee without voting rights. Both seated, splitting the vote of the State.

Georgia, 1852: Both delegations again seated, splitting the vote of the State.

Missouri, 1856: Delegation seated which was originally approved by the committee on arrangements.

New York (Charleston, S.C.), 1860: Majority report of credentials committee approved, seating pro-Douglas delegation.

Kentucky, 1864: Both delegations seated, splitting the vote of the State.

Massachusetts, New York, 1880: Both delegations from Massachusetts seated and split vote of State. Only one faction from New York was seated.

Nebraska, 1896: Ruling by the credentials committee favoring contesting delegates reversed a decision by the national committee.

District of Columbia, Oklahoma Territory, Indian Territory, 1900: Both delegations from each was seated splitting the vote of each.

Illinois, 1904: Contesting delegation lost in a floor vote on credentials.

South Dakota, 1912: Floor upheld delegation approved by the national committee and defeated that substituted by the credentials committee.

Puerto Rico, Canal Zone, Minnesota, 1936: Both sets of delegations from each state seated and their votes were split.

Texas, 1944: Both delegations seated and split the vote of the State.

Texas, Mississippi, 1952: "Regular" delegation seated while contesting delegation lost out.

Virginia, Louisiana, South Carolina, 1952: Delegation challenged over compliance with requirements of the Moody (Loyalty Oath) resolution. All were seated following verbal pledges of support.

Mississippi, South Carolina, 1956: Delegations challenged over loyalty issue again. The delegations were seated after accepting the "Loyalty Pledge."

Puerto Rico, 1960: Both delegations seated and split the vote of the state.[2]

PRESIDENT JOHNSON SIGNS BILL CREATING A NATIONAL COMMISSION ON TECHNOLOGY, AUTOMATION, AND ECONOMIC PROGRESS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 5 minutes.

Mr. RYAN of New York. Mr. Speaker, the face of America is being altered more rapidly today than ever before by the replacement of men by machines. Our commitment to overcoming the problems of automation will determine the future prosperity of the Nation. We are on the threshold of an economic revolution whose achievements, consequences, and social upheaval may well parallel those of the industrial revolution. Unless we plan now with foresight, the effects may plunge our economy into turmoil. The issue is squarely before us: Will automation unlock the door to unprecedented prosperity, relieving the labor force of drudgery? Or will automation create unemployment, poverty, and idleness?

Congress took a significant step toward meeting the challenge of automation when it passed H.R. 11611, creating a National Commission on Technology, Automation, and Economic Progress. The Commission will stimulate and coordniate the efforts of private and public groups to create new jobs. By encouraging discussion, providing information, and coordinating investigation of technological change, it will contribute to greater economic well-being for all.

I was glad to be present at the White House on August 19, 1964, when President Johnson signed H.R. 11611 into law. I urge all my colleagues to read the President's remarks on that occasion:

REMARKS OF THE PRESIDENT AT THE SIGNING OF H.R. 11611, COMMISSION ON AUTOMATION, IN THE CABINET ROOM, AUGUST 19, 1964

Members of Congress, representatives and spokesmen for labor, captains of industry, business, ladies and gentlemen, this Office has many concerns. None receives more earnest attention or greater effort than the challenge of creating more jobs, creating better jobs for more people.

More Americans are working today than ever in history. Congress deserves the fullest share of credit. Members of both Houses, members of both parties have rejected make-work and hand-out answers to unemployment.

First things have been put first to enlarge private payrolls—not public relief rolls.

The record is reassuring. The President and the Government is deeply grateful for the cooperation demonstrated between the leaders of labor and the leaders of business.

The disturbing trend of the 1950's has been reversed. Unemployment is no longer growing 10 percent a year as it did from 1952 to 1960. Instead, unemployment is shrinking at an average annual rate of 6.2 percent since 1961. Unemployment is below the 5-percent level because, in the last 4 years, our economy has created more than 4 million jobs.

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[1] 1836–1956 Adapted from Richard C. Bain. "Convention Decisions and Voting Records" (Washington, the Brookings Institution, 1960).

[2] New York Times, July 12 and 13, 1960.

One of the best pieces of statistical information that the President has received in his first 6 months in office is the assurance by one of our leading businessmen that if the tax bill passed he would, in the first year, employ 20,000 additional workers.

At a luncheon the other day in the White House, he leaned over and whispered in my ear, "I put on 22,000 as I promised."

Since January 1961, we have created more new jobs in America than the total of the populations of nearly half the countries of the world. That is a remarkable and very reassuring record.

Our challenge now is to do even better this year, even better throughout this decade, even better throughout this century.

This legislation creating a National Commission on Technology, Automation, and Economic Progress will help us meet our responsibility.

Technology is creating both new opportunities and new obligations for us—opportunity for greater productivity and progress—obligation to be sure that no workingman, no family must pay an unjust price for progress.

Automation is not our enemy. Our enemies are ignorance, indifference and inertia. Automation can be the ally of our prosperity if we will just look ahead, if we will understand what is to come, and if we will set our course wisely after proper planning for the future.

That is the purpose of this Commission. I hope and I expect that its work will benefit the workingman and benefit the businessman, and serve the interests of the farmer and the professionals and all of our people in America.

The techniques of automation are already permitting us to do many things that we simply could not do otherwise. Some of our largest industries, some of our largest employers would not exist and could not operate without automation, and some of those employers are here this morning.

We could not provide our great shield for the security of this country and the shield for the security of the free world if we did not have automation in the United States. If we understand it, if we plan for it, if we apply it well, automation will not be a job destroyer or a family displacer. Instead, it can remove dullness from the work of man and provide him with more than man has ever had before.

In all we do in this country, our objective first and last is to serve man and his greatness.

To those of you who are gathered around me this morning who contributed so much to bringing this bill to the stage that it is in today, I want to say thank you. I know that when the history of this country is written, you will be proud of the part you played in passing this act that will contribute so much to our Republic.

RESIDUAL OIL IMPORT QUOTAS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. Conte] is recognized for 10 minutes.

Mr. CONTE. Mr. Speaker, ever since residual fuel oil import quotas have been in effect, I have been concerned over the economic burden they have thrust upon the New England consumer. Consistently we have argued that there should be free import of this essential fuel which New England industry must have. Over and over again, I, along with my other New England colleagues, have pointed out that since the domestic petroleum industry no longer desires to produce this fuel—for obvious economic reasons—we should be able to obtain our supplies from Venezuela without being shackled by a restrictive Government program which has consistently stifled competition and forced New England consumers to pay premium prices for their needs—premiums I maintain which drain New England purses of millions of dollars annually.

Our arguments have fallen on deaf ears and powerful forces of a competing fuel have latched on to residual fuel oil as a convenient "whipping boy" for the ills of their industry and have found sympathetic ears in high administration circles. As an attempt to justify their position, they have consistently maintained that the quota system on residual imports has resulted in lower prices for residual fuel oil throughout the Northeast.

I imagine these spokesmen for the coal industry must find their position on the imaginary savings New Englanders have realized as a result of import quotas a little shakier today following the experiences of GSA in obtaining its residual fuel oil supplies.

Earlier this year you may recall, GSA appealed to the Interior Department—which administers the mandatory oil import control program—for relief. GSA in its appeal pointed out that it required 1½ million barrels of residual oil each year to obtain enough fuel for Government buildings in the Washington area. Because of import controls, GSA said it had been unable to get competitive bids from fuel suppliers and was forced to negotiate a contract last year at a price GSA felt was not to the Federal Government's advantage.

Acting "in the public interest," the Interior Department granted GSA its own import quota for 1 million barrels—two-thirds of its annual requirement. Now, able to buy on the open market, GSA asked for and received bids from 10 suppliers all at substantially lower prices than last year. The contract has now been awarded by GSA and during 1964 the Federal Government—thanks to this prudent relaxation of controls by the Interior Department, will save close to 50 cents a barrel on its residual purchases. This is a saving, incidentally, which will be passed on in lower fuel charges to scores of schools, hospitals, and other agencies in the Washington area.

I suggest that the Interior Department might like to consider similar relief for Massachusetts and the other New England State governments. In Massachusetts, for example, the State purchasing department will require from July 1, 1964, to June 30, 1965, 1,181,855 barrels of residual oil for delivery to various institutions and departments throughout the Commonwealth. I am sure the people of Massachusetts would like to save 50 cents a barrel as did GSA and that relief for the people of Massachusetts by the elimination of quotas would be as much "in the public interest" as it was for the Federal Government.

Mr. Speaker, the press as well as the people of New England resent the preferential treatment being afforded other areas of the country by the current administration which, while continuing a needless program which benefits no one but penalizes New England severely, seeks their tax dollars and even their industries to support a multimillion-dollar program of aid to Appalachia. As indicative of this resentment throughout New England, I would like to insert at this point in my remarks the following editorial, "Supporting a Suspicion," which appeared in the Lawrence, Mass., Eagle-Tribune on August 10, 1964:

SUPPORTING A SUSPICION

The Department of Defense can save much more than the $5 million annually that it anticipates by closing the Watertown Arsenal and at the same time do all New England a good turn.

Representative Bates, of the Sixth District, has pointed this out to Secretary McNamara who, however, was not at the time wearing the spectacles that enabled him to see it with adequate clarity.

New England needs more residual oil at a lower price, but Washington policy forbids adequate imports although domestic oil people don't object to them. The only objectors of consequence are the coal people who are eager to stimulate their industry by forcing New Englanders to use soft coal. Indeed, the ideal solution of the problems of Appalachia—from the Appalachian point of view—is the removal of New England industry to sites near the coal mines.

Then Appalachia would be happy and there would be no residual oil issue in the Northeast. And New England could be left to the woodchucks and the tourists.

Any policy that even seems to be devised to force New England to change from residual oil to soft coal is too ridiculous for serious attention. New England has economic value far transcending that personified by skiers and sun bathers. It needs more and less costly residual oil for the fully efficient operation of its industry. And the Government needs it too, as Bates pointed out.

The Congressman pointed out to McNamara that the Department of Defense could save from $7 to $9 million a year if the Department was exempted from the restrictions on the import of residual oil. The interest in economy, indicated by the decision to close the Watertown Arsenal, would be more conspicuously displayed, Bates argued, if McNamara went after more and cheaper residual oil.

In view of McNamara's lack of interest in saving on fuel, Bates had to doubt the sincerity of the quest for economy by closing the arsenal. The sensible observations by Bates support the suspicion that politics is more potent than economy in shaping the policy of Washington on the arsenal.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Ryan of New York (at the request of Mr. White), for 5 minutes, today.

Mr. Ashley (at the request of Mr. White), for 10 minutes, on August 21.

Mr. Derwinski (at the request of Mr. Shriver), for 15 minutes, today.

Mr. Conte (at the request of Mr. Shriver), for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. FEIGHAN.

Mr. KARSTEN.

Mr. MURPHY of New York.

Mrs. KELLY and to include extraneous matter.

Mr. COLLIER and to include extraneous matter.

(The following Members (at the request of Mr. SHRIVER) and to include extraneous matter:)

Mr. PELLY.

Mr. BRAY.

Mr. BRUCE.

Mr. SCHWENGEL.

Mr. MACGREGOR.

(The following Members (at the request of Mr. WHITE) and to include extraneous matter:)

Mr. PICKLE.

Mr. MOORHEAD.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1442. An act to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1974. An act to amend the Federal Employees' Group Life Insurance Act, as amended, with regard to filing designation of beneficiary; to the Committee on Post Office and Civil Service.

S. 2315. An act to authorize the Weather Bureau to make appropriate reimbursement between the respective appropriations available to the Bureau, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S.J. Res. 174. Joint resolution to authorize and direct the Bureau of Commercial Fisheries to conduct a survey of the marine and fresh-water commercial fishery resources of the United States, its territories, and possessions; to the Committee on Merchant Marine and Fisheries.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 98. An act to amend the Internal Revenue Code of 1954 with respect to exportation of imported distilled spirits, wines, and beer, and with respect to the total contract price of sales of personal property on the installment plan;

H.R. 1213. An act for the relief of World Games, Inc.;

H.R. 1839. An act to provide for the free importation of certain wild animals, and to provide for the imposition of quotas on certain meat and meat products;

H.R. 2215. An act for the relief of E. A. Rolfe, Jr.;

H.R. 3071. An act to provide for the establishment of Fort Larned as a national historic site, and for other purposes;

H.R. 4018. An act to authorize establishment of the Saint-Gaudens National Historic Site, N.H., and for other purposes;

H.R. 4149. An act to provide for the satisfaction of claims arising out of scrip, lieu selection, and similar rights;

H.R. 4242. An act to provide for the release and transfer of all right, title, and interest of the United States of America in and to certain tracts of land in Pender County, N.C.;

H.R. 4818. An act to amend section 25 of title 13, United States Code, relating to the duties of enumerators of the Bureau of the Census, Department of Commerce;

H.R. 5708. An act to bring certain United States commissioners within the purview of the Federal Employees Health Benefits Act of 1959 and the Federal Employees' Group Life Insurance Act of 1954;

H.R. 5941. An act for the relief of Mrs. Julian A. Erskine;

H.R. 7088. An act for the relief of Joseph Di Ciccio;

H.R. 7588. An act to provide for enforcement of rules and regulations for the protection, development, and administration of the national forests and national grasslands, and for other purposes;

H.R. 8135. An act to provide for the establishment and administration of public recreational facilities at the Sanford Reservoir area, Canadian River project, Texas, and for other purposes;

H.R. 9425. An act to amend title 13, United States Code, to authorize reimbursement of census enumerators for certain telephone tolls and charges;

H.R. 9560. An act for the relief of Lim Sam Soon;

H.R. 9638. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of phosphate on the public domain;

H.R. 9747. An act to extend for 3 years the special milk programs for the Armed Forces and veterans hospitals;

H.R. 10069. An act to authorize the exchange of lands adjacent to the Lassen National Forest in California, and for other purposes;

H.R. 10419. An act to amend further the Farm Credit Act of 1933, as amended, to provide that part of the patronage refunds paid by a bank for cooperatives shall be in money instead of class C stock after the bank becomes subject to Federal income tax, and for other purposes;

H.R. 11134. An act making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1965, and for other purposes; and

H.R. 11960. An act to authorize the exchange of public domain lands heretofore withdrawn and reserved for the use of the Hanford project of the Atomic Energy Commission, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 26. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes;

S. 284. An act for the relief of Ethel R. Loop, the widow of Carl R. Loop;

S. 1169. An act to authorize a per capita distribution of $350 from funds arising from judgments in favor of any of the Confederated Tribes of the Colville Reservation;

S. 2288. An act for the relief of John J. Feeney;

S. 2944. An act for the relief of the Greater Community Hospital Foundation, Inc.; and

S. 2961. An act to provide for the disposition of the judgment funds on deposit to the credit of the Northern Cheyenne Tribe of the Tongue River Indian Reservation, Mont.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1172. An act for the relief of Rolando de la Torre Arceo and John Anthony Arceo;

H.R. 1262. An act for the relief of Mrs. Maisie Magdalene Lim Ketchens;

H.R. 1341. An act to require passenger-carrying motor vehicles purchased for use by the Federal Government to meet certain passenger safety standards;

H.R. 2324. An act for the relief of Rosa Stefano Ratajczak;

H.R. 4766. An act for the relief of the Boren Clay Products Co.;

H.R. 6040. An act for the relief of Chrisoula Baker;

H.R. 6578. An act for the relief of Mrs. Cesira Doddy;

H.R. 7132. An act for the relief of Wetsel-Oviatt Lumber Co., Inc., Omo Ranch, El Dorado County, Calif.;

H.R. 7617. An act for the relief of Vula Roed;

H.R. 8399. An act for the relief of Mrs. Edeltraud Englisch Franklin;

H.R. 9150. An act for the relief of Miss Leonor do Rozario de Medeiros (Leonor Medeiros);

H.R. 9290. An act for the relief of Danny Hiromi Oyama;

H.R. 9419. An act to provide for the regulation of the business of selling securities in the District of Columbia and for the licensing of persons engaged therein, and for other purposes;

H.R. 9519. An act for the relief of Young Soon Kim and Tai Ung Choi; and

H.R. 11118. An act to provide for the disposition of funds from judgments in favor of the Nehalem Band of the Tillamook Indians and the Tillamook Band of the Tillamook Indians.

ADJOURNMENT

Mr. HANNA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 26 minutes p.m.), the House adjourned until tomorrow, Friday, August 21, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2453. A letter from the Comptroller General of the United States, transmitting a report on a review relating to deficiencies and problem areas relating to right-of-way activities of the Federal-aid highway program in the State of Nebraska, Bureau of Public Roads, Department of Commerce; to the Committee on Government Operations.

2454. A letter from the Assistant Secretary of the Interior, relative to an application for a loan of $1,756,700 to assist the Byron-Bethany Irrigation District of Byron, Calif., pursuant to 70 Stat. 1044, as amended June 5, 1957, 71 Stat. 48; to the Committee on Interior and Insular Affairs.

2455. A letter from the Comptroller General of the United States, transmitting a report stating that the Department of State has sustained substantial losses in manpower utilization through the allowance and subsequent use of home leave in certain circumstances which we believe are not compatible with the basic purpose of home leave. During fiscal year 1963 an estimated 63 man-years of employee time with a salary cost of about $566,000 was lost by the Department of State by reason of granting home leave to employees who had been returned to the United States for an extended tour of duty, etc.; to the Committee on Government Operations.

2456. A letter from the Comptroller General of the United States, transmitting a report on a review relating to excessive cost to the Government in rentals of electrical accounting machines by General Dynamics/Astronautics, a division of General Dynamics Corp., San Diego, Calif., Department of the Air Force; to the Committee on Government Operations.

2457. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of a proposed bill entitled "A bill to amend the Federal Aviation Act of 1958, as amended, to prohibit citizens of the United States from performing pro rata charters unless authorized by the Civil Aeronautics Board, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee on the District of Columbia. S. 935. An act to protect the constitutional rights of certain individuals who are mentally ill, to provide for their care, treatment, and hospitalization, and for other purposes; with amendment (Rept. No. 1833). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. House Resolution 798. Resolution to name the national wildlife refuge located at Walter F. George Dam and Reservoir project, Alabama; without amendment (Rept. No. 1834). Referred to the House Calendar.

Mr. ELLIOTT: Committee on Rules. House Resolution 861. Resolution for consideration of H.R. 11946. A bill to provide public works and economic development programs and the planning and coordination needed to assist in the development of the Appalachian region; without amendment (Rept. No. 1835). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 865. Resolution for consideration of H.R. 12298. A bill to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes; without amendment (Rept. No. 1836). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 866. Resolution for consideration of H.R. 2220. An act to encourage physicians and dentists who have received student loans under programs established pursuant to title VII of the Public Health Service Act to practice their professions in areas having a shortage of physicians or dentists; without amendment (Rept. No. 1837). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 867. Resolution for consideration of H.R. 12033. A bill to further amend the transitional provisions of the act approved September 6, 1958, entitled "An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety," and for other purposes; without amendment (Rept. No. 1838). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 868. Resolution for consideration of H.R. 12362. A bill to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits payable under title II of the Social Security Act; without amendment (Rept. No. 1839). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 869. Resolution for consideration of H.R. 4994. A bill to amend the Textile Fiber Products Identification Act and the Wool Products Labeling Act of 1939 in order to require that imported woven labels must have woven into them the name of the country where woven; without amendment (Rept. No. 1840). Referred to the House Calendar.

Mr. McMILLAN: Committee of conference. H.R. 12196. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to increase salaries, to adjust pay alinement, and for other purposes (Rept. No. 1891). Ordered to be printed.

Mr. MILLS: Committee of conference. H.R. 4844. A bill relating to the release of liability under bonds filed under section 44(d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death (Rept. No. 1842). Ordered to be printed.

Mr. MILLS: Committee of conference. H.R. 5739. A bill to amend the Internal Revenue Code of 1954 to correct certain inequities with respect to the taxation of life insurance companies (Rept. No. 1843). Ordered to be printed.

Mr. MILLS: Committee of conference. H.R. 10467. A bill to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay (Rept. No. 1844). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DORN:

H.R. 12458. A bill to amend the Trade Expansion Act of 1962; to the Committee on Ways and Means.

By Mr. HARVEY of Indiana:

H.R. 12459. A bill to authorize the establishment of the Wilbur Wright National Monument, in the State of Indiana, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KARTH:

H.R. 12460. A bill to amend title 28 of the United States Code, so as to provide for the appointment of one additional district judge for the district of Minnesota; to the Committee on the Judiciary.

By Mr. LENNON:

H.R. 12461. A bill to amend the Trade Expansion Act of 1962; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 12462. A bill to establish a uniform system of time standards and measurement for the United States and to promote the observance of such time standards for all purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ASPINALL:

H.R. 12463. A bill to permit the discovery, location, development, and utilization of the mineral resources of certain public lands in national forests in the State of Colorado, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROWN of California:

H.R. 12464. A bill to designate as "Clair Engle Lake" the reservoir created by the Trinity Dam, Central Valley project, California; to the Committee on Interior and Insular Affairs.

By Mr. CAMERON:

H.R. 12465. A bill to designate as "Clair Engle Lake" the reservoir created by the Trinity Dam, Central Valley project, California; to the Committee on Interior and Insular Affairs.

By Mr. DON H. CLAUSEN:

H.R. 12466. A bill to designate as "Clair Engle Lake" the reservoir created by the Trinity Dam, Central Valley project, California; to the Committee on Interior and Insular Affairs.

By Mr. COHELAN:

H.R. 12467. A bill to designate as "Clair Engle Lake" the reservoir created by the Trinity Dam, Central Valley project, California; to the Committee on Interior and Insular Affairs.

By Mr. EDWARDS:

H.R. 12468. A bill to designate as "Clair Engle Lake" the reservoir created by the Trinity Dam, Central Valley project, California; to the Committee on Interior and Insular Affairs.

By Mr. HAGEN of California:

H.R. 12469. A bill to designate as "Clair Engle Lake" the reservoir created by the Trinity Dam, Central Valley project, California; to the Committee on Interior and Insular Affairs.

By Mr. HOLIFIELD:

H.R. 12470. A bill to designate as "Clair Engle Lake" the reservoir created by the Trinity Dam, Central Valley project, California; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSON of California:

H.R. 12471. A bill to designate as "Clair Engle Lake" the reservoir created by the Trinity Dam, Central Valley project, California; to the Committee on Interior and Insular Affairs.

By Mr. MILLER of California:

H.R. 12472. A bill to designate as "Clair Engle Lake" the reservoir created by the Trinity Dam, Central Valley project, California; to the Committee on Interior and Insular Affairs.

By Mr. SISK:

H.R. 12473. A bill to designate as "Clair Engle Lake" the reservoir created by the Trinity Dam, Central Valley project, California; to the Committee on Interior and Insular Affairs.

By Mr. VAN DEERLIN:

H.R. 12474. A bill to designate as "Clair Engle Lake" the reservoir created by the Trinity Dam, Central Valley project, California; to the Committee on Interior and Insular Affairs.

By Mr. CHARLES H. WILSON:

H.R. 12475. A bill to designate as "Clair Engle Lake" the reservoir created by the Trinity Dam, Central Valley project, California; to the Committee on Interior and Insular Affairs.

By Mr. KING of California:

H.R. 12476. A bill to designate as "Clair Engle Lake" the reservoir created by the Trinity Dam, Central Valley project, California; to the Committee on Interior and Insular Affairs.

By Mr. CORMAN:

H.R. 12477. A bill to designate as "Clair Engle Lake" the reservoir created by the Trinity Dam, Central Valley project, California; to the Committee on Interior and Insular Affairs.

By Mr. DANIELS:

H.J. Res. 1164. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.J. Res. 1165. Joint resolution to authorize the President to proclaim the fourth week of September of each year as National Square Dance Week; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H. Con. Res. 358. Concurrent resolution to provide for the printing of 5,000 additional copies of "Immigration Hearings Before Subcommittee No. 1 of the Committee on the Judiciary, House of Representatives, parts 1, 2, and 3"; to the Committee on House Administration.

By Mr. WIDNALL:

H. Res. 862. Resolution to create a select committee to study the administration and operation of the Economic Opportunity Act of 1964; to the Committee on Rules.

By Mr. FEIGHAN:

H. Res. 863. Resolution authorizing the printing of an additional 1,000 copies of the document entitled "Study of Population and Immigration Problems; Population of the United States"; to the Committee on House Administration.

By Mr. CLEVELAND:

H. Res. 864. Resolution to create a select committee to investigate Federal land ownership with particular reference to amount, location, national needs, regional balance and policies of disposition and acquisition; to the Committee on Rules.

By Mr. SHORT:

H. Res. 870. Resolution to create a select committee to study the administration and operation of the Economic Opportunity Act of 1964; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 12478. A bill for the relief of Alojz Grudenic; to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 12479. A bill for the relief of Metaxia Papanikos; to the Committee on the Judiciary.

H.R. 12480. A bill for the relief of Mr. Christos Tassigiannis; to the Committee on the Judiciary.

H.R. 12481. A bill for the relief of Miss Rosalia Elvira Sparacino; to the Committee on the Judiciary.

H.R. 12482. A bill for the relief of Mr. Gioacchino Parete and family; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.R. 12483. A bill to provide for the conveyance of approximately 80 acres of land to the heirs of Adam Jones, Creek Indian not enrolled; to the Committee on Interior and Insular Affairs.

By Mr. LINDSAY:

H.R. 12484. A bill for the relief of Mihaly Bognar and his wife, Katalin Bognar; to the Committee on the Judiciary.

By Mr. MARTIN of California:

H.R. 12485. A bill for the relief of Mario Antonio Ramirez; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 12486. A bill for the relief of Luisa Masbad; to the Committee on the Judiciary.

H.R. 12487. A bill for the relief of Lydia V. Mejia; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H.R. 12488. A bill for the relief of Krystyna Glowacka; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 12489. A bill for the relief of Mario Antonio Ramirez; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 12490. A bill for the relief of Zev Solel; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1018. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., relative to U.S. Supreme Court Associate Justice Harlan's dissenting opinion in the reapportionment cases of June 15, 1964; to the Committee on the Judiciary.

1019. By Mr. STRATTON: Petition of the Board of Supervisors of Seneca County, N.Y., urging the House of Representatives and other officials and legislative bodies opposing Federal court ruling on State reapportionment and urging the Congress to take action by constitutional means to protect the rural population of New York State and every other State; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

A Mountain of Thanks

EXTENSION OF REMARKS

OF

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 20, 1964

Mrs. KELLY. Mr. Speaker, I take this opportunity to offer congratulations to a little boy named Terry O'Brien, who has the unique honor of having a huge mountain named after him.

Terrence Kearney O'Brien, of Albany, N.Y., is the 10-year-old grandson of our colleague, Representative LEO W. O'BRIEN, who was the House floor manager of the Alaska statehood bill 6 years ago.

The distinguished Governor of Alaska, the Honorable William A. Egan, came to Washington to notify young Terry that a towering 5,600-foot mountain in the Nation's largest State will hereafter be known as Mount Terrence.

It is pleasant to know that there is room in this great, often impersonal, business of government for such touching gestures as this. How typical of the great land which is Alaska that it should write its "thank you" in letters more than a mile high.

As a New Yorker, I am proud that two men from my State had leading roles in the firm anchorage of Alaska as a permanent part of the Union.

The first was William Seward who, as Secretary of State, engineered the purchase of Alaska from Russia for $7,500,000, perhaps the greatest "buy" in history. Alaska will celebrate the 100th anniversary of that purchase 3 years hence. A peninsula and a city in Alaska bear the name of Seward.

The second New Yorker whom Alaska will long remember is our colleague, Representative O'BRIEN. I am sure that they would have been willing to honor him as they did Seward, but he asked that the honor go instead to his beloved grandson, Terry. As the Congressman wisely said:

> He will be around longer to enjoy it.

Jim Bennett

EXTENSION OF REMARKS

OF

HON. FRANK M. KARSTEN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 20, 1964

Mr. KARSTEN. Mr. Speaker, I am happy to have the opportunity of joining with my colleagues in recognizing the exceptionally valuable career of Jim Bennett. He will retire within a few days, after nearly a half century of distinguished Federal service, and he has earned the plaudits of all of us. His best known achievement, of course, is the fact that it was he who recommended the creation of the Federal Prison System about 35 years ago and it is he who has led that System for most of the time it has been in existence. The outstanding job that he has done is evident in the international esteem with which his organization is regarded.

Jim has been a particularly good friend of the Missouri delegation. I have known him ever since the days I served as congressional secretary to the late Representative John J. Cochran, and he has been the close friend of the late Senator Thomas C. Hennings, Jr., and his successor, Senator Edward V. Long, of Missouri, both of whom were given the assignment of chairman of the Senate Subcommittee on National Penitentiaries. Jim has traveled to Missouri on innumerable occasions, to address the young people of our colleges, to make studies of Missouri's correctional system for the State administration, and to keep up his strong personal interest in the medical center for Federal prisoners at Springfield, Mo. We in Missouri are therefore long familiar with Jim Bennett and all that he has done for his fellow citizens.

The scope of his activities, however, has gone far beyond the American prison scene. He has taken an intense interest in the general improvement of our society and its culture. This interest has, of course, included many problems that eventually come to the Congress of the United States for consideration. He has often discussed these problems with me and I have valued his advice. Although Jim Bennett is a prison administrator—or perhaps because he is a prison administrator—he believes that the reduction of crime in the United States must be largely accomplished by preventive methods rather than by heavy dependence upon the criminal law. I think he is right.

Jim Bennett has had a great impact on the administration of justice and he ranks among the great Americans of our history. His list of accomplishments is long and a number of them have been touched upon by others here over the past few days. But I do wish to express my own thanks for all that he has done. His experience should not be lost to us, however, and I trust that for many years to come he will continue to be a familiar figure in the Halls of Congress—and in the halls of justice.

Brenham, Tex., Little League Team Plays in World's Series

EXTENSION OF REMARKS
OF
HON. J. J. PICKLE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 20, 1964

Mr. PICKLE. Mr. Speaker, the Senior Little League world's series is now in progress in Louisville, Ky., and I am happy to announce that the Brenham Senior All Stars of Brenham, Tex., have qualified for this tournament by winning their State and regional championships.

I, as well as the citizens of Brenham and all of Texas, am very proud of this fine group of youngsters for this outstanding achievement. I know of no organization, other than scouting, which offers so many opportunities for the youth of our Nation. It is with a deep sense of pride that I speak of this fine group of boys, their very capable leaders, parents, and all persons connected with this wonderful program.

Brenham, Tex., is a city of some 10,000 people and is the county seat of Washington County, one of the first counties established in Texas. A few miles away is the site of "Washington-on-the Brazos," where the Declaration of Texas Independence was signed on March 2, 1836. Many of the settlers in Washington County came from Germany, Czechoslovakia, and England, and they carved out of that land a wonderful community which has been the center of many of Texas historic meetings and advancements.

Mayor Reese Lockett has served that community for some 25 years in a dedicated, unselfish manner. It is the home of former Congressman James Buchanan, who served his State so well for 20 years; and is the county represented in previous years by our illustrious President Lyndon B. Johnson and Judge Homer Thornberry.

The people there are descendants of some of the finest folks in our State—hardy, independent, progressive citizens—and these young men who have worked together as a team and won their way to the world series are the heirs of leaders who are proud of the perseverance and determination that has enabled these boys to go to the top.

I would like to pay my respects to the leaders, coaches and members of the team who are as follows: Herbert Faithauer, center field; Gordon Lewis, second base; James Plant, third base; Donnie Witte, first base; Fred Rau, pitcher; Willie Rosenbaum, catcher; Glenn Neutzler, left field; Alex Jordan, pitcher; Rodney Kelm, second base; Leonard Jasinski, right field; Jackie Heidemann, shortstop; Bobby Lehrmann, infield; Boby Neinast, outfield; John Haarmeyer, left field; Coleman Stanfield, manager; and Riley Plant, coach.

Deal With Patent Pirates?—Congress Was Shocked To Learn Defense Department Bought "Stolen Goods," Now There's a Bill To Stop It

EXTENSION OF REMARKS
OF
HON. WILLIAM G. BRAY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 20, 1964

Mr. BRAY. Mr. Speaker, I have indeed been impressed with the untiring efforts of my friend and colleague the gentleman from Indiana [Mr. ROUDEBUSH] in behalf of our patent and copyright laws.

I doubt if there has ever been a Member more outspoken on what this gentleman terms "the rape of our patent system." His repeated appearances before this body, as well as the now famous Roudebush amendment has served well to inform Congress of reprehensible practice by our Government of the purchase of manufactured items, fabricated in foreign countries by illegal use of American patents. This is so very true in the case of American patented drug and pharmaceutical formulas.

The August 17 issue of In Depth, published by the National Association of Manufacturers, carried a story by our colleague [Mr. ROUDEBUSH], and with permission I place it in the official RECORD of this Congress:

DEAL WITH PATENT PIRATES?—CONGRESS WAS SHOCKED TO LEARN DEFENSE DEPARTMENT BOUGHT "STOLEN GOODS," NOW THERE'S A BILL TO STOP IT

(By Representative RICHARD L. ROUDEBUSH, Republican, representing Indiana's Sixth District)

The American patent system is as old as the U.S. Constitution.

We find in article I, section 8, authority for Congress to enact legislation granting patents as stimuli to inventors.

In this section, the Constitution states: "that the Congress shall have the power to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

In accordance with this constitutional provision, the first patent law was enacted by the First Congress and approved by President George Washington on April 10, 1790.

Since that time our patent system has been supported by outstanding Presidents of both political parties, including Thomas Jefferson, Abraham Lincoln, Franklin D. Roosevelt, Dwight D. Eisenhower, and John F. Kennedy.

Thomas Jefferson, our third President, served as one of three administrators of the Nation's first patent law. They were, by statute, the Secretary of State, the Secretary of War, and the Attorney General. However, for all practical purposes, the major responsibility for patent administration fell to Thomas Jefferson.

It is recalled that Jefferson was a distinguished inventor in his own right and, therefore, was favorably disposed to new inventions and discoveries. Nevertheless, he was also an opponent of monopolies and vested rights and privileges for a few citizens at the expense of the general public.

Jefferson stated, "The issue of patents for new discoveries has given a spring to invention beyond my conception."

With this brief history of our patent system in mind, we might assume every agency and bureau of the Federal Government would be vigilant to protect and guard this basic tool of our free enterprise, capitalistic system.

It was with disbelief during the 87th Congress that we discovered such was not the case, and that a Federal agency was actually damaging the patent system by its purchasing practices.

The case involved the Department of Defense which was buying drugs and pharmaceuticals from foreign firms who had "pirated" formulas from an American firm, and selling the items below U.S. costs.

My immediate reaction was to question the Department of Defense about this purchase and the response was wholly unsatisfactory, being based on the enticement of a lower purchase price.

The problem was remedied temporarily when we were able to obtain an amendment (the Roudebush amendment) to the foreign aid bill which prohibited use of American tax dollars being spent on items manufactured with "pirated" American patents.

A long-range examination of the problem indicated the need for more comprehensive legislation to protect all American firms from countries who either do not recognize our patent laws, or have firms which have no qualms or business morals about obtaining formulas.

To this end, H.R. 1707 was drafted, and is now before the House Judiciary Committee.

H.R. 1707 prohibits "the use or manufacture by or for the United States of any invention described in and covered by a patent of the United States, which has not previously been held invalid by an unappealed or unappealable judgment or decree of a court of competent jurisdiction, without license of the owner thereof, unless the Secretary of Defense, or his delegate, shall determine in the case of each such invention that the national security of the United States requires such use or manufacture."

In effect, the bill will prohibit any agency of the U.S. Government from buying or using any item manufactured by a foreign firm with a "pirated" American patent.

At this very time, Italian firms are importing tetracyline into this country as an infringement on the patent rights of Pfizer.

It is impossible for Pfizer and other leading American drug firms, and businesses and manufacturers of any American product, to compete with these cut-throat competitors.

American firms must bear the costs of higher wages; must meet their responsibilities in the areas of local, State, and national taxation; must bear the tremendous costs of research, marketing, advertising; must make a profit to pay stockholders; must plow heavy capital back into expansion and growth projects and outdated equipment and buildings, and at the same time seek better products for lower costs for the American people.

What has happened to Pfizer at the hands of antibiotic pirates can happen to other American manufacturers unable to compete with foreign firms unhindered by research costs and able to employ cheap labor in substandard factories and plants.

It is a legitimate and obvious duty of Congress to protect our American firms from such unfair and harmful attacks, and we intend to continue to advocate and work for legislation to correct this serious situation.

Fairplay for Goldwater

EXTENSION OF REMARKS

OF

HON. DONALD C. BRUCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 20, 1964

Mr. BRUCE. Mr. Speaker, concern for the poor is universally admired, and, as the Bible assures us, "Blessed is he who considereth the poor." Conversely, indifference or callous disregard for the unfortunate elicits little popular appeal. A candidate for national office who can be labeled as "antipoor", even despite his private and public record to the contrary, is severely handicapped in winning the confidence and approval of the American people.

Consequently, the August 10 issue of Political Memo From COPE, the newsletter issued by the AFL–CIO's committee on political education, carried a short item of current added significance. Under the heading, "How GOLDWATER Views the Poor," this statement read:

> Republican presidential candidate Senator BARRY GOLDWATER has this to say about the unschooled and unskilled, the unemployed and the unlucky: "We are told * * * that many people lack skills and cannot find jobs because they did not have an education. * * * The fact is that most people who have no skills have no education for the same reason—low intelligence or low ambition."—Speech before Economic Club of New York, January 15, 1964.

Unlike many readers of the COPE memo, I had easy access to the text of the Senator's New York economic speech. Sure enough, the above quote distorted the Senator's position by using the now popular device of quoting out of context. No mention was made by COPE of an earlier qualifying statement in the speech:

> I also believe that those in trouble through no fault of their own must be helped by society.

Missing also was a later qualifying passage concerning inquiry or investigation into conditions surrounding the less fortunate that such inquiry "should not be to condemn anybody but to help and to help effectively."

If the above COPE treatment was an isolated incident, one could perhaps write it off as a case of poor editing. However, when this general downgrading-the-poor theme is attributed to Senator GOLDWATER in other political circles as well, one begins to wonder where mistakes end and malice begins.

This theme has appeared on TV, in the CONGRESSIONAL RECORD, in the press. To illustrate, compare this quote by a political columnist appraising the Economic Club speech with excerpts from the speech appearing at the end of my remarks:

> Here was the richest audience per capita that the Senator could have located anywhere—outside a Rockefeller family reunion. And for the delectation of this audience, GOLDWATER chose to denounce the poor as a set of lazy fellows, who deserved to be wretched because they lacked the gumption needed to reach the well-upholstered heights inhabited by the members of the Economic Club.

Whether by inadvertence, erroneous judgment, or willful design, disseminating mistaken or dishonest charges is serious. If political confidence men are abroad in our land coveting citizens' votes, the public must be alerted.

The following pertinent excerpts from Senator GOLDWATER's New York Economic Club speech are offered so that: First, the truth may be known; and, second, that those responsible for these misrepresentations be judged as to their reliability and whether they merit our future confidence:

> I strongly believe that all people are entitled to an opportunity—let me stress that—to an opportunity to get an education and to earn a living in keeping with the value of their work.
>
> I also believe that those in trouble through no fault of their own must be helped by society. I believe that those in trouble through their own fault should always have an opportunity to work themselves out of it. But I do not believe that the mere fact of having little money entitles everybody, regardless of circumstance, to be permanently maintained by the taxpayers at an average or comfortable standard of living.
>
> We are told, however, that many people lack skills and cannot find jobs because they did not have an education. That's like saying that people have big feet because they wear big shoes. The fact is that most people who have no skill, have had no education for the same reason—low intelligence or low ambition.
>
> We have talked of many details in this overall problem. But we are not talking about many principles. Only two, basically, are involved. Enterprise versus regimentation, a society fluid in its opportunity, or a society hardened into a government mold.
>
> Specifically, in a society where the vast majority of people live on a standard that is envied by all other nations, it must be appropriate to inquire whether the attitude or the action of the small group not participating in the general prosperity has anything to do with the situation. The aim of such an investigation should not be to condemn anybody but to help and to help effectively. To do that we must know what is wrong and not assume that big government knows the answer and has the answer.
>
> I would, to further this, call a conference with participation from all of the States to study this problem of poverty and jobs, to pin down the figures, to survey all the solutions and not seek to impose the Federal one.
>
> I would, also, seek to find for the Federal Government more of a role in removing restrictions than in imposing new ones—at every level of the economy.
>
> Making our industry more competitive with foreign industry should have a high priority in that study. I suggest that the Federal Government can find more ways to improve that competitive situation by getting out of industry's hair, than by getting into it. And in this I would include even the Federal role in raising tariffs. That solution is not a real one, it is just a temporary one.

When the above statement is read in total it reveals depth of thought, great compassion for human suffering, and positive determination to meet the problem within the framework of a free system.

The Passage of H.R. 1927, the Non-Service-Connected Pension Bill, a Tribute to the Leadership of W. R. Kime of Iowa, National Commander, Veterans of World War I

EXTENSION OF REMARKS

OF

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 20, 1964

Mr. SCHWENGEL. Mr. Speaker, the unanimous passage on August 11, of H.R. 1927, the non-service-connected pension bill for veterans, is a tribute to the leadership of W. R. Kime, of Iowa, the national commander of Veterans of World War I.

Commander Kime worked tirelessly and diligently with the chairman of the House Veteran Affairs Committee, Congressman OLIN TEAGUE, of Texas, in bringing forth a pension bill before the end of this session of Congress.

Although Commander Kime and the members of his veterans organization were hopeful that legislation on the order of H.R. 2332 could be reported out and approved, they concluded that H.R. 1927 was the most feasible legislation for veterans which could be enacted this session. It contains many beneficial provisions to provide immeasurably increased benefits for many thousands of World War I veterans.

The same wise leadership which Commander Kime gave in working out a bill which the House could accept will be present when the Senate considers the legislation, and I am sure the bill will be approved there and signed into law by the President before this session adjourns.

I feel it is fitting, therefore, for my colleagues to know more about the background of Commander Kime who has spent almost a half century in working for veterans organizations.

Following the general Paris caucus, March 15-17, briefings were given to the American troops at various locations in France as to the aims and objectives of a proposed new organization for veterans. Later on that year, May 8 to 10, the St. Louis caucus was held and this led to the formation of the American Legion.

In late 1919, Mr. Kime, together with others, helped organize an American Legion Post in the Department of Iowa. He became a charter member and served as post commander for the first 2 years of the post's existence. Later he held the position of service officer and served as chairman of the Boy Scout Committee.

During World War II Mr. Kime served another 2 years as post commander in the Department of Iowa.

For the past 35 years Mr. Kime has also held a membership in a post of the Veterans of Foreign Wars, Department of Iowa.

His most recent activity in veterans organization work has been in helping organize the first barracks of the Veterans of World War I in the State of Iowa and then serving as its commander. He later helped organize the Department of Iowa of the Veterans of World War I and has served as the department's first commander.

His fellow veterans have called on him to serve as the national regional commander of region No. 7 which includes Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. Other positions he has held in region No. 7 are: national junior commander, national senior vice commander, and national commander.

Statement of Hon. Michael A. Feighan Before Democratic Platform Committee in Support of a New, Fair, and Sound Immigration Bill

EXTENSION OF REMARKS
OF

HON. MICHAEL A. FEIGHAN

OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 20, 1964

Mr. FEIGHAN. Mr. Speaker, by leave previously granted, I insert in the RECORD my statement before the Democratic Platform Committee in support of a new, fair, and sound immigration bill:

STATEMENT OF HON. MICHAEL L. FEIGHAN

Mr. Chairman and members of the platform committee, I am Congresman MICHAEL A. FEIGHAN. I have been privileged to represent the people of the 20th District of Ohio in Congress for the past 22 years.

While I am chairman of the House Subcommittee on Immigration and Nationality, and chairman of the Joint Senate-House Committee on Immigration and Nationality Policy, I appear today in my individual capacity as a citizen and lifetime member of the Democratic Party.

My remarks will be directed at two planks in our platform—immigration and foreign policy.

The population of our Nation as I speak to you (2:30 p.m.) is estimated by the Bureau of the Census to be 192,467,619. Four years ago this hour, the count was 181,141,000. Four years from this hour the count will be 203,446,000. We are a country well settled and well developed. In fact, we are by far the most advanced industrial-technical nation in the history of the world. We are not a nation in need of immigration, by any test or current international standard. Nor are we a country of emigration. There is no need for our people, or any segment thereof, to seek admission to other less settled or developed lands where there might be greater opportunity for the individual. Our land abounds with opportunity for all who are ambitious and who are prepared to make the personal sacrifices which have been the price of success in every generation.

I include the opportunity to prepare for a useful life as well as the opportunity to use fully natural and cultivated talents, aptitudes and skills. This does not by any means suggest that we need or are ready for what is generally called a restrictive immigration policy. Quite the contrary is the case. What we need is an immigration policy tuned to our current domestic needs and our international commitments.

Permit me to share with you these basic considerations, upon which that policy must be established.

1. Despite the fact we are no longer a country of immigration, we are by far the most generous and liberal nation in the world so far as the number of immigrants we admit each year. The record shows that over the past 10 years we have taken in an annual average of 300,000 immigrants. Other nations, generally regarded as countries of immigration, both in this hemisphere and the Pacific areas of Australia and New Zealand, fall far below that number of immigrant admissions. For example, Australia averaged 102,000, and Canada averaged 90,000 annual admissions over the 5-year period, 1959–63.

2. Of the 300,000 immigrants we have been admitting each year only one-third have come in under the much disputed national origins quota system. Two-thirds have been admitted as nonquota immigrants, largely from the nations of the Western Hemisphere.

3. Despite our generous and liberal position on the number of annual immigrant admissions, it is now clear our present method of admissions causes more domestic problems than it is resolving. I refer specifically to the large number of families in our Nation, split and separated by war, tyranny and human upsets, with some members living abroad waiting for a quota number to join their loved ones in the United States. The waiting period in many instances is long and trying, difficult if not impossible to justify in light of the primary moral value our society attaches to the integrity of the family.

4. Our nonquota immigrant admissions from the Western Hemisphere have been on a constant rise during the past 10 years. In view of the increased mobility of populations in our hemisphere, because of the rapid and somewhat inexpensive means of transportation—not to mention the many attractions inherent in our national life—predict a continuing rise in this number of nonquota immigrant admissions in the years ahead.

5. As a technological nation moving at breakneck speed into a fully automated society, we are experiencing socioeconomic problems, the solutions for which are yet to be found and proved out. I refer not only to the problems of unemployment and underemployment, but to the stimulated mobility of our labor force, the training of workers to meet the technical-scientific demands of automation, replacement of the family farm by the science of industrial farming, the concentration of our population into urban centers, just to mention a few. All these problems and the solutions we find to them cannot be separated from our national policy of immigrant admissions. For immigrants are above all else, people who must find their way to happiness in the milieu of our society no less than our native-born citizens.

6. Few would disagree with the need for our Nation to maintain its traditions as a haven for some of the victims of political and religious persecution in many lands across the seas, and more lately those who have escaped from the Russian fortress in the Caribbean. Our record in this respect remains unchallenged. However, it hardly befits our rich traditions to admit our fair share of those victims under conditions which attach to their admission the stigma of parole, as we are doing at present. Refugees whom we admit should enter as all other immigrants do—with no finger of suspicion or trial pointed at them. They fled or escaped from communism because the hand of the Russian jailer was about to rest on their shoulders. When they come here they want to forget their nightmare of experience in the police state. We should exemplify only freedom, justice, and the dignity of the individual in the reception we accord them.

It is apparent, therefore, that a modern-day immigration policy involves finding answers to these questions:

1. How many immigrants shall we admit each year, based upon our ability to absorb them at this stage of our national development?

2. What shall be the criteria for selecting immigrants for admission, within the ceiling of absorbability?

3. Shall we continue the practice of nonquota immigration for the Western Hemisphere, or shall we subject that practice to the same critical analysis as has been given to the national origins quota system?

4. Have we reached a point in our national development which requires a worldwide quota system governed by a realistic assessment of our domestic needs with a reasonable flexibility to support our international commitments?

5. What are to be the respective roles of the executive branch of the Government and of Congress in any radically revised program of immigrant admissions, in light of the constitutional responsibilities fixed upon Congress for regulating immigration into the United States?

It should be equally apparent that the answers to these basic questions will not be found in leveling a spirited attack upon the national origins quota system which is but one element of the total problem. That would be an easy, cheap, and somewhat tarnished approach which escapes facing up to a national problem in its total reality.

Since Congress carries the responsibility of regulating immigration into the United States, it is the corresponding duty of Congress to establish policy and the supporting laws which give life to that policy. Congress has provided the legal mechanism to establish immigration policy through the Joint Congressional Committee on Immigration and Nationality Policy. It is the responsibility of Congress to meet the issues which I have raised, to find solutions to the problems I have outlined and to legislate authority for carrying out an immigration policy that meets our national needs.

Let me quote President Johnson on this score, from his remarks at an immigration conference last January 11: "I would hope that we would do nothing hasty and makeshift, but I hope that we would apply the tests that I have outlined and the standards that I have suggested, doing unto others as you would have them do unto you, and asking them what contribution they could make to their country, and asking yourselves how you would feel if some of your very special members of your family were involved and were facing what now appears to be almost insurmountable obstacles."

To meet the immediate needs reflected in the quoted statement made by President Johnson, I have introduced a bill, H.R. 12305, which is now pending in Congress. Enactment of that legislation would relieve the problem of separated families, provide for skills needed to stimulate our economy which are now in short supply, and remove the stigma of parole from the refugees we admit, over a 2-year trial period. This would provide a remedy for our most pressing problems while Congress hammers out a modern, all-inclusive immigration policy.

I respectfully recommend that the immigration plank in our 1964 platform call upon the Congress to undertake forthwith a full scale review and analysis of all the factors which must be taken into account, including those which I have outlined, in establishing an immigration policy which befits our present needs and obligations and to enact legislation in support of that new policy. This course of action would reject both a hasty and makeshift response to an urgent national problem.

Finally, our immigration program should be stripped clean of all requirements or procedures which breed human misery or encourage exploitation of those who are caught in the heartless vise of inequity. Our new immigration law should be written in the spirit of simple justice, readily understandable to those who seek its benefits or protection and consistent with a sound policy for which Congress much accept full responsibility.

What I have proposed is directed at those precise objectives.

The Tuck Bill To Curb Legislative Functions of the Supreme Court

EXTENSION OF REMARKS
OF

HON. THOMAS M. PELLY

OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 20, 1964

Mr. PELLY. Mr. Speaker, yesterday, the House voted 218 to 175 in favor of the Tuck bill to put a curb on the legislative functions of the Supreme Court, and I should like the record to be quite clear as to the reasons I voted for this legislation.

The Tuck bill seeks under authority of the Constitution to prevent the Supreme Court from intervening in State matters and in ways which were never intended.

Frankly, I have been alarmed over decisions of the Court which seem to go far beyond the limited powers granted by the Constitution.

One of the first Presidents to warn that the Supreme Court could invade the legislative function of Congress was Abraham Lincoln, who said:

> If the policy of the Government upon vital questions * * * is to be irrevocably fixed by decisions of the Supreme Court * * * in ordinary litigation * * * the people will have ceased to be their own rulers.

The latest example of such encroachment on the legislative functions is the reapportionment decision. Here the Federal courts have invaded the province of Congress in actually writing legislation. They have said if the States do not pass laws, that the Court will write the laws for them.

In my very own State of Washington we had a three-judge court say that the State must redistrict—which of course the State should do; but the point is, the State legislature, not the Court, should do the redistricting. Instead, we have a crazy Federal court plan of "weighted voting."

I do not condone the failure of our Governor to call a special session of the legislature to reapportion the State in accordance with our State constitution. In fact, I strongly criticize it. But I object under the Federal Constitution to the Federal court prescribing a plan and in many States the Federal courts have deliberately overruled the actions of the people.

Here we have appointed public officials not even elected by the people overriding actions taken by a vote of the people.

The Constitution of the United States sets forth in all cases where a State shall be a party, the Supreme Court shall have appellate jurisdiction, and mark this, then it adds that such jurisdiction is with such exception and under such regulations as the Congress shall make.

The Tuck bill would provide such an exception. It would curtail the appellate jurisdiction as to reapportionment of State legislatures.

I oppose any delay in reapportionment of my State, or any State, but I cannot support the Federal court telling the people of my State or any State what system of reapportionment shall be used.

Mr. Speaker, I hope this explains my support of the Tuck bill.

Remarks of President Johnson to White House Seminar Students

EXTENSION OF REMARKS
OF

HON. JOHN M. MURPHY

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 20, 1964

Mr. MURPHY of New York. Mr. Speaker, President Johnson addressed 6,000 college students on the lawn of the White House yesterday. The President's reception for these students was the 10th meeting of young men and women who have come to Washington to work for the Federal Government during this summer. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the President's address:

The PRESIDENT. I hope that none of you will assume from the sign over there that Congress was going to come down here and be with us this morning. We know when Congress is coming. The big question is—when will they be leaving?

This is a nonpolitical occasion. I regret very much to say. It must be that way because you are bipartisan.

Out of the 5,000 here, one lady spent the summer working in the office of Senator GOLDWATER. I am told that she was a Democrat when she came and I trust she has not moderated her convictions.

Personally and as your President, I am proud of you. I am proud to see you. I am glad that you are members of both parties. I am happy that you are taking an active and constructive interest in your Government, which is served well by members of both parties.

I stand before you this morning as an example of what can happen to someone who is your age who comes to Washington to work for awhile and then carries it to an extreme.

This city is your city. Wherever you go, whatever you do, I hope Washington will mean to you what Paris meant to Ernest Hemingway, as he describes it in the book which many of you are reading. May the memories of your Capital be always for you a "Moveable Feast" of constant delight and continuing pride.

You will carry with you the memories of libraries and museums, concerts and coffee hours, folk festivals and, by all means, discotheques.

But my wish for you is that from this experience you will carry for the rest of your years a stronger and a surer faith in the role and the worth of the individual.

Your government is large. You are sons and daughters of a massive age, an age when men and nations have been much concerned with massive force and massive struggles.

But I hope that your experiences and your observations have instilled into you a new and lasting faith in the fact that is paramount.

On this earth, there is no force so strong, none so powerful, none so finally decisive as the influence for good or evil of the committed man or the committed woman.

The course of this Nation, the contest of this world, will finally be decided not by the force of the atom, not by the strength of arms, not by the weight of industrial production.

The future will finally fall to those that are most committed to their cause.

I know there are those who say of your generation that you are apathetic, that you are indifferent, that you are cold, hard, unfeeling and uncaring security chasers seeking only a sports car, a split level and an annuity.

Well, this I do not believe.

I know there are those who consider it correct to play it cool—right to remain reserved—not good form to show great faith.

But for myself, I believe that this generation of young Americans is a committed generation, anxious and asking to be permitted to fulfill that commitment.

Where other generations of Americans have had a rendezvous with war, I believe that your generation, God willing, will keep a rendezvous with peace.

Whether at home or far away, I believe it will be your destiny to fight wars men have never fought before—wars against poverty, wars against disease, against illiteracy, against discrimination, against all those things which blight the lives and the hopes of our fellow man.

As you are committed, I want you to know that your President is committed, too—committed to the future and not to the past, because we live in an age when the times men know in their youth are old history before men themselves have grown old.

The times of my generation's youth are old history now.

I came here—I was schooled here—in exciting and memorable years of our national history. None who ever knew those times can ever really forget them.

Your generation has no memory as mine does of Franklin Roosevelt and the New Deal. Your generation did not know—and I pray never will know—the great depressions and the experience of the great recovery.

With due respect but without regret, we leave behind 1934 and turn to work for the promise of 1964, for the answers of the Roosevelt years and the answers of the Coolidge years—the answers of the Wilson and McKinley years do not serve as replies to the questions of our age or the answers of our time or the replies to today.

No man of our times understood this so well as John Fitzgerald Kennedy. He understood as we must all understand that in these times the Government of the United States must be lean and trim and not large and soft. He understood that power must be principled—that when nations acquire the capacity to destroy human life they must assert the courage to redeem human life; that when nations are sure of their strength they must never be unsure of their search for peace.

This is the course that we follow in our land today.

No man can say that the road ahead will be easy, that our footing will always be sure, that there will be no obstacles, no perils.

Wherever the strong and the free may walk, danger will stalk their trail.

I believe that 30 years from now when you are nearing the age that I have attained you will look back upon these 1960's as the time of the great American breakthrough—toward the victory of peace over war—toward the victory of prosperity over poverty—toward the victory of human rights over human wrongs—toward the victory of enlightened minds over darkness.

Thomas Wolfe has written: "The true discovery of America is before us * * * the true fulfillment of our spirit, of our people, of our mighty land is yet to come."

Come give us what youth alone can give us, and together let us make that discovery.

Thank you for coming here.

Results of a Legislative Questionnaire

EXTENSION OF REMARKS

OF

HON. CLARK MacGREGOR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 20, 1964

Mr. MacGREGOR. Mr. Speaker, the results of my June 1964 legislative questionnaire have now been tabulated. The popular response gives a true indication of public opinion in the Third Congressional District of Minnesota on important public issues.

With the essential help of capable volunteers I prepared and mailed a copy of the questionnaire to each of approximately 125,000 homes. The returns were gratifying in that 22,500 persons—a response of 18 percent—gave me the benefit of their opinions. Many respondents, in addition to checking "yes" and "no" answers, added comments which have been of real value to me in providing representation to the residents of suburban and rural Hennepin and Anoka Counties.

The test of successful representative government is an informed, concerned, and alert citizenry. I am proud to say, Mr. Speaker, that this questionnaire project in 1964, as in past years, proves that the people in my area of Minnesota meet this test.

Following are the results of the questionnaire:

1964 LEGISLATIVE QUESTIONNAIRE, CLARK MACGREGOR, THIRD DISTRICT, MINNESOTA

1. Do you favor the Urban Mass Transportation Act providing for $500 million in Federal grants for mass transportation facilities and equipment?

Yes, 25 percent; no, 58 percent; undecided or no answer, 17 percent.

2. Should Congress vote now to raise the pay of Federal employees, including judges, cabinet officers, and Members of Congress?

Yes, 23 percent; no, 64 percent; undecided or no answer, 13 percent.

3. Do you approve that part of the pending civil rights bill which seeks to eliminate racial discrimination in hotels, motels, restaurants, gas stations, theaters, and sports arenas?

Yes, 53 percent; no, 41 percent; undecided or no answer, 6 percent.

4. Where a State has not acted, should the Federal Government be authorized to insure equality of job opportunities in businesses and labor unions regardless of race, color, religion, sex, or national origin?

Yes, 58 percent; no, 40 percent; undecided or no answer, 2 percent.

5. Do you favor continued U.S. economic and military aid to other nations at about $3.5 billion annually?

Yes, 35 percent; no, 50 percent; undecided or no answer, 15 percent.

6. Should we use force, if necessary, to prevent Castro from shipping arms and communist agents into Latin America?

Yes, 71 percent; no, 14 percent; undecided or no answer, 15 percent.

7. Do you favor the proposal to authorize the Secretary of Labor to require that certain selected industries pay their employees double pay for overtime work?

Yes, 14 percent; no, 77 percent; undecided or no answer, 9 percent.

8. Does the "Bobby Baker" case indicate that legislation is needed to prevent conflict of interest activities by Senators, Congressmen, their employees, and White House staff members?

Yes, 74 percent; no, 16 percent; undecided or no answer, 10 percent.

9. Should the Federal Government borrow the $962 million necessary to finance the proposed "war on poverty"?

Yes, 23 percent; no, 60 percent; undecided or no answer, 17 percent.

10. As parts of the poverty program do you favor:

(a) Work camps for males ages 16 to 21 financed 100 percent by the Federal Government?

Yes, 29 percent; no, 51 percent; undecided or no answer, 20 percent.

(b) Community work training programs for unemployed youths of both sexes?

Yes, 67 percent; no, 20 percent; undecided or no answer, 13 percent.

(c) Grants of $1,500 and loans of $2,500 to low-income farm families coupled with loans to corporations for buying rural property, improving it, and selling it back to these farmers?

Yes, 16 percent; no, 65 percent; undecided or no answer, 19 percent.

(d) A domestic peace corps of volunteers to help with community action programs?

Yes, 53 percent; no, 32 percent; undecided or no answer, 15 percent.

11. How would you vote on the idea of financing medical care of the aged through the social security system?

Yes, 40 percent; no, 48 percent; undecided or no answer, 12 percent.

12. Do you believe the Constitution should be amended so as to permit voluntary participation in religious exercises in the public schools?

Yes, 41 percent; no, 43 percent; undecided or no answer, 16 percent.

On the Broom Tariff Bill

EXTENSION OF REMARKS

OF

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 20, 1964

Mr. COLLIER. Mr. Speaker, I am pleased that the House of Representatives has concurred with the action of the House Committee on Ways and Means in approving H.R. 5986, a bill to amend the Tariff Act of 1930 with respect to the rate of duty on brooms made of broom corn, which I introduced during the 1st session of the 88th Congress.

I am grateful to those Members of the House who originally opposed the unanimous consent request and subsequently withdrew their opposition so that the full membership of the House was given an opportunity to act upon this bill. Because it is so late in the session, time was of the essence and their opposition could well have foreclosed House action for the rest of this session had these reservations not been withdrawn. At the same time, it is my opinion that those who opposed this legislation were probably under certain wrong impressions which I believe should be corrected for the record. The statements to the effect that enactment of this bill into law would quintuple the tariff on brooms is certainly not accurate. Referring in this regard to the reports the Ways and Means Committee received, one will note that the Department of State advised that the proposed rate would result in an increase of about 180 percent, whereas the Department of Commerce informed the Senate Finance Committee in a letter dated June 2, 1964, that "the bill would increase the average duty on household brooms, the principal category, to approximately 75 percent and the average duty on whiskbrooms about 100 percent."

These miscalculations are due, I believe, to the failure to take into consideration that broom imports do not segregate various categories. Imports from Mexico are chiefly household brooms while those coming from the satellite Communist country of Hungary are mainly whiskbrooms.

Using 1963 Bureau of the Census figures, the United States imported 114,536 dozen brooms valued at $460,278, from Mexico, or declared value of $4.02 per dozen. That means the average duty was $1.01 per dozen. The duty under H.R. 5986 would be $2.88, a long way from being "quintupled." On the other hand, imports from Hungary—practically all whiskbrooms—totaled 11,018 dozens, valued at $137,465, or $1.24 per dozen and average duty of 31 cents per dozen. The proposed duty is 96 cents per dozen.

Opponents' distortion of the facts is obvious. Average declared valuation of all so-called broom imports in 1963 was $2.84 per dozen which means the average duty paid under 25 percent ad valorem was 71 cents a dozen. However, that includes the lower-priced whisks and toy brooms. Segregating them the duty on household brooms becomes much higher—$1.01 a dozen in the case of Mexican imports as noted above. H.R. 5986 duty would be $2.88 per dozen on household brooms and 96 cents per dozen on whiskbrooms. Assuming 40 percent of the imports are whisks, which we believe to be a fair estimate, that means the average weighted duty on brooms under H.R. 5986 would be $2.11 per dozen. Apparently the opposition was not taking this into consideration.

Aside from the dollars and cents tariff factor, there are most certainly other considerations which are of vital importance. Brooms are produced in the

United States in many small shops and factories as well as in institutions for the blind, in penal institutions, and in several larger broom companies. This is an industry which, because of the very nature of its production, is able to utilize many blind people in our country who are so limited in securing employment. We have enacted numerous Federal programs to assist the less fortunate people in our industrial society who are either limited by lack of skills or because of their physical conditions. Foreign competition in this industry has already resulted in the loss of jobs; and without this legislation this situation could only become progressively worse thus resulting in expanded unemployment in an industry which has a most commendable record for hiring blind and otherwise handicapped people.

This is good legislation based upon sound reasoning and sound economic principle, and I hope that the other body will move expeditiously in concurring with the House action so that the President will have the opportunity to sign this bill into law before the end of the 88th Congress.

Power and Prudence in Our National Defense Policy

EXTENSION OF REMARKS
OF
HON. WILLIAM S. MOORHEAD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 20, 1964

Mr. MOORHEAD. Mr. Speaker, paradoxically—as Cuba in 1962 and Vietnam in 1964 have taught us—the best route toward peace is to have the military strength and the courage to respond—but also the prudence not to over respond—to challenges to peace.

On August 17, 1964, the very able Secretary of Defense, Robert S. McNamara, described the increased force which permitted President Kennedy to face down the Russians over the Cuban missile crisis—a confrontation which lead directly to the nuclear test-ban treaty and other reductions of tensions with the Russians and the diversified force which permitted President Johnson to respond with firmness but cool restraint to the North Vietnamese attack on the U.S. destroyers in the Gulf of Tonkin.

I commend Secretary McNamara's statement to my colleagues and to the American people:

STATEMENT OF ROBERT S. MCNAMARA, SECRETARY OF DEFENSE, BEFORE THE DEMOCRATIC PLATFORM COMMITTEE, AUGUST 17, 1964

Mr. Chairman, members of the committee, my purpose this afternoon is to review the defense policies of this administration, to report to you and the American people on the fulfillment of the pledges made by the Kennedy-Johnson administration in 1960, and to recommend our defense policies for the coming years.

The Defense Establishment we found in 1961 was based on a strategy of massive nuclear retaliation as the answer to all military and political aggression. We, however, were convinced that our enemies would never find credible a strategy which even the American people did not believe. We believed in a strategy of controlled flexible response, where the military force of the United States would become a finely tuned instrument of national policy, versatile enough to meet with appropriate force the full spectrum of possible threats to our national security from guerrilla subversion to all-out nuclear war.

The Defense Department we found in 1961 was one in which each military service made its own independent plans. We found the Army relying on airlift which the Air Force was unable to provide. We found the Army envisioning a long war, stockpiling supplies for as long as 2 years; while the Air Force, envisioning a short war, had supplies for only a few days. We found a weapons inventory completely lacking in certain major elements required for combat readiness, but which also contained 270 percent of the necessary 105 mm. towed howitzers, and 290 percent of the necessary 4.2-inch mortars. We believed in balanced, integrated, military forces equipped to respond with a level of power appropriate to the type of aggression mounted against us.

In 1961, we found military strategy to be the stepchild of a predetermined budget. A financial ceiling was placed on national security and funds were allocated not on the basis of military requirements, but according to the dictates of an arbitrary fiscal policy. While we believed that our defense forces should be procured and operated at the lowest possible cost, we were convinced that only the safety of the country should determine the forces to be assembled.

The strategic nuclear force we found in the Defense Department was vulnerable to surprise missile attack. The nonnuclear force we found was weak in combat-ready divisions, weak in airlift capability, weak in tactical air support. The counterinsurgency forces were, for all practical purposes, nonexistent. We believed that the United States must be supreme in all types of military force to meet all types of aggression across the entire spectrum of modern-day conflict.

That is why, in 1960, Presidents Kennedy and Johnson pledged—

To "recast our military capacity in order to provide forces and weapons of a diversity, balance, and mobility sufficient in quantity and quality to deter both limited and general aggression."

To create "deterrent military power such that the Soviet and Chinese leaders will have no doubt that an attack on the United States would surely be followed by their own destruction."

To pursue "continuous modernization of our forces through intensified research and development, including essential programs slowed down, terminated, suspended, or neglected for lack of budgetary support."

When I became Secretary of Defense in January 1961, President Kennedy gave me two instructions which President Johnson has strongly reemphasized:

First, develop the military force structure necessary for a solid foundation for our foreign policy, and do this without regard to arbitrary or predetermined budget ceilings.

Second, having determined that force structure, procure and operate it at the lowest possible cost.

In his first state of the Union message to the Congress, President Kennedy said:

"I have instructed the Secretary of Defense to reappraise our entire defense strategy—our ability to fulfill our commitments—the effectiveness, vulnerability, and dispersal of our strategic bases, forces, and warning systems—the efficiency and economy of our operation and organization—the elimination of obsolete bases and installations—and the adequacy, modernization, and mobility of our present conventional and nuclear forces and weapons systems in the light of present and future dangers."

Under the direction of Presidents Kennedy and Johnson, with the cooperation of the Congress, with the support of the leaders of both political parties, aided by dedicated and able assistants in and out of uniform, and with the backing of the American people, we have been able to keep these pledges.

We have vastly increased our strategic nuclear and our conventional strength. Since January 1961, we have attained:

A 150-percent increase in the number of nuclear warheads and a 200-percent increase in total megatonnage in our Strategic Alert Forces.

A 60-percent increase in the Tactical Nuclear Force in Western Europe.

A 45-percent increase in the number of combat-ready Army divisions.

A 44-percent increase in the number of tactical fighter squadrons.

A 75-percent increase in airlift capability.

A 100-percent increase in ship construction to modernize our fleet.

An 800-percent increase in the special forces trained for counterinsurgency.

To appreciate the full extent of this force, we must contrast it to that of our principal adversary. By such a test, our strategic superiority is incontestable.

Our Strategic Alert Forces now have 1,100 bombers, including 550 on 15-minute alert, equipped with decoy missiles and other penetration aids to assure that they will reach their targets. The Soviet Union could, with difficulty, place over this country on two-way missions slightly more than 100 heavy bombers, plus 150 medium bombers capable of striking only Canada and the northwestern corner of the United States.

We now have more than 800 fully armed, dependable ICBM's deployed on launchers, almost all in hardened and dispersed silos. The Soviet Union has fewer than one-fourth this number, and fewer still in hardened silos.

Our Navy now has 256 Polaris missiles deployed in 16 submarines; 25 more Polaris submarines are under construction. The Soviet Union's submarine-launched ballistic missile fleet is, by comparison, small and ineffective.

Each of our Polaris missiles is carried in a nuclear powered submarine—but only a small percentage of Soviet ballistic missile submarines have nuclear power.

Each of our Polaris missiles can be launched from beneath the surface. The Soviet's have no such operational missile.

Each of our Polaris missiles has a range of 1,500 miles or more. The range of Soviet submarine-launched missiles is less than one-third as much.

The power of these forces will soon be further increased by the addition of the new Polaris A-3 missile and the new Minuteman II. The Minuteman II is as great an improvement over the Minuteman I as the B-52 was over the B-47. It will be more than eight times as effective against the best protected military targets as its predecessor.

These, and many other new weapons developments, are products of our continuing efforts to keep the pledge we made in 1960 and to make certain, in President Johnson's words, "that the United States is, and will remain, first in the use of science and technology for the protection of its people."

We have, in fact, increased by 50 percent, expenditures for military research and development over the level prevailing during the last 4 years of the previous administration. We have initiated 208 new weapons research projects, including 77 costing $10 million or more each.

I would like to mention just a few of the new projects and new weapons systems initiated or carried to completion during this administration:

The SR-71, a long-range, manned, supersonic strategic military reconnaissance aircraft, which employs the most advanced observation equipment in the world and flies at over 2,000 miles per hour and at an altitude of over 80,000 feet.

The new Nike X, which will give us the option to deploy—if the national security requires it—the most advanced antiballistic missile yet conceived by any nation.

The new A7A aircraft, which will give the Navy superior attack capability at more than double the range of the A4E that it will replace.

The EX-10, a heavy, new type of torpedo for use against deep diving, fast, nuclear submarines.

The new main battle tank, which will give our ground forces armor superiority throughout the 1970's.

The revolutionary variable sweep winged F-111 fighter-bomber, a supersonic aircraft which has double the range and several times the payload of any previous fighter-bomber.

Let me assure you that our strategic forces are and will remain in the 1960's and the 1970's, sufficient to insure the destruction of both the Soviet Union and Communist China, under the worst imaginable circumstances accompanying the outbreak of war. There should be no doubt of this in the mind of any American. There is none in the minds of our enemies.

But nuclear power alone is not enough. Such power was not usable against the Soviets when they blockaded our friends in West Berlin. Such power was not usable against Communist guerrillas in Greece in 1947. It was not usable in Malaya in 1948. It was not usable against Communist guerrillas in the Philippines in 1950. It was not usable to protect our destroyers in the Gulf of Tonkin in 1964. And such power is not usable against the Vietcong guerrillas who have infiltrated South Vietnam.

The effectiveness of the strategic nuclear deterrent we have assembled against our enemies has driven them to acts of political and military aggression at the lower end of the spectrum of conflict. The Communists now seek to test our capacity, our patience, and our will to resist at the lower end of this spectrum by crawling under the nuclear defenses of the free world. The threat that Castro presents to Latin America and the challenge before us today in South Vietnam lies not in nuclear war, but in the twilight zone of guerrilla terrorism and subversion.

To deal with this form of political and military aggression and similar acts of violence which are less than all-out war, since 1961:

We have increased the regular strength of the Army by 100,000 men, and the number of combat-ready divisions from 11 to 16.

We have raised the number of tactical fighter squadrons from 55 to 79.

We have trained over 100,000 officers in counterinsurgency skills necessary to fight guerrilla and antiguerrilla warfare.

We have put into production the new C-141 Starlifter which will, by 1968, increase our airlift by 400 percent over what we had in 1961.

What I have just described is an aggregation of force without parallel in human history. As President Johnson has said, "We, as well as our adversaries, must stand in awe before the power our craft has created and our wisdom must labor to control."

To create and maintain such a force has required the investment of $30 billion more for the fiscal years 1962–65 than would have been spent had we continued at the level of the last defense budget of the previous administration.

To create and maintain such a force requires natural resources, scientific ingenuity, industrial complexes, and millions of Americans dedicated to the security of this country and the free world. To harness this wide array of human and material resources, and to form them into usable power requires an exceedingly precise degree of control. The engine of defense must be so harnessed that its vast power may be unleashed to the precise degree required by whatever threat we face.

In January 1961, we introduced an integrated cycle of planning that anticipates, on a continuing 5-year basis, our total military requirements. Our national strategy, the military force structure, the war plans and the defense budget are now all related one to another.

Today, our entire defense effort is planned as a unified whole. This system eliminates wasteful duplication. It weeds out programs which have lost their original promise, freeing resources for more profitable application in other areas. Through it, we have been able to provide and maintain a balanced, flexible force capable of meeting any challenge, at the lowest possible cost.

The determination to maintain the necessary military force for our national security without regard to arbitrary budgets does not mean that we must discard either commonsense or prudent management. True economy is not really the product of arbitrary budget ceilings. It never has been. True economy in building the Nation's defenses consists in:

Buying only what we need.

Buying at the lowest sound price.

And reducing operating costs.

In the absence of these precepts, our reconstituted defense force would have cost many billions of dollars more than the $50 billion that we have been required to invest each year. By following these precepts, we have:

Saved $2.5 billion in fiscal year 1964 alone, $1 billion more than our original goal.

Set a goal of future savings of $4.6 billion each year, every year, beginning in fiscal year 1968.

Reduced annual operating costs by $568 million by terminating operations at obsolete and surplus military bases.

Turned back to the private sector of our economy 1,100 square miles of real estate which is now tax-producing instead of tax-consuming.

We could not have instituted the integrated system by which we have increased our efficiency and our strength without the wholehearted cooperation and support of our men and women in uniform. Neither this system—nor any system—will ever be a substitute for sound military judgment. Under this administration, as never before, professional military judgment from all four services has been a critical factor in the planning of our defense strategy. As General Taylor, former Chairman of the Joint Chiefs of Staff, stated in 1963:

"The voice of the American soldier is entitled to a serious hearing in our national councils—and I am happy to report that today he receives that hearing."

Mr. Chairman, as you and I know, it is only by combining the best military judgment in the world and the most advanced scientific and analytical techniques, that we have been able to create and control the balanced, flexible forces now at our disposal.

Development of the greatest military power in human history—with a capability to respond to every level of aggression across the entire spectrum of conflict—is beyond question the most significant achievement in the Defense Establishment during our years in office.

Having placed this vast power at the disposal of the President of the United States, we have also given him the means to control it. For, his is an awesome responsibility. A full-scale nuclear exchange between the United States and the Soviet Union, lasting less than 1 hour, would kill almost 100 million Americans—the equivalent of over 300 World War II's. There would be little comfort in knowing that over 100 million Russians would also be killed.

The awesome responsibility to unleash such force, I believe, can rest only on the highest elected official in this country—the President of the United States.

This is why we have devoted such talent and energy to bring nuclear weapons under the actual, as well as theoretical, control of the President. Our best scientists have created the most secure and the most dependable communications and command and control system conceived by man. Every step from the first command to the final firing is participated in by two or more people following intricate and highly secret procedures. Each of these procedures is personally approved by the President himself.

We in Defense will spare no energy to make certain that the President of the United States—and he alone—has complete control over the dispatch of our nuclear weapons. I consider the provision of this control to the President my most solemn obligation as Secretary of Defense. I believe this has also been the view of every U.S. President, every Secretary of State, and every Secretary of Defense in the nuclear era. As President Johnson has said:

"I believe that the final responsibility for all decisions on nuclear weapons must rest with the civilian head of this Government, the President of the United States. And I * * * believe that is the way the American people want it."

And this is the first pledge that I would recommend we make to the American people in 1964.

HOUSE OF REPRESENTATIVES

FRIDAY AUGUST 21, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Revelation 17: 17: *For God hath put in their hearts to fulfill His will.*

O Lord God Omnipotent, in whose heart and hands are the destinies of men and the issues of history, may we daily avail ourselves of Thy divine wisdom and power.

Knowing our limitations and shortcomings, may we yield ourselves to Thee and be teachable and trustful and never become willful and cynical.

Help us to live expectantly and hopefully and inspire us with a clear and radiant vision that has the insight to see the foregleams and signs of a brighter and better day.

May all who hold positions of leadership and trust in the life of our Republic be men and women of personal integrity and social responsibility and labor for a civilization and a world community ruled by the Prince of Peace.

Hear us in His name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on August 20, 1964, the President approved and signed bills and a joint resolution of the House of the following titles:

H.R. 1713. An act to approve an order of the Secretary of the Interior canceling irrigation charges against non-Indian-owned lands under the Klamath Indian irrigation project, Oregon, and the other purposes;

H.R. 6128. An act to amend section 15 of the Life Insurance Act to permit any stock life insurance company in the District of Columbia to maintain its record of stockholders at its principal place of business in the District of Columbia or at the office of its designated stock transfer agent in the District of Columbia, and for other purposes;

H.R. 6350. An act to amend the act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 16, 1892, as amended;

H.R. 6496. An act to convey certain federally owned land to the Cherokee Tribe of Oklahoma;

H.R. 8080. An act to authorize the Secretary of the Interior to prepare a roll of persons eligible to receive funds from an Indian Claims Commission judgment in favor of the Snake or Paiute Indians of the former Malheur Reservation in Oregon, to prorate and distribute such funds, and for other purposes;

H.R. 8334. An act to transfer to the Salt River Pima-Maricopa Indian community certain lands within the Salt River Pima-Maricopa Indian Reservation;

H.R. 8834. An act to provide for the disposition of the funds arising from a judgment in favor of the Shawnee Tribe or Nation of Indians;

H.R. 10723. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1965, and for other purposes;

H.R. 11329. An act to provide for the relocation and reestablishment of the village of Sil Murk and of the members of the Papago Indian Tribe inhabiting the village of Sil Murk, and for other purposes;

H.R. 11425. An act to provide for the conveyance of 10 acres of federally owned land on the White Earth Reservation to the Minnesota Annual Conference of the Methodist Church, and for other purposes;

H.R. 11562. An act to authorize the Secretary of the Interior to sell Enterprise Rancheria No. 2 to the State of California, and to distribute the proceeds of the sale to Henry B. Martin, Stanley Martin, Ralph G. Martin, and Vera Martin Kiras; and

H.J. Res. 1026. Joint resolution to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and concurrent resolutions of the House of the following titles:

H.R. 8960. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain, and for other purposes;

H.R. 10178. An act to authorize the Smithsonisan Institution to employ aliens in a scientific or technical capacity;

H.R. 11846. An act to amend the act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes;

H. Con. Res. 273. Concurrent resolution to place temporarily in the rotunda of the Capitol a statue of Father Eusebio Francisco Kino, and to hold ceremonies on such occasion;

H. Con. Res. 274. Concurrent resolution accepting the statue of Father Eusebio Francisco Kino, of Arizona, presented by the State of Arizona, to be placed in the Statuary Hall collection;

H. Con. Res. 275. Concurrent resolution providing for printing of proceedings in connection with the unveiling of the Father Eusebio Francisco Kino, of Arizona, statue;

H. Con. Res. 330. Concurrent resolution authorizing the printing of additional copies of hearings on the Federal Reserve System;

H. Con. Res. 336. Concurrent resolution to provide for the printing of 4,000 additional copies of school prayer hearings;

H. Con. Res. 343. Concurrent resolution expressing the sense of the Congress with respect to the enforcement of the provisions of article 19 of the United Nations Charter;

H. Con. Res. 346. Concurrent resolution authorizing the printing of additional copies of hearings on the Federal Reserve System;

H. Con. Res. 347. Concurrent resolution authorizing the printing of additional copies of House Report 176, 88th Congress, 1st session, entitled "Annual Report for the Year 1962, Committee on Un-American Activities";

H. Con. Res. 348. Concurrent resolution to print as House documents the publications "World Communist Movement—Selective Chronology, 1818–1957, Volume 2 and Volume 3," and to provide for the printing of additional copies;

H. Con. Res. 349. Concurrent resolution authorizing the printing of additional copies of House Report 1480; and

H. Con. Res. 350. Concurrent resolution authorizing the printing of a "Compilation of Works of Art and Other Objects in the U.S. Capitol," as a House document, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1136. An act to authorize the Secretary of the Army to pay fair value for improvements located on the railroad right-of-way owned by bona fide lessees or permittees; and

H.R. 3672. An act to provide for the construction, operation, and maintenance of the Savery-Pot Hook, Bostwick Park, and Fruitland Mesa participating reclamation projects under the Colorado River Storage Project Act.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 83. An act for the relief of the estate of Mary L. McNamara; and

S.J. Res. 6. Joint resolution to cancel any unpaid reimbursable construction costs of the Wind River Indian irrigation project, Wyoming, chargeable against certain non-Indian lands.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1123) entitled "An act to provide for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes", requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. ANDERSON, Mr. CHURCH, Mr. KUCHEL, and Mr. JORDAN of Idaho to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11202) entitled "An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to amendments of the Senate numbered 2, 6, 7, 26, and 43 to the above-entitled bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11369) entitled "An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to amendments of the Senate numbered 1 and 3 to the foregoing bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 4) entitled "An act to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1007) entitled "An act to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority, and for other purposes."

THE LATE NORMAN J. GOULD

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, it is my sad duty today to advise the House of the death yesterday of a distinguished predecessor of mine in the House of Representatives, the Honorable Norman J. Gould, of Seneca Falls, N.Y.

Mr. Gould served in this body with great distinction from 1914 to 1922. As Members are perhaps aware, the district I presently have the honor to represent, while somewhat changed through reapportionment, is substantially the district which was represented before me for some 40 years by the Honorable John

Taber, of Auburn. Norman Gould was the Representative from that district prior to the election of our good friend and former colleague, John Taber.

Although Norman Gould passed away quietly yesterday at the age of 87, he had until just very recently continued a full and active life not only in his business but also in his community. He served as president of the Gould Pump Co., in Seneca Falls, one the largest firms in this business and one with an international reputation for excellence in performance. Mr. Gould also took a very direct and active interest in the affairs of the Nation and of the State. But he was also a direct and forceful figure in his own community of Seneca Falls. I recall just a few months ago attending the opening of a new youth center in Seneca Falls, designed to provide for the teenagers of the community a center for satisfactory and helpful recreation. Mr. Gould led the community in organizing financial support for the construction of this center, and I well recall his enthusiasm and interest at the opening ceremony when he saw what a great contribution this center would be to the young people of Seneca Falls.

It would be impossible to detail all of the achievements and accomplishments of Norman Gould in his community, but I would like to mention one other, and that is his steadfast backing over the past few years for the establishment of a new private liberal arts college in upstate New York, a college which bears the name of a great former President of the United States, Eisenhower College. This new college, which is still in the development stage will add greatly to the educational facilities of a State which is already outstanding in its contributions to higher education. Some years ago a group of dedicated businessmen and inspired community leaders conceived the idea for this college and are now in the process of carrying it through. Once again, with his characteristic vigor and his continuing interest in young people, Mr. Gould was in the forefront of that endeavor.

Perhaps not many Members of this body today, with the exception of the distinguished dean of the House, the gentleman from Georgia [Mr. VINSON], had the honor to serve here with Norman Gould, but I am sure that everyone who had the privilege to know him will recognize him as an example of forthright, courageous, independent Americanism, and his contribution to the life of his community and his State will be sorely missed.

To his family and his multitude of friends I extend my deepest sympathy.

PRO-VIETCONG AND RACIAL STRIFE LINKED

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, for several weeks I have been in correspondence with the Department of Justice regarding the activities of a so-called students committee to send medical supplies to the Vietcong.

According to press reports, the existence of this students committee at Haverford College, Pa., was first made known in this country by way of announcement by radio Peiping.

Although the president of Haverford College, Dr. Hugh Borton, has taken the position that this student activity falls within the purview of freedom of speech and assembly, I have pointed out that this group has as its purpose the aiding and abetting of an enemy in combat with U.S. forces, and should, therefore, be dealt with in this light.

Now fresh evidence has developed regarding the extent of the threat posed by the elements behind pro-Vietcong activities in this country. Last week, New York City police were called out to disburse an illegal demonstration protesting U.S. policy in Vietnam. According to the New York Post, among the chief organizers of this demonstration were members of the Progressive Labor Movement, "a self-avowed Communist organization which supports Red China in the Sino-Soviet factional clash."

The Progressive Labor Movement has also been involved in recent racial demonstrations in Harlem according to press reports. Thus, we see that a link exists between pro-Communist efforts to stir racial strife and demonstrations in this country and similar efforts to weaken our policy position in the southeast Asia area.

In view of these circumstances, Dr. Borton might be interested to know that the student described by the Post as the "national chairman" of last week's New York City street demonstration was none other than Russell Stetler, the chief organizer of the Haverford pro-Vietcong group.

It is clear that a close watch must be kept on pro-Communist elements in this country which seek to weaken and divide our country on both the domestic and foreign policy fronts. I urge again that the Department of Justice take action to curb these activities which threaten the security of our country and our people.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS BILL, 1965

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and to include a table on H.R. 11202, the Department of Agriculture appropriation bill for 1965; and I also ask unanimous consent that this be made a part of yesterday's discussion on the conference report in the permanent RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Mississippi?

There was no objection.

THE WEEK THAT WAS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I want to wish the Democrats a nice vacation at Atlantic City next week.

There will not be much for them to do at their convention since their presidential and vice-presidential nominations are already a foregone conclusion.

President Johnson has already dealt out any vice-presidential consideration of his numerous Cabinet members, including Bobby Kennedy. The rule of exclusion would also seem to rule out Bobby Baker for consideration at any level since Johnson does not seem to recall their close affiliation of other years.

Yes, Mr. Speaker, this ought to be a week for the Democrats to roam the boardwalk at Atlantic City, go fishing and swimming and otherwise live it up while their convention speakers talk about the wonderful prosperity on one hand and on the other emote about the 38 million who are living in poverty.

For the Democrats next week should be the week that was.

Mr. GARY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GARY. Mr. Speaker, I just want to say that there is one comforting consolation, the water there will not be "gold water."

AMEND SOCIAL SECURITY ACT

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, today I am introducing a bill to amend the Social Security Act to increase the amount of outside earnings permitted each year without deductions from the benefits of the social security recipients.

In particular, it is designed to help those individuals whose benefits are less than the maximum amount allowable under the current law.

While there is obviously not enough time in this session to consider legislation of this magnitude, I have introduced the bill so as to have it recorded in the CONGRESSIONAL RECORD for the benefit of my colleagues. I urge that you study its contents carefully for the remainder of this session and prior to the opening of the 89th Congress. At that time, it will be my intent to again reintroduce the bill and press vigorously for its passage.

These proposed changes would permit many retired people receiving social security benefits to increase their income with very little cost to the social security fund and no cost to the Government.

The recently passed social security benefit increase bill received the maximum attention of the Congress during this year. As you know, this House approved on July 29, with my support, a measure to increase social security payments 5 percent across the board.

My additional proposal is that social security recipients who receive less than the maximum in benefits be permitted to earn additional funds to increase their income to the maximum level. This would:

First. Encourage retired citizens who want to be active rather than discourage them from working by reducing social security payments when they earn more than $100 a month.

Second. Take advantage of an experienced human resource while permitting many persons of the older generation to raise their standard of living to a self-respecting level.

Retirement and personal financial security are a matter of major concern to every living American. I believe the type of assistance proposed here would be of greatest benefit to our senior citizens and deserves our early attention.

Under present law, persons or their dependents on social security receive monthly payments based on the amount they have paid into the social security fund during their working years. In addition, they are permitted to earn up to $100 per month without having social security payments reduced.

Through no fault of their own, many people either enter the social security program late or were unable to earn enough to permit their receiving the full maximum payment.

It is my recommendation to allow recipients to earn an amount over and above the $100 equal to the difference between the monthly payment they now receive and the maximum allowable under current social security law.

I would cite this example:

If a man and his wife were receiving a social security payment of $149.70 per month, they would be allowed to earn an additional $165.40, instead of the present $100, thereby providing this couple with a total of $315.10 per month tax free, which is the maximum income, including earnings and social security benefits, for a recipient who qualifies as "fully insured" under the law.

Four of the six counties in the First Congressional District of California, which I represent, have adopted resolutions suggesting such a change.

This change would permit retired persons to make up for their previous inability to qualify for maximum social security benefits. The present income limitation is unreasonable and is a serious handicap to those receiving social security benefits who are capable and willing to work.

Average monthly benefits under social security today are a meager $76 for retired workers and $67 for widows. Such a tightly limited monthly income will buy precious little in this day of high prices.

Poverty exists among some of our elderly citizens whose income is inadequate, whose savings dollar has shrunk because of Government deficit spending policies or whose pension checks are too low—all victims of the inflationary spiral caused by irresponsible Federal spending policies.

One of the things which disturbs me most is the apparent feeling here in Washington that an individual has lived out his productive life when he becomes 65 years old. I do not agree at all.

Many older citizens are not ready to sit back and watch the world go by. They want to continue to make a positive contribution to their families and community. To deny the industrious and creative people their freedom by a low artificial ceiling on income is unfair.

PERMISSION TO DECLARE A RECESS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I ask for this time to ask the acting majority leader if he will kindly advise us of the program for the week after next.

Mr. BOGGS. Prior to responding to the request of the distinguished gentleman from Illinois, if it meets with his approval, I should like to propound several unanimous-consent requests.

Mr. ARENDS. I yield for that purpose.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that it may be in order at any time during the balance of the day for the Speaker to declare a recess subject to the call of the Chair.

Mr. ARENDS. Mr. Speaker, I reserve the right to object.

Will you explain the reason for it?

Mr. BOGGS. Yes. The reason is quite obvious. We hope to let all of the Members leave as soon as possible. And I announced on yesterday, there is no program for today, but we do not know when the Senate will act on the resolutions which we sent over late last evening. As soon as they act we propose to let everybody go, but we have to stay here until they act. That is the only reason for it, plus the fact that there are four conference reports on which the Senate has to act.

Mr. GROSS. Mr. Speaker, further reserving the right to object, this is limited strictly to the adjournment resolution. Is that correct?

Mr. BOGGS. No. Not at all. It is limited to the calling of recesses today. That is what it is limited to.

Mr. GROSS. Yes, but for the purpose of considering the resolution providing for the adjournment of the House?

Mr. BOGGS. No; it is also subject to conference reports that are being considered in the other body.

Mr. GROSS. How long is this likely to go on—this recess?

Mr. BOGGS. My hope would be that it will not last very long.

Mr. GROSS. Can the gentleman give us any idea? I do not want to be the only one left around here. But if I am, I can guarantee that I will have some company.

Mr. BOGGS. I should like to be able to give the gentleman some idea; I think it will be very soon. As a matter of fact I am just as anxious to leave as he is.

Mr. GROSS. Then this will deal strictly with conference reports or the adjourning resolution?

Mr. BOGGS. That is correct.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

AUTHORITY TO THE CLERK TO RECEIVE MESSAGES FROM THE SENATE DURING ADJOURNMENT OF THE HOUSE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until August 31, 1964, the Clerk be authorized to receive messages from the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

AUTHORITY FOR THE SPEAKER TO ACT DURING ADJOURNMENT OF THE HOUSE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until August 31, 1964, the Speaker be authorized to accept resignations and to appoint commissions, boards, and committees authorized by law or by the House.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until August 31, 1964, all Members of the House shall have the privilege to extend and revise their own remarks in the CONGRESSIONAL RECORD on more than one subject, if they so desire, and also to include therein such short quotations as may be necessary to explain or complete such extension of remarks, but this order shall not apply to any subject matter which may have occurred or to any speech delivered subsequent to the adjournment of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

LEGISLATIVE PROGRAM FOR THE WEEK OF AUGUST 31, 1964

Mr. BOGGS. Mr. Speaker, in reply to the gentleman from Illinois, the program for the week beginning August 31, which is Monday a week, is as follows:

On Monday, August 31, there will be no program although we will reconvene that day.

For Tuesday and the balance of the week we have 11 suspensions. The first 10 listed on the whip notice have previously been listed on notices sent out by the distinguished minority whip and by myself so that the House is familiar with them. But we have added one further suspension, H.R. 8290, transfer of lands, Everglades National Park. I understand that that bill has been cleared with the minority members of that committee.

Following the conclusion of the suspensions we have listed H.R. 12298, which has to do with the extension and amendments of Public Law 480. It will come to us with an open rule with 2 hours of general debate.

H.R. 12033, use of certain food additives, an open rule with 1 hour of general debate.

H.R. 12362, Railroad Retirement Act amendments, an open rule with 1 hour of debate.

S. 2220, doctors and dentists serving in areas of critical shortage; open rule, 1 hour of debate.

As usual, conference reports may be called up at any time and any further program will be announced after Tuesday, September 1.

Mr. STRATTON. Mr. Speaker, will my friend from Illinois yield to me?

Mr. ARENDS. I yield to the gentleman from New York.

Mr. STRATTON. Mr. Speaker, I want to commend the majority whip for indicating that there will be no business on August 31, but I note that he has scheduled some suspensions for September 1. I want to take this opportunity, Mr. Speaker, to advise the distinguished majority whip and also the distinguished minority whip that unfortunately this Member will not be able to be present on the 1st of September. The Democratic Party in New York has scheduled a convention to select a candidate for the U.S. Senate seat in the State of New York. It is my intention to give the elected delegates to that convention, regardless of what may have transpired to date or what may transpire between now and September 1, an opportunity to select that candidate in a free and open public vote.

And, so I want to advise the distinguished minority whip that I regret that I will not be able to be present on that particular day.

Mr. ARENDS. Mr. Speaker, may I say to the gentleman from New York that I hope he has a pleasant day on September 1.

Mr. STRATTON. I thank my friend from Illinois for that generous thought.

Mr. BOGGS. Mr. Speaker, will the gentleman from Illinois yield further?

Mr. ARENDS. I yield further to the gentleman from Louisiana.

Mr. BOGGS. I would like to correct the remark which I made a moment ago relative to any further program. If there be a further program for that week, rather than announcing it on Tuesday, we will announce it on Monday, August 31.

Mr. ARENDS. May I say to the gentleman from Louisiana that last week I asked the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT] if he would take a look into his crystal ball and give us some idea as to the possible date for sine die adjournment of the Congress. The gentleman from Oklahoma was unable to do that.

I hope the gentleman from Louisiana, when he comes back from Atlantic City, he and the majority leader, will be able to say to us that we are here on Monday and on Saturday I hope Congress can go home for good.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Iowa.

Mr. GROSS. I would say to the gentleman from New York [Mr. STRATTON], the Lord willing, I will be here on the day he says he must be absent and he can leave his proxy with me, if he would like to do so.

Mr. BOGGS. Mr. Speaker, will the gentleman yield further?

Mr. ARENDS. I believe I have 10 seconds left, and I shall be glad to yield further to the gentleman from Louisiana.

Mr. BOGGS. The gentleman from Iowa is always so kind to me. I appreciate it more than I can tell you. That is why we invariably send the gentleman from Iowa whip notices on this side of the aisle.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Michigan.

Mr. CEDERBERG. On the 1st of September in Michigan we have a primary. Can we have an understanding—and I believe it is probably more important to some of the gentlemen involved on the other side of the aisle—that there will be no rollcall votes on that day?

Mr. BOGGS. If the gentleman will yield further, no, I cannot give the gentleman that assurance, I will say in reply to the gentleman from Michigan. The gentleman from Illinois has asked me to look into the crystal ball as to the sine die adjournment of Congress, but I can look into the crystal ball on this matter and state to the gentleman that we shall try to pass those bills which are scheduled and that there may be rollcall votes.

Mr. CEDERBERG. I wish the gentleman from New York well and I am sure that the people of New York will have a choice—will receive a choice—and not an echo on that day.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to dispense with Calendar Wednesday business on Wednesday, September 2.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

DESIGNATION OF WHISKEYTOWN RESERVOIR AS JUDGE FRANCIS CARR POWERHOUSE

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 733, to designate the powerhouse on Clear Creek at the head of Whiskeytown Reservoir, in the State of California, as Judge Francis Carr Powerhouse with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendment, as follows:

> Strike out all after the resolving clause and insert "That the one hundred and thirty thousand kilowatt capacity powerhouse on Clear Creek at the head of Whiskeytown Reservoir shall hereafter be known as Judge Francis Carr Powerhouse in honor of Judge Francis Carr, of Redding, California, a lawyer, judge, public servant, and advocate of reclamation development including the great Central Valley project developed to meet the serious water shortages in the San Joaquin Valley and Sacramento Valley of California. The Secretary of the Interior is hereby directed to place a suitable plaque at the site. Any law, regulation, document, or record of the United States in which such powerhouse is designated or referred to shall be held to refer to such powerhouse under and by the name of Judge Francis Carr Powerhouse."

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from Colorado if the bills which he proposes to call up at this time have been cleared with the minority?

Mr. ASPINALL. Mr. Speaker, if the gentleman from Iowa will yield to me, I have three unanimous-consent requests. Two are concurrencies and one has to do with the appointment of conference committee. All three have been cleared by the ranking minority member of the Committee on Interior and Insular Affairs, of which I am chairman.

Mr. GROSS. Mr. Speaker, I thank the gentleman. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF THE SAVERY-POT HOOK AND OTHER RECLAMATION PROJECTS UNDER COLORADO RIVER STORAGE PROJECT ACT

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3672) to provide for the construction, operation, and maintenance of the Savery-Pot Hook, Bostwick Park, and Fruitland Mesa participating reclamation projects under the Colorado River Storage Project Act, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the the Senate amendment, as follows:

> Page 5, after line 15, insert:
>
> "SEC. 5. For a period of ten years from the date of enactment of this Act, no water

from the projects authorized by this Act shall be delivered to any water user for the production of newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security."

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CONSTRUCTION OF THE LOWER TETON DIVISION OF THE TETON BASIN FEDERAL RECLAMATION PROJECT

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1123) to provide for the construction of the lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes, with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. Aspinall]? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. Aspinall, Rogers of Texas, Udall, Saylor, and Andrews of North Dakota.

AMENDING PUBLIC HEALTH SERVICE ACT TO INCREASE THE OPPORTUNITIES FOR TRAINING PROFESSIONAL NURSING PERSONNEL

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11241) to amend the Public Health Service Act to increase the opportunities for training professional nursing personnel, and for other purposes, with Senate amendments thereto, and to consider the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 9, line 15, after "private" insert: "diploma,".

Page 29, line 4, strike out "1964" and insert: "1965".

Page 29, line 9, strike out "1964" and insert: "1965".

Page 29, line 11, strike out "631(e)" and insert: "825(c)".

Page 29, line 14, after "facilities" " insert: , "and section 603(a) of such Act is amended by striking out clause (4), by striking out 'and' following the semicolon at the end of clause (3), and by inserting 'and' after the semicolon at the end of clause (2)".

Page 29, line 19, strike out "1964" and insert: "1965".

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I move that the House concur in Senate amendments 1, 2, 3, 5, and 6, and concur in Senate amendment No. 4 with an amendment which I send to the desk.

The Clerk read as follows:

Motion offered by Mr. Harris: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following: "625(c)".

Mr. GROSS. Mr. Speaker, the amendments to which the gentleman seeks concurrence are the amendments that were read at the desk and are germane to the bill?

Mr. HARRIS. Yes, they are merely typographical.

Mr. GROSS. I thank the gentleman.

Mr. HARRIS. Mr. Speaker, the Senate made six amendments to this bill, five of them technical, making the bill conform to changes in the law made by the Hill-Burton bill which recently was signed by the President. One of the amendments contains a typographical error which will be corrected by the attached motion to concur.

The Senate amendment No. 1 would permit diploma schools of nursing to receive special project grants on the same basis as the bill authorizes for collegiate and associate degree schools. This would assist some diploma schools in attaining national accreditation thereby permitting them to participate in the other programs in the bill.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas.

The motion was agreed to.

A motion to reconsider was laid on the table.

AMENDING RAILWAY LABOR ACT TO PROVIDE THAT THE TERMS OF OFFICE OF MEMBERS OF THE NATIONAL MEDIATION BOARD SHALL EXPIRE ON JULY 1

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8344) to amend the Railway Labor Act to provide that the terms of office of members of the National Mediation Board shall expire on July 1, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, strike out "1964" and insert: "1965".

Page 1, line 8, after "expired." " insert: "Such paragraph is further amended by inserting at the end thereof the following new sentence: 'Upon the expiration of his term of office a member shall continue to serve until his successor is appointed and shall have qualified.' "

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. HARRIS. Mr. Speaker, as passed by the House, this bill would provide that the terms of office of members of the National Mediation Board shall expire on July 1 rather than on February 1. The purpose of this change is to permit adequate time at the beginning of a new administration for a President to make appointments to this Board, and eliminate delays in reappointments that have occurred.

The Senate made two amendments, the first changing the date 1964 to 1965. This amendment is necessary in order to bring the bill up to date.

The second amendment provides that upon the expiration of his term of office, a member of the Mediation Board shall continue to serve as such a member until his successor is appointed and shall have qualified. This provides for the Mediation Board the same rule with respect to continued service as is applicable to the Interstate Commerce Commission and other commissions.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—(H. DOC. 355)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with accompanying papers, referred to the Committee on Science and Astronautics, and ordered to be printed with illustrations:

To the Congress of the United States:

Pursuant to the provisions of the National Aeronautics and Space Act of 1958, as amended, I transmit herewith a report of the projects and progress of the National Aeronautics and Space Administration for the 6-month period of July 1 through December 31, 1963.

This report reveals in summary and in detail many accomplishments in the national space program. In addition to knowledge-garnering launches and technological developments in this period, NASA has further strengthened the base for greater space progress in the future.

Lyndon B. Johnson.

The White House, *August 21, 1964.*

SALES TO COMMON CARRIERS OR SLEEPING-CAR COMPANIES

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8451) to amend the District of Columbia Sales Tax Act, as amended, relating to certain sales to common carriers or sleeping-car companies, with a Senate amendment thereto, and concur in the Senate amendment. I may say that this matter has been cleared with the minority on the committee.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 1, strike out all after line 6 over to and including line 7 on page 2 and insert: "(5) Sales to a common carrier or sleeping-car company by a corporation all of whose capital stock is owned by one or more common carriers or sleeping-car companies of tangible personal property, procured or acquired by such corporation outside the District, which consists of repair or replacement parts used for the maintenance or repair of any train operating principally without the District in the course of interstate commerce, or commerce between the District and a State, provided such sales are made in connection with the furnishing of terminal services pursuant to a written agreement entered into before January 1, 1963."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. GROSS. Reserving the right to object, Mr. Speaker, does the Senate amendment to the bill to which the gentleman refers relate to the subject matter of the bill as it passed the House?

Mr. McMILLAN. Yes.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to amend the District of Columbia Sales Tax Act (63 Stat. 112), as amended, to exempt certain sales of tangible personal property used in the repair of railroad equipment by the Washington Terminal Co., owners and operators of Union Station and terminal facilities connected therewith.

The Terminal Co. maintains a large service and repair facility and, among other services, makes such repairs to cars and locomotives as are considered "running repairs" sufficient only to enable the equipment to return to the railroad's own shops in other jurisdictions. So, the repairs are necessary for interstate operations.

Hence, the Senate and House Committees on the District of Columbia have supported this legislation to provide an exemption to the District of Columbia sales tax law with respect to repair or replacement of parts used for the maintenance or repair of trains operated principally outside the District of Columbia in interstate commerce.

The amendment adopted by the Senate is designed to make it absolutely clear that the exemption granted by this bill will be confined solely to the sale of tangible personal property intended for repair of rolling stock used in interstate commerce.

The bill passed the House without objection, and the House Committee on the District of Columbia concurs in the Senate amendment.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AMENDMENT OF LIFE INSURANCE COMPANY ACT OF THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8355) to amend the Life Insurance Company Act of the District of Columbia, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, line 6, strike out all after "company;" down to and including "option" in line 11 and insert: "(c) no option shall be promised or granted (1) to any individual employed by an insurance company authorized to do business in the District of Columbia (other than the company promising or granting the option or a subsidiary of the company promising or granting the option) while that individual is so employed, or (2) to any individual within two years following the termination of his employment with such an insurance company".

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection?

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to amend the Life Insurance Company Act of the District of Columbia (48 Stat. 1145, D.C. Code, sec. 35–508) in three particulars, namely; first, increasing the capital stock requirements of life insurance companies from $100,000 to $200,000, with the usual grandfather clause to relieve existing life insurance companies of any increase in capital requirements; second, permitting changes in the corporate charter with the consent of stockholders representing two-thirds of the voting stock; and third, authorizing the retention by insurance companies of unissued stock for certain limited purposes.

The Senate amendment to the bill provides that no insurance company authorized to do business in the District of Columbia shall promise or grant a stock option to an employee of another insurance company or to any individual within 2 years following the termination of his employment with such insurance company.

The Senate took the view that the restriction proposed by H.R. 8355 as passed by the House relating to the granting of stock options should be broadened in this respect, and felt that the amendment would strengthen the safeguards in the life insurance law in the District of Columbia and in some measure help to restrain the raiding by one insurance company of key employees of another insurance company to the detriment of the public interest and the interest of the policyholders.

No opposition to this bill was presented to the House Committee on the District of Columbia at the hearings and the bill passed the House without objection. The House Committee on the District of Columbia concurs in the Senate amendments.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PRESIDENT JOHNSON WANTS MORE U.S. HIGH CALIBER PERSONNEL FOR KEY U.N. POSTS

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, on Monday President Johnson called attention to the importance to the United States to U.S. citizens of the very highest caliber being available for service with the United Nations and with other international organizations. He suggested that over the years U.S. participation in these organizations has been constantly increasing and indicated that he considered it the part of wisdom to back our stake in such groups by our undertaking to make available for service with them highly qualified men and women from both private life and from Government agencies.

Final responsibility for selecting staff members of these agencies rests, of course, with the agencies themselves. The President suggested, however, that the United States had a duty not only to the agencies but to our own country to be certain that in recruiting their personnel these agencies had ready access to talented and dedicated Americans. He has, therefore, sent a memorandum to the heads of executive departments and agencies urging that additional steps be taken to facilitate the recruiting of qualified candidates in the various fields in which openings for Americans are available. He has asked the Secretary of State to provide leadership and coordination of the effort. I understand that the Bureau of International Organization Affairs in the Department of State is enlarging its staffing unit, and developing a liaison program with other Federal departments and agencies, in implementing the expanded program.

Mr. Speaker, an expanded program in this field was recommended recently by the Department of State's Advisory Committee on International Organizations. This Committee has as its Chairman Sol M. Linowitz, chairman of the board of the Zerox Corp., Rochester, N.Y. The other distinguished members of the Committee are as follows:

Harding F. Bancroft, executive vice president, the New York Times, New York City; formerly general counsel of the International Labor Organization.

Karney A. Brasfield, partner, Touche, Ross, Bailey & Smart, Washington, D.C.; formerly member of the President's Committee on the Foreign Aid Program, 1961.

Andrew C. Cordier, dean, School of International Affairs, Columbia University, New York City; formerly executive assistant to the Secretary-General of the United Nations, and Under Secretary in Charge of U.N. General Assembly Affairs.

Lawrence S. Finkelstein, vice president, Carnegie Endowment for International Peace, New York City.

Ernest A. Gross, partner, Curtis, Mallet-Prevost, Colt & Mosle, New York City; former Ambassador, Deputy U.S. Representative to the United Nations and Deputy U.S. representative in the Security Council.

Arthur Larson, director, World Rule of Law Center, Duke University, Durham, N.C.; formerly director, U.S. Information Agency.

Joseph Pois, professor of public administration, Graduate School of Public and International Affairs, University of Pittsburgh, Pittsburgh, Pa.; formerly director of finance, State of Illinois.

Marshall D. Shulman, professor of international politics, Fletcher School of Law and Diplomacy, Tufts University, Medford, Mass.; formerly Special Assistant to the Secretary of State.

Francis O. Wilcox, dean, the Johns Hopkins University School of Advanced International Studies, Washington, D.C.; formerly Assistant Secretary of State for International Organization Affairs.

Mr. Speaker, as Chairman of the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs, I commend this action on the part of the President and strongly support his effort. This entire subject matter of the staffing of International organizations has been an area of continuing interest and concern for our subcommittee and for a good many Members of this body. All of my colleagues, I know, will be pleased to learn of the President's personal attention to this problem and the leadership he is exerting in this vital area. Accordingly, Mr. Speaker, I am placing in the RECORD at this point the statement of the President on this subject, the memorandum issued to the heads of executive departments and agencies which was published in the Federal Register and the front page story which appeared in the New York Times on Monday, August 17.

The President today made the following statement: I have issued a memorandum which seeks to assure that the very highest caliber of Americans will be available for staffing the international organizations in which the United States plays a role.

Over the years, U.S. participation in such organizations has been constantly increasing. We have sponsored many of them and we contribute financially to all of them. At the present time we belong to more than 50 such groups.

It seems to me to be the part of wisdom to back our stake in such groups with the very highest caliber of people available. The capacity and effectiveness of these organizations depend upon the quality of those who administer them. And even though I have a great deal of respect for the efforts of those Americans already working in them, I do not feel we have done enough to help these agencies secure the services of highly qualified American men and women from private life and from Government agencies.

Final responsibility for selecting people rests quite properly with the appropriate agencies themselves. But it is our duty, not only to the international agencies but to our own country, to be certain that in recruiting their personnel, these agencies have ready access to talented and dedicated Americans who are qualified by every prudent test.

With that thought in mind, I have approved the attached memorandum.

Memorandum to the Heads of Executive Departments and Agencies

It is the policy of this Government to do its full share to assist in the development of sound, efficient international organizations to keep the peace, to resolve disputes, to promote peaceful change, to conduct a world war against poverty, to exchange technology, and for other purposes.

At the present time we belong to more than half a hundred such organizations. We have sponsored many of them. We contribute financially to all of them.

But the capacity and efficiency of these organizations depend, in the end, upon the quality and the motivations of the international civil servants who administer them. These organizations—and our national interest in their fortunes—deserve the services of some of the ablest citizens of the United States. In past years we have not done enough to help these agencies secure the services of highly qualified men and women from private life and from Government agencies.

Final responsibility for selection of personnel to staff international organizations rests, of course, with the appropriate officers of those organizations. But we must make sure that recruitment of their personnel is supported by ready access to talented citizens of this country who are qualified for positions in the international agencies.

It is my desire that:

(1) All executive departments and agencies take affirmative and continuing steps to assist international organizations to obtain properly qualified U.S. candidates for employment.

(2) All executive departments and agencies encourage their able employees to accept assignments with international organizations in accordance with the authority of Public Law 85–795, and give positive recognition to the Government's interest in the training and career advancement advantages of such employment.

(3) All executive departments and agencies continue employer contributions toward Federal retirement and insurance benefits for employees serving international organizations in accordance with the authority of Public Law 85–795, in the absence of arrangements for such contributions by the employing international organization.

(4) All executive departments and agencies assist actively in finding qualified candidates in their fields of specialization when requested to do so by the agencies having primary responsibility.

(5) The Secretary of State provide leadership and coordination of this effort and develop policies and procedures to advance it, including the seeking of assistance from the State and local governments and from nongovernmental organizations in locating qualified candidates in private employment.

(6) The Secretary of State report annually on the effectiveness of the recruitment program in behalf of international organizations established herein.

This memorandum shall be published in the Federal Register.

President Seeks High-Caliber Men for Key U.N. Posts: Directs Agencies To Strive To Make Qualified People Available for Positions

(By Tad Szulc)

WASHINGTON, August 16.—President Johnson directed all Government executive departments and agencies today to help assure that "the very highest caliber of Americans" will be available for key posts in the United Nations and other international organizations.

The President's directive made it clear that the careers of U.S. officials will be protected while they are serving with international agencies, was contained in a special memorandum to the heads of the departments and agencies.

In another move, President Johnson issued a statement addressed to the leaders of 110 countries urging that "all nations" join through the United Nations "to place the peaceful realism of space off limits to the designs of aggressors on earth."

PHOTOS ARE PROVIDED

The appeal accompanied a set of photographs of the moon, taken by the television cameras of the Ranger 7 spacecraft last July 31, that Mr. Johnson sent to the leaders. Each set, according to the President, "includes five photographs taken at distances from the lunar surface varying from 480 miles down to 100 feet."

In the directive on personnel for international agencies, Mr. Johnson said in a covering statement that it was "the part of wisdom to back our stake" in more than 50 international groups to which the United States belongs.

Other officials suggested that the growing United Nations role in worldwide peacekeeping and other sensitive activities made it imperative for Americans to hold a reasonable number of key positions in the Secretariat.

Those officials said the Soviet Union was conducting an "aggressive" campaign to obtain a maximum number of executive positions in the United Nations and other organizations. They said it would be undesirable if the control of operations in such cases as Congo or Cyprus fell into "the wrong hands."

The view here was that Soviet officials in the Secretariat remained primarily loyal to the Soviet Union instead of acting as independent international civil servants as prescribed by article 100 of the charter.

Mr. Johnson said that "even though I have a great deal of respect for the efforts of those Americans already working [in international organizations], I do not feel we have done enough to help these agencies secure the services of highly qualified American men and women from private life and from Government agencies."

The President's directive to the heads of the departments to help in the recruitment, presents both a marked change of U.S. policies and the culmination of a long preparatory effort in that direction.

The U.S. Government previously made no special effort to encourage Americans to seek high level employment in the United Nations and other international organizations because the accepted interpretation of the charter's article 100 was that it was up to the Secretariats to choose their own officials.

While Mr. Johnson recognized that "final responsibility for selection of personnel" rested with the organizations themselves, the new policy calls for encouragement of highly qualified Americans to make themselves available for key posts.

TWO REASONS GIVEN

The two main reasons for the change in policy, it was said here, are recognition of the increasing executive role of the United Nations and specialized agencies in all fields and the realization that the first generation of key international civil servants from the Western countries is approaching retirement, with a "second generation" to be developed.

Officials said that, while it was not the intention of the administration to flood the agencies with Americans, there was a keen desire to have Americans in important positions when "all other things were equal."

The President's directive was an outgrowth of a report on "Staffing International Organizations" prepared in April 1963 by an advisory State Department committee for the Assistant Secretary of State for International Organization Affairs, Harlan Cleveland.

The 12-member committee was headed by Sol M. Linowitz, chairman of the board of the Xerox Corp. Its other members were:

Robert Amory, Jr., chief of the Budget Bureau's international division; Harding F. Bancroft, executive vice president of the New York Times; Andrew W. Cordier, former Under Secretary General of the United Nations; Lawrence S. Finkelstein, vice president of the Carnegie Endowment for International

Peace; Karney A. Grasfield, a partner in the Washington law firm of Touche, Ross, Bailey & Smart.

Also, Ernest A. Gross former deputy representative in the United Nations Security Council; Arthur Larson, former director of the U.S. Information Agency; John W. Macy, Jr., chairman of the Civil Service Commission; Joseph Pois, professor of public administration at the University of Pittsburgh's Graduate School of Public and International Affairs; Marshall D. Shulman, former special assistant to the Secretary of State, and Francis O. Wilcox, former Assistant Secretary of State for International Organization Affairs.

UNDER 15 PERCENT AMERICANS

The report said Americans represented just under 15 percent of professional staffs in the United Nations and specialized agencies, although under the prevailing criteria the aim for U.S. representation is actually higher.

The President's directive, which named Secretary of State Dean Rusk as coordinator of the new program, does not concern itself with clerical or office positions, but only with the top level of policymaking or executive posts.

Two of eight posts of special under secretaries in the United Nations are now held by Americans. They are Dr. Ralph J. Bunche, in charge of political affairs, and Paul G. Hoffman, in charge of the Economic Development Fund.

One of these posts directly under the level of the Secretary General, U Thant, is held by a Soviet official, Vladimir P. Suslov.

Three specialized agencies are headed by Americans. They are David Morse, director-general of the International Labor Organization; Maurice Pate, executive director of the International Children's Emergency Fund, and Gerald Gross, head of the International Telecommunications Organization.

Mr. Johnson said in his statement on peace in space, that "since the beginning of our space effort, the United States has invited and urged all nations to make this vital new exploration a joint venture of international cooperation."

He noted that 60 countries "now work voluntarily in this pursuit" and said that the United States continued to hope that "the extent of such international cooperation will be enlarged."

Last December, the United States and the Soviet Union joined in supporting a resolution in the United Nations General Assembly calling for international cooperation in the peaceful use of space.

DEFERRAL OF EFFECTIVE DATE OF FEDERAL TRADE COMMISSION TRADE REGULATION RULE APPLICABLE TO CIGARETTE PACKAGE LABELING

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I would like to advise the House that, in response to a request submitted by me at the direction of the Interstate and Foreign Commerce Committee to the Federal Trade Commission for the Commission to postpone for 6 months the effective date of the Commission's trade regulation rule as it applies to labeling of cigarette packages, the Commission has amended its rule to comply with this request.

The purpose of our request was to permit adequate time for the 89th Congress to consider appropriate labeling legislation and, thus, to avoid any unnecessary delay in protecting the public's health.

Mr. Speaker, I want to take this opportunity to commend the Commission for its prompt and cooperative response to our committee's request.

I am including as part of my remarks the letter which I sent to the Commission on behalf of our committee, and a copy of the Commission's reply.

HOUSE OF REPRESENTATIVES,
Washington, D.C., August 19, 1964.

Hon. PAUL RAND DIXON,
Chairman, Federal Trade Commission, Washington, D.C.

DEAR CHAIRMAN DIXON: The Committee on Interstate and Foreign Commerce has been, as has the Federal Trade Commission, greatly concerned over the implications for the public's health raised by the recent report of the Advisory Committee to the Surgeon General on smoking and health.

Our committee held 5 days of hearings on some 20 bills and resolutions dealing with the subject of cigarette labeling and advertising. Testimony received in our hearings indicates that the validity of the trade regulation rule issued by the Commission on June 22, 1964, will be challenged in the courts. Judicial review of the order could entail a hiatus in the enforcement of labeling requirements for a considerable period of time. As you pointed out in your testimony, such litigation will delay the effective date of the labeling requirement for a minimum of 4 years, and possibly longer. You also stated that enactment of legislation in this area by the Congress would eliminate this delay.

There appears to be a consensus among the members of our committee that a satisfactory solution of this problem may be not only possible but probable. There seems to be a prevailing sentiment that appropriate requirements with respect to a warning on the labeling of cigarettes may be advisable. There appears also to be a consensus that appropriate legislation may be the best approach to the solution of this problem, thereby avoiding prolonged litigation.

Although we have held extensive hearings, further hearings may be desirable in this area. In the closing days of the present session of the Congress, there is not sufficient time for further hearings and for the preparation and consideration of carefully drawn legislation in this important area.

In view of these considerations, I have been directed by the committee to request the Commission to postpone the effective date of the application of its trade regulation rule with respect to labeling of cigarette packages to coincide with the July 1, 1965, effective date applicable to advertising, so as to permit adequate time for the 89th Congress to consider appropriate labeling legislation and thus to avoid any unnecessary delay in protecting the public's health in this area.

I trust that the Commission, having the same interest in the protection of the public as the Congress, will give careful consideration to this request.

Sincerely yours,

OREN HARRIS,
Chairman.

FEDERAL TRADE COMMISSION,
Washington, D.C., August 20, 1964.

Hon. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In deference to your request on behalf of the Committee on Interstate and Foreign Commerce, and your suggestion that a 6-months postponement of the effective date of the Commission's trade regulation rule as it applies to labeling of cigarette packages will facilitate the committee's consideration of appropriate legislation to deal with these vital problems of smoking and health, the Commission has determined to amend its trade regulation rule so as to make the effective date of its provisions with respect to the labeling of cigarette packages coincide with the July 1, 1965, effective date of its provisions on cigarette advertising.

The Commission shares your hope that this action may in the end serve to avoid unnecessary delay in protecting the public's health.

By direction of the Commission.

PAUL RAND DIXON,
Chairman.

NATIONAL SECURITY ACT

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, I have today introduced a bill to amend the National Security Act of 1947, as amended.

On August 13, 1962, a Special Subcommittee of the Armed Services issued a report on our defense agencies. This report stated, among other things:

> That there has been a vastly increased centralization of decisionmaking, directly or indirectly, in the Office of the Secretary of Defense and a resultant diminution of the responsibilities of the military departments and the separate services.

The report also stated that—

> National defense is not a sole responsibility of the executive branch of Government; Congress has a role, and a very important role to play in our national security.

The report went on to say that—

> The Congress, through the Armed Services Committees, must take an ever-increasing interest in the changes that are now taking place in the Department of Defense.

This report was approved by the very distinguished and incomparable chairman of the House Armed Services Committee, the Honorable CARL VINSON.

The report recommended a bill very similar to that which I have introduced today which, in effect, legalizes the agencies that have been created, to date, but precludes the creation of new agencies or the future consolidation, transfer, reassignment, or abolition of functions now being performed by the military departments or military services except under another clause of the National Security Act which provides that—

> No function which has been established by law to be performed by the Department of Defense, or any officer or agency thereof, shall be substantially transferred, reassigned, abolished, or consolidated until the expiration of the first period of 30 calendar days of continuous session of the Congress following the date on which the Secretary of Defense reports the pertinent details of the action to be taken to the Armed Services Committee of the Senate and of the House of Representatives.

This section permits a review of the proposed action but unless either House adopts a resolution of disapproval, the action proposed by the Secretary can take place.

Mr. Speaker, I do not believe the Congress of the United States can continue to delegate its constitutional responsibility to raise and support armies and provide for a Navy.

If we permit the largest agency in our Government to operate without adequate congressional review, then the Congress is not fulfilling its constitutional responsibility. Just as there have been wars and rumors of wars since time immemorial, so it can be said that there are reorganizations and rumors of reorganizations of the Department of Defense since the National Security Act was adopted in 1947.

The Congress has taken a firm position against the merger of the services, a single Chief of Staff, and in support of the roles and missions of the four separate services, but there can be little doubt that these are rapidly becoming words without meaning.

The bill that I have introduced does not, and I repeat, does not prevent the transfer, reassignment, consolidation, or abolition of functions now being performed by the military departments or the military services, but it does give the Congress an opportunity to review these proposed changes.

The bill that I have introduced today does not in any way affect the changes that have been made in the structure of the Department of Defense to date, but from the time the Congress adjourns until the new Congress convenes in January, it is possible for section 202(c) of the National Security Act to be interpreted in such a way as to practically eliminate the identity of the separate services and the three military departments before the next Congress meets next January.

I agree wholeheartedly with that part of the subcommittee report, which Chairman VINSON endorsed, which stated:

> We can only conclude that the Congress has lost control of the organization of the Department and cannot carry out its responsibility unless we amend the National Security Act, as suggested.

AMENDING THE TRADE EXPANSION ACT

Mr. BETTS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BETTS. Mr. Speaker, a few weeks ago, on June 25, a series of identical bills were introduced in this body designed to save certain unspecified industries and their workers from further excesses of those who wish to rush this country toward free trade. While I agree with the principles of the bills, I have not followed suit because I have not made a practice of seconding legislation already introduced. I have, however, decided to make an exception to my usual practice in this instance because it is doubtful that the legislation can be brought to the floor. In the absence of the debate that would take place on the floor, I feel that introduction of the bill is the best way of expressing support of it.

It is clear now that the Trade Expansion Act was passed in 1962 under the shadow of desperation wherein unfortunate deals were made under heavy pressure. The excesses of the legislation were visible to many of us at the time but the 21 months that have passed since its enactment have brought some of its ugly defects into plain view.

The act, for example, gutted the escape clause of the previous legislation and substituted for it something called adjustment assistance by which the Federal Government was to bail out the victims of the trade policy. This part has been well tested before the Tariff Commission with about a dozen cases and the first rescue is yet to be effected. The Tariff Commission has refused unanimously to find affirmatively in any of the 11 cases it has disposed of.

Yet this provision was to be one of the key features of the Trade Expansion Act and was adopted as bait to gain labor support. Thus, while the old escape route was cut off the new one has turned out to be a blind alley.

The worst feature of the act, however, was the excessive tariff-cutting power granted to the President, that is, 50 percent across the board and, in some instances, complete elimination of the duty. This might not have been so bad had the intent of the act been adhered to in the ground rules governing the GATT negotiations. This was not done. Hearings spanning 4 months were indeed held before the Tariff Commission and nearly a thousand witnesses were heard.

Meantime, however, the U.S. negotiators agreed to a "bare minimum" of exceptions to the 50-percent tariff cuts. This agreement, reached in May 1963, had the effect of making the long hearings before the Tariff Commission a solemn farce.

What was the point in hearing hundreds upon hundreds of witnesses, most of whom made strong pleas for removal from the GATT list, when the President's negotiators the previous year had already agreed to a bare minimum of exceptions? Moreover, the Tariff Commission itself had been stripped by the 1962 trade act even of its power of recommendation to the President. It could no longer make peril-point findings, because the act dropped this function of the Commission. It could only give its judgment as to the probable economic consequences of further tariff reduction. Under the GATT ground rule even this judgment was to become useless under the "bare minimum" agreement.

The President's special negotiator also allowed this country to be drawn into a web from which no one has been able to extricate us but which was designed to exact deeper tariff cuts from this country than those granted by other countries. The dispute about the disparities issue, as the different levels of tariffs has been called, has once more allowed other countries to picture this country as a high-tariff protectionist as contrasted with the liberal trade countries, as they like to call themselves. This despite the fact that we are one of the low-tariff countries of the world and make much less use of nontariff barriers such as exchange controls, import licenses, quota restrictions, transaction taxes, and so forth, than do many of the other countries.

It is obvious that many important American industries cannot face further tariff cuts without suffering very damaging consequences to themselves and especially to their workers. That they will get very little consideration from the executive branch under whose wing the GATT negotiations will take place, has been made clear from what has already been said. Otherwise the rule of a "bare minimum" of exceptions would not have been agreed to. When our negotiator agreed to that he said "no" in advance to the many interests that made strong pleas before the Tariff Commission and have subsequently exerted every effort to be removed from the negotiation list.

Mr. Speaker, the whole approach to the negotiations inspires no confidence that American industry, agriculture, or labor will have an advocate in Geneva. Rather, the approach arouses deep dismay about the vital interests that will be at stake. It will be a case of the fox guarding the chickens. The negotiator's representatives are all imbued with the idea of removing obstacles to trade and they will be in strong support of the State Department philosophy of free trade. They will not be impressed as they have never been impressed by the unfair competitive burden placed on American industry. It will be said as it has so often been said by the State Department in the past that if an American industry cannot compete with imports it is inefficient and its defense should lie in becoming more efficient. If it cannot then compete, it should go out of business.

Mr. Speaker, I would say we have heard about enough of that refrain. In the first place, it is without foundation, for there is no industry that I know of in this country that would be unable to compete if it paid wages as low as those prevailing in the countries that export to us. Many of our most efficient industries have in recent years come under the onslaught of imports and they are as defenseless as the so-called less efficient, because smaller, industries.

The pressure for higher efficiency coming from domestic competition is itself so high that one of our greatest domestic economic problems is unemployment. We do not need to add to that pressure the challenge of imports to aggravate the problem we already face.

The injury from imports, moreover, is not confined to the direct effect of worker displacement. Low-cost imports exert their greatest blighting power by casting a pall over domestic market prospects. Domestic industries that have seen imports gaining ground relentlessly against their own best efforts will hardly become candidates for expansion programs. They will strive to hold their own, and to do so, they will, if they have the reserves, install more modern machinery with the purpose of reducing costs; and this modernizing process has been characteristic of American industry during the past 6 or 7 years. Modernization means shrinking the employment rolls. The capital outlays for plant and equipment are often not what they seem to be. In many cases they are desperate defensive measures rather than expansionary.

Most of our much vaunted increase in capital outlay has gone into nonmanufacturing enterprises. In 1960 only $14.4 billion of new investment in this country went into manufacturing from a total of $35.6 billion. In 1961 the figure was $13.6 billion of $34.37 billion; in 1962, $14.6 billion out of $37.3 billion; and in 1963, $15.7 billion out of $39.1 billion. It has been estimated that of the manufacturing investment some 65 percent has gone into modernization.

Meantime our foreign direct investments have grown much more rapidly.

The lesson to be learned from this should be very clear and unmistakable. The outlook abroad has been brighter than at home. The higher employment that would have taken place here had the market outlook been better took place overseas rather than at home. Moreover, by increasing investments overseas we reduced our export market except for the machinery and parts that went into the new plants and other facilities. The latter does not offer permanent hope of more exports, but rather of less.

Mr. Speaker, we cannot in all good sense justify further tariff reductions in those instances in which imports have already demonstrated their ability to penetrate our market and gain on our own industries. The only possible result of such action would be to aggravate our employment problem and to afflict the vulnerable industries with greater distress.

If that is the purpose of the Trade Expansion Act, I want no part of it. If our GATT negotiators are to be free to cut yet deeper where past cuts have already penetrated to the quick and drawn blood, I say we will be guilty of irresponsible action, unworthy of the trust the voters have placed in us. I cannot conceive of any sane procedure that would put numerous industries in further jeopardy when the record of imports shows that they are already deeply beset and in great jeopardy.

This is what the bill I have introduced, along with other Members, would prevent. It would not reduce any tariff rates nor would it prevent the lowering of tariffs except in those instances where cutting the duty would aggravate the damage already done by imports.

All articles or products that meet the criteria set forth in the bill should be removed from the President's list so that no zealous free trade artist would cut the vitals out of the domestic industries producing them.

The bill would supply the President with guidelines that were lacking in the Trade Expansion Act, and would spell out the intent of Congress that industries are not to be sacrificed to the doctrine of free trade regardless of distressing consequences.

I ask unanimous consent that the text of the bill be printed at this point in the Record:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 225 of the Trade Expansion Act of 1962 be amended by adding to the end thereof the following:

"(d) In addition to the articles described by subsections (a), (b), and (c), the President, notwithstanding other provisions of this Act, shall also reserve articles, or groups of closely related articles that produce or tend to produce a combined competitive impact upon the like or directly competitive domestic article or groups of closely related articles—

"(1) the imports or net imports of which have increased 100 per centum or more either in quantity or in value since 1958: *Provided,* That the imports of such article, or group of articles, have within any one of the calendar years since 1958 equaled at least 10 per centum of the domestic production, either in quantity or in value, of the like or directly competitive article or group of articles; or

"(2) the imports or net imports of which have during any year since 1958 equaled 20 per centum or more of domestic production, either in quantity or in value, of the like or directly competitive article, or group of articles: *Provided,* That the imports have increased in greater proportion either in quantity or in value than domestic production of the like or directly competitive article, or group of articles, since 1958; or

"(3) the imports or net imports of which have been limited quantitatively or have had a rate of duty increase under section 7 of the Trade Agreements Extension Act of 1951, as amended; or

"(4) in the domestic production of which the number of production workers has declined at least 10 per centum cumulatively or in any one year since 1958 while imports of the like or directly competitive article, or group of articles, have increased, actually or relatively, compared with domestic production, during any one year since 1958; or

"(5) for which the United States Department of Agriculture has in effect a program of price support or price stabilization under the Agricultural Adjustment Act, as amended, or a program under the Soil Conservation and Domestic Allotment Act, as amended; or

"(6) for which the United States Department of the Interior has in effect research or conservation programs pursuant to section 742(f) of title 16, United States Code (August 8, 1956, ch. 1036, sec. 7; 70 Stat. 1122); or

"(7) the imports of which are the subject of an international agreement negotiated under the authority of section 204, Agricultural Adjustment Act of 1956, as amended; or

"(8) on which any developed country or instrumentality maintains restrictions falling under section 252 (b) or (c) of this Act, whether such restrictions are applied to all imports of such articles or only to imports of such articles from particular countries.

"(e) Before reserving any article, or group of articles, as provided in subsection (d) of this section, the President shall receive from the United States Tariff Commission a statement certifying that the article, or group of articles, meets one or more of the criteria set forth in paragraph (1), (2), (3), (4), (5), (6), (7), or (8), of subsection (d) of this section if the facts sustain an affirmative finding. The Tariff Commission shall within sixty days make such certification to the President after a petition for such certification has been filed before it by a domestic producer of any article, or group of articles, by an association of such producers, by a group of workers engaged in the production of any such article, or group of articles, or by any other interested party.

"(f) Nothing in this Act shall be interpreted as authorizing changes in the bases of customs valuation or elimination of statutory nontariff trade restrictions."

YOURS IS A KIND AND NOBLE SPIRIT

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. Ashley] is recognized for 10 minutes.

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, part of the greatness of President Kennedy was his ability to attract talented and dedicated men.

An article in the September issue of Good Housekeeping magazine tells the story of the life and death of one such man, Elmer Paul Brock. The article, reprinted below, is very moving; however, it fails to mention that the friends of Elmer Paul Brock have joined together to help provide for the education of his children. The Elmer Paul Brock Memorial Fund, which we hope will grow steadily, is being handled by the National Conference of Christians and Jews, 1011 Washington Street, Wilmington, Del.

The article follows:

Yours Is a Kind and Noble Spirit

(By Charles U. Daly)

(Note.—Two months before he died, a man named Elmer Paul Brock wrote a remarkable letter to President Kennedy. That letter and the story of how it came to be written is an unforgettable testament to them both.)

One calm, sunlit morning in November 1962, Elmer Paul Brock, husband of Adoria Brock, father of Stephen, Francis, Peter, Vincent, and John, was told that he had terminal lung cancer.

Elmer Paul Brock was then Deputy Assistant Postmaster General of the United States in the Kennedy administration. Thirty-seven years old, almost 6 feet tall and a trim 145 pounds, he was a handsome, likable man with an Irish grin who put in 10 hours a day at his demanding job of overseeing post office personnel operations. He continued to do so, often in severe pain, until he was taken to the hospital early in March 1963. Two weeks later, a bare 5 months from the day he had heard sentence pronounced, he was dead. A new Deputy Assistant Postmaster General was appointed and the world went on, though Elmer Paul Brock was no longer in it.

If this were all there is to the story, it would merely be sad. The oldest of the children he left fatherless was then 6; the youngest, not quite a year. His wife Dorie, 29, had a lifetime to get through without him. He died bravely, sustained by his faith in God. But so have many men before him. What, then, is so worthy of special note in the life and death of Elmer Paul Brock?

The answer lies in a remarkable letter he wrote shortly before he died. The implications of that letter touch the lives of us all. It has been made even more meaningful by an ironic, poignant turn of events which Elmer Paul Brock did not live to see.

To get the full impact of the letter, you must first know a little more about Elmer Paul. He grew up in Philadelphia, the city of brotherly love, just in time for World War II. Leaving high school before graduation, he joined the Navy and saw active service. In the long, monotonous hours at sea, he made up the credits he lacked for a high-school diploma, and, when he came home after the war, he enrolled at La Salle College, in Philadelphia.

College campuses, during those restless, turbulent years leading up to the Korean war, were a prime target of leftist organizations. Uneasy about what he felt was the communistic orientation of these groups, Elmer Paul joined with four others to found the National Student Association. While actively urging moderates to seek office in the association, he resolutely opposed any attempt to silence those with radical views. Instead, he encouraged members to greet irresponsible statements with a show of boredom. (A 1950 issue of a picture magazine includes a photograph, taken at a NSA convention, which shows a pro-Communist speaker charging that the South Koreans were responsible for the war. Smack in the middle of the front row, his expressive Irish features arranged in the pretense of sleep, is Elmer Paul Brock.)

In 1956, the year his first son was born (he had married a girl he met through the student organization), Elmer Paul moved his little family to Wilmington, to become Delaware director of the National Conference of Christians and Jews. He had attracted the attention of the conference by his rare combination of idealism and a practical genius for getting things done. He demonstrated the rightness of the conference's choice when racial antagonism in Delaware erupted into violence.

The occasion was the moving of a Negro family into a previously all-white neighborhood. The Negroes' home was promptly bombed, and tension on both sides mounted to explosive proportions. Into this ugly situation Elmer Paul charged like a one-man marine brigade. He shamed the police who had been reluctant to become involved, into protecting the Negro family from further incidents. He visited newspaper editors and TV and radio program directors to urge them to use their influence to promote calm. And then he went into the disturbed area to talk to the residents. He talked to them eloquently about his own deep faith in the fatherhood of God and the brotherhood of man. He talked to them bluntly about the damage the incident had caused to the community's property, its reputation and, above all, to the impressionable minds of its children. Possibly he converted no bigots, but he did arouse good men to responsible action. When he died years later in another city, those men grieved for him.

In the 1960 presidential campaign, Elmer Paul worked actively for the Kennedy forces. This, and his record with the National Conference of Christians and Jews, brought him to the attention of the New Frontier when political appointments were being made. "He was," says a friend and former Presidential aid, Richard D. Donahue, "the sort of eager, bright tiger who, it was thought, would do well in the Washington jungle." His assignment to the Post Office was not without significance, for his work there included responsibility for seeing that all citizens, regardless of color or religion, had an equal opportunity on the job.

HIS LEGACY TO HIS FIVE SMALL SONS WAS THE INSPIRATION OF HIS OWN LIFE—A LIFE DEVOTED TO THE RIGHT OF EVERY MAN TO BE FREE FROM BIGOTRY AND POVERTY AND FEAR

He was enthusiastic about his job for the chance it gave him to put his ideals into practice, and it was among his first thoughts when he was told he had cancer. He returned home, that terrible morning, to comfort Dorie, who already knew; she had known for 5 days, and had not been able to bring herself to tell him. "He's so young," she had cried out to the doctor, in protest. "He has so much more he wants to do." For a few moments husband and wife clung together in wordless communion; then Elmer Paul said, "Now, I must go to work."

He did not hide his illness, or the fact that he was receiving drastic high-voltage X-ray therapy at the National Institutes of Health cancer center. Following the twice weekly nausea-producing treatments, he regularly put in a full day at the office. In early January, asked his age, he glanced down at his chest and replied with a smile, "37, wishing hard for 38."

Despite his heavy schedule, he strove to leave his young sons an abiding memory. Sunday breakfasts at a local restaurant were made a regular treat. All the boys, even fat baby John, were brought into dinnertime prayers and conversation. Elmer Paul told the boys stories about America and its history, and conducted evening singsongs. Early in 1963 he made good a longstanding promise to take Stephen and Francis on a camping trip "when you're older." The weather was near freezing, but Elmer Paul knew that he could not wait. After songs around a Saturday night campfire, two ecstatic little boys dropped off to sleep. Their father crept into the nearby woods to undergo a 4-hour seige of vomiting, alone in the darkness.

Then, on Wednesday, January 23, Dick Donahue invited him to have lunch with him in the White House staff dining room. When he arrived, Elmer Paul was ushered into the Cabinet room. Nervously, he telephoned Donahue's secretary to say, "I'm not representing the Postmaster General. I'm just looking for a free lunch. They've put me in the wrong room." He was asked to wait. Dick Donahue arrived a few minutes later.

"Elmer Paul, how are you?" he said.

Brock started to reply when the door at the west end of the room opened and a tall figure came in. Donahue, turning, said simply, "Mr. President, I'd like you to meet a friend of mine."

John Fitzgerald Kennedy had joined in a compassionate plot to pay tribute to Elmer Paul's graceful courage. After the initial greetings, he led him into his oval office. "I understand you've been having a problem," Donahue heard the President say as the door closed. After his private conversation with Elmer Paul, the President summoned a White House photographer and posed with his visitor in his awkward, engaging way, hands plunged deep in his jacket pockets.

"My husband called me from the White House," Dorie recalls. "He wasn't a sophisticated man. He was thrilled, joyous."

The President was deeply touched by the letter. "Let me know if there is anything I can do for Brock—anything," he told Donahue. He admired Kennedy so much, and he held the Presidency in such esteem. After lunch, he telephoned his mother in Philadelphia and his sister in California, to tell them, too."

That same day, Elmer Paul sat down and wrote this letter:

"POST OFFICE DEPARTMENT,
"ASSISTANT POSTMASTER GENERAL,
"BUREAU OF PERSONNEL,
"Washington, D.C., January 23, 1963.

"THE PRESIDENT,
"The White House,
"Washington, D.C.

"DEAR MR. PRESIDENT: I am most grateful for your kindness in taking a moment to say 'hello,' and to allow me to have my picture taken with you. Often I ask, 'What shall I leave my sons?' A room full of books, a philosophy of life, the faith of their father, the hopes and aspirations of their country. If I should lose my battle with cancer, I can now add to that treasure a brief moment of history. (I hope you don't mind my enclosing a picture of them—the eldest is 6 and the youngest 9 months.)

"You mentioned something about my courage: Mr. President, I face only one crisis and it is something over which I have no power of decision. But you, sir, face new and continuing crises, day after day; upon you depends much of what happens to the free society and much of what happens to mankind. Your ability to face each day with its many harassments, its unending challenges—yours is the essence of true courage.

"Socrates, standing before his jury of more than 500, said, 'A man who is good for anything ought not to calculate the chance of living or dying.' Finally, it is important only to a few that I should live; it is extremely important to your children and to mine—to future generations—that you should prevail.

"I am pleased to serve your administration, for you lead your people wisely; I am honored to serve you, for yours is a kind and noble spirit. May the road rise with you; may the wind always be at your back; and may you one day rest in the hand of the Lord.

"With warm personal regards, and a sense of deep gratitude.

"ELMER PAUL BROCK,
"Deputy Assistant Postmaster General."

It is a remarkable letter by any standards. Reading it now, we are struck, first of all, by the irony that the man to whom it was written would soon himself be dead. There is admiration for the writer who could face death so calmly, and speak of it in words so moving and so profound. But above all, the letter is a testament and a reminder of the influence of others' actions on our own, and of our own upon others. Of John Fitzgerald Kennedy's many monuments, not the least is this evidence of how he could inspire a man like Elmer Paul Brock. And Brock—how many people were ennobled by contact with his courageous spirit? What lives are we ourselves shaping, even now—for better or for worse?

But there was little more anyone could do for Elmer Paul. Not long afterward he entered the hospital for the last time.

Dorie did not take him home to Philadelphia. Instead, she chose to have him buried at Arlington, his privilege as a Navy veteran. There, 6 months later, the man he loved and admired came to join him, the man who, like him, had fought against what Elmer Paul called the unnecessary tragedies of existence. They have both been discharged with honor from that war now; the broad Potomac separates them from the city of their unfinished dreams.

SECURITIES AND EXCHANGE COMMISSION

The SPEAKER. Under previous order of the House, the gentleman from Arkansas [Mr. HARRIS] is recognized for 5 minutes.

Mr. HARRIS. Mr. Speaker, yesterday afternoon the President signed into law a bill providing greater protection for American investors.

At the same time the President designated Commissioner Manuel F. Cohen as Chairman of the Securities and Exchange Commission, succeeding William L. Cary, the retiring Chairman, who is returning to Columbia University.

The signing into law represents the fruition of part of the program starting some 3 years ago for the first major overhaul in a quarter of a century of the laws relating to the securities markets. Inasmuch as this program was initiated and sponsored by the House Committee on Interstate and Foreign Commerce, I naturally cannot but be gratified at this event.

I would not wish this occasion to pass, however, without commenting upon the sincerity and attentive concern to the interest of investors which Commissioner Cary brought with him when 3½ years ago he assumed the responsibilities of guiding the Commission, or upon the effective leadership he has displayed not only in the heavy responsibilities of administering the securities markets under the jurisdiction of the Commission, but also in the directing of the special study into the adequacy for the protection of investors of the rules governing the stock markets which the Congress, as the result of this committee's action, directed the Commission 3 years ago to make.

I believe it appropriate at this juncture here to include the remarks made yesterday by the President, relating to Mr. Cary's returning to the university, and the assumption of the chairmanship by Commissioner Cohen:

Remarks of the President Upon the Signing of S. 1642 Securities and Exchange Amendments in the Cabinet Room

The **President**. Members of the Congress, distinguished guests, members of the Securities and Exchange Commission and other related financial organizations in town, ladies and gentlemen: This is a very gratifying day for me in this house.

* * * * *

Capitalism in the United States today is not the capitalism known anywhere at any time in the past. The angry slogans of communism are archaic when directed against the capitalism of the American people, for under our system the worker is also the investor. The people are also the owners of our productive system.

Capitalism in America is what it is today because of the initiative, the enterprise, and the responsibility of our free system.

But it is also what it is because of the course that we have chosen for this Government to follow.

We rejected the idea that the role of government is either coercion or control. On the contrary, the proper function of government is to meet its responsibilities wisely so that the people may have confidence in their future, in their system and in themselves.

I would say a good example, exhibit A, in the system is Mr. William Martin of the Federal Reserve who is here today. He is a man who understands the proper function of government. He meets his responsibilities wisely. The people of this country and the people of the world have confidence in our system and in themselves because of that type of leadership.

Few more dramatic demonstrations exist than this, than the record of the Securities and Exchange Commission also. Less than a lifetime ago this country's confidence in the security market was very small.

On July 31 this year the market value of stocks listed on the New York Stock Exchange reached a new high of $465 billion in contrast to a value of $23 billion prior to the enactment of the first Federal securities law in 1933 of which my very dear beloved friend Sam Rayburn was the author. Investors' confidence is due to many factors. High on the list is the factor of confidence in the commonsense attitude taken in the administration of our laws by our Government, and in this instance particularly by the Securities and Exchange Commission.

Law signed today should further strengthen the securities markets and public confidence in them.

Industry and government have worked together in the writing of these laws. Industry and government will work together in making these measures succeed.

For my part, I believe the President's first responsibility in this sector is the quality of men chosen to discharge the duties of the SEC. We deeply regret that we are losing the Chairman of that great Commission. He is returning to private life to help prepare others to follow in his footsteps, but I am very proud of the men who have accepted the sensitive trust to carry on and I am most especially proud of the able trusted public servant who has agreed to accept the duties of Chairman, my friend Manuel Cohen.

I want all of you here today to share with us the pleasure of seeing Mr. Cohen take the oath of his new office. A new era of regulatory relationship is coming, a relationship sincerely devoted to confidence, to understanding, to a responsible role on the part of government in helping and not harrassing our American capitalistic system.

Mr. Cohen will be given his order designating him Chairman as soon as I have completed this little mission of signing this bill.

The Committee on Interstate and Foreign Commerce in commending to the House the enactment of the legislation which became law yesterday stated that it was well aware that the legislation was but a part of the full program needed to strengthen the protection afforded to the investing public by the various securities laws. The committee always has appreciated that a substantial part of the program is that of the strengthening of the rules of the Commission and through the Commission's powers and the statutes, the strengthening of the rules of the national stock exchanges and of the national securities associations. The committee further appreciates that a major part of the program is that of the action by national securities exchanges and national securities associations to fulfill the duties and responsibilities which are theirs under the law for establishing for their own self-government rules and regulations for the protection of the public in the conduct of their operations.

Chairman Cary and the Commission continually have assured the committee of the Commission's awareness of its responsibilities in this regard and the representative of the self-governing associations also clearly have indicated their own obligations in effectively meeting this challenge to them.

During the course of the committee's consideration of the five-volume report prepared by the Commission's special study group under the direction of Milton H. Cohen and of the committee's consideration of the Commission's position with respect to the recommendations made to it by this study group which has taken place over this past year, the committee considered not only the need for legislation to meet certain problems that had been sharpened up, but also the concurrent actions being taken by both the self-governing associations and by the Commission adequately to carry out what could be done through administrative action.

From time to time, Chairman Cary has given a presentation of what the Commission and the self-governing associations have been doing and have proposed to do, the last being 6 months ago. It has seemed to me fitting that with the enactment into law of these new statutory powers that we, the Congress, and the public again should have recapitulated for us what has been going forward through the administrative route. Accordingly, I include in my remarks at this point a letter which I received yesterday from Chairman Cary on behalf of the Commission presenting a commendable accounting of their stewardship and also stating what has been done by the exchanges and the securities associations in meeting what is necessary for the advancement of the protection of the public. Certainly much has been done and much is now underway. The committee intends to continue its watchfulness over what is accomplished in the future.

Securities and Exchange
Commission,
Washington, D.C.,
August 20, 1964.

Hon. Oren Harris,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

Dear Chairman Harris: This is in response to your letter of August 7, 1964, requesting an indication of what the Commission and the self-regulatory agencies have done by way of administrative action, through rulemaking or otherwise, in carrying forward the special study report. Of course, the passage of the Securities Acts Amendments of 1964 implements many recommendations of the special study report and represents a very significant achievement in investor protection. The Commission is deeply indebted to you and your committee for the comprehensive hearings you gave to the bill and for your leadership in guiding the bill through the Congress.

I shall outline the administrative progress in the various areas by subject matter. Hopefully in this manner a description of the combined efforts by the Commission and the self-regulatory agencies with respect to a given field will present the most meaningful picture. As you will recall, soon after the transmittal of the report of the special study, the Commission established priorities. The Commission believes that progress has been substantial in the areas given highest priority. Other sections of the special study report have not been overlooked. The staff has already been engaged in work on these and attention will now be focused upon them—as well as implementation of the legislation. Included among these subjects are problems relating to the distribution of new issues, members' off-floor trading, coordination among the self-regulatory agencies and the Commission, and various issues in the mutual fund area.

I shall now turn to the various subjects.

QUALIFICATIONS OF PERSONS IN THE SECURITIES BUSINESS

A significant portion of the Securities Acts Amendments of 1964 relates to raising qualification standards in the industry. Apart from the bill, there has been significant administrative progress. We have already noted that examinations for registered representatives had been tightened by the self-regulatory agencies and principals of firms and sole proprietors are now required to take special examinations. Moreover, the Commission staff and that of the National Association of Securities Dealers are actively considering report forms which will furnish essential information about broker-dealer firms, which is not now available.

Proposed amendments to the Commission's net capital rule—establishing for the first time a minimum net capital for broker-dealers—have been submitted to the industry on an informal basis for comments. All comments have now been received and the proposal will soon be considered by the Commission before it is officially published for comment.

SELLING PRACTICES

The Commission staff has devoted considerable effort to assisting the self-regulatory groups in the formulation of effective rules governing selling practices. Primary emphasis was placed on supervision of salesmen by the principals of broker-dealer firms. The New York Stock Exchange adopted a new supervision rule this spring. The Board of Governors of the NASD has approved a package of rules which set out in detail the members' responsibilities for supervision, maintenance of certain records and handling of discretionary accounts. These rules are now ready to be submitted to the NASD membership for adoption. The NASD staff has also prepared a guide for the membership on "fair dealing," summarizing selling practices which have been held to be violations of the association's rules.

At the same time increased attention is being paid by the self-regulatory agencies to inspections of brokerage firms and enforcement of selling practice rules. Thus, both the NASD and the NYSE have expended their staffs in this area. For the first time the NYSE is inspecting branch offices where difficulties often arise.

ADVERTISING AND INVESTMENT ADVICE

We previously reported to you that the NYSE has adopted new rules and interpretations with respect to advertising and investment advice. The NASD Board of Governors has also adopted a comprehensive interpretation which will become effective September 1. The American stock exchange has recently submitted rules and interpretations substantially the same as those adopted by the NYSE. Advertising material is required to be submitted for review by the self-regulatory organizations.

The Commission staff has drafted comparable rules applicable to investment advisers which will be submitted informally to the industry for comment in the very near future.

PROTECTION OF CUSTOMER FUNDS AND DELIVERY OF SECURITIES

The Commission has adopted rule 15c3-2 requiring that customers for whom free credit balances are carried receive written notice at least once every 3 months of the amount due to the customer and of the facts that the funds are not segregated, that they may be used in the broker's business, and that they are payable on demand.

As a result of the Ira Haupt situation, in which the funds and securities of customers of a NYSE member firm were jeopardized by activities of the firm in commodity futures, the NYSE has established a fund for the purpose of providing a source of capital to indemnify customers of NYSE member firms in the event of insolvency of such a firm. The amount available will ultimately total $10 million with a standby credit of $15 million. Payments, which will be made at the discretion of the exchange's board of governors, may be used to satisfy the claims of customers arising from a broker's possession of their funds and securities. Moreover, the NYSE has materially strengthened its financial responsibility requirements for firms dealing in commodities. In the Commission's proposed revision to its net capital rule, the Commission also is proposing to strengthen its standards for such firms. The NASD had indicated that it intends to adopt rules relating to the segregation of customers' securities comparable to those of the NYSE.

SPECIALISTS

The numerous recommendations contained in the report with respect to specialists have been intensively discussed with representatives of the New York and American stock exchanges. Definite progress has been made with respect to new exchange rules as well as a proposed Commission rule which would set the framework for effective self-regulation. The exchanges have been responsive to the recommendations in the report and the discussions have proceeded in a highly-constructive atmosphere. It is anticipated that there will shortly be major changes along many of the lines suggested by the study.

ODD LOTS

As we previously stated to the committee, the NYSE assumed jurisdiction over the odd-lot differential for the first time in its history. The exchange has recently informed our staff that the odd-lot cost study—relating to the differential—will be completed some time after the original September 1 deadline. The subject of automation of the execution of odd-lot orders is under active consideration and it is anticipated that there will be substantial developments in this area.

For the first time rules have been adopted by the NYSE governing the handling of odd-lot transactions. The Midwest, Pacific Coast and Boston Stock Exchanges have also adopted revisions of their respective odd-lot trading rules.

FLOOR TRADING

Rule 11a-1 is the first Commission rule ever adopted relating to floor trading. The purpose of the rule is to restrict floor trading on the NYSE and Amex to a small group of well-capitalized members. The traders are subjected to high-performance standards, various conditions designed to eliminate or minimize possible conflicts with public customers, and other restrictions intended to channel their trading for beneficial purposes. Upon the effectiveness of the rule, about 30 traders became registered on the NYSE, as compared with an estimated 300 persons who were floor trading in recent years.

Regional exchanges were exempted from the rule to give the Commission's staff time to perform studies of floor trading on those exchanges.

OTHER EXCHANGE MATTERS

At the time I appeared before your committee in February, I indicated that the NYSE had not been receptive to our proposals for certain improvements in the plans for automated surveillance on the exchange. Since then, however, the exchange has agreed to take reasonable measures to study input and other problems, which has actually begun, and to phase in automated surveillance as promptly as is reasonable. The American Stock Exchange appears to be making important progress in this field.

In the area of the NYSE commission rate structure, the Commission staff has received the income and expense report data on NYSE members filed for 1961 to 1963. Preliminary analysis of these data is under way. Arrangements have been made for the exchange to submit such data to the Commission each year.

OVER-THE-COUNTER MARKETS

Adoption of rule 15c2-7 was announced on August 6. This rule is designed to improve the reliability and informativeness of the wholesale quotations system through which dealers advertise their buying or selling interests in securities traded over the counter.

The NASD has submitted to the staff of the Commission a proposed revision of its retail quotation system. In addition, there are pending before the Commission at this time staff recommendations relating to retail executions in the over-the-counter market. These subjects involve a number of fundamental questions which must be thoroughly explored before definitive action can be taken. The Commission expects to take up these problems with the NASD in the very near future.

TRADING MARKETS—INTERRELATIONSHIPS

Both the NYSE and Amex have amended their statements of policies and adopted higher standards for listing and delisting securities. In the important "third market" area—the tranding of stocks listed on the various exchanges in the over-the-counter market—the Commission has recently published for comment a proposed rule and report forms designed to identify market makers in third market stocks and to obtain essential data about over-the-counter transactions in certain of these stocks.

OBLIGATIONS OF ISSUERS OF PUBLICLY HELD SECURITIES

Under recently adopted rule 14a-3, financial statements in reports to stockholders, which are required to be sent in connection with the solicitation of proxies, should not be inconsistent in any material respect with the financial statements filed with the Commission. Any material differences between the principles of consolidation or other accounting principles and practices (or methods of applying accounting principles or practices) applicable to such filed statements and those reflected in the report to security holders must be noted and the effect reconciled or explained in the annual report. Furthermore, in the disclosure area, the proxy rules of the Commission have been the subject of overall review and considerable progress has been made toward the early publication of proposed substantial revisions.

MUTUAL FUNDS

We have stated previously that any definitive action on the recommendations concerning mutual funds will be delayed until the completion of our general structural study of mutual funds. The date for submitting that study report to the Commission is late this winter. In the meantime, we have received from the Association of Mutual Fund Plan Sponsors, Inc., a copious document setting forth its views on the discussion of contractual plans in the special study report. A detailed analysis of that statement has been prepared by the Commission staff.

Although not a product of the special study report, I believe it appropriate to note that the Commission has sent out for public comments its revised annual report form for investment companies. This form should represent a major step toward self-policing by mutual funds and at the same time will provide invaluable assistance to the staff of the Commission in their inspections.

REGULATORY PATTERN

As previously reported, a key step by this Commission since the special study report has been the establishment of the Office of Regulation within the Commission's Division of Trading and Markets. A primary responsibility of this Office is to oversee the operations of the self-regulatory agencies. In pursuit of that goal, the Office has conducted continuing inspections of various operations of the New York, American, and regional stock exchanges and the NASD. Furthermore, rule 17a-8, requiring the exchanges to file with the Commission reports of newly proposed rules, enables the Commission to be aware, on a continuing basis, of developments in an exchange's policies and to offer the exchange, at an early point, the benefit of our views.

With respect to the organization of the self-regulatory agencies, of course, the most important development, reported to you in detail, has been the reorganization of the American Stock Exchange which took place during the special study. The New York Stock Exchange has strengthened its staff in various particulars, including its floor department as recommended by the study. Concerning the problem of floor domination of the NYSE government, emphasized in chapter XII of the special study report, the exchange has taken certain preliminary steps toward giving increased representation, and responsibility, to firms doing business directly with the public. The Amex has also made progress in this direction. The regional exchanges have followed up the study report's recommendations by increasing their staffs, stepping up their inspections and improving their qualification examinations for registered representatives.

The NASD has taken important steps in its reorganization. Its staff has been significantly increased in many areas. A president has been appointed with broader powers than those of the former executive director. The budget, reflecting heightened activity by the association, is at an alltime high of over $3 million. A revised dues schedule, in part reflecting the views in the study report, has already been adopted.

Organizations, other than the self-regulatory agencies, have also been prompted by the study report to take steps to meet problems disclosed by the report. Thus, the Public Relations Society of America has adopted a code of ethics which sets standards in the area of financial public relations. Moreover, the Institute of Chartered Financial Analysts has instituted a program of examinations for financial analysts.

I have attempted to highlight for you significant developments in our implementation program. In sum, under the stimulus of the special study, authorized and directed by your committee, the commission, the self-regulatory agencies, and the industry have achieved important improvements in investor protection. Your oversight provides continuing encouragement and direction. Much, of course, remains still to be done. I am certain that, under the able leadership of my successor designate, Manuel Cohen, it will be done.

Sincerely yours,

WILLIAM L. CARY,
Chairman.

I am sure that I speak for my colleagues when I express regret that Professor Cary is returning to the cloistered halls of the academic life, for his job here has been well done. I know that I also speak for my colleagues when I say that this regret, however, is tempered in the knowledge that Commissioner Cohen is assuming the leadership of the Securities and Exchange Commission, a most important regulatory agency and an arm of the Congress of which we are quite proud.

RECESS

The **SPEAKER**. The Chair declares a recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 34 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 3 o'clock and 3 minutes p.m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 860. An act to amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage and overtime compensation protection, and improved means of enforcement; and

S. 883. An act to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal processes, and for other purposes.

The message also announced that the Senate had passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 359. Concurrent resolution establishing that when the Houses adjourn on Friday, August 21, 1964, they stand adjourned until 12 o'clock noon on Monday, August 31, 1964; and

H. Con. Res. 360. Concurrent resolution authorizing the Speaker of the House of Representatives and the President pro tempore of the Senate to sign enrolled bills and joint resolutions duly passed by the two Houses.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4844) entitled "An act relating to the release of liability under bonds filed under section 44(d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5739) entitled "An act to amend the Internal Revenue Code of 1954 to correct certain inequities with respect to the taxation of life insurance companies."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10467) entitled "An act to continue for a temporary period certain existing rules relating to the deductibility of accrued vatation pay."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12196) entitled "An act to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to increase salaries, to adjust pay alinement, and for other purposes."

RELEASE OF LIABILITY UNDER CERTAIN BONDS, REACQUISITIONS OF REAL PROPERTY

Mr. **MILLS**. Mr. Speaker, I call up the conference report on the bill (H.R. 4844) relating to the release of liability under bonds filed under section 44(d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement follow:

CONFERENCE REPORT (H. REPT. No. 1842)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4844) relating to the release of liability under bonds filed under section 44(d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same.

W. D. MILLS,
CECIL R. KING,
HALE BOGGS,
JOHN W. BYRNES,
Managers on the Part of the House.

HARRY F. BYRD,
RUSSELL B. LONG,
GEO. A. SMATHERS,
JOHN WILLIAMS,
FRANK CARLSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4844) relating to the release of liability under bonds filed under section 44(d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment to the text of the bill adds a new section 2 to the bill relating to the income tax treatment of certain reacquisitions of real property.

Subsection (a) adds a new section 1038 to the code. Subsection (a) of section 1038 provides the general rule that if (1) a sale of real property gives rise to indebtedness to the seller which is secured by the real property sold, and (2) the seller of such property reacquires such property in partial or full satisfaction of such indebtedness, then (except as provided in subsections (b) and (d) of section 1038) no gain or loss shall result to the seller from such reacquisition, and no debt shall become worthless or partially worthless as a result of such reacquisition.

Subsection (b) of the new section 1038 relates to the amount of gain resulting from a reacquisition of real property to which subsection (a) applies.

Paragraph (1) provides the general rule that in the case of such a reacquisition, gain shall result from the reacquisition to the extent that (A) the amount of money and the fair market value of other property (other than obligations of the purchaser) received, prior to such reacquisition, with respect to the sale of such property, exceeds (B) the amount of the gain on the sale of such property returned as income for periods prior to such reacquisition.

Paragraph (2) provides a limitation on paragraph (1). Under paragraph (2) the amount of gain determined under paragraph (1) resulting from a reacquisition during any taxable year beginning after the date of the enactment of section 1038 shall not exceed the amount by which the price at which the real property was sold exceeded its adjusted basis, reduced by the sum of (A) the amount of the gain on the sale of such property returned as income for periods prior to the reacquisition of such property, and (B) the amount of money and the fair market value of other property (other than obligations of the purchaser received with respect to the sale of such property) paid or transferred by the seller in connection with the reacquisition of such property.

For purposes of paragraph (2), the price at which real property is sold is the gross sales price reduced by the selling commissions, legal fees, and other expenses incident to the sale of such property which are properly taken into account in determining gain or loss on such sale.

Paragraph (3) provides that except as otherwise provided in section 1038, the gain determined under subsection (b) resulting from a reacquisition to which subsection (a) applies shall be recognized, notwithstanding any other provisions of subtitle A of the code.

Subsection (c) of the new section 1038 relates to the basis of reacquired real property. If subsection (a) applies to the reacquisition of any real property the basis of such property upon such reacquisition shall be the adjusted basis of the indebtedness to the seller secured by such property (determined as of the date of reacquisition), increased by the sum of (1) the amount of the gain determined under subsection (b) resulting from such reacquisition, and (2) the amount of money and other property described in subsection (b)(2)(B).

If any indebtedness to the seller secured by such property is not discharged upon the reacquisition of such property, the basis of such indebtedness shall be zero.

Subsection (d) of the new section 1038 relates to indebtedness treated as worthless prior to reacquisition. Subsection (d) provides that if prior to a reacquisition of real property to which subsection (a) applies, the seller has treated indebtedness secured by such property as having become worthless or partially worthless—

(1) Such seller shall be considered as receiving, upon the reacquisition of such property, an amount equal to the amount of such indebtedness treated by him as having become worthless; and

(2) The adjusted basis of such indebtedness shall be increased (as of the date of reacquisition) by an amount equal to the amount so considered as received by such seller.

Subsection (e) of the new section 1038 relates to the reacquisition of certain principal residences where subsection (a) applies and where, within one year after the date of the reacquisition by the seller, the property is resold by him. Subsection (e) of the new section 1038 applies to such a reacquisition of real property with respect to the sale of which (1) an election under section 121 (relating to gain from sale or exchange of residence by an individual who has attained the age of 65) is in effect, or (2) gain was not recognized under section 1034 (relating to sale or exchange of residence). If either of these conditions is met, then, under regulations prescribed by the Secretary of the Treasury or his delegate, subsections (b), (c), and (d) of the new section 1038 are not to apply to the reacquisition of such property and, for purposes of applying sections 121 and 1034 of the code, the resale of such property is to be treated as a part of the transaction constituting the original sale of such property.

Subsection (f) of the new section 1038 provides that section 1038 is not to apply to a reacquisition of real property by an organization described in section 593(a) of the code (relating to domestic building and loan associations, etc.).

Subsection (b) of the new section 2 added by the Senate amendment makes a technical conforming amendment to a table of sections.

Paragraph (1) of subsection (c) of the new section 2 added by the Senate amendment relates to the effective date. Paragraph (1) provides the general rule that the amendments made by the new section 2 shall apply to taxable years beginning after the date of the enactment of the bill.

Paragraph (2) provides that if the taxpayer makes an election under paragraph (2), the amendments made by section 2 shall also apply to taxable years beginning after December 31, 1957, except that such amendments shall not apply with respect to any reacquisition of real property in a taxable year for which the assessment of a deficiency, or the credit or refund of an overpayment, is prevented on the date of the enactment of the bill by the operation of any law or rule of law. An election under paragraph (2) is required to be made within one year after the date of the enactment of the bill and to be made in such form and manner as the Secretary of the Treasury or his delegate shall prescribe by regulations.

Under paragraph (3), if an election is made by the taxpayer under paragraph (2), and if the assessment of a deficiency, or the credit or refund of an overpayment, for any taxable year to which such election applies is not prevented on the date of the enactment of the bill by the operation of any law or rule of law—

(A) The period within which a deficiency for such taxable year may be assessed (to the extent such deficiency is attributable to the application of the amendments made by this section) is not to expire prior to one year after the date of such election; and

(B) The period within which a claim for credit or refund of an overpayment for such taxable year may be filed (to the extent such overpayment is attributable to the application of such amendments) shall not expire prior to one year after the date of such election.

Paragraph (3) also provides that no interest is to be payable with respect to any deficiency attributable to the application of the amendments made by section 2, and no interest is to be allowed with respect to any credit or refund of any overpayment attributable to the application of such amendments, for any period prior to the date of the enactment of the bill. An election by a taxpayer under paragraph (2) is to be deemed a consent to the application of paragraph (3).

The House recedes.

W. D. Mills,
Cecil R. King,
Hale Boggs,
John W. Byrnes,
Managers on the Part of the House.

Mr. MILLS. Mr. Speaker, in the form in which H.R. 4844 passed the House of Representatives the bill would amend the provisions of the 1939 code dealing with the release of liability under bonds filed with respect to certain installment obligations transmitted at death. As you may recall, the Committee on Ways and Means was unanimous in recommending enactment of this bill. The other body accepted this provision without change.

The other body added an amendment to the House passed bill, however, dealing with the tax treatment of the repossessions of real property. The conferees on the part of the House after considering this amendment added by the other body concluded that it was a desirable change in the tax laws and have agreed to it.

In general, the amendment provides that where real property is sold, and the seller receives a mortgage or debt obligation, and then subsequently the property is repossessed, any gain resulting from the repossession is to be limited to the money—and value of other property—received by the seller with respect to the sale before the repossession to the extent such amounts have not already been reported as income. In addition, the amendment would deny any deduction for a loss realized on repossession. The amendment would apply on an elective basis to taxable years beginning after December 31, 1957, and would be the only rule applicable in this area beginning after the date of enactment.

The effect of the amendment would be to simplify the rules of existing law dealing with the repossession of real property. More important, however, the provision removes the inequity in present law which provides that merely because property originally held by a seller has been restored to him he is to be taxed at that time on any appreciation in value of this property over his cost for the debt obligation. Apart from any payments he may have received, he actually is in no better position than he was before he made the sale. Therefore, the act of repossession is not the appropriate time for taxation of this gain. The amendment brings the law into conformity with the actual economic facts of these cases.

What I have been describing is the treatment under present law where real property sold in the installment basis is repossessed. Present law also provides other rules for determining the recognition of losses or gains on repossessions in the case of a deferred sale where title passes, a deferred sale where title does not pass and ordinary sales where the full gain is recognized at the time of the sale. The amendment would provide uniform treatment for repossession in all of these cases. In addition, the effect of the amendment would be to eliminate the necessity for determining the fair market value of the repossessed property, which under present law presents substantial practical difficulties and administrative problems.

The Treasury Department has advised that the substantive provisions of this amendment represent a substantial improvement in our tax laws and are deserving of favorable consideration. The Treasury Department also advised that it would not oppose the effective date in the amendment if Congress concluded that the amendment should be given the limited retroactive effective date in the Senate-passed bill.

Mr. Speaker, since the amendment is in keeping with our general aim and purpose of constantly striving to simplify the tax laws, and would in fact do so in this instance, the House conferees agreed to this amendment and I urge that the House agree to the conference report.

Mr. Speaker, I now yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. Mr. Speaker, I agree with everything the chairman of the committee has said. I would only add a comment on what appeared to us to be the inequity we discovered in this situation. I think some taxpayers discovered it and were unaware that it existed. These taxpayers were charged with having made a capital gain and having to pay a tax on the capital gain when, in fact, they had not realized any capital gain because they had just repossessed the property. They were in the same place as they were before the transaction ever took place in many cases. So we were taxing people on a gain that was really never made.

Mr. MILLS. That is right.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CORRECTION OF CERTAIN INEQUITIES IN TAXATION OF LIFE INSURANCE COMPANIES

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H.R. 5739) to amend the Internal Revenue Code of 1954 to correct certain inequities with respect to the taxation of life insurance companies and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement follow:

Conference Report (H. Rept. No. 1843)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5739) to amend the Internal Revenue Code of 1954 to correct certain inequities with respect to the taxation of life insurance companies, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1 and 13.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, 8, 10, 11, and 12, and agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with the following amendments: On page 6, line 11, of the Senate engrossed amendments, strike out "other than" and insert "but does not include".

On page 8 of the Senate engrossed amendments, strike out line 12 and insert the following: "transactions described in subparagraph (B) of such paragraph. If any part of the increase in the aggregate adjusted basis of stock of the controlled corporation after December 31, 1957, results from the transfer (other than as part of a transaction described in paragraph (3)(B)) by the distributing corporation to the controlled corporation of property which has a fair market value in excess of its adjusted basis at the time of the transfer, paragraph (3) also shall not apply to that portion of the distribution equal to such excess."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same.

W. D. Mills,
Cecil R. King,
Hale Boggs,
John W. Byrnes,
Managers on the Part of the House.

Harry F. Byrd,
Russell Long,
George Smathers,
John Williams,
Frank Carlson,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5739) to amend the Internal Revenue Code of 1954 to correct certain inequities with respect to the taxation of life insurance companies, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendent No. 1: Section 815(b) of the Internal Revenue Code of 1954 requires each stock life insurance company to establish and maintain a shareholders surplus account. Amounts in this account may be distributed to shareholders without the imposition of the so-called phase 3 tax (the tax imposed by reason of distributions considered as made out of the policyholders surplus account). The amount added to the shareholders surplus account for any taxable year includes items for life insurance company taxable income (computed without regard to sec. 802(b)(3) of the code) and the excess of long-term capital gain over short-term capital loss. By reason of a change in the method of taxing capital gains made by legislation enacted in 1962, existing law permits a double allowance with respect to capital gains.

Section 2 of the bill as passed by the House amended section 815(b)(2)(A)(ii) to provide that the addition for the excess of the long-term capital gain over the short-term capital loss be reduced (in the case of a taxable year beginning after December 31, 1961) by the amount of the life insurance company taxable income (computed without regard to sec. 802(b)(3) of the code). Under the Senate amendment, no addition may be made for such excess in the case of a taxable year beginning after December 31, 1961. The Senate recedes.

Amendment No. 2: Section 3(a) of the bill as passed by the House amended section 815 (d) of the code (relating to special rules with respect to distributions to shareholders) by adding a new paragraph (5) to provide for the reduction of the policyholders surplus account for certain unused deductions. Under both the bill as passed by the House and the Senate, the policyholders surplus account is to be reduced if (A) an amount added to the account for any taxable year increased (or created) a loss from operations for such taxable year, and (B) any portion of the increase (or amount created) in such loss from operations did not reduce life insurance company taxable income for any taxable year to which such loss was carried. Under the bill as passed by the House, the account was to be reduced for the last taxable year to which the loss is carried under section 812(b)(2) of the code. The amount of the reduction was the amount described in subparagraph (B) of the new paragraph (5) or (if lesser) the amount in the account as of the close of the last taxable year to which the loss is carried (computed before any subtractions from the account for such last taxable year). Under the Senate amendment No. 2, the account is to be reduced by the amount described in section 815(d)(5)(B) for the taxable year for which the amount added to the account increased (or created) the loss of operations. The House recedes.

Amendments Nos. 3 and 8: Section 3(b) of the bill as passed by the House provided that the amendment made by subsection (a) of section 3 was to apply with respect to taxable years beginning after December 31, 1963. Senate amendment No. 3 strikes out subsection (b). Senate amendment No. 8 adds a new subsection (f) providing that the amendments made by section 3 of the bill shall apply with respect to amounts added to policyholders surplus accounts (within the meaning of section 815(c) of the code) for taxable years beginning after December 31, 1958. The House recedes.

Amendment No. 4: This amendment adds a new subsection (b) to section 3 of the bill to add a new subsection (k) to section 6501 of the code (relating to limitations on assessment and collection). The new subsection (k) provides that in the case of a deficiency attributable to the application to the taxpayer of new section 815(d)(5), the deficiency may be assessed at any time before the expiration of the period within which a deficiency for the last taxable year to which the loss described in new section 815(d)(5)(A) is carried under section 812(b)(2) may be assessed. The House recedes.

Amendment No. 5: This amendment adds a new subsection (c) to section 3 of the bill to add a new paragraph (6) to section 6511(d) of the code (relating to special rules applicable to limitations on credit or refund of overpayments of income taxes). Under paragraph (6), if a claim for credit or refund relates to an overpayment arising by operation of section 815(d)(5), the periods of limitation under section 6511 are not (in effect) to expire before the expiration of the 15th day of the 39th month following the end of the last taxable year to which the loss described in new section 815(d)(5)(A) is carried under section 812(b)(2). The new paragraph (6) also contains special rules comparable to other provisions in section 6511. The House recedes.

Amendments Nos. 6 and 7: These amendments add new subsections (d) and (e) to section 3 of the bill to amend sections 6601 (e) and 6611(f) of the code with respect to the computation of interest on underpayments which are reduced by operation of the new section 815(d)(5) and on overpayments which arise by operation of such new section. The House recedes.

Amendment No. 9: This adds a new section 4 to the bill amending section 815 of the code, relating to distributions to shareholders of life insurance companies. The substance of the change made by this amendment is contained in the new section 815(f)(3). Under this new provision, for purposes of section 815 the term "distribution" does not include any distribution of the stock of a controlled corporation to which section 355 of the code applies, if such controlled corporation is an insurance company subject to the tax imposed by section 831 of the code and if (1) control was acquired before January 1, 1958, or (2) control has been acquired after December 31, 1957 (A) in a transaction qualifying as a reorganization under section 368 (a)(1)(B), if the distributing corporation has at all times since December 31, 1957, owned stock representing not less than 50 percent of the total combined voting power of all classes of stock entitled to vote, and not less than 50 percent of the value of all classes of stock, of the controlled corporation, or (B) solely in exchange for stock of the distributing corporation which stock is immediately exchanged by the controlled corporation in a transaction qualifying as a reorganization under section 368(a)(1)

(A) or (C), if the controlled corporation has at all times since its organization been wholly owned by the distributing corporation and the distributing corporation has at all times since December 31, 1957, owned stock representing not less than 50 percent of the total combined voting power of all classes of stock entitled to vote, and not less than 50 percent of the value of all classes of stock, of the corporation the assets of which have been transferred to the controlled corporation in the section 368 (a)(1) (A) or (C) reorganization.

Under the amendment the new section 815(f)(3) is not to apply to that portion of the distribution of stock of the controlled corporation equal to the increase in the aggregate adjusted basis of such stock after December 31, 1957, except to the extent such increase results from an acquisition of stock in the controlled corporation in a transaction described in section 815(f)(3). The amendments made by section 4(a) of the bill apply to taxable years beginning after December 31, 1963.

The House recedes with amendments. Under the conference agreement, if any part of the increase in the aggregate adjusted basis of stock of the controlled corporation after December 31, 1957, results from the transfer (other than as part of a transaction described in sec. 815(f)(3)(B)) by the distributing corporation to the controlled corporation of property which has a fair market value in excess of its adjusted basis at the time of the transfer, section 815(f)(3) also is not to apply to that portion of the distribution equal to such excess.

Amendment No. 10: This amendment adds a new section 5 to the bill changing section 805(d)(1) of the code, relating to pension plan reserves of life insurance companies. Under existing law, the investment income of a life insurance company which is attributable to reserves for contracts purchased under pension and profit-sharing plans which are treated as qualified plans under section 401(a), or for retirement annuity contracts purchased by certain educational. etc., organizations described in section 501(c)(3) of the code, is not taxed. Under the amendment, the same tax treatment is provided for the investment income of a life insurance company attributable to reserves for contracts purchased to provide retirement annuities for employees at educational institutions by an employer which is a State, a political subdivision of a State, or any agency or instrumentality of any one or more of the foregoing. The amendment applies to taxable years beginning after December 31, 1963.

The House recedes.

Amendment No. 11: This amendment adds a new section 6 to the bill amending section 613(b) of the code, relating to percentage depletion. Under existing law, beryl produced from deposits within the United States has a percentage depletion rate of 23 percent, while other ores of beryllium (such as bertrandite, chrysoberyl, helvite, phenscite, and hambergite) have a percentage depletion rate of 15 percent. Under the amendment, the percentage depletion rate for all ores of beryllium produced from domestic deposits will be 23 percent. The amendment applies to taxable years beginning after December 31, 1963.

The House recedes.

Amendment No. 12: This amendment adds a new section 7 to the bill amending section 1212(a) of the code (relating to capital loss carryovers of corporations) to provide a 10-year carryover of certain foreign expropriation capital losses.

Under existing section 1212(a), the amount of any net capital loss is a short-term capital loss in each of the 5 succeeding taxable years to the extent that such amount exceeds the total of any net capital gains of any taxable years intervening between the loss year and such succeeding taxable year.

Under the Senate amendment, paragraph (1) of section 1212(a) provides that, in the case of a corporation which has a net capital loss for any taxable year all or any portion of which is attributable to a foreign expropriation capital loss, the portion of the net capital loss for such year attributable to the foreign expropriation capital loss is to be a short-term capital loss in each of the 10 succeeding taxable years. Paragraph (2) of the amended section 1212(a) contains a definition of the term "foreign expropriation capital loss", a rule for determining the portion of any net capital loss which is attributable to a foreign expropriation capital loss, and a rule for the priority of application where the net capital loss is attributable only in part to a foreign expropriation capital loss.

Under the amendment, the amended section 1212(a) is to apply with respect to net capital losses sustained in taxable years ending after December 31, 1958.

The House recedes.

Amendment No. 13: This amendment adds a new section 8 to the bill amending section 4216(b) of the code, which relates to constructive sales price for purposes of the manufacturers excise tax. Under existing section 4216(b) a constructive sales price, as distinct from the actual sales price, is used as a base for the various ad valorem excise taxes where an article is sold at retail, on consignment, at less than the fair market price (if the transaction is not at arm's length), and to retailers. In the case of sales at retail, paragraph (1) of section 4216(b) provides the general rule that the tax base shall be the actual sales price or if lower the highest price for which the articles are sold to wholesale distributors, in the ordinary course of trade, by manufacturers, producers, or importers. Paragraph (2) of section 4216(b) contains a special rule providing that under specified circumstances the tax base for articles sold at retail, to a retailer, or to a special dealer is to be the actual sales price or if lower the highest price for which the articles are sold by the manufacturer, producer, or importer to wholesale distributors (other than special dealers).

The Senate amendment amends both of these paragraphs to strike out "highest" and insert "lowest", effective with respect to articles sold on or after the first day of the first calendar quarter which begins more than 30 days after the date of the enactment of the bill.

The Senate recedes.

W. D. Mills,
Cecil R. King,
Hale Boggs,
John W. Byrnes,
Managers on the Part of the House.

Mr. MILLS. Mr. Speaker, this bill passed the House by unanimous consent some weeks ago and deals with the matter of the taxation of life insurance companies.

The bill as passed by the House contained three amendments relating to the taxation of life insurance companies. The first of these provisions was accepted without change.

The second amendment, relating to the tax treatment of capital gains for purposes of the so-called phase III tax, was amended by the Senate. However, the Senate amendment was rejected by the conferees and so the House version of this provision prevailed.

The third provision in the House bill relates to the tax treatment of the deductions for nonparticipating policies and group life and accident and health insurance premiums and also individual accident and health premiums. The House bill provides that, where the taxpayer received no benefit from these deductions, he was not to be required to include them in the account which would subject them to taxation when distributions were made to shareholders. The Senate modified this provision slightly to take care of a few cases which were inadvertently overlooked in the House bill. For that reason the House accepted these modifications.

In addition to the three provisions relating to life insurance companies contained in the original House bill, the Senate added two other amendments dealing with the taxation of life insurance companies.

The first of these provides that in certain cases a "spinoff" of stock of a subsidiary fire or casualty insurance company by a life insurance company is not to result in the imposition of a tax at the company level at the time of the distribution. This provision is restricted to give assurance that amounts will not be distributed in this manner which represent earnings and profits of the life insurance company accumulated on a tax-free basis since the adoption of the Life Insurance Company Income Tax Act of 1959. Your conferees accepted this amendment with technical modifications. This is a subject which we had under study but which we had concluded deserved favorable consideration.

Another life insurance company provision added by the other body provides that pension plan reserves of life insurance companies are to reflect the investment income of these companies attributable to retirement annuities of public school systems. The earnings on qualified pension plan reserves are free of tax at the life insurance company level under present law as also are the reserves attributable to pension plans established by exempt organizations. Your conferees agree that similar treatment should be accorded reserves on pension plans of public schoolteachers, especially since the tax treatment of these plans is the same at the level of the beneficiaries. For that reason your conferees accepted the amendment of the other body.

The other body also added three provisions not relating to life insurance companies. Your conferees accepted two of these provisions, but not the third.

Your conferees accepted an amendment of the other body providing percentage depletion at a 23-percent rate for ore of beryllium. Beryl which already is accorded 23-percent depletion formerly as the only source of beryllium. However, other ores are now used for that purpose and equity requires the same percentage depletion rates in all cases. For this reason your conferees agreed to the amendment of the other body.

Another amendment of the other body provided a 10-year rather than 5-year carryover for capital losses arising from expropriations of similar takings of property by foreign governments in the case of corporations. This 10-year loss carryover treatment is already available in the case of ordinary losses arising from expropriations in the case of corporations and also now is available with respect to all capital losses of individuals—except that in this latter losses may be even carried beyond 10 years.

Your conferees agreed with those of the other body, therefore, that this was a desirable amendment. As a result, your conferees have accepted this provision added to the bill by the other body.

Still another provision added by the other body dealt with the manner of computing the constructive sales price for purposes of manufacturers excise taxes. Your conferees thought that in view of the fact that the House Committee on Ways and Means presently is engaged in a study of excise tax recisions and deductions that it would be desirable to postpone this matter for further consideration in connection with the study by the Committee on these excise taxes. The Senate receded on this amendment.

Mr. Speaker, I urge the adoption of the conferees report on H.R. 5739.

Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Speaker, I concur in all that the chairman has said. I think it might be well for the RECORD to note that most of these are very, very technical amendments. But in all of them what the conferees have done has met the approval of the Treasury Department.

Mr. MILLS. That is true.

Mr. BYRNES of Wisconsin. That is, as far as the changes that have been made are concerned. And that is generally true of this conference report and the others we have up today involving our committee's bills, so the Members may know that they have passed the inspection of the technicians of the Treasury both from the standpoint of technical correctness and policy.

Mr. MILLS. And our own technicians.

Mr. BYRNES of Wisconsin. That is right.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

ACCRUED VACATION PAY

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H.R. 10467) to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement follow:

CONFERENCE REPORT (H. REPT. NO. 1844)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10467) to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 4, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: On page 3, lines 2 and 3, of the Senate engrossed amendments strike out ", acting through the Bureau of Public Roads,"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same.

W. D. MILLS,
CECIL R. KING,
HALE BOGGS,
JOHN W. BYRNES,
Managers on the Part of the House.

HARRY F. BYRD,
RUSSELL B. LONG,
GEO. A. SMATHERS,
JOHN WILLIAMS,
FRANK CARLSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10467) to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment provides that the value of the taxable estate of Carbon P. Dubbs (as otherwise determined under subchapter A of chapter 11 of the 1954 Code) shall be determined by deducting from the value of the gross estate the sum of $808,147.87, if cash and property equal to this sum are transferred within 60 days after the date of the enactment of the bill to the Department of State. The House recedes.

Amendment No. 2: This amendment authorizes the Commissioner of Internal Revenue to enter into a closing agreement under the 1954 Code in order to satisfy the requirements of a settlement, to which the United States is a party, in the probate proceedings relating to the estate of Anna Gould de Talleyrand. Under the closing agreement authorized by this amendment, certain deductions will be allowed in computing the taxable estate of Anna Gould de Talleyrand. The House recedes.

Amendment No. 3: This amendment authorizes and directs the Secretary of Commerce, acting through the Bureau of Public Roads, to investigate and study the feasibility of imposing taxes, on those transit and commuter systems which are the beneficiaries of Federal financial assistance under the Urban Mass Transportation Act of 1964 (Public Law 88–365), for the purpose of raising revenues to defray Federal expenditures under that act. The Secretary of Commerce is to report the results of the investigation and study, together with his recommendations, to the Committee on Ways and Means and the Committee on Finance not later than June 30, 1965. The House recedes with an amendment which strikes out the requirement that the Secretary of Commerce act through the Bureau of Public Roads.

Amendment No. 4: Section 318 of the 1954 Code provides rules of constructive ownership which are applicable in determining ownership of stock under certain provisions of the 1954 Code. Under existing law, stock constructively owned by a partnership, estate, trust, or corporation is considered as owned (in proportion to their interests) by the members of the partnership, the beneficiaries of the estate or trust, or a shareholder of the corporation who owns 50 percent or more of the stock of the corporation. Also under existing law, stock owned by a partner, a beneficiary of an estate or trust, or a 50 percent owner of the stock of a corporation is considered as owned by the partnership, estate, trust, or corporation. The combination of these two rules (known as "sidewise attribution") has the effect of treating stock owned by one member of a partnership, by one beneficiary of an estate or trust, or by one 50 percent owner of the stock of a corporation as being owned by the other partners, by the other beneficiaries of the estate or trust, or by another 50 percent owner of the stock of the corporation.

This amendment eliminates sidewise attribution. Thus, stock constructively owned by a partnership, estate, trust, or corporation (by reason of its being considered the owner of stock owned by a partner, a beneficiary of the estate or trust, or a 50 percent owner of the stock of the corporation) shall not be considered as owned by it for purposes of applying the rule which treats a partner, a beneficiary of an estate or trust, or a 50 percent owner of the stock of a corporation as owning proportionately the stock owned by the partnership, estate, trust, or corporation.

This amendment takes effect on the date of the enactment of the bill, except that, for purposes of sections 302 and 304 of the 1954 Code this amendment does not apply with respect to distributions in payment for stock acquisitions or redemptions, if such acquisitions or redemptions occurred before the date of the enactment of the bill.

The House recedes.

W. D. MILLS,
CECIL R. KING,
HALE BOGGS,
JOHN W. BYRNES,
Managers on the Part of the House.

Mr. MILLS. Mr. Speaker, the House passed this bill, H.R. 10467, some days ago by unanimous consent.

H.R. 10467 as passed by the House provides that a deduction for accrued vacation pay is not to be denied for any taxable year ending before January 1, 1967, solely because the liability for it to a specific person has not been fixed or because the liability for it to each individual cannot be computed with reasonable accuracy. However, for the corporation to obtain the deduction, the employee must have performed the qualifying service necessary under a plan or policy which provides for vacations with pay to qualified employees and the plan or policy must have been communicated to the employees involved before the beginning of the vacation year. This is a continuation for 2 more years of the treatment which has been available for taxable years ending before January 1, 1965.

The Senate accepted this provision without change.

In addition to the House-passed provision, the bill as passed by the other body contains four other amendments.

First, it provides that for purposes of the Federal estate tax, the taxable estate of Carbon P. Dubbs is to be determined by deducting from the gross estate (in addition to other deductions and exemptions otherwise allowable) the sum of $808,147.87 provided that cash in the amount of $779,699.17 and household furnishings and equipment with a fair market value of $28,448.70 are transferred within 60 days after the enactment of this bill to the U.S. Department of State.

Also, it is my understanding that we will save $7,200 a year which we now pay for our consul general's residence, since he will be using this property in the future.

The House conferees accepted this provision without change. It was clear after an examination of this provision that the Government was gaining on this transaction. The value of the property received by the Government as a result of this settlement will be $808,147.87, while the tax saving to the estate in this case is approximately $491,500.

Second, under the Senate amendments the Secretary of Commerce, through the Bureau of Public Roads, was to investigate and study the feasibility of imposing taxes on transit and commuter systems which are the beneficiaries of Federal financial assistance under the Urban Mass Transportation Act of 1964, for the purpose of raising revenues to defray Federal expenditures under that act. The result of this investigation and study together with the recommendations of the Secretary of Commerce are to be reported to the Committee on Finance of the Senate and the Committee on Ways and Means of the House no later than June 30, 1965. The House conferees agreed to this Senate amendment with a modification. The study referred to is still to be made by the Secretary of Commerce, but he is not required to make the study "through the Bureau of Public Roads."

Third, the Senate added an amendment relating to constructive ownership rules for stock for purposes of determining what is a dividend, as well as for certain other purposes. The amendment eliminates what is called the sidewise attribution rules. Under these sidewise attribution rules, for example, stock owned by a partner is treated as owned by the partnership and, in turn, other partners are treated as holding what the partnership is considered as holding. Substantially similar situations arise in the case of beneficiaries of a trust and shareholders in a corporation. The House conferees accepted this Senate amendment without change. I might add that the Ways and Means Committee a few years ago had an advisory committee on the corporate tax laws which also made a recommendation to eliminate these so-called sidewise attribution rules. However, we had not had the opportunity to propose legislation on this subject although the committee has favored the elimination of such rules. Therefore, the Senate action is in conformity with action which the Committee on Ways and Means otherwise would have proposed to this body at a later date.

Fourth, the Senate added an amendment authorizing the U.S. Government to settle litigation involving a contested will in accordance with a settlement agreement already worked out.

This relates to a settlement of litigation between the heirs of Anna Gould de Talleyrand, the National Trust for Historic Preservation—a quasi-governmental agency chartered by the United States—and the United States. Under the will, a historic mansion known as Lyndhurst in Tarrytown, N.Y., together with its furnishings was devised to the National Trust. However, a later codicil purports to cancel this bequest. A proposed settlement agreement between the United States, the National Trust for Historic Preservation, and the heirs of the estate has been reached to become effective upon the approval of Congress. This amendment authorizes the Commissioner of Internal Revenue to comply with this agreement and would constitute approval of his actions and of certain tax deductions specified in the settlement agreement.

The settlement agreement calls for the transfer to the National Trust of Lyndhurst with a value of $1.3 million, payment by the estate of $243,000 in fees and disbursements to attorneys for the National Trust and heirs in the will contest proceedings, and the deduction of these payments for the taxable estate resulting in an estate tax refund of approximately $133,000.

This is considered a good tax settlement by the Treasury Department, the Justice Department, and the attorneys for the estate. I should inform the House that this is a matter which was before the Joint Committee on Internal Revenue Taxation of which your House conferees are also members. The action taken by the Senate is in conformity with the recommendations of the Joint Committee on Internal Revenue Taxation.

Mr. Speaker, I urge the adoption of the conference report on H.R. 10467.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I will be glad to yield to the gentleman from Iowa.

Mr. GROSS. Is this property to which the gentleman refers in Puerto Rico?

Mr. MILLS. No; the first property was in Bermuda and the other property is located along the Hudson River in the State of New York.

Mr. GROSS. I thank the gentleman.

Mr. MILLS. Mr. Speaker, I ask unanimous consent to further extend my remarks in explanation of these four amendments.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT, DISTRICT OF COLUMBIA TEACHERS' SALARY ACT

Mr. McMILLAN. Mr. Speaker, I call up the conference report on the bill (H.R. 12196) to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to increase salaries, to adjust pay alinement, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1841)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12196) to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to increase salaries, to adjust pay alinement, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TITLE I—SALARY INCREASES FOR DISTRICT OF COLUMBIA POLICEMEN AND FIREMEN

"SEC. 101. Section 101 of the District of Columbia Police and Firemen's Salary Act of 1958 (72 Stat. 481), as amended, is amended to read as follows:

"'SEC. 101. The annual rates of basic compensation of the officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia shall be fixed in accordance with the following schedule of rates:

"'*Salary schedule*

"'Salary class and title	Service step					Longevity step			
	1	2	3	4	5	6	7	8	9
Class 1:									
Subclass (a)	$6,010	$6,330	$6,650	$6,970	$7,290	$7,610	$7,930	$8,250	$8,570
Fire private.									
Police private.									
Subclass (b)	6,300	6,620	6,940	7,260	7,580	7,900	8,220	8,540	8,860
Private assigned as:									
Technician I.									
Plainclothesman.[1]									
Subclass (c)	6,590	6,910	7,230	7,550	7,870	8,190	8,510	8,830	9,150
Private assigned as:									
Technician II.									
Station clerk.									
Motorcycle officer.									

See footnote at end of table.

" '*Salary schedule*—Continued

" 'Salary class and title	Service step					Longevity step			
	1	2	3	4	5	6	7	8	9
Class 2:									
Subclass (a)	$7,290	$7,610	$7,930	$8,250	----------	----------	$8,570	$8,890	$9,210
Fire inspector:									
Subclass (b)	7,580	7,900	8,220	8,540	----------	----------	8,860	9,180	9,500
Fire inspector assigned as: Technician I.									
Subclass (c)	7,870	8,190	8,510	8,830	----------	----------	9,150	9,470	9,790
Fire inspector assigned as: Technician II.									
Class 3	7,900	8,220	8,540	8,860	----------	----------	9,180	9,500	9,820
Assistant marine engineer. Assistant pilot. Detective.									
Class 4:									
Subclass (a)	8,185	8,505	8,825	9,145	----------	----------	9,465	9,785	10,105
Fire sergeant. Police sergeant.									
Subclass (b)	8,655	8,975	9,295	9,615	----------	----------	9,935	10,255	10,575
Detective sergeant.									
Subclass (c)	8,765	9,085	9,405	9,725	----------	----------	10,045	10,365	10,685
Police sergeant assigned as: Motorcycle officer.									
Class 5	10,000	10,400	10,800	11,200	----------	----------	11,600	12,000	----------
Fire lieutenant. Police lieutenant. Detective lieutenant.									
Class 6	11,000	11,400	11,800	12,200	----------	----------	12,600	13,000	----------
Marine engineer. Pilot.									
Class 7	12,000	12,500	13,000	13,500	----------	----------	14,000	14,500	----------
Fire captain. Police captain. Detective captain.									
Class 8	14,000	14,500	15,000	15,500	----------	----------	16,000	16,500	----------
Assistant superintendent of machinery. Battalion fire chief. Deputy fire marshal. Police inspector.									
Class 9:									
Subclass (a)	16,500	17,000	17,500	18,000	----------	----------	18,500	19,000	----------
Deputy fire chief. Deputy chief of police. Fire marshal. Superintendent of machinery.									
Subclass (b)	17,500	18,000	18,500	19,000	----------	----------	19,500	20,000	----------
Deputy chief assigned as the: Assistant fire chief. Police executive officer. Commanding officer of the White House Police. Commanding officer of the U.S. Park Police.									
Class 10	21,000	21,500	22,000	22,500	----------	----------	23,000	23,500	----------
Fire chief. Chief of police.									

" '[1] Service as such for over 60 consecutive calendar days.'

"SEC. 102. The rates of basic compensation of officers and members to whom the amendment made by section 101 of this title apply shall be adjusted in accordance with this section, and on and after the effective date of this title, section 2 of the Act approved October 24, 1962 (76 Stat. 1240), shall not apply to any such officer or member whose rate of basic compensation is so adjusted in accordance with this section. Such rates of basic compensation shall be adjusted as follows:

"(1) Except as otherwise provided in paragraph (2), each officer and member receiving basic compensation immediately prior to the effective date of this title at one of the scheduled service or longevity rates of a class or subclass in the salary schedule in the District of Columbia Police and Firemen's Salary Act of 1958, as amended, shall receive a rate of basic compensation at the corresponding scheduled service or longevity rate in effect on and after the effective date of this title.

"(2) Each private in service step 6, longevity step 7, or longevity step 8 in any subclass in class 1, upon completing a minimum of twenty-one years of continuous service as a private, including service in the Armed Forces of the United States but excluding any period of time determined not to have been satisfactory service, shall be advanced to longevity step 9 in class 1, and receive the appropriate scheduled rate of basic compensation for such step in the subclass in which he is serving.

"SEC. 103. Section 202(b) of the District of Columbia Police and Firemen's Salary Act of 1958 is amended by striking 'rescue squad, or fire department ambulance', and inserting in lieu thereof 'or rescue squad: *Provided*, That on and after the effective date of this proviso, privates in the Fire Department, while assigned as ambulance drivers may, in the discretion of the Commissioners, be placed in subclass (b) or subclass (c) of class 1 in accordance with section 302: *Provided further*, That any private assigned as an ambulance driver who on the effective date of this proviso is designated as "Technician 1" in subclass (b), class 1, shall continue in subclass (b), class 1, until action is taken to change his subclass placement in accordance with the preceding proviso or such assignment is terminated'.

"SEC. 104. Section 303(c) of such Act is amended by striking '(c), (d), or (e)' and inserting in lieu thereof 'or (c)'.

"SEC. 105. Section 401 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code sec. 4-832) is amended by adding at the end thereof the following new subsection:

" '(c) Notwithstanding any other provision of this or any other law, each deputy chief of the Metropolitan Police force and of the Fire Department of the District of Columbia shall, upon completion of thirty years of continuous service on the police force or fire department, as the case may be, including service in the Armed Forces of the United States, but excluding any period of time determined not to have been satisfactory service, be placed in, and receive basic compensation at, the highest longevity step in the class or subclass to which his position is assigned in the schedule of rates established by section 101 of this Act. Nothing in this subsection shall be construed to authorize the payment of any retroactive compensation.'

"SEC. 106. (a) Retroactive compensation or salary shall be paid by reason of this title only in the case of an individual in the service of the District of Columbia Government or of the United States (including service in the Armed Forces of the United States) on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to an officer or member of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, or the White House Police force, who retired during the period beginning on the first day of the first pay period which began on or after July 1, 1964, and ending on the date of enactment of this Act for services rendered during such period, and (2) in accordance with the provisions of the Act of August 3, 1950 (Public Law 636, Eighty-first Congress), as amended, for services rendered during the period beginning on the first day of the first pay period which began on or after July 1, 1964, and ending on the date of enactment of this Act by an officer or member who dies during such period.

"(b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.

"SEC. 107. For the purpose of determining the amount of insurance for which an officer or member is eligible under the Federal Employees' Group Life Insurance Act of 1954, all changes in rates of compensation or salary which result from the enactment of this title shall be held and considered to be effective as of the date of enactment of this Act.

"SEC. 108. The provisions of this title shall take effect on the first day of the first pay period beginning on or after July 1, 1964.

"TITLE II—SALARY INCREASES FOR TEACHERS, SCHOOL OFFICERS, AND OTHER EMPLOYEES OF THE BOARD OF EDUCATION

"SEC. 201. The Act entitled 'An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, and for other purposes', approved August 5, 1955 (69 Stat. 521, ch. 569), as amended, is amended as follows:

"(1) The first section is amended by striking all after the first sentence and inserting in lieu thereof the following salary schedules:

"Salary class and position	Service step 1	Service step 2	Service step 3	Service step 4	Service step 5	Service step 6	Service step 7	Service step 8	Service step 9
Class 1:									
Superintendent	$26,000								
Class 2:									
Deputy Superintendent	22,000								
Class 3:									
Assistant superintendent, president, teachers college	15,200	$15,485	$15,770	$16,055	$16,340	$16,625	$16,910	$17,195	$17,480
Class 4:									
Director, curriculum, dean, teachers college	13,450	13,735	14,020	14,305	14,590	14.875	15,160	15,445	15,730
Class 5:									
Group A, bachelor's degree	11,800	12,065	12.330	12,595	12,860	13,125	13,390	13,655	13,920
Group B, master's degree	12,300	12,565	12,830	13,095	13,360	13,625	13,890	14,155	14,420
Group C, master's degree plus 30 credit hours	12,500	12,765	13.030	13,295	13,560	13,825	14,090	14,355	14,620
Chief examiner.									
Director, food services.									
Director, industrial and adult education.									
Executive assistant to superintendent.									
Psychiatrist.									
Class 6:									
Group B, master's degree	11,865	12,130	12,395	12,660	12,925	13,190	13,455	13,720	13,985
Group C, master's degree plus 30 credit hours	12,065	12,330	12,595	12,860	13,125	13,390	13,655	13,920	14,185
Assistant to assistant superintendent (elementary schools).									
Assistant to assistant superintendent (junior and senior high schools).									
Principal, senior high school.									
Principal, junior high school.									
Principal, elementary school.									
Principal, vocational high school.									
Principal, Americanization School.									
Principal, boys' junior-senior high school.									
Principal, Capitol Page School.									
Principal, health school.									
Principal, laboratory school.									
Principal, veterans high school.									
Assistant to assistant superintendent (general research, budget, and legislation).									
Assistant to assistant superintendent (pupil appraisal, study, and attendance).									
Director, elementary education (supervision and instruction).									
Director, health, physical education, athletics, and safety.									
Executive assistant to deputy superintendent.									
Class 7:									
Group B, master's degree	10,990	11,255	11,520	11,785	12,050	12,315	12,580	12,845	13,110
Group C, master's degree plus 30 credit hours	11,190	11,455	11,720	11,985	12,250	12,515	12,780	13,045	13,310
Director, elementary education (administration).									
Director in elementary education.									
Director, special education.									
Class 8:									
Group B, master's degree	10,555	10,820	11,085	11,350	11,615	11,880	12,145	12,410	12,675
Group C, master's degree plus 30 credit hours	10,755	11,020	11,285	11,550	11,815	12,080	12,345	12,610	12,875
Dean of students, teachers college.									
Director, school attendance.									
Professor, teachers college.									
Registrar, teachers college.									
Supervising director, adult education and summer school.									
Supervising director, athletics.									
Supervising director, curriculum.									
Assistant principal, elementary school.									
Assistant principal, junior high school.									
Assistant principal, senior high school.									
Assistant principal, vocational high school.									
Assistant principal, Americanization school.									
Assistant principal, health school.									
Supervising director, elementary education (supervision and instruction).									
Supervising director, reading clinic.									
Supervising director, subject field.									
Class 9:									
Group A, bachelor's degree	9,615	9,880	10,145	10,410	10,675	10,940	11,205	11,470	11,735
Group B, master's degree	10,115	10,380	10,645	10,910	11,175	11,440	11,705	11,970	12,235
Group C, master's degree plus 30 credit hours	10,315	10,580	10,845	11,110	11,375	11,640	11,905	12,170	12,435
Assistant director, food services.									
Supervising director, audiovisual instruction.									
Class 10:									
Group B, master's degree	9,680	9,945	10,210	10,475	10,740	11,005	11,270	11,535	11,800
Group C, master's degree plus 30 credit hours	9,880	10,145	10.410	10,675	10,940	11,205	11,470	11,735	12,000
Assistant director, adult education and summer schools.									
Statistician.									
Class 11:									
Group B, master's degree	9,240	9,505	9,770	10,035	10,300	10,565	10,830	11,095	11,360
Group C, master's degree plus 30 credit hours	9,440	9,705	9,970	10,235	10,500	10,765	11,030	11,295	11,560
Assistant director, audiovisual.									
Assistant director, practical nursing.									
Assistant director, subject field.									
Associate professor, teachers college.									
Chief librarian, teachers college.									
Supervisor, elementary education.									

"Salary class and position	Service step 1	Service step 2	Service step 3	Service step 4	Service step 5	Service step 6	Service step 7	Service step 8	Service step 9
Class 12:									
Group B, master's degree	$8,805	$9,070	$9,335	$9,600	$9,865	$10,130	$10,395	$10,660	$10,925
Group C, master's degree plus 30 credit hours	9,005	9,270	9,535	9,800	10,065	10,330	10,595	10,860	11,125
Chief attendance officer.									
Clinical psychologist.									
Class 13:									
Group B, master's degree	7,900	8,225	8,550	8,875	9,200	9,525	9,850	10,175	10,500
Group C, master's degree plus 30 credit hours	8,100	8,425	8,750	9,075	9,400	9,725	10,050	10,375	10,700
Assistant professor, teachers college.									
Assistant professor, laboratory school.									
Psychiatric social worker.									

"Salary class and position	Service step 1	Service step 2	Service step 3	Service step 4	Service step 5	Service step 6	Service step 7	Service step 8
Class 14:								
Group A, bachelor's degree	$6,440	$6,710	$6,980	$7,250	$7,520	$7,790	$8,060	$8,330
Group B, master's degree	6,940	7,210	7,480	7,750	8,020	8,290	8,560	8,830
Group C, master's degree plus 30 credit hours	7,140	7,410	7,680	7,950	8,220	8,490	8,760	9,030
Class 15:								
Group A, bachelor's degree	5,350	5,620	5,890	6,125	6,360	6,595	6,830	7,065
Group B, master's degree	5,850	6,120	6,390	6,625	6,860	7,095	7,330	7,565
Group C, master's degree plus 30 credit hours	6,050	6,320	6,590	6,825	7,060	7,295	7,530	7,765
Attendance officer.								
Child labor inspector.								
Counselor, placement.								
Librarian, elementary and secondary schools.								
Librarian, teachers college.								
Research assistant.								
School social worker.								
Speech correctionist.								
Coordinator of practical nursing.								
Teacher, elementary and secondary schools.								
Census supervisor.								
Counselor, elementary and secondary schools.								
Instructor, teachers college.								
Instructor, laboratory school.								
School psychologist.								

"Salary class and position	Service step 9	Service step 10	Service step 11	Service step 12	Service step 13	Longevity step X	Longevity step Y
Class 14:							
Group A, bachelor's degree	$8,600	$8,870	$9,140	$9,410	$9,680		
Group B, master's degree	9,100	9,370	9,640	9,910	10,180		
Group C, master's degree plus 30 credit hours	9,300	9,570	9,840	10,110	10,380		
Class 15:							
Group A, bachelor's degree	7,300	7,535	7,770	8,005	8,240	$8,795	$9,350
Group B, master's degree	7,800	8,035	8,270	8,505	8,740	9,295	9,850
Group C, master's degree plus 30 credit hours	8,000	8,235	8,470	8,705	8,940	9,495	10,050".
Attendance officer.							
Child labor inspector.							
Counselor, placement.							
Librarian, elementary and secondary schools.							
Librarian, teachers college.							
Research assistant.							
School social worker.							
Speech correctionist.							
Coordinator of practical nursing.							
Teacher, elementary and secondary schools.							
Census supervisor.							
Counselor, elementary and secondary schools.							
Instructor, teachers college.							
Instructor, laboratory school.							
School psychologist.							

"(2) Subsection (a) of section 6 is amended by striking '(a)' and inserting in lieu thereof '(a) (1)', and by adding the following paragraph at the end thereof:

"'(2) Any teacher who was promoted from the salary class originally designated Salary Class 18 under this Act (redesignated as Salary Class 15 by amendments effective on January 1, 1963), if such promotion occurred after June 30, 1958, and prior to January 1, 1963, and who on the effective date of this paragraph occupies the same position to which he was promoted during such period shall be assigned to the numerical service step in his class, or class and group to which he would have been assigned had he been promoted on or after January 1, 1963.'

"(3) Section 13 is amended by striking 'evening schools' wherever it appear in such section and inserting in lieu thereof 'adult education schools', and by amending the schedule of pay rates contained in subsection (a) of such section to read as follows:

" 'Classification	Step 1	Step 2	Step 3
	Per diem		
SUMMER SCHOOL (REGULAR)			
Teacher, elementary and secondary schools, and instructor, District of Columbia Teachers College	$20.97	$23.18	$25.29
Assistant professor, District of Columbia Teachers College	25.16	28.82	30.35
Associate professor, District of Columbia Teachers College	27.26	30.13	32.88
Assistant principal, elementary and secondary schools	30.41	33.61	36.67
Supervising director, and professor, District of Columbia Teachers College	30.41	33.61	36.67

" 'Classification	Step 1	Step 2	Step 3
	Per diem		
SUMMER SCHOOL, ETC.—con.			
Principal, elementary and secondary schools	$33.55	$37.09	$40.46
	Per period		
VETERANS SUMMER HIGH SCHOOL CENTERS			
Teacher	$31.46	$34.77	$37.94
ADULT EDUCATION SCHOOLS			
Teacher	5.13	5.67	6.18
Assistant principal	7.44	8.22	8.96
Principal	8.21	9.07	9.89'.

"SEC. 202. The third sentence of section 9(b)(3) of the Act entitled 'An Act for the retirement of public school teachers in the District of Columbia', approved August 7, 1946, as amended, is amended by striking 'on the day after the employee dies' and inserting in lieu thereof 'on the first day of the month following the teacher's death'.

"SEC. 203. (a) Retroactive compensation or salary shall be paid by reason of this title only in the case of an individual in the service of the Board of Education of the District of Columbia (including service in the Armed Forces of the United States) on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to any employee covered in this Act who retired during the period beginning on the day following the first day of the first pay period which began on or after July 1, 1964, and ending on the date of enactment of this Act for services rendered during such period, and (2) in accordance with the provisions of the Act of August 3, 1950 (Public Law 636, Eighty-first Congress), as amended, for services rendered during the period beginning on the first day of the first pay period which began on or after July 1, 1964, and ending on the date of enactment of this Act by any such employee who dies during such period.

"(b) For purposes of this section, service in the Armed Forces of the United States in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the municipal government of the District of Columbia.

"SEC. 204. For the purpose of determining the amount of insurance for which an individual is eligible under the Federal Employees' Group Life Insurance Act of 1954, as amended, all changes in rates of compensation or salary which result from the enactment of this title shall be held and considered to be effective as of the date of enactment of this Act.

"SEC. 205. The provisions of this title shall take effect on the first day of the first pay period beginning on or after July 1, 1964."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same.

JOHN L. MCMILLAN,
JOHN DOWDY,
BASIL L. WHITENER,
FRANK HORTON,
WM. H. HARSHA,
Managers on the Part of the House.

ALAN BIBLE,
TOM MCINTYRE,
GLENN BEALL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12196) to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to increase salaries, to adjust pay alinement, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House passed both H.R. 12196 which amended the District of Columbia Police and Firemen's Salary Act of 1958 to provide an average salary increase for policemen and firemen of the District of Columbia of 8.9 percent, and H.R. 12042 which amended the District of Columbia Teachers' Salary Act of 1955 to provide an overall increase of approximately 5 percent in the salaries of professional personnel in the District of Columbia public school system.

The Senate struck out all after the enacting clause of H.R. 12196 and substituted a new text. The Senate substitute contains two titles. Title I of the Senate substitute is the same as H.R. 12196 except that (1) the commanding officers of the White House Police and the Park Police are not included in the salary schedule, and (2) there is no provision for advancing deputy chiefs of the Metropolitan Police force and the Fire Department of the District of Columbia with 30 years of continuous service to the highest longevity step for that position for salary purposes. Title II of the Senate substitute is the same as H.R. 12042 except that the salary schedule for teachers provides an overall increase of approximately 8 percent.

Except for technical and conforming changes, title I of the conference substitute is identical to H.R. 12196, as passed the House. Title II of the conference substitute is identical to H.R. 12042, as passed the House, except that the teachers salary schedule provides an overall increase of approximately 7 percent. This represents a 2-percent increase over the salary schedule contained in H.R. 12042, as passed the House, and a decrease of 1 percent in the salary schedule provided in title II of the Senate substitute.

The conferees jointly agreed that the problem of the high percentage of temporary noncertified teachers (those who have neither taken nor passed the national teachers' examination) in the District of Columbia should be studied in the next Congress. This percentage has grown to 37.1 percent of all teachers in the District schools.

JOHN L. MCMILLAN,
JOHN DOWDY,
BASIL WHITENER,
FRANK HORTON,
WM. H. HARSHA,
Managers on the Part of the House.

Mr. McMILLAN. Mr. Speaker, your conferees are much concerned over the problems existing in the Washington schools by reason of the steadily increasing number of temporary, noncertified teachers, 1,625 teachers out of 4,461 in the school system, or about 37.1 percent of the teachers.

The District Committee's concern, of course, is with the pupil and his achievements, and it is the belief of your committee that regardless of what amounts of money are spent on buildings—over $50 million in the last 10 years in the District of Columbia—and what amounts are spent on salaries of teachers and administrative costs, the pupil is the loser if competent and qualified teachers are not employed.

The percentage of temporary teachers in the District of Columbia public school system who had not qualified by taking the national examination and therefore were not certified was 15.5 percent in 1954. In the school year just ended, this percentage has jumped to 37.1 percent.

The granting of the same pay increases to such temporary, noncertified teachers as is given to those who are fully qualified and have certification does not encourage the recruitment of qualified teachers or provide any incentive to those temporary, noncertified teachers to achieve qualifications enabling them to become certificated.

A thorough investigation into this whole subject in the next Congress will be made. The conferees on the part of both the Senate and the House agreed that such an investigation should be made early in the next Congress to determine whether separate salary schedules should be made applicable to temporary, noncertified teachers so as to provide a pay system which will provide incentive to these temporary, noncertified teachers to achieve professional status through so qualifying.

Percentage of temporary teachers in District of Columbia public school system, 1954–64

Year:	Percent
1963–64	37.1
1962–63	33.3
1961–62	32.1
1960–61	29.4
1959–60	28.6
1958–59	25.7
1957–58	22.2
1956–57	19.1
1955–56	16.4
1954–55	15.5

During this same 10-year period, salary increases for the various categories of District of Columbia government employees have totaled as follows:

	Percent
Teachers	[1] 47.0
Police and firemen	[1] 40.4
Classified employees	34.6

[1] These figures, of course, do not reflect the 7 percent increase to teachers just approved, and the 8.9 percent to police and firemen.

Thus, the teachers of the District of Columbia have enjoyed the greatest percentage increase in salary among all District of Columbia government employees over the past 10 fiscal years, and yet they comprise the only category of District of Columbia employees whose quality and qualifications have decreased during this period of time. Further, no other school jurisdiction in the Washington area has an appreciable number of temporary teachers.

There appears, therefore, to be no correlation between the District of Columbia teachers' salaries—which have kept pace not only with similar salaries in the metropolitan area but also among those of all the major U.S. cities—and the availability of qualified teachers for the city's public school system.

Mr. McMILLAN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA HOSPITALIZATION OF THE MENTALLY ILL ACT

Mr. WHITENER. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 935) to protect the constitutional rights of certain individuals who are mentally ill, to provide for their care, treatment, and hospitalization, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "District of Columbia Hospitalization of the Mentally Ill Act".

DEFINITIONS

SEC. 2. As used in this Act—

(1) the term "mental illness" means any psychosis or other disease which substantially impairs the mental health of an individual;

(2) the term "mentally ill person" means any person who has a mental illness;

(3) the term "physician" means an individual licensed under the laws of the District of Columbia to practice medicine, or an individual who practices medicine in the employment of the Government of the United States or of the District of Columbia;

(4) the term "private hospital" means any nongovernmental hospital or institution, or part thereof, in the District of Columbia, equipped and qualified to provide inpatient care and treatment for any individual suffering from a physical or mental illness;

(5) the term "public hospital" means any hospital or institution, or part thereof, in the District of Columbia, owned and operated by the Government of the United States or of the District of Columbia, equipped and qualified to provide inpatient care and treatment for any individual suffering from a physical or mental illness;

(6) the term "administrator" means an individual in charge of a public or private hospital or his delegate; and

(7) the term "chief of service" means the physician charged with overall responsibility for the professional program of care and treatment in the particular administrative unit of the hospital to which the patient has been admitted or such other member of the medical staff as shall be designated by the chief of service.

COMMISSION ON MENTAL HEALTH

SEC. 3. The United States District Court for the District of Columbia (hereinafter referred to as the "court") is authorized to appoint a Commission on Mental Health, composed of nine members. One member shall be a member of the bar of such court, who has engaged in active practice of law in the District of Columbia for a period of at least five years prior to his appointment. He shall be the Chairman of the Commission and act as the administrative head of the Commission and its staff. He shall preside at all hearings and direct all of the proceedings before the Commission. He shall devote his entire time to the work of the Commission. Eight members of the Commission shall be physicians who have been practicing medicine in the District of Columbia and who have had not less than five years' experience in the diagnosis and treatment of mental illnesses. Each member of the Commission shall hold office for four years, the appointments of physician members to be staggered. The physician members shall serve on a part-time basis and shall be rotated by assignment of the chief judge of the court, so that at any one time the Commission shall consist of the Chairman and two physician members. Physician members of the Commission may practice their profession during their tenure of office, but may not participate in the disposition of the case of any person in which they have rendered professional service or advice. The court shall also appoint an alternate lawyer member who shall serve on a part-time basis and act as Chairman in the absence of the permanent Chairman. The salaries of the members of the Commission and its employees shall be fixed in accordance with the provisions of the Classification Act of 1949, as amended. The alternate Chairman shall be paid on a per diem basis at the same rate of compensation as fixed for the permanent Chairman. It shall be the duty of the Commission on Mental Health to examine alleged mentally ill persons, inquire into their affairs and the affairs of persons who may be legally liable for their support, and to make reports and recommendations to the court. Except as otherwise provided in this Act, the Commission may conduct its examinations and hearings either at the courthouse or elsewhere at its discretion. The court may issue subpenas at the request of the Commission returnable before the Commission, for the appearance of the alleged mentally ill person, witnesses, and persons who may be liable for the support of the mentally ill person. The Commission, or any of the members thereof, shall be competent and compellable witnesses at any trial, hearing, or other proceeding conducted pursuant to this Act and the physician-patient privilege shall not be applicable.

VOLUNTARY HOSPITALIZATION

SEC. 4. (a) Any individual may apply to any public or private hospital in the District of Columbia for admission to such hospital as a voluntary patient for the purposes of observation, diagnosis, and care and treatment of a mental illness. Upon the request of any such individual eighteen years of age or over (or in the case of any individual under eighteen years of age, upon a request made by his spouse, parent, or legal guardian), the administrator of a public hospital shall, if an examination by an admitting psychiatrist at such public hospital reveals the need for such hospitalization, and the administrator of a private hospital may, admit any such individual as a voluntary patient to such hospital for observation, diagnosis, and care and treatment of a mental illness in accordance with the provisions of this Act.

(b) Any voluntary patient admitted to any hospital pursuant to this section shall, if he is eighteen years of age or over, be entitled at any time to obtain his release from such hospital by filing a written request with the chief of service. The chief of service shall, within a period of forty-eight hours after the receipt of any such request (unless such period shall expire on a Saturday, Sunday, or legal holiday, then not later than noon of the next succeeding day which is not a Saturday, Sunday, or legal holiday), release the voluntary patient making such request. In the case of any voluntary patient under the age of eighteen years, the chief of service shall release such patient, according to the provisions of this section, upon the written request of his spouse, parent, or legal guardian. The chief of service may release any voluntary patient hospitalized pursuant to this section whenever he determines that such patient has recovered or that his continued hospitalization is no longer beneficial to him or advisable.

HOSPITALIZATION OF NONPROTESTING PERSONS

SEC. 5. (a) A friend or relative of an individual believed to be suffering from a mental illness may make application on behalf of that individual to the admitting psychiatrist of any hospital by presenting the individual, together with a referral from a practicing physician. Such individual may be accepted for examination and treatment by any private hospital and shall be accepted for examination and treatment by any public hospital if, in the judgment of the admitting psychiatrist, the need for such is indicated on the basis of the individual's mental condition and such individual signs a statement at the time of such admission stating that he does not object to hospitalization. Such statement shall contain in simple, nontechnical language the fact that the individual is to be hospitalized and a description of the right to release set out in subsection (b) of the section. The admitting psychiatrist may admit such an individual without referral from a practicing physician if the need for an immediate admission is apparent to the admitting psychiatrist upon preliminary examination.

(b) Any person hospitalized under the provisions of subsection (a) of this section shall be immediately released upon his written request unless proceedings for hospitalization under court order pursuant to section 7 have been initiated.

EMERGENCY HOSPITALIZATION

SEC. 6. (a) Any duly accredited officer or agent of the Department of Public Health of the District of Columbia, or any officer authorized to make arrests in the District of Columbia, or the family physician of the individual in question, who has reason to believe that an individual is mentally ill and, because of such illness, is likely to injure himself or others if he is not immediately detained may, without a warrant, take such individual into custody, transport him to a public or private hospital, and make application for his admission thereto for purposes of emergency observation and diagnosis. Such application shall reveal the circumstances under which the individual was taken into custody and the reasons therefor.

(b) Subject to the provisions of subsection (c) of this section, the administrator of any private hospital, may, and the administrator of any public hospital shall, admit and detain for purposes of emergency observation and diagnosis any individual with respect to whom such application is made, if such application is accompanied by a certificate of a psychiatrist on duty at such hospital stating that he has examined the individual and is of the opinion that he has symptoms of a mental illness and, as a result thereof, is likely to injure himself or others unless he is immediately hospitalized; not later than twenty-four hours after the admission pursuant to this section of any individual to a hospital, the administrator of such hospital shall serve notice of such admission, by registered mail, to the spouse, parent, or legal guardian of such individual and to the Commission on Mental Health.

(c) No individual admitted to any hospital under subsection (b) of this section shall be detained in such hospital for a period in excess of forty-eight hours from the time of his admission (unless such period shall expire on a Saturday, Sunday, or legal holiday, then not later than noon of the next succeeding day which is not a Saturday, Sunday, or legal holiday) unless the administrator of such hospital has, within such period, filed a written petition with the court for an order authorizing the continued hospitalization of such individual for emergency observation and diagnosis for a period not to exceed seven days from the time such order is entered.

(d) The court shall, within a period of twenty-four hours after the receipt by it of such petition (unless such period shall expire on a Saturday, Sunday, or legal holiday, then not later than noon of the next succeeding day which is not a Saturday, Sunday, or legal holiday) either order the hospitalization of such individual for emergency observation and a diagnosis for a period of not to exceed seven days from the time such order is entered, or order his immediate release. In making its determination, the court shall consider the written reports of the agent, officer, or physician who made the application under subsection (b) of this section, the certificate of the examining psychiatrist which accompanied it, and any other relevant information.

(e) Any individual whose continued hospitalization is ordered under subsection (d) of this section shall be entitled upon his request to a hearing before the court entering such order. Any such hearing so requested shall be held within a period of twenty-four hours after receipt of such request (unless such period shall expire on a Saturday, Sunday, or legal holiday, then not later than noon of the next suceeding day which is not a Saturday, Sunday, or legal holiday).

(f) The chief of service of any hospital in which an individual is hospitalized under a court order entered pursuant to subsection (d) of this section shall, within forty-eight hours after such order is entered, have such individual examined by a physician. If the physician, after his examination, certifies that in his opinion the individual is not mentally ill to the extent that he is likely to injure himself or others if not presently detained, the individual shall be immediately released. The chief of service shall, within forty-eight hours after such examination has been completed, send a copy of the results thereof by registered mail to the spouse, parents, attorney, legal guardian, or nearest known adult relative of the individual examined.

(g) Any physician or psychiatrist making application or conducting an examination under this Act shall be a competent and compellable witness at any trial, hearing, or other proceeding conducted pursuant to this Act and the physician-patient privilege shall not be applicable.

(h) Notwithstanding any other provision of this section, the administrator of any hospital in which an individual is hospitalized under this section may, if judicial proceedings for his hospitalization have been commenced under section 7 of this Act, detain such individual therein during the course of such proceedings.

HOSPITALIZATION UNDER COURT ORDER

SEC. 7. (a) Proceedings for the judicial hospitalization of any individual in the District of Columbia may be commenced by the filing of a petition with the Mental Health Commission by his spouse, parent, or legal guardian, by any physician, duly accredited officer or agent of the Department of Public Health, or by any officer authorized to make arrest in the District of Columbia. Such petition shall be accompanied (1) by a certificate of a physician stating that he has examined the individual and is of the opinion that such individual is mentally ill, and because of such illness is likely to injure himself or others if allowed to remain at liberty, or (2) by a sworn written statement by the petitioner that (A) the petitioner has good reason to believe that such individual is mentally ill and, because of such illness, is likely to injure himself or others if allowed to remain at liberty, and (B) that such individual has refused to submit to examination by a physician.

(b) Within three days after the receipt by it of any petition filed under subsection (a) of this section, the Commission shall send a copy of such petition by registered mail to the individual with respect to whom it was filed.

(c) The Commission shall promptly examine any individual alleged to be mentally ill after the filing of a petition provided by subsection (a) of this section and shall thereafter promptly hold a hearing on the issue of his mental illness. Such hearing shall be conducted in as informal a manner as may be consistent with orderly procedure and in a physical setting not likely to have a harmful effect on the mental health of the individual named in such petition. In conducting such hearing, the Commission shall hear testimony of any person whose testimony may be relevant and shall receive all relevant evidence which may be offered. Any individual with respect to whom a hearing is held under this section shall be entitled, in his discretion, to be present at such hearing, to testify, and to present and cross-examine witnesses. The Commission shall also hold a hearing in order to determine liability under the provisions of subsection (g) of this section for the expenses of hospitalization of the alleged mentally ill person, if it is determined that he is mentally ill and should be hospitalized as provided under this Act. Such hearing may be conducted separately from the hearing on the issue of mental illness. If conducted separately, it may be conducted by the Chairman of the Commission alone.

(d) The alleged mentally ill person shall be represented by counsel in any proceeding before the Commission or the court, and if he fails or refuses to obtain counsel, the court shall appoint counsel to represent him. Any counsel so appointed shall be awarded compensation by the court for his services in an amount determined by it to be fair and reasonable. Such compensation shall be charged against the estate of the individual for whom such counsel was appointed, or against any unobligated funds of the Commission, as the court in its discretion may direct. The Commission or the court, as the case may be, shall, at the request of any counsel so appointed, grant a recess in such proceeding (but not for more than five days) to give such counsel an opportunity to prepare his case.

(e) If the Commission finds, after such hearing, that the individual with respect to whom such hearing was held is not mentally ill or if mentally ill, is not mentally ill to the extent that he is likely to injure himself or others if allowed to remain at liberty, the Commission shall immediately order his release and notify the court of that fact in writing. If the Commission finds, after such hearing, that the individual with respect to whom such hearing was held is mentally ill, and because of such illness is likely to injure himself or others if allowed to remain at liberty, the Commission shall promptly report such fact, in writing, to the United States District Court for the District of Columbia. Such report shall contain the Commission's findings of fact, conclusions of law, and recommendations. Any alleged mentally ill person with respect to whom such report is made shall have the right to demand a jury trial and shall be advised of that right by the Commission orally and in writing. A copy of the report of the Commission shall be served personally on the alleged mentally ill person and his attorney.

(f) Upon the receipt by the court of any such report referred to in subsection (e), the court shall promptly set the matter for hearing and shall cause a written notice of the time and place of the final hearing to be served personally upon the individual with respect to whom such report was made and his attorney, together with notice that he has five days following the date on which he is so served within which to demand a jury trial. Any such demand may be made by such individual or by anyone in his behalf. If a jury trial is demanded within such five-day period, it shall be accorded by the court with all reasonable speed. If no timely demand is made for such trial, the court shall determine such individual's mental condition on the basis of the report of the Commission, or on such further evidence in addition to such report as the court may require. If the court or jury (as the case may be) finds that such individual is not mentally ill, the court shall dismiss the petition and order his release. If the court or jury (as the case may be) finds that such individual is mentally ill and, because of that illness, is likely to injure himself or others if allowed to remain at liberty, the court may order his hospitalization for an indeterminate period, or order any other alternative course of treatment which the court believes will be in the best interests of such individual or of the public. The Commission, or any member thereof, shall be competent and compellable witnesses at any hearing or jury trial held pursuant to this Act. The jury to be used in any case where a jury trial is demanded under this Act shall be impaneled, upon order of the court, from the jurors in attendance upon other branches of the court, who shall perform such services in addition to and as part of their duties in such court.

(g) The father, mother, husband, wife, and adult children of a mentally ill person, if of sufficient ability, and the estate of such mentally ill person, if such estate is sufficient for the purpose, shall pay the cost to the District of Columbia of such mentally ill person's maintenance, including treatment, in any hospital in which such person is hospitalized under this Act. It shall be the duty of the Commission to examine, under oath, the father, mother, husband, wife, and adult children of any alleged mentally ill person whenever such relatives live within the District of Columbia, and to ascertain the ability of such relatives or estate to maintain or contribute toward the maintenance of such mentally ill person; except that in no case shall such relatives or estate be required to pay more than the actual cost to the District of Columbia of maintenance of such alleged mentally ill person. If any individual hereinabove made liable for the maintenance of a mentally ill person shall fail so to provide or pay for such maintenance, the court shall issue to such individual a citation to show cause why he should not be adjudged to pay a portion or all of the expenses of maintenance of such patient. The citation shall be served at least ten days before the hearing thereon. If, upon such hearing, it shall appear to the court that the mentally ill person has not sufficient estate out of which his maintenance may properly be fully met and that he has relatives of the degree hereinabove referred to who are parties to the proceedings, and who are able to contribute thereto, the court may make an order requiring payment by such relative of such sum or sums as it may find they are reasonably able to pay and as may be necessary to provide for the maintenance and treatment of such mentally ill person. Such order shall require the payment of such sums to the Department of Public Health annually, semiannually, or quarterly as the court may direct. It shall be the duty of the Department to collect such sums due under this section, and to turn the same into the Treasury of the United States to the credit of the District of Columbia. Any such order may be enforced against any property of the mentally ill person or of the individual liable or undertaking to maintain him in the same way as if it were an order for temporary alimony in a divorce case.

(h) No petition, application, or certificate authorized under sections 6(a) and 7(a) of this Act may be considered if made by a physician who is related by blood or marriage to the alleged mentally ill person, or who is financially interested in the hospital in which the alleged mentally ill person is to be detained, or, except in the case of physicians employed by the United States or the District of Columbia, who are professionally or officially connected with such hospital. No such petition, application, or certificate of any physician shall be considered unless it is based on personal observation and examination of the alleged mentally ill person made by such physician not more than seventy-two hours prior to the making of the petition, application, or certificate. Such certificate shall set forth in detail the facts and reasons on which such physician based his opinions and conclusions.

PERIODIC EXAMINATION AND RELEASE

SEC. 8. (a) Any patient hospitalized pursuant to a court order obtained under section 7 of this Act, or his attorney, legal guardian, spouse, parent, or other nearest adult relative, shall be entitled, upon the expiration of ninety days following such order and not more frequently than every six months thereafter, to request, in writing, the chief of service of the hospital in which the patient is hospitalized, to have a current examination of his mental condition made by one or more physicians. If the request is timely it shall be granted. The patient shall be entitled, at his own expense, to have any duly qualified physician participate in such examination. In the case of any such patient who is indigent, the Department of Public Health shall, upon the written request of such patient, assist him in obtaining a duly qualified physician to participate in such examination in the patient's behalf. Any such physician so obtained by such indigent patient shall be compensated for his services out of any unobligated funds of such Department in an amount determined by it to be fair and reasonable. If the chief of service, after considering the reports of the physicians conducting such examination, determines that the patient is no longer mentally ill to the extent that he is likely to injure himself or others if not hospitalized, the chief of service shall order the immediate release of the patient. However, if the chief of service, after considering such reports, determines that such patient continues to be mentally ill to the extent that he is likely to injure himself or others if not hospitalized, but one or more of the physicians participating in such examination reports that the patient is not mentally ill to such extent, the patient may petition the court for an order directing his release. Such petition shall be accompanied by the reports of the physicians who conducted the examination of the patient.

(b) In considering such petition, the court shall consider the testimony of the physicians who participated in the examination of such patient, and the reports of such physicians accompanying the petition. After considering such testimony and reports, the court shall either (1) reject the petition and order the continued hospitalization of the patient, or (2) order the chief of service to immediately release such patient. Any physician participating in such examination shall be a competent and compellable witness at any trial or hearing held pursuant to this Act.

(c) The chief of service of a public or private hospital shall as often as practicable, but not less often than every six months, examine or cause to be examined each patient admitted to any such hospital pursuant to section 7 of this Act and if he determines on the basis of such examination that the conditions which justified the involuntary hospitalization of such patient no longer exist, the chief of service shall immediately release such patient.

(d) Nothing in this section shall be construed to prohibit any person from exercising any right presently available to him for obtaining release from confinement, including the right to petition for a writ of habeas corpus.

RIGHT TO COMMUNICATION—EXERCISE OF CERTAIN RIGHTS

SEC. 9. (a) Any person hospitalized in a public or private hospital pursuant to this Act shall be entitled (1) to communicate by sealed mail or otherwise with any individual or official agency inside or outside the hospital, and (2) to receive uncensored mail from his attorney or personal physician. All other incoming mail or communications may be read before being delivered to the patient, if the chief of service believes such action is necessary for the medical welfare of the patient who is the intended recipient. However, any mail or other communication which is not delivered to the patient for whom it is intended shall be immediately returned to the sender. But nothing in this section shall prevent the administrator from making reasonable rules regarding visitation hours and the use of telephone and telegraph facilities.

(b) Any person hospitalized in a public hospital for a mental illness shall, during his hospitalization, be entitled to medical and psychiatric care and treatment. The administrator of each public hospital shall keep records detailing all such care and treatment received by any such person and such records shall be made available, upon that person's written authorization, to his attorney or personal physician. Such records shall be preserved by the administrator until such person has been discharged from the hospital.

(c) No mechanical restraint shall be applied to any patient hospitalized in any public or private hospital for a mental illness unless the use of restraint is prescribed by a physician and, if so prescribed, such retraint shall be removed whenever the condition justifying its use no longer exists. Any use of a mechanical restraint, together with the reasons therefor, shall be made a part of the medical record of the patient.

(d) No patient hospitalized pursuant to this Act shall, by reason of such hospitalization, be denied the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, vote, and hold a driver's license, unless such patient has been adjudicated incompetent by a court of competent jurisdiction and has not been restored to legal capacity. If the chief of service of the public or private hospital in which any such patient is hospitalized is of the opinion that such patient is unable to exercise any of the aforementioned rights, the chief of service shall immediately notify the patient and the patient's attorney, legal guardian, spouse, parents, or other nearest known adult relative, of that fact.

(e) Any individual in the District of Columbia who, by reason of a judicial decree ordering his hospitalization entered prior to the date of the enactment of this Act, is considered to be mentally incompetent and is denied the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, vote, or hold a driver's license solely by reason of such decree, shall, upon the expiration of the one-year period immediately following such date of enactment, be deemed to have been restored to legal capacity unless, within such one-year period, affirmative action is commenced to have such individual adjudicated mentally incompetent by a court of competent jurisdiction.

(f) Any patient, and the patient's spouse, parents, or other nearest known adult relative, shall receive, upon admission of the patient to the hospital, a written statement outlining in simple, nontechnical language all release procedures provided by this Act, setting out all rights accorded to patients by this Act, and describing procedures provided by law for adjudication of incompetency and appointment of trustees or committees for the hospitalized individual.

VETERANS' ADMINISTRATION FACILITIES

SEC. 10. Nothing in this Act shall be construed to require the admission of any individual to any Veterans' Administration or military hospital facility unless such individual is otherwise eligible for care and treatment in such facility.

PENALTIES

SEC. 11. (a) Any individual who, (1) without probable cause for believing a person to be mentally ill, causes or conspires with or assists another to cause the hospitalization of any such person under this Act, or (2) causes or conspires with or assists another to cause the denial to any person of any right accorded to him under this Act, shall be punished by a fine not exceeding $5,000 or imprisonment not exceeding three years, or both.

(b) Any individual who, without probable cause for believing a person to be mentally ill, executes a petition, application, or certificate pursuant to this Act, by which such individual secures or attempts to secure the apprehension, hospitalization, detention, or restraint of any such person, or any physician or psychiatrist who knowingly makes any false certificate or application pursuant to this Act as to the mental condition of any person, shall be punished by a fine not exceeding $5,000 or imprisonment not exceeding three years, or both.

NONRESIDENT

SEC. 12. If an individual ordered committed to a public hospital by the court pursuant to subsection (f) of section 7 is found by the Commission, subject to a review by the court, not to be a resident of the District of Columbia, and to be a resident of another place, he may be transferred to the State of his residence if an appropriate institution of that State is willing to accept him. If the person be an indigent, the expense of transferring him, including the traveling expenses of necessary attendants, shall be borne by the District of Columbia. For the purposes of this section, a "resident of the District of Columbia" means an individual who has maintained his principal place of abode in the District of Columbia for more than one year prior to the filing of the petition referred to in subsection (a) of section 7 of this Act.

WITNESS FEES

SEC. 13. Witnesses subpenaed under the provisions of this Act shall be paid the same fees and mileage as are paid to witnesses in the courts of the United States.

NOT TO BE CONFINED IN JAIL

SEC. 14. No person apprehended, detained, or hospitalized under any provision of this Act, shall be confined in jail or in any penal or correctional institution.

FORMS

SEC. 15. All applications and certificates for the hospitalization of any individual in the District of Columbia under this Act shall be made on forms approved by the Commission and furnished by it.

SURETY

SEC. 16. The court in its discretion may require any petitioner under section 7 of this Act to file an undertaking with surety to be approved by the court in such amount as the court may deem proper, conditioned to save harmless the respondent by reason of costs incurred, including attorney's fees, if any, and damages suffered by the respondent, as a result of any such action.

INDIVIDUALS PREVIOUSLY HOSPITALIZED

SEC. 17. The provisions of sections 8, 9, 12, 14, 15, and 16 of this Act shall be applicable to any person who, on or after the date of the enactment of this Act, is a patient in a hospital in the District of Columbia by reason of having been declared insane or of unsound mind pursuant to a court order entered prior to such date of enactment; except that any request for an examination authorized under section 8 may be made by such person, or his attorney, legal guardian, spouse, parent, or other nearest adult relative, after the expiration of the thirty-day period following the date of the enactment of this Act and not more frequently than every six months thereafter.

APPOINTMENT OF CONSERVATORS

SEC. 18. The first section of the Act of October 24, 1951 (65 Stat. 608), is amended by adding after "mental weakness (not amounting to unsoundness of mind)" the following: "mental illness (as such term is defined in the District of Columbia Hospitalization of the Mentally Ill Act)."

ACTS REPEALED

Sec. 19. (a) Except as otherwise provided in subsection (b) of this section, the Act entitled "An Act to provide for insanity proceedings in the District of Columbia", approved June 8, 1938 (52 Stat. 625), as amended, and the Act entitled "An Act to provide for insanity proceedings in the District of Columbia", approved August 9, 1939 (53 Stat. 1293), as amended, are repealed.

(b) The repeal of the Act of June 8, 1938, and of the Act of August 9, 1939, shall not be construed to affect (1) any action or proceeding brought or existing on the date immediately preceding the date of the enactment of this Act, or (2) any liability incurred by any person for the payment of the costs of maintenance and treatment of an insane or incompetent person hospitalized in the District of Columbia prior to the date of the enactment of this Act, and any such action or proceeding shall be heard and determined and such liability continued in accordance with the provisions of such Acts in the same manner and to the same extent as if they had not been repealed.

(c) The Act entitled "An Act to authorize the apprehension and detention of insane persons in the District of Columbia, and providing for their temporary commitment in the Government Hospital for the Insane, and for other purposes", approved April 27, 1904 (33 Stat. 316), is hereby repealed.

(d) Sections 4849, 4856, and 4857 of the Revised Statutes are hereby repealed.

(e) Sections 115(b), 115(c), 115(d), and 115(e) of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (31 Stat. 1189), as amended, are hereby repealed.

(f) The last sentence of section 1 of the Act of February 23, 1905 (33 Stat. 740), as amended (D.C. Code, sec. 21–307), is hereby repealed.

(g) The Act of March 3, 1927 (44 Stat. 1383; D.C. Code, sec. 21–302), is hereby repealed.

(h) Sections 1 and 2, of the Act of June 22, 1948 (62 Stat. 572), as amended (D.C. Code, sec. 32–412–413), are hereby repealed.

CONTINUANCE OF COMMISSION ON MENTAL HEALTH

Sec. 20. The Commission on Mental Health to which reference is made in section 3 of this Act is the Commission established by the Act of June 8, 1938 (52 Stat. 625), as amended. Nothing contained in any amendment made by this Act shall be construed to affect or impair the existence of the Commission so established, or to alter the pay or the terms of office of the members of such Commission serving as such on the day preceding the date of enactment of this Act.

With the following committee amendments:

Page 2, line 2, after the word "illness" insert the following: ", but shall not include a person committed to a private or public hospital in the District of Columbia by order of the court in a criminal proceeding".

Page 4, line 5, immediately after "shall", insert the following: "have the same qualifications as the lawyer member of the Commission and who shall".

Page 16, strike out lines 13, 14, and 15, and insert in lieu thereof the following: "shall require the payment of such sums to the District of Columbia Treasurer annually, semiannually, quarterly, or monthly as the court may direct. It shall be the duty of the Treasurer to".

Page 21, line 13, immediately after "relative", insert the following: ", and the United States District Court for the District of Columbia, the Commission on Mental Health, and the Board of Commisisoners of the District of Columbia".

Page 23, line 12, strike the word "may" and substitute in lieu thereof "shall".

Page 23, line 20, immediately after "year", insert "immediately".

Page 24, line 24, after the word "entered", insert the following: "in a noncriminal proceeding".

Page 26, line 18, immediately after the period, insert the following: "Nothing in this subsection shall be construed to affect any action taken prior to the date of the enactment of this Act pursuant to any of the aforementioned subsections repealed by this subsection.".

Page 26, line 24, strike out "and 2", and insert in lieu thereof a comma and the following: "2, and 3".

Page 27, immediately after line 2, insert the following: "(1) The two provisos in the fifth paragraph under the heading "Public Welfare" in the District of Columbia Appropriations Act, 1949, are hereby repealed."

Page 8, line 11, strike out the comma and substitute in lieu thereof a semicolon.

The committee amendments were agreed to.

Mr. WHITENER. Mr. Speaker, the purpose of the bill is to revise the procedures for the hospitalization of the mentally ill in the District of Columbia and to guarantee certain rights to those hospitalized. In the language of the author of the bill, the Congress in this legislation is fashioning what it is hoped will soon be a strong chain of constitutional protections for a long-neglected group in our society.

LEGISLATIVE HISTORY

This bill is the result of a comprehensive 3-year study by the Senate Judiciary Subcommittee on Constitutional Rights, starting in the 87th Congress. Three days of public hearings, covering 318 pages of printed testimony, were held by the subcommittee in May 1963. Over 20 witnesses were heard.

The bill which was fashioned after these hearings and months of study was favorably reported to the Senate (S. Rept. 925) on February 27, 1964, and passed the Senate with unanimous approval on June 22, 1964.

Subcommittee No. 6 of your committee held public hearings on the bill on August 10, 1964, and the bill was reported with the amendments by the subcommittee and by your committee without a dissenting vote.

STATEMENT

This bill applies only to mentally ill persons in the District of Columbia committed by voluntary act or through civil commitment proceedings, and does not apply to persons committed to a private or public hospital in the District by order of the court in a criminal proceeding.

Hospitalization of the mentally ill has become a problem of enormous national scope. It is estimated that 1 out of every 12 children born today will, at some time during his life, be treated in a mental institution. Approximately 250,000 persons are hospitalized in the United States each year; mental institutions currently care for approximately 800,000 patients. Nor do the statistics show that the problem is of lesser magnitude in the District of Columbia. Approximately 2,000 persons are admitted to St. Elizabeths Hospital every year. Presently, the total patient population at St. Elizabeths, including outpatients, is 7,700.

In recent years, great strides in the medical treatment of the mentally ill have been made. However, all too often society's attitude toward the mentally ill and the legal procedures which reflect that attitude have not kept pace with advances in medicine and psychiatry. The basic law, operative today, dealing with hospitalization of the mentally ill in the District of Columbia, was enacted in 1939 (53 Stat. 1293). Witnesses testified that while laudable in some respects, District procedures are procedurally cumbersome and inadequate for protection of certain rights of hospitalized individuals.

Dr. Winfred Overholser, former Superintendent of St. Elizabeths Hospital, testified that "the District of Columbia, the laws of which are enacted by the Congress of the United States, has, to my mind, one of the least desirable procedures of any jurisdiction in the Union. It is cumbersome, unduly legalistic, unnecessarily distressing to the patient, and tends to delay rather than facilitate early hospital care of those patients who need it."—Hearings, 1961, page 20, hearing references are to Senate subcommittee hearings.

Dr. Overholser stressed that the right to prompt treatment is a right of the mentally ill often overlooked and pointed out that "burdensome formalities in connection with the admission make a family reluctant to send the patient to the hospital; they are painful to the patient himself and tend to foster the stigma of mental illness."—Hearings, 1961, page 21.

One very serious inadequacy in present District law is its requirement that one who is committed to a mental hospital be automatically adjudged an incompetent. Not all persons who are in need of hospitalization are unable to carry on their affairs or exercise the privileges of citizenship, it was stated.

The present law in the District of Columbia provides that a person is automatically declared to be incompetent upon judicial finding of his need for hospitalization. Thus, an individual loses the right to dispose of property, execute instruments, make purchases, enter into contractual relationships, vote, and hold a driver's license, because it has been determined that he is in need of hospitalization. Witnesses testified that there is no necessary correlation between mental illness and ability to exercise these rights. In fact, it was stated, inability to exercise these rights often impedes a patient's recovery upon release from the hospital. Present District law provides that an individual must be released for at least 6 months before he can petition the court for restoration to competency. The separation of adjudication of the need for hospitalization from the determination of incompetency embodied in S. 935 was uniformly welcomed by witnesses testifying at the hearings as a desirable change in the District of Columbia law.

Mr. Colman B. Stein, president of the District of Columbia Association for Mental Health, Inc., told the Senate subcommittee: "We strongly endorse the separation of incompetency and mental illness. This is a progressive proposal which would be a boon not only to patients while they are in the hospital but also would be of great assistance to them in the period following hospitalization"—Hearings, 1963, page 39.

The Honorable Alexander Holtzoff, U.S. district judge for the District of Columbia, submitted to the subcommittee a draft proposal which also embodied the concept of separation.

Commenting on the separation of a finding of the need for compulsory hospitalization from a judicial finding of incompetence, Dr. Dale Cameron, superintendent of St. Elizabeths Hospital, stated: "This, we think, is a very marked improvement over the present situation."

DEPARTMENTAL RECOMMENDATIONS

The Department of Justice, in its report on S. 935, stated that the bill: "with certain exceptions hereinafter discussed, provides substantial protection for important liberties of persons who may be mentally ill while making reasonable and adequate provisions for their examination, care, hospitalization, and restraint."

The Department recommended enactment of the bill subject to certain suggestions and without regard to the problems which may be incident to the implementation of this measure, such as financial considerations or determinations as to the inconsistency of other laws.

The views of the District of Columbia government were presented to the Senate subcommittee by Commissioner John B. Duncan. Reporting the results of a study of the bill by the Commissioners' Special Committee on Mental Health Needs, he indicated that this study represented the informal views of the Commissioners since due to the pressure of other work, the full Board had not been able "to consider carefully and thoroughly their Committee's basic propositions" nor their comments with respect to S. 935. Regarding the bill, he stated: "Generally speaking, while the Committee—and I might add, the Commissioners of the District of Columbia—consider S. 935 an excellent step forward in the care, treatment, and hospitalization of the mentally ill, it was the view of the Committee that the bill should be considerably expanded in the interests of clarification, possibly better administration, and broader coverage."

The bill, in the view of the Commissioners' Committee, "provides for the protection of the rights of the individual, in accord with the requirements of due process, at all points during the period of hospitalization, and is more detailed in this respect than the basic proposition developed by the Commissioners' Committee, except that S. 935 does not specifically reserve the right of habeas corpus." The bill as amended now preserves such a right.

Before your committee, testimony was heard from the Assistant Corporation Counsel on behalf of the District of Columbia Commissioners, who offered numerous suggestions which he had submitted to the Commissioners as comments upon the legislation but which the Commissioners had not yet approved. After much discussion he stated: "I don't think there is any disagreement between you and the Commissioners as far as the purposes are concerned. I think that everyone agrees that the idea of making a distinction between mental incompetency and voluntary hospitalization of the mentally ill is a step forward and the problem here, really, is to protect, to protect fully, the mentally ill person from himself, and also to protect the District and the people of the District from any untoward demands on them in the way of finances or space at St. Elizabeths or District of Columbia General, but as to the basic idea, I think there is agreement on all sides, sir."

After the hearing, a formal report was received from the Commissioners wherein they submitted various suggestions and indicated the bill was too limited in scope and narrower than existing law in some respects.

Your committee has considered all these recommendations and believes that the bill itself, as amended by your committee, meets in substance the particular objectives and suggestions of the Commissioners as to improvements and protections to be afforded not only to the mentally ill, but also to the District of Columbia.

This legislation, as stated above, has been under active consideration for over 3 years and was reported to the Senate February 27, 1964. During all this time, the Commissioners have had every opportunity to improve the bill, if need be, but they have not come forward with any bill of their own or one broader in scope such as they appear to desire. This bill does not undertake to cover the whole field of treatment for the mentally ill, nor does it attempt a complete rewriting of all the laws with reference to mental incompetency or insanity. It is primarily a bill for hospitalization and protection of the rights of the mentally ill hospitalized voluntarily or through civil proceedings in the District of Columbia.

As such, it is a major, needed, and desirable step in the right direction, and your committee recommends that the bill as amended be approved.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

IMPROVEMENTS LOCATED ON RAILROAD RIGHT-OF-WAY

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1136) to authorize the Secretary of the Army to pay fair value for improvements located on the railroad right-of-way owned by bona fide lessees or permittees, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to—

"(1) the Farmer's Grain Company, of Carlisle, Iowa, the sum of $43,100;

"(2) John H. McKlveen, Joseph L. McKlveen, G. M. Henderson, and S. L. Henderson, a partnership doing business as McKlveen Lumber Company, of Prairie City, Iowa, the sum of $13,000; and

"(3) the Vanderzyl Brothers Fuel Company, of Pella, Iowa, the sum of $27,250.

"The payment of the sum specified in the case of each such party shall be in full satisfaction of all claims of such party against the United States for the loss of a leasehold interest held in certain lands taken by the United States in connection with the Red Rock Reservoir project on the Des Moines River in Iowa, and for the loss of certain improvements owned by such party which were situated on the lands in which such leasehold interest was held: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Amend the title so as to read: "An Act to compensate certain parties for the loss of their leasehold interests in lands taken by the United States in connection with the Red Rock Reservoir project."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ALLEGED NEGRO LEADERS DELIVER ULTIMATUM TO THE PRESIDENT OF THE UNITED STATES

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, I think that the account in yesterday's morning Post of the ultimatum delivered to the President of the United States by the alleged Negro leaders of America has no equal in brass and effrontery since my earliest days of recollection. When the so-called leaders of any minority group have the unmitigated gall to tell the President of the United States whom to seat at a convention and to prognosticate what the consequences will be if these dictates are not followed, the American Republic is headed for the bone yard.

Like the Colosseum and the Parthenon, our form of government will be doomed to a mournful and melancholy immortality, if their effrontery is not rebuked publicly and firmly.

I would think, Mr. Speaker, that the so-called Negro leaders would be so ashamed of what has happened in New York, Rochester, Elizabeth, N.J., and other scenes of unparalleled violence, disorder, disrespect for law, pillage and plunder, that they would think twice before threatening the greatest friend they have ever had with a repetition of these tragic scenes if their dictates are ignored.

I can only say, Mr. Speaker, that if disorder, violence, and disrespect for law continues after the unparalleled gains the Negroes have enjoyed under the present President and his predecessor, and I refer to the unearned privileges they have received at the hands of their Government and the unjustified preference they continue to enjoy, and if this is all we can expect from an ungrateful minority for the everlasting preference, at the expense of other citizens of this great Nation, then, Mr. Speaker, it is high time for the white people of America to demand equal treatment and equal protection of the law.

It is time that people in high places tell the same group that brought the message to carry back to those whom they allegedly represent that this Nation will not now nor in the future tolerate 10 percent of the tails wagging 90 percent of the dogs, either in election year or in the days to come.

Mr. Speaker, this Nation is greater than any class, creed, color, or section. Disorder and disrespect for law must not be the hallmark of any group's effort in its onward climb to opportunity in the land of opportunity.

This threat must be summarily rebuffed, publicly denounced, forcefully discarded, and those who made the threats should be verbally chastized in the highest levels of our churches, our press, and our Government.

Mr. Speaker, the newspaper article to which I earlier referred is as follows:

L.B.J. GETS NEGRO WARNING ON ALL-WHITE PARTY

(By Robert E. Baker)

President Johnson has been warned that seating of the all-white Mississippi delegation to the Democratic National Convention would intensify Negro outbursts and undermine responsible Negro leadership.

The warning came in a telegram from the Reverend Martin Luther King, Jr., and was followed by a conference with Negro leaders at the White House yesterday.

Attending the meeting with President Johnson were Roy Wilkins of the NAACP; A. Philip Randolph, leader of the 1963 March on Washington; James Farmer of CORE, and John Lewis of the Student Nonviolent Coordinating Committee.

Invited but unable to attend were Whitney Young of the National Urban League, and Dr. King, president of the Southern Christian Leadership Conference.

In his telegram to Mr. Johnson, Dr. King said he was supporting the Mississippi Freedom Democratic Party delegation, predominantly Negro, which is seeking to replace the all-white regular delegation and which, according to Dr. King, is already pledged to Republican nominee BARRY GOLDWATER.

The contest, Dr. King said, is a question of whether the National Democratic Party is willing to purge itself of "racist element" and present "a clear alternative to the extremist coalition of the other party."

Failure to seat the Freedom Party, Dr. King said, "can only intensify the frustration and hopelessness which has led to violent outbursts in Negro ghettos and which undermines the efforts of responsible leadership which is attempting to deal with this frustration through concrete political action."

These words indicated that should his Freedom Party fail to be seated Dr. King thought he would be unable to adhere to a call for a moratorium on demonstrations issued recently by several Negro leaders.

The White House and the Negro leaders who conferred with the President said that Mr. Johnson opened the discussion by stating flatly he would not discuss the convention or political questions.

Dr. King released copies of his telegram to reporters when he arrived in Washington later to testify before the convention's resolutions and platform committee at the Sheraton-Park Hotel.

Farmer and Wilkins also appeared before the platform committee and took the opportunity to support the Mississippi Freedom Democratic Party.

Wilkins urged the convention to enact a rule barring any State delegation which denies membership to any race or that does not subscribe to Democratic Party principles.

Farmer said that seating of the all-white regular delegation "can only strengthen the racist oligarchy there."

And he defended demonstrations and told the committee that the convention would be the scene of "direct action." Even as he spoke, 30 CORE pickets paraded outside the hotel entrance with signs proclaiming: "The day of lily-white politics is over."

Strolling in the hotel corridors was Ben C. Callon, a member of the regular Mississippi delegation which has been refused seats on the platform committee until the contest is settled. Said he:

"We simply take the position that there is no other Democratic Party in Mississippi than ours."

But the events of the day added fuel to the Mississippi contest that will come before the convention's credentials committee on Saturday in Atlantic City.

The Alabama delegation may also enter the picture. Unchallenged by a rival delegation, the Alabama delegation nevertheless could be barred by the convention's "loyalty oath." Some sources indicate that the Mississippi regulars might be seated but Alabama's delegation barred. But the intense support of the Mississippi Freedom Democratic Party by Negro leaders and some other State delegations may block such a compromise.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. I will be delighted to yield to my friend from Louisiana.

Mr. WAGGONNER. The gentleman refers to "so-called alleged leaders." Does the gentleman refer to the Washington Post article yesterday morning that carried the picture of Roy Wilkins?

Mr. RIVERS of South Carolina. That is the article. I might say about Roy Wilkins that I think he is the most respectable one of the group, and I think he is the most conservative one of the group. I do not know anything wrong with Roy Wilkins. But he was with those who went to see the President. Phillip Randolph was one and James Farmer another. I do not know of any conservatism attached to James Farmer.

CUBA

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an article.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, all of those trading and selling goods to Castro should note the danger signs of the collapse of the Cuban economy in the press reports out of Cuba the past few days.

Apparently there has been a major shakeup in the agencies of the Cuban Government dealing with economic matters. Reports indicate the Economic Minister and the president of the national bank have been replaced, and all foreign purchases have been stopped, at least for the present.

Regardless of the outcome of the current crisis in Cuba, it should be plain to all that this unstable Government is not a good credit risk. English companies and others engaged in trade on liberal credit terms should be aware of the risks involved.

The economic boycott of the United States, now approved by the Organization of American States, is taking its effect in Cuba. The results will become increasingly apparent in the weeks ahead.

Since the OAS has acted, and in light of the conditions inside Cuba, the United States should increase its efforts to secure better cooperation from European powers to further isolate Castro from the community of nations. Now that our past efforts are bearing such good results we should intensify our efforts to bring about the downfall of Castro and the return of freedom to Cuba.

Mr. Speaker, I ask permission to include at this point in the RECORD an article on this subject from the Washington Daily News edition today.

CUBA SUSPENDS BUYING ABROAD—NEAR COLLAPSE OF SUGAR MARKET THE REASON

(By Francis L. McCarthy)

NEW YORK, August 21.—Cuba has ordered its foreign trade representatives overseas to suspend further purchases abroad, bank sources said today.

They said that only parts and supplies needed for the sugar and nickel industries and a medical research center were excluded from the order.

The drastic cutback was interpreted to mean that Cuba has spent more than it has taken in, and now must retrench.

The order confirmed recent National Foreign Trade Council speculation based on reports from the Financial Times of London and the New York Journal of Commerce that near chaos in its own finances would force Cuba to suspend credit for foreign purchases.

TALKS END

Bank sources said the stop-buy edict issued from Havana last week also ordered an end to all negotiations not falling within the exempt categories, and suspension of all letters of credit including those for purchases already made.

The order clarified hitherto unexplained recent shifts in top Cuban economic posts. In the past 7 weeks, Cuba has ousted Regino Boti as Economy Minister, Marcelo Fernandez as president of the Cuban National Bank, Maj. Alberto Mora as Foreign Commerce Minister, and set up an unprecedented Sugar Ministry.

The new Cuban economic crisis also was assumed to be behind recent insistent peace feelers directed at the United States.

Bank sources said Cuba's present plight could be attributed to the crash of world sugar prices, compounded by amateurish buying and handling of credits abroad. Experts said waste as well as overhead was tremendous.

The sources described Cuban credit as no stronger than the sugar market—and the sugar market is in a state of collapse.

They said there was no way of totaling exactly how much Cuba owed abroad, or to whom.

The East European Satellite Common Market Bank in Moscow has reported Cuban indebtedness for goods and investment, but excluding military deliveries, to Iron Curtain countries alone at nearly $2.5 billion.

In addition, Cuba owes millions more to Britain, Canada, France, Spain, and Japan, among others. The governments of most of these countries, including Britain and France, have underwritten private credits to Cuba.

EISENHOWER'S DEFENSE POLICIES AND McNAMARA'S MYTH

Mr. THOMSON of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the administration's Defense Secretary McNamara has indicated by his performance before the Democratic platform committee that he is willing to lie about the Eisenhower administration's defense policies in a shabby attempt to enhance the Democratic administration's questionable record. Falsely claiming that only now does the United States have the capacity to handle limited warfare, McNamara says that national defense under Eisenhower was based solely on massive retaliation—despite the Republican administration's skillful and proven ability to handle crises such as Lebanon and Quemoy-Matsu without using nuclear arms.

The Washington Evening Star in an August 20 editorial accuses McNamara of trying to promote a myth and states that "The election year does not give Mr. McNamara a license to kid the public." I would like to include the editorial, "McNamara's Myth," here in the Record:

McNamara's Myth

One of the irritating myths generated by the Kennedy-Johnson administrations and recited this week by Secretary of Defense McNamara should be laid to rest once and for all. This is the claim, as Mr. McNamara put it during the Democratic platform committee's TV show, that "the Defense Establishment we found in 1961 was based on a strategy of massive nuclear retaliation as the answer to all military aggression."

History shows that the Eisenhower administration did not in fact base its answers to all military and political aggression on any such policy. When faced with a military crisis it did just what the Democratic administrations have done: Resorted to a limited, nonnuclear response.

President Eisenhower did not answer with massive nuclear retaliation at the time of the Lebanon crisis or the Formosa Straits bombardment. He called on portions of the 14 combat divisions, 15 carrier task groups, 7 tactical fighter wings, and 16 air transport wings available to him and solved the problems without dropping a single A-bomb.

Mr. McNamara, however, has tried many times to promote the myth that none of these nonnuclear forces existed before he came along. He has said, for instance, that "it was also evident that our position throughout the world would be greatly strengthened if we were not forced to choose between doing nothing or deliberately initiating nuclear war."

Mr. McNamara has done much to add to our conventional forces and improve the "nonnuclear option." But that option, on a lesser scale, always has existed and always has been used.

The election year does not give Mr. McNamara a license to kid the public. Neither a Secretary of Defense nor a presidential candidate should shoot from the hip on these vital matters. There is entirely too much at stake.

DIXIE PROJECT

Mr. THOMSON of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Utah [Mr. Lloyd] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LLOYD. Mr. Speaker, House passage of the Dixie project will permit the development of that fertile but arid corner of southwestern Utah known as Dixie.

Rainfall of less than 8½ inches a year has not discouraged the hardy people who settled this area some 100 years ago.

But lack of natural precipitation and the vagaries of the surface streams, has curtailed the development of this region.

Although the early settlers proposed and carried out various irrigation systems, the Federal Government first took notice of the need for a large-scale effort in an official Department of Agriculture report in 1903.

The long years of preparation since then have culminated in enactment of the Dixie project.

Through development of irrigation and culinary water, control of floods, silting and erosion, stabilization of fish and wildlife habitat, development of an additional power supply, and creation of reservoirs suitable for water sports, there will be a return of $2.20 for each $1 of cost.

But I suggest that there will be a benefit not so easily measured in opening this land for outdoor recreation. Dixie includes and is adjacent to some of the most spectacular scenery in the country, including Canyonlands National Park, also a statutory creation of this Congress.

Although road relocation expenses are generally a part of a project cost, the State of Utah has agreed to undertake that expenditure as a part of its highway program, removing an approximate $2 million burden from the costs assignable to Dixie.

Of the remaining $42,673,000, those who benefit directly will pay back to the Federal Government all but $3,444,000.

The assignable costs are: irrigation, $30,182,000; power, $6,573,000; culinary water, $2,474,000.

The Dixie project represents, in my view, a responsible advance in our civilization. It provides power necessary for the expansion of industry. It provides water for the development of land and water necessary for better living in the small cities. It has valued byproducts of flood control and recreational facilities. This is government working at its essential best, by helping to make people more independent and more responsible and self-reliant. It is an investment which will be repaid not only in money, but in better citizens.

HARD-HITTING EDITORIALS SUPPORT MINORITY STAFFING

Mr. THOMSON of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Schwengel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, the problem of inadequate minority staffing is a problem which concerns every American who is interested in the improvement of Congress and who wants to preserve America's two-party system of government.

The Republican Party has long recognized the need for adequate minority staffing on congressional committees and in our 1964 party platform, we have included a plank calling for more equitable staffing arrangements. However, as we all know, this is not a partisan issue because both parties serve as the minority party at one time or the other. Therefore, the real issue is between a continuation of the present one-sided control of committee staffs and a more effective system which would provide for a presentation of all sides of the opinion on legislation.

A few weeks ago, I included in the Record a speech by William Jackson, president of Investor's League, Inc., dealing with the problem of minority staffing. Today, I would like to call your attention to five editorials which were broadcast on the Corinthian Broadcasting Corp.'s five television stations last year. These stations are located in key western and midwestern cities. They are KHOU-TV, Houston; KOTV, Tulsa; KXTV, Sacramento; WANE-TV, Fort Wayne; and WISH-TV, Indianapolis.

I think that these editorials eloquently express the sentiment of millions of Americans who are interested in improving our Congress, and I commend them to your attention:

KHOU-TV 11—Broadcast Editorial on Committee Staffing

At the age of 73, most folks figure to be retired and pretty inactive concerning work and politics.

Well, today, former President Eisenhower is 73, but far from inactive. One project in which he is engaged merits special attention right now, while Congress is in what may be its longest session in history, the fight to correct a serious fault in the way Congress conducts its business.

This fault is in committee staffing, the way Congress puts together the myriad staffs to do the legwork which produces almost all Federal laws. A recent study of such groups—a study, by the way, endorsed by leaders of both political parties—shows that these legmen represent the majority party by ratios as high as 12 to 1.

What this amounts to is this: The public, in electing its Members of Congress, demonstrates that it wants a reasonably balanced, two-party government—but it isn't getting it where it counts, for under the present system a simple party majority produces a staff working almost entirely for the majority. Yet, in committees—even more than in the House of Congress—the key role of the minority is to act as watchdog against mistakes—the very essence of the value of two-party government.

Former President Eisenhower, at 73, is urging the public to oppose this system, regardless of which party is in control of Congress. We endorse his view, and suggest that voters who want more protection against mistakes in Congress let their feelings be known to their men in Washington.

KOTV-6 Editorial on Minority Staffs

This democracy of ours, which even its founders called "a noble experiment," was built on a system of checks and balances, and presupposed a two-party government to make it work. It needs two-party government in order to survive. Yet in the very heart of this democracy, in the committee rooms of Congress, one-party rule prevails. Most of the work of Congress is done in committee, before legislation ever reaches the floor, but the minority party is sorely handicapped by a lack of committee staffs. It is the staff, composed of highly competent men, who do the research and write the reports of bills and investigations. In today's complex Government, Congressmen and Senators must rely heavily on staff members to keep them informed. The minority party has been severely shortened on committee staff members, yet on many of the committees, the minority has no staff at all, and a continuing fight by a small group to increase the ratio has met with little success. The majority jealously guards its control of committees and staffs. This is a problem that should concern every thinking American, for it is not merely a matter of party prestige. Either party can be a minority at one time or another, and to deny the minority access to adequate representation on committee staffs is to defeat the purpose of representative government. Minority members cannot function responsibly in examining, investigating, and presenting articulate opposition to questions under consideration, unless they are given the committee staffs to do so.

The management of KOTV feels that increased minority staffing of congressional committees is vital to the preservation of truly representative government. If you agree, make your voice heard by writing to your Representatives in Washington. Even the most powerful majority cannot wield unfair power without the consent of the people.

KXTV-10 Broadcast Editorial on Congressional Committee Staffs

Yesterday we commented on the problem of minority staffing problems in Congress—and how the majority party—whether the majority is Democrat or Republican—dominates the professional staffs of congressional committees. Since the problem is so complex and so little known we'd like to elaborate a bit more on it.

This present session of Congress conducted more than 60 investigations. These investigations were conducted by those Senate and House committees and subcommittees we hear so much about but know so little about. Some of these investigations we're all familiar with such as the current Bobby Baker hearings, the Joseph Valachi show, and that perennial favorite of the investigators, Jimmy Hoffa and his teamsters. But there were also dozens of other investigations looking into such things as violations of constitutional rights, stockpiling of strategic materials, juvenile delinquency, and the problems of the aged. The last session of Congress spent more than $6 million on such investigation and this session's bills will be even higher. That money is spent to hire staffs to make inquiries, write reports, and then to present this information to these Senate and House committees for consideration.

But this is where the hitch comes in. Since these committees are controlled by one party or the other that controlling party holds the purse strings. At the present time, the controlling party is the Democrats. The Republicans contend that although they captured 48 percent of the votes cast in the last election they are outnumbered on the committee staffs 10 to 1. This means that these committee reports are normally strongly biased in favor of the majority party, and that the minority, that loyal opposition, doesn't have much of a chance to present its case.

We think a more equitable distribution of this staff money should be made. We firmly believe in the two-party system of government, and feel that the opposition party, along with many millions of taxpayers, are being shortchanged in this minority staffing department.

Congressional Committee Staffs

A Congressman from Iowa, Fred Schwengel, has pointed up a situation in Congress which deserves attention.

As you know, many of the proposed bills which come before our Congress involve such complicated issues, sometimes highly technical, that no person can reach an intelligent position on them without specialized knowledge. To meet this need, each congressional committee has a professional staff to do research, to draft bills, to arrange for witnesses to attend hearings, and to handle other matters for which Congressmen have neither the time nor, in some cases, the specialized knowledge. Most of these staffs are hired by and assigned work by the chairman of the committees * * * and, of course, the chairman is a member of whatever party that happens to have control. Naturally then, the staff's allegiance is to the majority party at any given time, be it Democratic or Republican. As a result, the minority members of a committee often do not have access to as much information as the majority members. Further, if the majority party happens to favor a certain bill, it's always possible that the research findings of the committee's staff may be slanted in favor of that bill. Such a situation works against the purpose of bipartisan participation for it hampers the minority in presenting clear, constructive alternatives to majority proposals. It may sometimes prevent the full facts from coming to light. The situation is especially serious during those times when the same party controls both the Presidency and Congress.

If the President proposes a bill and the members of his party are in the majority on the committee which will study the bill, the research staff is likely to be biased in favor of the bill and the minority are handicapped in analyzing the bill.

It seems that the small additional expense of providing adequate staff help to minority members of a committee would certainly be in the public interest. It would increase the chances that all sides of a bill are carefully considered and aired. This is the reason for bipartisanship.

Regardless of which party is in the majority and which is in the minority, it is in the public interest that the minority position have sound research behind it. That's why this matter of unbalanced staffing on congressional committees should be corrected.

WISH-TV 8 Editorial on Government by Representation

Sometimes it seems paradoxically true that America, a democracy of the people, is governed by the majority but without due consideration of the minority. If this is indeed the case, one can be generally assured that the fault lies with the people, rather than with the form of government under which we live.

It is more and more difficult to get people interested in political participation of any kind. Not only do most people shy away from political careers, very few citizens even take an active role in political or semipolitical organizations. What is worse, a substantial percentage of Americans do not even bother to help elect the officials who run the Government. But in our Congress there exists a situation that implies even greater danger to our two-party system of government than mere public apathy.

Because of the pressures of our governmental system, most of the work of Congress is done in committee, before the legislation reaches the floor. Our Senators and Representatives normally have competent staff members to conduct research and write reports on important legislative matters. Yet the majority power in Congress can control the assignment of these staffs to committees.

What may happen, then, is that the minority in Congress may have no staffs on some committees at all, or have such shorted staffs that they are powerless to effect any substantial opposition to questions being considered by the majority. The result can only be legislation presented by the majority without true representation of the minority, no matter which party happens to be in the minority at any one time.

To deny the minority its right to be heard is to defeat the purpose of our system of government. One good way to correct this situation is for the public to call for increased minority staffing of congressional committees. You can let your voice be heard by writing your Congressman in Washington. The vote for representative government, in the Congress or in its committees, still rests with the people.

FREE ENTERPRISE DAY

Mr. THOMSON of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Schwengel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, last year on October 7, I took the floor and spoke about a grassroots movement that needed our attention. It was the idea that was evolved by a group of businessmen in Falmouth, Mass.

It occurred to me then that it would be well to set aside a day when we would pay special attention to free enterprise, especially free enterprise as we know it in America.

I have since thought much on this subject and have come to realize that free enterprise deals with a great freedom in America—a freedom that we have taken for granted from the very inception of our Government—that is the freedom of movement—freedom of movement of men and goods. I have often called it the fifth great freedom; the other four being, of course, freedom of speech, freedom of religion, freedom from want, and freedom from fear.

Since that time I have talked to a number of topnotch and successful businessmen in America and in my district about this and they agree with me that free enterprise is an idea and an ideal that needs to be much better understood and appreciated in America.

It is for that reason that I have introduced House Joint Resolution 1154, a resolution to designate October 5, 1964, and every first Monday in October after that as Free Enterprise Day.

Mr. Speaker, we commemorate great events in our history, like the declaration of the establishment of our Republic and also great ideas like a day to recognize those who labor in our industries and those who have defended our country in times of war. In House Joint Resolution 1154 we propose to set aside at least this 1 day each year to pay tribute to and commemorate a fundamental idea underlying our greatness as a nation. Free enterprise is an economic plan that is the source and engine of our achievements as a nation.

Why should we pay tribute to and commemorate the idea of free enterprise? There are many reasons which I shall articulate and explain. They are, as I shall try to show, all related to the fundamental idea that free enterprise is the foundation of our freedom, of our well-being, of the development of our resplendent economic and social system, of our concern for the individual, of our generosity and morality, and of our abundant life.

This tribute and commemoration could be a part of the message that the retail enterprises could exhalt with displays in their stores and through advertising media.

It could be a very interesting subject yearly for discussion and elaboration in the various service clubs in our business community. It could be featured by the chambers of commerce and other business associations. Indeed, it could be a subject that our educational institutions could concentrate on and deal with during that period.

It is the belief of those with whom I have visited that this idea could do much, through a program of cooperation with all who are interested and deal daily with this great institution, to help us understand the virtues and advantages that come from the free enterprise system as it has evolved here in this great land of the free.

Our country has been called, and is, the land of opportunity. It has been that from the days of the earliest settlers. It has become that to the millions who have come here from many lands and places to share our life under freedom since 1776.

The doors of opportunity are open to all. Each individual has the freedom to choose his work and to exercise his talents, energies, and resources to promote his highest development. No one orders him to take a fixed position in life. He seeks his own opportunities and changes his job and vocation as he grows and new opportunities develop. Whether self-employed or working in a complex of industry, each individual is free to make his own choice and to change as he views his changing opportunities and prospects.

In this context free enterprise means freedom to enter new enterprises, to expand or contract production or employment, to improve processes, to maintain freedom of occupational choice and movement. Free enterprise develops new markets responding to the needs and wants of people. It has stimulated the greatest freedom of all—the freedom of movement of men and goods and services in the open market. It has encouraged the development of the greatest distribution system in the world to serve mankind. All this has been developed by individual initiative and by voluntary undertakings, not by order or prescription.

Free enterprise has launched and promoted our ever-growing economy, with its great diversity and numerous forms. In every activity there is growth, variety, and endless invention, change, and improvement. Expansion and growth have been the normal accompaniments of our lives. Free enterprise promoted competition and the development of new ways of doing things.

Looking back to any previous decade we are impressed with the progress we have made in all walks of life. We move from one era to another, always thinking we have the best there is. Free enterprise is always at work. It works for all of us, and we all participate in the abundance it provides.

Free enterprise is the energizer and coordinator of our society. The initiative in knitting our society together is taken by individuals who take the lead and work things out.

The institutions which we have developed under free enterprise serve the individual and the good of our society. We make progress in many directions and this often means sloughing off the old as well as taking on the new.

Free enterprise is a keystone of our republican form of government. It responds to the needs and wants of the people because it measures its progress in terms of the well-being of the individual. It has provided the more abundant life spoken of in the Holy Writ by developing the highest standard of living found anywhere else in the world or in any period of history.

This well-being is not only in economic terms but in all aspects of our life—in settling our vast country, in harnessing the forces of nature, in the myriad forms of communication, in social organization, and in aspiring to ever greater heights. That is why it has created a society and an environment in which man's mind and spirit are free and in which free political and social institutions can thrive.

Why, then, should we commemorate Free Enterprise Day? Because we should remember and extol this foundation of our free society and in which, if we continue to honor and cherish it, the best is yet to be.

Mr. Speaker, because I have given much thought to this subject and because, as I have mentioned earlier, I think this great freedom of movement, which features and encourages free enterprise, should be better understood, I am preparing a series of papers in which I will discuss the various important facets of free enterprise. I propose to call this series "The Impact Series."

In these papers, I will attempt to discuss such things as the impact of the various modes of transportation in the free enterprise system, the impact of and importance of communications in the free enterprise system, the impact of and importance of finance in the free enterprise system, the impact and importance of free labor in the free enterprise system, the impact and importance of retailing in the free enterprise system, the impact and importance of salesmen and salesmanship in the free enterprise system, the impact and importance of invention and manufacturing in the free enterprise system and the impact, importance, and problems of automation in the free enterprise system.

As I develop these various facets in papers, Mr. Speaker, I shall place them in the Record to serve as both a stimulation to thought on this subject and, I hope, a better understanding of the free enterprise system, and of course I would hope it will serve also to get serious and favorable consideration of my bill on free enterprise, House Joint Resolution 1154.

HOW URBAN RENEWAL BROUGHT A HOUSING BOOM TO THE NATION'S CAPITAL IS EXPLAINED BY THE WASHINGTON (D.C.) EVENING STAR; IMPLICATIONS OF SIMILAR BOOM IN OTHER CITIES ARE STAGGERING

Mr. THOMSON of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Kyl] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KYL. Mr. Speaker, the Washington (D.C.) Evening Star of August 20, 1964, published an article by Robert J. Lewis on the housing boom in the 560-acre Southwest Washington urban renewal project, which implies that this project is a resounding success.

The article is staggering in its implications for the hundreds of other urban renewal projects in cities from coast to coast which are not doing nearly so well as in the Nation's Capital. For some real insight into these programs your attention is invited to two articles on urban renewal in Barron's magazine. The first one, in the June 29, 1964, issue, was entitled "Urban Renewal Has Come a Cropper Right in Its Own Backyard," and was, in part, concerned with the very program which the Washington (D.C.) Evening Star discusses in such glowing terms.

The second article appeared in the July 13, 1964, issue under the provocative title "Urban Renewal Stands Condemned as a Costly Failure."

According to the second Barron's article, in trying to appease the critics of the urban renewal program, the Federal Urban Renewal Commissioner, William L. Slayton, "emphasizes that developers have been selected for 58 percent of the land acquired. His own figures show, however, that of 21,970 acres acquired for the program, only 6,965 have been sold or leased. Redevelopment has been completed on only 4,163 and currently is underway on 1,967 acres."

Barron's adds:

> The administrator partially explains the lack of enthusiasm among developers by suggesting that perhaps communities aren't clearing large enough areas. Builders and businesses, he suggests, are reluctant to enter areas surrounded by slums.

In view of this lack of enthusiasm around the Nation for urban renewal I turned to the article by Robert J. Lewis in the Washington (D.C.) Star of August 20 for some inkling as to why it is so successful in the Nation's Capital.

According to Mr. Lewis:

> A check today showed that Federal Housing Administration financing is almost entirely responsible for the current housing boom in the 560-acre Southwest area.
>
> About $65 million in FHA-insured mortgage financing has brought about 3,900 units of apartment and townhouse contractors now underway or already completed.
>
> Only an additional 447 units in the Harbour Square project are being financed without Government mortgage insurance.
>
> In addition to the $65 million in FHA mortgages, the Federal and District governments have contributed about $123 million for renewal operations and rebuilding in the area, not counting about $55 million spent on highways.
>
> Besides, the Federal Government expects to go ahead with two more buildings at a cost of $67 million, and possibly others.
>
> The two additional buildings will bring the total national and local government investment in the area to approximately $200 million.

There you have the simple solution. The Federal investment in this 560-acre urban renewal project is, as the Star points out, $200 million. This figures out at $400,000 an acre. Extending this to the 21,970 acres acquired for urban renewal treatment in other cities, so that these cities, too, could experience a housing boom comparable to that in the Nation's Capital, would cost about $9 billion.

Obviously, most cities cannot expect, and will not ever get similar or comparable benefits from the Federal Government, nor could the Nation's taxpayers possibly afford to provide it. The question we must ask ourselves is, Can we afford this kind of favored treatment in the Nation's Capital in order to prove that the Federal urban renewal program is a success? This bears all the marks of a crash program designed to bail out Commissioner Slayton's halting program.

The fact of the matter is that the FHA, and Federal highway programs, and the building of multimillion dollar Federal office buildings are not urban renewal programs, though an urban renewal program can be turned from a costly failure into a success if enough Federal money is spent on supporting programs and projects in an urban renewal area.

The questions we must ask ourselves are, can we afford it, and is it doing the job which urban renewal was designed to do, which was to rehouse the slumdweller.

The $200 million for renewal operations in Washington's Southwest urban renewal project came almost entirely from the Federal Government.

The Committee on the District of Columbia of the House of Representatives has pointed out that not one single unit of low- or moderate-cost housing, and not one unit of public housing, has been built in this urban renewal project. What has been built is luxury housing and prime office space. The luxury housing rents from $125 per month for the smallest efficiency unit to $350 a month for the larger units. The townhouses sell for up to $75,000. What this kind of luxury housing has to do with rehousing the slumdwellers who formerly lived in the area should be explained by President Johnson, since the national housing policy seems to be a closed book to Commissioner William L. Slayton.

The real views of the Washington (D.C.) Evening Star on the housing and urban renewal programs of the Federal Government were probably summed up in an editorial in that newspaper on August 18, 1964, when it said:

> It may seem cruel to say to the poor and the passed-over in our society that they cannot really be put on their feet except through their own efforts, yet there is truth in that hard saying.

The Washington (D.C.) Evening Star, however, strongly supports the housing and urban renewal program of the Federal Government which has provided luxury housing in the Southwest urban renewal project at a cost to the Federal Government of over $200 million. One can only hope that the Washington (D.C.) Evening Star will devote an early editorial plus several articles to an explanation of this dichotomy.

I include the following article as part of my remarks:

RENEWAL AREA SHAPES UP—HOUSING BOOMS IN SOUTHWEST

(By Robert J. Lewis)

Residential construction is booming in a big chunk of the Southwest Washington urban renewal area where three apartment-townhouse projects and an apartment project are underway.

The center of activity is the area south of M Street between Third and Sixth Streets.

Also under construction is the final apartment building in the large Capitol Park apartment and townhouse area. This section is north of M Street and east of Fourth Street. It is bounded on the north by the Southwest Freeway.

A check today showed that Federal Housing Administration financing is almost entirely responsible for the current housing boom in the 560-acre Southwest area.

About $65 million in FHA-insured mortgage financing has brought about 3,900 units of apartment and townhouse construction now underway or already completed.

Only an additional 447 units in the Harbour Square project are being financed without Government mortgage insurance.

In addition to the $65 million in FHA mortgages, the Federal and District governments have contributed about $123 million for renewal operations and rebuilding in the area, not counting about $55 million spent on highways.

Besides the Federal Government expects to go ahead with two more buildings at a cost of $67 million, and possibly others.

The two additional buildings will bring the total national and local government investment in the area to approximately $200 million.

Residential construction volume in Southwest is beginning to match or exceed the earlier boom in Government office building construction touched off in the area several years ago.

That splurge of Federal activity included the $26 million Food and Drug Administration, the $14 million Federal Office Building No. 6 and the $33.5 million Federal Office Buildings No. 10A and No. 10B.

One residential project in Southwest has been fully completed so far—the River Park Mutual Homes Inc.'s 519-unit apartment and townhouse cooperative financed with a $9,231,600 FHA mortgage.

Nearly completed is the huge Capitol Park development, to have 1,337 apartments and 400 rental townhouses financed with FHA mortgages totaling $27,458,000. Sponsoring this development are James H. Scheuer and the H.R.H. Corp. Roger L. Stevens, who heads the board of the John F. Kennedy Center for the Performing Arts, originally was a sponsor of this project.

Of the William Zeckendorf projects, 512 apartment units and a shopping building financed with FHA mortgages totaling $7,054,300 have been completed.

Projects now underway include:

Tiber Island, jointly owned by Frederick W. Berens Inc., Berens Real Estate Investment Co. and Charles H. Tompkins Co., to have 389 apartment and townhouse units financed with a $7,505,100 FHA mortgage.

Chalk House West, a 280-unit apartment development sponsored by O. Roy Chalk's D.C. Realty and Development Corp., with a $5,275,000 FHA mortgage.

Carrollsburg Square, a 461-unit apartment and townhouse development also jointly owned by the Berens and Tompkins firms, which is financed with an $8,045,000 FHA mortgage.

FHA now also is discussing with St. James Mutual Homes Inc. this cooperative's application for mortgage financing to purchase the existing 107-unit Kober-Sternberg apartments now owned by the Redevelopment Land Agency. RLA negotiated the sale of this development to the cooperative, and completion of arrangements awaits FHA financing.

Harbour Square, the project to have 430 apartments and 17 townhouses, is sponsored by Harbour Square Owners Inc., and owned by John McShain and by associates of the Shannon & Luchs real estate firm. It is financed without FHA aid. This development, now underway, will become a cooperative on completion. Its cost is given at nearly $10 million.

LETTERS TO REPRESENTATIVE BECKWORTH

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. BECKWORTH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BECKWORTH. Mr. Speaker, I include in the CONGRESSIONAL RECORD three letters which I have received recently:

THE AMERICAN LEGION,
Washington, D.C., May 27, 1964.

Hon. LINDLEY BECKWORTH,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BECKWORTH: The American Legion is most appreciative of your help in rejecting proposals in the foreign aid bill (H.R. 10502) that would have permitted separation of AID employees without regard to civil service or veterans' preference.

It is our firm belief that there are ample provisions for the separation of incompetent or undesirable Federal employees. In AID's situation, based on personnel performances of the past year, it appears that the Administrator will have difficulty in formulating necessary charges of incompetency against the employees he wishes to separate. The general record appears good.

We are very grateful to you for your continuous and most helpful consideration of the affairs of veterans.

With regard and good wishes, I am,
Sincerely yours,
CLARENCE H. OLSON,
Director.

TEXAS & SOUTHWESTERN
CATTLE RAISERS ASSOCIATION,
Brady, Tex., May 21, 1964.

Hon. LINDLEY BECKWORTH,
House Office Building,
Washington, D.C.

DEAR MR. BECKWORTH: I thought I would get a chance to talk with you again following the Tariff Commission hearings, but I finished testifying in midafternoon and really rushed to catch a plane out of there.

Please be sure we fully appreciate your efforts in our behalf on acquiring legislation resulting in reasonable quotas in beef and veal imports.

With best regards, I remain,
Sincerely yours,
FRED WULFF.

TEXAS INDEPENDENT
OWNERS ASSOCIATION,
Austin, Tex., May 12, 1964.

Hon. LINDLEY BECKWORTH,
House Office Building,
Washington, D.C.

DEAR LINDLEY: Needless to say, we're grateful for your continued interest in our problems, and particularly for your taking the trouble to pass along communications from executive department officials.

We're especially proud of the Interior statement relating to the residual fuel oil decontrol controversy, which Assistant Secretary Kelly transmitted to you with his letter of April 29. While we have been more than slightly concerned with the obvious fact that we're not attuned to the same channel as Mr. Kelly on many points, we're very proud of this Interior statement for which we assume he was primarily responsible.

Respectfully yours,
W. E. TURNER.

P.S.—You were kind to include the complimentary reference to us in your floor speech on gas decontrol matter the other day.

SEATING OF RED CHINA IN THE UNITED NATIONS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. BECKWORTH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BECKWORTH. Mr. Speaker, there have been a number of votes in the House Foreign Affairs Committee and on the floor of the House of Representatives in opposition to the seating of Red China in the United Nations. On August 4, 1959, the House Foreign Affairs Committee of which I am a member, by a vote of 22 to 1, ordered reported House Concurrent Resolution 369 expressing the sense of Congress as being against the seating of the Communist regime in China as a representative of China in the United Nations. I was one of the 22 members who voted in favor of the resolution. The same resolution passed the House August 17, 1959. I was one of those who voted for the resolution as shown by written record which opposed the seating of Red China in the United Nations. On August 29, 1961, as a member of the House Foreign Affairs Committee, I voted on the record to report Senate Concurrent Resolution 34 which evidenced our opposition to the seating of Red China in the United Nations. On August 31 this same resolution passed the House of Representatives. I was recorded as being one of those who voted in favor of the resolution. These are the only times while I have served in Congress that the Members of the House of Representatives have had an opportunity to vote on the issue of denying Red China a seat in the United Nations. The petition by the Committee of One Million has been signed by about 10 Texas Members of the House of Representatives and by both Texas Senators. Apparently about 12 Members of Congress from Texas did not sign it. I would guess that many of the other millions of people in our country who did not sign it probably failed to see it.

On August 17, 1964, I was one of the House Members who voted on the record for a House Concurrent Resolution 343 that, first, reiterates the sense of the Congress that efforts should be made to get United Nations members to pay up the arrears on their assessments; and, second, it goes a step further by urging that the overly delinquent members be subject to the penalty provisions of article 19 of the United Nations Charter: loss of vote in the General Assembly.

THE APPROPRIATION BILLS—88TH CONGRESS, 2D SESSION

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. MAHON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MAHON. Mr. Speaker, only two regular bills plus the customary closing supplementary bill remain to be cleared; all three are in advanced stages. The Labor-HEW bill is ready for conference. The foreign aid appropriation bill is pending in the Senate committee but in position to be moved promptly following disposition of the related authorization bill. And the usual session-end supplemental, while still in our Committee on Appropriations, is ready to be reported. I might add that we apprehend no extreme difficulties in concluding these remaining bills.

We thought it timely, then, to include for the information of Members and others who may be interested an abbreviated summary of the appropriation bills to date, accompanied by several comparisons.

All regular bills cleared the House by July 1. Not in 4 years have all the bills been cleared to the other body as early as the first day of the new fiscal year.

The other body was long preoccupied with another matter and was therefore not in position to do as much but has since moved with dispatch.

HOUSE ACTION ON THE BILLS

In round amounts, the House, in all bills of the session—both deficiencies and supplementals for fiscal 1964 and regular bills for 1965—has adopted total appropriations of $87,431,000,000 but because of a technicality it omitted the $5,200,000,000 reported from committee for the National Aeronautics and Space Administration. Adding this to the total to remove what otherwise is a gross distortion, the House total is $92,631,000,000, a reduction of about $3,675,000,000 from the budget requests. About $697,000,000 of that cut relates to fiscal 1964 supplementals and deficiencies, to which the House laid a heavy hand, and $2,978,000,000 applies to fiscal 1965 requests. The House reduced every bill total below the related budget requests.

There is a noteworthy significance to these figures. On a fiscal year basis, the House totals to date for fiscal 1965 are somewhat below the previous year 1964; tentatively, about $1,203,000,000 below.

The closing supplemental bill, now pending in our committee, and involving budget requests for fiscal 1965 of about $1,205,000,000, will affect the final comparison but I think it not unreasonable to predict that the ultimate House totals will come to less than last year.

Not every single dollar of reduction in appropriations requested would necessarily retrench an equivalent expenditure. There are, as in virtually every session, a handful of reductions more in the nature of financing adjustments, or made because the item lacked the necessary legislative authorization, or perhaps because of difference in view as to the precise amount otherwise required to meet a given commitment. Notwithstanding, in a time of an exploding population requiring more public services and generating a higher level of economic activity, holding the appropriations within the previous year's level is noteworthy.

SENATE ACTION

The results of actions of the other body on the bills are summarized on the tabulations that follow. All appropriation bills sent to them, except foreign aid, have been passed.

FINAL ACTIONS

In all the bills cleared by the Congress, $82,294,000,000 has been appropriated, a reduction of $2,761,000,000 below the corresponding budget requests. And of that cut, $2,458,000,000 is against the fiscal 1965 requests. The approved 1965 amounts in these bills are $2,407,000,000 below the corresponding fiscal 1964 amounts but this will change somewhat when the other 3 bills are cleared. It is nonetheless beginning to look like the fiscal 1965 total will be mighty close to the 1964 total—perhaps slightly above.

The table which I am submitting shows that the foreign aid bill which was approved by the House is in excess of the previous year's figure. This is misleading. Actually, when reimbursements, recoupments and reappropriations are considered the available funds figure for fiscal 1965 is below the corresponding figure for fiscal year 1964, the figure on the table which follows is limited to appropriations of new money and does not include other funds made available by the measure. This reference should likewise have been made to the table which I submitted for the RECORD earlier this week.

PERMANENT APPROPRIATIONS UNDER PRIOR LAWS

Mr. Speaker, to fill out the appropriations picture at this stage, there will also be available for the fiscal year 1965 sums aggregating roughly $11,800,000,000—perhaps more—for various items of expenditure such as interest charges on the public debt, diversion of surplus nonbasic agricultural commodities, administration of the National Wool Act, wildlife management and improvement projects—duck stamp fees and taxes on certain sporting goods—interest on Internal Revenue refunds, payments to States for certain receipts of the national forests, and sundry other purposes enumerated in the annual budget. These items, some 75 in number, are commonly called permanent appropriations. They flow from basic laws, carrying permanent arrangements, enacted in years past. Thus the appropriation is automatic in that Congress is not required to reenact them in the annual appropriation bills each session. By far the largest is interest on the debt—tentatively estimated in the January budget at $11,000,000,000.

Total appropriations of all kinds have exceeded $100 billion in each of the last two sessions; specifically:

87th Cong., 2nd session	$102, 661, 000, 000
88th Cong., 1st session	103, 798, 000, 000

Total appropriations in the current session, including the permanent appropriations mentioned above, will undoubtedly also exceed the $100,000,000,000 mark.

More details on the bills of the current session are in the following tables:

Summary of totals of the appropriation bills, 88th Cong., 2d sess., as of Aug. 21, 1964

[NOTE.—Loan authorizations not in this summary but they are noted and listed on the more detailed table]

A. House actions:	*Rounded figures*
1. Budget estimates considered (both fiscal 1964 and 1965)	$96, 306, 000, 000
2. Amounts passed by the House (including, to avoid a gross distortion, the $5,200,000,000 reported for NASA but stricken on a point of order)	92, 631, 000, 000
3. Reduction below budget requests (for the session)	−3, 675, 000, 000
Consisting of—	
(a) Applicable to fiscal 1964 deficiencies and supplementals	−697, 000, 000
(b) Applicable to fiscal 1965 requests	−2, 978, 000, 000
4. Appropriations for fiscal 1964 (tentative totals, approximately final)	92, 154, 000, 000
5. Appropriations as approved by House for fiscal 1965 (including, to remove the distortion, the $5,200,000,000 for NASA)	90, 951, 000, 000
6. Reduction by the House, amounts for fiscal 1965 below appropriations for 1964	[1] −1, 203, 000, 000

B. Senate actions:	*Rounded figures.*
1. Budget estimates considered (all bills of session except foreign aid and closing supplemental)	$92, 858, 000, 000
2. Amounts approved (all such bills)	89, 820, 000, 000
3. Comparisons—	
(a) Below budget estimates (on those bills)	−3, 038, 000, 000
(b) Above the House bills (omitting, to avoid gross distortion, $5,200,000,000 for NASA)	+928, 000, 000
(c) 1965 amounts below 1964 amounts for the same bills	−883, 000, 000
C. Final actions:	
1. Amounts enacted (all bills of the session)	82, 294, 000, 000
2. These amounts are below the corresponding budget requests by	−2, 761, 000, 000
3. The fiscal 1965 amounts in these bills are below the corresponding fiscal 1964 appropriations by about	[2] −2, 407, 000, 000

[1] Closing supplemental bill, now pending in committee, and involving budget requests for fiscal 1965 of $1,205,000,000, will affect this final result.

[2] The 3 bills yet pending will, undoubtedly, all be below the related budget requests but also above the corresponding 1964 amounts.

The appropriation bills, 88th Cong., 2d sess., as of Aug. 21, 1964

[Does not include back-door appropriations or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

Title and bill No.	Prior year appropriations	House				
		Budget estimates to House	Amount as passed	House action compared with—		
				Prior year appropriations	Budget estimates	Amount reported
1964 DEFICIENCIES						
Department of Health, Education, and Welfare (H.J. Res. 875):						
Original resolution, 88th, 1st [2]		$41, 886, 000	$41, 886, 000			
Subsequent consideration, 88th, 2d [3]		[4] 247, 802, 000	[5] 247, 802, 000			
Total, (H.J. Res 875)		289, 688, 000	289, 688, 000			
Department of Labor (H.J. Res. 962)		42, 000, 000	42, 000, 000			
Disaster relief (H.J. Res. 976)		50, 000, 000	50, 000, 000			
Deficiency, 1964 (H.R. 11201)		1, 307, 380, 789	1, 264, 913, 689		−$42, 467, 100	
Total, 1964 deficiencies		1, 689, 068, 789	1, 646, 601, 689		−42, 467, 100	
1965 APPROPRIATION BILLS						
District of Columbia (H.R. 10199)	($313, 469, 518)	(357, 702, 300)	(338, 205, 200)	(+$24, 735, 682)	(−19, 497, 100)	
Federal payment, 1965 regular	40, 368, 000	53, 220, 000	40, 720, 000	+352, 000	−12, 500, 000	
Loan authorization	(19, 300, 000)	(14, 400, 000)	(26, 400, 000)	(+7, 100, 000)	(+12, 000, 000)	
Interior (H.R. 10433)		1, 035, 678, 000	1, 009, 175, 600		−26, 502, 400	
1965 regular appropriations	1, 011, 029, 500	998, 903, 000	976, 475, 600	−34, 553, 900	−22, 427, 400	
Loan authorization	(6, 000, 000)	(20, 000, 000)	(14, 000, 000)	(+8, 000, 000)	(−6, 000, 000)	
1964 supplementals		36, 775, 000	32, 700, 000		−4, 075, 000	
Treasury-Post Office (H.R. 10532):						
1965 regular appropriations	6, 055, 766, 000	6, 271, 991, 000	6, 225, 420, 000	+169, 654, 000	−46, 571, 000	
1964 supplementals (by transfer)		(1, 675, 000)	(1, 100, 000)		(−575, 000)	
Legislative (H.R. 10723)		222, 587, 355	173, 626, 640		−48, 960, 715	−$290, 270
1965 regular appropriations	[7] 217, 304, 244	[8] 222, 375, 655	[9] 173, 446, 640	[7] −43, 857, 604	[8] −48, 929, 015	[8] −290, 270
1964 supplementals		211, 700	180, 000		−31, 700	
Labor-Health, Education, and Welfare (H.R. 10809)		7, 561, 968, 000	6, 908, 063, 000		−653, 905, 000	
1965 regular appropriations	5, 987, 261, 500	7, 104, 782, 000	6, 908, 063, 000	+920, 801, 500	−196, 719, 000	
1964 supplementals		457, 186, 000			−457, 186, 000	
Defense (H.R. 10939):						
1965 regular appropriations	48, 223, 210, 000	47, 471, 000, 000	46, 759, 267, 000	−1, 463, 943, 000	−711, 733, 000	
1964 supplementals (by transfer)		(6, 000, 000)	(6, 000, 000)			
State, Justice, Judiciary (H.R. 11134)		1, 957, 764, 700	1, 702, 627, 800		−255, 136, 900	
1965 regular appropriations	1, 840, 233, 900	1, 915, 089, 700	1, 702, 177, 800	−138, 056, 100	−212, 911, 900	
1964 supplementals		42, 675, 000	450, 000		−42, 225, 000	
Agriculture (H.R. 11202)		5, 588, 922, 600	5, 182, 665, 000		−406, 257, 600	
1965 regular appropriations	6, 246, 297, 215	5, 582, 259, 600	5, 182, 665, 000	−1, 063, 632, 215	−399, 594, 600	
Loan authorization	(855, 000, 000)	(753, 000, 000)	(795, 000, 000)	(−60, 000, 000)	(+42, 000, 000)	
1964 supplementals		6, 663, 000			−6, 663, 000	

See footnotes at end of table.

The appropriation bills, 88th Cong., 2d sess., as of Aug. 21, 1964—Continued

[Does not include back-door appropriations or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

Title and bill No.	Prior year appropriations	House				
		Budget estimates to House	Amount as passed	House action compared with—		
				Prior year appropriations	Budget estimates	Amount reported
Independent Offices (H.R. 11296)		$14,244,653,400	$8,118,965,500		[10] −$6,125,687,900	[10] −$5,200,000,000
1965 regular appropriations	$13,275,913,050	14,099,653,400	8,118,965,500	[10] −$5,156,947,550	[10] −5,980,687,900	[10] −5,200,000,000
1964 supplementals		145,000,000			−145,000,000	
Military construction (H.R. 11369): 1965 regular appropriations	1,585,880,000	1,879,000,000	1,599,014,500	+13,134,500	−279,985,500	
Public works (H.R. 11579): 1965 regular appropriations	4,407,240,700	4,372,449,000	4,325,969,200	−81,271,500	−46,479,800	
Foreign assistance (H.R. 11812): 1965 regular appropriations	3,264,023,137	3,958,377,000	3,739,249,400	+475,226,263	−219,127,600	
Total, 1965 regular	92,154,527,246	93,929,100,355	85,751,433,640	−6,403,093,606	−8,177,666,715	−5,200,290,270
1964 supplementals (included in 1965 bills)		688,510,700	33,330,000		−655,180,700	
Total, all appropriations		96,306,679,844	87,431,365,329		−8,875,314,515	−5,200,290,270
Total, loan authorizations	(880,300,000)	(787,400,000)	(835,400,000)	(−44,900,000)	(+48,000,000)	

Title and bill No.	Prior year appropriations	Senate					Final appropriation		
		Budget estimates to Senate	Amount as passed	Senate action compared with—			Amount as approved	Final action compared with—	
				Prior year appropriations	Budget	House action		Prior year	Budget estimates
1964 DEFICIENCIES									
Department of Health, Education, and Welfare (H.J. Res. 875):									
Original resolution, 88th, 1st [2]		$41,886,000	$258,090,000		+$216,204,000	+$216,204,000			−$41,886,000
Subsequent consideration, 88th, 2d [3]		[4] 247,802,000	[5] 31,598,000		−216,204,000	−216,204,000	[6] $289,688,000		+41,886,000
Total (H.J. Res. 875)		289,688,000	289,688,000				289,688,000		
Department of Labor (H.J. Res. 962)		42,000,000	42,000,000				42,000,000		
Disaster relief (H.J. Res. 976)		50,000,000	50,000,000				50,000,000		
Deficiency, 1964 (H.R. 11201)		1,436,177,743	1,349,637,143		−86,540,600	+84,723,454	1,336,687,143		−99,490,600
Total, 1964 deficiencies		1,817,865,743	1,731,325,143		−86,540,600	+84,723,454	1,718,375,143		−99,490,600
1965 APPROPRIATION BILLS									
District of Columbia (H.R. 10199)	($313,469,518)	(357,862,300)	(342,181,975)	(+$28,712,457)	(−15,680,325)	(+3,976,775)	(341,242,200)	(+$27,772,682)	(−16,620,100)
Federal payment, 1965 regular	40,368,000	52,220,000	44,220,000	+3,852,000	−9,000,000	+3,500,000	40,720,000	+352,000	−12,500,000
Loan authorization	(19,300,000)	(14,400,000)	(26,400,000)	(+7,100,000)	(+12,000,000)		(26,400,000)	(+7,100,000)	(+12,000,000)
Interior (H.R. 10433)		1,035,961,000	1,029,226,400		−6,734,600	+20,050,800	1,028,277,200		−7,683,800
1965 regular appropriations	1,011,029,500	998,903,000	993,554,400	−17,475,100	−5,348,600	+17,078,800	994,069,200	−16,960,300	−4,833,800
Loan authorization	(6,000,000)	(20,000,000)	(14,000,000)	(+8,000,000)	(−6,000,000)		(14,000,000)	(+8,000,000)	(−6,000,000)
1964 supplementals		37,058,000	35,672,000		−1,386,000	+2,972,000	34,208,000		−2,850,000
Treasury-Post Office (H.R. 10532):									
1965 regular appropriations	6,055,766,000	6,268,691,000	6,240,423,000	+184,657,000	−28,268,000	+15,033,000	6,233,273,000	+177,507,000	−35,418,000
1964 supplementals (by transfer)		(1,675,000)	(1,100,000)		(−575,000)		(1,100,000)		(−575,000)
Legislative (H.R. 10723)		255,999,745	210,380,685		−45,619,060	+35,754,045	210,300,885		−45,698,860
1965 regular appropriations	[7] 217,304,244	[7] 255,788,045	[7] 210,231,685	[7] −7,072,559	[7] −45,556,360	[7] +36,785,045	210,300,885	−7,003,359	−45,487,160
1964 supplementals		211,700	149,000		−62,700	−31,000			−211,700
Labor-Health, Education, and Welfare (H.R. 10809)		7,083,190,000	7,081,193,000		−721,997,000	+173,130,000			
1965 regular appropriations	5,987,261,500	7,401,004,000	7,081,193,000	+1,093,931,500	−319,811,000	+173,130,000			
1964 supplementals		[8] 402,186,000			−402,186,000				
Defense (H.R. 10939):									
1965 regular appropriations	48,223,210,000	47,471,000,000	46,774,401,000	−1,448,809,000	−696,599,000	+15,134,000	46,752,051,000	−1,471,159,000	−718,949,000
1964 supplementals (by transfer)		(6,000,000)	(6,000,000)				(6,000,000)		
State, Justice, Judiciary (H.R. 11134)		1,999,164,700	1,730,855,700		−268,309,000	+28,227,900	1,717,157,800		−282,006,900
1965 regular appropriations	1,840,233,900	1,915,089,700	1,700,405,700	−139,828,200	−214,684,000	−1,772,100	1,686,707,800	−153,526,100	−228,381,900
1964 supplementals		84,075,000	30,450,000		−53,625,000	+30,000,000	30,450,000		−53,625,000
Agriculture (H.R. 11202)		5,583,625,600	5,338,672,525		−244,953,075	+156,007,525	5,137,162,200		−446,463,400
1965 regular appropriations	6,246,297,215	5,566,962,600	5,323,872,525	−922,424,690	−243,090,075	+141,207,535	5,122,362,200	−1,123,935,015	−444,600,400
Loan authorization	(855,000,000)	(753,000,000)	(795,000,000)	(−60,000,000)	(+42,000,000)		(795,000,000)	(−60,000,000)	(+42,000,000)
1964 supplementals		16,663,000	14,800,000		−1,863,000	+14,800,000	14,800,000		−1,863,000

See footnotes at end of table.

The appropriation bills, 88th Cong., 2d sess., as of Aug. 21, 1964—Continued

[Does not include back-door appropriations or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

Title and bill No.	Prior year appropriations	Senate					Final appropriation		
		Budget estimates to Senate	Amount as passed	Senate action compared with—			Amount as approved	Final action compared with—	
				Prior year appropriations	Budget	House action		Prior year	Budget estimates
1965 APPROPRIATION BILLS—continued									
Independent offices (H.R. 11296)		$14,249,653,400	$13,613,224,000		−$636,429,400	[10]+$5,494,258,500	$13,454,859,000		−$794,794,400
1965 regular appropriations	$13,275,913,050	14,104,653,400	13,613,224,000	+$337,310,950	−491,429,400	+5,494,258,500	13,454,859,000	+$178,945,950	−649,794,400
1964 supplementals		145,000,000			−145,000,000				−145,000,000
Military construction (H.R. 11369): 1965 regular appropriations	1,585,880,000	1,879,000,000	1,582,969,000	−2,911,000	−296,031,000	−16,045,500	1,570,968,000	−14,912,000	−308,032,000
Public works (H.R. 11579): 1965 regular appropriations	4,407,240,700	4,440,749,000	4,443,283,200	+36,042,500	+2,534,200	+117,314,000	4,430,794,700	+23,554,000	−9,954,300
Foreign assistance (H.R. 11812): 1965 regular appropriations	3,264,023,137								
Total, 1965 regular	92,154,527,246	90,355,060,745	88,007,777,510	−882,726,599	−2,347,283,235	+5,995,593,270	80,496,105,785	−2,407,136,824	−2,457,950,960
1964 supplementals (included in 1965 bills)		685,193,700	81,071,000		−604,122,700	+47,741,000	79,458,000		−203,549,700
Total, all appropriations		92,858,120,188	89,820,173,653		−3,037,946,535	+6,128,057,724	82,293,938,928		−2,760,991,260
Total, loan authorizations	(880,300,000)	(787,400,000)	(835,400,000)	(−44,900,000)	(+48,000,000)		(835,400,000)	(−44,900,000)	(+48,000,000)

[1] Tentatively estimated in January budget at about $11,800,000,000 for fiscal year 1965.

[2] This resolution passed both Houses in 88th Cong., 1st sess. House bill included $41,886,000 for activities to combat mental retardation; Senate bill added $216,204,000 for "Payments to school districts." Resolution not finally adopted in 1st session.

[3] Action renewed in 88th Cong., 2d sess.

[4] Estimates submitted to Congress in H. Doc. 203, dated Jan. 21, 1964, considered as follows: "Payments to school districts," $216,204,000 (previously added by Senate); "Defense educational activities," $31,168,000; "Compliance activities, Mexican farm labor program," $430,000.

[5] Resolution not actually reported by Appropriations Committees for House or Senate consideration. Figures shown for balancing purposes. Amounts shown as reported and passed by Senate include $31,168,000 for "Defense educational activities"; and $430,000 for "Compliance activities, Mexican farm labor program."

[6] Final amount appropriated includes $41,886,000 for activities to combat mental retardation; $216,204,000 for "Payments to school districts"; $31,168,000 for "Defense educational activities"; and $430,000 for "Compliance activities, Mexican farm labor program."

[7] Includes Senate items.

[8] Excludes Senate items.

[9] Estimate of $55,000,000 for manpower development and training activities, Department of Labor, included in deficiency bill, 1964, above in this column.

[10] Amount of $5,200,000,000 reported for National Aeronautics and Space Administration eliminated on point of order by House due to lack of legislative authorization.

NOTE.—Totals reflect amounts approved and comparisons at latest stage of congressional action on each bill.

PROGRESS PRODUCES CHANGES AND NEW EXPECTATIONS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Delaware [Mr. McDOWELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. McDOWELL. Mr. Speaker, progress represents a gradual betterment in the state of affairs affecting our citizens and our societal institutions. With this gradual evolution comes change, and I feel it would be timely to review several circumstances which contribute importantly to the changes which bear directly on the lives of all Americans.

I include as part of my remarks the text of a guest article which I submitted at the request of Mr. Bernard J. Smyth, publisher of the Delaware State News, Dover, Del., and which appeared therein on August 11, 1964:

PROGRESS PRODUCES CHANGES AND NEW EXPECTATIONS, BY U.S. REPRESENTATIVE HARRIS B. McDOWELL, JR.

With this Progress Edition, the Delaware State News once again marks the activities and cites the organizations which have contributed to the general progress of the First State during the past year. Progress represents a gradual betterment in the state of affairs affecting our citizens and our societal institutions. With this gradual evolution comes change, and I feel it would be timely to review several circumstances which contribute importantly to the changes which bear directly on the lives of all Americans.

To millions of Americans and Europeans who read their daily newspapers and listen to radio and television broadcasts, it is apparent that the several countries in southeast Asia are located in a seedbed from which has sprouted great changes accompanied by warfare, famine, disease, and human misery.

For those citizens enjoying a relatively orderly and comfortable life, there is an inclination to shrug and to question why their governments don't shun such disorders and leave these quarreling nations to their own fate. Would they not be happier if their leaders could behave like the three legendary monkeys, seeing no evil, hearing no evil, and speaking no evil? Unfortunately, there is no such simple alternative and, much as the United States and other nations in Europe, Africa, and Latin America want to be free from external harassment, desirous of living a quiet existence of their own choice, world circumstances simply do not permit such luxury. On the contrary, the United States and its allies must bear their share of the threats and dangers which batter the ramparts of freedom like the furious surf from a stormy sea.

Of the endless public dialog relating to the turmoil in southeast Asia, I was deeply impressed by the words expressed by the late Capt. James P. Spruill, a U.S. Army adviser with the Vietnamese forces who was killed on April 21, 1964, along with his driver when their jeep struck a land mine. In letters to his wife, Captain Spruill, a 1954 graduate of West Point, revealed the determination of a dedicated soldier intensely aware of the vital requirements involved in bolstering our allies in the jungle, swamp, and delta—wherever the front lines of freedom and national survival extend across this planet.

In the letters now made public, Captain Spruill explains the nature of the challenge in Vietnam in a decisive fashion. He wrote:

"It is a privilege to work with the Vietnamese soldier—also frustrating at times because he is backward, poorly trained—but in spite of his faults, he is the most genuine and kind human I have met. If the press judges them harshly at times, it would be well to remember that they have had their independence only 9 years and they have never had the opportunity to develop leadership, civic and otherwise.

"I must admit that there are many moments of frustration in Vietnam. But that is exactly why we are here. It is exactly in places and in circumstances such as this that communism gains its foothold.

"Communism is the scavenger of the upheaval that comes with the modernization process and the age of rising expectations."

The upheaval which comes with the modernization processes in this age of rising expectations reflects Captain Spruill's incisive evaluation of the state of affairs which demand our constant attention in southeast Asia and other troubled areas of the world since our fate is inextricably bound up in the fate of mankind.

In man's existence on this planet, there have been many periods of rising expectations which evolved from revolutions, some violent in nature, which changed the previous order and brought forth a new pattern of life and social organization. Let us examine briefly some of the forces which boil today and which will induce changes we can only faintly sense at this time.

The first widespread change relates to political revolution. The old colonial order which once was supreme is vanishing and self-government is taking its place. With the downfall of the Axis powers came the close of World War II in 1945 and a victory for the United States and its allies. Although some of our allies renewed their interest in securing their former colonial domains, World War II drastically altered the previous order of life and conditions in Asia, Africa, and other parts of the world. The new emerging nations rang their bells of freedom as they gained their independence. Just as America rejoiced when her freedom from colonial overlordship was declared in 1776, the new nations in southeast Asia, for example, find themselves in a weak position, unable for the most part to provide an enduring form of government which can foster and protect their newly won independence. The postwar countries established in southeast Asia lack the governmental makeup of modern-day powers, yet they have to meet immediately the responsibilities and requirements of a sovereign nation competing with other highly industrialized powers in a complex international commodity. Hence, the tasks and problems of the newly independent southeast Asian countries have been compounded since they are searching and struggling to devise a social order of their own choice and making. Earlier this month the United States observed the 188th anniversary of its Declaration of Independence. Almost 200 years elapsed before the United States could reach the enviable position of the world's leading representative democracy. Surely, it is unrealistic to expect the impoverished and poorly educated peoples of Asia and Africa to establish governments which seek to function somewhat under the principles, freedom, and safeguards which exist in our capitalistic democracy in 5, 10, or 25 years.

The second change which is felt the world over is the economic evolution. Two billion underprivileged people of the world are trying to scale the walls of poverty and ignorance so that they may obtain and enjoy the lesser material advantages which citizens of the industrialized nations take for granted today. The newly emerging nations, faced with economic retardation, are exposed to the American free-enterprise system and the advantages attributed to it. However, they are also aware that our economic system is conditioned upon a long accumulation of compounded human and material resources, advantages which these new nations have little or none of to use in casting their economic systems. Where the standard of living is less than the equivalent of $200 in yearly income—in Vietnam, in Thailand, and in India—these people seek to improve their opportunities for an elemental education, to enjoy better health and a longer productive life, and to be gainfully employed in order to support their families with even minimal nourishment and housing.

The third revolution is occurring in population. Everywhere populations are on the rise, diluting the effects of economic progress and creating new problems of housing, food, welfare, education, and employment. Thousands of years passed before the human race reached 1 billion in population. Now we have passed the 3 billion mark and by the close of this century, if present rates hold, the world will be populated by almost 6 billion people. Unfortunately, there is little if any unanimity as to how best this complex dilemma can be resolved.

Then there is the scientific revolution. Atomic energy, the development of nuclear weapons and telecommunications, the jet airplane, man's entry into space, new discoveries in medicine, chemistry and biology, the marvels of rocketry, and the perfection of intercontinental missiles have made the world much smaller, more volatile and more dangerous. The genie is out of the bottle and we have to learn how to best live with it.

There can be no universal consensus as to the nature of a warless world so long as two-thirds of the world's rapidly growing population is fighting an uphill battle for survival. Hungry, sick, penniless, ignorant, and oppressed people can do no more than struggle against the cruel present. At best, they can think perhaps of the future world only in terms of their own betterment.

Some critics may say that the burdens are too heavy, the tasks too great, for us to attempt simultaneously to preserve a stable world and to help create a productive and peaceful civilization. I believe that America will respond and meet the challenges of the revolutions mentioned above. President Kennedy once said that "the United States is commissioned by history to be either an observer of freedom's failure or the cause of its success." I pledge to all Delawareans that I will as the State's only Representative in Congress work vigorously for those conditions at home and abroad which will encourage and promote peace and human dignity. There is no question but that our Nation under God, indivisible, can hold the high confidence of our allies and the respect of our adversaries. America must act as a trustee of freedom, matching its military strength with our moral strength, its wealth with our wisdom, and its power with our purpose.

CYPRUS MUST NOT BECOME ANOTHER CUBA

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. PUCINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, the entire free world should be most seriously concerned with rapidly changing developments on Cyprus because the Soviet Union now seems to be starting a concerted drive to get a foothold on this very important bastion of the Mediterranean.

The free world must use all of its resources to make sure that Cyprus does not become another Soviet-dominated Cuba.

The United States has proposed a series of broad moves which would block the Soviet Union from getting a foothold in Cyprus. It is my hope that all parties involved, and particularly authorities on Cyprus, will cooperate with American efforts to keep the Communists out of Cyprus.

It is reliably reported that our Government has proposed Cyprus be annexed to Greece as a territory and remain under the administration of a governor to be appointed by Greece. To help mediate the present dispute between Greece and Turkey over Cyprus, the United States reportedly has proposed that Turkey be permitted to establish a military base on the island of Cyprus as part of the NATO European defense perimeter.

It would appear that this could be a workable solution. However, it cannot be completed until the Cypriots are invited to sit in on the negotiations.

It is my understanding that the Government of Greece cannot seriously consider such a proposal until it is assured that the Turkish military base on Cyprus would be only a part of NATO. The Greeks, quite properly, are insisting that the Turkish base would not also be used to fan antagonism among the Turkish minority living on the island of Cyprus.

The free world has a right to hope that the Turkish Government will not insist on broadening the role of the proposed Turkish base on Cyprus because then indeed, such a concept would arouse grave suspicion not only among the Greeks, but also among Greek Cypriots. To permit Turkish forces which would be situated on the proposed military base on Cyprus authority to represent and protect the rights of the Turkish minority on Cyprus would, indeed, be tantamount to permitting the Turkish Government land a protectorate force on Cyprus.

It is my hope that the United States will attempt to mediate this fine point in a manner which will bring about a peaceful solution to the centuries old dispute over Cyprus.

It is my further hope that the British will not impede efforts to mediate this dispute.

The free world already has lost too much precious time in finding a solution to the Cypriot problem.

The free world should view with extremely grave concern the offer of the Soviet Union to give the Greek Cypriots military arms supposedly for their defense against Turkish invasion.

It is my sincere hope that Archbishop Makarios will refuse any such assistance from the Soviet Union. Archbishop Makarios surely must know the undisputable fact of history that any nation which has accepted any assistance from the Soviet Union paid a most heavy cost by losing its own freedom.

We need only look at the plight of the European captive nations which today remain in Communist bondage, victims of Soviet deceit and deception.

But more important, Mr. Speaker, it is my honest belief that the United States and the free world must move immediately to remove any cause, no matter how slight, which could in any way be construed by the Greek Cypriots as justifying mililtary or economic assistance from the Soviet Union.

The United States must insist that Turkey refrain at all costs from any further attacks upon Cyprus. We should warn Turkey in the strongest terms that any further attacks upon Cyprus by Turkish forces will bring the most serious consequences from the United States and the rest of the free world.

We must impress upon Turkey that this Nation will not tolerate the use of American arms for any aggression against any of our allies.

We should also continue strengthening the United Nations inspection team and make it perfectly clear to all parties concerned that the United Nations forces will remain on Cyprus after the September 26 expiration date unless the entire Cyprus problem is resolved to the free world's satisfaction. We cannot permit any miscalculation here by the Soviets that U.N. forces will be removed by September 26.

Mr. Speaker, I believe Secretary of State Dean Rusk deserves the gratitude of the entire free world for his efforts in trying to resolve the Cyprus problem. We can all view with considerable relief the return of both Greek and Turkish forces to NATO. I believe that the action of both these Governments in deciding not to withdraw their respective forces from NATO, as they had earlier indicated, does give a tiny spark of hope against armed aggression over Cyprus. However, the situation on Cyprus continues extremely grave. We know from bitter experience that it is precisely such situations of unrest, as we see today on the island of Cyprus, that are tailor-made for Communists to exploit. We know from bitter experience that the Communists are experts in exploiting such disorders. It is my hope that all parties involved will understand the serious threat which exists today to Cyprus and it is for this reason that I hope the free world will use all of its resources to resolve the Cyprus problem so that Khrushchev's cynical designs on taking over this island in the Mediterranean can be blocked.

I have taken the floor today, Mr. Speaker, because I believe it is important that we call attention to the grave crisis in the Mediterranean. The free world cannot idly sit by and watch the Communists move into Cyprus as they did 5 years ago into Cuba. If need be, the free world must evolve a crash program to stop the Communists at all cost.

We learned a bitter lesson when the American Government failed to react decisively in 1959 when the seeds of communism were being planted in Cuba.

We must learn from these past mistakes the course for the future.

It will serve no purpose today to bemoan the fact that President Eisenhower should have used more decisive action to block Castro from taking over Cuba in 1959. We have reason to believe that Castro's days are numbered and that freedom will again return to this Caribbean Republic. No, Mr. Speaker, the solution to Cyprus is not to lament Cuba but rather to learn from bitter experience in Cuba that the free world cannot sit idly by while the Soviets try to infiltrate Cyprus.

It would be my hope that those who are concerned about the spread of international communism would now join in raising their voices for the help of Cyprus.

This voice must be heard in all the free capitals of the world and the moral force of the entire free world must be marshaled in support of the effort to remove from Cyprus those factors on which the Communists are counting to gain a foothold.

Mr. Speaker, the free world cannot permit Cyprus to become another Cuba. Only by insisting on a policy of self determination and permitting the Greek and Turkish Cypriots to resolve their differences without outside interference can we block Khrushchev's evil designs to get a Communist foothold in the Mediterranean. But decisive action is needed now, before it is too late.

U.S. OBSERVANCE OF CAPTIVE NATIONS WEEK—U.S. NEED OF SPECIAL COMMITTEE ON CAPTIVE NATIONS

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. DERWINSKI] is recognized for 15 minutes.

Mr. DERWINSKI. Mr. Speaker, the tremendously successful Captive Nations Week observance this past July 12–18 underscored three paramount facts. One, the captive nations movement in this country, which upholds Public Law 86–90 and emphasize, the liberation and freedom of all the captive nations in the Soviet Union, Central Europe, Asia, and Latin America, progressively continues to expand year by year. Two, Moscow and its satrapies seek the elimination of Captive Nations Week because it interferes with their deceptive scheme of "peaceful coexistence." And three, the 1964 observance again highlighted the urgent need for a special Committee on the Captive Nations in this House. Whether at the mass rallies in Chicago or Los Angeles, Philadelphia or Buffalo, Milwaukee or Pittsburgh—even in the cities of Taiwan in the Republic of China—these basic facts were clearly reflected.

THE SAN FRANCISCO OBSERVANCE

By all evidence, an outstanding and unforgettable event of the 1964 Captive Nations Week was the Republican salute to the captive nations. This was one of the highlights of the Republican National Convention itself. With no standing room allowance, over a thousand people crammed into the Mark Hopkins Peacock Court to observe the week and hear the addresses of Senator GOLDWATER, Governor Scranton, and Congressman MILLER. The event was unique and phenomenal in every respect. It was a remarkable innovation in the unfolding story of America's Captive Nations Week.

MOSCOW ATTACKS U.S. OBSERVANCE

As in past years, Moscow attacked our Captive Nations Week observance and endeavored to console itself with self-made fictions about a "passive" observance in the United States. For example, the July 15 issue of Izvestia states, "With every passing year 'Captive Nations Week' becomes a nuisance." No doubt, it has been and is a nuisance for the Soviet Russian strategy of peaceful coexistence, which is an integral part of its total cold war strategy aimed at the destruction of American will and power. The official organ of the colonialist Moscow Government vainly contents itself with this hallucinatory observation, "The stupid situation in which the Washington legislators and rulers found themselves is becoming evident even for those who earnestly propagate the imperialistic policy of the U.S.A."

It is a well-established fact, which was brought out particularly by the Captive Nations Week resolution, that what colonialist Moscow fears most is concentrated world attention focused upon the majority captive non-Russian nations in the Soviet Union itself. Such attention would practically destroy the great power image of the U.S.S.R. that Moscow seeks at all costs to impress on the world. Protracted ignorance on the part of numerous circles in the free world with regard to this primary empire of the Soviet Russian imperio-colonialists only serves to abet Moscow's plans in transporting this fraudulent image.

NEED FOR A SPECIAL COMMITTEE ON THE CAPTIVE NATIONS

Mr. Speaker, we have before us a wonderful opportunity to explode the fraudulent image of the Soviet Union and to advance the cause of freedom in behalf of all the captive nations and, indeed, of the free world itself. That opportunity is presented by the 42 resolutions now pending in the Committee on Rules, which call for the establishment of a Special House Committee on the Captive Nations. The majority of the members on the committee have expressed themselves in favor of this measure, the distinguished Chairman of the body has declared his willingness to consider action on the measure, yet for some inscrutable reason these resolutions are denied just and fair consideration.

In unison with my many colleagues on the issue, I urge that prompt consideration be given to these resolutions. There is still time in this session to pass upon this measure and to realize the opportunity for constructive action in behalf of our own national security. Inaction on this vital subject will certainly constitute a blemish on the record of this Congress.

THE "PASSIVE" 1964 CAPTIVE NATIONS WEEK

To give some indication of the so-called passive 1964 Captive Nations Week observance, I wish to submit for printing in the RECORD and as part of my remarks a variety of items suggesting Moscow's hoped-for passiveness: the proclamations of the week by Gov. Nelson A. Rockefeller, of New York; Gov. Otto Kerner, of Illinois; Gov. John W. King, of New Hampshire, Gov. William L. Guy, of North Dakota; Gov. John A. Love, of Colorado; Gov. George Romney, of Michigan; Gov. James A. Rhodes, of Ohio; Gov. Paul J. Fannin, of Arizona; Mayor Jay L. Hunter, of Aurora, Ill.; and Mayor Richard J. Daley of Chicago; press reports in the July 11 issue of the Los Angeles Herald Examiner and the July 19 issue of the San Francisco Examiner; a statement of the National Captive Nations Committee at the Republican National Convention; a timely letter in the New York Times, titled "For a Free Armenia"; a typical city-wide Captive Nations Week program as provided by the City of Buffalo; a release on "Republicans Attack Administration on Failure To Back Special House Committee on Captive Nations"; a release "Captive Nations Committee Hits Policies as Demoralizing to Captive Peoples"; a memorandum issued by the Ukrainian National Council on "East-West Relations and the Problem of the Peoples Enslaved by Moscow"; and an address by Dr. Leo E. Dobriansky on "Khrushchev Wants U.S.

To Stop," delivered at the Republican Salute to Captive Nations:

Proclamation of Gov. Nelson A. Rockefeller

The list of nations held captive by Communist colonialism is one of appalling length.

In the eyes of the enslaved peoples, the United States is the citadel of human freedom, as our Congress has justly pointed out. They look to us for leadership in bringing about their liberation and independence and in restoring the enjoyment of their Christian, Jewish, Moslem, Buddhist, and other religious freedoms.

We Americans are proud that many refugees from the oppressed countries have found asylum in the home of the free. We have benefited from their coming. They have become valued neighbors, loyal and industrious contributors to our State and national economy:

Now, therefore, I, Nelson A. Rockefeller, Governor of the State of New York, do hereby proclaim the period of July 12–18, 1964, as "Captive Nations Week," in New York State.

Given under my hand and the privy seal of the State at the capitol in the city of Albany this 11th day of June in the year of our Lord 1964.

Nelson A. Rockefeller.

By the Governor:

William J. Ronan,
Secretary to the Governor.

State of Illinois Proclamation

Whereas the American way of life has fostered a belief that freedom is common to all mankind and though our heritage may be diverse, the human-to-human rapport within each of us clears the path to understanding; and

Whereas there is rampant yet in much of our world a desire to control other nation's destinies, symbolized by those countries now in bondage; and

Whereas the American credo has led our people toward a warm understanding and sympathy for the aspirations of all peoples and a belief that subjection to power wielded by a larger nation over a smaller one constitutes a detriment to the natural bonds of understanding between those peoples; and

Whereas the flame that is kindled by liberty and independence within the hearts of all peoples must not be allowed to flicker and die among the conquered nations:

Now, therefore, I, Otto Kerner, Governor of the State of Illinois, do hereby proclaim the period of July 12–18, 1964, as "Captive Nations Week" in Illinois, and request a reaffirmation of the ideals that guided our Founding Fathers and urge all citizens of this State to recognize in citizens of those captive nations a common bond of brotherhood and inheritance.

In witness whereof, I have hereunto set my hand and caused the great seal of the State of Illinois to be affixed.

Done at the capitol, in the city of Springfield, this 6th day of July in the year of our Lord 1964 and of the State of Illinois the 146th.

Otto Kerner,
Governor.

By the Governor:

William H. Chamberlain,
Secretary of State.

State of New Hampshire Proclamation on Captive Nations Week, 1964

Whereas the joint resolution approved July 17, 1959 (73 Stat. 212) authorizes and requests the third week in July as such to be proclaimed as "Captive Nations Week" until such time as freedom and independence shall have been achieved for all the captive nations of the world; and

Whereas the cause of human rights and personal dignity remains a universal aspiration; and

Whereas this Nation is firmly committed to the cause of freedom and justice everywhere; and

Whereas it is appropriate and proper to manifest to the people of the captive nations the support of the Government and the people of the United States of America for their just aspirations:

Now, therefore, I, John W. King, Governor of the State of New Hampshire, do hereby proclaim the week beginning July 12, 1964, as Captive Nations Week in New Hampshire and invite the people of New Hampshire to observe this week with appropriate ceremonies and activities, and I urge them to give renewed devotion to the just aspirations of all people for national independence and human liberty.

Given at the executive chambers in Concord this 30th day of June in the year of our Lord 1964 and of the Independence of the United States of America, the 188th.

John W. King,
Governor.

By his excellency the Governor:
Attest:

Edward C. Kelley,
Deputy Secretary of State.

North Dakota Proclamation

Whereas many nations of the world today live under governments other than of their choosing; and

Whereas the free nations of the world must be concerned about the liberty of others in order to protect our own liberty; and

Whereas we believe that all peoples have the right to their own free choice of government:

Now, therefore, I, William L. Guy, Governor of the State of North Dakota, do hereby proclaim July 12–18, 1964, as "Captive Nations Week."

Given under my hand and the great seal of the State of North Dakota here in my office in the State capitol at Bismarck, N. Dak., this 24th day of June 1964.

William L. Guy,
Governor.

Colorado Proclamation

Whereas Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, Ukraine, and others, as a result of armed forces for many years, have been unwilling captives of Communist Russia; and

Whereas the people of these captive nations believe in the right of self-government and the basic inherent freedoms of man; and

Whereas the brutal massacre of human dignity and rights have been perpetrated by godless totalitarian Russia against the captive nations; and

Whereas the blight of imperialistic communism imposes a lethal threat to any nation of freedom-loving, God-fearing men:

Now, therefore, I, John A. Love, Governor of the State of Colorado, do hereby proclaim the week of July 12–18, 1964, as "Captive Nations Week," and urge our citizens to join in a common effort to assist the captive nations of the world.

Given under my hand and the executive seal of the State of Colorado, this 23d day of June 1964.

John A. Love,
Governor.

Michigan Proclamation

Imperialistic and aggressive policies of Communist Russia, through direct and indirect aggression, have resulted in the subjugation of the national independence of Albania, Armenia, Azerbaijan, Bulgaria, Byelorussia, mainland China, Cossackia, Czechoslovakia, East Germany, Estonia, Georgia, Hungary, Idel-Ural, Latvia, Lithuania, North Korea, North Vietnam, Poland, Rumania, Tibet, Turkestan, Ukraine, and others.

There were never any plebiscites in these countries on the question of voluntarily joining the Soviet Union. Nor have these nations ever renounced their independence and freedom to become Soviet satellite countries. Although Communist Russia has introduced a rule of oppression and russification, she has not been able to annihilate the aspirations for freedom and independence among these people.

Citizens of Michigan share deeply the aspirations of all the captive nations for their national independence. We pledge untiring efforts to counter Soviet demands with a plan based on the right of self-determination and restoration of freedom and human rights and dignity.

As free citizens we have a moral obligation and a moral right to do so until freedom and independence shall have been achieved for all the captive nations of the world. This is because we believe in the deathless freedom of the individual and the sacred right of individual choice:

Therefore, I, George Romney, Governor of the State of Michigan, hereby proclaim July 19 through July 25, 1964, as "Captive Nations Week" in Michigan, and urge citizens of Michigan to observe such a week with appropriate ceremonies and activities.

Given under my hand and the great seal of the State of Michigan, this 30th day of June in the year of our Lord 1964 and of the Commonwealth 128th.

By the Governor:

George Romney,
Governor.

Ohio Proclamation

Whereas the harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere and to recognize the natural interdependency of the peoples and nations of the world; and

Whereas the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples; and

Whereas since 1918 the imperialistic and aggressive policies of Russian communism have resulted in the creation of a vast empire which poses a dire threat to the security of the United States and of all the free peoples of the world; and

Whereas the imperialistic policies of Communist Russia have led, through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others; and

Whereas it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive:

Now, therefore, I, James A. Rhodes, Governor of the State of Ohio, do hereby designate the week of July 12–18, 1964 as "Captive Nations Week," and urge that all citizens support this annual recognition of the plight of the oppressed peoples of Eastern Europe.

In witness whereof I have hereunto subscribed my name and caused the great seal of the State of Ohio to be affixed at Columbus, this 6th day of July in the year of our Lord 1964.

James A. Rhodes,
Governor.

Arizona Proclamation

Whereas by joint resolution of the National Congress, approved July 17, 1959, the 3d week of July of each year is to be designated by proclamation of the President as Captive Nations Week "until such time as freedom and independence shall have been achieved for all the captive nations of the world"; and

Whereas the cause of human rights and personal dignity remains a universal aspiration; and

Whereas Captive Nations Week provides an occasion for all Americans to show their silent allies, the freedom-seeking peoples of the world, that they are not forgotten; and

Whereas many historical and cultural ties exist between the peoples of the captive nations and the people of America:

Now, therefore, I, Paul J. Fannin, Governor, do hereby designate and proclaim the week of July 12 to July 19, 1964, as "Captive Nations Week" in Arizona, and urge the citizens of our State to observe this week with appropriate ceremonies, demonstrating their support of the just aspirations of all people for national independence and freedom.

In witness whereof, I have hereunto set my hand and caused the great seal of the State of Arizona to be affixed at the capitol, in Phoenix, this 8th day of July, in the year of our Lord, 1964.

Paul J. Fannin,
Governor.

City of Aurora, Ill., Proclamation

Whereas in accordance with Public Law 86-90, Captive Nations Week will be observed throughout the country during the period of July 12-18, 1964; and

Whereas Americans across the Nation will observe the week to demonstrate our firm determination never to acquiesce to the permanent captivity of the nations in the Communist empire; and

Whereas they will also urge the establishment of a Special House Committee on the Captive Nations:

Now, therefore, I, Jay L. Hunter, mayor of the city of Aurora, Ill., do hereby proclaim the week of July 12-18, 1964, to be "Captive Nations Week."

Jay L. Hunter,
Mayor.

City of Chicago Proclamation

Whereas by joint resolution of the Congress of the United States the third week of July has been designated as "Captive Nations Week"; and

Whereas the city of Chicago is linked to these captive nations through the bonds of family, since numbered among the people of Chicago are hundreds of thousands of our citizens who through nativity or ancestry treasure the heritage which endowed them with the culture and industry which are theirs; and

Whereas these nations have been made captives by the imperialistic, aggressive, and heartless policies of communism; and

Whereas the people of these Communist-dominated nations have been deprived of their national independence and their individual liberties; and

Whereas it is appropriate and proper to demonstrate to the people of the captive nations the support of the people of the city of Chicago for their just aspirations for freedom and national independence; and

Whereas the people of Chicago, as do all the people of the United States, want for the people of the world the same freedom and justice which is theirs:

Now, therefore, I, Richard J. Daley, mayor of the city of Chicago, do hereby designate the week beginning July 12, 1964, as "Captive Nations Week."

I urge the people of Chicago to join in the programs arranged for observance of the occasion, and I urge all of our churches, our educational institutions and all media of communications to observe the plight of the Communist-dominated nations and to join in support of the just aspirations of the people of the captive nations.

I especially encourage everyone to concretely demonstrate his or her interest in the people imprisoned in the captive nations by their attendance at the program to be held at the Band Shell in Grant Park on Sunday afternoon, July 12, at 2 o'clock.

Dated this 26th day of June, A.D. 1964.

Richard J. Daley,
Mayor.

[From the San Francisco (Calif.) Examiner, July 19, 1964]

A Privileged People Parade in Appreciation

A motorcade of some 50 cars paraded through downtown San Francisco yesterday with signs telling of the plight of Eastern European nations under Communist control.

Led by a police escort, the colorful motorcade sported signs, banners, flags and pretty girls dressed in native costume.

The contingent celebrating Captive Nations Week represented Armenia, Bulgaria, Croatia, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, Serbia, and Ukraine.

Signs pleaded for a "Captive Nations Committee" in Congress to investigate Communist colonialism. Other messages read, "Free Estonia," "Free Bulgaria" or "Armenia, Prisoner of Communism."

Many of the participants were natives of Communist satellite countries and others were American born children of immigrants.

They honked their horns and waved their banners at shoppers along Market and Mission Streets.

The purpose of the parade was to "express our appreciation for the privilege of living in the United States," according to Daniel Marchyshyn, chairman of the Captive Nations Committee of San Francisco.

"Over 200 million people are still living in slavery under Communist domination," he said.

[From the Los Angeles (Calif.) Herald Examiner, July 11, 1964]

Captive Nations Homage

For a brief, few minutes today a handful of Angelenos paid homage to the enslaved nations hidden behind the Iron Curtain.

At a solemn flag-raising ceremony on the lawn adjacent to the First Street steps to city hall, the start tomorrow of "Captive Nations Week" was heralded by the 6th annual commemoration by the American Committee of California for Freedom of Enslaved Nations.

Councilman John P. Cassidy, representing Mayor Samuel W. Yorty, read a proclamation and presented it to Carol M. Blaze, president of the organization, on behalf of a small delegation.

Flags of Armenia, Estonia, Hungary, Latvia, Lithuania, Poland, Rumania, and Ukraine were displayed along with the American flag as 2 dozen native-costume clad representatives stood rigidly at attention.

Calling attention to the plight of millions of unwilling captives of communism in Eastern Europe, Cassidy slowly spoke from Yorty's resolution:

"The week beginning July 11 is 'Captive Nations Week' in Los Angeles and I urge all citizens to join in its observance and to support the committee in its efforts to bring the light of liberty shining through the darkness of totalitarian enslaved nations of Eastern Europe."

The councilman then added, "This is an observance of heritage, of freedom of worship, from fear, to vote, of love of life without fear of tyranny. I implore you to have enduring faith in the future."

Statement by Dr. Lev E. Dobriansky; Chairman, National Captive Nations Committee

Mr. Chairman and distinguished members, it is a distinct privilege for me to testify before your committee on the very eve of the 1964 Captive Nations Week observance. It is perhaps by act of providence that the period of the Republican National Convention is coincident with the week, which begins this coming Sunday. On this propitious occasion, my chief objective is to direct your careful attention to the many failures and defects of our Government's policy toward the captive nations and to recommend for your adoption a strong, innocative, and forward-looking plank on the captive nations, within the context of their crucial strategic value to our national interest and the prospect of our victory in the cold war.

A BACKGROUND OF FAILURES AND DEFECTS, FALLICIES AND OMISSIONS

With regard to the captive nations, our formidable allies behind the Iron, Bamboo, and Sugar Curtains, the policy of our Government these past 3½ years has been studded with error, myth, and a trained incapacity for the challenge and tasks of the cold war, which we are progressively losing on the terrains of both the captive and free worlds. In the purview of this all-important subject, the points of national indictment are as follows:

1. A protracted failure to adopt and effectuate as a national objective victory in the cold war. This failure represents a blind submission to the deceptive "peaceful coexistence" policy of Moscow and constitutes, with net disadvantage to our cold war position, a demoralization of our captive allies in their cold war against oppressive, totalitarian Communist regimes. The present policy of patched-up containment, accommodation, and interdependence is defensive, constantly reactive, and structurally incapable of my promise for victory in the cold war.

2. A demonstration of failure in the Cuban fiasco of 1961 and an extended inability to liberate this latest captive nation. As Juanita Castro has pointed out, Cuba has been delivered to "Russian imperialism", which today flouts our traditional Monroe Doctrine.

3. Failure in not preventing the erection of the Berlin wall in 1961 and apathetic indifference to its continued existence. The wall of shame definitely could have been prevented, and, despite subsequent rationalizations, it symbolizes above all the shameful indecisiveness, myopia, and timidity of the present policy.

4. Acceptance of the Laotian troika in 1962 as further proof of shortsightedness. The aged U.S. sponsor of this Russian-blessed arrangement is known in East European circles as the diplomatic undertaker of once free nations. Consequent events in Laos to this day point to further additions in the long list of captive nations.

5. Deficient use of the U.N. forum to spotlight world attention on Soviet Russian imperio-colonialism within as well as outside the Soviet Union. We pay heavily to maintain the United Nations, and yet our Government is grossly deficient in utilizing it as an opinionmaking forum in the one critical area responsible for the world's major problem of cold war aggressions, namely, Soviet Russian imperio-colonialism since 1918. The present policy of accommodating and—contrary to the spirit and substance of our own institutions—even seeking to become interdependent with traditional Russian imperialism guarantees such tragic waste.

6. A woeful lack of understanding and also pathetic confusion on the part of present policymakers with reference to the Soviet

Union and its dozen captive non-Russian nations within the U.S.S.R. itself. This indictment cannot be too strongly emphasized. "Know your enemy" is a cardinal requisite in any war, hot or cold. When a Secretary of State labors under the illusion that the U.S.S.R. is a "historical state" and blindly holds that Georgia, Armenia, and Ukraine are "traditional parts" of this nonmonolithic, inner empire; when a President clings to fables about Russian war losses and imagines the Volga to have the same political significance as the Mississippi; and when both are sharply contradicted in a statement by our U.N. Ambassador, we do have something really to fear.

7. The pending Consular Convention, a prime current example of myths about the U.S.S.R. as perpetuated by the administration. There is no such animal as a "national" of the U.S.S.R. This convention is based on the myth that the U.S.S.R. is a nation-state like the United States. It squarely contradicts the congressional Captive Nations Week resolution; it is a clear diplomatic stamp of acquiescence to the captivity of the non-Russian nations in the U.S.S.R.; and it is an opening wedge for the recognition of Russia's forced incorporation of the three Baltic non-Russian nations.

8. The wheat deal, another example of self-defeating accommodation for a cold war economy. This committee offered a plan of "wheat for freedom, not for sale," but it was spurned because it would have thrown Moscow on a cold war defensive. Instead, our wheat substituted for Canadian wheat to help the satrapies of Castro and others.

9. The playing down of captive nations under the generated illusion of "Communist nationalism." One of the gravest intellectual errors in the present policy of accommodation is the groundless imputation of patriotic nationalism to Communist regimes, which themselves preach an antithetical "Socialist patriotism." In the wishful and unrealistic hope of weaning these regimes away from any dependence on colonialist Moscow, present policy contributes to an entrenchment of these unrepresentative governments, reinforcing their reins over their respective captive peoples and in the end abetting the aggregate power of the Soviet Russian imperium.

10. The blocking of a Freedom Commission and Freedom Academy also an accommodation for our cold war enemy. While Moscow trains uncounted experts in psychopolitical warfare for operations all over the globe, we have no comparable apparatus here for cold war education.

11. Further accommodation for the enemy in the administration's opposition to a Special Congressional Committee on the Captive Nations. Aside from the assured creative and innovative work of such a committee, its symbolic value alone is incalculable in the cold war.

12. The persistence of a serious cold war gap, the consummate product of patched-up containment, accommodation, and interdependence. In the contest of ideas to move the minds and hearts of men everywhere, we run a poor second to Moscow, this despite our resources and foreign aid. On the topside, the potemkinized image of the U.S.S.R. is far out of proportion and focus to its empire character and questionable multinational power; ours is far below the standards of our revolutionary tradition, time-honored principles, and national will. In short, in the psychopolitical sphere of the cold war we continue to lag markedly behind.

RECOMMENDED PLANK ON THE CAPTIVE NATIONS

In light of this background I recommend for your adoption the following plank on the captive nations:

The Republican Party strongly supports the eventual liberation and independence of all the captive nations in Europe, Asia, and in this hemisphere. In the cold war we vividly recognize the strategic importance of these nations to our own national interest and the interests of the free world. We firmly oppose the present policy of patched-up containment, accommodation, and illusory interdependence with the Communist Empire, which saps the vital energies of our natural allies behind the Iron, Bamboo, and Sugar Curtains and weakens one of the most powerful leverages the free world possesses against further Sino-Russian aggression and the outbreak of a global holocaust.

In our view, the captive nations in toto (Poland, East Germany, Czechoslovakia, Ukraine, Lithuania, Hungary, Armenia, Rumania, Serbia, Latvia, Bulgaria, Cuba, Croatia, mainland China, Estonia, Albania, and many others) constitute one of our most formidable assets for cold war victory. With a concrete and well-planned cold war strategy designed for victory, these nations and peoples, amounting close to 1 billion, would generate pressures for freedom throughout the Communist empire that would progressively eliminate the prospect for any world domination by the two power centers in Moscow and Peiping. We outrightly repudiate the notions that little can be accomplished for the captive nations in the paramilitary and psychopolitical spheres and that what might be done would lead to a hot global engagement. On the contrary, with imagination, will, and comprehension much can be done to place our cold war adversaries on a perpetual and corrosive defensive, thereby minimizing the chances of another hot world war and maximizing the prospect for victory in the cold war.

Advancing a policy of emancipation, the Republican Party calls for an implementation of Public Law 86–90, signed by President Dwight D. Eisenhower, and promises to focus constant world attention on all the captive nations enumerated in and implied by that law. Without fear, we will concentrate on the dozen captive non-Russian nations in the U.S.S.R. and also on the oppressed majority of the Russian nation, and thus cast an entirely different image of this empire-state in the eyes of the world. Our policy will utilize, toward the end of expansive freedom, the enormous power of patriotic nationalism that resides exclusively in the captive nations and peoples and not in their unrepresentative and imposed Communist governments. Through every available medium, including a Freedom Commission and Academy, a Congressional Committee on the Captive Nations, the United Nations, we will persistently advance the principles of national self-determination and independence in sharp contrast to the reactionary forces of Soviet Russian and Chinese imperio-colonialism. Through these and other practical means, a Republican administration will shape the minds and inspire the hearts of men everywhere, particularly those in the Communist empire, toward victory and freedom.

[From the New York (N.Y.) Times, Aug. 10, 1964]

FOR A FREE ARMENIA—DENIAL OF TERRITORIES ATTRIBUTED TO UNSCRUPULOUS DIPLOMACY

To the EDITOR:

Plank eight of the Republican platform advocates "the evenutal liberation of the captive nations," without specifying any timetable or methods; it therefore allows broad latitudes for policy.

C. L. Sulzberger [July 15] opposes this measure as a "farrago of nonsense," and particularly disparages the Ukraine and Armenia, the two Soviet republics specifically mentioned in the plank. He argues that these countries have long been under Russian rule. This argument, incidentally, is shared by George Kennan and Dean Rusk.

Is it relevant and cogent, however, to argue that the duration of a foreign rule is a criterion for the legitimacy of that rule?

OLDEST NATIONALITY

Today a congeries of tribal and geographical groupings from everywhere are being applauded in the U.N. as "emergent nations." Yet, according to Great Soviet Encyclopedia, Armenia is the oldest nationality among the Soviet republics, having had her golden age of classic culture 10 centuries before her masters of today were even born historically.

A twin problem raised by this discussion concerns Turkey. Is it of supreme national interest to hold an alliance sacrosanct and then sacrifice the fundamental rights of small nations at the altar of that alliance?

By invoking allied Turkey, by inexplicably linking Armenia's liberation from Soviet rule with a threat to Turkish territories, Mr. Sulzberger is signalizing a problem with deep moral implications. Indeed, with or without liberation, on what conceivable grounds can the Armenians be denied the right to reclaim their ancestral territories which Turkey absorbed after massacring their inhabitants?

Would not such a denial be tantamount to condoning genocide as an instrument of territorial aggrandizement?

In both World Wars Armenians fought with the Allies, contributing instances of bravery and manifold sacrifices far in excess of their modest limits. Contrariwise, the Turks were the stanch allies of Germany in World War I, and when she was all but defeated in the Second World War—3 months before its end—Turkey declared war on Germany to qualify as an ally. Above all, the Turks committed and escaped retribution for what has been called "deeds surpassing in magnitude and vileness the most imaginative pictures of hell ever conceived."

Finally, it was the Soviet Union of Lenin that decisively assisted Turkey to defy the victorious Allies, to repudiate the Treaty of Sevres which at last had restored the territorial integrity of Armenia, and to ignore President Wilson's final arbitration of the disputed frontiers.

In brief, whether allied with East or West, with democracy or tyranny, because of her strategic import and numerical superiority, Turkey is favored, cajoled and placated, always at the expense of Armenia—the perennial underdog and the tragic symbol of unscrupulous diplomacy. In reacting to the plight of Armenia in 1912, Theodore Roosevelt emphasized that the moral dimensions of Armenia's cause reached above and beyond commerce and politics and, dismissing the value of pious proclamations, urged resolute action.

To interpret such a cause as inconsequential may prove political acumen. But can a civilization flourish by placing a premium upon such acumen, to the detriment of a sense of probity? Is the spell of political vicissitudes to be continuously and indiscriminately confused with the more abiding guideposts of ideology?

The forthcoming campaign may afford unique opportunities to explore this paramount issue which touches on crucial national interests.

V. N. DADRIAN.

CAMBRIDGE, MASS., *August 3, 1964.*

THE CITY OF BUFFALO OFFICIALLY SALUTES CAPTIVE NATIONS WEEK, JULY 12–19, 1964

PROGRAM OF EVENTS

(By the Citizens Committee To Observe Captive Nations Week)

Message of Mayor Chester Kowal

This Nation saw its birth due to the moral courage of her Founding Fathers. These courageous men dared to affix their names to the Declaration of Independence even though that act could mean loss of their property and even life. The patriot Charles Carroll in order that there be no mistake as to his identity signed in bold letters this document of human valor as "Charles Carroll of Carrollton."

The die was cast in those historical days of the 1770's and we, who carry the responsibility for this Nation's future can do no less. For the past 5 years, since signed into the law by President Dwight D. Eisenhower, the Captive Nations Week known as Public Law 86–90 does exactly that. Americans again dared to stand up and be counted for the tyrants to see, that we, as in the past, do not bow to despotism whether it is directed from St. James Court, Kremlin, or Peiping. Moral courage has rewards that timidity can never achieve. The reward of millions of grateful people behind the Iron and Bamboo Curtains whose morale was boosted by this outstanding act, cannot be measured exactly. Only history will mark its value upon the spirit of human dignity, steadfastness, and courage.

The Red Russian and Chinese oppression of the peoples bears heavily upon the lives of the enslaved nations of Europe and Asia. The harsh realities of their everyday existence is beyond our understanding. Their struggles for sheer survival is constant. The free world has a God-given obligation not to forsake these teeming millions of humanity to their fate. The subjugated people are in a lion's den but their spirits are soaring. The human soul cannot be chained permanently. Regardless of cruel measures tyrants like Khrushchev, Mao Tse-tung or Tito may employ, the spirit will not be subdued. Examples of insurgence—East Berlin, Poznan, Budapest, UPA-Ukrainian Freedom Army, the Ukrainian prisoners' uprisings in Russian concentration camps in Karaganda, and innumerable others—attest to this eternal truth—that tyranny must fall as all evil must go letting freedom triumph in the end.

This end, however, is still to be attained by means of humans suffering, courage and moral support.

It is bracing to know that Americans true to their glorious tradition do attempt to clearly state to the Red lords of Cuba, so-called Soviet Union and so-called Peoples Republic of China, that the time of reckoning will come and that the enslaved will lift their chains in wrath and tear them asunder. It is bracing to know that we—the free people of the United States will stand by and—as tradition bids us—help when needed to shake off the hated yoke of Russian imperialism or Chinese Red aggression. America has aided others in need as no other nation in history of mankind. Our sons and daughters bled and bleed today on foreign soil to defend human freedom and dignity of men. No nation has given so much and asked so little in return. Ours is a unique heritage, and history ought to judge America as a true champion of the oppressed.

It is well, that we on the Niagara Frontier, Buffalo in particular, do stand alongside the rest of the Nation in observing Captive Nations Week in a fitting manner. Buffalo bears witness to the eternal truth—that we indeed are our brothers' keepers. I urge all citizens of good will to solemnly observe this week in order to render spiritual nourishment for those who need them so much—the enslaved peoples of Europe and Asia. May their prayers unite with ours that their deliverance be near. When that time comes, Buffalo will proudly proclaim that our people had the courage and wisdom to stand and be counted because the timid always lose and the brave always win.

Highlights of events

Sunday, July 12

Religious observances and prayers in churches of the city of Buffalo.

At 1:30 p.m.: Marching groups and motorcade forming at Main and Tupper Streets to proceed to the city hall.

At 3:00 p.m.:

Civic opening of Captive Nations Week program at McKinley Monument in front of city hall.

Presentation of colors.

National anthem: Joseph Borczynski.

Invocation by Rev. John Sharvary, S.T.D., D'Youville College.

Posting of captive nations flags.

Welcome by Dr. Nestor Proczyk, chairman, Citizens Committee To Observe Captive Nations Week.

Proclamation of Captive Nations Week by Hon. Chester Kowal, mayor of Buffalo.

Address by Hon. Chester C. Gorski, president, Common Council, Buffalo, N.Y.

On the Alert, America: Zenon Deputat.

Benediction by Rev. Robert W. Vandermey, Bible Presbyterian Church, Grand Island, N.Y.

Wednesday, July 15

At 12 noon:

Civic luncheon sponsored by the Kiwanis Club of Buffalo, Hotel Statler Hilton, Terrace Room.

Speaker: Hon. Yaroslaw Stetzko, of Munich, West Germany, former Prime Minister of Ukraine, president of a worldwide anti-Communist movement—the anti-Bolshevik Bloc of Nations.

Topic: "Coexistence or Liberation Policy?"

Tickets: $2.75 (for reservations call TL 2–3399).

Sunday, July 19

At 7:30 p.m.:

Captive nations festival, Delaware Park at Albright-Knox Art Gallery.

Buffalo Civic Orchestra under the direction of Jan Wolanek.

A pageant of songs and dances of the captive nations.

Speaker: Hon. Chester Kowal, mayor of Buffalo.

All events are open to the public. No admission charge will be made except for the civic luncheon on Wednesday, July 15, at the Statler Hilton.

CITIZENS COMMITTEE TO OBSERVE CAPTIVE NATIONS WEEK

Honorary chairman: Hon. Chester Kowal, mayor of Buffalo.

Chairman: Nestor Procyk, M.D., assistant director, West Seneca State School.

Executive assistant: John J. Sullivan, secretary to the mayor.

Special assistants: John A. Boccio, director of purchases, city of Buffalo; Robert E. Casey, deputy corporation counsel, city of Buffalo; Francis X. Schwab, division of planning, city of Buffalo.

Cochairmen:

Program: Col. Almond E. Fisher, holder of Congressional Medal of Honor.

Publicity: A. O'Neil Kline, attorney, Kiwanis Club of Buffalo.

Religious affairs: Felix Mindy, president, representative Polish-American League, vice president, Central Council of Polish Organizations.

Youth committee: James Moran.

Finance committee: Daniel Kurdziel, commander, Erie County Chapter, Catholic War Veterans.

Secretary: James Cummins, past commander, Erie County Council, VFW.

Grand marshal: Arthur J. Vater, commander, Department of New York State VFW.

Members of the committee

Herman G. Achtzinger: past commander, Erie County Council, VFW.

Angel Bezeff: Macedonian Patriotic Organization.

Walter Chopyk: United Anti-Communist Action Committee.

John J. Conroy: senior vice commander, Erie County, VFW.

Andrew Diakun: Erie County Bar Association.

Vasil Dincev: Bulgarian National Front.

Hon. Chester C. Gorski: president, Common Council, city of Buffalo.

Dr. Stephen Gredelj: Croatian organizations.

Dr. John M. Juhasz: Actio Hungarica.

Olev Jarver: Estonian Club of Buffalo.

Hon. Albert C. Killian: Commissioner of parks.

Francis M. Kindel: past president, United Anti-Communist Action Committee.

Tach D. Kuntcheff: Bulgarian groups.

Henry Kurrikoff: Estonian Club of Buffalo.

Mychajlo Lysak: vice chairman, Ukrainian Congress Committee.

Romas Masiulionis: Lithuanian Club of Buffalo.

Walter L. Mikulski: Americanism chairman, Erie County Council, VFW.

Dr. Christo Mladenov: Bulgarian organizations.

Marian Morozevych: Ukrainian Liberation Front Organizations.

Zef Priska: Albanian groups.

Clement Sakas: Lithuanian Club of Buffalo.

Hon. William H. Schneider: commissioner of police, city of Buffalo.

Dr. Laszlo Szimonisz: Hungarian groups.

Wladyslaw T. Sulkowski: Polish Air Force Association.

B. John Tutuska: sheriff, Erie County.

Jerome W. Walters: Polish groups.

John E. Whitmer: office of the mayor, city of Buffalo.

Hon. Robert J. Zahm: commissioner of fire, city of Buffalo.

Ragib Zukic: Croatian organizations.

[News release from the Republican National Committee, Washington, D.C.]

REPUBLICANS ATTACK ADMINISTRATION ON FAILURE TO BACK SPECIAL HOUSE COMMITTEE ON CAPTIVE NATIONS

WASHINGTON, D.C., August 18.—Republican Vice-Presidential Candidate WILLIAM E. MILLER today attacked the Democratic administration for its failure to support the establishment of a Special House Committee on Captive Nations.

Mr. MILLER said that a new Republican administration will give favorable attention to this vital issue in line with the Republican policy of having legislators play a more significant role in foreign policy formation.

"Forty-two resolutions on the special House committee—introduced by Democrats as well as Republicans—are now bottled up in the House Rules Committee, apparently on orders from the administration," Mr. MILLER said.

"The House Rules Committee Chairman HOWARD SMITH, of Virginia, is on record as having no objection to consideration of these resolutions, so where can the opposition come from except from the administration," Mr. MILLER said.

Mr. MILLER continued:

"This administration has done practically nothing for the captive nations and, thus,, has slighted our national security interests. It is generally known that even the administration proclamations of Captive Nations Week were issued with the utmost reluctance for fear of imperialist Moscow's reactions.

"Regardless of Moscow's feelings, we cannot sweep truths about the captive nations under the rug. These truths form our greatest weapon for winning the struggle for freedom and against tyranny in the world.

"It is ridiculous to maintain a strong military posture at tremendous expense to the taxpayer here and at the same time have people in the Government who think that you can appease the Communists. Our policy cannot be considered a success until all of the captive nations are as free as we are. That's the objective of Republican policy."

Mr. Miller said that the struggle against communism is largely moral and spiritual and must be based upon full disclosure of the truth. He added: "This Nation can take a major step toward the goal of freedom for the captive nations by creation of the Special House Committee on Captive Nations."

Captive Nations Committee Hits Policies as Demoralizing to Captive Peoples—Consular Convention With U.S.S.R. Scored as President Asked To Support Captive Nations Unit

Washington, D.C., July 13, 1964.—Appealing to President Johnson for support in the creation of a special congressional Committee on the Captive Nations, the National Captive Nations Committee today charged that the administration's "policy of accommodation and interdependence" in relation to the Communist empire is inconsistent with the President's recent Captive Nations Week proclamation and the Captive Nations Week resolution (Public Law 86–90) passed by Congress in 1959.

In a statement sent to the President today, the committee criticized the policy as ignoring in practice the aspirations of the captive nations and corroding their cold war resources by "accommodating and further entrenching the illegitimate, totalitarian regimes imposed upon them."

At the start of Captive Nations Week (July 12–18), the committee's chairman, Dr. Lev E. Dobriansky, of Georgetown University, declared that the "demoralizing results of this policy are being borne today by the underlying captive nations in their cold war against the accommodated 'good' Communist regimes; tomorrow, we shall have to pay dearly for our virtual abandonment now of these natural allies in Eastern Europe and Asia." Under NCNC sponsorship, the week is observed annually across the Nation in implementation of Public Law 86–90, to emphasize the strategic value of all the captive nations to U.S. security in the cold war.

Dr. Dobriansky thanked President Johnson for his timely Captive Nations Week proclamation, but noted the proclamation's "omission of references to deceptive Communist ideology and the basic reality of Soviet Russian imperiocolonialism," two points emphasized in the congressional resolution.

Criticism was aimed also at the Consular Convention with the U.S.S.R. as "another unwise product of the present policy." The committee views the treaty as "a diplomatic stamp of approval" to the permanent captivity of the dozen non-Russian nations in the U.S.S.R., such as Ukraine, Armenia, Lithuania and others. "The Convention," Dr. Dobriansky said, "points in the direction of our final acquiescence to Moscow's forced incorporation of the three Baltic nations in this inner empire."

Noting the opposition of the previous administration to the establishment of a Special Committee on the Captive Nations in Congress, the appeal to the President pointed out, "With civil rights having been successfuly assured on the domestic scene, the moment is now ripe to concern ourselves with civil and national rights behind the Iron, Bamboo, and Sugar Curtains." Dr. Dobriansky said that such a committee would be "a focal point of such national concern."

National Captive Nations Committee

July 13, 1964.

The President of the United States,
The White House,
Washington, D.C.

Dear Mr. President: We express our warm gratitude to you for your timely proclamation of Captive Nations Week. Its release on June 20 is the earliest on record. Although, by its omission of references to deceptive Communist ideology and the basic reality of Soviet Russian imperio-colonialism, your proclamation does not reflect the full spirit and content of the underlying congressional resolution, it nevertheless offers some inspiration to millions of Americans across the country who will observe the week on July 12 (yesterday) through July 18.

In light of your proclamation and its emphasis on freedom and independence everywhere, we are greatly disturbed by current policy tendencies which are clearly inconsistent with the proclamation and the Captive Nations Week resolution. One is the pending Consular Convention, a still unratified treaty based on the myth that the Soviet Union is a nation-state like our United States. Plainly, there is no Soviet "national." The U.S.S.R. is an empire-state composed of a dozen captive non-Russian nations, and the convention is so drawn up that we would be giving a diplomatic stamp of approval to the permanent captivity of these nations in this prison house of nations. Moreover, the convention points to our final acquiescence to Moscow's forced incorporation of the three Baltic nations in this inner empire.

We strongly oppose this convention as another unwise product of the present policy of accommodation and interdependence, which leads us to our second point: How does one intellectually reconcile our ideals and dedication to the freedom and independence of all the captive nations with a shortsighted pragmatic policy that actually ignores the aspirations and corrodes the cold war resources of the captive nations by accommodating and further entrenching the illegitimate totalitarian regimes imposed upon them? The demoralizing results of this policy are being borne today by the underlying captive nations in their cold war against the accommodated "good" Communist regimes; tomorrow, we shall have to pay dearly for our virtual abandonment now of these natural allies in Eastern Europe and Asia.

Our final point concerns the past administration's opposition to the establishment of a Special Committee on the Captive Nations in Congress. With civil rights having been successfully assured on the domestic scene, the moment is now ripe to concern ourselves with civil and national rights behind the Iron, Bamboo, and Sugar Curtains. The proposed congressional committee would be a focal point of such national concern. We earnestly hope that your administration will support now the 41 resolutions pending in the House Rules Committee, calling for the creation of this committee.

With our sincere thanks for your proclamation and all good wishes,

Sincerely yours,
Lev E. Dobriansky,
Chairman.

East-West Relations and the Problem of the Peoples Enslaved by Moscow

(A memorandum by Mykola Liwyckyj, chairman of the executive committee of the Ukrainian National Council and Member of the Central Committee of the League for the Liberation of the Peoples of the U.S.S.R. (the Paris bloc))

1. THE WEST'S EFFORTS TO ESTABLISH A LASTING PEACE AND SOVIET PROPAGANDA OF "PEACEFUL COEXISTENCE"

With the present development of military techniques a world war would mean catastrophe to all mankind. In view of this the peoples of the free world are striving to eliminate the danger of war, to which end the Western states headed by the United States of America are taking appropriate steps. This policy can be understood by the peoples enslaved by Soviet Moscow since they also preclude world war with the use of nuclear weapons as a means of freeing themselves from the Soviet Communist yoke. Nevertheless, these peoples do not renounce their desire for liberty, democracy, and independence.

The Soviet Union also professes to be a champion of peace and, particularly of late, has conducted an intensive propaganda campaign for so-called peaceful coexistence. However, it is our profound conviction that this "peaceful" policy of the Moscow leaders is not sincere but is dictated by a whole series of causes.

First, the Soviet Union has every reason to fear war since the peoples under its sway are opposed to war and its military potential is not strong enough to offer any chance of winning a war. In view of this Moscow's threats are largely bluff intended to "intimidate" the states and peoples of the Western World.

Second, for many years now the Soviet Union has been experiencing great difficulties in various fields, difficulties which force it to seek a detente and expansion of trade with the West in the hope of obtaining from the latter long-term credits. The Soviet Union's difficulties take many shapes and forms. Here are just a few of them:

(a) The ideological crisis of communism, as displayed in literature and particularly in the moods of youth among the peoples of the so-called Communist bloc, the Russian people not excluded.

(b) The schism in international communism caused primarily by the conflict with China. As a result of this a tendency to resist unconditional obedience to Moscow is beginning to emerge among the Communist Parties of some satellites, for example Rumania. There is reason to think that this same tendency will develop among the so-called Union republics, i.e., the Ukraine, Byelorussia, the Caucasus, etc.

(c) The collapse of the Communist economic system, particularly evident in agriculture.

(d) The increasing opposition of the captive nations, both among the satellite peoples of the so-called Communist bloc and the non-Russian peoples of the Soviet Union. This opposition persists despite the colonial oppression and totalitarian police regime which Moscow has established in the countries it occupies.

It is these and suchlike difficulties that have led the Soviet leaders to seek "peaceful coexistence" with the West in order to obtain the "breathing space," recommended by Lenin, to overcome the increasing hitches in the Soviet Empire.

2. WILL THE SOVIET UNION END ITS AGGRESSIVE POLICY TOWARD THE FREE WORLD?

The very nature of a totalitarian dictatorial regime compels it to keep the peoples under its sway in a state of constant tension and demand of them ever greater sacrifices, justifying this policy with the imaginary danger which the "capitalist world" constitutes for the Communist bloc. A great empire created by coercion can only be kept together by ceaseless outward expansion. Renunciation of "world revolution," i.e., the spreading of communism throughout the world, would mean not only tremendous loss of face but also the isolation of Moscow from its loyal adherents—the Communist Parties throughout the world.

The Moscow rulers openly state that "ideological coexistence" with the democratic countries is impermissible. On many occasions Khrushchev himself has cynically remarked that "even without war the capitalist world will end up its existence in the graveyard." In view of this there can be no doubt that it is only the methods of the Soviet urge for world dominion that have been modified; the imperialist aims of Soviet policy remain the same.

The Soviet Government cannot risk world war but it does continue its policy of the "peaceful infiltration" of communism into the countries of the free world and spends tremendous sums of money on Communist propaganda and on supporting Communist parties throughout the world. There is no abatement of attempt to acquire a decisive influence over the countries of Asia, Africa, and Latin America and turn them against the democratic world, headed by the United States. Through local conflicts and "limited wars" Moscow tries to weaken the democratic Western countries. If the Soviet Union manages to overcome its internal difficulties, its aggressive actions against the West will be still further intensified, and reversion to a policy of military threats is a distinct possibility.

In view of the above considerations, it is our opinion that the states of the free world should, for their own protection, switch to the counteroffensive in the ideological field and take the necessary steps to stop the expansion of the Soviet Russian Empire and even force to the Kremlin to retreat along the entire front. Since, in our opinion, Moscow's weakest point is the opposition of the captive peoples throughout the Communist bloc, and particularly the non-Russian peoples of the U.S.S.R. in safeguarding against Soviet aggression it is most essential to use the most effective weapon; namely, the liberation movements of the peoples enslaved by Moscow.

3. THE NON-RUSSIAN PEOPLES OF THE U.S.S.R. AND THEIR STRUGGLE AGAINST SOVIET RUSSIAN IMPERIALISM AND COMMUNISM

In the two decades since the end of World War II many Afro-Asian peoples, including such as were still in the tribal stage, have been enabled to create their own independent states. At the same time various states in eastern and central Europe have lost their independence and have been either incorporated into the U.S.S.R. (the three Baltic republics) or relegated to the status of vassal satellites of Moscow.

However, we must not forget that in addition to the peoples who lost their independence after World War II the non-Russian peoples of the U.S.S.R. are also under the sway of the totalitarian Communist regime in Moscow. Most of these peoples established their own democratic independent states after the 1917 revolution in czarist Russia but shortly afterward feel victim to Soviet Russian imperialist aggression. The largest of these is the Ukraine people. However, the Ukrainian Democratic Republic, whose independence was proclaimed on January 22, 1918, was one of the first victims of Soviet aggression and its territory, after almost 3 years of ceaseless fighting, was finally occupied in late 1920. The difference between the non-Russian captive peoples of the Soviet Union and the so-called satellite peoples is that the former have been under Moscow's rule for more than 40 years and the latter for 20 years.

The countries of the non-Russian peoples of the U.S.S.R. are ruled by a regime of colonial oppression. The national culture of these peoples, their economic and political life, are entirely subordinate to the Moscow center. The population of the non-Russian Soviet Republics is forcibly deported beyond the Urals, to Siberia or Kazakhstan, while in their stead the Moscow center sends colonists from the Russian areas of the Soviet Union. The economic resources of the non-Russian peoples' countries go to swell the economic and military potential of the Soviet Empire's center. These peoples have the Russian language forcibly imposed upon them as the "language of Lenin, the language of the Communist Party." Thus, the non-Russian peoples are forcibly russified under the false slogan of the "fraternal unification of peoples." The new program of the Communist Party of the Soviet Union openly preaches Lenin's theory **of the "merger of nations"** and the creation of "a single Soviet nation." It is no secret that in this "Soviet nation" the Russian language, Russian culture, etc., are to predominate.

It goes without saying that the non-Russian peoples of the U.S.S.R., far from knuckling under to the occupation regime that has been foisted upon them, fight against Communist dictatorship for democracy and their national liberation from Soviet Russian imperialism. The Moscow leaders themselves have been forced to reckon with the national aspirations of the non-Russian peoples and have therefore accorded formal recognition of the existence of separate national Soviet republics, of which the Ukraine and Byelorussia are even members of the United Nations.

Soviet propaganda claims that the non-Russian peoples of the Soviet Union are independent and sovereign states but this patent falsehood is refuted by the actual status of these republics, which lack their own separate armies, their own finances or their own diplomatic relations with foreign states and whose entire life is subordinate to the implicit dictatorship of the Central Committee of the All-Union Communist Party.

On the other hand Moscow incessantly brands so-called bourgeois nationalism among the non-Russian peoples of the U.S.S.R. and urges ruthless struggle against it. Thereby the Soviet leaders themselves confirm the fact that liberation aspirations do exist among the non-Russian peoples of the Soviet Union.

The non-Russian peoples of the U.S.S.R. struggle against Soviet dictatorship with the aim of restoring their independent democratic states which have been occupied by Soviet Moscow or else—for those of them who had no opportunity to found such states—for the right to complete national self-determination. This struggle program proceeds from the basic principles of democracy and from the aspirations of these peoples themselves. Not only are they striving to liberate themselves from the yoke of bolshevism; they also want to know what awaits them in the future and whether this corresponds to their wishes. Therefore any departure from a program of complete national and state liberation for all peoples would be injurious to the cause of the struggle against Soviet Russian imperialism, since any such departure could alienate the non-Russian peoples of the U.S.S.R. and the entire Communist bloc from the anti-Communist front. The program for the struggle against the world Communist threat in the nationality question can in no case proclaim for the peoples of the Soviet Union anything less than Communist Moscow itself recognizes for them. On the contrary, it should guarantee the captive peoples return of the rights of which bolshevism has robbed them.

The non-Russian peoples of the U.S.S.R. have been waging their struggle against bolshevism for more than 40 years. In this struggle they have borne and continue to bear the brunt of the losses. Consequently, it can be assumed that among the population of the U.S.S.R. the non-Russian peoples, which comprise more than 50 percent of this population, are the most reliable element in the struggle against Soviet Russian imperialism and Communist dictatorship.

While fighting the occupation regime which has been foisted upon them, the representatives of the non-Russian peoples of the U.S.S.R. do not proceed against the Russian people as such but only against the imperialist aggressive policy of the various Russian governments and chauvinist circles of Russian society. They do not deny that the Communist dictatorship also oppresses the Russian people in the political, social, and economic fields. Although the Russian people is not enslaved in the national sense, as is the case with the non-Russian peoples, the Soviet dictatorship's imperialist nationalist policy is still a hindrance to normal democratic development and the politico-cultural liberation of the Russian people. The representatives of the non-Russian peoples therefore do not shun contacts and ties with those Russian political circles which condemn the Moscow dictatorship's imperialism, colonialism, and chauvinism, and which recognize that the non-Russian peoples of the U.S.S.R. are entitled to national self-determination and the restoration of their independent democratic states.

In the free world the non-Russian peoples of the U.S.S.R. have their exile representative agencies in the form of national centers, most of which are in the nature of governments-in-exile. These national centers represent their peoples, which have no opportunity for the free expression of their will. On the other hand they also act as mediators between the free world and the peoples enslaved by Moscow.

The non-Russian peoples' national centers-in-exile are united in the League for the Liberation of the Peoples of the U.S.S.R. (Paris bloc). The League includes the representative agencies of such peoples as the Armenians, the Azerbaidzhanis, the Byelorussians, the Crimean Turks, the Georgians, the Idel-Ural, the Cossacks, the North Caucasians, the Turkestanis, and the Ukrainians.

4. THE FREE WORLD AND THE CAPTIVE NON-RUSSIAN PEOPLES OF THE U.S.S.R.

The captive peoples of the U.S.S.R. strive to achieve their liberation not by means of outside military intervention but via internal processes in the U.S.S.R. and by struggling for the overthrow of Soviet dictatorship and abolition of the colonial regime which has been foisted on them. The captive nations' struggle undoubtedly saps the force of Moscow's outward expansion, which means that this struggle also contributes to the freedom of the entire democratic world. Restoration of the U.S.S.R. captive peoples' independent and democratic states would so sap the Soviet empire's might that the constant Communist hazard to the free world would automatically cease. The captive peoples are therefore the natural allies of all the free nations in their defense against Soviet Russian imperialism.

In struggling for liberation through their own efforts the captive peoples nevertheless expect from the free world moral support and solidarity with their liberation aspirations. These peoples consider that the free world, and especially the United States, can do no less for them than it does for the Afro-Asian peoples who enjoy not only the sympathy but also tangible aid from the democratic West in founding their independent states. The captive nations must be able to maintain their belief that the West has not forgotten them and has not ceased to be interested in their fate. It is necessary to avoid anything which might create the impression that the policy of "peaceful coexistence" has thrust into the background or even nullified the liberation of the peoples enslaved by Moscow and their right to become equal members in the family of the free peoples of the world.

Sober appraisal of the situation in the U.S.S.R. gives grounds to think that the policy of the free world states can now influence internal events in the Soviet empire and encourage those ideological trends which oppose the dictatorial and imperialist regime. For this it is essential that political circles in the free world, headed by the United States, come out with declarations in defense of the captive nations.

Very expedient in this sense was the U.S. Congress resolution appointing a "Captive Nations Week." It is merely necessary to continue consistently the policy which the above resolution has begun, which would be greatly helped by the appointment in Congress of a permanent commission on captive nations. Such a policy would undoubtedly benefit the free world's defense against the Communist peril.

Soviet Moscow naturally protests against any declarations of solidarity with the captive nations and also against the political information which is directed at the peoples of the Communist bloc from the free countries, calling this action cold war. But the Kremlin has never ceased and has no intention to ceasing its Communist cold war against the countries of the democratic West. On the contrary, it steps up its subversive propaganda in an effort to implement its plans to extend its dictatorship to the free world countries.

Emphasis should also be laid on the role of the emigree from the captive nations, headed by their national centers-in-exile. The work of the latter is of great importance, since it bolsters the spirit of resistance among the peoples under the sway of the Soviet regime.

Some political circles in the free world divide the captive nations into two categories: the non-Russian peoples of the U.S.S.R. and the so-called satellite peoples who were subordinated to Moscow after World War II. The latter are united in an organization called the Assembly of Captive European Nations.

We think that this division is unjustified since it hinders the unity of the captive nations front and engenders a feeling of bitterness in the non-Russian peoples of the U.S.S.R. At any rate, the above circumstance should not restrict political action on behalf of the non-Russian peoples of the U.S.S.R. The representatives in exile of these peoples feel that it is essential to carry on an active program, particularly as regards political action (as is done by the various organs of the Assembly of Captive European Nations) and information for their peoples through the media of radio and publications of various kinds.

To sum up, we would again like to express the opinion that, for the sake of its own defense against Communist aggression, the free world should conduct an active policy on behalf of the captive nations and give them moral support in their liberation aspirations. If, for some consideration (e.g., because of diplomatic relations with the Soviet Union), the Western governments cannot adopt such a policy, this role should be taken over by the unofficial social and political circles in the democratic countries of the West, headed by the United States. The representatives of the captive non-Russian peoples of the U.S.S.R. are always prepared to discuss these issues with those circles which display their interest in the problem of the peoples enslaved by Moscow.

Khrushchev Wants United States To Stop

(Address delivered by Dr. Lev E. Dobriansky, professor at Georgetown University, Washington, D.C., chairman of the National Captive Nations Committee, at the Republican Salute to Captive Nations in the Peacock Court, Mark Hopkins Hotel, Wednesday, July 15)

It is a great honor for me to represent the National Captive Nations Committee on this occasion. In the 6 years of Captive Nations Week observances throughout our Nation, no event has been comparable to this one. This Republican Salute to the Captive Nations is most unique and, at the same time, most promising and inspiring. As Americans across the country observe this Sixth Captive Nations Week, they will certainly be greatly moved by this momentous event.

Just 2 weeks ago at an unprecedented unveiling of the Shevchenko statue in Washington, D.C., General Eisenhower emphasized the urgent need for a rapid expansion of the captive nations movement in this country and throughout the free world. What our 34th President stressed was the need for a working knowledge and understanding of all the captive nations and not just a few of them, for a vivid awareness of the strategic importance of the dozen captive non-Russian nations in the Soviet Union itself, and for an imaginative and skillful use of such knowledge in the defeat of the last remaining major empire in the world, the Soviet Russian empire—an empire with an inner sphere within the artificial borders of the U.S.S.R. and an outer sphere beyond those borders.

Since July 1959, when Congress passed the Captive Nations Week resolution and President Eisenhower signed it into Public Law 86-90, the captive nations movement has grown by leaps and bounds in this country and elsewhere. In most States and in every major city the week is fittingly proclaimed and a variety of activities is conducted by citizen committees in its observance. Elsewhere, such as in the Taiwan area of the Republic of China, a weeklong observance is held annually from one end of the island to the other. In Turkey and also West Germany, the movement is taking hold. The Russian dictator Khrushchev, who theatrically professes to be a competitor in ideas, is aware of all this and continually displays his concern with it.

I don't need to recount for you how Khrushchev nervously erupted over the passage of the Captive Nations Week resolution in 1959. Every year since, colonialist Moscow and its satrapies have reached vehemently to the Captive Nations Week observances. Indeed, in 1963, Khrushchev let it be known that in the deceptive interest of his brand of peaceful coexistence he wants the United States to stop Captive Nations Week. Even this year Khrushchev has taken every opportunity to fend off the impact that the week has on both the free and captive peoples.

Now I ask you, "Isn't it strange how a supposedly powerful contender against us and the free world continually shows deep concern about the power of patriotic nationalism in his empire, about growing free world interest in the numerous captive non-Russian nations in his own nonmonolithic state of the U.S.S.R., even about the symbolism of a poet and its impact on his captives?" Recently, in Egypt, Khrushchev denounced nationalism and indulged in fables about some 176 "nationalities" in the inner sphere of his empire; in Denmark, he urged the Danes to come to the U.S.S.R. to see if slaves and captives existed; in Sweden, he tediously lectured the Swedes on relations between Russia and Ukraine in his inner empire; in Moscow, he hastily unveiled a Shevchenko statue to deflect the impact of General Eisenhower's action in our Nation's capital.

These are only a few pieces of evidence to indicate how deeply vulnerable our cold war enemies are on the psychopolitical front, which after all is the front of the contemporary struggle. In high places as well as low, once we shed our myths regarding the U.S.S.R., its fictitious monolith power in whatever realm—economic, military, scientific, etc.—the mythology of communism and begin to be guided by the lessons of recent history, the sooner we will reverse the course of the cold war toward victory for freedom—for our freedom, that of the free world, for the freedom of all the captive nations, and for the freedom of the little more than a 100 million Russians themselves.

The center of power in the so-called Communist empire is colonialist Moscow. For survival, all else hangs and depends on this center, including Tito's domain, Mao's province, and Castro's outpost. It is this center that must become the focal point of our cold war effort; it is this center that must be placed on the defensive; it is this center of colonialism and imperialism that must give way to the pressures of freedom on the part of all the captive nations. A center facing and surrounded by a massive and growing insecurity in its captive populations would scarcely be effective for any war, hot or cold—especially when this center will be shown to thrive on heavy doses of potemkinism, fraud, and bluff.

Ladies and gentlemen, speaking quite objectively, I cannot emphasize enough the outstanding fact that the planks on the captive nations in the 1964 Republican platform are the most accurate, the most forceful, and the most forward-looking on record in the history of either party. I can assure you that whether a Democrat, an independent, or a Republican, every American who understands the captive nations as a powerful asset for world freedom and for the defeat of Sino-Russian imperio-colonialism will thoroughly endorse those resolutions and subscribe to them fully. The Republican Party is to be heartily congratulated for its vision, courage, and initiative in arriving at these innovative resolutions. The spirit and content of the Captive Nations Week Resolution could not have been more strongly reinforced. Indeed, as Americans observing the week, and bespeaking the muted voices of all the captive nations, in gratitude we salute you Republicans.

THE FEDERATION OF CITIZENS ASSOCIATIONS OF THE DISTRICT OF COLUMBIA, REPRESENTING 43 ASSOCIATIONS AND OVER 23,000 MEMBERS, BACKS REPRESENTATIVE ALBERT RAINS ON RELOCATION

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. Widnall] is recognized for 15 minutes.

Mr. WIDNALL. Mr. Speaker, the president of the Federation of Citizens Associations of the District of Columbia, John R. Immer, has brought to my attention for inclusion in the Congressional Record today a recent news release issued by his organization. This organization represents 43 associations and over 23,000 members. This news release expresses strong support for the position of my chairman, the gentleman from Alabama [Mr. Rains], which he stated during the House debate on August 13 on the 1964 housing bill.

Chairman Rains said at that time in response to a direct question from the minority side that:

> It is the philosophy of this legislation and of this bill in particular, because we took more than passing pains to do something about it, that in no instance should people be uprooted by urban renewal or any other governmental program unless adequate provision is made for the rehousing of those people in decent, sanitary, and good housing, either public or private housing.
>
> This bill, thanks to my distinguished friend, the gentleman from New Jersey [Mr. Widnall], makes a great deal of effort toward reaching the very problem the gentleman has stated.

Chairman Rains was replying to a question asked by the gentleman from

Iowa [Mr. KYL] who called to his attention the following statement by Neville Miller, Chairman of the District of Columbia Redevelopment Land Agency:

> Even though it is essential that the public housing program be expanded to provide units for eligible families who otherwise must continue to occupy unsatisfactory housing, we do not believe that social progress would be achieved by adoption of a policy of deferring urban renewal projects and other governmental activities until all families eligible for a publicly owned dwelling unit have been relocated into either a public housing unit or a satisfactory, privately owned unit.

The Federation of Citizens Associations of the District of Columbia takes sharp issue with Mr. Neville Miller on this statement.

I agree with Chairman RAINS that no projects should be started unless and until adequate provision is made for the rehousing of all those people who would be displaced, in decent, sanitary, and good housing, either public or private housing.

In light of the new housing bill which is now before President Johnson, the proposed Adams-Morgan, and Downtown Progress, urban renewal plans should be reviewed in order to first, make sure that adequate provision is made for rehousing those who will be displaced, second, that all due emphasis is placed on rehabilitation in these two areas, and third, that the entire Southwest Washington urban renewal project is reviewed in order to reclaim it from the "insensitivity of unrelieved wealth," as suggested in an editorial in the Washington Post of May 30, 1964.

I include as part of my remarks the following items:

THE WHITE HOUSE,
Washington, June 17, 1964.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: Permit me to acknowledge and thank you for sending to me the editorial in the Washington Post and your letter to the editor of that paper, both commending the idea of middle-income housing on a 4-acre tract in Southwest Washington.

The proposal originated with the Redevelopment Land Agency, and has been actively pursued by Mr. Doyle, the Executive Director. I have been pleased to assist him in this effort, and at the moment I feel reasonably confident that the project will succeed.

Sincerely,

CHARLES A. HORSKY,
Adviser for National Capital Affairs.

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY,
Washington, D.C., June 23, 1964.

Hon. WILLIAM B. WIDNALL,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. WIDNALL: As requested in your letter dated June 15, 1964, on the subject of a Washington Post editorial entitled "The Last 4 Acres," I brought to the attention of the Agency's Board of Directors at its meeting on June 18, 1964, your letter and the Post editorial.

The Agency's Board of Directors requested me to thank you for taking the time to write about a subject of great concern to them, and to say that the Washington Post was only concurring in a course of action the Board had decided upon some time ago; namely, to solicit offers for the land on the basis that the land will be leased or sold to the person or organization which provides substantial evidence that it will provide for middle-income families the "most" housing at the lowest sales or rental prices. When offers are solicited, I will send you a copy of the solicitation.

The Board hopes that the experience of marketing the last "4 acres" of residential land in the Southwest urban renewal area will be valuable in marketing the land in the Northwest urban renewal project.

Yours very truly,

PHIL A. DOYLE,
Executive Director.

[From the Washington (D.C.) Post, May 30, 1964]

THE LAST 4 ACRES

When slums are razed and new houses built, who is to live in them? Ought it be the families of small means, who are cruelly squeezed by the city's housing shortages? Or ought it be the rich, whose wealth and leadership the city needs to attract back from the suburbs?

When the city first approached the massive Southwest project, the Redevelopment Land Agency commissioned two studies on the character of the new community there. In one of them the eminent Harland Bartholomew said that Southwest "should be redeveloped predominantly as a moderate- to low-income residence area"; he believed that the stylish and prosperous could be induced back to Southwest only with the greatest difficulty and in the smallest numbers. The other study was written by two local architects, Cloethiel Woodward Smith and Louis Justement, who urged an audacious and sweeping plan to change the whole atmosphere of Southwest radically, and to set such a brilliant standard of design that it might eventually influence the reconstruction of all central Washington. Mrs. Smith and Mr. Justement were right and, as the project evolved, it carried out their theory. Their victory has been rather too complete.

In 1953, the question was whether there would be a place in Southwest for families of high income. Today the question is whether there will be any place for anyone else. In 1953, the plan required 40 percent of the new housing to be rented for $17 a room or less. Today, as it has worked out, the cheapest home is a one-room efficiency apartment for $99 a month, and the cheapest three-bedroom apartment costs $230 not including utility bills.

Not one apartment in Southwest is within the reach of a family of average income. Symbolic of the city itself, there is nothing between the expensive housing in the redevelopment project and the concentration of public housing that adjoins it. When the Redevelopment Land Agency's first Director, Mr. Searles, resigned 3 years ago, he observed that its greatest error had been its emphasis on high land prices.

Now the last 4 acres of residential land in the new Southwest are to be sold. Some of the earlier developers want the existing pattern of high prices to be continued, but the rule of homogeneity violates the very principle of urban renewal. Having devoted more than 100 acres to high-rent developments, the Redevelopment Land Agency has a clear duty to experiment with the possibilities for housing families of the middle-income range. In their study 12 years ago Mrs. Smith and Mr. Justement spoke of the city's "opportunity in the Southwest to develop a well-balanced central urban area." If it was necessary in the early 1950's to rescue this great redevelopment project from the dullness of unrelieved unprosperity, it is necessary in the 1960's to rescue it from the insensitivity of unrelieved wealth.

[From the Washington Post, June 6, 1964]

THE LAST 4 ACRES

You are to be commended for your fine editorial of May 30 urging that at least 4 acres of the 500-acre Southwest urban renewal project be devoted to low-rent housing. You pointed out that more than 100 acres of this project have been devoted to high-rent developments.

Low-rent housing can be built today. The Kiwanis Foundation of the District of Columbia is currently sponsoring a 283-unit apartment development on Benning Road NE., near 51st Street which, the builders tell me, will provide one-bedroom apartments for $70, and three-bedroom apartments for $90. This private enterprise project is providing the kind of low-rent housing for which the Southwest urban renewal project was originally launched.

The reservation of only 4 out of 500 acres, for low-rent housing, however, simply will not meet the needs of the displacees from other urban renewal areas in the District of Columbia, 5,700 people will be displaced from the Adams-Morgan area, 6,000 from the downtown urban renewal area, and thousands of District residents have already been displaced by highways and more will be. Obviously, the District Commissioners, and President Johnson, should require RLA to balance the more than 100 acres of high-rent developments with 100 acres of housing for low- and middle-income families in these income categories.

Nonprofit foundations, such as the Kiwanis Foundation of the District of Columbia, cooperatives, unions, etc. are fully capable of making low-rent housing blossom in the Southwest urban renewal project. The District Commissioners and the Democratic administration should give them a chance to do so.

WILLIAM B. WIDNALL,
Representative, Seventh District,
New Jersey.

WASHINGTON.

FEDERATION OF CITIZENS ASSOCIATIONS OF THE DISTRICT OF COLUMBIA, AUGUST 17, 1964

The Federation of Citizens Associations of the District of Columbia, representing 43 associations and over 23,000 members, in a letter today to Chairman MCMILLAN of the House District Committee asked him to have the Redevelopment Land Agency bring its policies into line with the intent of Congress or demand that Neville Miller, its Chairman, resign. The letter follows:

"DEAR CHAIRMAN MCMILLAN: Last Thursday Chairman ALBERT RAINS of the House Housing Subcommittee in reference to urban renewal stated: 'It is the philosophy of this legislation and of this bill in particular, because we took more than passing pains to do something about it, that in no instance should people be uprooted by urban renewal or any other governmental program unless adequate provision is made for the rehousing of those people in decent, sanitary, and good housing, either public or private housing' (CONGRESSIONAL RECORD, Aug. 13, 1964, p. 19299).

"This has not been done in Washington, D.C. A hundred million dollars has been spent on urban renewal without a single low-cost or medium housing unit resulting therefrom. New projects which would be facilitated by S. 628 would displace thousands of others for whom no provision has been made or is contemplated at this time.

"It is both shocking and highly revealing that Neville Miller of the District of Columbia Redevelopment Land Agency has written to Congressmen as part of a lobbying effort in support of unrestricted urban renewal that: 'We do not believe that social progress would be achieved by adoption of a policy of deferring urban renewal projects—until all families eligible for a publicly owned dwelling unit have been relocated. * * *.' These two policies are in direct conflict. It is an admission that the Agency has not been carrying out the will of Congress. Mr. Miller should bring the policies of the Redevelopment Land Agency into line with the will of Congress at once. If he is unwilling to do so we demand that he resign.

"We request you to demand that the District Commissioners and the Redevelopment Land Agency reconsider the downtown urban renewal plan, the Adams-Morgan urban renewal plan, and the Southwest project so that they are brought into line with the policy of the Congress as expressed by Chairman Rains.

"Mr. Chairman, we have previously supported your proposed amendments to S. 628 as being minimal requirements for the preservation of these aims in the Washington, D.C., program. We oppose S. 628 and any part of S. 3049, H.R. 12175 which will permit urban renewal in the District without these minimal safeguards. Otherwise, any and all structures of the District could be torn down and its occupants scattered.

"Many of the persons to be displaced own their own homes. Must they go on public housing to get another decent place in which to live? Are we increasing the demand for public housing at a time when many hardworking individuals want their own homes? There is nothing in this program for them. Even FHA will not help them unless they move to the suburbs. Shouldn't they be given some help?

"Those who are about to be dispossessed depend upon you to use every effort to see that proper safeguards for them and for small businessmen of the community are provided. Your efforts on their behalf are very much appreciated. If you find, upon calm appraisal of the situation, that the amendments you recommend are not assured of adoption in the closing days of this Congress we request that you put the matter over until early in the new session. During these few intervening months the downtown plan, the Adams-Morgan plan, and the Southwest project can be revised and brought into line with the intent of Congress on urban renewal.

"Sincerely yours,

"John R. Immer,
"President."

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Harris, for 5 minutes, today; to revise and extend his remarks and to include a statement from the President of the United States on the signing of the Securities and Exchange Act amendments and include other information.

Mr. Derwinski (at the request of Mr. Thomson of Wisconsin), for 15 minutes, today.

Mr. Widnall (at the request of Mr. Thomson of Wisconsin), for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Whitener and to include extraneous matter.

Mr. White.

Mr. Miller of California.

(The following Member (at the request of Mr. Thomson of Wisconsin) and to include extraneous matter:)

Mr. Osmers.

(The following Members (at the request of Mr. Boggs) and to include extraneous matter:)

Mr. Powell.

Mr. Rivers of South Carolina.

Mr. Rosenthal.

Mr. Zablocki.

Mr. Harding.

Mr. Matsunaga.

SENATE BILL AND JOINT RESOLUTION REFERRED

A bill and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 83. An act for the relief of the estate of Mary L. McNamara; to the Committee on the Judiciary.

S.J. Res. 6. Joint resolution to cancel any unpaid reimbursable construction costs of the Wind River Indian irrigation project, Wyoming, chargeable against certain non-Indian lands; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS SIGNED

Mr. **BURLESON**, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 439. An act to provide for the establishment of the John Muir National Historic Site in the State of California, and for other purposes;

H.R. 931. An act to provide for the establishment of the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial in the State of Pennsylvania, and for other purposes;

H.R. 1794. An act to authorize payment for certain interests in lands within the Allegany Indian Reservation in New York, required by the United States for the Allegheny River (Kinzua Dam) project, to provide for the relocation, rehabilitation, social and economic development of the members of the Seneca Nation, and for other purposes;

H.R. 3545. An act to amend section 131 of title 13, United States Code, so as to provide for taking of the economic censuses 1 year earlier starting in 1968;

H.R. 4364. An act to provide for the free entry of certain articles imported for the use of certain universities;

H.R. 5837. An act to amend the act entitled "An act to authorize the purchase, sale, and exchange of certain Indian lands on the Yakima Indian Reservation, and for other purposes," approved July 28, 1955;

H.R. 6910. An act to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes;

H.R. 8960. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain, and for other purposes;

H.R. 9178. An act to amend section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes;

H.R. 10178. An act to authorize the Smithsonian Institution to employ aliens in a scientific or technical capacity; and

H.R. 11846. An act to amend the act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes;

SENATE ENROLLED BILLS SIGNED

The **SPEAKER** announced his signature to enrolled bills of the Senate of the following titles:

S. 4. An act to establish a National Wilderness Preservation system for the permanent good of the whole people, and for other purposes;

S. 793. An act to promote the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California and to aid in the administration of the Klamath reclamation project;

S. 1007. An act to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority, and for other purposes; and

S. 3049. An act to extend and amend laws relating to housing, urban renewal, and community facilities, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. **BURLESON**, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 98. An act to amend the Internal Revenue Code of 1954 with respect to exportation of imported distilled spirits, wines, and beer, and with respect to the total contract price of sales of personal property on the installment plan;

H.R. 1213. An act for the relief of World Games, Inc.;

H.R. 1839. An act to provide for the free importation of certain wild animals, and to provide for the imposition of quotas on certain meat and meat products;

H.R. 2215. An act for the relief of E. A. Rolfe, Jr.;

H.R. 3071. An act to provide for the establishment of Fort Larned as a national historic site, and for other purposes;

H.R. 4018. An act to authorize establishment of the St. Gaudens National Historic Site, N.H., and for other purposes;

H.R. 4149. An act to provide for the satisfaction of claims arising out of scrip, lieu selection, and similar rights;

H.R. 4242. An act to provide for the release and transfer of all right, title, and interest of the United States of America in and to certain tracts of land in Pender County, N.C.;

H.R. 4818. An act to amend section 25 of title 13, United States Code, relating to the duties of enumerators of the Bureau of the Census, Department of Commerce;

H.R. 5708. An act to bring certain U.S. commissioners within the purview of the Federal Employees Health Benefits Act of 1959 and the Federal Employees' Group Life Insurance Act of 1954;

H.R. 5941. An act for the relief of Mrs. Julian A. Erskine;

H.R. 7088. An act for the relief of Joseph Di Ciccio;

H.R. 7588. An act to provide for enforcement of rules and regulations for the protection, development, and administration of the national forests and national grasslands, and for other purposes;

H.R. 8135. An act to provide for the establishment and administration of public recreational facilities at the Sanford Reservoir area, Canadian River project, Texas, and for other purposes;

H.R. 9425. An act to amend title 13, United States Code, to authorize reimbursement of census enumerators for certain telephone tolls and charges;

H.R. 9560. An act for the relief of Lim Sam Soon;

H.R. 9638. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of phosphate on the public domain;

H.R. 9747. An act to extend for 3 years the special milk programs for the Armed Forces and veterans hospitals;

H.R. 10069. An act to authorize the exchange of lands adjacent to the Lassen National Forest in California, and for other purposes;

H.R. 10419. An act to amend further the Farm Credit Act of 1933, as amended, to provide that part of the patronage refunds paid by a bank for cooperatives shall be in money instead of class C stock after the bank becomes subject to Federal income tax, and for other purposes;

H.R. 11134. An act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1965, and for other purposes; and

H.R. 11960. An act to authorize the exchange of public domain lands heretofore withdrawn and reserved for the use of the Hanford project of the Atomic Energy Commission, and for other purposes.

ADJOURNMENT TO AUGUST 31

Mr. BOGGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with House Concurrent Resolution 359, the Chair declares the House adjourned until 12 o'clock noon on August 31 next.

Thereupon (at 3 o'clock and 39 minutes p.m.), pursuant to House Concurrent Resolution 359, the House adjourned until Monday, August 31, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2458. A letter from the Office of the Assistant Secretary of the Army, transmitting the report on Department of the Army research and development contracts for $50,000 or more which were awarded during the period January 1 through June 30, 1964, pursuant to Public Law 557, 82d Congress; to the Committee on Armed Services.

2459. A letter from the Comptroller General of the United States, transmitting a report on our review of the need for revising costly procedures for remitting c.o.d. collections and other financial procedures and practices, Post Office Department; to the Committee on Government Operations.

2460. A letter from the Comptroller General of the United States, transmitting a report on a review which relates to certain deficiencies in financial management of oil and gas activities, Geological Survey, Department of the Interior; to the Committee on Government Operations.

2461. A letter from the Comptroller General of the United States, transmitting a report on a review which disclosed a loss of revenue to Federal employees' group life insurance fund resulting from use of improper premium rate for District of Columbia government school teachers, U.S. Civil Service Commission; to the Committee on Government Operations.

2462. A letter from the Comptroller General of the United States, relative to a follow-up review of the utilization of excess parts as Government-furnished property under production and modification contracts, Department of the Army; to the Committee on Government Operations.

2463. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report on the positions which the National Aeronautics and Space Administration had established as of June 30, 1964, pursuant to 72 Stat. 426, 429 and 75 Stat. 785, 791; to the Committee on Post Office and Civil Service.

2464. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives on the transfer of $418,000 of research and development funds of the National Aeronautics and Space Administration to the construction of facilities appropriation for the construction of certain testing facilities at the Lewis Research Center, Cleveland, Ohio, pursuant to 77 Stat. 141, 143; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee on the District of Columbia. H.R. 11302. A bill to require premarital examinations in the District of Columbia, and for other purposes; with amendment (Rept. No. 1845). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 12371. A bill to amend the District of Columbia Sales Tax Act to provide an exemption from the tax imposed by such act for certain operations of the majority and minority rooms of the House of Representatives; with amendment (Rept. No. 1846). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DON H. CLAUSEN:

H.R. 12491. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder, in the case of any individual whose benefits are less than the maximum which could be paid to a person in his benefit category; to the Committee on Ways and Means.

By Mr. CLEVELAND:

H.R. 12492. A bill to amend the Communications Act of 1934 to establish a statutory policy governing the broadcasting of views on controversial issues; to the Committee on Interstate and Foreign Commerce.

By Mr. EVINS:

H.R. 12493. A bill to amend the Small Business Investment Act of 1958; to the Committee on Banking and Currency.

By Mr. FULTON of Tennessee:

H.R. 12494. A bill to increase annuities payable to certain annuitants from the civil service retirement disability fund; to the Committee on Post Office and Civil Service.

By Mr. FULTON of Tennessee:

H.R. 12495. A bill to amend the Civil Service Retirement Act, as amended, to provide for the recognition of annuities of retired employees who elected reduced annuities at the time of retirement in order to provide survivor annuities for their spouses; to the Committee on Post Office and Civil Service.

By Mr. RIVERS of South Carolina:

H.R. 12496. A bill to amend the National Security Act of 1947, as amended; to the Committee on Armed Services.

By Mr. CURTIN:

H. Res. 871. Resolution to set national policies for local airline service; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURKHALTER:

H.R. 12497. A bill for the relief of Clyde Bruce Aitchison, Jr.; to the Committee on the Judiciary.

By Mr. DOLE:

H.R. 12498. A bill for the relief of Mrs. Sadie Y. Simmons; to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:

H.R. 12499. A bill for the relief of Gaetano Messina; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 12500. A bill for the relief of Ernesto Flores; to the Committee on the Judiciary.

By Mr. STRATTON:

H.R. 12501. A bill for the relief of Maria Giacona; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 12502. A bill for the relief of Robert Dean Ward; to the Committee on the Judiciary.

SENATE

FRIDAY, AUGUST 21, 1964

The Senate met at 10 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God: Thou dost so fill all things with Thy glory, that earth and sky and sea but thinly veil Thy presence. For the beauty which colors the earth, for the love which hallows our homes, for the joy which springs from work worthy of our best, we thank Thee—the source of all pure gladness.

As we bow before Thee, open our eyes, we pray, to the faults and failings which mar the life of our Republic. Make us conscious of the evils in ourselves that we so readily condemn in others. Make us tall enough for these testing days.

Cast out our pride—national, racial, and personal. Join us to those who labor to bring sense and system to this disordered globe; and grant that our eyes may yet look upon a world that will have found a path leading to the plains of peace, universal and righteous.

In the name of the Prince of Peace, we ask it. Amen.

THE JOURNAL

On request by Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 20, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on August 20, 1964, the President had approved and signed the following acts:

S. 136. An act to place in trust status certain lands on the Rosebud Sioux Reservation in South Dakota;

S. 1057. An act to promote the cause of criminal justice by providing for the representation of defendants who are financially unable to obtain an adequate defense in criminal cases in the courts of the United States;

S. 1627. An act to enable the United States to contribute its share of the expenses of the International Commission for Supervision and Control in Laos as provided in article 18 of the protocol to the declaration on the neutrality of Laos;

S. 1642. An act to amend the Securities Act of 1933, as amended, and the Securities Exchange Act of 1934, as amended, to extend disclosure requirements to the issuers of additional publicly traded securities, to provide for improved qualification and disciplinary procedures for registered brokers and dealers, and for other purposes;

S. 1833. An act to authorize Government agencies to provide quarters and facilities to civilian officers and employees of the Government, and for other purposes; and

S. 2318. An act to amend the joint resolution approved August 20, 1958, granting the consent of Congress to the several States to negotiate and enter into compacts for the purpose of promoting highway traffic safety.

REPORT OF NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 355)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Aeronautical and Space Sciences:

To the Congress of the United States:

Pursuant to the provisions of the National Aeronautics and Space Act of 1958, as amended, I transmit herewith a report of the projects and progress of the National Aeronautics and Space Administration for the 6-month period of July 1 through December 31, 1963.

This report reveals in summary and in detail many accomplishments in the national space program. In addition to knowledge-garnering launches and technological developments in this period, NASA has further strengthened the base for greater space progress in the future.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *August 21, 1964.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 692. An act to establish Federal agricultural services to Guam, and for other purposes;

S. 1365. An act to establish the Fire Island National Seashore, and for other purposes; and

S. 2950. An act to authorize the mint to inscribe the figure 1964 on all coins minted until adequate supplies of coins are available.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 9586. An act to provide for the establishment of a National Council on the Arts to assist in the growth and development of the arts in the United States; and

H.R. 12308. An act to authorize removal of a flight hazard at the U.S. Naval Air Station, Norfolk, Va.

The message further announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 359. Concurrent resolution establishing that when the two Houses adjourn on Friday, August 21, 1964, they stand adjourned until 12 o'clock noon on Monday, August 31, 1964; and

H. Con. Res. 360. Concurrent resolution authorizing the Speaker of the House of Representatives and the President pro tempore of the Senate to sign enrolled bills and joint resolutions duly passed by the two Houses.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

H.R. 98. An act to amend the Internal Revenue Code of 1954 with respect to exportation of imported distilled spirits, wines, and beer, and with respect to the total contract price of sales of personal property on the installment plan;

H.R. 1839. An act to provide for the free importation of certain wild animals, and to provide for the imposition of quotas on certain meat and meat products;

H.R. 4242. An act to provide for the release and transfer of all right, title, and interest of the United States of America in and to certain tracts of land in Pender County, N.C.;

H.R. 7588. An act to provide for enforcement of rules and regulations for the protection, development, and administration of the national forests and national grasslands, and for other purposes;

H.R. 8135. An act to provide for the establishment and administration of public recreational facilities at the Sanford Reservoir area, Canadian River project, Texas, and for other purposes;

H.R. 9638. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of phosphate on the public domain;

H.R. 9747. An act to extend for 3 years the special milk programs for the Armed Forces and veterans hospitals;

H.R. 10069. An act to authorize the exchange of lands adjacent to the Lassen National Forest in California, and for other purposes; and

H.R. 11960. An act to authorize the exchange of public domain lands heretofore withdrawn and reserved for the use of the Hanford project of the Atomic Energy Commission, and for other purposes.

HOUSE BILL REFERRED

The bill (H.R. 12308) to authorize removal of a flight hazard at the U.S. Naval Air Station, Norfolk, Va., was read twice by its title and referred to the Committee on Armed Services.

LIMITATION OF DEBATE DURING MORNING HOUR

On request by Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of William I. Haynes, to be postmaster at Fillmore, Calif., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

U.S. AIR FORCE

The Chief Clerk read the nomination of Maj. Gen. Paul S. Emrick, to be a lieutenant general.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. ARMY

The Chief Clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. NAVY

The Chief Clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection they are confirmed.

IN THE NAVY

The Chief Clerk proceeded to read sundry nominations in the Navy which had been placed on the Secretary's desk.

The ACTING PRESIDENT pro tempore. Without objection, these nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On motion by Mr. MANSFIELD, the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON CONSTRUCTION AT LEWIS RESEARCH CENTER, CLEVELAND, OHIO

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on construction at the Lewis Research Center, Cleveland, Ohio; to the Committee on Aeronautical and Space Sciences.

REPORT ON INFORMATION CONCERNING RAILROAD RETIREMENT ACCOUNT FOR MILITARY SERVICE CREDITS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report to the Subcommittee on Departments of Labor, and Health, Education, and Welfare, and related agencies, Committee on Appropriations, U.S. Senate, on information concerning proposed appropriations to the railroad retirement account for military service credits, Railroad Retirement Board, dated July 1964 (with an accompanying report); to the Committee on Appropriations.

AMENDMENT OF FEDERAL AVIATION ACT OF 1958, TO PROHIBIT CITIZENS OF THE UNITED STATES FROM PERFORMING PRO RATA CHARTERS UNLESS AUTHORIZED BY THE CIVIL AERONAUTICS BOARD

A letter from the Chairman, Civil Aeronautics Board, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958, as amended, to prohibit citizens of the United States from performing pro rata charters unless authorized by the Civil Aeronautics Board, and for other purposes (with accompanying papers); to the Committee on Commerce.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on utilization of excess parts as Government-furnished property under production and modification contracts, Department of the Army, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on loss of revenue to Federal employees' group life insurance fund resulting from use of improper premium rate for District of Columbia government schoolteachers, U.S. Civil Service Commission, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for revising costly procedures for remitting c.o.d. collections and other financial procedures and practices, Post Office Department, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on certain deficiencies in financial management of oil and gas activities, Geological Survey, Department of the Interior, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

REPORT ON CERTAIN SCIENTIFIC POSITIONS ESTABLISHED BY NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on certain scientific positions established by that Administration, during fiscal year ended June 30, 1964 (with an accompanying report); to the Committee on Post Office and Civil Service.

PETITION

A petition was laid before the Senate, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Alabama; to the Committee on the Judiciary:

"HOUSE JOINT RESOLUTION 5

"Joint resolution memorializing Congress to propose an amendment to the Constitution of the United States relative to apportionment of State legislatures

"Whereas the U.S. Supreme Court has ruled recently that both houses of State legislatures must be elected on an equal population basis; and

"Whereas the decision struck down the time-honored practice for each State to organize its own legislative body in that manner which will best serve the people of the particular State concerned; and

"Whereas these decisions strike at the very heart of the type of representative government which existed in this country in the days of colonial government long before the adoption of the Constitution of the United States and from which the present organization in the Congress and the State legislatures was copied; and

"Whereas this body does not believe that it is equitable or in the best interest of the people of the entire country to apply a different and more drastic formula for apportioning representatives of the various legislatures of the States than the U.S. Constitution specifies for both Houses of the Congress; and

"Whereas the only recourse the States and the people have in preserving some discretion as to how to balance the varied interests and geographical considerations within their boundaries is through action by the Congress: Now, therefore, be it

"*Resolved by the Legislature of Alabama (both houses thereof concurring)*, That the formula for determining the representation in the State legislatures should be sufficiently flexible to produce a legislative body reflecting the regional and local values which the State may deem appropriate; and be it further

"*Resolved*, That this body memorializes the Congress of the United States to give prompt consideration to proposing to the several States for ratification an amendment to the Constitution of the United States which will unequivocably empower a State, at its option, to achieve equality of representation in its legislative body by utilizing population in apportioning one house of its legislature and any criteria as in its wisdom may be in its individual best interest in apportioning the other house of its legislature, thereby permitting the States to retain the pattern of governmental structure which has withstood the test of time and has proven its merits both in the National Government and in the States; and be it further

"*Resolved*, That the several other States are urged to join this State in this petition; and be it further

"*Resolved*, That copies of this resolution be sent to the Speaker and Clerk of the House of Representatives of the United States, to the President and Secretary of the Senate of the United States and to the clerks and secretaries of the legislative bodies of all other States.

"Adopted by the house of representatives August 4, 1964.

"Concurred in and adopted by the senate August 6, 1964.

"Approved by the Governor August 13, 1964."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THURMOND, from the Committee on Armed Services, with an amendment:

H.R. 2501. An act to authorize the promotion of qualified Reserve officers of the Army and the Air Force to existing unit vacancies (Rept. No. 1515).

By Mr. BYRD of Virginia, from the Committee on Finance, with amendments:

H.R. 9393. An act to amend title II of the Social Security Act to provide full retroactivity for disability determinations, to extend the period within which ministers may elect coverage, and to validate wages erroneously reported for certain engineering aides employed by soil and water conservation districts in Oklahoma (Rept. No. 1516); and

H.R. 10473. An act to extend the period during which Federal payments may be made for foster care in child-care institutions under the program of aid to families with dependent children under title IV of the Social Security Act (Rept. No. 1517).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BOGGS:

S. 3155. A bill for the relief of Dr. J. O. Small, Jr.; to the Committee on the Judiciary.

By Mr. KEATING:

S. 3156. A bill for the relief of the estate of Wayne L. Koehler, the estate of Richard L. Moyer, and the estate of Ted L. Simons; to the Committee on the Judiciary.

(See the remarks of Mr. KEATING when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 3157. A bill for the relief of Pedro A. Generao; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 3158. A bill for the relief of Eliseo Cidre; and

S. 3159. A bill for the relief of Pham Thu; to the Committee on the Judiciary.

RESOLUTION

TO PRINT THE PRAYERS OF THE CHAPLAIN OF THE SENATE FOR THE 87TH AND 88TH CONGRESSES

Mr. MORSE submitted a resolution (S. Res. 365) to print the prayers of the Chaplain of the Senate for the 87th and 88th Congresses, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Morse, which appears under a separate heading.)

ESTATES OF WAYNE L. KOEHLER, RICHARD L. MOYER, AND TED L. SIMONS

Mr. KEATING. Mr. President, I introduce a bill for the relief of the estates of Wayne Koehler, Richard Moyer, and Ted Simons.

These three young men were killed in the crash of a U.S. Marine Corps helicopter in the Philippines last March. Employed by Eastman Kodak Co., they were in the Philippines at the request of the U.S. Government as U.S. Air Force contract representatives.

Under existing law there is no way in which the families of these three men can recover any financial compensation for their deep loss. I am confident that Congress will fulfill its moral obligation to these families through the enactment of private legislation. As in every case of this nature, the appropriate amount of compensation is difficult to compute. I hope the Committee on the Judiciary will give full consideration to the life expectancy and projected earnings of the decedents and thereby arrive at a fair and equitable award.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3156) for the relief of the estate of Wayne L. Koehler, the estate of Richard L. Moyer, and the estate of Ted Simons, introduced by Mr. Keating, was received, read twice by its title, and referred to the Committee on the Judiciary.

SOCIAL SECURITY AMENDMENTS OF 1964—AMENDMENTS

AMENDMENT NO. 1246

Mr. SCOTT. Mr. President, I send to the desk an amendment to H.R. 11865, the Social Security Act Amendments of 1964, and ask that it be printed. The amendment is cosponsored by Senators Prouty, Jordan of Idaho, Smith, Fong, Simpson, Mundt, Kuchel, Javits, Allott, Mechem, and Dominick.

Many of our older citizens face a bewildering situation today. On the one hand, they are urged to seek employment to increase the country's productivity. On the other hand, our social security law contains a built-in penalty for going to work by reducing benefits for earnings in excess of $1,200 a year, using a confusing and complicated formula above that amount to achieve this purpose. For earnings between $1,200 and $1,700, $1 in benefits is deducted for each $2 of earnings. Then, when earnings exceed $1,700, another formula goes to work which deducts $1 in benefits for each $1 of earnings until the benefits are entirely wiped out because earnings have reached $2,974. My amendment would allow earnings up to $2,400 with no deduction, eliminate the confusing second stage of present law, and go directly to a dollar-for-dollar reduction beyond $2,400.

I ask unanimous consent that the amendment may remain at the desk until the close of business Monday, August 31, for additional cosponsors.

The ACTING PRESIDENT pro tempore. The amendment, will be received, printed, and lie on the table; and, without objection, the amendment will lie on the desk for additional cosponsors, as requested by the Senator from Pennsylvania.

AMENDMENT NO. 1247

Mr. SCOTT. Mr. President, on behalf of the senior Senator from Hawaii [Mr. Fong] and myself, I send to the desk an amendment to H.R. 11865, the Social Security Act Amendments of 1964, and ask that it be printed.

Under my amendment, individuals aged 65 or over who purchase private health insurance policies containing at least the minimum benefits spelled out in the amendment, would be eligible to receive cash payments from the Government to assist them in purchasing such policies. Funds for this purpose would be appropriated annually from general revenues.

My amendment is designed to supplement the existing Kerr-Mills Act by assisting those older individuals who are ineligible for assistance under that act and who, at the same time, cannot afford to purchase private health insurance policies.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and lie on the table.

AMENDMENT NO. 1248

Mr. KEATING submitted amendments, intended to be proposed by him, to House bill 11865, supra, which were ordered to lie on the table and to be printed.

OLDER WORKERS EMPLOYMENT ACT OF 1964—ADDITIONAL COSPONSOR OF BILL

Mr. RANDOLPH. Mr. President, I ask unanimous consent that at the next printing of S. 3107, the Older Workers Employment Act of 1964, which I introduced on August 11, the names of the Senator from New Jersey [Mr. Williams] and the Senator from Hawaii [Mr. Fong] be added as cosponsors.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. JORDAN of North Carolina:

Lesson delivered by the Senator from Tennessee, Mr. Walters, to the Senate breakfast prayer group on Wednesday, August 19, 1964.

FIFTH ANNIVERSARY OF STATEHOOD FOR HAWAII, AUGUST 21, 1964

Mr. INOUYE. Mr. President, 5 years ago today the streets of Honolulu rang with the raucous cries of newsboys. "Statehood," they shouted. "Statehood for Hawaii." On that day Hawaii truly arrived on the American scene. We were a proud people that morning and we had waited so long.

Hawaii had been probed and scrutinized by countless congressional committees and visiting Members of Congress. As several decades passed into history statehood campaigns had been mounted time and again only to end in failure.

Hawaii's sons went off to war as second-class citizens and fought valiantly in two major conflicts. We never lost our determination—or our faith. When the news of statehood flashed across the Pacific 5 years ago, it was all worth waiting for.

Hawaii has yet to attain perfection. We have our problems and they receive our constant attention. We take pride in the small accomplishments we have been able to make. We have developed a very harmonious relationship among our people and we hope that the Nation will share in our joy and satisfaction. It has been a long road and we have learned much along the way. We stand ready to share this knowledge with our sister States.

I was proud of all the people of Hawaii when the civil rights struggle beset the Nation this year. My people rallied to the cause, showering the Congress with thousands of letters urging passage of a civil rights bill. A delegation of leading citizens called on nearly every Member of the U.S. Senate to help win support for the measure.

Hawaii's churches exhibited real leadership on this great issue. They were joined by labor unions, businessmen, teachers, military personnel—a cross section of the community.

In the end Hawaii was the only State which said "Mahalo"—Hawaiian for "thank you"—to the Congress for passing the civil rights bill. This was done when some of our people bought a half-page advertisement in the Washington Post.

And what of Hawaii—5 years later. We enjoy our full share of membership in this wonderful Federal Union.

The Nation is experiencing a level of prosperity which it has never before known. And so it is in Hawaii. Statehood did not bring prosperity to the islands, but it accelerated our economic growth.

Our markets are growing and diversified manufacturing is up sharply.

Our own elected Representatives and Senators walk the Halls of Congress.

Our children are better educated and our horizons are unlimited.

We are getting bigger—and better.

This is all part of the American story. And it is the story of Hawaii.

Statehood gave us the long-awaited opportunity to fully share in the American dream.

We shall be forever grateful to the elected representatives of our sister States who opened those doors to us 5 years ago. And we shall continue to strive to make significant contributions to the welfare of our Nation in the future.

Mr. President, a few moments ago the office of the White House press secretary issued a press release stating that President Lyndon B. Johnson had today noted the fifth anniversary of statehood for Hawaii by hailing the Nation's new State as "a symbol to people everywhere of what it is possible to achieve within the American system of government."

I believe I speak for the people of Hawaii when I say, "Thank you, Mr. President, for your most generous words."

Mr. President, I ask unanimous consent that the press release be printed at this point in my remarks.

There being no objection, the press release was ordered to be printed in the Record, as follows:

The White House,
August 21, 1964.

President Johnson today noted the fifth anniversary of statehood for Hawaii by hailing the Nation's newest State as "a symbol to people everywhere of what it is possible to achieve within the American system of government."

The President observed that Hawaii's 5 years of statehood have been marked by unprecedented growth and prosperity and he called attention to the fact that in this period it has risen from 22d in per capita income to 17th among the 50 States.

The President also applauded Hawaii for its position on civil rights.

The President disclosed that the Bureau of the Budget has determined that 285 additional acres of U.S. Government property on the island of Oahu in Hawaii are no longer needed by the Federal Government and arrangements are being made to transfer title to the State. All the land being returned to the State was originally donated to the United States by Hawaii.

The 285 acres to be transferred generally concludes the Bureau of the Budget's review of the Federal land to be conveyed to Hawaii under the Statehood Act. About 675 acres have previously been transferred from Federal to State ownership.

In the course of its review, the Bureau of the Budget has thoroughly analyzed and assessed Federal needs for land in Hawaii. A major consideration in this review was the disposition of thousands of acres of State lands which were used under license by the Armed Forces. The Statehood Act authorized setting such lands aside in Federal ownership. However, by negotiating satisfactory long-term leases for these lands—used mainly for military training—it was possible to leave ownership of more than 30,000 acres with the State. This acreage is comprised of land at Pohakuloa, Makua, Kahnku Kawailoa, Kaena Point, and Bonham Air Force Base.

Another major result of the review was the enactment of Public Law 88–233 upon the recommendation of the administration. This law, which the President approved on December 23, 1963, would overcome an inequity created by provisions of the Hawaii Statehood Act and continue the 60-year practice of returning to Hawaii certain Federal lands when they are no longer needed by the United States. The lands covered by the bill were given to the United States by the Republic and Territory of Hawaii without charge. Hawaii's claim to these lands has always been recognized by Congress and, in effect, they have been held in trust for the people of Hawaii. The new law recognizes that claim.

LEGISLATIVE REAPPORTIONMENT—DIRKSEN-MANSFIELD AMENDMENT

Mr. INOUYE. Mr. President, I submit an editorial on the subject of the so-called Dirksen-Mansfield amendment now being debated on the Senate floor. The editorial was written by the editor of the largest evening newspaper in the State of Hawaii, William H. Ewing. I commend the editorial to those interested in succinct and objective analysis. It is noteworthy for its clarity and brevity in dealing with an issue which has gripped the minds of people everywhere ever since the decision in the case of Reynolds against Sims was handed down by the Supreme Court in June of this year.

Knowing Mr. Ewing personally, I can vouch for the fact that the editorial does not represent a partisan political point of view. Because of this, I think it all the more worthy of attention by all who are interested in fair government and in the basic tenets of American constitutionalism.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Honolulu Star-Bulletin,
Aug. 18, 1964]

Playing for Bigger Stakes

There is more than meets the eye in the congressional maneuver to put off the legislative reapportionment ordered by the U.S. Supreme Court until January 1, 1966.

This is not a delaying action, based on sweet reasonableness, to give the States time to go about the business of complying with the Court edict in a deliberate, orderly manner.

It is a delaying action to prevent achievement of the one-man, one-vote goal until a constitutional amendment can be pushed through taking jurisdiction over State legislatures away from the Supreme Court.

For, if Congress can put together enough votes to refer the amendment to the States, it will be the State legislatures themselves which will vote on it and they are counted upon to support the status quo, regardless of the violence it does to the principle of equal representation.

Some of those supporting the Dirksen-Mansfield rider to the foreign aid bill may feel that the Supreme Court order is too sweeping, that it puts rural populations completely at the mercery of the populous cities, and that a means must be found to give the rural minorities some legislative leverage (just as the U.S. Senate filibuster helps to protect the interests of a strong minority).

There is, indeed, the danger that in putting State legislatures completely in the hands of the city politicians, rural interests may get less attention than they have had in the past. A decline of the hinterland as a result of legislative neglect might strengthen the case for a larger Federal role in rural America.

Legislative discrimination against the cities, made possible by the very representative imbalance which the Supreme Court seeks to correct, has been at least partly responsible for the growing program of Federal aid to cities in public housing, redevelopment and the like.

All the skill of the rural politician is going into the battle to hold onto the power built so carefully over the years. We have witnessed this at close hand in our own State legislature. The issue is no less fundamental in Congress itself.

We are witnessing a profound change in the political balance of power in the United States, and the struggle is far from over.

THE UNIVERSITY OF HAWAII AND THE PACIFIC—ADDRESS BY THOMAS H. HAMILTON

Mr. INOUYE. Mr. President, I submit for printing in the Record, a speech by President Thomas Hale Hamilton, of the University of Hawaii. I believe this is one of the most concise treatments of the role of the university in the developing Pacific Basin area of the world, and it should be of great interest, not only to those in the educational profession, but also to those concerned with the future of developing nations rimming the Pacific.

There being no objection, the speech was ordered to be printed in the Record, as follows:

The University of Hawaii and the Pacific

(Address by Thomas H. Hamilton, president, University of Hawaii, at the 1964 symposium of Western Interstate Commission for Higher Education, in Boulder, Colo., August 8, 1964)

You must have been startled by the enormity of the subject assigned to me tonight. It startled me less than it would have some years ago because university presidents seem to get absolutely ridiculous speaking assignments in terms of their very limited competence. Frequently, I get a telephone call with a breathless invitation to speak tomorrow night at 7:30 on the topic of "Education for the Space Age" or "Democracy at the Crossroads" or "Whither America." These invitations usually arrive at the time when my checkbook is out of balance, when I'm frustrated by the fact that I cannot provide effective counsel for the future of my son's education, and somewhat embarrassed that I do not understand my daughter's fourth-grade homework.

But I am happy to say that recently I came across a passage written by Gertrude Stein which has clarified the whole matter:

"Education is thought about and as it is thought about it is being done. It is being done in the way it is thought about, which is not true of almost anything. Almost anything is not done in the way it is thought about but education is. It is done in the way it is thought about and that is the reason so much of it is done in New England and Switzerland. There is an extraordinary amount of it done in New England and Switzerland.

"In New England they have done it—they do it—they will do it and they do it in every way in which education can be thought about.

"I find education everywhere and in New England it is everywhere, it is thought about everywhere in America everywhere but only in New England is it done as much as it is thought about. And that is saying a very great deal. They do it so much in New England that they even do it more than it is thought about."

So much then for clarification.

Tonight I was assigned to address myself to the topic of the Hawaiian Islands and the Pacific. As most speakers do, but few admit, the first thing I am going to do is to change my topic. This is not really true, for I still intend to address myself to this general area, but as I tried to cope with it I found the range so broad that it was difficult to find a handle. In short, I needed a tripod on which to mount my camera before swinging it around the Pacific Basin. And, of course, the Hawaiian tripod with which I am the most familiar is the University of Hawaii.

This is neither as unwise a procedure nor as provincial as some might suspect. A little over 2 months ago I returned from the most recent of my visits to Asia, and I was impressed again, as I always am, with not only the crying demand for education in the whole of the Pacific area, but the fact that whatever the short-range solutions may be, most of the problems which plague this area must, in the long run, be answered through education. If there were time this evening, I might recount some of these difficulties, such as the uneven quality of medical education throughout the area, the fact that, while higher education is emerging and developing rapidly in Asia, some of it seems almost irrelevant to the needs of the nations sponsoring it, and that these nations are miles from providing equality of educational opportunity. So the University of Hawaii, as the American university closest to most of these places, seems not a bad platform from which I can, for a few moments, gaze to the west and ponder what I see.

It will be understood, too, I am sure—and I will be excused for taking the position—that to me the University of Hawaii is in many ways the most interesting of all State universities. Consider, if you will, the setting in which it is located. Hawaii is the most southern of the 50 States, all of it lying in the same latitude as Mexico, with its capital—Honolulu—at almost precisely the same latitude as Mexico City. It is located almost midway between the great land masses of North and South America and the continent of Asia, a continent that our sister WICHE State of Alaska almost touches physically.

It is a State known for many things—the spirit of aloha, which, to be sure, has been somewhat abused through commercialization, but still exists as a real force. The climate is magnificent, with temperatures ranging from approximately 60° to 80° the year round. And the land is in many places as indulgent as the climate so that large areas are covered with lovely green growth and beautiful flowers. Yet there are also deserts and sheer, stark cliffs and acres of recent lava flow, and at times the violent beauty of an active volcano. But probably the most interesting thing about Hawaii and its university is not its land or its climate or its location, but rather its people, for this is the only truly multicultural State in the United States.

While this is not the place for a detailing of the history of this State, the islands probably were first discovered by the Western World in 1778. Since that time, for a variety of reasons, many different ethnic, cultural, and racial groups have migrated to these shores, stayed, prospered, and their descendants have become the citizens of modern-day Hawaii, the only State in the Union which before statehood was successively a monarchy, an independent republic, and a territory of the United States.

From the standpoint of ethnic background, the two largest groups are the Japanese and the Caucasians, each representing roughly a third of the population. The Filipino nationality group accounts for 11 percent of the population; the Chinese 6 percent; and the Hawaiian and other 19 percent, although the percentage of Hawaiians unmixed with other groups is small. But such statistics as these are misleading, for the fastest growing proportion of the population consists of those who can claim various ethnic and cultural backgrounds—the cosmopolitans. At present, approximately 40 percent of the marriages taking place in Hawaii involve the crossing over of these ethnic, cultural, and racial lines. Between 35 and 40 percent of the babies now born in Hawaii are of mixed parentage.

Much has been written of the way in which these races and nationality groups relate peaceably one to another. And much of what has been written is, if not nonsense, at least superficial. To understand in any depth race relations in Hawaii one would need to appreciate the importance of such factors as the spirit of aloha itself (the islands' greatest legacy from the Hawaiians), the original contact between the natives and whites taking place in the field of trade, the doctrinal support given by the Christian missionaries to an already established tendency for peaceful coexistence, the rise and decline of the old plantation system, the impact of the military, World War II, the effect of reduction over time of the differences in economic status and educational background between the various racial groups, the sudden spread of unionization, and the implications of the fact that no ethnic strain constitutes a clear majority of the population. For this of course there is not time, but certainly it is naive to assume that the relations between these various groups are perfect; they are not.

But it is true that these relations are in Hawaii the best that I have found, and cordial relations are taken for granted. Here, far more than in most places, it is a man's diligence, ability, and personality that count, not the racial group from which he sprang. We have, as a matter of fact, in Hawaii reached a point where we feel sufficiently secure on this matter that it can now be freely talked about, and is even a source of humor. Hawaii, indeed, is one of the few places within the United States where dialect humor has not disappeared.

It is natural that this multicultural society should have a multicultural State university, and this it does, for all of these racial and ethnic elements in the population are represented in both our student body and our faculty. This diversity also manifests itself in our board of regents, where one finds Haoles (the local term for Caucasians), Hapa-Haoles (primarily Caucasians but with some other mixture of ancestral background—in this case, Hawaiian), Japanese, Chinese, and Hawaiian. And certainly there is no other American university which dismisses classes to honor Prince Jonah Kuhio Kalanianaole and King Kamehameha.

But the unusual feature about the University of Hawaii which is of particular relevance to my topic tonight is that as far as I know it is the only American university which explicitly recognizes that it has not only an obligation to serve the State which supports it, but also an obligation to serve a region of the world, specifically the Pacific Basin and Asia. There are some rather simple manifestations of this. I know, for example, that State university presidents ordinarily must be extremely cautious about using State funds to send faculty and administrative officers outside the mainland United States. Yet a rather large proportion of the travel requests which I approve are for travel to Asia or one of the Pacific islands. And the State fiscal officers would not think of objecting to these, for they recognize that it is as important for us on occasion to have a faculty member in Tokyo as it is to have one visiting Boulder, Colo., important as the latter may be.

Undoubtedly there are several reasons which explain this phenomenon. The location of the State and the nature of our population I have alluded to. In addition, of course, there are economic factors at work. Hawaii, as you know, has a rather narrow economic base, and one which both public and private enterprise are trying to broaden. And in the Pacific Basin and on its rim we see opportunities for economic development within our State of a kind simply not available to the other States. For example, there is now well advanced a plan for an international trade zone which would provide, among other things, a transshipment point for goods being shipped between Asia and North America. Similarly we rely very heavily on our tourist industry, which continues to grow, and it is estimated that much of the future growth within this industry will be brought about by tourists from Asia. As an example of this, since the easing of currency restrictions in Japan, we are experiencing a marked increase in tourist business from that nation.

But there is another reason over and above our location, our population, and our economic interest. Some years ago there began to develop the idea that Hawaii might serve as the instrument for drawing closer together intellectually and culturally the civilizations of the East and the civilizations of the West. No one knows who first advanced this idea. I have read a public address of a predecessor of mine written some 30 years ago in which the idea was presented rather fully, and there is no evidence that he was the first to enunciate this.

Basically, the idea has two facets, one of which I would call modest, or relatively so; the other most adventuresome. The relatively modest goal is to make of Hawaii a bridge over which men from East and West can travel the road of mutual understanding. Knowing how difficult understanding is to achieve, even this modest goal is extremely difficult to attain.

The adventuresome goal involves speculating on the possibility that there might develop in Hawaii not a compromise between, nor an eclecticism based upon, but a true synthesis of the philosophical traditions of the East and of the West. Being something of a realist, I am willing to leave the attainment of this objective to my grandson.

This then is the general milieu within which the University of Hawaii tried to deal with the Pacific and Asia. Part of the work is done through the East-West Center. The East-West Center, as I suppose most of you know, is largely a federally financed project operated in cooperation with the University of Hawaii. Basically it has three programs designed in one way or another to develop this mutual understanding. The first is a student interchange program whereby at the moment 600 graduate students—200 from the United States and 400 from Asia—are subsidized for a 2-year period of study. The Asian students spend 3 months of that time studying on the mainland United States in addition to their work at the University of Hawaii, and conversely the American grantees have 3 months of study in Asia. Present plans call for a gradual expansion of this program to 1,000, at which point there will be another evaluation of the program to see whether any further expansion is warranted.

A second phase of the East-West Center's program has to do with the bringing to Hawaii for a year 30 scholars who have achieved distinction in their fields. No duties are required of them. This is a year devoted to research. Presently, we tend to group these scholars so that there will be at least four working in related fields. This does not mean that this is team research, but rather that we find these scholars happier if they have colleagues whose scholarly interests are somewhat similar to their own.

Finally there is a program concerned with technical interchange where the emphasis is more on the short run and the immediately practical. This is accomplished by either bringing students who are actually practitioners to Hawaii for shorter periods of intensive training, or conversely sending teachers out to the locations themselves to conduct seminars, institutes, workshops, and the like. Currently we are concentrating this program rather heavily in the trust territories, where, as you know, AID does not operate and where, I am sorry to say, America's record is not very good. At this moment, we are conducting workshops in the trust territories in the fields of sanitation engineering, vocational education for women, and copra production. We are now training each year the equivalent of 100 man-years in this program. Actually the number of individuals involved is more than this, for none of the programs are a year in length.

However, by no means all of the university's activities in the Pacific and Asia are implemented through the East-West Center. Just 2 days ago there concluded on the campus a 6-week East-West philosophers' conference, in which 35 distinguished philosophers representing both Asia and the West met, delivered papers, had discussions, seminars, and the like. From the West came representatives not only from the United States, but the United Kingdom and France as well. The Asian philosophers came from Japan, Korea, the Republic of China, Hong Kong, India, and Pakistan. It has been a fascinating experience to observe some of the head-on collisions between the Aristotelian and the Zen Buddhist. The money for this, incidentally—and it is a very expensive project—is donated by some of the businessmen of Honolulu.

As one would well surmise, we also are confining our oversea programs to what may loosely be called the Pacific Basin. In addition to work in the trust territories, we are working in a number of other islands in the Pacific, in Thailand, in both East and West Pakistan, and in the Indian Ocean. I feel reasonably sure, too, that I head the university which extends farthest to the west, for we have a branch offering extension courses on Kwajalein.

We have also had rather good luck in training Peace Corps workers for Asia. We now hold an annual contract with the Peace Corps for this activity, and are training primarily for Thailand and the Philippines, although we have also trained groups for North Borneo and Sarawak. These trainees receive their academic training in Hilo, on the island of Hawaii, and then for 3 weeks they are taken to our transitional training site, which is in the beautiful although well-nigh inaccessible Waipio Valley. Here we have reproduced in great detail a simulation of the culture in which they are apt to live and work. We have built a number of Filipino Nepa huts as well as some typical Thai houses and here is where the students live and train for 3 weeks. There are no screens, no running water, and the facilities are both outdoors and crude. We have even installed a rice paddy, which is worked with caribou. Most of the trainees find this a highly useful experience.

In the time interval between the training of Peace Corps volunteers, we have just begun a short course for the training of business executives who are being sent to Asia. Thus far we have trained two groups of executives being sent to Mindanao by the Dole Corp. It appears that this is proving sufficiently successful that it will expand in the future.

As one would well imagine this concern for the Pacific Basin and Asia has had considerable impact on the curriculum of the University of Hawaii as well as the number of students enrolled in various courses. The range of offerings in the languages of Asia and the Pacific is extensive, including Chinese, Hawaiian, Hindi, Indonesian, Japanese, Javanese, Korean, Pali, Sanskrit, Tagalog, and Thai. Some 1,200 students currently are studying one or more of these, and there are more students studying Japanese at the University of Hawaii than at all other American institutions of higher learning combined.

But our concern with this region of the world has impact on program beyond simply that of the languages. There is hardly a department in which the emphasis is not apparent. Course offerings include such items as field archeology in Oceania, art of Asia Minor, India, and southeast Asia, 6 courses dealing with the civilizations of the East, music of Asia, oriental drama and theater, 15 courses concerned with oriental philosophy, economic development of east Asia, geography of the Pacific islands, to cite a few. The total list would be very long indeed. Nor have the natural sciences remained uninfluenced. Again, because of our location, our Pacific Biomedical Research Center as well as the Department of Genetics is giving great emphasis to research in comparative human genetics.

It seems to me that the Pacific Basin and its western rim present to the United States, in fact to all of the Western World, a new frontier, the greatest challenge of our time, as well as the greatest opportunity. Among other things it seems clear that the decisions which will affect the course of mankind will be made in this area of the world within the next half century.

I need not emphasize, I am sure, with this audience, that the complexities here are fantastic. But it is not only morally and politically right to establish the proper rapport with this area of the world, but as far as we are concerned it is also good economics. If science and technology can be applied in this area of the world, and particularly if they can be applied without disrupting and ruining the indigenous cultures, the world's wealth will be increased manyfold, and from this increased prosperity both the nations of Asia as well as the West will profit.

But before such things can come about, we must abandon what has become a sterile approach in our relations with these nations. Too often our assistance programs have been based on two factors: the idea that through such a system we can increase the strength of our team in the cold war, and a kind of patronizing attitude of assisting benighted incompetents through charitable activities. Neither of these is an adequate base, and to the extent they are still held, must be abandoned.

Some of the more advanced Asian countries, indeed, have much to give to us. Japan, for example, has a great deal to teach us about all sorts of things—running from the development of transistors to rural development. And the return from the educational programs of American universities certainly can be equally rewarding not only by virtue of our faculty doing research there and learning from living there, but by actually engaging in mutually rewarding projects. For example, at the moment Keio University in Tokyo is working with us on the problems of language teaching. Scientists from the University of Tokyo and those from other scientific institutions in Asia are working very closely with the University of Hawaii on problems of seismology, tsunami and oceanography. We are cooperating with Kasetsart University in Thailand, working with us on agriculture as we are with them. And there is in the process of formation an Association of Scholarly Publishers in Asian countries, cooperating through us with the American scholarly publishers.

What I am really proposing, I suppose, is that we now have an opportunity to extend the WICHE idea across the world's largest body of water. But WICHE would never have developed except for the mutuality of interest of the states involved. And this is what we should try to develop in the Pacific Basin and Asia.

To be a part of this effort is a very exciting experience, and I am pleased that I have been fortunate enough to be put in the center of it. Perhaps we have an opportunity of being for the United States, in the words of the late Sir Peter Buck, director of Honolulu's Bishop Museum, "The Vikings of the Sunrise."

RISING RESIDUAL OIL IMPORTS CAUSE U.S. UNEMPLOYMENT

Mr. BYRD of West Virginia. Mr. President, we know the great concern of our President and the Congress for the problem of unemployment and economic hardships in the Appalachian region. We in West Virginia appreciate all that has been done to alleviate this condition, but I wish to again call attention to an obstacle which has, over a period of several years, eaten into our eastern seaboard coal markets and deprived coal miners and railroad employees of their jobs. I refer to residual oil imports.

The Huntington, W. Va., Advertiser recently brought this point out clearly and convincingly in a guest editorial by Mr. Walter J. Tuohy, president of the Chesapeake & Ohio Railway, and a complementary editorial by Mr. Wendell Reynolds, editor of the newpaper's editorial page.

What these editorials say is important to this Nation as a whole. I ask unanimous consent that the two editorials be printed in the CONGRESSIONAL RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

BLACK TIDE OF FOREIGN RESIDUAL OIL DARKENS APPALACHIA—BUT THERE'S HOPE

(A guest editorial by Walter J. Tuohy, chief executive officer, Chesapeake & Ohio Railway, chairman, Baltimore & Ohio)

(Walter J. Tuohy, as Chesapeake & Ohio Railway president claimed by Huntington as one of its warmest friends, wrote the first of the series of Advertiser guest editorials more than 8 years ago. As C. & O. chief executive officer and Baltimore & Ohio chairman, he has written another today pointing the way for helping in President Johnson's program to spread prosperity in Appalachia.)

Recently when my travels have taken me by air over the green beauty of West Virginia I have felt forcefully the strangeness of her situation, and that of her neighbor States.

Below are the leaf-mantled hills. Under them lies an immense store of a prized natural resource, coal.

Over there in the valleys are cities, towns, and hamlets. Most of the people in them share the Nation's unprecedented prosperity. Some among them, however, are left out of the American dream, and know the true meaning of want.

Why this strangeness of human need existing side by side with a vast supply of the earth's treasure?

The answer is not a simple one. But part of it lies in a black tide from abroad which laps at the east coast of our country.

It is import residual oil from the Caribbean. An ever-increasing flood of this waste product of the oil refining process has brought hardship to the States of Appalachia and threatens to bring more.

On the other hand, a modest check to the flood of import residual oil is now under consideration by the administration. It could bring sunshine to places in West Virginia and the other coal States where poverty now reigns.

Coal mining and transportation have long been the economic backbone of the Appalachian area. The 126,000 coal miners and 70,000 railroad workers take home a billion dollars in pay. This payroll pumps life blood into many communities, creating and supporting thousands of other jobs.

For these two industries, coal mining and coal transportation, the outlook should be only bright. New ways of doing old jobs are bringing down costs and making coal more competitive with other fuels.

Coal's main market is the electric power industry of the East. And in the years just ahead, the fuel needs of the powerplants of that area are expected to rise greatly.

The picture is indeed bright—were it not for dump import oil. Not only does this black tide threaten to close out coal from helping to meet the expected growth in energy needs of the East. It has already choked off coal from former markets and threatens further inroads.

What is dump import oil, and why cannot progressive coal and railroad industries fight it on its own terms?

In my hometown of Chicago we used to say that the meatpackers had found a use for everything on the pig except the squeal.

Dump oil is the squeal of the pig. From crude oil is refined gasoline, light heating oil, and other valuable products. The waste at the end is residual oil. In many cases formerly it was just thrown away.

Then the "squeal" was put to use. By preheating, the heavy sludge could be burned in the large boilers of steam utility plants. Soon a flood of it was cn its way by tanker to the coastal cities.

Because it is a waste product, dump import oil can be sold always under coal's price. When coal's price is cut, dump oil's price can be cut even lower.

The coal industry and the United Mine Workers fought back with increased efficiency. The price of coal at the mines, when everything else was going up in cost, actually came down, from $4.99 a ton in 1948 to $4.73 in 1960. The partner of the coal industry and the miners, the coal railroads, have also done their part, with price adjustments and technical innovations such as integral trains.

Despite these efforts, the black tide continued to choke off jobs in the coal States and threaten more.

A special Cabinet Committee reported that oil imports had reached a level that threatened to impair national security by weakening the country's solid fuels industry. As a result, controls were placed on import oil.

Unfortunately, the Government has steadily raised these quotas, letting a rising tide of dump oil through the gates. Last year the flood totaled 233 million barrels, the equivalent of 56 million tons of coal. This tonnage of coal not mined meant $150 million in wages of coal miners and railroad workers not earned.

Worse still, a continuation of present residual oil import policies could be expected to cost from 20,000 to 40,000 jobs in coal mining and transportation in the next 10 years.

There is a solution to the problem. And as the people of West Virginia would want it, it is not a matter of robbing Pedro to pay Paul. Our Caribbean neighbors need not have less so that our brothers may have more.

The flow of residual oil need not be cut off, but simply stabilized and maintained at a reasonable fixed level.

This done, coal would probably be able to capture practically all of the expected growth of the electric utility market on the east coast. This growth in the next 10 years is seen as the equivalent of 63 million tons of coal.

An increased market of this size would mean that the mining and railroad industries would spend $1½ billion opening new mines and building and buying other facilities and equipment.

Besides 30,000 new jobs for miners and railroad workers, other jobs would be created as every dollar of capital investment and every payroll dollar flowed through the communities of Appalachia.

When President Johnson stopped at Huntington in April after his inspection tour of depressed areas in several States, he said this of his own life: "I have seen the face of poverty many times in many years."

Our President's genuine conecrn for people is evident when you meet him. He is a man of compassion. He is a leader of sincere purpose and constructive action, as shown in his successful resolution of the railroad crisis a few months ago.

I am confident that from him can be expected the most solemn consideration of a proposal that will help make the American dream shine again for many in West Virginia and its neighbor States.

Tuohy Offers Means To Give Appalachia Economic Boost

(By Wendell Reynolds)

The guest editorial that Walter J. Tuohy wrote for the Advertiser yesterday presented a reasonable and feasible solution for the difficult problem of limiting the competition of foreign residual oil with coal.

As chief executive officer of the Chesapeake & Ohio Railway and chairman of the Baltimore & Ohio Railroad, both heavy carriers of coal, Mr. Tuohy understands the difficulties of the bituminous industry.

As a widely informed citizen he also understands the humane as well as the material need of encouraging the economic development of such oil-producing Latin American nations as Venezuela in order to strengthen free governments against the encroachments of communism.

With these two aspects of the problem before him and in full appreciation of President Johnson's desire to combat hardship in depressed mining areas, Mr. Tuohy offered a simple solution that would benefit West Virginia and other coal States without injuring Caribbean neighbors.

"The flow of residual oil need not be cut off," he said, "but simply stabilized and maintained at a reasonable fixed level.

"This done, coal would probably be able to capture practically all of the expected growth of the electric utility market on the east coast. This growth in the next 10 years is seen as the equivalent of 63 million tons of coal."

Increasing the market for coal by this amount would provide thousands of jobs for miners and railway workers. Mr. Tuohy estimated that the increase would result in the spending of a billion and a half dollars "for opening new mines and building and buying other facilities and equipment."

In addition to creating 30,000 new jobs for mine and railway workers, expanded payrolls and capital outlays for improvements would provide work for many others in stores, service businesses, and all the wide variety of enterprises necessary for a thriving community.

Specialists in the field of industrial development have estimated that the addition of 100 factory workers to a community results in 296 more people, 112 more households, 51 more school children, $590,000 more personal income each year, $270,000 more in bank deposits, 107 more passenger cars registered, 174 more workers employed, four more retail establishments and $360,000 more in retail sales a year.

The additional jobs might not attract so many new people to the mining areas because there are already a great many people there without work.

But giving them employment and a steady income would provide the other benefits. Taking them off relief and increasing the taxable income would also help provide better schools and churches and lift the entire social level along with the standard of living.

Opening such opportunities while President Johnson is implementing his Appalachian program and launching his vigorous assault upon the causes of poverty would give new hope and new heart to thousands of disadvantaged families and helping write a bright page of history in human rehabilitation and economic advancement for the administration.

Just as efforts of President Franklin D. Roosevelt for improving the way of life of the "forgotten man" established the base for the unprecedented years of prosperity since the war, President Johnson's effort to give a hand to those cast adrift by industrial change can strengthen the Nation's entire economy by increasing the demand for goods and services.

As a young man President Johnson had a part in the Roosevelt New Deal program and no doubt looks back upon his experience as a significant part of his preparation for the high position he now holds.

His sympathy for the unfortunate is so deep because, as Mr. Tuohy pointed out, he has looked upon the face of poverty. He knows too what it can do to people.

The primary remedy for poverty is jobs. The quickest way to apply the remedy in Appalachia is to encourage expansion of coal, the basic industry of practically all the blighted areas.

The benefits would extend beyond the mining communities to railroad operating centers and the homes of supply houses and wholesale establishments.

Improving conditions in southern West Virginia and eastern Kentucky coal areas would create new jobs on the railroads and in service and merchandising businesses of Huntington and swell employment throughout the region.

Mr. Tuohy's solution of the residual oil import problem thus offers a simple means of giving quick impetus to President Johnson's Appalachian and antipoverty programs and of helping assure their ultimate success.

RETIREMENT OF A GOOD PUBLIC SERVANT: JAMES V. BENNETT, DIRECTOR, U.S. BUREAU OF PRISONS

Mr. BYRD of West Virginia. Mr. President, I join my distinguished colleagues who, on Wednesday, commended James V. Bennett for a job well done. He can certainly retire a few days from now with the satisfying knowledge that he has done everything possible to carry out his responsibilities to the best of his ability. And his ability is considerable.

I have been working with Mr. Bennett for some time on a project to make the world's most modern training facility for juvenile delinquents a reality. The facility will be built at Morgantown, W. Va., on a site where it will have close access to the State university and the other resources of the area. It is being designed by a West Virginia architect, and indigenous materials will be employed to the fullest extent possible. Also, once the facility is built, it will be staffed to a considerable extent by personnel recruited in the Morgantown region. In a very real and meaningful sense the new National Training School at Morgantown will represent a partnership between the city and the Federal Government.

It will be more than an economic asset in Morgantown. It will add to the many present distinctions of the city. The design and the concept are so unique and so sharply departing from tradition that the facility will attract social scientists and administrators from all over the United States and the world. More importantly however, the citizens of Morgantown will have a share in carrying out the purpose of the facility—the reclamation of young lives. I can think of no work more significant in present day life, and this mission will add yet another dimension to the city's high sense of purpose. The citizens of Morgantown are proud and delighted to cooperate with the Bureau of Prisons in this venture.

Director Bennett furnished the leadership in getting this project started, and he personally drafted the concept of the facility and worked on the details of its architecture. The new school will reflect faithfully his decades of experience as a correctional administrator and all the thought and effort he has given to the resolution of the problems of young delinquents. It is in effect the distillation of the enlightenment and insight so far furnished by science and experience concerning the moral correction of young people.

We all owe Mr. Bennett a debt of gratitude for the 45 selfless years he has given as a public servant, and particularly for the 27 years he served as prison director. He has many monuments to attest to the wonderful work he has done in behalf of the unfortunates of our society, and there will soon be another one at Morgantown, W. Va. I am sure that his great work will continue even in retirement, and I look forward to seeing him from time to time at the new training school. I know that our mutual interest in it will be enduring.

A PETTY SQUABBLE OVER A SIMPLE REMARK

Mr. MUNDT. Mr. President, it sometimes takes the calm, clear thinking of writers far from the scene of turmoil and torment to see through the clouds brightly and to separate the prejudicial chaff from the dispassionate wheat.

An obvious case in point is the frantic, tortured, passionate, and patently prejudiced manner in which a small, but articulate, coterie of "kept columnists" and "White House favor seekers" tried to make a cause célèbre about a phrase they did not like in BARRY GOLDWATER's acceptance speech. In the most flagrant abuse of the rules of objectivity, this clique of self-appointed "liberals"—20th century Tories, actually—attempted to write into an innocent, but admittedly inept, phrase every odious, unpleasant, or terrifying implication their active imaginations could conjure up.

Finally, they out-Heroded Herod so extravagantly, and their rivalry in trying to outdo each other in reading vice into words of virtue grew so heated, that the whole exercise in semantics took on the aspects of a well-planned hoax upon the people. The exchange of letters between Mr. Nixon and Mr. GOLDWATER put an end to the hysterics. Out of it all, however, many Americans learned a serious lesson: In a presidential year, it is unwise to believe everything you read or hear, and it is highly important to identify the source of your information, since, in this era, some who pose as objective commentators and writers are, in fact, so prejudiced or politically or socially involved that they report with passion and purpose, rather than with verity and objectivity.

Actually, government has gotten so big and politics so powerful that, these days, whole newspapers and several weekly magazines can be identified as campaign organs for one candidate or the other. Here in Washington, for example, one has to read with binoculars and see the contents of some newspaper published outside the District to find a cartoonist or an editorial board or a reportorial staff remotely adhering to the journalistic concepts of earlier times which were more identified with news than with winning favors for friends or carrying candidates through to success.

From out of the West has come a clean, fresh breath of sanity and sobriety, in this sad era of journalism which has found reporting becoming so badly slanted that as dispassionate and fair a man as former President Eisenhower felt compelled to call to it in his great speech at the Republican national convention.

Television, along with radio, appears to have become so much the captive of the party in power, that perhaps only a change in administrations will again provide its viewers and listeners with hard facts, instead of the "hard sell"; but there is still hope that the great journalistic fraternity of America, with its justly proud record of past performance, will take a second look at itself and will engage in some reflection and self-analysis, instead of in recrimination against those who criticize it. It will be a sorry day, indeed, for America if the press in this country continues its descent into the abyss of political prejudice and purposeful news reports, until it reaches the level of the partisan papers published in many European countries and the unspeakably one-sided news mediums of Africa, Asia, and the Latin American countries. Let us have less of Pravda-type columns and reports in our press, and more of the balanced and objective information which has made our news mediums the one-time envy and leader of the world.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a thought-provoking and clear-headed editorial written by Fred C. Christopherson and published in the Daily Argus Leader, of Sioux Falls, S. Dak., the largest newspaper in an area of five contiguous States. I do so in the hope that it will inspire others to write or speak in support of a return to a free, open, fair, and objective presentation of the facts as they are, rather than an increase of the distortions and perversions, together with the omissions and the personalized insertions, which are so out of character with the American concept of appropriate reporting.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A PETTY SQUABBLE OVER SIMPLE REMARK

(By F. C. Christopherson)

Back in 1940 the late John F. Kennedy wrote a book entitled "While England Slept." In this volume the late President reviewed with high approval the leadership and comments of Winston Churchill.

With reference to Churchill's attitude, Author Kennedy had this to say in his book:

"No one has ever questioned his ability or his dynamic energy. But these very qualities have in times of peace caused him to be considered dangerous and a little uncomfortable to have around. Then, too, Churchill has always represented an extreme viewpoint. He has never stood on middle ground. He went all out for anything he advocated."

That mention of Churchill caused no special uproar. It was accepted as a fair and laudable definition of the character of the great British leader.

WHAT GOLDWATER SAID

All of which seems to be a fitting prelude to an analysis of the peculiar excitement that arose about a remark made by Senator GOLDWATER at the Cow Palace in San Francisco last month when he accepted the Republican nomination for the Presidency.

In the course of his speech GOLDWATER outlined his views on public policy and made this statement:

"I would remind you that extremism in the defense of liberty is no vice. And let me remind you also that moderation in the pursuit of justice is no virtue."

That seems to be a policy that should be endorsed generally by men of good will and high purpose.

Certainly we should go to extremes in defense of our liberty. It is in harmony with this widely acclaimed comment of Patrick Henry: "Give me liberty or give me death."

And surely no fault is to be found in the contention that we should be vigorous in the pursuit of justice.

WHAT HE DIDN'T SAY

But, strangely enough, many wrote into these words of GOLDWATER at San Francisco an interpretation that they were a cause for alarm.

Any leader who would make such a comment is a person with dangerous thoughts, they said.

Some of these interpreters were those who harbored no affection for the Arizonan and were eager to pounce on any words of his that could be twisted into meaning that he was a dangerous rightist. They moved into the fray early with vim and vigor in the hope apparently that no one would hesitate long enough to resurrect the original words and analyze them for their own worth.

Others, who should have known better, echoed the words of the detractors and an explanation was demanded.

To implement his attack on GOLDWATER, Columnist Walter Lippmann hastily created his own dictionary and developed a definition of the word "extremism" quite contrary to that of Webster.

The Minneapolis Tribune, which has difficulty in concealing its distaste for the Republican candidate, became an extremist, very much so, in seeking to find fault with the comment.

There were extremists in the audience, the Tribune said, and in consequence these remarks must be interpreted as an invitation to go beyond the law.

IN DIFFERENT WORDS

So great was the commotion that GOLDWATER was induced to make an explanatory statement. And it's a tribute to his forbearance that he did so in such a mild and friendly way.

GOLDWATER's explanation was this: "If I were to paraphrase the two sentences in question in the context in which I uttered them I would do it by saying that wholehearted devotion to liberty is unassailable and that halfhearted devotion to justice is indefensible."

He also referred to Abraham Lincoln's advocacy of "firmness in the right."

And, curiously enough, the explanation was accepted generally as an adequate indication that GOLDWATER had no intention of endorsing improprieties. Yet he said nothing in the second comment contrary to the first.

IMPROPER CONCLUSION

One need not be an apologist for GOLDWATER or a defender of his political cause to be upset by this queer twisting of his remarks.

But it's a political year and perhaps this is to be expected. Yet it shouldn't be that way. The problems confronting us as a nation are many and complicated and it is well that we try to understand—and not deliberately misunderstand—what the candidates are saying.

The decision in November should be made not upon some fancy or distorted phrase but upon a careful and thorough appraisal of the candidates and their policies. And the opportunity to do so calmly and accurately should be widely encouraged.

"BELIEVABILITY GAP"

Mr. MUNDT. Mr. President, judging from the way the supersensitive types at the Pentagon keep rushing into print with their counterclaims and alleged "facts," in attempting to refute statements made by the Republican candidate for President, it would seem the Department of Defense has adopted as top priority "Operation Answer Barry." I suggest that the subtitle of this Pentagon activity could be: "Say Anything, Just So It's an Attack on GOLDWATER."

In the last presidential campaign, Mr. President, the campaigners of the Democratic Party spread the fiction of the so-called missile gap. Today, many of the same champions of the unfounded missile gap charge are inside the chickenhouse and supposedly are in a position to count the eggs.

But what they are reporting to the public indicates that what we have now existing is a "believability gap"—that there seems to exist a wide gulf between what the Department of Defense says and the facts.

An example of this is shown in an editorial published in last night's Washington Evening Star, and entitled "McNamara's Myth."

The Star, in what was its lead editorial, in commenting on the fact that what McNamara inherited from the Eisenhower administration was a good deal different from that what he said he inherited, commented, "The election year does not give Mr. McNamara a license to kid the public."

Mr. President, I request that the editorial from the Star be included at this point in the RECORD. It is a clear demonstration of how McNamara has gotten himself on the wrong side of the "believability gap."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Aug. 20, 1964]

McNAMARA'S MYTH

One of the irritating myths generated by the Kennedy-Johnson administrations and recited this week by Secretary of Defense McNamara should be laid to rest once and for all. This is the claim, as Mr. McNamara put it during the Democratic platform committee's TV show, that "the Defense Establishment we found in 1961 was based on a strategy of massive nuclear retaliation as the answer to all military aggression."

History shows that the Eisenhower administration did not in fact base its answers to all military and political aggression on any such policy. When faced with a military crisis it did just what the Democratic administrations have done: Resorted to a limited, nonnuclear response.

President Eisenhower did not answer with massive nuclear retaliation at the time of the Lebanon crisis or the Formosa Straits bombardment. He called on portions of the 14 combat divisions, 15 carrier task groups, 7 tactical fighter wings and 16 air transport wings available to him and solved the problems without dropping a single A-bomb.

Mr. McNamara, however, has tried many times to promote the myth that none of these nonnuclear forces existed before he came along. He has said, for instance, that "it was also evident that our position throughout the world would be greatly strengthened if we were not forced to choose between doing nothing or deliberately initiating nuclear war."

Mr. McNamara has done much to add to our conventional forces and improve the "nonnuclear option." But that option, on a lesser scale, always has existed and always has been used.

The election year does not give Mr. McNamara a license to kid the public. Neither a Secretary of Defense nor a presidential candidate should shoot from the hip on these vital matters. There is entirely too much at stake.

LEO ROZUM: FRIEND AND PATRIOT

Mr. McGOVERN. Mr. President, doubtless the most memorable line uttered in the brilliant career of the late President Kennedy was his stirring inaugural challenge:

> Ask not what your country can do for you: Ask what you can do for your country.

One American who understood and answered that call years before President Kennedy gave his inaugural address was Mr. Leo J. Rozum, of Sturgis, S. Dak. In the truest sense of the word, Leo Rozum was one of the finest American citizens it has ever been my privilege to know.

He died suddenly, of a heart attack, on Monday, August 10, 1964, after suffering for 16 years from a serious heart ailment. In spite of his affliction, Leo Rozum invested his last 16 years in the cause of good government.

I came to know him shortly after I entered public life, in 1953. During the years since then, he has been a constant source of advice, inspiration, and assistance to me. His greatest contribution to citizenship came in the form of thoughtfully written letters which he sent, year after year, to the open-forum columns of the South Dakota press. Although he was an open and avowed Democratic partisan, he was, beyond that, an American citizen who cared deeply about the future of his country and the peace of the world. I know that he had the respect of even the opposition party.

His last letter to me, postmarked a few hours before he died, included a request for a flag that he wanted presented to the new St. Francis of Assisi School, in his hometown, Sturgis. In that letter, he suggested that the flag be presented in memory of the late President Kennedy, because, to Mr. Rozum, President Kennedy's life reflected the spirit of the great prayer of peace written by St. Francis.

It was my privilege to present a flag that had flown over the Capitol to Monsignor Feuerbach, following the funeral of Leo Rozum, which I attended on Friday, August 14. In my letter to the monsignor, I suggested that the flag be considered in memory of both President Kennedy and my friend, Leo Rozum.

Mr. President, I ask unanimous consent that a letter sent to the Mitchell Daily Republic by Mrs. R. F. Muckler, of Humboldt, S. Dak., sister of the late Leo Rozum, be printed at this point in the RECORD, together with the obituary of Mr. Rozum, as printed in the Sturgis Tribune of Wednesday, August 12.

I also ask unanimous consent that Mr. Rozum's last letter to me and my letter in response to Monsignor Feuerbach be printed at this point in the RECORD.

There being no objection, the letters and the article were ordered to be printed in the RECORD, as follows:

[From the Daily Republic, Aug. 15, 1964]

CONTRIBUTOR LOST

TO THE EDITOR: In recent years you have carried on your editorial page, letters written by Leo J. Rozum of Sturgis. Perhaps you have learned by now that he died suddenly Monday evening at Sturgis.

As you know, Leo was an ardent Democrat and through his writing was well-known throughout the State. He had quite a following. Some even called him the "Drew Pearson of South Dakota" and other things. He was under obligation to nobody, he did not write for hire or any other compensation. He did his own thinking and his own writing, ever quick to tell the other side of the story if his side was attacked.

He became interested in GEORGE MCGOVERN a number of years ago and it is an admitted fact in Democratic circles that he did a great deal to get him elected. Since then he has worked with the Senator for the interests of worthy individuals, for the interests of many South Dakotans, farmers, businessmen, stockgrowers, taxpayers, veterans, educators, builders, and any others who were worthy and needed to get something done.

As one man, he accomplished a great deal. As his sister, sharing much of his thought and interest, kept well informed by him, I know much of what he accomplished.

President Kennedy believed that "one man can make a difference, and he must try." Leo J. Rozum, of Sturgis, tried. That was his motivation, and none other.

MCGOVERN once asked him: "Leo, what have I done that I should earn the support and the loyalty you have given me?" Leo replied, "You are the kind of man we need in Washington—unselfish, dedicated, one who places his country's welfare above all other things. I want to see that you do a good job of being Senator."

For 16 years Leo lived bravely with a very serious heart condition which incapacitated him physically to a great extent. It is perhaps for that reason that he was able to use his keen mind as he did, and continue serving his country, as he so often said.

He was a veteran of World War I, having enlisted in the Navy when only 17 years old. Both of his sons were enlisted Navy men, as was a brother, now deceased, and his two sons. Another brother was an Army man and lost his life in World War II (he was married to a Mitchell girl, Virginia Wider).

The devotion and love of country born and bred into our family is not like that of the super patriots. It is the everyday variety, handed down to us as a part of daily life (like bread and butter) by a maternal grandfather who was an early settler in Brule County. Our mother is Mrs. Stella Rozum, whose letters you have also published in past years. The Mitchell paper was her daily fare for many years. She is now 86, in fairly good health, and planning to make the trip to Sturgis to the funeral.

I thought you might like the human interest about the man whose letters had such a following, and which you so generously published in your paper.

Mrs. R. F. Muckler.

Humboldt, S. Dak.

(Editor's Note.—While the above letter was not submitted as one for the "Open Forum" column, we believe it to be of interest to readers of this feature. Leo Rozum, of Sturgis, was a frequent contributor to this column, and over the years contributed much to the South Dakota political scene. We extend our deepest sympathy to his family in their bereavement.)

[From the Sturgis Tribune, Aug. 12, 1964]

Leo Rozum Rites Friday

Solemn requiem high mass for Leo J. Rozum will be said at 10 a.m. Friday at the St. Francis of Assisi Church here with Msgr. Leo Feuerbach as the celebrant.

Rozum, who had been afflicted with a heart condition for many years, passed away suddenly Monday evening at his home on LaZelle Street. A rosary service will be held at 8 p.m., Thursday at the F. O. Jolley Funeral Home.

Leo, the eldest son of James and Stella Rozum was born on the family homestead near Kimball, S. Dak., on June 10, 1900, and had been a lifelong resident of South Dakota.

On June 5, 1928, he was united in marriage to Theresa Venner of Agar and to this union three children were born, Rosemary, James, and Greg.

Leo enlisted in the U.S. Navy during World War I and saw service aboard a troop transport. He served with the engineers at the U.S. Army technical training command at Sioux Falls during World War II. His youngest brother, Tom, was killed in action during World War II, and his other brother, Charley, passed away from an illness contracted during World War II.

In August 1944, Leo was transferred by the Corps of Engineers to the VA construction service at Fort Meade to assist in the conversion of the cavalry outpost to a VA hospital. He was assigned to the procurement section for the VA construction service. Later, he was appointed farm superintendent and helped lay out the location and basis of the present farm. At his request he was transferred from farm superintendent to the property section, VA supply division, and was subsequently promoted to chief, property accounts section, supply division, which position he filled until failing health caused his retirement from Federal service on October 31, 1951.

Leo was a past commander of the William H. Crippen Post of the American Legion, the first commander of the Minnehaha County Association of Legion Posts, past president of the Holy Name Society of St. Francis of Assisi Parish, and during his lifetime devoted himself to the welfare of others. He was active in many Democratic Party affairs.

He leaves to mourn his passing, his wife, Theresa; two children, Rosemary Yirka, of Albuquerque, N. Mex., Greg Rozum, of Washington, D.C.; his mother, Mrs. Stella Rozum, of Kimball; three sisters, Mrs. Elsie Muckler, of Humboldt, Mrs. Mayme Way, of Los Angeles, Calif., Mrs. Catherine Kratz, of Marion.

He was preceded in death by one son, James, in 1960; his father and two brothers.

Interment will be in the Black Hills National Cemetery with military honors.

Rozum authored the following poem:

"When I pass out and my time is spent,
I hope for no lofty monument,
No poem or glory I care for then,
When I depart from the world of men.

"But I'd like to think when my race is through
That there will be in the world a few
Who'll say, 'Well, there is a good man gone,
I'm sorry to see him passing on.'

For he was a sort that's fair and square
The kind of a fellow it's hard to spare.
He hadn't money, he hadn't fame
But he kept the rules and he played the game."

Sturgis, S. Dak.,
August 9, 1964.

Senator George McGovern,
U.S. Senate,
Washington, D.C.

Dear George: Many eulogies have been spoken and written, many splendid tributes paid to our late and dearly beloved President John F. Kennedy. But few, if any, have so clearly expressed his innermost convictions and the depth of his sincerity as the words contained in the following prayer:

"PRAYER OF ST. FRANCIS OF ASSISI FOR PEACE

"Lord, make me an instrument of Thy peace.
Where there is hatred let me sow love;
Where there is injury, pardon;
Where there is doubt, faith;
Where there is despair, hope;
Where there is darkness, light;
Where there is sadness, joy.

"O Divine Master, grant that I may not so much seek
To be consoled, as to console;
To be understood, as to understand;
To be loved, as to love;
For it is in giving that we receive;
It is in pardoning that we are pardoned;
It is in dying that we are born to eternal life."

His every act as our President gave meaning to the above words.

Our church is the St. Francis of Assisi Church. And within about 2 weeks, a new parochial school, recently built adjacent to our church will be formally dedicated and opened for use this fall, about August 26.

Inasmuch as President Kennedy in life symbolized the prayer of St. Francis, would it be out of order to suggest that perhaps someone would like to donate an American flag to this school in honor of our late President. George, if this suggestion is out of order, please do not hesitate to so advise. If in order, the flag together with a covering letter should be forwarded to: Rt. Rev. Msgr. Leo S. Feuerbach, Pastor, St. Francis of Assisi Church, 1049 Howard Street, Sturgis, S. Dak. I am sure Father Leo would be pleased if comparison between St. Francis and our late President were made in the covering letter. Or both the flag and letter could be forwarded to me and I could make the presentation as well as proper arrangements for raising it.

With every best wish to you and your staff,

Sincerely,

Leo J. Rozum.

August 14, 1964.

Rt. Rev. Msgr. Leo S. Feuerbach,
Pastor, St. Francis of Assisi Church,
Sturgis, S. Dak.

Dear Monsignor Feuerbach: Today we will bury our dear friend, Leo Rozum. May God rest his soul in peace.

He was a good and gentle man who became one of the most devoted friends I have had in public life.

On the very day he died, he mailed a letter to me which is a fitting last testament to him. It is fitting because it illustrates his consistent idealism and his capacity to think of others rather than himself.

In that final letter he quoted the great prayer for peace of St. Francis of Assisi which begins:

"Lord, make me an instrument of Thy peace.
Where there is hatred, let me sow love."

Leo said that this prayer was an appropriate tribute to the late President Kennedy.

He knew that I shared with him and countless other Americans great affection for the late John Kennedy. But I must add that Leo Rozum in his own life exemplified the spirit of that prayer as well as any man I ever knew.

He suggested in his letter that someone might like to donate an American flag to the new school being completed by the St. Francis of Assisi Church at Sturgis. "Inasmuch as President Kennedy in life symbolized the prayer of St. Francis, would it be out of order to suggest that perhaps someone would like to donate an American flag to this school in honor of our late President," he asked.

The rest of the letter read: "George, if this suggestion is out of order, please do not hesitate to so advise. If in order, the flag together with a covering letter should be forwarded to Rt. Rev. Msgr. Leo S. Feuerbach, pastor, St. Francis of Assisi Church, Sturgis, S. Dak. I am sure Father Leo would be pleased if comparison between St. Francis and our late President were made in the covering letter. Or both the flag and the letter could be forwarded to me and I could make the presentation as well as proper arrangements for raising it."

Although I was informed of our dear friend's death before receiving his letter, I have complied with his suggestion.

Through the courtesy of the Architect of the U.S. Capitol, I have secured a flag that has flown over our revered national Capitol which I present to you with this letter for use as Leo Rozum suggested at the new school adjacent to your church.

I am deeply sorry that our friend Leo is not here to witness the presentation. May I simply add to his suggestion that this flag be considered as a gift in the memory of both the late John F. Kennedy and our friend, Leo J. Rozum.

Sincerely,

George McGovern,
U.S. Senator from South Dakota.

LETTER TO PRESIDENT JOHNSON FROM MR. JOEY ADAMS

Mr. PELL. Mr. President, Mr. Joey Adams, president of the American Guild of Variety Artists, recently wrote to President Johnson a most meaningful letter in which Mr. Adams offered the guild's "talents and hearts" to assist the President in his "fight for human dignity" and "the freedom of the world."

I highly commend Mr. Adams for his leadership in this important regard. As chairman of the Senate Special Subcommittee on the Arts, I am very much aware of the contributions of the guild's members to our cultural life and the great field of entertainment.

I ask unanimous consent that Mr. Adams' letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

The Honorable LYNDON B. JOHNSON.

MY DEAR MR. PRESIDENT: All of the world and all of America can never forget how you took over the reins of government without the heart or the pulse of our country skipping a beat.

The battle for survival and human decency cannot be yours alone. All of us have a stake in your fight for civil rights, antipoverty, old-age security, juvenile decency, and insurance for peace. The people of the entertainment world have always been in the frontline trenches in every fight for human dignity. We now offer you our talents and our hearts to help you in this battle for the freedom of the world. All you have to do is call on us, and we will be ready to help.

Yours very sincerely,

JOEY ADAMS,

President, American Guild of Variety Artists.

SENATE RESOLUTION 204, CONDEMNING RELIGIOUS PERSECUTION BY THE SOVIET UNION OF JEWS AND MEMBERS OF OTHER FAITHS

Mr. PELL. Mr. President, as one of the original cosponsors of Senate Resolution 204, condemning the Soviet Union for its persecution of the Jews and the members of other religious groups, I am happy to join my distinguished colleague from Connecticut [Mr. RIBICOFF] in his efforts to add this resolution, by amendment, to the foreign-aid authorization bill.

We in the United States would not tolerate any infringement of the right of our citizens to practice the religion of their choice. In fact, the first amendment of our Constitution expressly prohibits any interference with the free exercise of religion, and forbids the establishment of a state religion.

The Soviet Union, on the other hand, has actually attempted to make all its people believe in one thing—communism. In addition, the Soviet Government is trying to wipe out the cultural integrity of the Jewish people and other groups who still practice their own religion. The 3 million Jews in the Soviet Union have been subject to severe attacks of anti-Semitism. Their synagogues have been destroyed; their cemeteries have been closed; their publications have been silenced. Jews have been discriminated against in cultural activities, and have been deprived of adequate higher education. Most important, they have been denied the right to worship as they please.

Just as we would condemn any religious persecution of this sort in our own country, so we should be just as quick to denounce the Soviet's persecution of the Jews. Our belief in freedom of religion is universal. Certainly we do not believe in freedom of religion only for U.S. citizens; we believe in it for people all over the world. I hope the Senate will give this amendment its thoughtful consideration.

MINORITY VIEWS ON POVERTY LEGISLATION

Mr. TOWER. Mr. President, the administration's so-called war on poverty has lately been the recipient of widespread favorable publicity. I believe such publicity has been grossly misleading. There is very definitely another side to the poverty legislation recently signed into law. I ask unanimous consent that minority views on S. 2642, signed by Senator GOLDWATER and myself, be printed at this point in the RECORD.

There being no objection, the minority views were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS

The undersigned members of the committee oppose the enactment of this bill. We consider it an attempt to reap political rewards from the American people's natural and human desire to improve the lot of our less fortunate citizens. The poverty program and the claims and justification which have accompanied it constitute a curious combination of the techniques made famous by the phrases "Madison Avenue" and "The Wizard of Oz."

This bill, with its generous use of programs tried during the depression-ridden thirties, is illusory in leaving untouched the difficulties which prevent some Americans from sharing in our general prosperity. At best, the hodgepodge of programs which make up S. 2642, treat only the results, not the causes of poverty. In short, the bill, whatever its professed purposes, seems designed to achieve the single objective of securing votes; the problems of the truly destitute will not be solved by this legislation.

THE WAR ON POVERTY

On March 16, 1964, President Lyndon B. Johnson, launched his much heralded war on poverty. In his message to the Congress that day, he proclaimed no less an objective than "total victory." It is ironic to note that "victory" is a policy which the administration is congenitally unable to propose in the realm of foreign affairs; yet this great objective is dangled misleadingly before America's poor without the slightest hesitation.

Professor Emeritus Harley L. Lutz, of Princeton University, recently described the problems surrounding both the real and the illusory wars on poverty as follows:

"War on Poverty" is a slogan that can reasonably be expected to yield considerable political mileage. No one is in favor of poverty and criticism of a program purporting to deal with it is as risky, politically, as being in favor of sin or against motherhood.

Yet the odds are heavily against complete elimination of poverty by any kind or degree of Government action. The dramatic announcement of the slogan may carry for some the implication that theretofore poverty had been tolerated but that little serious thought or effort had been given to its amelioration.

The fact is that the whole history of economic progress is a record of the struggle against poverty in the sense of a scarcity or deficiency of goods in relation to needs. Everything that has been done to increase production, from the most primitive tools and implements to today's enormous complex of machines, materials, technology, and skills has broadened and strengthened the drive to minimize scarcity.

The essentially specious nature of the Johnson "war" is illustrated by the confusing and misleading descriptions of those who are supposed to be helped by this bill. It was necessary, of course, to define poverty before a public relations offensive could be launched against it.

The President, in his message on poverty, conjured up the following bleak portrait of destitution in America.

"What does this poverty mean to those who endure it?

"It means a daily struggle to secure the necessities for even a meager existence."

Remarks such as these have led the American people to believe that a large number of our people are virtually starving, and parenthetically, that they would be saved by the Johnson poverty program. This compelling and emotionally explosive picture is, in fact, the key to the political impact and value of the bill.

A vastly different picture emerges, however, when the administration goes beyond this "Grapes of Wrath" imagery and attempts to describe in detail what poverty really is in the America of today. Walter Heller, the Chairman of the President's Council of Economic Advisers outlined what he called the dimensions of poverty as follows:

"A series of standards converge on a $3,000 annual family income, or roughly $60 a week—and a $1,500 single-person income, or roughly $30 a week—as the statistical dividing line which sets off the poor in America today.

"By this widely accepted benchmark, one-fifth of America's families live in poverty: 9.3 million families, or 35 million persons."

The misleading and inconsistent nature of this benchmark can be shown by one or two examples of its practical application:

Defense Department figures indicate that 1,049,248 members of the U.S. Armed Forces had less than a $3,000 annual income, including all allowances for food, clothing, shelter, plus the value of Federal income tax exemptions. Are we to believe that a substantial proportion of our servicemen are among those who Mr. Johnson claims are engaged in a daily struggle to barely exist?

Another interesting insight into the validity of the administration's poverty yardstick is that the average individual, retired on social security benefits supplemented by part-time wages, loses all social security benefits before he can reach a total annual income of $3,000.

Sargent Shriver, the administration's chief antipoverty advocate, has conceded, moreover, that the Johnson-Heller yardstick is fallacious. He stated, in the hearings before our Select Committee on Poverty, that:

"The definition or the cutoff point that the Council of Economic Advisers has used, of the $3,000, is the subject of criticism, because there is no question about the fact that some people who have an income of more than $3,000 in a particular year are poor, and some people who have less than an income of $3,000 in a particular year are not poor."

There is an obvious conflict between a poverty definition which includes servicemen, farmers, and retired persons within its 35-million person reach and another definition which describes abject destitution. Despite this obvious conflict, the two concepts have been used interchangeably by the Johnson administration in a desperate attempt to sell this program. This, we submit, is political slight of hand of the very worst sort.

HIGH PRESSURE TACTICS RESULT IN THE BILL RECEIVING INADEQUATE CONSIDERATION

The "war on poverty" if we are to believe President Johnson, is one of the three major legislative objectives of his administration. The President and his supporters have been blowing the publicity trumpets for months and apparently intend to make poverty a prime campaign issue. It would seem only logical then, that the administration's supporters within the U.S. Senate generally, and within the Labor Committee in particular, would devote an equal amount of attention to the bill as it was moved through the legislative process.

Instead, however, of developing a massive and thoroughly reasoned case for the program, the administration and its followers within the committee rushed the bill through with such haste that its record is practically nonexistent. Consider, for a moment, the following facts regarding the consideration and attention devoted to the 70-odd pages of S. 2642 by the Select Subcommittee on Poverty and the Committee on Labor and Public Welfare itself:

1. The bill includes some seven titles, nine separate programs, and establishes a new bureaucratic apparatus; its scope is so vast that it could affect virtually every section, community, and person in the country.

2. Despite the scope of the bill's program and its length, only two witnesses were presented by the administration to make its case.

3. R. Sargent Shriver, the proposed "poverty czar," read a statement one page long as his presentation in behalf of the bill; he then spent portions of 3 different days answering questions. This exercise, which barely scratches the surface of the problems and implications contained in the proposal, was reported in 91 pages of the hearings, only a few more than the bill itself.

4. Secretary of Labor W. Willard Wirtz, the other administration witness, was able to conclude his testimony within approximately 15 minutes.

5. The hearings on the bill lasted only 4 days.

6. The Select Subcommittee on Poverty met once in executive session and reported the bill to the full committee within 2 hours; the full committee also held a single executive session which resulted in the bill being hurried on to the Senate Calendar. Thus, from the close of the hearings on June 24, 1964, to the full committee's action on July 7, 1964, less than 12 days were allowed the committee members for study of this long and complex bill.

We contend that the cursory and superficial consideration given this bill is more appropriate to the practices of some of the pseudodemocratic legislatures of the world than to those of the greatest deliberative body on earth, the U.S. Senate. In the headlong rush to get the poverty program through the committee, the members simply lacked the time to study the bill adequately.

It is instructive to note, in this connection, that some of the majority members who were so willing to push the poverty bill through the committee have not always treated the legislative process in so cavalier a fashion. In 1954, the Democratic members of the committee, who were then in the minority, violently objected to the amendments to the Taft-Hartley Act which were reported out by the Republican majority. Their indignation was particularly directed toward the haste in which the bill moved through the committee. They stated that "the bill was reported by using steamroller tactics that constitute a flagrant disregard for essential and long-established Senate committee practices and procedures." We suggest that it is somewhat paradoxical, to put it mildly, for those who raised this hue and cry in 1954 to rush a major piece of legislation through this committee in 1964.

A further factor which contributed to the type of attention, or rather lack of attention, which this proposal has received is that at least two of the key titles of the bill do not properly fall within the jurisdiction of this committee. Title IV, the employment and investment incentives program, is to be administered by the Small Business Administration. The SBA, and legislation regarding it, comes within the purview of the Banking and Currency Committee. Nevertheless, this committee's lack of expertise in this area did not prevent the administration from throwing the small business program in with the rest of the poverty grab bag for our consideration.

Perhaps a more flagrant perversion of the functions of the committee system can be observed in the bill's inclusion of Title III: Special Programs To Combat Poverty in Rural Areas. The proposals included within this title infringe upon important Federal agricultural programs and would affect our entire agricultural economy. The Agricultural Committee, whose members are knowledgeable in this complex and specialized area, should, if any rational procedure was followed, have considered this title. That the proper committee was bypassed and our committee, whose members do not include a single Agriculture Committee member, undertook to legislate a farm program is symptomatic of the errors which can infect those who act in haste. In short, this legislative bungle illustrates that almost "anything goes" where President Johnson's war on poverty is concerned.

THE BASIC CAUSE OF POVERTY TODAY

An elementary first step in any effort to eradicate poverty would seem to be that of determining its causes. President Johnson gave tacit recognition to this when, in his message to Congress, he declared that his program "strikes at the causes, not just the consequences of poverty."

A recent study published by the American Council on Education, written by Dr. Grant Venn, pointed out that the United States is confronted by the paradox of between 4 and 5 million persons unemployed, while there are job openings for some 4 million skilled workers constantly available. The study went on to state that "young people are entering a technological world of work unequipped with tools they need for survival."

The cause of poverty, the condition which results from an inadequate income, is the inability on the part of a large number of Americans to qualify for the millions of adequately paying jobs which are going begging. A majority of the people who constitute America's poor, by whatever definition is used, are in that predicament because they do not possess the needed skills. It is patently obvious that providing these people with skills is the only possible means of getting at the cause rather than the consequences of poverty.

It seems plain, therefore, that any program which does not provide our young and, for that matter, our older citizens with necessary "tools" is doomed to failure.

This incontrovertible fact of life is, however, seemingly lost on the present administration. The advocates of S. 2642 do not even contend that its variety of programs will give our poorer citizens the skilled training they need if they are to increase incomes.

A graphic admission of this bill's worthlessness was made by Secretary of Labor Wirtz, when, referring to 1963's youth employment bill which is contained, substantially, in S. 2642 as the "Job Corps," said that "there is no suggestion that this training program will qualify one of the enrollees for a skilled occupation. That we should dismiss completely."

THE POVERTY PACKAGE—A THROWBACK TO THE THIRTIES

A logical explanation for the administration's failure to develop a program which comes to grips with the basic cause of today's poverty is that its thinking is geared to the problems and the nostrums of a bygone era, in the 1930's. Several of the proposals contained within the bill are, in fact, almost exact replicas of programs that were tried by the New Deal during the depression.

The Job Corps, the work-study program, and the rural area title found in this bill all trace their lineage directly from the Civilian Conservation Corps (CCC), the National Youth Administration (NYA), and the farm resettlement programs of the thirties. In addition, title II of the bill, the community action portions, is a sort of retread WPA. These and other measures authorized by this bill will attempt to apply desperation procedures that may have been appropriate in the emergency conditions of the 1930's to the challenges that we face today in a completely different domestic and world economic environment.

These New Deal programs were designed to afford make-work relief employment at a time when more than 20 percent of the labor force was jobless. Today, as we have indicated, the unemployment problem is much less severe in total impact and is largely related to the rising but unsatisfied demand for workers possessing new skills.

THE JOB CORPS—A NEW CCC

Although the proponents of the Job Corps have made a to-do about the program's alleged value in making youths "more employable" the best, and incidentally the only, justification for this claim that they have been able to come up with is that better work habits will be developed. The Corps, we are told, will prepare these young people to take and complete the training they actually need.

The specific accomplishments which the Corps is to inculcate into its members include improved physical health, increased weight, cheerfulness, self-confidence, and a feeling of security. These benefits, mainly psychological or esthetic in nature, are not to be deprecated. When they are combined with the conservation aspects of the Corps, the program has obvious appeal as a force for "good."

We do not dispute the possible esthetic or psychological values of this program. We submit, however, that the fact that the Corps would be "nice" or "good" is not enough to justify the expenditure of millions of the taxpayers' dollars. For the underlying purpose of the program is claimed to be the improvement of the employment prospects of our youth. Supplying them with suntans and an appreciation for outdoor living clearly won't help them find jobs.

One further aspect of the proposed resurrection of the CCC deserves some attention even in this necessarily brief critique.

We contend that this legislation, in addition to failing to meet the problems of our young people, would do positive harm. Several provisions of the bill consciously weaken the family relationship which has been the backbone of our free society for hundreds of years.

The tie between parent and child is severed by some of the bill's provisions. For example, young men and women, some as young as 16 years of age, may join the Corps without the permission of their parents.

Once in the Corps, the child will be given whatever money he or she earns without reference to the parents or legal guardian, with the single exception that the Director may decide, in his wisdom, to pay a portion of the earnings to a member of the enrollee's family.

These aspects of the Job Corps constitute a further development in the erosion of the institution of the American family which has been such an ominous and expanding characteristic of American life during the past generation. Ignoring the family and treating children as if they were wards of the state were common to Soviet Russia, Nazi

Germany, and Fascist Italy, and were in fact important devices for building and strengthening the totalitarian state.

OTHER DEPRESSION ERA REVIVALS

It is truly remarkable to contemplate the inclusion within this bill of two of the New Deal years' most ill-fated innovations. The revivals of the National Youth Administration and the farm resettlement programs of that bygone era are notable even for this poorly conceived legislation. These programs were generally accepted as ignominious failures even back in the depressed 1930's.

The rural area program title III contains two particularly dubious provisions. The first is the section which permits the "poverty czar" to give grants and loans totaling up to $4,000 to low-income farmers whose operations are so marginal and unpromising as to disqualify them for FHA loans. This program the American Farm Bureau has pointed out would operate to perpetuate subsistence farming and rural slums.

Existing FHA loan programs for farmers are designed to help those who have some reasonable chance of creating a going agricultural concern. The inevitable result of this title will be to keep some farmers in poverty.

The second aspect of the bill's rural aid provisions which requires some comment is the family farm development corporations section. This land reform proposal is taken directly from the unsuccessful resettlement program which was run by the Farm Security Administration back in the 1930's. The provision authorizes the Director to organize public or private corporations and to finance their purchase of farmland which would then be reconstituted into family-sized farms and resold to "poor" farmers at a loss borne by the taxpayer.

This, as the American Farm Bureau has stated, "is an old and reactionary idea. The result would be stabilized Government-directed and subsidized poverty." The farm resettlement program, it should be noted, was abandoned after a few years' trial during the Roosevelt administration.

The reason for its abandonment can be made clear through a brief reference to a House committee's investigation of the program. A select committee of the House Agriculture Committee completed its study of the resettlement program in 1944. Among its highly critical findings was the following:

"The investigation disclosed that, beginning with the administration of Rexford G. Tugwell and continuing throughout the administration of C. B. Baldwin, the Farm Security Administration was financing communistic resettlement projects, where the families could never own homes or be paid for all that they made or for all the time they worked, and was supervising its borrowers to the extent of telling the borrower how to raise his children, how to plan his homelife, and, it is strongly suspected in some cases, how to vote. Some families were 'kept on the Government' indefinitely, while other families that were willing to work just as hard and do their best to pay their debts, would not get any help from the Government at all."

It is not at all surprising that such a program, based upon a philosophy which is alien to the best traditions of our country, was discontinued. It is, however, shocking that this reactionary concept, found unsuitable even in the social experiment and emergency days of the depression, has been exhumed from the decent burial it was given years ago, and included in the proposed poverty program.

The current situation which involves a lack of needed skills among our poorer citizens is in marked contrast to the conditions that prevailed in the thirties. Then the 13 million unemployed included men and women possessing all degrees of education and skilled training. During this era skilled jobs were not going begging by the millions. In short, we were in the midst of an overpowering depression which required all kinds of desperate measures.

The problems of the sixties will not be solved by adopting the panic programs of another era. What is necessary, obviously, are reasoned answers to the problems of today, not yesterday.

THE EXISTING WAR ON POVERTY

The Madison Avenue hoopla surrounding the poverty war has left a distinct impression that people generally, and, the Federal Government in particular, have just discovered that there are poor in our midst and that something should be done to help them. This hoopla, which is typical of the drive being made to sell this bill, is so completely misleading as to hardly warrant any rebuttal here.

The most obvious means, however, of correcting any false impressions which may have been created on this score is to refer to the myriad of existing Federal programs designed to combat poverty. No less than 42 programs, many of which have been in operation for decades, are aimed at various facets of the poverty problem. These programs have appropriations totaling more than $30 billion in fiscal 1964; obviously then, the Federal Government is not ignoring poverty.

Without commenting on the merits of any of the existing programs, we believe that it is essential to note that fighting poverty is not an exercise that began with the administration of Lyndon B. Johnson. Following is a list of programs which was included in the minority views on the Landrum-Powell bill in the House Labor Committee.

Federal programs currently operating to combat poverty (appropriations for fiscal year 1964)

[In thousands of dollars]

	1964 appropriation
DEPARTMENT OF AGRICULTURE	
Extension services	80,180
Rural renewal	1,200
Rural housing for elderly	3,500
Direct loans	486,000
Rural housing repairs	3,355
Housing for domestic farm laborers	3,000
Food distribution:	
Sec. 32 and CCC (domestic)	416,200
Food stamp	44,600
School lunch	182,000
Special milk	100,000
Forestry and soil conservation	509,000
Total	1,829,035
DEPARTMENT OF COMMERCE	
Vocational training and retraining in redevelopment areas	8,500
Industrial and commercial loans	132,000
Public facility loans	(1)
Public facility grants	(1)
Technical assistance	4,500
Total	145,000
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE	
Public health	1,483,787
Indian health	65,048
Maternal, child health, and crippled children	68,777
Vocational education	56,917
Public library services and construction	7,500
Aid to impacted areas	344,410
National Defense Education Act	235,788
Teachers of handicapped children	14,185
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—continued	
Old-age, survivors, and disability insurance benefits	17,071,940
Public assistance	2,886,055
Child welfare services	32,943
Juvenile delinquency	6,950
Vocational rehabilitation	128,407
Manpower development and training	164,977
Total	22,567,684
HOUSING AND HOME FINANCE	
Urban planning	21,150
Urban renewal—contract authority	1,400,000
Appropriation to liquidate contract authority	104,805
Mortgage insurance—permanent indefinite authorization to expend from corporate debt receipts	142,395
Low-rent public housing	212,484
Public facility construction—financed from authorization to expend from public debt receipts enacted in 1961	----------
Low-income housing demonstration projects	43
Contract authority	5,000
Appropriation to liquidate contract authority	1,157
Loans for housing for the elderly	100,000
Federal National Mortgage Association—financed from authorization to expend from public debt receipts enacted in prior years	----------
Total	1,987,034
DEPARTMENT OF THE INTERIOR	
Indian affairs	217,541
Conservation:	
Bureau of Land Management	126,364
Geological Survey	63,700
Bureau of Reclamation	357,531
National Park Service	128,976
Fish and Wildlife Service	109,449
Research in health and safety in mining operations	1,596
Territories and the trust territory	46,506
Total	1,051,663
DEPARTMENT OF LABOR	
Employment services	173,330
Unemployment compensation	4,009,199
Labor standards	18,400
Total	4,200,929
FUNDS APPROPRIATED TO THE PRESIDENT	
Accelerated public works	30,000
Grand total	31,811,345

[1] Included in industrial and commercial loans.

THE POVERTY CZAR

Perhaps the most alarming of the many ominous facets of this disastrous bill is the virtually unlimited grant of power which it hands to the Director of Economic Opportunity. The proposed Director will be the general in command of the poverty war; as such, the bill (referred to as the Landrum-Powell bill in the House of Representatives) would make him the head of a new bureaucracy called the Office of Economic Opportunity.

The all-encompassing powers which the administration seeks to confer on the Director can be most clearly shown by referring to the language of the bill itself. The authority of the Director is most specifically spelled out in the administration and coordination title (title VI) of the bill.

For example, the Director is exempted from the laws and regulations which govern other executive departments regarding the printing and binding of various kinds of material. The need for such an exemption arises, it has been explained, because otherwise the Government Printing Office and Government Services Administration procedures might slow up the Director's issuance of "comic books" and other propaganda. The GPO and GSA regulations, which this bill bypasses, were written, it should be noted, to prevent the bureaucrats from wasting even more money than they ordinarily would by turning out mountains of unnecessary printed matter.

Whatever the inadequate reasons which might be offered in behalf of this section, it is impossible to justify another exemption from the laws of the United States contained in this title. Section 602(1) allows the Director to "disseminate, without regard to the provisions of section 4154 of title 39, United States Code, data and information, in such form as he shall deem appropriate, to public agencies, private organizations, and the general public."

Section 4154 of the United States Code to which this language refers lists the restrictions on the use of the "free" mailing privilege by the executive departments and others. These limitations on the use of the U.S. mail are designed, simply, to prevent anything but material with some reasonable connection with Government business from being disseminated throughout the country at the taxpayers' expense. One portion of this statute states that officers, executive departments, and independent agencies are not prohibited from mailing, "enclosures reasonably related to the subject matter of official correspondence."

Certainly these restrictions, which are similar to those placed upon the congressional ranking privilege, are designed to prohibit the distribution of self-serving propaganda; it cannot be considered too onerous for an agency of the Government which is conducting its business in a reasonable and prudent manner. Why then is it deemed necessary to exempt the Director of Economic Opportunity from the rules? The answer is quite simple—the Johnson administration's nakedly political approach to the problems of our poor people sweeps away all obstacles. The printing and mailing of politically tinged materials, which would be a violation of the law if attempted by other agencies, is part and parcel of the opportunistic philosophy underlying the war on poverty.

The poverty czar would also be handed a blank check with which to dispose of Federal funds and property if other provisions in this incredible bill are left intact. He would be exempt from all provisions of the law regarding the "acquisition, handling, or disposal of real or personal property by the United States"; he could, moreover, "deal with, complete, rent, renovate, modernize, or sell for cash or credit at his discretion any property acquired by him in connection with loans, participations, and guarantees made by him pursuant to titles III and IV of this act."

It is interesting to note, in this connection, that such phrases as, "in this discretion" and "as he may deem necessary or appropriate," are found throughout this bill. Legislative guidelines and criteria are almost completely absent from S. 2642. Inevitably the result will be, if this legislation is passed, to create a new and more dangerous bureaucratic monster. The implications contained in the use of the term "czar" do not exaggerate in the least the powers to be given to the Director.

One further aspect of the czar's powers deserves some attention. The administration has made a great deal of noise about the fact that the Director would primarily "coordinate" the programs to combat poverty. This, like so much else in this bill, is not what it appears to be—it is just another "gimmick."

Every authorization listed in the bill, except one which permits the President to shuffle the entire poverty agency about within the executive branch, goes to the Director. His function as a "coordinator" is a deceptive one. Consider two examples:

First, the various powers to lend money and assist organizations and individuals which are contained within title III (special programs to combat poverty in rural areas) are not, as might be expected, delegated to the Agriculture Department and other agencies which have experience in this area. The authority to operate this program is held exclusively by the czar or Director.

Second, the employment and investment incentives program (title IV) which is merely an expansion of the current activities of the Small Business Administration is not to be bossed by that agency. Once again administrative logic has been tossed aside in the open attempt at political empire building being engaged in in behalf of the proposed Director, Sargent Shriver and his mentor, the President.

The bill gives the poverty czar the power to direct, not to work with, members of the President's Cabinet and various agency heads. The creation of a superbureaucracy to be headed by a superbureaucrat sets a precedent that is both unique and dangerous. The well-known columnists, Robert S. Allen and Paul Scott, recently discussed this attempted power grab and pointed out some of its implications. This column, which appeared in newspapers throughout the country, reads as follows:

"UNWARRANTED POWERS OF FEDERAL 'CZAR' TARGET OF ATTACK ON ANTIPOVERTY BILL

"(By Robert S. Allen and Paul Scott)

"WASHINGTON.—Congress is headed for a major battle over the sweeping powers President Johnson is seeking for his 'poverty czar.'

"Scheduled to begin in the House and Senate after the Republican National Convention, the 'big debate' on the poverty program could have as far reaching an impact on the coming presidential campaign as the fallout from the new civil rights law.

"Aids of Senator BARRY GOLDWATER, who voted against the civil rights bill, say he is ready to oppose the poverty program unless the legislation is drastically changed to curb the powers of the Federal Government and give State and local governments bigger roles.

"Senator GOLDWATER, leading GOP presidential candidate, will have the full backing of Senate and House Republican leaders on this highly crucial and political vote. They are privately saying President Johnson's program could stir up a 'nightmare of trouble' throughout the country rather than stamp out poverty.

"The dark heart of this growing GOP opposition centers around the unprecedented authority proposed for the Director of the Office of Economic Opportunity, due to be set up in the White House under the present legislation.

"Under the Johnson administration proposal now before the House Rules Committee and the Senate Labor Committee, this Office would be run by a 'poverty czar' empowered to select the local agencies or private groups to receive funds under the billion dollar poverty program.

"This 'poverty czar' would also have the tremendous power of setting the criteria on how the money was to be spent, and would be given a free hand to draft rules and regulations governing the operation of a 40,000-member Youth Corps.

"LIFTING THE LID

"A preview of the coming public GOP attack against the President's program was outlined by Representative PETER FRELINGHUYSEN, Republican, of New Jersey, in his little-noticed testimony before the Senate Labor Committee.

"A respected leader of the 'moderate' Republicans on the House Labor Committee, FRELINGHUYSEN carried his opposition to the Senate after the Democratic majority in the House committee beat down all GOP attempts to curb the powers of the 'poverty czar.'

"While vigorously supporting Federal aid to fight poverty, FRELINGHUYSEN attacked what he termed 'the unparalleled powers vested in the Director of the Office of Economic Opportunity—the poverty czar.'

"He bluntly warned that the creation of this powerful new Federal position 'opens the way for direct Federal involvement in the activities of every private organization in every community in the country without the necessity of participation or approval of either State or local government.'

"Pointing out that 'As the bill is now written, there is no role for the local or State governments,' FRELINGHUYSEN charged:

" 'If this bill is enacted, the "poverty czar" would be empowered to pick and choose between private and public agencies in the granting of billions of dollars in Federal funds.

" 'This bill vests in a Federal czar both the power of approval of all poverty programs and the more basic power to determine all the criteria for approval. The only authority accorded State governments is the right of a Governor to comment on projects carried out in his State. This is so meaningless as to be insulting. Local public officials, however, are not even given this empty courtesy. The relationship is clearly that of master and servant.'

"THE BACKLASH

"When Senator MCNAMARA, Democrat, of Michigan, challenged the New Jersey legislator, contending that the bill did not bar the 'poverty czar' from using State agencies, FRELINGHUYSEN lashed back:

" 'This is what I resent. This gives him unwarranted powers. If we think that we should utilize State agencies in one way or another to make a distribution of funds to alleviate the problems of the poor, it seems to me we have an obligation to spell that out.'

" 'What if a State would not cooperate?' asked MCNAMARA.

" 'I think it unwise to give the Federal Government the power to give the NAACP or any local citizens' group which might not even be representative of the community, wherever it is, to use Federal money to do something that community or State does not want,' replied FRELINGHUYSEN.

"Stressing that 'this is a very sensitive area of Federal-State relations,' FRELINGHUYSEN concluded.

" 'This bill charts a new and unjustified course for governmental responsibility in general and for the Federal role in particular. It proposes a Federal bureaucracy whose influence would permeate every nook and cranny of civic responsibility—public and private.

" 'I cannot conceive of such intervention being in the best interest of liberal democratic institutions.' "

In the light of the sweeping and unfettered powers which this bill would give to the Director, it seems especially important to consider the individual who will undoubtedly hold the position if it is created. R. Sargent Shriver as everyone knows, will be the poverty czar. As head of the President's Task Force on the War Against Poverty he has been the administration's foremost advocate and "expert" in behalf of the Landrum-Powell bill in the House and the nearly identical bill, S. 2642, here in the Senate.

We believe that it is both pertinent and instructive, therefore, to review some of the comments made by the poverty czar-in-waiting, Mr. Shriver, before the convention of the National Association for the Advancement of Colored People (NAACP) held in Washington recently.

Following a more or less standard pitch for the programs contained in this bill, Mr. Shriver went on to state that:

"We cannot help today focusing our thoughts on another kind of poverty. For what is happening in Mississippi, what is happening to those three young men, is poverty—the poverty of American law, power, and spirit. The picture of that burned car in the Mississippi swamp shows the world how poor we are.

"We have heard a lot of talk about backward people on other continents. But when we think of that burned car, and when we think back on Medgar Evers, Emmett Till, and other victims of our own violence here at home, we must ask ourselves: Who is really backward?"

This blanket indictment of our people, our institutions, and our way of life was, in our opinion, well answered in a letter to the editor which appeared in the Washington Daily News. The letter is as follows:

"WE'RE NOT SO IMPOVERISHED

"Sargent Shriver, referring to the mysterious burned car belonging to the three students missing in Mississippi and the murder of Medgar Evers, said these events illustrate the poverty of American law and power and spirit. As an American citizen who believes in equal rights for everyone, I find this statement—coming from a public official—disgusting.

"In almost every other country in the world, death and crime are so common that news of such violence does not even make the papers unless it involves a celebrity. In America, these tragic crimes are the exceptions, not the rule.

"When Mr. Shriver speaks of the 'poverty of American spirit,' he forgets that it was America that was Johnny-on-the-spot with doctors, nurses, medicine, rescue squads, and rehabilitation crews after the terrible earthquake in Chile. He forgets our aid to Yugoslavia after their earthquake. He does not mention that America has given $5 million to Costa Rica to help that country fight the troublesome and dangerous effects of a volcano. He does not mention that seven American drug companies recently (entirely from their own funds) embarked on a mission to inoculate 1 million little children in Ecuador.

"If this is American bigotry and 'poverty of spirit,' let's have more of it.

"G. W. STUDENT."

STATE AND LOCAL GOVERNMENTS BYPASSED

The vast powers which the Director of Economic Opportunity is to be granted by this legislation are not limited to operations within the wholly Federal sphere. Under the community action section and other programs the Director will have the authority to bypass State Governors and local officials of all kinds in carrying out his various plans.

The community action program, for example, permits the poverty czar and his agents to move directly into every program, public or private, which involves health, welfare, education, housing, and other problems in every community in the country. The criterion which the Director must adhere to in aiding, expanding, or establishing such local activities is that "programs shall be focused upon the needs of low-income individuals and families."

Once the Director has decided to move into a rural or urban locality, he may provide as much of the cost of any particular program as he sees fit. It is possible, in addition, for him to send in the Volunteers in Service to America (Vista), authorized by title VI, to assist or run the local project.

The important point which we wish to make is not, however, that the Director is not restricted or guided by the language of this bill but rather that he may ignore local authority at will. He may, for example, provide assistance directly to a local charity despite unanimous objections of the State Governor, the city mayor and council, and the community chest or welfare council.

We should point out, to be fair, that this bill does make a ridiculous gesture toward the preservation of the federal system upon which this Nation's Government is based. A section of the community action title calls for the "referral of applications for assistance under this part to the Governor of each State affected, or his designee, for such comments as he may deem appropriate." The Director, of course, is left with the complete freedom to do as he pleases without regard to any gubernatorial comments that might be forthcoming.

Local mayors, school boards, and officials of charitable and civic organizations do not even have the meaningless right to comment. In any event, the language of this bill makes it apparent that all persons below the rank of poverty czar will have no power whatsoever to prevent or alter the activities envisioned for their communities under this and other titles.

Senator JAVITS offered an amendment during the committee's consideration of this bill which would have given the States and local communities at least a modicum of self-respect in connection with the operations of the Office of Economic Opportunity. This amendment would merely have required the Director to encourage the participation of State agencies in the various programs in the bill; it did not give any State or local official any power or responsibility of his own. Despite this, the majority crushed this Republican proposal by a straight party-line vote. The administration has determined, apparently, that Federal intrusion into State and local matters must be complete and untrammeled where the political and sociological imperatives of the war on poverty are involved.

A FEW OF THE "SLEEPERS" IN THE BILL

The Landrum-Powell poverty package is a hastily conceived and poorly planned collection of programs having little or no logical connection with each other. It should not be surprising, therefore, that in addition to its most blatant and highly publicized defects, it contains a number of hidden but no less significant elements.

A statement of Mr. Donald B. Straus, the chairman of an organization called Planned Parenthood World Population, which was submitted to this committee, illustrates one of these hidden problems. Mr. Straus' organization feels very strongly that any antipoverty program worthy of the name should promote and assist programs of birth control. He argues "that neither a 'basic knowledge of the facts' nor of the 'real causes of poverty' can ignore the grave problem of the gap between children wanted and children born. This gap can only be closed when public health and welfare agencies make available to low-income Americans the same effective voluntary family planning techniques that are now available to—and extensively used by—the rest of the Nation."

No less an authority than Mr. Sargent Shriver himself admitted, in testimony to the House Committee on Education and Labor, that if a birth control project was included within a community action program that was otherwise qualified, he would approve it. Without arguing the merits or demerits of birth control programs, we submit that the fact that such projects could be aided or promoted by the Federal Government regardless of local mores or feelings pinpoints the basic danger inherent in this bill.

Another sensitive problem which has arisen because of the all-encompassing nature of this legislation is the legal and political controversy over Federal aid to church-related activities. The bill which the committee originally began work on permitted the Director to provide assistance to church-related facilities under the work-study and work-training programs of title I so long as they were not to be used solely for religious activities. The majority of the committee promptly voted to amend these provisions by striking out the word "solely." The net effect of this amendment would have been to prevent a local church-related organization or parochial school from receiving aid to assist the poor.

In one of the few attempts to improve this bill that was permitted to succeed by the majority, Senator GOLDWATER moved to correct this inequitable situation. His amendment limited the prohibition against aid to church-related institutions or activities to "so much of * * * any facility used or to be used for sectarian instruction or as a place for religious worship."

The Goldwater amendment would now permit the nonreligious portions of church-owned or supported buildings and other facilities to be used as a part of the antipoverty program. Direct aid to churches is, in accordance with the spirit and the letter of the Constitution, still prohibited.

CONCLUSION

It has been suggested, by some of the more demagogic supporters of the committee bill, that those who oppose it are in favor of perpetuating poverty. This, of course, is arrant nonsense; it does, however, illustrate the political and emotional aura surrounding the poverty war.

The Johnson administration's ruthless campaign in behalf of this legislation will not work. We will not be silenced by these intolerant appeals and easy answers to complex and difficult problems. We oppose this poorly constructed and misbegotten legislation.

We fully agree with the criticism of the administration program set forth in the platform adopted by the Republican Party at its recent presidential convention in San Francisco:

"The administration has proposed a so-called war on poverty which characteristically overlaps, and often contradicts, the 42 existing Federal poverty programs. It would dangerously centralize Federal controls and bypass effective State, local, and private programs."

The views we have outlined here do not begin to deal with all of the varied aspects of the bill. We have attempted, however, to uncover and discuss a few of the poverty war's most glaring defects; defects which render the entire program unacceptable. Our counterparts on the House Education and Labor Committee have written a comprehensive set of minority views on the companion to S. 2642, the Landrum-Powell bill; we urge that this excellent document be read in conjunction with the views expressed here.

This bill does not address itself to the primary cause of poverty. It does nothing to provide our poorer citizens with the skills necessary to gain regular employment in this modern age. Instead, it resurrects the tired slogans and applies the ineffectual poultices of a bygone era.

We urge the Congress to address itself to the actual world of the 1960's. We suggest that it begin this task by rejecting the program embodied in the committee bill and all similarly worthless and misleading approaches to the problems of poverty.

JOHN G. TOWER.
BARRY GOLDWATER.

THE SITUATION IN SOUTH VIETNAM

Mr. NELSON. Mr. President, I ask unanimous consent that a column published in the Milwaukee Sentinel of August 12, 1964, by the distinguished columnist, Walter Lippmann, entitled "United States Is Protector of West," may be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES IS PROTECTOR OF WEST—MUST AVOID BEING TIED DOWN IN ASIAN WAR

(By Walter Lippmann)

There is serious fighting in three widely separated places—in southeast Asia, in Cyprus, and in the Congo—and in different degrees we are much involved in all of them. Our Armed Forces are directly involved in southeast Asia. In Cyprus, our diplomacy is deeply involved. In the Congo, we are much concerned though, fortunately, we are not now involved at firsthand.

The common factor in all three situations is that they are the aftermath of the breakdown of the old imperial systems—the French system in Indochina, the British system in the eastern Mediterranean, and the Belgian system in central Africa. Without even intending it, indeed, while wishing it had not happened, the United States has been sucked into all three situations.

The end of the empires has left a vacuum of power which the liberated peoples have not yet mustered the strength or found the political maturity to fill without foreign aid. The cold war is in large part a conflict about whether the vacuum shall be filled by Moscow or Peiping or Washington.

There is no certainty that there will not be other theaters of disorder in Asia, Africa, and the Americas. Indeed, the chances are that there will be others. Wherever and whenever a new theater of disorder appears, whenever there is a new revolutionary civil war, there will be a powerful suction pulling the United States to intervention and there will be powerful pressures here at home to push us to intervention.

As the United States comes near to having a monopoly of the disposable military power in the Western World, we cannot afford to become totally engaged in any one theater or to commit all our reserves in one place. For that reason our intervention, when it cannot be avoided, must be limited, measured, and always directed to a political solution rather than to a military victory and unconditional surrender.

Thus, it is a vital American interest to safeguard its strategic mobility. We could lose our mobility if we become hugely committed in one theater, and let ourselves become engaged in a total war, say on a long land frontier in south Asia. If ever, even for the noblest ideological reasons, we let ourselves be entrapped in such a war, our position in the world as protector of the interests of the West would be gravely shaken.

We are very powerful. But we are not so powerful that we can commit all our reserves. The role which we have to play in this period of history cannot be sustained if we do not use a shrewd and prudent diplomacy to economize the use of military force.

In applying these principles to southeast Asia we have to remember that the only great military force China possesses is her enormous army, and that in a serious conflict she would be bound to use it by attacking adjacent countries which we have promised to defend. It would be wishful thinking to suppose that China, though it can be hurt fearfully, is entirely helpless. And here at home we must not therefore ask American soldiers to fight an impossible war. We must make our readiness to negotiate an accommodation as credible as we make our readiness to retaliate against aggression.

Everyone realizes that if, notwithstanding NATO and the U.N. and our own diplomacy, Greece and Turkey go to war, the western alliance will be deeply shaken. As the United States has the only mobile reserve force in the eastern Mediterranean, American responsibility for maintaining a balance of power in Europe will be increased.

Since we are carrying virtually the whole burden of maintaining a balance of power in Asia, we cannot afford lavishly to overcommit ourselves by signing blank checks on our military power. We have signed too many of them already.

SALUTE TO IDAHO'S NATIONAL REACTOR TESTING STATION

Mr. JORDAN of Idaho. Mr. President, in its 15 years of operation, the Idaho National Reactor Testing Station has provided the Nation and the world with a full lifetime of progress in atomic achievements.

The success of the NRTS marks the first wedding of the lands of Idaho to the work of the air, space, and atomic age, the initial step in utilizing southeastern Idaho's amazing contrasts in physiography and abundant natural resources for new eras of progress for the State, the Nation, the world, and even outer space itself.

Total NRTS plant investment now approaches $500 million and southeastern Idaho communities and people have themselves invested an additional $100 million in site support facilities. In a recent address in Idaho Falls, Atomic Energy Commissioner James T. Ramey stated:

> One of the major reasons our program has flourished here is because the communities in this area, and the State, have withstood the impact, solved the problems, and continue to offer a base for our reactor test facilities.

No one resides at the NRTS. The approximately 5,000 permanent and temporary workers connected with the NRTS reside in some 30 communities adjacent to the testing station, the majority in Idaho Falls.

Southeastern Idaho communities have dedicated themselves to continued cooperation in partnerships with the Federal Government, the State, the various private industry contractors, and the thousands of fine Idaho citizens in continuing efforts to utilize this outstanding and unique scientific laboratory for the advancement of human knowledge.

I wish to acknowledge on the occasion of the NRTS 15th anniversary the continuing efforts and interest of the Joint Congressional Committee on Atomic Energy, the Atomic Energy Commission, the excellent NRTS contractors and subcontractors who have been and continue to be an important part of our communities, the State and local governmental units, the civic organizations, the dedicated employees of NRTS, and the people of southeastern Idaho who responded so ably and well to the challenge with direct and responsive action.

Mr. President, I look forward to the coming years with great anticipation and expectations that NRTS will indeed be an important bridge to the future scientifically and economically. It is our hope that private industry particularly will become even better acquainted with the NRTS and its opportunities and that with their increased participation our communities, our area, our Nation, and the world will be the beneficiaries in the years yet to come.

The National Reactor Testing Station of the U.S. Atomic Energy Commission is a complex of facilities for nuclear reactor redevelopment distributed over 894 square miles of public domain and acquired land in southeastern Idaho. Its primary mission: to develop economic nuclear power and other peaceful uses of atomic energy.

The NRTS has more experimental reactors of more advanced and different types than in any equivalent area anywhere—a total of 37 to date, including research, testing, power, and propulsion. Working around the clock to operate them, in partnership with the AEC, are six major concerns: Aerojet-General Corp., Argonne National Laboratory, General Atomic, General Electric Co., Phillips Petroleum Co., and Westinghouse Electric Corp.

The NRTS was located where it is for strategic reasons, foremost being an abundant supply of pure water and a vast expanse of vacant land bordered by a large number of communities with the right growth potential to absorb a permanent staff now approaching 5,000.

The experience of 15 years with a program expanding far beyond original calculations has vindicated the site choice in all respects.

Every atomic reactor built, building, and planned in the world today is directly or indirectly indebted to the test reactor area of the National Reactor Testing Station. This applies more specifically to the internationally known materials testing reactor which since 1952 has tested all sorts of materials with its thermal power of 40 million watts and 100 million million bombarding neutrons per second per square inch. The MTR's primary role of testing—to find out in weeks or months—rather than years of normal use—how the materials of reactor construction and operation will behave—has been augmented by extensive research and development work in reactor physics and engineering. Meantime, the 175-million-watt engineering test reactor has been operating since 1957 with even higher temperatures, pressures, and neutron fluxes. Now, a still larger giant, the 250-million-watt advanced test reactor, expected to start up in 1965, has become necessary to keep pace with fast-moving reactor technology.

ALIBATES NATIONAL MONUMENT BILL ENDORSED BY AMARILLO DAILY NEWS

Mr. YARBOROUGH. Mr. President, more and more favorable comments are appearing in the press on my proposal (S. 1348) to establish a national monument at the Alibates Flint Quarries, near Amarillo, Tex.

These flint quarries represent the oldest known industry in our continent. Their importance in the prehistory of America was well stated in an editorial published recently in the Amarillo Daily News.

I ask unanimous consent that the editorial, entitled "The 88th Congress Should Pass Act To Preserve Alibates Quarries," from the July 23 issue of the Amarillo Daily News be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE 88TH CONGRESS SHOULD PASS ACT TO PRESERVE ALIBATES QUARRIES

A sense of expediency is beginning to clutch at the hearts of the Texas backers for preservation of the famed Alibates flint quarries here in the panhandle.

Although Henry Hertner, Amarillo businessman and former city commissioner, has furnished a continuing leadership, support of the project has come from scientific and historically oriented groups and individuals throughout the Nation.

The Corpus Christi Caller recently voiced the concern of all Texans over the destruction of the ancient quarries. It said:

What was the earliest and longest lived industry ever developed on the North American Continent? Your guess would probably be wrong. The answer is: The Alibates flint quarries 35 miles north of Amarillo which for some 12,000 years supplied prime material for tools and weapons for prehistoric man in the Southwest and on the Great Plains.

The mile-long string of some 550 quarries and workshop areas and trade center of Ice Age, Stone Age, and later pueblo cultures is the outstanding archeological site of its type so far discovered in the United States.

Alibates artifacts dating back beyond 10,000 B.C. have been traced as far north as Minnesota and as far west as the Pacific coast. And artifacts from other Amerind cultures traded for the prized varicolored flint are believed to be in far greater quantity in the quarry area than excavations have yet indicated.

The Alibates complex is still fortunately in almost pristine condition, but time for its preservation is running out. Completion of the Sanford Dam on the Canadian next year, with reservoir, recreation facilities, will bring the general public into the area in droves to trample over fragile ruins and haul off relics and souvenirs with no thought of their scientific value.

There are bills pending in Congress by Senator RALPH YARBOROUGH and Representative WALTER ROGERS to make the Alibates Flint Quarries a national monument. A convincing case for that action has been prepared by the Potter County Historical Survey Committee and Panhandle Geological Society.

The Nation's leading anthropologists and museum curators have attested to the site's worthiness of that status. And it has been favored in resolutions by various Texas societies, the Texas Legislature, and Governor John Connally.

Time is short before congressional adjournment, and if the Alibates National Monuments bills are not passed during this session, action on them will have to be started all over again in the new Congress.

Texas should urge their congressional delegation to make a special effort to get this valuable conservation measure through as soon as possible.

GUADALUPE MOUNTAINS NATIONAL PARK BILL URGENTLY NEEDED

Mr. YARBOROUGH. Mr. President, as the author of Senate bill 2296, to preserve 77,000 acres in the Guadalupe Mountains of Texas as a national park, I was particularly interested in an article captioned "Texas' Spectacular Guadalupes," published in the August edition of Holiday Inn magazine.

The article describes the majesty and beauty of this area, which would enhance the national park complex that includes the Big Bend National Park, in Texas, and the Carlsbad Caverns, in New Mexico.

The Guadalupe park site includes Guadalupe Peak, the highest point in Texas. Enactment of this bill would be in keeping with the spirit of the 87th Congress, which has established a record as the "Conservation Congress" by the enactment of legislation for Padre Island, Cape Cod, and Point Reyes National Seashore Recreational Areas, in Texas, Massachusetts, and California.

I ask unanimous consent that the magazine article on the Guadalupe Mountains be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TEXAS' SPECTACULAR GUADALUPES

Spanish conquistadors who trekked across the vast lands of Texas, passengers sitting cautiously in a rambling Butterfield Stagecoach in the 1850's, an early-day airline pilot searching for a navigational landmark, a motorist today speeding along a highway built for the "speed age," all zeroed in on a colorful and spectacular range of mountains rising proudly through the desert air of the southwest.

This mountain range—the Guadalupes—stretch from Carlsbad, N. Mex., southward into Texas, where several peaks reach elevations of more than 8,000 feet.

From the top of Guadalupe Peak, highest point in Texas at 8,751 feet, Mescalero Apaches sent smoke signals to apprise the tribes below of approaching wagon trains.

A major part of the magnificent splendor cannot be seen from the highways that meander below the mountain tops. For behind the majestic walls of the mountain range stretches a virgin country unknown to most people.

As one "tops out," he will discover a forest of ponderosa pine and douglas fir. The trees line the slopes and canyons and offer dramatic emphasis to the magnitude of this "big country."

In the high country, more commonly known as the "bowl country," roams the handsome and proud Rocky Mountain Elk. About 300 elk thrive in this country, making up the only elk herd in Texas.

Found in the Guadalupes is twisting McKittrick Canyon. The rock walls of McKittrick rise precipitously in places, with about 1,700 vertical feet in sight from the canyon floor to the limestone crest.

A stream meanders through the canyon floor forming crystal clear pools of water. The spring-fed stream abounds with rainbow trout and is the only stream in Texas where rainbow trout can reproduce.

The Guadalupes form a kind of island in zoological and botanical terms. McKittrick Canyon has maples that turn brilliantly red and orange in late October and early November. In the high country are found a few quaking aspen, small spruce and true firs that usually grow only in Alpine elevations.

Deer of the black tail variety are plentiful and there are even a few black bear. Merriam turkeys are found in great numbers in the canyon. Mountain sheep are rarely seen but are native to the area.

Steps are now being taken to establish this land, now owned by J. C. Hunter, Jr., of Abilene, Tex., as a national park. Legislation seeking the designation has been introduced in Congress by Representative JOE POOL and Senator RALPH YARBOROUGH, of Texas.

Secretary of the Interior Stewart L. Udall has received from the Advisory Board of National Parks, Historic Sites, Buildings, and Monuments a formal recommendation endorsing the creation of a national park in the Guadalupe Mountain area. The report urged preservation of "the outstanding scenic and scientific values of the North and South McKittrick Canyons and part of this famous mountain range."

Guadalupe lacks none of the four basic reasons—scenic, scientific, historic, and prehistoric—for establishing a national park.

The mountains are of extreme interest to geologists and paleontologists because the range composes one of the most extensive fossil organic reefs known.

The Capitan Reef was formed in the Permian period of the Paleozoic era. About 200 million years ago a shallow sea covered this region. Plants and animals built a limestone reef around the edges of the sea, and by the end of the Permian time the sea had filled with sediment. The reef was buried and the sea began to disappear.

About 10 million years ago erosion stripped away most of the sediment from the limestone, leaving 40 miles of reef—from Carlsbad Caverns to El Capitan—exposed.

Most of the great reef that encircled what is now known as the Permian Basin is underground. There are several outcroppings of the limestone, but the El Capitan section is by far the largest. Geologists travel from all parts of the world to study the exposed formation.

Years ago rumors were that gold could be found in the Guadalupe area. There is the legend of a lost mine in the Guadalupes. A document was discovered in New Mexico many years ago describing how a converted Indian conducted a party of Spaniards to a fabulously rich deposit of gold on the eastern slopes of the mountains.

It is said that Geronimo, rebellious leader of the Apaches, claimed the richest gold mine in the world lay hidden in the Guadalupes.

In the 1880's an old prospector by the name of Ben Sublett would take pure gold nuggets to a nearby community. It was said that

Sublett obtained the gold from the Guadalupes. He never disclosed the location of the cave or the source of the gold nugget supply.

But the mountains themselves, not pure gold nuggets, are the real treasures of the Guadalupe area. The fabulous land—this is nature's spectacular legacy to mankind.

U.S. CABINET OFFICERS, SENATORS, AND REPRESENTATIVES WERE EDUCATED UNDER GI BILLS

Mr. YARBOROUGH. Mr. President, now that the World War II GI bill has celebrated its 20th anniversary, we are fortunate in being able to look at it in retrospect, in order to judge its impact on our Nation. First, it was a monetary investment, for we are receiving $1 billion a year in additional taxes from the recipients of these benefits, and this return will increase in the years to come. Second, it was an investment in the potential value of a group of young men, with the faith that later they would make major contributions to our country. Since this required time before our dividends matured, only now are we able to judge the success of the bill in these terms.

Today, I wish to explore the significance of this bill in terms of Henry Ford II's appraisal that "the Nation gains by having created a new source from which to draw its leaders."

Some idea of the impact of the original bill on our society can be had from an analysis made by Dr. Amos Yoder, in an article entitled "Lessons of the GI Bill." Dr. Yoder's study was based on the accomplishments of the bill as reflected by the careers of some of the most successful veterans who benefited from this program. In his article he stated:

> Approximately 1,000 men who have benefited from the GI bill are now included in the 1960-61 listings of "Who's Who." All of these men are under 46 years of age, which is a sizable number when it is realized that 94 percent of the men listed are older than this.

It is important to remember that we are judging this bill at a premature time, since the full impact on the leadership of our Nation will become more evident as these veterans reach the age at which men normally achieve recognition. Yet, at this early time, already there are two Cabinet members who took advantage of the educational provisions of the GI bill, and there are seven Governors.

In this body alone, we have nine Senators who were able to develop part of their qualifications for leadership because of the GI bill. In a recent survey taken among those nine Senators, one Senator made this statement, when asked for his evaluation of the GI bill:

> I am a Member of the U.S. Senate because of the GI bill of rights.

Another Senator authored the statement:

> I consider the GI bill an excellent bill, and the best capital investment our Nation has made in this century.

The same survey found that at least 47 U.S. Representatives had utilized the GI bill. I shall read several of the statements made by these Congressmen about the significance of the bill. One stated:

> It would be difficult for me to adequately stress the importance of the World War GI bill on my life. Let me say that had I missed the opportunity of the bill, I would probably still be working as a laborer.
>
> I have often felt that this legislation constituted a turning point in my life. I think it was one of the best bills ever enacted, and I am certain that countless other individuals view it as an essential boost to their careers.

Another Congressman said:

> If it had not been for the GI bill, I probably would not have been able to attend college. * * * It was invaluable legislation, and it has had a profound, lasting effect on our country.

Another said:

> I regard the educational benefits made possible by the GI bill one of the wisest investments in the future of our country Congress has ever authorized.

Another statement was:

> The GI bill is one of the best things that ever happened to this country. I shall always be grateful for the education I received under this provision.

As a last illustration of the nature of these comments, I point out that another Congressman said:

> The Nation has been well repaid for the financial encouragement it gave the young men returning from World War II, through the GI bill. Many would not have spent the time at a college or university after the delay of the years, without the help of the GI bill.

Proof of that statement can be found in the statements given by Representatives and Senators in their answers to the questionnaire. Almost 20 percent stated that they would not have continued their university education after the war if they had not had the assistance of the GI bill.

These statements emphasize one of the most phenomenal accomplishments of this bill: By means of one piece of legislation, which basically is an investment, we were able to provide our Nation with a complete source from which to draw its leadership.

Of those who answered the questionnaire, only one said the education obtained under the GI bill did not play an important part in his achievements. Fifty-eight percent said that without this assistance, the completion of their education would have been delayed.

In urging the enactment of the cold war GI bill, I am, in effect, asking for help in creating an educated source from which we can draw our leadership of the future. Surely, a bill which has educated 20 percent of the executive cabinet, 14 percent of the Governors of the United States, over 10 percent of the Members of the House of Representatives, and almost 10 percent of the U.S. Senators, is most effective, and deserves support. I can see no objection to protecting the progress of our country by insuring qualified citizens to guide it, just as I know of no reason why the cold war GI bill should not become one of the major bills enacted into law during this session

FIFTH ANNIVERSARY OF HAWAIIAN STATEHOOD

Mr. FONG. Mr. President, on August 21, 1959, President Eisenhower signed a proclamation formally declaring Hawaii the 50th State of the Union. For the people of Hawaii, this was the most important historical event of their lives. It was the climax of many, many years of arduous efforts to secure full-fledged rights which Hawaii had not previously enjoyed as a territory. In achieving statehood, Hawaii attained equal political status with all the other 49 States. For this, the people of Hawaii are deeply grateful to all our friends in Congress who supported and voted to make Hawaii a State; and our heartfelt appreciation also goes to the countless Americans, everywhere, who believed, as we did, that Hawaii had earned the right to statehood.

The first 5 years of statehood have brought tremendous gains for Hawaii. Our advances have been made on many fronts—political, social, cultural, economic.

The growth in the economic area has been particularly impressive. Accurate data on this growth have been compiled by the economists.

For the 15th year, the Bank of Hawaii, through its department of business research, has measured and recorded the pulse of the economy. Its 1964 report details the remarkable progress of the 1955–65 period in Hawaii—what the report calls the golden decade.

I quote from the report:

> It is a very human trait to think of some historic period of prosperity and advance as "those golden years"—to wonder why the people of that day did not realize that they were living at a time of transition to a new and different era—and at the same time to fail to recognize similar changes in our own day.
>
> Hawaii is now in the midst of just such a transitional period. Looking back, historians will unquestionably record 1955–65 as "golden years" in Hawaii—a decade during which there was a breakthrough to a new dimension.
>
> The record is convincing proof. Never in the history of the islands has there been so great an advance in so many fields in so short a period.
>
> Outstanding in this growth has been the rise in the construction of homes, schools, churches, clubs, hotels, office buildings, highways, airports, docks, government buildings, public utilities, and recreational facilities. The estimated dollar volume of construction during the January 1955 to January 1965 period is equivalent to all of the construction in the islands during the entire century from 1850 to 1950.
>
> Less obvious, but more significant, have been equally marked advances in standards of living, in education, in cultural development, in efficiency of production, and in scientific research.
>
> It is thus clear that Hawaii is now moving rapidly into a new and quite different stage of development.

The Bank of Hawaii report then goes on to describe the new growth factors in Hawaii's future, 1965–75, as follows:

YEARS 1965–75: NEW GROWTH FACTORS IN HAWAII'S FUTURE

> The activities that have contributed to growth during the past decade will continue into the decade ahead. To those will be

added, however, at least four new growth factors that will gradually rise to substantial levels.

I. NEW RELATIONSHIPS WITH COUNTRIES BORDERING THE PACIFIC

To date, Hawaii's growth has been largely geared to her economic relations with the U.S. mainland. These will continue to expand.

During 1965–75, however, Hawaii's relations with transpacific areas (a trend already evident) will grow to major proportions. The character of this new trend is exemplified by (1) the accelerating rise in volume and diversity of contracts of Hawaiian firms with concerns in Pacific area countries for construction, dredging, financing, the clearing of land, and for technical aid; (2) a rapid increase of Hawaiian investments in the Orient and of oriental investment of Hawaii; (3) the growth of Hawaii as a meeting place for trade missions and for Pacific conferences of business, technical, and professional groups; (4) the continued extension of communication facilities from Hawaii to transpacific points; (5) the creation of the East-West center for training technical and professional personnel from the Far East; (6) development in Hawaii of research and assistance programs for transpacific countries; (7) the rapid increase in the business of servicing transpacific shipping and air lines; and (8) the general growth of Hawaii's transpacific trade.

In evaluating the significance of this trend, it is essential to keep in mind relative magnitudes. The aggregate population of these areas is substantially more than a thousand times that of Hawaii. Even though the per capita income is much lower, their economies are far larger. Hence, only a small fraction of the available types of activity noted above can become "big business" in Hawaii—business which will become of outstanding importance during 1965–75.

II. THE PROSPECTIVE GROWTH OF RETIREMENT IN HAWAII

Developing changes indicate that retirement in Hawaii (as yet a negligible factor) will grow in importance during 1965–75. These changes include (1) the increasing numbers in the retirement age bracket; (2) the extraordinary and accelerating rise in pension funds and retirement programs (individual, corporate, institutional, and governmental); (3) the consequent increase in the number of retired persons of means who can afford to live in the comfortable climate and scenic beauty which Hawaii affords; and (4) the development of supersonic planes which will reduce the flying time from the mainland to Hawaii to 90 minutes and at a lower cost.

Here again it is necessary to keep in mind the significance of relative magnitudes. There are nearly 300 persons on the mainland for every resident of Hawaii. This does not imply a volume of retirement here in any sense comparable to that in Florida or California. The number of migrants to California in a single month is 28,000. That many retirees entering Hawaii over a period of 10 years would appear to be a very modest expectation—and would, in itself, be a significant growth factor in the relatively smaller island economy.

III. SCIENTIFIC ORGANIZATIONS AND RESEARCH PROGRAMS AS A GROWTH FACTOR

Long-established research programs in tropical agriculture (with special emphasis on the production of sugar and pineapples) represent an annual expenditure of over $3 million. During the past decade, there also has been a marked rise in governmental programs, economic research, and marketing studies.

Within the past 2 years, however, there has been an unprecedented advance into new fields. These developments include (1) work in the East-West center designed to provide assistance to experts and technicians from the Far East; (2) a new geophysics institute at the University of Hawaii, dedicated on April 2, 1964, with an annual research budget of well over a million dollars, supported by additional operational funds from the State (augmented by the acquisition of a research vessel for oceanographic studies on April 30); (3) a research center on the summit of Haleakala with facilities for work in missile and space studies; (4) a new Pacific Biomedical Research Center in the University of Hawaii; (5) the Honolulu Biological Laboratory of the U.S. Bureau of Commercial Fisheries (which announced on April 27, 1964, plans for the construction of the first American civilian submarine for scientific exploration of ocean depths, to be operative in Hawaii when completed); (6) the U.S. Army Corps of Engineers' new pioneering studies in Hawaii on the effect of tidal waves (studies which will be later carried forward by the Geophysics Institute); (7) the completion in 1964 of a new research building by the Bishop Museum (the leading center for the study of Polynesian culture and other aspects of Pacific life); and (8) the Oceanics Foundation, a nonprofit research corporation (created in 1964 by Sea Life Park) which will devote its efforts to oceanographic work.

In many of these fields, further advances are clearly indicated. The worldwide rise in oceanography, for example, reflects a growing awareness of the potentials of ocean areas as sources for food, oil, minerals, and chemicals, as well as the possibility of processing sea water so as to make it usable. The Federal Government is contemplating substantial increases in oceanographic work which, it is estimated, will total approximately $10 billion over the next 10 years—work in which Hawaiian research organizations may expect to participate.

Recent developments in Hawaii (in this and other research fields) thus represent only a beginning. They also imply four types of growth during 1965–75: (1) Increases in the magnitude of the research projects themselves; (2) new enterprises based on scientific advances; (3) a rise in Hawaii's role as a Pacific center for technical services; and (4) an increase in the number of scientific conferences held in the islands.

IV. A NEW ROLE FOR HAWAII AS A WORLD TRADE CENTER

Prior to 1955, Hawaii was preeminently a vacation area for mainland visitors. This continues to grow.

Another type of tourism, however, is growing even more rapidly. As of 1955, only 11,693 visitors to Hawaii originated from New Zealand, Australia, and the Pacific Far East. This year, the number will substantially exceed 100,000. Thus, it already is true that nearly one visitor in four is eastbound. Moreover, a rising number of westbound tourists who visit Hawaii also plan to go on to transpacific points or around the world.

Recognizing the prospective importance of this potential, (1) officers of the Hawaii Visitors Bureau took the initiative in creating the Pacific Area Travel Association in 1952—an organization which now includes 21 countries bordering the Pacific, (2) the Federal Government's Office of International Travel has established offices in Tokyo and Sydney, and (3) Japanese interests have acquired three of the major hotels in Waikiki and are planning to build more hotels and places of entertainment in Hawaii suitable for Japanese visitors.

Hawaii's new role as a participant in the larger pattern of Pacific and round-the-world travel will thus greatly alter the pattern of tourist facilities and services in the islands. It implies (1) a far more cosmopolitan complex of visitors; (2) an increase in cultural offerings (as well as in the already growing colony of artists, writers, and scholars resident in the islands); (3) higher levels of cooperation with other Pacific travel centers; and (4) unified action (by carriers, hotels, tour agencies, and other tourist enterprises) on programs designed to meet the new needs as they arise. It also indicated a potential for the future growth of tourist trade in Hawaii to far higher than present levels.

THE 1965–75 OUTLOOK

The continuing strength of the factors which created the marked growth of 1955–65, plus the impact of the four growth factors noted above, indicates a rise during 1965–75 exceeding the substantial advances of the past 10 years. In achieving these advances Hawaii also will become a more cosmopolitan community, based on a more complex and diversified economy.

ALLEVIATION OF UNEMPLOYMENT IN RHODE ISLAND

Mr. PELL. Mr. President, on Friday, September 6, 1963, I spoke on the floor of the Senate about the Kennedy administration's efforts to alleviate the unemployment problem in my State. This problem has been our most serious domestic concern since 1949. It is my belief that the Kennedy-Johnson administration has done more, by the use of Federal assistance, to try to help the people of my State secure employment than has any other administration.

At that time, I had prepared, for insertion in the RECORD, a cumulative information table on the activities of the Area Redevelopment Administration, accelerated public works, and manpower development and training programs in Rhode Island. The table had been compiled by both the Library of Congress and my staff.

On August 4 of this year, I again requested the Economics Division of the Library of Congress to compile an updated cumulative and corrected version of the previous report. This chart proves that the Kennedy-Johnson administration, through the use of Federal funds, has not only encouraged the continuation of necessary public facilities, but, even more important, has also produced immediate employment for many Rhode Islanders. The retraining programs under both the Area Redevelopment Administration and the Manpower Development and Training Act have given new hope and new oportunities to hundreds of Rhode Islanders, who, without these Federal programs, would most likely have remained unemployed, and possibly in some instances would have been forced to accept welfare assistance in order to subsist.

I believe more in this regard, can, and will, be done under the Johnson administration, for Lyndon B. Johnson has demonstrated his concern for the problems of Americans who are on a virtual economic treadmill, with little or no hope, and no remedy in sight. President Johnson has proved that he can accomplish the goals that were spelled out in the 1960 Democratic campaign. So, today the strongest leadership this country has ever had is bringing us to the New Frontier.

I ask unanimous consent to have printed in the RECORD this table, which illustrates the types of Federal programs and the actual assistance to my State.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Accelerated public works, area redevelopment, and manpower development and training programs in Rhode Island, through June 30, 1964

Location of project	Description of project	Type of Federal program	Estimated Federal contribution	Number of jobs created, or number of trainees	Estimated man-months on-site employment
Blakestone Valley	Treatment plant	Accelerated public works (DHEW-PHS)	$1,040,000	(1)	998
Cranston	Sewer facilities	do	273,000	(1)	280
Do.	Sewage treatment plant	do	1,373,000	(1)	1,347
Do.	Osteopathic general construction	do	125,000	(1)	53
Do.	Construct sewage facilities	Accelerated public works (HHFA-CFA)	310,000	(1)	330
Cumberland	Water system	do	51,000	(1)	75
East Greenwich	Public building	do	67,000	(1)	75
Do.	Water facilities	do	126,000	(1)	(1)
Lincoln	Construct townhall	do	125,000	(1)	124
Do.	Water system	do	220,000	(1)	216
Mashassuck River Valley	Technical assistance for study of drainage problems and soil-bearing capacity.	Area Redevelopment Administration	37,000	None	None
Narragansett	Sewage treatment plant	Accelerated public works (DHEW-PHS)	207,000	(1)	199
Do.	Sewer facilities	Accelerated public works (HHFA-CFA)	134,000	(1)	(1)
North Providence	do	do	94,000	(1)	(1)
North Smithfield	Construct Mercy Hospital	Accelerated public works (DHEW-PHS)	998,000	(1)	1,116
Pawtucket	Memorial Hospital	do	19,000	(1)	26
Do.	Memorial Hospital construction	do	1,875,000	(1)	1,692
Do.	Highway improvements	Accelerated public works (HHFA-CFA)	271,000	(1)	(1)
Providence	Improve or supply access roads, streets, water, and sewer to industrial park.	Area Redevelopment Administration	375,000	1,045	(1)
Do.	Rhode Island Hospital addition	Accelerated public works (DHEW-PHS)	237,000	(1)	350
Do.	Roger Williams Hospital addition	do	386,000	(1)	432
Do.	Sewage treatment plant	do	691,000	(1)	690
Do.	Miriam Hospital construction	do	744,000	(1)	2,916
Do.	Modernize water supply	Federated public works (HHFA-CFA)	148,000	(1)	262
Do.	Water facilities	do	13,000	(1)	19
Do.	Modernize water supply	do	138,000	(1)	(1)
Do.	Sidewalks and storm drains	do	143,000	(1)	(1)
Do.	Construct warehouse	Area Redevelopment Administration	635,000	105	(1)
Providence-Pawtucket area	Training: Bookkeeping machine operator, combination welder, sheet-metal worker, typist, electronic mechanic, machine tool operator.	do	283,000	318	----------
Do.	Training: Typist, automatic machine, machine tool operator.	do	158,000	178	----------
Do.	Training: Tabulating machine operator, console computing operator.	do	161,000	160	----------
Do.	Training: Sheet-metal workers	do	19,000	20	----------
Do.	Training: Key punch operator	do	15,000	50	----------
Do.	Training: Machine operator, general	do	25,000	25	----------
Do.	Training: Nurse aid	do	14.000	40	----------
Do.	Training: Machine operator	do	17,000	15	----------
Do.	do	do	19,000	15	----------
Do.	Training: Auto mechanic	do	12,000	15	----------
Do.	Training: Machine operator	do	17,000	20	----------
Do.	Training: Bank teller	do	15,000	60	----------
Do.	Training: Nurse	do	13,000	72	----------
Providence-Pawtucket area	Machine operator, general	Manpower Development and Training Act	41,272	26	----------
Do.	Turret lathe operator	do	48,412	16	----------
Do.	Automobile mechanic (entry)	do	49,452	24	----------
Do.	Machine operator, general	do	24,647	15	----------
Do.	Programer, computer (entry)	do	73,655	25	----------
Do.	Automobile mechanic (entry)	do	22,660	15	----------
Do.	Sheet-metal worker (entry)	do	22,020	20	----------
Do.	Automobile body repairman, metal (entry)	do	20,480	15	----------
Do.	Clerk-stenographer	do	11,372	25	----------
Providence-Pawtucket	Machine operator, general (entry)	do	42,010	15	----------
Do.	do	do	40,491	15	----------
Do.	do	do	41,849	15	----------
Do.	do	do	38,119	15	----------
Do.	Custodian	do	20,326	45	----------
Do.	Homemaker (domestic service)	do	59,682	48	----------
Do.	Machine operator, general	do	43,782	18	----------
Do.	Clerk-stenographer (entry)	do	21,040	25	----------
Do.	Machine operator, general (entry)	do	49,580	30	----------
Do.	do	do	35,450	25	----------
Do.	do	do	59,774	30	----------
Do.	do	do	55,094	30	----------
Do.	Turret lathe operator (entry)	do	55,000	32	----------
Do.	Programer (entry)	do	86,800	20	----------
Do.	Automobile mechanic (entry)	do	18,336	15	----------
Do.	do	do	16,846	15	----------
Do.	Electrical appliance serviceman (entry)	do	43,146	30	----------
Do.	Draftsman, architectural	do	34,476	20	----------
Do.	Draftsman, mechanical	do	33,325	20	----------
Do.	Draftsman, structural	do	26,675	15	----------
Esmond	Loom fixer apprentice	do	3,945	12	----------
South Kingston	Public safety building	Accelerated public works (HHFA-CFA)	58,000	N.A.	72
Do.	Municipal building	do	19,000	(1)	(1)
Do.	Sidewalks	do	20,000	(1)	(1)
Do.	Road resurfacing	do	18,000	(1)	(1)
Smithfield	Water facilities	do	299,000	(1)	(1)
Warwick	Sewage treatment	do	2,491,000	(1)	2,391
Do.	Sewage facilities	Accelerated public works (DHEW-PHS)	1,465,000	(1)	600
Do.	Interceptor sewers	do	318,000	(1)	502
Do.	Library	Accelerated public works (HHFA-CFA)	310,000	----------	324
Do.	Water facilities	do	76,000	(1)	(1)
Woonsocket	Improve and extend water systems to industrial park.	Area Redevelopment Administration	194,000	255	(1)
Do.	Woonsocket Hospital addition	Accelerated public works (DHEW-PHS)	178,000	(1)	120
Do.	Construct sewage facilities	Accelerated public works (HHFA-CFA)	270,000	(1)	420
Do.	Construct water facilities	do	270,000	(1)	(1)

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(1) Not available.

Source: Area Redevelopment Administration; Department of Health, Education, and Welfare, Public Health Service; Housing and Home Finance Agency, Community Facilities Administration; Department of Labor, Office of Manpower Development Training.

NO MAN STOOD ALONE

Mr. BARTLETT. Mr. President, order has been born of chaos. When the worst disaster to hit our continent struck the very heart of Alaska almost 5 months ago, the reconstruction task ahead appeared almost insurmountable. However, Alaskans had a lot going for them in good will, in fortitude, and in their own inner resources. They learned immediately that they did not stand alone; and they learned, too, that generosity, hard work, perseverance, and ingenuity were not the hallmarks of any one man. Sagas could, and will, be written of the courageous acts of countless men and women who have contributed so magnificently to the rebuilding of Alaska. We are on the road back.

To place Alaska back on that road required massive Federal assistance. The President, recognizing the urgency of a coordinated effort, created the Federal Reconstruction and Development Planning Commission for Alaska, and named Senator Clinton P. Anderson as its skillful and distinguished chairman. Immediate results were realized; but there were difficult, and at times seemingly impossible barriers to surmount. The fact that in most instances those barriers have been scaled is due in large measure to the day-in, day-out efforts of the staff members of the Commission, working with dedicated members of many other Federal agencies. The work of the staff members of the Commission went unheralded until August 10, when an editorial was published in the Anchorage, Alaska, Daily News.

I ask unanimous consent that the editorial be made a part of the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Government at Its Best

The staff work performed by the Federal Alaska Reconstruction Commission has been a display of government at its very best.

Too often those holding responsible positions at all levels of government permit the constant stream of complaints and problems that come their way to freeze their thoughts and actions to a point where "no" is the first answer that comes to mind and "it can't be done" is the initial response to every suggestion.

But the operation headed by Dwight A. Ink, Executive Director of the Commission, has demonstrated no inclination to such administrative escapism. And their performance is all the more remarkable considering that none had had experience with either Alaska or earthquakes before taking on their new assignments. They were handed a job without guidelines, without precedent.

In many cases the normal rules followed by Federal agencies were sprung completely out of shape to fit the postearthquake needs of Alaska. Tight time schedules established for construction work became even tighter under the staff's constant prodding and watchful eye.

Together with Frank DiLuzio of Senator Clinton Anderson's personal staff, Ink had to glean the possible from the mass of urgent needs and proposed solutions that came his way. A list of priorities had to be organized. Legislation had to be developed. The personal feelings of countless agency heads both in Washington and Alaska had to be soothed, or failing this, heads had to be knocked to make certain that plans were translated into results.

It was a rare day when a problem was posed without being accompanied by a solution. The soils studies are the most obvious reflection of this type of positive approach.

In addition to the planning, and fieldwork and interagency coordination, and cooperation with the State and municipal governments, Ink and DiLuzio fought the battle of the omnibus bill.

Their original proposal for legislation was expanded in the U.S. House. But instead of standing rigidly against the changing of a comma, they helped work out a compromise settlement that they perhaps did not agree with but which was necessary to secure any action at all.

Passage of the omnibus bill Saturday did not end their work. But it represented a milestone in their efforts. The job should be downhill from here on out.

The form of reconstruction is becoming apparent now. And while it will not permit everyone who lost to recover all their losses, there can be little doubt that the results are satisfactory.

If more government officials funtioned with the same type of positive outlook and attention to needs and details, that word "bureaucrat" would fast disappear from popular dictionaries.

OIL OUTLOOK BRIGHT

Mr. BARTLETT. Mr. President, on August 20 the New York Times published an article which set forth what many Alaskans already know: Oil is "the key to a bright, long-term economic outlook for the 49th State."

The article quotes industry observers as saying:

> In future decades, oil may be produced in that area in quantities rivaling the output of some of the rich Middle East fields.

The oil industry in Alasaka is booming, Mr. President. I ask unanimous consent that the Times article be made a part of the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

U.S. Companies Use Latest Equipment To Find and Pump Alaskan Oil—Oil Brightening Alaska Outlook—Major Concerns in Race To Develop Vast Deposits

(By Lawrence E. Davies)

Fairbanks, Alaska, August 19.—Despite the earthquake that left parts of south-central Alaska prostrate last spring, oil is ranked by many Alaskans as the key to a bright long-term economic outlook for the 49th State.

Nineteen major oil companies are exploring or producing in Alaska. Some have spent millions on abandoned dry holes. The Kenai Peninsula below Anchorage is yielding 30,000 barrels a day from more than 50 producing wells.

Two of the companies, the Shell Oil Co., and the Pan American Petroleum Corp., a subsidiary of the Standard Oil Co. (Indiana), are locked in a multimillion-dollar battle in Anchorage, the center of the State's petroleum activity.

The rival concerns are fighting over which is entitled to discovery rights in an oil formation under Cook Inlet and which, therefore, is entitled to pay a much reduced royalty rate on oil and gas to be produced there.

INTEREST IN ARCTIC SLOPE

Here in Fairbanks, the capital of interior Alaska, interest is focused on exploratory drilling on the Arctic slope, hundreds of miles to the north above the rugged Brooks Range.

Some enthusiastic industry observers believe that in future decades oil may be produced in that area in quantities rivaling the output of some of the rich Middle East fields.

One day more than 7 years ago, William Bishop of the Richfield Oil Co. sank his boot heel into the ground and said to drillers, "Dig here." Since the resultant discovery well on the Kenai Peninsula started producing, the oil fever has spread from the Gulf of Alaska to the Arctic Ocean.

Philip Holdsworth, Alaska's Commissioner of Natural Resources, reported at Juneau recently that oil companies had spent $350 million to date for exploration, leases, drilling, and production.

Last year's expenditures by the companies totaled $70 million, Mr. Holdsworth said. He predicted a larger figure for 1964, chiefly because of a flurry of activity in discovery fields under the waters of Cook Inlet on the west side of the Kenai Peninsula.

As a result of the industry's outlay and accomplishments, the State's cash return from leases and royalties has reached $77.5 million. This includes $26 million from the Federal Government as Alaska's share of lease and royalty payments, $50 million in bonuses on the leasing of State lands, and $1.5 million in rentals from those tracts.

A little less than a year ago, excitement over Alaska's petroleum industry was renewed by the discovery of oil by Shell in a new field under the waters of Cook Inlet 60 miles southwest of Anchorage.

Production had been confined up to them to the Swanson River and Soldotna fields on the Kenai Peninsula, where the Standard Oil Co., of California is the operator for a group including the Richfield, Union, and Marathon oil companies.

DRILLING PLATFORM PLANNED

At a dinner in Anchorage last October, imaginations were fired by an announcement from Samuel F. Bowlby, a vice president of Shell, that a drilling platform would be built this year at a cost of $5.5 million. From this platform, 20 or more wells could be drilled into the soil formations under Cook Inlet, he said.

The platform will be built to withstand some of the world's most difficult drilling operations under the rigors of high tides and winter ice, Mr. Bowlby added.

This week, after being towed from a shipyard in the San Francisco Bay area where it was built by the Kaiser Steel Corp., the platform was sunk into place. A drilling rig 173 feet high and living quarters for 50 men are to be placed on the platform.

R. R. Robison, Alaska division production manager for Shell, said the platform should by ready for drilling operations by December.

SITE OF DISCOVERY

Its site is on the Middle Ground Shoal lease where the company found oil a year ago.

However, in January 1963, the State decided that Pan American Petroleum was entitled to discovery rights in the same geologic structure in which Shell afterward found oil.

This meant that on all the oil and gas it would produce from wells in that structure over a 10-year period. Pan American, acting also for the Phillips Petroleum, Sinclair Oil, and Skelly Oil Cos., would have to pay the State a royalty of only 5 percent instead of 12½ percent.

The larger amount is the royalty paid on oil and gas produced by all wells except those on the discovery lease. Discovery leases are restricted to one to any geologic formation.

SHELL CONTESTS RULING

Shell Oil, which also represented Standard of California and Richfield, began action this month to upset Commissioner Holdsworth's decision giving discovery rights to Pan American.

During a 10-day hearing in a State court room at Anchorage—a hearing that ended on

Monday—Shell sought to show that the award to Pan American was based on insufficient evidence that Pan American had made a commercial discovery.

A decision is expected about Thanksgiving Day.

The first Pan American well in Middle Ground Shoal was ruined by a gas blowout. Since then, the company has been drilling other holes in the area and the day before the hearing opened it announced that partial tests had indicated production of at least 957 barrels of oil a day from one of these bores.

There is also activity among several companies in the Foreland area on the west side of Cook Inlet, on the Susitna River, 50 miles west of Anchorage and at several other south-central Alaska locations.

MILLIONS ON DRY WELLS

Some dry wells have been abandoned after the expenditure of millions of dollars. One of the most notable was a $7 to $8 million dry hole drilled by Humble Oil & Refining Co. on the Alaska Peninsula several years ago.

Exploration and drilling are going into high gear on the Arctic slope, where the Navy during and after World War II proved there was oil in commercial quantities. A half dozen seismic crews are busy on the north slope and two rigs that were drilling there last winter are being prepared to continue their work.

Richfield has just signed a contract with the Federal Department of the Interior for exploration and gas and oil development on 590,812 acres near the Arctic Ocean more than 350 miles above Fairbanks.

The company has agreed to drill at least three exploratory wells and spend a minimum of $1.3 million before January 31, 1972.

STATE SEEKING TITLE

The State has applied for title to 1.5 million acres of land along the Arctic Ocean between the naval petroleum reserve and the Arctic wildlife range. This is part of the 105 million acres Alaska is entitled to choose for itself under the Statehood Act.

John T. Rowlett of Fairbanks, a consulting petroleum engineer familiar with the north slope situation, said that activity there had led to "some dry holes, some producers and some unannounced results."

"I can easily think of 75 to 100 years of increased activity in that enormous area," he asserted. "I think we've already discovered the obvious fields in other parts of the country and now the geological indications are so good in this spanking new area that we can expect to find some major oil fields in the Arctic.

"The potential is there to make it one of the most attractive research areas on the North American Continent."

IMPROVE OUR MERCHANT MARINE

Mr. BARTLETT. Mr. President, on more than one occasion I have spoken on the floor of this Chamber about the state of our merchant marine. So I was especially gratified to learn that Adm. Ralph K. James, executive director of the Committee of American Steamship Lines, had appeared before the Democratic platform committee, and had proposed the adoption by it of a plank noting the interest of the Democratic Party in continuing aid in the construction and operation of our merchant marine, so as to bring it up to the standard of foreign nations who have proceeded apace in modernizing their merchant fleets. I ask unanimous consent that the text of Admiral James' statement and his proposed plank be printed in the RECORD.

There being no objection, the statement and the proposed platform plank were ordered to be printed in the RECORD, as follows:

On behalf of the Committee of American Steamship Lines, I wish to thank you for this opportunity to discuss a vital American industry with you. Our committee is composed of 15 steamship companies who operate exclusively under the U.S. flag.

During your review of all of the vast problems of our Nation during this space age, it is well to recall that a traditional element of our economic and military strength is today more essential than ever before. Without fast, modern ships under our own flag, we cannot import the vital raw materials our economy requires, succor our allies, or support our Armed Forces with vast quantities of equipment on the four corners of the earth.

Fortunately, the American merchant marine has long earned the support of the Democratic Party. Members of your party were architects of our basic national policy, the Merchant Marine Act of 1936. Congress has since sponsored improvements in it and has worked hard for other helpful legislation and President Johnson has reaffirmed the vital role of the American merchant marine in the nuclear age.

As a result of the policies set forth in the 1936 act, part of our merchant marine is in excellent shape.

Our CASL lines operate 300 fast cargo vessels on some 31 trade routes declared essential by the Department of Commerce. This liner fleet comprises about one-third of the American-flag ships in foreign trade. Altogether, liners, tankers, contract and bulk carriers contribute almost $1 billion annually to the Nation's balance of payments. As a defense asset, moreover, the quick availability of merchant ships has enabled us to take strong stands in Korea, Lebanon, Cuba, Vietnam, and elsewhere.

A merchant marine is a vital element of national seapower. The Russians have recognized this fact. The Soviet merchant marine has more than doubled in size since 1952. The current estimate places the Soviet fleet at almost 1,200 ships of some 6½ million deadweight tons, almost half the capacity of our fleet. The Soviet fleet, moreover, has doubled since 1952 while ours has declined 11 percent. And by 1980, Russian officials plan to have a merchant fleet three to four times its present size.

Your 1960 platform recognized our national goal of a strong commercial and defense fleet. It recognized that Government aid is required, because American operation with exclusively American crews means high labor costs. We cannot compete effectively with low foreign labor. Government makes up the difference to put American operators on a more or less equal basis with foreign ships. Over 80 percent of subsidy payments goes to ships' crews.

This, of course, is the parity basis of subsidy in the Merchant Marine Act of 1936. Subsidy does not protect the steamship companies against losses nor guarantee them a profit. The individual lines are on their own, win, lose, or draw. They must meet subsidy contract obligations to employ only American crewmen, make a fixed number of voyages on regular schedules, purchase supplies and repair ships in the United States, serve fixed trade routes and to replace ships every 25 years with new vessels that meet Department of Defense standards. We are now almost halfway through a $4 billion vessel replacement program. If CASL line earnings are over a certain amount, the lines must return up to all of the subsidy to the Government.

The 1936 act also provides for Government to pay the difference in costs of U.S. and foreign shipyards up to about half the cost of the vessel. These construction subsidies are paid directly to the shipyards and not to the operators, who could purchase ships at least as cheaply in foreign countries if permitted to do so.

We are building our maritime strength on the free system of individual enterprise represented by private ownership and open competition—with only the necessary minimum of Government regulation and expense. Actually, subsidy payments cover only about 20 cents on the entire ship operating dollar. The principle of parity has worked well in helping to maintain our liner fleet.

On the other hand, the tanker, tramp and bulk carrier segments of the U.S. merchant marine fleet have declined. At the end of 1963, the American flag flew over only 57 tankers operating in foreign trade and only 112 tramp vessels. But the difficulties faced by some segments of our fleet do not detract from the effectiveness of the 1936 act, which is a liner act, not a tanker, tramp or bulk carrier act. If aid to these other segments of the foreign trade fleet is required by national policy, we believe that it should be based on achieving parity of costs with foreign operators.

The CASL lines are working on many programs intended to keep operating subsidies at a minimum. New automated ships will save one-third in crew costs and reduce subsidy $2½ millon over the 25-year life of each vessel. Vigorous sales promotion and foreign trade development programs are underway. We spend more than $17 million annually on cargo expansion. We participate strongly in the national export expansion program.

While government support is vital, the primary need of our merchant marine is more passengers and cargo. We have worked diligently toward this goal and have in fact earned a Presidential E-Award for export promotion. Rates on our liner vessels are identical with those of their foreign competitors. We urge that your 1964 platform be expanded to urge Americans to use their own ships wherever possible. At present, our liner vessels carry 29.2 percent of the tonnage and 37 percent of the value of U.S. cargoes for which they compete. Foreign lines, because of the national loyalty of their shippers, usually carry upward of 50 percent of their own countries' cargo. This is our goal and we look forward to working with you in achieving it in the next 4 years.

We respectfully suggest that in its 1964 platform, the Democratic Party adopt the merchant marine plank attached hereto.

MERCHANT MARINE PLANK PROPOSED BY THE COMMITTEE OF AMERICAN STEAMSHIP LINES

A strong and efficient American-flag merchant marine is essential to peacetime commerce and defense emergencies. Continued aid for construction and operation to offset cost differentials favoring foreign shipping is essential to these objectives. Shippers and travelers should make maximum use of these facilities which contribute so greatly to our balance of payments and export expansion goals.

SIGNAL CONTRIBUTIONS TO THE SOUTHEAST ASIA DEBATE

Mr. BARTLETT. Mr. President, the junior Senator from South Dakota [Mr. McGOVERN] and the junior Senator from Wisconsin [Mr. NELSON] have been in this body little more than 3 years; yet, in this period they have made responsible and substantial contributions to the proceedings of the Senate.

The Senator from South Dakota [Mr. McGOVERN] is concerned with the problems of economic reconversion. These are, of course, at the heart of any realistic disarmament proposal. If disarmament is ever to have a chance, we must understand, and be prepared to cope with the problems of conversion. The Senator from South Dakota has done much to draw our attention to this fact.

The Senator from Wisconsin [Mr. NELSON] has called attention to the need to overhaul our present Selective Service System. With the increasing complexities of the nuclear age and with the increasing mental and technical demands made on the military man, it is becoming ever more apparent that the draft needs revision. The Senator from Wisconsin is doing a service to the defense of our country and the well-being of our people by bringing thought to this problem.

Last week, the Senate debated the resolution, requested by the President, pledging continued United States efforts to maintain peace and security in Southeast Asia. The resolution was passed by an overwhelming vote, as it should have been. The debate served a most useful purpose: It gave opportunity for a full exploration of present conditions in the Vietnams, and of our participation in the agonizing war there. Both the Senator from Wisconsin and the Senator from South Dakota spoke to the point. Their speeches were shrewd and sound. Both emphasized that unprovoked aggression—such as that upon our ships in the Bay of Tonkin—must be met with effective response. They emphasized, as did the President, the point that this response should be fitting and limited.

Senator McGOVERN, in reviewing the Vietnamese war, pointed out the anomaly of the situation: It is a war which can be won only by the South Vietnamese themselves and apparently they are losing the enthusiasm they must have if they are to win it. A deepening of American involvement, an invasion to the north, or a general escalation of the fighting will not win the struggle, which is largely South Vietnamese, and could risk very grave dangers indeed.

Both Senators expressed the need for the development of other options for American policy in Vietnam. Diplomatic and political solutions may be possible. In no other areas of the world are interrelationships more subtle, historical ties more complex, or enmities more intricate. Indochina is a fertile field for diplomacy; and as Winston Churchill once said, "Better jaw, jaw than war, war."

In calling for alternate avenues for United States policy, Senator NELSON stated the matter well when he said:

> We should attempt to make it clear that if negotiations and diplomacy can achieve the objectives of peace and freedom, this Nation is more than willing to "walk the last mile" in search of a peaceful settlement.

Both the Senator from South Dakota and the Senator from Wisconsin made signal contributions to last week's debate on southeast Asia.

STATISTICS AND OUR NUCLEAR FORCE

Mr. SIMPSON. Mr. President, in the heat of the vitrolic attack by Secretaries McNamara and Rusk on the Republican Party's concept of our national defense policies and capabilities, a recent article by Robert Allen and Paul Scott takes on a unique significance.

Messrs. Allen and Scott state:

> There is a hollow ring of hokum to Defense Secretary McNamara's huffy claim that U.S. strategic strike capability is increasing. The real fact is that the exact opposite is true.

They contend that a detailed study reveals that this country's nuclear weapons stockpile has steadily decreased in megatonnage each year since 1961, when McNamara became Secretary of Defense.

The columnists then delve into numerous quotations and statistical references which go a long way toward refuting the Secretary's contention, before the Democrat platform committee, on August 17 that "our strategic forces are and will remain sufficient to insure the destruction of the Soviet Union and Communist China under the most imaginable circumstances accompanying the outbreak of war."

Columnists Allen and Scott point out that "the real test of capability is total strategic power measured in megatonnage." They take issue with Secretary McNamara's "forces on alert" terminology, and call it a distinctly indefinable and misleading status.

Mr. President, the administration has had no qualms about exploiting the supposedly nonpolitical nature of its chief Cabinet members, to deliver factless and acrid diatribes against the Republican Party.

With this in mind, I think it would be well to call to the attention of the Cabinet, the Chief Executive, and the Nation the statistics and facts contained in the Allen-Scott report, as well as an excellent editorial from the August 20 Washington Star.

I ask that the Allen-Scott article and the Star editorial be printed with my remarks in the Congressional Record.

There being no objection, the article and the editorial were ordered to be printed in the Record, as follows:

McNamara Contradicts Self on Capability—Strike Power Scheduled To Wither

(By Robert S. Allen and Paul Scott)

Washington.—There is a hollow ring of political hokum to Defense Secretary McNamara's huffy claim that U.S. strategic nuclear strike capability is increasing.

The real fact is that the exact opposite is true.

A detailed study reveals clearly that since McNamara became civilian head of the Pentagon in 1961, this country's all-important nuclear weapons stockpile has steadily decreased in megatonnage every year. (A nuclear megaton is equivalent to 1 million tons of TNT.)

This dire conclusion is based squarely on McNamara's own statements—while testifying on the military budget before the Senate Armed Services Committee.

These voluminous published hearings—from which all classified figures and other sensitive information were meticulously deleted by McNamara's own censors—disclose this jarring, overall finding:

Under policies initiated and forcefully pursued by McNamara, with the full knowledge and approval of the late President Kennedy and President Johnson, the deliverable strategic nuclear megatonnage of the United States which in 1961 exceeded 36,000 megatons, is declining to the extent that by early 1970 the total will have sunk to around 5,250 megatons.

Secretary McNamara bases his testy denial that the megatonnage of the U.S. nuclear weapons stockpile is shrinking on a "forces on alert" contention—a distinctly indefinable and misleading status.

In 1961 there were no bombers on "airborne alert." That was done later. Further, the definition of "alert" status has been changed by McNamara to include all bombers on 15 minutes' notice, and in some of his statements apparently include other bombers.

Also, the voluble Pentagon ruler considers all missiles as "alert forces"—thus enabling him, by combining bombers and missiles, to claim a much larger "forces on alert."

But "alert" status can be misleading as it can be varied from zero to total within minutes as the situation requires.

Real test of capabilities is total strategic power measured in megatonnage.

On that, McNamara's claims don't stand up on the basis of the contradictory testimony in the published hearings of the Senate Armed Services Committee, headed by Senator RICHARD RUSSELL, Democrat, of Georgia.

The following comparison of total strategic delivery capability for 1961 and early 1970 is predicted on data released by the Defense Department:

(Note.—Warhead sizes are from published reports, and while generally accurate are not precise for security reasons. They are accurate for comparison purposes.)

DELIVERABLE STRATEGIC MEGATONNAGE

January 1961

One thousand five hundred intercontinental bombers at 24 megatons each—36,000 megatons (p. 41, SASC hearings, fiscal 1964).

Five Atlas intercontinental ballistic missiles at 10 megatons each—50 megatons (p. 41, SASC hearings, fiscal 1964).

Two Polaris submarines with 32 missiles at 1 megaton each—32 megatons.

Total deliverable megatonnage, 36,082.

By early 1970 (as programed)

One hundred and fifty intercontinental bombers at 24 megatons each—3,600 megatons (p. 48, SASC hearings, fiscal 1964).

No Atlas missiles (p. 34, SASC hearings, fiscal 1965).

No Titan missiles (both these ICBM's are scheduled to be phased out; p. 34, SASC hearings, fiscal 1965).

One thousand Minutemen at 1 megaton each—1,000 megatons (p. 34, SASC hearings, fiscal 1965).

Forty-one Polaris submarines armed with 656 missiles at 1 megaton each—656 megatons. (Polaris program to be completed in 1967; p. 35, SASC hearings, fiscal 1965).

Total deliverable megatonnage—5,256 megatons.

In the fiscal 1964 published hearings, Secretary McNamara is recorded as testifying (p. 48) that of the 1,080 intercontinental bombers, one-half were on "alert."

Of these bombers, 80 are B–58's, the last of which were delivered in 1962. The life of these bombers is less than 10 years, and attrition already is making itself felt (p. 64, SASC hearings, fiscal 1964). Attrition will mean the exhaustion of these bombers on or before 1972, even if they aren't phased out by then.

Another 400 of the intercontinental bombers are B-47's. All of them will be completely phased out by the end of fiscal 1966 (p. 47, SASC hearings, fiscal 1964).

The remaining 600 bombers are B-52's. Deliveries began in 1958 and the last were delivered in 1963 (p. 48, SASC hearings, fiscal 1964). The operational life of these bombers is estimated as between 10 and 15 years. Regardless of attrition, B-52's are programed only through fiscal 1969 (p. 33, SASC hearings, fiscal 1965).

By 1974, one-half of these bombers will have been operational more than their maximum life. All will be older than 10 years. Based on attrition estimates, less than 150 will be usable, even if retained in inventory.

No new bombers are scheduled. The B-70 is under development, but a "no production" decision has been made on this giant intercontinental bomber (pp. 42-43, SASC hearings, fiscal 1964).

Thus, the conclusion is inescapable that even if efforts are made to keep the B-52's in inventory in the 1970's, deliverable power by strategic forces will have plummeted from 36,080 megatons in 1961 to 5,256 in the 1970's—less than one-sixth the power.

And that is an optimistic estimate because the probability is very strong no B-52's will be in the operational inventory due to one or a combination of three factors: (1) Complete attrition; (2) high cost of "alert" status for overage aircraft; (3) McNamara's belief that manned bombers will not be needed as targets can be hit more effectively and cheaper by missiles (pp. 42-43, SASC hearings, fiscal 1964).

(NOTE.—The printed hearings of the Senate Armed Services Committee are available to anyone. Copies can be obtained by writing to a Senator or the clerk of the committee.)

[From the Washington (D.C.) Star, Aug. 20, 1964]

MCNAMARA'S MYTH

One of the irritating myths generated by the Kennedy-Johnson administrations and recited this week by Secretary of Defense McNamara should be laid to rest once and for all. This is the claim, as Mr. McNamara put it during the Democratic Platform Committee's TV show, that "The Defense Establishment we found in 1961 was based on a strategy of massive nuclear retaliation as the answer to all military aggression."

History shows that the Eisenhower administration did not in fact base its answers to all military and political aggression on any such policy. When faced with a military crisis it did just what the Democratic administrations have done: Resorted to a limited, nonnuclear response.

President Eisenhower did not answer with massive nuclear retaliation at the time of the Lebanon crisis or the Formosa Straits bombardment. He called on portions of the 14 combat divisions, 15 carrier task groups, 7 tactical fighter wings, and 16 air transport wings available to him and solved the problems without dropping a single A-bomb.

Mr. McNamara, however, has tried many times to promote the myth that none of these nonnuclear forces existed before he came along. He has said, for instance, that "It was also evident that our position throughout the world would be greatly strengthened, if we were not forced to choose between doing nothing or deliberately initiating nuclear war."

Mr. McNamara has done much to add to our conventional forces and improve the nonnuclear option. But that option, on a lesser scale, always has existed and always has been used.

The election year does not give Mr. McNamara a license to kid the public. Neither a Secretary of Defense nor a presidential candidate should shoot from the hip on these vital matters. There is entirely too much at stake.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, it is my understanding that several conference reports are ready. One has to do with the District of Columbia police and firemen's salary increases, and three have to do with measures from the Finance Committee. I have requested that the chairmen of those committees, as well as the ranking members, come into the Chamber. I would hope that fairly soon we would be able to take up these conference reports and send them to the House.

Mr. DIRKSEN. Mr. President, does the majority leader anticipate any other substantial business today?

Mr. MANSFIELD. Only bills and other items on the calendar to which there is no objection. I would assume, barring some unforeseen happenings, that the Senate would not be in session for too many hours today.

Mr. DIRKSEN. Could the Senator inform me as to who is likely to speak in the Senate Chamber today?

Mr. MANSFIELD. I understand that the Senator from South Carolina [Mr. THURMOND] is going to meet a bill at the door, and will have some comments to make. I express the hope that his objection will be given the proper consideration and that his desire to put the so-called Tuck bill—which I oppose completely—on the calendar, will not be objected to. If objection is made, of course, it will have to lie over 1 legislative day on August 31, to go on the calendar September 1.

Mr. DOUGLAS. Mr. President, I do not believe that the Tuck bill should be placed on the calendar for possible action today. I serve notice that I shall object to the second reading today, so that it will go over to the next legislative day.

Mr. MANSFIELD. It was my understanding that that action will be proposed that being the objective of the Senator from South Carolina [Mr. THURMOND].

Mr. DOUGLAS. Is it to be considered today or the next legislative day?

Mr. MANSFIELD. It will be objected to. That means that it will have to lie over 1 legislative day. The next legislative day would be August 31, and it would go on the calendar on September 1.

Mr. DOUGLAS. If no other Senator objects, I shall object.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. DIRKSEN. While my colleague from Illinois is still in the Chamber, I should like to inquire—because many Senators have gone into active discussion on the reapportionment matter—whether they can disclose or feel that they can disclose what they propose after the Senate adjourns today. The reason I ask is that I must of necessity, on behalf of myself and I believe the majority leader, consider seriously a cloture petition when the Senate returns. I think this discussion has gone on long enough.

Mr. DOUGLAS. Let me reply to that by saying that I hope that my friend and colleague the junior Senator from Illinois and the Senator from Montana will be allowed to explain the amendment. Thus far, he and his supporters have taken approximately only 1 hour in the discussion of the amendment. This is one of the most fundamental acts to come before the Senate, so we hope very much that they will take advantage of the opportunity to explain their case. When they do we certainly will reply to it.

Mr. MANSFIELD. So far as I am concerned, I have, in the space of 10 minutes, explained the position of the Dirksen-Mansfield amendment. I have nothing further to say. I believe that additional words would be superfluous. So far as I am concerned, I do not intend to become involved in extended debate. The meaning is clear, at least as I interpret it. My understanding is in the RECORD. It will have to stand on its own feet.

Mr. DIRKSEN. I fully concur in the observations just made by the majority leader. The language of the amendment is very simple. It seems to me that what we are being treated to is not light but obfuscation by the long discussions that have gone on. The reading of the text, it seems to me, is sufficient. I shall elaborate a little, but I know nothing more than——

Mr. PROXMIRE. Mr. President, if the Senator will yield, the Senator from Michigan [Mr. HART] has gone into this subject in detail and is deeply concerned about the effect of the amendment on every single one of the 50 States. Its effect on each State is likely to be quite different.

It seems to me that we have every right as Senators to find out how the amendment will work, and what its serious ramifications may be. We should like to hear from the authors of the amendment so that we can find out how they feel about it. We need a record to make legislative history so we can be assured of a court interpretation that fits our understanding without clear, reasonably detailed statements from the authors. Such statements will have serious effect.

Mr. MANSFIELD. So far as I am concerned, all the apportionment plans put into effect are valid. All reapportionment plans being considered should be considered in the State legislatures. What we are interested in primarily is what was brought out by the distinguished Senator from Oklahoma yesterday. His State is faced with a severe problem. I know that the Senator from Wisconsin [Mr. PROXMIRE] and the Senator from Illinois [Mr. DOUGLAS] are aware of that. There are other States as well—New York and Colorado—perhaps others. The purpose is not to overturn the Supreme Court dictum, so far as I am concerned, but to go ahead with the "one man, one vote" proposal, and to allow a little "deliberate speed" so far as the States which are in difficult circumstances are concerned.

Personally, I believe that it is a most reasonable request to make. I cannot, for the life of me, understand the opposition to a proposal of this kind.

Mr. PROXMIRE. There was a very constructive and useful discussion on the State of Oklahoma yesterday. All of us learned a great deal from it. Some of us conclude on the basis of this discussion that the amendment would do nothing for Oklahoma.

It can do nothing for Oklahoma, especially since the amendment will not be acted on until September. The Governor has acted to call an election under court ordered population apportionment, the only relief for Oklahoma must come from a request to the Supreme Court. I think that should be the remedy for each of the States. That is the remedy for all American citizens.

Mr. MANSFIELD. The press stated this morning that the State of Oklahoma had filed a petition.

Mr. PROXMIRE. It has.

Mr. MANSFIELD. Also, a plea has been made to Associate Justice Byron White and a request that the Supreme Court will go into special session to allow Oklahoma a little time to go through with what the Supreme Court has decreed every State must do. I believe the argument of the Senator from Oklahoma [Mr. MONRONEY] is valid and sound. That is why he is supporting the Dirksen-Mansfield proposal.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DOUGLAS. I am sure that the purpose just given by the Senator from Montana is his intent, but the effect of the Dirksen-Mansfield amendment might be something entirely different. In reality, it proposes for an indeterminate time a stay in the execution of an indefinite number of reapportionment orders and plans. It is quite possible that this would bring to a complete cessation a number of reapportionments already underway. There are a number of suits filed in State and Federal courts concerning the upper houses of various State legislatures which, in my judgment, would be indefinitely postponed by the Dirksen amendment.

I compliment my colleague in that he has been completely honest in the statement of his motives for proposing the amendment. Such frankness has been somewhat rare in this body. My colleague has been completely frank. He said his purpose is to obtain a stay of time, during which a constitutional amendment can be submitted to the various State legislatures for action. I compliment him again for his statement. This is the purpose of his amendment.

If the Dirksen amendment passes, then later a constitutional amendment may be submitted to the presently malapportioned State legislatures. The incumbent Members can then ratify the amendment and thereby seal themselves in their districts in perpetuity and remove themselves from court control or any attempt to enforce the 14th amendment.

That is what is at stake. I am sure this is not the purpose of the Senator from Montana. But it is obviously and admittedly the purpose of my colleague from Illinois. It is the purpose of those behind the Tuck bill, and I believe, most of those behind the Dirksen amendment.

Mr. MANSFIELD. I believe the Tuck bill is an outrageous usurpation of constitutional authority and the authority of the Supreme Court. So far as the Senator from Illinois alleging that this would apply to an indefinite number of States, that is correct. But so far as the statement concerning an indefinite period of time is concerned, I believe the Dirksen-Mansfield proposal is very specific, that we propose to allow one election and one session of the State legislatures so that the States may face the question and try to comply with the dictum laid down by the Supreme Court only 2 or 3 months ago.

The date specified in that amendment was January 1, 1966. It is my belief that if the amendment were to pass, the great majority of the States, by far, would within a period of 8 months, have adjusted themselves to the ruling of the Supreme Court. What we are asking for basically is a little delay. Our task in this body is to recognize the responsibilities that we have in relation to all the States of the Union.

I am somewhat perturbed when I read articles by columnists and newspaper stories to the effect that the amendment means a 4- or 6-year delay. If it means more than 8 months, it will apply to a very small number of States. Then it will be under the jurisdiction of the courts. In the amendment, the jurisdiction of the Federal courts is nailed down tight. I do not care how anyone interprets it; that is what it means.

Mr. PROXMIRE. On page 2, lines 9 to 14, it is provided that a stay shall be granted for a sufficient period "to allow the legislature of such State a reasonable opportunity in regular session or the people by constitutional amendment a reasonable opportunity following the adjudication of unconstitutionality to apportion representation in such legislature in accordance with the Constitution."

In most States—certainly in my State, and in many others—it would require two sessions of the legislature to adopt a constitutional amendment. That would mean 1965 and 1967. The referendum would be in 1968.

My State has already acted. There are many other States that have not. The great majority of the States have not. This procedure would take 4, 5, or 6 years, according to the language of the bill.

Mr. MANSFIELD. I would seriously question that. In my opinion it would take not more than 8 months for the majority of the States. If they did not comply by January 1, 1966, it would be up to the courts, not to the legislatures, to decide. I believe we are well within our constitutional rights in advocating an amendment of this nature. When compared with the Tuck bill, this amendment is as different as night is from day.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DOUGLAS. The phrase which is used on page 2 of the Dirksen amendment is that the legislature should have a "reasonable opportunity" to act. No one knows what this would mean.

Mr. MANSFIELD. Who will determine what it means?

Mr. DOUGLAS. That is a real question.

Mr. MANSFIELD. The courts will determine it.

Mr. DOUGLAS. That is a real question. The truth of the matter is that the legislatures have had this opportunity for decades.

Mr. MANSFIELD. That is true.

Mr. DOUGLAS. They have had an opportunity to act for decades. They have refused to act. In Alabama and Tennessee, they did not reapportion from 1901 on, until the Supreme Court ordered them to do so in 1962 and 1964.

Mr. MANSFIELD. That is correct.

Mr. DOUGLAS. For six decades they violated their own constitutions, as well as the ordinary rules of fairness. In view of the record of the State legislatures in the past, in perpetuating their own malapportionment, I do not believe that we can expect of them any celerity in attaining fair apportionment in the future. On the contrary, to the degree that there has been reapportionment, in almost every instance, it has been under court order. These court orders would be stayed or put in cold storage under the Dirksen amendment. During this freeze, my colleague and his associates would initiate a constitutional amendment. The constitutional amendment would forever remove from the courts the power to order reapportionment in the many malapportioned State legislatures. It would grant to the present malapportioned legislatures the power to perpetuate their malapportionment. The constitutional amendment would forever prevent courts from enforcing the right to the equal protection of the laws. And the equal protection of the laws, in the judgment of the Supreme Court, and, in the judgment, I believe, of the vast majority of the American people, requires substantially equal representation.

Mr. MANSFIELD. Once again, I believe the Senator from Illinois [Mr. DOUGLAS] is misjudging a premise because of his lack of a firm foundation.

What the Senator is saying, in effect—and I say this most respectfully—is that in his opinion the House and the Senate will pass a constitutional amendment—which requires a two-thirds vote—which, in turn, will be ratified by the States, which requires a three-fourths vote.

Frankly, I do not believe that a constitutional amendment in this direction can get a two-thirds vote in either body. I am fairly certain in my own mind—again expressing an opinion—that three-fourths of the States would not ratify such an amendment, if, by some unforeseen chance, such an amendment were to pass.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. It seems to me that we are forgetting a fundamental truth. That fundamental truth is that the Constitution of the United States begins with the words "We the people," and there is in that Constitution a reservation clause that the powers not expressly delegated to the Central Government are reserved to the people and to the States.

With regard to the malapportionment of State legislatures, it is still in the hands of the people. The trouble is that there is an indisposition to reapportion in the fundamental way. It is proposed to take a shortcut. That shortcut is the Supreme Court. I say to the Senator from Wisconsin that if he feels deeply about it, he can go out to Wisconsin and make some noise about it. We shall do it in Illinois. That is our responsibility. Let us not dump it and allow nine men over in this marble palace to tell the people in the States what they have to do.

When it is said that six decades have gone by, it seems to me that the power residing in the States and in the people has existed ever since the Constitution was fabricated. Now, suddenly, the whole thing is overturned by the High Tribunal.

Mr. THURMOND. I am very frank to say that, in my opinion, the question is one for the people in each State to determine. The Senator from Illinois said something about motives of Senators, and so forth. I can tell him frankly that my position is that the people of each State ought to make the determination. I am sure that the Senator trusts the people of Illinois, as I trust the people of South Carolina. I believe every Senator trusts the people of his own State. I believe the people of each State ought to make the determination as to how they wish their legislature constituted.

Furthermore, under the Constitution of the United States——

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. THURMOND. I should like to complete my statement, and then I shall be glad to yield. Under the Constitution of the United States the question is political and not legal. Therefore, the Supreme Court has no jurisdiction.

As the able Senator from Illinois has stated, the question has never been delegated by the States to the Union, to the Federal Government; therefore, it is reserved to the States. I think it is perfectly clear that the States, and not the Federal Government, have jurisdiction in the field. Why should nine men in Washington have jurisdiction to overrule 50 legislatures in this Nation? Why should not the people through their legislatures have the power and the jurisdiction to determine the composition of their legislatures? I am certain that that should be the case in spite of the ruling of nine men here in Washington.

I am glad to yield to the Senator from Wisconsin.

Mr. PROXMIRE. The Senator from South Carolina has said that he would rely on the people. I believe that all of us would like to rely on the people. But who would put the question? Who would set up the referendum? It would be set up by the malapportioned legislatures. They would put the question. That is why, in case after case, the people have seemed to vote against their own interest. Their own right to an equal vote. They have not had an opportunity to answer the right question.

Anyone who has served as Governor of his State, as the Senator from South Carolina [Mr. THURMOND] has so ably served his State, knows that that statement is true. It has happened again and again in my State. If State legislatures are relied upon to supply the question for a referendum, we know how easily a question can be rigged. Indeed, have again and again been rigged.

If we should rely on the adoption of a constitutional amendment that would be required to pass the Congress, once again we would find the same problem manifested, because in this case the State legislatures, not the people, decide. The House has shown how it felt when it passed the Tuck bill. The fact is that we, as Members of Congress, are intimately connected with our State legislatures as a result of our friendships with legislators, when we go before the people in a constitutional referendum.

But again, the question would not be acted upon by the people of the States; it would be acted upon by the State legislatures.

I am confident that if the question were submitted to the people, as the Gallup poll showed yesterday, population apportionment would be overwhelmingly approved. The people are for population apportionment.

I disagree vigorously with the majority leader when he says that if the question were submitted to State legislatures, three-quarters of the legislatures would not approve it. How can he predict? The State legislators want to keep their jobs. We know that. That is a fact of political life. If there is any constitutional amendment that would whip through State legislatures, it would be this one.

Mr. THURMOND. The Senator from Wisconsin has referred to the legislatures being malformed. Who says that they are malformed? That is the opinion of the Senator from Wisconsin. The people of a State constitute the legislature of that State. There is at least one State in the Nation that has only one legislative body. The other States have two bodies—two bodies made up as the Congress is made up. That is, they have representation according to each county, based upon area, and then they have representation according to population as the House of Representatives in the U.S. Congress has.

So the people in each State could change that system if they so desired. If the people of each State are not satisfied with the present composition of the legislature, there is nothing to keep them from changing it.

Mr. PROXMIRE. The only State in which the composition of the legislature could be changed readily by the people is the State of Oregon, which permits a truly free initiative.

Mr. THURMOND. I do not believe that the people of one State ought to try to tell the people of another State what the composition of the legislature of that State ought to be. Furthermore, I wish to inquire of the able Senator from Wisconsin upon what authority the Supreme Court acted on the question. Where in the Constitution is the jurisdiction that has been delegated by the States to the Supreme Court to act in this field? There is no such jurisdiction. The Supreme Court has gone beyond its authority, and therefore the Court, in my judgment, in this particular matter, is in error. It is incumbent upon the Congress to take steps to correct the situation.

Mr. PROXMIRE. Mr. President, these are malformed legislatures. Yesterday we had a discussion with the very able Senator from Oklahoma [Mr. MONRONEY] in which it was admitted that since 1921 the Oklahoma Legislature has refused to comply with the clear requirements of the Oklahoma constitution, and there is no recourse that Oklahoma citizens have except the U.S. Supreme Court. Their own supreme court has refused to act.

I point out that the case of Reynolds against Sims was decided by the Supreme Court of the United States with eight Justices in favor of the decision and one opposed. By that margin the Court decided it had clear right and authority under the explicit language of the 14th amendment. I agree.

Mr. MANSFIELD. Mr. President, I yield the floor.

Mr. DIRKSEN obtained the floor.

Mr. GOLDWATER. Mr. President——

Mr. JAVITS. Mr. President——

Mr. DIRKSEN. Mr. President, I yield to the Senator from Arizona.

SOCIAL SECURITY

Mr. GOLDWATER. I appreciate the courtesy of the Senator from Illinois. I have only a short statement to make, and then Senators can get on with the debate.

Mr. President, the chances are very good that I shall not be present when the vote is taken on the social security measure. I have a short statement that I would have made at that time, and I shall do my best to be in this neighborhood if the engagement that I am going to be kept busy with will allow me to do so.

I favor a sound social security system and I want to see it strengthened. I have voted for genuine improvements in the system since I have been in the Senate, and I plan to do so now. I supported the 1956 amendments to the Social Security Act and, in 1958, I voted to raise benefits so that their value in terms of purchasing power would be preserved.

It is generally agreed by students of social security that the basic purpose of the OASDI program, as it has developed in the United States, is to provide a basic floor of economic protection which becomes available in the event of the death, disability, or retirement of the family breadwinner. Social security was never intended to replace private voluntary efforts—nor should it. Benefits under the program are not a substitute for individual savings and private retirement and insurance plans. They are instead a base upon which the individual may build through his own efforts.

We Americans make provisions for the future through a great variety of voluntary programs, many involving contributions by employers. Self-employed persons were once treated unfairly when their payments into voluntary retirement programs were fully taxed; but recent legislation—which I supported—has gone far toward placing them on the same footing as those who earn wages and salaries.

Recognizing the important role being filled by social security, we can and should, of course, make improvements from time to time in such areas as the financing and operation of the system. But that is not at issue now.

As for the features of the present bill, the 5-percent increase in benefits will help to meet the rise in living costs since 1958.

Two other provisions of the present bill make the program more flexible in meeting the needs of our people. The first is extension of benefits to a surviving child beyond the present age limit of 18 to the new age limit of 21, provided the child is in school or college. The second is reduction in a widow's age of eligibility from 62 to 60, benefits being actuarially adjusted. In connection with the latter, I might mention that I voted in 1956 to lower from 65 to 62 the age at which all women could claim OASI benefits.

These are worthy improvements in the social security system, enabling it to serve us better in fulfilling its fundamental purpose. They should be clearly distinguished from schemes designed to alter that purpose and, thereby, to overburden the system. We shall not preserve the social security program if we saddle it with unnecessary new burdens, such as medicare. We penalize every senior citizen if we thus bankrupt the system that protects him.

Essentially, protection against need in America depends on a free economy that produces an ever-growing abundance and ever-greater opportunities for all. In this context, social security has a vital and legitimate supporting role, and it is for this reason that I will vote for the proposals before us.

PERSECUTION OF THE JEWISH MINORITY IN SOVIET RUSSIA

Mr. GOLDWATER. Mr. President, I ask unanimous consent that a statement that I prepared in regard to Senate Resolution 204, which the Senator from Connecticut [Mr. Ribicoff] introduced with some 61 or 62 cosponsors—and I am one of those—be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

As a cosponsor of Senate Resolution 204 which the Senator from Connecticut introduced last autumn, I express my support for his amendment to the pending bill. This amendment emphatically reflects the horror felt by the Congress of the United States for the savage persecution to which the Soviet Union is subjecting its Jewish minority. I am sure that civilized people everywhere share the horror we feel and join in the condemnation we express.

But I would like to call the attention of my colleagues, and of the American people as well, to the grim irony which characterizes the situation we deal with in the proposed amendment.

A third of a century ago Adolf Hitler and his Nazi Party took over the Government of Germany on a political platform, the chief tenet of which was anti-Semitism, in the form of a pledge to eliminate the Jews from every aspect of the national life of Germany. How well he succeeded we need not dwell on here. Ostensibly opposed to him were the Soviets and the German Communists who gave lipservice, as they still do to a whole catalogue of humanitarian ideals, among them, that of complete racial and religious equality. Nevertheless, this apparent ideological antithesis between Nazis and Communists offered no obstacle to the infamous Soviet-Nazi pact of 1939 which, in effect, precipitated the holocaust of World War II on a world still not fully recovered from the sufferings and devastation of World War I.

It was primarily because of its treatment of the Jews that the Nazis came to be regarded as the quintessence of brutality and barbarism. Have we forgotten that for almost 2 years after the signing of the pact, the Soviet Union remained a faithful and devoted ally of Hitler? Do we no longer recall that the breach in the infamous friendship was initiated by the Nazis and not by the Communists?

Some among us here in the Senate Chamber may wonder why I rake up the dying embers of these terrible and tragic events of the not too distant past. My answer is simply this. We must never forget that the extermination of the Jews by Hitler was just one manifestation of the inherent barbarism and savagery that are inherent characteristics of the full-blown totalitarian regimes which seem to flourish in the 20th century like the rankest of weeds in a poorly tended garden.

Too many of us have forgotten that present-day Soviet anti-Semitism is only the most recent of a series of gigantic persecutions by the Communist regime which began with the Bolshevik revolution and have gone on unremittingly ever since. The massacre of the Kronstadt sailors, the liquidation of the Kulaks, the deliberately government-induced starvation of millions of peasants, the elimination of the old academic and professional classes, the purges not only of the Red army but of most of the original Bolshevik leaders themselves, the litany of horror, cruelty, murder, and injustice is too long for me to describe it fully here.

I can recall that shortly before we were at war with Nazi Germany, a book was published that was read by millions of Americans, horrified by Hitler's activities—it was called "You Can't Do Business With Hitler." But today we have forgotten. With no compunctions our Government does business with Khrushchev, "the butcher of the Ukraine," a chief executant of the horrors perpetrated by the Soviets not too many years ago. Why do we not react with the same indignation to this older totalitarianism which has thrust its tentacles into areas and among peoples whose extent and number exceed anything achieved by Hitler at the crest of his power? Why do so many of us believe that Soviet communism is becoming more civilized, more humanitarian, when so many of these same people realized so clearly that Hitler could never be appeased?

I hope that the Senate will approve this amendment—but more importantly I hope that it, even if only to a slight degree, will dispel the deep amnesia which holds so many of our policymakers and opinion formers in its grip. I pray with all my heart that this measure will bring the sudden shock of realization that we are confronted by an implacable enemy devoted to destroying us; that totalitarianism whatever its particular form or manifestation is always essentially and similarly evil; and that to believe in its eventual development into something good and decent and just is not only completely foolhardy but that such an illusion constitutes the gravest of dangers not only for our beloved country but for all civilized mankind.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. DIRKSEN. I yield.

Mr. JAVITS. In respect to the discussion that we have been having about apportionment, the Senator from Minnesota [Mr. McCarthy] and I have a "sense of Congress" resolution pending as a substitute for the Dirksen-Mansfield amendment, and I should like to say a word about the present situation.

The Senate cannot remain deadlocked on this issue without great peril to the public interest. We are not living in dream worlds. We know that everyone is seeking to get as much of a political position as possible in this situation; and the reason the minority leader chose to attach this amendment to the foreign aid bill is very obviously that he knew that the foreign aid bill had to be passed, and he wanted to be sure that his amendment did not fall by the wayside.

But I think the time probably has come, or is very close, when we must fish or cut bait, and the foreign aid bill must be passed with or without the amendment. We shall now have a 10-day period when the whole country can think it over. It seems to me that the Tuck bill, which is before the Senate, gives us an appropriate vehicle for effecting the will of Congress on this subject.

I would hope that the various parties in interest—the majority and minority leaders, my colleagues, my liberal colleagues on the other side, who have been debating this matter so thoroughly and so very well, the Senator from Minnesota [Mr. McCarthy] and myself, and the Senator from South Carolina [Mr. Thurmond]—could arrive at a meeting of the minds, perhaps with the administration, as to expressing the will of both Houses of Congress, whatever it may be, with respect to the Supreme Court's reapportionment decisions, and that it be done on a separate measure.

I join the majority leader in strongly condemning the Tuck bill. I believe the

Supreme Court, on the most elementary constitutional determination, would have to strike it down. Certainly as it applies to pending cases, I think it is most mischievous, just as mischievous as was the attempt to pack the Supreme Court, but on another ground, based on the precedent of 100 years ago in the Klein case, because it is an effort to take away the jurisdiction of the Supreme Court.

What is overlooked is that the 14th amendment to the Constitution overrides every State and the will of the people of every State. Perhaps the will of the people of some State might be to have slavery. They may not have it. That is what the Constitution provides. The Supreme Court has upheld it.

There is another way to approach the problem, and that is to have a separate vehicle expressing the will of the Congress as to what it would like to have the Supreme Court do. The way to get it done, in a constitutional way, is to ask the Supreme Court to stay its hand for a sufficient time to allow the people to work their will under the Constitution.

There are three bases which have been discussed in respect to this matter.

The first basis is that enunciated by the Senator from South Carolina [Mr. THURMOND], that is, that the people of the States have complete autonomy in this regard. They do not, under the 14th amendment of the Constitution.

The second point of view is that expressed by my liberal colleagues on the other side, who feel that nothing whatever should be done, but that the Supreme Court decision of one man, one vote should be carried out within each State according to that constitutional principle and that both houses of each State legislature should be organized on the basis of one man, one vote.

The third position, which is too little discussed in this situation—and I believe it represents the preponderant view of the people of the United States—is that they cannot understand why in each State they cannot make the same decision that the people of the United States made when our Constitution was established, and have one house of their State legislature, if they wish it—and I emphasize, if they wish it—on a basis other than population.

That opportunity can be afforded by an amendment to the U.S. Constitution. It would not "freeze in" malapportioned legislatures, as has been asserted, because it would not be up to each State legislature, but it would be up to the people of each State, to determine whether they want one house apportioned on a basis other than population.

It seems to me that this is the end result that meets the current consensus of the people of the United States. That procedure is available to us, and we have a separate bill from the other body which could be amended so that that could be carried into effect in a perfectly legal and constitutional way.

I hope that in the 10-day period all the parties in interest may get together for the purpose of arriving at such a decision, and that the machinery of the United States, which is not now functioning, by virtue of the fact that we are deadlocked in this Chamber, may again be permitted to function, and that Congress may adjourn sine die by the middle of September.

Mr. AIKEN. Mr. President, I agree with the majority leader that we should not take up the Tuck bill at this time, and probably not at any time during this session of Congress.

I also believe that the substitute amendment offered by the Senator from New York [Mr. JAVITS] and the Senator from Minnesota [Mr. McCARTHY] would not be at all effective.

I have been noticing, while this filibuster has been in progress, that the filibuster has been carried on by Senators from Philadelphia, Detroit, Chicago, and political suburbs——

Mr. DOUGLAS. Mr. President, I note what the Senator from Putney has just said, but I point out that just as he is the Senator from Vermont, we are also Senators from our entire States, not from portions of our States.

Mr. AIKEN. Mr. President, I did not yield for a speech. I have only 3 minutes.

As I say, the filibuster has been carried on by Senators from Philadelphia, Detroit, Chicago, and political suburbs.

I think the filibusterers are trying to prevent the people of the United States from ever voting on what kind of legislatures they want. The reason for that may be that they learned their lesson in Colorado, where the question of reapportionment was submitted to the people in a statewide referendum, and every county in the State of Colorado, including Denver, voted in favor of the reapportionment plan which was thrown out by the Court.

I realize that the rest of us are probably very amateurish compared with the political organizations of Philadelphia, Chicago, and Detroit, where the political machinery has been perfected practically to the push-button stage; but I do not think that type of political machinery is best for this country.

I would like to see every State submit a constitutional amendment which would provide for two houses of the State legislatures based on other than a strict population basis to a statewide referendum. I know other countries made it to the position where the people had little to say about their government, but I do not want the United States to make it. I do not want a coalition of 3 or 4 political machines running this country.

I do not believe those who are opposing the Mansfield-Dirksen amendment would ever in the world agree to let the people of each State, in referendum, vote on a constitutional amendment relating to the apportionment of State legislatures.

I think my 3 minutes are about used up. I could continue along the same lines, but I think I can say enough in 3 minutes. Why should we not trust the people? Why should anyone try to thwart the people of the United States, in spite of the protestations—Philadelphia, Detroit, Chicago, and political suburbs?

GROWING NATIONWIDE OPPOSITION TO DIRKSEN ANTI-REAPPORTIONMENT RIDER

Mr. DOUGLAS. Mr. President, I am quite amused by the statement that we are conducting a filibuster, because we have been permitted only a few hours in which to debate the Dirksen antireapportionment rider since it was proposed last week. The proponents of this measure have not taken more than an hour to explain their position. We, in opposition, have been willing to allow the business of the Senate to go forward. When we could obtain time to speak, we have presented detailed evidence on the malapportionment of State legislatures, and we intend to present more. It is striking, in spite of the fact that we have had only a very slight opportunity to present our case, how rapidly the opposition to the Dirksen rider is sweeping across the country.

Two facts are coming to be understood. First, that the acknowledged purpose of the Dirksen rider is to freeze court-ordered fair apportionment of the State legislatures for an indefinite period so that a constitutional amendment permanently freezing unfair apportionment can be rushed through by the present unfairly apportioned legislatures. Second, that the proponents' charge that a moratorium is necessary to avoid chaos throughout the States is utterly false, unless chaos means simply that rotten borough politicians will lose their seats.

One indication of the broadly based opposition to the Dirksen "rotten borough" amendment is the number and source of the telegrams I received in the last 48 hours from fair apportionment leaders across the country. These telegrams came to me because these leaders had heard of the informal hearing on this matter which I attended last night in Silver Spring, Md. I shall discuss this hearing at another time today, Mr. President, but I now ask unanimous consent to have printed in the RECORD the telegrams which have come to me. I call attention to the fact that one of the telegrams is from the mayor of Cleveland and other telegrams are from various union leaders, from attorneys who have acted in apportionment cases, and from others.

I also ask unanimous consent to have printed in the RECORD an editorial published in this morning's Washington Post and an editorial published in this morning's New York Times; as well as letters to the editor of the New York Times and the Chicago Sun-Times. In addition, I ask unanimous consent to have printed in the RECORD an editorial from that great newspaper, the St. Petersburg Times.

I ask that this material may be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. Mr. President, public opinion is rising across the country, and the desperation of the proponents of the Dirksen rider is indicated by the comments which were made this morning.

Mr. President, the 3-minute rule has been more honored in the breach this morning than in its observance, and I ask unanimous consent that I may be permitted to continue for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Some of the points made by the Senator from South Carolina have been well answered by the Senator from Wisconsin, who has pointed out that it will not be the people who will ratify the constitutional amendment, but the present malapportioned State legislatures, which, for decade after decade, have not acted and have only been stimulated into action by the recent decisions of the Supreme Court.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. Is it not true that in the Gallup poll, which recently asked a question on this subject, which contained no bias in it, and which was certainly a very scientific question—and the Gallup poll is a very respected poll among universities which specialize in public opinion analysis—the people who voted in that poll voted 3 to 2 in favor of population reapportionment for both the house and the senate of the State legislatures? The word "senate" was actually used in the question.

Mr. DOUGLAS. The Senator is correct.

Mr. PROXMIRE. It seems to me that on the basis of our experience, as this issue is presented to the people, it is clear that if the people had a chance—not the State legislatures, but the people themselves—there is no question that they would vote overwhelmingly for population reapportionment, with one man, one vote; but, as the Senator points out they would not have that chance, and State legislatures would reject that proposal.

Mr. DOUGLAS. I thank the Senator. If we can continue our efforts to alert the people to the effect of these proposals, the vote disclosed by the public opinion polls will not be 3 to 2, but will become 2 to 1, and eventually 3 to 1.

The point made by my colleague from Illinois [Mr. DIRKSEN] and by the Senator from South Carolina on the question of constitutionality, it seems to me, does not look beyond the 10th amendment to the Constitution. There are 24 amendments to the Constitution, and all except the one repealed are in effect.

The crucial amendment is the 14th amendment, adopted after the Civil War. The last phrase of the first section of that amendment provides that no State shall deprive any person of the equal protection of the laws.

The Supreme Court properly has said that the people cannot be assured of the equal protection of the laws if they have grossly unequal representation in the State legislature; and that to guarantee the equal protection of the laws requires a substantially equal representation in both houses of the State legislature.

There is no analogy between the composition of the U.S. Senate and the composition of a State senate. The big States were forced to grant equality of representation in the U.S. Senate to the small States because some of them threatened that they would not join the Union unless they received this concession. That action was taken at the point of a pistol, and the States created the Federal Government.

Counties, townships, towns, and cities, however, did not create the States. They are creatures of the State. They are not and were not sovereign. There is no necessity for similar treatment within the States.

If a small proportion of the population can control one house of the legislature, it can control the entire legislature through its exercise of threat of the veto. There is no doubt about it.

Mr. President, let me emphasize again that I think this is the most important measure which has been before this body in many years. I hope it will be very thoroughly discussed. We intend to stick to the facts and to present the evidence on the malapportionment of State legislatures and the constitutional basis for the Court's action. We will expose the bugaboo allegations that chaos will be created by the decision of the Supreme Court.

EXHIBIT 1

CLEVELAND, OHIO,
August 20, 1964.

Senator PAUL DOUGLAS,
U.S. Congress,
Silver Spring, Md.:

The Dirksen rider is an affront to constitutional government and legislative usurpation of authority under the separation of powers of government. In Ohio the rationale of the proposed moratorium on legislative apportionment is without foundation because the constitution of Ohio already provides a workable formula once the Hanna amendment is stricken out.

RALPH S. LOCHER,
Mayor of Cleveland.

SILVER SPRING, MD.,
August 20, 1964.

Senator PAUL DOUGLAS,
Senate Office Building,
Washington, D.C.:

The concept of equality of suffrage or "one man—one vote," is an indispensable ingredient for a responsive, responsible, and representative State government. As a consequence of the Supreme Court's historic ruling, the States of the Union, and specifically Maryland, at last have a real opportunity to assume the responsibility of government denied to them under the inequities of malapportionment.

The failure of the States to act on local problems can be traced in large part to unfair representation in the legislative chambers of the States. Now, the inequality has been rectified and it is hopeful that the initiative to resolve local problems at the local level once again will be restored to the States.

It would be disastrous, it seems to me, to reinstate inequality at this time or freeze it forever in the Constitution of the United States by the adoption of any of the proposals recently proposed by Senator DIRKSEN and Congressman TUCK.

JOSEPH D. TYDINGS,
Democratic Nominee for the U.S. Senate.

CHICAGO, ILL.,
August 15, 1964.

Senator PAUL DOUGLAS,
Senate Office Building,
Washington, D.C.:

I.V.I. regretfully urges defeat of foreign aid bill if Dirksen proposal is attached to it. We have long supported foreign aid program and hope this bill passes but matter of fair reapportionment of overriding importance and DIRKSEN's unconstitutional gambit must be defeated.

GEORGE G. KAUFMAN,
Vice Chairman, Legislation, Independent Voters of Illinois.

CHICAGO, ILL.,
August 19, 1964.

Hon. PAUL H. DOUGLAS,
Senate Office Building,
Washington, D.C.:

As attorneys for the plaintiffs in the Illinois apportionment case, *Gemano et al.* v. *Kerner et al.*, we wish to refute the charges of Senator DIRKSEN that the decision of the Supreme Court of the United States has brought chaos to Illinois. Although the Supreme Court's decision was rendered on June 22, no further action has been taken by the U.S. District Court and no hearings have been scheduled as of this date. Preparation is being made for the election of State representatives and State senators in November in accordance with the 1954 constitutional amendment.

The district court has given no indication that it will forestall such elections or will treat this action any differently than any other judicial proceedings. Accordingly there is no chaos, confusion, or panic in Illinois and no likelihood of same.

Under seperate cover Joseph Germano, the principal litigant in the Illinois case, is forwarding a more complete refutation of some of the charges which are being widely circulated in Illinois.

BERNARD KLEIMAN,
LESTER ASHER.

ALEXANDRIA, VA.,
August 17, 1964.

Hon. PAUL H. DOUGLAS,
Senate Office Building,
Washington, D.C.:

Congratulations on your brave stand for fair representation. You have our thanks and gratitude.

EDWIN LYNCH,
J. FULLER GROOM,
Cochairmen, Virginia Committee for Fair Representation.

YOUNGSTOWN, OHIO,
August 19, 1964.

Hon. PAUL H. DOUGLAS,
Senate Office Building,
Washington, D.C.:

Reapportionment of Ohio State Senate and House are badly needed to be truly representative of the people. The same situation prevails in neighboring States. Urge upon you to work and vote against any proposed legislation that would delay or compromise immediate application of recent Supreme Court decision.

FRANK L. TRAINOR,
Subdistrict Director, United Steelworkers of America.

NEW YORK, N.Y.,
August 19, 1964.

ROYCE HANSON,
President, Maryland Committee for Fair Representation.

New York's apportionment situation neither chaotic nor confused and will not become so unless Congress creates confusion court order, permits November 1964 elections to proceed undisturbed and gives legislature until April 1965 to reapportion legislators elected in 1964 will serve for 1 year instead of usual 2-year term. While this is a hardship for candidates it would be a far greater hardship for the people of New York to be represented by an unconstitutionally constituted legislature for an additional year. Strongly oppose Dirksen rider and deny that New York ruling in any way justifies intrusion by Congress into matters properly left to the courts in each State.

LEONARD B. SAND.

MIAMI, FLA.,
August 20, 1964.

Senator PAUL DOUGLAS,
Senate Office Building,
Washington, D.C.:

First apportionment suit filed in Florida in 1958. We still don't have fair apportionment. Bill to delay apportionment for additional 2 years would create chaos and havoc in Florida. Voters of Florida are strongly opposed to any delay in reapportionment.

RICHARD H. M. SWANN, Esq.

ST. LOUIS, MO.,
August 21, 1964.

PAUL H. DOUGLAS,
Washington, D.C.:

The Communications Workers of America, AFL–CIO will appreciate your opposing any bill having an adverse effect of Supreme Court's ruling or right to rule on reapportionment of State legislatures.

JOHN WALSH,
Legislative Director, District 6.

CHICAGO, ILL.,
August 19, 1964.

PAUL H. DOUGLAS,
Senate Office Building,
Washington, D.C.:

On behalf of the 500,000 members of the Chicago Federation of Labor & Industrial Union Council we urge you to oppose current proposals to upset recent decisions of the U.S. Supreme Court which ruled out inequitable apportionment of State legislatures. Congress should uphold the AFL–CIO position on this issue which declares that Congress should "reject all efforts to dilute the true processes of democracy in this country and stand firm for the principle of one man, one vote."

WILLIAM A. LEE,
Chicago Federation of Labor & Industrial Union Council.

WINNIPEG, MANITOBA,
August 19, 1964.

Senator PAUL DOUGLAS,
Senate Office Building,
Washington, D.C.:

As chief counsel for plaintiffs in Iowa reapportionment case representing thousands of Iowans long denied proper representation, I strongly urge defeat of the Dirksen amendment. We are proceeding in an orderly manner toward fair representation and the Dirksen amendment would only create chaos and uncertainty in Iowa and cause our malapportioned senate to drag its heels in the hope it could thwart the will of the majority and perpetuate itself. Since the legislature controls constitutional amendments of the State constitution, the courts are the only avenues of relief for underrepresented Iowans.

HARRY H. SMITH.

CLEVELAND, OHIO,
August 19, 1964.

Hon. PAUL H. DOUGLAS,
Old Senate Office Building,
Washington, D.C.:

The Dirksen amendment will deprive 6 million Ohio residents of their franchise. There is no valid reason to delay reapportionment in Ohio. We have no need for a new or different apportionment formula in Ohio. The constitution of the State of Ohio provides a ready-made formula for proper apportionment of legislative representatives which can now be exercised since the Hanna amendment has been declared unconstitutional. There is no hope for our State that the rural dominated legislature will ever provide an equitable apportionment formula if the Dirksen amendment is allowed to pass. Your interest and concern in this matter is great appreciated.

FLOYD E. SMITH,
General Vice President, International Association of Machinists, AFL–CIO.

CLEVELAND, OHIO,
August 19, 1964.

Senator PAUL DOUGLAS,
Senate Office Building,
Washington, D.C.:

The Women's City Club of Cleveland with a membership of 1,100 has long been concerned about the lack of representation from urban counties in the Ohio general assembly and has urged reapportionment of our legislature. We shall watch with interest the results of your hearing on the Dirksen rider to the foreign aid bill.

Mrs. DOROTHY TEARE,
President.

YOUNGSTOWN, OHIO,
August 19, 1964.

Senator PAUL H. DOUGLAS,
Senate Office Building,
Washington, D.C.:

Membership of Local Union 1617 urge you to use your influence and vote against any legislation that is proposed to delay or compromise the reapportionment decision of the Supreme Court.

ANGELO A. MOSCO,
President.

CRYSTAL LAKE, ILL.,
August 18, 1964.

Senator DOUGLAS,
Washington, D.C.

DEAR SIR: As of local 5004 Communications Workers of America membership, 400 people, I strongly urge opposition to any bill having adverse effect on Supreme Court ruling or right to rule on reapportionment of State legislature.

Respectfully,

ANNA M. NAUGHTON,
President.

KANKAKEE, ILL.,
August 20, 1964.

Senator PAUL DOUGLAS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: Please urge the Senate in its wise understanding of the American Government to reject all efforts to diminish or dispute the true process of democracy in this country and to stand firm for the principal of one man, one vote.

LAYTON E. MODDEN,
President, IUM Local Lodge 2059.

DAYTON, OHIO,
August 18, 1964.

Senator PAUL DOUGLAS,
Senate Office Building,
Washington, D.C.:

The Dayton-Miami Valley AFL–CIO urges you to support labor in protesting the Dirksen amendment on reapportionment delay. It means conservation and reactionary forces will continue to block progressive forces in Ohio Legislature. Thank you for your consideration.

CONRAD GRIMES,
Secretary, Dayton-Miami Valley AFL–CIO.

CLEVELAND, OHIO,
August 21, 1964.

Hon. PAUL H. DOUGLAS,
Old Senate Office Building,
Washington, D.C.:

The Dirksen amendment will deprive six million Ohio residents of their franchise. There is no valid reason to delay reapportionment in Ohio. We have no need for a new or different apportionment formula in Ohio. The constitution of the State of Ohio provides a readymade formula for proper apportionment of legislative representatives which can now be exercised since the Hanna amendment has been declared unconstitutional. There is no hope for our State that the rural dominated legislature will ever provide an equitable apportionment formula if the Dirksen amendment is allowed to pass. Your interest and concern in this matter is greatly appreciated.

FLOYD E. SMITH,
General Vice President, International Association of Machinists, AFL–CIO.

EAST CHICAGO, IND.,
August 15, 1964.

Hon. PAUL H. DOUGLAS,
Senate Office Building,
Washington, D.C.:

As one who has long been concerned about apportionment of State legislatures, and as a successful litigant in the Supreme Court of the United States in the Illinois case, I urge you to do everything possible to keep Congress from nullifying the Supreme Court decision on reapportionment on a population basis. As a leader of the Steelworkers Union, and with the support of organized labor in spearheading the fight to secure representative government in our State legislatures, I urge you to speak, vote, and assert your full influence in opposition to the attempts to nullify the Supreme Court decision.

JOSEPH GERMANO,
Director, District 31, United Steel Workers of America.

CHICAGO, ILL.,
August 15, 1964.

Hon. PAUL H. DOUGLAS,
Senate Office Building,
Washington, D.C.:

The Illinois State Federation of Labor and Congress of Industrial Organizations have been and are for reapportionment in the State of Illinois based upon the recent U.S. Supreme Court decision. As you probably know, we were party to the Germano suit. Any delay that thwarts the meaning of proper representation for every citizen in Illinois would appear to us to be contrary to full equity for every voter, no matter where he resides in Illinois. Under the guise of preventing hasty action by the States, certainly there should be no hasty action by the U.S. Senate.

STANLEY JOHNSON,
Executive Vice President, Illinois State Federation of Labor and Congress of Industrial Organizations.

COLUMBUS, OHIO,
August 15, 1964.

Senator PAUL DOUGLAS,
Senate Office Building,
Washington, D.C.:

We urge you to defeat all efforts being made to delay effectiveness of decision of the Supreme Court requiring fair representation in State legislatures. This is most serious problem for our members.

JESSE NICELY,
President, Local Union 2074, USWA.

COLUMBUS, OHIO,
August 15, 1964.

Senator PAUL DOUGLAS,
Senate Office Building,
Washington, D.C.:

We urge you to defeat all efforts being made to delay effectiveness of decision of the Supreme Court requiring fair representation in State legislatures. This is most serious problem for our members.

JACK LANDIS,
President, Local Union 3970, UWA.

WASHINGTON, D.C.,
August 13, 1964.

Hon. PAUL H. DOUGLAS,
Senate Office Building,
Washington, D.C.:

Pending proposal to stay court orders affecting reapportionment of State legislatures is derogatory of U.S. Constitution which provides for separation of powers between branches of Federal Government. It is unthinkable that the Congress should deem a suspension of constitutional rights to be in the public interest, as this amendment specifically states. The Senate is considering this revolutionary proposal without any hearings whatsoever. The most elementary considerations of due process require that interested citizens be granted an opportunity to present their views to the appropriate committee. AFL–CIO executive council is unanimously on record opposing any legislative interference with the judicial branch. Therefore I strongly urge you to vote against any such proposal and to exert every effort to assure adequate hearings on this highly important question.

ANDREW J. BIEMILLER,
Director, Department of Legislation, AFL–CIO.

COLUMBUS, OHIO,
August 15, 1964.

Senator PAUL DOUGLAS,
Senate Office Building,
Washington, D.C.:

We urge you to defeat all efforts being made to delay effectiveness of decision of the Supreme Court requiring fair representation in State legislatures. This is most serious problem for our members.

VERLIN SPARKS,
President, Local Union 2342, USWA.

COLUMBUS, OHIO,
August 15, 1964.

Senator PAUL DOUGLAS,
Senate Office Building,
Washington, D.C.:

We urge you to defeat all efforts being made to delay effectiveness of decision of the Supreme Court requiring fair representation in State legislatures. This is most serious problem for our members.

RICHARD KOST,
President, Local Union 2173, USWA.

COLUMBUS, OHIO,
August 15, 1964.

Senator PAUL DOUGLAS,
Senate Office Building,
Washington, D.C.:

We urge you to defeat all efforts being made to delay effectiveness of decision of the Supreme Court requiring fair representation in State legislatures. This is most serious problem for our members.

GERALD BROWN,
President, Local Union 3194, USWA.

YOUNGSTOWN, OHIO,
August 13, 1964.

Hon. PAUL H. DOUGLAS,
Senate Office Building,
Washington, D.C.:

The officers and members of United Steelworkers of America in Mahoning, Trumbull, Ashtabula, and Columbiana Counties, Ohio are heartily in accord with recent decision of U.S. Supreme Court relative to composition of State legislatures on basis of one man, one vote. In Ohio neither State senate or house are truly representative of the people. Our apportionment is a relic of horse and buggy days. The same situation is experienced by citizens of neighboring States. We urge that you work against and vote against any proposed legislation which would delay or compromise effective and realistic reapportionment under terms of the Court ruling.

JAMES P. GRIFFIN,
Director, District 26, United Steelworkers.

WASHINGTON, D.C.,
August 13, 1964.

Hon. PAUL DOUGLAS,
Senate Office Building,
Washington, D.C.:

We urge you to vote against new "compromise" proposal for holding up reapportionment of State legislatures. Produced without hearing in secret conferences unrepresentative of any broad range of Senate views, it still amounts to congressional interference with judicial process. The whole matter deserves a great deal more consideration than it can be given this late in the session. We urge you not to be stampeded into acting hastily.

WALTER P. REUTHER,
President, Industrial Union Department, AFL–CIO.

[From the Washington Post, August 21, 1964]

SAMSON IN THE TEMPLE

The vote of the House approving Representative TUCK's court-ripper bill was not a rational action. It was an outburst of rage against the Supreme Court. The debate left no doubt about what was happening. Though much of the resentment against the Court is related to its decision that both houses of the State legislatures must be apportioned on a population basis, there was also a hangover of bitterness over the Court's civil rights decisions and various others. The Rules Committee gave the House an opportunity to let off steam, and a majority of conservative Republicans and Democrats made the most of it.

This kind of response to a grave national problem is essentially immature. The House is saying in effect that if the Supreme Court hands down decisions which it does not like, it will close all the courts to that line of cases, so that citizens cannot obtain justice any more. In a similar fit of passion, Samson pulled the temple down upon himself.

Many of those who voted for the Tuck bill will salve their consciences by saying that it has no chance of becoming law anyway. No doubt they are right so far as the fate of the measure is concerned. It can never be passed in the Senate, and if by some fluke it should be, President Johnson would certainly veto it. If by some strange combination of circumstances it should become law, the courts would almost certainly find it unconstitutional.

It is true that the Constitution gives Congress authority to limit the appellate jurisdiction of the Supreme Court and that it has wide powers to determine the jurisdiction of the lower courts. But the Tuck bill would close the doors of all Federal courts to cases involving a certain category of constitutional rights. That would be such a gross denial of due process that it is doubtful whether any court would uphold it. Indeed, if Congress could thwart the enforcement of law by this method, it could destroy the Bill of Rights by a simple legislative act.

If the House bill were to become a precedent, therefore, it would be one of the most dangerous bills ever enacted in our entire history. It would subvert the system of justice and critically distort our form of government, with its division of power into executive, legislative, and judicial branches. But we do not think that the reckless Congressmen who voted for the bill had any such intention. They saw an opportunity to paddle the Court and closed their minds to the long-range implications of what they were doing.

The only hopeful aspect of the situation is that the wrath of the Senate and House has run into very different channels. The House emphatically rejected the idea of merely delaying action in apportionment cases, as proposed by Senator DIRKSEN in the Senate. The ideal solution would be to let the Tuck bill die in the Senate and the Dirksen "rider"—he is trying to attach it to the foreign aid bill—in the House. If the Senate approves the rider as part of the foreign aid bill, it may even be necessary to let the entire measure die in favor of a continuing resolution that would permit the foreign aid program to carry on as is for the remainder of the fiscal year.

With the slate cleared of both these dangerous expedients, the next Congress could decide the question of a constitutional amendment on apportionment on its own merits. The courts themselves could deal with an emergency that might arise in the meantime—also on the merits. The inexcusable course for either House would be to strike out blindly because of anger over what the Supreme Court has done. Whatever the ultimate conclusion of Congress and the country on constitutionally changing legislature apportionment, the remedy cannot possibly lie in tearing down the system of justice.

[From the New York Times, Aug. 21, 1964]

HOBBLING THE COURTS

Any expectation that the House of Representatives might deal constructively with the problems raised by the Supreme Court's redistricting decision has been erased by its reckless approval of a bill stripping Federal judges of all authority to rule on complaints that State legislatures are apportioned unconstitutionally.

The vote was doubly unfortunate because this blanket restraint on the judiciary's right to protect voters against unfairness in representation was itself an expression of precisely the kind of legislative irresponsibility that convinced the Supreme Court equity would never be restored if corrective action was left to the normal political processes of the States.

Even though revised Senate proposal for forcing a delay in court reapportionment orders is a good deal less destructive than the House measure, the whole muddled course of the discussion on Capitol Hill makes it increasingly apparent that the subject is too involved for frenzied political decision at the end of a session. If the real purpose of the Court's critics is to guard against overhasty implementation of the "one man, one vote" ruling and to give Congress an opportunity to consider the desirability of a constitutional amendment on reapportionment, there is good reason to believe that every Federal judge from Maine to Hawaii already has got the message: Go slow.

Indeed, the Supreme Court itself in the Texas congressional districting case last winter cautioned a lower court to be wary of disrupting the political process. No evidence has yet presented itself that the voters are clamoring for a swift legislative curb on the courts; on the contrary, one national poll shows a substantial majority backing the High Court's decision. The proper course now would be to table the proposed Senate rider and let the obnoxious House bill die stillborn.

Making foreign aid a prisoner of congressional rancor against the Court is inexcusable on any basis. So is any move that would establish a precedent for depriving the judiciary of its power to protect basic constitutional freedoms.

President Johnson, who stood aloof from the whole issue thus far, could make a contribution to sane procedure by lending his influence to a postponement of the whole problem until next year. A President who has shown so much past awareness of the need guarding the courts against arbitrary legislative assault ought not stay silent now.

[From the New York Times, Aug. 21, 1964]

APPORTIONMENT BATTLE—STRUGGLE FOR POWER SEEN RATHER THAN FOR PRINCIPLE

To the EDITOR: One of the truly great battles of the century has been taking place on the floor of Congress during the past 2 weeks. It is destined to be continued after Congress resumes, following the Democratic National Convention. Unfortunately, the majority of the American people seem unaware of what is happening, although the Times is certainly to be commended for having fully reported the developments.

Senator EVERETT DIRKSEN, of Illinois (Republican) and Representative WILLIAM TUCK, of Virginia (Democrat) have launched a massive attack upon the U.S. Supreme Court's decision on legislative apportionment. Both gentlemen claim that they want "the people" to have a chance to nullify the Court's opinion, but to what "people" do they intend to give this opportunity? The State legislators.

CONTROL OF STATE BODIES

In response to a challenge on this ground, Senator DIRKSEN has said: "What is closer to the people than the legislatures?" What, indeed, when the Republican Party wins a majority of the votes for the State legislature in Washington State, yet does not control that body; when the Democrats have for years won the majority of the votes in Connecticut, yet have never controlled the lower house in that State? They once polled 77 percent of the vote, but the Republicans retained a comfortable majority in the Connecticut House of Representatives. In California 11 percent of the population elects control of the State senate; in Vermont 12 percent of the population elects control of the lower house; in Nevada 8 percent elects control of the senate; and so it goes in State after State after State.

Senator DIRKSEN and Mr. TUCK are putting the right to hold office above the right to representation. It is a shameless power grab. If these gentlemen want the people to decide the issue, then let the people decide. Don't leave resolution of this issue in the hands of rigged, outrageously malapportioned State legislatures, totally unrepresentative of the people and so out of step with the public sentiment that they have fallen to a level of disrepute throughout the country.

Is this a fight for States rights or is it a fight for the peculiar prerogative of the State legislators? Is this a fight for principle or is it a fight for political power?

LINDA WOLLERTON.

CRESSKILL, N.J., *August 19, 1964.*

[From the Chicago Sun-Times, Aug. 11, 1964]

ON DIRKSEN PROPOSAL

Those citizens of Illinois who take exception to the Supreme Court order to reapportion State legislative districts on a "one man one vote" basis have little to support their position in tradition, in law, or in morality.

Article II of the Northwest Ordinance of 1787 provided that: "The inhabitants of the said territory shall always be entitled to the benefits * * * of a proportionate representation of the people in the legislature."

The three Illinois constitutions of 1818, 1848, and 1870 all recognized this stipulation by providing that both houses of the General Assembly should be apportioned on the basis of population. Beginning in 1911, however the General Assembly failed to honor the 1870 constitutional provision providing for reapportionment every 10 years because it meant a loss of seats for the rural areas. Finally, in 1953, largely in response to public indignation over the power the existing malapportionment gave to the West Side bloc, the General Assembly did provide for a referendum on a reapportionment amendment, but exacted the unprecedented condition that 34 of 58 senatorial districts permanently be given to the counties other than Cook.

Many of the persons who supported the reapportionment amendment in 1954 did so only because the then controlling case of *Colgrove* v. *Green* seemingly precluded any fairer solution.

The Supreme Court of the United States has finally brought equity to the situation. Senator DIRKSEN has responded by proposing legislation that would delay prompt implementation of the Supreme Court decision. A most critical aspect of the Dirksen proposal relates to the proposed amendment to the U.S. Constitution which would permit one house of a State legislature to be districted on factors other than population. If such an amendment should be approved by the Congress, and the Dirksen delaying legislation also passes, the U.S. constitutional amendment would be subject to ratification by State legislatures districted under discredited irrelevant factors.

About all that can be said for the Senator's announced intention of attaching his proposal as a rider to the foreign aid bill is that it is consistent with the tactics that have been employed in this cause for over half a century.

RICHARD J. NELSON.

[From the St. Petersburg Times, Aug. 18, 1964]

A MEANINGFUL PLATFORM

Laudable as the goal is, as Congressional Quarterly has pointed out, it will be difficult, if not impossible for Democratic platform drafters to stick to President Johnson's desired limit of 2,500 words.

With the two presidential candidates offering such a contrast, we have an idea that the electorate will pay more than ordinary attention to the two party platforms this year.

For more reasons than one, many voters are going to do a great deal of soul searching between now and November 3. Not only will the speeches of the candidates be carefully analyzed, but the official party positions as spelled out in the platforms are going to be dissected, digested, and debated at length.

Civil rights and foreign policy so far have been in the center of the spotlight. Close behind are the Government's fiscal and economic policies, and the issue of "big government," which the Republicans apparently feel they can reduce in size and multiplicity of functions.

In the past few weeks, however, another major bone of contention has been introduced. This the attempt, led by Republican Senate Minority Leader EVERETT MCKINLEY DIRKSEN, to undo the Supreme Court's legislative reapportionment decisions.

This is a bald-faced attempt to give the "Pork Chop Gangs" of the Nation's 50 States an extension of the undemocratic dictatorship they have so long held in State legislatures all over the country.

Democratic platform writers should hit this and hit it hard. Properly handled, such a plank could contain three potent charges of political dynamite:

It is an attempt to deprive the majority of citizens of their most basic rights under representative government—equality in the lawmaking process.

It is a backdoor method of "packing the Supreme Court," a tactic rejected by Congress and the people in 1937.

DIRKSEN's hitching of his amendment onto the foreign aid appropriations bill, and attempting to ramrod it through the closing days of Congress without thoughtful and deliberate consideration, is a contemptuous affront to the great majority of the American people who will benefit by equitable reapportionment.

With high courage the Democratic Party faced up to the challenge of guaranteeing civil rights to a minority of the Nation's citizens. It would be ironic and tragic if the party failed to take an equally firm and statesmanlike position on behalf of the majority of all citizens of all races in every State.

Let the platform be as brief as possible. But, first of all, let it be meaningful and forthright and complete.

FORT BENTON ADMIRAL, U. S. GRANT SHARP, JR.

Mr. MANSFIELD. Mr. President, on several occasions, I have spoken with great pride about Montana's admirals and the unusual circumstance whereby many of them come from one of our fine communities, Fort Benton, which has a population of roughly 2,000.

Just recently, one of the admirals from Fort Benton has again come into the headlines. I refer to U. S. Grant Sharp, Jr., commander of all U.S. forces in the Pacific.

The current situation in southeast Asia has placed Admiral Sharp in a very difficult and complex situation. I am very confident that Admiral Sharp's long experience and demonstrated ability will hold him in good stead in this situation.

The August 12, 1964, issue of the Great Falls Tribune contains a fine editorial tribute, and I ask that it be printed at the conclusion of my remarks in the CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FORT BENTON ADMIRAL, U. S. GRANT SHARP, JR., DIRECTS AMERICAN FORCES IN THE PACIFIC

When tension over North Vietnamese torpedo boat attacks on American destroyers held the world's interest last week, an intelligent and calm Montanan controlled our military forces that gave the Nation's "reply" to the unprovoked attacks.

Adm. Ulysses S. Grant Sharp, Jr., commander of all U.S. forces in the Pacific, directed the Navy to carry out President Johnson's orders for limited retaliation on North Vietnamese patrol boats and their bases.

Admiral Sharp, a native of Chinook, went to the U.S. Naval Academy at Annapolis after graduating from high school at Fort Benton in 1923.

Fort Benton friends have great confidence in Admiral Sharp because they know how levelheaded and intelligent he is. He was always a studious person who impressed those who knew him. Fort Benton friends are especially proud of the admiral because he calls Fort Benton his home and has visited it many times during his naval career. Some of his boyhood friends call him "Ole" and others call him "Grant" but all agree that he is a wonderful person with outstanding ability.

Fort Benton can be proud also of its other three admirals—George C. Towner, Louis Dent Sharp, and John H. Hoover.

The historic town of Fort Benton, made famous for its Missouri River traffic from St. Louis to Montana, can take a proud bow for furnishing such fine leadership talent to the Navy.

JOHN TATSEY—MONTANA NEWS REPORTER

Mr. MANSFIELD. Mr. President, this has been a long and hardworking session of the 88th Congress. While the session is not completed, the end is in sight. I think it is now time for some relief from the heavy and detailed issues that confront Members of Congress in their day-to-day chores.

I have often spoken of Montana's colorful news reporter, John Tatsey. John injects a good deal of humor, as well as insight, into his reporting of news from the Blackfeet Indian Reservation in western Montana.

While John Tatsey was just elected as a member of the Tribal Council of the Blackfeet Indian Reservation, he still finds time to write his weekly column in several local weekly newspapers.

Mr. President, I ask unanimous consent to have a series of John Tatsey's weekly news columns printed at the conclusion of my remarks.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Hungry Horse News, Aug. 7, 1964]

Asks Red Cross for Live Wife

(By John Tatsey)

Heart Butte.—When the Red Cross people were out checking with the folks that were hit by the flood they come to William Wells home and saw where his Little Black Shanty floated with everything gone so they told him they would give him some thing in place of what was lost. Then he told that one thing he would sure like to get replaced was his wife that floated down with the shack. The Red Cross lady asked in surprise if she really did drowned. William did not know because he had a ghost wife but would like a live one.

Things have quieted down a lot since harvesting and haying started. People out on hay jobs off the reservation and whats at home are doing there own haying.

Nothing going on Sunday. No stick games just lay around or go fishing. catch enough for Sunday supper.

The Tribal Council has been meeting since the 7th day of July and its getting on the nerves of the people but its impossible to have things lined up for the next two years there are so many things to do and change to try to cut and do something that would benefit the tribe.

Don't spoil the new council as they are all working hard for a better tribal government.

The reporter from Heart Butte was elected to the Police Commission and visited the jail and found a big change in its operation. The place is clean and prisoners eat a decent meal good as a private home. It is operated by men that have a respect for human beings. Co-operation is all it takes.

Up along Big Badger there were a couple young men made the mistake of telling the stories around the reporter. Micky come home one morning around 3:00 a.m. and asked his mother if she had a dollar that he could have. he told her that he had to take Margaret to the hospital for her shot. Too early.

[From the Hungry Horse News, Aug. 20, 1964]

Comes at Night Has Problems

(By John Tatsey)

Heart Butte.—One night George Comes at Night went to bed and about midnight his wife woke him up and told him that a car was coming with a bunch of drunks in it so he jumped in the dark and grabed his Pants and stuck both legs in one Pants leg and he could not get up. Knock on the door but he sat still.

Alfred B. Trombley of Browning was telling Joe Running Crane his dream and said he was hunting in the Mountains when he seen a big grizzley bear, he climb a tall tree and the bear started to shake the tree but not hard enough so the bear went back in the timber. Pretty soon there were two bear coming so they both started to try shake him off then they go back for more help. Alfred started to come down when he looked and saw the two bear coming and they had a Beaver between then. When the Beaver started to work poor Alfred fell off the tree and when he woke up was laying on the floor. Good dream.

Last Sunday was very stormy and cold but it did not stop the People from gathering at the Red Head home to play stick game as usual.

Leroy Vielle has been away for some time and may have been in the service or he was up west some where.

Freddie Marceau came home last week on Big Badger, he was on the sick list and was in Great Falls hospital and was transfered to the local hospital when he came home.

The snow got really deep some 8 or 10 inches deep and the blizzard that followed was real bad that stopped all traffic on the road.

The government roads Dept. started to work on the short cut road to Heart Butte and Old Agency but were stopped by storm.

Thursday of last week Jesse Sleight and two girls from the Indian office were at Heart Butte signing up people for the mutual homes to be built on the reservation.

The reporter was on his way to Browning Monday and going up Duck Head Hill the snow was so bad and slipping and forcing the car made something go wrong with the motor. Weasel Head gave him a lift to town. Will be a rider bum for awhile.

Stoles Head Carrier is able to walk some now and plans to make a trip to town to make up for lost time and fined out who the woman was that tromped on him.

(DELAYED)

Last Sunday he large crowd at heart Butte for the stick game. Joe Whiteman and wife, Tom Morning Owl and son Melvin were over for Saturday and Sunday from Cardston Alberta Canada to Play hand game. They beat Heart Butte both night and are Planning on coming back soon.

John Yellow Kidney, the Police return home Wensday from butte where he attened the grand Jury which took place on Tuesday.

Frank Comes at Night has been a patient at the hospital for a week. Has the flu bad.

Mr. and Mrs. Louie Red Head drove to Great Falls last Thursday to bring James Weasel Head home.

U.S. Marshall from Great Falls was at Heart Butte and Picked up Jas. Weasel Head who was inducted at Butte. Has been released on $2,500 bond.

George Comes at Night took Levi Aims back to Cut Bank where Levi found his wife and brought her home. Sunday she swore out warrant for his arrest. Was not even glad to see him.

Stoles Head Carrier has been layed up since he came home from Browning. Aint able to walk with a sprained ankle.

Andrew Sinclair moved into the Henry Evans house and Felix R. Craine took over the old school house kitchen.

Mr. and Mrs. Louie Red Head motored to Conrad Wensday on business.

John Aims Back of Heart Butte has moved to Big Badger. They purchased the Geo. Comes at Night home.

Mr. and Mrs. Dale Pepion moved to the Old Mad Plume Place which was owned by Berthleson of Conrad.

[From the Hungry Horse News, Apr. 10, 1964]

Mrs. Tatsey Has Injured Arm

(By John Tatsey)

Heart Butte.—The reporter was absent for two weeks on account of his wife falling out of Pickup and broke her right arm at the elbow and have missed a lot of happenings.

There was Bernard Gilham at the Columbus hospital with a back operation and has come home.

It was a nice day Easter Sunday but there was to much water and nice to have picnic dinners out.

Sunday's stick game really had a crowed. some from Old Agency and Browning.

Wm. Running Crane was admitted to the local hospital to go under operation last friday and report was he is doing fine and feeling good.

There are some veterans going to start work on the round Hall this week, build it larger so will have more room to dance in.

Mrs. John Tatsey has been transferred to the Blackfeet hospital from Great Falls last wednesday where she will get treatments.

Last Saturday was warm and folks that has been housed in were all out enjoying the day.

Sunday the temperature hit the 60 mark and here was Stoles out early getting a sun bath and was at the stick game late. he come with flys buzzing and him singing.

Mr. and Mrs. Bernard White Grass from Starr School were visting Mrs. White Grass dad Francis Bull Shoe. spent Easter with him. Francis ate so many eggs and chicken he really went to town in Playing stick game Sunday evening.

Mr. Stout from the U.S.R.S. office was out Monday looking over the Badger canal head gate. he was real enjoying the hot day.

The reporter was coming from the hills along the ditch when he spotted Daniel walking along with young lady. he sure was ducking his head. rather bold walking out in the open with her, he did not make an excuse to get some matches.

[From the Hungry Horse News, Apr. 24, 1964]

Mrs. Heavy Gun All Sewed Up

(By John Tatsey)

Heart Butte.—There was knifing at Heart Butte last Sunday when Josephine Heavy Gun got a few cuts about the face and head. she is all stitched up and back together again.

The Reporter has been afoot for some time and could not get in to deliver the news and has not seen or heard anything of Stoles but now have a car and will be able to travel around and pick up news.

A good crowed at Heart Butte Sunday. Some folks from Cardston were here to play stick game. Everyone had a good time.

The A.P.W. workers are doing alright and Progressing in there laying the floor in the round hall.

Mr. and Mrs. George Tatsey from lower blacktail were at the Peter Tatsey ranch last Saturday visiting.

Buster John Yellow Kidney the Police has been in hospital the last few days and recovering slowly.

Phil Dog Gun has been acting Police while Buster is absent or till he gets discharged from the hospital.

A Council meeting last friday where there was discussing Tribal affairs and some folks from Starr School wanted the Council to permit to go to D.C. and wanted money to make the trip. There are 5 or 6 members from Starr council made a motion to have a man from D.C. to come here and hear these Peoples problems. All Agreed and one opposed.

There is a nurse at the hospital called herself Miss Green Grass Bull. she said she has a bunch of Dogs at home. she was late one day and the Patients were all sitting and waiting for water before they ate. No water to wash pills down.

Marion G. Salway was discharged from the Navy first part of April. he was all over the South Pacific Tokayo formosa and several other places and plans on moving on to a school and have not decided what next.

[From the Hungry Horse News, May 1, 1964]

Road Problems at Heart Butte

(By John Tatsey)

Heart Butte.—Residents on Big Badger are complaining about a short piece of road that is used a lot by the people which was built by the county some years ago. It sure needs maintaining. The Indian Agency won't fix it because its a county road, there are some tax Payers would benefit by this road. this road is a good weapon for commissioners running for office. George Johnson build this road before election and won by a good many Votes. This road is a bus route.

The dedication of the community Hall at Crow agency was a big celebration. People from alover attended Indian dances at night 200 in costumes and 5 sets of singers dancing. Never stop. Gifts were given to Visitors by the Crows.

Everybody seems to be enjoying the spring weather seeing the green grass and all summer birds and gophers around. forget all hardships of the past winter.

The school election on the 4th of April was a close one. the loser by two Votes. wait till the big election come. tribal election next.

There was a few people at the clinic tuesday folks and children getting check up and medicine. Dr. Sabbag and Mrs. Larson were there taking care of the People.

John Yellow Kidney the tribal Police has been home and feeling better and will resume his Police work.

The civil action between Louis Red Head V. S. Theodore Spotted Eagle has been finaly settled on the outside of court assistant Police Tatsey took care of the case.

No trouble in satisfying both Parties.

Mr. and Mrs. Roy H. Doore motored to Calgary Monday evening where Ray's mother had surgery which took 3 hours.

John Tatsey was invited to the black Lodge society meeting Monday evening which was held at the home of Mrs. Fred Blackman on moccasin Flat. Nine members Present. A nice lunch was served and Joseph Old Chief said the dance would be held on the 16th of may at the Starr school Round hall. Heart Butte folks and singers are invited and bring your drum.

Last week there was a celebration in Browning it being lease Payment week. Money ran freely. Two guys did not celebrate long one was rolled for $100.00 and the other $250.00 easy money for some one.

[From the Hungry Horse News, May 29, 1964]

Tatsey Files for Tribal Council

(By John Tatsey)

John J. Tatsey has filed for a soft cushion seat in the tribal office which will change in June. There will be no charge to sit there, the big salary at present is walking from one office to another and nothing done.

While in West Glacier heard there was a man by the name of J. O'Neal has a driftwood tree which he set up in his front yard and a bear opener and a quart bottle of Jim Beam, a small mirror razor and old time bathtub. A sign at the yard gate—"No visitors on Saturday"—it's a bathing day.

Folks are happy today as their children are coming home from different schools where they have been all winter. The Flandreau children are arriving today.

Alfred Bouttiers sneaked to Kipp Lake Tuesday to fish and get away from getting drunk when a guy came in behind him with a jug—but refused—first time.

Our present council made several trips to Washington, D.C., in the past 2 years in which they could have set up an office there and leave this office here for the honorary council. Am a candidate for chairman for the D.C. office.

SPRING CELEBRATIONS

Things started shaping up last weekend when there were doings everywhere with the society dance at Starr School and the street dance in Browning, the Whoopup Trail Days at Conrad.

And now the election coming up. Everyone gets a handshake every day by the same persons which happens every year. May be it would be a good thing to call this a shake hand month.

The reporter and Mrs. and daughter, Mrs. Mildred Doore motored to Whitefish Tuesday on business.

The Black Lodge society dance at Starr School was really a good dance until the town bars closed and got real lively and rough and the dance broke up. Some people can not enjoy themselves without a bottle or two.

There were a lot of Canadians from Cardston and Gleichen and a couple of Crows from Crow Agency.

Last Sunday at Heart Butte as usual the stick game went on. Ken Old Person and his Mrs. were present and Mr. and Mrs. James Burdeau better know as Split Ears from Yakima, Wash., where he made his home for several years.

A $12 REACH

There was an old Lady from the southside came out one of the bars last week. As she step out she stumbled and fell at the feet of an officer. He just reach down, picked her up and canned her for $12 fine.

As seen and read in the reporter last week where the secretary of the Interior approved an election to be held considering the four amendments which were proposed by the tribal council which the fullbloods never know about or never was explained to them and don't even know if they will be on the ballot on the June election. This should have been explained to the People and would know what its all about. This happened before and may repeat.

John the reporter from Heart Butte lost all his blankets out the self service laundry last week. Some one came and asked if the blankets were ready and he got them. When John went after them the other John had already taken. The manager said someone just looked like me. Hope a return.

This year our candidates are going to be black and white which the indians called no Demos or rebubs.

Some time ago a lady got a mud her and she dressed it and cooked for dinner, an Abraham really enjoyed eating it. He wont starve.

[From the Montana Fourth Estate, March 1964]

Tatsey Rides Again

John Tatsey's news from Heart Butte in the Glacier Reporter, Browning, recently reported on a couple of outbreaks of Indian warfare, but strictly intratribal:

"There was a heavy weight fight at Heart Butte Saturday evening Doc Bernard and his wife. She down him with two punches and when officers came he was already counted out.

"There was a fight in the alley by minyards where Big Jas. and little Running Crane meet. Jas. hight 6' 2" weight 190 and Henry 5' 1" weigh 145. When Henry look away, Jim down him. Good ambush."

The following item takes some interpreting. Napi is an evil spirit, in this context the same as liquor; the "motel" is the jail, and James Walter runs it.

"Stoles Head Carrier was in town last week. He told L. Jackson 'if I don't get back after 1 day you know what happen.' Stoles sprained his ankle. He got mixed up with Napi and was taken to the hospital. They not have room for him there so he was taken to the red brick motel and James Walter was doctor. he was released Saturday."

MONTANA FLOOD RECOVERY PROGRAM

Mr. MANSFIELD. Mr. President, as you know, Senator Metcalf and I have been keeping in close contact with the various recovery programs in Montana which are designed to assist those affected by the recent disastrous flood in western Montana. Today, I have received the latest up-to-date report indicating continued close cooperation between Federal, State, and local authorities. I ask unanimous consent to have a letter and an attachment from the Office of Emergency Planning printed at the conclusion of my remarks in the Congressional Record.

There being no objection, the letter and the report were ordered to be printed in the Record, as follows:

Executive Office of the President,
Office of Emergency Planning,
Washington, D.C., August 21, 1964.

Hon. Mike Mansfield,
U.S. Senate,
Washington, D.C.

Dear Senator: Knowing of your continuing interest in the progress of Public Law 875 work in Montana, I have prepared the following summary report.

Preparatory to closing the OEP disaster field office in Great Falls, I instructed my regional director, Mr. Creath Tooley, to visit all affected areas in the State, discuss the status of recovery projects with State, county and municipal officials, and resolve any outstanding problems in connection with the provision of Federal disaster assistance.

* * * * *

Enclosed is a status report covering project applications received from State and local applicants, and work being performed by Federal agencies at the request of State and local governing bodies. In the case of Federal agency work, the summary reflects only changes from our July 31 report.

I hope this information will be useful to you. I am sending the same information to Senator Metcalf.

Sincerely,

Franklin B. Dryden,
(For Edward A. McDermott, Director).

Project applications

Applicant	Amount approved	Advance	Date of advance
Glacier County	$41,717	$32,000	July 7
Pondera County	24,902	9,000 9,796	Do. July 14
Teton County	226,834	170,000	July 7
Cascade County	171,450	126,590	July 17
Chouteau County	23,155	17,366	July 14
Fergus County	28,454	21,340	Aug. 11
City of Great Falls	99,100	74,325	July 17
Great Falls School District No. 1	98,385	23,789	Aug. 13
Subtotal	713,997	484,206	
Judith Basin County	17,843	13,382	(1)
Sanders County	28,706	21,500	(1)
Lake County	6,290	3,145	(1)
City of Choteau	23,591	17,500	(1)
Subtotal	76,430	55,527	

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[1] Being processed;

Applications being processed

Applicant:	*Amount requested*
City of Shelby	$5,584
City of Columbia Falls	5,080
Flathead County	112,711
City of Deer Lodge	54,538
Powell County	26,603
Choteau School District No. 1	10,046
Evergreen School District No. 50 (Kalispell)	1,567
Vaughn Water Cooperative Association	4,361
Teton County (supplemental)	16,579
Subtotal	237,069
Grand total	1,027,496
Advances	539,733

ADDED COMMENT

Cascade County and the City of Great Falls are currently preparing supplemental applications for additional assistance.

Except for Manchester Bridge, work on the initial Cascade County application has been completed and final inspection is being arranged.

City of Deer Lodge application includes $35,000 for work on Cottonwood Creek which may come under the statutory authority of the Corps of Engineers.

No application yet received from Lewis and Clark County. Procedures for submitting application have again been explained to county representatives, who indicated the application will be submitted the week of August 16.

City of Browning application returned for additional information.

State of Montana application is currently being prepared.

RESOLUTION REQUESTING FEDERAL AGENCIES TO DO THE WORK

(Reflects only changes from July 31 report)

1. City of Chouteau: Work completed July 24, 1964.

2. City of Shelby: Completion of work is awaiting automatic starters.

3. County of Chouteau: No change.

4. County of Pondera: Completion date September 11, 1964. Cost of Bureau of Indian Affairs search of debris of Blacktail Creek for bodies is unknown.

5. Cascade County: No change.

6. Teton County: Four bridges repaired, contracts total $90,100. Completion date is September 7, 1964. Work by Bureau of Public Roads on missile roads has been completed.

7. Glacier County: Repair of Sullivan Bridge is contracted for $79,989. Completion date is October 6, 1964.

8. Brady Irrigation District: The Bureau of Reclamation has been requested to accomplish the necessary repairs.

9. Bynum Irrigation District: The Bureau of Reclamation has been requested to accomplish the necessary repairs. Work has begun but cost and completion date is unknown.

10. Pondera Canal and Reservoir Company: The Bureau of Reclamation has been requested to accomplish necessary work. Work has begun, but cost and completion date is not known. Glasgow, Fort Shaw, Greenfield, and Malta irrigation districts were included in this request.

11. Flathead County: Debris removal is virtually completed. Burning at West Glacier cannot be accomplished until sometime in September. Estimated total cost will be $25,290. The Corps of Engineers has been requested to rebuild the Blankenship Bridge. A public meeting will be held in Hungry Horse to determine the best location. No cost estimate or completion date is available. Bureau of Public Roads has been requested to construct the county's portion of Polebridge Bridge (half in Glacier National Park). No cost estimate or completion date is available.

12. City of Fort Benton: We have requested the Corps of Engineers to perform the protection work necessary to save the city's sewer system. Bid opening was scheduled for August 18.

13. Powell County: Corps of Engineers has been requested to clear debris and deposition, including realinement of North Fork of the Blackfoot River at the Ryan Bridge location; replace the Ryan Bridge; and replace washed-out piling along the Matt Little Road.

EMERGENCY LIVESTOCK FEED PROGRAM

Mr. INOUYE. Mr. President, I ask that the Chair lay before the Senate the amendment of the House to S. 400.

The **PRESIDING OFFICER** (Mr. WALTERS in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 400) to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds, which was, to strike out all after the enacting clause and insert:

That section 407 of the Agricultural Act of 1949, as amended, is hereby amended (1) by changing in the fifth sentence the words "not less than 75 per centum of the current support price for such feed (or a comparable price if there is no current support price)" to read "not less than 75 per centum of the current basic county support rate for such feed including the value of any applicable price support payment in kind (or a comparable price if there is no current basic county support rate)"; (2) by inserting in the fifth sentence "including the Virgin Islands" after "The United States" wherever it appears; (3) by adding at the end of the fifth sentence the following: ": *Provided*, That the Secretary may provide for the furnishing of feed or mixed feed, in accordance with regulations prescribed by him, to such persons by feed dealers under an arrangement whereby the feed grains (or other feed being sold by the Corporation) in the feed so furnished would be replaced with feed owned or controlled by the Corporation and sold to such persons at a price determined as provided above."; and (4) by adding at the end of the sixth sentence "or other area".

SEC. 2. The Agricultural Act of 1949, as amended, is amended by adding at the end of title IV the following:

"SEC. 421. Any person who disposes of any feed which has been made available to him under section 407 of this Act for use in relieving distress or for preservation and maintenance of foundation herds, other than as authorized by the Secretary, shall be subject to a penalty equal to the market value of the feed involved, to be recovered by the Secretary in a civil suit brought for that purpose, and in addition shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $1,000 or imprisonment for not more than one year."

SEC. 3. The Act of September 21, 1959 (73 Stat. 574), is amended (1) by changing the words "at current support prices," to read "at not less than the current basic county support rate including the value of any applicable price support payment in kind (or a comparable price if there is no current basic county support rate)," (2) by adding at the end of section 2, the following: " 'State' means any State in the United States, Puerto Rico, and the Virgin Islands." ; (3) by adding at the end of section 3 the following: "The Secretary may provide for the furnishing of feed grains or mixed feed, in accordance with regulations prescribed by him, to any such person by a feed dealer under an arrangement whereby feed grains in the feed so furnished would be replaced with feed grains owned or controlled by the Corporation and sold to such person at a price determined as provided in section 1."; and (4) by inserting in section 4 after the word "purchased" the words "or furnished".

Mr. INOUYE. Mr. President, I move that the Senate concur in the amendment of the House. I assure the Senate that this item has been cleared on both sides of the aisle.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Hawaii.

The motion was agreed too.

Mr. HUMPHREY. Mr. President, I shall comment just briefly on S. 400.

This bill in its original form passed the Senate June 25, 1963. At that time it included only the establishment of penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds.

Earlier this year a bill was introduced in the House—H.R. 12118—which established these penalties but also incorporated provisions to facilitate the pricing of feed made available for use in emergency areas. When the House earlier this week took up S. 400, it amended it so that it would be identical to H.R. 12118. In passing S. 400 today we have accepted the House amendments and have included the price-facilitating provisions.

This bill would permit pricing of grain in emergency areas uniformly at not less than 75 percent of the basic county support rate with no adjustment for differences in grain of feed quality. Present law requires calculation of premiums and discounts applicable to the grain sold because of its varying quality.

The bill also gives farmers a choice as to how they will use the grain furnished them by the Department in connection with the livestock feed program. At the present time the Department makes feed available in a disaster area and a farmer is certified by his county office as eligible to receive the feed. He then takes his certificate to the storage site authorized to issue the grain, or the dealer in the county authorized to issue the grain, and picks up his grain. He then takes his grain home and grinds it or takes it to his feed dealer and has it made into a usable feed.

Under this bill, farmers now can either continue to follow the present procedure or obtain their certificates for grain from the county office then take it to their grain dealers and tell them to prepare a feed mix containing the grain. The farmers will, of course, pay the dealers for the supplements added to the feed. The grain dealers then would take the certificates given them by the farmers and replenish the grain they used in the mix from Commodity Credit Corporation stocks. This provision will make the program much simpler for the farmer.

Mr. President, this bill is badly needed in Minnesota and other parts of the country where serious drought conditions exist. I am most grateful to my colleagues for the bill's passage. I thank in particular the Senator from Hawaii [Mr. INOUYE] who called it up at my request and the Senator from Delaware [Mr. WILLIAMS], who I know has an interest in this legislation.

WYOMING'S GOVERNOR HANSEN CONTEST WITH A GREAT ADVERSITY

Mr. SIMPSON. Mr. President, Wyoming's Cliff Hansen is an articulate and capable Governor who enunciates with clarity and precision and who, it would seem, could have been elected president of Toastmasters International in his infancy. But such was not always the case, and therein lies a very compelling story that was related recently by Columnist Paul Harvey.

It is an account of how one young man—with the help of a very uncommon schoolteacher—overcame a seemingly pernicious obstacle.

As the editor of the Cheyenne, Wyo., State Tribune, in which the Harvey column appeared, said editorially:

> There is a lesson in this story for all of us, if we will take the time to read—and find—it.

Mr. President, I ask unanimous consent that the Paul Harvey column and Editor Flinchum's related editorial be printed in the RECORD with my remarks.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

MARTHA'S BOY

(By Paul Harvey)

It was his second day of school when the little brown-eyed, tousle haired boy in blue overalls came home early.

Shuffling his 5-year-old feet heavily in the dust, he trudged up the long road to the ranchhouse near Jackson, Wyo.

Mother, alerted by his untimely return, went to the porch—dropped to her knees beside him.

His lips were tight shut but trembling.

His cheeks were smears where there had been tears. The note in his hand was smudged.

"It is our judgment that your son is uneducable. The impediment in his speech disrupts classroom procedure and it is our recommendation * * *"

"Uneducable," the teacher's note said, because he stuttered too much.

But there was in those days another teacher in Jackson, Wyo., named Martha Marean. Her name was pronounced like "Marine," and she was, taunting schoolboys said, "built like one."

The boy's distraught mother returned the note to the log schoolhouse. Her appeal was denied. But big Martha Marean overheard and she, too, refused to accept the verdict as final.

She asked permission to work with the boy after school hours. Miss Marean was convinced his stuttering could be controlled, that he could be educated.

And she did work with the boy until, one day, little Cliff was reenrolled and so began his education.

The speech defect was controlled, not cured.

With patience and persistence, dedication and determination, Martha Marean continued to coach the lad. The self-confidence which his stammering had cost, must be rebuilt. It was. Through her sympathy and understanding, the boy who had been turned away from school as "uneducable" became a superior student.

With Miss Marean's help and his mother's loving patience, the handicap grew progressively less. Until one day, long after he had lost touch with his elementary schoolteacher, Cliff, a man now, was scheduled to make a speech in public to an audience of teachers.

With a little searching, he located Martha Marean. Would she come to Cheyenne to the Wyoming education meeting to hear him speak?

Of course she would.

She was on her way to Cheyenne, the Wyoming Highway Patrol reported, when her car skidded on a rain-slick curve and Martha Marean was killed.

And so, against a backdrop of tragedy, Cliff made his speech:

"Ladies and gentlemen, I did want for one particular teacher to be here today to hear me speak, because it is largely due to her efforts that I can.

"In an era when we tend to mass produce education, I wanted to honor in this small way this uncommon woman so that all teachers everywhere might be reminded of the awesomeness of their responsibility, the magnitude of their opportunity."

But Martha Marean was not there. Or was she? As the Honorable Clifford Hansen, Governor of Wyoming, paid homage to her name.

THE FRUIT OF STRUGGLE

Newspapers seek to convey to their readers a quantity of information in the form of both news and advertising; sometimes they also attempt to present a message in the form of editorials, or columns, which, except for some specialized fields dealing with entertainment, are essentially editorials written by others than the newspaper's own staff.

One of these latter appears on this same page; it is entitled "Martha's Boy," and it was written by Paul Harvey. It concerns at least one person, and possibly more, who is known personally to a great many people who read this newspaper, and if not personally, then by reputation.

But the coincidence of the cast of characters in Mr. Harvey's little homily with our own particular locale is not the message that we strive to present here. In fact, we attempt no moral at all except to humbly call your attention to this one column written by Paul Harvey.

It points up a matter that is compelling the world more than ever to turn its attention to in this day and time of ease and perfection. And in the midst of our wealth and material contentment for a vast number of people on this earth particularly in our own land, it is a situation that is causing us all to worry increasingly about the future.

The historian, Arnold J. Toynbee, points out in his classic "A Study of History," that civilizations and peoples have flourished only by struggles against adversity. And by the same token, those civilizations that have achieved ease and comfort eventually have fallen prey to their own lack of challenge.

With civilizations, so it seems with people. Hardship and problems, of whatever nature, have been the crucibles in which men are molded.

This is one of the things that we must contemplate in this day and age of many creature comforts and relative ease. What lies ahead of us humans as we gradually give up the struggle, as our problems are resolved for us by computers and tranquilizers?

We shan't even begin to attempt to guess; and we offer, as we said before, no message, except to invite your attention to the column appearing on this page today written by Paul Harvey, a story of how one person's contest with great adversity resulted in spectacular triumph.

There is a lesson in this story for all of us, if we will take the time to read—and find—it.

AMENDMENT OF DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1958—CONFERENCE REPORT

Mr. BIBLE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12196) to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to increase salaries, to adjust pay alinement, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. WALTERS in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BIBLE. Mr. President, the conference report on the salary bill was signed by all the conferees of both the Senate and the House.

Under the bill, the policemen and firemen of the District of Columbia would be allowed an average 8.9 percent pay increase. This amount remains unchanged as the result of the conference.

The bill as passed by the House of Representatives provided a 5-percent pay increase for teachers. The Senate amended the House bill to provide an 8-percent overall increase for teachers. As finally resolved by the conferees, the pay increase for the teachers was agreed to at 7 percent. In this respect, the bill treats the teaching profession of the District of Columbia fairly. It places it on a par with the top 2 or 3 cities in the United States having comparable population; and in the metropolitan area of the District of Columbia it will be in the top bracket.

One of the most difficult problems in connection with District of Columbia salary bills is to keep the salary ranges in approximate balance with the areas that surround the District. While this bill places the District in the top bracket locally, it does not create any great imbalance.

I believe that a 7-percent pay increase is fair and justified, and will provide an added inducement to the teachers of the District of Columbia to remain in the profession.

Along that line, it is alarming to find that in the District of Columbia there are many temporary teachers. Approximately 31.7 percent of the teachers in the District of Columbia are now in this "temporary" category.

We can only hope that the increase in salaries will have a salutary effect in remedying this situation. The conferees were in agreement that this problem should be studied in the next Congress.

The House of Representatives built into the salary bill a provision advancing Deputy Chiefs to highest longevity step upon the completion of 30 years of service. This provision was not in the Senate version. This was an area that caused us much concern and resulted in long discussion in attempting to resolve it. There are 15 deputy chiefs in the Police Department who would be affected by the inclusion of this advanced longevity step rate.

Under the bill as passed by the Senate, five of the deputy chiefs would have received a salary of $16,500. The advanced longevity step rate allowance in the House bill would permit them to receive $19,000 instead of the $16,500 allowed by the Senate. This is a difference between the House version and the Senate version of some $2,500. Five additional deputies who would receive $17,000 under the Senate bill would receive $19,000 under the House bill by the adoption of the advanced longevity step rate allowance. There are five others with respect to whom there was a differential varying betwen $1,000 and $2,000.

The additional cost to the District government of the advanced longevity step rate contained in the House bill would be $63,200. Of this total $29,500 would be needed to pay the active Deputy Chief, and an additional $33,700 would be need for retirees.

This was a problem of much concern to the Senate conferees. We spent a considerable period of time discussing this phase of the bill. It seems to me that a case can be made for the allowance of the advanced longevity step rate, and we concurred with the House conferees in this respect.

The House conferees yielded to us in raising teachers' salary from 5 to 7 percent. I believe that the overall bill is a good pay bill. We would hope that it would have the result of strengthening our police department and encouraging men to make a career of police work in the District of Columbia. I would also hope the same thing would be true of teachers, so that we could encourage the best teachers in the country to come to the District of Columbia and make of this great profession their life's work. I believe that the compromise worked out with the House of Representatives is reasonable, and I recommend adoption of the conference report.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WALTERS in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BIBLE. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

Mr. MORSE. Mr. President, I am sorry, but I shall have to object to the rescinding of the quorum call. I wish to explain why. I am opposed to the conference report. I wish the Senate to know my reasons for my opposition, and I shall ask for a yea-and-nay vote on a motion to recommit the bill to conference with instructions to eliminate the longevity provisions. I therefore ask for a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names.

[No. 554 Leg.]

Aiken
Allott
Beall
Bible
Boggs
Burdick
Case
Church
Dirksen
Dominick
Douglas
Edmondson
Gore
Holland
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Long, Mo.
Long, La.
McCarthy
McGee
McGovern
McIntyre
Mechem
Metcalf
Monroney
Morse
Moss
Nelson
Proxmire
Russell
Salinger
Simpson
Sparkman
Talmadge
Thurmond
Walters
Williams, N.J.
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Maryland [Mr. BREWSTER], the Senator from Nevada [Mr. CANNON], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Ohio [Mr. LAUSCHE], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Connecticut [Mr. RIBICOFF] are absent on official business.

I also announce that the Senator from West Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that the Senator from Masachusetts [Mr. KENNEDY] and the Senator from Alabama [Mr. HILL] are absent because of illness.

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. HICKENLOOPER] is absent on official business as a delegate to attend the meetings of the Interparliamentary Union at Copenhagen, Denmark.

The Senator from Kansas [Mr. CARLSON], the Senator from Kentucky [Mr. COOPER], the Senator from New Hampshire [Mr. COTTON], the Senator from Nebraska [Mr. HRUSKA], the Senator from Iowa [Mr. MILLER], the Senator from Kansas [Mr. PEARSON], the Senator from Vermont [Mr. PROUTY], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The PRESIDING OFFICER. A quorum is not present.

Mr. INOUYE. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Hawaii.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. BARTLETT, Mr. BAYH, Mr. BYRD of Virginia, Mr. CURTIS, M. ELLENDER, Mr. FONG, Mr. GOLDWATER, Mr. HAYDEN, Mr. HUMPHREY, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCCLELLAN, Mr. MCNAMARA, Mr. MORTON, Mr. MUNDT, Mrs. NEUBERGER, Mr. PELL, Mr. RANDOLPH, Mr. ROBERTSON, Mr. SCOTT, Mrs. SMITH, Mr. STENNIS, Mr. SYMINGTON, Mr. TOWER, Mr. WILLIAMS of Delaware, and Mr. YARBOROUGH entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Mr. MORSE obtained the floor.

Mr. INOUYE. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield to the Senator from Hawaii with the understanding that I do not lose my rights to the floor.

AMENDMENT OF ACT OF MARCH 10, 1964—RIVERTON FEDERAL RECLAMATION PROJECT, WYOMING

Mr. INOUYE. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from further consideration of H.R. 12128, and that the Senate proceed to the consideration of the bill.

The PRESIDING OFFICER. The bill will be stated by title.

Mr. DOUGLAS. Mr. President, what is the title of this bill?

Mr. INOUYE. It is a bill to amend the act of March 10, 1964—the Riverton Project, Wyoming.

Mr. DOUGLAS. It is not the Tuck bill?

Mr. SIMPSON. Mr. President, I can assure the Senator from Illinois that it is not the Tuck bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Hawaii? Without objection, the Committee on Interior and Insular Affairs is discharged from further consideration of the bill.

Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. SIMPSON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. INOUYE. Mr. President, I move to lay that motion on the table

The motion to lay on the table was agreed to.

Mr. INOUYE. Mr. President, I ask unanimous consent that Senate bill 3053, an identical bill, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCGEE. Mr. President, I would like to congratulate the Senate for its rapid and positive action in approving H.R. 12128 which is identical to a bill introduced in this body by me and the junior Senator from Wyoming [Mr. SIMPSON]. We introduced this legislation because it had become obvious that the previous authorization for funds to carry out the will of the Congress in regard to the repurchase program on the third division of the Riverton reclamation project was inadequate.

The Government was in the position of having entered into purchase options which it was unable to execute. By increasing this authorization to $3.2 million we have provided sufficient funds to cover the value of all appraised lands involved in the program as well as administrative costs.

By this timely action we have permitted those settlers whose investments in time and money have been destroyed by the unforeseen problems that have been encountered on these lands to recover at least a part of their equity. I am sure that I speak for these settlers when I commend the Senate for its prompt and effective action in considering and approving this legislation.

AMENDMENT OF DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1958—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12196) to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to increase salaries, to adjust pay alinement, and for other purposes.

Mr. MORSE. Mr. President, at the conclusion of my argument I shall move that the bill be recommitted to conference, with the request of the Senate that our conferees attempt to eliminate in conference the longevity retirement provisions of H.R. 12196, for the reasons I shall set forth in my argument.

I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, it always pains me when I find myself in disagreement with the very able chairman of the District of Columbia Committee, the Senator from Nevada [Mr. BIBLE]. In spite of my disagreement with the Senate conferees on the pending conference report, I have high praise for the dedicated service of the chairman of the Senate District of Columbia Committee to his obligations to the Senate in that very responsible position, and his dedication to the people of the District of Columbia in carrying out his duties.

In a parliamentary body it is to be expected that there will not always be unanimity among Senators serving on a committee. I do not know what the statistics would show, but I engage in an understatement, I think, when I say the Senator from Oregon and the Senator from Nevada agree at least 95 percent of the time in the District of Columbia Committee in carrying out our joint responsibilities as "aldermen" for the District of Columbia.

In this particular instance I find myself in disagreement with my able chairman. It is with similar regret that I find myself in disagreement with my close friend the Senator from Maryland [Mr. BEALL] and with my friend the Senator from New Hampshire [Mr. MCINTYRE].

I respectfully submit that we are giving a retirement bonus in this matter that will set an unfortunate precedent, and will result in the expenditure of funds that we cannot justify on many grounds, not only the ground of economy but also the ground of the effect of this retirement bonus upon the morale of the men in the fire department and the police department.

I would have the Senate keep in mind that both the Chief of Police of the District of Columbia and the Chief of the Fire Department are opposed to the recommendation of the conference committee, and the Commissioners are unanimously opposed to the recommendation of the conference committee.

I read a statement by the District Commissioners concerning the proposal for advancing the deputy chiefs to the top longevity step upon completion of 30 years of service.

> The Commissioners are strongly opposed to the provision which would advance deputy chiefs to the top longevity step of their class upon completion of 30 years of continuous service on the police and fire departments. Such advancement conflicts with the basic concept of longevity pay which is compensatory recognition for long service in the same class or grade. In addition, it would cause inequities. For example, a deputy chief in the fire department who was promoted to such rank approximately 4 years ago, preceding all the other deputy chiefs in promotion, would remain in his present service step while all the other deputy chiefs would be immediately advanced to the top longevity step. This inequity is especially emphasized in view of the fact that at least four of these deputy chiefs who would immediately advance to the top step were promoted to such rank since April 1964. A similar inequity would be created in the case of a deputy police chief who would remain in his present service step for approximately 2 years while two other deputy police chiefs whom he preceded in promotion to this rank would immediately advance to the top step because of the 30-year service provision.
>
> A further example of inequity is that of the superintendent of machinery in the fire department and the fire marshal, both of whom are in class 9 with the deputy chiefs.

Let us not forget that this applies to the deputy chiefs. We do not give the same bonus to people in the same department in the lower rank, and it will be looked upon as an unfair handout to deputy chiefs which is discriminatory from the standpoint of morale.

We cannot justify it. We cannot justify it on that ground or on the other grounds that I have given. I continue reading from the Commissioners' statement:

> It appears questionable as to whether they would receive the same advancement benefit because they are not designated as deputy chiefs.
>
> This provision also establishes a precedent for officers and members of the police and fire departments in other classes to seek similar pay benefits in future legislation. Additionally, the principle lends itself to further pressures for the placement of all officers or members in steps within their respective classes on the basis of their total service with the department rather than in accordance with the established merit step advancement plan.

I digress from my reading of the statement to say that if we adopt this plan this year, it is my prediction that next year we shall have a proposal before us to apply the same retirement bonus to other classifications in both departments.

The argument is made that it will apply to relatively few people this year, although the Commissioners say it will be more than the conferees believe—and this is a matter, apparently, of some misunderstanding over a question of fact. At any rate, this is the beginning of a blanket proposal for a longevity bonus which will do great harm, as the Commissioners point out.

Going back to the statement of the Commissioners:

> As discussed above, the provision creates inequities which would lead to demands for further relief legislation. In addition, it is estimated that the provision would increase the annual costs to the District by approximately $63,000. This amount covers both active and retired deputy chiefs.

Our chairman says $29,000. I have tried to reconcile these figures. It is the explanation for the difference in the two figures. In my judgment, the figure the District Commissioners give is the correct one. It is $63,000, not $29,000. This amount covers both the active and retired deputy chiefs.

In summary, the Commissioners say to the Senate, "Do not do it, because of the effect it will have on the established merit step advancement program. If you adopt this proposal, it will be only a matter of time before every member of the fire department and the police department will say, 'Well, after all, why should we work for a merit step advancement, when we know that if we spend 30 years, we will be retired at the high figure anyway, and not at the figure we were earning at the time of the retirement?' "

Second, the Commissioners pointed to the cost item, which would be high, particularly when this is extended, as I am sure it will be extended, once we set this precedent, to all the other categories of employment in the two departments. The original House version proposed it for all categories, and the compromise was on the provision for deputy chiefs. This is only the first inning in this ball game. We can be sure that in future congressional sessions the attempt will be made to increase it.

The District of Columbia government has advised me that this scale would be applicable not to 5 but to 15 deputy chiefs. The House report itself uses the figure 15. I read from page 4 of the House report:

> Section 5 of H.R. 12196, as introduced, would have provided that all officers and members of the Metropolitan Police force and the District of Columbia Fire Department, upon completion of 30 years of continuous and creditable service, would be placed in the top longevity salary step for their rank. After considering testimony adverse to this proposal, however, your committee decided to restrict this provision to the deputy chiefs of the two departments. This provision is in recognition of the fact that a member of these forces achieving rank as deputy chief after 30 years of service is not likely to be able to remain in service sufficiently long to advance through the longevity steps to the top salary, and that such long and distinguished service entitles these men to that reward.

The House report uses the word "reward" as a synonym for the words I used, namely, "retirement bonus."

Returning to the conference report:

> Your committee is informed that at present 15 deputy chiefs would be affected by this provision.

As I have said, upon my checking that point, the District of Columbia government has assured me that the figure is nearer 15, not 5 .

Mr. BIBLE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BIBLE. There is no difference of opinion as to the number involved. If I said anything in my opening statement to indicate that the provision affected only five, I was in error. I was reading from the statement showing 15 as the number of deputy chiefs involved. In the case of 5, there was a differential of $2,500; in the case of another 5, the differential was $2,000; and, as I said, there were either 4 or 5 more, for a total of 14 or 15. I am glad to make this correction; I thought I had made a correct statement.

Mr. MORSE. I am glad I made my statement as a service to the Senator from Nevada. I believe the RECORD will show that the provision applies to 15 active deputy chiefs at a total cost of $29,000. The fact is, that it will cost another $34,000 for retired deputy chiefs. The cost this year will be $63,000, not $29,000. As I have said, the number will go up year by year, as the pressure comes on, for granting a similar bonus to those having 30 years of service in their job classification categories in both departments.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table, with explanatory remarks, that will show the point the senior Senator from Oregon has just made.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

STATEMENT ON COSTS OF ADVANCING DEPUTY CHIEFS TO THE TOP LONGEVITY STEP UNDER SECTION 5 OF H.R. 12196

The advancement of deputy chiefs to the highest longevity step upon completion of 30 years would not only create inequities within the deputy chief rank but with other ranks as well. In addition, this "30-year advancement" provision would increase the annual cost to the District of Columbia government as shown by the following:

ACTIVE DEPUTY CHIEFS

Number	Present step	Present rate	Rate of same step, S. 2981	Top longevity step rate, H.R. 12196	Differences, H.R. 12196 over S. 2981	Increases, number times difference
5	1	$12,575	$16,500	$19,000	$2,500	$12,500
2	1	12,575	16,500	16,500	(2)	
5	2	12,975	17,000	19,000	2,000	10,000
1	2	12,975	17,000	17,000	(2)	
1	2	12,975	[1] 18,000	20,000	2,000	2,000
2	3	13,375	17,500	19,000	1,500	3,000
1	4	13,775	18,000	19,000	1,000	1,000
1	4	13,775	[1] 19,000	20,000	1,000	1,000
Total						29,500

RETIREES (DEPUTY CHIEFS)

Present annuities	S. 2981 increase	H.R. 12196 increase	Difference	Increases, number times difference
$226,760	$69,770	$103,470	$33,700	$33,700
Total				63,200

[1] Deputy Chief under subclass 9(b).

[2] Deputy Chiefs with less than 30 years' service.

Mr. MORSE. Mr. President, we find that as of now five would be retired at a salary of $19,000. Their present salary in the step-up rate is $12,575.

Under the Senate bill, it would be $16,500. As the Senator from Nevada has said, this would be a difference of $2,500.

Five additional deputy chiefs would get a differential of $2,000; their top longevity at $19,000; their present salary, $12,975. The rate of step-up to $17,000 under the Senate bill is shown in the table.

There would be one more getting the top longevity of $17,000; one more at $20,000; two more at $19,000; one more at $19,000, and one more at $20,000.

This provision is discriminatory also from the standpoint of the preferential treatment that this conference report gives to deputy chiefs as compared with those working in the public schools. I say "preferential treatment" because there are assistant superintendents in the educational system who would be paid less and would receive less retirement pay than it is proposed to pay deputy chiefs in the Police and Fire Departments. In my opinion, that is unfair; although I compliment the conferees in doing what I believe is the best that could have been done.

All of us know the problems of education that face the District of Columbia. I pay a high compliment to the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BEALL], and the Senator from New Hampshire [Mr. McINTYRE] for arriving at a compromise with respect to teachers' salaries.

Whereas the House bill provided for an increase of only 5 percent, the Senate version provided for an increase of 8 percent. A compromise was struck at 7 percent. I do not believe there ought to be made a part of that compromise, in order to get a 7 percent increase in teachers' salaries, a retirement bonus on the longevity principle for deputy police chiefs and deputy fire chiefs. That would only aggravate a wrong. The teachers were and are entitled to exactly the same percentage increase, certainly not a lesser increase than the policemen and firemen will get. I have nothing but high regard for most of the members of the District of Columbia police and fire departments; but I have no hesitancy in saying that they are not entitled to more pay than teachers receive. The educators, who have the precious responsibility of educating our young, should not be subjected to any discrimination in comparison with members or employees of the police and fire departments. But I understand the realities.

I yield to no one in my desire to see to it that the policemen and firemen and the employees of the police and fire departments receive fair treatment; but I shall not support discriminatory treatment by providing them with a better deal, so to speak, than teachers receive. That is a sad principle on which to act in the Senate.

I understand the political realities that confronted the conferees. They did remarkably well to have the increase in salary for District of Columbia teachers raised from 5 percent to 7 percent; but that ought not to be done by charging the Federal Treasury the additional amount, as of now, of $63,000, and in the years to come, much more than that, as this program is extended, as I am completely confident it is bound to be extended. This is only the beginning of a lobbying program. I have seen such programs in my service on the Committee on the District of Columbia repeated over and over again. They start with what they can get now, but in the years to come the argument will be, "But in 1964 you did this for the deputy chiefs. Now we think that sergeants and lieutenants ought to be included." Finally a request will be made for the entire group.

Assistant superintendents of schools are left with a minimum rate of pay of $15,200 and a maximum of $17,480, in comparison with $19,000 for deputy chiefs of police and deputy fire chiefs; and in two cases, according to the table I have just placed in the RECORD, $20,000.

I do not believe that is fair. I think we should try to iron out this unfairness. I cast no reflection on the conferees when I ask for a further conference with the House, to see if we cannot at least obtain an agreement to postpone this matter until next year, when the two committees can go into it in much greater detail.

I give assurance to the Senate that so far as I am concerned, I am perfectly willing for the whole matter to be laid before the Senate by way of a separate bill for consideration at an early date in the next session of Congress.

The House conferees sought a 5-percent increase for teachers across the board, compared with an 8.9-percent average increase for police and firemen. The House conferees argued that not enough money exists to pay teachers a higher figure, and that 5 percent was all that could be made available for them.

The compromise, let me say to the everlasting credit of the Senate conferees, brings the District of Columbia, in comparison with cities of its size, into second place for the minimum rate for a teacher with a bachelors degree and first place for the maximum rate for the same educational level.

In connection with teachers salaries, let me say that the teachers, the superintendent of schools, the Board of Commissioners, and the Board of Education, too, wished the higher figure. I should like to have obtained for them the larger amount. They are worth the larger amount, but I believe that this settlement is fair. I believe that is all the firemen and policemen should have received, however. I can well understand the rankling disappointment within the teachers group of the resulting discrimination that the 7-percent increase imposed upon them.

I wish to say, in reply to the House statement, that the money is not available to pay a higher figure to teachers, it is interesting that the House conferees could find enough money to include a provision which was adopted in conference, that the deputy police and fire chiefs having more than 30 years of departmental service regardless of time and grade should advance at once to the top of the longevity step for that position with the additional initial cost of $63,000 annually.

There are many reasons why the deputy does not advance in grade. If our merit system means anything, the primary reason he is not advancing in grade for 10, 12, or 15 years is that he does not deserve it. That is why I pointed out that it is going to be hard on morale in those departments.

As chairman of the subcommittee on the District of Columbia Committee, which has jurisdiction over police problems, I have yet to have a policeman come to me—and I have been talking with many of them during the past 8 months—objecting to the pay they are receiving. They are objecting to police politics which honeycomb the Metropolitan Police department. They are objecting to what they consider to be the favoritism that goes on within the police department.

Next year, when I file my report early in the year before the District of Columbia Committee on what I have discovered in connection with the Metropolitan Police department, I intend to include some recommendations for the improvement of the merit system, and for the elimination of political pull and favoritism which exists within the police department.

Today, I do not believe that we should underwrite the longevity retirement bonus provisions opposed unanimously by the Commissioners, not recommended but in fact opposed by the chief of police and the chief of the fire department.

This proposal in the conference report would increase the present minimum salary of $12,575 to the maximum for retirement of $19,000 irrespective of the fact that the individual did not earn the higher rate of pay through the merit advancement steps which would bring him up to the $19,000. It means that the deputy chief who retires will receive larger retirement benefits. It also means that there could be a large turnover of deputy chiefs and there would be no incentive for their continuing on the force.

The Commissioners and the chiefs make this complaint, also. I am advised that under the original House bill those with the rank of sergeant and above would have benefited the same as deputy chiefs. The District of Columbia Commissioners oppose that provision as well as that of deputy chiefs. The House committee then dropped it in regard to the sergeants and others, but mark it well, they dropped it only temporarily. It will be back, I am satisfied, with such a recommendation next year, because the lobby organization of the Police Department and the Fire Department of the District of Columbia is one of the most effective that works on the Hill. I have criticized lobbying activities on duty time. My study will show, when I report to Congress next year, that members of the Police Department have been lobbying up on the Hill when they should have been on the job. That lobby will be working in full force come another year.

The argument was made by some that we should take the proposed action in the District of Columbia for police and fire departments because the practice exists to some degree in the military services. If it exists in the military services, it should stop at once, because I do not believe that we should give away the money of American taxpayers through this type of bonus.

Before I close, an interesting article was published in the Washington Post on this subject matter. It reads:

> A dozen Washington police and fire officials would get salary increases of from 38 to 51 percent under pay legislation pending before the House while the raises for privates would be held to 6.4 percent.
>
> The bill has been described as an 8.9-percent increase measure, but the figure was arrived at by averaging the higher boosts for officials with the lower amounts for the rank and file.
>
> Nine deputy police chiefs and three deputy fire chiefs, whose salaries now range from $12,575 to $13,775 a year, would all be raised to $19,000 under a bill reported out Thursday by the House District Committee.
>
> A bill before the Senate, backed by the District Commissioners, would limit the increases to about 30 percent. Under that bill, deputy chiefs would be paid from $16,500 to $18,000, depending on time in grade.
>
> The proposed salary scales are the same in both bills.
>
> But the measure approved by the House committee includes a provision that deputy chiefs having 30 or more years departmental service, regardless of time in grade, shall advance at once to the top longevity step for that rank, which pays $19,000 annually.
>
> Around police headquarters and the District Building, this provision is known as the "Liverman clause," named for Deputy Police Chief William J. Liverman, head of the Traffic Division.

It should be pointed out that Mr. Liverman is scheduled for retirement in the immediate future, and that he has been a very active worker in behalf of this clause in seeking to get the bonus that it would give him.

Mr. President, I now move that the conference report be committed to further conference, with the recommendation to the Senate conferees that they try to eliminate this longevity retirement provision from the conference report, which I have spoken against, and try to bring back a conference report that will retire deputy chiefs in the police department and the fire department on the basis of the salary that they should actually receive at the time of retirement, rather than what would amount to a bonus in salary.

I should like the permission of the Senator from Illinois [Mr. DOUGLAS] to have the members of the conference committee make whatever comments they care to make. Then, when I take the floor after that, I shall be glad to yield to the Senator from Illinois.

Mr. BEALL. Mr. President, I believe the Senator from Oregon [Mr. MORSE] has made a very cogent statement. The provision advancing deputy chiefs with 30 years of service to the top longevity step is not in the Senate version. We did not want it. The Senate did not ask for it. But I think it should be remembered that when we went to conference, there were other provisions in the bill that the Senate did not want; and we, the Senate conferees, gave in on this one point in order to have other provisions of the bill altered that had to be changed if we were to give the teachers of the District of Columbia fair treatment.

I believe the Senator from Oregon will admit that if we had not given in, we would have run the risk of not having any bill at all. It was a risk I was unwilling to take. The need for teachers in the District schools is too pressing. The need for additional police in our streets is too great. By raising the salaries of these deputy chiefs we are encouraging competent people to stay in the police service. We are giving an incentive to the youngsters to work toward these more rewarding police ranks.

As the Senator from Oregon knows, it has been our experience on the committee, that the police department has been losing too many young members because of insufficient salary. The pay increases in this bill may help to prevent some of these resignations. If, however, we were to return this bill to conference and were unable to reach an agreement, the loss of this pay increase might aggravate a situation which is already cause for serious concern.

I hope the Senate will concur in the conference report and adopt it. If we do not agree to it, we shall have to go back to conference. If we were to go back to conference, I fear that we would not get any bill at all. The time is very short.

I am sure my colleagues on the conference committee will agree that the House conferees were adamant in their position. We accomplished other things in the conference. We raised the teachers' pay increase from 5 to 7 percent. I believe we are all familiar with problems in our District schools and the special challenge they present to Congress and the community. In the face of these problems and their challenge we dare not risk the loss of desperately needed teachers by failing to enact this modest pay increase. I hope the Senate will vote against the motion to return this bill to conference.

Mr. BIBLE. Mr. President, I thank the Senator from Maryland.

Mr. President, I yield to the Senator from New Hampshire.

Mr. McINTYRE. Mr. President, I join in the remarks of the distinguished Senator from Maryland [Mr. BEALL] and also the remarks of the chairman of the committee in urging the Senate to adopt the conference report.

Yesterday, we went to conference. No question was raised during our hearings with respect to the longevity question. The first goal was the matter of the conferees agreeing on the differences between the House and the Senate.

While having to disclaim any great knowledge or interest in the longevity provision for deputy chiefs, I know it would help the teachers of the District of Columbia to get them a fair and commensurate salary and allow them to maintain their competitive position. If we do not agree to this conference report we may lose the increase for teachers which we have obtained. This is particularly true in view of the Senate adjournment and the question of coming back after the convention.

Therefore, I say to the distinguished senior Senator from Oregon, who is a veteran of many conferences, that I believe that our chairman [Mr. BIBLE] and the Senate conferees did the very best that could be done in the situation. I do not believe that we should risk losing what we have gained for the teachers and police and firemen. I hope the Senate will adopt the conference report and defeat the motion to return the bill to conference.

Mr. BIBLE. Mr. President, I thank the Senator from New Hampshire.

There is very little more that I care to say. In rereading the remarks that I made in my opening statement on the conference report, I see that I very carefully delineated the number of chief deputies who are to be covered. Further, I see that I showed that there would be 14 or 15. And I took them step by step, just as the senior Senator from Oregon has done.

The cost to the Government for the District of Columbia, as shown by the Commissioners' report, agreed with the transcript of my remarks. It would be in the amount of $29,500 for active deputy chiefs. There would be an additional $33,700 to retirees who would have a higher scale in retirement. It would involve $63,200 as the total additional cost. This was added on the House side as a reward to the deputy chiefs who had 30 years of continuous service in the department. It was a reward for long and distinguished service. It was a longevity reward, if one wants to call it that. Perhaps it could be called a bonus.

It is also true that the bill, as it was originally introduced in the House, did contain additional longevity steps for other police officers from the rank of sergeant through chief. And it may well be that after we come back next year that we may be faced with the problem of whether we allow this kind of longevity pay for others besides the deputy chiefs. The question before us now is whether we want to accept the recommendation of the conferees.

This question of salary for the deputy chiefs was argued long and, I hope, vigorously in conference. We took to a large extent some of the positions that the senior Senator from Oregon is now taking.

In conference, there must be give and take. There must be compromise. I do not believe this was an unjust compromise, nor do I believe it will set a bad precedent. There are other precedents that could be cited. Whether or not this is done, the question before us as far as the deputy chiefs are concerned is whether we want to give them this additional longevity pay. The difference is the figure between $16,500, our original figure, and $19,000, which is in the conference report before us.

I hope that the motion of the senior Senator from Oregon will be defeated.

The Senator from Oregon has commented on the differential between those in the higher brackets and those in the lower brackets.

Of course, this kind of differential is not unusual nor confined to this legislation. We recently passed a classified pay bill in which this was very, very clear. The pay bill that pertains to our own officers, insofar as our administrative assistants, legislative assistants, and secretaries are concerned, certainly gives a far greater percentage increase for those in the higher brackets than it does for those in the lower brackets. So, if such increases are fair in the classified pay bill in that respect, they are certainly fair in the bill before the Senate now.

I hope that the motion of my distinguished, able, and very close friend from Oregon will be defeated.

I yield to the Senator from Illinois.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

FAIR APPORTIONMENT HEARING IN MARYLAND SHOWS DIRKSEN ANTIREAPPORTIONMENT AMENDMENT WOULD CAUSE, NOT PREVENT, CHAOS IN MANY STATES

Mr. DOUGLAS. Mr. President, although only a few hours remain before the Senate is to recess for the Democratic Party convention, I believe it is important to make certain evidence bearing on the Dirksen antireapportionment amendment a part of the public record.

Last evening I had the privilege of being present at an unofficial hearing sponsored by the fair representation organizations of the States of Maryland, Virginia, and Delaware, which was called to discuss the effects of the Dirksen rider and the Tuck bill. Although the meeting was called on only 2 days' notice, the meeting hall in Silver Spring, Md., was filled to overflowing. Public address speakers had to be set up outside the building to accommodate the crowds which could not enter the hall. It was an excellent demonstration of the deep interest which millions of people have in protecting their rights to fair representation in the State legislatures. I venture to predict that this meeting will be duplicated in scores and perhaps even in hundreds of communities across the land, and that Members of Congress will increasingly realize that this fundamental issue is understood by the people and must be faced constructively by the Congress.

Mr. President, excellent testimony was given at the Silver Spring hearing, among others by Representative Charles Vanik, of Ohio; Representative James O'Hara, of Michigan; Royce Hanson, president of the Maryland Committee for Fair Representation and associate professor of government in the American University in the District of Columbia; Mr. Harrison Mann, plaintiff in the Virginia reapportionment suit and a distinguished member of the Virginia House of Delegates; Mr. Edmund Campbell, attorney in the Virginia suit; Mr. Donald Neiderhauser, president of the Delaware Reapportionment Committee; Mr. Newton Steers, Maryland Republican State chairman and an officer of the Maryland Committee for Fair Representation; Mr. Augustus C. Johnson, active in reapportionment struggles in the State of Virginia; and Senator Hanson, of the Virginia State Senate. Incidentally, Senator Hanson is a collateral descendant of the noble George Mason, who was the real author of the bill of rights.

The evidence presented at the hearing showed clearly that the Dirksen antiapportionment amendment will cause—and I emphasize "cause"—chaos in many States and will not prevent it, as its sponsors claim but refuse to show by any evidence.

I shall discuss the testimony presented last night in detail when the transcript of the hearings is available, but I wish to make available for the information of Senators and the general public some very impressive evidence. There is no basis whatsoever for the Dirksen antireapportionment rider or for the Tuck bill if we are to consider the only alleged reason advanced by its proponents. They say that there would be chaos in State elections all across the country because of reapportionments ordered by the Federal courts. The facts show that the reverse is true. Forty-seven State legislatures will meet in regular session in the early part of 1965. In the majority of States where cases are pending the courts have stayed their orders or will take no action until after the 1964 elections. There are only four exceptions—Colorado, Connecticut, Michigan, and Oklahoma—and the plain facts are that no emergency exists in those States as the result of court action, although it is true that some State legislators are unhappy by the likelihood that they will lose their "rotten" borough seats.

At the hearing last evening Mr. Royce Hanson, president of the Maryland Committee for Fair Representation—and, as I have said, associate professor of government at American University—submitted for the record a State by State resumé of the status of reapportionment as of August 20, 1964—as of last night. His detailed and accurate analysis shows conclusively that no emergency exists even in the four States which are most frequently cited as requiring a moratorium, namely, Colorado, Michigan, Oklahoma, and Connecticut.

I wish to read an analysis prepared by Mr. Hanson of the situation in those four States.

In Colorado, an appeal of the Colorado Federal district court case, Lucas against 44th General Assembly, resulted in the U.S. Supreme Court's order for the reapportionment of that State's senate. The Colorado Legislature met in special session earlier in the year, redistricted the State, and it is our understanding that a primary has already been held. The State supreme court in the case, White against Anderson, held that the reapportionment of the State senate had violated a provision of the State constitution which stipulated that no county could be subdivided into districts. For example, the county of Denver was awarded nine senators and nine separate single districts were created within the county rather than having all nine run at large. The State supreme court held that this was in violation of the State's constitution, but, Mr. President—and this should be noted—it allowed the 1964 elections to continue and stated that the next regular session of the legislature should either provide for at-large elections or should amend the State's constitution, removing the clause that requires that counties cannot be subdivided.

So there is no chaos in the State of Colorado.

I should like to speak of the State of Connecticut. The Federal district court case of Butterworth against Dempsey, which had been appealed to the U.S. Supreme Court, has resulted in a Federal district court order for reapportionment this year. The Connecticut Legislature is now meeting in special session, creating the new districts which task they are to have completed by September 9. The primary is slated for later in September.

In Michigan, the case of Marshall against Schoelle was among the second group of cases decided by the U.S. Supreme Court, and in accordance with the Michigan constitution, the Michigan State Supreme Court selected one of the plans submitted by a member of a bipartisan reapportionment commission as a system to be used in this year's elections. The primary will be held September 1. There is no chaos in Connecticut or Michigan, though chaos might be created if we pass the Dirksen amendment.

Finally, in Oklahoma, which was discussed yesterday, it is true that probably more apportionment litigation has come out of Oklahoma than out of any other State.

Beginning in 1962 with the case of Williams against Moss and several subsequent suits, the legislature has on at least three separate occasions been ordered to reapportion itself. Following the return of the appeal of that case from the U.S. Supreme Court to the Federal district court, the lower court, utilizing a constitutional amendment adopted by the people on May 26 of this year in those respects as it was in conformity with the U.S. Supreme Court's ruling, established legislative districts for use in the 1964 elections. On that last point, though I may not be completely correct, it is my understanding that the new primary date has not been definitely established. I believe that the Governor has announced that he intends to implement the court order.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. The primary election date of September 29 was set in Oklahoma. Only yesterday the Governor applied to Supreme Court Associate Justice Byron White for a stay. He is considering whether or not to grant the stay.

Mr. DOUGLAS. I thank the Senator. Instead of my information being correct as of last night, it was correct as of yesterday morning.

Mr. President, again, I point out that the Dirksen rider would cause chaos in virtually all of those States—in Colorado, in Connecticut, possibly even in Michigan, but most certainly in Oklahoma.

STATE-BY-STATE ANALYSIS ALSO SHOWS THAT DIRKSEN RIDER AND TUCK BILL WOULD HALT THE REAPPORTIONMENT PROCEEDINGS IN CASES FILED IN NEARLY EVERY STATE

But this State-by-State analysis indicates something else. It indicates also that reapportionment suits have been started in virtually all the States, and that the Tuck bill or the Dirksen amendment would stay the proceedings and prevent the Supreme Court or Federal courts from ordering reapportionment.

In the meantime the constitutional amendment could be submitted and would be passed upon by grossly malapportioned State legislatures which could then seal themselves into office for an indefinite period of time and be beyond action of the people.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. The point the Senator is making should be emphasized and underlined. The fact is that virtually the whole argument in favor of the Dirksen amendment is that time is necessary to have the States deal with the problem and to suspend the impetuous action of the Supreme Court.

The Senator from Illinois has put into the RECORD a State-by-State documentation that refutes that argument. Far from bringing disorder, we are moving ahead in an orderly way under Supreme Court action. On the other hand if we adopt the Dirksen amendment we shall indeed have a chaotic situation.

Mr. DOUGLAS. I thank the Senator. I shall try to be brief, but this is an important subject.

I said the Dirksen amendment and the Tuck bill would permit orders to be issued which would stay reapportionment cases which are already before Federal or State courts.

I point out that in Alabama, where the famous order in Reynolds against Sims was handed down, the State legislature has not yet complied. The Federal District Court has taken no action on reapportionment this year. But an order could be issued preventing the Federal courts from taking action.

In California, the Silver against Jordan case has been before the Federal district court for over a year. It is pending. The Dirksen amendment or the Tuck bill would prevent the Federal courts in California from passing upon this case.

In an Arizona suit filed before the Supreme Court a decision came down on June 15, 1964, and the order of the Supreme Court in the case of Arizona would be prevented and stayed.

In Delaware, as a result of the case of Sincock versus Roman, the Delaware Legislature met in special session and reapportioned the State legislature, but a challenge on the grounds of gerrymandering was filed by the initial plaintiffs. The Court has not ruled on the question of gerrymandering. But any attempts in this field would be stayed, and possibly the original order would also be stayed, by the Dirksen amendment or the Tuck bill.

In Florida, the case of Sobel against Adams was decided on an appeal by the U.S. Supreme Court, and the State is to reapportion its legislature. But that could be stayed by the Federal district court in Florida under the Dirksen or Tuck proposals.

In Georgia, a case pending in the Georgia Federal District Court, Toombs against Fortson, challenges the reapportionment of the House of Representatives. No action has been taken on this case. It is before the courts. It could be stayed.

In Hawaii, it is not certain that the legislature can reach agreement on reapportionment plans. Any court order could be stayed.

In Idaho, the case of Hearne against Smylie was decided by the U.S. Supreme Court in late June, but the Federal district court in Idaho has stayed all action until after the 1965 session of the State legislature, and could be prohibited from making other orders.

In Illinois, due to provisions in our own State's constitution, the Illinois House of Representatives will be elected at large in November. However, a case is pending in the Federal district court, Germano against Kerner, which was remanded by the U.S. Supreme Court. The Court has not set a hearing, but any action could be stayed.

In Indiana, the consolidated case of Grills against Welsh and Stout against Hendricks upheld the present apportionment of the Indiana State Legislature. Further hearings are expected in the case. Any court order would be stayed if the Dirksen amendment or the Tuck bill were adopted.

In Iowa, the case of Davis against Synhorst was among the group of cases before the U.S. Supreme Court decided in late June and has now been returned to the Federal district court in Iowa. Any action of the court could be stayed by the passage of the Dirksen amendment or the Tuck bill.

In Kentucky the legislature reapportioned itself in 1963, but there might be court action staying the reapportionment. Kentucky is one of the three

States that do not have a regular session next year, and where action, therefore, could go over to 1966 at the earliest, or possibly even 1967.

In Louisiana, readjustments in the lower house districts of Louisiana were made prior to a court ruling in the case of Daniel against Davis. Any court action—and I am not informed that any court action is pending—could be stayed.

In Maine no court action is pending, but court action would be prevented by the Dirksen amendment or the Tuck bill.

Maryland is a notorious case. The case of Maryland Committee for Fair Representation, under whose auspices the meeting last night was held, against Governor Tawes was among the original group of suits from six States decided on June 15, 1964. Court hearings will be held in early September, but these proceedings would be stayed and the present unjust representation in the Maryland Legislature, whereby 9 counties on the Eastern Shore with 220,000 people have 3 times the representation that Baltimore County, Montgomery County, and Prince Georges County have, would continue in effect.

In Minnesota legal action has recently been instituted, and any court action would be stayed by the Dirksen amendment or the Tuck bill.

In Mississippi reapportionment took place in early 1963 at the regular session of the legislature following a suit brought in the State court in the case of Fortner against Bennett. Mississippi does not have a regular session next year. So action could be stayed until, at the earliest, the end of 1966, and in my judgment for an indeterminate period later. I am not informed of any legal action that has been instituted in Montana, but if it were, court action would be stayed.

In Nebraska the Nation's only unicameral legislature is to be reapportioned at the next session as a result of a stay by a Federal district court of its own order in League of Nebraska Municipalities against Marsh. That action would be prevented under the Dirksen amendment or the Tuck bill.

In Nevada a case instituted more than a year ago, Paley against Sawyer, has not been pushed due to an unusual family situation in which the lawyer bringing suit would have had to file against his brother. No action has been taken on this suit, and to my knowledge it is dormant. But any court action would be stayed by the Dirksen amendment or Tuck bill.

In New Hampshire an earlier challenge to the New Hampshire Senate was not upheld, and a constitutional convention has met which, among other things, proposed a new apportionment. No legal action is expected, but any court order could be stayed.

In New Jersey, a challenge to New Jersey's Senate is now before the State supreme court in the case of Jackman against Bodine.

May I say that New Jersey is another case similar to Maryland. The south Jersey counties control the New Jersey Senate and have used that power in a most tyrannical way. They have a small population, but they have great voting strength.

When we Democrats go to Atlantic City in a few days, we go to a county once dominated by "Nocky" Johnson and now by Mr. Farley, who do not represent the highest civic virtues. The district has a relatively small population, but it exercises great power over the New Jersey Legislature.

In New Mexico a State ruling in the case of Cargo against Campbell has resulted in a new apportionment formula for use in the lower house, but this action could be stayed and would be stayed and prevented from going into effect by the Dirksen amendment.

In New York the situation is a trifle complicated. The New York case of WMCA against Lomenzo was among the cases from six States decided on June 15, 1964, by the U.S. Supreme Court. WMCA is the radio station in New York which instituted these proceedings. A Federal district court has subsequently held that the 1964 elections should take place on the basis of present districts, but that new districts shall be created in April 1965. This order would be stayed by the Dirksen amendment.

North Carolina: Rejection by the voters of a constitutional amendment that would have established a so-called little Federal plan ended the only apportionment controversy in North Carolina. Again, action would be prevented by the adoption of the Dirksen rider.

North Dakota: The Federal district court in North Dakota has refused in the case of Lien against Sathre and others to hear arguments until the State supreme court has had an opportunity to take action.

Action would be stayed by the Dirksen amendment.

In Ohio, the case of Nolan against Rhodes was among the second group of cases decided by the U.S. Supreme Court, and lower court hearings have been set for late August or September. However, action would be stayed by the adoption of the Dirksen amendment.

I have already discussed the situation in Oklahoma.

In Pennsylvania a Federal district court has ruled in the case of Butcher against Trimachi and others that the 1965 regular session of the Pennsylvania Legislature will have to reapportion itself, as its last apportionment was not in conformity with earlier court orders. This would be prevented under the Dirksen amendment or the Tuck bill.

In Rhode Island there is the case of Sweeney against Notre, which is to be heard later this month, in August. A constitutional convention which has been under consideration in Rhode Island for several years is expected to be called some time in the near future. One of its major considerations will, of course, be a new apportionment formula. No action is expected to affect the 1964 elections. Again, any court action this year or next year or in the indeterminate future would be stayed.

Tennessee is the home of the first great case, Baker against Carr. However, Tennessee's legislature from 1901 up until the time of the Federal decision in 1962 had refused to reapportion itself in conformity with the State's own constitution. Tennessee does not hold an election this fall. Therefore action would be put off under the Dirksen amendment for a number of years at least.

In Utah, no final decision has been rendered in the case of Petusky against Clyde, and no decision is expected this year. It would be stayed.

We discussed at some length the situation in Vermont with the Senator from Vermont [Mr. AIKEN]. A Federal district court in the case of Buckley against Hoff ordered the reapportionment of the Vermont Legislature, stipulating that this could be done in 1964 but that it was not mandatory. If, however, the redistricting is not done in time for the 1964 election, the next legislature may—and I emphasize the "may"—take up necessary legislative functions but it supposedly may not take up any straight policy legislation until it has redistricted itself. Again the orders of the Federal court could be stayed by the Dirksen amendment, and would be.

Virginia: I have discussed the case of Mann against Davis. Virginia does not hold elections this fall. It does not have a regular session slated in 1965. Any court action, therefore, would be stayed for an indeterminate period of time.

There has been a decision with regard to the State of Washington by the U.S. Supreme Court. It is in the case of Thigpen against Meyers. It was among the second group of cases decided by the U.S. Supreme Court, and it presented alternatives to that State. Any effect of this Court order could be and would be stayed and prevented from going into effect by the Dirksen amendment and the Tuck bill.

In West Virginia action resulted in a reapportionment of both houses of the West Virginia Legislature, but the court has retained jurisdiction of the case, and no action is expected until 1965. It may be that their jurisdiction could be dismissed. Whether the reapportionment would stand or not is another question.

My friend the Senator from Wisconsin has already discussed the situation in that State, and I shall not go into it.

In Wyoming an earlier State court action in the case of Whitehead against Gage resulted in a reapportionment. It is not certain whether this would stick under the Dirksen amendment or the Tuck bill.

I ask unanimous consent that this analysis, prepared by Dr. Royce Hanson, be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. I wish to thank Mr. Hanson and his associates for their thorough work, which I used as a quarry for the presentation of my statement.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. Mr. President, I realize that Senators are eager to vote on the pending conference report, but I think this speech of the Senator from Illinois is extremely important and is by far the most serious and practical indictment of the Dirksen amendment that we have had. It is absolutely devastating. The junior Senator from Illinois [Mr. DIRKSEN] contended that in 99⅔ percent of the cases his amendment would be mandatory on the Supreme Court. The senior Senator from Illinois [Mr. DOUGLAS] has shown that in the majority of the States it would mean that apportionment would be in danger of being set aside and in many cases it would be set aside. What does that mean?

What this setting aside of State apportionment in response to the Dirksen amendment means is that in case after case those running for election would have to run again. They would have to file again. The confusion would be very great. In some cases it would be necessary to have the legislature carry over, because people cannot be without government.

The Senator has directed his attention to this subject with a well-documented analysis by responsible people. I suggest that Senators from every State consider very carefully what the Dirksen amendment would do to apportionment in their own States.

The Senator from Illinois [Mr. DOUGLAS] has performed a very great service to the country and the Senate. Senators should read this analysis, and think about it. They will recognize the fact that if the Dirksen amendment were adopted, it could be very serious in a practical way as well as being absolutely wrong in principle.

Mr. DOUGLAS. I thank the Senator.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HOLLAND. Mr. President, I am calling attention to one point which may or may not be in the mind of the Senator. I noticed that on two or three occasions in his discussion he mentioned the fact that he understood the Dirksen amendment would stay proceedings in State courts. That is not my understanding of the Dirksen amendment. I am wondering if the Senator intended to make that statement or if he seriously makes that contention.

My understanding is that the Dirksen amendment is confined in its action to the jurisdiction of the Federal courts, and that it has no reference to State courts.

If I am incorrect in that I should like to be corrected.

Mr. PROXMIRE. Mr. President, will the Senator yield to me on that point?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. We have studied this question in great detail in Wisconsin, and I have talked with the lawyer, Roland Day, who handled this case before the State supreme court in Washington. He has explored this Dirksen amendment question in great detail. He says there is very serious question that it is possible, since the Federal court has jurisdiction over apportionment, and the Supreme Court has said so, that the Dirksen amendment could very well be interpreted to provide that the action of the Wisconsin State Supreme Court could be upset by the language in the amendment. This would throw out our primary and possibly our general election in Wisconsin. I think perhaps it would not be; I hope it would not be. But the Senator from Illinois has shown that in case after case it is not necessary to rely on that, because it is not a State court but a Federal court that decides the question.

Mr. HOLLAND. It is my strong belief that the Dirksen amendment has no application whatever to State courts. I find no indication in it that it does, and I cannot see how it could.

I make this point so that if there be any correction required in the very fine discussion just made by the Senator from Illinois [Mr. DOUGLAS] that he would care to make, he would be free to do so.

Mr. DOUGLAS. As everyone knows, I am not a lawyer. Therefore, I cannot pass fully upon this question. I suggest, however, that since the Federal courts have asserted jurisdiction over methods of representation in State legislatures, it would seem to me that they would be empowered to issue stay orders affecting decisions of State courts. That is my first point.

My second point is that I do not fully understand the precise definition of the term "any court of the United States." That may have a technical meaning referring merely to courts federally appointed; but if the State courts are blanketed into the Federal judicial system, as I understand they are, they would become not merely courts of their State, but also courts of the United States.

I throw this out merely to indicate to a casual eye—and I admit to a somewhat unskilled eye—that the case is not so clear as the Senator from Florida says it is.

Mr. HOLLAND. Without laboring the matter, the words "any court of the United States," referred to by the distinguished senior Senator from Illinois, have always been used in our legislation as applicable solely to the Federal judicial system. My complete belief is that those words are confined in their reference to that system, and that there is no application in the proposed Dirksen amendment to State courts of any sort whatsoever.

Mr. DOUGLAS. As the Senator from Wisconsin and I have suggested, that limited meaning is not at all clear.

EXHIBIT 1

STATE-BY-STATE ANALYSIS OF STATUS OF REAPPORTIONMENT ACTION, AS OF AUGUST 20, 1964

Alabama: A suit brought in a Federal district court in 1962 resulted in a temporary reapportionment of the legislature based on parts of two different legislative acts which were utilized by the Federal district court in the State for the new plan. The court's order was appealed to the U.S. Supreme Court and was the famous *Reynolds* v. *Sims*. The Federal district court in Alabama has taken no action on reapportionment this year, and it is expected that the next regular session meeting in January will take up the matter.

Alaska: No legal action has been instituted.

Arizona: A suit was filed shortly before the U.S. Supreme Court decisions of June 15, 1964, but no action has been taken.

Arkansas: No legal action has been filed.

California: A suit entitled *Silver* v. *Jordan* has been before the Federal district court for over a year. No action has been taken and none is scheduled this year to my knowledge.

Colorado: An appeal of the Colorado Federal district court case, *Lucas* v. *44th General Assembly*, resulted in the U.S. Supreme Court's order for the reapportionment of that State's senate. The Colorado Legislature met in special session earlier in the year, redistricted the State, and it is our understanding that a primary has already been held. The State supreme court in the case, *White* v. *Anderson*, held that the reapportionment of the State senate had violated a provision of the State constitution which stipulated that no county could be subdivided into districts. For example, the County of Denver was awarded nine senators and nine separate single districts were created within the county rather than having all nine run at large. The State Supreme Court held that this was in violation of the State's constitution but allowed the 1964 elections to continue and stated that the next regular session of the legislature should either provide for at-large elections or should amend the State's constitution, removing the clause that requires that counties cannot be subdivided.

Connecticut: The Federal district court case of *Butterworth* v. *Dempsey*, which had been appealed to the U.S. Supreme Court, has resulted in a Federal district court order for reapportionment this year. The Connecticut Legislature is now meeting in special session, creating the new districts which task they are to have completed by September 9. The primary is slated for later in September.

Delaware: As a result of the case of *Sincock* v. *Roman*, the Delaware Legislature met in special session and reapportioned the State legislature, and a primary utilizing these districts has already been held. A challenge on the grounds of gerrymandering was filed by the initial plaintiffs, but the court has not ruled on this and is evidently not going to interfere with this year's election.

Florida: The case of *Sobel* v. *Adams* was decided on an appeal by the U.S. Supreme Court, and the State is to reapportion its legislature. The Federal district court in Florida is not expected to take any action this year.

Georgia: A case pending in the Georgia Federal district court, *Toombs* v. *Fortson*, challenges the apportionment of the house of representatives. No action has been taken on this case, but in a related matter dealing with a State constitutional revision effort, the same three-man court intimated that the next regular session of the Georgia Legislature should reapportion itself.

Hawaii: No court action has been sought, but the Governor and State legislature agreed to a special session which is now meeting to decide whether reapportionment should take place this year. The State's regular primary is not slated to take place until October 3, but it is still not known whether the legislature can reach agreement on a plan.

Idaho: The case of *Hearne* v. *Smylie* was decided by the U.S. Supreme Court in late June, and the Federal district court in Idaho has stayed all action until after the 1965 session of the State legislature.

Illinois: Due to provisions in the State's own constitution, the Illinois House of Representatives will be elected at large this November. This was not the result of any legal challenge in the Federal courts to the apportionment of the house. This has occurred as a result of orders of the State supreme court. However, a case is pending in the Federal district court, *Germano* v. *Kerner*, which was remanded by the U.S. Supreme Court. No action is contemplated this year, as the court has not set hearing to take place until later this year.

Indiana: The consolidated case of *Grills* v. *Welsh* and *Stout* v. *Hendricks* upheld the present apportionment of the Indiana State Legislature. Further hearings are expected in the case, but not until next year.

Iowa: The Iowa case of *Davis* v. *Snyhorst* was among the group of cases before the U.S. Supreme Court decided in late June and has now been returned to the Federal district court of Iowa. Plaintiffs are not asking for any action this year, as a temporary plan adopted at the last regular session of the legislature is to be utilized in the 1964 election, and the next regular session of the legislature is expected to take up the matter.

Kansas: Both houses of the legislature were reapportioned at the last session of the legislature as a result of the case of *Harris* v. *Shanahan*. No further court action will take place this year.

Kentucky: The Kentucky Legislature reapportioned itself in 1963. A case has been filed, but no action has been taken and none seems to be contemplated. Kentucky is one of three States that do not have a regular session next year.

Louisiana: Readjustments in the lower house districts of Louisiana were made prior to a court ruling in the case of *Daniels* v. *Davis*, which had been brought. To our knowledge no court action is pending in the State.

Maine: No court action is pending, and constitutional amendments adopted in 1962 eased disparities in legislative district sizes that had existed previously.

Maryland: The case of *Maryland Committee for Fair Representation* v. *Tawes* was among the original group of suits from six States decided June 15, 1964. Maryland holds no general election for its assembly this year. Court hearings will be held in early September.

Massachusetts: The Massachusetts Legislature has long been apportioned essentially upon the basis of population, and no court action is expected.

Michigan: The case of *Marshall* v. *Schoelle* was among the second group of cases decided by the U.S. Supreme Court, and in accordance with the Michigan Constitution, the Michigan State Supreme Court selected one of the plans submitted by a member of a bipartisan reapportionment commission as a system to be used in this year's elections. The primary will be held September 1.

Minnesota: Legal action has only recently been instituted, and no court decision is expected this year.

Mississippi: Reapportionment took place in early 1963 at the regular session of the legislature following a suit brought in the State court, *Fortner* v. *Bennett*. To our knowledge no new suit has been filed. Mississippi does not have a regular session next year.

Missouri: Challenges to the present apportionment are before a Missouri Federal district court. We have received no word of hearings having been held; thus far no action is contemplated this year.

Montana: No legal action has been sought.

Nebraska: The Nation's only unicameral legislature is to be reapportioned at the next regular session as a result of a stay by a Federal district court of its own order in *League of Nebraska Municipalities* v. *Marsh*.

Nevada: A case instituted more than a year ago, *Paley* v. *Sawyer*, has not been pushed due to an unusual family situation in which the lawyer bringing suit would have had to file against his brother. No action has been taken on this suit, and to our knowledge it is quite dormant at this time.

New Hampshire: An earlier challenge to the New Hampshire Senate was not upheld, and a constitutional convention has met which, among other things proposed a new apportionment on which there is substantial agreement. No legal action is expected.

New Jersey: A challenge to New Jersey's Senate is now before the State supreme court, *Jackman* v. *Bodine*. The State does not have elections this year, so 1964 will not be affected.

New Mexico: A State court ruling in the case of *Cargo* v. *Campbell* has resulted in a new apportionment formula for use in the lower house. The court has retained jurisdiction, but hearings are not to take place until 1965.

New York: The New York case of *WMCA* v. *Lomenzo* was among the cases from six States decided on June 15, 1964, by the U.S. Supreme Court. A Federal district court has subsequently held that the 1964 elections shall take place on the basis of present districts but that new districts shall be created by April 1965. New York has a regular session meeting in January, but due to certain political considerations in the State, the Governor and legislative leaders have said that the lameduck legislature, that is, the members of the present legislature, not those who will be elected this November, will be called into special session on December 1 to consider proposals that shall be submitted to it by a special commission already appointed by the Governor. The legislature elected in 1964 shall serve for 1 year, and a new legislature will be elected on the basis of the districts to be created before next April in the general election of November 1965. That legislature shall also serve for only 1 year, and then in 1966, the gubernatorial election year, the normal 2-year cycle will be reinstated. A suit has been filed to stay the court's ruling regarding the length of legislative terms only. The court's 1-year ruling was established so that the State might get back into regular cycle with the gubernatorial election with a legislature apportioned in accordance with the U.S. Supreme Court's ruling.

North Carolina: Rejection by the voters of a constitutional amendment that would have established a so-called little Federal plan ended the only apportionment controversy in North Carolina as the legislature had already reapportioned itself that year. No court action has been filed.

North Dakota: The Federal district court in North Dakota has refused in the cases of *Lien* v. *Sathre* and others to hear arguments until the State supreme court has had an opportunity to take action.

Ohio: The case of *Nolan* v. *Rhodes* was among the second group of cases decided by the U.S. Supreme Court, and lower court hearings have been set for late August or September. No action is expected this year.

Oklahoma: Probably more apportionment litigation has come out of Oklahoma than from any other State. Beginning in 1962 with the case of *Williams* v. *Moss* and several subsequent suits, the legislature has on at least three separate occasions been ordered to reapportion itself. Following the return of the appeal of that case from the U.S. Supreme Court to the Federal district court, the lower court, utilizing a constitutional amendment adopted by the people on May 26 of this year in those respects as it was in conformity with the U.S. Supreme Court's ruling, established legislative districts for use in the 1964 election. To our knowledge the new primary date has not been definitely established, although the Governor has announced that he intends to implement the Court's order.

Oregon: Oregon has long utilized a population basis for both houses of its legislature. No court action has been brought.

Pennsylvania: A Federal district court has ruled in the cases of *Butcher* v. *Trimachi* and others that the 1965 regular session of the Pennsylvania Legislature will have to reapportion itself as its last apportionment was not in conformity with earlier court orders.

Rhode Island: The case of *Sweeney* v. *Notre* is to be heard later this month. A constitutional convention which has been under consideration in Rhode Island for several years is expected to be called sometime in the near future. One of its major considerations will, of course, be a new apportionment formula. No court action is expected to affect the 1964 elections.

South Carolina: No court action has been sought.

South Dakota: No court action has been sought.

Tennessee: Home of the first great case, *Baker* v. *Carr*, Tennessee's legislature has still to complete the reapportionment of itself in conformity with the State's own constitution, which requires a population basis for both houses.

Texas: The case of *Kilgarlin* v. *Martin* has not been decided by the Federal district court. No action is expected until next year, at least none that will affect the 1964 elections.

Utah: No final decision has been rendered in the case of *Petuskey* v. *Clyde* and no decision is expected this year.

Vermont: The Federal district court in the case of *Buckley* v. *Hoff* ordered reapportionment of the Vermont Legislature, stipulating that this could be done in 1964 but that it was not mandatory. If, however, the redistricting is not done in time for the 1964 election, the next legislature may take up necessary legislative functions such as ratification of gubernatorial appointments and passage of the budget or other fiscal matters, but it may not take up any straight policy legislation until it has redistricted itself. There are, at this time, two commissions working on legislative plans, one appointed by and reporting to the Governor, and one appointed by and reporting to the legislature.

Virginia: The case of *Mann* v. *Davis* was among the original group of cases decided by the U.S. Supreme Court on June 15, 1964. Virginia does not hold elections this fall and does not have a regular session slated in 1965. No court action has been taken or is expected in the immediate future.

Washington: The case of *Thigpen* v. *Meyers* was among the second group of cases decided by the U.S. Supreme Court. The Federal district court offered the alternative to the State of redistricting prior to the 1964 election or using weighted voting in the next session of the legislature if it is elected from the present districts. This action was handed down in late July. Due to certain political considerations in the State the Governor and some legislative leaders felt it better to utilize the weighted voting than to call a special session, and, apparently, in its next session the legislature will use a system wherein each legislator will cast a number of votes weighted on the basis of the population of the district he represents.

West Virginia: Earlier court action resulted in a reapportionment of both houses of the West Virginia Legislature. The court has retained jurisdiction of the case but no action is expected until 1965.

Wisconsin: As a result of a State court ruling in the case of *Reynolds* v. *Zimmerman*, both houses of the Wisconsin Legislature have been reapportioned on the basis of population according to a districting plan laid down by the State court similar in most respects to the one passed by the legislature but vetoed by the State's Governor.

Wyoming: An earlier State court action in Wyoming in the case of *Whitehead* v. *Gage* resulted in a reapportionment. To our knowledge no court action is pending at this time.

ORDER FOR ADJOURNMENT OF BOTH HOUSES OF THE CONGRESS FROM TODAY UNTIL MONDAY, AUGUST 31, 1964

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Concurrent Resolution 359.

The PRESIDING OFFICER. The concurrent resolution will be stated.

The legislative clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses shall adjourn on Friday, August 21, 1964, and that when they adjourn on said day they stand adjourned until 12 o'clock noon on Monday, August 31, 1964.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (H. Con. Res. 359) was considered and agreed to.

AUTHORIZATION FOR SPEAKER OF THE HOUSE OF REPRESENTATIVES AND PRESIDENT PRO TEMPORE OF THE SENATE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS DURING THE ADJOURNMENT OF CONGRESS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Concurrent Resolution 360.

The PRESIDING OFFICER. The concurrent resolution will be stated.

The legislative clerk read, as follows:

Resolved by the House of Representatives (the Senate concurring), That notwithstanding any adjournment of the two Houses until August 31, 1964, the Speaker of the House of Representatives and the President pro tempore of the Senate be, and they are hereby authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (H. Con. Res. 360) was considered and agreed to.

ORDER OF BUSINESS

Mr. HUMPHREY. Mr. President, have the yeas and nays been ordered on the conference report on the District of Columbia Police and Fire Department pay bill?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. HUMPRHEY. I ask that the roll be called.

Mr. MORSE. Oh, no, Mr. President; I am not ready to have the roll called.

Mr. HUMPHREY. Does the Senator from Oregon wish to speak further on the conference report?

Mr. MORSE. Certainly.

Mr. HUMPHREY. I do not yield the floor at the moment.

CREATIVE TEACHING COMPETITION SPONSORED BY MINNESOTA MINING & MANUFACTURING CO.

Mr. HUMPHREY. Mr. President, I wish to call to the attention of the Senate a program of unusual merit and significance, the creative teaching competition for teachers in U.S. schools, sponsored by the Minnesota Mining & Manufacturing Co.

Through this competition, the Minnesota Mining & Manufacturing Co., is offering 6 expense-paid summer study programs at the University of the Americas in Mexico City, and an additional 12 educational and cultural 2-week vacations in Mexico. These awards will be presented to teachers from any educational institution who submit a winning series of visuals for overhead projectors which demonstrate a teaching idea or concept.

We need creative teaching, and I firmly believe we will not achieve such teaching, to the desired degree, unless it is encouraged. It is particularly gratifying when a private business organization takes the initiative for promoting this cause.

The creative teaching competition has three purposes: First, it will honor those teachers who have demonstrated superior performance. Second, it will bring together a large number of creative teaching ideas which will be made available to all educators. Third, it will give the winners an opportunity for a rewarding experience which will add to their professional growth and development.

In sponsoring this competition Minnesota Mining & Manufacturing is continuing a program of significant import to education and again demonstrating their corporate generosity. Last year the Minnesota Mining & Manufacturing Co. sponsored a program to provide each of 500 schools with a $3,000 visual communications center. I am confident our educational system in the future will demonstrate that we owe a debt of gratitude to the generosity and vision of the Minnesota Mining & Manufacturing Co.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a fact sheet and press release relating to this competition.

There being no objection, the fact sheet and press release were ordered to be printed in the RECORD, as follows:

FACT SHEET: CREATIVE TEACHING COMPETITION, MINNESOTA MINING & MANUFACTURING CO.

CREATIVE TEACHING COMPETITION

The Minnesota Mining & Manufacturing creative teaching competition, "Adventura en Mexico," is designed to encourage and reward creative teachers in the Nation's schools by offering 6 expense-paid summer study programs at the University of the Americas in Mexico City as well as 12 educational and cultural 2-week vacations in Mexico.

ELIGIBILITY AND ENTRIES

Every teacher in U.S. colleges, secondary or primary schools, either public, private, or parochial, is eligible and invited to enter the competition, before closing date, November 28, 1964.

To be eligible for the prizes, entrants are asked to submit a series of visuals for overhead projection which demonstrate a teaching idea or concept. These may be entire teaching units or a portion of a teaching unit.

A brief description of how the visuals are used must accompany the materials.

There is no limit on the number of entries a teacher may submit.

Further information and application forms are available from all Thermo-Fax products dealers or directly from Creative Teaching Competition, Visual Products Group, Minnesota Mining & Manufacturing Co., 2501 Hudson Street, St. Paul, Minn.

JUDGING AND CRITERIA

Selection of winners will be made by a panel of educators. The entries will be judged on the basis of originality of teaching technique.

PRIZES

First prizes

Six top winners will receive an all-expense 6-week summer course of study at the fully accredited University of the Americas in Mexico City as well as transportation and living expenses, plus weekend side trips, for two.

Each will also receive an overhead projector and a transparency maker for use in his classroom. Each winner will be free to choose his own course of study from a wide range offered by the university. The accredited graduate studies will be conducted in English.

Formerly known as Mexico City College, the University of the Americas is a standard coeducational liberal arts institution. Its specialties are the teaching of Spanish and other academic and fine arts subjects which benefit from the school's unique position in a stimulating focal point of Latin American activity. The University of the Americas is a pleasant hilltop campus which faces the famous Popocatepetl and Ixtaccihuetl Volcanoes and overlooks Metropolitan Mexico City.

Second prizes

Twelve second-place winners will receive all-expense, 2-week trips for two to Mexico City, Acapulco, Guadalajara, and other famous places.

These trips will be specially arranged by the Mexican National Tourist Council to encompass an itinerary of cultural and educational highlights of particular interest to the winning teachers.

MORE EFFECTIVE TEACHING

Concurrent with the creative teaching competition, Minnesota Mining & Manufacturing Co.'s visual products dealers throughout the country will initiate a series of "more effective teaching" clinics. Designed to present innovations in teaching techniques and aids, the seminars will be offered to any teacher who wishes to attend.

BACKGROUND

The Minnesota Mining & Manufacturing Co. is aware of the vital problems confronting the Nation's education systems: increasing enrollment, the responsibility to develop effective leaders of government and industry, the need for capable scientists and technicians. These factors demand the continued improvement of classroom teaching techniques. As the manufacturer of teaching tools, Minnesota Mining & Manufacturing believes it has an obligation to help our schools and their teachers use these classroom aids and techniques to meet the demands of education.

Through its education programs the Minnesota Mining & Manufacturing Co. hopes to provide personal incentive to encourage teachers to extra creative effort and to establish a body of knowledge on creative teaching techniques available to all educators.

ASSISTANCE GRANT TO EDUCATION

Last year, the Minnesota Mining & Manufacturing Co. established a $1.5 million assistance grant-to-education program which awarded $3,000 worth of equipment to each of 500 schools. The 500 grant winners have become teaching laboratories where further refinements in creative teaching are explored and exchanged.

PRODUCT ASSISTANCE

Through extensive research into classroom problems, the Minnesota Mining & Manufacturing Co. has realized the need for more effective communications between teachers and students. Knowledge must be communicated, presented, and assimilated and, in this process, the dynamic force of each teacher remains of paramount importance. To aid the teacher in meeting the increasing demands of ever-growing bodies of material and of burgeoning student enrollment, the company developed a visual communications system, consisting of compatible infrared copying machine and overhead projector, which enables the teacher to communicate more efficiently and more effectively with her students.

THE MINNESOTA MINING & MANUFACTURING CO. VISUAL COMMUNICATIONS SYSTEM

Overhead projection is a relatively new and dramatic method of presenting facts and ideas clearly, concisely. It was designed to assist the speaker to communicate with his audience effectively and with the greatest amount of impact.

This new method of teaching has four primary advantages:

1. The teacher employs the projector in front of the class, facing her pupils, thus maintaining eye contact.
2. The room remains well lit. Projected images can be seen clearly under normal lighting conditions.
3. Student attention is easy to control and student participation is stimulated.
4. The equipment is simple to operate.

The ease with which transparencies can be made from virtually any printed or written material enables teachers to employ a host of additional subject materials into her everyday classes. Teaching of such subjects as mathematics, geography, science, art, and music is simplified by this teaching method. This method offers a dramatic means for projecting student work to the class.

Press Release, Minnesota Mining & Manufacturing Co.

A program designed to give recognition to the accomplishments of creative teachers in the schools of America, was announced today by the Minnesota Mining & Manufacturing Co., St. Paul, Minn.

Called the Minnesota Mining & Manufacturing Co. creative teaching competition, the new program will offer expense-paid summer studies at the University of the Americas in Mexico City and educational tours of Mexico to teachers who demonstrate their ability to teach classroom subjects in a dramatic creative manner.

"Adventura En Mexico" is open to all U.S. teachers of any subject in any public, private, and parochial school, including primary, secondary, and college levels.

"First, it is to honor those teachers who have stimulated their students through the ingenuity of their classroom presentation. Secondly, it is to bring together a body of knowledge about creative teaching and make it available to all educators. Thirdly, it will give to the winning teachers an opportunity to broaden their own knowledge with travel and study in fields of their own choice," he said.

Six grand prizes will be awarded. Each will consist of a 6-week summer course at the fully accredited University of the Americas. It will include transportation, living expenses, and weekend side trips for two.

There will be 12 second prizes consisting of 2-week trips for two to Guadalajara, Mexico City, Acapulco, and other famous places.

The trips, arranged by the Mexican National Tourist Council, will include an itinerary of cultural and educational highlights of particular interest to the winning teachers.

Additionally, each of the 18 winners also will receive an overhead projector and a transparency maker for his classroom.

To become eligible for the prizes, entrants must submit a series of visuals for overhead projectors which demonstrate a teaching idea or concept. These may be entire teaching units or a portion of a teaching unit. The entries should be accompanied by a brief description of how the visuals are used.

There is no restriction on the number of entries an individual may submit. Further information and entry forms can be obtained from Thermo-Fax products dealers or directly from creative teaching competition, visual products group, Minnesota Mining & Manufacturing Co., 2501 Hudson Road, St. Paul, Minn.

Entries must be submitted by November 28. They will be judged by a panel of educators on the basis of originality of teaching techniques.

In conducting the creative teaching competition, the Minnesota Mining & Manufacturing Co. embarks upon its second major effort designed to stimulate creative teachers and promote creative teaching techniques. With a conviction that the teacher is and must remain the dominant force in the education process, the company last year awarded a $1.5 million assistance grant to 500 U.S. schools.

Techniques drawn from that grant program also form the base of "More Effective Teaching" clinics being conducted across the country by Thermo-Fax products dealers for any teachers and administrators requesting participation.

PROPOSED AMENDMENTS TO THE IMMIGRATION AND NATIONALITY ACT

Mr. HUMPHREY. Mr. President, at a time when the Judiciary Committees of both the House and Senate are considering immigration reform, I would like to call to the attention of my colleagues a letter to the editor of the New York Times from Attorney General Robert F. Kennedy. In it, he states with logic and brevity the case for this legislation.

Samuel Gompers, our great American labor leader, once recalled the song which fired his imagination and desire to reach America when he was still a factory laborer in London:

To the West, to the West, to the land of the free
Where mighty Missouri rolls down to the sea
Where a man is a man if he's willing to toil
And the humblest may gather the fruits of the soil.

America was the "golden door," which opened onto the land of the free. And what is freedom but that situation where a man may heed the yearning of his heart—to prove his worth, to affirm his dignity, to grow to the full measure of his manhood without the crippling judgments implicit in discrimination.

America remained the symbol of freedom for many decades. The torch of liberty was a beacon to millions of immigrants who pulled free from their past, from their community, and from their traditions to build and populate a new land.

That light faltered when the national origin quota system announced to the world that opportunity was no longer open to all but rationed according to accidents of birth.

The quota system was adopted four decades ago, in a postwar climate of suspicion and hostility. These fears and prejudices coalesced to bring about restriction of immigration—fear of competition in jobs, pessimism over the possibility of continuing economic growth, and spurious sociological theories concerning the "purity" of certain ethnic groups.

It is to the everlasting credit of President Wilson that he recognized the obligation of his office to lead, not merely reflect, public opinion. In 1921, one of his final acts of office was to veto the quota law. However, it was subsequently signed by President Harding, became law, and our present version went into effect several years later.

Even had this law been equitable and wise, it would be well to review whether changing requirements and times, and our changing role in the world community, have not made some of its provisions obsolete. We must ask ourselves whether this law truly fulfills our present needs. Our best interests should not be thwarted by legal anachronisms.

Our present laws cannot be logically justified. The constant adjustments required testify to their inadequacy. We need a new and flexible system which will serve the needs of our Nation, reject discredited racial myths, make humanity and compassion acknowledged objectives of the law, and restore this Nation as a symbol of opportunity and freedom—where man's potential is not restrained by prejudice or rigid class distinctions.

The legislation now before Congress was submitted by President Kennedy. While almost every President has called upon Congress to correct the present deficiencies of the law, this is the most specific and comprehensive legislation yet proposed. It is a conservative proposal despite its strong liberal backing—because the national quota system was and is a radical departure from our traditional belief in freedom of movement and equality among men.

The corrective devices in this bill are rooted firmly in experience. Where our present system has proven inadequate, unfair or unworkable, S. 1932, the proposed amendments to the Immigration and Nationality Act, offers practical alternatives. It will not remove the limitation on total numbers. It will admit only so many immigrants as our economy is prepared to absorb without damage to our own workers. It will, however, place emphasis on meeting our manpower needs—giving preference to those special skills, education, and training in demand in the United States. The new frontiers of science and modern technology, among others, are in need of pioneers.

This legislation would also give special attention to the reuniting of families and aid for refugees who have fled oppression or natural disaster. The new law would thus embody compassion, commonsense, and recognition of values such as cohesive family life and political freedom. The proliferation of private and special immigration legislation before each Congress makes it evident that our current system must be constantly adjusted. This bill provides for such adjustments in a practical, efficient, and prompt manner.

In a memorable speech at the University of Michigan at Ann Arbor, President Johnson set a goal which can serve as inspiration to all of us—the building of a "great society." A great society is not a closed society; it is open to enriching ideas and contributions of many cultures; it thrives on diversity. Immigration reform means substantial progress toward this goal. If our society sincerely judges its members on worth instead of birth, let us heed Attorney General Kennedy's advice:

> The time has come for the quota system to be replaced by the merit system.

Mr. President, I ask unanimous consent that this letter and my testimony before the Subcommittee on Immigration of the Senate Judiciary Committee be printed in the RECORD.

There being no objection, the letter and testimony were ordered to be printed in the RECORD, as follows:

TO THE EDITOR:

In a letter to the editor published August 10 William A. Turner deplores the pending administration bill to eliminate the national origins system from our immigration laws. Mr. Turner says he believes the present system is satisfactory and that in 36 years as a foreign services officer of the State Department he has never heard foreigners criticize the national origins provision of our immigration laws.

It is my firm conviction that this national origins system causes our Nation great harm both at home and abroad, and that it should be eradicated from our law.

This national origins system was conceived in a spirit of mistrust of certain racial groups, in southern and eastern Europe and elsewhere. Its original stated purpose was bald discrimination—to preserve what was believed to be the racial and ethnic composition of our population in 1924.

This system is a blot on our relations with other countries. It violates our basic national philosophy because it judges individuals not on their worth, but solely on their place of birth—or even where their ancestors happened to be born. I know from my own experiences abroad how deeply this system hurts us. I have been asked how a country which professes that all men are equal could permit a system which treated immigrants so unequally. It is a difficult criticism to answer.

UNFILLED NEEDS

This system fails to fulfill our own needs at home. An unskilled laborer from a northern European country can come here without delay or difficulty. But a particularly well-qualified scientist, or engineer—or chef—from one of a number of other countries experiences great difficulty and long delay. Thus there are no visas now available for a Korean radiation expert, a Japanese microbiologist, a Greek chemist, a skilled teacher of the deaf from the Philippines—and many others like them. Yet all want to come here, all are needed, and all are wanted. The time has come for us to insist that the quota system be replaced by the merit system.

This system inflicts cruel and unnecessary hardship on the families of many American citizens and resident aliens. Again and again they are deprived of the chance to bring brothers and sisters or other close relatives to this country because quotas in their native countries are oversubscribed. The national origins quota system makes it easier for a man to bring a maid to this country than to bring his mother; a system which can so distort human values must be revised.

Finally—and ironically—the national origins system does not even achieve its own purposes. It assigns an overwhelming number of quota visas to the countries of northern and western Europe—which do not use them all. For example, out of about 83,000 numbers assigned annually to the British Isles, only about 32,000 visas are used.

The 51,000 unused numbers cannot be reassigned; they are lost. Meanwhile, the quotas of many other countries are oversubscribed with the names of thousands of eligible immigrants eager to come to this country. Thus the ratio of immigration sought by the national origins system is not maintained, nor can it be.

SPECIAL LAWS

Further, the pressures which result from this system have forced Congress to enact special laws from time to time in recent years authorizing visas for people waiting in oversubscribed countries. The result is a further departure from the ratio which the national origins system was designed to continue.

This system damages America in the eyes of the world. It deprives us of able immigrants whose contributions we need. It inflicts needless personal cruelty on large numbers of American citizens and residents. And it doesn't work. Certainly, no plainer or more compelling arguments could be made for changing this system.

The administration's pending immigration bill seeks to change that system and establish a system that works in the national interest. It would increase the amount of authorized immigration by only a fraction—from 157,000 to 165,000. But it would, at the same time, gradually eliminate the present system and provide us with the flexibility necessary to deal with problems of fairness and of foreign policy.

Both major parties and four successive Presidents have urged a revision of the immigration laws. President Kennedy recommended this legislation to Congress and President Johnson has firmly endorsed it. Every American should support the change.

ROBERT KENNEDY,
Attorney General.

WASHINGTON, *August 11, 1964.*

TESTIMONY OF SENATOR HUBERT H. HUMPHREY, DEMOCRAT, OF MINNESOTA, IN SUPPORT OF LEGISLATION TO AMEND IMMIGRATION AND NATIONALITY ACT BEFORE THE SUBCOMMITTEE ON IMMIGRATION OF THE SENATE JUDICIARY COMMITTEE

Mr. Chairman and members of the subcommittee, I am pleased to appear today in support of legislation to amend the Immigration and Nationality Act of 1952. I wish to endorse both S. 747 and S. 1932. S. 747 is the bill which Senator HART introduced and I, along with 32 other Senators, had the honor to cosponsor. S. 1932 is the administration measure based on the recommendations made to Congress by our late and beloved President Kennedy.

There are differences of detail between the two bills, but I believe this is something that can be ironed out by this able subcommittee. Both bills are a long-overdue improvement that would remove a particularly unfortunate skeleton from our national closet.

Since 1924 the laws of this Nation have barred immigration from this country upon grounds that have no basis in logic, in fact, or in morality. I refer, of course, to the immigration quota system which seeks to maintain some mythical racial and ethnic purity by apportioning immigration visas among the nations of the world in proportion to the ethnic composition of our 1920 population.

From the days of Plymouth Rock and Jamestown until the early decades of this century, this country was open to immigrants of all nations who met reasonable standards of health and character. Our country became strong, vigorous, and creative as each new wave of immigration reached our shores and contributed to our melting pot its own particular talents, energies and traditions. I am proud that this is not a country of monolithic conformity; but rather is a country with a vital and vibrant admixture of many peoples, tongues, and talents. These differences, I believe, have contributed to our peculiar genius for invention, for experimentation, for progress and world leadership.

The Immigration Act of 1924 and its most recent successor, the Immigration and Nationality Act of 1952, renounced the American open door policy toward free immigration. They thus turned this country's back upon one of the wellsprings of its strength and greatness.

The first thing these laws did was to limit the total number of annual immigrants. Let me make clear that I have no quarrel with that basic policy. There is a limit upon our country's capacity to absorb new citizens. While I might disagree as to how high that limit should be, I do not advocate totally unrestricted immigration.

Today our immigration law authorizes the admission of approximately 156,000 quota immigrants from outside the Western Hemisphere is fixed at one-sixth of 1 percent of our 1920 population. Today that is less than one-tenth of 1 percent of our population.

But our laws go further. They split up these 156,000 people among the various countries of the world, in proportion to the number of Americans living in 1920 who could trace their origin to a given country. As a result, by far the largest block of quota members, some 65,000 goes to Great Britain, at the expense of practically all the other countries. Particularly hard hit are the countries of Southern and Eastern Europe.

Consequently, some of the country quotas like those of Italy and Greece have become heavily oversubscribed while other countries like Great Britain do not even use half of the quota numbers allotted to them. Since under our laws, all unused numbers are declared forfeited, less than 100,000 permits are actually used and 50,000 to 60,000 go begging.

The national quota discrimination against south and southeast Europeans is only part of the unhappy tale. Singled out for special discrimination, are the inhabitants of the so-called Asia-Pacific triangle. Here, in India, Pakistan, China, Japan and neighboring countries, live half of the earth's population. Under our immigration laws, we admit not more than 100 persons per year from each of these nations. Such discrimination is wrong.

The present law is predicated upon the theory of a racial or cultural elite. There is no such elite in those terms. There is no privilege except the privilege of ability, no privilege of race or national origin. The sooner we get rid of the nonsensical, outmoded, and aristocratic notion that some blood is better than other blood, that some skin is better than other skin, we will be better off. That is the curse of this generation, and it is driving us to a very unfortunate position in world affairs.

There are some specific differences between S. 747 and S. 1932 on how a total quota is to be determined, how allocations are to be administered, and some other details. I believe that the committee can make an appropriate resolution of these. The main point is that both bills eliminate one of the worst inequities and deceptions in the present law by authorizing the reallocation of unused quotas. Under the present law a large portion of the quotas allocated to Great Britain go unused while would-be immigrants from other countries wait years, even decades, before they can come to our shores. Both bills would reallocate unused quotas to other areas.

Neither S. 747 nor S. 1932 will eliminate all of the inequities. President Kennedy noted that in reference to S. 1932 in his message on the subject. These bills, however, do set right the most objectionable feature of our present law. This is the national origins quota system. If we can reform that, we will have made great progress toward correcting an injustice and eliminating the basis for unnecessary and unfortunate criticism of this country by the rest of the world.

I believe that the enactment of a sound bill, embodying the objectives of either of the bills noted, will go a long way toward restoring the image of the United States as a progressive and tolerant member of the international community. Equally important, it would reap great gains by reuniting many families here at home, and it would enrich and invigorate our national life through the infusion of new persons, new cultures, and new ideas.

I am proud to be a cosponsor of these measures. I shall lend all of my energies to their adoption or the adoption of an equally good bill.

WORLD REFUGEE REPORT—ANNUAL SURVEY ISSUE, 1964–65

Mr. HUMPHREY. Mr. President, the U.S. Committee for Refugees, a private citizens committee with whose work many of us are familiar, has recently published its annual survey of the world's refugee problems. This survey, unique of its kind, gives precise information about the various refugee communities around the world and about the efforts of the intergovernmental and American voluntary agencies to meet the needs of these refugees.

To the best of my knowledge, this publication is the only place where this information is available in such useful form. Many of us know of and participate in the work of the American voluntary agencies and we are all proud of the widespread and generous interest of the American public in this most unhappy problem. Many private and public groups find this information to be essential in carrying out their efforts in behalf of refugees.

We all feel a sense of indebtedness to the U.S. Committee for Refugees for their persisting efforts in helping the American public to understand the gravity of the refugee problems around the world. Their work is an encouragement to us all to continue our efforts to solve these refugee problems.

I ask unanimous consent that the World Refugee Report, annual survey issue, 1964–65, be printed at this point in the RECORD.

There being no objection, the survey was ordered to be printed in the RECORD, as follows:

WORLD REFUGEE REPORT, ANNUAL SURVEY ISSUE, 1964–65

(By U.S. Committee for Refugees, New York, N.Y.)

U.S. COMMITTEE FOR REFUGEES

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Maxwell M. Rabb, president; Luther H. Evans, chairman of the board; George Meany, vice president; Samuel W. Meek, vice president; Roderic L. O'Connor, vice president; William L. Breese, secretary; Abram Claude, Jr., treasurer; Victor Jacobs, general counsel; R. Norris Wilson, executive vice president.

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Robert S. McCollum, Robert Murphy, Ruth Z. Murphy, Clarence Pickett, Henry V. Poor, Jacob S. Potofsky, Marsha Hunt Presnell, Richard W. Reuter, Mary G. Roebling, Francis B. Sayre, Jr., Mrs. Harper Sibley, Spyros P. Skouras, Lowell Thomas, Ilia A. Tolstoy, Richard H. West, James W. Wine.

INTRODUCTION

(By R. Norris Wilson)

For 4 years we have published an annual survey of world refugee problems. This study of the various refugee communities and of the efforts made to assist them is unique of its kind. We are very grateful to Senator PHILIP A. HART, of Michigan, for introducing last year's world refugee report into the Senate RECORD. Orders from libraries and universities across the country, resulting from this, indicate that he brought wide recognition to the usefulness of this survey.

We have had the cooperation of 46 agencies—private, governmental, and intergovernmental—in the preparation of this year's world refugee report. The tremendous effort represented by the reports of these organizations both severally and together represent dramatic evidence of the continuing refugee problem. The American private agencies are spending on the average of $1 million per day for various programs of assistance overseas, most of which includes service to refugees.

Ours is still the century of the homeless man. It is still true that out of the strain and ferment of the world's life and with each eruption of political or intercommunal passion, the senseless and pathetic byproduct is the homeless man, woman, and child.

We believe that while the total number of refugees may appear to be less this year than last, this is no indication that "the refugee problem" is ending. Indeed, many of the agency reports indicate to us that we are at the beginning of a new period in which many problems, now in their preexplosive state, may result in great numbers of persons being innocently victimized and set adrift as refugees. This is not a cheerful prospect but it is, we trust, a reminder to us all—we shall be asked again and again for understanding, compassion, and generosity.

AMERICA IS MADE UP OF MANKIND

(President Woodrow Wilson, July 4, 1919, speaking to the returning soldiers and sailors aboard the U.S.S. *George Washington*)

America is made up of mankind. We do not come from any common stock. We do not come from any single nation. The characteristic of America is that it is made up of the best contributed out of all nations. Sometimes when I am in the presence of an American citizen who was an immigrant to America, I think that he has a certain advantage over me. I did not choose to be an American, but he did. I was born to it. I hope if I had not been, I would have had sense enough to choose it. But the men who came afterwards deliberately chose to be Americans.

They came out of other countries, and said, "We cast in our lot with you, we believe in you, and will live with you."

Freedom is not a mere sentiment. We feel the weakness of mere sentiment. If a man professes to be fine, we always wait for him to show it. We do not take his word for it. If he professes fine motives, we expect him thereafter to show that he is acting upon fine motives. And the kind of freedom that America has always represented is a freedom expressing itself in fact. It is not the profession of principles merely, but the redemption of those principles, making good on those principles and knowing how to make good on those principles.

HOW MANY REFUGEES ARE THERE?

(A new course in South Africa: Report of the group of experts established in pursuance of the Security Council resolution of December 4, 1963)

The total figure representing the refugee population of the world is not definitive. We have studied the reports, and "case" tallies, of 44 voluntary agencies, governmental and intergovernmental offices and interagency coordinating bodies. Most of them claim only approximate accuracy for their figures.

Surely there are refugees, many thousands of them of whom there is no record and who receive no help at all. There are others who receive different kinds of assistance from more than one agency.

At any moment, given the pace and ferment of the world's life in our time, a new company of the homeless may be seeking asylum.

These considerations obviously affect the precision of the numerical survey. For example: three agency reports on the number of Tibetan refugees showed variations of nearly 90 percent.

We believe that the material under review was of sufficient volume and variety of source as to enable us to make defensible judgments. But, we add, our bias is toward the minimal.

The total picture is sad enough. The continuing plight of the homeless need not be exaggerated to be believable.

Behind the cold figures representing the presence of refugee communities around the world are the life and death realities, unspeakable brutalities, fears, hatreds, and miseries which are the daily environment of millions of men, women, and children. Moreover, as this is written, there is persuasive evidence that in southeast Asia and Africa, we are only beginning to see the awful consequences in human terms, of intercommunal, intertribal, and international strife.

New problems

Seventy-five thousand Moslems are reported to have moved from India into the east wing of Pakistan as refugees—from Hindu persecution; 50,000 Christians have fled from East Pakistan to Assam, to escape Moslem-Hindu intercommunal strife. Refugees from South Africa are reported as numbering 500. We suspect this is a "token" minimal figure representing a terrible foretaste of what may result from an eruption of the suppressed hatreds and passions of the South African people.[1]

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[1] These forces of conflict in South Africa cannot be disregarded or minimized. Only when the extent of the danger is fully realized is there any hope that action sufficiently drastic will be taken to prevent it. Violence and counterviolence in South Africa are only the local aspects of a much wider danger. The coming collision must involve the whole of Africa and indeed the world beyond. No African nation can remain aloof. Moreover a race conflict starting in South Africa must affect race relations elsewhere in the world, and also, in its international repercussions, create a world danger of first magnitude.

As the Secretary General warned in addressing the Algerian House of Assembly on February 3, 1964: "There is the clear prospect that racial conflict, if we cannot curb and finally eliminate it, will grow into a destructive monster compared to which the

HOW LONG IS A REFUGEE A REFUGEE?

The most serious problem arising from an analysis of the many refugee problems in the world is the question, "When does a refugee cease being a refugee?"

Each refugee group, while it bears some similarities to other groups, is unique. The reasons for their flight differ in each case; the circumstances of their asylum differ in each case; the opportunity for and/or rate of resettlement and integration differ in each case. Moreover, while the human situation for the refugee is always grievous, the political significance of the refugee's predicament varies in importance according to a host of circumstances.

The key question comes specifically to the fore when, as in the case of the present analysis, a calculation of the refugee population of the world is attempted. A good case in point is that of Korea. There are originally 4 million North Koreans who fled the Communists into South Korea. The Korean and U.S. Government officials say that these people have now been assimilated and that this figure should not be included in the calculation of the total refugee population. But on the other hand, there are 63 American voluntary agencies working in Korea on the problems of housing, agriculture, resettlement, and a host of other programs designed to meet the needs of the Korean people. The agencies report that their "caseloads" number in the millions and their reports refer specifically to "refugees." We think there is no reasonable way to dispute the agencies' contention that there remain at least 1 million refugees from the north in South Korea who are neither "resettled" nor "integrated."

Another situation which gives rise to questions of this kind is that of West Pakistan. The Moslems who moved from India to this area at the time of partition numbered 7 million. The Government does not call them refugees—they are persons who have returned "home." On the other hand, though they are not considered to be refugees by name, responsible agency officials report that they are feeding and, in other ways, providing service there to close to a million homeless persons. At least 39 American private agencies are at work in Pakistan, providing services in great variety.

In August of 1962, the official West German Government figure for refugee population in that country was 4 million. It is now quite clear, since that Government is not issuing a current figure, that with the exception of a relatively few "hard-to-resettle cases" the refugee problem in Germany is practically solved.

The "caseload" of the U.N. High Commissioner in Germany is 13,710 at the present time. Other agencies report caseloads of 2,000, 14,620, 9,500, and 20,000. We do not think the sum total of these reports would be an accurate reflection of the German refugee problem. We believe that a good many refugees may be served by more than one agency, especially since several of them say in their reports that they are working "in cooperation with the Office of the High Commissioner for Refugees of the United Nations." We are therefore giving the High Commissioner's reported caseload figure as a minimal figure for the German refugee community.

The ambiguities represented by these refugee problems bring us back to the central question, "When does a refugee cease being a refugee?" We think that apart from the formal definitions of refugee status which differ so widely, a refugee is a refugee as long as the fundamental needs of himself and of his family are unmet—if he is still in the camp though he may have a job; if he has good housing with no opportunity for work; if he is well cared for though alone and separated from his family and uncertain as to whether they can rejoin him; if, in fact, his loss of citizenship and/or forced migration means his continuing deprivation of a minimally decent life—he is still a refugee.

Few would say, for example, that the Algerians who have returned to find their homes destroyed are "resettled." The work of the High Commissioner with the Algerian refugees was finished when the refugees returned from Tunisia and Morocco. The work of the American Friends Service Committee, the World Council of Churches and other organizations will not be finished until that desperately needing company of people have been really "resettled"; that is, until they have become self-sustaining citizens of their new nation.

SIGNS OF THE TIMES

"A sign of the times" bearing upon the German situation as well as that of all of Western Europe may be an issue of 15-year bearer bonds in the amount of $5 million noted in the Economist of April 25, 1964, by the Council of Europe Resettlement Fund for National Refugees and Overpopulation in Europe." This financing is for an intergovernmental program for the movement of refugees and others. The fund is specifically declared not to be "une organisation de bienfaisance," but a long-term intergovernmental capital subscription for use by the member nations. Evidently, the recovery of Western Europe requiring the intercountry movement of labor has resulted in this new international refugee resettlement effort based on commercial financing.

In Greece, another sign of the times has recently appeared. The Government there has shown increased nervousness about the extent of emigration and has recently taken steps to reduce it. A new regulation designed to discourage people from seeking jobs in Western Europe, particularly in West Germany, provides that all Greeks leaving the country must carry with them the equivalent of $150 in foreign exchange. Additionally the regulation prohibits emigration from the three prefectures of Thesprotia, Rhodopi, and Evros on the borders of Albania and Bulgaria.

Last year nearly 18,000 Greeks emigrated to West Germany alone, and it's believed that the new financial requirement will provide a substantial check on this flow. It is generally speaking, the low-income groups for whom $150 is a very large sum, which make up the greatest proportion of migrants. The second provision prohibiting migration from the three prefectures, provides a check on rural depopulation in areas that have already lost 25 percent of their manpower.

There is a further interesting and problematic fact evident in the 1963 emigration statistics. In addition to some 30,000 short-term absentees, over 100,000 men and women left the country permanently. This is an alltime record and exceeds the natural increase of population. During 1961–63 emigration amounted to 232,000. In that same period 169,000 returned. Over half of the emigrants were in their twenties, while most of the returnees arriving from Egypt and other troubled places were nearing retirement age.

The World Council of Churches reports the presence of some 30,000 Ethnic Greeks and Iron Curtain refugees. Presumably we judge that the new emigration regulation in Greece will have a significant bearing on the resettlement rate for these people.

"A thousand years from now, what name will the historians have found for this time of ours? The atomic revolution? The electronic era? The years of rockets? Or will it be remembered, with more significant accuracy, as the Age of the Refugee?"—EDGAR H. S. CHANDLER.

The world's refugees

ABBREVIATIONS

ACNS—American Council for Nationalities Service
AFSC—American Friends Service Committee
AJDC—American Joint Distribution Committee
CARE—Cooperative for American Relief Everywhere
CREC—Cuban Refugee Emergency Center
CRS—Catholic Relief Services
CWS—Church World Service
DHEW—Department of Health, Education, and Welfare
ICMC—International Catholic Migration Commission
ICVA—International Council of Voluntary Agencies
IRC—International Rescue Committee
ORM—Office of Refugees and Migration, Department of State, U.S. Government
SRA—Spanish Refugee Aid
UNHCR—United Nations High Commissioner for Refugees
UNRWA—United Nations Relief and Works Agency
WCC—World Council of Churches

Country of asylum	From—	March 1964	Source
East Asia:			
Hong Kong	China	1,500,000	AFSC and others.
Korea	North Korea	1,000,000	CARE; CWS, and others.
Macau	China	90,000	ORM; UNHCR progress report March 1964.
Peoples Republic of China [1]	Russia	2,231	UNHCR Reference Service January 1964; ORM.
Southeast Asia:			
Bhutan	Tibet	2,911	Dooley Federation Tibetan Mission, Indian Government.
East Pakistan	India	[2] 75,000	New York Times, Dec. 4, 1963 (quoting East Pakistan Government).
India	East Pakistan	2,000,000	CWS—Stroup report.
Do	Tibet	44,781	Tibetan Mission; ORM.
Do [3]	East Pakistan	[2] 50,000	ACNS "Man and Migration," April 1964.
Laos		[4] 150,000	League of Red Cross Societies; ORM.
Nepal	Tibet	11,000	UNHCR reports, March 1964; ORM; Tibetan Mission, New York.
Sikkim	do	6,000	ICVA News, January-February 1964 (quoting Sikkim Government).
Vietnam	North Vietnam	900,000	CRS and others.

See footnotes at end of table.

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religious or ideological conflicts of the past and present will seem like family quarrels. Such a conflict will eat away the possibilities for good of all that mankind has hitherto achieved and reduce men to the lowest and most bestial level of intolerance and hatred. This, for the sake of all our children, whatever their race and color, must not be permitted to happen."

The world's refugees—Continued

Country of asylum	From—	March 1964	Source
Middle East:			
Gaza Strip	Palestine	283,782	UNRWA Commissioner General's report.
Iran		1,500	UNHCR progress report March 1964.
Jordan	Palestine	662,525	UNRWA Commissioner General's report.
Lebanon	do	152,747	Do.
Syria	do	129,010	Do.
Turkey	Iraq	1,482	UNHCR Reference Service January 1964.
Do	Other countries	500	UNHCR progress report March 1964.
Africa (north):			
Algeria	Tunisia and Morocco	[4] 150,000	AFSC and others.
Morocco		1,612	UNHCR progress report March 1964.
Africa (sub-Sahara):			
Burundi	Ruanda	35,000	UNHCR Progress Report March 1964; ORM.
Congo	Angola	150,000	IRC Annual Report 1962; UNHCR; ORM.
Do	Ruanda	60,000	UNHCR progess report March 1964.
Dahomey	Ivory Coast, Gabon, Senegal, and Mali	[4] 12,000	ICMC Migration News, November–December 1963.
Tanganyika	Ruanda	16,000	ICVA News, January–February 1964.
Do	Mozambique	500	WCC newsletter, March 1964; ORM.
Toga		5,700	UNHCR; ICMC Migration News, November–December 1963.
Uganda	Ruanda	48,000	UNHCR progress report March 1964; ORM.
Various African countries	South Africa	[2] 500	ORM.
Europe:			
Austria		1,585	UNHCR progress report January 1964.
France		[5] 22,833	AJDC Philanthropic Fund; IRC; Spanish Refugee Aid.
Germany		13,710	UNHCR progress report March 1964.
Greece		[6] 4,500	UNHCR progress report March 1964, WCC, CWS.
Italy		787	UNHCR progress report March 1964.
Spain	Cuba	12,000	World Alliance of YMCA, 1963 report; UNHCR.
U.S.S.R.	China	[2] 50,000	ACNS newsletter, October 1963.
Western Hemisphere:			
Puerto Rico	Cuba	6,000	DHEW.
Do	Haiti	[2] 5,000	ACNS newsletter October 1963.
United States	Cuba	96,113	CREC, March 1964.
Argentina, Chile, Peru, Colombia, Venezuela	Europe	130,000	UN Press Service, May 1964.
Various Latin American countries	Cuba	20,000	CREC.
Dominican Republic	Haiti	[2] 5,000	IRC.

[1] These people are the remaining "White Russians" who moved to China in the 1920's. The resettlement of this group in Australia, Latin America, and other areas is almost completed.

[2] New.

[3] 50,000 Christians of East Pakistan have fled to Assam to escape Hindu-Moslem fighting in East Pakistan.

[4] National.

[5] Algerians, Spanish Republicans, etc.

[6] Ethnic Greeks and others.

NEW IMMIGRATION AND REFUGEE LEGISLATION

The basic immigration law of the United States is the Immigration and Nationality Act of 1952—commonly called the McCarran-Walter Act. This legislation, which was passed over President Truman's veto, was intended to be a new codification of previously existing law. It preserved most of the features of previous legislation including some of the worst. It eliminated certain types of racial discrimination but while doing so, introduced new and more serious limitations on immigration due to race and parentage.

Quotas

All immigrants who are eligible for admission to the United States as quota immigrants are admitted on the basis of numbers assigned to quota areas. The assignment of these numbers is set at one-sixth of one percent of the number of inhabitants of the United States according to the census of 1920, whose national origins were attributable to that quota area. A quota of 100 was the minimum and the total has been established by Presidential proclamation. The present ceiling is 155,987.

A study of the quota system operation reveals basic inequities. Great Britain is granted an annual quota of 65,361, or 42 percent of the total for all quota countries. In recent years, it has used less than one-third of its allocation. Ireland uses less than one-half of its quota of 17,756. By contrast, Greece has an annual allowance of 308 but has a very large backlog of eligible nationals desiring to emigrate to the United States. Other examples are Israel with a quota of 100, Spain with 250, the Philippines with 100. Altogether, 98 separate quota areas have been designated with a total allocation of 155,987 possible visas, but 70 percent of this total is available only to three countries—Great Britain, Germany, and Ireland. Less than two-thirds of the numbers available annually are now used. The unused numbers are lost; they cannot be transferred to other quota areas nor used in a following year.

Asia-Pacific triangle

An alien is ordinarily chargeable to the quota area in which he was born, but exceptions are made for some aliens who cannot obtain a number from their proper quota. A child accompanied by an alien parent may be charged to the quota of either accompanying parent, if necessary, to prevent separation of the family. The same is permissible for an accompanying spouse to prevent separation of a husband and wife.

Chinese and other Asian persons are denied these favorable privileges by specific legislative clauses. The law describes what is known as the Asia-Pacific triangle, an area comprising much of the continent of Asia. If a person is attributable by as much as one-half of his ancestry to a people indigenous to the Asia-Pacific triangle area, and is born outside that area, the general quota procedure does not apply. That is, he does not fall under the quota of his own country of birth but under the quota of the country within the Asia-Pacific triangle to which his ancestry is attributable, or to an additional quota of 100 which has been given for the whole Asia-Pacific triangle. For example, a person of one-time Japanese ancestry born in England would not be attributable to the British quota but to the Japanese or the Asia-Pacific triangle quota, depending on certain conditions. There are many specific details in connection with this provision for which space does not permit description here.

Many critics of the national origins system urge that even if the assigned quotas exactly fulfilled the immigration needs of each area, the theory of selection of immigrants on the basis of the national origins of the population of the United States does not conform to traditional American ideals, and seriously affects world opinion. All recent studies of the need for further substantial revision of U.S. immigration policy have given special attention to this section of the law.

New legislation

The above analysis by the American Immigration and Citizenship Conference reveals the basic need for fundamental revision in the immigration statutes and the Congress is now being asked to face, in a fundamental way, some of these basic defects. Party platforms of the Republicans and Democrats in the years intervening since 1952 have pledged the revision of the McCarran-Walter Act because of the almost universal recognition of its inequities.

On March 21, 1962, Senator PHILIP A. HART, of Michigan, with the cosponsorship of 25 other Senators, introduced a bill (S. 3043) whose provisions among other things, removed the national origins quota system, and provided an annual allocation of visas for 50,000 refugees per year. There is no such allocation in the present law. The same legislation was introduced into the 88th Congress with even a larger and more representative cosponsorship. On July 23, 1963, President Kennedy forwarded to the Congress his proposed legislation for revision of the immigration law. Now the two bills are before the appropriate congressional committees, both providing for the elimination of the national origins quota system and an equitable and nondiscriminatory revision of the quotas. The President's proposals are embraced in House Resolution No. 7700 and S. 1932. Seventy-two members of the American Immigration and Citizenship Conference, without comment on the specific provisions of the legislation, have endorsed the effort to eliminate the national origins quota system.

Refugees

Since 1952, the McCarran-Walter Act has been amended no fewer than 10 times in order to accommodate critical refugee problems. Each of these amendments have had an ad hoc flavor and have produced very serious administrative difficulties. None of the amendments have touched on the basic inequities in the law. Both Senator HART and President Kennedy, in their proposals, made more adequate and long-term provision for refugees.

We cannot go into the detailed provisions of the legislation here. Hearings in both Houses of the Congress have been delayed for various reasons, most particularly by the overriding importance of the civil rights legislation, now at this writing, under debate and nearing passage. It is presumed that when the civil rights legislation is finally passed, hearings will begin on the immigration legislation.

We think incidentally, that the reform of immigration law as proposed is not unrelated to the civil rights problem. The denial of full freedom of citizenship to Negroes in American society is a grievous wrong which has deeply affected not only the individual citizens concerned, but also the American image in the world community. By the same token, discriminatory provisions of the present immigration law reflect adversely upon the American image abroad because they involve a violation of human rights.

LABOR LOOKS AT IMMIGRATION

(By James B. Carey, vice president, AFL–CIO)

(An address by Mr. Carey delivered before a meeting of the American Immigration and Citizenship Conference in Washington, D.C., April 16, 1964)

Ladies and gentlemen, the story goes that a few years back, here in Washington, a Cherokee Indian appeared before a congressional committee to testify on pending immigration legislation. His testimony was brief and to the point. "You should learn from our experience," said the Redskin sadly, "We weren't sufficiently careful about immigration and look what happened to us."

American unionists who deal with immigration matters have enjoyed recalling that anecdote, but many more of them, I imagine, will cherish President Franklin D. Roosevelt's pungent comment to the 1938 Convention of the Daughters of the American Revolution. "Remember always," said F.D.R., with his big ironic grin, "that all of us, and you and I especially, are descended from immigrants and revolutionists."

We of the labor movement have not forgotten that admonition, and for a very good reason. The American labor movement more than any other movement in the world, has its origins and its traditions deeply rooted in historic tides of immigration and in the brains and brawn of a hundred different nationalities.

The millions of refugees from political oppression, religious persecution and hunger, the hundreds of thousands who came to the United States because they wanted to make a new life in the New World—those whom Emma Lazarus wrote about: the "huddled masses yearning to breathe free, the homeless, tempest-tossed"—all these pioneers were the men and women who endowed our American labor movement with its vitality, dynamism and zealous devotion to democracy.

Out of innumerable strains of social and economic thought, philosophy and political ideas, the American labor movement has woven its unique ideological fabric. Perhaps even more than our Nation itself, trade unionism in our country has been a vast and successful melting pot.

A mere half century ago one out of every seven American workers was foreign born. Around the turn of the century no fewer than 10,215,000 Americans were foreign born, an impressive 13¼ percent of our total population. Gradually, of course, this has dwindled, but interestingly enough the last U.S. census in 1960 revealed that we have almost exactly as many foreign born today as in 1900 but today they comprise only 5½ percent of our 179 million population.

American trade union after trade union, as well as industry after industry, owes an incalculable debt to the immigrants who settled in our villages, towns, and cities not only to toil but to build. No one nationality, it goes without saying, was entirely responsible for building a particular union or industry.

Yet even today we associate many of our greatest unions with the pioneering immigrants who founded them and built them, sometimes at the sacrifice of blood and tears and even life itself. There were the Hungarian, Lithuanian, and Estonian immigrants who built our iron and steel unions; the Slovaks, Scottish, Welsh, and English who created our miners' organizations; the Russians, Poles, and Latvians whose dreams gave birth to the great garment unions; the Irish in transportation (not to mention half the police forces of the country); the Scandinavians who developed unionism in the lumber industry; Italians in the building trades; Portuguese and Spanish workers in fishing; the German pioneers who founded the brewery and printing unions; and many others.

The roster of immigrants who inspired and led great sections of the American labor movement, just in the 20th century, would sound like a rollcall of most of the immortal union leaders of our time, from the time of immigrant Samuel Gompers through the time of immigrant Philip Murray.

Because of this the labor movement's position on immigration has become increasingly liberal as the years have gone by. We would, in fact, be repudiating our past, denying our patrimony, if it were otherwise, if we were to advocate restrictive immigration.

The extent to which the labor movement has come to see clearly—perhaps more clearly than some other groups in the United States—the realities of the immigration issue can be gaged by the action of the most recent AFL–CIO convention. Our unanimously approved 1963 declaration not only called for passage of the legislation advanced by Senator PHILIP HART, of Michigan, and Representative EMANUEL CELLER, of New York; we also emphasized more strongly than ever before the humiliating discrimination which the law now directs at countries of Asia through our appallingly unjust quota system. This is our conviction and sentiment:

"The present immigration policy of the United States is outmoded, based on unfounded myth that people from northern Europe are desirable citizens for America and that all other people are undesirable. This discriminatory, unscientific, and un-American concept is embodied in our policy of arbitrary quotas favoring one portion of Europe over the rest of the world."

Note how utterly this is a reversal, a complete 180° turn, away from the exclusion position of the labor movements at the turn of the century. Continuing with the present restrictive law, our resolution points out:

"This policy is not only a violation of the traditional American view of judging persons by what they are rather than by their origin: it has also seriously damaged the image of the United States in the eyes of those many nations presently insulted gratuitously by our immigration legislation.

"An intelligent and balanced immigration policy ought to rest on practical consideration of desired skills, on humanitarian considerations of need, and on a consideration of the rapidly changing world situation."

The AFL–CIO policy statement then praises the legislative proposals of Senator HART and Representative CELLER, emphasizing that: "These bills provide for the ultimate abolition of the national quota system with the substitution of the aforementioned standards based on talent, need, and democratic commitment."

And here the AFL–CIO finds itself in full accord with the 1960 platform of the Democratic Party which declares: "We shall adjust our immigration, nationality, and refugee policies to eliminate discrimination * * *. The national origins quota system of limiting immigration contradicts the founding principles of this Nation. It is inconsistent with our belief in the rights of man."

We of labor are in harmony also with the convictions expressed by Presidents Truman, Kennedy, and Johnson in advocating immigration reform. President Johnson, just 3 months ago, pointed out as did his predecessors, that Britain now exhausts less than half its annual quota of 65,000 admissions, and Germany never fills its quota of 24,000 emigrants to the United States. In contrast, the President noted, Italy has a quota of only 5,645 but a current backlog of nearly 300,000 applicants. Similarly Greece is assigned a paltry quota of only 308 but has more than 100,000 hopeful men and women awaiting permission to enter the United States. President Johnson concluded: "The present situation has overtones of discrimination. President Truman said that the idea behind this discrimination was, to put it mildly, that English or Irish names were better citizens than Americans with Italian or Greek or Polish names. Such a concept is utterly unworthy of our traditions and our ideals."

To this the American labor movement says a fervent "Amen," but I would believe we would go further. We would say—at least a large majority of us—that one of the most insidious obstacles to unity of the free world and of the so-called uncommitted nations is our perpetuation of this atrociously discriminatory quota system. It suggests to other nations and to other peoples that we find them inferior, or undesirable, perhaps not to be trusted, or even dangerous.

I make this statement out of considerable first-hand experience with the leaders of many different peoples, experience with them both here in the United States during their visits and experience with them in their homelands in Europe and Asia and Africa.

The AFL–CIO, affiliated with the strongly anti-Communist International Confederation of Free Trade Unions, is part of a worldwide trade union fraternity of 60 million men and women on 5 continents. My own union is a member of the International Metalworkers' Federation with more than 8 million members around the world.

It happens that the IUE's closest foreign ties are with counterpart electrical unions almost at opposite sides of the globe: the Electrical Trades Union of England, and the Electrical Workers Union of Japan, known as Denki Roren.

The immigration quota system baffles our brothers of the British ETU; they cannot understand how it survives when U.S. Presidents, large numbers of influential Congressmen, churches, the labor movement and others, all oppose the system.

In Japan, in Denki Roren and other unions, there is more than bafflement; and we know this, to repeat, from firsthand experience. I encountered it while I was in Japan; three other IUE officers encountered it during prolonged visits as guests of Denki Roren in Japan; and an IUE official, currently on a 3-month assignment at Denki Roren headquarters in Tokyo, has confronted it, too. Discreetly and politely, Denki Roren visitors to the United States, year after year make the same delicate but meaningful inquiry.

The form of the question will vary but essentially it is the same always: "How can Americans profess to be close friends of Japan and of the Japanese people and still permit this offensive and insulting Japanese quota to persist? Don't Americans know what potent ammunition it provides to the Japanese Communists and don't we know how successfully the Japanese Communist Party and the Communist parties of southeast Asia have exploited the discriminatory quota system?"

It's not just difficult, it's nearly impossible, for me and for other IUE representatives, to explain convincingly to our Denki Roren brethren why we should limit our democratic partner, Japan, to a quota of 185 immigrants a year while assigning our enemy, Soviet Russia, a total of 2,697 immigrants.

Why is Japan, our strongest ally in Asia, held to fewer than 200 immigrants a year, while Iron Curtain Rumania is allowed 289;

Iron Curtain Czechoslovakia 2,859; Iron Curtain Poland a whopping 6,488, and Communist Yugoslavia 942?

Oh, yes, of course we have given answers to our Japanese brothers and sisters, but the answers have never sounded fully convincing; if I were a Japanese I doubt that I would be convinced. Our answers have included the fact that, of course, the American labor movement is solidly opposed to this absurd, discriminatory Japanese quota. We tell them that the American labor movement helped to elect two recent administrations—those of Presidents Truman and Kennedy—and that we now support the administration of President Johnson; and that all three administrations were pledged, in expressions by the Presidents and in the party platforms, to wipe out the evil of national quotas.

Sometimes, wide eyed, the Japanese check back on what you've said.

"You mean," the Japanese will ask, "that you elect President after President who is opposed to unfair immigration quotas and you elect Congress after Congress that is opposed to unfair immigration quotas and yet today you still have unfair immigration quotas?"

As one of my associates put it: "When you hear your own words coming back at you like that you begin to feel like a faintly idiotic product of a faintly idiotic political system."

So if the Japanese have been baffled by our paradoxical behavior, we as Americans have been baffled even more over how to sound like rational citizens instead of oafs. And the paradox becomes all the greater because we know—and our Japanese brothers and sisters know we know—that very few Japanese would become immigrants to the United States today even if all bars were down.

Japan, as the world is aware, today enjoys a boom economy; unemployment is practically nonexistent. Why then should any substantial number of Japanese want to leave a land of prosperity and full employment for a country 4,500 miles away victimized by mass unemployment and widespread poverty? They would not, of course.

But after we have said all this, three things stubbornly remain; first, the wounded pride of our Japanese friends who feel, not without cause, that they and their country are the object of our prejudice and discrimination; second, a nagging doubt among these Japanese friends that neither the democratic process in the United States nor democratic unionism are as effective as Americans would like the world to believe, at least where immigration is concerned; and third, the Communists of Japan and of southeast Asia continue to enjoy the propaganda ammunition that we provide in the national quota system while tens of thousands of desperate, hungry, and homeless refugees wait and wait—and sometimes listen to the Communists.

These, then, are the reasons that the American labor wholeheartedly supports immigration reform: Reasons of our historic roots and our loyalty to the immigrant men and women of bygone years who gave American trade unions birth and the strength to survive and contribute to our Nation's greatness; reasons of solidarity among the free nations and free labor movements of the world; and reasons, finally, of humanitarianism, compassion, and the encompassing, indestructible brotherhood of man.

The Secretary of State

On July 2 the Secretary of State, Dean Rusk, appeared before the Immigration and Nationality Subcommittee of the House Judiciary Committee testifying in support of the administration's proposals for amendment of the immigration laws. The following is a pertinent excerpt from the Secretary's statement:

"What other people think about us plays an important role in the achievement of our foreign policies. We in the United States have learned to judge our fellow Americans on the basis of their ability, industry, intelligence, integrity, and all the other factors which truly determine a man's value to society. We do not reflect this judgment of our fellow citizens when we hold to immigration laws which classify men according to national and geographical origin. It is not difficult, therefore, to understand the reaction to this policy of a man from a geographical area or of a national origin, which is not favored by our present quota laws. Irrespective of whether the man desires to come to the United States or not, he gets the impression that our standards of judgment are not based on the merits of the individual—as we proclaim—but rather on an assumption which can be interpreted as bias and prejudice. Inasmuch as our immigration laws are regarded as the basis of how we evaluate others around the world, their effect on people abroad and consequently on our influence, can readily be seen. There have been times in the past when we have been accused of preoccupation with the people of the West to the neglect of Asian people in the Far East. Unfortunately, the national origins system gives a measure of support and credence to these observations."

I. INTERGOVERNMENTAL AGENCIES—UNHCR, UNRWA, ICEM

United Nations High Commissioner for Refugees (UNHCR), United Nations Plaza, New York, N.Y.

The UNHCR was established in 1951 to promote, organize, and supervise international action on behalf of refugees. During 1963–64 the High Commissioner's office has been at work on a program directed toward the final settlement of the problems of some 30,200 refugees of which 1,900 were still in refugee camps in Austria, Germany, Greece, and Italy. In 1963, 1,831 were settled from the camps.

The High Commissioner, since the beginning of his program, has found new homes and resettlement provisions for 32,793 persons. In the period of 1955–63 the office has assisted a total of 139,941 who have received assistance in some shape or form under these programs, 45,363 of them coming from camps and 94,578 from among those living outside camps. The total number of refugees who became firmly settled under the program during the period under review is 81,194; 32,793 coming from camps, whereas 48,401 lived outside camps.

The High Commissioner's office is seeking to arrange settlement for a continuing flow of new European refugees—about 10,000 per year.

Additionally, the High Commissioner is providing direct assistance and coordination for private-agency programs in behalf of new refugee groups under the "good office" function. The most serious problem remains that of the refugees from Rwanda, particularly those in Burundi and the Kivu Province of the Congo (Léopoldville). The original influx was in the region of 132,000, plus some 12,000 who arrived recently—a total of 140,000 to 150,000. (In 1963 the contributions of the U.S. Government through ORM, to the budget of the High Commissioner's office was $900,000.)

United Nations Relief and Works Agency (UNRWA), United Nations Plaza, New York, N.Y.

UNRWA is a special, temporary, nonpolitical body established by the General Assembly of the United Nations. In cooperation with the "host" governments (Jordan, Lebanon, the Syrian Arab Republic, and the United Arab Republic) it carries out its twofold task; immediate: to provide food, health services, education, training, and shelter for the refugees; long term: to assist the refugees to become self-supporting.

At the end of 1963, 1,228,064 refugees were registered with UNRWA, of whom 879,874 received all UNRWA services, including food rations. Since half, or over 500,000, of the Arab refugees are under 18 years of age, UNRWA is striving to expand and improve its educational and training programs; 157,331 pupils are taught by 4,284 teachers in 403 UNRWA schools. In addition, the Agency subsidizes 54,700 refugee students in local schools.

UNRWA now has 10 residential teacher and vocational training centers with an overall capacity for some 4,000 trainees. One center at Ramallah, Jordan, is for girls; the others are for boys. A total of 26 courses are offered to the young men, and 9 courses to the young women in the vocational training centers.

UNRWA is entirely financed by voluntary contributions, primarily from governments,[1] but at the present, donations from private sources are assuring the operations of the vocational training program. UNRWA is appealing for scholarships of $500 each. Two thousand are needed annually, and donors in return receive photographs and personal histories of the students they are helping out.

UNRWA Headquarters are in Beirut, Lebanon, and the Agency operates in Lebanon, the Syrian Arab Republic, Jordan, and the Gaza Strip, with liaison offices at the Palais des Nations, Geneva, and at the United Nations, New York. The present Commissioner General of UNRWA is Laurence Michelmore, who was formerly Deputy Director of Personnel of the United Nations. He assumed his new duties on January 1, 1964.

Intergovernmental Committee for European Migration (ICEM), 370 Lexington Avenue, New York, N.Y.

Some 1,300,000 European refugees and national migrants have been resettled in oversea countries under the auspices of ICEM, an international organization of 29 member governments, including the United States. Of the total moved since ICEM began operations on February 1, 1952, 576,575 have been refugees. The 1964 budget of ICEM has been fixed at $21,657,280 for the transportation and resettlement of 70,500 migrants, about 33,000 of whom are refugees. The resettlement total in 1963 was approximately 66,000. The U.S. contribution (through ORM) to the ICEM budget in 1963 was $4,773,021.

Three groups make up this year's movement figure—the "old" refugees waiting for years for a chance to start a productive and meaningful life, recent refugee-escapees, and the members of families of breadwinners who had emigrated on their own years ago.

ICEM paid particular heed in 1963-64 to the solution of the problem of the longtime refugees, hundreds of whom had been thwarted in realizing their emigration dream because of physical or social handicaps. A survey of these cases, undertaken jointly by the United Nations High Commissioner for Refugees, the U.S. escapee program and ICEM, led directly to the emigration in 1963 of 400 refugees who were transported by ICEM to Australia, Canada, the United States, and elsewhere.

The survey, in the course of which ICEM medical officers examined more than 1,000 refugees in 6 countries, led to the preparation of individual dossiers containing comprehensive reports by physicians, psychiatrists, and social workers. The dossiers, furnished to member governments, soon led to invitations to immigrate.

While this program is helping to empty the remaining refugee camps in Europe, ICEM sought simultaneously to avoid adding to the camps' rolls by organizing the transport of newly arrived refugees who have found temporary asylum in Europe to countries of final resettlement. In so doing, ICEM helped prevent the formation of a new problem of camp-living refugees whose resettlement would then be made difficult and expensive by a long and demoralizing period of waiting.

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[1] In 1963, the U.S. Government contribution was $24.7 million in cash and surplus food.

II. U.S. GOVERNMENT—DHEW, ORM, AID

Department of Health, Education, and Welfare (DHEW), Welfare Administration, Washington, D.C.

The DHEW is responsible for the reception and resettlement assistance program for Cuban refugees. It manages the Cuban Refugee Emergency Center in Miami. The department works closely with five of the major private agencies under contract arrangements. The private agencies through their constituencies provided housing and job opportunities. There have been a total of 77,898 persons resettled from a total registered of 172,177. The DHEW also provides welfare assistance including health and medical services, educational and vocational training for the refugee community in Miami. In fiscal year 1963 DHEW spent slightly over $56 million for this program.

Office of Refugee and Migration Affairs (ORM), Department of State, Washington, D.C.

In 1963–64, as in prior years, the U.S. Government made extensive efforts to assist refugees and resolve refugee problems. Two programs to assist refugees, the U.S. Escapee program and the Far East Refugee program, were directly operated by the United States. The United States also contributed to other refugee programs which were carried out by international organizations, and provided food for distribution to refugees by voluntary agencies, international organizations, and other governments. In Europe and the Near East the United States continued its operations of the U.S. Escapee program (USEP). Voluntary agencies made a vital contribution to USEP's successful operation. USEP assists directly in the integration and resettlement of refugees from European Communist countries. In 1963 over 7,000 of these refugees were assisted by USEP. There remain in various European countries, according to estimates made by the United Nations High Commissioner for Refugees, about 30,000 unassimilated refugees within the High Commissioner's mandate.

Under the Far East refugee program, the United States, in cooperation with the Hong Kong and Macao Governments and voluntary agencies, carries out a wide variety of programs to assist refugees from Chinese communism, now numbering some 1,250,000 in this area. Among the programs are resettlement and integration assistance, contribution to the construction or operation of medical and educational facilities and the distribution and conversion of surplus foods.

The United States also assists Tibetan refugees in India and Nepal. There are about 60,000 of these refugees. During 1963 the United States, in cooperation with American and international volunteer agencies, supported programs which provided food, medical care, technical training and educational assistance to the Tibetan refugees.

The United Nations High Commissioner for Refugees (UNHCR) plays a vital role in resolving refugee problems. In addition to providing legal and political protection to refugees, the UNHCR conducts material assistance programs in their behalf which are designed to meet their most urgent relief needs and to reestablish the refugees as rapidly as possible on a basis of self-sufficiency. He is currently continuing his programs in behalf of European refugees in Europe, the Near East, Latin America and the Far East and his program for Rwandan refugees in several asylum countries in Africa. The United States has provided financial and other support to the UNHCR since the office was established. In 1963–64 the United States contributed $900,000 to the work of the UNHCR. The United States has been a member of the Intergovernmental Committee for European Migration (ICEM) since the Committee was formed in 1951. ICEM provides a wide variety of services to refugees and to migrants in Europe, its most important service being transportation from Europe to various oversea countries of resettlement. European refugees entering Hong Kong from mainland China are also resettled by ICEM, in cooperation with the UNHCR. Through its contribution to ICEM, the United States benefits refugees, who are helped to resettle, and the countries of resettlement, which need persons with the skills and professional abilities often possessed by the refugees. Many Latin American countries are included among the countries of resettlement. Of the 63,717 persons moved by ICEM in 1963, 32,894 were refugees. The United States contributed $4,773,021 to ICEM during 1963.

There are approximately 1.3 million Palestine Arab refugees on the rolls of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The UNRWA feeds and provides medical care for most of the refugees and houses the large majority of them. Approximately half of the refugees are located in Jordan, the remainder being in the Gaza Strip, Lebanon and Syria. UNRWA has a primary educational program and an expanding vocational training program. Over the years the United States has contributed approximately 70 percent of the total cost for the care of these refugees. In 1963, the United States contributed $24.7 million to UNRWA in cash and food. In 1963, the United States continued to distribute to refugees surplus foods made available under Public Law 83–480. Over 225,000 tons of Public Law 480 foods were distributed to refugees in 28 countries.

Agency for International Development (AID), Voluntary Foreign Aid Service, U.S. Department of State, Washington, D.C.

The AID cooperates very closely with the private voluntary agencies engaging in a wide variety of oversea programs. These programs, while not always exclusively limited to refugees, do in fact, reach a large portion of the world.

Notable among the programs is the distribution of surplus American foodstuff. During the fiscal year 1963–64 the private agencies will distribute some 65.4 million pounds valued at approximately $65.4 million.

Many American voluntary agencies have had long experiences in providing welfare, education, housing, rural development, health and agricultural services to people in underdeveloped areas.

AID's Voluntary Foreign Aid Service serves as the focal point of contact between the voluntary agencies and AID. At present, for example, under contract with AID, one voluntary agency is establishing a science lab and technical vocational school for the training of teachers in Guinea.

In addition to its contractual arrangements, AID encourages, through the Voluntary Foreign Aid Service, informal noncontractual relationships in technical cooperation overseas between voluntary agencies and the AID missions. The agencies' services are supported from their own resources.

III. VOLUNTARY AGENCIES

American Council for Emigres in the Professions, Inc. (ACEP), 345 East 46th Street, New York, N.Y.

ACEP specializes in giving counseling and placement services to refugees with professions. Its caseload during fiscal 1963 included 3,500 such academically trained professionals. Last year ACEP made 620 direct professional placements throughout the United States, about 600 indirect placements and 280 interim placements for refugees with language problems. A total 1,808 new refugees registered with ACEP last year: 1,251 from Cuba and 517 from Iron Curtain countries.

Of the 54 professional fields handled by ACEP, most refugees were either teachers, engineers, accountants, lawyers, linguists or business administrators. An important development in ACEP's program last year was its absorption of the National Committee for Resettlement of Foreign Physicians into a new physicians division. Retraining projects also developed last year include: College teachers retraining project, lawyer-librarian project, Cuban emergency program, volunteer English tutoring project, social work project, draftsmen project, and elementary and secondary school teachers project.

The American Council for Judaism Philanthropic Fund, 201 East 57th Street, New York, N.Y.

The American Council for Judaism Philanthropic Fund's major concern in 1963 was in France where it helped in the resettlement of 1,915 refugees of Jewish faith, of which 1,470 were from Egypt and North Africa. The Fund also continued its resettlement programs for Iron Curtain refugees in Austria and Italy, and its support of the UNRWA Vocational Training Program for Arab refugees.

American Council for Nationalities Service (ACNS), 20 West 40th Street, New York, N.Y.

ACNS and its member agencies are primarily concerned with services to immigrants and refugees after they arrive in American communities. These services are designed to aid in their adjustment and integration. ACNS also helps in the resettlement of refugees and is particularly involved today with refugees from Cuba and Hong Kong. In the Cuban program ACNS cooperates actively with the several resettlement agencies, aiding in finding jobs and housing. Member agencies of ACNS also seek to stimulate broad community receptivity for resettlement, and promote the establishment of nondenominational resettlement committees composed of representative elements in the community. During 1963 ACNS and its member agencies provided casework services to more than 50,000 immigrants and refugees and group work activities for some 150,000 persons of foreign birth or parentage.

American Foundation for Overseas Blind (AFOB) 22 West 17th Street, New York, N.Y.

Among the world's 14 million blind people, there were thousands of refugees who benefited from AFOB services. Last year the foundation operated a center exclusively for refugees from China in Macao. These facilities for education and vocational rehabilitation were established at the request of the State Department. AFOB regularly renders service and advice to U.N. agencies when they face the problems of the blind.

American Friends of Russian Freedom, Inc., 55 West 42d Street, New York, N.Y.

The American Friends of Russian Freedom provides housing, employment, food, and legal aid to Russian and satellite escapees in Belgium and Germany only. Last Year the agency had a caseload of approximately 450 escapees in Germany, aiding them in local integration and providing immigration help to the United States and Australia. The caseload in Belgium was over 800, the bulk of which consists of financial and integration aid to Russian miners sent to Belgium in the IRO days.

American Korean Foundation (AKF), 345 East 46th Street, New York, N.Y.

Although the 4 million refugees who fled from North to South Korea are listed as "officially integrated," more than 1 million are still unemployed and live in shacks. The foundation is fighting this poverty with housing for these homeless people. Last year refugees also benefited from AKF's agricultural aid and assistance to hospitals, clinics, laboratories, medical schools, and orphanages. Destitute Koreans, refugee and nonrefugee, were assisted by AKF's provision of scholarships, medicines, vocational training, and educational and medical equipment.

American Friends Service Committee, Inc. (AFSC), 160 North 15th Street, Philadelphia, Pa.

Last year the committee continued its programs for refugees in Algeria, Hong Kong, and Vienna. In addition, it participated in the Cuban refugee program and aided in the resettlement of other refugees in the United States. AFSC also turned over clothing to the Near East Christian Council for distribution to Arab refugees in Jordan. AFSC's three major programs to aid refugees are in the following areas:

Algeria: Establishment of a series of community development programs in rural villages composed of refugees and displaced Algerians. The program includes skill training, health education, agricultural extension work, and help in the organization of community projects. Two hundred and fifty thousand returning refugees have merged with the rural population and could benefit from this program.

Hong Kong: A program has been established within the largest resettlement housing project, offering such services as: A cooperative nursery school, a mothers' and a fathers' club, counseling and recreational groups for youth, and vocational training. Community development projects have been established in fishing villages inhabited by refugees around Hong Kong. Seven thousand refugees were directly involved in AFSC programs, while some 50,000 were reached indirectly.

Austria: Final stages of phasing out a resettlement program for Hungarian refugees. Some 300 refugees are involved.

United States: Resettlement of 500 Cuban refugees and 200 from Europe and the Middle East.

American Fund for Czechoslovak Refugees, Inc. (AFCR), 1775 Broadway, New York, N.Y.

There has been a slight increase in the number of refugees escaping Czechoslovakia into Germany and Austria. The AFCR caseload now includes more than 4,000 of such refugees, mostly difficult to resettle. The AFCR program is one of continuing assistance with resettlement, local integration, material and medical help, education, recreation, and rehabilitation of children. Newer refugees are resettled as soon as possible into the United States or other free world countries.

American Joint Distribution Committee, Inc. (AJDC), 3 East 54th Street, New York, N.Y.

Last year the AJDC assisted nearly 51,000 refugees and repatriates. Of these, nearly 35,000 were citizens in a country of asylum; about 16,000 did not have the protection of citizenship and were scattered over 13 countries. AJDC helped these refugees with food, clothing, shelter, medical assistance, low-cost loans, vocational training, and school and guidance counseling. AJDC also maintained a community-aid program which provided funds and technical assistance for synagogues, schools, and community centers. AJDC focused particular attention in 1963 on three chronic refugee problems:

France: Nearly 10,000 refugees mostly from Egypt and Eastern Europe, with a regular influx from north Africa. Pockets of these refugees are also found in Italy, Austria, and Greece.

World War II: AJDC is still assisting 5,000 war refugees and displaced persons. Most of these, 3,700, are in Australia; 875 in Sweden; more than 500 in Norway; and a smaller number in Belgium.

Pre-War: AJDC aid is still going to small numbers of refugees from Hitler's Europe in such widely scattered areas as Italy, Tangier, Haiti, the Philippines, Portugal, and Spain. In the fiscal year 1962–63 the many-sided program of this agency was sustained by $28,736,000 in direct cash contributions for oversea programs, and $1,426,000 in surplus foods and other material aid.

American Immigration and Citizenship Conference (AICC), 509 Madison Avenue, New York, N.Y.

The AICC, as an association of voluntary agencies, does not conduct programs of direct relief. But its work is of importance to refugees in that it bears upon their admission to this country and integration once they are here. The AICC is a coordinating agency for over 90 nonprofit and nonpolitical agencies interested in promoting a nondiscriminatory immigration policy. Standing committees initiate and carry out studies on immigration legislation, immigrant integration, citizenship preparation, international migration affairs and immigration research. AICC acts as a clearinghouse for information, stimulates conferences on immigration and refugees and provides the means for joint action by its member agencies. AICC's work is bolstered by its numerous publications.

Brethren Service Commission (BSC), 1451 Dundee Avenue, Elgin, Ill.

BSC is responsible for the HELP resettlement project for hard-core refugees in Sardinia. The United Nations High Commissioner for Refugees has commended this pilot project for its success in dealing with the difficult-to-settle category of refugees. BSC also operates most of the service centers across the United States where material aid, clothing, blankets and medicines are processed for Church World Service, Inter-Church Medical Assistance, and some for Lutheran World Relief. BSC cooperates with CWS in resettling refugees in the United States, including those from Cuba.

Church World Service (CWS), 475 Riverside Drive, New York, N.Y.

Church World Service has had a continuing interest in refugee resettlement programs since the end of World War II. In the fiscal year 1962–63 the Protestant and Orthodox Churches through CWS in addition to their resettlement program and other direct services to refugees, maintained relief, self-help, and other service projects. These programs were sustained by $29,355,000 worth of surplus and donated supplies, and $12 million in cash expenditures.

CWS has been responsible for the resettlement of 142,943 people through December 31, 1963. During 1963, CWS resettled 7,366 persons, of which 4,557 were Cuban refugees; 696 came to the United States under Public Law 86–648 (Fair Share Law); 1,103 entered under the Chinese parole program; the remainder arriving outside specific programs. Their most recent major emphasis has been on the Cuban refugee program and of the 14,666 Cubans registered with CWS through April 1964, 13,654 have been resettled.

CWS works in very close cooperation with the World Council of Churches Services to Refugees, which resettled 11,346 persons into 28 countries during 1963 of which 6,896 went to Australia, and 2,932 came to the United States.

Cooperative for American Relief Everywhere, Inc. (CARE) 660 First Avenue, New York, N.Y.

CARE assistance to refugees during the fiscal year 1962–63 continued to stress self-help tools and other equipment enabling refugees to help themselves. Such aid amounted to $64,947,000 and included tools for various trades, agricultural implements, and medical and school supplies. Beneficiaries of this aid were UNRWA training centers in Jordan, assimilation settlements in Korea, tribal land development projects in Vietnam, vocational schools and adult training centers in Hong Kong, and Tibetan refugees in India. This self-help program includes $42 million in surplus food and other donated supplies, distributed among 2,313,000 refugees. Recipients of CARE food packages included 2,151,000 North Koreans in South Korea, 37,000 Chinese in Hong Kong, 25,000 North Vietnamese in Vietnam, 5,000 Arabs in Jordan, and 95,000 Arabs in the Gaza strip.

Catholic Relief Services (CRS), National Catholic Welfare Conference (NCWC), 350 Fifth Avenue, New York, N.Y.

As of the end of April 1964, Cuban refugees registered with CRS in Miami numbered 115,976. The agency had arranged for resettlement of 44,762 Cubans in the United States.

CRS maintains welfare and assistance programs in more than 60 countries. These programs include: Local integration, food distribution, vocational training, housing projects and the provision of emergency supplies and other services. During the U.S. Government fiscal year 1962–63 CRS sent oversea supplies including U.S. Government food surplus amounting to $126 million, and contributed to the support of its oversea programs $35,726,000.

Christian Children's Fund, Richmond, Va.

The Christian Children's Fund provides a wide range of aid—financial, medical, educational, food, clothing, care, adoptions—for both refugee and nonrefugee children all over the world. Its principal refugee relief projects last year included.

Hong Kong: assistance to several roof-top schools for refugee children, providing books, clothes, emergency medical aid, and one meal a day.

India: maintaining refugee children from Tibet in orphanages close to the disputed border areas.

Israel: educational and emergency aid to children of Arab refugees living near Bethany.

Korea: financial aid to orphanages caring for children of North Korean refugees who have either been abandoned or separated from their families.

Direct Relief Foundation, 27 East Canon Perdido Street, Santa Barbara, Calif.

The Direct Relief Foundation aids both refugees and destitute people with direct contributions of medicines, food, and clothing. Last year the foundation administered $5 million worth of aid in Africa, Asia, South America, and Europe. Of this amount, $1½ million went to refugees in Hong Kong, Macao, Vietnam, Korea, Taiwan, Laos, Nepal, Pakistan, Iran, Israel, Jordan, Congo, Greece, and Costa Rica. About 85 percent of this aid was in drugs, medicines, and hospital supplies.

The Thomas A. Dooley Foundation, Inc., 442 Post Street, San Francisco, Calif.

The Dooley Foundation renders medical and health services to refugees and nationals alike who would otherwise receive no care at all. The location of program centers stretch the length of eastern Asia: Japan (1), Hong Kong (1), Vietnam (1), Laos (4), Cambodia (1), Thailand (1), Singapore (1), Burma (1), India (6), Pakistan (1), and Nepal (1). The Dooley Foundation's major refugee efforts have been on behalf of the Tibetans in India and Nepal, where it operates two mobile health units and provides educational assistance. In Vietnam the foundation cared for 500 war orphans last year. In Laos the medical unit operates a 30-bed hospital with surgical facilities, serves 100 outpatients a day and has a river clinic program that includes two medical boats.

Hadassah, 65 East 52d Street, New York, N.Y.

Although the Woman's Zionist Organization of America does not deal directly with refugees, its work does affect refugees who are being resettled into Israel. Hadassah's health, social welfare, and education facilities benefit refugees as well as native Israelis. Last year the Hadassah-Hebrew University Medical Center handled 250,000 patient visits at its outpatient clinic, gave inpatient service to 15,000 people, provided 5,000 patients with surgery and treated 25,500 emergency cases. It is impossible to determine the number of resettled refugees who availed themselves of these medical services and other Hadassah facilities.

Heifer Project, 45 Ashby Road, Post Office Box 278, Upper Darby, Pa.

Refugee self-help and resettlement programs are the beneficiaries of Heifer Project aid, which takes the form of donations of livestock, poultry, and technical services. In 1963 Heifer Project made 117 shipments to 26 countries, the majority of which went to nonrefugee relief programs. Shipments directly aiding refugees included: 50 pairs of bullocks to Tibetan refugees; 40,200 chicks to the Congo for distribution through the Central Protestant Relief Agency (CPRA); 1,200 chicks to Greece; 27 heifers, 2 bulls, 10 pigs, 10 sheep, and 8 rabbits to Korea; 7 heifers from churches in Germany to Jordan; 500 chicks to the Church World Service program in Burundi; 59 heifers for farm families in Japan, some of whom were resettled from Manchuria; and financial assistance to Hong Kong refugees to purchase cattle and pigs.

Organization for Rehabilitation Through Training (ORT), 222 Park Avenue South, New York, N.Y.

The basic pattern continues programs activated last year. A most significant new development took place in France, where there are between 150 to 180 Jewish refugees from Tunisia, Morocco, Algeria, and Egypt. The largest number of these are of Algerian origin who arrived in the spring of 1962. During their first year in France, this refugee group was characterized by a high degree of mobility, in search of housing, jobs, and reestablishment of community. This was also a period of dependence on the French Government dole which began to terminate after 1 year. During the latter half of 1963 and the first part of 1964, Government support began to terminate and mobility was greatly reduced. At this point, what had been an increase in the flow of refugee applicants for ORT vocational training services increased substantially and is expected to reach a peak late in 1964 and in 1965.

ORT schools in the Paris regions of Strasbourg, Lyon, Marseilles, and Toulouse are already being swamped by additional applicants, asking short term, quick skill acquisition, and by large numbers of young people applying for admission to regular 3 years ORT vocational high schools.

Other training services provided for refugees are given in the United States at the Bramson ORT Trade School of New York City for some 700 trainees annually, for European refugees seeking English language training preparatory to migration to ORT centers in Rome and Paris, and for large numbers of Jewish refugees in Israel.

International Rescue Committee, Inc. (IRC), 460 Park Avenue South, New York, N.Y.

The emphasis of IRC's activity in 1963 was on the Cuban refugees. By the end of 1963 37,250 Cuban refugees had registered with IRC's Miami office. Of these, 16,335 were resettled by the Committee as of April 1964. The Committee also extended assistance to several thousand Cuban refugees not registered in Miami, and it actively promoted relief and resettlement programs for Cuban refugees in Spain, Mexico, and Canada. During 1963, 627 Cuban refugees were aided by IRC in Madrid and were resettled in the United States. Virtually all of these represented family reunion cases.

The non-Cuban resettlement caseload in 1963 included 459 Chinese refugees from Hong Kong and 200 European refugees admitted under the terms of Public Law 86–648. Eighty-eight European refugees, mainly Yugoslavs, were settled in Canada. Rehabilitation and relief programs were conducted in European countries of first asylum (Sweden, Germany, Austria, Italy), in France and Belgium. European headquarters are in Geneva.

The British refugee agency Lifeline joined forces with IRC to become Lifeline-International Rescue Committee, United Kingdom.

International Social Service (ISS), American Branch, Inc., 345 East 46th Street, New York, N.Y.

As an international casework agency, ISS continued to help refugee families and children in all parts of the word with problems of immigration, resettlement, adoption of orphan children, and reunion of families. Additional special ISS services for 1963 included: Austria—a new community center opened in Klagenfurt to help integrate refugee families into the local community. Brazil—legal assistance to refugees. Hong Kong—services for refugee children such as adoptions, demonstration immunization programs, counseling and referral of handicapped children. Venezuela—Children's International Center in Caracas (day nursery, recreation, training), the first such center of its kind in South America.

Lutheran World Relief, Inc., 386 Park Avenue South, New York, N.Y.

Lutheran World Relief gives aid in the form of money, food, clothing, medicines, technical and vocational assistance, education and self-help projects. The agency has stepped up its support of land reclamation projects in Korea. It has also worked with the World Council of Churches on various projects, including the resettlement of refugees in South America. The number of refugees registered with Lutheran World Relief is: 77,000 in Algeria, 40,000 in Hong Kong, 6,177 in India, 14,750 in Korea, 100 in Chile, and 640 in Brazil. Total refugees receiving aid: 138,667. In the fiscal year 1962–63, Lutheran World Relief sent $12,337,000 in aid overseas including $9,937,000 in surplus food and donated commodities.

Meals for Millions Foundation, 215 West Seventh Street, Los Angeles, Calif.

Both refugees and nonrefugees have benefited from the high-protein multivitamin food supplement developed by Meals for Millions. Statistics for the first half of 1963 showed that 201,870 pounds of multipurpose food (MPF) were distributed in depressed areas of the world, more than 50 percent of which went to areas with heavy concentrations of refugees. 120,845 pounds of MPF went to those areas, providing 966,760 meals.

Mennonite Central Committee, 21 South 12th Street, Akron, Pa.

The Mennonite Central Committee, the official agency of the North American Mennonites, conducted refugee relief operations in Asia and Africa. Last year the Committee assisted refugees in India, Hong Kong, Vietnam, Burundi and the Congo. The relief program in these areas consisted of:

India: Administered a health program, self-help project and educational program in a government assigned refugee colony for East Pakistanis in Calcutta.

Hong Kong: Served meals to 5,000 school children daily, gave educational and family-child assistance to 200 children and made general distributions of clothing.

Vietnam: Assisted refugees from North Vietnam with donations of food, clothing and medicines, including treatment.

Congo: Refugees from Angola benefited from shipments of food and clothing distributed through CPRA.

Burundi: Refugees from Rwanda received food, clothing and medical supplies. This work was conducted in cooperation with Church World Service and the World Relief Commission.

Polish-American Immigration and Relief Committee (PAIRC), 156 Fifth Avenue, New York, N.Y.

The PAIRC conducts a continuing program for Polish postwar refugees in Western Europe as well as newly arrived escapees. The scope of the committee's work covers: immigration and integration help for new refugees, registration and documentation for "old" refugees under special immigration schemes, provision of sponsorships for regular immigration cases, financial assistance to needy refugees, and cooperating in UNHCR integration programs. The total number of refugees served by PAIRC last year was 20,424. The breakdown is as follows: 14,620 in Germany, 2,440 in France, 2,205 in the Benelux countries, 471 in Italy, 238 in Austria, and 450 in other areas.

Project Concern, Inc., Post Office Box 536, Coronado, Calif.

Project Concern operates four medical clinics in Hong Kong, a clinic in Kowloon in the old "Walled City," a floating clinic anchored in Yaumati typhoon shelter, with a second boat anchored alongside, the third clinic, the Jordan Valley, serving the squatter area, and the Vietnam clinic.

Save the Children Federation (SCF), Boston Post Road, Norwalk, Conn.

Although the federation has no specific programs for refugees, its work inevitably affects them. The agency conducts a worldwide program of child, family, and community sponsorships and community self-help projects. In giving aid, the federation does not distinguish between refugees and nonrefugees. Therefore, no refugee figures are available pertaining to the Federation's operations in the Far East, Near East, Europe, and South America.

Selfhelp of Emigres From Central Europe, Inc., 265 West 14th Street, New York, N.Y.

Selfhelp began aiding the victims of Nazi persecution 28 years ago. Now this agency is working with the holdover more difficult-to-settle refugees. Selfhelp's program consists mainly of making employment possibilities available to refugees, primarily in the homemaking field. Last year 1,283 such jobs were found. Selfhelp also specializes in aiding refugees of advanced age and last year provided such services as counseling, a summer resort, an arts and crafts center, foster home and nursing home care, as well as placement in homes for the aged.

Spanish Refugee Aid, Inc. (SRA), 80 East 11th Street, New York, N.Y.

During the past year there has been a shift in emphasis in the relief program of Spanish Refugee Aid. Stressing person-to-person aid rather than general charity, the agency is encouraging an adoption program for the children of Spanish Civil War refugees in France.

Spanish Refugee Aid has also instituted a new program for helping families with talented teenagers and inadequate income; grants provide food, clothing, shelter, books, transportation and whatever else is necessary to keep the teenager in school. Last year the agency gave help to 1,500 of the 10,000 refugees who need some sort of aid. There are 90,000 refugees who can provide for themselves. Spanish Refugee Aid continued its program for aged refugees through the Foyer Pablo Casals in Montauban, France. Two hundred aged were cared for there last year, as compared to 181 the year before. The agency is also helping with the resettlement of the approximately 100 political refugees coming to France each month from Spain.

United Lithuanian Relief Fund of America, Inc., 105 Grand Street, Brooklyn, N.Y.

About 9,500 Lithuanian refugees in West Germany received aid from the fund. Last year the agency did not receive surplus food and had to increase its financial assistance to this refugee group. Some refugees were resettled into the United States, Canada, and Australia, but this was balanced out by new arrivals. Clothing and medicines are the chief items of aid dispensed by the fund.

The United Church Board for World Ministries, 475 Riverside Drive, New York, N.Y.

The United Church's Division of World Service administered a $1.5 million fund for the relief of refugees last year. It had operations in 46 countries, with special programs in Italy, Greece, Lebanon, and Ecuador. With a major emphasis on self-help projects, the board helped finance the work of other agencies. These included: Division of Inter-Church Aid—Refugee and World Service of the World Council of Churches; Church World Service, National Council of Churches of Christ in U.S.A.; Heifer Project; and the Meals for Millions Foundation.

United Hias Service, 425 Lafayette Street, New York, N.Y.

United Hias Service assisted 5,100 persons to resettle in the United States, Canada, Latin America, Australia, and Western Europe in 1963.

In planning for 1964, the agency estimated that 5,800 persons will be assisted to resettle during the current year. Estimated operations for the coming period take into account the stepped-up migration of Jews from Eastern Europe, the increased number of departures from Morocco to Canada, the continuation of assistance to Jewish refugees from the Middle East.

The agency is working out arrangements under which top priority can be given to the parents of unaccompanied Cuban Jewish children who have been unable to join their parents in the United States since the suspension of transportation between Havana and Miami following the October 1962 missiles crisis.

The Tolstoy Foundation, Inc., 989 Eighth, Avenue, New York, N.Y.

The Tolstoy Foundation registered 16,000 refugees in Europe, Middle East, and Latin America last year. The foundation has continued its self-help projects of integration in Western Europe, expanded its old-age-home facilities, developed cultural programs for intellectuals and students and provided camp programs for the children of refugees. A major effort was made in 1963 to integrate European refugees from China in Latin America, providing permanent care for the aged and incapacitated. The foundation took a major interest in Tibetan refugees in 1963, exploring avenues of resettlement for them, especially in the United States. A series of reports in depth on possible resettlement areas is being prepared. The foundation conducts an educational program for Tibetan lamas in a monastery in New Jersey.

World University Service (WUS), 20 West 40th Street, New York, N.Y.

Needy students from all over the world benefit from WUS aid. Last year WUS continued five major programs aimed at refugee students. They were as follows:

Algeria: Financial assistance was given to 150 Algerians studying in Europe, and food, drugs, clothing, etc. were provided to refugee students in Tunisia and Morocco. In 1964, WUS is helping the Algerian university community get back on its feet, which requires $30,000 in assistance.

Angola: Financial aid ($70,000 since 1961) has been provided on a continuing basis to refugee students from Angola and other African territories ruled by Portugal.

China: More than $600,000 have been provided over the past 6 years to foster higher education in Hong Kong. This program continued last year, in addition to which 11 Chinese professors were brought to the United States to study and 5 students were sent to Canada.

Hungary: Since 1956, WUS has been aiding Hungarian refugee students, a $6 million program. They have been able to continue their studies in new countries of residence. There are enough funds on hand to terminate this program in the near future.

South Africa: Grants to colleges in neighboring countries enable nonwhite refugee students from South Africa to continue their educations.

United Ukrainian American Relief Committee, Inc. (UUARC), 5020 Old York Road, Philadelphia, Pa.

United Ukrainian American Relief Committee, Inc., through its European Headquarters in Munich, Germany, continuously assists more than 20,000 Ukrainian refugees and escapees in integration, helping to find employment and to solve housing problems. The agency continues its immigration program in cooperation with ICEM sponsoring new immigrants to the United States under the regular quota.

The World Alliance of Young Men's Christian Associations (YMCA), 291 Broadway, New York, N.Y.

The YMCA acts as a complementary service to the large global programs of the United Nations, governments and churches; it is concerned with the morale of refugees. It is not a relief or migration agency. It tries to establish community centers in the camps (a home-away-from-home) and through them help in the organization of educational, recreational, religious programs, etc. The agency also offers language training, orientation courses for prospective migrants, camping for the children, together with handicrafts and vocational training. To support all this it conducts leadership training courses among the refugees so that most of the leadership and work comes from them.

World Relief Commission, Inc. (National Association of Evangelicals) (NAE), 12–19 Jackson Avenue, Long Island City, N.Y.

Their refugee work is small compared with the other agencies. However, in Korea and in Bujumbura, Burundi, Africa, they supply food, clothing, and medicines to needy refugees in those areas, along with activity in projects for the handicapped.

USCR OBSERVES ITS 5TH ANNIVERSARY

In October 1963 at the annual meeting of the board, notice was taken of the fifth anniversary of the founding of the U.S. Committee for Reguees. The committee was organized by the major resettlement agencies, Catholic, Protestant, Jewish, and nonsectarian, following a White House conference called by President Eisenhower in April 1958.

The president of the committee, Mr. Maxwell M. Rabb, received a commemorative gavel given to him on the occasion by Dr. Luther H. Evans, representing the members of the board.

Citations for distinguished service to refugees were given by the board to retiring Commissioner General John H. Davis, for his service to the Palestine refugees in the care of UNRWA; to Senator PHILIP A. HART of Michigan, for his work as chairman of the Senate Subcommittee on Refugees and Escapees and especially for his leadership in the effort to revise the immigration statutes; and to Mr. Hal B. Cook, publisher of Billboard magazine for his assistance to the committee in publicizing "All Star Festival" through the record industry.

The United Nations High Commissioner, in his message to the meeting, said in part: "On the occasion of your annual meeting I should like to convey to you and through you to the members of your board, my very sincere thanks for the efforts that were made by the U.S. Committee for Refugees during the present year to further the cause of the refugees.

"In this connection I should mention our joint endeavors to promote the sale of All Star Festival in the United States. Even if this venture has not met with the success we had hoped for, I know that thanks to the untiring efforts of your executive vice president and the members of your Secretariat, innumerable new contacts were established with the leading personalities in radio, television, and other information media. Much information about refugees was thus conveyed to the American public during the promotion of the sale of the record. This is important. Indeed, awareness of America's participation in the international action of solidarity towards refugees is dependent upon the extent to which the American people are properly informed.

"It is our important duty to keep alive international concern for refugees and to see to it that this concern is translated into a practical way of bringing assistance to refugees. Governments, intergovernmental agencies, and voluntary agencies all have their roles to play. Each in its own way is the expression of the will of the great mass of the people who in every country form what is called public opinion.

"It is the particular task of the U.S. Committee for Refugees to help keep the American public informed and, shoulder to shoulder with other organizations, to keep alight the 'pilot light of international solidarity'."

Following the morning business session of the annual meeting, the committee joined with the American Immigration and Citizenship Conference in sponsoring a luncheon at the Waldorf-Astoria. Some 350 persons from business, labor and refugee resettlement agencies gathered to hear Representative Emanuel Celler, Senator Kenneth B. Keating, Senator Philip A. Hart, and Mayor Robert F. Wagner speak on the theme: "Immigrants and Refugees—Yesterday's Laws and Today's Needs." The presiding officer was the Honorable Angier Biddle Duke, president of the AICC and member of the USCR board.

THE HIGH COMMISSIONER'S RECORD PROJECT

On February 28, 1963, the Office of the High Commissioner for Refugees of the U.N. issued a long-playing record album called "All Star Festival"—a collection of songs by distinguished popular artists. Proceeds from the sale of the records were to be used for special projects in the High Commisisoner's program.

The record was issued in the United States under the auspices of the U.S. Committee for Refugees. The committee's responsibility was to give the record the best and most thorough public exposure possible and to assist in its sale and distribution. Record sales around the world exceeded 1 million copies though the sales in the United States were disappointing. Proceeds from the sale, now more than $100,500,000, were assigned to the much-needed projects of the High Commissioner.

Copies of the record are still available at $3.98 for monaural and $4.98 for stereo. Please order from the committee's office.

NEW BOARD MEMBER ELECTED

Maxwell M. Rabb, president of the U.S. Committee for Refugees, has recently announced the election of Mrs. Frances Humphrey Howard of Washington, D.C. to the Board of Directors of the Committee.

Mrs. Howard, whose brother is Senator HUBERT HUMPHREY, of Minnesota, is an officer in the Agency for International Development. Since September 1963 she has been responsible for liaison activities between the AID and the private voluntary foreign aid organizations.

As an officer of the Agency, Mrs. Howard has traveled extensively in the Far East and in Latin America and has had firsthand acquaintances with the problems of refugees in many parts of the world.

Mrs. Howard is a prominent lecturer and sociologist who has, during a long career of public service, worked in the interest of citizen participation in governmental and intergovernmental programs for peace and international understanding. She has been a member of the Advisory Committee of the U.S. Committee for Refugees since its formation in 1958.

DETROIT SYMPHONY BENEFIT CONCERT

The U.S. Committee for Refugees sponsored a benefit performance of the Detroit Symphony Orchestra on Easter Monday, March 30. Mr. William Warfield was the featured soloist. John B. Ford, III, of Detroit, a member of the USCR Board, made the initial arrangements with a Detroit committee of his distinguished fellow citizens. The Committee members were Walker L. Cisler, Mrs. John Lord Booth, and John B. Ford, Jr. Honorary patrons were U Thant, Adlai E. Stevenson, Gov. George Romney, and Mayor Jerome P. Cavanagh.

The concert was a cooperative effort by the Committee with vital assistance from the International Institutes, the AAUN and many individual organizations and corporations.

Detroit has more than 100 nationality groups. One of the highlights of the concert was the participation of members of this group in national dress as guides and ushers.

This highly successful event in support of the U.N. refugee agencies—the UNRWA and the UNHCR—was the culmination of Detroit's observance of World Refugee Day.

DETROIT'S MOTOR INDUSTRY TO HELP UNRWA

An interesting byproduct of the benefit concert on March 30 is the commitment of major auto manufacturers to make contributions of equipment to UNRWA Vocational Training Schools. In 5 of the 11 schools maintained by the UNRWA, the young men are given 2-year courses in automotive mechanics. The equipment with which these young men now work is both inadequate and obsolete. General Motors, Chrysler and American Motors have agreed to supply motors, transmission assemblies, fuel pump assemblies, etc., together with tools and training manuals for each of these schools.

This is a contribution of major significance for many reasons, and the Commissioner General, Mr. Michelmore together with his staff, as well as the Officers and Board of the USCR, are deeply grateful to the motor companies for their generosity and interest.

THE TREASURER COMMENTS

The fiscal year 1964 ends June 30, and to date we have figures available only through the month of May. Financially, the year is similar overall to our past experience in that our income roughly balances our expenses. We are slightly on the positive side this year as we are predicting a small profit against a small loss in the preceding year.

Our sources of income show a slightly different mix with stronger support from foundations and somewhat less support from individual contributors. Through May 31, we had taken in $53,000 in contributions, and I am pleased to report that we earned almost $13,000 through our sale of Christmas gift wrap paper. The gift wrap program is increasingly important to our financial health, and we are planning to expand this program substantially this fall.

Dr. Wilson and his staff have done a commendable job in keeping expenses to the minimum, and it is their careful attention to the cost of doing business that allows our committee to accomplish what it does on such a limited budget. The committee continues to operate well within its authorized budget of $125,000.

We are thankful for the continued financial support of our many friends.

ABRAM CLAUDE, Jr.,
Treasurer, U.S. Committee for Refugees.

A WORD TO CONTRIBUTORS

The work of the United States Committee for Refugees is supported entirely by the voluntary contributions of its friends. Friends who contribute $12 or more will become members of the committee and will receive all its publications. Make checks payable to the "United States Committee for Refugees, Inc." Contributions are tax deductible.

THE STAT PROGRAM IN SOUTHEAST ASIA

Mr. HUMPHREY. Mr. President, every Senator remembers the Seabees from World War II. Their near-epic deeds of construction work across the Pacific theater gave real meaning to their distinctly American motto: "Can Do."

After the war the Seabees, though greatly diminished in numbers, continued to add to their list of accomplishments by digging up and carrying away half of a small mountain in the Philippines to build a runway, by constructing a Marine camp on Okinawa, by rushing to the aid of the battered residents of Guam when virtually the entire island was leveled of its homes by Typhoon Karen in 1962. Most recently, they have rushed to the scene of the Alaskan earthquake to help in relief work. The Mayor of Anchorage said "God bless the Seabees" when they left, their mission accomplished. All of these tasks were in addition to their routine tasks of training, numerous smaller construction tasks, and the major task of being ready to deploy with the Marines if necessary.

The Seabee effort in Thailand and South Vietnam consists now of Seabee technical assistance teams—STAT, as they are called by the Navy. The 13 men on these teams are high caliber, highly motivated, and highly trained men with years of experience in all the jobs Seabees do.

What do they do? They specialize in "community development work." They build bridges, build dams, dig wells, grade roads, build schools, build libraries and—they can do just about anything else in the line of construction work.

They do this in the outlying districts, in the isolated towns, in the more poverty-stricken areas of Thailand and South Vietnam, areas which are particularly susceptible to the blandishments and terrorism of communism.

In Thailand, the STAT is accompanied by a "shadow" team of Thai men; it is part of the job of our men to teach their shadow team construction skills while both teams are doing the job. This on-the-job training is the most valuable training these Thais have ever gotten. It is, moreover, hoped that this program will be self-regenerative, that is, that these Thai teams will then teach other apprentice Thai teams the skills they have learned from us.

How has this experiment in people-to-people relations turned out? It has been an impressive success. Large numbers of American servicemen are going to work right with the people of the country, rolling up their sleeves with them, working alongside one another, and—most importantly—teaching them something worthwhile, something that will raise their standard of living, in addition to improving the community's health, sanitation, flood control, and so forth.

The STAT has been called the military peace corps and the reasons for that comparison are obvious. Like the Peace Corps, the STAT put something into the country: They develop human resources. Such a contribution is valuable indeed.

Dollar for dollar, the STAT program has been called one of our best oversea investments. These teams have earned praise from high officials of every country involved, even though the program as a whole is still relatively young.

Although this STAT program is not widely known, I believe it is encouraging to learn of this down-to-earth attempt to assist our friends in southeast Asia to build better communities for themselves and their families. The Seabees in the STAT program merit our commendation and thanks.

VISIT TO THE UNITED STATES BY HON. RUFIO HECHANOVA, FINANCIAL MINISTER OF THE PHILIPPINES

Mr. MORSE. Mr. President, in this country at the present time is one of the outstanding young leaders of our sister republic across the Pacific, the Philippines—Rufio Hechanova, who is the financial minister of the Philippines. He is a dedicated public servant of the Government and the people of the Philippines. He is a proved, true friend of the United States and recognizes that if freedom is to survive in the great contest between totalitarianism and freedom, that is struggling for the minds of millions of people around the globe, the friends and practitioners of freedom must stand together.

As a member of the Committee on Foreign Relations, I should like to say to Mr. Hechanova that we are delighted to have him in the United States and are honored that he is paying a call upon Congress today. It is a great pleasure for us to have him with us and to have the opportunity to meet with him and discuss some of our mutual problems, not only in the Pacific but elsewhere in the world.

PRINTING AS A SENATE DOCUMENT OF PRAYERS BY SENATE CHAPLAIN

Mr. MORSE. Mr. President, I send to the desk for appropriate reference a resolution that reads as follows:

> *Resolved*, That five thousand copies of the prayers offered by the Rev. Frederick Brown Harris, Doctor of Divinity, Chaplain of the Senate, at the opening of the daily sessions of the Senate during the Eighty-seventh and Eighty-eighth Congresses, together with certain prayers offered by him at national occasions sponsored by the Senate, be printed as a Senate document, and that two thousand five hundred additional copies be printed and bound for the use of the Senate.

I submit the resolution in this form now, but it may be necessary to modify it later, after an estimate of the cost has been received.

If it exceeds $1,200, I am advised that it may be necessary to have a concurrent resolution. I know that other Senators have had the same experience I have had. Many inquiries have been received not only from my constituents, but also across the Nation for bound copies of the Chaplain's inspiring and stimulating prayers. I believe that the resolution will win the acclaim of the Senate. In the past, I have submitted a similar resolution which has made available to the Senate copies of the prayers with which we can answer our mail asking for them. I am asking for an increase in the number this year because of the great increase in demand.

The resolution (S. 365) was referred to the Committee on Rules and Administration.

AMENDMENT OF DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1958—CONFERENCE REPORT

The Senate resumed the consideration of a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12196) to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to increase salaries, to adjust pay alinement, and for other purposes.

Mr. MORSE. Mr. President, I shall be brief in reply to my colleagues on the District of Columbia Committee who served as conferees on the pending conference report, to which I have raised objection. I have moved that the conference report be recommitted to conference with instructions on the part of the Senate to endeavor to eliminate that section of it which deals with the longevity retirement provision that would pay Deputy Chiefs a much higher retirement rate than they received in their actual paycheck while on duty, in the neighborhood of at least $2,500. I call it for what it is, a bonus.

The burden of the argument against my motion is that this longevity bonus is supposed to keep men in the ranks of policemen and firemen. That is not what the Commissioners say. The District Commissioners are unanimously against the provision. The chiefs of both the police and fire departments are against it. Instead of helping morale, it is their position that it would be harmful to morale because of devastating undermining of the merit advancement system. If we are going to seek to develop an efficient police department on a merit basis, we must have incentive. Under this arrangement, they know that when they retire they will get the top bracket in any event.

I repeat, I do not believe it is a justifiable expenditure of the taxpayers' money, because it is paying out money for a service which is not rendered. That is, if the assumption is that men will get what they merit under the pay scale, then in effect, by this bonus, we are saying that we are giving them a gratuity. I do not believe that builds morale.

My last point is that it is not the pay scale that is keeping men in the fire and police departments. That is not the reason we have all the problems we do have in securing policemen and firemen, although we are able to hire approximately what the appropriations call for. There is no evidence that there is a shortage of firemen or a shortage of policemen because of the pay scale, because we are able to fill the positions fairly well with the appropriations which we make. There are internal factors—as I shall point out in my report to the Senate District Committee next January or February—creating morale problems.

In talking with some of the policemen on the Capitol Police force who formerly served on the Metropolitan Police force, we do not find them criticizing the pay scale. That is not the reason they transferred from the Metropolitan to the Capitol Police.

I do not like the precedents. Next year, the police and firemen's lobby will be up on Capitol Hill seeking to apply this policy to all classifications, and the $63,200 we are handing out by way of this gratuity under this conference report will be only the beginning.

The report discriminates against the educational people in the District. It is unfortunate that we could not get the 8-percent increase for the teachers, and could obtain for them only 7 percent; but I am delighted that they did get 7 percent.

We cannot justify them getting 7 percent at the cost of supporting an unsound principle in this conference report, which the longevity bonus provides; therefore, I respectfully ask that the bill go back to conference, and that an attempt be made to eliminate it and see what happens. I am not at all moved by the argument that we may end with no bill.

There is no reason why we should support the bill with this unfair provision in it, because we might be put in a position in which the House will not give us any bill at all. The time has come when we should stop yielding to the House with the kind of tactics that are being used. Come January or February, we can then pass a bill and apply in the retroactive principle, which will correct any loss that the teachers, firemen, and policemen may suffer, because we may end with no bill, due to the fact that we refused to yield to a section of the report which the Commissioners are unanimously against, which the Chief of Police is against, and which the Chief of the Fire Department is against.

The PRESIDING OFFICER (Mr. BAYH in the chair). The question is on agreeing to the motion of the Senator from Oregon. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Nebraska [Mr. CURTIS]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Louisiana [Mr. ELLENDER], the Senator from Maryland [Mr. BREWSTER], the Senator from Nevada [Mr. CANNON], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Ohio [Mr. LAUSCHE], the Senator from Maine [Mr. MUSKIE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Rhode Island [Mr. PASTORE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Mississippi [Mr. STENNIS], and the Senator from Louisiana [Mr. LONG], are absent on official business.

I also announce that the Senator from West Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], and the Senator from Florida [Mr. SMATHERS], are necessarily absent.

I further announce that the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Alabama [Mr. HILL] are absent because of illness.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER], the Senator from Alabama [Mr. HILL], and the Senator from Rhode Island [Mr. PASTORE], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. HICKENLOOPER] is absent on official business as a delegate to attend the meetings of the Interparliamentary Union at Copenhagen, Denmark.

The Senator from Kansas [Mr. CARLSON], the Senator from Kentucky [Mr. COOPER], the Senator from New Hampshire [Mr. COTTON], the Senator from Nebraska [Mr. HRUSKA], the Senator from Iowa [Mr. MILLER], the Senator from Kansas [Mr. PEARSON], the Senator from Vermont [Mr. PROUTY], and the Senator from Massachusetts [Mr. SALTONSTALL], are necessarily absent.

The Senator from Nebraska [Mr. CURTIS] and the Senator from Arizona [Mr. GOLDWATER] are detained on official business.

If present and voting, the Senator from Nebraska [Mr. HRUSKA], the Senator from Iowa [Mr. MILLER], the Senator from Kansas [Mr. PEARSON], the Senator from Vermont [Mr. PROUTY], and the Senator from Massachusetts [Mr. SALTONSTALL], would each vote "nay."

The pair of the Senator from Nebraska [Mr. CURTIS] has been previously announced.

The result was announced—yeas 8, nays 57, as follows:

[No. 555 Leg.]

YEAS—8

Bartlett
Magnuson
Morse
Nelson
Proxmire
Salinger
Williams, Del.
Young, Ohio

NAYS—57

Aiken
Allott
Bayh
Beall
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Case
Church
Dirksen
Dominick
Douglas
Edmondson
Ervin
Fong
Gore
Hayden
Holland
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kuchel
Long, Mo.
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Monroney
Morton
Moss
Mundt
Neuberger
Pell
Randolph
Robertson
Russell
Scott
Simpson
Smith
Sparkman
Symington
Talmadge
Thurmond
Tower
Walters
Williams, N.J.
Yarborough
Young, N. Dak.

NOT VOTING—35

Anderson
Brewster
Byrd, W. Va.
Cannon
Carlson
Clark
Cooper
Cotton
Curtis
Dodd
Eastland
Ellender
Fulbright
Goldwater
Gruening
Hart
Hartke
Hickenlooper
Hill
Hruska
Kennedy
Lausche
Long, La.
Mansfield
McCarthy
McClellan
Miller
Muskie
Pastore
Pearson
Prouty
Ribicoff
Saltonstall
Smathers
Stennis

So Mr. MORSE's motion to recommit was rejected.

Mr. BIBLE. Mr. President, I ask that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CONFERENCE REPORT—INSTALLMENT OBLIGATIONS TRANSMITTED AT DEATH

Mr. BYRD of Virginia. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4844) relating to the release of liability under bonds filed under section 44(d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BYRD of Virginia. Mr. President, the bill (H.R. 4844) as passed by both the House and the Senate provided for release of bonds required to be filed by the 1939 code in those cases where a beneficiary received income under an installment sale contract entered into by a decedent.

The Senate amended this bill to provide new rules for dealing with the situation where a taxpayer sells real property on the installment basis, and also in certain other ways, and later has to repossess the property. Under the present law, the entire value of the repossessed property in the case of an installment sale becomes subject to tax at the time of repossession without regard to whether any payments are received by the taxpayer under the installment contract.

The Senate amendment provided that in all of these cases of repossession the taxpayer should only be taxed to the extent that payments have been received by him under the contract and then only to the extent of the gain on the original sale.

The Treasury Department strongly endorsed this amendment and the House conferees agreed to accept it.

Mr. President, I ask that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CORRECTION OF CERTAIN INEQUITIES IN TAXATION OF LIFE INSURANCE COMPANIES—CONFERENCE REPORT

Mr. BYRD of Virginia. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5739) to amend the Internal Revenue Code of 1954 to correct certain inequities with respect to the taxation of life insurance companies. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BYRD of Virginia. Mr. President, the Senate amended the House bill to provide that a life insurance company which realized a capital gain and used it to offset a loss from operations could not add the gain to its shareholders surplus account. The House conferees would not accept this amendment because, in their opinion, it would have imposed a penalty on small companies which often operate at a loss. They pointed out that no tax forgiveness was involved under the House bill—only a deferral of tax. Because of this, the Senate conferees yielded on this amendment.

The House conferees yielded on the Senate amendments which provide for refund or credit of tax where a phase 3 tax was paid and it is later shown that no tax benefit resulted under phase 2, from the special deductions for nonparticipating contracts and for accident and health and group life insurance contracts.

The House conferees also yielded on the Senate amendment which permits a life insurance company to spin off, that is, distribute to its shareholders the stock of certain controlled fire and casualty insurance subsidiaries without causing the phase 3 tax to apply. The House insisted, however, on a technical amendment which makes certain that appreciated securities cannot be contributed to the subsidiary and passed on through to the shareholders of the company without payment of the phase 3 tax.

The House also accepted the Senate amendment which excludes from investment income of life insurance companies, earnings derived with respect to reserves for annuities purchased for public school employees.

The House conferees also accepted the Senate amendment which provides depletion allowances of 23 percent for ores or beryllium derived from domestic deposits.

Another Senate amendment, agreed to by the House, provides a 10-year carryforward instead of 5 years for capital losses incurred by corporations with respect to expropriation of property by foreign governments after 1958.

The last Senate amendment in this bill related to the base for applying the manufacturers excise tax when a constructive sales price must be determined. The Senate bill changed the rules in the case of sales to retailers or at retail. A question was raised as to whether wholesale distributors were injured by the amendment. The House conferees were not willing to accept amendments relating to excise taxes during the pendency of their current study on excise taxes, and although the Senate conferees felt this amendment was meritorious, in light of the House position, the Senate conferees receded.

Mr. President, I ask that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

DEDUCTIBILITY OF ACCRUED VACATION PAY—CONFERENCE REPORT

Mr. BYRD of Virginia. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10467) to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BYRD of Virginia. Mr. President, this bill (H.R. 10467) as passed by the House and Senate, extends until January 1, 1967, the period during which employers may continue to accrue and deduct vacation pay in the year in which employees satisfied the conditions qualifying him for a vacation. This continues the same rule which has been in effect since 1949. The Senate added amendments to the bill under which the United States will receive Chelston, a Bermuda estate of Carleton P. Dubbs, and the National Trust for Historical Preservation will receive Lyndhurst, the family estate of Jay Gould. The bill provides for the estate deductions for the value of these properties and for certain litigation expenses incurred by heirs with respect to the Lyndhurst property. The House accepted these Senate amendments without change.

The Senate bill also added a provision to the House-passed bill, which provides for a study by the Secretary of Commerce, acting through the Bureau of Public Roads, of the feasibility of imposing taxes to help defray the Federal contribution under the urban mass transit bill. The House conferees accepted this provision with a change deleting the reference to the Bureau of Roads. The House conferees also accepted the Senate amendment which eliminates the so-called sidewise attribution of ownership of stock of a corporation. This rule, in effect, prevents stock owned by a partner or beneficiary of a trust or a shareholder from being attributed first to the partnership, trust, or corporation, and then reattributed to the other partners, beneficiaries, or shareholders. This will prevent attributing one person's stockholding to another person which presently cause complete redemptions of a shareholders entire interest to be treated as a dividend rather than a capital transaction. The Treasury Department endorsed this as well as the other amendments in the bill.

As noted above, except for a minor modification of the mass transit study, the House conferees yielded on all the Senate amendments.

Mr. President, I ask that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

SENATOR EUGENE McCARTHY DELIVERS SIGNIFICANT ADDRESS AT WEST VIRGINIA DEMOCRATIC CONVENTION

Mr. RANDOLPH. Mr. President, on August 8, at Huntington, W. Va., approximately 2,500 delegates to our Democratic State convention heard a meaningful and thought-provoking address by the able junior Senator from Minnesota [Mr. McCARTHY]. At that time comment by those privileged to hear this excellent speech agreed with my evaluation that its content and its delivery deserved superior rating. One of the able editorial writers of The Charleston, W. Va., Gazette commented significantly in a column on the address of Senator McCARTHY. The article is entitled "Politics as Usual Won't Go in 1964."

Mr. President, I have been reluctant to ask unanimous consent on any occasion to have printed in the body of the RECORD material other than that pertinent to the debate under consideration. I usually reserve my requests for the Appendix of the daily RECORD, but I feel that in this instance I would desire that the column in question, commendatory of Senator McCARTHY and analyzing his address, be printed here following my remarks. I ask unanimous consent that it be so printed.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POLITICS AS USUAL WON'T GO IN 1964

The campaign this year is not geared to politics as usual. It is geared dangerously, as Senator EUGENE McCARTHY of Minnesota said in Huntington last Saturday, to the full scope of the American political system and to the institutions which make up that system.

Senator McCARTHY's speech at the Democratic State convention got entirely too little attention from the press and public. It was one of those rare discourses which came to grips with essential issues and identified the central problem in this year's campaign.

Because of its importance to the coming political dialog, and because Senator McCARTHY gave his subject both the touch of realism and idealism, we believe it deserves more than the passing treatment it has gotten so far.

The tradition of America is one of two-party politics, said the respected college professor turned Senator. It is a tradition of accommodation within the major parties and of accommodation of parties to historical reality.

This tradition through the years has demonstrated the wisdom of Elihu Root's observation that two-party politics is best in a democracy. It gives evidence, if not proof, that conscious attention is necessary in order to make the two-party system effective.

The tradition of controversy between the two great parties of this Nation is not the principal controversy of the campaign of 1964.

The Democrats will make the old arguments that in the 20th century their party has been the party of innovation and decision, while charging that the Republican Party has subscribed to halfway measures, indecision and hesitation.

But finding that the new leadership in the Republican Party has lost touch with the rules of orderly procedure, the Democrats, McCARTHY added, will go further. They will say that the men who this year are speaking in the name of the Republican Party have broken with its traditions.

In McCARTHY's opinion the political dialog this year is not so evenly divided between a choice of which party has the most to offer, because the attack of Senator BARRY GOLDWATER and his followers is not directed at the Democratic Party, but rather it is directed at the mainstream of American political life—against, in other words, the programs and policies accepted in greater or lesser degree by both parties.

GOLDWATER has stood aside from commitment to the three great decisions of this Congress, decisions involving both political and moral commitment—the Test Ban Treaty, the Civil Rights Act and tax reduction—and he wants now for all America to join with him in this viewpoint.

The new Republicans, McCARTHY declared, are not conservatives, as they say, but radicals. They do violence to structure of American society, Government and politics. They cast suspicion on the legitimacy of actions already taken by the Federal Government and of programs already in effect.

They accept—or refuse to repudiate—the support of organizations whose methods cannot be reconciled with American democracy.

They dismiss the complex problems of poverty, automation and changes in the American economy as temporary conditions which nature or providence will take care of in their own good time, and suggest for a solution a return to methods which were ineffective in the past when applied to less complex problems.

They speak of the right to work but undertake to weaken or destroy the job security of union membership. They have trifled with gravely serious things, including the most serious of all things in this century—the matter of war and peace.

"We must set against this attack the record of the Democratic Party," McCARTHY said, "with full credit to Republicans who have in some cases supported it and in others sustained it."

REGISTRATION OF CONTRACTORS OF MIGRANT AGRICULTURAL WORKERS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 524) to provide for the registration of contractors of migrant agricultural workers, and for other purposes, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Farm Labor Contractor Registration Act of 1963".

CONGRESSIONAL FINDINGS AND DECLARATION OF POLICY

SEC. 2. (a) The Congress hereby finds that the channels and instrumentalities of interstate commerce are being used by certain irresponsible contractors for the services of the migrant agricultural laborers who exploit producers of agricultural products, migrant agricultural laborers, and the public generally, and that, as a result of the use of the channels and instrumentalities of interstate commerce by such irresponsible contractors, the flow of interstate commerce has been impeded, obstructed, and restrained.

(b) It is therefore the policy of this Act to remove the impediments, obstructions, and restraints occasioned to the flow of interstate commerce by the activities of such irresponsible contractors by requiring that all persons engaged in the activity of contracting for the services of workers for interstate agricultural employment comply with the provisions of this Act and all regulations prescribed hereunder by the Secretary of Labor.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "person" includes any individual, partnership, association, joint stock company, trust, or corporation.

(b) The term "farm labor contractor" means any person, who, for a fee, either for himself or on behalf of another person, recruits, solicits, hires, furnishes, or transports ten or more migrant workers (excluding members of his immediate family), at any one time in any calendar year for interstate agricultural employment. Such term shall not include (1) any nonprofit charitable organization, public or nonprofit private educational institution, or similar organization; (2) any farmer, processor, canner, ginner, packing shed operator, or nurseryman who engages in any such activity for the purpose of supplying migrant workers solely for his own operation; (3) any full-time or regular employee of any entity referred to in (1) or (2) above; or (4) any person who engages in any such activity for the purpose of obtaining migrant workers of any foreign nation for employment in the United States, if the employment of such workers is subject to (A) an agreement between the United States and such foreign nation, or (B) an arrangement with the government of the any foreign nation under which written contracts for the employment of such workers are provided for and the enforcement thereof is provided for in the United States by an instrumentality of such foreign nation.

(c) The term "fee" includes any money or other valuable consideration paid or promised to be paid to a person for services as a farm labor contractor.

(d) The term "interstate agricultural employment" means employment in any service or activity included within the provisions of section 3(f) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 203(f)), or section 3121(g) of the Internal Revenue Code of 1954 (26 U.S.C. 3121(g)), when such service or activity is performed by an individual worker who has been transported from one State to another or from any place outside of a State to any place within a State.

(e) The term "Secretary" means the Secretary of the United States Department of Labor or his duly authorized representative.

(f) The term "State" means any of the States of the United States, the District of Columbia, the Virgin Islands, the Commonwealth of Puerto Rico, and Guam.

(g) The term "migrant worker" means an individual whose primary employment is in agriculture, as defined in section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)), or who performs agricultural labor, as defined in section 3121(g) of the Internal Revenue Code of 1954 (26 U.S.C. 3121(g)), on a seasonal or other temporary basis.

CERTIFICATE OF REGISTRATION REQUIRED

SEC. 4. (a) No person shall engage in activities as a farm labor contractor unless he first obtains a certificate of registration from the Secretary, and unless such certificate is in full force and effect and is in such person's immediate possession.

(b) A full-time or regular employee of any person holding a valid certificate of registration under the provisions of this Act shall not, for the purpose of engaging in activities as a farm labor contractor solely on behalf of such person, be required to obtain a certificate of registration hereunder in his own name. Any such employee shall be required to have in his immediate personal possession when engaging in such activities such identification as the Secretary may require showing such employee to be an employee of, and duly authorized to engage in activities as a farm labor contractor for, a person holding a valid certificate of registration under the provisions of this Act. Except as provided in the foregoing provisions of this subsection, any such employee shall be subject to the provisions of this Act and regulations prescribed hereunder to the same extent as if he were required to obtain a certificate of registration in his own name.

ISSUANCE OF CERTIFICATE OF REGISTRATION

SEC. 5. (a) The Secretary shall, after appropriate investigation, issue a certificate of registration under this Act to any person who—

(1) has executed and filed with the Secretary a written application subscribed and sworn to by the applicant containing such information (to the best of his knowledge and belief) concerning his conduct and method of operation as a farm labor contractor as the Secretary may require in order effectively to carry out the provisions of this Act;

(2) has filed, within such time as the Secretary may prescribe, proof satisfactory to the Secretary of the financial responsibility of the applicant or proof satisfactory to the Secretary of the existence of a policy of insurance which insures such applicant against liability for damages to persons or property arising out of the applicant's ownership of, operation of, or his causing to be operated any vehicle for the transportation of migrant workers in connection with his business, activities, or operations as a farm labor contractor. The amount of any such policy of insurance shall be not less than the amount required under the law or regulation of any State in which such applicant operates a vehicle in connection with his business, activities, or operations as a farm labor contractor; but in no event shall the amount of such insurance be less than $5,000 for bodily injuries to or death of one person; $20,000 for bodily injuries to or death of all persons injured or killed in any one accident; $5,000 for the loss or damage in any one accident to property of others; and

(3) has filed, within such time as the Secretary may prescribe, a set of his fingerprints.

(b) Upon notice and hearing in accordance with regulations prescribed by him, the Secretary may refuse to issue, and may suspend, revoke, or refuse to renew a certificate of registration to any farm labor contractor if he finds that such contractor—

(1) knowingly has made any misrepresentations or false statements in his application for a certificate of registration or any renewal thereof;

(2) knowingly has given false or misleading information to migrant workers concerning the terms, conditions, or existence of agricultural employment;

(3) has failed, without justification, to perform agreements entered into or arrangements with farm operators;

(4) has failed, without justification, to comply with the terms of any working arrangements he has made with migrant workers;

(5) has failed to show financial responsibility satisfactory to the Secretary required by subsection (a)(2) of this section or has failed to keep in effect a policy of insurance required by subsection (a)(2) of this section;

(6) has recruited, employed, or utilized the services of a person with knowledge that such person is violating the provisions of the immigration and nationality laws of the United States;

(7) has been convicted of any crime under State or Federal law relating to gambling or to the sale, distribution, or possession of alcoholic liquors in connection with or incident to his activities as a farm labor contractor; or has been convicted of any crime under State or Federal law involving robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, or prostitution;

(8) has failed to comply with rules and regulations promulgated by the Interstate Commerce Commission that are applicable to his activities and operations in interstate commerce;

(9) knowingly employs or continues to employ any person to whom subsection (b) of section 4 of this Act applies who has taken any action, except for that listed in paragraph (5) of this subsection, which could be used by the Secretary under this subsection to refuse to issue a certificate of registration; or

(10) has failed to comply with any of the provisions of this Act or any regulations issued hereunder.

(c) A certificate of registration, once issued, may not be transferred or assigned and shall be effective for the remainder of the calendar year during which it is issued, unless suspended or revoked by the Secretary as provided in this Act. A certificate of registration may be renewed each calendar year upon approval by the Secretary of an application for its renewal.

OBLIGATIONS AND PROHIBITIONS

SEC. 6. Every farm labor contractor shall—

(a) carry his certificate of registration with him at all times while engaging in activities as a farm labor contractor and exhibit the same to all persons with whom he intends to deal in his capacity as a farm labor contractor prior to so dealing;

(b) ascertain and disclose to each worker at the time the worker is recruited the following information to the best of his knowledge and belief: (1) the area of employment, (2) the crops and operations on which he may be employed, (3) the transportation, housing, and insurance to be provided him, (4) the wage rates to be paid him, and (5) the charges to be made by the contractor for his services;

(c) upon arrival at a given place of employment, post in a conspicuous place a written statement of the terms and conditions of that employment;

(d) in the event he manages, supervises, or otherwise controls the housing facilities, post in a conspicuous place the terms and conditions of occupancy; and

(e) in the event he pays migrant workers engaged in interstate agricultural employment, either on his own behalf or on behalf of another person, keep payroll records which shall show for each worker total earnings in each payroll period, all withholdings from wages, and net earnings. In addition, for workers employed on a time basis, the number of units of time employed and the rate per unit of time shall be recorded on the payroll records, and for workers employed on a piece rate basis, the number of units of work performed and the rate per unit shall be recorded on such records. In addition he shall provide to each migrant worker engaged in interstate agricultural employment with whom he deals in a capacity as a farm labor contractor a statement of all sums paid to him (including sums received on behalf of such migrant worker) on account of the labor of such migrant worker. He shall also provide each such worker with an itemized statement showing all sums withheld by him from the amount he received on account of the labor of such worker, and the purpose for which withheld. The Secretary may prescribe an appropriate form for recording such information.

AUTHORITY TO OBTAIN INFORMATION

SEC. 7. The Secretary or his designated representative may investigate and gather data with respect to matters which may aid in carrying out the provisions of this Act. In any case in which a complaint has been filed with the Secretary regarding a violation of this Act or with respect to which the Secretary has reasonable grounds to believe that a farm labor contractor has violated any provisions of this Act, the Secretary or his designated representative may investigate and gather data respecting such case, and may, in connection therewith, enter and inspect such places and such records (and make such transcriptions thereof), question such persons, and investigate such facts, conditions, practices, or matters as may be necessary or appropriate to determine whether a violation of this Act has been committed.

AGREEMENTS WITH FEDERAL AND STATE AGENCIES

SEC. 8. The Secretary is authorized to enter into agreements with Federal and State agencies, to utilize (pursuant to such agreements) the facilities and services of the agencies, and to delegate to the agencies such authority, other than rulemaking, as he deems necessary in carrying out the provisions of this Act, and to allocate or transfer funds or otherwise to pay or to reimburse such agencies for expenses in connection therewith.

PENALTY PROVISIONS

SEC. 9. Any farm labor contractor or employee thereof who willfully and knowingly violates any provision of this Act or any regulation prescribed hereunder shall be fined not more than $500.

APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT

SEC. 10. The provisions of the Administrative Procedure Act (5 U.S.C. 1001 and the following) shall apply to all administrative proceedings conducted pursuant to the authority contained in this Act.

JUDICIAL REVIEW

SEC. 11. Any person aggrieved by any order of the Secretary in refusing to issue or renew, or in suspending or revoking, a certificate of registration may obtain a review of any such order by filing in the district court of the United States for the district wherein such person resides or has his principal place of business, or in the United States District Court for the District of Columbia, and serving upon the Secretary, within thirty days after the entry of such order, a written petition praying that the order of the Secretary be modified or set aside in whole or in part. Upon receipt of any such petition, the Secretary shall file in such court a full, true, and correct copy of the transcript of the proceedings upon which the order complained of was entered. Upon the filing of such petition and receipt of such transcript, such court shall have jurisdiction to affirm, set aside, modify, or enforce such order, in whole or in part. In any such review, the findings of fact of the Secretary shall not be set aside if supported by substantial evidence. The judgment and decree of the court shall be final, subject to review as provided in sections 1254 and 1291 of title 28, United States Code.

STATE LAWS AND REGULATIONS

SEC. 12. This Act and the provisions contained herein are intended to supplement State action and compliance with this Act shall not excuse anyone from compliance with appropriate State law and regulation.

SEVERABILITY

SEC. 13. If any provision of this Act, or the application thereof to any person or circumstance, shall be held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

RULES AND REGULATIONS

SEC. 14. The Secretary is authorized to issue such rules and regulations as he determines necessary for the purpose of carrying out the provisions of sections 4, 5, 6, and 8 of this Act.

EFFECTIVE DATE

SEC. 15. The provisions of this Act shall become effective on January 1, 1965.

Mr. WILLIAMS of New Jersey. Mr. President, the proposed legislation establishes a system of Federal registration for interstate farm labor contractors, or crew leaders. The changes made by the House amendment are, in my judgment, inconsequential, and are in full conformity with the policy of the bill passed by the Senate. I ask unanimous consent that a summary of the differences between the Senate-passed bill and the House amendment, together with a letter from the Under Secretary of Labor indicating the Department's favorable views on the House amendment, be printed in the RECORD at this point.

I urge the Senate to agree to the House amendment so that this legislation can promptly be signed into law.

There being no objection, the summary and letter was ordered to be printed in the RECORD, as follows:

For the most part the House amendments to the bill S. 524 are of a minor, perfecting nature, as follows:

1. The House adds a requirement that the crew leader disclose to each worker, at the time of recruitment, the charges the crew leader will make for his services. This supplements the requirement of the Senate bill (p. 8, line 21 to p. 9, line 2) that the crew leader disclose information about prospective wages, working conditions, and so forth.

2. The House adds a requirement that the crew leader furnish workers with statements of their earnings and deductions. This supplements the requirement of the Senate bill (p. 9, lines 9–21) that the crew leader weep payroll records containing this same information.

3. The House provides, in a new subsection 5(b)(9), for denial or revocation of a crew leader's certificate if he knowingly employs a person who has committed any of the malpractices prohibited by the act. This simply makes explicit in the bill a matter which was resolved on the Senate side, in the same manner, by a colloquy on the floor during debate on the bill. (CONGRESSIONAL RECORD, vol. 109, pt. 8, p. 10625.)

4. The House provides for denial or revocation of a crew leader's certificate if he has been convicted of the crime relating to gambling or liquor in connection with his activities as a farm labor contractor, or if he has been convicted of any of a number of specified serious crimes, including murder, robbery, grand larceny, and offenses involving narcotics or prostitution. The comparable provision of the Senate bill (p. 7, lines 21–25) provides for denial or revocation only in case of a conviction relating to gambling, liquor, prostitution, or narcotics in connection with his activities as a farm labor contractor.

5. The House changes the effective date of the bill to January 1, 1965. The Senate version, which was passed in June 1963, provided an effective date of January 1, 1964 (p. 12, line 21).

In addition, the House amendment provides that a crew leader, to be licensed, shall have "filed, within such time as the Secretary may prescribe, a set of his fingerprints" (new subsection 5(a)(3)). The desirability of this amendment is borne out by the experience of two States—New York and Pennsylvania—which require fingerprinting of crew leaders. In 1963 in New York, out of 399 applicants for crew leader licenses, 26 were found to have criminal records calling for denial or revocation of the license. In Pennsylvania in 1963, out of 94 applicants, 11 were denied licenses on the basis of criminal records.

Finally, the House omits two provisions of the Senate-passed bill. These provisions were Senate Labor Committee amendments, made only for clarification and not to effect any substantive change. Their omission from the House version simply reflects the fact that the House Education and Labor Committee reported the bill on June 4, 1963, a week before Senate action had been completed. The two points of difference referred to are as follows:

1. The Senate-passed bill specifically exempts freezers and cold storage operators from the definition of a farm labor contractor (p. 3, line 2). Both the Senate and House versions exempt "processors"—a term which can easily be construed to include freezers and cold storage operators.

2. The Senate-passed bill specifically authorizes issuance of a certificate to a crew leader who "gives satisfactory assurance that he will file" proof of liability insurance covering his vehicles, within such time as the Secretary may prescribe (p. 6, lines 1–2). The purpose of this language was to make sure that no one would go to the expense of buying insurance and then be denied a certificate on other grounds. The House language, though somewhat awkward, is amply broad to provide the same result. It reads, "The Secretary shall * * * issue a certificate * * * to any person who * * * (2) has filed, within such time as the Secretary may prescribe, proof * * * of the existence of a policy of insurance."

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, D.C., August 21, 1964.

Hon. HARRISON A. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: We have made a study of the different versions of S. 524 passed by the House of Representatives and the Senate of the United States, and have no objection to the House version.

We would like to recommend, therefore, that the House version of S. 524 be favorably considered.

Sincerely yours,

JOHN F. HENNING,
Under Secretary of Labor.

Mr. WILLIAMS of New Jersey. Mr. President, I move that the Senate concur in the House amendment to the bill S. 524.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Jersey.

The motion was agreed to.

Mr. JAVITS subsequently said:

Mr. President, in 1959, during the 1st session of the 86th Congress, I introduced with Senator KEATING, S. 1778, a bill modeled after the New York State law to require the registration of those who act as contractors for migratory farm laborers. At long last, this Congress will now enact such legislation. I am particularly pleased that this measure was passed in the other body by so wide a margin, 343 to 7.

During 1963 some 400,000 domestic farmworkers traveled to take jobs beyond commuting distance of their homes. More than 150,000 of these moved from one State to another in search of employment. In the State of New York more than 20,000 domestic migratory agricultural workers were employed during the peak agricultural employment period, which comprised more than half of the total seasonal agricultural labor force of 35,000 required by New York agriculture.

This is legislation designed to protect these workers. To obtain registration, the prospective contractor must certify that he will meet certain specified minimum standards of operation in regard to wages, housing, working conditions, periods of employment, and transportation.

Most other employment has a degree of stability as far as residence is concerned, a certain continuity of employment and income security, but the migratory worker is not always sure of what work will be available from day to day, the length of time he will be in a given area, and the income which may be realized. Consequently, he depends very heavily on those who arrange employment for him and negotiate for him the terms of his employment.

New York has had legislation such as this on its books for several years. Its record of enforcement bears out the need for Federal legislation of this type applicable to all the States which rely on migratory farm labor. Approximately 400 crew leaders applied for certificates of registration in New York during 1963. Of these, 26 were refused certification, apparently because of criminal records.

This legislation will benefit not only the migratory workers recruited by farm labor contractors, but also prospective employers and reputable farm labor contractors who perform a valuable service in American agriculture.

During this Congress, action has been taken, which I supported, to provide for the expiration of the Mexican farm labor program. The legislation now being enacted, the Farm Labor Contractor Registration Act, gives the Department of Labor the means to expand employment opportunities for domestic workers and to assure them increased income, and at the same time to make available adequate numbers of competent employees to relieve any difficult situations which may develop as a result of the expiration of the Mexican farm labor program.

In September 1962, the Migrant Health Act became law, to assist the establishment of State health facilities for migratory farm workers. Just days ago the Congress passed the Housing Act of 1964, containing additional programs designed to improve housing for such workers. And the Economic Opportunity Act, signed into law yesterday, contains generous provisions for the development of programs of education, day care services, and sanitation which will be available to migratory farm laborers. I welcome these steps and join with Senator WILLIAMS, the chairman of the Senate Subcommittee on Migratory Labor, of which I am a member, in expressing gratification for the efforts which have been made to have these steps taken.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside temporarily and that the Senate proceed to the consideration of Calendar No. 1425, S. 860, and that the rest of the calendar be considered in sequence.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

On request of Mr. MANSFIELD, and by unanimous consent, the following measures were acted upon as indicated:

DISTRICT OF COLUMBIA MINIMUM WAGE AMENDMENTS ACT OF 1964

The Senate proceeded to consider the bill (S. 860) to amend the District of Columbia minimum wage law to provide broader coverage, improved standard of minimum wage and overtime compensation protection, and improved means of enforcement which had been reported from the Committee on the District of Columbia, with an amendment, to strike out all after the enacting clause and insert:

That the District of Columbia minimum-wage law, approved September 19, 1918 (40 Stat. 960), as amended, is amended (except to the extent provided in section 2 of this Act) by striking out sections 1 through 23, inclusive, immediately following the designation "TITLE I—MINIMUM WAGES" and inserting in lieu thereof the following:

"FINDING AND DECLARATION OF POLICY

"SECTION 1. (a) The Congress hereby finds that there are persons employed in some occupations in the District of Columbia at wages insufficient to provide adequate maintenance and to protect health. Such employment impairs the health, efficiency, and well-being of the persons so employed, constitutes unfair competition against other employers and their employees, threatens the stability of industry, reduces the purchasing power of employees, and requires, in many instances, that their wages be supplemented by the payment of public moneys for relief or other public and private assistance. Employment of persons at these insufficient rates of pay threatens the health and well-being of the people of the District of Columbia and injures the overall economy.

"(b) It is hereby declared to be the policy of this Act to correct and as rapidly as practicable to eliminate the conditions referred to hereinabove.

"DEFINITIONS

"SEC. 2. As used in this Act—

"(a) 'Commissioners' means the Commissioners of the District of Columbia or their designated agent or representative;

"(b) 'Wage' means compensation due to an employee by reason of his employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value, including such allowances as may be permitted by any order or regulation issued under section 3, 5, 6, or 7;

"(c) 'Employ' includes to suffer or permit to work;

"(d) 'Employer' includes any individual, partnership, association, corporation, business trust, or any person or group of persons, acting directly or indirectly in the interest of an employer in relation to an employee, but shall not include the United States or the District of Columbia;

"(e) 'Employee' includes any individual employed by an employer but shall not include any (1) individual who, without payment and without expectation of any gain, directly or indirectly, volunteers to engage in the activities of an educational, charitable, religious, or nonprofit organization, or (2) lay member elected or appointed to office within the discipline of any religious organization and engaged in religious functions;

"(f) 'Occupation' means any occupation, service, trade, business, industry, or branch or group of occupations or industries, or employment or class of employment, in which employees are gainfully employed;

"(g) 'Gratuities' means voluntary monetary contributions received by an employee from a guest, patron, or customer for services rendered.

"MINIMUM WAGE AND OVERTIME COMPENSATION

"SEC. 3. (a) Every employer (except as otherwise provided in this Act) shall pay to each of his employees at a rate of not less than $1.15 an hour beginning on the effective date of the Minimum Wage Amendments Act of 1964, and not less than $1.25 an hour beginning September 3, 1965: *Provided*, That nothing herein contained shall be construed so as to reduce any higher rate of pay established by any wage order issued pursuant to this Act or preserved by section 2 of the Minimum Wage Amendments Act of 1964, or established by the Fair Labor Standards Act of 1938, as amended (29 U.S.C.A. 201 et seq.).

"(b) No employer (except as otherwise provided in this Act) shall employ any of his employees (1) for a workweek longer than forty-two hours beginning on the effective date of the Minimum Wage Amendments Act of 1964, or (2) for a workweek longer than forty hours beginning September 3, 1965, unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed.

"(c) The minimum wage orders issued by the Commissioners prior to the effective date of the amendments made by the Minimum Wage Amendments Act of 1964 shall remain in full force and effect, except that they shall, subject to the provisions of section 2 of that Act, be modified, effective on such effective date, as follows:

"(1) any such order which does not provide for minimum wages at a rate prescribed in subsection (a) shall be modified by order of the Commissioners to provide for the payment of wages at such prescribed rate (except as otherwise provided in this Act);

"(2) all such orders shall be modified by order of the Commissioners to provide for the payment of overtime compensation as prescribed in subsection (b) of this section (except as otherwise provided in this Act); and

"(3) all such orders shall be modified by order of the Commissioners to apply to all employees without regard to the sex of any such employee.

"(d) For those occupations with respect to which, on the date of the enactment of the Minimum Wage Amendments Act of 1964, there is no existing minimum wage order, the Commissioners shall issue an order, effective on the effective date of the amendments made by such Act, providing for minimum wages at a rate prescribed in subsection (a) and for the payment of overtime compensation as prescribed in subsection (b) of this section.

"(e) The minimum wage orders issued by the Commissioners prior to the date of the enactment of the Minimum Wage Amendments Act of 1964 shall be modified by the Commissioners on or after the enactment of the amendments made by such Act in order to accommodate, as the Commissioners deem necessary, the definitions and regulations of such orders to carry out the purposes of this Act, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rates and overtime provisions established therein. Such orders shall include such definitions and regulations as prescribed in section 7 as the Commissioners deem necessary. The wage orders containing such revisions of definitions and regulations shall take effect upon the expiration of thirty days after the date on which they were made by the Commissioners, but not before the effective date of the Minimum Wage Amendments Act of 1964.

"(f) For those occupations with respect to which on the date of the enactment of the Minimum Wage Amendments Act of 1964 there is no existing minimum wage order, the Commissioners shall, with or without reference to an ad hoc advisory committee as specified in section 5(a), make one or more wage orders which may include unrelated occupations. Such order or orders shall include the minimum wage and overtime provisions as prescribed in subsections (a) and (b) of this section, and include such definitions and regulations as prescribed in section 7 as the Commissioners deem necessary to carry out the purposes of this Act, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rates and overtime provisions established therein. The Commissioners shall publish a notice once a week, for four successive weeks, in a newspaper of general circulation printed in the District of Columbia, stating that they will, on a date and at a place named in the notice, hold a public hearing on such order or orders at which all interested persons will be given a reasonable opportunity to be heard. Such notice shall contain a summary of the major provisions of such order or orders. Within thirty days after such hearing, the Commissioners may make such order or orders as may be proper or necessary to effectuate the purposes of this Act. Notice of such order or orders shall be published in a newspaper of general circulation printed in the District of Columbia and such order or orders shall take effect upon the expiration of sixty days after the date on which such order or orders were made by the Commissioners.

"POWERS AND DUTIES OF THE COMMISSIONERS

"SEC. 4. The Commissioners or their authorized representative shall, in addition to the foregoing authority, have authority—

"(a) to investigate and ascertain the wages of persons employed in any occupation in the District of Columbia;

"(b) to enter and inspect the place of business or employment of any employer in the District of Columbia for the purpose of examining and inspecting any or all books, registers, payrolls, and other records of any such employer that in any way relate to or have a bearing upon the wages, hours, and other conditions of employment of any employees; to copy any or all of such books, registers, payrolls, and other records as the Commissioners or their authorized representative may deem necessary or appropriate, and question such employee for the purpose of ascertaining whether the provisions of this Act and the orders and regulations issued thereunder have been and are being complied with; and

"(c) to require from any such employer full and correct statements in writing, including sworn statements, with respect to wages, hours, names, addresses, and such other information pertaining to the employment of his employees as the Commissioners or their authorized representative may deem necessary or appropriate to carry out the purposes of this Act.

"REVISION OF WAGE ORDERS

"SEC. 5. (a) At any time after a wage order has been in effect for one year the Commissioners may on their own motion, or on the petition of fifty or more residents of the District of Columbia, reconsider the wage rates set therein. If, after investigation, the Commissioners are of the opinion that any substantial number of workers in the occupation covered by such wage order are receiving wages insufficient to provide adequate maintenance and to protect health they may convene an ad hoc advisory committee for the purpose of considering and inquiring into and reporting to the Commissioners on the subject investigated by the Commissioners and submitted by them to such committee.

"(b) The committee shall be composed of not more than three persons representing the employers in such occupation, of an equal number representing the employees in such occupation, of not more than three persons representing the public, one or more representatives of the agency designated by the Commissioners to administer this Act. Such agency shall name and appoint all the members of the committee and designate the chairman thereof. Two-thirds of the members of the committee shall constitute a quorum and the decision or recommendation or report of the committee on such subject submitted to it shall require an affirmative vote of not less than a majority of all its members.

"(c) The Commissioners shall present to the committee such information as they might have relating to the subject they submitted to the committee, and may cause to be brought before the committee any witnesses whose testimony the Commissioners consider material.

"(d) Within sixty days after the convening of the committee by the Commissioners, the committee shall make and transmit to the Commissioners a report containing its findings and recommendations on the subject submitted to it by the Commissioners, including recommendations as to minimum wages for employees in the occupation which will effectuate the purposes of this Act, taking into consideration the amount of wages sufficient to provide adequate maintenance and to protect health, the fair and reasonable value of the work performed, and the wages paid in the District of Columbia by fair employers for work of like or comparable character: *Provided*, That the wages recommended shall not be less than at the rate prescribed in subsection (a) of section 3 or the rate prescribed in the wage order then applicable to such occupation, whichever is higher.

"(e) The committee report may include, but shall not be limited to, recommendations for permissible allowances for board, lodging, or other facilities or services, customarily furnished by the employer to the employees, or reasonable allowances for gratuities customarily received by employees in any occupation in which gratuities have customarily and usually constituted and have been recognized as a part of the remuneration for hiring purposes. The committee may make a separate inquiry into and report on any branch of any occupation and may recommend different minimum wages for such branch of employment in the same occupation.

"(f) In the event any such committee fails to submit a report to the Commissioners within the period specified in subsection (d), the Commissioners may discharge such committee from further consideration of the subject submitted to it and convene a new committee for the purpose of considering such subject, or the Commissioners themselves may undertake to consider the subject and proceed to prepare and publish a revised wage order for the occupation in accordance with the procedure in section 6.

"SEC. 6. (a) Upon receipt of the report from any ad hoc advisory committee, or upon the discharge of such committee, in accordance with section 5(f), the Commissioners may prepare a proposed revised wage order for the occupation, giving due consideration to any recommendations contained in any report of such committee. In such order the Commissioners may provide, among other things, such allowances and classifications as are referred to in section 5(e). The Commissioners shall publish a notice once a week, for four successive weeks, in a newspaper of general circulation printed in the District of Columbia, stating that they will, on a date and at a place named in the notice, hold a public hearing at which all interested persons will be given a reasonable opportunity to be heard. Such notice shall contain a summary of the major provisions of the proposed revised wage order.

"(b) Within thirty days after such hearing, the Commissioners may make such an order as may be proper or necessary to effectuate the purposes of this Act. Notice of such order shall be published in a newspaper of general circulation printed in the District of Columbia and such order shall take effect upon the expiration of sixty days after the date on which such order was made by the Commissioners.

"(c) Orders issued under this section shall define the occupation and classifications therein to which they are to apply, and shall contain such terms and conditions as the Commissioners find necessary to carry out the purposes of such orders, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage established therein.

"ADMINISTRATIVE REGULATIONS

"SEC. 7. The Commissioners shall make and revise such regulations, including definition of terms, as they may deem appropriate to carry out the purposes of this Act or necessary to prevent the circumvention or evasion thereof and to safeguard the minimum wage rates and the overtime provisions thereby established. Such regulations may include regulations defining and governing learners and apprentices, their number, proportion, length of service and rates of pay (except that such rates shall be not less than 80 per centum of the minimum wage prescribed in section 3(a) of this Act), and regulations defining and governing the employment of handicapped workers and students. Such regulations may also include, but are not limited to, regulations governing piece rates, bonuses, and commissions in relation to time rates; part-time rates; minimum daily wages; wage provisions governing split shift and excessive spread of hours; provisions governing uniforms, tools, travel, and other items of expense incurred by employees as a condition of employment; permitted allowance for board, lodging, or services customarily furnished by employers to employees; allowances for gratuities in any occupation in which gratuities have customarily and usually constituted and have been recognized as a part of the remuneration for hiring purposes; or allowances for such other special conditions or circumstances which may be usual in a particular employer-employee relationship. Regulations or revisions thereof issued by the Commissioners pursuant to this section shall be made only after a public hearing by such Commissioners, subsequent to publication of a notice of the hearing at which interested persons may be heard. Such regulations or revision shall, except as may otherwise be provided by such Commissioners, take effect upon the expiration of thirty days after the date on which such regulations and revisions were made by such Commissioners.

"JUDICIAL REVIEW

"SEC. 8. (a) Any interested person in an occupation for which any wage order or administrative regulation has been issued under the provisions of this Act, who may be aggrieved by any such order or regulation, may obtain a review thereof in the District of Columbia Court of Appeals by filing in such court, within thirty days after the date on which such order or regulation was made, a written petition praying that the order or regulation be modified or set aside. A copy of such petition shall be served upon the Commissioners. In such an action all findings of fact under the foregoing provisions of this Act shall, if based on evidence, be conclusive upon the court, and there shall be no appeals from the decision of the Commissioners on any such findings of fact. The court may, however, determine whether the order or regulation is in accordance with law. If the court determines that such order or regulation is not in accordance with law, it shall remand the case to the Commissioners with directions to modify or revoke such order or regulation. If application is made to the court for leave to adduce additional evidence by any aggrieved party, such party shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence before the Commissioners. If the court finds that such evidence is material and that reasonable grounds exist for the failure of the aggrieved party to adduce such evidence in prior proceedings, the court may remand the case to the Commissioners with directions that such additional evidence be taken before it, and the Commissioners may modify such order or regulation, in whole or in part, by reason of such additional evidence.

"(b) Hearings in such court on all appeals taken under the provisions of this Act shall be privileged and take precedence over all matters except matters of the same character. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final except that the same shall be subject to review by the United States Court of Appeals for the District of Columbia. In all such appeals the corporation counsel shall appear for and represent the Commissioners.

"(c) The commencement of proceedings under subsection (a) shall not, unless specifically ordered by the court, operate as a stay of a wage order or of a regulation issued under the provisions of this Act. The court shall not grant any stay of a wage order or of a regulation unless the person complaining of such order or regulation shall file in the court an undertaking with a surety or sureties satisfactory to the court for the payment to the employees affected by the order or regulation, in the event such order or regulation is affirmed, of the amount by which the compensation such employees are entitled to receive under the wage order or regulation exceeds the compensation they actually receive while such stay is in effect.

"AUTHORITY TO TAKE TESTIMONY SUBPENAS

"Sec. 9. The Commissioners shall have power to administer oaths and to require by subpena the attendance and testimony of witnesses, the production of all books, registers, and other evidence relative to any matters under investigation, at any public hearing or at any meeting of any committee or for the use of the Commissioners in securing compliance with this Act. In case of disobedience to a subpena the Commissioners may invoke the aid of the United States District Court for the District of Columbia in requiring the attendance and testimony of witnesses and the production of documentary evidence. In case of contumacy or refusal to obey a subpena the court may issue an order requiring appearance before the Commissioners, the production of documentary evidence, and the giving of evidence, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"EXEMPTIONS

"Sec. 10. (a) The minimum wage and overtime provisions of section 3 shall not apply with respect to—

"(1) any employee employed in a bona fide executive, administrative, or professional capacity, or in the capacity of outside salesman (as such terms are defined and delimited from time to time by regulations of the Commissioners); or

"(2) any employee engaged in the delivery of newspapers to the home of the consumer.

"(b) The overtime provisions of section 3(b) shall not apply with respect to—

"(1) any employee employed as a seaman; or

"(2) any employee employed by a railroad.

"KEEPING OF RECORDS

"Sec. 11. (a) Every employer subject to any provision of this Act or of any regulation or order issued under this Act shall make, keep, and preserve for a period of not less than three years a record of the name, address, and occupation of each of his employees, a record of the date of birth of any employee under nineteen years of age, the rate of pay, and the amount paid each pay period to each such employee, the hours worked each day and each workweek by such employee, and such other records or information as the Commissioners shall prescribe by regulation as necessary or appropriate for the enforcement of the provisions of this Act or of the regulations or orders thereunder. Such records shall be open and made available for inspection or transcription by the Commissioners or their authorized representative at any reasonable time. Every such employer shall furnish to the Commissioners or to their authorized representative on demand a sworn statement of such records and information upon forms prescribed or approved by the Commissioners.

"(b) Every employer shall furnish to each employee at the time of payment of wages an itemized statement showing the date of the wage payment, gross wages paid, deductions from and additions to wages, net wages paid, hours worked during the pay period, and any other information as the Commissioners may prescribe by regulation.

"(c) No employer shall be deemed to have violated the provisions of section 3(b) by employing any employee of a retail or service establishment for a workweek in excess of the workweek specified therein, if (1) the regular rate of pay of such employee is in excess of one and one-half times the minimum hourly rate prescribed in section 3(a) or such higher rate as may be applicable to such employee under a wage order issued pursuant to this Act, and (2) more than half his compensation for a representative period (not less than one month) represents commissions on goods or services.

"POSTING OF LAW AND WAGE ORDERS

"Sec. 12. Every employer subject to any provision of this Act or of any regulation or order issued under this Act shall keep a copy or summary of this Act and of any applicable wage order and regulation issued thereunder, in a form prescribed or approved by the Commissioners, posted in a conspicuous and accessible place in or about the premises wherein any employee covered thereby is employed. Employers shall be furnished such copies or summaries by the Commissioners on request without charge.

"PROHIBITED ACTS

"Sec. 13. It shall be unlawful for any employer—

"(a) to violate any of the provisions of section 3, or any of the provisions of any regulation or order issued under this Act, or any of the provisions of any regulation or order preserved by section 2 of the Minimum Wage Amendments Act of 1964;

"(b) to violate any of the provisions of section 11 or 12 or any regulation or order made or continued in effect under the provisions of section 7, or to make any statement, report, or record filed or kept pursuant to the provisions of such section or of any regulation or order thereunder, knowing such statement, report, or record to be false in a material respect;

"(c) to discharge or in any other manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act, or has testified or is about to testify in any such proceeding or has served or is about to serve on any ad hoc advisory committee;

"(d) to hinder or delay the Commissioners or their authorized representative in the performance of their duties in the enforcement of this Act, or to refuse to admit the Commissioners or their authorized representative to any place of employment, or to refuse to make available to the Commissioners or their authorized representative, upon demand, any record required to be made, kept, or preserved under this Act, or to fail to post a summary or copy of this Act or of any applicable regulation or order, as required under section 12.

"PENALTIES

"Sec. 14. Any person who willfully violates any of the provisions of section 13 shall upon conviction thereof be subject to a fine of not more than $10,000, or to imprisonment of not more than six months, or both. No person shall be imprisoned under this section except for an offense committed after the conviction of such person for a prior offense under this section. Prosecutions for violations of this Act shall be conducted by the corporation counsel of the District of Columbia.

"EMPLOYEE REMEDIES

"Sec. 15. (a) Any employer who pays any employee less than the wage to which such employee is entitled under this Act or any order or regulation issued thereunder, shall be liable to such employee in the amount of such unpaid wages, and in an additional equal amount as liquidated damages, except that if, in any action commenced to recover such unpaid wages or liquidated damages, the employer shows to the satisfaction of the court that the act or omission giving rise to such action was in good faith and that he had reasonable grounds for believing that his act or omission was not a violation of this Act, the court may, in its sound discretion, award no liquidated damages, or award any amount thereof not to exceed the amount specified in this section. Action to recover such liability may be maintained in any court of competent jurisdiction in the District of Columbia by any one or more employees for and in behalf of himself or themselves and other employees similarly situated. No employee shall be a party plaintiff to any such action unless he gives his consent in writing to become such a party and such consent is filed in the court in which such action is brought. The court in such action shall allow a reasonable attorney's fee to be paid by the defendant, and costs of the action. Any agreement between an employer and an employee to work for less than the wages to which such employee is entitled under this Act or any order or regulation issued thereunder shall be no defense to any action to recover such unpaid wages or liquidated damages.

"(b) At the written request of any employee paid less than the wage to which such employee is entitled under this Act or any order or regulation issued thereunder, the Commissioners may take an assignment of such wage claim in trust for the assigning employee and may bring any legal action necessary to collect such claim. In such an action, the defendant shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court.

"(c) The Commissioners are authorized to supervise the payment of the unpaid wages owing to any employee under this Act or any order or regulation issued thereunder, and the agreement of any employee to accept such payment shall upon payment in full constitute a waiver by such employee of any right he may have under subsection (a) of this section to such unpaid wages and an additional equal amount as liquidated damages.

"STATUTE OF LIMITATIONS

"Sec. 16. Any action commenced on or after the effective date of the Minimum Wage Amendments Act of 1964 to enforce any cause of action for unpaid wages or liquidated damages under this Act or any order or regulation issued thereunder may be commenced within three years after the cause of action accrued, and every such action shall be forever barred unless commenced within three years after the cause of action accrued.

"RIGHT OF COLLECTIVE BARGAINING

"Sec. 17. Nothing in this Act shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively with their employers through representatives of their own choosing in order to establish wages or other conditions of work in excess of the standards applicable under the provisions of this Act.

"SEPARABILITY OF PROVISIONS

"SEC. 18. If any provision of this Act or the application thereof to any person or circumstances, is held invalid, the remainder of the Act and the application thereof to other persons or circumstances shall not be affected thereby."

SEC. 2. No amendments made by this Act shall be deemed to amend, rescind, or otherwise affect any provision of law of the District of Columbia or any regulation or order issued thereunder which, on the date immediately prior to the effective date of the amendments made by this Act, prescribes additional or more favorable standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions than those provided for by the amendments made by this Act or by any regulation or order issued thereunder. Any regulation or order preserved by this section may be revised from time to time under the procedures provided for by the amendments made by this Act. The enforcement procedures and penalties for violations prescribed in the amendments made by this Act shall apply with respect to violations of any regulation or order preserved by this section.

AUTHORITY TO DELEGATE FUNCTIONS

SEC. 3. No amendments made by this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act or by amendments made by this Act in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such plan, including, notwithstanding clause numbered (1) of subsection (b) of such section 3, the function of making and adopting regulations to carry out the purposes of this Act or of any amendments made by this Act.

EFFECTIVE DATE

SEC. 4. (a) Except as provided in subsection (b), the amendments made by this Act shall take effect upon the expiration of one hundred and eighty days after the date of its enactment.

(b) Notwithstanding the provisions of subsection (a), the authority to promulgate necessary rules, regulations, and orders with regard to amendments made by this Act may be exercised by the Commissioners on and after the date of enactment of this Act. The modifications of existing wage orders and regulations and the issuance of one or more new wage orders and regulations necessary to comply with the provisions of section 3 of the Act of September 19, 1918 (40 Stat. 960), as amended by this Act, shall be effected in advance of the effective date of the amendments made by this Act and shall become operative on such date.

TITLE OF ACT

SEC. 5. This Act may be cited as the "Minimum Wage Amendments Act of 1964".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 5159) to authorize and direct that certain lands exclusively administered by the Secretary of the Interior be classified in order to provide for their disposal or interim management under principles of multiple use and to produce a sustained yield of products and services, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

PAYMENT FOR RIGHTS-OF-WAY ACQUIRED BY THE UNITED STATES

The Senate proceeded to consider the bill (H.R. 130) to provide for the payment of compensation, including severance damages, for rights-of-way acquired by the United States in connection with reclamation projects the construction of which commenced after January 1, 1961.

Mr. JORDAN of Idaho. Mr. President, the senior Senator from Nebraska [Mr. HRUSKA] who is necessarily absent, has prepared a statement urging the enactment of H.R. 130, as reported by the Senate Committee on Interior and Insular Affairs. The Senator has clearly pointed out the reasons compelling favorable action on this measure.

As my colleague from Nebraska notes, the purpose of H.R. 130 is to provide for the payment of rights-of-way acquired by the United States in connection with reclamation projects the construction of which commenced after January 1, 1961. Under present law, land west of the 100th meridian patented after 1890 is subject to what amounts to a perpetual easement in favor of the Federal Government for irrigation canals. As Senator HRUSKA correctly notes, this has given rise to a checkerboard pattern of unfairness and discrimination across the western half of our Nation which needed correction. I join him in recommending the favorable consideration and adoption of this measure, and ask unanimous consent that his remarks be inserted in the RECORD at this point.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR HRUSKA

I am gratified by the favorable report of H.R. 130 which will provide for the payment of compensation, including severance damages, for rights-of-way acquired by the United States in connection with reclamation projects constructed after January 1, 1961.

Because of legislation enacted 74 years ago, an unfair and unjust situation exists in the western half of the United States. Under this outdated law, owners of land west of the 100th meridian whose title derives from a patent issued subsequent to August 10, 1890 are not compensated for the taking of irrigation rights-of-way, while owners of land east of this meridian, or owners west of it whose land was patented before that date, are fully compensated.

One of the fundamental rules by which we live is that private property cannot be taken for public use without the payment of just compensation. This rule is firmly imbedded in our system of government and concept of justice. However, in cases involving the acquisition of land west of the 100th meridian for irrigation canals the rule has not been applied. Private property rights have been taken for the public use without the payment of 1 cent of compensation. H.R. 130 will remedy this situation.

The legislative history surrounding the act of 1890 reserving the rights-of-way in question is vague. Near the turn of the century America was on the threshold of a great westward population expansion. Water always has been crucial in the West and it is possible that the Congress wanted to help assure the proper development of that precious resource by setting aside easements for that purpose.

History, however, has shown that, while the need for water in the West was properly anticipated, the pattern of development was not. Early planners expected Government ownership and development of irrigation facilities. They thought in terms of casual ditches and canals feeding water to a few adjacent acres rather than today's elaborate systems of giant canals and laterals spreading water over hundreds of square miles of croplands. In short, the picture today is totally different in all respects from the time of our forefathers.

While new irrigation technology has provided many benefits, it also has caused severe inequities in cases where the act of 1890 has come into play. A clear illustration of the unfairness caused by new techniques acting in concert with an archaic law can be found in my State of Nebraska.

The Ainsworth irrigation project, which is bisected by the 100th meridian, ultimately will receive water through a giant canal from a reservoir 53 miles away. More than 2,000 acres of land valued at nearly $240,000 was required for the construction of this canal. Portions of this land, lying west of the 100th meridian were taken without the payment of a single cent of compensation. Moreover, the property involved was not cropland which at least collaterally would benefit from the presence of the canal through water for irrigating crops. It is, has been, and always will be grassland devoted to the production of beef cattle.

Is it logical to assume that when the easements in question were set aside, they were intended to apply to rolling grasslands, such as are found in the sandhills of Nebraska? Is it fair that those having no need for irrigation be compelled to donate their land for the construction of such facilities?

The simple fact is that in 1890 no one could foresee that someday engineers would be digging wide ditches across many miles of nonirrigable land to reach areas where water can be used profitably and to good advantage.

In another area of the country, a canal 102 miles long with a right-of-way 650 feet wide is being constructed. Think of the people and the property that will be affected by the easement needed for such a structure. Imagine the problems involving the movement of livestock and machinery that will be caused due to an obstruction of this size. Compounding present injustice is the prospect that future projects will require rights-of-way as much as 1,400 feet wide. How can a farmer or rancher carry on normal operations with an evacuation of that sort running through his land? Can we assume that the Congress in 1890 intended this lack of justice and fairplay? Can we, as fair-mined men, allow it to continue?

Almost all Government agencies have the right of eminent domain. If land for a post office is needed, it is acquired and paid for either by purchase or through condemnation. The same holds true for military establishments, highways, flood control projects, airports, parks and playgrounds, schools, public buildings and all the other instances where private property is taken for public use. Moreover, under the sensible equity doctrine of constructive taking, even property rights not actually acquired in fee must be paid for if their use and enjoyment is impaired. It is to the discredit of our high standards of justice that, standing out from the vast body of common and statutory law designed to protect property owners and to compensate them for rights taken away, this one situation remains.

There is one just course of remedy. It is in the bill before us. It removes an obsolete and unfair statute from the books and rectifies a condition that has led to many inequities.

Passage of this legislation will not make the Government liable for millions of dollars in increased costs for irrigation projects. Funds needed to acquire easements and rights-of-way are reimbursable and must be paid by the water users of the irrigation district involved. This is as it should be.

The bill before us is sound and necessary. I recommend its favorable consideration and adoption.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1507), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

H.R. 130 provides for the payment of compensation for rights-of-way acquired by the United States for canals and ditches constructed in connection with Federal reclamation projects without regard to any reservation under the act of August 30, 1890 (26 Stat. 371, 391; 43 U.S.C. 945). The legislation, as amended, is applicable to ditches and canals the construction of which is commenced hereafter or which began after January 1, 1961.

COST

Enactment of this legislation will not require the authorization of additional appropriations for the reclamation projects affected by it which have already been authorized. In the case of reclamation projects hereafter authorized, there will be a nominal increase in costs. This increase has been estimated by Department of the Interior officials at no more than 1 percent.

NEED

This legislation is needed because of the numerous and serious inequities which have been created in recent years by the 1890 act. Such inequities will continue to be created in the future if this or similar legislation is not enacted.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

GEOTHERMAL STEAM LEASES UNDER THE MINERAL LEASING ACT OF 1920

The Senate proceeded to consider the bill (S. 883) to amend the Mineral Leasing Act of 1920 in order to authorize geothermal stream leases under the provisions of such act which had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior (hereinafter referred to as the Secretary) may issue leases for the development and utilization of geothermal steam and associated geothermal resources (1) in lands administered by him, except as provided in section 4 hereof, and (2) in any national forest or other lands administered by the Department of Agriculture through the Forest Service, whether withdrawn or acquired, subject to section 5 hereof.

Sec. 2. The short title of this Act shall be the Geothermal Steam Act of 1963.

Sec. 3. For the purposes of this Act, geothermal steam and associated geothermal resources shall include all fluid products of geothermal processes, embracing steam, naturally heated water and brines, and any mineral or other product derived from any of them, including heat or other energy, but excluding oil, hydrocarbon gas, and helium.

Sec. 4. Geothermal leases shall not be issued for lands administered in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended or supplemented, or for any fish hatchery administered by the Secretary of the Interior, or any Indian-owned trust or restricted lands. Leases may be issued for other lands withdrawn or acquired in aid of functions of the Department of the Interior, under such terms and conditions as the Secretary shall prescribe to insure adequate utilization of the lands for the purposes for which they were withdrawn or acquired.

Sec. 5. Where the lands sought for use or development under this Act have been withdrawn, or were acquired, in aid of a function of a Federal department or agency other than the Department of the Interior, the Secretary may issue leases under this Act only with the consent of, and subject to such terms and conditions as may be prescribed by, such Federal department or agency to insure the adequate utilization of the lands for the purposes for which they are administered, or for which they were acquired.

Sec. 6. Leases under this Act may be issued only to citizens of the United States, associations of such citizens, or corporations organized under the laws of the United States or of any State thereof, or to governmental units, including, without limitation, municipalities.

Sec. 7. Administration of this Act shall be under the principles of multiple use of public lands and resources, and shall allow coexistence of other leases of the same lands for deposits of minerals under applicable laws, and the existence of leases issued pursuant to the provisions of this Act shall not preclude other uses of the areas covered thereby. However, operations under such other leases or such other uses shall not unreasonably interfere with or endanger operations under any lease issued pursuant to this Act. Nor shall this Act be construed as superseding the authority which the head of any Federal department or agency has with respect to the management, protection, and utilization of the Federal lands and resources under his jurisdiction.

Sec. 8. Where the production, use, or conversion of geothermal energy through the medium of geothermal steam is also susceptible of producing other valuable products and minerals incidental thereto, substantial beneficial use or production of such byproducts shall be required, except that the Secretary in individual circumstances may modify or waive this requirement in the interests of conservation of natural resources or for other reasons satisfactory to him.

Sec. 9. Leases under this Act shall be for a maximum term of ten years, and so long thereafter as geothermal steam or energy is produced or utilized in commercial quantities. Leases which have been extended by reason of production, and have been determined by the Secretary to be incapable of further commercial production or utilization of energy from geothermal steam, may be further extended for a period not to exceed five years from the date of determination by the Secretary that the leasehold has become nonproductive of geothermal energy, but only for so long as one or more valuable byproducts of geothermal production are produced in commercial quantities.

If such subsisting valuable byproducts are leaseable under the Mineral Leasing Act of February 25, 1920, as amended (3 U.S.C. 181 et seq.), or under the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351–358), and the leasehold is primarily valuable for the production thereof, the lessee shall be entitled to convert his geothermal lease to a mineral lease under such appropriate Act upon application within the period of lease extension by reason of byproduct production.

Sec. 10. Leases under this Act shall embrace a reasonably compact area, not exceeding six hundred and forty acres, except where occasioned by an irregular subdivision or by irregular subdivisions. No person, association, or corporation may hold any direct or indirect interest in geothermal leases in any one State exceeding ten thousand two hundred forty acres.

Sec. 11. The Secretary shall prescribe such rules and regulations as he may deem appropriate to carry out the provisions of this Act.

Sec. 12. Leases may be granted under this Act to the highest bidder, qualified as to citizenship and holdings under such rules and regulations as the Secretary may prescribe for notice to the public of terms and conditions of the sale, conduct of the sale, receipt of bids, and awarding of the lease. Bidding shall be by sealed bids and on the basis of a cash bonus.

Sec. 13. Leases issued under this Act will provide for:

(a) a royalty of not less than 10 per centum of the amount or value of steam, or any other form of heat or energy derived from production under the lease;

(b) a royalty of not less than 5 per centum of the value of minerals extracted or produced under terms of the lease; except that as to any minerals enumerated in section 1 of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181), the minimum rate of royalty for such minerals shall be as provided in that Act;

(c) payment in advance, of an annual rental of not less than $1.00 per acre or fraction thereof during the first five years of the lease, and not less than $2.00 per acre or fraction thereof thereafter, until producing status is achieved.

(d) a minimum royalty of not less than $2.00 per acre in lieu of rental payable at the expiration of each lease year for each producing lease, commencing with the lease year beginning on or after the commencement of production;

(e) for the purposes of this Act, value of geothermal energy may be either the market value at the nearest point of normal market delivery, or, where no market exists, an equivalent value computed or derived in comparison with the operating cost of supplying the process or facility with equivalent energy from the lowest cost alternative source.

Sec. 14. Leases under this Act shall be subject to readjustment of terms and conditions, including, without limitation, rentals and royalties, at five-year intervals. The Secretary shall give due notice before the expiration of each five-year period succeeding the date of the lease of any proposed readjustment of terms and conditions, or that no readjustment is to be made, and unless the lessee files with the Secretary objection to the proposed terms or relinquishes the lease within thirty days after receipt of the notice, the lessee shall conclusively be deemed to have agreed with such terms and conditions. If the lessee files objections, and no agreement can be reached between the Secretary and the lessee, the lease may be terminated by either party.

Sec. 15. Lessees shall be entitled to use so much of the surface, subject to the requirements of sections 4, 5, and 11 herein, as may be deemed necessary by the Secretary for the production and conservation of geothermal resources.

Sec. 16. Upon a showing that the public interest will not be impaired thereby, the Secretary may accept the surrender of leases or subdivisions thereof, subject to the continued obligation of the lessee and his surety to make payment of all accrued rentals and royalties and to provide for the preservation of any productive works or permanent improvements on the leased lands, and to comply otherwise with the regulations and the lease terms, including, without limitation, those relating to protection and restoration of the surface and surface resources.

Sec. 17. The Secretary may waive, suspend, or reduce the rental or minimum royalty for any lease or portion thereof in the interests of conservation and to encourage the greatest ultimate recovery of geothermal resources, if he determines it is necessary to promote development, or finds that the lease cannot be successfully operated under the lease terms.

Sec. 18. The Secretary may, upon application, suspend operations and production on a producing lease, and, on his own motion in the interest of conservation, may suspend operations on any lease, and may extend the lease term for the period of any suspension.

Sec. 19. Upon request of the Secretary, the Federal Power Commission, and other Federal departments and agencies, shall furnish him with any relevant data then in its possession or knowledge concerning or having bearing upon fair and adequate charges to be made for geothermal steam or other form of geothermal energy produced for conversion to electric power or other purposes. Data given to any Federal department or agency as confidential under law shall not be furnished in any fashion which shall identify or tend to identify the business entity whose activities are the subject of such data, or the person or persons who furnished such information.

Sec. 20. All moneys received under this Act from public lands under the jurisdiction of the Secretary of the Interior shall be disposed of in the same manner as moneys received from the sale of public lands. Moneys received under this Act from other lands shall be disposed of in the same manner as other receipts from such lands.

Sec. 21. Leases may be terminated by the Secretary for any violation of the regulations or lease terms after thirty days' notice but the lessee shall be entitled to a hearing on the matter if request for the hearing is made to the Secretary within the thirty-day period after notice.

Sec. 22. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1508), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF BILL

The purpose of this legislation introduced by Senator Bible is to provide authority for the Secretary of the Interior to lease the public domain for purposes of development of geothermal resources. Impetus for enactment has come from members of an infant industry concerned with the utilization of this resource, largely found on the public domain. The resources and uses of geothermal steam have been only slightly explored; however, there is sufficient experience to warrant interest in further development. Of primary importance at this time is the possibility of use of geothermal steam, produced from ground waters heated to very high temperatures by bodies of hot residual volcanic rock, for the production of electric power. In addition to its use as a source of energy, geothermal steam has been found to contain valuable quantities of mineral byproducts such as gold, silver, rare metals, and salt.

At present there is no legislative provision for leasing of public domain lands on which geothermal resources exist for development of these resources. Consequently, commercial developers of the new industry have attempted to obtain interests in the public domain for this purpose by application for rights under other provisions of law, with particular reference to the Mineral Leasing Act and by the staking of mining claims. Oil and gas leases have been issued under the Mineral Leasing Act to private interests not intending to develop these resources at all but, rather, having as a primary interest the exploration and development of the land for its resources of geothermal energy and assorted byproducts. In the case of another group, the route to rights to geothermal steam resources has been sought through staking mining claims, although the mining laws do not, at present, make any provision for patenting of such claims for geothermal products.

In the United States there is now only one operating geothermal steam electric generating plant and transmission company. This is a privately operated development in Sonoma County, Calif., at which Magma Power Co., operating in association with Thermal Power Co., produces power from geothermal steam and sells it to the Pacific Gas & Electric Co. which operates a geothermal steam-electric generating plant and transmission project under terms of a certificate of public convenience and necessity from the Public Utilities Commission of California. Production of electric power from geothermal steam has proved commercially feasible and is in operation at installations in other countries, notably Italy, New Zealand, and Iceland.

EXCHANGE OF CERTAIN LANDS IN COUNTY OF MONTEREY, CALIF.

The bill (H.R. 11594) to authorize the Secretary of the Navy to convey to the State of California certain lands in the county of Monterey, State of California, in exchange for certain other lands was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1509), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 11594 is to authorize the Secretary of the Navy, or his designee, to convey to the State of California all the Government's right, title, and interest in three small parcels of land in exchange for two parcels of State-owned lands of comparable value to permit the expansion of the State highway system. The conveyance of the Government-owned property would be made subject to certain conditions stated in the bill and subject also "to such other terms and conditions as the Secretary of the Navy, or his designee, shall deem to be in the public interest." Senator Kuchel introduced an identical bill in the Senate, S. 3012.

EXPLANATION OF THE BILL

The State of California desires to acquire three small scattered parcels of Navy-owned property consisting altogether of approximately 6.95 acres to implement its plan for freeway development of State Route 1 through the Monterey area. The Navy-owned property is free of structures and consists of scattered acreage located at the Navy postgraduate school at Monterery. H.R. 11594 represents the State plan to best provide for its highway development and at the same time to provide for minimum interference with the Navy's continued operations in the area. In exchange the Navy will receive approximately 6.30 acres of State-owned land of comparable value.

The proposed exchange would adequately protect the Navy's interest and make Navy whole in recompense for disposal of these properties. In the absence of legislative authority such as that proposed, no basis exists for effecting an exchange. The value of the lands being conveyed by each party has been appraised and in the opinion of the Navy, the exchange rates are equivalent, both properties being worth an estimated $70,000. In view of the foregoing and also because H.R. 11594 is permissive and not compulsory, and provides that the Navy may require such terms as are deemed to be in the public interest, the Department of the Navy on behalf of the Department of Defense, concurs in the enactment of this legislation.

It should be noted that of the three Government-owned parcels which would be conveyed out, the first (0.45 acre) is a narrow area at the bottom of a canyon behind Navy housing and separated from it by a hill; the second (0.03 acre) is along an existing road at the north limit of the Navy housing and substantially preempted by a road easement with the result that these parcels are of little use to the Navy; the third parcel (6.47 acres) is now used for Navy recreation purposes, a golf course being located thereon. The property to be gained by the Navy is a level parcel of 5.13 acres lying between State Highway 117 on the west and Navy and the Monterey Fairgrounds on the east; a second 1.17-acre parcel is undeveloped land adjacent to the Monterey Peninsula Airport, plus property interest in other lands which the Navy may consider necessary to protect the U.S. interests. Both the described parcels are contiguous to the existing Navy recreational area.

FISCAL DATA

Enactment of this bill will require no increase in the budgetary requirement of the Department of Defense.

ACQUISITION BY THE ARMY OF BUILDING CONSTRUCTED ON FORT JAY MILITARY RESERVATION, N.Y., BY THE YMCA

The bill (H.R. 9803) to authorize the Secretary of the Army to acquire the building constructed on the Fort Jay Military Reservation, N.Y., by the Young Men's Christian Association was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1510), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to authorize the Secretary of the Army to acquire fee title to the building constructed by the Young Men's Christian Association on the Fort Jay, N.Y., Military Reservation upon payment to the association of $150,000. Funds must be specifically appropriated for this purpose, and the structure is to be used for an enlisted men's service club.

EXPLANATION

The Fort Jay Military Reservation is situated in the New York Harbor and consists of 204.50 acres of land. Fort Jay is the headquarters for the 1st U.S. Army, and has been developed at a cost of approximately $19 million.

In 1927, the Young Men's Christian Association of North America erected a building on a portion of Fort Jay under authority of a license executed by the Secretary of War in 1926 pursuant to the act of May 31, 1902. The building is a one- and two-story brick and terra cotta structure with partial basement containing approximately 16,900 feet. In 1962, the YMCA advised the Army that it has taken official action to discontinue operation of its Governors Island branch, and indicated a desire to sell its building at full value to the Army, utilizing the proceeds for the extension of YMCA programs for men of the Armed Forces elsewhere in the Manhattan area. The license to the YMCA, provides that the licensee, upon revocation of the license, must remove the building and restore the premises to their original condition without expense to the United States.

The Corps of Engineers have estimated the in-place value of the property to be $150,000 and the YMCA has indicated its willingness to convey fee title to the building to the United States for $150,000. Pending enactment of legislation which will authorize and fund acquisition of title to the building, the Secretary of the Army has authorized the Corps of Engineers to negotiate with the YMCA to lease the building for a nominal consideration.

Since there is no service club for the approximately 1,400 enlisted men, the Department of the Army has a requirement for these facilities to provide recreational and social entertainment for the enlisted men at Fort Jay, and the Secretary of the Army has determined that the YMCA building is suitable for these purposes. To provide a new service club, for which there is a requirement, of 12,700 square feet would cost an estimated $370,000.

Whatever funds are added by the Congress will be clearly identified as over and above other appropriations and not available for any further purpose.

FISCAL DATA

Enactment of the bill would require an expenditure of $150,000.

Mr. KEATING. Mr. President, I wish to express my satisfaction at the action of the Senate in considering H.R. 9803.

I am happy to support this measure, which provides $150,000 to the Department of the Army for purchase of the YMCA building on Fort Jay Military Reservation in New York Harbor. It has unmistakable merits and clear benefits both to the Army and to the YMCA. This 44-year-old building will be used by the Army for a badly needed recreational and social center for the 1,400 enlisted men at Fort Jay. The YMCA will be able to use the proceeds from this sale to expand its services to Armed Forces personnel elsewhere in the city. Most of us have, at one time or another, been personally acquainted with the fine work of YMCA's throughout the world; this community service organization has offered comfort and help to millions of young men of all races and creeds, and I hope this measure will enable it to continue to expand and grow in its mission.

REMOVAL OF CERTAIN CONDITIONS WITH RESPECT TO REAL PROPERTY IN SOUTH BOSTON, MASS.

The bill (H.R. 11338) to remove certain conditions subject to which certain real property in South Boston, Mass., was authorized to be conveyed to the Massachusetts Port Authority was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1511), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

H.R. 11338, if enacted, will repeal section 2 of Public Law 86-602, which imposes conditions for recapture in the event of war or national emergency, as it relates to certain lands the Secretary of the Navy was authorized to transfer to the Massachusetts Port Authority in exchange for certain other lands.

EXPLANATION

Public Law 86-602 authorized the Department of the Navy to transfer to the Port of Boston Commission, a State corporation of the Commonwealth of Massachusetts, 15.9 acres of surplus land in South Boston in exchange for approximately 3.89 acres of land owned by the Commonwealth. As one of the conditions of the exchange, the law required the port authority to pay whatever amount of money the fair market value of the property of the United States conveyed to the port authority exceeded the fair market value of the property conveyed by the port authority to the United States. Thereafter, the bill authorized the Secretary of the Navy to waive up to but not more than 50 percent of the required payment in consideration of the rent-free use by the Department of the Navy in past years of the land conveyed by the Massachusetts Port Authority. The difference in the valuation of the land was fixed at $96,000, of which the Secretary waived 50 percent or $48,000.

Section 2 of Public Law 86-602 required that the conveyance to the port authority by the Secretary of the Navy be subject to two conditions; namely, (a) that the port authority at its own expense, preserve and maintain in a condition suitable for, and not inconsistent with the purposes of the authority, the lands and improvements existing on the date of the enactment and those which may be built thereafter, and (b) in time of war or national emergency, the United States shall have the right of free and unlimited use of the property including the improvements erected by the grantee, but the United States would pay for improvements made after the date of enactment and would be responsible during the period of such use for the entire cost of maintaining the property.

As yet, there has been no exchange of either money or property as authorized by Public Law 86-602 between the Massachusetts Port Authority and the Secretary of the Navy.

The Department of the Navy has no objections to the enactment of this legislation and advises that neither at the time of enactment of Public Law 86-602 nor at the present have mobilization requirements been deemed to necessitate the right of recapture.

It is understood that the port authority's plans to develop the 15.9 acres of land in question have been impeded by the restrictions contained in section 2 of Public Law 86-602.

Mr. MANSFIELD subsequently said: Mr. President, at the request of a Senator, I ask unanimous consent that the vote by which Calendar 1450, House bill 11338, to remove certain conditions subject to which certain real property in South Boston, Mass., was authorized to be conveyed to the Massachusetts Port Authority, was passed, be reconsidered, and that the bill be returned to the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXCHANGE OF CERTAIN LANDS IN CITY OF SUNNYVALE, CALIF., FOR CERTAIN LANDS IN COUNTY OF SANTA CLARA, CALIF.

The bill (H.R. 12278) to authorize the Secretary of the Navy to convey to the city of Sunnyvale, State of California, certain lands in the county of Santa Clara, State of California, in exchange for certain other lands was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1512), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to authorize the Secretary of the Navy or his designee to convey to the city of Sunnyvale, Calif., some 95 acres of land in Santa Clara County, Calif., previously reported to the General Services Administration as being excess to Navy requirements in exchange for certain other lands. The lands to be conveyed to the city of Sunnyvale are to be used for public recreation purposes, namely a golf course, and the lands to be acquired by the Navy will be used for military family housing projects.

EXPLANATION

The Navy land in question is unimproved and is located south of the main area of the Naval Air Station, Moffett Field, Calif. It is crossed by the Bayshore Highway and Mountain View Road and was originally acquired by condemnation proceedings in 1952 for runway and approach zone protection or in general flight safety purposes. A fee interest rather than a flight clearance interest was acquired at the time, inasmuch as the cost of the latter would have closely approximated the cost of the fee. Subsequently the Navy determined this property, consisting of about 100 acres, might be disposed of subject to flight clearance easements and use restrictions which would provide protection for aircraft operations equivalent to that afforded by ownership. The property was thereafter turned over to the General Services Administration for disposal and it was the intention of the city of Sunnyvale to apply for the purchase of the same for park and recreational purposes including the installation of a municipal golf course. Under the provisions of the Surplus Property Act of 1944, as amended, the city could obtain the property for the stated purpose at 50 percent of the fair market value.

The Navy subsequently determined that there was a housing shortage at the Naval Air Station, Moffett, and initiated action to obtain additional housing, 300 units being scheduled for fiscal year 1966. There is insufficient land at this naval air station for such housing. Therefore, the Navy has proceeded to withdraw 95 acres of the above described land from the General Services Administration in order that if this measure is enacted it may be exchanged for other lands owned or to be acquired by the city of Sunnyvale which are suitable for the construction of military family housing. The General Services Administration has appraised the Navy property at $882,000 and, discounting it by 50 percent for park and recreational purposes, makes the property worth $441,000. It is contemplated the city of Sunnyvale will convey to the Navy real property worth $441,000 in the vicinity of the main entrance on the station side of the Bayshore Highway contiguous to the existing naval housing area. This property is favorably located for housing and the use of the 95-acre Navy tract for a golf course will adequately protect the approach to the runway at Moffet Field.

COMMITTEE ACTION

The Department of the Navy is strongly in favor of the measure. The committee is of the opinion that this exchange of lands is in the public interest and the interest of the Government is fully protected and therefore approves the enactment of this bill.

FISCAL DATA

The enactment of this measure into law will not involve the expenditure of any Federal funds.

Mr. MANSFIELD. Mr. President, that concludes the call of the Calendar for the moment.

THE CONGO

Mr. MANSFIELD. Mr. President, the news of increased U.S. involvement in the Congolese revolution is disturbing. Our entanglement may well lead to unsatisfactory consequences for the United States.

It is our policy to support peace and stability for the newly emerged republics of Africa and to help these nations to remain independent and to develop their economies. But it is necessary to bear in mind that the history of Africa is one of European involvement, not American. The mess in Africa is not of our doing and while we cannot dissociate ourselves from major situations of this kind it would be most unfortunate if we were to be drawn into the internecine warfare of the Congolese. Responsibility must be taken by the Congolese themselves which they now have the independence which they have sought. To the extent that there is an outside responsibility it rests, first, with the Europeans, and in the case of the Congo, more specifically, with the Belgians.

Already it appears that three Americans have lost their lives in the tribal rebellion in Kivu Province. Before long more American lives are likely to be lost if our unilateral participation in this affair continues to increase. A United Nations reintervention in an effort to restore peace in the Congo may be called for. In that connection we can do our share as a member. But unilateral U.S. involvement can hardly serve our own interests or the long-range interests of the Congolese people. We must resist the urge to try and solve every problem wherever it crops out. The jungle of emergent African politics is marked with pitfalls for the unwary outsider. If we plunge into this difficulty on the mistaken assumption that we can resolve it or even influence its evolution without a massive involvement we may well pay an enormous price.

Mr. President, I ask unanimous consent that an editorial which appeared in the Washington Post today, entitled "Vincible Choices," and one which appeared in today's New York Times, called "The Disintegrating Congo," be inserted in the RECORD at this point. I also ask that a speech which I delivered in the Senate, on August 30, 1960, over 4 years ago entitled, "The Congo and Policy Toward the New Africa" be inserted as well. I find no developments during the past 4 years which would prompt me to revise the substance of that statement.

The same turbulence and instability exists now as in 1960. The same problems face the people of the Congo and the Congolese Government. Unfortunately, the forebodings of that time remain the forebodings of the present.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the editorials and speech were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 21, 1964]

VINCIBLE CHOICES

A few years ago, there was a chorus of complaint in Europe when the United States backed the United Nations campaign to unify the Congo. All-knowing realists in Europe were particularly unhappy that Washington was opposing the secessionist regime of Moise Tshombe in Katanga Province. Today, a new chorus of criticism can be heard—now the United States is being chided for supporting Mr. Tshombe, who has become Premier of the Congo.

If this irritating irony demonstrates anything, it is that the United States cannot win in the Congo. Our European allies seem only too glad to let the United States assume responsibility in the Congo, and then to make grimaces of superiority when things go badly. This seems to us to add to the argument for keeping the American commitment in the Congo to an honorable minimum.

An American diplomat and two U.S. Army officers are reported missing in Kivu Province, and may well be the first U.S. casualties in the new phase of the Congo crisis. This melancholy news affords a taste of things to come if the United States becomes more deeply entangled. Obviously, this country has an interest in seeing Mr. Tshombe's regime prevail over tribal rebels who control about a quarter of the country, and who are getting the encouragement if not some material support from the Chinese Communists.

But just as obviously, Peiping is a long way from the heart of Africa and there are as yet no staging bases en route for Chinese air supplies. It seems to us that the United States ought not allow itself to be propelled into a deeper commitment in the Congo on the basis of precipitate cries of doom. Rather, this country's effort ought to be concentrated on getting more help for Mr. Tshombe from other places in Africa and from the Belgians, who know the most about the Congo and who have the most to lose.

[From the New York Times, Aug. 21, 1964]

THE DISINTEGRATING CONGO

When Moise Tshombe went back to Léopoldville at the end of June he proclaimed to his people and the world that he was going to give them a new Congo in 3 months. Nearly two of those months have gone and there seems a serious possibility that Premier Tshombe is not even going to be able to hang on to the old Congo.

The United States must either keep clear of this crumbling edifice or face serious damage if—or, more likely, when—the walls cave in. Even to have supplied transport aircraft with paratroopers, as President Johnson did last week, was risky because it could only be a beginning. Next, came a request for bombers—which are being supplied. More demands are sure to come, because this is a situation that will require massive military and economic aid simply to prevent a collapse.

The American position, for the moment, is unilateral. If Mr. Tshombe's African neighbors respond favorably to his appeal for aid, the situation would change. But his unpopularity among them makes the chances slim, and in any event help would be delayed. Meanwhile, the more help Mr. Tshombe gets from the United States, the more he is branded with the old stigma of being a tool of the Western imperialists.

The Chinese Communists are providing advice, money, and perhaps some arms to the Congolese rebels, but this does not make the Congo—so huge, backward, and torn by tribal strife—a major testing ground in the cold war. It will only become so if the United States gets deeply involved.

Léopoldville has now lost the whole eastern portion of the country to the rebels. Kwilu Province in the southwest is also in rebel hands. Kasai Province in the south has been weakened by rebellions. A struggle for power is taking place all over the country. No one can predict who is going to come out on top. The United States must not be put in the position of seeming to impose a leader, especially when he is one we so recently were helping to depose.

The United States does not need to fill every vacuum, everywhere. The Congolese should have a chance to settle their own quarrels. The solution, whatever it is and whenver it comes, must be an African one, a Congolese solution.

In the meantime, the American people have a right to know far more precisely than they know now what the Johnson administration has in mind. The way events are developing, the United States could be drawn even deeper into the Congolese jungle.

THE CONGO AND POLICY TOWARD THE NEW AFRICA—STATEMENT OF SENATOR MIKE MANSFIELD, DEMOCRAT, OF MONTANA

Mr. President, hopes rise and fall with respect to development in the Congo. A road to an orderly and progressive future for that region opens one day only to be blocked the next by seemingly insurmountable obstacles. The problems of the Congolese transition are dumped suddenly on the United Nations to the tune of universal acclamation. Just as suddenly discordant notes are injected into the tune.

It is late in the day of this Congress to raise a question of this kind. I do so, however, because almost imperceptibly but deeply and rapidly, this Government is moving into involvement in the affairs of the Congo and Africa. Acts of the Senate are a factor in this trend in policy and, hence, the Senate shares responsibility for the form which the trend assumes. I would note in this connection that we have recently approved an increase in the President's contingency fund of $100 million and that this amount was sought by him in anticipation of needs in the Congo and elsewhere in Africa. Since we do have a responsibility it behooves us to see as clearly as we are able the essentials of the situation which exists on the African Continent to consider the course which we are pursuing.

Let me say at the outset that the conduct of African policy for the past few years by the President, the Secretary of State, and Mr. Lodge at the United Nations, in my opinion, deserves the support of the Senate. They have acted with insight and dispatch in dealing with a most uncertain situation.

It is no criticism of them to note that, of late, the waters of African affairs and, particularly, those in the Congo have become more turbulent.

What is taking place in the Congo may spread to other parts of the African Continent. Indeed, in the last few days the shortlived unity of Senegal and the Soudan Republic in the Mali Federation has threatened to come apart in factional dispute.

In short, we are likely to be in for a protracted period of difficulties in Africa. It is not easy to define the sources of these difficulties even though it is essential for the Senate to make the effort. Africa from the point of view of our comprehension is a new continent. It has burst upon our awareness suddenly, after having been shut off almost entirely by barriers of nature and the closed doors of colonial enclaves. What we need to know now for effective policies is not to be derived from the old travel books on Africa and the attitudes which they induced. It is the emergent Africa, the Africa of today and, even more important the Africa of tomorrow which he must seek to fathom. For it is to this new Africa that we must address our policies.

It will be sometime before the channels of objective information and skilled interpretation become fully adequate to this need. What pours out of Africa today is a confusing mixture of fact and fancy, of the sober and the sensational, of what is past and what is yet to be. However, there is a constant improvement in the flow of information as American reporters, writers, and scholars converge on the African Continent and a network of American embassies develops in the new republics.

COLONIALISM

Some of the significant realities have already come into sharper focus. The first and most important of these is that European colonialism as a system of government is fast disappearing. At the end of World War II, there were four independent nations in Africa. Now, there are 24. By the end of the year, two more former colonies will become independent. Four African nations, including South Africa, signed the U.N. Charter in 1945. Ten African States are now members; 14 are likely to become members in the very near future.

It is clear that colonialism is rapidly disappearing as a political system in Africa. What is not so clear but what may be of even greater significance is that colonialism as a political propellant has not yet left the scene. The word still has the capacity to evoke a militant nationalism, and even racism, in Africans. Its capacity in this respect may increase before it begins to decrease. That is likely to be the case so long as any part of the African continent remains under alien jurisdiction. It is likely to be the case so long as any independent nation of Africa, now dominated by European settlers, has still to evolve a workable system of government under which the peoples of varying races can live together in a reasonable acceptance of one another. It is likely to be the case until a free Africa persuades itself that it is a full and equal participant in the general affairs of the world.

The persistence of this political propellant may or may not be valid in logic. What matters from the point of view of policy, however, is that it exists in fact and it is likely to continue to exist for some time. A policy which, in concept or administration, ignores its existence rests upon a most fragile foundation.

POLITICAL INSTABILITY

Beyond the persistence of the factor of colonialism, there are other political realities in the African situation with which our policies must reckon. It is now apparent that the stability of the colonial system was imposed from without at the price of a large measure of social atrophy within Africa. The basic mode of existence for great numbers of Africans today differs little from the pattern of an earlier time with its multiple tribes, multiple languages, multiple customs, values, and superstitions. Furthermore, the political boundaries which colonialism drew in Africa were more a consequence of power adjustments among the European nations rather than expressions of natural divisions and of human forces within Africa itself. Yet it is within these boundaries that African nations, today, are emerging into independence.

I do not make these observations in criticism. What is past is past and cannot be undone. I point to these factors because they are significant in the unstable situation with which our policies must deal during this period of transition in Africa. There will be strong pressures to pull apart the outwardly imposed political unities and to revert to the schismatic earlier pattern. The sophisticated nationalism of a handful of African leaders will not easily be transferred to the many. These leaders themselves will have to search for ways to reorder boundaries into new political units, knowing as they do the requirements for a durable statehood in the modern world. To a considerable extent this search can be fruitful and beneficial. Other consequences, however, may also be anticipated if the search becomes aggressive or if African leaders pursue concepts of pan-Africanism on the basis of a militant racism.

AFRICAN LEADERSHIP AND MODERN SKILLS

That brings me, Mr. President, to still another significant factor in the African situation with which we must deal in policy. To a degree perhaps unparalleled since the revolutions of independence in the Americas, the great political transition in Africa depends upon a handful of trained and experienced leaders. And unlike the simple world of the Americas at an earlier time, Africa is being propelled, in independence, into the modern world of instant communications, missiles, nuclear power and complex bureaucratic organization.

Few Africans have been introduced as apprentices and, even fewer as managerial participants in the affairs of the modern state, the modern economy, and the modern world. Yet many must learn rapidly if, to the bare bones of independence, there is to be added the sinews of economic and political organization which will give that independence beneficial meaning and durability for the people of Africa. The problem is not simply one of replacing the European colonial bureaucracies, with U.N. or other bureaucracies and, then, with an African bureaucracy in the same form. However much replacements of this kind may be unavoidable for the present, the deeper problem is the development of responsible African government and responsible African management to guide the African peoples into a way of life suited to their needs and, at the same time, capable of peaceful, free and constructive cooperation in the general progress of mankind.

The task which confronts an emerging Africa is monumental. Much will depend on an understanding and patient hand from the rest of the world. But even more will depend upon the dedication, the wisdom, and the realistic restraint of those few Africans who are now assuming the reins of political power. They, more than anyone else, will make the decisions which set the patterns, for better or for worse, for the new way of life in Africa.

OUTSIDE INFLUENCES

I turn now, Mr. President, to the last significant factor in the African situation with which I wish to deal at this time. I have already noted that Africa's future is partially dependent on an understanding and patient assist from the rest of the world. There appears to be a great, a universal eagerness to lend a hand in Africa. We see it clearly in the Soviet Union and China. We see it clearly in Cairo. We see it clearly in Europe. We see it clearly in this country and in the United Nations.

What we do not yet see clearly is the nature of this hand. Certainly there is a human and sincere desire—and I am sure it exists among the people of all countries—to help those who for too long have been cut off from equal participation in the mainstream of human civilization. But is that all there is in the extended hands? Is there not also a certain eagerness to project into Africa the many ramifications of the cold war and other power rivalries which now plague the rest of the world?

The field is wide open for that game at the moment. Africa is in transition and its leadership has only limited experience. But transitions are not forever and those who have learned the way to national independence are equipped to learn other matters. Most important, I believe the emerging African peoples have had enough of the role of pawns moved on the chessboards of others. They will not meekly assume that role again and they will react against those who seek to return them to it.

It may be too much to expect but it is not too much to attempt to insulate an emergent Africa from the international, political, and ideological storms which now sweep the rest of the world. In any event, I believe that policies, in concept or administration, which deliberately seek to project these storms into Africa will redound neither to the benefit of the African nations nor even to the long-range interests of those nations which pursue them.

THE SITUATION IN THE CONGO

The factors which I have been discussing and with which our policies respecting Africa must contend are to be found to a greater or lesser degree throughout that continent. And they are of intense significance in the immediate crisis in the Congo. The propellant of colonialism still drives people in that region to militant action despite the fact that independence has been achieved, despite that fact that the Belgians are in rapid withdrawal as U.N. forces enter the situation. Furthermore, as the colonial system has been progressively dismantled, the outward political unity which this system created faces rising centrifugal pressures, not only in Katanga but elsewhere in that huge land. Also in evidence in the Congo is the countergroping of pan-Africanism to which I have already alluded; unfortunately, I may add, it has already taken on some dangerous racial overtones in the expression of differing attitudes toward U.N. forces supplied by African nations and those from elsewhere. In the Congo, too, is to be found an enormous gap between the immediate need for skilled Africans in government and management and the extremely limited supply. In the Congo, finally, we see the helping hand from the rest of the world extended in sincere understanding of the difficulties confronting this new nation but also with the muscles of the external power-rivalries flexing here and there in an eagerness to plunge into the inviting situation.

U.S. INTERESTS

If we are to deal effectively in policy not only with the situation in the Congo but, in truth, with developments throughout Africa, we must not only see our interests clearly but we must pursue those interests in the light of significant factors of the kind I have been discussing today. Our interests, Mr. President, are not hard to define. They arise, first and foremost from the universal implications of the historic American doctrines of freedom. And men and women in Africa, today, are striving for freedom and its meaning for them. They may struggle awkwardly and ineptly, perhaps, and sometimes even blindly but, nevertheless, the struggle is authentic.

Furthermore, Mr. President, American citizens have modest, cultural, and commercial ties with Africa and the prospects for the improvement of the ties are good as Africa develops in freedom. These, too, constitute American interests.

Finally, Mr. President, we have an interest in human progress in peace in Africa. We have that interest in part because we cannot, and no people worthy of the name human can, close eyes to the desperate travails of a vast segment of the human family. We have it, too, because the peaceful progress of Africa is interrelated with the peace of the people of this nation in this second half of the 20th century. We have this interest because if Africa can progress in freedom and peace, it will spare us the extension of the costly trappings of the cold war to still another continent.

FRAMEWORK FOR U.S. POLICY

What, then, do these interests suggest as a proper course of policy for this Nation? I do not believe that they suggest that we plunge headlong into the turbulent troubles of Africa with eager dollars, with unsolicited advice, with an indiscriminate outpouring of new military and economic aid programs wherever takers may be found. It should be obvious, now, on the basis of experience elsewhere that this approach can guarantee neither to dispel Africa's troubles nor to exercise communism from that continent. Equally, Mr. President, we must resist the easy temptation to pass off the difficulties in Africa as of little import to this Nation. In short, our important but limited interests suggest that we do not assume the role of either first or last among equals in our approach to Africa but that we take our place as true equals among outsiders while Africa develops within, under its own leadership and in accord with its own genius. This view presupposes a major effort of assistance by the United Nations, as Africans need it, seek it, and can use it. But I hasten to add that that supposition is not the same as the glib slogan: "Let the United Nations do it."

With all due respect to Mr. Hammarskjold, a brilliant and dedicated man, the fact is that what needs to be done in Africa will not be done unless the policies of this Government and others and, most of all, the leadership of the new Africa permit it to be done.

PRINCIPLES OF A U.S. POLICY ON AFRICA

We cannot answer for others in this connection but we can look to our own policies on Africa and their administration. In the light of the analysis which I have attempted today, I would suggest that our policies must flow from the following principles:

(1) This Nation should give its support, diplomatically and otherwise to the end that independence and human equality will eventually be achieved throughout Africa. Our support must go, as it has begun to go under this administration, to those who work soberly in Africa for these ends. May I say, in all candor, that this principle grows easier to maintain with consistency and dynamism as the nations of Europe with whom we are associated in other matters increasingly espouse it in their own African policies. The difficulties, however, are great and will remain great in those areas in Africa of heavy European settlement and I do not wish to make light of the task of those who must conduct our policies affecting those areas.

It seems to me particularly important that this principle find expression in the character and conduct of our expanding network of embassies in the new African republics. I hope that these establishments will be kept modest in size and character. I hope, further, that our official representatives will seek a fresh and full understanding of the situations which they encounter, based upon direct and broad contact with the peoples of these new nations. I hope, finally, that these embassies will be conducted in a manner which reflects the simple good will of this Nation toward the new republic of Africa and our sympathetic appreciation of their struggles. In sum, it seems to me of the utmost importance that now, at the beginnings of contact with the new Africa, our official representation be kept free of those characteristics which would invite a deflection of the political propellant of colonialism to this Nation.

(2) In the absence of overriding considerations to the contrary, this Nation should use whatever influence it can against a centrifugal fragmentation of existing political units in Africa. However powerful the divisive forces of an ancient tribalism may still be, they are the forces of the dying Africa; they are not the strengths of the Africa that is struggling to come into being. May I say that to hold to this principle is not to stand against adjustments in present political boundaries. Such adjustments are to be anticipated and are to be encouraged if they lead to more practical political and economic units. We should resist these tendencies, however if they derive either from a narrow tribalism or a sweeping racist pan-Africanism.

I realize that these particular problems must be dealt with primarily by the African peoples themselves. There is every indication, however, that the United Nations may be drawn increasingly into them. Since that is the probability, we must be prepared to exert our influence affirmatively in that organization and, in other ways, on the side of modern political progress in Africa.

(3) We should recognize that the hopes for freedom and progress in Africa during this period of transition depend, perhaps, more on the caliber of men than on the forms of governments and we should lend a most understanding ear to those African leaders who, with sincerity, personal dedication and realism seek to move their nations forward.

We must learn, quickly, as much as we can about the emergent African leadership and, if we are to learn accurately, we will eschew such inapplicable frames of reference as procommunist or prowestern. The leadership that matters for the future of Africa will be neither one nor the other. It will be pro-African in the finest sense of the term in that it will be dedicated to the welfare of its own peoples and will drive soberly but relentlessly to increase their capacity for survival and expression in the modern world.

(4) We should join with all nations so inclined in an effort to lend a genuinely helpful hand to the vast needs of Africa for training in modern skills and for prompt economic and social development.

If Africa is to make the most of this help and, if the rest of the world is to gain from it in terms of peace, then it seems to me that this help must go to Africa free of any extension—expressed or implied—of the power conflicts and rivalries which divide the world. The challenge of Africa is not a call to greater propaganda battles between us and the Soviet Union. The challenge of Africa is to the world. It is a challenge to help open in peace the doors of modern life for the peoples of Africa, for their benefit and for the still unfathomed benefits which may flow to mankind from that opening.

SPECIFICS OF A U.S. POLICY

If we accept this as the deeper challenge of Africa then it seems to me that we must begin to seek agreement through our policies, in the U.N. and elsewhere, on the following points:

(1) That all requests for military training missions and military aid from the African nations henceforth be referred to the United Nations and that such missions, as approved by the Security Council, be supplied solely under the aegis of the U.N.; further, that existing military aid missions in Africa be converted into U.N. missions at the request of any independent African nation and, as rapidly as possible.

(2) That the United States seek agreement with the Soviet Union to the end that both nations shall refrain from seeking military bases in Africa and from sending military forces to any part of Africa except as the Security Council may direct; further, that existing bases of either nation in Africa be closed out in due course and any military forces of either nation on the African Continent be withdrawn as the Security Council may direct.

(3) That the United Nations effort in the Congo, and similar efforts which may be required and sought elsewhere in Africa, henceforth be financed by a four-quarters fund: one-quarter supplied by the United States; one-quarter by the Soviet Union and Eastern Europe acting, as willing, in concert; one-quarter by Western Europe acting, as willing, in concert; and one-quarter by the other members of the United Nations.

(4) That the four-quarters fund be used, further, as the principal instrument for financing a substantial program of technical aid to Africa, to be pursued predominantly through an expansion of educational and training facilities in that continent, with technicians and teachers supplied on a similar four-quarters division, under the general direction of the U.N. Secretary General; and further, as this effort comes into operation, that bilateral assistance by all nations in Africa be progressively curtailed.

Mr. President, my principal interest today has been to explore the limits of our proper concern in the unfolding situation in Africa. The difficulty which confronts our policy is not only that we may do too little but that we may be impelled to do too much and in ill-adapted ways and, hence, contribute to the creation on the African Continent of still another front in the cold war. We shall not be thanked by the Africans if that is the effect of our contribution regardless of its size and our good intentions. Nor will we serve the interests of this Nation by enlarging the already costly trappings of the cold war—notably, military and political aid, propaganda dissemination and increased defense expenditures—if it can be avoided.

Mr. President, I do not know if it will be possible to bring into being the beginnings of a constructive and cooperative approach to Africa along the lines of the suggestions which I have advanced. There is little ground for sanguine expectations. Nevertheless, I believe we should make, in policy, an effort of this kind. We should make it with all diligence and in all sincerity. We should make it in our own interests, in the interests of the emergent African peoples, and in the interests of the peace of the world.

Mr. RUSSELL. Mr. President, I wish to associate myself with the remarks of the distinguished majority leader. Of all the many mistakes we have made in the field of statesmanship in recent years, I think our performance in the Congo has been the most inept. From every standpoint and from the very beginning it has been poorly handled. The American people do not realize how fraught with danger is the situation in the Congo. We are involving ourselves unilaterally in an area where we have no historical background or association; where we have nothing on earth to gain by involvement, but a great deal to lose. I trust that before this stupid intervention in the Congo goes any further; the administration will issue orders that will assure that our spokesmen in that area do not further commit the United States in these tribal wars.

If there is any part of the world where we should not spill a drop of American blood to cover the many mistakes of our representatives; it is in this vast land of the Congo.

FIRE ISLAND NATIONAL SEASHORE

Mr. **BIBLE**. Mr. President, I ask the Presiding Officer to lay before the Senate the amendment of the House of Representatives to S. 1365, a bill to establish the Fire Island National Seashore.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 1365) to establish the Fire Island National Seashore, and for other purposes, which was, to strike out all after the enacting clause and insert:

That (a) for the purpose of conserving and preserving for the use of future generations certain relatively unspoiled and undeveloped beaches, dunes, and other natural features within Suffolk County, New York, which possess high values to the Nation as examples of unspoiled areas of great natural beauty in close proximity to large concentrations of urban population, the Secretary of the Interior is authorized to establish an area to be known as the "Fire Island National Seashore".

(b) The boundaries of the national seashore shall extend from the easterly boundary of Robert Moses State Park eastward to Moriches Inlet and shall include not only Fire Island proper, but also such islands and marshlands in the Great South Bay, Bellport Bay, and Moriches Bay adjacent to Fire Island as Sexton Island, West Island, Hollins Island, Ridge Island, Pelican Island, Pattersquash Island, and Reeves Island and such other small and adjacent islands, marshlands, and wet lands as would lend themselves to contiguity and reasonable administration within the national seashore and, in addition, the waters surrounding said area to distances of one thousand feet in the Atlantic Ocean and up to four thousand feet in Great South Bay and Moriches Bay, all as delineated on a map identified as "Fire Island National Seashore No. OGP–0002", dated June 1964. The Secretary shall file said map with the Federal Register, and it may also be examined in the offices of the Department of the Interior.

SEC. 2. (a) The Secretary is authorized to acquire, and it is the intent of Congress that he shall acquire as appropriated funds become available for the purpose or as such acquisition can be accomplished by donation or with donated funds or by transfer, exchange, or otherwise, the lands, waters, and other property, and improvements thereon and any interest therein, within the boundaries of the seashore as established under section 1 of this Act. Any property or interest therein owned by the State of New York, by Suffolk County, or by any other political subdivision of said State may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act. In exercising his authority to acquire property in accordance with the provisions of this subsection, the Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized by this Act, but the liability of the United States under any such contract shall be contingent on the appropriation of funds sufficient to fulfill the obligations thereby incurred.

(b) When the Secretary determines that lands and waters or interests therein have been acquired by the United States in sufficient quantity to provide an administrative unit, he shall declare the establishment of the Fire Island National Seashore by publication of notice in the Federal Register.

(c) The Secretary shall pay not more than the fair market value, as determined by him, for any land or interest therein acquired by purchase.

(d) When acquiring land by exchange the Secretary may accept title to any nonfederally owned land located within the boundaries of the national seashore and convey to the grantor any federally owned land under the jurisdiction of the Secretary. The lands so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from or pay cash to the grantor in order to equalize the values of the lands exchanged.

(e) With one exception the Secretary shall not acquire any privately owned improved property or interests therein within the boundaries of the seashore or any property or interests therein within the communities delineated on the boundary map mentioned in section 1, except beach or waters and adjoining land within such communities which the Secretary determines are needed for public access to the beach, without the consent of the owners so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid, zoning ordinance that is satisfactory to the Secretary. The sole exception to this limitation on the power of the Secretary to condemn improved property where appropriae zoning ordinances exist shall be in the approximately eight-mile area from the easterly boundary of the Brookhaven town park at Davis Park, in the town of Brookhaven, to the westerly boundary of the Smith Point County Park. In this area only, when the Secretary deems it advisable for carrying out the purposes of this Act or to improve the contiguity of the park land and ease its administration, the Secretary may acquire any land or improvements therein by condemnation. In every case in which the Secretary exercises this right of condemnation of improved property the beneficial owner or owners (not being a corporation) of any improved property so condemned, provided he, she, or they held the same or a greater estate in the property on July 1, 1963, may elect as a condition of such acquisition by the Secretary any one of the following three alternatives:

(1) That the Secretary shall take the said property in fee simple absolute and pay the fair market value thereof as of the date of such taking;

(2) that the owner or owners shall retain a life estate in said property, measured on the life of the sole owner or on the life of any one person among multiple owners (notice of the person so designated to be filed in writing with the Secretary within six months after the taking) or on the life of the survivors in title of any estate held on July 1, 1963, as a tenancy by the entirety. The price in such case shall be diminished by the actuarial fair market value of the life estate retained, determined on the basis of standard actuarial methods;

(3) that the owner or owners shall retain an estate for twenty-five years. The price in this case shall likewise be diminished by the value of the estate retained. (f) The term "improved property" as used in this Act shall mean any building, the construction of which was begun before July 1, 1963, and such amount of land, not in excess of two acres in the case of a residence or ten acres in the case of a commercial or industrial use, on which the building is situated as the Secretary considers reasonably necessary to the use of the building: *Provided*, That the Secretary may exclude from improved properties any beach or waters, together with so much of the land adjoining such beach or waters as he deems necessary for public access thereto.

SEC. 3. (a) In order to carry out the provisions of section 2, the Secretary shall issue regulations, which may be amended from time to time, specifying standards that are consistent with the purposes of this Act for zoning ordinances which must meet his approval.

(b) The standards specified in such regulation shall have the object of (1) prohibiting new commercial or industrial uses, other than commercial or industrial uses which the Secretary considers are consistent with the purposes of this Act, of all property within the national seashore, and (2) promoting the protection and development for purposes of this Act of the land within the national seashore by means of acreage, frontage, and setback requirements.

(c) Following issuance of such regulations the Secretary shall approve any zoning ordinance or any amendment to any approved zoning ordinance submitted to him that conforms to the standards contained in the regulations in effect at the time of adoption of the ordinance or amendment. Such approval shall remain effective for so long as such ordinance or amendment remains in effect as approved.

(d) No zoning ordinance or amendment thereof shall be approved by the Secretary which (1) contains any provisions that he considers adverse to the protection and development, in accordance with the purposes of this Act, of the area comprising the national seashore; or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under, or any exception made to, the application of such ordinance or amendment.

(e) If any improved property, with respect to which the Secretary's authority to acquire by condemnation has been suspended according to the provisions of this Act, is made the subject of a variance under, or becomes for any reason an exception to, such zoning ordinance, or is subject to any variance, exception, or use that fails to conform to any applicable standard contained in regulations of the Secretary issued pursuant to this section and in effect at the time of passage of such ordinance, the suspension of the Secretary's authority to acquire such improved property by condemnation shall automatically cease.

(f) The Secretary shall furnish to any party in interest upon request a certificate indicating the property with respect to which the Secretary's authority to acquire by condemnation is suspended.

SEC. 4. (a) Owners of improved property acquired by the Secretary may reserve for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a term that is not more than twenty-five years. The value of the reserved right shall be deducted from the fair market value paid for the property.

(b) A right of use and occupancy reserved pursuant to this section shall be subject to termination by the Secretary upon his determination that the use and occupancy is not consistent with an applicable zoning ordinance approved by the Secretary in accordance with the provisions of section 3 of this Act, and upon tender to the owner of the right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

SEC. 5. The Secretary shall permit hunting, fishing, and shellfishing on lands and waters under his administrative jurisdiction within the Fire Island National Seashore in accordance with the laws of New York and the United States of America, except that the Secretary may designate zones where, and establish periods when no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment. Any regulations of the Secretary under this section shall be issued after consultation with the Conservation Department of the State of New York.

SEC. 6. The Secretary may accept and use for purposes of this Act any real or personal property or moneys that may be donated for such purposes.

SEC. 7. (a) The Secretary shall administer and protect the Fire Island National Seashore with the primary aim of conserving the natural resources located there. The area known as the Sunken Forest Preserve shall be preserved from bay to ocean in as nearly its present state as possible, without developing roads therein, but continuing the present access by those trails already existing and limiting new access to similar trails limited in number to those necessary to allow visitors to explore and appreciate this section of the seashore.

(b) Access to that section of the seashore lying between the easterly boundary of the Brookhaven town park at Davis Park and the westerly boundary of the Smith Point County Park shall be provided by ferries and footpaths only, and no roads shall be constructed in this section except such minimum roads as may be necessary for park maintenance vehicles. No development or plan for the convenience of visitors shall be undertaken therein which would be incompatible with the preservation of the flora and fauna or the physiographic conditions now prevailing, and every effort shall be exerted to maintain and preserve this section of the seashore as well as that set forth in the preceding paragraph in as nearly their present state and condition as possible.

(c) In administering, protecting, and developing the entire Fire Island National Seashore, the Secretary shall be guided by the provisions of this Act and the applicable provisions of the laws relating to the national park system, and the Secretary may utilize any other statutory authority available to him for the conservation and development of natural resources to the extent he finds that such authority will further the purposes of this Act. Appropriate user fees may be collected notwithstanding any limitation on such authority by any provision of law.

SEC. 8. (a) The authority of the Chief of Engineers, Department of the Army, to undertake or contribute to shore erosion control or beach protection measures on lands within the Fire Island National Seashore shall be exercised in accordance with a plan that is mutually acceptable to the Secretary of the Interior and the Secretary of the Army and that is consistent with the purposes of this Act.

(b) The Secretary shall also contribute the necessary land which may be required at any future date for the construction of one new inlet across Fire Island in such location as may be feasible in accordance with plans for such an inlet which are mutually acceptable to the Secretary of the Interior and the Secretary of the Army and that is consistent with the purposes of this Act.

SEC. 9. (a) There is hereby established a Fire Island National Seashore Advisory Commission (hereinafter referred to as the Commission). The Commission shall terminate on the tenth anniversary of the date of this Act or on the declaration, pursuant to section (b) of this Act, of the establishment of the Fire Island National Seashore, whichever occurs first. The Commission shall consist of fifteen members, each appointed for a term of two years by the Secretary, as follows:

(1) Ten members to be appointed from recommendations made by each of the town boards of Suffolk County, New York, one member from the recommendations made by each such board;

(2) Two additional members to be appointed from recommendations of the town boards of the towns of Islip and Brookhaven, Suffolk County, New York;

(3) One member to be appointed from the recommendation of the Governor of the State of New York;

(4) One member to be appointed from the recommendation of the county executive of Suffolk County, New York;

(5) One member to be designated by the Secretary.

(b) The Secretary shall designate one member to be Chairman.

(c) A member of the Commission shall serve without compensation.

(d) The Commission established by this section shall act and advise by affirmative vote of a majority of the members thereof.

(e) The Secretary or his designee shall, from time to time, consult with the members of the Commission with respect to matters relating to the development of Fire Island National Seashore and shall consult with the members with respect to carrying out the provisions of sections 2, 3, and 4 of this Act.

(f) (1) Any member of the Advisory Commission appointed under this Act shall be exempted, with respect to such appointment, from the operation of sections 281, 283, 284, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U.S.C. 99) except as otherwise specified in paragraph (2) of this subsection.

(2) The exemption granted by paragraph (1) of this subsection shall not extend—

(i) to the receipt of payment of salary in connection with the appointee's Government service from any sources other than the private employer of the appointee at the time of his appointment; or

(ii) during the period of such appointment, and the further period of two years after the termination thereof, to the prosecution or participation in the prosecution, by any person so appointed, of any claim against the Government involving any matter concerning which the appointee had any responsibility arising out of his appointment during the period of such appointment.

SEC. 10. There is hereby authorized to be appropriated not more than $16,000,000 for the acquisition of lands and interests in land pursuant to this Act.

Mr. BIBLE. Mr. President, this is another one of the great national seashores that should be preserved and will be preserved upon the enactment of the bill. The two Senators from New York [Mr. JAVITS and Mr. KEATING] have long been the chief sponsors of this measure. I am happy to see that it is at its final stage before being sent to the White House.

There are very few differences between the House proposal and the bill earlier passed by the Senate. I should like to recite those differences.

The House reduced the length of the park from 33 to 25 miles and the land area from about 5,700 acres to about 4,300 acres.

The House version deletes the Robert Moses State Park and the Coast Guard station that were included in the overall boundaries of the Senate version.

The House provides for a temporary Advisory Commission that was not included in the Senate bill.

The House provided for an agreement between the Secretary of the Army and the Secretary of the Interior on the beach and erosion controls plans for the area.

The House added certain additional language to the provision which we had in the Fire Island National Seashore bill, for the protection of the Sunken Forest Preserve, one of the most beautiful areas in this seashore. There is a limitation of $16 million allowed in both bills.

I believe this is one of the most beautiful seashores that it has been my privilege to visit anywhere in the United States. It is the third one which has been created along the Atlantic coast. Areas of this kind are in very short supply, and they should be preserved without delay.

Mr. KEATING. Mr. President, I am extremely grateful to the distinguished chairman of the Public Lands Subcommittee, the Senator from Nevada [Mr. BIBLE] for his efforts to expedite passage of this bill. He and the members of his subcommittee have worked long and hard to get this bill through this year. In a session which has been particularly busy for the Interior Committee, their labors are doubly appreciated. Their dedication to preserving our wilderness areas and providing recreation for our citizens has resulted in much far-reaching legislation this year.

We are particularly pleased that this Fire Island National Seashore will be established in an area where there are very few national park facilities. The seashore will serve not only the millions in the New York metropolitan area, but the tens of millions who live within hours of Long Island. It will provide recreation facilities not only for this generation, but will conserve the area in its natural state for generations to come.

When my colleague and I first introduced this bill in April of 1963 we did not specify exact boundaries, and expressed our desire to reconsider any language in the bill for which a preferable substitute was found. Support for the seashore has been virtually unanimous—in the Congress, in the executive branch, and among the residents of the area. Committee work and testimony was concerned primarily, therefore, with devising the best possible bill. The House bill differs slightly from the one which the Senate passed last week, but in the spirit of good will and fine cooperation which has marked the entire legislative history of this bill, the chairman has consented to accept the House language so that a conference can be avoided. As the author of the bill, I commend the chairman for his decision and heartily concur in his motion that the House amendments be accepted.

Mr. JAVITS. Mr. President, I join my colleague, the Senator from New York [Mr. KEATING] in approving the House bill.

This is a landmark measure with respect to conservation legislation, affecting the State of New York and the Atlantic area. It will be of importance to visitors from across the Nation. Not only have Senator KEATING and I inspected the Fire Island Seashore area, but he has spent a great deal of time there.

I have lived there and have raised my children there. I can testify to the beauty of this area and to the critical importance of preserving it in its present condition for the benefit of the people of the United States.

It is now being opened up with two bridges, one at each end; yet this national seashore will not be spoiled by commercial exploitation or by undue travel. It is a long and very narrow area, 32 miles long and about 2,000 feet wide at its widest point lying between the Atlantic Ocean and the bay behind it. It is one of the most magnificent strips of ocean front in the world and one of the last unspoiled stretches of natural beach left on the east coast. The need to protect this area is great. As stated in the Outdoor Recreation Resources Review Commission submitted to the Congress in 1962, "Highest priority should be given to acquisition of areas located closest to major population centers and other areas that are immediately threatened."

A great responsibility is now put upon the local summer residents of this area. They must cooperate with the Department of the Interior to keep this area in its natural beauty and isolation. Not much money is provided in the bill. The Federal Government will not be able to do limitless things with respect to it. At the same time I am hopeful that local residents will assist in the progess of the national seashore. I am sure the residents of Fire Island, as I know them, will have that very much in mind.

We look forward to this national seashore being for the use of the 30 million Americans who live between Boston and Washington. It is fully available to all of them, as well as to what we hope will be many visitors from all over the United States.

This is a place of such natural beauty that it ought to be as popular as any of our national parks. I know that the people who live on Fire Island are cognizant of this and will do their utmost to create a climate of hospitality for all who may visit this seashore.

There are certain rare areas in the United States. I believe it is a privilege to serve in this body and be a party to the protection of such an area of beauty, which I know will survive me and my children, and their children after them, and be a blessing to millions of Americans in the decades to come.

Mr. BIBLE. I move that the Senate concur in the House amendment. I have cleared this matter with the minority members of the Committee on Interior and Insular Affairs.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. KEATING. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

TRIBUTE TO SENATOR DODD

Mr. PROXMIRE. Mr. President, this morning I received through the mail a copy of the September issue of Reader's Digest, which I understand will appear on the newsstands within the next several days. I wish to call the attention of my colleagues in particular to an article entitled "Crusader From Connecticut," which, in capsulized form, recounts the life story of my good friend, the senior Senator from Connecticut, and of his record and accomplishments as a Congressman and as a Senator.

I am pleased to see that the Senator has received this recognition, because he so richly deserves it. It is a glowing account of a fine and great Senator.

The article is captioned "Hardheaded, Hardworking Senator THOMAS J. DODD Fights a Nonstop Battle for Freedom—at Home and Abroad." The article asserts that as an anti-Communist investigator Senator DODD has been scrupulously fair and has bent over backward to protect the innocent. And it credits him with a remarkable record for being right on foreign policy issues.

From firsthand observation of the Senator's record in Washington, I concur wholeheartedly with this estimate.

The Senator and I have stood shoulder to shoulder in more than one debate on foreign policy, most recently on the questions of aid to Communist countries and the sale of wheat—on highly favorable terms and without conditions of any kind—to the Soviet Union. And I can think of no single Member of this body who has made a greater contribution than the Senator from Connecticut to our understanding of the foreign policy issues that confront us. Nor, on examining his record, can I think of any other Member of Congress who has displayed more foresight or who has so consistently turned out to be right.

The Reader's Digest article tells the story of how a report by Senator DODD persuaded President Kennedy to overrule the Commerce Department and call off a shipment to the Soviet Union of 45 high precision miniature ball bearing machines. This was only one of a number of incidents where the administration, after a period of apparent difference with Senator DODD, has come to accept the validity of his viewpoint.

At a time when we were still continuing the Cuban sugar subsidy and when the State Department was apparently still having difficulty in deciding whether Castro was an agrarian reformer or something worse, the Senator from Connecticut was one of the first to warn that Castro was a Communist and that we were only deluding ourselves if we believed that we could prevent his subservience to Moscow by being nice to him.

It did not take too long before Senator DODD's warnings were accepted as established facts by those who had once resisted his warnings.

Similarly, there was a tendency to resist Senator DODD's early warnings that Cheddi Jagan, of British Guiana, and Kwame Nkrumah, of Ghana, were completely committed Communists rather than nondescript radicals. Today I doubt whether there is any Member of Congress or anyone at the Department of State who would challenge Senator DODD's early evaluations.

In April 1962, the Senator from Connecticut warned the Foreign Relations Committee that the decision to cede Netherlands New Guinea to Sukarno's Indonesia would not produce a more stable situation in the area but would, on the contrary, whet Sukarno's appetite and encourage him to embark on further demands and further expansionist adventures. In the light of what has happened since that time, I doubt that a single reasonable person could be found who would today be prepared to defend the wisdom of the decision or to challenge Senator DODD's forecast of the consequences.

There is one more observation I wish to make. Our conservative friends are prone to pretend that they are the only true anti-Communists and that all liberals are by definition either pro-Communist or soft on communism. I challenge this contention. I believe that the liberal Members of the Senate have played a far more effective, far more constructive role than have the conservative Members as opponents of communism and as critics of our foreign policy when they considered criticism necessary. Indeed, there is not a single conservative Member of the Senate who can match the record of Senator DODD. On a number of issues which brought challenges from the Senator from Connecticut, the conservative anti-Communists sat on their hands.

In my opinion there is a reason for this. I do not think one can most effectively fight for freedom abroad unless one fights for freedom at home. The true liberal does both, because he is opposed to tyranny or injustice wherever it may exist. But the conservative is sometimes prone to speak against communism in generalities, to ignore the fact that communism must be opposed by positive social measures as well as by military means, and to repudiate the possibility of collaboration with liberal forces in the common struggle for the defense of freedom.

In my judgment, there is no greater bulwark against Communist subversion and infiltration in the American Government or in the American society than the reforms of the New Deal and the Fair Deal, achievements that have prevented great depressions and will prevent great depressions, and will prevent the hopelessness and cynicism and the hunger and desperation that is the basis for a strong Communist organization within our country. This economic humanitarianism as well as strength is the real bulwark against communism. It is this kind of social measure that Senator TOM DODD has consistently supported.

It mystifies me sometimes when I see Senator Dodd described in the press as a conservative. Senator Dodd has stood for every liberal and progressive cause. He was a team leader in the fight for the civil rights bill. He has been scrupulously fair as an investigator. He has called for racial equality from public platforms in the South. He was one of the first to denounce the John Birch Society.

How such a man can be described as a conservative or a reactionary in my opinion defies understanding.

Mr. President, I have taken advantage of this opportunity to make these supplementary remarks about Senator Dodd because, as a colleague who has fought many a fight with him, I consider it to be my duty to help to clarify his public image. To this end, I ask unanimous consent to have printed in the Record the text of the Reader's Digest article entitled "Crusader from Connecticut."

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Reader's Digest of September 1964]

Crusader From Connecticut—Hardheaded, Hardworking Senator Thomas J. Dodd Fights a Nonstop Battle for Freedom—at Home and Abroad

(By Eugene H. Methvin)

President John F. Kennedy looked around the White House dining table on February 14, 1961, at the 19 Cabinet and legislative leaders assembled for the first joint breakfast meeting of his administration. The bacon and eggs finished, he raised a touchy question. "We have this request to let a Vermont manufacturer ship ball-bearing machines to Russia," he said. "Senator Dodd asked President Eisenhower to hold it up, pending Senate investigation. Now he says the shipment would harm our national security. What about it?"

"The Russians can buy the same kind of machines from European manufacturers," said Secretary of Commerce Luther Hodges. "If we bar the shipment, we only cheat our own businessmen out of the profits."

"I wouldn't jump to a conclusion so lightly," said Vice President Lyndon Johnson. "Tom Dodd has a habit of being right."

Two weeks later, Senator Dodd discovered that the machines were going to be shipped despite his protests. Whereupon he strode into President Kennedy's office and handed him a seven-page report of the Senate Internal Security Subcommittee, of which Dodd is vice chairman. Twelve of the most eminent technical experts in the field, the President read, agreed to a man that not one of the European machines cited by the Commerce Department approached the capabilities of the American machine. The latter was a unique product representing the pooled expertise of many companies; 72 of these machines had been enough to supply the entire U.S. military and space effort with the tiny precision bearings that enabled us to miniaturize equipment and so offset the Soviet rocket-thrust advantage. Yet we were about to hand 45 of the machines to the Russians.

When he finished reading, President Kennedy ordered the shipment to Russia canceled.

FOR WHOM THE BELLS TOLLED

Hardheaded, hardworking Senator Thomas Joseph Dodd is a man with a passion for getting and analyzing the facts—especially facts about Communists, communism, and the cold war. Time and again, events have proved his forecasts right. Even many who disagreed at the time now concede that Dodd was right on Laos, West New Guinea, the Congo, Cuba, British Guiana, Berlin, Ghana, and many other foreign-policy tests. He has justly won respect for what one columnist calls "his ability to foresee crises long before they have tumbled about our ears." He has become the Senate's most dynamic voice for a foreign policy based on freedom for people everywhere.

Whenever great Kremlin-generated tides of euphoria and peaceful coexistence have washed over Washington, Dodd has stood fast as a rock. In the summer of 1959, for example, when Premier Khrushchev was invited to tour the United States, the Nation was immediately engulfed in a wave of naive hope. Dodd was too tough minded to go along with the mood. Looking every inch a Senator, with snow-white hair, a ruddy face, and a grim set to his finely chiseled Irish jaw, he rose in the Senate to remind his colleagues who this visitor was. "Khrushchev rose as hangman of the Ukraine," he said. "In a single year 400,000 men, women, and children were murdered under his direction. I have documentation here, if anyone wants to see it." Dodd then reminded his colleagues of Khrushchev's role in subduing the 1956 Hungarian rebellion, in which the Soviet boss earned the title of "Butcher of Budapest."

During his 1959 visit to the United States, Khrushchev was shocked by the strength of the anti-Communist feeling he found. (Many towns—following Dodd's suggestion—greeted him with silence or with tolling church bells.) Back in the Kremlin he said "There are forces in the United States working against us. They must be publicly whipped, subjected to the torments of hell." Ever since, the Communist press has directed a drumfire of smears at the senior Senator from Connecticut.

ELOQUENT G-MAN

From earliest boyhood, the Senate was Tom Dodd's goal. The family home in Norwich, Conn., was a good starting place. Tom's mother, a former schoolteacher, used to stand her little son atop the kitchen table and school him in the art of advocacy. At the dining table his father, a contractor, would toss algebra problems to his five children, or quote Shakespeare by the page, or recite from the inaugural addresses of every President from Grover Cleveland on. Meanwhile, playing around his grandpa's livery stable—which was a local Democratic Party hangout—young Tom breathed politics.

While at Yale Law School in 1932, Tom Dodd organized "The Flying Wedge," a band of reform-minded young liberals who made crusading speeches for Franklin D. Roosevelt's New Deal. He so impressed Homer Cummings, a Connecticut lawyer who, after the election, became F.D.R.'s Attorney General, that Cummings asked him to join the Federal Bureau of Investigation.

Dodd rapidly made his mark as a gangbuster. Assigned to St. Paul, he helped chase the most wanted gangster of the era, John Dillinger. Wounded in a gunfight, Dillinger escaped. But it was Dodd who tracked down and arrested "Doc" May, the gangland medico who treated Dillinger for his wounds.

In 1934, Dodd left his promising FBI career to become Connecticut director of the National Youth Administration, establishing educational and job opportunities for depression-deprived young people. (Another young New Dealer, Lyndon B. Johnson, had the same job in Texas.) Next, he was called to Washington to help organize the Justice Department's Civil Rights Division. Trying civil rights cases before southern juries, then cases of Nazi subversion and espionage, and later, wartime industrial cheats, he made an impressive name for himself. In the spring of 1945, he was sent to Nuremberg to prepare for the Nazi war crimes prosecutions.

NIGHTMARE MEMORIES

As chief trial counsel at Nuremberg, Dodd put in 18 grueling months. It was a long time before he could sleep soundly again. Not only Nazi brutality sickened him; he watched Soviet prosecutors try to blame the Nazis for their own army's massacre of 15,000 captured Polish soldiers in the Katyn forest, near Smolensk, in 1940. "It was perfectly clear to any honest lawyer that they had fabricated the evidence," Dodd says.

Something else stuck in his craw. "I learned of the desperation and terror of hundreds of thousands of Russian war prisoners and slave laborers held by the Nazis whom we, through ignorance, returned against their will to the Soviet authorities. I am still tormented by accounts of mass suicides in which men slashed their wrists with tin cans and women jumped with their children from upper-story windows rather than face return to Russia.

"I was conducting a postmortem of the Nazi terror machine," Dodd recalls, "but I saw communism's similarities in a thousand details. Neither tyranny tolerates opposition; both menace the world with their hate ideologies—the Nazis in the name of race hate, the Communists in the name of class hate."

Weary and soul-sick, Dodd returned to Connecticut—to Hartford—to practice law. Ironically, it was his opposition to anti-Communist demagogery that called him back into national affairs. In 1950, Senator Joseph McCarthy stumped the State, hoping to purge Connecticut's Democratic Senator Brian McMahon. Mindful of their heavily Catholic constituencies, other State political leaders declined to reply to McCarthy. Dodd, convinced that the Wisconsin Senator was careless with facts and reckless and indiscriminate in his anti-Communist charges, could not refuse. Said Dodd, "I never saw a stronger case with a weaker lawyer. Senator McCarthy actually harms the anti-Communist cause by making it seem ridiculous."

McMahon won. And so compelling was Dodd's eloquence that in 1952 the Democrats urged him to run for Congress. After two terms in the House, he was elected to the Senate.

LONE VOICE

Many times Dodd has spoken out on foreign policy in a lone, scorned voice. In May 1960, he denounced the unpoliced nuclear-test moratorium, which had then been in effect 18 months, expressing the "gnawing conviction that the Communists are not abiding by it." Khrushchev confirmed the suspicion in September 1961 with a series of 30 nuclear explosions punctuated by a monster 57-megaton blast. This gullible trusting of the Communists, said Dodd, proved to be "the most flagrant bipartisan blunder in the long history of our foreign policy."

Yet Washington soon returned to the old routine. By February 1963, with a draft treaty on the table in Geneva, talk was buzzing of new U.S. concessions to bring about a full nuclear test ban. In a 20,000-word speech, widely praised for its technical expertise, Dodd cited the record of 13 major U.S. concessions: retreating from on-site inspection of all suspicious earth tremors to 20 inspections a year, then to 12, then 8, then 5; and—ultimate folly—agreeing that Russians could man the monitoring stations in their own territory. "It's as ridiculous as trusting gangsters to police themselves," said Dodd.

The Geneva Treaty became a dead issue. Dodd, supported by 33 other Senators, then renewed his 1960 proposal for a limited, atmospheric test ban, violations of which can be readily detected. Within 3 months the Treaty of Moscow was signed, and the Senate ratified it—after the administration promised vigorous underground testing to maintain the U.S. deterrent.

THANKLESS TASK

To be vice chairman of the Senate Internal Security Subcommittee, investigating Communist subversion, is a stormy and thankless task. But, in 1959, Senate majority leader Lyndon Johnson persuaded Dodd to take the post out of duty, as a liberal whose record as a civil rights advocate would reassure those fearful of new excesses. His performance in the job has been one of scrupulous fairness. Says Senator Paul Douglas, dean of the Senate liberals, "Although Tom Dodd is a vigorous anti-Communist, I know personally that he has many times stood up for those unfairly accused by the far right."

In May 1960 the New York chapter of the Committee for a Sane Nuclear Policy (SANE) called a gigantic rally at Madison Square Garden. Scheduled to speak were Mrs. Eleanor Roosevelt, Michigan Gov. G. Mennen Williams, labor leader Walter Reuther and former GOP presidential candidate Alf Landon. Then, 48 hours before the meeting, Dodd verified information that SANE's New York chapter had been heavily infiltrated by Communists, who planned to use it to support Soviet diplomatic pressure on the United States. The chief planner and organizer of the rally, Henry Abrams, was a veteran member of the Communist Party.

Dodd telephoned SANE's national chairman, Norman Cousins, editor of the Saturday Review, and laid the evidence before him. Cousins flew to Washington and asked Dodd not to release the material so short a time before the meeting. "Many prominent, innocent people will be present who could be damaged by the headlines," he said. Dodd agreed, saying, "I certainly don't want to hurt anybody through guilt by association."

The rally went off as scheduled. Later, Dodd publicly revealed the Communist role, ordered a closed hearing and called in 27 witnesses from SANE's Greater New York chapter. When 22 of them, including 9 local chairmen, took the fifth amendment on questions of Communist Party membership, SANE expelled them. It revoked the charter of the New York chapter and built a new one excluding Communists.

"Tom Dodd could have seriously damaged SANE and made political capital out of the investigation," says Norman Cousins. "Instead he confined himself to a few specific cases and maintained absolute respect for the rights of the individuals concerned."

CUBAN HANGOVER

How, in the critical year before Castro came to power, did U.S. policy in Cuba miscarry so disastrously? Investigating, Dodd discovered that as early as 1955 the FBI was sending reports to the State Department describing ominous Communist involvements in Castro's background and organization. The tempo of such reports increased during 1957 and 1958. Why, then, did Washington actually encourage Castro's takeover?

For 2 years the subcommittee took testimony, heard half a dozen ambassadors, doublechecked the State Department's own massive inquiry. A vast amount of evidence came to focus on one official, who had systematically summarized the intelligence reports to say there was no conclusive evidence that Castro was Communist—a true statement by itself, yet a distinct misrepresentation of the intelligence flowing in. Called before the subcommittee to explain, the official's own testimony was damningly vague, contradictory, evasive. After long questioning, the subcommittee had to conclude that he had lied and dodged under oath. Why? "The disturbing truth is we don't know," says Dodd, "and the State Department has taken no meaningful action to find out."

The upshot? While the officer in question got a pay raise, the State Department fired its chief of security evaluations, Otto F. Otepka—the man who made the first exhaustive investigation of the officer's performance and recommended action against him. First. State squelched Otepka's 844-page report, then last September sought to fire him for cooperating with Senator Dodd and the subcommittee. To prove this cooperation, trash bags in Otepka's office were secretly rummaged, torn papers were pieced together, his files searched, his typewriter ribbons and carbons "read"—even though Federal law guarantees the right of any civil service employee to furnish information to "either House of Congress."

On November 5, 1963, State announced that it was firing Otepka as guilty of "conduct unbecoming an officer of the Department of State." That afternoon Dodd stormed on the Senate floor: "No one suspected of espionage or disloyalty has been subjected to such surveillance and humiliation. In the topsy-turvy attitude it has displayed, the State Department has been chasing the policeman instead of the culprit." [1]

Dodd thinks that the effort to "get" Otepka comes from intermediate State Department bureaucrats who are still smarting under the resentments generated by Senator McCarthy's wholesale charges against the Department in the early 1950's. Dodd does not charge that the State Department is full of Communists. He does say, "We would be fools to think that attempts at infiltration ended with Alger Hiss and Harry Dexter White. That is why we need hard-nosed professional security men like Otepka, and congressional investigating committees."

In pursuing his forthright course, Tom Dodd has received his share of brickbats, slurs and even threats on his life. Despite all efforts to sidetrack him, he moves straight ahead, guided by principle, and by the overriding conviction that the most fateful issue today is whether the frontiers of freedom or of Communist tyranny will advance.

"Freedom must move forward," says Dodd. "The struggle can be won only by a mighty national effort, which our ideals now call upon us to make—an effort to defend freedom where it exists in the world, and to extend it where it does not."

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

REAPPORTIONMENT OF STATE LEGISLATURES

Mr. PROXMIRE. Mr. President, the present reapportionment fight has been put into some perspective by the distinguished senior Senator from Pennsylvania [Mr. Clark], who has an extraordinary sense of history, a brilliant academic background, and a lively curiosity about the relationship between current events and historical events. He discussed the present controversy as similar to the fight in England over the rotten boroughs. Some persons have challenged this statement and said it was intemperate, or have indicated that it was not appropriate.

Recently, a distinguished historian has written very ably on the reapportionment dispute of some 180 years ago in England, in 1783. I should like to quote from excerpts from his book as they were printed in the Washington Post this morning: The introduction to the excerpt reads:

> The current conflict over reapportionment recalls a dispute 181 years ago. Here is an excerpt on the issue then from a nearly completed book by Irving Brant on the "Origin and Meaning of the Bill of Rights."

I now read quotations from the book by Irving Brant:

> In September 1783, the dean of St. Asaph, William Davies Shipley, was brought to trial at Wrexham, England, for seditious libel, with Erskine as defense counsel. The prosecution was a spite affair, pushed by a Tory sheriff who filed charges against the dean for reprinting "The Principles of Government," in a dialog between a gentleman and a farmer.
>
> The dialog was obviously seditious, by the standards of that day, being an argument for apportionment of the House of Commons according to population. To publish a paper for such a purpose was highly criminal—indeed, 12 years later it was made high treason, punishable by death, to attempt by published writings to bring about reapportionment.
>
> To an American at the time of Dean Shipley's trial, it was unthinkable.

When I say "Dean Shipley's trial," these were Americans at the time of our Revolution—our own Founding Fathers.

> Congress and State legislatures afterwards made that a dead letter by failure to enforce it. The legislative department of government, State and Federal, first tolerated and then protected a rotten borough system that was steadily growing worse until the Supreme Court stepped in and upset it in 1963.

What I am calling attention to is the fact that Mr. Irving Brant, a distinguished historian, perhaps the greatest biographer of James Madison, has described a malapportionment of American legislatures in 1963 and 1964 as a rotten borough system. Let me repeat that last short sentence by Mr. Brant:

> The legislative department of government, State and Federal, first tolerated and then protected a rotten borough system that was steadily growing worse until the Supreme Court stepped in and upset it in 1963.
>
> For the distinctive feature of the "rotten borough" system is that the longer it goes without correction, the worse it becomes, and the worse it becomes, the harder it is to correct it through the ordinary channels of legislation. That is because the beneficiaries of unfair apportionment are both the officeholders favored by it and the favored constituents who elect them. As the system worsens, the beneficiaries have increasing power to retain it and a greater interest in doing so. Reform came to England 49 years after the trial of the Dean of St. Asaph, when Parliament yielded to the imminent threat of armed revolution. Reform came to the United States through the untrammeled action of an independent judiciary, upholding a Constitution enacted by the people.

I think we must recognize this historical experience to appreciate fully what is at stake in the Dirksen amendment. It is extraordinarily hard to get legislative apportionment and give every American citizen the kind of equal opportunity to vote for his State legislature, which our Founding Fathers conceived for the State legislature, and which the Supreme Court said is clearly implicit in the 14th amendment. It is extraordinarily hard. It is historically hard, and it may take an armed revolution to achieve it. Now, of course, we have the Supreme Court determining that in its judgment every citizen regardless of where he lives, should have an equal opportunity and an equal vote in the State legislature.

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[1] At this writing, Otepka's dismissal is still on appeal to Secretary of State Dean Rusk.

That is the option—armed revolution or action by the Supreme Court. If Congress, by the Tuck bill or by the Dirksen amendment should stall, prevent, stop, this opportunity for our people to have an equal vote, no recourse would be left except revolution—which, of course, in this kind of situation may be unthinkable. The historical analogy is clear. It is not one which the Senator from Pennsylvania pulled arbitrarily out of the hat.

I ask unanimous consent to have this article, published in this morning's Washington Post, entitled "Reapportionment Issue Was Grave One in 1783," printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Reapportionment Issue Was Grave One in 1783

(The current conflict over reapportionment recalls a dispute 181 years ago. Here is an excerpt on the issue then from a nearly completed book by Irving Brant on the "Origin and Meaning of the Bill of Rights.")

In September 1783, the dean of St. Asaph, William Davies Shipley, was brought to trial at Wrexham, England, for seditious libel, with Erskine as defense counsel. The prosecution was a spite affair, pushed by a Troy sheriff who filed charges against the dean for reprinting "The Principles of Government, in a Dialogue Between a Gentleman and a Farmer." The "Dialogue" was obviously seditious, by the standards of that day, being an argument for apportionment of the House of Commons according to population. To publish a paper for such a purpose was highly criminal, indeed, 12 years later it was made high treason, punishable by death, to attempt by published writings to bring about reapportionment.

(A verdict in which the jury found Shipley "guilty of publishing, but whether a libel or not the jury do not find" was construed by the judges as a general verdict of guilty as charged. Erskine then secured a stay of judgment and dismissal of the case because of a defective indictment.) Howells "State Trials," November 21, page 837.

While the atrocious prosecution of the dean of St. Asaph focused British reform activities on the perversion of the jury system, it also stirred public indignation against a political practice that made Parliament the object of criticism.

Englishmen found themselves in the shadow of prison for repeating, with application to current times, the political sentiments that were part of the nation's glorious history. They turned for relief to emancipation of the jury system from crown control, thus in effect relying on themselves for mutual protection against their own Government. American citizens beheld this as an appalling but distant phenomenon, which for them required measures of prevention, not of relief. And as the imbecility of the confederation forced them to reluctant creation of a new and far stronger National Government, their thoughts were on the definition of rights and the restraint of governmental power to interfere with them, not on laws and judicial rules to regulate an authorized restraint of political liberty.

To an American at the time of Dean Shipley's trial, it was unthinkable that publication of a dialogue against the rotten borough system should be construable into a crime, warranting a prison sentence. Such a principle would have put almost every adult American citizen in jeopardy. The framers of the Constitution of 1787 sought to guard against that road to oligarchy and avenue of corruption by requiring that Members of the House of Representatives be apportioned according to population. Four years later, the republican form of government was further strengthened by the first amendment, with its mandate that "Congress shall make no law * * * abridging the freedom of speech, or of the press."

It cannot be said that imprisonment for criticizing malapportionment was made impossible in the United States by the constitutional requirement of equal representation. Congress and State legislatures afterward made that a dead letter by failure to enforce it. The legislative department of Government, State and Federal, first tolerated and then protected a rotten borough system that was steadily growing worse until the Supreme Court stepped in and upset it in 1963. Had the evil been allowed to progress, while freedom of speech and press were subject to abridgment by the "balancing test," public endeavors to equalize representation could have become a crime, as they were in England.

For the distinctive feature of the "rotten borough" system is that the longer it goes without correction, the worse it becomes, and the worse it becomes. the harder it is to correct it through the ordinary channels of legislation. That is because the beneficiaries of unfair apportionment are both the officeholders favored by it and the favored constituents who elect them. As the system worsens, the beneficiaries have increasing power to retain it and a greater interest in doing so. Reform came to England 49 years after the trial of the dean of St. Asaph, when Parliament yielded to the imminent threat of armed revolution. Reform came to the United States through the untrammeled action of an independent judiciary, upholding a Constitution enacted by the people.

Mr. PROXMIRE. Mr. President, I have some additional remarks, but I understand that the distinguished Senator from New York [Mr. Keating] has some material he wishes to have printed in the Record, and I ask unanimous consent that I may yield to him at this moment without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

MISUSE OF AMERICAN FOREIGN AID

Mr. KEATING. Mr. President, while American citizens at home are being told with increasing emphasis that they must obey the law whether they agree with it or not, the U.S. Government itself is deliberately violating provisions of law which should govern its own activities in certain fields.

Mr. President, there is no doubt whatsoever that Foreign Assistance Act, section 506(d) and section 621(l), provides that American assistance, military or economic, should not be furnished to countries which use it for purposes in violation of the meaning of the act or for use in aggressive military actions against other nations.

Yet, Mr. President, when I inquired of the Secretary of State why military assistance to Turkey was not immediately canceled after ammunition, planes, and napalm bombs, supplied by the United States, were used against Cypriot civilians. I received the most noncommital and unsatisfactory answer conceivable.

Mr. President, it should be very clear that the laws passed by the Congress do not apply merely to the citizens of Mississippi, Minnesota, Illinois, or the citizens of New York. They also apply to the agencies of the U.S. Government which are bound to obey the laws and Constitution of the United States just as much as individual citizens. It is most disturbing that the State Department and Department of Defense appear to ignore the mandate of Congress in providing funds for American foreign assistance programs.

Mr. President, it is a shocking fact that American equipment is being used in Cyprus, and was very clearly used by the Turkish Government, in military efforts that have nothing whatsoever to do with the NATO purposes for which this equipment was supplied. In fact, this use is deliberately designed to weaken the bonds of NATO.

Mr. President, as one who has supported the basic objectives of foreign aid and who recognizes the need for economic development around the world, I am deeply concerned over the failure of the U.S. Government to enforce the language of the Foreign Assistance Act.

Mr. President, I ask unanimous consent to include, following my remarks in the Record, the correspondence I have had with the Secretary of State on this critical issue.

There being no objection, the letters were ordered to be printed in the Record, as follows:

August 10, 1964.

Hon. Dean Rusk,
Secretary of State,
Washington, D.C.

Dear Mr. Secretary: * * * I am deeply concerned over the use of American-supplied military planes by the Turkish Government for the purpose of strafing and killing Cypriot citizens. Throughout this correspondence, you indicated that in the judgment of the Department of State no violation of sections 505 and 506 of the Foreign Assistance Act of 1961, as amended, had taken place.

I would appreciate your views as to whether the recent ruthless attacks by the Turkish Government on Cypriot men, women, and children are not a clear violation of the provisions of the Foreign Assistance Act, sufficient to justify the suspension of U.S. military assistance to Turkey. In my view it is intolerable that equipment supplied by the Government of the United States and paid for by the taxpayers of the United States should be used to attack Cypriot civilians. It is beyond doubt a clear violation of the purposes for which the military assistance program was established.

Very sincerely yours,
Kenneth B. Keating.

August 20, 1964.

Hon. Kenneth B. Keating,
U.S. Senate.

Dear Senator Keating: The Department has received your letter of August 10, 1964, concerning recent attacks by planes of the Turkish Air Force on Greek-Cypriot positions in northwest Cyprus. You made particular reference to sections 505 and 506 of the Foreign Assistance Act of 1961.

The Department is constantly alert to the provisions of the legislation to which you refer, and the matter has been discussed with the Turkish Government. I want to assure you that we have this factor under intensive study as it relates to our broader efforts to do everything possible to insure a peaceful settlement in Cyprus.

You will appreciate that official comment at this time could jeopardize these efforts.

Sincerely yours,

ROBERT E. LEE,
Acting Assistant Secretary for Congressional Relations.

LITHUANIA FIGHTS COMMUNISM

Mr. KEATING. Mr. President, the most recent issue of the bulletin of the information service of the Supreme Committee for Liberation of Lithuania, ELTA, has two items of special interest to anyone concerned about the captive nations now behind the Iron Curtain.

There is an interview with a Lithuanian who has just returned from Lithuania. He has much to say about the living conditions of his fellow countrymen. He discusses such issues as the cost of food, the wages in Lithuania today, the influence of the Russians upon the citizenry, the quality of Communist-produced manufactured items, and the shortage of wheat flour that exists because Russia took Lithuania's products for herself.

Equally interesting, are the reproductions in this journal of Soviet pronouncements upon religion in their handbooks for those Communists who are being employed to stamp it out. A notice, for instance, went out to all Lithuanian physicians to fight religion wherever they find it. It concludes:

> All the physicians of the republic must actively join in the dissemination of atheistic propaganda.

The reproductions of Russian pronouncements on religion will make any freeman shudder at the blatant attempt to destroy religion and replace it with militant atheism. They have even gone so far as to indoctrinate the students and children in summer camps by telling them antireligious fairytales and staging so-called confessions by young children who have been "compelled" by their parents to take holy communion. In addition, the Russian camp counsellors have atheistic exhibitions and atheistic competitions with prizes.

Certainly, the plight of the captive nations is one of the most serious problems that the free world faces today. The Soviets are aware that it is the religious beliefs of the people which are their strongest stay against communism. Therefore, Moscow-directed puppets are using every means at their disposal to destroy religion. I am certain that every American will be disturbed when he reads of the methods the Russians are employing to increase the subjection of the brave Lithuanian people. But they will not succeed, as they have not succeeded in Poland. In both countries the church is resisting the onslaught of atheism and will continue to do so. The lengths that the Communists are forced to go is proof of the quiet resistance of the Lithuanian people.

I ask unanimous consent to have these illuminating and disturbing articles printed in the RECORD.

LITHUANIA IN THE SUMMER OF 1964

(Interview with a recent arrival)

(A well-informed Lithuanian has arrived in the West this summer. He gave an extensive interview to our ELTA correspondent in Germany. Highlights of the interview were reprinted here.)

Vilnius, "Showcase for tourists"; Kaunas, "Reactionary."

Question. Have there been many changes in the city of Vilnius, capital of Lithuania? Why are foreign tourists permitted to visit Vilnius exclusively and Kaunas only exceptionally?

Answer. Much more is expended for construction and renovation in Vilnius than for the other cities of Lithuania. As a "tourist object," Vilnius is useful for two reasons. First, the city is most beautiful in the entire country and, hence, an ideal tourist showcase. Second, security considerations also favor Vilnius; the inhabitants of Kaunas, the second largest city of Lithuania, are considered much more "reactionary" with regard to communism than those of Vilnius. It is said that Kaunas has more remnants of "reactionary" anti-Soviet intelligentsia.

Question. What is your opinion about the impressions of oversea tourists visiting Lithuania?

Answer. Their often rosy impressions are quite understandable. They are shown only the exemplary kolkhozes and sovkhozes, new construction sites, new theatres. By official arrangement, guests from overseas are met by pioneers and Communist youths with smiles and flowers (although without much genuine sincerity). To get a true picture of the life of an average Lithuanian, one should spend some time in a kolkhoz laborer's, a worker's, or an employee's family.

BASIC WAGES IN LITHUANIA TODAY

Question. What are the basic wages in Lithuania today?

Answer. The earnings of a kolkhoz laborer amount to a pound of grain for a working day. The average worker's wages are 50–70 rubles per month (somewhat higher for specialists).

Question. What does a physician earn?

Answer. A graduate of the Institute of Medicine in Kaunas gets a monthly salary of 70 rubles. Before a student of medicine is given the diploma, he must agree, as students in other fields do, that he will work for 2 years wherever he is sent to by the authorities. Afterwards, his salary is increased. Dissatisfied with their salaries, the physicians do much moonlighting. This way, working an especially long day, they manage to make some 100 rubles per month.

Question. What are the salaries and working conditions of engineers?

Answer. Also around 100 rubles monthly. Senior engineers make 120 rubles or more. Many of the graduates of the Kaunas Polytechnic Institute must do a compulsory 2-year service in various part of the Soviet Union, e.g., the Urals, etc. In their letters to their relatives they complain that the food situation in the Soviet Union proper is worse than in Lithuania.

Question. And how are teachers paid?

Answer. Their salary depends on the number of lessons they give. The decisive factor, however, is party ties and political reliability. Teachers who return from the Siberian labor camps, are as a rule never employed in their profession and must look for other jobs.

FOOD PRICES

Question. What are the basic prices?

Answer. Food expenses of average Lithuanians rose sharply after the introduction of the new ruble and the increase of prices for milk and meat. Some prices of basic items:

	Rubles
1 pound of butter	1.60
1 quart of milk	.26
Ladies' shoes (imported)	30,40
Ladies' shoes (domestic)	20,30

Question. Which group of the population is satisfied with its salaries?

Answer. High party and government functionaries, scientists, artists, sportsmen. This group does not include average theater actors, whose salary is about 100 rubles per month.

RUSSIAN IMPACT ON THE CITIES

Question. In which Lithuanian city is the Russian stamp most apparent?

Answer. In Vilnius and Klaipeda. Kaunas looks much less Russian. Outside the Gediminas Castle and the streets with the old architecture, Vilnius is difficult to distinguish from other Soviet cities. The new apartment buildings are called "boxes" by the Lithuanians. Street names are in two languages—Lithuanian and Russian. Statues of Russian and Soviet heroes adorn most of the city's squares.

Question. What is the Russian impact on Lithuanian offices?

Answer. While one can get along in Lithuanian in almost all the offices, only Russian is used by the militia. If one buys a telegram of greetings in the post office, its text is invariably Russian. Postage stamps are only Russian. Documents, such as marriage certificates or school diplomas, are in both languages.

RUSSIAN "COLONS" REFUSE TO LEARN LITHUANIAN

Question. It is true then that not only students, but also the population at large can converse in Russian?

Answer. Knowledge of Russian is very convenient. For instance, most physicians have Russian patients; engineers supervise Russian workers and are in turn supervised by Russian superiors. Notably, Russian colonists are not pressured to learn Lithuanian, while Lithuanians are compelled to learn Russian. The Lithuanian language is taught in Russian high schools, but the Russians themselves are very little interested in learning Lithuanian. I had met some Russian "colons" who do not know a single word in Lithuanian and are not even trying to learn it, although they had been living in Lithuania for 10 or more years. When I voiced my surprise about their infamiliarity with the Lithuanian language, some merely shrugged their shoulders and gave me to understand that they consider the Lithuanian language quite unnecessary. Others, meanwhile, asserted that the Lithuanian language was too difficult and suggested that Lithuanians learn Russian. It was a typical attitude of member of an occupying power. While Lithuanians in the cities have a good command of the Russian language, situation is different in the countryside, where there are fewer Russians.

HARDSHIPS OF FORMER DEPORTEES UPON RETURN

Question. Have there been any new deportations? And what is the status of the deportees who are allowed to return home from Siberia?

Answer. There have been no mass deportations in recent years. Deportees who go back to their homeland, are permitted to reside only in specific localities. Most of them are forbidden to settle in Kaunas and Vilnius. They must find jobs by themselves. It frequently happens that these returnees cannot get work in their former speciality, since job application forms ask detailed questions about the applicant's court and prison record. Former deportees cannot obtain work as teachers or employees of the law enforcement organs, since they are considered as having lost their political reliability. All the leading positions are closed to them.

Question. What is the average age and health of the returning deportees?

Answer. They are of all ages, since entire families, with infants and young children, have been deported to Siberia. The adults now return to Lithuania as disease-ridden old men. Meanwhile, those deported as children now have become adults and, after 10–15 years of banishment, a part of them have forgotten Lithuania, especially since all of them had to attend Russian schools. Most of the deportees return with their health broken; rheumatism, stomach ulcers are the main sicknesses.

JOBS WITH EXTRA INCOME MOST POPULAR

Question. What jobs are most sought after in Lithuania today?

Answer. Those that make it possible to complement one's income. Pilfering is not considered improper or immoral in the Soviet Union. Since the wages are extremely low, the worker is compelled to steal. Jobs in textile plants, footwear factories, or foodstores are considered very attractive since they provide opportunities for the extra income. As a result, these jobs are difficult to get. The usual procedure is to bribe plant directors, engineers, section chiefs. Once employed, the worker makes it his daily task to spirit away yarn, textiles, socks, leather—anything. The appropriated goods are then sold to acquaintances or in the market.

LOCAL PRODUCTS—EXPENSIVE, POOR QUALITY

Question. What is the quality of Soviet products?

Answer. Very poor. Clothing sent to Lithuania from friends and relative abroad, draws exorbitant prices. A foreign sweater, for instance, costs 50 rubles; material for a men's suit, 150 to 200 rubles; material for a men's overcoat, 100 rubles; shoes, 40 to 50 rubles. Unemployed persons, who frequently get parcels from abroad, manage to make ends meet quite nicely.

Question. And what about locally made clothing articles?

Answer. They are bought, but are not popular. The materials of ready-made clothes are inferior, their cut is old-fashioned, and fitting ones are very difficult to get. Therefore it is customary to have clothes custommade by tailors—quite an expensive luxury. For example, a tailor charges 30 rubles for his work on a man's overcoat. Since in the so-called fashion salons one has to wait up to 1½ months, private tailors are very much sought after. As a rule, if one wants to have a new summer suit, winter is the time to start putting it together. The same rule applies to the purchase of various consumer goods. There is a slogan in Lithuania: "But not when you need the item, buy when it is available in the store, because there's not enough to go around in season." Bribery in stores is widespread. To be able to buy an imported sweater or shoes, means a 3 to 5 ruble bribe to the saleswoman. The better quality merchandise is usually kept under the counter and shown only to people who are potential "gift givers." The same is true for foodstores. Imported tropical fruits (oranges and bananas only) appear in stores only during the Soviet holidays (October Revolution, May First) and at New Year's. People who want to buy some of these fruits must stand several hours in lines—or to be acquainted with a friendly salesgirl and to give her an appropriate tip.

SHORTAGE OF WHEAT FLOUR

Question. How true are the rumors about the shortage of buns and white bread?

Answer. Although last year's wheat harvest in Lithuania was quite good, the overall slump in Kazakhstan and elsewhere resulted in Lithuania's "sharing" of its wheat with the Soviet Union proper. The consequences: No cakes or white bread during Christmas and Easter. Wheat flour is unavailable in bread stores this year. From last fall until this spring the only bread sold was only a species of pumpernickel, called jokingly by the populace syeryi chleb (gray bread).

BRIBERY OMNIPRESENT

Question. Is bribery noticeable in other areas as well?

Answer. Yes, especially in hotels. An average citizen has a chance of getting a room only if he puts 3 rubles in the passport which he has to hand to the registration clerk. This is a routine procedure in Vilnius and Kaunas, as well as in Riga, Moscow, or Kiev. The reason for this state of affairs is an extreme shortage of hotel space. Foreign tourists are usually not aware of the shortage, since they are sent to special hotels where accommodations are always available. Party members and high officials usually have no difficulties in getting rooms in hotels, because the personnel is afraid to ask for bribes from them.

War Against Religion—Frontline Report

PHYSICIANS EXHORTED TO FIGHT RELIGION—DAILY

"Atheistic activity in daily life is very important in the fight against religious superstition. The physicians, especially, must not forget that, since they extensively communicate with the people.

"In almost all the cases when a believer needs medical help he remembers the church as well. There are still instances now that, when a physician arrives at a patient's home, he meets a leaving priest.

"That is where science and religion clash in everyday life. And it depends very much on the physician whether the members of a specific family will go on being believers. It is understandable, of course, that one cannot make them change their views or to renounce religious superstitions at once. Constant methodic action is necessary. It is obvious that without the participation of medical people a serious struggle against religious superstition is impossible.

"In hospitals, atheistic propaganda must be conducted daily. All the physicians of the Republic must actively join in the dissemination of atheistic propaganda." (Tiesa, Vilnius, July 16, 1964.)

SOME MEDICS EXHIBIT BOURGEOIS MENTALITY

"Yet it must be admitted that in the medical profession there are negative phenomena, both in work and in life, as well as remnants of the old bourgeois mentality. Not all physicians have cleansed themselves of religious superstition. Not all of them have a good political-ideological foundation. The war between the old and the new, between progressive and reactionary ideas, goes on among medics as well.

"'I have had the opportunity of meeting medics who perform religious rites,' said Comrade Stasiulionyte. 'It is beyond understanding how they manage to reconcile their medical knowledge with religious superstition.'

"We cannot pass such things in silence. The name of the medic is irreconcilable with antiscientific religious mentality." (Komunistas, Vilnius, June 1964.)

ATHEIST INDOCTRINATION TIED WITH RUSSIFICATION

The atheist-international clubs have a double aim: to fight religion and to denationalize Lithuanians. An article in the party organ Tiesa (July 4, 1964) discloses that the clubs are meeting popular resistance. "Children who have religious parents not only stay away from atheists, but also are unwilling to participate in the international club," Tiesa states. "Religion and nationalism always went hand in hand," the newspaper continues.

Tiesa finds much fault with the activities of the professional Communist propagandists. "They still fail to approach every citizen, to take a deeper look into their inner lives, to find out their moods. And it happens quite often that some citizen, in a festive gathering, raises his stein for friendship—i.e., Russian domination—while in his daily activity he whispers slanders against other nations—i.e., criticizes Russians."

SUMMER CAMPS—MILLS OF ATHEISTIC INDOCTRINATION

"Camping—A School for Atheism" is the headline of an article in Tarybinis Mokytojas, Vilnius, July 5, 1964, with some novel ideas on useful camping. Some of the activities proposed: antireligious fairy tales for the little ones; public confessions by youths who have been compelled by their parents to take holy communion; meetings with individuals, who have recently "shed the yoke of religious superstition"; atheistic exhibits featuring religious objects; atheistic competitions with prizes, etc.

COLLECTIVE OPINION AGAINST BELIEVERS IN SCHOOLS

"Let us take the countryside, where religious views were most deeply rooted. Now not only believers but even doubters are rare. It is the school's achievement that former religious students have become not only unbelievers, but active atheists as well. Yet there are many unsolved questions and quite a few shortcomings in the atheistic education in our schools.

"During the lectures, students often hear about the evil and wicked deeds of priests, and it is hoped that such subjects will help them to throw off religious ties. But not to believe in priests, does not mean disbelief in God.

"Atheistic activity is exemplary in the V. Zemaitis High School. The most important achievement there is the spirit of militant atheism among students. The role of collective opinion is especially prominent in the fifth to eighth grades. Many formerly religious students emphasize that the collective opinion of the classroom has inspired them to resist the influence of religious parents. 'To be a religious believer—is shameful,' this idea dominates. * * * And, on the contrary, if a view prevails in the classroom that participation in religious rites is a normal matter, even children of atheistic parents begin attending the church secretly." (Tarybinis Mokytojas, Vilnius, July 23, 1964.)

LAW SUPPORTS NONBELIEVER IN DIVIDED FAMILIES

A letter of a head of a religiously split family was published in the newspaper Valstieciu Laikrastis (July 8, 1964):

"My daughter Valeria was born in January of 1963. I did not give my permission to baptize her. In June, during my absence and without having informed me, my wife asked citizen Veronika Cipliene to take my daughter to church and to have her baptized there.

"On May 1, 1964, my son Petras was born. I told my wife not to baptize him. Even before my son was born, I had warned the priest not to christen my children. Yet subsequently my son was baptized anyway. Kindly stop the priest Ulickas from acting willfully."

The newspaper's answer: "The father is right and the law is on his side."

FEDERAL AIRPORT AID PROGRAM

Mr. KEATING. Mr. President, on August 5 a local government agency—the bistate Port of New York Authority—declined to accept a $4,300,000 grant of Federal aid. The circumstances which impelled this extraordinary action, in my judgment, should give the Senate cause for grave concern—concern for the protection of local government from unauthorized interference in local government affairs as well as for the proper interpretation of Federal law in accordance with the intent of Congress.

The facts are simple enough. The air transportation requirements of the New York metropolitan area are served by a regional air terminal system of public airports financed, developed, and operated by the Port of New York Authority under agreement between the States of New York and New Jersey to which Congress has consented. These are John F. Kennedy International Airport and La Guardia Airport in New York; Newark and Teterboro in New Jersey; and two commercial heliports in downtown Manhattan.

These airports provide terminal facilities not only for scheduled airline operation but also to meet the general aviation needs of private and corporate aircraft. Teterboro, which is almost exclusively devoted to general aviation use, is operating at an annual deficit of $400,000.

The port authority is a self-supporting agency. It does not have the power to tax. On its own credit, the port authority has raised and invested over $475 million in our region's air terminal system. The $21 million of Federal aid which has been granted over the past 17 years under the Federal aid airport program amounts to less than 4½ percent of the local government agency's investment.

In 1962, the port authority applied to the Administrator of the Federal aid airport program for a grant toward the cost of runway extensions at La Guardia Airport. The Administrator of the Federal Aviation Agency apparently agreed with the port authority on the critical importance of these improvements so that La Guardia Airport could keep pace with the Nation's air transport needs in this age of jet flight. Federal aid funds were allocated in due course for 1962 and again for fiscal year 1963.

During this period another public agency—the Tri-State Transportation Committee—established by the Governors of Connecticut, New Jersey, and New York undertook an immediate action study of the need for providing airport facilities primarily to serve general aviation within the tristate region. This study is going forward with the aid of urban planning assistance from the Federal Housing and Home Finance Agency. The FAA, the aeronautical agencies of the three States, and the port authority are cooperating in this general aviation requirement study and it is expected to be completed in about a year.

It would seem obvious that the needs of general aviation in the great New York metropolitan area are not being neglected by responsible local government. It is equally obvious that the runway extensions at La Guardia Airport will serve both commercial and general aviation in the overall public interest.

Nevertheless, since August of last year, the FAA has refused to allocate any funds to the La Guardia improvement without a blanket commitment from the port authority that it will finance and construct a ring of satellite airports throughout the New York metropolitan area for private and corporate aircraft—for general aviation.

The port authority promptly pointed out and patiently provided proof that it had neither the authority nor the financial ability to make such a commitment, that the general aviation problem was in fact receiving due consideration, and that the completion of the La Guardia improvement project was of immediate national importance. The Administrator replied with a demand, as the price of Federal aid funds for La Guardia Airport, that the port authority commit itself not only to implement whatever recommendations the Tri-State Transportation Committee might make a year from now with respect to additional satellite facilities for general aviation, but also to continue to operate Teterboro Airport for private and corporate aircraft forever, regardless of cost. The port authority simply advised the Administrator in reply that such an open-end commitment was impossible for its Commissioners, as responsible public officers, to make.

As far as I know, the FAA has not sought to impose the same or similar conditions upon any other airport operator in the United States. But certainly the fact that this situation has arisen only with respect to the Port of New York Authority does not make it any less of a national concern. At stake are facilities which serve the national interest, and the Congress must always be assured that its acts are being administered in line with its intent.

The attempt by the Administrator of a Federal agency to impose impossible demands upon local government as a condition to the grant of Federal funds, in my judgment, Mr. President, is arbitrary and unreasonable.

In one of his communications to the port authority the Administrator of the FAA has insisted that "despite major challenge, the authority of the Administrator to prescribe conditions to grants has been repeatedly reaffirmed." It does not appear, therefore, that the Administrator is going to back down from his position.

To the contrary, as a portent of what is perhaps to come, I am told that last week, in an address to the American Bar Association convention on the subject of supersonic planes, the Administrator said it is up to the States and cities and port authorities to provide general aviation airports according to the needs of aviation rather than according to the pocketbook.

If this doctrine is going to receive broader application, so that States and cities around the Nation will be hounded to provide facilities that they cannot finance soundly, at the risk of being denied Federal aid funds for which they are otherwise clearly eligible, Congress ought to step in and, in my judgment, take a closer look at the current administration of the Federal Airport Aid Act.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. PROXMIRE. Mr. President, the distinguished historian, Irving Brant, in discussing the reapportionment problem in 1785, which was analogous to the present one, said that one of the great difficulties in reapportionment was, as he called it, the rotten borough system. Not only the Senator from Pennsylvania [Mr. CLARK], but the historian Irving Brant argued with considerable conviction, that malapportionment is always sure to happen because legislatures will not reapportion themselves.

Why has not this ridiculous situation been corrected by the States themselves? The answer, of course, is no mystery. Reapportionment means the transfer of political power. And those who possess political power are extremely reluctant to transfer it from themselves.

Mr. President, I previously referred before to the Advisory Committee on Intergovernmental Relations. This is a committee which included the Secretary of Health, Education, and Welfare, Mr. Celebrezze; the Secretary of the Treasury, Mr. Dillon; Governor DiSalle, Senator Ervin, Senator Mundt, Senator Muskie, Governor Smylie, and a number of other very distinguished Americans, including Representative Dwyer, Governor Hollings, of South Carolina, and others. This commission, which secured the services of outstanding experts, had this to say:

> The major problem facing legislators in this matter, is that apportionment of legislative seats is a function of political power—political power in the most personal sense. Certainly apportionment is of major concern to political parties, the many interest groups in our society, the political subdivisions of the State, and the people generally, but to the State legislator, apportionment often represents a challenge to the interests of his constituents, to his tenure in office, and to his power to influence the policy decisions of the State. In a study of the problem in Illinois it was said that:
>
> "Redistricting legislation is of basic concern to legislators because it is a kind of job specification which can be drawn to the special advantage or disadvantage of any member. Redistricting can insure continuity in office or can insure retirement, depending on the terms of the bill. No other legislation has quite the same direct effect on a legislative career, and with no other legislation do the demands, the proposals, the maneuvering, and the compromises emanate within the legislative body to the same extent."

That statement is from a study by Gilbert Steiner and Samuel Gove made in 1956. Steiner and Gove observed that:

> Redistricting proposals that dislodge a minimum number of sitting members, irrespective of party, will be favored over proposals that do not take into account sitting members.

This conclusion is supported by numerous other studies.

They disregarded of course, the fundamental principle that all people should have an equal vote in their legislature. The ball game should be played by giving everyone their three strikes and not some two strikes and others five strikes.

I continue to read from this definitive study of apportionment:

> While personal factors may play a primary or the primary role in legislative apportionment when the legislature itself is

> called upon to act, numerous other factors are involved. Second only to the personal factor is the problem of the so-called urban-rural conflict.

It is interesting that Steiner and Gove pointed out—and they are right—that the main problem is the personal problem. Almost all the debate here is centered on the so-called urban-rural controversy, but the big problem in getting legislatures to apportion is that legislators themselves are affected. Their own careers are at stake. If they are not affected their close friends are. Politics being what it is and legislators being the kind of people they are—as we are—they do their best to accommodate their friends and to be helpful to them. They have an immediate and urgent problem of assisting friends versus a general principle, and we know on the basis of experience what happens.

I continue to read from the study:

> In this context the issue is not one of determining the basis of representation, but of which "group" shall control the legislature of a State. The history of apportionment has shown that the States considered population to be the basic factor in the apportionment of legislative seats when their first constitutions were adopted.

I should like to repeat that statement:

> The history of apportionment has shown that the States considered population to be the basic factor in the apportionment of legislative seats when the first constitutions were adopted.

That statement means not only the Federal Constitution, adopted by the Thirteen States, but also the constitutions of the various States.

I continue to read from the study:

> Around the turn of the present century, it became evident that significant shifts in legislative districts would be required in most States if population continued to be the primary or sole basis of representation. The possibility of shift coincided with the beginning of the real growth of big cities and urban areas. Up until that time most of the legislatures had been apportioned in accordance with constitutional mandates. For example, the last apportionment in Illinois, before its 1955 constitutional amendment, occurred in 1901. In 1901 Cook County contained 38.1 percent of the State's population and the county received 37 percent of the seats in each house of the legislature.

The distinguished senior Senator from Illinois [Mr. DOUGLAS] has pointed out how badly malapportioned Illinois has been since then. What I am trying to say is that historically apportionment within the States has been in accordance with their constitutions until the turn of the century. We found that in Oklahoma apportionment was made according to the Oklahoma constitution until 1921. Since 1921 there has been a constant denial of the citizens of Oklahoma of the right of equal votes in their State legislature. The State Supreme Court of Oklahoma has said that they could not step in and would not step in to assist. So American citizens residing in Oklahoma had only one recourse, and that was the Supreme Court of the United States.

I continue to read from the study:

> That the start of the 20th century marked a turning point in apportionment, is attested to by numerous studies.
>
> Therefore, Mr. President, in order to preserve rural domination of the legislature, at the beginning of the 20th century States began to abandon population as a standard of representation. Basically three methods were used in order to maintain rural control. Since the responsibility for reapportionment is usually delegated by the State constitution to the legislature, the majority group in the legislature could simply do nothing.
>
> A second strategy was to secure constitutional standards for apportionment that would insure the preservation of rural control in one or both branches of the government. For example it might be written into the constitution that each county have at least one representative no matter what its population.
>
> Yet a third method was to pass redistricting bills from time to time that gave proportionately greater representation to rural than to urban areas and perhaps favored a particular party. Sometimes a combination of these techniques was used. Jewel cites the case of Illinois as an example of this combination-of-technique method.
>
> No reapportionment at all took place in Illinois from 1901 to 1955. When it did occur, rural downstate groups were able to exact a high price for it: A new constitutional provision guaranteed periodic reapportionment of the House on a population basis but established a Senate apportionment that assured a numerical majority to the downstate area.

In view of all this evidence, how is it possible to think that the States would ever solve the problem at all if left to themselves? Indeed, it may not be humanly possible. The only way this problem can possibly be solved is by the action which the Supreme Court has so correctly taken. States will reapportion because they are under court order to do so, and for no other reason. Can anyone dispute this? The reapportionment activity which has occurred since Baker against Carr certainly stands as testimony to this fact. The Court has now ruled that legislatures must now be reapportioned, as the 14th amendment demands, on a one-man, one-vote basis The situation the Court is attempting to rectify has persisted long enough. Only in highly unusual cases, as my amendment specifies, should States be allowed to delay in carrying out their constitutional requirements. I, therefore, strongly urge adoption of my amendment and strongly oppose adoption of the Dirksen amendment.

Mr. President, I ask unanimous consent that I may yield to the senior Senator from New York [Mr. JAVITS] without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOBILIZATION FOR YOUTH

Mr. JAVITS. Mr. President, I wish to acquaint the Senate with a situation which has developed in New York City, regarding an agency which has an important part in an effort to deal with problems of juvenile delinquency and the problems of those who are living in slums and in very badly underprivileged areas. We have been making this effort in New York, and it has received substantial support from the Federal Government.

I am referring to the affairs of an organization known as Mobilization for Youth, which has been much discussed in the New York press in recent days.

One of our local newspapers, the New York Daily News, disclosed the basis of a study by its reporters, that it believed there had been infiltration by what it called leftwingers and Communists in the staff of over 300 persons of this particular voluntary agency. Incidentally, this is not a governmental but a private voluntary agency.

Those charges have come under very close investigation by the FBI, the Department of Justice, and by the New York City Police Department. In New York, Mr. Screvane, who for all practical purposes is the deputy mayor, has been in charge of that particular activity on the part of the city. The Federal interest relates to the fact that in the last 22 months during which it has been operating Mobilization for Youth received 58 percent of its support from Federal agencies, 28 percent from municipal agencies in the city of New York, and 14 percent from the Ford Foundation.

Generally speaking, those expenditures have been about $5.5 million in that time. MFY has confined its work to the Lower East Side of New York, a 67-block area in the slum ridden Lower East Side of New York City. I have some modest feeling of expertise in that regard, as that is the area in which I was born. I have lived in New York City all my life, and I believe I know something about my hometown, particularly the area in which the agency has been operating.

It has operated in three major divisions of work: First, in training young people for jobs. In that activity it has been extraordinarily successful. If MFY had done nothing else, I think we could say that it was well worthy of the support which it has received for that reason alone.

Second, MFY has been active in youth activities, in youth clubs, in youth rallies, and in youth orientation of a kind which is traditional in the social welfare field.

Third—and this point has involved some consideration and discussion—it has been active in social welfare programs. In that area it has been giving local adult groups facilities through which they could, in a cooperative way, express themselves about such things as housing, schools, racial relations, et cetera.

Mr. President, the reason for my taking the floor today on this subject is twofold:

First, having interested myself in the problem because I serve on the committee—the Committee on Labor and Public Welfare—which authorizes the funds from which groups like this one receive support, I felt a particular responsibility in respect of the subject.

Second, as it occurs in my own hometown and in the particular area, both in a social sense and in a geographic sense, where I have had long standing, a very deep interest and knowledge, I felt that there were two commanding reasons for my looking into the situation.

The board of this organization represents the most important of our municipal officials, in a very composite and representative way, in a program of this character in New York City, including the mayor of New York, as well as a cross section of academic leaders, professors, and other distinguished citizens, together with representatives of the local community.

I ask unanimous consent that I may include as a part of my remarks a list of the members of the board, with their affiliation.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

MOBILIZATION FOR YOUTH BOARD OF DIRECTORS

The Honorable Robert F. Wagner, mayor of the city of New York (honorary chairman).

Mr. Winslow Carlton (chairman).

Dean P. Frederick DelliQuadri, dean, Columbia University, School of Social Work (vice chairman).

Mr. Howard G. Janover (vice chairman and treasurer).

Mr. Robert Wolf (secretary).

Miss Rose Miller, executive director, recreation rooms and settlement (recording secretary).

Miss Helen Hall, executive director, Henry Street Settlement (chairman, public advisory council).

Mr. Alexander J. Allen, executive director, Urban League of Greater New York.

The Honorable Abraham Beame, comptroller of the city of New York.

Mrs. Florence S. Becker, assistant superintendent of schools, districts 1, 2, 3, 4.

Mr. Louis Berkowitz, executive director, Educational Alliance.

Mr. Richard Blum.

Howard J. Brown, M.D., medical director, Gouverneur ambulatory care unit of Beth Israel Hospital.

Mr. Arthur Cohn, executive director, Grand Street Settlement.

Mr. Michael De Matteo.

The Honorable Edward R. Dudley, borough president of Manhattan.

The Honorable James R. Dumpson, commissioner of welfare.

Mr. Bernard Fisher, director, Bureau of Public Affairs, Community Service Society.

Mr. James Fogarty, executive director, Community Council of Greater New York.

Mr. Mitchell Ginsberg, associate dean, Columbia University, School of Social Work.

Mr. David Goldenberg, executive director, Hamilton-Madison House.

Mrs. Ira Gollobin.

The Honorable Calvin E. Gross, superintendent of schools.

Mrs. Randolph Guggenheimer, commissioner, New York City Planning Commission.

The Honorable George James, M.D., commissioner of health.

Mr. Madison Jones, executive director, New York City Commission on Human Rights.

Dr. David I. Kaplan.

The Honorable Florence M. Kelley, administrative justice, family courts.

Rev. Thomas J. Keogh, pastor, St. Mary's R. C. Church.

The Honorable Anna M. Kross, commissioner of correction.

The Honorable Theodore H. Lang, personnel director and chairman of the civil service commission.

Mr. Ernesto Martinez.

Dr. Irving Miller, Columbia University School of Social Work.

Mr. Walter A. Miller.

The Honorable Joseph Monserrat, director, Migration Division, Department of Labor, Commonwealth of Puerto Rico.

The Honorable Newbold Morris, commissioner of parks.

The Honorable Michael J. Murphy, commissioner of police.

The Honorable John Murtaugh, administrative justice, criminal courts.

Mr. John Nichols, director, Lower Eastside Neighborhoods Association.

Rabbi Seymour Nulman, dean, East Side Torah Center.

Rev. Francis X. O'Brien, S. J.

Mrs. Esther L. Davis Orr.

Mrs. Joseph L. Ortiz.

Prof. Monrad Paulsen, Columbia University School of Law.

The Honorable Marvin E. Perkins, commissioner of mental health.

Mr. George Ramsaier, Utility Workers of America.

Rev. William W. Reed, vicar, Lower Eastside Mission of Trinity Parish.

The Honorable William Reid, chairman, New York City Housing Authority.

Mr. Victor Remer, executive director, University Settlement.

Mrs. Charlotte S. Rick.

Mr. Arthur J. Rogers, executive director, New York City Youth Board.

Mr. Julius Rothman, community services division, AFL–CIO.

The Honorable Simon Silver.

Dr. Simon Slavin, Columbia University School of Social Work.

Mr. Thomas J. Smith, assistant welfare director, International Longshoremens' Association.

Prof. Isabel Stamm, Columbia University School of Social Work.

Dr. Herman D. Stein, director, Research Center, University School of Social Work.

Dr. Donald Super, Teachers College.

The Honorable Charles Tenney, U.S. District Court, Southern District of New York.

Mr. John A. Wallace, director of probation.

Mrs. Edward Weinfeld.

Mr. Geoffrey R. Wiener.

Mr. John F. Williams.

Mrs. Ethel H. Wise.

Rev. George D. Younger, Mariners' Temple.

Howard Poloski, professor of social work, Columbia.

Marian Frankel, professor of law, Columbia.

Mr. JAVITS. Mr. President, the great danger which faces this agency is not in the inquiries which are being made. I approve of these inquiries. I believe that if there are Communists or Communist infiltrators or other people who are trying to utilize this agency for the purposes of the Communists, they should be rooted out and fired.

I welcome the inquiry, which will be factual, and anyone accused will have an opportunity to be heard, I am sure. This can only help, and not hurt.

Second, I welcome the review of the line of activities undertaken. This review is going forward under the direction of Mr. Screvane, and I am sure under the auspices of the Federal agencies concerned. I welcome that review, because MFY received its Federal funds to establish a fine pilot-plant operation in the kind of effort we provided by passage of the juvenile delinquency bill and more recently the antipoverty bill.

It is extremely well to prove out these techniques and see how and if they work. Hence, it is critically important that the programing of this agency may be a model for other agencies of this character. I approve of the review which the program will now have.

The one place I think the review will undoubtedly concentrate upon is in the area of cooperative social action programs. One of the charges is that the facilities for this agency were used—apparently without any knowledge on the part of the agency head or the directing heads—for groups having something to do with the outbreaks in Harlem and the Bedford-Stuyvesant areas in New York. It is charged that as a technique of local cooperative effort, physical facilities were made available to local groups. These groups interested themselves in so-called rent strikes and toward correcting inadequate educational techniques which they thought were being carried on in certain schools, and they were also involved with the group that formed a delegation in the so-called march on Washington in August 1963. All these matters will be carefully reviewed.

But I rise in the Senate today only because I want to spread the facts of record before the Congress and the country. We want to make it clear that every aspect of the matter is being examined in a most authoritative way. Beyond anything else, my objective in speaking is in urging that the work involved is not ended, and that the investigation and inquiries do not result in ending the good work which is being done. We always run the danger of throwing out the baby with the bath water.

It is therefore better to spread the facts and figures on the record. What may have happened in respect of the agency should not in any way blind us to the good work which has been done, so we may have an assurance that the work may continue. The work is critically important in retraining youth for jobs, for which this agency has an extraordinary record. The President has spoken of the fact that it had trained 2,000 out-of-work youngsters in the time that agency received Federal aid. We have the basic facts and figures that 1,200 young people have been trained since October 1962 with over one-half having received full-time jobs, and the others part-time work, and with only 12 percent of the enrollees, those who finished the course, not getting jobs. This is an extraordinary record, indeed a much better record than can be shown in other instances under the Manpower and Retraining Act.

The purpose of my laying these facts before the Senate is, first, that Members of the Senate should be aware of the fact that there are procedures going on, under the auspices of the Department of Justice, the municipal authorities, and the FBI, to see that whatever may be wrong is corrected. By all means, we should not make the great mistake of hampering the agency, but, rather, our job should be to correct and revise in order to let this work continue and fire those who should get fired.

I am glad the chairman of the agency, Mr. Winslow Carlton, a distinguished New Yorker, has announced that he will seek the guidance of a very eminent group of lawyers—and I hope very much they will accept the invtiation—to tell the board exactly what they must and should do. This is in addition to the other recommendations to be made by a government agency, in order to bring about a complete reform of what needs to be reformed, in the way of its operations, financial and otherwise, so the necessary work of the agency may go forward. I emphasize that last statement.

It is with satisfaction that I am able to report to the Senate and to the country that from every interested quarter—the Department of Justice and the municipal authorities of New York—there be aid for the Mobilization for Youth Agency. The good faith of the agency is being questioned. I think what needs to be cleaned out should be cleaned out in order that the work may go forward, which is the key to everything I have said today.

I ask unanimous consent to include in the RECORD at this point an editorial from the New York Times of today, August 21, which takes generally the same line I have taken, as well as an editorial from the New York Post of August 18, a factual analysis of the situation from the Wall Street Journal of recent date, and an article from the New York Times of August 21 headed "Report Due Today on Youth Agency."

There being no objection, the editorials and articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 21, 1964]

REPORT DUE TODAY ON YOUTH AGENCY—SCREVANE SAYS CITY WON'T TOLERATE DISRUPTIVE ACTS

(By Homer Bigart)

Results of the Federal Bureau of Investigation's latest loyalty check on personnel of Mobilization for Youth may be expected today, City Council President Paul R. Screvane said yesterday.

While the city remains committed to the "announced principles and proclaimed purposes" of the youth agency on the Lower East Side, it will not tolerate "lawless and disruptive activities," Mr. Screvane said.

Mobilization for Youth, a prototype for action programs envisioned in the Antipoverty Act that President Johnson signed yesterday morning, has supported a rent strike, a school boycott, and the march on Washington.

Mr. Screvane has said he saw nothing wrong in these actions, which have involved only a small part of the agency's fight against juvenile delinquency and poverty.

But there are other allegations of "disruptive" action.

The agency has been accused of helping incite the July race riots in Harlem and the Bedford-Stuyvesant section of Brooklyn. It has also been accused of having been infiltrated by leftists.

TAKEOVER DENIED

After a 2-hour conference with Mr. Screvane at city hall, Winslow Carlton, the chairman of the agency, categorically denied a charge published in the Daily News that Communists had "taken over" the $12.9 million project, which President Kennedy and Mayor Wagner started 2 years ago.

Of course it is possible, Mr. Carlton said, that some members of the 300-man staff may be Communists. He added that the agency had never investigated the political beliefs of its members and that up to now it had been concerned solely with their professional abilities.

Yesterday, in the presence of Mr. Screvane and David L. Hackett, Executive Director of President Johnson's Committee on Juvenile Delinquency, Mr. Carlton said that if any present member of the Communist Party were uncovered on the agency's staff, "I'd certainly separate him from the organization after giving him fair opportunity to answer the charges."

Social workers fear that the attack on Mobilization for Youth may develop into a "witch hunt" involving all social agencies that receive Federal, State, or local funds. They are concerned lest the city, frightened by right-wing criticism of the agency for encouraging such actions as rent strikes and school boycotts, may demand control over the agency's program.

ADVICE TO BE SOUGHT

To help determine how far the agency should go in stimulating social protest, Mr. Carlton will seek the guidance of "a very eminent group of lawyers." Presumably, the lawyers will suggest guidelines for the community action programs that the agency can perform under the Antipoverty Act.

Republicans, complaining that the act is so vaguely written that Federal funds could conceivably be used to foment revolution, have demanded a congressional investigation.

Representative EDITH GREEN, Democrat, of Oregon, chairman of a House Labor Subcommittee, said hearings on charges against Mobilization for Youth would be called shortly after the Democratic National Convention which opens next Monday in Atlantic City.

Before conferring with Mr. Carlton and Mr. Hackett, Council President Screvane issued a statement explaining the city's investigation of the agency's personnel, programs, activities, and budget. As chairman of the city's poverty operations board, Mr. Screvane can control the flow of Federal and city funds to Mobilization for Youth.

Mr. Screvane emphasized that the agency was conducting a novel social experiment.

EXPERIMENTAL IDEA

"The idea of neighborhood mobilization and invigoration as a means of changing the neighborhood climate as a major approach to an attack on juvenile delinquency is one to which the city subscribes wholeheartedly, although it is still a somewhat experimental idea," he said.

The city has invested millions of dollars in the project, Mr. Screvane said, and feels that the agency's approach is promising. However, he added that he could not "sanction or agree that lawless and disruptive activities should be encouraged by any organization financed with public funds.

Last Sunday, Mayor Wagner and Mr. Screvane revealed that approval of the agency's budget would be withheld pending the investigation of alleged Communist infiltration. The agency is currently receiving biweekly allocations from the city.

Mr. Hackett said the FBI had never conducted an investigation of Mobilization for Youth but had made a loyalty check of its members a year ago at the request of the Department of Health, Welfare, and Education. This check followed an endorsement of the march on Washington by the youth agency.

The results of that check, according to officials of Mobilization for Youth, showed that 14 members of the agency had been associated with leftist organizations. Nine of the fourteen are still on the staff. None were dismissed as a result of the check.

[From the New York Post, Aug. 18, 1964]

NEEDED: A SENSE OF PROPORTION

Any young person who thinks the cause of racial justice or jobs for American youths can be advanced through communism is foolish and blind to the lessons of the past. All that he accomplishes by association with the Communists is to become a pawn in a worldwide power struggle between Russia and Red China.

It is equally true, however, that so long as there is racial injustice and economic deprivation, a small minority will have recourse to extremist programs. Given 100 years of neglect, apathy and active discrimination, the amazing thing is the failure of the various brands of communism to make more headway in the Negro community.

It may very well be that a few Communists have attached themselves to the Mobilization for Youth, but hardly enough, we suspect, to justify the screaming headlines of the Daily News or the initial jitteryness of city hall.

We are all for an investigation. It will, we predict, uphold Winslow Carlton's contention that charges of a "leftist" takeover of this splendid on-the-job-training project have been "irresponsible."

Mr. Carlton and the other directors of the project, including James McCarthy, its administrator, are politically sophisticated men. They would no more lend themselves to promoting Communist influence than the directors of the News or the officials in city hall.

A sense of proportion is needed.

The alternative to constructive social protest is the aimless violence of the race riot or gang warfare. Mobilization for Youth has encouraged young people to channel their frustrations and resentments into efforts to improve their neighborhoods. The approach is sound.

The Mobilization's facilities have been available to social action groups on the Lower East Side. They should remain so.

[From the Wall Street Journal]

CONTROVERSY OVER NEW YORK YOUTH AGENCY COULD AID FOES OF ANTIPOVERTY PROGRAM

NEW YORK.—With President Johnson expected to sign the much-discussed antipoverty bill soon, a noisy controversy has erupted over a social agency here considered a forerunner of other groups that could operate with funds provided by the bill.

The agency is Mobilization for Youth, a group working to combat juvenile delinguency on New York's lower East Side. The organization has come under fire as a possible unwitting vehicle for Communist activity.

Joseph Modugno, a Republican councilman at large from the Borough of Queens, requested that the city council suspend funds for the agency's operations. Meanwhile, city police and the Federal Bureau of Investigation were investigating the group.

City Council President Paul R. Screvane said that the city has indications that flammatory pamphlets and other materials used in the recent New York race riots were prepared in the organization's facilities on the lower East Side of Manhattan. MFY denies it has been infiltrated by leftists but conceded its facilities might have been used without the agency's consent or approval. However, officials said they didn't know of any such case.

MODEL FOR OTHER PROGRAMS

The accusations against MFY have more than passing significance. For one thing, it is serving as a model of sorts for similar social agencies who are looking to government for financial support of their programs. Among these is HARYOU—ACT, a Harlem social agency which hopes to get $117 million—from among other places, funds to be made available under the administration's new antipoverty bill. The charges may provide ammunition for foes of such programs and intensify scrutiny of the operations of such agencies by their sponsors.

MFY has been operating for the past 22 months in a 67-block area in the slum-ridden lower East Side of New York on a $13.2 million grant. Of that total, 58 percent is from three Federal agencies, 28 percent from New York City, and 14 percent from the Ford

Foundation. Mr. Screvane, as coordinator of New York's Poverty Council, is still making biweekly payments to the social agency while its budget and new contract are being prepared. But he says the agency's budget and its contracts won't be approved until the charges are proved false. MFY is asking for further grants to extend its original 3-year term of operations to 5 years.

As an experimental agency, MFY grew out of concern among religious, welfare and civic groups over mounting juvenile delinquency on the lower East Side. Youth offenses there had increased 70 percent in 3 years.

JOB TRAINING CENTER SET UP

With its establishment in 1962, MFY tried to strike at what it considered the root cause of juvenile delinquency in the area—joblessness. Noting that opportunities were scarce for slum dwellers, MFY set up a job training center in a settlement house and got area businesses to cooperate in serving as on the job training centers for young people.

In all, MFY claims that of 1,200 young people entering the training programs since October 1962, some 685 have been placed in full-time jobs. Others are in part-time jobs, and some 12 percent of the enrollees failed to finish the course or get a job.

There's little quarrel with the group's attempts to relieve juvenile delinquency. But, acting in the name of community involvement, MFY has been engaged in other activities that have brought it criticism.

For one thing, reform Democrats printed campaign material in one of the agency's neighborhood centers in last spring's primary elections here. MFY said the use of its tax-supported facilities for political purposes was an "honest mistake," and was remedied immediately when the agency directors heard of it.

ORGANIZING THE UNAFFILIATED

But the group defends its position in aiding groups who have conducted rent strikes in the lower East Side, which earned it the ire of many a landlord. And MFY has aroused the enmity of 26 local school principals for supporting a group of Puerto Rican mothers who demanded the resignation of one school principal they claimed wasn't doing a satisfactory job. MFY also encouraged the march on Washington last year, recruiting 500 marchers.

"People associate this kind of activity with subversion," says an MFY official, "but we call it 'organizing the unaffiliated.' Activities such as these are misunderstood by people unfamiliar with the problems of slum dwellers."

[From the New York Times, Aug. 21, 1964]

SEEING RED ON YOUTH AID

Last month President Johnson coupled an announcement of a $1.5 million Federal grant to Mobilization for Youth, Inc., with a declaration that its program of job training for 2,000 out-of-school, out-of-work youngsters on New York's lower East Side was one of the most promising antipoverty projects in the country. He assured the agency that it had his deep interest and support. A similar expression of esteem came from Mayor Wagner.

This month, with the urgency of its goals undiminished and the nature of its approach unchanged, Mobilization for Youth finds itself under attack on a basis long familiar to agencies dealing with the problems of the poor. It is accused of being honeycombed with Reds—a charge for which the only substantiation thus far is a Federal Bureau of Investigation report that 9 of its 300 staff members were members of the Communist Party or of Communist-front organizations in the 1930's and 1940's.

The charges are being investigated as, of course, they should be. But the thinness of the evidence adduced up to now and the regularity with which such accusations have been made against administrators of home and work relief, unemployment insurance, and every other newly established program for aiding New York's jobless argue against any overquick assumption that the youth agency does not deserve all the praise that was being heaped upon it so recently.

The bleakest aspect of the whole affair is that public officials who should be concerned with keeping the inquiry from wrecking public and staff confidence in the agency's essentiality seem much more concerned about divorcing themselves from potential political embarrassment. Representative WILLIAM E. MILLER, the Republican vice-presidential candidate, already has fastened on the charges as very much a campaign issue.

This notice appears to be engendering a mild panic in both the Johnson administration and city hall, and the prospect is that some heads will roll, no matter how little the investigation turns up. Any program that aims at assisting the most deprived of our citizens is bound to generate some controversy. If panicky head chopping is to be the answer to every attack, the entire antipoverty effort will soon run out of both vigor and leadership.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to my colleague.

Mr. KEATING. I wish to commend my colleague, Senator JAVITS, for his energy and ability in looking into this problem which, of course, has been somewhat disturbing to many of us. We are all indebted to him for the report he has given to the Senate on this matter, which comes, as he has pointed out, under the jurisdiction of the Labor and Public Welfare Committee. As a member of the Juvenile Delinquency Subcommittee, I, too, have great interest in the effort being made to further the pilot project. Certainly, Mobilization for Youth has done good work in the retraining field. Insofar as it has done good work, it should be commended, and that work should be continued. If it has engaged in activities which are not properly within the scope of the pilot program, those activities should be reevaluated or discontinued.

I am, of course, disturbed by reports that Communist or subversive elements may have wormed their way into this organization, and have asked the Federal Bureau of Investigation for a full report. These accusations have been made and have been denied by the project directors and, until all the facts have been revealed, we should exercise caution in condemning the entire project which has cost many millions of dollars, enlisted the talent and energy of hundreds of people, and which has such a worthy goal.

I feel our colleague has performed a very significant service in giving this problem so much attention. I know of his personal contact with a number of people involved in this matter. He has given me a complete briefing on the situation, for which I express my gratitude.

I am very grateful to my colleague. I assure him that I feel a responsibility to the Senate and to the country to keep in close touch with the matter and to call the attention of the Senate to every development which I feel bears upon a mature understanding of the situation.

I wish to say, too, that the press has been most enterprising—the New York Times, New York Daily News, Wall Street Journal—in tracking down every lead and reporting it as they thought it ought to be reported, and generally inviting the public authorities to take a good, thorough look at the situation. I believe that all of this will prove to be constructive in the long run.

OCTOBER 9, LEIF ERICSON DAY

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of House Joint Resolution 393, and that the Senate proceed to its immediate consideration. I have discussed this matter with the Senator from Illinois [Mr. DIRKSEN], and the chairman of the Committee on the Judiciary, and I have full clearance from them for this proposed action.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H.J. Res. 393) to authorize the President to proclaim October 9 in each year as Leif Ericson Day.

The PRESIDING OFFICER. Is there objection to the requests of the Senator from Minnesota?

Without objection, the Committee on the Judiciary is discharged from further consideration of the joint resolution.

Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to the consideration of the joint resolution.

Mr. HUMPHREY. Mr. President, passage by the Senate of the joint resolution authorizing the President to proclaim October 9 of each year as Leif Ericson Day will constitute long-overdue recognition of this courageous Norseman who first explored the North American Continent.

For many years there has been considerable controversy surrounding the feats of Ericson and his Vikings. Last year Dr. Helge Ingstad and an expedition supported by the National Geographical Society proved beyond any doubt that Vikings did explore the shore of Newfoundland about A.D. 1000. Radiocarbon dating of the ruins at L'Anse aux Meadows demonstrates that Norsemen did explore and occupy these shores so many centuries ago.

This joint resolution acknowledges this historic and courageous achievement by authorizing the President to designate October 9 as Leif Ericson Day and by encouraging its observance by suitable exercises in schools and churches. October 9 has traditionally been observed as Leif Ericson Day by many Scandinavian groups through the years. Its proximity to Columbus Day provides an opportunity for Americans to celebrate simultaneously the heroic explorations of both these great discoverers.

Christopher Columbus and Leif Ericson should be honored and revered for their respective accomplishments. It is noteworthy that the Congress has chosen this year to pass resolutions honoring both these remarkable explorers.

It has been my great privilege to be the principal author of the Senate joint resolution authorizing Leif Ericson Day and a cosponsor of the measure honoring Christopher Columbus.

I am particularly pleased that we have now extended this belated recognition to Leif Ericson for his achievements in exploring the North American Continent about the year A.D. 1000.

Mr. KEATING. Mr. President, Leif Ericson was an outstanding figure and pathfinder in the stirring period of Norwegian colonization and discovery. Certainly he can be rated as one of the greatest seafarers of all time. He was the first man to sail directly across the the Atlantic to Greenland, without touching Iceland.

The Norse expeditions can no longer be regarded as myth. His voyage to this continent in the year 1000 and the subsequent expeditions of his brother Torvald and by Torfinn Karlseven are well established historical facts. The time has long been overdue for the recognition of this courageous seafarer.

The figure of Leif Ericson is a particular inspiration to the 10 million Americans of Scandinavian descent. It is in proper tribute to them especially that we have an annual Leif Ericson Day proclamation.

In these days of braving great challenges, both at home and abroad, of charting new courses into space, and of trying to establish a new world as he envisioned it, with peace and prosperity for all, the figure of Leif Ericson is a symbol deserving of national recognition. I heartily join in commemorating this great discoverer and in congratulating all the Scandinavians who have followed him and given such lasting contributions to the American way of life.

The PRESIDING OFFICER. The joint resolution is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the joint resolution.

The joint resolution (H.J. Res. 393) was ordered to a third reading, was read the third time, and passed.

ESTABLISHMENT OF THE CANYONLANDS NATIONAL PARK, UTAH

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 27) to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes, which was, to strike out all after the enacting clause and insert:

That in order to preserve an area in the State of Utah possessing superlative scenic, scientific, and archeologic features for the inspiration, benefit, and use of the public, there is hereby established the Canyonlands National Park which, subject to valid existing rights, shall comprise the following generally described lands:

Beginning at a point on the left or east bank of the Green River on the north township line of township 27 south, range 17½ (partially surveyed), Salt Lake base and meridan:

thence easterly along the north township line through township 27 south, range 17½ east (partially surveyed), and township 27 south, range 18 east (partially surveyed), to the northeast corner of section 6, township 27 south, range 18 east (partially surveyed);

thence southerly along the east line of section 6 to the southeast corner of section 6, township 27 south, range 18 east (partially surveyed);

thence easterly along the north line of sections 8, 9, and 10 to the northeast corner of section 10, township 27 south, range 18 east (partially surveyed);

thence southerly along the east line of section 10 to the southeast corner of section 10, township 27 south, range 18 east (partially surveyed);

thence easterly along the north line of sections 14 and 13 to the northeast corner of section 13, township 27 south, range 18 east (partially surveyed);

thence continuing easterly along the north line of sections 18, 17, 16, and 15 to the northeast corner of section 15, township 27 south, range 19 east (partially surveyed);

thence southerly along the east line of sections 15 and 22 to the southeast corner of section 22, township 27 south, range 19 east (partially surveyed);

thence easterly along the north line of sections 26 and 25 to the northeast corner of section 25, township 27 south, range 19 east (partially surveyed);

thence continuing easterly along the north line of section 30 to the northeast corner of section 30, township 27 south, range 20 east;

thence southerly along the east line of section 30 to the southeast corner of section 30, township 27 south, range 20 east;

thence easterly along the south line of section 29 to the southeast corner of the west half of section 28, township 27 south, range 20 east;

thence southerly along the east line of the west half of section 33 to the southeast corner of the west half of section 33, township 27 south, range 20 east;

thence continuing southerly along the east line of the west half of sections 4, 9, 16, and 21 to the southeast corner of the west half of section 21, township 28 south, range 20 east;

thence westerly along the south line of sections 21 and 20 to the southwest corner of section 20, township 28 south, range 20 east;

thence southerly along the east line of sections 30 and 31 to the southeast corner of section 31, township 28 south, range 20 east;

thence continuing southerly along the east line of sections 6 and 7 to the southeast corner of the north half of section 7, township 29 south, range 20 east;

thence westerly along the south line of the north half of section 7 to the southwest corner of the north half of section 7, township 29 south, range 19 east;

thence continuing westerly along the south line of the northeast quarter of section 12 to the southwest corner of the northeast quarter of section 12, township 29 south, range 19 east (partially surveyed);

thence southerly along the east line of the west half of sections 12, 13, and 24 to the southeast corner of the west half of section 24, township 29 south, range 19 east (partially surveyed);

thence westerly along the south line of section 24 to the southwest corner of section 24, township 29 south, range 19 east (partially surveyed);

thence southerly along the east line of sections 26 and 35 to the southeast corner of section 35, township 29 south, range 19 east (partially surveyed);

thence easterly along the south line of township 29 south, range 19 east, to the east line of the west half of section 36, township 29½ south, range 19 east (partially surveyed);

thence southerly along the east line of the west half of section 36 to the southeast corner of the west half of section 36, township 29½ south, range 19 east (partially surveyed);

thence continuing southerly along the east line of the west half of section 1 to the southeast corner of the northwest quarter of section 1, township 30, south, range 19 east (partially surveyed);

thence easterly along the north line of the southeast quarter of section 1 to the northeast corner of the southeast quarter of section 1, township 30 south, range 19 east (partially surveyed);

thence southerly along the east line of section 1 to the southeast corner of section 1, township 30 south, range 19 east (partially surveyed);

thence easterly along the north line of section 7 to the northeast corner of section 7, township 30 south, range 20 east;

thence southerly along the east line of section 7 to the southeast corner of section 7, township 30 south, range 20 east;

thence easterly along the north line of section 17 to the northeast corner of section 17, township 30 south, range 20 east;

thence southerly along the east line of section 17 to the southeast corner of section 17, township 30 south, range 20 east;

thence easterly along the north line of sections 21 and 22 to the northeast corner of section 22, township 30 south, range 20 east;

thence southerly along the east line of sections 22, 27, and 34 to the southeast corner of section 34, township 30 south, range 20 east;

thence easterly along the south line of township 30 south, range 20 east, to the east line of section 34, township 30½ south, range 20 east (partially surveyed);

thence southerly along the east line of section 34 to the southeast corner of section 34, township 30½ south, range 20 east (partially surveyed);

thence continuing southerly along the east line of sections 3, 10, 15, 22, 27, and 34 to the southeast corner of section 34, township 31 south, range 20 east (partially surveyed);

thence continuing southerly along the east line of sections 3, 10, and 15 to the southeast corner of section 15, township 32 south, range 20 east (partially surveyed);

thence westerly along the south line of sections 15, 16, 17, and 18 to the southwest corner of section 18, township 32 south, range 20 east (partially surveyed);

thence northerly along the west line of section 18 to the northwest corner of section 18, township 32 south, range 20 east (partially surveyed);

thence westerly along the south line of section 12 to the southwest corner of section 12, township 32 south, range 19 east (partially surveyed);

thence northerly along the west line of sections 12 and 1 to the northwest corner of section 1, township 32 south, range 19 east (partially surveyed);

thence westerly along the south line of section 35 to the southwest corner of section 35, township 31 south, range 19 east (partially surveyed);

thence northerly along the west line of sections 35 and 26 to the northwest corner of section 26, township 31 south, range 19 east (partially surveyed);

thence westerly along the south line of sections 22, 21, 20, and 19 to the southwest corner of section 19, township 31 south, range 19 east (partially surveyed);

thence continuing westerly along the south line of sections 24, 23, 22, 21, 20, and 19 to the southwest corner of section 19, township 31 south, range 18 east (partially surveyed);

thence continuing westerly along the south line of sections 24, 23, and 22 to the southwest corner of the east half of section 22, township 31 south, range 17 east (partially surveyed);

thence northerly along the west line of the east half of section 22 to the northwest corner of the east half of section 22, township 31 south, range 17 east (partially surveyed);

thence westerly along the south line of section 15 to the southwest corner of section 15, township 31 south, range 17 east (partially surveyed);

thence northerly along the west line of sections 15, 10, and 3 to the northwest corner of section 3, township 31 south, range 17 east (partially surveyed);

thence easterly along the north line of sections 3, 2, and 1 to the northeast corner of section 1, township 31 south, range 17 east (partially surveyed);

thence continuing easterly along the north line of section 6 to the northeast corner of section 6, township 31 south, range 18 east (partially surveyed);

thence north through partially surveyed township 30½ south, range 18 east, to the north line of partially surveyed township 30½ south, range 18 east;

thence easterly along the north line of partially surveyed township 30½ south, range 18 east, to the southwest corner of section 34, township 30 south, range 18 east (partially surveyed);

thence northerly along the west line of sections 34 and 27 to the northwest corner of section 27, township 30 south, range 18 east (partially surveyed);

thence easterly along the north line of section 27 to the northeast corner of section 27, township 30 south, range 18 east (partially surveyed);

thence northerly along the west line of sections 23, 14, 11, and 2 to the northwest corner of section 2, township 30 south, range 18 east (partially surveyed);

thence continuing northerly along the west line of section 35 to the northwest corner of section 35, township 29 south, range 18 east (partially surveyed);

thence westerly along the south line of section 27 to the southwest corner of section 27, township 29 south, range 18 east (partially surveyed);

thence northerly along the west line of sections 27 and 22 to the northwest corner of section 22, township 29 south, range 18 east (partially surveyed);

thence westerly along the south line of section 16 to the southwest corner of section 16, township 29 south, range 18 east (partially surveyed);

thence northerly along the west line of sections 16 and 9 to the northwest corner of section 9, township 29 south, range 18 east (partially surveyed);

thence westerly along the south line of section 5 to the southwest corner of section 5, township 29 south, range 18 east (partially surveyed);

thence northerly along the west line of section 5 to the northwest corner of section 5, township 29 south, range 18 east (partially surveyed);

thence continuing northerly along the west line of section 32 to the northwest corner of section 32, township 28½ south, range 18 east (partially surveyed);

thence westerly along the south line of section 30 to the southwest corner of section 30, township 28½ south, range 18 east (partially surveyed);

thence northerly along the west line of sections 30 and 19 to the northwest corner of the south half of section 19, township 28½ south, range 18 east (partially surveyed);

thence westerly along the south line of the north half of sections 24 and 23 to the southwest corner of the northeast quarter of section 23, township 28 south, range 17 east (partially surveyed);

thence northerly along the west line of the northeast quarter of section 23 and the west line of the southeast quarter of section 14 to the northwest corner of the southeast quarter of section 14, township 28 south, range 17 east (partially surveyed);

thence westerly along the south line of the north half of sections 14 and 15 to the southwest corner of the north half of section 15, township 28 south, range 17 east (partially surveyed);

thence northerly along the west line of sections 15, 10, and 3 to the northwest corner of section 3, township 28 south, range 17 east (partially surveyed);

thence continuing northerly along the west line of sections 34, 27, 22, and 15 to the northwest corner of the south half of section 15, township 27 south, range 17 east (partially surveyed);

thence easterly along the north line of the south half of sections 15 and 14 to the northeast corner of the south half of section 14, township 27 south, range 17 east (partially surveyed);

thence northerly along the west line of sections 13, 12, and 1, township 27 south, range 17 east (partially surveyed), to the right or west bank of the Green River;

thence northerly across the Green River to the point of beginning, containing approximately 257,640 acres.

SEC. 2. Within the area described in section 1 hereof or which lies within the boundaries of the park, the Secretary of the Interior is authorized to acquire lands and interests in lands by such means as he may deem to be in the public interest. The Secretary may accept title to any non-Federal property within the park, including State-owned school sections and riverbed lands, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction within the State of Utah, notwithstanding any other provision of law. The properties so exchanged shall be of approximately equal value: *Provided*, That the Secretary may accept cash from, or pay cash to, the grantor in such an exchange in order to equalize the values of the properties exchanged. Federal property located within the boundaries of the park may, with the concurrence of the agency having custody thereof, be transferred to the administrative jurisdiction of the Secretary of the Interior, without consideration, for use by him in carrying out the purposes of this Act. Any lands within the boundaries of the park which are subject to Bureau of Reclamation or Federal Power Commission withdrawals are hereby freed and exonerated from any such withdrawal and shall, on the date of enactment of this Act, become a part of the Canyonlands National Park subject to no qualifications except those imposed by this Act.

SEC. 3. Where any Federal lands included within the Canyonlands National Park are legally occupied or utilized on the date of approval of this Act for grazing purposes, pursuant to a lease, permit, or license for a fixed term of years issued or authorized by any department, establishment, or agency of the United States, the Secretary of the Interior shall permit the persons holding such grazing privileges to continue in the exercise thereof during the term of the lease, permit, or license, without renewal thereof.

SEC. 4. (a) In order to provide suitable access to the Canyonlands National Park and facilities and services required in the operation and administration of the park, the Secretary may select the location or locations of an entrance road or roads to such park and to points of interest therein from United States Route 160 and State Routes 24 and 95, including necessary entrance and related administrative headquarters sites upon lands located outside the park, and he may select a suitable location or locations outside the park for connections between entrance roads and between roads lying within the Canyonlands National Park.

(b) To carry out the purposes of this section, the Secretary may acquire non-Federal lands or interests in lands by donation, purchase, condemnation, exchange, or such other means as he may deem to be in the public interest: *Provided*, That lands and interests in lands acquired outside the park as rights-of-way for said entrance roads and connections shall not exceed an average of one hundred twenty-five acres per mile. Rights-of-way and entrance and administrative sites acquired pursuant to this authority shall be administered pursuant to such special regulations as the Secretary may promulgate in furtherance of the purposes of this section.

(c) The Secretary may construct, reconstruct, improve, and maintain upon the lands or interests in lands acquired pursuant to this section, or otherwise in Government ownership, an entrance road or roads and connections of parkway standards, including necessary bridges and other structures and utilities as necessary, and funds appropriated for the National Park Service shall be available for these purposes: *Provided*, That if any portion of such road or roads crosses national forest land the Secretary shall obtain the approval of the Secretary of Agriculture before construction of such portion shall begin.

(d) The Secretary is hereby authorized to cooperate with the Secretary of Agriculture in the location and extension of a forest development road from State Route 95 and may extend the same from the national forest boundary to the park and points of interest therein in accordance with the applicable provisions of this section.

SEC. 5. Subject to the provisions of this Act, the administration, protection, and development of the Canyonlands National Park, as established pursuant to this Act, shall be exercised by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 and the following), as amended and supplemented.

Mr. BIBLE. Mr. President, there are some differences between the bill as passed by the House and the bill as passed by the Senate. In view of those differences, and in view of the fact that there are some conflicting opinions, I move that the Senate disagree to the House amendment and request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Chair appointed Mr. BIBLE, Mr. ANDERSON, Mr. MOSS, Mr. ALLOTT, and Mr. JORDAN of Idaho conferees on the part of the Senate.

Mr. BENNETT. Mr. President, I express my appreciation to the manager of the bill for his request. A longstanding problem is represented by the differences between the two versions. Last year all four of Utah's representatives in the two Houses of Congress made a pledge to make every effort to develop a Canyonlands National Park which would include a maximum of multiple use provisions. The bill as it passed the Senate contained multiple use provisions They were less than many of us wanted, but the principle was retained.

The House version eliminated all multiple use provisions. I was quite distressed at the thought that on the Senate side we might give up without a fight for what to many people in Utah is a very important consideration.

I believe that all the people of Utah want a Canyonlands National Park. There has been some disagreement as to the best way to put one together.

There are those who think that we would have done better to take a smaller area of about 100,000 acres and devote it to the so-called pure park concept, leaving some of the area around it open for mineral and oil exploration, grazing, and other multiple uses. I realize that this is a difficult problem.

It is very fortunate that Utah's representative on the Committee on Interior and Insular Affairs in the other body, Representative LAURENCE J. BURTON, was able to get a bill through his committee and through the House. We have been trying for a number of years to do this, but have been unsuccessful. I do not wish to destroy our chances of getting a park at this session, because we have come up to the final hurdle. However, I am grateful to the members of the Committee on Interior and Insular Affairs who have decided to take the bill to conference, to see what they can do with it. I feel that we must not fail in our duty to the people of Utah who stood so firmly for the multiple use principle and to whom we gave a public pledge a year ago that we would attempt it. There is now ample time to hold a conference since the Democratic Convention recess of 9 days is now upon us. This need not endanger the park bill.

I wish to express my gratitude to the members of the committee and especially to the Senator from Nevada [Mr. BIBLE] for this decision.

Mr. BIBLE. I thank the Senator from Utah. These principles were built into the bill as it passed the Senate. The House, in its wisdom, saw fit to come forward with a different version. These park problems are always a troublesome matter. There are always many areas of difference, in such areas as grazing, mining, and pure park use.

All these matters go to make any proposal a very complicated problem indeed.

I assure both Senators from Utah that we will do our best in conference to attempt to resolve these differences.

I would not wish to close without paying a special tribute to the junior Senator from Utah [Mr. MOSS], a member of the Interior Committee and who is also a member of the Public Lands Subcommittee. He went with us to the Canyonlands area a year and a half ago and pointed out this great and wonderful and picturesque area of the West as worthy of national park status.

I know how long and how hard he has labored to make this a reality. One thing I am dedicated to do if it is humanly possible to do so, is to see that before the session adjourns a Canyonlands National Park will be created. We owe it to the generations that will come after us to preserve this great area of beauty. People who have not seen it and who will visit it in the future will be awestruck by its beauty, as I was. It is one of the greatest and most beautiful areas I have ever seen. It must be preserved. Time is running out. We must complete our action on this national park bill soon. I assure the Senate that as chairman of the conferees and in consultation with Senator Moss, I shall talk with the House conferees, as soon as they are appointed, about resolving these differences and bringing into reality the great dream of a national park in Utah.

Mr. MOSS. Mr. President, I introduced a Canyonlands National Park bill in 1961. Since that time I have worked steadily for its enactment. Some say that in my State of Utah my name is synonymous with Canyonlands because of the unending struggle that I have had attempting to have this spectacular scenic area set aside as a great national park. Opposition to Canyonlands has come from many official quarters within the State and when public hearings were held in Utah by the Public Lands Subcommittee on my Canyonlands bill, my senior colleague in the Senate was given the opportunity of joining the panel in order that he might cross-examine witnesses and be in a position to articulate his objections to the Canyonlands bill.

Despite these earlier objections, it was my understanding that all of Utah's Representatives had finally come to support the provisions of the Canyonlands National Park bill even with the House amendments. Congressman BURTON of Utah has advised me that he would gladly accept the provisions of the House bill and the majority leader of the Senate informed me that my senior colleague in the Senate raised no objection to passage of the bill as it was returned from the House. Certainly, I was anxious to complete legislative action so that Utah could be assured of a national park this year. However, in view of the considerable changes made in the provisions of the bill in the House, I feel now that it is my duty to request a conference on the Canyonlands bill to try to persuade the Members of the House to accept the Senate provisions of the bill. By patient explanation and repeated appeals to my Senate colleagues, I was able to persuade them that limited grazing and limited mineral exploration and production could be carried on in the Canyonlands National Park for at least 25 years without damaging the remarkable scenic features of the park in any way. Since mineral exploration is of such value in my State and since the Canyonlands area is so remote that it has not been completely explored as yet, I feel that we should have an opportunity to discover and develop whatever mineral resources may be in the area. I feel also that those who have grazing permits should be permitted to utilize them during the lifetime of the present holders and that this can be done without damage to the park.

It is my desire, Mr. President, in serving as a Senate conferee on the Canyonlands bill, to persuade my colleagues from the House of the equity and desirability of such additional limited uses of the lands in the park. I will do everything I can to secure these Senate provisions. However, I will never lose sight of the fact that the most important thing for Utah and for the United States is to set aside, preserve and develop this beautiful area as a great national park in the tradition of Yellowstone, Grand Canyon, and Yosemite.

THE CLASSIFICATION OF CERTAIN LANDS TO PROVIDE FOR THEIR DISPOSAL OR MANAGEMENT UNDER PRINCIPLES OF MULTIPLE USE AND SUSTAINED YIELD OF PRODUCTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1445, H.R. 5159.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 5159) to authorize and direct that certain lands exclusively administered by the Secretary of the Interior be classified in order to provide for their disposal or interim management under principles of multiple use and to produce a sustained yield of products and services, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 7, after the word "commercial,", to insert "agricultural,"; on page 7, line 18, after the word "expire", to strike out "June 30, 1968" and insert "December 31, 1968"; and in line 19, after the word "to", to strike out "June 30, 1968" and insert "December 31, 1968".

Mr. BIBLE. Mr. President, I ask unanimous consent that the amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BIBLE. Mr. President, the author of the bill is the distinguished junior Senator from Utah [Mr. MOSS]. He has spent a long time on the bill with respect to multiple use. This is a bill which the Senate committee reported unanimously. The amendments are of a very minor nature. I believe the House of Representatives will concur in the amendments. There is only one real change, and that is not a great change of substance.

It simply adds agricultural purposes to the commercial and industrial purposes. I believe there would be no problem.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. METCALF. Yesterday, I had a discussion with the Senator from Utah on the Senate floor and brought out that grazing, mining, and recreation privileges are all covered in the multiple-use bill. The grazing and mining operators of the West—I am especially concerned about those in Montana—have had written into this multiple-use bill legislative protection for their varied interests.

I congratulate both the Senator from Utah and the Senator from Nevada for bringing out this fact concerning landmark legislation that will provide for multiple use by the Bureau of Land Management and will, at the same time, protect the other interests of our western area.

Mr. BIBLE. I appreciate the comments of the distinguished Senator from Montana.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 5159) was passed.

MARY LANE LAYCOCK

Mr. JOHNSTON. Mr. President, I ask that the Chair lay before the Senate the amendment of the House to S. 2170.

The PRESIDING OFFICER (Mr. McIntyre in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2170) for the relief of Mary Lane Laycock, which was, on page 2, after line 11, insert:

> No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. JOHNSTON. Mr. President, the amendment to the bill provides that no part of the amount appropriated under this act shall be paid or delivered to any agent or attorney on account of services rendered. The amendment has the approval of the sponsor and the Committee on the Judiciary.

Accordingly, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

THOMAS M. TALLEY

Mr. JOHNSTON. Mr. President, I move that the Chair lay before the Senate the amendment of the House to S. 1875.

The PRESIDING OFFICER (Mr. McIntyre in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1875) for the relief of Thomas M. Talley, which was, on page 2, after line 8, insert:

> No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. JOHNSTON. Mr. President, the amendment to this bill simply provides that no part of the amount appropriated under this act shall be paid or delivered to any agent or attorney on account of services rendered. This amendment has the approval of the sponsor and the Committee on the Judiciary.

Accordingly, I move that the Senate concur in the amendment made by the House of Representatives.

The motion was agreed to.

U.S. PARTICIPATION IN CANADIAN UNIVERSAL AND INTERNATIONAL EXHIBITION

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate the amendments of the House to S. 2905.

The PRESIDING OFFICER (Mr. McIntyre in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 2905) to provide for the appointment of a Commissioner General for United States participation in the Canadian Universal and International Exhibition, and for other purposes, which were, on page 1, lines 9 and 10, strike out ", and to appoint or designate not to exceed two other principal representatives"; on page 2, lines 1 and 2, strike out "receive compensation, allowances, and benefits as determined by the President but not in excess of that" and insert "receive annual compensation not in excess of $22,500, and allowances and benefits as determined by the President but not in excess of those".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed at this point in the Record a statement by the distinguished Senator from Arkansas [Mr. Fulbright] in explanation of the bill.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Fulbright

> The bill authorizes the appointment of a Commissioner General for U.S. participation in the Canadian Universal and International Exhibition to be held in Montreal in 1967. As it passed the Senate, the bill authorized the Commissioner General to receive the pay of a chief of mission, class 2. At that time, this was $22,500. It was increased by the pay bill to $28,500. The House amendment fixes it at $22,500.
>
> The Senate bill also authorized appointment of two other principal representatives in connection with U.S. participation in the exhibition. This authority has been deleted by the House.
>
> I do not think these changes are significant enough to warrant a conference, and I shall therefore move that the Senate concur.

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Arkansas [Mr. Fulbright] I move that the Senate concur in the amendments of the House.

The motion was agreed to.

INSCRIPTION OF FIGURE "1964" ON CERTAIN COINS

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate the amendment of the House to S. 2950.

The PRESIDING OFFICER (Mr. McIntyre in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2950) to authorize the mint to inscribe the figure 1964 on all coins minted until adequate supplies of coins are available, which was to strike out all after the enacting clause and insert:

> That, notwithstanding section 3517 of the Revised Statutes (31 U.S.C. 324), all coins minted from the date of enactment of this Act until July 1 or January 1, whichever date first occurs after the date on which the Secretary of the Treasury determines that adequate supplies of coins are available, shall be inscribed with the figure "1964" in lieu of the year of the coinage.
>
> Sec. 2. The requirement of section 3550 of the Revised Statutes (31 U.S.C. 366) that the obverse working dies at each mint shall be destroyed at the end of each calendar year shall not be applicable during the period provided for in section 1 of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed at this point in the Record a statement by the distinguished Senator from Virginia [Mr. Robertson] in explanation of the amendment.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Robertson

> The House amendment makes no change of substance whatever. All the House did was to change the word "after" to "from" so that the bill would read, "all coins minted from the date of enactment of this act until July 1 or January 1,".

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Senator from Virginia [Mr. Robertson], I move that the Senate concur in the amendment of the House.

The motion was agreed to.

TEMPORARY AUTHORITY FOR SALE OF CERTAIN PUBLIC LANDS

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 1408, H.R. 5498.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 5498) to provide temporary authority for the sale of certain public lands.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 10, after the word "commercial", to insert "agricultural,"; on page 2, line 16, after the word "development.", to strike out "Nothing herein contained, however, shall be construed as requiring the Secretary of the Interior to withhold sale of the lands until zoning action has been completed." and insert "Patents and other evidences of title shall not be issued under the authority of this Act until zoning regulations enacted by the appropriate local authority shall be in effect."; on page 3, line 9, after the word "laws.", to strike out "Patents and other evidences of title shall also contain such conditions, reservations, and reasonable restrictions as the Secretary of the Interior considers necessary in the public interest including, but not limited to, such conditions as the Secretary may deem necessary to insure proper development of the lands after they have passed from Federal ownership. and insert "Patents and other evidences of title may contain such reservations and reasonable restrictions as are necessary in the public interest, but no restriction to insure proper development of the lands after they have passed from Federal ownership shall be imposed."; on page 4, after line 20, to insert a new section as follows:

Sec. 6. Ninety per centum of the proceeds from lands sold in the State of Alaska pursuant to this Act shall be transferred to the State of Alaska in consideration for which the State shall surrender its right to select an equal acreage of land pursuant to section 6(b) of the Alaska Statehood Act (72 Stat. 339).

On page 5, at the beginning of line 3, to change the section number from "6" to "7"; in line 4, after the word "expire", to strike out "June 30, 1968" and insert "December 31, 1968"; in line 6, after the word "to", to strike out "June 30, 1968" and insert "December 31, 1968"; and in line 8, after the word "after", to strike out "June 30, 1968" and insert "December 31, 1968".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. BIBLE. Mr. President, I ask unanimous consent to have printed at this point in the Record a statement explaining the necessity and purpose of the bill.

There being no objection, the statement was ordered to be printed in the Record, as follows:

PURPOSE OF BILL

The purpose of H.R. 5498 is to provide authority, under legislative guidelines, for the Secretary of the Interior to sell limited tracts of certain of the public lands of the United States to meet the rapidly increasing needs of local governments and private enterprise. Thus, instead of being held by the Federal Government centralized in Washington, the lands which meet the criteria for sale set forth in the bill will be subject to acquisition by State and local governments, and by private individuals who will put them to constructive use.

The need to get more land into local government and private hands is self-evident to anyone familiar with the growth and development of the population and economy of the West. The Federal Government owns a tremendous proportion of the lands in most Western States, ranging up to 87 percent in Nevada, approximately 50 percent in California, and so on.

Present laws for disposal by the Federal Government of these lands are antiquated and wholly inadequate to meet today's needs. This fact is attested to by the executive communication of February 27, 1963, transmitting a draft of proposed legislation, out of which H.R. 5498 was evolved, and was further emphasized at the committee's hearings on the measure by the Director of the Bureau of Land Management.

H.R. 5498 would not repeal any existing laws, and, as pointed out, it is keyed to and is complementary to the study of the Land Law Review Commission. Pending competition of that study, the bill would provide temporary authority, under adequate legislative safeguards, to meet the situation which in many instances is one of emergency.

It is not anticipated that there will be any increase in budgetary requirements as a result of enactment of H.R. 5498. On the contrary, the sales made under it will bring additional revenues into the Federal Treasury, and the development that will result from getting more lands into constructive use will spur the economy.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 5498) was passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 1123) to provide for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Aspinall, Mr. Rogers of Texas, Mr. Udall, Mr. Saylor, and Mr. Andrews of North Dakota were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed severally to the amendment of the Senate to the following bills of the House:

H.R. 3672. An act to provide for the construction, operation, and maintenance of the Savery-Pot Hook, Bostwick Park, and Fruitland Mesa participating reclamation projects under the Colorado River Storage Project Act;

H.R. 8355. An act to amend the Life Insurance Company Act of the District of Columbia (48 Stat. 1145), approved June 19, 1934, as amended; and

H.R. 8451. An act to amend the District of Columbia Sales Tax Act, as amended, relating to certain sales to common carriers or sleeping-car companies.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H.R. 8344) to amend the Railway Labor Act to provide that the terms of office of members of the National Mediation Board shall expire on July 1.

The message also announced that the House concurred in the amendments of the Senate numbered 1, 2, 3, 5, and 6 to the bill (H.R. 11241) to amend the Public Health Service Act to increase the opportunities for training professional nursing personnel, and for other purposes, and that the House concurred in the amendment of the Senate numbered 4 to the bill, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the joint resolution (H.J. Res. 733) to designate the powerhouse on Clear Creek at the head of Whiskeyton Reservoir, in the State of California, as Judge Francis Carr Powerhouse.

The message also announced that the House had passed a bill (H.R. 11926) defining the jurisdiction of the U.S. Supreme Court and all Federal courts inferior thereto, in certain instances, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 793. An act to promote the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California and to aid in the administration of the Klamath reclamation project; and

S. 1007. An act to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority, and for other purposes.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

JURISDICTION OF SUPREME COURT AND FEDERAL COURTS IN CERTAIN INSTANCES

Mr. THURMOND. Mr. President——

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina.

Mr. THURMOND. Mr. President, I ask unanimous consent to speak from the desk of the senior Senator from Louisiana [Mr. Ellender].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I ask that House bill 11926 be read the first time.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 11926) to define the jurisdiction of the U.S. Supreme Court and all Federal courts inferior thereto in certain instances.

Mr. THURMOND. Mr. President, I object to a second reading of the bill on this legislative day.

The PRESIDING OFFICER. Under rule XIV, the bill will lie over.

Mr. DIRKSEN. Mr. President, what was the ruling of the Chair?

The PRESIDING OFFICER. The question is, Shall the bill be read a second time?

Mr. THURMOND. Mr. President, I object to a second reading on this legislative day.

The PRESIDING OFFICER. Let the question be formally put to the Senate.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state his parliamentary inquiry.

Mr. DOUGLAS. Would the objection of one Senator prevent a second reading of the bill on this day?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOUGLAS. I object.

Mr. THURMOND. I have already objected to it.

Mr. DOUGLAS. That makes two of us.

Mr. THURMOND. Mr. President, do I correctly understand that a second reading of the bill will not take place until an adjournment has occurred and another legislative day has happened?

The PRESIDING OFFICER (Mr. McINTYRE in the chair). That is correct.

Mr. THURMOND. Now, Mr. President, on the next legislative day I shall object to any further proceedings on H.R 11926 and ask that the bill be placed on the calendar

Mr. PROXMIRE. Mr. President, will the Senator from South Carolina yield?

Mr. THURMOND. I yield.

Mr. PROXMIRE. The Senator from South Carolina, as I understand, supported the position of the Senator from Georgia [Mr. RUSSELL] when the civil rights bill came to the Senate this year. This is the precise opposite of the procedure now being followed by the Senate, a procedure which the Senator from Georgia argued is no longer valid because of the 1946 Reorganization Act. As I understand the position of the Senator from South Carolina and the Senator from Georgia and others who wanted the civil rights bill to go to the Judiciary Committee, the argument was, that legislation should be required to go to the committees, and the committees should make a record on the legislation, so the Senate could have the benefit of the advice of their legislative committees.

This year, 1964, with the civil rights bill, we did depart from that practice which Senator RUSSELL said was required under the Reorganization Act of 1946, but at that time some of us argued that there had been extensive hearings on the civil rights bill, and others that if the civil rights bill went to the Judiciary Committee it would stay in the committee forever and would not come out. Since we have an entirely different situation with the Tuck bill, and since there have been no hearings held on apportionment before the Senate at all, and this is a bill of far-reaching significance, and the Senate would be much handicapped without adequate consideration in hearings, would not the Senator from South Carolina, on Monday, August 31, when we reconvene, reconsider his approach during this period? Certainly, he is one who has a record which I believe is a very proud and fine record of insisting on committee consideration. Certainly, he recognizes, as all of us recognize, the crucial role which committees play. If the Senator has some reason for fearing that the Judiciary Committee would not give adequate consideration to the bill or would not report it back, I should like to know about it.

Mr. THURMOND. In reply to the Senator from Wisconsin, I will say that I supported the position of the able Senator from Georgia. I thought the able Senator from Georgia was right in that position, but the Presiding Officer ruled otherwise. The Senate took action otherwise. The Senate has established the precedent. Now we are merely following that precedent in asking that the bill be placed on the calendar. There is no difference in the procedure on this and the civil rights bill. I believe that the able Senator from Wisconsin favored putting the civil rights bill on the calendar. He has voted for that precedent. He has helped establish that precedent. The Senate has followed that precedent. We are now asking him to take a dose of his own medicine.

Mr. PROXMIRE. Let me say to the Senator from South Carolina that, first, the situation is different; and, second, I believe that the Senator from South Carolina should take into consideration the fact that this is now being copper riveted as a precedent. There were extraordinary circumstances with the civil rights bill. Hearings had been held for years in both Houses. There was a general consensus that the civil rights bill would never see the light of day if it went to committee. But this bill comes to the Senate under opposite circumstances; there have been no hearings, none. The bill will come out of committee. If we establish this precedent, and if it has the support of the Senator from South Carolina and other southerners who are with him, and no Senator opposes it, we shall be in a position in the Senate in the future where bill after bill after bill is likely to go on the calendar without adequate committee consideration.

I hope that the Senator, who is a reasonable man, will take the next 10 days—which fortunately we have before he can block committee consideration—to think over, to reconsider and to allow the bill to be treated like any other bill, so that we can have the benefit of the committee's advice on something which is of such far-reaching significance.

Mr. DIRKSEN. Mr. President, will the Senator from South Carolina yield?

Mr. THURMOND. Mr. President, I yield to the Senator from Illinois.

Mr. DIRKSEN. As I understand, the distinguished Senator from South Carolina has only filed an intention of what he proposes to do on the next legislative day; is that correct?

Mr. THURMOND. The Senator is correct. I have objected to the second reading of the bill today.

Mr. DIRKSEN. That is correct.

Mr. THURMOND. I have objected to the second reading of the bill today. Some Senators have said that we could not have a second reading. I wish to follow identically the procedure that was followed on the civil rights bill, H.R. 7152, because back then, on the 17th of February, the majority leader objected to the bill being read the second time, and on the 27th of February it received a second reading. I wanted to be sure that this was done on separate days, so that no one could say there is a distinction between them. The able Senator from Wisconsin is trying to distinguish between what happened on the civil rights bill and on this bill. He cannot do it. There was no emergency to justify bypassing the committee on the civil rights bill. There is an emergency to pass this bill now, or some bill that will give some relief, because the courts have acted, and they are about to enforce these apportionment proceedings. It is urgent, and important that action be taken and taken without delay.

Mr. DIRKSEN. In view of the fact that the Senate has passed an adjournment resolution, the next legislative day will be Monday, August 31?

The PRESIDING OFFICER. The Senator is correct.

Mr. THURMOND. Mr. President, let me reply to the Senator from Wisconsin by saying that the main urgency that was appealed to in the Senate, back yonder, was to pass the civil rights bill in order to stop demonstrations going on all over the country, especially in the South.

Have the demonstrations stopped? There are more demonstrations, there are bigger demonstrations, there are more elaborate demonstrations since the civil rights bill has been enacted than ever before. They have gone on in Rochester, New York City, and many other places. They have not stopped. There was no emergency to pass the civil rights bill. There is an emergency to pass a bill in the nature of the Tuck bill today. The Supreme Court of the United States has handed down its decision that the State legislatures of the 50 States must reapportion their legislatures.

In the first place, the Supreme Court has no jurisdiction in that field. That is a political question, and not a legal question. Therefore, the Supreme Court of the United States has no power in the field.

In the next instance, does not a State and do not the people in a State, speaking through their State legislature, know better what should be the composition of the legislature in their State than nine men sitting in Washington? I believe that the people of each State should keep the right that they have under the Constitution to constitute their legislature as they deem it advisable and proper. There is an emergency. There is an emergency to act, and act without delay, because this decision of the Supreme Court is being enforced. There are cases in courts today from several States. These matters will be heard, unless action is taken here. I am anxious that the Tuck bill or a bill of a similar nature be passed.

If the Tuck bill cannot be passed, I would favor the Dirksen amendment. But the Tuck bill ought to be passed. There is an emergency, and there is all the urgency in the world in this situation. There is an emergency here—far more than there was in the case of the civil rights bill. We are following the same procedure now that was followed with regard to the civil rights bill. The proponents did not want the civil rights bill to go to the committee. They would not let the committee report it. They placed it on the calendar. They set the precedent. We did not set it. I am following that procedure, their procedure, the procedure of the Senator from Wisconsin. We are placing it on the calendar and asking that the Senate consider it and vote on it at this session.

Mr. PROXMIRE. Mr. President, the Senator has challenged me to say whether there is a difference. I say to the Senator from South Carolina that there is the sharpest kind of difference. In the field of civil rights, in the past 10 years there were 121 civil rights bills referred to the Judiciary Committee. There were 67 days of hearings. How many bills were reported? One, only one, and that bill was reported only on the instruction to report on a certain day.

We know that the Judiciary Committee will report the Tuck bill under these circumstances. Furthermore, the distinguished Senator from South Carolina talks about an emergency and stresses that as a very important reason for this measure. I agree that there may very well be an emergency. But I believe it is up to the Supreme Court to handle it, the way it handles every other judicial decision. The Senator from South Carolina is a sincere, honest man. I ask him why he wants to place this measure on the calendar? What are we going to do with it? Does he really think the leadership will motion it up?

If the Senate were to send the bill to the Judiciary Committee, we would be advised whether or not it has merit. From everything that I have heard, it has little support in the Senate. Perhaps it has a great deal of support. But if the Senator is serious about getting action on the Tuck bill, I suggest that he would have a far better chance if it were to go to the Judiciary Committee so that there would be some opportunity to have hearings and determine if the bill has merit.

Mr. THURMOND. The Senator from Wisconsin must not feel that it has merit. He has been speaking against it for the past several days. He and his colleagues have been carrying on a filibuster against the principles embodied in the bill. He knows what the bill contains. The bill does not have to be sent to the Judiciary Committee to have it reported and to inform the Senator from Wisconsin, or any other Senator, as to what it contains. Every Senator knows what the Tuck bill contains. On June 16, the day following the latest reapportionment decisions, I introduced a bill similar to the Tuck bill and it is now before the Judiciary Committee.

Every Senator knows whether or not he favors the principles of the Tuck bill. Personally, I am willing to trust the people. I regret that it seems that some Senators are not willing to trust the people. I want to see the people of each State—the people of Wisconsin, too—make the decision as to how they want their legislature constituted.

If they want one body, well and good. If they want two bodies, well and good. If they want to follow the area principle, well and good. If they want to follow the population principle, well and good.

Why not trust the people of Wisconsin to decide this matter? Why does the Senator want the Supreme Court of the United States to decide the question? This is a political question, and not a legal question. And the Supreme Court ab initio, in the first instance, had no jurisdiction in this field.

I yield to the Senator from Louisiana.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. THURMOND. I yield first to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, if we were to pass the Tuck bill and take the Supreme Court out of the business of enforcing the Constitution temporarily, might it not give the Supreme Court some time in which to dream up some scheme by which they might call off the demonstrations and riots in Rochester, New York City, Philadelphia, Camden, Chicago, and various other places where apparently the civil rights demonstrators have migrated, with their outrageous demonstrations, stealing, and rioting away from the South, as a result of the civil rights bill? Might that not give the Supreme Court some time in which to figure out some sort of formula or scheme to protect the North and Midwest? It might work out some kind of formula to do something about all the outrages, riots, and murder in the streets that is going on in the Northern States these days.

Mr. THURMOND. Mr. President, in reply to the Senator from Louisiana, the Senator from South Carolina would say that since the Supreme Court has now become the third legislative body of this Nation, perhaps it will come up with legislation and stop the rioting and demonstrations. The bill passed by Congress failed to halt the riots. Let us give it a breathing spell and an opportunity to do something about that.

The people of the Nation want the right to determine the kind of legislature they want. What is wrong with these legislatures in which State legislators, as in my State, come from areas, and where the House membership is based on population? That is exactly the formula followed in the National Government. That is exactly the way those who wrote the Constitution of the United States provided for the National Government to operate. Little Rhode Island has two Senators. Big Texas and big Alaska have only two Senators. And yet Vermont, Delaware, Nevada, Wyoming, and Alaska have only one Member of the House.

We say that what the States have done is very similar to the way the National Congress is constituted. And States have always applied this principle. What is so wrong with that? But even if it were not correct, that would be a matter for the States.

I repeat that the Union, the Central Government, the Federal Government, has only the powers that have been delegated to it in the Constitution. Such powers have never been delegated to the Union. Therefore, they are reserved by the States. The States have the authority to have any kind of legislature they want. I would be the last to deny the States that authority. I would be the last to say to the people of any State in this Nation, "You do not know what you are talking about. You do not know what kind of legislature you need. The Supreme Court of the United States is going to tell you the kind you ought to have. Or, the Congress is going to tell you."

We have gone so far now toward centralizing the power in Washington that the people become very frustrated. I am wondering how much longer we shall exist as a nation. The President of the United States will become a dictator unless we change the trend in which we are now going, and stop centralizing more power in Washington, giving the President of the United States, the executive branch, more and more power, and sitting idly by and allowing the Supreme Court to interfere in a jurisdiction in which it has no authority. We can pass a bill like the Tuck bill and prevent the Court from further usurping this power.

I believe that Congress is negating its obligation. I believe Congress is neglecting to perform its responsibility. The House of Representatives, by more than 40 votes from all districts of the Nation, has passed the Tuck bill, saying that it wants the people of each State to determine the composition of the legislature of a particular State. I believe it is a good bill. I believe it is a sound bill. The idea that there is no emergency now, is a lot of hokum.

An emergency was alleged in the case of the civil rights bill in order to halt the demonstrations and to get the Negroes out of the streets. There was no emergency then. There is a grave emergency in this instance. The U.S. Supreme Court has handed down decisions that would change the legislatures in 44 or more States of the Nation.

It is my firm conviction that there is an obligation upon the Congress to take action, and take it now, at this session, to rectify the situation. I feel that the Tuck bill is a good bill. It should be passed at this session of Congress.

Mr. LONG of Louisiana. Mr. President, in view of the filibuster that is going on against the right of the people of each State to decide how they want to apportion their legislature, is the Senator from South Carolina prepared to vote cloture on this filibuster against the right of the people to apportion their own legislatures?

Mr. THURMOND. I am in favor of the people in each State determining whether their legislature should consist of one body of two bodies, or what power they shall have. On the question that the Senator has asked about applying cloture, I have never voted for cloture. But I have never supported this procedure and I do not now anticipate changing my attitude on cloture. This procedure has been forced upon Members of the Senate who believe in constitutional government. Of course, we may have to revise our thinking completely on some of these matters in view of the illegal and unconstitutional policy that has gone on heretofore.

Mr. LONG of Louisiana. Mr. President, will the distinguished Senator from South Carolina permit me to make a brief statement?

Mr. THURMOND. I yield.

Mr. LONG of Louisiana. The thing that troubles the Senator from Louisiana and some others of us from the South is that we might be forced to vote for cloture with some of our northern friends in order that the Senate might get on with the Nation's business. I hope that that unhappy event will not come about. I was asking the Senator's advice. What are we to do about this filibuster?

Mr. THURMOND. It is a question of grave concern. I would not like to vote for cloture. On the other hand, we did not start this business. We did not establish the precedent. Those who have favored so-called civil rights measures are the only ones who have taken such action. We may have to revise completely our thinking on the subject. It is now a question of trying to save the Nation. We may have to pursue a course that heretofore we have not felt advisable in the best interests of the country, but we may have to pursue it in view of the actions that have been taken by, or actions which are thwarted in, the Senate.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. THURMOND. I am pleased to yield to the distinguished Senator from Wisconsin.

Mr. PROXMIRE. I am sure that the Senator from South Carolina must know that the Tuck bill will go nowhere. Consider what he might be throwing away. He would be throwing away not one but two vital procedural safeguards which the Southern States have protected with great merit. First, he throws away the requirement that bills be referred to committee. Second, he imperils his great safeguard, unlimited Senate debate, by at least flirting with the notion that he will vote for cloture. Why?

Mr. THURMOND. Why did the Senator from Wisconsin vote for cloture?

Mr. PROXMIRE. Because I knew that that was the only way in which to get action.

Mr. THURMOND. And that may be the only way in which I can get action on this measure, too.

Mr. PROXMIRE. The Senator knows perfectly well that the Committee on the Judiciary would give consideration to the Tuck bill. Furthermore, the Senator has made the statement that we do not need committee advice on the measure, that it is something about which everyone knows.

Mr. THURMOND. I said that the Senator from Wisconsin spoke on it for a number of days.

Mr. PROXMIRE. Not on the Tuck bill.

Mr. THURMOND. The same principle is embodied in the Tuck bill. The Senator knows that under no conditions would he vote for the Tuck bill. Is that not true?

Mr. PROXMIRE. The Senator is absolutely correct.

Mr. THURMOND. Then will the Senator tell me what good a committee report would be to him?

Mr. PROXMIRE. The Senator from Wisconsin does not speak for all 100 Senators, and neither does the Senator from South Carolina. After a 2 or 3 hour debate in the House of Representatives, at least 40 votes were changed on the Tuck bill. In the first instance the bill surmounted a preliminary test by 80 or 90 votes. Then it won by only 40 votes. Members of the House changed their views. The issue is one on which people will change their minds, and it is an issue on which a great amount of information must be adduced. The Senator from South Carolina is afraid to have a committee scrutinize the bill. He is afraid of that. He is afraid that when we know what the implications of the Tuck bill are, particularly what it would mean in terms of Congress moving in on the Supreme Court and denying the principle of the separation of powers, the Senator from South Carolina would have precious little support for the Tuck bill.

Mr. THURMOND. Mr. President, surely the Senator from Wisconsin would attribute as much virtue and intelligence to other Members of this body as he himself possesses. He himself has said that he has made up his mind on the question. Does not the Senator believe that 10 days from now, when we reconvene, Senators will have had an opportunity to study the subject, and will they not be as well posted on it as is the able Senator from Wisconsin?

Mr. PROXMIRE. They will be as well posted as the Senator from Wisconsin, perhaps, but they certainly will not have a written, established record. They won't have the benefit of expert testimony, of the recommendations of the Senator's legal experts on the Judiciary Committee. After all, Senators cannot make up their minds in a vacuum. As the Senator from South Carolina knows, there are many things that the Democrats must do in the next 10 days, in addition to thinking about the Tuck bill. After the national convention there will be some who will be interested in campaigns. We should have a record made officially, in the committee. Witnesses should be called to testify, and then Senators will have an opportunity to examine the record.

Mr. THURMOND. Why did not the Senator from Wisconsin take that position on the civil rights question?

Mr. PROXMIRE. Not on the Tuck bill.

Mr. THURMOND. The same principle is embodied in the Tuck bill. The Senator knows that under no conditions would he vote for the Tuck bill. Is that not true?

Mr. PROXMIRE. The Senator is absolutely correct. I took a different position on the civil rights bill because we had a long documented hearing record. We had a record of 67 days of hearings on 121 civil rights measures. We had received the civil rights bill from the House of Representatives, which had conducted hearings in two committees, the Judiciary Committee and the Rules Committee. We had available an infinite amount of testimony.

Mr. THURMOND. That was an intricate and complex bill. The Tuck bill is a simple bill. Anyone reading it the first time can understand it.

Mr. PROXMIRE. However, it has very complex and involved implications.

Mr. THURMOND. The Senator understands it. He has said that he is against it. If he has already made up his mind that he is against it, he has evidently studied it a little. Does not the Senator think that other Senators will study the bill and reach a logical decision as the Senator from Wisconsin believes he has reached?

Mr. PROXMIRE. No, because other Senators have far more complex and subtle intellectual instincts than the Senator from Wisconsin. I am sure on the basis of their superior background and understanding they are likely to come to a decision after much more study than the Senator from Wisconsin engaged in.

As far as the people are concerned, we believe in the ability of people to know what they want. But the Gallup poll shows that an overwhelming majority of the American people want population apportionment in both houses, in their State senate and in their lower houses. The Senator knows that the people will never get a fair question from State legislatures. The Senator knows that. He has been a Governor and knows how the question is put in State after State. The people do not get a clear choice. The question is distorted. State legislators keep themselves in power by drafting the question. The question is easily rigged.

Mr. THURMOND. Is public opinion in a State controlled as the Senator contends it is controlled throughout the Nation?

Mr. PROXMIRE. If one wishes to keep his job.

Mr. THURMOND. If people are dissatisfied with their legislature as it is presently constituted, public opinion will demand that it be changed.

The Senator has said something about the Gallup poll. I would not give a hoopla what the Gallup polls show. The Gallup poll showed that Dewey would be elected over Truman. Gallup polls showed that various other candidates for office would prevail. They have turned out wrong in their predictions on many occasions. We cannot rely on the polls. They are completely unreliable.

If the Senator from Wisconsin really wishes to know the answer to his question, I suggest that he go back and ask the people of his State the following question: "Do you people in Wisconsin wish to decide the kind of legislature you desire, or do you want the Supreme Court of the United States to do that for you?" I suggest that the Senator ask the people that question, and I dare say——

Mr. PROXMIRE. That is the kind of question which a State legislature would put, and if that kind of leading question is put to the people——

Mr. THURMOND. Mr. President, I have the floor, and I do not yield any longer.

The PRESIDING OFFICER. The Senator from South Carolina has the floor.

Mr. THURMOND. If the Senator from Wisconsin will go back to his State and ask his people how they feel, whether they wish to decide through their legislature the type of legislature they want, or whether they want the Supreme Court of the United States or the Congress to make the decision, the Senator knows what the answer will be.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. THURMOND. I now yield to the able Senator from Colorado.

Mr. DOMINICK. I appreciate the courtesy of the Senator from South Carolina. I wish to answer the statement of the Senator from Wisconsin that a State legislature will not do anything, and that if the people were given the opportunity to vote on the question, they would vote to approve an equal vote regardless of whether the State has two houses or one house.

Colorado has recently taken such action. In 1962, two constitutional amendments were placed on our election ballot.

One amendment provided for a Federal plan and another provided for equal votes in both houses. The question was carefully debated during the whole campaign. The people of the State of Colorado said, by a 2-to-1 majority, that they wanted the Federal plan. At the same time, the people rejected the amendment which would have given equal votes in both houses. It strikes me that the people of the State of Colorado have spoken on the point about as plainly as anyone could possibly speak. The proponents of the equal vote plan took the issue to the Supreme Court of the United States, and the Supreme Court, by a 5-to-4 margin, said, in effect, "We do not care what the people of Colorado have voted. We say that you will have to have equal apportionment in both houses.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. THURMOND. That is the case. The Supreme Court of the United States does not care what the people of a State desire. They do not care what the people of our Nation want. Some time ago our majority leader said, "If the Congress does not do it, the Supreme Court will do it."

In Pennsylvania, Steve Nelson was convicted of sedition. It was charged that he had violated a State law in attempting to overthrow the Government. That case went to the Supreme Court. The Supreme Court turned Steve Nelson loose.

They said that when the Federal Government—the Congress—passed a law in the field of sedition, they struck down the laws of 42 States and held that the man had to be turned loose. In other words, they preempted the entire field of sedition. The Supreme Court, in one fell swoop, struck down the laws 42 legislatures had enacted. Is there any Member of this body who thinks that that action was proper?

Mr. PROXMIRE. Yes. This Member does.

Mr. THURMOND. I am not surprised, in view of the Senator's position on this subject. But I believe in the people of the United States. I believe in the people of Wisconsin. I believe in the people of Colorado, Illinois, and South Carolina. And I say let the people of those States, and all other States, decide for themselves the kind of legislature that they want. I maintain that the Congress of the United States should not attempt to tell a State what kind of legislature it should have, and neither should the Supreme Court attempt to do so.

Mr. PROXMIRE. The Senator is correct when he says Congress should not do that.

If the Senator will permit me to answer the Senator from Colorado, I would appreciate it.

Mr. THURMOND. Mr. President, I yield for that purpose.

Mr. PROXMIRE. The Senator from Colorado pointed out that there were referenda put on the ballots in Colorado in 1962 and that the people chose the Federal apportionment rather than the population apportionment. We have to determine whether it was a fair question that was asked. I know that our State legislature again and again has put questions on the ballot that were not fair and to which it received a predictable answer. I will assume that the question asked in Colorado was fair——

Mr. DOMINICK. It was not put out by the State legislature; it was initiated by the people themselves.

Mr. PROXMIRE. How can the people draft their own questions?

Mr. DOMINICK. It is simple. We have been doing it in the Senate for years.

Mr. PROXMIRE. We legislators have done so, not the people. Legislators, as I say, will frame loaded questions. At any rate, the Senator from Wisconsin wants to emphasize that it was made clear by Thomas Jefferson and others not only that there should be equal apportionment in the State legislatures but there are certain rights which are inalienable, that nobody can take away from the people; no, not even a majority of the people. They are constitutional rights and they are absolute. One of them is freedom of speech. Another one is freedom of religion. And one of those rights is the right to have an equal vote—a vote that counts as much as anyone else's—in the State legislature.

Mr. DOMINICK. The Senator takes the position that if there is apportionment in the House based on population, it should be that way in the Senate. That is saying that the city of Chicago should control Illinois or that the city of Denver should control Colorado, which is just as bad as having the rural areas control the cities.

Mr. PROXMIRE. If most of the people who live in Illinois live in Chicago, they should control it. What the Senator is saying is that if 95 percent of the people live in Chicago, Chicago should not run the State, the 5 percent of the people who live outside should. It is a matter of people and where they live.

Mr. LONG of Louisiana. Mr. President, will the Senator from South Carolina yield to me?

Mr. THURMOND. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I wonder if the Senator has given thought to why the present Supreme Court keeps usurping the powers that belong to the States and keeps usurping the powers that belong to Congress, which is the lawmaking branch of Government, but declines to usurp the President's powers? Has the Senator wondered why it is that the Supreme Court is ready to usurp the people's powers and the State's powers, but not the President's powers? Will the Senator tell me why he thinks it should work out that way?

Mr. THURMOND. One reason is that the President has a way of enforcing orders. He might take a position which was taken by one President many years ago when the Supreme Court handed down a certain decision. He said, "The Supreme Court has made its decision. Now let them enforce it." The Supreme Court knows that the executive branch would not enforce certain orders or would enforce them as it pleased. Congress has become spineless in refusing to stand up to the Supreme Court. It has not shown the courage to stand up to the Supreme Court.

When the country was founded, there were three branches of Government. Each was supposed to be a check on the other. Congress is not checking the Supreme Court as it should. It is not checking the executive branch as it should. The legislative body was supposed to be a body of strong powers. Its members are elected by the people; in the House for 2 years, in the Senate for 6 years. The House of Representatives comes nearer representing the people of the United States than either of the other two branches, because its Members come up for election oftener and are elected from every segment and area of the Nation. In my opinion, the time has come when Congress should stand up and challenge the executive branch and challenge the judicial branch.

Mr. LONG of Louisiana. I would like to state my reason why the Court across the street has never tried to usurp the President's powers. It understands that if it tried to usurp the President's power, being the Commander in Chief, he might send a squad of Marines down there and put those screwballs in jail.

Mr. THURMOND. The country might welcome such a step.

Mr. LONG of Louisiana. Does the Senator recall that Thomas Jefferson got one of those screwballs impeached and tried to get another one impeached?

Mr. THURMOND. The Senator from South Carolina well recalls it. As I said at a recent joint meeting of a bar association and a medical association in Greenville, S.C., Thomas Jefferson was very much concerned about the Supreme Court.

Mr. LONG of Louisiana. If one looks at the attitude of Thomas Jefferson toward the Supreme Court, he will find he was concerned about judicial usurpation. He succeeded in impeaching one judge on that Court. If he had had his way, another one would have been impeached.

Mr. THURMOND. Congress would have to impeach, but if the President got behind the impeachment, it would carry great emphasis. Whether Congress should do that or not, I am not prepared to say at this time. Congress should meet its own responsibilities. If Congress thinks someone should be impeached, it should act in that respect. Because the President might say someone should be impeached, I do not think that Congress should necessarily fall in line. Congress has been falling in line too much with the executive branch. The moment the President takes a certain stand, he immediately has half of the Congress—I am not saying which half, because he gets some on both sides of the aisle—going right down the line with him. I want to see the Senate and the Congress take independent action and have the courage and backbone to do what they think is best for this country, and not to be looking forward to patronage and jobs that they look forward to from the executive branch. There are many reasons that I prefer not to go into at this time why it has not, but the Congress of the United States has not stood up as it should have in recent years, and not like it did many years ago. Congress ought to be the dominant branch of the Government. This is the branch that truly represents the people of the United States.

Mr. President, I yield the floor.

Mr. DOUGLAS. Mr. President, has the Senator from South Carolina yielded the floor?

The PRESIDING OFFICER. The Senator from South Carolina has yielded the floor.

Mr. DOUGLAS. Mr. President, before I speak in more detail on the subject matter that is before us, let me express my regret at the language, twice repeated by my friend from Louisiana. My friend from Louisiana is a very fine and constructive Senator. It pained me deeply for him to refer to the Supreme Court twice as "screwballs." I think that, upon reflection, he will not wish to retain those words.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. Perhaps I was a little too intemperate in speaking so strongly. I think some of the worst decisions were 5-to-4 decisions, and I disagree with the majority 1,000 percent, although 4 members of the Court were right. Some of those decisions were decisions with which I agreed, but I have felt that some of these decisions have been so awful, bordering on the criminal, that to me it is inconceivable that judges would do that kind of thing. I have reason to believe that the Chief Justice has, on occasion said to the other Justices, "Now, we must be above politics on this issue. We will reserve all other decisions, but to hope for compliance we must try to arrive at the conclusions by a vote of 9 to 0. Let us play a little politics, but pretend to be above politics. We are going to reverse everything else that has been decided by about 100 judges in 100 years and say we are above politics. Let us write a new amendment to the Constitution and say that is the law." They are destroying the law and destroying the Constitution when they do that sort of thing. When that type of politics is played by the Court, that is an intellectual exercise of which I cannot approve. I am not a member of the bar of that Court. I am not going to be a member, either, until I feel that I can honestly subscribe to an oath of respect to those people in that Court which a lawyer is required to do. A majority of that Court has played politics to the point that several members of that Court have failed to do their duty. One might as well not read the 100 volumes of the reports of the Supreme Court, because so much of it has been reversed or ignored. One cannot predict what the Court is going to do, because if the Executive wants it to decide one way, that is the way it is usually decided.

All this is contrary to the intention of the Constitution and of the Founding Fathers. The Justices are expected by those who determine their appointments to go along with a complete misinterpretation of what the law has always been.

Nowadays some of the appellate court judges are circling around like so many buzzards, waiting for some old character to die so that they can get his job, instead of speaking up against something that is wrong. I cannot stand by and let that happen without saying something about it. I resent that kind of thing. I resent one judge getting on the telephone and calling two other judges and telling them, "I have decided to decide this case in this way. Give me your proxy." He calls one judge in Florida and another one somewhere else saying "Let me sign this order for all three of us." I have heard of that happening in the court of appeals.

Here in the Supreme Court I have seen it happen when the Attorney General in this administration goes to Court almost every time an important case goes up there, and talks to the judges and tells them how they should decide a lawsuit. It fills me with outrage, because the two contesting parties are entitled to a decision on its merits.

Mr. DOUGLAS. Has the Senator finished?

Mr. LONG of Louisiana. All of that is contrary to the intent of our Founding Fathers. We are under a duty to legislate. Those judges did not have the right to make some of those decisions.

I am sorry that I cannot completely agree with the Senator. I am sorry I went quite as far as I did in my use of language. If I had thought about it a little, I might have used more temperate language. I say, however, that if the members of the present Supreme Court did not have the full support of the National Association for the Advancement of Colored People some of them might have been impeached.

Mr. DOUGLAS. Has the Senator finished?

Mr. LONG of Louisiana. Yes.

Mr. DOUGLAS. It is obvious that some of the animus created by the civil rights decisions is behind the present Dirksen amendment and the Tuck bill, which would deprive the Federal courts of any authority to require fair representation in various State legislatures. I have suspected all along that the opposition to the civil rights decisions has furnished the emotional undertow, so to speak, for a large part of the support for the Dirksen and Tuck proposals. My good friend from Louisiana—and I hope he is my good friend, because I have had very friendly relations with him in the 16 years that we have served together—has confirmed this opinion of mine.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. Let me say to the Senator from Illinois that I regard myself as being his good friend, and that on most issues we agree completely. I feel strongly about some of the Court decisions. I feel outraged by some of them. At the same time I am here to say that this particular decision was completely wrong, and it requires Congress to act. We have a duty to act. I do not know whether the Senator has any particular decisions in mind with respect to which he disagreed with the Court as strongly as I do. If that were so, I assume he would feel the same as I do. The Court has legislated. Now it is our duty and our right to legislate to protect the rights of the States and the people.

Mr. DOUGLAS. Mr. President, the Senator from Louisiana has made his statement of faith. It is appropriate for me to say that, in company with the great mass of the American people, I approve the civil rights decisions, beginning with the Brown case, and going on from there. I point out that it was a unanimous decision of the Supreme Court. All the Republicans on the Court agreed with all the Democrats on the Court. There were three southern-born and southern-trained Justices on the Court. They joined the other six. They are good southerners, and they take great pride in being southerners.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. Does the Senator have any doubt that the decision was in direct conflict with the Supreme Court in Plessy against Ferguson?

Mr. DOUGLAS. It reversed Plessy against Ferguson, which was handed down in 1896.

I point out that there was a dissenting opinion in Plessy against Ferguson, written by the first Justice John Marshall Harlan, a Kentucky slaveowner; and that it is not unusual in the course of history for judicial opinions to change.

I do not believe that Plessy against Ferguson or the civil rights decision of 1883 can properly be used to perpetuate the idea that segregation is constitutional under the 14th amendment.

There was a reversal of Plessy against Ferguson. It should have been reversed. I am glad it was reversed. What I am trying to say is that this was a unanimous decision. The decision was unanimous not only in the Brown case, but in the subsequent cases involving racial discrimination in education. I believe that no less than 12 separate judges have approved the unconstitutionality of segregation in the schools, and they have decreed that the 14th amendment established the right to desegregated education.

I believe this was a case of the U.S. Supreme Court catching up with the development of ethical opinion.

I am grateful to the Supreme Court. I am grateful to the great Chief Justice of the Supreme Court, Earl Warren, a Republican, a former Governor of California who was elected to that office three times. He was the Republican candidate for Vice President in 1948. I believe he is one of the noblest Americans today. I feel that I would be delinquent if I stood here and allowed my good friend from Louisiana to continue to make an attack upon the Court, and by implication upon the Chief Justice. I say that with great respect for my friend, because we work together very closely in the Committee on Finance. I believe him to be one of the most engaging Members in the Senate. Nevertheless, I cannot subscribe to his attack on the integrity or sanity of the Court. I should now like to pass to the substantive issue, if I may.

Mr. LONG of Louisiana. Mr. President, will the Senator yield briefly?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. I make no charge with regard to the sanity of the Court.

Mr. DOUGLAS. The Senator said they were screwballs.

Mr. LONG of Louisiana. I referred to a judge being impeached.

Mr. DOUGLAS. The Senator referred to the present Court as consisting of screwballs.

Mr. LONG of Louisiana. The record will speak for itself.

Mr. DOUGLAS. The Senator said screwballs.

Mr. LONG of Louisiana. What I said I do not take back. I believe I made the reference with regard to a hypothetical situation.

Mr. DOUGLAS. The Senator does not take it back?

Mr. LONG of Louisiana. No. Since the Senator raises the question, in my judgment, when a judge takes a provision of the Constitution and reads it to mean the opposite of what was intended, that is not integrity or honesty. It may be that it serves the Senator's political purpose. It may be that it achieves the purpose that he was trying to achieve. If a law is wrong, Congress, and not the Supreme Court, should change it. I have heard of some of the lectures delivered by some of those who hope to be, who are justices and who hope to be advanced to the Supreme Court. Their theory is, "If a law is wrong, we should give Congress a certain period of time to change it. If Congress does not act within a certain period of time, we should change it." I have seen reports of some lectures along that line. I assume that is the type of propaganda that is being spread at judicial conferences by some of those who are presently on the Supreme Court.

It is my judgment that George Washington was right when he said in his Farewell Address that we should not change the law by usurpation but should change it by the means established for that purpose. That is why I favor changing this particular situation by constitutional means. In my judgment, the argument of the Senator from South Carolina [Mr. Thurmond] is entirely correct. It is the people who are entitled to decide this matter, not the nine men who are now on the Supreme Court or those who will follow them. The people have a right to decide this question for themselves.

THE 14TH AMENDMENT IS AS MUCH A PART OF THE CONSTITUTION AS ANY OTHER PART

Mr. DOUGLAS. Mr. President, I am not a constitutional lawyer, but I have studied the Constitution, which seems to be more than many people have done. A great many of our friends, particularly those who come from south of the Mason-Dixon line, never get beyond the 10th amendment, which they like to quote. The 10th amendment provides:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

They quote this amendment, but pay no attention to the 14th amendment; but the 14th amendment is just as much a part of the Constitution as the 10th amendment. Since it was adopted after the 10th amendment, if there is a conflict between the two, the 14th amendment supersedes the 10th. I have again and again quoted the 14th amendment to this body. I think it is worth while quoting it again, because we tend to forget it.

> Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

What does that mean? It means that citizenship is national as well as being a State matter.

Second, no distinctions are drawn between citizens. There are no second-class citizens; all are first-class citizens.

Section 1 of the 14th amendment continues:

> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The phrase "nor deny to any person within its jurisdiction the equal protection of the laws" is something that our southern friends and many others seek to ignore, and treat as nonexistent. But it is there, and it is a part of the basic law of the land.

UNDER OUR FORM OF GOVERNMENT THE SUPREME COURT INTERPRETS THE MEANING OF THE CONSTITUTION

Who interprets the meaning of the equal protection of the laws? Basically, under our form of government, the Supreme Court. In the Brown case and in the cases which followed, the Supreme Court, in unanimous decisions, held that the equal protection of the laws was violated if children in the public schools were segregated on the basis of race; that if they were segregated, they were not being accorded equal protection; that their privileges and immunities were being prejudiced; and that they were being deprived of this basic right that the 14th amendment was intended to defend.

In my opinion, that was a correct and noble decision. The Senator from Louisiana [Mr. Long] believes it was not a correct decision. But obviously Congress, which he evidently thinks should have power in these matters, thinks it to be a correct decision, because Congress passed a civil rights bill a few weeks ago by an overwhelming vote. That bill provided not only for nondiscrimination in the schools but also in employment and in public accommodations.

There is no question, I believe, that the overwhelming opinion of the Nation supports the decisions of the Supreme Court in that matter. I urge our friends not to try to stir up prejudice and passion against the decisions of the courts concerning discrimination. Those decisions are one of the finest achievements in the entire record of the Supreme Court.

SEVERE MISREPRESENTATION EXISTS IN THE STATE LEGISLATURES

More recently have come the decisions on the apportionment of State legislatures. We have not had much opportunity to develop that subject because, in spite of the rodomontade, comparatively little discussion of the Dirksen amendment or the Tuck bill has been permitted in the Senate. But in the two speeches I have made on the Senate floor and in other speeches which I have had the opportunity to give, I have shown the great extent to which there is gross misrepresentation in the houses of State legislatures. I have pointed out that in several States less than 20 percent of the population elect a majority of the members of the lower house, and that in still more States less than 20 percent elect a majority of the Senate. As of June 21, of this year, in the following States less than 20 percent of the population elect a majority in the State senates: Montana, Idaho, California, Nevada, Arizona, New Mexico, Florida, Maryland, Delaware, New Jersey, and Rhode Island.

There were many more States in which between 20 and 40 percent of the population elected a majority of the Senate: North Dakota, South Dakota, Wyoming, Colorado, Utah, Texas, Louisiana, Mississippi, Alabama, South Carolina, and Connecticut.

THE STATE LEGISLATURES HAVE REFUSED TO REAPPORTION THEMSELVES, EVEN THOUGH THEIR CONSTITUTIONS REQUIRE IT

The stubborn fact is that the State legislatures have refused to apportion themselves and have persisted in this refusal year after year, decade after decade.

The records of Tennessee and Alabama are relatively typical. The constitutions of those States require reapportionment every 10 years. But beginning in 1901 and continuing until the time these cases went to the Supreme Court, those States refused to reapportion themselves. During this time there were great shifts in population. People moved into the cities of Tennessee—Nashville, Knoxville, Chattanooga, Memphis. They moved into Birmingham, in Alabama. But the legislatures refused to reapportion, partly, as the Senator from Wisconsin [Mr. Proxmire] has said, because the legislators from the overrepresented districts did not want to reapportion, for that would mean that some of the districts would have to be consolidated and the legislators might lose their jobs; but also because the big corporate interests in those States wanted to have the country districts overrepresented because they thought they could control the country districts more than they could control the urban or city districts in such matters as taxation and utility regulation. That has been one of the forces which has helped to prevent reapportionment.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. The point the Senator from Illinois is making is especially important. This is not a simple problem of a provision in a State constitution and the recent interpretation by the Supreme Court. It is a matter of historical fact and practice in America that up until 1901 State legislatures did apportion. They apportioned in accordance with the State constitutions, and they apportioned on the basis of population. It was only then that they began to abandon their constitutions. The dramatic example of Oklahoma was cited yesterday. Oklahoma did not change its position in 1901 but did so after 1921.

At any rate, in legislature after legislature, there has been abandonment of the Constitution and of the historical practice or custom of the State legislature, which is riveted into the law, and not an acceptance of constitution provisions which require population representation.

Is it not true, I ask the Senator from Illinois, that in some cases the apportionment that took place under duress resulted in a constitutional amendment which changed the nature of the State legislature, so that one house would be elected on the basis of area and would be able to preserve the jobs of legislators who were in office and as well as the Senator from Illinois has stated, preserve the interests of those who did not want the State legislature to move ahead and solve State problems?

Mr. DOUGLAS. That is correct.

Mr. PROXMIRE. Let me ask the Senator this question. We have heard talk this afternoon from two very distinguished southern Senators both of whom believe in States rights. Would not the Senator from Illinois agree that if we are going to have States rights we have to have States performance? As many distinguished Republicans as well as Democrats have agreed, if we are going to have States rights, we have got to have States responsibilities, and we don't get States responsibilities unless we get a State that can act. A State cannot act as efficiently if it has one house apportioned on area with bloc representation, and another house warring with the other house, rather than both houses being on the same basis.

Mr. DOUGLAS. The Senator is correct.

Mr. PROXMIRE. The Senator from Michigan made one of the very finest speeches made on this subject, not on a theoretical point but documented and showing instance after instance after instance where vital legislative proposals in the Michigan Legislature, with a popular Governor and with a clear public mandate, were blocked. Why? Because a majority of the legislators, but representing a relatively small minority of the people, I repeat a minority, voted against measures clearly in the interests of the State of Michigan.

As the Senator from Illinois has documented so well, this is common, this is the case throughout America. What do people who want their problems solved do? What do they do? They come to Washington. Problems have to be solved, so they turn to us. So the fight which the Senator from Illinois is making so well this afternoon is ironic because it is in opposition to that fight of the two Senators from the South who spoke this afternoon, Senators who have been in the forefront of the battle for States rights, and yet I think it is clear to anyone who studies this record that the Senator from Illinois is truly fighting to make States rights really mean something.

Mr. DOUGLAS. I thank the Senator from Wisconsin.

Mr. LONG of Louisiana. Mr. President, will the Senator from Illinois yield?

REFUSAL OF THE LEGISLATURE TO REAPPORTION IN CONNECTICUT

Mr. DOUGLAS. If the Senator will let me finish my statement, I shall be glad to yield to him at that time.

One of the original apportionment acts in Connecticut was in 1818. That continued, so far as the House is concerned, until 1876, in Connecticut. Then Connecticut reapportioned, but with each town having two representatives regardless of size. That 1876 apportionment has continued until the present day. The result is that in Connecticut 12 percent of the population elect a majority of the members of the lower house. That is the house in Connecticut.

The Connecticut Senate was reapportioned in 1903—60 years ago, and has not been reapportioned, according to my figures. In Connecticut, 32 percent of the population elect a majority of the senate, the one-third have as much representation as the two-thirds. They have twice the average representation of the cities—notably, New Haven, Hartford, Bridgeport—and I believe Danbury.

REFUSAL OF THE LEGISLATURES TO REAPPORTION THEMSELVES IN OTHER STATES

Alabama did not reapportion after 1901.

Illinois did not reapportion between 1901 and 1955.

Kentucky did not reapportion after 1942.

I know that in the last couple of years there has been reapportionment in these cases, but that is under the stimulus of Federal decisions. This is true in many other States. And when reapportionment has come, it has been almost invariably after the Baker against Carr decision of 1962.

Louisiana did not reapportion after 1921, and still has not reapportioned its Senate.

Maryland did not reapportion after 1943.

Minnesota has a somewhat better record. It did not reapportion between 1913 and 1959, but it did reapportion in 1959 before the Federal decisions.

New Hampshire did not reapportion its Senate between 1915 and 1964.

New Jersey did not reapportion after 1941.

North Carolina did not reapportion between 1941 and 1961 for its house, and between 1941 and 1963 for its senate.

Pennsylvania did not reapportion its senate between 1921 and until this year.

I could go on in State after State.

It is true that after the Supreme Court handed down its first decision on Tennessee, in the Baker against Carr case, and followed this up with subsequent decisions, a series of reapportionments were carried through.

Indiana, in 1963.

Kentucky, in 1963.

Louisiana, for its house, in 1963.

Maryland, very partially—very incompletely, in 1962.

Mississippi, very partially, in 1963.

Nebraska, in 1963.

North Carolina, in 1963, for its senate.

North Dakota, in 1963, for its house.

Pennsylvania, in 1964, for its senate.

But these reapportionments done under the fears or the fact of a court order—predominately Federal, but in some cases State.

Does anyone suppose that, if there had not been these actions and decisions of the courts, the legislatures would have acted as they did? In many cases, they had not acted for 60 years.

In Vermont, as I have said, they have not acted, so far as the house is concerned for 171 years, since their constitution was adopted in 1793.

Mr. JAVITS. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. JAVITS. I heard this flareup between the Senators from Louisiana and the Senator——

Mr. DOUGLAS. It was not a flareup, but I felt that I could not sit silent when my good friend called the Supreme Court screwballs.

Mr. JAVITS. I might say I throughly join the Senator in his attitude toward the Court. It is a coordinate branch of government. We would certainly not be very happy if they called us a bunch of screwballs. I am happy to join the Senator from Illinois in defending the Supreme Court, its good faith, the distinction of its membership, and the great leadership given to the Court by Chief Justice Warren.

I have defended the Court before, when it was charged with making Communist-oriented decisions, and presented the detailed facts, assembled by legal authorities, which showed that there was nothing to any such charges. It was merely that the Senator who made the charges did not like their decisions.

There is a great deal in the Tuck bill—to which I am as fully opposed as is the Senator from Illinois—that is reminiscent of the Courtpacking idea. It deserves to have as much of a reaction in the country against it as did the Courtpacking proposal. Even the Courtpacking proposal, after all, did not so openly forecast anything about decisions. It just sought to have more justices on the Court. But it was felt it sought more justices because those to be appointed by the then-President were expected to rule differently and to constitute a different majority than those who were on the Court at that time, which was deciding cases in a way the President did not like.

With the Tuck resolution, it is the Congress this time, and not the President, who is trying to pack the Court, by taking away its appellate jurisdiction which would deprive it of the opportunity in this field to serve the American people and protect their freedoms under the 14th amendment, which is as much a part of the Constitution as the original Constitution and the first 10 amendments, the Bill of Rights.

Therefore, the matter now rests in the Senate. I rather thought we could come to a resolution of the matter on the Dirksen amendment through some form of precatory resolution such as Senator McCARTHY and I have proposed. But we have before us now a House-passed resolution that is completely unacceptable and very dangerous, in my opinion, to the liberties of the people. Therefore, the decision will really rest here, in the Senate of the United States.

It seems to me that this justifies the detailed discussion which has been undertaken with the Senator from Illinois [Mr. DOUGLAS] and his colleagues on this subject. We have really a burning, major threat, in my judgment, to the public liberties.

Does the Senator not feel that the issue raised by the Tuck bill is analogous, in terms of the exercise of power by Congress, to the issues raised by the Court-packing proposal of approximately 25 years ago, and thus deserves the critical attention of the American people in the same manner as did that proposal?

Mr. DOUGLAS. I think that is correct. The Tuck bill would deny permanently the jurisdiction of the Federal court or State court as it might concern any authority to order apportionment or reapportionment of any legislature. It would deny jurisdiction to the district courts to entertain any petition or complaint seeking to apportion or reapportion.

Mr. President, I ask unanimous consent that the text of the Tuck bill, H.R. 11926, be printed at this point in the RECORD.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The bill (H.R. 11926) is as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*
>
> SECTION 1. Following section 1258 of title 28 of the United States Code (28 U.S.C., sec. 1258) add a new section as follows:
>
> "§ 1259. Supreme Court, limitation of appellate jurisdiction
>
> "The Supreme Court shall not have the right to review the action of a Federal court or a State court of last resort concerning any action taken upon a petition or complaint seeking to apportion or reapportion any legislature of any State of the Union or any branch thereof."
>
> SEC. 2. Amend title 28, section 1331 of the United States Code (28 U.S.C., sec. 1331) by adding at the end thereof a new subsection to read as follows:
>
> "(c) The district courts shall not have jurisdiction to entertain any petition or complaint seeking to apportion or reapportion the legislature of any State of the Union or any branch thereof, nor shall any order or decree of any district or circuit court now pending and not finally disposed of by actual reapportionment be hereafter enforced."

Mr. DOUGLAS. Mr. President, I believe the Dirksen amendment is almost equally bad—but not quite as bad as the Tuck bill. The difference is that the Dirksen amendment constitutes temporary anesthetization of the courts of the country which would last for an indefinite period of time. And, during this period of time, a constitutional amendment could be submitted which would permit the malapportioned, unrepresentative State legislatures to seal themselves into office contrary to the principle of substantial equality of representation provided by the 14th amendment.

The choice between the Tuck bill and the Dirksen amendment is similar to the choice between being killed by hanging and being killed by shooting. And I reject both methods.

Mr. President, it is not my intention to speak at great length, because I believe it is the desire of the majority leader to adjourn in order that many Members of the Senate may go to Atlantic City; but I was in the midst of an argument showing that the only reason why State legislatures have moved to reapportion in recent years has been either court orders or fears of such orders.

DIRKSEN AND TUCK PROPOSALS WILL HALT REAPPORTIONMENT ACTIONS NOW PROCEEDING IN MANY STATES

If the Dirksen or Tuck proposal were to go through, the action already taken in many cases would be canceled. In many cases the full act of reapportionment has not been carried through. The cases are still under some degree of judicial surveillance, and the prohibition upon the courts' interfering in these matters, would prevent the final consummation of acts of reapportionment.

The New York Times of last Sunday prepared a very valuable illustration in the form of a map of the country, which appeared in its August 16 issue. The map showed that with respect to the senates in the 50 States there had been some apportionment initiated in obedience to court orders. It put these States in this classification: Oregon, Oklahoma, Wisconsin, Michigan, Massachusetts, Delaware.

Even with respect to the senates in these States, the apportionment had been less than full, and great disparities still exist, except in Wisconsin and possibly Oregon.

In some cases, as the Senator from Wisconsin and the Senator from Michigan have emphasized, it is possible that the passage of the Dirksen amendment or the Tuck bill would reverse actions already initiated, but not fully completed. This chart also identified the States which had been ordered to redistrict, but have not done so, so far as the State senates are concerned. Those States are: Washington, Alabama, Iowa, Illinois, Ohio, Florida, Virginia, Pennsylvania, New York, and Vermont. There may be others.

In addition to those, there are a number of State legislatures, where a small minority controls the senate which are trying to brazen the matter out.

In Nevada, 8 percent of the population can control a majority of the senate. The supervoters come from the sagebrush counties. In Idaho, 6.6 percent control the State senate, again from sagebrush counties. In Arizona, the percentage is 12.8. In New Mexico it is 14 percent. In Florida it is 15 percent, mostly in the north Florida counties. In Maryland, 14 percent control the State senate. In New Jersey it is 19 percent. In Rhode Island it is 18 percent.

As I indicated earlier, there are many States in which 20 to 40 percent of the population control the seats of the State senates, these include North Dakota, South Dakota, Wyoming, Utah, Texas, Louisiana, Mississippi, Iowa, South Carolina, and Connecticut.

Any attempt to reapportion in those States would be brought to a halt with the passage of the Dirksen amendment or the Tuck bill.

Indeed, every day and every hour bring evidence of the effect of these two amendments in delaying or preventing the reapportionment of seats.

THE DIRKSEN AND TUCK PROPOSALS, EVEN THOUGH NOT ENACTED, ARE ALREADY CAUSING CHAOS AND BLOCKING THE ORDERLY PROGRESS OF REAPPORTIONMENT

In today's Washington Evening Star, on the first page of the B section, there is an article written from Baltimore under the byline of James B. Rowland. I shall read some salient paragraphs from that article:

> Maryland lawmakers have shelved attempts to draw up a reapportionment plan pending the outcome of efforts in Congress to counteract the Supreme Court equal-vote mandate for the makeup of State legislatures.
>
> The decision was made here last night during a 90-minute closed meeting of a reapportionment committee appointed by the legislative council, interim study arm of the general assembly.
>
> State Senate President William S. James, Democrat, of Harford County, and committee chairman, reported afterwards the group decided to wait on Congress. The committee will meet again next month.
>
> TWO MEASURES EYED
>
> "The committee decided to wait and see if one of the two measures pending in Congress is enacted and is going to give us more time," Senator James said.

Skipping a paragraph, the article continues:

> The Supreme Court on June 15 ordered Maryland to reapportion its rural-dominated house of delegates and State senate on a population basis in time for the 1966 elections. Such attempts by urban lawmakers have failed in the past.

It should say both "urban and suburban" attempts. Continuing to read from the article:

> In pigeonholing its current effort the committee pointed to a House-passed bill drafted by Representative TUCK, Democrat, of Virginia. It would remove reapportionment cases from the jurisdiction of Federal courts.

Continuing with the article:

> Maryland's reapportionment suit reached the Supreme Court through State courts

> and was returned to the Maryland Court of Appeals.
>
> "The committee feels the State court, however, would be guided by Federal court action," Senator James said.
>
> The committee also is eyeing a rider Senator DIRKSEN, Republican of Illinois, had prepared for the foreign aid appropriation bill. It would stay court-ordered reapportionment until January 1966—in my judgment, much longer than 1966.

Continuing to read from the article:

> "If the Dirksen amendment passes, Congress next year may enact a constitutional amendment restricting court authority over reapportionment," Senator James said.

In other words, the mere introduction of these bills and the prospect of their passage has given the Maryland legislature the idea that it will balk court orders. The same thing has been done in Virginia. In the article in this evening's Star there is this paragraph:

> In Virginia, a similar delay in redistricting that State as a result of the Supreme Court's ruling has been indicated. Governor Harrison told a news conference Wednesday he is "watching developments in Washington" before proceeding with plans to call the general assembly into a special reapportionment session late in November.

Therefore, reapportionment by the legislatures in both Maryland and Virginia has been postponed because of the introduction of the Tuck bill and the submission of the Dirksen amendment. If these proposals should be passed, reapportionment would not only be postponed, but would be prevented. We are dealing with one of the gravest political evils in American legislative life. It results in the urban and suburban regions being grossly underrepresented and being denied home rule in such matters as taxation, welfare, smoke abatement, zoning, water pollution, recreational areas, and a whole series of other measures which are essentials for a rapidly growing metropolitan population.

ALMOST TWO-THIRDS OF THE POPULATION LIVES IN METROPOLITAN REGIONS

I introduced the census figures the other day to show that 64 percent of the population of the country in 1960 lived in counties of over 100,000 population, whereas only about 32 percent lived in such counties in 1910. The prospects are that the metropolitan population, which is now almost two-thirds of the population of the country, will steadily increase in the future. If these areas continue to be dominated by less populated areas, we shall not have local governmental structures able to meet the problems of the vast majority of the people.

We know that in the next few years we shall have what some people call a megalopolis, a continuing city stretching from Washington to Boston, and perhaps to Portsmouth, N.H. This will run across State lines, but through States now dominated by rural legislatures, and this rural domination will continue under the Dirksen or Tuck proposals.

UNREPRESENTATIVE STATE LEGISLATURES LEAD TO AN UNREPRESENTATIVE NATIONAL HOUSE OF REPRESENTATIVES

This evil creeps into the Congress, because it is the rural-dominated State legislatures which lay out the congressional districts. They lay out congressional districts which in the main overrepresent sparsely settled rural areas and underrepresent the heavily populated urban and suburban areas.

We have all come to respect the Congressional Quarterly. I hold in my hand volume 19, published in 1963, which on pages beginning with page 1173 gives the population of some of the congressional districts in this country.

Let us take Arizona. There is one district in Arizona which, using 1960 census of population figures, had 189,000 people; another district, 663,000 people, or approximately three and a half times as many.

In Arkansas, one district had 332,000; another, 575,000.

California had some gross cases, but these have largely been cured so far as population is concerned.

Colorado. One district has 195,000 people; another, 653,000 people.

Connecticut, which is in the process of redistricting, and which, if not interfered with, will do well, had in one congressional district 319,000 people, and in another district 689,000.

Florida. One district has 241,000; another, 237,000. There is still another district with 507,000, and another with 455,000.

Georgia. One district has 272,000; another, 823,000.

Idaho. One district, 257,000; another, 410,000.

In Illinois, my own State—and we are not the worst State in the Union by any means—one district has 350,000, and another district has 516,000.

Indiana. One district has 357,000; another, 513,000; another, 697,000.

Kentucky. One district, 315,000; another, 610,000.

Louisiana. One district, 264,000; another, 500,000.

Maryland. One district on the Eastern Shore, to which we have referred, and which is heavily overrepresented in the State legislature, has one district with 243,000 people. That district sends one man to Congress. Another district, the one which lies outside the Northwest section of Washington, has 609,000.

Massachusetts. One district, 376,000; another district, 478,000.

Michigan. One district, 177,000; another district, 664,000.

Mississippi. One district, 295,000; another district, 608,000.

Montana. One district, 274,000; the other district, 401,000.

New Jersey. One district, 316,000. That is in south Jersey. Another district has 585,000. That is the Camden district.

New York. One district, 350,000; another district, 459,000.

Ohio. One district, 274,000; another district, 683,000. Another district has 726,000.

Oklahoma. One district, 227,000; another district, 552,000.

Oregon. One district, 265,000; another district, 522,000.

Pennsylvania. One district, 352,000; another district, 517,000; still another district, 553,000; another district, 536,000.

South Carolina: One district, 272,000; another, 531,000.

In South Dakota, where the line of division, I believe, is the Missouri River—I observe in the Chair of the Presiding Officer the distinguished junior Senator from South Dakota [Mr. McGOVERN]—one district has 182,000, while another has 498,000. Each district has one Representative in Congress. In other words, almost two and two-thirds times as many people are required for representation in the eastern district as in the western district.

Tennessee: One district, 223,000; another, 497,000.

Texas: One district, 216,000. I believe that was the district formerly graced by the late Speaker of the House, Mr. Rayburn. I did not realize that it had a population as large as 216,000. Another district has 568,000; another district, San Antonio, 687,000; another district, 675,000; another district, the Dallas district, 951,000.

Utah: One district has 318,000; the other district has 583,000.

Virginia: One district has 312,000; another, 494,000. The suburban district outside Washington, on the other side of the Potomac, has 540,000 as compared with the 312,000 in one of the other districts.

West Virginia: One district, 329,000; another district, 422,000.

Wisconsin is quite evenly distributed; but even there, one district has 319,000; another has 530,000.

In other words, malapportionment of the State legislatures leads to malapportionment of the national House of Representatives. In the past, I have calculated that malapportionment costs the cities and suburbs between 25 and 35 seats, and results in the decisions of the national House of Representatives being weighted and biased in favor of the small areas and against the cities and suburbs.

When we consider this fact in conjunction with the fact, established by the Constitution, which we cannot change, that 25 percent of the population elect a majority of the U.S. Senate, I think we can see the handicaps under which the big States and big cities labor, both in the National Government and in the State governments, as well.

I am saying all this to lay a factual base to reply to the Senator from South Carolina [Mr. THURMOND], who denied that there was any malapportionment in the State legislatures. I ask Members of Congress, the press, and the general public to read these figures over the next 10 days, during a part of which time the Democratic National Convention will be in session, before the Senate returns to pass upon the Dirksen amendment and the Tuck bill.

WHY HAS MALAPPORTIONMENT CONTINUED SO LONG?

There is an interesting question as to why malapportionment has been allowed to continue for so long and why there is such violent opposition to reapportionment. The Senator from Wisconsin [Mr. PROXMIRE] has stated over and over again one of the predominant reasons; namely, that reapportionment would require the consolidation of small districts, and that many of the legislators from those small districts would lose their jobs. That is a powerful reason; it may be the major reason; but it is not the only reason.

Another reason is that the private utilities and big industrial interests know that they can control the legislators from the sagebrush counties and the rural counties to a greater extent than they can control legislators from urban and suburban districts. They can tell the legislators from rural districts, "This does not concern your people; it is only a question for city folks."

THE ILLINOIS EXPERIENCE

We have had that experience in Illinois for 70 years. Illinois had a great Governor, John Peter Altgeld, who tried to improve the structure of the State and tried to prevent Charles T. Yerkes from stealing the streets of Chicago. He found lined up against him the senators and representatives from the small rural counties.

For many years in Illinois we tried to pass child labor legislation and legislation to aid women, but found opposition coming from the same groups.

RHODE ISLAND

I suppose the modern generation does not remember the writings of David Graham Phillips or Lincoln Steffens, who, around 1910, wrote "The Treason of the Senate." He clearly analyzed where the power lay in the State of Rhode Island.

In Rhode Island there was a blind political boss by the name of Brayton. He governed the State. He did not have much education, but he ran the State, and he ran it in the interest of the trolley lines, the private utilities, the telephone companies, the textile mills, and other manufacturing establishments of Rhode Island. He saw to it that labor legislation was not passed and that public utilities legislation to protect the people was not passed.

The experience of those States can be duplicated all over the Nation.

What one finds when he gets into those battles is that the corporate interests that want to control the Government think they can control it better through the rural areas than through the urban and suburban areas, whose people will have to pay the price and who, therefore, will be more responsive to the needs of the people.

PREJUDICE AGAINST CITY FOLKS LIES BEHIND OPPOSITION TO FAIR REPRESENTATION

I am sorry to say that those are not the only factors. There is also a deep prejudice against city folks. This has cropped out on the floor of the Senate in recent days in the rather bitter remarks made by Senators for whom otherwise we have a high regard.

References have been made to city folks as being inferior to country folks, and cities have been held up to scorn.

I grew up as a high school boy in a small town which had 1,500 people. But I have also lived in the woods, in an unincorporated township which had 76 people. I think I know isolated life and small-town life.

I attended a university in New York City, and for some years knew the life of that city as I do that of Philadelphia and the cities of the west coast. I have lived and worked in the city of Chicago for 45 years. I know city life. People are basically the same in the city as in the country—no worse, perhaps no better—but no worse, certainly.

The people who live in cities have difficulties. They are crowded close together. That produces uneasiness. On the other hand, they have cultural advantages which are hard to get in the country. Where are the great orchestras of the Nation located? In the cities. Where are the great art museums? Where are the great publishing houses? Where are the great newspapers? We find those agencies in the cities.

Furthermore, in the cities we find a variety of people. This teaches tolerance. The cities have been the great Americanizing influence. We have taken in the Irish. There was much complaint about the Irish, but they have become full-fledged citizens and have properly been accepted in their own right. The same is true of the Germans, Italians, Jews, and Poles. Now we are getting Negroes, Puerto Ricans, and others. Each group when it comes in has its difficulties of readjustment to city life and to a new environment. But the genius of America has been that by giving equal opportunity, we enable these people gradually to become absorbed, and the intervening difficulties largely pass away.

(At this point, Mr. McGovern took the chair as Presiding Officer.)

Mr. DOUGLAS. Mr. President, I am confident that this will apply in the case of Negroes and Puerto Ricans, just as it has applied in the case of the Irish, Germans, Jews, Italians, Poles, Lithuanians, and all the rest. I deny that any one of these groups is innately inferior to the other. They may be handicapped because of lack of opportunity, but I deny that they are innately inferior. I believe I can speak on this subject without prejudice because so far as I can trace my ancestors, they came to this country in the year 1700, and to my knowledge every drop of my blood is Anglo-Saxon. I am very proud of the Anglo-Saxon race—and of my Scottish blood. We Scotch are not the most lovable people in the world, but we have made great contributions to industry, politics, engineering, and a whole range of other aspects of our life.

Music came to this country, primarily, with the Germans who settled in the cities along the Ohio River—Louisville, Cincinnati, and with the turn of the river up in St. Louis; they were the centers of music.

Where would city orchestras be without the Jews and the Italians?

Where would the painters be without these same groups?

Where would the physicists be without these elements in the population?

It has been my experience and my great good fortune to know many of the Nobel Prize winners in the field of physics. If we trace their ancestry and their origin we will find that an extraordinary percentage of them came from outside the United States of America. Indeed, the atom bomb which was developed at the University of Chicago was largely accomplished by emigre scientists. Enrico Fermi was one of my acquaintances—although not an intimate friend. He came from Italy.

James Frank was a Nobel Prize winner in physical chemistry, and a friend of mine. He came to this country as a result of the persecution of the Jews in Germany.

I simply wish to say that we Anglo-Saxons should get over the idea that we are innately superior to every other race under the sun. I say that as one who is proud of the Anglo-Saxon race. We have made great contributions but we are not the only ones; yet behind this attack on the cities is distrust of city folks, distrust of first generation, second generation, or third generation Americans of foreign origin. It is about time we got over those prejudices and recognized that people in the mass are approximately as good as anyone else if given an equal opportunity. All too often they are not given an equal opportunity and then we condemn them for not rising to the level of others who have had superior advantages. That is one element in the effort to prevent the cities and the suburbs—I emphasize the suburbs—from being properly represented.

CORRUPTION EXISTS IN THE COUNTRY AS WELL AS IN THE CITY

There have been some remarks made about corruption in the cities and that corruption is an urban phenomenon. Let me say that I have known a lot of country districts where the votes were stolen and miscounted. I could testify to that about my own State of Illinois—people who indulge in various shadowy practices and then point the finger of scorn at Chicago.

In Chicago, virtually every precinct has voting machines. It is almost impossible to cheat on voting machines. The second concentration of Democratic strength, namely East St. Louis, opposite St. Louis, has voting machines, too. But there are very few counties in the State of Illinois under Republican domination which have voting machines. I do not know of any. What sometimes happens to ballots in those counties is strange and wonderful to behold—and we cannot always behold it. We know of downstate counties where the count has been held up for days while the county officials were waiting to see how much of a majority they needed in order to carry the State for the Republicans.

It is true in the past that we had abuses in Chicago in voting. That was largely in the unhappy period in the 1920's when William Hale Thompson was mayor of Chicago, Len Small was Governor, and Samuel Insull dominated the business world. What politics did those men have? Mayor Thompson was one of the most disgraceful mayors the country ever had. He was a Republican. What politics did Len Small have? He was a Republican.

What politics did Samuel Insull have? He was a Republican, though from time to time he would try to buy off the Democratic Party with the small change, giving the big money to the Republicans.

WE SHOULD RECOGNIZE AND JUDGE PEOPLE FOR WHAT THEY ARE; NOT WHERE THEY LIVE

It is about time we gave up this hypocrisy and recognized people for what they are, not according to our prejudices. I have faith that people if represented approximately in proportion to their population will get legislation which in the main will conform to the interests of the people.

If any of my downstate friends in Illinois doubt this, let me say that the Chicago delegation and the Illinois Legislature generally vote for the benefit of downstate. We support the Rural Electrification Administration even though there is not a single cooperative light bulb in the city of Chicago. The Representatives from Chicago do that in Congress. While the Republican downstate representatives generally vote against REA in the legislature—and in Congress almost invariably. I could continue for some time. Let me say that the reform movement in this country began in the cities. There were some great mayors in the region around the Great Lakes. There was Golden Rule Jones of Toledo who was succeeded by Brand Whitlock, and for 16 years they gave that city one of the most immaculate administrations it ever had. They were attacked by predatory groups at the time, but they really tried to apply the Golden Rule.

Over in Cleveland, Tom L. Johnson the millionaire, who saw the light, tried to make Cleveland a great city. He was opposed by Mark Hanna and the group around Mark Hanna. In St. Louis Joseph W. Folk fought for civic reforms.

Up in Detroit there was a man who is now somewhat forgotten but whose statue fortunately still stands in Cadillac Square in Detroit—Pingre—who was mayor.

These reformers started an awakening to decency in the 1890's, and in the early days of the 20th century, which spread into State governments and into Bob LaFollette's Wisconsin and Altgelt's Illinois. That movement has not died down but is still going and some of us like to think, that we are trying our best, to continue that tradition.

Mr. President, I shall return to this subject later when we come back after Atlantic City, but I wish to say that no more dangerous set of measures has ever been proposed than the Dirksen amendment and the Tuck bill. I hope that in the 10 days breathing spell which we now have, the people and the individual Members of Congress may go into them in detail and recognize the threat which they constitute.

Mr. President, I yield the floor.

PROGRESS IN LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, another week has concluded, and again the Senate has made significant progress toward completing its work. This week's acomplishments are most noteworthy.

We cleared for the President the State, Justice, Commerce appropriations bill through the efforts of the distinguished chairman of that Subcommittee on Appropriations [Mr. McCLELLAN] and the ranking minority member [Mrs. SMITH].

We cleared for the President the so-called meat import bill through the efforts of the distinguished chairman of the Committee on Finance, Senator BYRD of Virginia, and the cooperation of the ranking minority member of the committee, Senator WILLIAMS of Delaware. I had a particular interest in this bill. I again want to thank the chairman and all members of the committee for their consideration and willingness to meet, with appropriate legislation, this critical situation.

We cleared for the President the interest equalization tax legislation through the efforts and skill of the distinguished Senator from Louisiana [Mr. LONG] and the cooperation of the distinguished Senator from New York [Mr. JAVITS] and the distinguished Senator from Utah [Mr. BENNETT], both of whom presented their opposition to the legislation ably and thoroughly, but concisely, and in as expeditious a manner as possible.

We passed the Labor-HEW appropriations bill through the effort and skill of the distinguished Senator from West Virginia [Mr. BYRD], who was called upon to present the bill on such short notice due to the hospitalization of the distinguished chairman of the subcommittee [Mr. HILL].

The bill was presented and passed expeditiously through the efforts and cooperation of the ranking minority member of the subcommittee [Mr. COTTON] and the distinguished Senator from Mississippi [Mr. STENNIS] and the distinguished Senator from Wisconsin [Mr. PROXMIRE] and the Senator from Ohio [Mr. LAUSCHE], both of whom presented their opposition in a most constructive manner; and the distinguished Senator from New York [Mr. JAVITS] and the Senator from Texas [Mr. YARBOROUGH], who presented their views and suggestions for improvement most ably and succinctly.

We cleared for the President the housing bill through the efforts of the distinguished chairman of the Subcommittee on Housing [Mr. SPARKMAN] and the distinguished Senator from New York [Mr. JAVITS].

We cleared for the President the military construction bill through the skill and efforts of the distinguished Senator from Mississippi [Mr. STENNIS] and the cooperation of the distinguished Senator from Massachusetts [Mr. SALTONSTALL].

We cleared for the President the Northwest power bill through the efforts of the distinguished Senator from Washington [Mr. JACKSON], the distinguished Senator from California [Mr. KUCHEL], and the Senator from Colorado [Mr. ALLOTT] and others.

We cleared for the President the Wilderness System legislation through the skill and efforts of the distinguished Senator from New Mexico [Mr. ANDERSON] and the distinguished Senator from Colorado [Mr. ALLOTT].

We cleared for the President the agricultural appropriations bill through the efforts of the distinguished chairman of that subcommittee [Mr. HOLLAND] and the distinguished ranking Republican Member, the Senator from North Dakota [Mr. YOUNG].

We cleared for the President the migratory workers bill through the efforts of the distinguished Senator from New Jersey [Mr. WILLIAMS] and the distinguished Senator from New York [Mr. JAVITS].

We cleared for the President the Fire Island National Park bill through the efforts of the distinguished Senator from Nevada [Mr. BIBLE] and the distinguished Senators from New York [Mr. KEATING and Mr. JAVITS].

The program this week again should make each Member of this body—Republican and Democrat—experience a genuine sense of accomplishment. Again, I must pay special tribute to the distinguished minority leader [Mr. DIRKSEN] for the exemplary spirit of cooperation he engenders in every Member.

The record of this body these past few weeks is but indicative of the truly outstanding accomplishments performed in this session of the Congress. As we get ready to recess in the next hour or so to ready ourselves for the festivities in Atlantic City—when I speak of festivities, I speak of the Democrats only; the Republicans will have a 10-day vacation—I think it is fitting to look back over the past several months of this session and review with pride what has been accomplished. Since the first of this year the President has submitted to Congress 51 major pieces of legislation. Of this list of major bills the following 41 have been signed into law or are awaiting the President's signature:

AEC authorization, Airport Act extension, Alaska earthquake grants, Chamizal Convention Act, civil rights, cotton-wheat program, debt limit, excise taxes, Food Marketing Commission, Inter-American Development Bank, International Development Association, International Sugar Agreement ratification, Juvenile Delinquency Act extension, Library Services Act, military procurement, mass transit, Peace Corps authorization, pesticide registration, Presidential Transition Act and the Reorganization Act extension.

Space authorization, tax reduction, water resources research, food stamp, Federal aid to highways, military construction, military pay bill, Federal pay raise and adjustment, Criminal Justice Act of 1964—public defender—poverty bill, adult basic education, National Service Corps—Domestic Peace Corps—youth employment opportunity, SEC amendments, Hill-Burton extension, Commission on Automation, nurses training bill, housing bill, interest equalization tax, wilderness bill, and the Northwest power bill.

Of the remaining bills, the following are in conference: Land conservation fund, National Defense Education Act amendments, and the International Coffee Agreement.

The following have passed the Senate: food for peace, Area Redevelopment Act, and water pollution control.

All of the appropriation bills have been passed but the Labor-HEW, which is in conference, and the foreign aid, which is awaiting passage of the authorization bill.

The foreign aid authorization bill is presently pending and the Appalachia bill and the social security increase with the medical care for the aged amendment are ready for our consideration when we return on August 31 from Atlantic City.

Thus, our accomplishments have been truly substantial and each Member can be justly proud.

I am sure that upon the completion of this session each Member will be able to return to his constituents and receive from them a justly earned "Well done."

SOCIAL SECURITY AMENDMENTS OF 1964

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on Monday, August 31, 1964, after the conclusion of the morning hour, the pending business be laid aside temporarily, and that the Senate proceed to the consideration of Calendar No. 1452, H.R. 11865.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I have cleared this with the minority leader.

TWO MEDICINE DAM RECONSTRUCTION

Mr. METCALF. Mr. President, when the Interior appropriations bill came to the floor of the Senate, my distinguished colleague, the majority leader, and I presented an amendment to the bill for various flood control projects that needed to be taken care of as a result of the disastrous flood of June 8 in Montana. One of these projects was Two Medicine Dam. Two Medicine Dam was washed out as a result of the June 8 flood.

We, on the basis of information supplied to us by the Department of the Interior, submitted an amendment to provide that $4 million be appropriated for the reconstruction of Two Medicine Dam.

When the conference report on that bill came to the Senate, I directed a question to the chairman of the Senate Appropriations Committee, suggesting that there were other matters to be taken into consideration on the reconstruction of Two Medicine Dam. Some wanted to build a higher dam that would both inundate the Bureau of Indian Affairs land and Indian land, and flood part of Glacier National Park.

I asked the Senator from Arizona [Mr. Hayden], the chairman of the committee, if the $1 million appropriation for reconstruction work on this dam would be spent for anything other than the reconstruction of Two Medicine Dam at its prior location. Senator Hayden responded that the decision on a possible increase or decrease in the height of the dam would be deferred.

I was of the opinion that a decision on such increase or decrease in the height, or any decision to change the location of the dam to any other place than the prior location of the dam, would be deferred until the legislative committees of the House and the Senate had an opportunity to work on it.

Therefore, I was amazed the other day to read in the Montana papers an article entitled "Two Medicine Dam Reconstruction Starts With Hunt For Best Location." In the body of the article, it states:

> The dam will be larger than the original one, the report said, and it is hoped a construction contract may be awarded in the spring.

I ask unanimous consent that the article entitled "Two Medicine Dam Reconstruction Starts With Hunt For Best Location" published in the Great Falls Tribune be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Two Medicine Dam Reconstruction Starts With Hunt for Best Location

Washington, D.C.—Preliminary field work has been initiated by the Bureau of Reclamation to determine the best site for a new Two Medicine Dam on Two Medicine River in Glacier County, G. G. Stamm, Acting Commissioner with the Bureau, has reported to Montana Senator Mike Mansfield.

Stamm's report was in response to a request from Mansfield regarding progress being made on rehabilitation of Swift and Lower Two Medicine Dams, destroyed by floods early in June.

The Bureau had been requested by the Office of Emergency Planning to reconstruct or repair damaged facilities of the Pondera County Canal and Reservoir Co., including Swift Dam on Birch Creek, and by the Bureau of Indian Affairs to make investigations preparatory to reconstructing Two Medicine Dam.

Stamm said an appropriation of $1 million was provided for work on Two Medicine Dam in the Department of Interior appropriation for 1965. The new dam is to provide a reservoir of 40,000 acre-feet of irrigation storage. The dam will be larger than the original one, the report said, and it is hoped a construction contract may be awarded in the spring.

Stamm said it is the Bureau's tentative conclusion that a complete new structure will be required to replace Swift Dam in Pondera County. He said it is planned to award contracts on the first phase of construction of the facilities this fall.

Stamm said the OEP has declared the Bynum Irrigation District and the Sun River and Milk River Federal reclamation projects eligible for assistance under Public Law 81–875 and has requested the Bureau to repair their flood-damaged facilities.

Mr. METCALF. I therefore wrote to the Department of the Interior and enclosed this clipping, asking them what their plans were.

I have a letter from the Department of the Interior signed by Mr. John O. Crow, who alleges that he is Deputy Commissioner of the Bureau of Indian Affairs. In the letter he says that he believes that construction of the higher dam is in accord with the understanding between me and the chairman of the committee.

Then he says:

> It is regretted that you were not furnished a copy of our letter to the chairman earlier, but it was our understanding that members of your staff have been kept informed.

Of course, members of my staff had not been kept informed and I had to learn about the proposal from reading the newspapers in Montana.

I read his letter to the chairman of the committee, and he said, "A dam at a downstream location from Lower Two Medicine Site would be most desirable." He enumerated the reasons. The downstream dam would not be the same dam, but it would have a storage capacity of 40,000 acre-feet instead of 15,000 acre-feet. He says he believes that the dam could be constructed without adversely affecting the scenery at Glacier National Park. Who decides whether we shall adversely affect the scenery at Glacier Park? Who decides whether we shall invade a national park? John O. Crow, Deputy Secretary of the Interior, or the Commissioner of Indian Affairs, or the Congress of the United States.

As I understood the colloquy with the chairman of the Appropriations Committee, if there were any change in Lower Two Medicine Dam which would either invade the Glacier National Park or invade the rights of the Blackfeet Indian Tribe, they were to come back to the legislative committees, the Committees on Interior and Insular Affairs of the House and the Senate.

The action has been an effort to take an absolute and dishonest advantage of the efforts that were made to get money for the construction of a dam as soon as possible, and then going forward with irresponsible and reckless disregard of the desire of the Congress, including the Senators from the State of Montana, to build something entirely different, something foreign from that which was originally contemplated.

Mr. President, I ask unanimous consent to have printed at this point in the Record a letter to me from John O. Crow, Deputy Commissioner, Department of the Interior, Bureau of Indian Affairs, enclosing a copy of a letter from Mr. John A. Carver, Jr., Secretary of the Interior, to the Senator from Arizona [Mr. Hayden], chairman of the Committee on Appropriations.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Department of the Interior,
Bureau of Indian Affairs,
Washington, D.C., August 20, 1964.

Hon. Lee Metcalf,
U.S. Senate,
Washington, D.C.

Dear Senator Metcalf: In response to a question raised by your office I am enclosing copy of the Acting Secretary's letter of August 14 to the chairman of the Committee on Appropriations concerning the reconstruction of the Lower Two Medicine Dam on the Blackfeet Reservation.

We believe this letter is fully in accord with the understanding between you and the chairman of the committee, as reflected in the Congressional Record of June 29, 1964. It is regretted that you were not furnished copy of the letter earlier, but it was our understanding that members of your staff had been kept informed as to the course we proposed to take.

Pursuant to the August 14 letter the Bureau of Reclamation is investigating the potential new site and preparing cost comparison estimates preparatory to a third report to the committee.

Sincerely yours,

John O. Crow,
Deputy Commissioner.

AUGUST 14, 1964.

Hon. CARL HAYDEN,
Chairman, Committee on Appropriations,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: In your discussion of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10433) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1965, and for other purposes, you indicated that the committee desired a report from the Department of the Interior on the alternatives of reconstruction of the Lower Two Medicine Dam on the Blackfeet Reservation.

We are instructing the Bureau of Reclamation to proceed with the investigation, planning, design, and construction of a dam to replace the Lower Two Medicine Dam, Blackfeet Indian Reservation, Mont., that was recently destroyed by the flood. A dam at a downstream location from the Lower Two Medicine site would be most desirable for the following reasons:

1. Lower Two Medicine Dam was built in 1912 to provide a water supply for the immediate needs of the irrigation units of the Blackfeet irrigation project, with plans to increase the storage when required to the ultimate capacity of 40,000 acre-feet.

2. To fulfill the Government's trust responsibilities to the Blackfeet Indians and assist them in the development of their resource, it is essential to construct a replacement dam which will impound the capacity of 40,000 acre-feet of water, rather than a lesser amount.

3. By constructing a dam of this size at the present site more lands in Glacier National Park will be flooded and, as the reservoir is drawn down, the exposed reservoir area will detract considerably from the scenic beauty of the area. Although a flowage easement was retained for irrigation purposes when Glacier Park was established, the increased reservoir area would adversely affect the National Park Service plans for the construction of a recreational area based on a 15,000 acre-feet reservoir (the capacity of the destroyed Lower Two Medicine Reservoir).

A potential damsite does exist at the Two Medicine Forks, which reconnaissance studies indicate will store the 40,000 acre-feet of water needed without adversely affecting the scenery at Glacier National Park; however, additional studies are necessary to determine whether a dam at this site is feasible. A dam at this location would not affect the present carriage or distribution system of the irrigation project as the project diversion dam in the Two Medicine River is located several miles downstream from this site.

We have also asked the Bureau of Reclamation to make cost comparison estimates of replacing the dam at its present site (Lower Two Medicine Dam) but enlarged from its preflood capacity of 15,000 acre-feet to a capacity of 40,000 acre-feet.

Upon completion of these studies your committee will be advised of this Department's recommendations for the most feasible damsite.

Sincerely yours,
JOHN A. CARVER, Jr.,
Acting Secretary of the Interior.

REMOVAL OF CERTAIN CONDITIONS WITH RESPECT TO REAL PROPERTY IN SOUTH BOSTON, MASS.

Mr. MANSFIELD. Mr. President, earlier today the Senate passed Calendar No. 1450, the bill H.R. 11338. Later, at the request of a Senator, the Senate reconsidered the vote by which the bill was passed. I now ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1450.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill, H.R. 11338, to remove certain conditions subject to which certain real property in South Boston, Mass., was authorized to be conveyed to the Massachusetts Port Authority.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. MORSE. Mr. President, what bill is that?

Mr. MANSFIELD. It is a bill which the Senator from Oregon earlier today asked to have reconsidered and placed on the calendar.

Mr. MORSE. I should like to make a statement for future reference.

Mr. President, the measure is a land transfer bill containing a right-to-recapture clause involving a rather complicated land transfer in South Boston. I wish the RECORD to show that the Senator from Oregon has analyzed the bill very carefully. But I want the reasons for my finding that it does not violate the Morse formula to be in the RECORD at this time so that no one will have any doubt in the future as to my position on the measure.

The bill involves a land transfer some time ago in which the Federal Government traded value for value some Federal property for Massachusetts Port Authority property. It was a fair trade. It completely conformed to the Morse formula.

In connection with that trade, there was left, so far as the Federal property is concerned, a right of recapture. I have looked into the original trade. Irrespective of the right to recapture, the Federal Government made a fair trade, value for value. There are 3.88 acres of land involved in the trade. As shown in the committee report which Senators have before them, the Navy stated that it has no present contemplation of ever needing the property for future military use.

But the bill provides that in case the Federal Government does need the property for Federal use, it can recapture it. It will be under obligation only to pay rental on any part of the property which involves the use of improvements that the Massachusetts Port Authority may put on the property.

It is perfectly fair and proper; we ought to pay rental. If we make a transfer and then authorize the Massachusetts Port Authority to go to the extent of spending a considerable sum of money for building facilities on the property, and then in time of national emergency the Federal Government finds it necessary to recapture the property, the record shows that the Federal Government would get the use of the property for nothing, save and except property that may involve facilities that the Massachusetts Port Authority builds on the property in the intervening time. The recapture clause should not seek to obtain for the Federal Government unjust enrichment. It would be unjust enrichment if there were insistence that under the exercise of a recapture clause we should get the use of new facilities not on the property now without any outlay by the Federal Government. Furthermore, the recapture clause in this transfer is now rather moot anyway, not only because the Navy has said that it contemplates no future use for the property, but if future use for it did develop, the Federal Government in a time of national emergency would have the authority to take the property anyway under condemnation proceedings, if necessary, for which it would have to pay fair compensation for that part of the property which we could not possibly say the Federal Government had an interest in, to wit, the facilities that the port authority might build subsequent to the transfer.

So I have approved of the bill as not violating the Morse formula because I see no Federal interest in it that is being turned over to the port authority for which the Federal Government would be entitled to any compensation under the Morse formula, and that is true for the main reason that I have just given; namely, that when the trade was made in the first place, the Federal Government got full value for the trade.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

FEDERAL AGRICULTURAL SERVICES TO GUAM

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate the amendment of the House of Representatives to Senate bill 692.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 692) to establish Federal agricultural services to Guam, and for other purposes, which was, to strike out all after the enacting clause and insert:

That the Secretary of Agriculture is authorized to establish and maintain an agricultural program in Guam which will include such programs administered by the United States Department of Agriculture, hereinafter referred to as "Department", as are determined by the Secretary will promote the welfare of that island. This authority may be exercised without regard to section 25(b) of the Organic Act of Guam (64 Stat. 390; 48 U.S.C. 1421c(b)), or any other provision of law under which Guam may have been excluded from such programs. The Secretary is authorized to provide for such modification of any such programs extended to Guam as he deems necessary in order to adapt it to the needs of Guam. The program authorized by this section shall be developed in cooperation with the territorial government of Guam and shall be covered by a memorandum of understanding agreed to by the territorial government and the Department. The Secretary may also utilize the agencies, facilities, and employees of the Department, and may cooperate with other public agencies and with private organizations and individuals in Guam and elsewhere: *Provided*, That the number of employees of the United States Department of

Agriculture stationed on Guam to carry out the purposes of this Act shall not exceed three at any one time.

SEC. 2. There are hereby authorized to be appropriated such sums, but not to exceed $60,000 per annum, as may be necessary to carry out the purposes of this Act. Sums appropriated in pursuance of this Act shall be in addition to, and not in substitution for, sums appropriated or otherwise made available to the Department, and may be allocated to such agencies of the Department as are concerned with the administration of the program in Guam.

SEC. 3. All provisions of this Act shall terminate five years from the date of enactment of this Act.

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business momentarily for the purpose of considering nominations on the Executive Calendar which have been cleared on both sides.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider executive business.

POSTMASTERS

Mr. JOHNSTON. Mr. President, the nominations of 42 postmasters were reported favorably from the Committee on Post Office and Civil Service. The nominations have been approved by both Senators from the State in which the postmasters live. I ask that the Senate proceed to the consideration of those nominations en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, the nominations are confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

Mr. DOUGLAS. Mr. President, I thank the Senator from South Carolina for the action he has just taken, which somewhat atones for a longstanding injustice. I am glad there has come to a happy conclusion what promised to be a difficult matter.

Mr. JOHNSTON. I thank the Senator for his commendation. As chairman of the Committee on Post Office and Civil Service, I try to expedite these matters as fast as we can under the circumstances.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate return to legislative session.

There being no objection, the Senate resumed the consideration of legislative business.

AUTHORIZATION FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES FROM THE HOUSE OF REPRESENTATIVES DURING ADJOURNMENT OF THE SENATE

Mr. MORSE. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the House of Representatives during adjournment of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

INCREASED OPPORTUNITIES FOR TRAINING PROFESSIONAL NURSING PERSONNEL

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 11241, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, U.S.,
August 21, 1964.

Resolved, That the House concur in the amendments of the Senate numbered 1, 2, 3, 5, and 6 to the bill (H.R. 11241) entitled "An Act to amend the Public Health Service Act to increase the opportunities for training professional nursing personnel, and for other purposes."

Resolved, That the House concur in the amendment of the Senate numbered 4 to aforesaid bill with the following amendment: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following: "625(c)".

Mr. MORSE. Mr. President, the House has agreed to the Senate amendments to H.R. 11241, the Nurses Training Act of 1964, with a technical amendment to correct a typographical error. I move that the Senate concur in the technical amendment of the House to amendment No. 4 of the Senate to H.R. 11241.

The motion was agreed to.

ADDRESS BY AMERICAN LEGION COMMANDER DANIEL F. FOLEY BEFORE CONVENTION OF JEWISH WAR VETERANS

Mr. HUMPHREY. Mr. President, at the recent 69th Annual Convention of the Jewish War Veterans at Miami Beach, Daniel F. Foley, national commander of the American Legion—and distinguished fellow Minnesotan—delivered a message I would like to call to the attention of my colleagues.

Commander Foley reviewed contemporary problems in the light of the common purposes and principles of these two great and respected veterans' organizations. He reiterated that foremost among those principles are tolerance and the inviolate rights of the individual.

Threats to these traditional American values most apparent today are the ugly conflicts over civil rights, and scattered but stubborn tendencies toward extremism. In defining extremists as those who would "save America by forsaking its free institutions," he warned that "history is replete with examples of men and nations who have followed such a course to their ultimate destruction."

We are fortunate indeed that these influential veterans organizations are vigorously opposed to such extremism, and committed to settling grievances and differences "within the tested channels of the democratic system." As Commander Foley emphasized, we may continue to rely on their constructive criticism as a dynamic ingredient in the democratic process of accommodating the differences of a free society.

Mr. President, I ask unanimous consent that the text of Commander Foley's remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY DANIEL F. FOLEY, NATIONAL COMMANDER, THE AMERICAN LEGION, BEFORE JEWISH WAR VETERANS OF THE U.S.A., MIAMI BEACH, FLA., AUGUST 16, 1964

It is, indeed, an honor for the national commander of the American Legion to appear before another organization of war veterans, for the causes which brought your organization and ours into being are mutual, and I feel I can say without fear of contradiction that most of those causes which our respective organizations champion today are mutual.

It is nice to come back to Miami Beach, for this place holds for me the memories of one of the greatest moments of my life, as it was at our 1963 national convention here last September that I was elected national commander of the American Legion.

Another of my treasured memories of my year in this office is a trip last June to Israel during which I enjoyed the company of your own national commander, Dan Heller, and his fine family.

That trip constituted one of the most interesting and thought-provoking experiences of my term of office. I have, during this year, traveled nearly a quarter of a million miles in the cause of the Legion, and have visited many of the world's major trouble spots where the forces of freedom and the forces of tyranny confront each other—the 38th parallel in Korea, the free settlement of Hong Kong surrounded by Red China, Guantanamo Bay on the coast of Castro's Cuba, and the Berlin wall.

Yet, on this particular journey I stood at the edge of the no man's land that separates Israel from Jordan where I was haunted by the thought that much remains to be done to perfect the divine concept of the brotherhood of man. It seems to me that giant steps must be taken in this area, both at home and abroad, before we can expect great progress toward the solution of international problems where ideological differences divide man from man, and all too often make man lose sight of God.

We who have shared the experience of bearing arms in the defense of our country must never forget that the Star of David shines as brightly over the final resting places of America's military heroes as does the cross of Christianity.

We must never forget that we were called to the service of our Nation without regard for religious background or racial origin. We must never forget that enemy fire fell indiscriminately in our ranks, killing and maiming—caring not if we were Protestant, Catholic, or Jew and caring not for the color of our skin nor for the land from which our ancestors sprang.

As the god of war did not discriminate, neither can the defender of peace. I know that there is a substantial overlapping of membership between your organization and ours, and I am confident that on the great majority of major issues of our day that our viewpoints coincide.

Differences we may always have, but there are no differences between reasonable and responsible people that are insurmountable. Among other things, your aim, as ours, is to combat the forces of bigotry and of darkness whenever and wherever they are to be found.

Your constitution commits the Jewish War Veterans of the U.S.A., to "true allegiance to the United States of America; honor and purity in public affairs, to fight whatever tends to impair the efficiency and permanency of our free institutions; the encouragement of universal liberty and equal rights, and full justice to all men."

The preamble of the American Legion's constitution states it somewhat differently when we say: "To safeguard and transmit to posterity the principles of justice, freedom, and democracy," but there can be no doubt in the minds of thinking men that the intent of both declarations is identical.

From the days of the American Revolution valiant men of the Jewish faith have served the cause of freedom in America, and more than a million Jews have borne arms in our Nation's wars.

Here in America, where we live under the finest system yet devised by the heart and mind of man, we are well aware that we have our own imperfections and we must labor diligently to correct those imperfections peacefully and without rancor. We must be careful about hurling stones, for we may find that portions of our own house are made of glass.

I believe, and I know that it is the sentiment of the American Legion, that equal justice in a free democracy is essential to its preservation. It is a challenge, both to your organization and to ours, to make our good influences felt wherever possible in the hope that we may live to see the day when this truth shall indeed be a reality through this broad and beautiful land.

We must recognize our faults if we are to correct them, but I think I will find agreement in this audience that there is nothing wrong with our way of doing business that we can't correct ourselves—and do a great deal better job of it than anyone else could do for us.

One of the most pressing needs of our time, domestically, is to foster tolerance and understanding between majority and minority groups, and to build toward a society where the rights of the individual are inviolate regardless of race, religion, or national origin.

I think it is regrettable in this supposedly enlightened day and age that a civil rights bill should have become necessary. All it does, in reality, is to reaffirm a basic precept of Americanism—that all men are created equal and are entitled to equal opportunity and to equal justice under the law.

If, through all the years of our history, we had put our principles into daily practice there would have been no need for such legislation, and we would not now be faced with the major internal problem which besets us.

This is a problem which will require diligent effort, time, patience, and understanding for us to solve satisfactorily and, far from being the responsibility of veterans alone, this is the responsibility of every citizen. Our role, as I see it, is to set a proper example by our personal and organizational conduct.

I have told American Legionnaires during this past year that in these times of rapid change and recurring crises in national affairs, one factor remains constant. The loudest noise and the most confused counsel continue to come from extremists.

The very day that I took office here in Miami Beach last September, I told the assembled delegates that the course of extremism either to the right or to the left is the course of failure, and that history is replete with examples of men and nations who have followed such a course to their ultimate destruction.

When I speak of extremists, I mean those individuals who would save America by forsaking its free institutions. I mean not just Communists and neo-Fascists who openly assail our system but, more especially, those who, in the conviction that theirs is the only right view, have lost sight of—and faith in—the fundamental processes of self-government.

You and we can readily recognize the type. They are the ones who claim to have the one true answer to every problem. They are the ones who would set aside the law when the law offends them. They are not really rightists or leftists—they are really modern anarchists, although many of them would be shocked if confronted with that premise.

As veterans, we bow to no one in our concern for the future security and greatness of America. Because we are veterans, we share a special responsibility to observe, to respect, and to uphold those institutions which alone can be the means of realizing that future.

Now, perhaps more than at any other time in our national history, Americans need to keep their values in clear focus. Our resort must be to reason, not to emotion; to persuasion, not to violence; to perseverance, not to panic. It is neither necessary nor desirable that we all think alike, but it is most essential that we discuss our differences reasonably, with good will, and with respect for the opinions of others.

Abraham Lincoln, in another era of strong feeling said: "There is no grievance that is a fit object of redress by mob law." By the same token, there is no grievance now that cannot be voiced and fairly met within the tested channels of the democratic system.

The citizen who defies the law or falsely demeans the motives and authority of governmental institutions lends nothing to America's cause. The citizen who seeks recourse to hatred or to violence as the answer to his, or to the Nation's, problems, is turning away from a workable and acceptable American solution.

The American Legion always has asserted its right to speak out vigorously and candidly on public issues. Never have we shied away from controversy or from criticism of policies which we believe to be wrong. The American Legion proposes to continue along that course, and when we speak you may be assured that our voice will be responsible, and should we criticize, it will be in a constructive manner.

It is our belief that the doctrine of the Legion should be one that any good and conscientious citizen could follow—a doctrine of commonsense.

I am especially proud of the American Legion's definition of Americanism, and have referred to it repeatedly during my term of office. With your indulgence, I should like to make one more such reference as I believe it to be particularly fitting to this occasion:

"Americanism is the recognition of the truth that the inherent and fundamental rights of man are derived from God, and not from governments, societies, dictators, kings, or majorities. This basic principle of Americanism is expressed in the Declaration of Independence, where our immortal forefathers said that all men are created equal and that they are endowed by their Creator with certain inalienable rights, chief among which are life, liberty, and the pursuit of happiness.

"The essence of Americanism is, therefore, class, religious, and racial tolerance. It should be emphasized in the strongest possible language that the maintenance of these three forms of tolerance is essential to the preservation of Americanism. They constitute the three great pillars upon which our constitutional Republic rests, and if any one of these pillars is destroyed, the whole structure of the American system of government will crumble to the earth. Therefore, the man who advocates class hatred is plainly un-American even if he professes racial and religious tolerance. The converse of this proposition is equally true. It is as un-American to hate one's neighbor who has more of this world's material goods as it is to hate him because he was born into another race or worships God according to a different faith.

"Americanism means the recognition of the God-given rights of man and the protection of those rights under the Constitution through the instrumentality of an independent Congress, an untrammeled judiciary and a fair and impartial Executive operating under the American system of checks and balances. Americanism likewise means the protection of an unorganized majority from an organized minority as well as the protection of a helpless minority from an inconsiderate and thoughtless majority.

"The characteristic which distinguishes our Republic from the dictatorships of the world is not majority rule, but the treatment of minorities. Dictatorships muster huge majorities at the polls, through intimidation and high-powered government propaganda, but these majorities are used for ruthless tyranny over minorities. The majority rule of the American form of government is distinguished by its recognition of certain rights of minorities which majorities cannot alienate."

God grant that we may always give proper recognition to these basic differences between Americanism and other "isms" which are alien to the American way of life. By giving meaning to our doctrines and our beliefs we may well see the day when all Americans may live in harmony and prosper in peace.

TRIBUTE TO JAMES V. BENNETT, DIRECTOR OF FEDERAL PRISONS

Mr. HUMPHREY. Mr. President, I believe it was yesterday that the able and distinguished senior Senator from Oregon commented upon the public service of one of our outstanding public officials, Mr. James V. Bennett, as Director of Federal Prisons. At that time I did not have an opportunity to join with the Senator in his remarks about the work and life and service of Mr. Bennett. I have known Mr. Bennett as a personal friend and neighbor for many years. He is an outstanding servant of the people and the Government, and he has done great things, which are so well outlined and illustrated in the remarks of the Senator from Oregon and I shall not repeat them.

However, his record of service is one that should be heralded by all the people who ask their public servants to go beyond the call of duty and exemplify integrity and honor in their public and private lives.

I ask unanimous consent that an editorial which appeared in the Washington Post paying tribute to Mr. Bennett be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WELL DONE!

Few men in public life have earned the accolade "Well done!" more fully than James V. Bennett, who is retiring this month as Director of Federal Prisons. In the 27 years that he has held this position Mr. Bennett himself has become a Washington institution. We surmise that almost everyone who knows him has come to regard him as a sort of ultimate authority on prison management and prison reform and on the baffling human problem of transforming criminals into useful members of society.

Probably the greatest tribute that will be paid to Mr. Bennett as he steps down from his exacting responsibility will be the regrets and good wishes he is receiving from the men he has kept in prison. This high regard for him among the prisoners themselves does not stem from any "coddling" or any belief that he is "soft" on crime. Inmates of the 31 Federal penal and correctional institutions know that they are run with hardheaded efficiency. But they also know that the director of the system has a personal interest in their welfare, that they will be treated with the utmost fairness and that the aim of the system is to give them a new chance in a law-abiding society.

Mr. Bennett has earned special distinction for his sponsorship of the Youth Corrections Act of 1950 and for his idefatigable efforts to save young offenders from criminal careers. He has sought to keep the light of hope still burning in the hearts of even the most desperate law violators and to help them develop skills that can give them a new orientation in the world of freemen: At the same time he has exerted a highly constructive influence on the public attitude toward released prisoners.

It is the country's good fortune that a man who served with Mr. Bennett as assistant director for 14 years is to become his successor. Myrl E. Alexander has also distinguished himself as director of the Center for the Study of Crime, Delinquency and Corrections at the University of Southern Illinois. No doubt he will project the Bennett philosophy and methods into the new era of prison management that now begins. The country will also be grateful that Mr. Bennett's wisdom will still be available to the Department of Justice in his new capacity as a consultant.

Mr. PELL. Mr. President, as a Senator from Rhode Island, I take particular pride in these remarks of the majority whip and in the newspaper editorial. Mr. Bennett is a Rhode Islander. We in our State are proud of the services he has rendered our Nation. We wish him Godspeed in his retirement.

Mr. JAVITS. Mr. President, I wish to join with the Senator from Minnesota and the Senator from Rhode Island in expressing what I know is the appreciation of the people of my State of New York to Mr. Bennett for his wonderful and dedicated service. We wish him Godspeed and a full life in his retirement.

LET US CORRECT THE RECORD—PRESIDENT JOHNSON'S ACTUAL ACCOMPLISHMENTS IN GOVERNMENTAL ECONOMY

Mr. HUMPHREY. Mr. President, the distinguished Senator from Delaware [Mr. WILLIAMS] recently addressed the Senate on a subject of interest to us all—economy in Government. He viewed with alarm the evidence of administration extravagance which he professed to see in the report on Federal employment in the month of June issued by the Joint Committee on Reduction of Nonessential Federal Expenditures. He said that information in that report had led him to doubt the President's real concern and accomplishments in the field of governmental economy.

Specifically, the Senator charged that his reading of the report indicated that:

> Between January 1964 and June 1964, the first 6 months of his administration, President Johnson has added a total of 7,948 new employees to the public payroll.
>
> This is an average of 1,300 per month, or 325 per week. This means that the Johnson administration has added an average of 65 new employees to the public payroll for every day it has been in office.

Actually, the joint committee report adds to the growing supply of cold, hard, factual evidence of the success of the President's economy program. I am afraid that the learned Senator was led astray by errors of arithmetic—I can find no other explanation for his figures. If Senators will examine the report, they will find that it shows that:

First. At the end of June, President Johnson had been in office for just over 7 months. Federal employment decreased during that period by 11,885, an average decrease of nearly 1,700 per month, or more than 80 per workday.

Second. If, for some reason, one wanted to confine his study to the figures for the first 6 months of the Johnson administration, he would find that employment dropped during that period by 14,511.

Third. If one were interested only in the 6 months ending with June, he would find that employment fell by 6,362.

Fourth. If one compares total employment at the end of June with the total for June 1963—the most meaningful comparison, because it eliminates seasonal distortions—he finds that the 1964 total is 28,214 lower. In fact, it is 15,001 lower than the total employed in June 1962.

Thus, despite the workload increases associated with a growing population, despite constant pressure for more and better public services, and despite the growing complexity of our society and its problems, the President has succeeded in reducing Federal employment not just below last year's level, but below the level of 2 years ago. Even more important, this reduction has been achieved without impairment of essential services.

Mr. President, this is a superb record of management accomplishment. I know that the vast majority of Americans appreciate this. The taxpayers have never had a better friend, when it comes to prudent management in government and to economy in government, than Lyndon B. Johnson.

WHEAT PRODUCERS DESERVE A BETTER BREAK

Mr. McGOVERN. Mr. President I wish to report to the Senate on the voluntary wheat certificate plan which we adopted early in the present session of the Congress, and to plead the case of wheat farmers. In my judgment, wheat producers deserve a better break next year than is proposed in the announced wheat program for 1965.

I hasten to add, Mr. President, that I am not being critical of Secretary of Agriculture Orville Freeman. I know firsthand what he is up against with the Bureau of the Budget. I appreciate that the Bureau of the Budget has instructions from the President of the United States to keep expenses down. But I submit to my colleagues in this body that wheat program expenses have been brought down and that it is time to look at the farm income side of the picture—at letting the wheat farmers of the Nation share in the unusual prosperity we are enjoying, especially after achieving very substantial budget reductions at the expense of their incomes.

In July last year, I introduced S. 1946, a voluntary wheat certificate plan. Wheat producers were facing the prospect of a decline in receipts of from $600 to $700 million as a result of the "no" vote in the wheat referendum the previous May.

S. 1946 proposed to institute the wheat certificate plan on a voluntary basis, giving cooperating farmers a basic price support loan of $1.30 per bushel for production from allotted acres and certificates worth 70 cents per bushel for that share of their production which was used for food, both domestically and in export.

The agricultural economists and experts agreed that the plan would work, that it would hold up farm income, that it would not increase Government wheat program costs, that participation would be in the 70-to-80-percent-of-acreage bracket, and that some reduction in our large wheat surpluses would result instead of an increase.

Wheat producer organizations and farm organizations with the exception of the American Farm Bureau Federation come to the support of the plan as the new Congress opened. The chairman of the Senate Agriculture Committee, the distinguished senior Senator from Louisiana, called hearings. It was late. There was minimum time for enactment before spring wheat had to be planted.

When we came to the markup of the bill we were confronted by the fact that the Budget Bureau would only agree to 70-cent certificates on domestic wheat, to be collected from millers, and insisted that the value of the export certificates be held to 25 cents to create a Treasury savings on wheat export subsidies.

There was then no time to debate a controversial bill. The Senate Agriculture Committee prepared a bill intended to get through the House and Senate, and get the President's approval, without protracted debate and conferences which might delay it beyond the time when it could be applicable to this year's crop.

Some of my colleagues on the Senate floor attempted to boost the value of the export certificates a little. My heart was with them. But it proved that our Agriculture Committee had acted very wisely when the bill was passed and sent over to the House. It passed there with a slim margin of only eight votes with the strong and active support of the President.

The bill was signed. It did become effective ahead of spring planting, but barely ahead of it. Farmers did sign up to divert 5.3 million acres of wheat land. This held plantings to approximately 49.5 million acres including growers of 15 acres or less.

The latest crop production report foresees a wheat harvest this year, as a consequence of the 5.3 million acre diversion, of 1,285 million bushels. Supply-and-demand estimates, based on 675 million bushels exports compared to 860 million in the year ended last June 30, indicate that our wheat stocks next June 30 will be down slightly—20 or 30 million bushels.

They would have increased materially except for the wheat certificate plan, the high percentage of acreage that came into compliance, and the diversion of 5.3 million acres. The indicated yield this year per harvested acre nationally is 26 bushels per acre. The diverted acres, if planted would have added around 125 million bushels to surplus stocks.

INCOME EFFECTS

Wheat producer income has been maintained approximately $450 million above levels which would have prevailed without the voluntary certificate plan. The wheat situation report for July, projected to account for the last crop report estimates, indicated gross national wheat income from the 1964 crop at $2.2 billion instead of the $1.7 to $1.8 billion which would have been realized by producers if no program had been adopted.

Let me digress here a moment, to say that the contention may be made that the $1.7 to $1.8 billion figures—gross income without any program, is too low. The American Farm Bureau Federation once contended that without any program, the average market price of wheat this year would stay well above the 50 percent of parity price support level.

It is not currently making that contention. On the contrary, on the front page of last week's Farm Bureau Newsletter it carries an article complaining that the market price of noncompliance wheat in Virginia is $1.30 per bushel, making no comment as to what the price might have been if 5.3 million acres had not been diverted.

The Congressional Record recently contained an editorial from the Michigan Farm Bureau News indicating that noncomplying farmers there are getting $1.30 per bushel for their wheat.

The Farm Bureau is attempting to make the case that the Government is "swiping" 70 cents of the noncomplying farmers' just return for wheat by not turning over to him the proceeds of the 70-cent certificates which millers have to buy on wheat processed for food use, even though he did not reduce his acreage.

A letter inserted by Congressman Ancher Nelson, of Minnesota, in the August 7 Congressional Record indicates the extent of the effort which Department of Agriculture people—the farmer committeemen—made to encourage producers to comply and qualify for their 70-cent certificates.

The farmer whose letter Representative Nelson inserted wrote him:

> Last spring I planted a small acreage of wheat which I fertilized and seeded down. This was done before the new wheat law was passed and before the county ASC head could tell us what the details of the wheat program would be. Long after planting I got a card asking how much wheat I had and whether I wanted into the program. I figured I was 2 or 3 acres over what I could raise under the program and decided I would rather stay out of the program and take my chances on the open market than to tear up part of my already planted, fertilized, and seeded down crops.
>
> Later they called me to the Blue Earth office and tried to convince me that I should go into the program, but because of the inconvenience involved and the pressure of other work I still didn't comply with the program, although it was more or less insinuated that I was stupid not to.

Perhaps the Blue Earth ASC Committee went a little beyond the minimum requirements of duty to tell this man, Mr. Harold Shields, the terms of the program which Congress belatedly adopted, but they certainly cannot be charged with failure to let him know his choice—the free market price for marketing from excess acreage, or the market plus certificates if he signed up in the program and cut his acreage.

This fine and candid farmer, who clearly stated the facts in his case, really answered his own letter, in which he inquired "is this the fine or penalty for freedom of choice?"

The answer to his question is, of course, "No." The price he is getting for his wheat in the free market is probably a little better than it would have been without the 5.3 million acre acreage reduction by compliers. He simply is not receiving the benefits provided for those who complied and cooperated in the effort to adjust production and prevent our surpluses from building up again.

If there had been unbridled production of wheat, and no acreage reduction by farmers who anticipated that Congress would enact a program and held acreage down last fall, or reduced their spring wheat planting last spring after the program was adopted, Mr. Shields would have received even less for his wheat in the marketplace on which he chose to rely in spite of the alternative offered him.

The certificate plan has saved hundreds of thousands of complying wheat farmers from serious losses of income—a total of $450 million or more in all. But, in spite of the certificate plan, gross return from the wheat crop this year is now estimated at $150 million less than in 1963. It was put at $2,351 million in 1963. It is estimated by USDA at $2,200 million this year on the basis of the August crop report.

COSTS OF THE UNITED STATES ARE DOWN

What has happened to Government costs?

The Department of Agriculture economists advise that the costs of the major elements of the 1961 wheat program was $1.1 billion. It went up to $1.6 billion in 1962 as a result of high price support levels and high export subsidy expense. It was back down to $1.1 billion in 1963.

Costs of the major elements of the program this crop year—the comparable figure to those which I have just cited including the cost of the loan program, acreage diversion, export subsidies, handling, transportation, and storage—is now put at $850 million, a U.S. Treasury saving under the voluntary certificate plan of a quarter of a billion dollars.

The costs are down because export subsidy costs are lower. Reduction of stocks by a half billion bushels since 1961 has achieved savings in storage expense.

The voluntary wheat certificate plan has done everything claimed for it. It has prevented a collapse of wheat farm income, holding it up approximately $450 million above the level otherwise clearly ahead. It has continued the downtrend in surplus stocks, and it will do more in 1965 with farmers advised of the program in advance of winter wheat seeding instead of getting their program late in the spring. It has substantially reduced Government wheat program costs.

Under all these circumstances, Mr. President, I would like to see the White House lift the Budget Bureau up by the ears and tell those gentlemen to let Secretary Freeman give the wheat producers a better deal in 1965.

In 1964, farmers who cooperated in the voluntary certificate program by diverting acreage received certificates worth 70 cents per bushel on the 45 percent of their crop from allotted acreage, which would be used domestically for food. They are getting 25 cents per bushel certificates on 45 percent of their crop for export.

Next year, they get 70-cent certificates on the same share of their crop but the 25-cent export certificates are to be issued on only 35 percent of the crop. As a consequence, the average return of a single-crop wheat farmer who plants his allotted acreage without additional diversion is going to be about 6 cents per bushel lower than this year on the average, taking into consideration his market returns, his diversion, and his certificate income.

The experts tell me that the producers can divert 20 percent of their acreage without loss of any of their certificates—they will still be producing the 45 percent and the 35 percent or totally the 80 percent of the crop on which certificates are to be issued—and show some gain in net income as a result of the 50-percent diversion payments.

They also contend that a majority of wheat growers who take advantage of the interchangeability of wheat and feed grain acreage next year will be able to improve their incomes.

The farmers back in the humid areas, where feed grain is a more remunerative crop than wheat, can put corn on wheat acreage. The farmers out in the Northwest can put wheat on barley and oats acreage and increase their gross.

This is doubtless true. It will take a good deal of study of wheat and feed acreage in various States, plus the unannounced details of the 1965 feed grain program, to determine how much the value of the interchangeability provision will run. I have "guesstimates" from two competent sources that it will offset any loss from the reduction of export certificates. Washington Farmletter reports one estimate that interchangeability of allotted acreage will mean a $100 million improvement in income.

There are estimates at USDA that wheat income in 1965 will remain $2.2 billion, the same as this year, and costs will be down $50 million below this year.

The estimates are not of overriding importance.

What is of overriding importance in my judgment is the fact that we have achieved Government savings this year that will run at least $150 to $250 million under last year's wheat program costs, and around $400 million under the average cost of wheat programs in the previous 3 years. Overall net farm income is up since 1960, but it is still a little under the $12.6 billion in 1962 and it has never been up to where farmers were getting more than about two-thirds as much per capita as the rest of the population.

This Nation can consequently very well afford to forgo further reductions in Federal wheat program costs in 1965, and give the producers a better break than has been proposed in 1965 under the watchful eye of the budgeteers. We do not have to have another $50 million budget savings literally squeezed out of the family living standards of people whose income averaged $3,643 per farm in 1963, and whose per capita income averaged $1,376 compared to an average nonfarm per capita income of $2,181.

TRENDS IN AGRICULTURE

I am deeply concerned with trends in agriculture. The July Farm Income Situation report shows that total net income per farm in the country is going up. It came up about $560 in the decade of the fifties, about $50 a year average. It is up $599 from 1960 to 1963, or nearly $200 per year.

But the number of farms and farm families has declined. The number of farms reported in 1950 was 5,648,000. It was down 1,699,000 to 3,949,000 in 1960—an average decline of 170,000 farms per year. It dropped another 376,000 in 1963, or about 125,000 farms per year.

We have increased the rate of gain in income per farm. We have slowed down the decline in number of farms appreciably. But we have not achieved stability in farm numbers, nor parity of income for farm people in comparison to the income of other citizens.

Mr. President, I ask unanimous consent to place in the RECORD a table, compiled from the July farm income situation report, on changes in number of farms, net income per farm, percentage of national population on farms and their percentage of national income, and per capita income figures back to 1940.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. McGOVERN. It is an excellent statistical picture of what has been happening in agriculture, and an excellent statistical presentation of the case against trying to balance the budget at the farmers' expense.

I know there are those who advocate abandoning family farms and letting big, corporate-type farms take over agriculture and rise or fall in the free market—thus supposedly ending the necessity for Federal farm programs.

Those who indulge in this approach are seeing a mirage.

We can reduce our present 3.5 million farm operations to 1 million and the number of farmers will still be so great that they will be unable to join together in production control to assure fair, or even survival market prices. We will still have farm programs to deal with.

I was disappointed when the wheat farmers of the Nation rejected the wheat certificate plan proposed in the 1963 referendum. It was an opportunity to balance supply and demand and, using the aid of Government to exercise enough power in the marketplace to assure fair returns and a fair income.

The rejection of the wheat plan was a consequence of a cruel misrepresentation of the real issue in the referendum by an organization which is increasingly listening to the rightwing extremist leaders.

But I also feel that we have developed an alternative, the voluntary certificate plan approach, which can succeed in bringing stability and decent incomes to farmers without first bankrupting a major portion of them.

Unlike the programs which maintained high market prices through price support loans and provided protection from free market price levels for the noncompliers as well—held a price umbrella over noncooperators—the certificate plan rewards those who cooperate in the production adjustment effort without providing a windfall for those who insist on unrestricted production.

The false cry now going up that noncooperators are being punished by the certificate plan is evidence that the plan is more effective than the old plans. I regret that many producers who had been mislead about what would happen in the free market have had to learn the facts about that market in such a painful way. But they made the choice, and I believe there are few who will be mislead by misrepresentations of the program and market prospects another year.

In discussions of the voluntary wheat certificate plan here on the Senate floor a year ago, I pointed out that one of the cost factors was the fact that the Government would realize the benefit of domestic wheat certificates for which growers failed to comply. This prospective circumstance was known and has been known since the day I introduced S. 1946 and pointed it out.

I am convinced that we have found a program which works well and will work better in 1965, particularly if cooperators are given the break they should have.

For the benefit of those Members of Congress from urban districts who have supported the farm programs, and are concerned also about consumer interests, I want to make a few more comments.

First, if a handful of corporate farm operators or food monopolists finally succeed in gaining such control of agriculture that they can manipulate the returns from food production in the markets, the consumers of the United States are going to pay a great deal more than the 19½ percent of their total income now going for food. The proportion of income paid for food by American citizens now stands at that figure and is the lowest in the world and the lowest anywhere in world history. Food in the United States is a consumer bonanza.

Second, the much publicized increases in bread prices being announced by some bakers cannot be charged to the wheat certificate plan nor to the farmers.

The price of wheat to millers for flour is a few pennies per bushel higher than last year because the certificate plan eliminates a direct Government payment to farmers which was being made in 1963.

Two years ago, the cost of wheat in a 1-pound loaf of bread—the farmers' share—was worth 2.6 cents. Today it is between 2.5 cents and 2.6 cents, a little less than 2 years ago—certainly no greater.

The cost of flour to bakers in a 1-pound loaf of bread 2 years ago was 4.3 cents. Today the cost of flour in a 1-pound loaf of bread is calculated by the Department of Agriculture at 4.2 cents. The flour cost is again slightly less than 2 years ago.

Bread price increases today cannot be laid at the farmer's door, nor the door of the voluntary wheat certificate plan for the farmer's share hasn't gone up.

The retail price of bread has increased steadily over the last 10 years. The 1954 price of a 1-pound loaf of bread was about 17 cents in the retail store. Today it is about 21½ cents. Despite this rise in bread price, the farmer gets nothing more. He got about 2½ cents of the 17 cents in 1954 and he gets about 2½ cents of the 21½ cents today.

He will still be getting about 2½ cents tomorrow if bread prices are raised.

One of the fine things this Congress has done is establish the new Commission to study food marketing.

There is a great need for understanding about the increased spread in prices between farmer and consumer. We need to know what concentration of food power marketing in great chains is doing to food costs to consumers, and to farm returns for the basic commodities.

It is my hope that the Commission will keep an especially close watch on bread price rises which may be blamed on the certificate plan—and let us know exactly why the farmer gets the blame but none of the money.

Mr. President, the wheat certificate plan is working well. Every objective preliminary study of the results of the 1964 program show it has met the three tests which the late President Kennedy set down for such a program; lower Government costs, improved farm income, and reduced Government stocks.

The farmers can be given a better break in 1965 than has been proposed and continue to meet all those tests.

I expect to insist with all my vigor that the original concept of straight 70-cent certificates for domestic and export production be accepted in the interest of equity to farm people of the Nation.

Exhibit 1

Trends in American agriculture

Year	Number of farms	Total net income per farm	Farm population as percent of all	Net farm income as percent of all	Per capita disposable income	
					Farm	Nonfarm
1940	6,350,000	$720	23.1	7.4	$246	$675
1950	5,648,000	2,479	15.2	7.2	841	1,464
1960	3,949,000	3,044	8.7	3.9	1,165	2,008
1961	3,811,000	3,389	8.1	4.0	1,264	2,046
1962	3,688,000	3,581	7.7	3.9	1,319	2,121
1963	3,573,000	3,643	7.1	3.7	1,376	2,181

SHOULD AMERICA REALINE ITS POLITICAL PARTIES?

Mr. MUNDT. Mr. President, in this year of great political change and challenge, it is well that thoughtful Americans reflect upon the possibility of evolving a program of political realinement which will enable the average voter to have a greater voice in determining the destiny of our great Republic.

In this connection, I ask unanimous consent to have printed at this point in the Record an interesting, informative, and thought-provoking transcript of a radio editorial broadcast by Station WRAL-TV, of Raleigh-Durham, N.C.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

WRAL-TV Viewpoint

(An editorial expression of the voice of free enterprise in Raleigh-Durham)

One day, perhaps, Senator Karl Mundt, of South Dakota, will be successful in his prolonged efforts to persuade the American people to understand something that should have been obvious to them all along. It cannot be said that the Senator has not tried.

Long before Barry Goldwater first thought of running for the U.S. Senate, much less the Presidency, Senator Mundt was preaching the doctrine that the voters ought to have a real choice, not an echo, in every election. As long ago as 1950, Mr. Mundt was promoting a movement to realine the two major political parties in the United States. He was weary, he said repeatedly, of the spectacle of both parties attempting to be all things to all men. Not only is such a performance frustrating, it is degrading to men in public life. And its natural fruit is the deterioration of integrity in government.

No honest observer can survey the current American political picture and then seriously disagree with Senator Mundt's position. The recent Republican Convention demonstrated the awkwardness of a political tent presuming to cover such contrasting postures as those of Javits, of New York and Goldwater, of Arizona. Democrats may smile, if they wish, at the bruises put on display at San Francisco. But they might well wait until the family fight begins next week at Atlantic City, for the Democratic Party tent bulges with the ungirdled conflicts between the philosophies of the South versus the North, the Harry Byrds versus the Hubert Humphreys; indeed the basic concept of Jeffersonian democracy versus the floating vascillations of Lyndon Johnson.

The platitude that either party, or any party, ought to be big enough to embrace such vast divergencies of philosophy and principle is nonsense. Such a strained embrace is good neither for a party nor for a nation. The simple truth is that the people need and deserve a clear-cut choice.

This is why Senator Mundt makes sense with his plea that a realinement of political parties be attempted. The country is torn between bits and pieces of liberalism and conservatism. As matters now stand, the voters are confused. Many stay home in disgust on election day. And that, contends Senator Mundt, tends to magnify the authority of professional politicians over private citizens who have grown weary and resentful at being forced to buy a "duke's mixture" of political postures, whether they decide to vote either a Democratic or a Republican ticket.

It is possible that Senator Mundt's idea has been thwarted thus far by the lack of a sufficiently simple method of transition. Some will say, of course, that realinement already is an open avenue for discontented voters. But there is, and probably always will be, a lack of sufficient leadership. The conservative followers of Dan Moore and Beverly Lake in this State's Democratic Party see no percentage in turning over the party which they now obviously control to the faction which they have just defeated at the polls. At the same time, any reasonable appraisal of the now dominant faction in the North Carolina Democratic Party is bound to disclose a pronounced disaffection for Lyndon Johnson and many of the policies of the Democratic administration in Washington.

The end result, if we will just see it for what it is, is a certain amount of hypocrisy and intellectual dishonesty. America's potential strength, we believe, lies in the opportunity of the people to choose principles instead of personalities. Politics should have the untempered enthusiasm of men who themselves believe what they ask others to believe.

In short, people should belong to a political party because they share certain principles; they should not be confronted with even an implied requirement that they share differing principles simply because they belong to a political party.

It may be, then, that this will be a year of encouragement to Senator Mundt's prolonged call for a realinement of parties. The Republican Party has taken a forceful stand on behalf of principles which many Americans in all sincerity do not share. If the Democrats in their convention at Atlantic City next week indulge in a minimum of doubletalk and platitudes, and forthrightly embrace the liberalism of their party's leadership, then a true contrast between the two major parties will be evident to every voter.

In which case, Senator Mundt's realinement may be on the way. At the very least, we may experience the most interesting—and perhaps most important—nose count in the history of the Republic.

NATIONAL COUNCIL ON THE ARTS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 9586, an act to provide for the establishment of a National Council on the Arts.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 9586) to provide for the establishment of a National Council on the Arts to assist in the growth and development of the arts in the United States.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was read twice by its title.

Mr. HUMPHREY. Mr. President, I wish to yield to the Senator from Rhode Island [Mr. Pell], who was very responsible for reporting the Senate bill on this subject from the Senate committee and has been one of the main forces for the bill's passage.

I may add that the Senator from Pennsylvania [Mr. Clark], who is on duty at the platform committee at Atlantic City, has asked that his support for the bill be once again announced in the Senate.

Mr. PELL. Mr. President, I rise at this time to urge passage of H.R. 9586, the National Arts and Cultural Development Act of 1964.

The bill is a modified version of S. 2379—sponsored by Senator Humphrey and cosponsored by Senators Clark, Cooper, Javits, Long of Missouri, Metcalf, Randolph, Ribicoff, Scott, Kennedy, and myself, as chairman of the Senate Special Subcommittee on the Arts.

Essentially, H.R. 9586 contains title I of S. 2379, which was passed in this Chamber on December 20, 1963.

I very much regret that the House did not see fit to report out and approve the full contents of S. 2379. I regret that title II of our bill, providing for a National Arts Foundation, did not receive endorsement by the House of Representatives. Nevertheless, I feel that the bill we have before us constitutes an important step forward in the bettering of our Nation's cultural vitality.

By establishing a National Council on the Arts, it would in part fulfill our Senate goals in both an historic and constructively enlightened fashion. Because this session is drawing to a close, because little time remains for attempting to alter this legislation by further Senate and House action, because I feel that to attempt such procedures might be to lose what we have thus far won, I submit that we should accept the House version and act on it.

This bill is not as we would have preferred it, but it would set in motion much needed cultural progress, and it would give hope for the future in this significant area of our Nation's life and welfare.

In his appointment of Mr. Roger Stevens, a cultural leader of superlative knowledge and experience, President Johnson has demonstrated his keen interest in our cultural vitality. The White House has endorsed the basic principles of this legislation. Its history goes back as far as 1877, when a bill to create a Federal Arts Council was first introduced, according to the House report on H.R. 9586.

In recent times both President Eisenhower and our late President, John F.

Kennedy, supported the concepts we are here considering. President Kennedy, especially, took initiative in this field through Executive order.

Mr. President, I would like to pay particular tribute to the dynamic, resourceful, meaningful, and intelligent leadership of the senior Senator from Minnesota [Mr. Humphrey], the sponsor of the bill in the Senate—and also to the highly distinguished senior Senator from New York [Mr. Javits], truly a congressional pioneer in legislation pertaining to the enlightenment cultural advancement of our country; and I would extend my admiration, respect, and esteem to those other Senate cosponsors of the bill I have mentioned; to Congressman Frank Thompson, Jr., of New Jersey, who introduced the House bill, who conducted the House hearing as chairman of the House Special Subcommittee on Labor, and who so masterfully guided this precedent-setting legislation through the House; and to those other House Members—including the distinguished Congressman from my home State of Rhode Island, Congressman John Fogarty—who have taken the lead in legislation dealing with our cultural growth and enhancement.

If this bill is passed, Mr. President, it will be another famous "first" for the 88th Congress. For the first time on a Federal level we will give recognition to the arts—recognition which has so long been postponed. Further, we will enable President Johnson to appoint a council representing the best cultural and artistic abilities we have in the United States.

As the bill states:

> The Nation's prestige and general welfare will be promoted by providing recognition that the arts and the creative spirit which motivates them and which they personify are a valued and essential part of the Nation's resources.

This bill will enable us to develop these resources, by making comprehensive plans for future years so that we may give added inspiration and renewing hope to our Nation's fine artists in all their major fields of accomplishment and purpose.

Mr. President, I endorse this bill and urge its passage.

Mr. JAVITS. Mr. President, will the Senator from Rhode Island yield?

Mr. PELL. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I am very grateful to the Senator from Rhode Island for his gracious comments about me, but I must say I cannot "crow" about what has happened.

I join in what he has said, for had it not been for the interest he has shown, as well as that of the Senator from Minnesota [Mr. Humphrey], the Senator from Pennsylvania [Mr. Clark], and other Senators, we would not have achieved anything, not even the rather brief measure which is only a beginning in what our country needs to do in the field of the arts in its own interest.

I say that in light of the fact that I initiated this effort in 1948, when the first bill was introduced in the House of Representatives. I call attention to the fact that the late Senator from New York, in whose seat I sit, Senator Lehman, sponsored legislation like this 10 years ago. It passed the Senate, but never got anywhere in the House. It was only through the particular skill of one of our colleagues from New Jersey that we even had a program that was operated by the United States with its left hand, out of the State Department, which does little or nothing for our cultural activities.

I say we have gone only a little way up the road because it will be recalled that when the Senate passed the bill at the end of last year, it passed a bill providing also for a National Arts Foundation, with an appropriation of $10 million a year, which we estimated would have stimulated $50 million a year in nonprofit activities in those areas of the country not now reached by any cultural activities. This measure should be of great interest to the farm States and to Senators from sparsely populated States, more so than to Senators from States having large cities where there are enormous commercial activities of this kind. Nevertheless, the House saw fit not to go along.

Our country is alone in the world in not giving national attention to cultural activities or national encouragement and national leadership to advancement in the arts and in failing as a nation to participate in bringing the arts to areas which are arid in the availability of bands, musical performances, and other live performances; where there are no exhibits of paintings or activities in many other art forms for which our country is responsible and of which it is very proud.

It is always difficult for me and for other Members of this and the other body to understand how our country can lag so far behind when we are being challenged in this very field so strongly by both the Russian and the Chinese Communists.

In any case, the other body has never gone along with this body until now. This measure is much less than it ought to be, but it is something. We still lag behind the parade in comparison to what our Canadian and British cousins have done, but at least there is some recognition on the Federal Government level which will act as a national force to the proposed appointment of a council under this bill. So, without cheering or throwing my hat in the air and saying that we have won a great victory—which we have not—I reluctantly join my colleagues in allowing the House bill to be called up and in passing the House bill, notwithstanding the slight progress we are making.

When I say a small distance, I do not necessarily mean in terms of money. Not much money is involved, even if the House had done what we have done in providing some money. I mean in terms of recognition and acceptance of the tremendous national asset which resides in the arts, and the tremendous contribution to national morale which it represents.

Notwithstanding the fact that we have made what I believe is the merest beginning to this approach, and notwithstanding the fact that the National Arts Foundation has been turned down, one thing has gone down the drain which should have been included in the bill, and that is authority in the National Council on the Arts, which is established by the House bill, to accept bequests, gifts, and donations, which could represent a tremendous financing itself. It is entirely possible, I believe, for private citizens, perhaps even those citizens who may be appointed to the Council, to set up a foundation which will receive donations, bequests, and gifts, and will coordinate the projects which it supports with the recommendation of the Council.

I believe the Record should be clear that, as one Senator who sponsored this legislation for such a long time, I would encourage that kind of approach, in order to give the National Council on the Arts which the President will appoint, at least some of the material means with which to carry out a program creditable to the United States.

Mr. PELL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. PELL. The Record should also show that there is no reason why the Cultural Center itself could not set up an account, tax exempt, that could be administered for the benefit of the Arts Council and the objectives of it until some other means is provided.

Mr. JAVITS. I believe the Senator is referring to the Kennedy Cultural Center.

Mr. PELL. Yes; which we have authorized.

Yes; which is authorized to receive private donations.

Mr. JAVITS. I am glad the Senator if filling out the Record with that alternative.

Mr. HUMPHREY. Mr. President, I fully concur with the observation made by the Senator from Rhode Island with reference to the participation of the Kennedy Cultural Center insofar as fulfilling the objectives of H.R. 9586 is concerned, to provide for the establishment of a national council on the arts.

I also wish to say that the Senator from New York has outlined a very feasible means and a very appropriate means of cooperating by private foundations with the National Arts Council.

A private foundation could be set up which could coordinate its activities within the scope of the authority provided in this act, and thereby could accomplish some of the purposes that are included in this particular act.

Mr. JAVITS. I may say that for whatever it might be worth, I would be willing myself to lend myself to such a foundation and to the effort to bring material support to the activities of the National Advisory Council on the Arts.

I should like to add further that I shall introduce a measure, as soon as the pending bill becomes law, designed to authorize the Council to accept and receive from public or private sources, by devise, bequest, or otherwise, money or securities, to be held absolutely in trust for the purposes of this work. I would appreciate very much the support of my colleagues for such a proposal.

I ask unanimous consent that the text of my proposal may be printed in connection with these remarks. I hope that the administration may agree with it, so that we might do something about the matter when we come back next year.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

PROPOSAL OF MR. JAVITS

The Council is authorized to accept and receive from public or private sources, by devise, bequest, gift, donation, or otherwise, money and securities and real, personal, or mixed property; to hold the same absolutely or in trust; to invest, reinvest, manage, and dispose of the same; and to apply such money, securities, or property, the proceeds thereof, or the income derived therefrom, to such expenditures and disbursements as the Council shall determine to be necessary or appropriate for the performance of its functions. For the purposes of Federal income, estate, and gift taxes, any gift, donation, devise, or bequest accepted by the Council under this subsection shall be deemed to be a gift, donation, devise, or bequest to or for the use of the United States.

Mr. JAVITS. Mr. President, I do not believe that the other body would not wish to accept such a provision in the pending bill. I am persuaded that there is the feeling that if such a provision were added, which the other body might accept with or without conference, we might nonetheless hold the matter up for another year.

I am gratified that at least we have made some progress. We have been so far behind in this that I lend my support to going along with this procedure with my colleagues, in bringing about the creation of this Council, probably a year sooner than it would be if we were to add an amendment.

I have talked with many people, including the heads of trade unions, who are deeply concerned with the arts, and the president of the musician's union. They have urged also that we proceed in this way.

On that basis, and in the expectation that we will at least perfect the powers of the council by giving them the right to receive gifts and donations and bequests, I hope very much the Senate will accept the House bill, so that we may go forward in this matter.

I express also gratification that within the specifications of the bill are included about every art in which the United States could take pride. This includes industrial design and fashion design, which is so important to New York, as well as communications arts, such as motion picture, radio, and television.

Again I wish to express to the deputy majority leader what I believe to be the thanks of the whole country for his leadership. I deeply feel that had he not given it his attention we would not be here today to get something done, even though it is little, but, nonetheless something significant in this great and historic field.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HUMPHREY. Before I yield the floor I wish to express my thanks to the Senator from New York for his cooperation. I know of his deep concern about the limitations of the bill which we have passed, and that concern is shared by the senior Senator from Minnesota.

I do feel, however, that the fact that the Government has affirmatively acted in this field is a very good step forward, and the fact that this bill authorizes an appropriation of $150,000 is the beginning of carrying on the work of the National Council on the Arts. It is a beginning.

I wish to join with the Senator in the bill which he will introduce, to provide adequate means of financing the work of the Council.

I regret that the foundation part of the Senate bill was deleted. I believe that action weakens the measure. But I say with a note of happiness tonight that we waited many long years for the elected representatives of the people of the United States to authorize by statute the establishment of a National Council on the Arts to promote the development of the arts in the United States. This is a great day, it seems to me, for the cultural life of our Nation.

Mr. JAVITS. I agree with the Senator thoroughly. However, I should like to be clearly understood that we are not talking about putting the camel's nose under the tent, or talking about any big dreams and enormous financing, or anything else. We are talking about a channel through which the majesty and dignity and interest of our Government may enlist the majesty and interest and dignity of all our people in pursuing the arts. There are plenty of resources in the United States to be harnessed for this purpose when it has the channel and the imprimatur of the Federal Government itself.

Mr. MORSE subsequently said: Mr. President, I wish to compliment the Senator from Minnesota [Mr. HUMPHREY], the Senator from Rhode Island [Mr. PELL], the Senator from Pennsylvania [Mr. CLARK], the Senator from New York [Mr. JAVITS], and others who have worked as hard, over the years, as those of us have worked in support of a fine arts bill.

For many years in the Senate I have urged the passage of a broader bill than the one passed tonight. I stood shoulder to shoulder with Members of the Senate who have finally brought about this accomplishment tonight.

I agree with the Senator from Minnesota. This is an appropriate beginning; but I would underline the word "beginning." Much more needs to be done; but we know the good that can flow from the limited program that the bill encompasses.

Once it is recognized how much good can come from having the Federal Government assume its fair share of responsibility and assistance in connection with the cultural aspects of our national life, the sooner we shall be able to pass a proper bill, one that will call for and provide for greater Federal participation. This is a landmark bill. It is satisfying to know that after we have struggled for years to have the Senate pass a sound piece of legislation, some accomplishment, at long last, has been attained.

Mr. PELL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. PELL. I thank the Senator from Oregon. As a comparatively new Senator, I have received particular delight, because in the previous Congress, although we were successful in having a bill reported from committee, we were unsuccessful in having it passed by either body. I know how long the Senator from Oregon and other Senators have worked for this measure. I am grateful for their success.

Mr. MORSE. I thank the Senator from Rhode Island.

Mr. HUMPHREY. Mr. President, I thank the Senator from Oregon for his courtesy in yielding and for his generous remarks.

Mr. MORSE. I thank the Senator from Minnesota.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 1136) to authorize the Secretary of the Army to pay fair value for improvements located on the railroad right-of-way owned by bona fide lessees or permittees.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4844) relating to the release of liability under bonds filed under section 44(d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5739) to amend the Internal Revenue Code of 1954 to correct certain inequities with respect to the taxation of life insurance companies.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10467) to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12196) to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, to increase salaries, to adjust pay alinement, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 4. An act to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes;

S. 3049. An act to extend and amend relating to housing, urban renewal, and community facilities, and for other purposes;

H.R. 439. An act to provide for the establishment of the John Muir National Historic Site in the State of California, and for other purposes;

H.R. 931. An act to provide for the establishment of the Allegheny Portage Railroad National Historic Site, and the Johnstown Flood National Memorial in the State of Pennsylvania, and for other purposes;

H.R. 1794. An act to authorize payment for certain interests in lands within the Allegany Indian Reservation in New York, required by the United States for the Allegheny River (Kinzua Dam) project, to provide for the relocation, rehabilitation, social and economic development of the members of the Seneca Nation, and for other purposes;

H.R. 3545. An act to amend section 131 of title 13, United States Code, so as to provide for taking of the economic censuses 1 year earlier starting in 1968;

H.R. 4364. An act to provide for the free entry of certain articles imported for the use of certain universities;

H.R. 5837. An act to amend the act entitled "An act to authorize the purchase, sale, and exchange of certain Indian lands on the Yakima Indian Reservation, and for other purposes," approved July 28, 1955;

H.R. 6910. An act to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes;

H.R. 8960. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain, and for other purposes;

H.R. 9178. An act to amend section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes;

H.R. 10178. An act to authorize the Smithsonian Institution to employ aliens in a scientific or technical capacity; and

H.R. 11846. An act to amend the act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair (for the President pro tempore) announces the appointment of the Senator from Mississippi [Mr. STENNIS] as a member of the delegation on the part of the Senate to the Interparliamentary Union Conference at Copenhagen, beginning August 22, vice the Senator from Ohio [Mr. LAUSCHE], resigned.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that he had presented to the President of the United States the following enrolled bills:

On August 20, 1964:

S. 284. An act for the relief of Ethel R. Loop, the widow of Carl R. Loop;

S. 1006. An act to amend the act of June 12, 1960, for the correction of inequities in the construction of fishing vessels, and for other purposes;

S. 2288. An act for the relief of John J. Feeney;

S. 2944. An act for the relief of the Greater Community Hospital Foundation, Inc.; and

S. 3075. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

On August 21, 1964:

S. 26. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes;

S. 793. An act to promote the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California and to aid in the administration of the Klamath reclamation project;

S. 1007. An act to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority, and for other purposes;

S. 1169. An act to authorize a per capita distribution of $350 from funds arising from judgments in favor of any of the Confederated Tribes of the Colville Reservation; and

S. 2961. An act to provide for the disposition of the judgment funds on deposit to the credit of the Northern Cheyenne Tribe of the Tongue River Indian Reservation, Mont.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. MORSE. Mr. President, I do not know how I could pay greater respect to the Senator from Illinois [Mr. DOUGLAS] for the brilliant, cogent, unanswerably logical speech that he has made against the Dirksen amendment and the Tuck bill than to make a very few remarks of my own supplementing two speeches that I have already made on this subject matter.

I say to my friend from Illinois that I have never felt better in all my 20 years in the Senate. I have recently had a health report that announces that I am in a No. 1 condition. It would be interesting to see if cloture can be applied to those of us who seek to prevent the passage of an obviously, patently, clearly unconstitutional act. I want the Senator to know that, if he will not take offense, I know him so well, I want him to know that I have waited for some 20 years in the Senate to get liberal Senators to openly, confessedly filibuster with me.

This is the first time that I have had Senators tell me that they were going beyond the point of a prolonged debate.

It is important when we get to the point of seeking to protect the American people from the attempt to put a yoke around them of unconstitutionality and deny to them a precious right that the Supreme Court has handed down in the case of Baker against Carr, that we should filibuster until the country can speak. If there had not been Senators such as the Senator from Illinois [Mr. DOUGLAS] or the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Pennsylvania [Mr. CLARK] and the Senator from Michigan [Mr. McNAMARA] and the others who have participated in the debate in the past 10 days or so, to the end that the leadership of this body has laid aside from time to time the Dirksen amendment and taken up other business of the Senate, we would already have passed in this body the Dirksen amendment which, as I said the other day, is patently unconstitutional. And we would have undercut and undermined the judicial processes of this Government. And we would have aided and abetted one of the most malicious, subversive trends in this country. It is a trend that is sweeping the Nation now—the trend that seeks to build up a disrespect for the U.S. Supreme Court.

I would have the American people remember that all their constitutional rights, and the preservation of all their constitutional rights hinges upon the protection of the inherent constitutional power that the U.S. Supreme Court decreed in the 1803 decision of Marbury against Madison. I am willing to stand in the Senate and protest the Dirksen amendment for as many hours as it may take, until finally the American people will come to their senses and make perfectly clear to their Senators from the 50 States of this Republic their obligation to see to it that the Dirksen amendment is not passed.

I disassociate myself from the comments that were made on the floor of the Senate, not only today, but in the past days, that all that is sought is to get the time for the legislatures to act.

The rotten borough legislatures of the country want the defendant to pass judgment upon his own guilt and impose his own sentence, which would be, of course, a rotten acquittal.

Mr. President, I have abiding faith in the judgment of the American people, once they get the facts. But there has been so much confusion in regard to this matter because of the platitudinous propaganda that has been fed to the American people by so much of the press, although at long last we are getting some editors—not enough, but we are getting some editors—to start analyzing the constitutional dangers of the Dirksen amendment.

As the Senator from Illinois said in his closing remarks, I believe it is good that we will have a recess or adjournment, for 10 days. I believe it is good that the American people will have a few days in which it may be possible, if the information can be presented to them, to reflect upon the arguments that have been made in the past 10 days or 2 weeks against the Dirksen amendment. Because of the recess for 10 days, this is the last opportunity I shall have, until the Senate reconvenes, to make a few brief remarks in opposition to the Dirksen amendment. So that no one will be taken by surprise, I have already notified the leadership. I have cooperated again, as I have for years here in the Senate, in withholding my speeches until the end of the day on the subject matters that do not involve the particular pending business of the day.

I have three topics that I shall discuss tonight briefly.

I shall discuss briefly my opposition to the Dirksen amendment. I shall call the attention of the Senate and the country to our involvement, to our discredit, in the Turkish atrocities against Cyprus. I shall once again speak out in opposition to, and criticism of, the making of war by the United States in southeast Asia.

REAPPORTIONMENT—THE DIRKSEN AMENDMENT

Adjournment of Congress has been held up by a last-minute effort to change the jurisdiction and authority of the Federal courts to prevent them from enforcing reapportionment orders upon State legislatures.

It reveals a rather interesting fact of our political life. The Federal courts have upheld constitutional rights relating to race, and relating to unpopular and radical ideas in decisions that have caused great public controversy and outcry. But the only time Congress moved to curb the courts was when they enforced the constitutional right to equal representation in the State legislature. Obviously, this group of decisions, starting with Baker against Carr in 1962, touched the heart of political machinery at the State and local levels that has survived decades of population shifts. So the Congress responded to the alarms from State politicians whose jobs were in jeopardy, although it did not respond to alarms over other decisions that had far greater impact upon the average citizen.

That is what the Senator from Illinois [Mr. DOUGLAS] got through pointing out a few moments ago. Politicians at the State and the local level, who hold their offices under a rotten borough system in the United States, see that time has caught up with them and that at long last the Supreme Court has caught up with them. They are putting on a terrific political power drive to prevent reapportionment on the basis of the sound, democratic principle that one person should have one vote.

His vote should be weighted as one vote and not weighted as four, five, or six votes, which is exactly the case in those areas in which the city dweller is allowed much less weight as far as his voting influences are concerned than the rural dweller.

Every Senator has a right and a duty to speak on this subject. But I am pleased to say, with State pride boasting, that no one has a greater right to speak on it than the Senators from Oregon, for Oregon has, for the time at least, solved the problem. Oregon is the purest democratic State in the Nation. Oregon has a popular government to a degree that no other State of the 50 States has. Oregon has direct control of the politicians by the people. Oregon has operated for years under the famous Oregon system of initiative, referendum, and recall. Oregon has no strings attached to its popular government, for the legislature cannot control in any way the exercise of the Oregon initiative and referendum. The Oregon people, by the exercise of popular government, have placed themselves at all times above the politicians and in control of the politicians, and have the authority to take away from the politicians unsound action taken by them in the legislature. The people of Oregon, by the initiative process, have reapportioned in accordance with population. The people of my State, to a degree that no other State has reached, have made perfectly clear that one vote in Oregon shall have the weight of but one vote. They have also rejected a proposal that the State constitution be changed to permit the "rotten" borough system to gain a foothold.

That is what this issue is about. At long last, will we support the decision of the Supreme Court on constitutional grounds or will the Congress of the United States be a party to weakening the prestige for and the respect of the American people in the Supreme Court?

I should like to say to the American people from my desk in the Senate tonight: "If you permit yourselves to be victimized by this propaganda, you will deserve exactly what you get."

Mr. President, I should like to say to the people in the rural areas of America: "You have as much of a precious right at stake in seeing to it that the decisions of the Supreme Court are upheld by the defeat of this vicious proposed legislation that seeks to undercut the judicial authority of the Supreme Court as any citizen voting in any metropolitan area of the Nation.

If the time ever comes when we cease to have a government based on three coordinate and coequal branches of government, but in contrast thereto have a government in which either the executive or the legislature becomes supreme, it will only be a question of time before the American people will cease to be the masters of their Government. That means that the liberty and the freedom of the individual will soon degenerate and wither away.

So I plead once again tonight for the American people to settle this question. I say to the American people that if we let this question come to a vote in the Senate now, the Dirksen amendment will be adopted.

We have no intention of preventing a vote from ever occurring. But as I have been heard to say many times in my 20 years in this body, sometimes it is necessary to stand against the tide. Sometimes it is necessary to stand against the overwhelming majority until the people have an opportunity to speak. Frequently, when that happens, the overwhelming majority withers away, and what was a majority changes into a minority, and what was a minority changes into a majority.

For 13 days and 6 nights in 1954 we filibustered the Eisenhower giveaway of the taxpayers' rights and interests in the atomic energy program. We added to it one amendment after another to protect the public interest, not one of which would have been adopted had we yielded to the steamroller in 1954.

Mr. President, we let the issue come to a vote after the people had been heard from. It was very interesting to hear the conversations of Senators who early in the debate were very critical of us, but who ended up voting with us.

I shall tell the Senate why they voted with us. They heard from the people.

Had we not consumed that time, the people would never have had an opportunity to be heard from. My faith is such—perhaps I should say my hope is such—that Members of the Senate will hear from the people in the next 10 days, for I am satisfied that, abstract as this problem is, technical as this problem is, if we can get the salient facts of this problem across to the American people, they will make clear to their representatives in Congress their opposition to this giveaway. This giveaway is worth much more to them than the $14 billion of the Eisenhower giveaway program in the atomic energy bill of 1954. A dollar value cannot be put on this giveaway, for it concerns precious constitutional rights, and they are priceless. Yet the House of Representatives has passed a bill to forbid all Federal courts from hearing reapportionment cases.

I want the Americans voters to have a little time to reflect upon what their elected Representatives have done in the House of Representatives. Then I want them to remember that an election is to be held in November. There is only one place to teach politicians the truth about the desires of the voters, and that is at the ballot box. There are many politicians in both Houses of Congress who ought to take a shellacking and a whipping and a retirement in November.

Mr. President, I say to the American people: "Please bear in mind that the reapportionment cases, like the civil rights cases, have arisen from that portion of the 14th amendment to the Constitution which requires that each State must give its citizens equal protection of the law."

In article VI of the Constitution, the so-called Federal supremacy clause states:

> This Constitution, and the laws of the United States, which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

Every American citizen recognizes that that is one of the great blessings of constitutionalism, from which flow the constitutional rights of the American people. It is difficult for them to understand fully why we who protest the Tuck bill and the Dirksen amendment feel as strongly about them as we do.

Thus it was that the Federal courts found that equal protection of the law is denied to people when their State legislature is apportioned by area rather than by population. That is exactly what is sought to be perpetuated in the Tuck bill and the Dirksen amendment. Now it is proposed to forbid the courts to hear those cases and to apply the ban retroactively to cases already decided, but where reapportionment has not actually been carried out.

That such a law is beyond the power of Congress to enact is made evident again by the Constitution itself. The Constitution states that "the judicial power shall extend to all cases, in law and equity, arising under this Constitution." It does not say "some"; it does not say "the cases that Congress shall select"; it says—and I repeat it, for this is a key provision of the Constitution that is controlling in the jurisdictional issue.

(At this point, Mr. SALINGER took the chair as Presiding Officer.)

Mr. MORSE. That "the judicial power shall extend to all cases, in law and equity, arising under this Constitution." The Congress has certain authority to determine when an appeal can be taken, but it has no authority whatsoever to prevent all Federal courts from hearing cases arising out of an alleged denial of a constitutional right, as the Tuck bill provides.

On the contrary, Mr. President, Chief Justice Marshall in 1803, in Marberry against Madison, settled for all time under our Constitution that the power to decree constitutional rights vests in the court and nowhere else. The Constitution vests no power in the Congress or in the executive branch of the Government to construe constitutional rights. That power resides in the U.S. Supreme Court. Does that mean an unchecked power? Of course not. For all these powers of the Federal Government are ultimately vested in the people.

So, the Constitution provides for a constitutional amendment process but that is the only process. That is the only procedure. That is the only check. That is the only check that can reverse the Supreme Court.

Unfortunately, this whole proposal was passed by the House of Representatives. The Senate has a different version, the Dirksen amendment. It acts to direct the Federal court so that execution of reapportionment orders will take at least 2 years. The purpose of the delay is to give the States time to adopt a constitutional amendment preserving their malapportionment. In my opinion, this, too, is unconstitutional. The Congress has no power to direct the courts on how to exercise the judicial power any more than it can take away that judicial power.

I have made the argument that the Congress has no authority to take away judicial power. It has no authority to direct the Supreme Court as to how it shall exercise that judicial power. The particular proposal known as the Dirksen amendment has been offered as an amendment to the foreign aid bill. I shall continue to oppose it as an illegal interference with the judicial department of our Government, and an unwise attempt to perpetuate malapportionment within the States.

It has been suggested to me that I should remain silent on this matter because I am against foreign aid. I am against foreign aid in the form of the present bill, but I am not against foreign aid, as I have said many times. I would vote more money for foreign aid than any administration in recent years has proposed, but I will not vote any money for foreign aid on the basis of the programs of foreign aid that the administrations in recent years have proposed. That is the difference. But because I am against foreign aid, I am not going to be a party to legislating by rider or using the legislative rider to accomplish an end that I should like to see accomplished because I object to the means.

That is why some problems have not been solved at the State level—urban renewal, sewage problems, pollution of streams, juvenile delinquency problems, crime problems, we can go on down the long list of needed social welfare legislation and find that the States have not made themselves instrumentalities for the solution of those problems at the State level. Thus, we have seen the mayors of our large cities, and the Governors of our States, come to the Federal Government pleading with the Federal Government to exercise Federal jurisdiction. The Federal Government has had to do it if it is going to protect the general welfare of the American people.

I do not believe in the dangerous fallacy that the end justifies the means. I believe that it is a mistake to legislate by legislative rider. This particular legislative rider is so inherently bad that I could not possibly remain silent while it is offered to a bill that I should like to see defeated; namely, the present foreign aid bill. The foreign aid bill should be beaten on the basis of its demerits—and it is honeycombed with demerits.

After all, States have declined as an instrument of government because of their failure to reapportion their legislatures according to the population. As the Senator from Illinois pointed out this evening, because of the rotten-borough system which exists in many of our States, where the rural areas dominate the State legislatures, where one vote in the rural area has more weight than a vote in the city, the States have been unable, through their State legislatures, to adopt needed progressive legislation essential to protecting and developing the general welfare of the people of the State.

Let me say to the so-called States' righters that the reason the Federal Government has had to exercise more and more authority within its constitutional prerogatives is that the States have failed to furnish needed services. And they have to furnish them because they have perpetuated the rotten-borough system. They have not reapportioned their legislatures so that one vote throughout a State means one vote, and undue weight is not given to a vote from a rural area.

Thus, I repeat, the cities have been unable to have their problems considered at the State level through legislations, so they have come to Washington for programs.

Reapportionment as required by the Federal courts will revive and reinvigorate the States. Those who wish the States restored to active participation in the Federal system should join in welcoming action of the courts, and join in opposing these measures pending in the Congress.

It is my plea and my fervent hope that the American people, in the 10-day recess that will now take place before we reconvene following the Atlantic City convention, will make clear to its representatives in the Congress that they wish both the Tuck bill and the Dirksen amendment defeated.

THE CYPRUS ISSUE

Mr. MORSE. Mr. President, I now turn to the second of the three topics that I announced at the beginning I would discuss tonight.

I read a telegram that I have received from Dr. William Angelos, president of the Order of Ahepa, a Greek organization, Mount Hood Chapter, Portland, Oreg.

I read the telegram, really, as a prayer, to which I most appropriately will say at the end, "Amen."

The telegram reads:

> The unprovoked attack by the Turks upon the Cyprus people constitutes a violation of sovereignty of the Cyprus Republic. We urge the U.S. Government to permit the United Nations to settle this controversy around the conference table where justice will prevail and war be averted.

To which I say: "Amen."

Amen. That ought to be the prayer of every lover of peace. Mr. President, unless the acts of aggression against Cyprus and the internal strife of Greek Cypriot against Turkish Cypriot come to an end, there is serious danger that the conflict over Cyprus will lead to a Mediterranean war. And history shows that when war breaks out in that part of the world, it has a tendency to extend far beyond that part of the world. Even the assassination of an archduke can lead to a world war.

One cannot view what is going on in the Cyprus area, by way of violation of international law without being as concerned as I am about the danger of the Cyprus issue spreading into a broadened international conflagration.

We had better take a look at our new policies. For it is the United States of America, our own country, that has supplied the planes; that has supplied the napalm bombs, the atrocious, inhumane fire bomb; that has supplied all of the military equipment used by the dictatorship government of Turkey to violate one international convention after another in its atrocious attack upon Cyprus.

Interestingly enough, we have supplied all of the military equipment to Greece, under our notorious military aid program, that now puts Greece and Turkey in a position where they are a threat to the peace of the world. They are now rattling American military aid as a threat to the peace of the world. And Turkey is using NATO equipment to carry on its devastating, inhumane, atrocious attack against Cyprus.

Why, I would not be a bit surprised if some Senator in a speech might refer to those as rash words. They are conservative words, Mr. President.

The radicals, people who are resorting to rashness, are the people in this body who are trying to defend this Government's policies in the field of foreign policies where those policies are resulting in aggressive courses of action. They are the radicals, Mr. President. Those of us who dare to stand up in this body and criticize our Government for supporting aggression around the world, and for being instrumental in making it possible for aggression to be carried on around the world are the conservatives. Those of us who are pleading for peace are not radicals. And those of us who are pleading for peace are not rash. But those who are supporting this administration's policy in the field of foreign policy in respect to military aid being supplied to Greece and Turkey—when we know right along the great danger was that Greece and Turkey would go to war against each other, and when we knew right along that that military aid might be used for an attack on Cyprus—are the ones who are engaging in rash conduct. And their words in defense of that policy are words of rashness. Those of use who are pleading for peace, those of us who are pleading for a stopping of the killing, those of us who are pleading for the conference table, and those of us who are asking for political and diplomatic settlement of these disputes—we are the conservatives. We are the ones who are making pleas for moderation, not rashness.

This is a horrible thing that has occurred on Cyprus. This is a course of conduct by Turkey that will go down in the annals of history as another example of inhumanity to man, for this is a repetition of the atrocities of Hitler. There have been atrocities, too, against the Turkish Cypriots.

But this is a case of the Turks using some of the most modern planes that the United States produces, delivered to Turkey in just the last few weeks, to bomb innocent civilians, a hospital, and two ambulances—located miles away from any base of military action.

I regret that the protests of the American Government have not been much stronger—and to the United Nations—over this inhumanity of this Turkish dictatorship.

That is why some days ago I urged in the debate on the foreign aid bill, before it was laid aside, that military aid to Turkey and Greece be brought to an end.

Mr. President, Congress cannot justify granting one further dollar to either Turkey or Greece for military aid. It is American military aid to Turkey and Greece that is endangering the peace of the world. It is not worth anything to us as far as any defense against Russia is concerned.

I repeat, as I have said before, does anyone think that if we got into a war with Turkey, or with Russia, that the military aid we have given to Turkey and Greece would be of any military value to us? Not one whit. Not one whit. It would never be a conventional war. That would immediately proceed into a nuclear war. And it would be the nuclear power of the United States that would protect Turkey and Greece—not the military aid that we have sent to Turkey and Greece. Much better that we had not spent these huge sums of money—over $1 billion for Greece and over $2 billion for Turkey in military aid from the United States to build up these powerful, conventional military machines of theirs that they are now using to threaten each other into a possible war between the two of them.

We are a funny people. We always like to exclude ourselves from the area of cause to effect. But we must assume our fair share of guilt, for words of warning have been raised in this body for some years. Words of warning have been raised here urging that we change the form of our foreign aid to Greece and Turkey, that we stop building up these two countries, these military juggernauts that now threaten the peace in the Mediterranean with the potentiality of threatening the peace of the world.

I would never have favored turning either the military or the economic aid over to the governments of either Turkey or Greece, because in Turkey we have built up a state industry, thoroughly economically corrupt.

Ten days or so ago I pointed out that we have built up state socialism in Turkey, a state socialism operated by military dictators. I am aghast that American political leaders still have the audacity to try to tell the American people that we are supporting freedom in Turkey. There is no freedom in Turkey. It is not a free society. It is a totalitarian society. We shall never further the cause of peace in the world by totalitarianism, and particularly by supplying military aid to totalitarian regimes or giving economic aid government-to-government to totalitarian regimes, because we shall get the same kind of misuse of it in other places as we have had in Turkey.

The Comptroller General has found shocking misuse of foreign aid funds in Turkey. Has anyone from the administration answered me on the floor of the Senate? No, because they cannot. Those facts are facts and they are unanswerable.

What is the alibi? We are doing it for political reasons. If it has not been demonstrated by now, it can never be demonstrated that we cannot buy political support, because people that would support such bribes will not stay bribed. I think that is about as clear a way to put it as it can be put in the king's English. We have tried to buy with American taxpayers' dollars political support around this world from totalitarians and they are using us, not we them. When it is to their purposes to defy us, they do so.

The same thing applies to Pakistan and India. We are building up there two powerful military machines as we built them up in Greece and Turkey, putting those two countries in a position so they can go to war and may go to war over Kashmir. We ought to stop that, too.

So I hope that the Cyprus situation may cause some of my colleagues in the Senate to reflect on a mistake they have already made in connection with the foreign aid bill and bring about some changes.

I am sorry that pictures cannot be put into the CONGRESSIONAL RECORD. I hold in my hand an interesting bulletin. It is a Cyprus Government release. I should like to say to Senators that if they wish to shuffle it off, if it will make them feel easier in running away from reality by dismissing it as Cyprus propaganda, they can. But that will never change the ugly facts brought out in the release.

I call the attention of the Senate to some of those facts. The release states—

> OPERATION GENOCIDE—TURKISH RAIDERS FLYING U.S. DONATED JETS, BOMB AND MACHINE-GUN VILLAGES, AND USE ROCKETS AGAINST GREEK CYPRIOT CIVILIANS

We cannot deny that. That happens to be an ugly and atrocious fact.

Then we wonder why people in other lands do not think as well of us as we think of ourselves. The reason that they do not think as well of us as we think of ourselves is that, unfortunately, a "snow-job" has been done on the American people and the American people do not know the facts. Many of the vital facts connected with the whole military and foreign policy operations of this Republic have been concealed from the American people. We have not disclosed to the American people the public's business. We have adopted too many police state tactics. The facts about our foreign policy which the people are entitled to know in order to place a check upon the President of the United States and the Congress of the United States should not be denied to the American people. That is why I have fought these many years for lifting the label "top secret" or merely "secret" or "confidential" on so much of the information which the State Department, the Pentagon, and the White House make available to the Foreign Relations Committee, on which I have the honor to serve.

I should like to refer to a telegram which the President of Cyprus sent to all heads of state, concerning the barbarous air raid by Turkish aircraft against Cyprus and the threats of Turkish invasion. The telegram states as follows:

> I feel obliged to inform Your Excellency that the Turkish Government has carried out unprovoked and indiscriminate attacks by military aircraft against villages and towns of the north coast of Cyprus, killing and wounding hundreds of innocent people among whom many women and children. These murderous attacks started on the 8th August and continued until late in the evening of the 9th. Furthermore Turkish warships and troop-carriers are heading toward the north coast of Cyprus obviously intending to invade our territory.
>
> I appeal to Your Excellency that you may exert all your influence to put an end to the grave acts of aggression of the Turkish Government which constitute a crime against humanity and a serious danger to international peace.

Mr. President, further in the release we read:

U.S.-Made Incendiary Bombs: Turkey's Modern Genocide Tools

On the 9th of August, at 1400 hours, Turkish aircraft raided the Pachyammos Rural Hospital, two hospital ambulances in the village and the village itself. The Turkish aircraft used rockets, machineguns and napalm incendiary bombs. As a result of the raid the hospital has been wrecked, the two hospital ambulances have been completely destroyed and the village has been reduced to a mass of flames. The loss in dead and wounded, all civilians, is very severe. Among them are one doctor and a number of hospital staff. The population evacuated the village in flight pursued by the Turkish planes which dived to machinegun them indiscriminately.

The village is now deserted, the only signs of life being the moans of the wounded and the cries of domestic animals cut loose. The hospital and the ambulances bore clearly visible the signs of the Red Cross.

There are similar statements in this release, and I ask unanimous consent that I may insert these statements in the Congressional Record.

There being no objection, the news release was ordered to be printed in the Record, as follows:

[From the Cyprus Bulletin, Aug. 13, 1964]

Operation Genocide: Turkish Raiders Flying U.S.-Donated Jets Bomb and Machinegun Villages and Use Rockets Against Greek Cypriot Civilians

The President of the Republic Archbishop Makarios sent the following telegram to all heads of State or Government concerning the barbarous air raid by Turkish aircraft against Cyprus and the threats of Turkish invasion:

"I feel obliged to inform Your Excellency that the Turkish Government has carried out unprovoked and indiscriminate attacks by military aircraft against villages and towns of the north coast of Cyprus, killing and wounding hundreds of innocent people among whom many women and children. These murderous attacks started on the 8th of August and continued until late in the evening of the 9th. Furthermore Turkish warships and troop carriers are heading toward the north coast of Cyprus obviously intending to invade our territory.

"I appeal to Your Excellency that you may exert all your influence to put an end to the grave acts of aggression of the Turkish Government which constitute a crime against humanity and a serious danger to international peace."

U.S.-MADE INCENDIARY BOMBS: TURKEY'S MODERN GENOCIDE TOOLS

On the 9th of August, at 1400 hour Turkish aircraft raided the Pachyammos Rural Hospital, two hospital ambulances in the village, and the village itself. The Turkish aircraft used rockets, machineguns and napalm incendiary bombs. As a result of the raid the hospital has been wrecked, the two hospital ambulances have been completely destroyed, and the village has been reduced to a mass of flames. The loss in dead and wounded, all civilians, is very severe. Among them are one doctor and a number of hospital staff. The population evacuated the village in flight pursued by the Turkish planes which dived to machinegun them indiscriminately.

The village is now deserted, the only signs of life being the moans of the wounded and the cries of domestic animals cut loose. The hospital and the ambulances bore clearly visible the signs of the Red Cross.

Mr. MORSE. I now wish to call the attention of the Senate to some aspects of international law violations by the Turks in connection with these bombings. If anyone thinks I hold any brief for any aggressive action committed by Cyprus, he could not be more mistaken. If anyone thinks I hold any brief for any aggressive action or provocative course of action practiced by Greece, he could not be more mistaken.

But what I am trying to point out tonight is that the hands of the United States are not clean. We cannot carry on a military aid program such as we have been carrying on, knowing that the aid is going to totalitarians, without recognizing that we have some responsibility in the subsequent use of those weapons. One of these pictures shows the manufacturer's label from one made by the American Stove Co., for the U.S. Air Force. The ripped and scorched bodies it struck were those of Cypriots. Can anyone tell me what American interest was served thereby?

As I was heard to protest here a long time ago, at the time of the Algerian crisis, when France was using NATO weapons to suppress Algerians, we have not insisted on necessary controls. We have built up in the Mediterranean two powerful war machines in the hands of two countries which have, for decades on end, had an intense hatred for each other. I do not know why anyone is surprised that this threat to the peace has arisen in the Mediterranean.

What we ought to have been doing is using our foreign aid to make people economically free, to build up the resources of economic freedom in those two countries. Once people become economically free, they can become politically free. We cannot put political freedom first, because no people can be politically free if they are economically enslaved. When people live under a totalitarian regime, they are economic vassals, not freemen.

The atrocious conduct of Turkey in the bombing of civilians is in clear violation of international law, and Turkey should be held to an accounting in the United Nations, as the head of the Greek society in Portland, Oreg., pleads for, in the telegram I have appropriately described as a prayer for peace. We should hold Turkey to an accounting in the United Nations. We should also hold Cyprus to an accounting for her violations of U.N. orders in connection with her civil war.

Where is the United States' protest? Where is the filing by the United States of a complaint in the United Nations against these atrocities in violation of international law? What has happened to us?

I am satisfied that if our hands were clean in southeast Asia, we might have acted with cleaner motivation in the Mediterranean. Our outlawry in southeast Asia has come to haunt us in connection with our sorry record with respect to the Cyprus dispute.

I hold in my hand the rules set forth in the report of the Commission of Jurists at the Hague, including the rules for control of aerial warfare, and I ask unanimous consent that those parts of the rules starting on page 245 of this document, entitled "Part II, Rules of Aerial Warfare," be inserted in the Record at this point.

There being no objection, the extract was ordered to be printed in the Record, as follows:

PART II. RULES OF AERIAL WARFARE

In the preparation of the code of rules of aerial warfare the commission worked on the basis of a draft submitted by the American delegation. A similar draft, covering in general the same ground, was submitted by the British delegation. In the discussion of the various articles adopted by the commission the provisions contained in each of these drafts were taken into consideration, as well as amendments and proposals submitted by other delegations.

Chapter I. Applicability: Classification and marks

No attempt has been made to formulate a definition of the term "aircraft," nor to enumerate the various categories of machines which are covered by the term. A statement of the broad principle that the rules adopted apply to all types of aircraft has been thought sufficient, and article 1 has been framed for this purpose.

Article 1

The rules of aerial warfare apply to all aircraft, whether lighter or heavier than air, irrespective of whether they are, or are not, capable of floating on the water.

Article 2

The following shall be deemed to be public aircraft:

(a) Military aircraft;

(b) Nonmilitary aircraft exclusively employed in the public service. All other aircraft shall be deemed to be private aircraft.

Article 3

A military aircraft shall bear an external mark indicating its nationality and military character.

Article 4

A public nonmilitary aircraft employed for customs or police purposes shall carry papers evidencing the fact that it is exclusively employed in the public service. Such an aircraft shall bear an external mark indicating its nationality and its public nonmilitary character.

Article 5

Public nonmilitary aircraft other than employed for customs or police purposes shall in time of war bear the same external marks, and for the purposes of these rules shall be treated on the same footing, as private aircraft.

Article 6

Aircraft not comprised in articles 3 and 4 and deemed to be private aircraft shall carry such papers and bear such external marks as are required by the rules in force in their country. These marks must indicate their nationality and character.

Article 7

The external marks required by the above articles shall be so affixed that they cannot be altered in flight. They shall be as large as is practicable and shall be visible from above, from below, and from each side.

Article 8

The external marks, prescribed by the rules in force in each state, shall be notified promptly to all other powers.

Modifications adopted in time of peace of the rules prescribing external marks shall be notified to all other powers before they are brought into force.

Modifications of such rules adopted at the outbreak of war or during hostilities shall be notified by each power as soon as possible to all other powers and at latest when they are communicated to its own fighting forces.

Article 9

A belligerent nonmilitary aircraft, whether public or private, may be converted into a military aircraft, provided that the conversion is effected within the jurisdiction of the belligerent state to which the aircraft belongs and not on the high seas.

Article 10

No aircraft may possess more than one nationality.

Chapter II. General principles

Article 11 embodies the general principle that outside the jurisdiction of any state, i.e., in the airspace over the high seas, all aircraft have full freedom of passage. Provisions embodied in other articles which restrict the liberty of individual aircraft are to be regarded as exceptions to this general principle.

Article 11

Outside the jurisdiction of any state, belligerent or neutral, all aircraft shall have full freedom of passage through the air and of alighting.

Article 12

In time of war any state, whether belligerent or neutral, may forbid or regulate the entrance, movement or sojourn of aircraft within its jurisdiction.

Chapter III. Belligerents

The use of privateers in naval warfare was abolished by the Declaration of Paris, 1856. Belligerent rights at sea can now only be exercised by units under the direct authority, immediate control and responsibility of the state. This same principle should apply to aerial warfare. Belligerent rights should therefore only be exercised by military aircraft.

Article 13

Military aircraft are alone entitled to exercise belligerent rights.

Article 14

A military aircraft shall be under the command of a person duly commissioned or enlisted in the military service of the state; the crew must be exclusively military.

Article 15

Members of the crew of a military aircraft shall wear a fixed distinctive emblem of such character as to be recognizable at a distance in case they become separated from their aircraft.

Article 16

No aircraft other than a belligerent military aircraft shall engage in hostilities in any form.

The term "hostilities" includes the transmission during flight of military intelligence for the immediate use of a belligerent.

No private aircraft, when outside the jurisdiction of its own country, shall be armed in time of war.

Article 17

The principles laid down in the Geneva Convention, 1906, and the convention for the adaptation of the said convention to maritime war (No. X of 1907) shall apply to aerial warfare and to flying ambulances, as well as to the control over flying ambulances exercised by a belligerent commanding officer.

In order to enjoy the protection and privileges allowed to mobile medical units by the Geneva Convention, 1906, flying ambulances must bear the distinctive emblem of the Red Cross in addition to the usual distinguishing marks.

Chapter IV. Hostilities

Article 18 is intended to clear up a doubt which arose during the recent war. The use of tracer bullets against aircraft was a general practice in all the contending armies. In the absence of a hard surface on which the bullet will strike, an airman cannot tell whether or not his aim is correct. These bullets were used for the purpose of enabling the airmen to correct his aim, as the trail of vapor which they leave behind indicates to him the exact line of fire. In one case, however, combatant airmen were arrested and put on trial on the ground that the use of these bullets constituted a breach of the existing rules of war laid down by treaty.

The use of incendiary bullets is also necessary as a means of attack against lighter-than-air craft, as it is by setting fire to the gas contained by these aircraft that they can most easily be destroyed.

In the form in which the proposal was first brought forward its provisions were limited to a stipulation that the use of tracer bullets against aircraft generally was not prohibited.

Various criticisms were, however, made about the proposed text, chiefly founded on the impracticability for an airman while in flight to change the ammunition which he is using in the machine gun in his aircraft. He cannot employ different bullets in accordance with the target at which he is aiming, one sort of ammunition for other aircraft and another sort for land forces by whom he may be attacked.

The commission, therefore, came to the conclusion that the most satisfactory solution of the problem would be to state specifically that the use of tracer, incendiary, or explosive projectiles by or against aircraft is not prohibited.

Article 18

The use of tracer, incendiary or explosive projectiles by or against aircraft is not prohibited.

This provision applies equally to states which are parties to the Declaration of St. Petersburg, 1868, and to those which are not.

Article 19

The use of false external marks is forbidden.

Article 20

When an aircraft has been disabled, the occupants when endeavoring to escape by means of a parachute must not be attacked in the course of their descent.

Article 21

The use of aircraft for the purpose of disseminating propaganda shall not be treated as an illegimate means of warfare.

Members of the crews of such aircraft must not be deprived of their rights as prisoners of war on the charge that they have committed such an act.

Bombardment

The subject of bombardment by aircraft is one of the most difficult to deal with in framing any code of rules for aerial warfare.

The experiences of the recent war have left in the mind of the world at large a lively horror of the havoc which can be wrought by the indiscriminate launching of bombs and projectiles on the noncombatant populations of towns and cities. The conscience of mankind revolts against this form of making war in places outside the actual theater of military operations, and the feeling is universal that limitations must be imposed.

On the other hand, it is equally clear that the aircraft is a potent engine of war, and no state which realizes the possibility that it may itself be attacked, and the use to which its adversary may put his air forces can take the risk of fettering its own liberty of action to an extent which would restrict it from attacking its enemy where that adversary may legitimately be attacked with effect. It is useless, therefore, to enact prohibitions unless there is an equally clear understanding of what constitutes legitimate objects of attack, and it is precisely in this respect that agreement was difficult to reach.

Before passing to a consideration of the articles which have been agreed, mention must be made of the Declaration Prohibiting the Discharge of Projectiles and Explosives from Balloons, signed at The Hague in 1907. Three of the states represented on the Commission[1] are parties to that declaration; the other three are not. Under the terms of this declaration the contracting powers agree to prohibit the discharge of projectiles and explosives from balloons or by other new methods of a similar nature. Its terms are, therefore, wide enough to cover bombardment by aircraft. On the other hand, the scope of the declaration is very limited; in duration it is to last only until the close of the third peace conference, a conference which was to have been summoned for 1914 or 1915, and its application is confined to a war between contracting states without the participation of a noncontracting state.

The existence of this declaration can afford no solution of the problems arising out of the question of bombardment from the air, even for the states which are parties to it.

The number of parties is so small that, even if the declaration were renewed, no confidence could ever be felt that when a war broke out it would apply. A general agreement, therefore, on the subject of bombardment from the air is much to be desired. For the states which are parties to it, however, the declaration exists and it is well that the legal situation should be clearly understood.

As between the parties it will continue in force and will operate in the event of a war between them, unless by mutual agreement its terms are modified, or an understanding reached that it shall be regarded as replaced by some new conventional stipulation; but it will in any case cease to operate at the moment when a third peace conference concludes its labors, or if any state which is not a party to the declaration intervenes in the war as a belligerent.

No difficulty was found in reaching an agreement that there are certain purposes for which aerial bombardment is inadmissible.

Article 22 has been formulated with this object.

Article 22

Aerial bombardment for the purpose of terrorizing the civilian population, of destroying or damaging private property not of military character, or of injurying noncombatants is prohibited.

Article 23

Aerial bombardment for the purpose of enforcing compliance with requisitions in kind or payment of contributions in money is prohibited.

Article 24

(1) Aerial bombardment is legitimate only when directed at a military objective, that is to say, an object of which the destruction or injury would constitute a distinct military advantage to the belligerent.

(2) Such bombardment is legitimate only when directed exclusively at the following objectives: military forces; military works; military establishments or depots; factories constituting important and well-known centers engaged in the manufacture of arms, ammunition or distinctively military supplies; lines of communication or transportation used for military purposes.

(3) The bombardment of cities, towns, villages, dwellings, or buildings not in the immediate neighborhood of the operations of land forces is prohibited. In cases where the objectives specified in paragraph 2 are so situated, that they cannot be bombarded

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[1] United States of America, Great Britain and The Netherlands.

without the indiscriminate bombardment of the civilian population, the aircraft must abstain from bombardment.

(4) In the immediate neighborhood of the operations of land forces, the bombardment of cities, towns, villages, dwellings, or buildings is legitimate provided that there exists a reasonable presumption that the military concentration is sufficiently important to justify such bombardment, having regard to the danger thus caused to the civilian population.

(5) A belligerent state is liable to pay compensation for injuries to person or to property caused by the violation by any of its officers or forces of the provisions of this article.

Article 25

In bombardment by aircraft, all necessary steps must be taken by the commander to spare as far as possible buildings dedicated to public worship, art, science, or charitable purposes, historic monuments, hospital ships, hospitals and other places where the sick and wounded are collected, provided such buildings, objects or places are not at the time used for military purposes. Such buildings, objects and places must by day be indicated by marks visible to aircraft. The use of marks to indicate other buildings, objects, or places than those specified above is to be deemed an act of perfidy. The marks used as aforesaid shall be, in the case of buildings protected under the Geneva Convention, the red cross on a white ground, and in the case of other protected buildings a large rectangular panel divided diagonally into two pointed triangular portions, one black and the other white.

A belligerent who desires to secure by night the protection for the hospitals and other privileged buildings above mentioned must take the necessary measures to render the special signs referred to sufficiently visible.

Article 26

The following special rules are adopted for the purposes of enabling states to obtain more efficient protection for important historic monuments situated within their territory, provided that they are willing to refrain from the use of such monuments and a surrounding zone for military purposes, and to accept a special regime for their inspection.

(1) A state shall be entitled, if it sees fit, to establish a zone of protection around such monuments situated in its territory. Such zones shall in time of war enjoy immunity from bombardment.

(2) The monuments around which a zone is to be established shall be notified to other powers in peacetime through the diplomatic channel; the notification shall also indicate the limits of the zones. The notification may not be withdrawn in time of war.

(3) The zone of protection may include, in addition to the area actually occupied by the monument or group of monuments, an outer zone, not exceedingly 500 meters in width, measured from the circumference of the said area.

(4) Marks clearly visible from aircraft either by day or by night will be employed for the purposes of insuring the identification by belligerent airmen of the limits of the zones.

(5) The marks on the monuments themselves will be those defined in article 25. The marks employed for indicating the surrounding zones will be fixed by each state adopting the provisions of this article, and will be notified to other powers at the same time as the monuments and zones are notified.

(6) Any abusive use of the marks indicating the zones referred to in paragraph 5 will be regarded as an act of perfidy.

(7) A state adopting the provisions of this article must abstain from using the monument and the surrounding zone for military purposes, or for the benefit in any way whatever of its military organization, or from committing within such monument or zone any act with a military purpose in view.

(8) An inspection committee consisting of three neutral representatives accredited to the state adopting the provisions of this article, or their delegates, shall be appointed for the purpose of insuring that no violation is committed of the provisions of paragraph 7. One of the members of the committee of inspection shall be the representative (or his delegate) of the state to which has been entrusted the interests of the opposing belligerent.

ESPIONAGE

The articles dealing with espionage follow closely the precedent of the land warfare regulations.

Article 27 is a verbal adaptation of the first paragraph of article 29 of the regulations, so phrased as to limit it to acts committed while in the air.

Consideration has been given to the question whether there was any need to add to the provision instances of actions which were not to be deemed acts of espionage, such as those which are given at the end of article 29 in the regulations, and it was suggested that article 29 [2] of the American draft might appropriately be introduced in this manner. It was decided that this was unnecessary. The article submitted by American delegation was intended to insure that reconnaissance work openly done behind enemy lines by aircraft should not be treated as spying. It is not thought likely that any belligerent would attempt to treat it as such.

Article 27

Any person on board a belligerent or neutral aircraft is to be deemed a spy only if acting clandestinely or on false pretenses he obtains or seeks to obtain, while in the air, information within belligerent jurisdiction or in the zone of operations of a belligerent with the intention of communicating it to the hostile party.

Article 28

Acts of espionage committed after leaving the aircraft by members of the crew of an aircraft or by passengers transported by it are subject to the provisions of the land warfare regulations.

Article 29

Punishment of the acts of espionage referred to in articles 27 and 28 is subject to articles 30 and 31 of the land warfare regulations.

Chapter V. Military authority over enemy and neutral aircraft and persons on board

The rapidity of its flight would enable an aircraft to embarrass the operations of land or sea forces, or even operations in the air, to an extent which might prove most inconvenient or even disastrous to a belligerent commander. To protect belligerents from improper intrusions of this kind, it is necessary to authorize belligerent commanders to warn off the intruders, and, if the warning is disregarded, to compel their retirement by opening fire.

It is easy to see that undue hardship might be occasioned to neutrals if advantage were taken of the faculty so conferred on belligerent commanding officers and attempts were made to exclude for long or indefinite periods all neutrals from stipulated areas or to prevent communication between different countries through the air over the high seas. The present provision only authorizes a commanding officer to warn off aircraft during the duration of the operations in which he is engaged at the time. The right of neutral aircraft to circulate in the airspace over the high seas is emphasized by the provisions of article 11 which provides that "outside the jurisdiction of any state, belligerent, or neutral, all aircraft shall have full freedom of passage through the air and of alighting."

Article 30 is confined in terms to neutral aircraft, because enemy aircraft are in any event exposed to the risk of capture, and in the vicinity of military operations are subjected to more drastic treatment than that provided by this article.

It will be noticed that the terms of the article are general in character and would comprise even neutral public or military aircraft. It goes without saying that the article is not intended to imply any encroachment on the rights of neutral states. It is assumed that no neutral public or military aircraft would depart so widely from the practice of states as to attempt to interfere with or intrude upon the operations of a belligerent state.

Article 30

In case a belligerent commanding officer considers that the presence of aircraft is likely to prejudice the success of the operations in which he is engaged at the moment, he may prohibit the passing of neutral aircraft in the immediate vicinity of his forces or may oblige them to follow a particular route. A neutral aircraft which does not conform to such directions, of which it has had notice issued by the belligerent commanding officer, may be fired upon.

Article 31

In accordance with the principles of article 53 of the Land Warfare Regulations, neutral private aircraft found upon entry in the enemy's jurisdiction by a belligerent occupying force may be requisitioned, subject to the payment of full compensation.

Article 32

Enemy public aircraft, other than those treated on the same footing as private aircraft, shall be subject to confiscation without prize proceedings.

Article 33

Belligerent nonmilitary aircraft, whether public or private, flying within the jurisdiction of their own state, are liable to be fired upon unless they make the nearest available landing on the approach of enemy military aircraft.

Article 34

Belligerent nonmilitary aircraft, whether public or private, are liable to be fired upon, if they fly (1) within the jurisdiction of the enemy, or (2) in the immediate vicinity thereof and outside the jurisdiction of their own state or (3) in the immediate vicinity of the military operations of the enemy by land or sea.

Article 35

Neutral aircraft flying within the jurisdiction of a belligerent, and warned of the approach of military aircraft of the opposing belligerent, must make the nearest available landing. Failure to do so exposes them to the risk of being fired upon.

Article 36

When an enemy military aircraft falls into the hands of a belligerent, the members of the crew and the passengers, if any, may be made prisoners of war.

The same rule applies to the members of the crew and the passengers, if any, of an enemy public nonmilitary aircraft, except that in the case of public nonmilitary aircraft devoted exclusively to the transport of passengers, the passengers will be entitled to be released unless they are in the service of the enemy, or are enemy nationals fit for military service.

If an enemy private aircraft falls into the hands of a belligerent, members of the crew who are enemy nationals or who are neutral nationals in the service of the enemy, may be made prisoners of war. Neutral members of the crew, who are not in the service of the enemy, are entitled to be released if they sign a written undertaking not to serve in any enemy aircraft while hostilities last. Passengers are entitled to be released unless they are in the service of the enemy or are enemy nationals fit for military service, in which cases they may be made prisoners of war.

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[2] Acts of the personnel of correctly marked enemy aircraft, public or private, done or performed while in the air, are not to be deemed espionage.

Release may in any case be delayed if the military interests of the belligerent so require.

The belligerent may hold as prisoners of war any member of the crew or any passenger whose service in a flight at the close of which he has been captured has been of special and active assistance to the enemy.

The names of individuals released after giving a written undertaking in accordance with the third paragraph of this article will be notified to the opposing belligerent, who must not knowingly employ them in violation of their undertaking.

Article 37

Members of the crew of a neutral aircraft which has been detained by a belligerent shall be released unconditionally, if they are neutral nationals and not in the service of the enemy. If they are enemy nationals or in the service of the enemy, they may be made prisoners of war.

Passengers are entitled to be released unless they are in the service of the enemy or are enemy nationals fit for military service, in which cases they may be made prisoners of war.

Release may in any case be delayed if the military interests of the belligerent so require.

The belligerent may hold as prisoners of war any member of the crew or any passenger whose service in a flight at the close of which he has been captured has been of special and active assistance to the enemy.

Article 38

Where under the provisions of articles 36 and 37 it is provided that members of the crew or passengers may be made prisoners of war, it is to be understood that, if they are not members of the armed forces, they shall be entitled to treatment not less favorable than that accorded to prisoners of war.

Chapter VI. Belligerent duties toward neutral states and neutral duties toward belligerent states

To avoid any suggestion that it is on the neutral government alone that the obligation is incumbent to secure respect for its neutrality, article 39 provides that belligerent aircraft are under obligation to respect the rights of neutral powers and to abstain from acts within neutral jurisdiction which it is the neutral's duty to prevent.

It will be noticed that the article is not limited to military aircraft; in fact the second phrase will apply only to belligerent aircraft of other categories, as it is they alone which may remain at liberty within neutral jurisdiction. All aircraft, however, including military, are bound to respect the rights of neutral powers.

Article 39

Belligerent aircraft are bound to respect the rights of neutral powers and to abstain within the jurisdiction of a neutral state from the commission of any act which it is the duty of that state to prevent.

Article 40

Belligerent military aircraft are forbidden to enter the jurisdiction of a neutral state.

Article 41

Aircraft on board vessels of war, including aircraft carriers, shall be regarded as part of such vessel.

Article 42

A neutral government must use the means at its disposal to prevent the entry within its jurisdiction of belligerent military aircraft and to compel them to alight if they have entered such jurisdiction.

A neutral government shall use the means at its disposal to intern any belligerent military aircraft which is within its jurisdiction after having alighted for any reason whatsoever, together with its crew and the passengers, if any.

Article 43

The personnel of a disabled belligerent military aircraft rescued outside neutral waters and brought into the jurisdiction of a neutral state by a neutral military aircraft and there landed shall be interned.

Article 44

The supply in any manner, directly or indirectly, by a neutral government to a belligerent power of aircraft, parts of aircraft, or material, supplies or munitions required for aircraft is forbidden.

Article 45

Subject to the provisions of Article 46, a neutral power is not bound to prevent the export or transit on behalf of a belligerent of aircraft, parts of aircraft, or material, supplies or munitions for aircraft.

Article 46

A neutral government is bound to use the means at its disposal:

(1) To prevent the departure from its jurisdiction of an aircraft in a condition to make a hostile attack against a belligerent power, or carrying or accompanied by appliances or materials the mounting or utilization of which would enable it to make a hostile attack, if there is reason to believe that such aircraft is destined for use against a belligerent power;

(2) To prevent the departure of an aircraft the crew of which includes any member of the combatant forces of a belligerent power;

(3) To prevent work upon an aircraft designed to prepare it to depart in contravention of the purposes of this article.

On the departure by air of any aircraft despatched by persons or companies in neutral jurisdiction to the order of a belligerent power, the neutral government must prescribe for such aircraft a route avoiding the neighborhood of the military operations of the opposing belligerent, and must exact whatever guarantees may be required to ensure that the aircraft follows the route prescribed.

Article 47

A neutral state is bound to take such steps as the means at its disposal permit to prevent within its jurisdiction aerial observation of the movements, operations or defenses of one belligerent, with the intention of informing the other belligerent.

This provision applies equally to a belligerent military aircraft on board a vessel of war.

Article 48

The action of a neutral power in using force or other means at its disposal in the exercise of its rights or duties under these rules cannot be regarded as a hostile act.

Chapter VII. Visit and search, capture and condemnation

Both the American and British drafts when first submitted to the commission provided for the use of aircraft in exercising against enemy commerce the belligerent rights which international law has sanctioned. This principle has not met with unanimous acceptance; the Netherlands delegation has not felt able to accept it. The standpoint adopted by this delegation is that the custom and practice of international law is limited to a right on the part of belligerent warships to capture after certain formalities merchant vessels employed in the carriage of such commerce. No justification exists for the extension of those rights to an aircraft, which is a new engine of war entirely different in character from a warship and unable to exercise over merchant vessels or private aircraft a control similar to that exercised by a warship over merchant vessels. Consequently there is no reason to confer on a military aircraft the right to make captures as if it were a warship, and no reason to subject commerce to capture when carried in an aircraft. In developing international law the tendency should be in the direction of conferring greater, not less, immunity on private property.

For these reasons the Netherlands delegation has not accepted the rules contained in chapter VII and its participation in the discussion of individual rules has been subject to the general reserves made with regard to the whole chapter.

The majority of the delegations have not felt able to reject the principle that the aircraft should be allowed to exercise the belligerent right of visit and search, followed by capture where necessary, for the repression of enemy commerce carried in an aircraft in cases where such action is permissible. This principle is embodied in article 49 of which the text is as follows:

Article 49

Private aircraft are liable to visit and search and to capture by belligerent military aircraft.

Article 50

Belligerent military aircraft have the right to order public nonmilitary and private aircraft to alight in or proceed for visit and search to a suitable locality reasonably accessible.

Refusal, after warning, to obey such orders to alight or to proceed to such a locality for examination exposes an aircraft to the risk of being fired upon.

Article 51

Neutral public nonmilitary aircraft, other than those which are to be treated as private aircraft, are subject only to visit for the purpose of the verification of their papers.

Article 52

Enemy private aircraft are liable to capture in all circumstances.

Article 53

A neutral private aircraft is liable to capture if it:

(a) resists the legitimate exercise of belligerent rights;

(b) violates a prohibition of which it has had notice issued by a belligerent commanding officer under article 30;

(c) is engaged in unneutral service;

(d) is armed in time of war when outside the jurisdiction of its own country;

(e) has no external marks or uses false marks;

(f) has no papers or insufficient or irregular papers;

(g) is manifestly out of the line between the point of departure and the point of destination indicated in its papers and after such inquiries as the belligerent may deem necessary, no good cause is shown for the deviation. The aircraft, together with its crew and passengers, if any, may be detained by the belligerent, pending such inquiries.

(h) carries, or itself constitutes, contraband of war;

(i) is engaged in breach of a blockade duly established and effectively maintained;

(k) has been transferred from belligerent to neutral nationality at a date and in circumstances indicating an intention of evading the consequences to which an enemy aircraft, as such, is exposed.

Provided that in each case (except k), the ground for capture shall be an act carried out in the flight in which the neutral aircraft came into belligerent hands; i.e., since it left its point of departure and before it reached its point of destination.

Article 54

The papers of a private aircraft will be regarded as insufficient or irregular if they do not establish the nationality of the aircraft and indicate the names and nationalities of the crew and passengers, the points of departure and destination of the flight, together with particulars of the cargo and the conditions under which it is transported. The logs must also be included.

Article 55

Capture of an aircraft or of goods on board an aircraft shall be made the subject of prize proceedings, in order that any neutral claim may be duly heard and determined.

Article 56

A private aircraft captured upon the ground that it has no external marks or is using false marks, or that it is armed in time of war outside the jurisdiction of its own country, is liable to condemnation.

A neutral private aircraft captured upon the ground that it has disregarded the direction of a belligerent commanding officer under article 30 is liable to condemnation, unless it can justify its presence within the prohibited zone.

In all other cases, the prize court in adjudicating upon any case of capture of an aircraft or its cargo, or of postal correspondence on board an aircraft, shall apply the same rules as would be applied to a merchant vessel or its cargo or to postal correspondence on board a merchant vessel.

Article 57

Private aircraft which are found upon visit and search to be enemy aircraft may be destroyed if the belligerent commanding officer finds it necessary to do so, provided that all persons on board have first been placed in safety and all the papers of the aircraft have been preserved.

Article 58

Private aircraft which are found upon visit and search to be neutral aircraft liable to condemnation upon the ground of unneutral service, or upon the ground that they have no external marks or are bearing false marks, may be destroyed, if sending them in for adjudication would be impossible or would imperil the safety of the belligerent aircraft or the success of the operations in which it is engaged. Apart from the cases mentioned above, a neutral private aircraft must not be destroyed except in the gravest military emergency, which would not justify the officer in command in releasing it or sending it in for adjudication.

Article 59

Before a neutral private aircraft is destroyed, all persons on board must be placed in safety, and all the papers of the aircraft must be preserved.

A captor who had destroyed a neutral private aircraft must bring the capture before the prize court, and must first establish that he was justified in destroying it under article 58. If he fails to do this, parties interested in the aircraft or its cargo are entitled to compensation. If the capture is held to be invalid, though the act of destruction is held to have been justifiable, compensation must be paid to the parties interested in place of the restitution to which they would have been entitled.

Article 60

Where a neutral private aircraft is captured on the ground that it is carrying contraband, the captor may demand the surrender of any absolute contraband on board, or may proceed to the destruction of such absolute contraband, if sending in the aircraft for adjudication is impossible or would imperil the safety of the belligerent aircraft or the success of the operations in which it is engaged. After entering in the log book of the aircraft the delivery or destruction of the goods, and securing, in original or copy, the relevant papers of the aircraft, the captor must allow the neutral aircraft to continue its flight.

The provisions of the second paragraph of article 59 will apply where absolute contraband on board a neutral private aircraft is handed over or destroyed.

Chapter VIII. Definitions

In some countries, the word "military" is not generally employed in a sense which includes "naval." To remove any ambiguity on this point a special article has been adopted.

Article 61

The term "military" throughout these rules is to be read as referring to all branches of the forces, that is the land forces, the naval forces, and the air forces.

Article 62

Except so far as special rules are here laid down and except also so far as the provisions of chapter VII of these rules or international conventions indicate that maritime law and precedure are applicable, aircraft personnel engaged in hostilities come under the laws of war and neutrality applicable to land troops in virtue of the custom and practice of international law and of the various declarations and conventions to which the states concerned are parties.

Mr. MORSE. This document reads in part:

> The subject of bombardment by aircraft is one of the most difficult to deal with in framing any code of rules for aerial warfare.
>
> The experiences of the recent war have left in the mind of the world at large a lively horror of the havoc which can be wrought by the indiscriminate launching of bombs and projectiles on the noncombatant populations of towns and cities. The conscience of mankind revolts against this form of making war in places outside the actual theater of military operations, and the feeling is universal that limitations must be imposed.

The conduct of the Turkish Air Force in the bombing of Cyprus meets the description of the international jurists—that the conscience of mankind revolts at it.

Article 24 of the code provides:

> (1) Aerial bombardment is legitimate only when directed at a military objective, that is to say, an object of which the destruction or injury would constitute a distinct military advantage to the belligerent.
>
> (2) Such bombardment is legitimate only when directed exclusively at the following objectives: military forces; military works; military establishments or depots; factories constituting important and well-known centers engaged in the manufacture of arms, ammunition, or distinctively military supplies; lines of communication or transportation used for military purposes.
>
> (3) The bombardment of cities, towns, villages, dwellings or buildings not in the immediate neighborhood of the operations of land forces is prohibited.

There is no dispute about this question of fact. The bombing of the Cyprus village took place far removed from any military operation—

> In cases where the objective specified in paragraph 2 are so situated, that they cannot be bombarded without the indiscriminate bombardment of the civilian population, the aircraft must abstain from bombbardment.

That is a rule of war apparently honored in the breach. We are talking now about living up to international obligations. I am talking about the importance of my Government's going on record officially and formally in the United Nations against this violation of the rules of war by the Turks. I do not know why we have been so hesitant to do just that. Is it a matter of national guilt conscience because we may not like to have what we have done thrown back into our face as a slap? We are not in a very good position to talk when only in recent weeks we supplied the modern planes that were used by the Turks for the bombardment, and with fire bombs of American manufacture.

> (4) In the immediate neighborhood of the operations of land forces, the bombardment of cities, towns, villages, dwellings or buildings is legitimate provided that there exists a reasonable presumption that the military concentration is sufficiently important to justify such bombardment, having regard to the danger thus caused to the civilian population.
>
> (5) A belligerent state is liable to pay compensation for injuries to person or to property caused by the violation by any of its officers or forces of the provisions of this article.

Mr. President, "time's awastin'." There is not much time left to win a peace in the Mediterranean. I believe the members of the United Nations must act, and act promptly. The United Nations must make very clear to Cyprus and Turkey and Greece that we cannot stand by and permit them to throw all mankind into war which may lead to the third world war.

McNAMARA'S WAR

Mr. MORSE. Mr. President, I turn now to the third and last topic.

It is very interesting to note the rethinking of some of my colleagues in the Senate on the support they gave some days ago to an undated declaration of war, an empowerment in the President of the United States. Some of those who voted for it are now, I notice, making insertions in the Congressional Record and making short speeches to get the matter before the United Nations.

As I said to one of them the other day, I welcome that. I am a great believer in conversion, although it is rather belated. If the same Members of the Senate had stood in the past 6 months with the senior Senator from Oregon and the courageous Senator from Alaska [Mr. Greuning], and joined us in protest of the development of McNamara's war in southeast Asia, we might have changed the course of the United States warmaking in Asia. We might have prevented the United States from becoming a serious threat to the peace of the world that she is in Asia at this critical hour. We might have been able to get our Government to recognize that it cannot escalate the war into North Vietnam, that it cannot endanger the enlargement of the war is Asia, without great opposition in this country on the part of the people.

Every boy who gives his life in southeast Asia is giving it unjustifiably under a course of action that this Government is imposing which it cannot reconcile with the situation. Not even the resolution justifies the President sending a boy to his death in South Vietnam in the absence of a declaration of war.

The correspondence that I have put in the RECORD from a cross section population of this country, from all groups—great scholars, lawyers, judges, doctors, businessmen, housewives, farmers—leaves no room for doubt that at the grassroots of America this course of action of the United States in continuing McNamara's war does not sit well.

I believe that in the campaign ahead if someone were running on the Republican ticket and campaigning against the warmaking policies of the United States in Asia, the result of the election would be quite different from what it will be, because the American people, I am satisfied, will recognize that they have a better chance of attaining a final peaceful solution under the banner of my party, led by a great President, with whom I disagree only to any major extent in this aspect of his foreign policy.

I believe the American people will understand between now and November that their best hope for peace is with my party. But it does not make me happy that we put them in the position where that is the only choice they have.

We have walked out—and I pray it will be only temporarily—on a great record of American idealism in the field of foreign policy, for we cannot reconcile American warmaking in southeast Asia with the ideals of this Republic; nor can we reconcile the aggressive course with our treaty commitments under the United Nations, the Southeast Asia Treaty Organization, or the Geneva accords.

In the past 6 months I have developed those international law propositions at great length on the floor of the Senate. I shall do no more than mention them tonight. But before the Senate adjourns tonight for the next 10 or 12 days, I shall say again to the American people that I stand on every word I have uttered in the last 6 months in opposition to the United States warmaking policy in southeast Asia.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks a sampling of the correspondence I have received since the last sampling that I placed in the RECORD, in support of the opposition of the Senator from Alaska [Mr. GRUENING] and the senior Senator from Oregon to American warmaking policies in southeast Asia.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. The tragedy and futility of the American war effort in South Vietnam are becoming more evident every day. Every day's news brings further proof that the weakness of the Khanh government within South Vietnam is a weakness that cannot be overcome by any amount of American support. Every day brings us closer to a full-scale U.S. occupation of South Vietnam as the only means of preventing a complete Vietcong takeover.

That is the direction in which American policy is heading. If it is allowed to continue, it will entrap the American people in an Asian land war for years to come.

Four more American advisers were killed yesterday. How many more must die before the American people rise up and change the policy that put us into this impossible situation?

How many more Americans must die before even the Pentagon must see that the policy it has been directing in South Vietnam since 1961 is a failure? The McNamara war will never produce a victory. We will win military victories, but we will never win a peace through the prosecution of the McNamara war. The seizure of absolute power by General Khanh, accomplished with the approval of military advisers, is creating more civil unrest than ever among the people of that country. We now read the words "anti-American" to describe the attitude of many South Vietnamese. The rumors that Americans will take command positions in the higher echelons of the war effort is damaging, not aiding, the war effort.

If the present direction of American policy continues, it can lead us only to a more complete involvement of American troops in the Vietnam civil war, and it can lead only to an undisguised takeover of the South Vietnamese Government by the United States.

Running the country by remote control has not defeated the Vietcong. It has not even stemmed the tide of rebel successes. If the Pentagon follows its usual habits of thought, these failures will merely be followed with an application of more of the same. That means an increasing degree of direct American management of the country and direct American participation in the war.

All the talk about the sanitary air warfare and sanitary sea warfare that we might conduct against North Vietnam cannot change the fact that the rebels are winning on the ground in South Vietnam. The new tactic of passive resistance is not one that can be overcome with overwhelming weapons superiority, including nuclear weapons. It bespeaks the failure of military solutions to economic and political problems in South Vietnam, and it is a forewarning that the longer we continue pressing a military solution, the more desperate our position is going to get.

How many more American military advisers must die before we change that position?

How many more forts are going to be wiped out, like the one reported yesterday by what our advisers are quoted as calling a perfectly executed Vietcong attack? How many more tributes to Americans are going to be hauled away, in the dead of night, like the monument to President Kennedy was hauled away to prevent further manifestations of anti-Americanism? How long will it be before the United States means to the people of Vietnam what France meant to them 10 years ago—one more Western ruler seeking to impose its own objectives upon them?

Must we wait until we suffer 240,000 casualties, as France did? Are we going to wait until 90,000 American boys have been killed in Vietnam and 240,000 seriously wounded? Must we wait until the American people, at long last, say to whatever administration is in control at the time: "We have had enough"?

I raise my voice in these warnings because I am convinced that the American people have already had enough; but our Government is not yet aware of the strong growing dissent at the grassroots of America in protest of the unnecessary and unjustifiable killing of American boys in Asia.

We cannot settle the problems of Asia on the battlefield. The only place they can be settled is at the conference table. That is where we should insist that these problems go, and go immediately.

There is no doubt that the war in Vietnam is going very badly. How much more are we going to ante into the pot before we admit we are playing a losing hand? We have no business promoting any particular government in South Vietnam. We have no business arranging for one dictator to be overthrown by another who will serve our purpose better. We have no business encouraging him to tighten his personal grip on the country in the name of "greater efficiency." We have no business sustaining a war in a country 7,000 miles from our shores, whose people have shown no interest in the policies we have imposed upon them.

We need to be on guard against the danger of getting ourselves involved in a holy or religious war in South Vietnam. The developments in the past few days revive, once again, the great question of a contest between religious beliefs in South Vietnam. The United States has no place and has no right to become involved in a holy war in South Vietnam or anywhere else.

We can fight forever in Vietnam, as the Secretary of Defense once promised to do if we did not have our way, and we can commit our entire Armed Forces to the war, but we never will win the peace. We never will be able to withdraw once we escalate the war. The only prognosis for what we are doing in southeast Asia is that we will have to keep on doing it forever, at an ever increasing cost.

How many more Americans are going to be sacrificed before we have the sense to go to the conference table, or to the United Nations?

I also want to call to the attention of the Senate some of the circumstances surrounding the incident in the Gulf of Tonkin which were not discussed during the recent debate on the Asian resolution.

At the time of the debate on the joint resolution, it may be remembered that the Senator from Oregon, as tactfully as he could, within the rules of the Senate, without violation of any rule of secrecy, charged that the United States was a provocateur in the Gulf of Tonkin. I repeat tonight that the United States was a provocateur in the Gulf of Tonkin episode. The United States was a part and parcel of the escalating of the war into North Vietnam. The United States was connected with, had knowledge of, but did not try to stop the sending of South

Vietnamese naval boats, boats that we supplied, that we armed, and whose crews were trained by us, to conduct the bombardment against the two North Vietnamese islands some 3 to 5 or 6 miles off the coast of North Vietnam.

We had American naval vessels in the vicinity. The Pentagon disputes how far away they were. If they were 75 miles away, they were a provoking element. There is no question that one of them was within the 12-mile limit of North Vietnam at the beginning of the bombardment.

Mr. President, I placed in the RECORD the other night the column written by Jack Anderson based upon his analysis of what some of the documents show. There just is no way to doubt the full knowledge of American diplomatic and military officials in Saigon concerning the plans of this little dictator puppet tyrant that we are supporting and imposing upon 15 million South Vietnamese people—General Khanh. There is no question that we knew of the escalating of the war. As I said the other day, and repeat tonight, that has been the objective of Secretary McNamara for months and months, to escalate the war. That has been the objective of the Ambassador we had over there—Mr. Lodge; and it has been the objective of the present Ambassador, General Taylor. And they prevailed. The question now about escalating the war into North Vietnam is that we have escalated it. We are going to have to be charged in history with that sordid act.

The Providence Journal, of Providence, R.I., brings out some interesting points about the attack on the U.S. destroyer *Maddox*. The editorial states:

> The clear indication of both the Defense Department statement and the admiral's remark was that the *Maddox* did not fire until fired upon. This is not at all clear, however, from the chronology which was subsequently released by the Navy. That chronology reads in part:
>
> 3:40 a.m.: *Maddox* reported being approached by high-speed (estimated 45 to 50 knots) craft whose apparent intention was to conduct torpedo attack, and that she intended to open fire in self-defense if necessary.
>
> 4:08 a.m.: *Maddox* reported being attacked by the torpedo craft. Opened fire with 5-inch battery after three warning shots failed to slow down attackers.
>
> 4:08 a.m.: The boats continued closing maneuvers, and two closed to 5,000 yards, each firing one torpedo.
>
> 4:21 a.m.: Third attacker moved up to beam of Maddox and received direct hit by 5-inch round and at same time dropped torpedo into water which was not seen to run. Machinegun fire from the boats directed at *Maddox*.

Then the editorial points out:

> It would appear from this account that the *Maddox* actually fired both warning shots and shots directed at the North Vietnamese craft before the PT boats launched their torpedoes or fired their guns. A Navy Department spokesman has confirmed this interpretation of the chronology.
>
> It ought to be borne in mind that the U.S. warship opened fire while the craft 'whose apparent intention was to conduct torpedo attack' were still at least 5,000 yards—nearly 3 miles—away.
>
> The Navy spokesman said that the behavior of the Communist PT boats 'under anybody's rules of engagement' could be 'assumed' to indicate an attack, even at 5,000 yards.
>
> This is a matter of opinion. Three miles is within torpedo range, we are told, but it's a long shot for a torpedo boat, especially for attack against something as maneuverable as a destroyer.
>
> Even on the thesis that the *Maddox* was justified in initiating action, it is still not correct to say she 'returned' the fire of the PT boat. We started the shooting.

These are not among the facts that Americans were given in the President's television message, nor were they pointed out in the general news coverage of the *Maddox* incident.

But they are the kind of facts that have been withheld so long that the American people do not know how we ever got started in the Vietnam war, much less what its objective is. "To make China let her neighbors alone" is the objective the Secretary of State claims for it, but that is so vague, so remote from reality, so implausible coming from a country 7,000 miles away, that it is no standard at all behind which a nation can rally.

The Defense Department is dragging the American people into the quicksands of McNamara's war in southeast Asia. How many more advisers are going to die in those quicksands before the American people take the matter in hand and demand a change of policy in that part of the world?

Mr. President, the saddest chapter that has been written in connection with McNamara's war involves that second attack on the part of the North Vietnamese. It would seem clear now that after the bombardment of the North Vietnamese islands, the discovery of the *Maddox* in the general vicinity of Tonkin Bay was close enough so that she could have come to the assistance of the South Vietnamese boats if they needed it, although the Pentagon claims that the captain of the *Maddox* was not notified. I accept that statement, but of course it is a meaningless statement, for the *Maddox* was under constant electronic communications with the officials in Saigon. In a matter of practically seconds or a minute or two she could have been directed by those electronic communications to proceed forthwith to the protection of those South Vietnamese, American-supplied, naval-armed attacking boat that escalated the war, at long last, as desired by General Khanh, Secretary McNamara, and Ambassador Lodge, and Ambassador Taylor. She could have been sent in a matter of minutes to the protection of those boats. There is no question that her presence in Tonkin Bay, as close as she was to the area of bombardment, was a clear provocation.

I repeat what I said before: What do we think would have been the attitude of the United States if Castro had sent two Russian-supplied, armed PT boats off Key West to bombard Key West, and a Russian destroyer or Russian submarines had been 30, 40, 50, or even 75 or 100 miles from Key West at the time? We would have sunk the Russian ships, because we would have considered it a clear provocation—and it would have been a clear provocation. We would have sunk them, unless they ran up the white flag and moved into an American port.

Mr. President, we cannot have it both ways. We can be provocateurs too—and we were, in Tonkin Bay. There is no question about the fact that reports had been subsequently obtained on the North Vietnamese PT boats saying that the *Maddox* was in that area. The record is clear that she took to the sea some time before they got into firing distance of her. Although there is dispute about the distance—there is some reason to believe she was only 30 miles away when it became perfectly clear that the PT boats were seeking to overhaul her and in all probability attack her—I am perfectly willing to accept the distance of 60 miles when the actual attack started. It was a clear American provocation—argue all we wish to about the fact that we were in international waters.

We were in international waters because of a threat to the security of North Vietnam after two islands had just been bombed by South Vietnamese naval ships, supplied and armed by the United States. We cannot participate in this kind of military operation and not expect just such incidents as this to occur. That is why I say, "Let us stop the shooting. Let us stop the killing. Let us demonstrate that we believe in peace."

We are making ourselves look absurd when we say through our Government, "The conference table can come later. The conference table can come after we dominate the battlefield."

Mr. President, that is not a country standing for peace. That is a country standing first for war, and then saying, "And we win the war, as the victors, we will sit down and tell you what the terms of peace will be." That is what has been the trouble for centuries. That is why no war has ever produced a peace in all the history of mankind. All that war has ever done has been to produce more wars, with only an interval of time between them, which some have mistakenly called a peace. But so long as mankind, or powerful nations in civilization, believe that they have the right to make war, there will be the danger of war.

The United States is demonstrating that she believes she has the right to make war, for the United States is making war in Asia. And the United States, in McNamara's war in Asia, is walking out on all of her ideals in respect to proclaiming that she stands for peace.

What a mockery we are making of our professing that we stand for the substitution of a rule of law for the jungle law of force. What a shameful record the United States is writing in the pages of history of mankind in this dark hour of 1964.

Until there is a declaration of war, I intend to give no support to my President, or to my Government for its warmaking policy in Asia.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the following material: A letter from Edwin B. Hamilton, Columbus, Ohio, supporting the position that I have expressed again on the floor of the Senate tonight, together with an article he sent along with his letter, entitled "X-Ray and Forecast: History Pauses in Vietnam;" an article from the Portland Oregonian, in the column entitled, "The People's Corner," consisting of a letter to the editor by Mr. Griffin supporting my position; two letters to the editor of the Eugene Register-Guard, from Sanford A. Kenney and C. Dun Christensen, supporting my position; and an editorial from the St. Louis Post-Dispatch entitled "The U.S. Peril in Vietnam."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COLUMBUS, OHIO,
August 6, 1964.

DEAR SENATOR MORSE: Let me congratulate you on your honest and candid admission that the United States has some responsibility for the tragic events occurring in Vietnam.

Enclosed is part of a newsletter I subscribe to that deals with many of the unpleasant facts of the southeast Asian area.

I share the view with you that the United States must share the blame for some of the distasteful events of the last week.

Please continue your forthright discussions of this matter.

Sincerely yours,
EDWIN B. HAMILTON.

[From the Wells Newsletter, July 1, 1964]

X-RAY AND FORECAST: HISTORY PAUSES IN VIETNAM

The total bankruptcy of military diplomacy in this age of worldwide revolution—with the vaulted mushroom clouds of nuclear power towering over us—is being dramatically revealed in the southeast Asia crisis. Events seem now to have paused in a period of indecision. Political blunders and military pressures have permitted far too few of the facts to reach the American public. The political pressures are characterized by the Goldwater suggestion that we should drop low-level nuclear bombs to "defoliate" the jungles of Vietnam to expose Communist hideouts. Shouldn't there be some concern about the certainty that the same blasts would sear the trunks and limbs of children, as certainly as the trunks and limbs of trees?

We have learned from U.S. AID personnel in Vietnam that hospitals are so few and so limited in capacity that often most of the beds are filled with wounded children and mothers, with four or five in a bed. The male civilian casualties are left on mats in the hospital yards in rain or scorching heat. Nearly all these are South Vietnamese, wounded in South Vietnam by the South Vietnamese as they turn U.S. artillery fire on Communist penetration points or fly over in U.S. planes and drop U.S. napalm fire bombs on the villages.

The American public needs to know more about the recent history of Vietnam to understand the gross failures of military policy. (The facts we review here in brief can all be verified in any adequate history of modern Asia.) The entire area was under Chinese rule for over 1,000 years—until the French made it a part of their empire about 100 years ago. When the Japanese drove the French out in World War II, our own OSS operators infiltrated Vietnam to develop guerrilla forces behind the Japanese lines. Our operators discovered a strong independent Nationalist movement, called the Viet Minh, under the leadership of Ho Chi Minh who was trained by the Communists in his youth. During the war, the United States worked with the Viet Minh against the Japanese.

With the Japanese defeat, plans were made for Indochina to be placed under an international trusteeship. The French, after originally agreeing to this trusteeship, reasserted a claim over their former colonies in 1946 and the trusteeship was dropped. The Ho Minh forces demanded independence from France but were promptly and ruthlessly suppressed as the French armies reoccupied the country. The Viet Minh then looked to the United States as their war ally for aid. We ignored them in deference to the French. They then turned to Russia, and the French began bloody suppression of the Viet Minh, using U.S. lend-lease weapons. Ho Minh's forces naturally became thoroughly hostile to the West and gravitated increasingly into the Communist orbit—furthermore they proved far more clever and determined than the French. The war for independence finally culminated in the disastrous defeat of France in the Battle of Dien Bien Phu, after the United States had poured in over a billion dollars in support of the French in Vietnam.

The defeat of the French of course opened Vietnam to the Communists under the Viet Minh whose victory had been achieved almost entirely with U.S. weapons captured from the French or with weapons that had trickled out all over Asia through the fingers of Chiang Kai-shek and his corrupt generals during the preceding years. In order to stem the Red tide, the United States enlisted an anti-Communist Vietnamese Nationalist by the name of Ngo Nimh Diem—a wealthy aristocratic exile. The U.S. Central Intelligence Agency began to take over at this point and engineered Diem to his place of power—which soon evolved into a family dictatorship.

The CIA continued to finance Diem even when he tried to crush the rebellious Buddhist sects who challenged his tyrannical authority, for the Diem family were ardent Catholics in a country that is 70 percent Buddhist. Diem appointed only Catholics to positions of top responsibility—often men who were arrogant and oppressive. Naturally this enraged the Buddhists. But none of this bothered the CIA, for "getting on with the war"—no matter what or how—has been the motto of far too many officials in Washington. Neither the CIA nor official Washington evinced concern that the great majority of the South Vietnamese people were embittered against the U.S.-created Diem dictatorship and were willing to welcome their fellow Vietnamese from the North who were still fighting for "independence" under Ho Minh. We kept pouring in the millions while Diem and his family associates became richer and more arrogant, until the regime ended in a gory collapse. This unhappy record is corroborated by the open admission that many of the Communist forces, now called the Vietcong, are South Vietnamese and not from the Communist North.

FROM THOSE WHO WERE THERE

From a symposium on Vietnam and from other sources, we have gleaned much data that contradicts popular reports in our press. Participating in this symposium were Stanley Millet, a professor of political science who taught for 2 years at the University of Saigon; Robert Browne, an economist who spent 6 years with the U.S. aid program in South Vietnam and Cambodia and who returned recently with a Vietnamese bride; Arthur Dommen, who served as a UPI correspondent in Vietnam for 2 years. Other materials came from published reports by Dr. David Arnold of Princeton University who served 14 months with the USIA in Saigon.

The consensus of opinion in the recent symposium on Vietnam was that the Peiping Communist Government is very remote from the South Vietnamese situation. It is now believed that both sides are fighting almost exclusively with U.S. weapons and ammunition, except for a certain quantity of homemade weapons. There is little evidence that weapons have been shipped in from Red China or Russia, and when any are found, the news is headlined far out of proportion to the facts. "If this were not true," commented the UPI correspondent, "why haven't the Red Chinese at least given them antiaircraft guns with which to shoot down our low-flying planes and helicopters, to say nothing of providing them with planes? They are still banging away at them with their rifles and small shotguns."

The suppression of official battle reports and military information by the CIA and military officers of rank, along with their Vietnamese counterparts, reached scandalous proportions, as Between the Lines has previously reported. Secretary of Defense McNamara made four trips to the battlefields before he could get the facts. The top American generals received only data designed to please them, these reports having been channeled through their Vietnamese collaborators.

As we recently reported, on one trip McNamara was volubly reassured by U.S. generals and the CIA men that the Diem regime was functioning in a strong, effective, and trustworthy manner, contrary to some alarming rumors that were leaking out. Shortly after McNamara returned to Washington, the regime collapsed in the midst of a bloody insurrection that was ardently backed by nearly all the population.

The U.S.-supported South Vietnamese troops have no appetite for killing their Vietcong brothers just because they had turned to the Communist movement for "independence." And the South Vietnamese officers have had no stomach for fighting in the jungle either. Oh, they have been quite dashing in the matter of shelling village areas with U.S. artillery or dropping bombs, including those containing napalm jelly which sprays sticky long-burning gasoline flames over a wide area, destroying the villagers with the villages—all in an effort to destroy a few Red guerrillas.

The South Vietnamese officers run little personal risk in such action—and never even see those who are the victims of their attacks.

[From the Portland Oregonian,
Aug. 12, 1964]

THE PEOPLE'S CORNER

COURAGEOUS MORSE

To the EDITOR:

The burden of proof is upon the Oregonian for its charges that Senator MORSE "slandered" President Johnson by claiming that U.S. military presence in South Vietnam serves only the interests of rich merchants and generals in Saigon. Since the allegation of slander, made against a public official, is a serious one I defy the Oregonian to prove both the falsity and maliciousness of Senator MORSE's statement. Show your readers, if you can, what freedom is at stake in the military dictatorship of South Vietnam.

It is obvious that the clouded events in the Gulf of Tonkin, far from being a threat to the security of the United States have merely been a pretext for a show of American military might in the Far East and a prelude to deeper involvement. International waters or not, the stationing of American warships in this secluded gulf can be construed only as a deliberate provocation, the purpose of which becomes suspect in light of recent demands that the war be "carried to the North."

Senator MORSE deserves all of our praise, not your thoughtless criticism, for his courageous efforts to bring the facts of American foreign policy before the public.

PETER A. GRIFFIN.

SALEM.

[Two letters from the Eugene (Oreg.) Register-Guard, Aug. 14, 1964]

VIETNAM

To the EDITOR:

Many years ago we thought we could export democracy. We thought we were the livin' end as a model country for other less fortunate countries to pattern themselves after us. Now we have found our ways and methods are not easily accepted by countries with different cultures and civilizations than ours.

During this venture in world politics, we entered into agreements and treaties; one of these was the Geneva Accords of 1954 on Vietnam. Now after many years of futile effort to set up a democratic government in Vietnam, we find ourselves one of the first to violate the treaty. Admitting the Communists too have violated the treaty, two wrongs still do not make a right.

The Johnson administration inherited this unhappy situation from the Kennedy administration, the Kennedy administration inherited it from the Eisenhower administration and so on. Many of us Americans are just waking up to what the situation really is. We find it is one of our own making and it's pretty bad, but we stubbornly continue down a road which has led us into some very serious trouble, trouble that can worsen to the point of all-out war and then still will not have a democracy established in Vietnam.

I think it is time for all of us to seriously and honestly consider the stand WAYNE MORSE has taken on our action in Vietnam. His is the only one that closely parallels the plan we have been pursuing. The U.S. Senators' fleeing from the Senate Chambers when MORSE speaks on this subject indicates that they are not sure what the reaction of their constituents would be and therefore do not want to go on record as voting one way or the other.

BARRY GOLDWATER has dared Lyndon Johnson to "back down" from the stand Johnson took in the recent Vietnam crisis, yet most of the people I have talked to fear a GOLDWATER victory largely because his reckless and belligerent aims could lead into a quite unnecessary war. It is unfortunate for the GOLDWATER supporters that the Vietnam crisis occurred at this time, but I think it presents itself as a real opportunity for us Americans to rally around our Government, giving it our support, admitting we as well as the lawmakers share the blame for the mistakes that have been made and also share in the responsibility of helping get this in the hands of the United Nations where it belongs.

The supporters of WAYNE MORSE owe him a vote of confidence by helping carry the ball a bit at this time and do our country a real service as well. Any rebuttals or additions?

SANFORD A. KENNEY.

SPRINGFIELD.

BACKS MORSE

To the EDITOR:

I should like to go on record as wholeheartedly supporting Senator WAYNE MORSE's courageous stand on the Vietnam situation, as well as foreign aid.

C. DAN CHRISTENSEN.

EUGENE.

[From the St. Louis (Mo.) Post-Dispatch, Aug. 3, 1964]

THE U.S. PERIL IN VIETNAM

Although it may not be easy in the midst of the crisis atmosphere in Asia and in Washington, Americans could well afford the time necessary to reexamine the U.S. position in South Vietnam. Events of the last week have shown how dangerously close this country is to a far deeper military involvement in the jungles 8,000 miles from home.

Overwhelming congressional support of a resolution backing President Johnson's action in southeast Asia (the Senate vote was 88 to 2, the House 414 to 0) serves admirable notice to the world that although this is an election year the Nation is united behind the Commander in Chief.

And yet the swift passage of the measure eliminated the possibility of a debate on the merits of our Asian policy, one that is long overdue. Perhaps this was not possible under the circumstances; it was important to give the President quick and strong support. But this should not prevent the public from pondering the opposition of Senators MORSE and GRUENING. Mr. GRUENING said: "All Vietnam is not worth the life of a single American boy."

How much is Vietnam worth to us? As Marquis Childs reported: "If the worst should happen, the Johnson administration faces an awesome choice—sending in large numbers of American combat troops or expanding the war with massive bombings in the north. The risks in either course are incalculable. A third choice, getting out of Vietnam, seems impossible in view of what has gone before and in the light of politics in a presidential election year."

The deadly peril of being sucked into an Asian holocaust stems from the fact that the United States cannot control events. If Red China wants war, we could be drawn in against our will. It is unfortunate that we must admit our best hope lies in the probability China does not want a major Asian war. Why should it? Time and geography are very much on the side of the Chinese. The North Vietnamese have been winning the Indochina struggle. And that makes their torpedo attack on units of our 7th Fleet in the Gulf of Tonkin all the more baffling. The United States was wise, incidentally, to halt further patrols in the gulf at this time.

The new state of emergency in South Vietnam may reflect Premier Nguyen Khanh's determination to resist a possible invasion, or to carry the war to the north, as he has been advocating. But it is also a measure of the near collapse of his government. Would a sound regime, even in these straits, find it necessary to empower military courts to impose summary death sentences on all terrorists, saboteurs, and black-market speculators, with no right of appeal?

The facts appear to be that the majority of the South Vietnamese care less about fighting the Communist Vietcong than do the Americans, who have been spending more than $500 million a year and who have more than 16,000 military advisers with the South Vietnamese forces.

How the United States came to assume the lost French cause in Indochina a decade ago and associate itself with successive regimes in Saigon is a long and tragic story. Regardless of the past, the problem now is how to extricate ourselves honorably. Our present course should be to prevent General Khanh from taking any rash steps that would enlarge the war. President Johnson has made it clear that we seek "no wider war."

A negotiated political settlement is the only possible conclusion to the Indochina struggle, and if the war can be held within bounds a little longer a way to accomplish that may present itself. The United States has no real strategic need for a foothold in Indochina; with its invincible sea and air forces it will be a power in Asia for the foreseeable future.

So any opportunities for negotiations should be carefully considered. Perhaps Secretary General U Thant of the United Nations is right in his belief that the Security Council is not the place to bring about a settlement now. After all, North Vietnam is not a member of the U.N., and neither are South Vietnam and Red China. But discussion in the Council, assembled at the request of the United States, could lead to openings.

Hopefully, these may be found before it is too late. Present indications are that there will be at least a breathing spell, but tensions are high and anything might happen. Would it not be well for Americans seriously to consider whether they want to continue tempting fate in Indochina? We advocate freedom and independence for Vietnam. This is a proper goal, but it can be attained only through a political settlement guaranteed by the big powers—including Red China—operating through or outside the U.N., and not by force of arms.

Mr. MORSE. Mr. President, although the St. Louis Post-Dispatch has not gone all the way in opposition to the American policy in South Vietnam, it has written a series of editorials in the past many months raising serious questions about our policy in South Vietnam. One of its more recent ones—which I just had printed in the RECORD—is an editorial of August 9, entitled "U.S. Peril in Vietnam."

I shall read a part of the editorial. It reads as follows:

> And yet the swift passage of the measure eliminated the possibility of a debate on the merits of our Asian policy, one that is long overdue. Perhaps this was not possible under the circumstances; it was important to give the President quick and strong support. But this should not prevent the public from pondering the opposition of Senators MORSE and GRUENING. Mr. GRUENING said: "All Vietnam is not worth the life of a single American boy."
>
> How much is Vietnam worth to us? As Marquis Childs reported: "If the worst should happen, the Johnson administration faces an awesome choice—sending in large numbers of American combat troops or expanding the war with massive bombing in the north. The risks in either course are incalculable. A third choice, getting out of Vietnam, seems impossible in view of what has gone before and in the light of politics in a presidential election year."
>
> The deadly peril of being sucked into an Asian holocaust stems from the fact that the United States cannot control events. If Red China wants war, we could be drawn in against our will. It is unfortunate that we must admit our best hope lies in the probability China does not want a major Asian war. Why should it? Time and geography are very much on the side of the Chinese. The North Vietnamese have been winning the Indochina struggle. And that makes their torpedo attack on units of our 7th Fleet in the Gulf of Tonkin all the more baffling. The United States was wise, incidentally, to halt further patrols in the gulf at this time.
>
> The new state of emergency in South Vietnam may reflect Premier Nguyen Khanh's determination to resist a possible invasion, or to carry the war to the north, as he has been advocating. But it is also a measure of the near-collapse of his government. Would a sound regime, even in these straits, find it necessary to empower military courts to impose summary death sentences on all terrorists, saboteurs and black market speculators, with no right of appeal?
>
> The facts appear to be that the majority of the South Vietnamese care less about fighting the Communist Vietcong than do the Americans, who have been spending more

than 500 million dollars a year and who have more than 16,000 military advisers with the South Vietnamese forces.

Mr. President, the editorial goes on to point out other weaknesses. And, of course, the most tragic mistake we have made is that after the second atack, we had tried to respond to the attack by attacking the attacking ship. We then committed a clear act of aggression. We had no right under international law to bomb the mainland of North Vietnam. That was an act of war on the part of the United States.

It ought to have been followed or preceded by a declaration of war. When the question is adjudicated by an international tribunal, if it ever is, I predict that the United States will be found to be clearly guilty of an act of aggression against North Vietnam. We had the right to sink the attacking boats. We had the duty under international law thereafter to take our allegations as to the violation of international law by North Vietnam— and she was completely guilty of violating international law by attacking our boats on the high seas—to the United Nations. But we had no right whatsoever under international law to proceed to bombard North Vietnam.

That is why we are finding not very much enthusiasm for the American position. We will find less and less if we do not stop this course of action.

Mr. President, lastly, I ask unanimous consent to have printed in the Record an article entitled "Southeast Asia Smolders in Dawn of New Disaster," by Edwin A. Lahey of the Knight newspapers.

There being no objection, the article was ordered to be printed in the Record, as follows:

SOUTHEAST ASIA SMOLDERS IN DAWN OF NEW DISASTER

(By Edwin A. Lahey)

WASHINGTON.—The threat of immediate war with Communist China seems to have receded.

But the southeast Asia peninsula still smolders like a city dump.

The French, who haven't won a bout since Napoleon's day, were forced out of this unpleasant part of the world in 1954, when they had to liquidate their Indochina colony. (The French still own a lot of property there, however.)

Ten years ago, the United States became receiver in bankruptcy for this area, with special emphasis on South Vietnam, the non-Communist portion of a partitioned country.

America had to take up the burden because South Vietnam was the one bastion where we could operate as a retaining wall against the infection of communism, which spreads from China toward the rest of Asia.

With characteristic highmindedness, the United States looked for the government of South Vietnam to install some social reforms, so the average citizen would feel he had been elected to membership in the human race.

President Eisenhower wrote to President Ngo Dinh Diem in 1954 that our money and our military support were pledged to South Vietnam, but, in turn, "the Government of the United States expects that this aid will be met by performance on the part of the government of Vietnam in undertaking needed reform."

Ten years later, even the officials of America are talking about these reforms in the future tense.

This is what impels Senator Wayne Morse, of Oregon, to declare of our policy in South Vietnam:

"Even the American people know that to say we are defending freedom in South Vietnam is a travesty on the word.

"We are defending General Khanh (the president) from being overthrown, that is all.

"We are defending a clique of generals and their merchant friends who live well in Saigon, and who need a constantly increasing American military force to protect their privileged position."

Senator Morse's long tirade against our South Vietnam policy has been ignored, not only in recent months, but in the present week, in which torpedo boats of the Communist North Vietnam Navy, with apparent idiocy, attacked units of the U.S. Navy's 7th Fleet in the Gulf of Tonkin.

But even the official accounting of the Agency for International Development to Congress would tend to support Morse's comments about the failure of our South Vietnamese proteges to bring about some social reform with the hundreds of millions of U.S. dollars that are being poured into the country.

The Agency for International Development reported to Congress in April of this year that "effective political, social and economic programs must be developed (in South Vietnam) to overcome popular grievances and give the peasant an incentive to defend his home and his village."

This is precisely what President Eisenhower was saying to President Diem several billion dollars and 10 years ago.

The government of General Khanh, which overthrew the Diem government last November with apparent U.S. approval, "has recognized the need for fundamental reforms to attract and hold the loyalties of the peasants," the AID report to Congress said 4 months ago.

But the AID officials cagily use the future tense in discussing South Vietnam reforms.

"In general," they said in their April report, "the (Khanh) government has been moving in the right direction, with the proof of sustained effective action yet to be seen."

This is about what Senator Morse has been saying all along, in much harsher language.

"If war is really too important to be left to the generals, then the American people are going to have to make themselves heard on U.S. policy in Asia," the Oregon firebrand declares.

Mr. MORSE. Mr. President, I wish to commend the Knight newspapers for the courageous journalism that they have displayed in many recent months in high and penetrating criticism of American foreign policy in southeast Asia. The article by Lahey is in keeping with that standard.

In the course of the article Mr. Lahey quotes from a document of AID entitled "Proposed Mutual Defense and Development Program, Fiscal Year 1965." I shall not take time to read the entire section from which he quotes, but I ask unanimous consent that the section on Vietnam, which appears on page 126 of the document, be printed at this point in my remarks.

There being no objection, the section was ordered to be printed in the Record, as follows:

VIETNAM

The outcome of the long and bloody struggle against Vietcong aggression in South Vietnam depends heavily on the Vietnamese Government's ability to carry out a sustained offensive on both the military and the economic fronts.

The Vietcong today has a strong grip on large areas of South Vietnam, particularly in the Mekong Delta. To protect the peasants against Communist attacks, there must be a large-scale military effort against the Vietcong and their local irregulars. Creation and maintenance of local defense forces throughout the country, in addition to attack units, must have top priority. Effective political, social, and economic programs must be developed to overcome popular grievances and give the peasant an incentive to defend his home and his village.

The government established after Diem's overthrow on November 1, 1963, underwent an internal power change on January 30. Gen. Nguyen Khanh who engineered this change, has organized a largely civilian government with himself as Prime Minister. General Minh, previous leader of the Military Revolutionary Council, remains as chief of state.

A major past deficiency has been the failure to assure lasting military security to peasants who had committed themselves to the government's side by moving into the strategic hamlets in parts of the Mekong Delta and several other regions. Against U.S. advice, the strategic hamlets were extended too rapidly into certain areas where effective military protection could not be given, and in such cases were ineffective in sealing off the population from Vietcong influence and control.

The program now is concentrating on secure areas and the consolidation of viable existing hamlets. The original hamlets have succeeded in the great majority of districts, however, bringing the people and Government together in constructive cooperation for economic and social progress and security.

In the period since November 1963, the Government has recognized the need for fundamental reforms to attract and hold the loyalties of the peasants, including higher farm prices, a revised and vigorous land reform program, and honest, effective local government. Action to meet these needs will require strong and imaginative leadership.

The military government has responded to the need to mobilize Vietnam's economic resources for the war effort. Austerity taxes have been instituted on a broad range of imported goods, and plans are being formulated to increase revenues by broadening the tax base and improving tax administration to secure better compliance with the laws. The Government has also indicated a willingness to consider drawing down foreign exchange reserves, if necessary, and to restrict further already reduced and highly taxed luxury imports. In general, the Government has been moving in the right direction, with the proof of sustained effective action yet to be seen.

Mr. MORSE. I quote only the following paragraph:

> In the period since 1963, the government has recognized the need for fundamental reforms to attract and hold the loyalties of the peasants, including higher farm prices, a revised and vigorous land reform program, and honest, effective local government. Action to meet these needs will require strong and imaginative leadership.

Mr. President, where are the reforms? It was in 1954 that President Eisenhower wrote that letter that is still being used by the State Department to rationalize and alibi our South Vietnamese program. Of course, that letter of Eisenhower has no controlling effect upon American foreign policy. It provides no justification for the United States making war in South Vietnam. It is no justification for our violation of the Geneva accords. But even the Eisenhower letter was conditioned upon reforms in South Vietnam. There have been none. The reforms are lacking.

The sad thing is that instead of bringing about reforms, the United States—my Government—has now sanctioned, supported and endorsed the reorganization of the Khanh dictatorship to make it now even more dictatorial, suspending civil liberties and bringing to an end the opportunity for the citizens of South Vietnam to enjoy any freedom whatsoever. Yet our leaders still have the audacity to try to tell the American people that we are in South Vietnam in defense of freedom. What shameful statements. We are not supporting freedom in South Vietnam. We are supporting a military dictatorship, an American puppet. That is going to be the dark, dark chapter in American history which will cause American people and scholars of that generation 50 years from now to ask the question, "What went wrong in the United States when its government decided to support McNamara's war in South Vietnam?"

EXHIBIT 1

NEW YORK, N.Y.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: You are 100 percent right on Vietnam. Keep up the fight for some sense in this matter.

CHARLES B. FINCH.

HARRISON, N.Y.,
August 8, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: You have spoken with courage and honesty in the Senate on our shameful acts in southeast Asia. I hope we will hear more of these truths from you.

Sincerely,

ANNE GEISMAR.

SANTA MONICA, CALIF.,
August 7, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I want you to know that I couldn't agree more with your opposition today to the resolution on southeast Asia which was passed by both Houses today. I am grateful that at least two Senators had the courage to make their opposition heard. I am utterly dismayed at the developments of the last few days and have also communicated my dismay to the President and both California Senators; but of course it is of no use and this is what compounds the dismay. Please keep pounding against our recklessness and our invitation to disaster.

With my profound thanks.

Sincerely,

Miss IRMGARD LENEL.

DENVER, COLO.,
August 7, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Congratulations on your courageous statements on the dangerous, terribly wrong path our Government is following, with regard to North Vietnam. Many of us are grateful to you and wish there were more men of principle and courage.

Sincerely,

H. W. FORD.

BROOKLYN, N.Y.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Your still, small voice in future generations will be known as the voice of justice. You were outvoted here but hundreds of millions all over the world are with you.

Respectfully,

MAX SOFSKY.

LOS ANGELES, CALIF.

DEAR SENATOR: I admire your stand, and believe every word you said. Too bad we do not have many more with your courage.

We have no business in Asia or trying to tell the world what to do. We should take a look at Mississippi. My hope depends on men like you.

Sincerely,

LUCILLE MARTIN.

AFTON, WYO.,
August 5, 1964.

DEAR SIR: We are with you all the way. If we only had more men like you with high principles this would be a better world.

Wish you were President.

——— ———.

CARMICHAEL, CALIF.

DEAR SENATOR MORSE: Your courage and integrity are magnificent. We applaud your stand on Vietnam and many critical issues, and are sorry that we are not Oregonians to reelect you. We hope you continue to be a minority of one—when the cause seems just to you.

Respectfully,

ROSALIND SAETTLER
Mrs. Paul Saettler.

BERKELEY, CALIF.

Congratulations on your remarks on the bombings in North Vietnam.

Yours is the most courageous and honest voice in the U.S. Government on this issue.

I hope your mail is strong enough to indicate to you that there are others who support you, who have not yet succumbed to the managed versions of world events foisted on us.

RALPH JOHANSEN.

SAN FRANCISCO, CALIF.

Congratulations again.

Your stand on Vietnam is again a great contribution to a peaceful world. You are truly America's greatest Senator.

Dr. WILLIAM ROBBINS.

MINNEAPOLIS, MINN.,
August 7, 1964.

SENATOR MORSE: We heard you on television August 5, and feel you are right in your analyzing this Vietnam trouble our country is into. We are afraid to give our names.

Yours truly,

——— ———.

MINNEAPOLIS, MINN.,
August 7, 1964.

DEAR SENATOR MORSE: There are many peace- and justice-loving people in our country who feel helpless as they observe the ongoing power struggle and escalation toward war. We are most grateful for your courageous and articulate voice. May it arouse the conscience of our country to accept methods of nonviolence during this crisis.

Gratefully,

Mr. and Mrs. PAUL HENDRICKSON.

SABASTOPOL, CALIF.,
August 7, 1964.

Senator WAYNE MORSE: God bless you for standing up for peace. You may be alone in the Senate. Not alone in the world, of parents.

With respect,

BERNARD BARUCH ZAKHEIM.

MINNEAPOLIS, MINN.,
August 6, 1964.

DEAR SENATOR MORSE: May this card be just one of many thousands to tell you we support and agree with your views on Vietnam.

This seems to be an unpopular view and I can't sign my name, but may you know we're proud of you for having the courage to speak out that our actions are something less than honest or honorable.

Keep up the good work.

——— ———.

LOS ANGELES, CALIF.,
August 1964.

DEAR SIR: Thank you for your sound, courageous voice. Has everyone gone mad in Washington? This Vietnam incident is madness, surely. You have our deep gratitude.

Respectfully,

A SANE DEMOCRAT.

WOODLAND HILLS, CALIF.

Hon. WAYNE MORSE,
Senator from Oregon.

DEAR SIR: I would like to thank you for your forthright stand on foreign aid and the war and our policy in southeast Asia. I beg and urge you to keep to your guns and continue your fight. Foreign aid should be cut at least 50 percent.

More power to you, and may God's blessings be with you.

Yours truly,

ROBERT B. MARS.

PALO ALTO, CALIF.,
August 6, 1964.

DEAR SIR: I greatly support your courageous stand on Vietnam and southeast Asia. Congratulations.

What can I do to help? Do you receive any other congressional support?

Yours truly,

MICHAEL S. DUKE.

SAN JUAN CAPISTRANO, CALIF.,
August 5, 1964.

You are not alone. I can't help much, as we are too ignorant, though I read and discuss and am in a sense well educated. Stay with it.

RUTH SHERRY.

P.S.—Please put me on your mailing list.

WALLED LAKE, MICH.,
August 6, 1964.

DEAR SENATOR MORSE: Congratulations on your determined stand last night on TV, opposing the Tonkin incident political uproar to escalate the Asia war. You are right; our ships had no business there in dubiously international waters, and their behavior was indeed provocative. Especially during administration threats to escalate the war to North Vietnam and even China. These are maneuvers by the U.S. war machine to look big to cover collapse, political and military, in Saigon. Can't you rally the loyal opposition to block the effort to get approval of Congress for these moves in a war illegal from the start?

Yours for U.S. sanity,

R. P. BREDE.

PALO ALTO, CALIF.,
August 5, 1964.

DEAR SENATOR MORSE: I approve of your stand on Vietnam. I think it is serious enough to be settled by U.N. South Vietnam Government is not democratic and may not have the people's support for U.S. military aid. It is not becoming for a democracy to give more than economic aid to military governments. We do not need to increase tensions by having warships in Gulf of Tonkin. A nonnuclear government could send aid with U.N. help.

Yours truly,

Becky Meyer.

Los Angeles, Calif.,
August 7, 1964.

Senator Morse,
Washington, D.C.

Dear Sir: Good for you for standing up against our involvement in the war in Vietnam, which might, all too easily, become a world catastrophe.

We have far too much military—i.e., planes, missiles, bombs—and we feel we must use them. How are we ever going to have peace?

Let us continue the Geneva conference by all means, but have enough education and favorable publicity with it, so that it will succeed.

Sincerely yours,

Georgine C. Molnar.

New York, N.Y.,
August 6, 1964.

Dear Senator Morse: We gratefully support your stand on Vietnam, the only sane voice in the halls of the mighty. Not all of the American people are applauding President Johnson's reckless race to war.

Mr. and Mrs. Sylvan Levey.

Dickinson, N. Dak.,
August 6, 1964.

Dear Senator: How fine it is to have one in Washington who is willing to be honest and admit that we too err. There is no gain from constant lies and they become most dangerous when we believe them.

Ships in southeast Asia from the United States are aggressive.

Sincerely,

P. W. Caton.

New York, N.Y.

Dear Senator Morse: Thank you very much for your position on Vietnam. We should have withdrawn all members of the U.S. Armed Forces from South Vietnam long ago.

John H. Clark.

Pacific Grove, Calif.

Dear Senator: I like what you said when you said it about Vietnam.

V. Popovac.

Bronx, N.Y.,
August 6, 1964.

Dear Senator Morse: My wife and I would like to send to you our heartfelt expressions of appreciation for the very courageous opposition which you have made against the extension of the war in Vietnam. You are, in essense, on the firing lines, and only through the unity of the few Congressmen such as you and "thinking" Americans can we end this suicidal path toward destruction.

T. Richards.

Dear Sir (Senator): If President Johnson would only confer with you, instead of all people, Goldwater, on Vietnam.

Cordially,

Ed H. Baumgartner.

Amarillo, Tex.,
August 8, 1964.

Want to congratulate you on the stand you took against the mob all voting blindly for action in southeast Asia.

I agree with you—the whole of Asia is not worth one American life. Let's get our military nearer home and out of the way of foreign nations who wish to cause trouble.

Joseph N. Loop.

August 6, 1964.

Dear Senator Morse: We support your position on Vietnam. We would also support a southeast Asia policy which would emphasize helping these nations help themselves in economic, cultural, and educational areas instead of in the military area.

A. W. March.

Southern Pines, N.C.,
Hiroshima Day, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thanks for your antiwar vote. Keep it up and after election maybe it could be policy—we can only hope.

William Whitman.

Coral Gables, Fla.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am proud of your courage in standing up for what you believe our policy should be in Vietnam. That shows real moral integrity. Even though you know you may be risking your political future you are taking a firm stand on the side of justice.

God bless you.

Most sincerely,

Mrs. Pearl C. Ewald.

Brandford, Fla.,
August 6, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

Heard your statement on television news last night re resolution requested by President Johnson pertaining to U.S. air raid on North Vietnam. You clearly stated a viewpoint with which I agree 100 percent. I appreciate what you said, and the way you said it. Many thanks to you, sir, for your statement to the news media on August 5 and also for your vote today against the resolution favoring President Johnson's military action.

Our people are slow to catch on to the behind the scene manipulations to maintain a series of military crisis to influence elections and favor certain segments of our society with the fruits of limited war in the form of economic gain; but they are waking up now. Maybe enough will awaken before it is too late.

I see no sense in our men dying in defense of people who apparently are not willing to defend themselves. Our economic system is rapidly evolving into communism—about as fast as possible without armed revolution. We would do well to spend our energies in search for peaceful solutions to our own domestic problems and maintain military for our own defense.

James D. McGregor.

New York, N.Y.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.:

One of the boys who worked on this picture said this is a place where "nobody hurts nobody else." I wish our world were like that.

As a mother and a settlement art teacher, I extend my heartiest thanks for your stand for peace and freedom in southeast Asia. I weep that there are not more in your camp. Please continue your courageous fight.

Mary Diane Halleck.

Los Angeles,
August 6, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: Congratulations on your public expression of integrity re the southeast Asia boondoggle. Unfortunately for America there aren't enough of your kind.

Sincerely,

E. Theobold.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I urge that, if this is not revealed as a strategy toward peace—this confrontation in Vietnamese waters—that you again come to the fore—and demand a full and complete airing of the true situation in Vietnam. We dare not risk war and the escalation of it—or we shall be haunted by the old plaint: "The Democrats get us into war." And it will be believed—and will be spread by the very ones who now urge such war—the far right Republicans, whose Mr. Dulles got us into this mess.

This is not our war—not the Democrats' war—but Ike's and—more accurately, Dulles'. Let us mark time and tread water until after November—and then negotiate ourselves out of a lot of foolish commitments that will destroy and defeat and humiliate us—in Asia, the Congo, Cuba.

Truly,

Gladys Martin.

Lamoni, Iowa.

Oakland, Calif.,
August 7, 1964.

Dear Senator Morse: Congratulations on your very courageous stand against the excessive response of the administration to the two attacks in the Tonkin Gulf.

Please continue your fine series of speeches in Congress resisting our involvement in Vietnam.

(No reply expected.)

Yours,

Armin T. Wright.

Whittier, Calif.,
August 5, 1964.

Dear Senator Wayne Morse: I am ashamed of my country this morning. We look like a big bully before the world. Why couldn't the President have presented the problem this morning to the United Nations instead of bombing a helpless little country, and then giving the headache to the U.N.?

I wish you would run for the Presidency to give the peaceable people a candidate to vote for. What can we do to stem the tide toward a disastrous war?

Sincerely yours,

Ed. H. Runcorn.

Pullman, Wash.

Dear Sir: Please accept my grateful thanks for your opposition to U.S. policy in southeast Asia and the recent crisis.

If even a few of your colleagues in the Senate showed the same courage and understanding, this country would not be as near to war is it is, and the right of the American people to know the facts about our foreign policy would be better protected.

Again, my sincere thanks and congratulations.

J. L. Tobey,
Department of History, Washington State University.

West Sacramento, Calif.,
August 6, 1964.

Dear Senator Morse: It is wonderful to hear some sanity over Vietnam. Is there any possibility that the International Control Commission will be called upon by the U.N. to help set the record straight?

Mrs. Margaret Plosser.

OLD FORGE, N.Y.,
August 8, 1964.

HONORABLE SENATOR: Congratulations on your courage in speaking out on the disastrous course our Government is following in southeast Asia. The action of President Johnson is typical of a Goldwater policy—not that of a man of peace. It is a sign of weakness—not strength.

LEON FORER.

DOESN'T WANT TO FIGHT

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Writing this letter is very painful to me because I am torn between my love of country and my love for truth and justice, plus my strong desire to see my fine young son and all our young people live out their lives in a normal manner.

If die they must, so young, let it at least be in defense of our country.

In far off South Vietnam our boys are killing Vietnamese and Vietnamese are killing our boys.

Why are we in this undeclared war against a tiny country whose people never hurt us and who can't possibly be a threat to us even if they have a Communist government. North Vietnam has been Communist for years and has not bothered us.

We forced a series of bloody dictators on these desperate people. The result is that these people are fighting a war against the puppet government we forced on them, as well as against our soldiers we send in to help these creatures stay in power.

This action on our part seems to me to be insane. But those the gods would destroy they first make mad.

We are told this war is to save the Vietnamese from communism. If that is so, these people it seems to me, don't want to be saved because they are fighting against those who want to save them.

If the Vietnamese don't want communism let them fight against it. I don't want my son or even one American boy dying for the Vietnamese.

Mrs. T. KAHN.

P.S.—Please keep on fighting for United States.

MORONGO VALLEY, CALIF.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: Thank you again for your correct, principled, and courageous attack on the war policies of the Johnson administration. I suspect that attacks on U.S. ships (if any were made) stemmed from Chiang Kai-shek or our puppet in South Vietnam. I enormously admire your wisdom and daring. You alone speak for my wife and me on these terrible issues. Keep up the good fight.

WARWICK M. TOMPKINS.

TIOGA, PA.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

HONORED SENATOR: Congratulations on your valiant stand against the southeast Asia war.

With deep admiration,
DOROTHY BALDWIN BECKER,
Registered Democratic Voter.

LOS ANGELES, CALIF.,
August 7, 1694.

DEAR SENATOR MORSE: Bravo—you have the courage, integrity and love for justice, that is an inspiration to so many of us.

Surely Senator NEUBERGER, who is liberal and generally on the side of peace and genuine democracy, will stand with you—we hope.

Though you are not a Senator from my State, yet you represent me and all my friends and we thank you, with every breath.

Strange indeed, that we can go into Vietnam, 8,000 miles away, into another country and interfere with them, yet can't send the proper protection into Mississippi, to protect our own people in their constitutional rights. Nor ever bring to justice, those cowardly subhumans, who resort to torture and murder, in the vain hope of maintaining the horrors of race superiority.

History will record you as one of the great and fearless lawmakers.

Again, thank you.

BARBARA BESS NESTOR.

NEW YORK, N.Y.,
August 7, 1694.

DEAR SENATOR MORSE: Congratulations, sir, and thank you for opposing the Johnson administration plans for war in Vietnam and southeast Asia. Please continue working for peace.

PAUL GOLDBERG.

MIAMI, FLA.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I am so very grateful to you for stating a truthful and wise policy for us to follow on Vietnam. It takes tremendous courage to stand up and be counted at a time like this.

Sincerely yours,
Mrs. MARY E. PETTERSEN.

AUGUST 7, 1964.

DEAR SENATOR MORSE: You have our strongest support of your statement on television concerning southeast Asia situation.

We feel you have the people behind you despite the statements of President Johnson and other leaders.

Sincerely,
Mr. and Mrs. PAUL KERBER.
DEARBORN HEIGHTS, MICH.

LA GRANGE, ILL.,
August 7, 1694.

DEAR SENATOR MORSE: Cheers on your stand in regard to Vietnam and on your courage in making it. We are so self-righteous and arrogant in assuming we have a right to control that part of the world. We are on very shaky moral ground in both North and South Vietnam and are doing things for expediency that are counter to our supposed principles. This needs to be brought out into the open as you are doing. You must get pretty discouraged sometimes but keep it up. Some do hear and your colleagues who won't listen still read it in the CONGRESSIONAL RECORD.

Mrs. R. A. CLARK.

DULUTH, MINN.,
August 7, 1964.

DEAR SIR: I deeply appreciate your comments and your voting stand on the Vietnam issue. Wish my Senators had done the same.

V. J. STEPHEN.

TUCKAHOE, N.Y.,
August 7, 1964.

DEAR SENATOR MORSE: Yesterday I took part in a peace vigil and a peace walk through New York City. The response of the pedestrians and motorists was either quiet or friendly. This means the Johnson-Goldwater war in Vietnam has little popular support. Two men carried signs saying "MORSE for President"—not a bad idea.

With best wishes for success in your efforts to end the war.

Sincerely yours,
L. PACH.

TACOMA, WASH.,
August 7, 1964.

Senator WAYNE MORSE.

DEAR MR. MORSE: I wish to congratulate you on your courageous stand regarding the Vietnam affair. Keep up the good work; and we hope more will be courageous and speak out. Many of us see the great danger of the widening control of the military in our country which we've always thought of as under civilian control. And if we are informed we know what we are doing. We believe that if we are to survive we'll have to change our policy.

Sincerely,
Mrs. MARK ANDERSON.

WESTERLY, R.I.,
August 8, 1964.

DEAR SENATOR MORSE: Thank you for your stand on the North Vietnam crisis—a genuine profile in courage. May God bless you and give you many more years of service.

Yours very truly,
JOHN F. CLIFFORD.

SEAL BEACH, CALIF,
August 6, 1964.

DEAR SENATOR MORSE: In a time like this when you are subject to much abuse for your courageous stand on the southeast Asia crisis I would like to express my sincere approval of your position. You are one of the few men in Government who have the intellectual grasp and humanitarian values which have changed with our changing world.

Sincerely,
JACOB MARKHAM.

UPPER DARBY, PA.,
August 9, 1964.

Hon. WAYNE MORSE,
U.S. Senate,

DEAR SIR: Am glad that you have courage to take an independent stand on the war in Vietnam, which, unless the United Nations or some conference can calm it down, may lead into one of those full-scale wars where everybody loses.

Truly yours,
CONSTANCE HYSLOP.

LOS ANGELES, CALIF.,
August 6, 1964.

Senator WAYNE MORSE.

DEAR SIR: I want to thank you for your fine stand on this frightful state we find ourselves in. The positions that are being taken, that we are in no way to blame is shocking.

Mrs. LUCRETIA R. BREY.

COLLEGE PLACE, WASH.,
August 7, 1964.

DEAR SENATOR MORSE: My wife and I wish to thank you for your courageous opposition to our becoming involved in war in southeast Asia. We wholeheartedly applaud Senator GRUENING's statements. South Vietnam is not worth the life of a single American soldier." I wired the President some time ago, against another Korea.

Yours,
HERBERT and ELIZ. FLOWER.

P.S.—If there is anything we can do to help, let us know.

H. P. F.
E. M. F.

HOLLYWOOD, CALIF.,
August 5, 1964.

SIR: You are the only sane voice in Washington. Keep it up; sooner or later history will prove you right. As I have written President Johnson, it's a ridiculous way to keep the peace.

M. D. CRUTHER.

NEW YORK, N.Y.,
August 7, 1964.

DEAR SENATOR MORSE: I have written my Congressman, Senators and President Johnson expressing my endorsement of your views on U.S. southeast Asia policy. I believe that the silence of others in Congress in criticism of this dangerous policy is a disservice to the country and a miscalculation of their self-interest. I believe that there is less popular support for this policy than the administration claims.

Sincerely,

MICHAEL P. ROSENBERG.

MANHATTAN BEACH, CALIF.,
August 6, 1964.

DEAR SENATOR MORSE: I salute your courage, your astuteness in analyzing, your brilliance in reaching conclusions. All that remains to be mentioned is the ability to express yourself clearly and concisely.

Many, many thanks.

ELEANOR STOUT.

SHEBOYGAN, WIS.,
August 8, 1964.

DEAR SENATOR: We thank you for your "No" vote on the Vietnam situation.

The little, endless wars the Pentagon must have to justify its being here are not in accord with our religion or our patriotism. When we hold in our hands the power to blow up the world, then we must really be careful.

Doing what is right, we know, does not need human praise, but still we want you to know we are with you.

The BREHMERS.

RENSSELAERVILLE, N.Y.,
August 17, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I applaud your action today in voting against the resolution essentially approving of U.S. aggressive action against North Vietnam.

Yours very truly,

L. A. ELDRIDGE, Jr., M.D.

P.S.—Posterity will be proud of Senator GRUENING and you.

L. A. E.

BERKELEY, CALIF.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Congratulations on your speech regarding Vietnam. We support your position and hope this crisis will soon be resolved.

Yours truly,

Mr. and Mrs. H. KAPLAN.

VAN NUYS, CALIF.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Good for you. Whenever the Democrats get into a political bind, with a possibility of losing an election, they create a crisis, alas J.F.K.'s sudden awareness of Russian military buildup in Cuba. Months after every other American had read about it from Senate reports, nothing could convince me that Johnson's administration did not arrange present crisis for political buildup, just as ARA is being used to create false impression. With SALINGER'S illegal appointment (and he stinks) and the other unethical, immoral acts, what is going to happen to our country?

MURIEL TRYON.

SAN FRANCISCO, CALIF.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: The telegram I sent Mr. Johnson last night, August 4, reflected the teachings of one of the few, so very few, ethical instructors of the U.S. Senate. Your solitary dissenting vote against giving Mr. Johnson "* * * a predated declaration of war (in Asia) * * *." gives courage to one so outraged by U.S. imperialism and military braggadocio in southeast Asia (and elsewhere).

Bravo.

PAOLO MUCCI.

FAIR LAWN, N.J.,
August 7, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Good for you. That was a brave vote against warmaking power for President Johnson. I hope you keep on fighting against the dirty business in southeast Asia. Honest history will vindicate you.

Sincerely yours,

JOHN ACKERSON.

LOS ANGELES, CALIF.,
August 7, 1964.

DEAR SENATOR MORSE: I have just heard over the radio that you and Senator GRUENING voted against the resolution giving the President power to start a war in Asia against Vietnam.

I want to thank you for your courageous stand. I wish my Senators were thinking as you do.

Respectfully,

JENNY HIRSCHFELD.

SAN FRANCISCO, CALIF.,
August 7, 1964.

DEAR SENATOR MORSE: My admiration for your brave stand on the Vietnam situation. And—how can we thank you for the many years of courageous representation you have given us?

I am,

FLORENCE HOLUB.

BOSTON, MASS.,
August 1964.

SIR: Please be advised that CBS was the only network that aired your views on the Vietnam resolution, which should prove that reason has little or no place in American politics much less the mass media dedicated to the ignorance of 190 million suggestible slobs.

Now what happens when the U.N. requests the United States of America to vacate southeast Asia?

ROBERT ESTEY.

MILWAUKEE, WIS.,
August 8, 1964.

DEAR SENATOR MORSE: Let me commend you for your courageous vote of "No" to the Vietnam resolution. It seems that you alone in the Senate are capable of looking rationally at our activities in southeast Asia.

Sincerely,

GILBERT S. WALTER.

MINNEAPOLIS, MINN.,
August 7, 1964.

DEAR SENATOR MORSE: My wife and I commend you for your courageous stand on the Vietnam situation.

The world today is too complex to insist on total victory over communism. Let us negotiate or get out.

Sincerely,

L. J. RICE.

HOBOKEN, N.J.,
August 8, 1964.

DEAR SENATOR: I am the young(?) fellow who spoke to you at the dedication of the Jefferson National Bank in Miami Beach. If you recollect, we spoke about CLIFF CASE, etc.

Senator, I am proud of your stand on South Vietnam.

You represent the majority of thinking in this country.

You may not win, but you are truly a patriot.

DAVE COYNE.

MANHASSETT, N.Y.,
August 9, 1964.

Heartily approve your vote against war. Thank you.

ROBERT HOPPOCK.

LOS ANGELES, CALIF.,
August 6, 1964.

DEAR SENATOR MORSE: It is refreshing to hear one's views propounded by at least one of those supposedly representing the public in Washington. Please continue your strong stand against U.S. involvement in Vietnam. I shall urge my representatives to join you.

ERIC PARTLOW.

ROCK ISLAND, R.I.,
August 7, 1964.

DEAR SIR: I wish to congratulate you on your stand and will write in your name for President next November. War has become a built-in part of our economy. If we had peace tomorrow, we'd have 20 million unemployed the day after. That's our only excuse for being in Vietnam.

HOWARD E. MARSTON.

DENISON UNIVERSITY,
GRANVILLE, OHIO.

DEAR MISS ROCK: Would you please let Senator MORSE know of the support of myself and of the members of our seminar for his statement of August 5 on Vietnam. His vigorous and courageous action is welcome and necessary. Will he lead a so-called "liberal filibuster" against the resolution? While one recognizes the desirability of full support for Presidential action, nevertheless, we have no business violating the standards we expect others to observe.

Dr. LOUIS BRAKEMAN,
Assistant Professor of Government.

BOSTON, MASS.,
August 7, 1964.

Hon. WAYNE MORSE,
Independent,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I have addressed you as Independent, although fully aware of your party designation, because I wish to pay my respects to your independence of mind and spirit. It would seem that you alone have the courage to speak out when the other Members of the Congress are hysterical in their chauvinism.

You are not alone in your view that our Government has been provocative in its actions in southeast Asia. Anyone who had observed the trial balloons that have been floated both in Washington and in Saigon during the past weeks should have concluded long before the shooting began that we were preparing to send men and machines openly into Vietnam, and the disclaimer of aggression on our part is disingenuous, to say the least. What was the mission of our warships in the Gulf of Tonkin and were they supporting actively or in a standby position the attack by South Vietnamese torpedo boats on North Vietnam?

Without minimizing the blame to be assessed against North Vietnam and the Republic of China, you alone have spoken directly to the American people about the adventurism and jingoism of a policy leading to the brink of war, a policy that cannot succeed where we support undemocratic military oligarchies. We can cry "liberty, democracy, and peace" where there is little liberty, less democracy, and no peace.

Finally, I ask whether Goldwaterism has not already won a signal victory long before the November election. I enclose a comment of mine printed in the New York Times of July 30 which may interest you.

Very truly yours,

LESTER S. CRAMER.

LOS ANGELES, CALIF.,
August 4, 1964.

President JOHNSON,
White House,
Washington, D.C.

DEAR MR. PRESIDENT: I consider the action you have ordered in Vietnam unnecessary and dangerous. Our presence in Vietnam and supporting one rotten regime after another is a mistake. You are getting the same bad advice from Dean Rusk that President Truman got from Foster Dulles.

We don't want another Korea, or worse.

Sincerely,

FRANK V. WILBY.

P.S.—I support the positions of Senators WAYNE MORSE and CHURCH.

Copies to Senator MORSE, Senator CHURCH, Senator KUCHEL, Senator SALINGER, Congressman A. BELL.

ALHAMBRA, CALIF.,
August 10, 1964.

Senator WAYNE MORSE,
Washington, D.C.:

Admire your courageous stand opposing the President's decision to bomb North Vietnamese bases.

STERLING BEATH.

BOWLING GREEN, KY.,
August 6, 1964.

DEAR SENATOR MORSE: I have no way of knowing what type of response you are receiving in regard to your position on Vietnam but if it is typical of the usual in such situations I am sure it is less than pleasing. For what it is worth, I wish there was something I could do to help you on it. It is both infuriating and debilitating to be unable to cry out at, for whatever good the ultimate good may be, the absolutely illegal immoral and amoral, contrary to the simplest lessons of history course we are following in Asia. It is utterly collosal the way that we are having the rug yanked out from under us by this "soft-hard" sell semantic legerdemain. Of the few tattered remnants left in the barrel of freedoms is the right not to vote. I am going to exercise it. I can't tell the pigs from the people.

Cordially,

ROBERT C. MCCROCKLIN.

NEW YORK, N.Y.,
Thursday, August 6, 1964.

DEAR SENATOR: I want to thank you for your most courageous stand against the resolution sanctioning the President's actions in southeast Asia.

Although you are alone in the Halls of Congress, I know you speak for millions of Americans who support you on this question.

Please keep it up.

Sincerely yours,

VIVIAN KUCH.

RIVERDALE, N.Y.,
August 7, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: My wife and I wish to thank you very much for the gallant fight you are waging to terminate the needless slaughter in Vietnam.

We have too few men like yourself in Congress. Please keep up this fight.

Very truly yours,

WALTER H. KOPPELMAN.

BROOKLYN, N.Y.,
August 8, 1964.

Hon. Senator MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: We extend to you heartfelt gratitude for your patriotism and highest courage in this present crisis. You have followed in the footsteps of Abraham Lincoln who, with the same kind of patriotism, the highest patriotism, stood against the Mexican War. We are sure that, as in the latter case, it will not be long before history will vindicate your heroic stand. The history books will cite you and your colleagues from Alaska as the towering heroes of this era. The American people will become aware of the debt they owe you for defending their supreme interests—the Constitution and world peace. You have acted to save the honor of our Nation. The overwhelming majority of mankind cannot help but oppose the surrender of the present administration to the rightist, militaristic, Goldwater forces.

Thank you for lighting a candle in the darkness. As the poet wrote "Truth, crushed to earth, shall rise again."

Sincerely,

ADELE and MERTON CHERNOFF.

LAMONI, IOWA,
August 7, 1964.

DEAR MR. MORSE: May I convey my admiration and agreement with your statements and position on Vietnam? I knew what you would say before you said it. I knew who would be the one to oppose the resolution giving the President a blank check for war. Thank you for your bravery—so seldom found in those who occupy positions of trust and influence.

I am sure many others feel as you do. Perhaps their influence, joined to yours, can keep us from an extension of the differences in Vietnam (the Congo, etc.) from argument to war.

You may remember me as one who authored and sent to you a book of "Kennedy Poems." You mentioned to me, too, once that you knew of my daughter Dixie, who once worked on the Hill for Carter and BURDICK, and has recently been a Foreign Service officer stationed at our Embassy in Brussels.

Dixie has come home to campaign (for she loves campaigning and has done so often for such liberal Senators as BURDICK, MCGOVERN, KENNEDY—and HUMPHREY whom she hopes will be Vice President). She is a delegate on the platform committee to the national convention. And I have asked her to call at your office and say hello to you, if she has time while she is in Washington.

Thank you again for all you have done and (I know) will continue to do on behalf of expressions of reason and peace through negotiation—not bombers.

Truly,

HELEN HARRINGTON.

CLARK UNIVERSITY,
Worcester, Mass., August 8, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: One can only be dismayed that there were just two lonely voices raised in the Senate of the United States to warn of the perils that face our country if we persist in our current disastrous policies in South Vietnam.

You and Senator GRUENING stood alone against a tidal wave of unthinking jingoism which dominates not only the legislative chambers of our Government, but also the press, the radio, and television. It may seem foolhardy to persist in your criticism, but it is vital that you do so. The world must know that there remain some American leaders who realize, as the late John F. Kennedy put it on the Senate floor in 1954, that a policy in this area resting on arms and brute force could only be "dangerously futile and self-destructive." It was a tragedy that as President, Mr. Kennedy became committed to the very policy he had earlier challenged. It is a tragedy that so few today can see how true his earlier comment was.

Your vote in opposition to the recent resolution of support to President Johnson may earn you calumny today, but I feel confident that historians of the future will feel that you upheld the honor of all Americans by your act.

Sincerely yours,

MARTIN DEMING LEWIS,
Visiting Associate Professor of History.

FORT LAUDERDALE, FLA.,
August 7, 1964.

Senator WAYNE MORSE.

DEAR SIR: I heartily agree with your evaluation of U.S. action in Vietnam, and applaud your courage in stating these obviously unpalatable truths.

You know what it is all about, and I think I know what these latest warlike moves are all about, and I can only hope that there are statesmen in the Far East who can also say, as Mr. Khrushchev did, on another occasion, "We understand that it is election year, and we make allowances."

But for an understanding of the motivation behind these acts, I should be completely terrified by this latest exhibition of "brinksmanship" which I had hoped died with the Dulles era.

Please speak out loud and clear and often; your sanity is needed in these crazy times.

Thank you.

MRS. JOAN B. LANE.

ALHAMBRA, CALIF.,
August 6, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: Please accept my humble and grateful admiration for your statements regarding the present crisis in Vietnam.

I believe that you show unique and admirable concern for truth without which there is little hope for peace in this atomic age.

Thank you.

Mr. and Mrs. STEWART W. HANSON.

LOS ANGELES, CALIF.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.:

Thank you, Senator Morse, for your statement on Vietnam. It is one of the few honest appraisals of the American position there that I have heard. The political fog surrounding the whole thing has been appalling.

Best wishes, and carry on.

GERALDINE DUFFUS.

WEST LOS ANGELES, CALIF.,
August 5, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: We want you to know that we support your views on Vietnam. It is encouraging to hear that you have not changed your attitude even though we are faced with an international crisis.

Today it seems that very few in our country know how to be in the minority. You are extremely courageous and we hope your persistence is catching in Washington.

Sincerely,

Mr. and Mrs. DAVID LANDY.

LOS ANGELES, CALIF.,
August 5, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.:

Fortunately for our country that we still have men like you. We often read your speeches which give us hope that reason will prevail. May God give you strength to carry on and influence your colleagues to get us out of this dangerous situation in Vietnam through negotiations.

Sincerely yours,

Mrs. Jean Meisner.

Seattle, Wash.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am shocked and horrified at the undemocratic manner of the Congress in rushing through the resolution of approval of warlike action being taken by our forces in the Far East.

It would seem to me that this is a violation or at least an evasion of our Constitution. If others feel as I do, there should be much gratitude for your courage in opposing this hasty action. Many people I have talked to about this, wonder whose chestnuts we are pulling out of the fire in that area and why this matter has not been turned over to the United Nations long ago.

I believe as time passes, the citizens will become more and more aware of the danger inherent in giving the President such a broad grant of power and will demand a reversal of this action.

Thank you for your efforts.

Most sincerely,

Anne M. Fisher.

Copies to Senators Jackson, Magnuson, Representative Stinson.

Washington, D.C.,
August 7, 1964.

Dear Senator Morse: I write to thank you for your great courage and leadership in speaking the truth about southeast Asia, not only in the past few days, but through these many months.

History will vindicate you. Your vote on the resolution today will be recorded in our history books forever. Our children and grandchildren will know that two men stood for peace, truth, and morality while all around them voted for war. What unhappy times these are, when men like Senator Fulbright and others who know better, choose the path of narrow political expediency.

I pray that you will not falter. There are millions of Americans who feel as you do, and they sorely need a great political leader to speak out for them.

I am terrified that the push toward war cannot be stopped. The Goldwater nomination has had its effect—the administration is saying "me, too." What can an ordinary citizen do to stop the inexorable stampede to war?

I am truly interested in your ideas about how I and my friends can exert a counterforce to the escalation crowd.

I would appreciate any suggestions.

Sincerely,

Mrs. Selma R. Rein.

Brooklyn, N.Y.

Senator Wayne Morse,
The Senate,
Washington, D.C.

Dear Senator: The stand you are taking in the current controversy over the southeast Asia affair is to be commended.

You and Senator Ernest Gruening are fighting a losing battle in the stand you are taking but at least you will go down in history as being among the few who are fighting to save our country from taking the same suicidal steps that France had taken a decade ago.

I also feel as you do that we have no business in the southeast Asia area but since the majority always prevails, so be it.

There are many who feel as you do but do not take time out to write.

Respectfully yours,

Angelo J. Santoro.

University Park, Pa.,
August 6, 1964.

Dear Senator Morse: I was glad to see you question some of the reasons for endorsing the President's action ordering retaliation against North Vietnam. Some form of international examination of the case to determine responsibility for "aggression" is needed, and I hope you will support efforts to involve the U.N. in this way.

Sincerely,

Elton Atwater.

State College, Pa.,
August 6, 1964.

The President,
The White House,
Washington, D.C.

Dear Mr. President: I think it is unfortunate that you ordered the retaliation against North Vietnam before the question could be examined by the U.N. Security Council. Our position would be much stronger if we had given the opportunity for an international body to determine the fact of aggression. So far as can be determined from the news reports, we could have afforded to have acted with more restraint and waited for an international consideration of the North Vietnamese attacks on U.S. destroyers. According to the news reports in the Washington Post, many countries seem to be skeptical about our version of events. Had we referred the case to the U.N. first, this skepticism might have been lessened.

In any event, I hope that you will now authorize Ambassador Stevenson to invite a full U.N. investigation of the incidents in the Gulf of Tonkin with a view to establishing responsibility for those incidents. I also hope that your discussions today with Secretary General U Thant will lead to the proposal of appropriate U.N. action through some form of supervision or peacekeeping operation which could discourage outside intervention in Vietnam, Laos, and Cambodia and help assure those countries the opportunity to determine freely the kind of political and economic institutions they desire.

Sincerely yours,

Elton Atwater,
Professor of Political Science, the Pennsylvania State University.

Capitola, Calif.,
August 5, 1964.

Senator Wayne Morse.

Dear Senator: Just a few hurried lines to say that I agree with all quotations that I have seen in the press from your statements on Vietnam and that I honor you for your courage, penetration and sincerity.

Sincerely,

Duvion McIntyre.

San Francisco, Calif.,
August 6, 1964.

Senator Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank God for your intelligence and courage. We are indeed fortunate that your voice can be heard expressing the need for rational action. I hope that the Senate will be able to understand and act with equal understanding.

Sincerely yours,

Marshall Axelrod.

Los Angeles, Calif.,
August 6, 1964.

Dear Senator Morse: I would like to commend you on your brave and solitary stand against the decision of the United States Government to act unilaterally against the North Vietnamese. You have always been a vocal and intelligent critic of our policies in southeast Asia, and I hope you will continue to act as a force of opposition and strength against the prevailing view. This is a most necessary and potent force in our governmental system—the "establishment" must be challenged.

Continue your fine work and please realize that this letter represents many voices who are now being drowned out by the louder, but not more articulate clamor.

Sincerely,

Mrs. Robert F. Hufner.

Philadelphia, Pa.,
August 6, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We wish to commend you for your courageous stand in voting against the resolution supporting the action in Vietnam. Yours is the one sane voice in Washington.

You are not alone but have the backing of many of us. Enclosed is a clipping signed by some of us who do not want to spread the war in Asia.

We hope you will keep speaking out against this immoral war. Perhaps our Nation can still be saved.

Sincerely,

Barry and Janie Freeman.

Springfield, Mass.,
August 8, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you and Senator Gruening for your wise and courageous vote on the Vietnam resolution. You save us, who agree with you, that U.S. policy in that area is a tragic and criminal blunder from utter despair.

I wonder whether you have had time with your hectic routine to read "The Deputy," which, of course, portrays the tragic lack of courage and conviction on the part of Pope Pius XII that allowed the Nazis to go ahead unchecked in their slaughter of the Jews. This great play is an indictment of all (not only Catholics) who profess noble principles and fail to act in accordance with them. I feel that your part in our Government is similar to, though in a different way, that of the heroic priest in the play who died with the Jews. You stand in deed for peace and freedom, willing to work and sacrifice for them.

Keep on with the good work, and be assured that many people are with you.

Sincerely and with profound gratitude.

Margaret G. Holt.

Copy to President Lyndon B. Johnson.

Laurelton, N.Y.,
August 7, 1964.

Hon. Wayne Morse,
Senator, Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am writing to express my deep appreciation for your courageous stand in the Senate on U.S. involvement in southeast Asia, with particular reference to South Vietnam, and most recently its activity in North Vietnam. Yours, and perhaps Senator Gruening's, are the only voices being raised against our further involvement in that area. Unfortunately, the press has been conducting an almost total blackout on your views, and the American people may be led into a war without having had the benefit of your enlightening views, which may help to give them a more honest evaluation of the situation.

I sincerely hope you will continue to fight for American withdrawal from South Vietnam and for the discontinuation of the pouring of American taxpayers' money into that country. It is sad to note that many citizens who feel as I do are being misrepresented by their Congressmen. I am sure you will agree with me that there are many Americans who are not behind President Johnson, Mr. Rusk, and Mr. McNamara in this dangerous venture, and whose voices are not heard above the sword rattling and the screeching newspaper headlines.

There are many, like myself, who are deeply indebted to you. I hope you will have the strength to continue your honest fight against the forces of reaction who will not rest until we have gone over the brink.

Sincerely yours,

Isabel L. Fantel
Mrs. William Fantel.

Santa Monica, Calif.,
August 8, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Thank you for your wise and courageous stand on Vietnam. For some time I have been greatly disturbed by our unilateral action in that country. It is my understanding that our presence there violates the United Nations Charter, and surely this organization is our best hope for world peace.

Also, I appreciate your concern over the foreign aid bill. It is a fearful thing to realize that so much of our so-called aid is in the form of military equipment. If we are sincere about helping the world, we should put the emphasis on educating the people and developing their resources.

Recently I spent a year traveling around the world, and I could not help but be deeply impressed by the global display of American armaments and American soldiers. Must the image of Uncle Sam be that of a man with a gun on his shoulder?

Even if we are lucky enough to avoid a nuclear conflict, how long can we afford to run wars all over the map? Though our resources are great, they are not unlimited. Our democracy has not yet been tried by time. Taking the long view, we may be aiming toward self-destruction. Yet we are people of good will. Our great need is for wisdom in the use of our opportunities.

That is why we are fortunate in having a man such as you in our Senate. You have the ability to see clearly, and you have the courage to raise your voice. My hope is that others will see the light and join you.

Sincerely yours,

Catherine L. Ter Veer.

August 7, 1964.

Hon. Senator Wayne Morse:

I just have to write a few lines to let you know so many people I have talked to giving you credit for your honest stand you took on peace. We need more men like you that can stand up and be counted.

Because war is hell, and nobody can win.

Yours truly,

Henry Olson.

August 6, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: Please accept my heartfelt thanks and appreciation for your firm stand against McNamara's war in southeast Asia.

May I suggest that it is indeed strange that the President of the United States could respond so quickly to an incident that caused no loss of life in far away southeast Asia, but who is so helpless or indifferent to the plight of thousands of Americans in Mississippi and other Southern States who are being murdered and/or assaulted every day.

I urge you to keep up the battle for peace and a semblance of democracy in southeast Asia and request that you do all possible to end the war against Americans in the South.

What can I do to help you?

Sincerely yours,

Ted MacMurray.

Woodland Hills, Calif.

New York City, N.Y.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am writing to commend you—in fact, to thank you—for having voted against the proposal to give congressional endorsement to President Johnson's retaliatory raids on North Vietnam. It was one of the most courageous and principled things that has been done in American public life in a long time. I do not often write to Government officials, but now I feel that writing this letter is the very least I can do. I am sure that there are others like me who have felt almost completely estranged from "official" politics in the United States, but who now feel that a voice has been raised on their behalf, and on behalf of common decency.

Sincerely,

Robert Ilson.

P.S.—Hoping to hear some of the debate on the civil rights bill, I happened to be present in the Senate Galleries during the series of speeches made at the time of General MacArthur's death, and I would also like to compliment you and some of your colleagues on your skillful revelation, during this process, of aspects of MacArthur's thought that had not received much attention.

Yellow Springs, Ohio,
August 6, 1964.

Dear Mr. Morse: Let me express my appreciation to you for standing against the resolution adopted by the Senate to support the President's interjecting the United States into a warlike and aggressive situation. You were the only voice quoted on the very believable proposition that the U.S. Navy was in fact providing cover for the Southern forces attack on the North.

One need not attack the seaports of a nation as an action of repelling attacking patrol boats. Evidently, we plan on carrying the war, whose I'm not clear on, into North Vietnam. This war is clearly one of the independents versus the small, southern power clique. Reports I read indicate that the ruling regime of South Vietnam has little to no popular support.

Thanks also for helping to eliminate the $800,000 ceiling per institution in the recently passed National Defense Education Act. I still lament that we must modify the word (and concept) of education with the word defense in order to get Federal moneys to finance such.

I hope you will do whatever you can to reduce the number, financing and developing power to establish more high school ROTC units. The H.R. 9124 just passed, and which I've fully read, may be good for a more economical and equitable college ROTC program to train the future administrators of a war machine, but need we indoctrinate the very young; confuse them into thinking that democratic processes and freedom can be bought with might, and to respect an order over reasoned action. I fail to see how we can gain anything through increasing the high school ROTC "capability."

I still recall your telling us at OSU (then OSC) in 1959 that if there was no test ban treaty within 10 years there would be in its place nuclear destruction (not your exact words but the same meaning). Well, we've got half of that test ban and half the time is gone. If your prophecy is correct we've still got a big job ahead.

Thanks for your continued interest. Sorry I can't transfer one of my Ohio votes for you.

Sincerely,

Bruce Ergood.

Please send me a copy of Senator Gaylord Nelson's speech and/or bill to end the draft. Thank you.

Oakland, Calif.,
August 6, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Your courage and integrity in looking at the situation in Vietnam objectively, is much admired.

It is unfortunate that the American people have been given so little background with which to understand what is going on. We continue to pursue the "good guys" and "bad guys" point of view which is suicidal in this nuclear age.

Have you considered a speaking tour, to inform the American people, and to alert them about this and other crises in our relations with other nations?

Your presence in the Senate was never more needed. We are glad you are there.

Sincerely yours,

Elizabeth A. Wilson
Mrs. W. B. Wilson.

Seattle, Wash.,
August 6, 1964.

Dear Senator Morse: I want to express my gratitude and admiration to the only man in our Senate with brains and courage enough to take a firm stand against this Vietnam lunacy. What is to me amazing is the almost total absence of dissent here. A reporter (P.I.) took a street sampling of public reaction right after the President's television talk and all interviewed were for war. Are we humans on a par with lemmings? Eager to march en masse over the cliff into the sea of disaster. Where is the evidence that our educational system really educates? Teaches evaluation and good judgment? Good for you, and God help genus homo sapiens—sap, for short. Johnson should be impeached, McNamara and Rusk canned, and the Pentagon converted to a scientific lab for the elimination of stupidity.

Gratefully yours,

Alex Hamilton.

Corpus Christi, Tex.,
August 6, 1964.

Dear Senator Morse: I admire your stand on Vietnam, it is just a political move by Johnson anyone can see that. This had been a serious thing for a long time. Why didn't he move before.

I hope you and many Republicans will see that the declaration of war will not go through.

Very sincerely,

Mrs. Ellen C. Luehrs.

Mio, Mich.,
August 5, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Sir: We just saw the film clip of your interview concerning Vietnam and the proposed resolution supporting future Presidential action there. Were you the Senator from Michigan, you would have both my vote and my wife's for as long as you would care to run for that office. It is a shame there are not more men in Congress with your courage and convictions.

American forces belong at home. Their use in the illegal war in Vietnam in the defense of a military dictatorship is far beyond their call of duty.

Sincerely yours,

Gaylord Yost.

MAPLEWOOD, N.J.,
August 7, 1964.

Hon. WAYNE MORSE,
The Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I want to express my agreement with and appreciation for your and Senator GRUENING's vote against the resolution authorizing President Johnson to take any military measures he pleases in all of southeast Asia. I am sure there are many, many citizens who feel similarly, although one would never know it from the vote.

Yours truly,

MRS. ESTELLE R. LABA.

TACOMA, WASH.

DEAR SIR: Thank you for your opposition to U.S. involvement in Asia war. Our Washington delegation are married to the military capitalist clique and I told 'em so.

I do not believe the United States was attacked. I believe the Washington delegation is corrupt.

Sincerely,

BALDWIN JACOBSON.

P.S.—I hear the United States has built a concentration camp in Alaska for dissidents I suppose.

TACOMA, WASH.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I just heard from Mrs. James Richard (Maude) your courageous stand yesterday, the only one who did not vote on the Vietnam program of the President. May I in all sincerity tell you how much I admire and honor you for your unselfish act, your courage and loyalty to your country and the American people.

But because greed and power control so many of our leaders and so many of the people are brainwashed as it seems to me, others not interested, they will not understand you, the one man who stood alone because you believe in justice and love your country. And Mrs. Richard tells me in your talk on TV which I am indeed very sorry I missed, you said, if the Senators had stood by their convictions they had expressed to you earlier, when they came together to cast their votes you would not have been alone. This poem by Lowell expresses well what happened. "Slaves."

"They are slaves who fear to speak,
  For the fallen and the weak,
They are slaves who will not choose,
  Hatred scoffing, and abuse,
Rather than in silence shrink,
  From the truth they needs must think.
They are slaves who dare not be,
  In the right with two or three."
—JAMES RUSSELL LOWELL.

God's richest blessings attend you and good health be yours for many years to carry on your work and peace and happiness be yours as is the reward of those who serve humanity unselfishly.

Very sincerely,

FLORIDA L. BYRNE
Mrs. E. P. Byrne.

P.S.—Senator MORSE—your letter received and appreciated in regard to H.R. 1839 but I am not certain I understand. I am under the impression that part of the bill which would import beef free into the United States is not right any more than free import of wild birds and animals. You state in your letter "I have a vital concern that amendments to this bill relative to the imports of beef be enacted." Do these amendments if enacted stop the import? I am also deeply interested in the bills now pending for humane treatment of laboratory animals. I hope you are in favor of these bills and will vote for them. Is there any chance of this legislation passing? There are some doctors very much in favor of them.

From my letter I feel you understand I am strongly opposed to our action in Vietnam and feel the only sane, safe way is to withdraw from Asia at once or we will have a nuclear war. I have expressed myself to my Senators and Congressman.

MRS. BYRNE.

REDLANDS, CALIF.,
August 6, 1964.

DEAR SENATOR MORSE: Thank heaven for men like you. Sometimes I think yours is the only sane voice in Washington (though HUMPHREY and FULBRIGHT do come out with some good ideas, too). I am with you 100 percent in your views on Vietnam. I just hope somebody listens to you before it is too late.

You continue to rate No. 1 in my personal political hall of fame. Keep up your courage and keep up the good fight.

Sincerely yours,

MISS GERTRUDE HAGUM.

MORSE BLASTS U.S. ATTACK; WON'T BACK WAR DECLARATION

WASHINGTON.—Senator WAYNE MORSE, Democrat, of Oregon, yesterday assailed the United States as a "provocateur" in South Vietnam and said he will not support a "predated declaration of war" in Asia.

MORSE, a consistent critic of U.S. maintenance of troops in South Vietnam, voiced his opposition as the Senate's leadership mapped plans to push through a resolution today backing President Johnson in whatever steps are necessary to preserve peace and freedom in southeast Asia.

He charged, in a Senate speech, that the incidents which inspired the resolution—on which the Senate Foreign Relations and Armed Services Committees will meet at 9 a.m. today—"is as much the doing of the United States as it is the doing of North Vietnam."

The resolution, expected to have overwhelming bipartisan backing, grew out of two attacks by PT boats on U.S. destroyers in the Gulf of Tonkin. It was introduced in the Senate yesterday afternoon.

MORSE charged that a forerunner to the attacks on the U.S. destroyers was a known bombardment by South Vietnamese naval vessels of "two North Vietnamese islands within 3 to 5 or 6 miles of the main coast of North Vietnam."

He said the "clear implication" of that incident is that the U.S. Navy stood guard while vessels of South Vietnam shelled North Vietnam.

MORSE declared that the United States has much to lose and little to gain by continuing its "unilateral military action in southeast Asia, unsanctioned by the United Nations, and unaccompanied by allies" and should "strike a blow for peace" at the conference table.

"I shall not support any substitute which takes the form of a predated declaration of war," he declared. "I shall not support any delegation of the duty of Congress—of Congress, not the President—to determine an issue of war or peace.

"I shall not support any substitute which takes the form of military action to expand the war or that encourages our puppets in Saigon to expand the war."

DALLAS, TEX.,
August 7, 1964.

U.S. SENATE,
Washington, D.C.

DEAR SENATOR MORSE: Congratulations on your stand against recent American actions in North Vietnam. Keep it up. Everywhere I go I hear people who regard Johnson as warlike. It seems to me that he is a puppet to the military. Little wonder the military can run hog-wild over anyone it pleases, since we have a mass news media which glories in its every move.

Cambodia has recently claimed the United States has injured the residents of one of its villages on the border of South Vietnam by use of "defoliants." North Vietnam claims we have attacked one of its villages. And our President spouts out the inane slogan "leave your neighbors alone." De Gaulle learned the hard way the value of neutrality over there. If we don't learn it soon the world is in for more useless agony.

Keep up your courageous stand. You are gaining adherents every day. GOLDWATER will not get my vote and neither will Johnson.

Sincerely,

PETER A. MOOD.

OGDEN, UTAH.

Senator WAYNE MORSE.

DEAR SIR: Concerning your statements on television regarding U.S. action in Vietnam: Thank God for fearless men like you who make statements of honest conviction.

Respectfully,

WILLIAM ROWLEY.

HACKENSACK, N.J.,
August 8, 1964.

DEAR SENATOR MORSE: The only complaint that I have about your comments, attitudes, and votes in the Senate concerning Vietnam is that you are not from the State of New Jersey. Thus, we do not have the opportunity to vote for you, or, for that matter Senator GRUENING. (Perhaps Senators CASE and WILLIAMS would be interested in the above.)

My wife and I salute and congratulate you on your Vietnam stand, particularly in regard to your most recent vote in the Senate on the matter. Please persevere, so that other Americans may become aware of our unholy, illegal and immoral southeast Asian war. You do the United States proud, and make us non-Oregonians a bit envious.

Sincerely yours,

ROBERT A. KLEIN.

LEVITTOWN, PA.,
August 7, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR MORSE: We thank God for a man like you, with your courage and stamina. If there were even just 12 more like you there in the Senate or in the House we would not all be so gaily following the military into Vietnam. I'm sure you are doing all you can to stop this insanity.

Our best wishes are with you.

Sincerely yours,

HAROLD and ETHEL FIELD.

NEW YORK, N.Y.,
August 6, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Thank you for your courageous stand on Vietnam. You have my complete support and admiration. Keep up the good work, and good luck.

Yours truly,

HARRIET BOUGEN.

P.S.—I plan to cast a write-in vote for you for President in the November elections.

LOS ANGELES, CALIF.

MY DEAR SENATOR MORSE: In the sea of voices of pompous self-righteousness and hypocrisy your lone voice stands out for reason—for justice. I am writing to thank you for standing up in the face of the hysteria. Keep your faith—a few are with you.

Sincerely,

MARIANNE FOX POWERS.

Philadelphia, Pa.,
August 8, 1964.

Senator Morse,
Senate Office,
Washington, D.C.

Dear Sir: Congratulations! To be the only one to stand up for a principle takes great courage. May your health stay good for a long time. We need men of your principles and understanding, so rare these days.

Please send me a copy of your speech containing the reasons you voted against the bill backing the action in South Vietnam.

Thank you.

David Green.

August 5, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: It is indeed disheartening to preface this letter by having to assure you that I am neither a Communist nor a Communist sympathizer. But the value of dissent in American politics has rarely been so clearly exemplified for me as in your opposition to our current policy in Vietnam. May I thank you for your courageous stand. I trust you will continue to pursue and articulate the true interests of the United States despite the anomalous chauvinistic tendencies now manifested by the administration's action.

Respectfully yours,

Zane Garfein.

New York City, N.Y.
August 6, 1964.

Hon. Wayne Morse,
U.S. Senator,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I have been impelled many times to write you for your courageous efforts on behalf of the American people throughout the years, usually against great odds. But when I heard today that yours was the lone vote against the President's resolution, I decided to let you know right away that you are not alone and never have been.

All right-thinking people are appalled and revolted at the desperate actions of our so-called leaders in Congress. It seems there will always have to be a Korea, a Laos, a Cuba, and all of President Johnson's pretty speeches go by the board when another war-mongering opportunity presents itself. Why can't our Government learn the simple truth—we have no business in South Vietnam, whether we like it or not. Everything the President said applies to the United States, not to North Vietnam. We are heading for suicide. Please try to stop this lunacy.

Keep up the good work.

Mrs. E. Schneider.

New York, N.Y.,
August 7, 1964.

Lyndon B. Johnson,
The President,
The White House,
Washington, D.C.

Dear Mr. President: I am writing to you because of the recent U.S. military action in Vietnam. I disagree completely with the U.S. action and policy in Vietnam.

The war in Vietnam is a civil war and the United States has no international legal rights in this area. The Geneva accord defined the legal aspects of Vietnam.

I urge that you lead the United States in encouraging the countries responsible for the accord to see that a negotiated agreement is pursued vigorously and unceasingly. Then take U.S. troops out of Vietnam so that a negotiated settlement would be possible without the threat of U.S. military force.

I refer you to Senator Wayne Morse's statements, reported in yesterday's New York Times, for a voice of reason to follow.

Respectfully yours,

Patricia M. Campbell.

Copy to Senator Wayne Morse.

Brooklyn, N.Y.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: This is to let you know that I fully support your stand as against the administration's recent moves toward escalating the war in Vietnam.

I have agreed with you all along that we had no business in southeast Asia in the first place and should have got out of there long ago. This latest hare-brained escapade in the Gulf of Tonkin is certainly the height of folly and can well lead to nuclear war.

Yours sincerely,

O. E. Linton.

Copies to Senators Kenneth B. Keating, Jacob Javits.

Beverly Hills. Calif.,
August 6, 1964.

Dear Senator: I fully agree with your stand on the Vietnam situation as reported in the Los Angeles Times of this date. I admire your courage to call a provocation by its name even if it is perpetrated by our own Government.

With admiration and respect.

Very sincerely yours,

Zorah E. Sheffner.

Los Angeles, Calif.,
August 6, 1964.

Re U.S. versus North Vietnam.
Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

My Dear Sir: I have just read this morning's newspaper report of your criticism of the U.S. "provocateur" action of South Vietnam, and particularly of the U.S. attack on North Vietnam.

It appears to me that our sending thousands of armed American soldiers to South Vietnam as "advisers" is hypocritical, as well as a violation of the written agreements regarding that area. It also appears that the increasing number of our "advisers" being injured or killed in South Vietnam indicates that they are unnecessarily close to combat in that area.

The reports of North Vietnam PT boats attacking our destroyers in the Gulf of Tonkin arouses serious doubts, as surely such a small nation attacking the most powerful nation in the world leaves something—or some things—unmentioned as to the cause of such daring, insane attacks.

Your statement that the U.S. Navy stood guard while vessels of South Vietnam shelled North Vietnam, leads a clue as to the real reason for North Vietnam's alleged armed attack on our naval vessels.

At any rate, my compliments to you, and I feel that you are as fine a U.S. Senator as ever we have had.

Respectfully,

J. Allan Frankel.

P.S.—My friend, Mrs. Adella Y. Fabel of 3670 Wasatch Avenue, Los Angeles, Calif., has asked me to endorse the foregoing.

Copy to Adella Y. Fabel.

Milwaukee, Wis.,
August 6, 1964.

Senator Wayne Morse,
The Congress of the United States,
Washington, D.C.

Dear Senator Morse: Your indictment of U.S. retaliation against North Vietnam is to be applauded. It is heartening to know that the sentiments of a good many Americans in this matter have found a voice in you. Although it would seem that you speak for a minority, and a frustratingly helpless minority at that, it is at least a principled one.

If there is any way in which my wife and I can aid you in your work for peace, please do not hesitate to call on us.

Gratefully,

Mr. and Mrs. Frank S. Jessic, Jr.

Los Angeles, Calif.,
August 9, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am glad that I can so honestly commend you once again for your brave opposition to the resolution that the President placed before the Congress. You and Senator Gruening were alone in your stand; and while there seemed a little hope in your actions, it turned out that the majority of the Congress accepted what the President suggested, though a few voted for the resolution with slight qualifications which are not considered, I am sure.

It is so shocking and above all surprising that such action could so quickly be accepted by the Congress without lengthy and intelligent debate as to who "aggresses on whom"; and also, without even putting it into the hands of the U.N., which, after all, is an international body supposed to be able to give unprejudiced opinions on international matters.

How could we do this—and I am so grateful to you and Senator Gruening for bravely opposing the newest threat to a confrontation on this issue of Vietnam which has never been thoroughly and fearlessly discussed in the Congress.

Why has no one suggested and implemented neutralization of southeast Asia? or even stopped military action while the debates as to those who did what could be carefully examined and discussed. Why such haste and such military speed? It is frightening and shocking. I am sure you feel that way too, and it is too bad that we had only a few hours of hope after the President's resolution and now that is the coldest comfort we can get to avoiding the approaching dangers of nuclear war.

I dare say there is nothing that we individuals can do, but if you have any thoughts where those of us who agree with your caution can help please, please let us know instantly.

Thank you for your action up to now, and let us hope you will not falter later.

Sincerely yours,

Mrs. Edna Macgowan.

August 5, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: Support your position on not extending the war in Vietnam. I urge your support for the reconvening of the Geneva powers, negotiate a settlement and neutralize the area.

The further our commitment, the more difficult it will become to make a settlement.

We will also be alienating the people even more and make them anti-American rather than pro-Communist.

Rather than destruction, let us put our efforts into rebuilding, raising standards, give them a hope for the future and not line pockets of puppet politicans.

If we, on both sides, continue the present course, then we may be debating the issue in the next world. The days of might and right are over. So is white man's rules. These rules and laws are in need of negotiation.

Good luck and you can count on our support.

Sincerely,

Mrs. Ruth M. Willner.

Monterey Park, Calif.

Beulah, Colo.,
August 6, 1964.

Dear Senator Morse: Thank you for saying some self-evident truths. We had flexed our muscles, like the neighborhood bully, and shown the world they can't throw spit wads at us. Whether we have contributed anything toward world peace, or the peaceful solutions of world problems, is very doubtful.

But thank you for being you, through it all.

Sincerely,
Joan Thomson.

Brewster, N.Y.,
August 8, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

My Dear Senator Morse: Immediately after your lone negative vote in the Senate Foreign Affairs Committee on the proposal to give the President full and exclusive powers to take what action he chose in the southeast Asian conflict, my housemate, Miss Tracy D. Nugguet, voiced you her great gratitude, and admiration.

May I now add my very sincere appreciation of your sanity and great courage in opposing the resolution, now passed by both House and Senate, on the double poured of its probable unconstitutionality and its extremely provocative nature in a situation so replete with danger in the entire world.

It is to men like you and Senator Gruening that persons like myself and my friend must turn in these terrifyingly dangerous times.

Again, I thank you from my heart.

With all best wishes.

Most sincerely,
Miss Frances Witherspoon.

P.S.—May I add that my father, S. A. Witherspoon (now deceased) when in Congress, stood up (with four other Representatives) against Woodrow Wilson in a dangerously provocative situation involving the United States and Mexico.

Waukesha, Wis.,
August 7, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I commend your forthright and courageous stand and am appalled with the ease with which the Congress supported aggression.

It appears to me that we have been "taking over" the colonial roles of Britain and France and provoking aggression by a policy of containment. I would support the idea of a 14 nation meeting to neutralize southeast Asia, with enforcement by the United Nations. I think that the public has not been properly informed of the gradual steps toward war which we have been taking and that we are taking a fearful gamble which will only bring us resentment and further danger in the future.

Sincerely,
Miss Jane Starr.

Denver, Colo.,
August 6, 1964.

Senator Wayne Morse.

Dear Senator: Even though you are not a Senator from Colorado. You are part of our Federal Government and I want to congratulate you for the honest and sincere stand you have taken against the resolution supporting President Johnson in his orders to attack North Vietnam.

If our Federal Government will act before it is too late, its responsibility is to put our own house in order. Millions of people out of work, other millions working for very low wages and high cost of living—high rents, living in terrible slums—Harlem, N.Y., is a good and clear example of what we have throughout this Nation.

The John Birchers and the sons of Birchers, the White Citizens Councils, and the Ku Klux Klan worming themselves into the Republican Party and yes, even into the Democratic Party. President Johnson, now playing to the music of Goldwater to extend the war to North Vietnam. How about stopping the terror and church burnings and murders of Negro and white U.S. citizens who try to enforce the U.S. constitutional rights of the people of the Southern States to register and vote. Senator Morse, you are the only one today who stood up in Washington, D.C. for what is right and sacred. History will praise your efforts and the generations to come, all over this world, will know of you because of your great struggle to expose those who are drunk with greed. And to bring the truth to the forefront in this worldwide revolution for sanity and reason.

Senator Allott from Colorado, in answer to my appeals to him to fight for a better treatment for the agricultural workers in our State, sends me copies of letters inserted into the Congressional Record, that raise the bogey-man of anticommunism.

Such is the trick that our Government is using today to fool the American people into a war that will destroy the people of this world.

Let us see if Congress will allow you to have my letter inserted into its records. This is supposed to be democracy in action.

God bless you, Senator Morse.

Yours truly,
Robert Trujillo.

Los Angeles, Calif.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I wish to commend you most heartily on your vote against giving war powers to the President in Vietnam. It is good to know that there was someone who was able to keep his head during the hysteria that has surrounded this crisis, and I am convinced that history will prove you to have been right.

Best wishes.

Sincerely,
Duane Magill.

August 5, 1964.

Mr. President: Regarding your newest apology for our murder in Vietnam, you are a bit confusing. It is true that—

"The attacks were deliberate," i.e. those of U.S.A. for years.

"The attacks were unprovoked," i.e. those of U.S.A. for years.

"The attacks have been answered," i.e. by large proportions of the Vietnamese people.

One, two, three, and how many more Presidents will lie to the American people and the world?

"We have not one ally," as a great Senator has reminded us. That is not suprising for the world knows the truth.

Yours for honesty,
James E. Amick.
Blue Springs, Mo.

Gardena, Calif.,
August 4, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Your words in regard to U.S. foreign policy, particularly in southeast Asia, have been brave, courageous, and honest words. I wish to both commend you and encourage you.

Unfortunately, it appears that the mass media distorts and belies what is happening in Laos, Vietnam, and Cambodia. That we pour millions of dollars into a military dictatorship, drop napalm on innocent civilians, and pursue an increasingly unpopular war, is upsetting and frightening.

Are we not risking the possibility of the growth into an all-out nuclear war? Your motion to cut by $500 million U.S. foreign aid is a step in the right direction. Sadly, we appear to support unpopular dictators and make ourselves disliked. Keep up the good work.

Sincerely,
Marilyn Vittor.

San Francisco, Calif.,
August 5, 1964.

Dear Senator Morse: I agree with you re Vietnam—yet admit it's nothing but feeling which brings me to this conclusion—naturally I know no facts. It simply seems to me there is a certain correlation between this and those dear old missionaries who spread over the world putting Mother Hubbards on those happy, naked ladies who had no idea they were being shameless—and comfortable. Incidentally, the missionaries had it pretty good in some ways, didn't they—free travel, no doubt lots of household keep, and the lovely feeling that they were bringing "light" to savages.

Yes, I know the world is much more complicated these days. But people are still people—and all of written history bears this out.

A voter these days is sure on the horns of a dilemma.

K. Bald.

Philadelphia, Pa.,
August 7, 1964.

Dear Senator Morse: Bless you for your noble stand—you are not alone—there are so many, many of us that you alone are speaking for. We must not be dragged down the path of self-destruction. You keep going for us and we'll keep working that we may have some alternative out of this horrible mess.

Strength be yours, and again bless you. I have written to the President and Senator Clark.

Sincerely yours,
Dorothy Kunkle.

Alhambra, Calif.,
August 7, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thanks for clarifying what otherwise was an incomprehensible situation in Vietnam. My congratulations for your courage, honesty, and forthrightness in presenting a more complete interpretation of the current crisis.

Please put me on your mailing list. I'll be glad to help keep a man of your stature in the Senate.

Sincerely yours,
Mr. and Mrs. S. G. Moyse.

Auburn, Calif.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Your position on Vietnam is the most courageous to appear on the national scene in many months. I trust you will stay with it and continue to advocate what must be the possibilities inherent in something that we can do short of military action.

God bless the people of Oregon for electing you to national office.

Sincerely,
John K. Morris.

Brooklyn, N.Y.

Dear Senator Morse: Thank you very much for looking honestly and then voting bravely on the Vietnam war. I was beginning to be terribly frightened when I saw that our Government could take a dangerous and bullying action without one responsible figure doubting the official story. All the newspapers are speculating "Why did North Vietnam make such a provocative move." Everyone sees there is no reason but not one has dared to doubt that we were indeed attacked. But, of course, regardless of the exact facts in this incident, the whole war is a very doubtful undertaking. The massive use of napalm and concentration camps makes me feel that no Communist government could possibly be worse.

It is hard to hear much in America about the actual goals of the Vietcong or Ho. However, it is said that Ho is willing to accept a nonalined or even a Western-oriented government in the south if trade relations will be allowed between the two halves of Vietnam. It was quite aggressive and just plain mean, for the United States to forbid the traditional trade by which North Vietnam exchanged fuel for food from the south.

The Vietnamese have always tried to maintain some independence of China. Ho Chi Minh shows the same tendencies. There is no reason why we cannot negotiate with the countries on China's borders as we now do with Poland, Rumania, and other "satellites."

Our Government has been acting irrationally, sensationally, and brutally in this matter. I hate to say this but right now we owe our security to the peaceful desires of the Soviet Union, North Vietnam, and even China. Yes, even China is acting more rationally than the United States.

I suppose this firm stand will make Johnson look good but I think it a dirty trick for an election gimmick. There is some risk involved even if Johnson had prearranged things with Moscow. But more important, these election games involve so many lives in Vietnam. It's shocking to hear liberals speculating on our chance to win and not one responsible figure will mention the brutality of this campaign. In Asian history books we won't come out better than the Nazis. Unfortunately, in the United States such thinking relegates one to the position of crackpots, pacifists, religious cranks, and Communists.

Thank you again for taking your position.

Sincerely,

Mrs. Barbara Garson.

Buffalo, N.Y.,
August 6, 1964.

Hon. Wayne Morse,
U.S. Senator,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: This is to congratulate you on your recent statement on the Vietnam crisis and the involvement of the United States there. It always takes great courage to make unpopular pronouncements on public affairs but the courage required on such pronouncements when foreign policy issues are involved is multiplied many times; you are an outstanding public servant at a time when we so sorely need outstanding leadership. I know you will continue to lead the forces of sanity and reason: please let me thank you for it. I only wish I were in a position to cast my vote for you in some future election.

Sincerely yours,

Bill J. Harrell.

Washington, D.C.,
August 4, 1964.

Thank God, gentlemen, for men like Senator Morse. Let this not be the only voice crying in the wilderness. I am sure the British Parliament and the King of England and the redcoats felt that they were defending peace and freedom and that the colonists were the aggressors in 1776. Also in the War of 1812 I am sure that the White House was burned by the British in order to teach the arrogant Americans a lesson. Of course, Hitler always spoke for peace in every speech while he was preparing for aggressive war.

In the name of sanity, gentlemen, "Let us reason together."

Must we face an inferno, must we make the choice of compromising together or separately or be incinerated together or separately? Please speak for the people, not for the war lords. Speak for our children, not for our "interests." Our only hope is that China and Russia and the Soviet Union show more restraint than we are showing. For Heaven's sake, gentlemen, do not out Goldwater Goldwater. For humanity's sake, no more Hiroshimas.

David Ruby.

Brooklyn, N.Y.,
August 7, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: Your stand against any further U.S. intervention and urging withdrawal of our forces in Vietnam in favor of United Nations-sponsored mediation and elections is encouraging news.

It would appear that the United States is interfering with the civil war of another country in the defense of tyranny rather than the people's wishes. Each move our forces make only entangles us further in the internal affairs of a country that wants to and should be allowed to settle its own disputes.

It is essential that you continue your courageous stand for freedom and democracy in southeast Asia. Myself and millions of the peace-loving people around the world are backing your efforts.

Sincerely,

Alan Reich.

Buffalo, N.Y.,
August 6, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: Though you do not represent my district, yours is the only sane voice raised in Congress against the adventures of national administration. Recent military action by the United States in Vietnam can only give aid and comfort to Senator Goldwater and the Birchites. I am not proud that the resources of the United States, both military and financial, have been, and are being, used to stifle a people's march to independence.

We have replaced the French as the aggressors and have sidestepped using the 1964 Geneva Commission to bring peace and independence to this country. Too often in recent years we have acted unilaterally in foreign affairs, with the result that U.S. prestige is at an alltime low. It is high time that this trend is reversed.

I respectfully urge, Senator, that you request the Johnson administration to reconvene the 1964 Geneva Commission so that a peaceful solution can be found for the problems of southeast Asia. Our present tragic course could very well precipitate a global conflict.

I remain,

Very truly yours,

Michael Clune.

St. Petersburg, Fla.,
August 8, 1964.

Dear Senator Morse: We have just sent the following letter to President Johnson:

"For some time we have been concerned over the ever greater involvement of the United States in the war in Vietnam. Certainly it is becoming more and more apparent that the methods of violence we have resorted to are ineffective. Certainly no one could endorse all-out atomic war. Now, the step-up in American participation increases risks but seems no more calculated to bring about the desired ends of peace, rights of self-determination, and independence for the Vietnamese people.

"We heartily concur with Senators Morse and Gruening that our present action is unwise and not justified. Will you please utilize your position and political skills to find an imaginative new way to resolve this situation, a means consistent with traditional democratic and Christian ideals?"

We support and are grateful for your leadership, Senator Morse.

Sincerely,

Clark and Pat Bauwman.

Jamaica, N.Y.,
August 8, 1964.

Dear Senator Morse: Despite the fact I am not one of your constituents, I could not fail to write you to applaud and thank you for your integrity and unremitting courage in opposing the current disastrous policy of our Government in South Vietnam—indeed in all southeast Asia. Against discouraging odds, your day-by-day insistence on telling unpalatable and unpopular truths is one of the finest things that ever happened in the U.S. Senate.

I wish I could vote for you for President.

Again, thank you—and please try to keep it going.

Sincerely yours,

Leonard Gould.

Fremont Center, N.Y.
August 7, 1964.

I'm with you, sir. Let's get out of the Far East. Also, admit Red China to the U.N.

Mrs. G. Wayne.

Cambridge, Mass.,
August 8, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Congratulations on your opposition to Joint Resolution 189, "Relating to peace and security in southeast Asia."

Yours truly,

James Foley.

East Orange, N.J.,
August 6, 1964.

Hon. Wayne Morse,
Senator from Oregon,
Senate Office Building,
Washington, D.C.

Dear Sir: It is rather late in the day, I know, but I have long intended to add a letter to the many you have received in support of your position on the question of southeast Asia. It is heartening that there are a few Senators who are still willing to give the lie to the "big liars," but it is most discouraging that the majority of that body still prefer myths to realities. I now have to read a newspaper which I detest, the National Guardian, just to find out what you and Senator Gruening are saying.

I used the words "big liars" advisedly, for I can only infer from the official and journalistic treatment of the U-2 affair, the Bay of Pigs, the Kennedy assassination, and the present escalation in southeast Asia, that there has developed a genuine desire on the part of Americans to live in the comforting world of international fantasies. Even some of the imagined demons and hobgoblins are a comfort, since they make it unnecessary to deal with the world as it is. Free debate is allowed, indeed encouraged—as long as it is within the framework of a concensus of fallacies.

The most recent incidents in southeast Asia are in many ways the grossest insult to the intelligence of the public that I have yet experienced. Journalists and Government officials are hard put to advance any explanation of the reasons for the attacks (if that is the appropriate word in view of the fact that none of the destroyers were even scratched) by the North Vietnamese. Thus far all of their far-fetched hypotheses break down. There is a very simple explanation indeed, which no one dares mention. It is indicated succinctly by two adjacent headlines in the New York Times of August 5: "Two Red Craft Believed Sunk"; "Khanh Is Fighting Threat of a Coup." If the unidentified PT boats were indeed such, then it would make the best sense to assume that they were South Vietnamese boats, firing upon our ships but deliberately missing, in an attempt to force us to escalate the war and support a march to the North. (I would not be so unpatriotic as to think that any American agency would have backed them in such efforts.) I would even be willing to believe that the PT boats were in fact North Vietnamese, if there were at least some attempt to adduce evidence which would substantiate this allegation. The very failure to introduce to the public any such evidence is itself an argument in favor of my hypothesis. Until there is an attempt at substantiation, I will not resort to the lectio difficilior, which would still not erase the numerous earmarks of foul play. It will be only too appropriate if the escalated war in southeast Asia is pursued behind the battle-cry: "Remember the *Maddox*." Has anyone thought to inquire of the Hearst papers what their agents were doing on Sunday last?

Just 3 weeks ago, after observing the shameless spectacle at the Cow Palace, I communicated to the Times my private fears concerning the possibilities of hanky-panky during the coming election campaign, created incidents domestic or international in the style of the sinking of the *Maine*, the Reichstag fire, the Kirov assassination, the various Polish "aggressions" against Germany in 1939, the U-2 affair, etc. This past Monday I wrote to them an "I told you so" letter, listing three definite instances, possibly six, which would confirm my original fears. I will conclude this by quoting the last paragraph of my second letter: "Perhaps the long, hot summer will be more like a fireworks display on Fourth of July. Slow and evenly timed at first, but, man, will we all be dazzled by the grand finale. And all red-white-and-blue too."

May I offer my best wishes and my personal support for your valiant attempt to bring some sanity to our discussion of and policy in southeast Asia.

Sincerely yours,

James H. Stam.

Farmers Live Poultry Market,
Newburgh, N.Y.,
August 10, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: Thank you on your stand before the Senate on the southeast Asia issue on presenting the facts of the issue.

If the Senate and Congress had a few more champions on bringing the facts before the American people and not the paid press we would have a country we could be proud of.

Any hearings of which you know that may be of use in bringing these facts to the unenlightened public will be read with much interest.

Yours truly,

Alfred Intomase.

Hamden, Conn.,
August 8, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: May we express our distinct approval of your logical, sane and courageous stand on the Vietnam situation, particularly with respect to what seems to us the ill-conceived and somewhat hysterical move on the part of the administration.

We believe that the United Nations should have been called in into the case immediately rather than ex post facto.

Respectfully yours,

Mr. and Mrs. Richard F. Mezzotero.

Indianapolis, Ind.,
August 7, 1964.

Dear Senator Morse: I wish to commend you on the stand you took the other night, which I saw on television.

These are crucial times for our Nation. Many are anxious that we can still say that we are a "Christian" nation. Thus we need to conduct ourselves in a manner that shall prove this to the world.

I realize that all of you as our leaders have a very difficult time to make the right decision, so I pray God's leadership to endue you with wisdom.

Once again, thank you.

Sincerely,

Mrs. Walter Baldwin.

Chappaqua, N.Y.,
August 7, 1964.

Dear Senator Morse: Though not in your district I cannot help writing to thank you for your work and finally your vote against the mounting tide toward war.

So many persons around here—and all across the country I am sure—feel the increasing intransigence of the United States is very dangerous as well as morally wrong.

However, most of us do not get around to writing, especially to a Senator from a State not our own, so I thought I would let you know that we commend your courage and applaud your stand which I fervently hope that the preelection Goldwaterism now appearing in the Democratic Party will not grow, or burst, into a war.

Sincerely and gratefully,

Ruth McMoore.

Richmond, Va.,
August 7, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I believe you could say this is my first fan letter. My husband and I are fans of yours and we would like you to know of our admiration for your unique combination of intelligence, commitment, and courage.

When Republicans and Democrats were one voice over the necessity to resist "aggression" in South Vietnam (the 51st state?) why should there have been only one voice to say "aggression"? inquiringly. Yours is the only clear voice we hear in Congress today (and next to it is the sound of the other Senator from Oregon). We recently applauded you on the "Issues and Answers" program. Every single statement you made could have been an extension of our own viewpoint.

Please let us know what other Senators and Representatives share your feelings about the United Nations as the proper assembly to handle the question of "aggression," and the necessity to curtail military expenditures. I shall be glad to write to them. It would be wonderful if we could create even a small ground swell to convince the Democratic Party that we really do want a "choice" come November. At the present, both parties seem to be vying for first place in an attempt to discredit our posture in the world as a peace-loving nation.

Be assured that there is much silent applause for you around this country, and we would like to see your viewpoint corroborated by a number of so-called liberal politicians.

Appreciatively,

Loraine and Gordon Fels.

Seven Valleys, Pa.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Congratulations on your stand against U.S. militarism in Vietnam. It is most unfortunate that we don't have more Senators (and more people in general) aware of the stupidity of our war in southeast Asia and the vital importance of either taking this to the U.N. or reconvening the 1962 Geneva Conference, but it is good to see the strong stand you have taken and your valiant last-ditch fight.

From one grateful citizen with best wishes for better success in the future.

Linda Smith.

Mansfield, Ohio,
August 6, 1964.

Dear Senator Morse: Never have I admired a man as much as I have you in the last few years, but especially the last few months. I have listened to you on the "Today" show and last night I heard you come out against our actions in Vietnam. Most of us lack the courage to say what we actually believe, it is so much easier to go along with the crowd, but in recent years I have found out I cannot do this and have peace of mind.

I do not believe the way the John Birch Society does, Goldwater and so many others that hate everything and have no answer except to say that we are the true Americans, and this scares me. They are only afraid for themselves. No matter how many people get killed in other countries, just so they don't get near us.

What the answer is is hard to say, but when you say this should have been taken to the U.N. long ago, I have to agree that is right. We don't get the truth in the newspapers or television and this worries me. How am I to find out who is right and who is wrong, but until I do I am going to make no quick decisions. Again let me say you will no doubt stand alone on this issue and many others, and this I have to admire, and I have heard so many others say the same thing. We act like mobs, and follow like sheep, just like the German people did Hitler. You are the only link to the other side of the truth that we can hear. Keep up the good work.

Mrs. M. E. Bradford.

Goshen, Ind.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: The crisis in southeast Asia gives me major concern. And the TV presentation of it on August 5 was of unusual interest, especially what you had to say. The comparison of the Tonkin Bay incident with that of Cuba in November 1962 was eloquent and pertinent.

Can you help me find the answers to these questions:

1. Are the essential facts available on the Tonkin incident? I remember with regret that Congresswoman Jeannette Rankin was unable to get (in time) the facts about United States-Japanese trade in the summer and fall of 1941.

2. Can you work with U.N. Delegate C. M. G. Adebo and others toward moving the world toward peace? His remarks on TV the morning of August 6 were very eloquent also.

3. Your reference to a policy of "beating swords into plowshares" was pertinent. Can this incident be used to help move the world and, especially our own beloved country, toward peace? Disarmament seems to me one of the basics if the human race is to last long on this planet.

Some of your critics interpret you as wanting just to get more publicity. But I have a much higher respect for you than that. And I appreciate your willingness to stand up and be counted when it is a lonesome business. I trust enough American citizens will come alive on this and other problems in time and act as responsible world citizens. Any help you can give me will be highly appreciated.

Gratefully yours,

DAN WEST.

ST. PAUL, MINN.,
August 1964.

Senator WAYNE MORSE.

DEAR SENATOR: May I offer my wholehearted support to a man who has the courage to stand alone and speak truth and facts.

I am simply nauseated by the deception pulled on the "American" people—by the childish and cowardly actions by which many Congressmen simply kow tow and utter only words they have overheard—"unprovoked attack"—we know "our vital interests"—money? Commerce? et cetera.

Why do we feed communism on one end and fight it on the other?

If a destroyer came to the shores of my country, I would certainly consider it an intruder. Would we let one sit (with plans) in the area of the Gulf of Mexico?

Adlai Stevenson advanced such cheap excuses—self-righteously telling of the burning of a school in South Vietnam et cetera—when in his own country people are burning churches and killing children—murdering each other—maybe we should clean our own house.

President Johnson is constantly telling the American people what they think, as though they were nincompoops who could not think for themselves. The eye of the television camera reveals all evasiveness and deceit—and cowardice.

Yours truly,

MRS. ELEANOR WEIMER,
Housewife.

VISTA, CALIF.,
August 7, 1964.

Senator WAYNE MORSE,
U. S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: We have just read your remarks on the issue in South and North Vietnam and agree that the U.S. military is only causing much of this trouble and that the whole issue should be handled by the United Nations. In the long run the people of Asia will throw off the white man's influence and domination and our meddling in the affairs of Asia will backfire against the people of the United States and history will record us in a most unfavorable light with all the peoples of Asia.

Sincerely,

LEE LAMOREAUX.

P.S.—President Johnson and the U.S. military are waging a war in Asia without a declaration of war by Congress. This is reason enough for impeachment.

L. J. L.

CARLSBAD, CALIF.,
August 7, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: I heartedly endorse your opinion of our attack on North Vietnam. And agree that the defense of South Vietnam should be conducted through the United Nations and not by the United States without aid of our allies.

Of what use is our Congress when the President can order an attack and then ask for approval?

Yours truly,

L. P. MCCUTCHEN.

SEBASCO ESTATES, MAINE,
August 5, 1964.

DEAR SENATOR MORSE: Congratulations on your courage to stand up publicly for a return to morality in our foreign affairs. Yours is a higher patriotism than that of the many who will criticize you.

Don't give up the fight. Our hope for real greatness lies in your type of clear thinking.

Sincerely,

ELIZABETH S. FINE.

EMPORIA, KANS.,
August 6, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SIR: We appreciate your speaking out against our policy in southeast Asia.

President Johnson's action is so obviously political expediency, I am amazed that it was not immediately and loudly denounced by the press and the public. Your voice seems rather lonely, but surely you speak for the people.

You put into words exactly our thought. Speak on.

Sincerely,

Mr. and Mrs. ALLEN CORYELL.

WOOODSTOCK, VT.,
August 6, 1964.

DEAR SENATOR MORSE: I congratulate you on your courage and your wisdom in opposing our conduct of war in southeast Asia.

The use of violence and destruction cannot be justified indefinitely by labeling it a "fight against communism."

I hope you will do all you can to channel this question and related questions into the U.N. where it may be accepted as the responsibility of the entire human race.

Sincerely,

TAD BAILEY.

ANAHEIM, CALIF.,
August 6, 1964.

DEAR SENATOR MORSE: I agree with you 100 percent on your stand concerning Vietnam and President Johnson. I think it's terrible the way we've acted in this area. I only wish there were more Senators with your courage and principles.

Also, your efforts to cut our wasted foreign aid have my strong support.

Thank goodness there are at least a few men left with some backbone in the Senate.

Sincerely yours,

Mrs. JOHN T. WORK.

COVINGTON, MICH.,
August 5, 1964.

Hon. WAYNE MORSE,
Senate, Washington, D.C.

DEAR MR. MORSE: Congratulations for your stand on southeast Asia. You have a far larger following than you think. Wish you was on a ticket for President. As it is the people are only getting a chance to vote on bad or worse.

Sincerely,

ARTHUR STENSON.

SAN MATEO, CALIF.,
August 5, 1964.

Senator MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Seeing and hearing you on television Wednesday evening, August 5, 1964, kind of lifted my spirits to believe that man is still above animal. Even our greatest men and even top leader, our President, clings to the cave era of human behavior. The worst of it all is that our present administration, cloaked in noble clothes, takes advice of a BARRY GOLDWATER. How long can we fall not to know that we are on the bottom? Interests are at stake? Who's? Speaking one time that war does not win anything and asking the full right to wage a war as chief of the military and of the United States, is the only modern model of our administration's respect and feelings for the dead and misery they award us, the people of our country. Before it was Kaiser, then Hitler, now the Reds, our enemies. We always find enemies and always we the people must give our sons to be murdered. Oh, dear friend, please tell me will that ever end. To prove patriotism and love to our people by sending them to battlefields? My heart is heavy with pain. I would write to our President but he will never get to see it.

May God give you strength to fight the cause of our people.

Yours for human behavior,

SAMUEL SHINER.

PALO ALTO, CALIF.,
August 6, 1964.

Hon. WAYNE MORSE,
The Senate,
Washington, D.C.

DEAR SIR: Thank you for your courage in speaking out on the southeast Asia situation. It is appalling how close our Nation is coming to war, in this ill-considered undertaking. It would be different if we had ever really found out what the people over there wanted, and whom they wanted as leaders. If only now the Security Council can bring some moderation into the heat, perhaps this time we may escape having the whole world blown up. Good luck and good health to you.

Sincerely yours,

MRS. JANE TAYLOR GORAJ.

ROCKLAND COUNTY, N.Y.,
August 7, 1964.

DEAR SENATOR MORSE: Please keep up your splendid fight to keep the United States from becoming further involved in war in southeast Asia.

We have enough to do here at home, especially by way of helping Negroes to improve their situation through jobs, more education, and better housing. This is the effort that should take up our national energies, not courting nuclear warfare that could exterminate us all.

With gratitude, I am,

Sincerely yours,

AUBON P. MAN, Jr.

AUGUST 7, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: As a student of history, I consider myself a fair judge of greatness. I humbly regard you in this category. Although I could trace the greatness of your career from your fight against the Tidelands giveaway to your Telstar battles and the rest of your notable fights, I write this letter in reference to your courageous stand on Vietnam. I have followed your perceptive challenges to the tragedy of nondebatable foreign policy, and I am in utter agreement with your views. Sad to say, too few Senators have joined you. Please pass my support on to Senators GRUENING, BARTLETT, and those other Senators who similarly view the outrages of our southeast Asia policies.

But it is in this time of crisis when the whole country leaps to ignorant unison to support a wrong war, that you are to be cited for your courage in remaining true to your righteous position. It is the kind of courage that few politicians are capable of. I feel sure that if the American people knew what really was going on in Vietnam (that is, if someone besides I. F. Stone printed your remarkable speeches) they would view U.S. policy with the same distaste.

It is important, Senator MORSE, that you know that there are many of us who applaud your lonely stand and pray that others will see the wisdom of your position. We will do our best to make better known to the public our opposition to the United States unjust involvement. We know that your steadfastness and courage will not diminish.

We thank you and honor you.

Sincerely,

Eugene A. Lieber.

New Haven, Conn.,
August 7, 1964.

Dear Senator Morse: I concur wholeheartedly with your article in the recent Progressive and your statements to the press about the war in Vietnam. I know many other people who feel very strongly that the war in Vietnam is morally wrong and plainly indefensible because of our United Nations agreements, and it is very heartening to have your representation in the Senate. You are doing an immense good.

Sincerely,

Barbara S. Stocking.

San Lorenzo, Calif.,
August 6, 1964.

Hon. Wayne Morse,
U.S. Senator,
Senate Office Building, Washington, D.C.

Dear Senator Morse: I want to express my admiration, gratitude, and thanks for your courageous statement with regard to the situation in Vietnam. It seemed the one clear note of sanity and wisdom midst the discordant and confused sounds emanating from Washington yesterday over television and radio.

The incident which is supposed to have "kickedoff" all the sabre rattling certainly doesn't seem to warrant all this sound and fury. I don't see how any native of Vietnam will benefit by a conflict; it would only serve to massacre people for as well as against us as well as destroy their country. Haven't those poor people suffered enough? Also, I can't understand how any group of people who are citizens of Vietnam can be accused of "aggression"—it's their country isn't it? By the same token, could we not say that the North was the aggressor in the South during the Civil War in our own history? It would seem logical to assume that an aggressor comes from outside Vietnam—such as the United States.

One wonders if the situation has been mushroomed into a brink-of-war crisis in order to show the Goldwater forces that the administration is just as ready for a fight as they are. It would seem greater political wisdom to be calm, reasonable, and just in this kind of situation in order to demonstrate that the Democratic Party is not the "war" party that the opposition brands it. The administration should present a strong, sane, willing-to-negotiate attitude, rather than that of a frantic, immature, trigger-happy, mentally retarded giant. We are too important, too great a Nation for such childish actions that are taking place this week. I, for one, feel no safer having heard President Johnson's statement. On the contrary, I'm scared to death.

Sincerely,

Mrs. Georgie Brooke,
Democrat, Eighth Congressional District, Alameda County.

Paris, Ill.,
August 5, 1964.

Hon. Wayne Morse,
U.S. Senate, Washington, D.C.

Dear Sir: I wish to state my support of your position, over many months, of the U.S. participation in the war in Vietnam.

I assure you, that thoughtful citizens in every State, are thankful that the people of Oregon keep sending a man of your ability and courage to the U.S. Senate.

Very truly yours,

Paul W. Ramsey.

Sand Springs, Okla.,
August 5, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: If we are plummeted into that final war, history will say of us that we were the people who could not see reality; we were the citizens who accepted, unquestioned, an official rhetoric which defined good and evil only in relation to which side perpetrated the action.

If our country and the world are to survive, more citizens and high officials must accept their responsibility to judge critically the course that our disastrous Vietnam policy is leading us. It is in this respect that I commend you for what could be called your appeal to sanity. Hopefully the United States will give up its inane claim to sanctity, admit its share of the blame for the injustices done to the people of South Vietnam and, over a conference table, help to resolve the conflict in the interests of the Vietnamese and, concomitantly, world peace.

Respectfully yours,

James W. Russell.

Mercer Island, Wash.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: In this sad affair of the hostilities in southeast Asia, it is heartening to see one person able and willing to come out against the sweep of old tendencies. I hope there will be more, as the resolution is sent from the committee; but yesterday yours was reported as the lone dissenting voice.

I have repeatedly sent protests as to our unilateral intervention in southeast Asia. If there is the threat there that is pictured, I believe it should be handled by the United Nations or a group of nations less interested than we have become. I believe the people of South Vietnam are not being helped by this war. I hope your evaluation of the situation finds some voice of approval.

Respectfully yours,

Mrs. Lillian W. Fiedler.

Beverly Hills, Calif.

Hon. Wayne Morse,
Senate Building,
Washington, D.C.

Dear Senator Morse: We are happy and in complete agreement on your stand against the fighting in Vietnam. This, in our opinion, is a losing war no matter who is successful.

We are also in complete agreement with you and Senator Gruening in your opinion on "foreign aid."

We are proud of the fact that you helped cut $500 million out of the $7 billion budget, and that your goal is to cut some $460 million this year. Keep up the good work, stay well and be happy.

Sincerely your,

Dr. and Mrs. N. H. Gladstone.

Jamaica, N.Y.,
August 7, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Once again I would like to congratulate you on your very courageous stand on the dirty war in Vietnam.

I agree with you that our involvement in South Vietnam can lead only to these types of actions. Moreover, if the New York Times of August 4 accurately reported the Navy's chronology of the *Maddox*'s first encounter with the North Vietnamese boats, it is quite apparent that the *Maddox* was the first to fire. Therefore what this means is that it was we, not they, who were the aggressors.

For me, as for many others, it was very heartening to hear your message, sent to the memorial meeting for the dead of Hiroshima. But it is almost ironic that on August 6, 1964, 19 years (to the day) after the bombing of Hiroshima the New York Post carries a front-page headline about planes in South Vietnam carrying nuclear bombs.

Please, Senator Morse, for the people of America as well as for all peace-loving people throughout the world, continue your work on exposing the U.S. role in southeast Asia. I have confidence that very soon all Americans shall know the truth and there will be a general demand for U.S. withdrawal from South Vietnam.

With best wishes for a successful struggle.

Lee Dlugin.

New York, N.Y.

Dear Senator Morse: I wish to congratulate you on your courageous stand in the Senate on the Vietnam situation.

Too few people have the courage of their convictions and have an unbiased view of the problem with our involvement in Vietnam.

I am wholeheartedly of the same opinion you so courageously expressed on the Senate floor.

We need people of your integrity to tell the Nation the truth.

I salute you and hope you will continue informing the Nation of what is really happening there and point out the danger of our actions to the world.

Sincerely,

Sylvia Rose.

Encino, Calif.,
August 8, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We are writing because we feel that the bravery you have shown in your stand on the recent crisis in Vietnam should not go unnoticed. We commend you for your words against Johnson's brinkmanship which is leading us dangerously close to World War III and the extinction of man. We feel that your action was more than patriotic, it was humanitarian. That which will benefit all men is always the wisest course in the end.

With much gratitude,

Jill Lewis.
Charles and Sarabelle Lewis.
Eva Leff.

Temple City, Calif.,
August 6, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am writing to offer support to you on your position in the late developments in North Vietnam. I agree with you in your belief that the resolution sought by President Johnson would amount to a "predated declaration of war." It is imperative, as you say, that this be a matter for the conference table and not one of hasty retaliation or belligerence.

Sincerely yours,

William H. Wells.

August 7, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Sir: I want to thank you for your courageous stand in the Congress on the issues of Vietnam and the United States. The newspapers and the news media have highlighted your statements of protest of our country's participation in South Vietnam. Much about the reasons for the need of U.S. participation in this area has not been told. I believe that any country has a right to self-determination whether it is Vietnam in 1964 or the Thirteen Colonies in 1776. The country of France withdrew from Vietnam and the

United States moved in with an advisory force of 35,000 armed military men. The total overwhelms me. Why are our boys dying there? Will the Republic of China stand by and let this participation go unheeded? I seriously believe that the United States is wrong in this military action, and once again I would like to commend your stand. We need it very much.

Yours truly,

Mary Steven.

San Jose, Calif.

Newburgh, N.Y.,
August 6, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I support your lone opposition to the Johnson administration's sudden bombing attack on North Vietnam.

I hope your courage in speaking out for peace and sanity will help educate both the American people and your fellow Government officials to the dangerous folly of our present espousal of force in southeast Asia.

We need negotiation and understanding, not angry attack.

I expect to write in your name for President in November.

With concern,

Savi Clough.

Hollywood, Calif.,
August 6, 1964.

Dear Senator Morse: History will applaud you as one of the few men of honor left in politics. Please continue to speak out on Vietnam. The human race needs your courage and your honesty.

Sincerely,

The Field Family.

Copy to the White House.

Atlanta, Ga.,
August 7, 1964.

Hon. Wayne Morse,
The U.S. Senate,
Washington, D.C.

Dear Senator Morse: You may be alone in the Senate, but you are not alone in the Nation. This is to thank you for your courageous and rational stand regarding our recent action in Vietnam. Your reasons for this stand are sound, as are your ideas regarding our policy in all of Asia.

At present I feel helpless as I sit in my home, not knowing how I can help stop our continuing involvement in an area where we should not be. As you have pointed out, our present policy is directly violating those obligations to which we are legally bound internationally, including those set forth by the United Nations Charter. Your continuing voice is needed desperately in this struggle to bring about enlightenment among the leaders of our Nation.

Very truly yours,

Roy Maurer, Jr.

Copy to the President.

August 5, 1964.

Dear Senator Morse: We are in complete agreement with you on the Vietnam situation.

Bravo.

Mr. and Mrs. E. Fried.

Buffalo, N.Y.

Tucson, Ariz.,
August 5, 1964.

Dear Senator Morse: Congratulations on your stand on the Vietnam crisis. It was refreshing on the television program CBS Report to hear you speak as you did. McNamara was much too interested in "destroy." He used this word at least four or five times in his brief comments. Morality and the Christian way cannot exist side by side with "destroy."

May you find support in your convictions.

Very sincerely yours,

Josephine E. Chenoweth.

A taxpayer who regrets that my tax money is used for military purposes.

August 6, 1964.

Dear Senator Morse: I want to congratulate you on your stand with respect to the unlimited power which is being afforded President Johnson to handle the "crisis" in Vietnam.

It seems incredible that so many can be so wrong in this situation. I write this with a heavy heart. Nevertheless, I want you to know that your dissent was a bright spot in what, otherwise, is a very bleak picture.

At times like this I always feel that I haven't done enough to counteract this military hysteria, but I want you to know that I am grateful for the truth that you speak and have spoken. That it has fallen on deaf ears is a tragedy.

Respectfully,

Mary Taylor.

Naples, N.Y.

Webster, N.Y.,
August 6, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We have long been distressed over the presence of U.S. troops in Vietnam. Your recent article "Humpty Dumpty in Vietnam" appearing in the August 1964 issue of the "Progressive" put our fears into words so clearly and predicted the present confrontation.

You are to be commended for your continual warnings and courageous stand even against the present action taken by our Government in retaliation. While we criticize the Soviets for weakening the U.N. through failure to pay its debts, we weaken this organization by failing to use it first and foremost in a crisis.

May you continue to speak out against this foolish, brutal and immoral involvement in the Asian war. We hope that more voices may join you in seeking solutions to conflicts through the United Nations.

Yours very truly,

Mr. and Mrs. Franklyn Ellingwood.

New York, N.Y.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am writing to congratulate you on your forthright and courageous statement on the subject of our country's involvement in the situation in Vietnam. It is deplorable that so few voices are raised in protest against actions that may involve the world in a nuclear war.

All the more reason that you should continue to speak out loud and clear against the dangerous policies of our Government that are committing us to interference in the affairs of other nations and to ultimate destruction.

Sincerely yours,

Sylvia Snyder.

Miami, Fla.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: You deserve the heartfelt thanks of every American for your one dissenting vote against Senate sanctions for the decision to attack bases and installations in North Vietnam. Those of us who think as you do especially thank you, as otherwise without a single expression of reason and moral justice in our Government we might well begin to doubt our own sanity.

These are difficult and trying times in our country when we seem to have substituted the morality of fear and greed for the morality of the Golden Rule. Our Nation today seems obsessed with the Birch Society mentality. God help us.

Very sincerely yours,

Reynolds Moody,
Lieutenant Colonel,
U.S. Marine Corps (Retired).

August 1964.

Dear Mr. Morse: I would like you to know that you are, if you succeed with your plans and ideas, virtually saving the civilized world by your rational stand. I and my family commend you completely. I have been on a march which commemorated the dead in Hiroshima and we paid tribute to you, Mr. Morse, as one of the fighters for freedom and peace.

I thank you, my good man.

John Phillips.

August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I want to congratulate you and Senator Gruening on your courageous and sane stand in opposing the war resolution voted on today by the Senate.

There are many like myself who have not lost their sanity and see no excuse for our being in Vietnam or any part of southeast Asia.

Sincerely yours,

Karl E. Seidenberg.

New York, N.Y.

August 6, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Though not one of your constituents, I feel impelled to congratulate you for your courageous statement yesterday in which you pointed out that our Nation and its policies must share in the blame for the disastrous situation in southeast Asia. It is never easy to stand alone against facile slogans, nationalistic trumpetings, and breast-beating patriots. I, for one, am disturbed, even ashamed at the violence with which we have reacted to a situation our leaders admit they do not understand. Your willingness to try to direct the Nation's conscience to the fundamental nature of our problems in that area, your political courage in speaking your mind at this time, and your refusal to be blinded to the stark realities of this situation lead me to offer you my deepest feelings of respect and admiration. It is a great comfort to know that legislators willing to speak their minds are still seated in our Congress. Congratulations to the voters of Oregon.

Sincerely,

Harold N. Adel, M.D.

August 7, 1964.

Hon. Wayne Morse.

My Dear Senator Morse: I want you to know I support your stand on Vietnam. What we have done there and are doing is stupid and evil.

To the rest of the world, our country must look so reactionary and paranoiac.

Sincerely,

Robert Hindmarsh.

Rindge, N.H.

Los Angeles, Calif.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: I wish to reaffirm my support of your stand on Vietnam. Immediately on the extension of the war, I sent a telegram to the President and urged him to take the problem to the Security Council and make a peace settlement.

Keep your voice loud for the principles of morality in the world. There are still many of us who are not fooled by the press, but dig out the facts through reliable publications.

Sincerely,

Mrs. Mary Ellen Long.

Southwestern College,
Winfield, Kans.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: This is to assure you of my support in your stand on Vietnam. I question our moral right to be there, especially when we are supporting a military dictator while declaring we are there in response to the democratic Government and freedom-loving people of South Vietnam.

I am far from certain that world opinion sanctions our position in Vietnam. The people know little about democracy or communism, and in my opinion would like for both us and the Vietcong to leave them alone.

I have no use for any form of communism and am certainly not a leftist, but I do believe the United States is constantly creating for itself a bad reputation throughout the world.

This country has its greatest opportunity to prove to the world that it honestly is in favor of peace. Perhaps a conference on southeast Asia would do no good, but could it possibly do any harm? I had rather be at a conference table trying to negotiate a peaceful settlement than be accused by the world of bombing a tiny nation which was reacting as any nation might react when threatened with the superior might of the most powerful nation on earth. This is not meant to imply that I approve of the North Vietnamese PT boats attacking our ships. I believe we did the right thing by firing back, but I think before going any farther we should have taken it to the United Nations. Perhaps if the U.N. then refused to act, we might have been justified in bombing North Vietnam supply bases.

I realize yours is a minority stand, but I do want you to know that most "thinking" Americans support your views. It is not easy to take a stand which the warmongers and Goldwaterites oppose, but I can assure you that such a stand is admired and appreciated by all people of the world who realize that this great Nation can no longer maintain its "holier than thou" attitude.

I don't think any nation doubts that we have the force to destroy the entire world, but if force alone is all we have then we are in bad shape. I doubt that force alone can win real friends or command true respect.

Sincerely,

Vernon McDaniel,
Assistant Professor, Department of Journalism.

Omro, Wis.,
August 7, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Have always admired your sane, sensible, level headed views on the multitudinous global involvements of our country.

I have often told my family; the next or next generations in the countries to whom we are so benevolent won't give a "darn" what the United States did for them.

Thanks. Wish we had more like you.

Dr. W. M. Doll, D.D.S.

San Francisco, Calif.,
August 7, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I want to commend you for your courageous stand in opposing our involvement in Vietnam.

Truth is on your side and one day, the American people will recognize this fact. I only hope that your position is given more publicity so that there will be a basis for judgment before its too late.

I have written to President Johnson urging negotiations. Right now is the proper time for him to explain the consequences of spreading this war.

Bless you, for you are truly a patriot.

Sincerely,

Mrs. Ben Sills.

Los Angeles, Calif.,
August 6, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I wholeheartedly concur with the position you have taken in the Vietnam crisis. I appreciate the courage and integrity it required for you to state publicly this truthful, although unpopular position.

It is time the people of America made their feelings clear. It is time to let the militarists know that we cannot afford to ignore the United Nations and Geneva agreement, and still continue these aggressive policies in southeast Asia. We certainly must not risk war at this or any time.

Please continue in your efforts to gain support for these just and peaceful solutions.

Sincerely,

Mrs. Leah Moses.

Kansas City, Mo.,
August 7, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: We approve of your opposition to the administration's present policies in southeastern Asia and believe that most thoughtful and responsible people all over the world do so. This is not a question of ideology but of how to create a sane and reasonable world community. The United Nations proposals for that part of the world should be given a fair hearing and trial.

Sincerely,

Glen Hodges.
Amelia B. Hodges.
Patricia Hodges.

Far East Reporter,
New York, N.Y.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

My Dear Senator Morse: Thank you for your correct and courageous stand on U.S. policy in relation to southeast Asia.

I am—and I find other friends, too, are—almost physically sick over Washington's actions in southeast Asia. The United States has no right to interfere in the internal issues of any country there; and it is the United States that should "leave these countries alone."

The hypocrisy of Washington's policy and the despicable use of American force against the people of the area make one deeply ashamed of our country.

Please maintain and intensify your courageous and open opposition to this dishonorable policy of our Government.

Respectfully,

Maud Russell.

Hon. Senator Morse.

Sir: Yours is the only voice in this crazy wilderness of "give away, throw away, the hell with tomorrow" country.

How right you are about so many things, in particular with what is the United States doing all over. These slap happy, trigger happy American generals are going to push the wrong button yet. And I'd be willing to bet my life that those boats that attacked (?) the *Maddox* were manned by our friends, or who knows, closer yet. And now our friends, the Turks, where did they get all those jets, ammunitions and expert pilots? Let America look close to home for all these little wars. Somebody is getting a rake-off on these foreign aid deals, too. Why must we feed the world ammunition? Give them plows and let them feed themselves. If they had to earn their way, they wouldn't have time to play good guys and bad guys. But as long as America keeps shoving guns and supporting them in a way they've never had so good a time at our taxpayers' cost. God bless you, sir. I'm proud we have at least one man with brains in Washington. Keep it up.

Mrs. B. Nester.

Manhattan Beach, Calif.,
August 4, 1964.

Senator Wayne Morse,
Capitol Hill,
Washington, D.C.

Dear Senator: Belatedly I am writing you this letter to commend you for your courage and determination to speak up against the nondeclared war in Vietnam that was started by President Eisenhower to protect the interest of the Catholic Church which dragged us into the Holy Alliance of Rome to protect the interest of the Vatican everywhere in the world in contradiction of the principles of the American Constitution and the Bill of Rights.

I take this opportunity to salute you and wish that more Senators would pick up the fight to help in the struggle to protect the dignity and respect of the United States of America.

With best wishes to you and yours, I remain,

Very cordially yours,

Sebastian Arrieta.

P.S.—I would appreciate it very much if you would send me more copies of your speech regarding Vietnam and also pamphlets about foreign aid.

Backs Morse

To the Editor:

It seems to me that Senators Gruening and Morse deserve our warmest applause for their sensible and forthright—indeed, in these days, courageous—stand on the recent Vietnam crisis. It is comforting to know that there are at least a few people in the U.S. Government who are not looking for the first chance they can find to run off half cocked to the barricades or the launching pad. With more people such as them * * * we might have a little more objectivity and calm in this world, a little less of the apparently prevailing rage and frenzy.

Harold B. Barclay.

Springfield, Ill.

East Hartford, Conn.,
August 10, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: This is to say thanks for your courage on the Vietnam resolution.

To read between the lines of what we have been told indicates that your vote was the right one. I am sorry Senators Dodd and Ribicoff do not have your courage or sense.

Sincerely,

Fred Brustman.

Los Angeles, Calif.,
August 10, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I am so proud of the integrity and courage you displayed recently, in particular, in connection with the Vietnam crisis. Many of us in Los Angeles share your views and attempted to enlighten some of our less-concerned fellow citizens by holding a peace vigil in Hollywood last Saturday night.

We support you wholeheartedly and thank you for standing up bravely for honesty and the brotherhood of man.

Sincerely,

Joan J. Johnston.

Edmonds, Wash.,
August 7, 1964.

Senator Wayne Morse,
Washington, D.C.:

We support your position fully. Best wishes.

Mr. and Mrs. Bogdan.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you for having the guts to speak out in the Senate against our grim and shameful adventure in Vietnam, slaughtering those poor, peace-loving people. It was the only voice of decency and good sense that was spoken. Best wishes to you.

M. Joyce.

New Haven, Conn.,
August 10, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: This is to express my appreciation for your vote against the southeast Asia resolution. I admire your courage in not voting with the multitude, and share your opinion of the wrongness of this "predated declaration of war."

In my opinion, U.S. warships in the Tonkin Bay are as provocative as would be Russian destroyers in the Gulf of Mexico. I am appalled by the actions of our Government to shore up a regime in South Vietnam which could not maintain itself for a month without our military support.

Sincerely,

Barbara Parry.

Pontiac, Mich.,
August 10, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Sir: May God bless you. I know He has rewarded you already for few have the courage you have. I understand you are much praised in Europe. Europe knows war firsthand.

Sincerely,

Mrs. M. Evans.

Arlington, Va.,
August 8, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: My very best wishes to you on the courageous stand you are taking regarding the use of unilateral interference in Vietnam.

Gratefully,

Toby Brooks.

Palo Alto, Calif.,
August 8, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Hon. Wayne Morse: We thank you for courageous stand in the name of truth and sanity in a mad, mad world.

Please keep talking long and loud. Some of us are listening.

Gratefully,

Mr. and Mrs. Carl Tusch.

Fargo, N. Dak.,
August 5, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I wish to express approval for your dissenting vote for retaliatory measures taken against North Vietnam. The struggle between North and South Vietnam is one which should be taken up before the United Nations rather than by military action by the United States in the name of "peace."

Your various articles appearing in many magazines have stated the issues well. I am only sorry that the general public does not read very much except their own newspapers which are largely censored in favor of aggression in that country. You are to be commended for your intelligent perception.

Sincerely,

Phyllis Lahti.

August 8, 1964.

Dear Senator Morse: My wife and I support your stand on the Vietnamese situation. Please continue to be courageous.

Respectfully,

Milton McFarlane.

August 6, 1964.

Dear Senator: Thank you for having the courage to say why you cannot uphold our actions in Vietnam. Oh, for more men of principle.

Mrs. Edith Hahn.

Indianapolis, Ind.,
August 9, 1964.

Senator Wayne Morse.

Dear Sir: I wish to express my appreciation for your stand for a return to morality in our handling of (or dealing in) world affairs. There certainly are all to few in public life, or elsewhere with the courage or strength of conviction to speak out against any popular opinion or maneuver. Yours may not have been a popular stand, but it is of such from which great characters are built.

Archie J. Ijames.

August 11, 1964.

Dear Senator Morse: Allow me to congratulate you for your courageous "No" vote on the President's plan for retaliatory action in Vietnam.

There are so many times your leadership in the sane way of doing things stands out like a beacon light in Congress. It gives us who share the same opinions a great deal of hope and cheer. May God bless you and add to your strength in these days when your message is so crucial.

I have sent a card to the President urging his reconsideration.

Sincerely,

Gretchen Tuthill.

Venice, Calif.,
August 9, 1964.

Sir: Your position and your vote against the resolution requested by the President was surely correct and in the best interests of America.

Actually no U.S. ships should even be in the Gulf of Tonkin. And surely our overall policy in Vietnam (both North and South) is wrong. Khanh is an out and out reactionary dictator and has nothing in common with democracy.

We must change our policy or it will end in war with China and nuclear disaster.

R. Hall.

Indianapolis, Ind.,
August 11, 1964.

Dear Senator Morse: This is to express appreciation of your consistently realistic and courageous stand on the situation in Vietnam. I am sending for an illuminating article by A. J. Muste which I shall presently forward to you although you may well be familiar with it already.

Sincerely,

Gordon H. Graves.

August 10, 1964.

Dear Senator Morse: I admire your courage and wisdom regarding Vietnam.

Sincerely,

Betty Owen.

August 10, 1964.

Dear Senator: I only wish I lived in your State so I could vote for you. Only two voices, yours and Gruening's (that grand old man) raised against our cynical, cruel, and damnably stupid activities in Vietnam (and elsewhere) where we are pursuing an unconscionable foreign policy of force and support of reaction.

Sincerely,

Groff Conklin.

Springfield, Ill.

Thank you for your vote and stand concerning U.N. or Vietnam.

A. R. Grummon.

New York City,
August 11, 1964.

Senator Wayne Morse.

Dear Sir: I admire your courage and convictions on the bombing of North Vietnam in the Senate.

There are many in our country who are proud of you. You can be sure.

Sincerely

H. Ratner.

Dear Senator: I want to congratulate you for your stand on Vietnam. No war is the right solution. How blind most people are. It makes it hard for those who know better. I am a Democrat and have always admired you. The rest will have to learn the hard way.

Mrs. Ross.

Dear Senator Morse: May I commend you for your courageous stand against U.S. policy in Vietnam.

David Moe.

Athens, Tenn.,
August 12, 1694.

Dear Senator Morse: Thank you for your vote on Vietnam. Nice we have two Senators with commonsense. We should force Vietnam to the U.N. I fear we are bent on wrecking civilization. Thank you.

Sincerely,

Mrs. H. E. Walthall.

Troy, N.Y.

Dear Senator: Thanks for your sanity and courage in regard to the South Vietnam vote. I wish you represented my State.

Gratefully,

Helen Ott.

North Hollywood, Calif.,
August 11, 1964.

Dear Senator Wayne Morse: We thank you and appreciate you standing up as a man against the bombing of North Vietnam and giving the President the power to declare war without the formal declaration of Congress. Please send us a copy of your speech you made on the 10th of this month. More power to you. Thanking you in advance for your speech. We remain,

Sincerely yours,

Dr. and Mrs. J. C. Coleman.

Dear Senator: Please accept our heartfelt thanks for your stand on the Vietnam issue. It is a shameful thing that you are not joined by others in Government who must feel as you do on these questions, but who lack the courage to speak out. There must be multitudes of Americans who join us in thanking you.

The McDonoughs.

New Brunswick, N.J.

Dear Senator Morse: We do not support President Johnson's action in Vietnam. You and Senator Gruening seem to be the only two sane people in the Senate. In fact, you in too many instances, seem to be the only sane person in the place. I believe you spoke against the multilateral force of NATO also.

Dr. and Mrs. Terence Butler.

Des Moines, Iowa,
August 11, 1964.

Dear Senator Morse: We commend you for your courageous stand on the Vietnam issue. We have been saying and thinking the same for a long time.

Mr. and Mrs. Clay C. Treadway.

Los Angeles, Calif.,
August 9, 1964.

Hon. Senator Morse: Thank you for speaking out with courage on the U.S. bombing of North Vietnam. Please keep up your one-man crusade. Many Americans are with you.

E. Bergstrom.

Los Angeles, Calif.

Dear Senator Morse: Your courage and excellent common sense in opposing almost alone the spread of war in Vietnam deserves the praise and support of everyone who believes that today the first order of business for the human race is peace.

Sincerely,

Peggy Walker.

Los Gatos, Calif.

Dear Senator Morse: Thank you on your stand on the North Vietnam-Tonkin Bay deal. It is good to know we have a man or two in some States—such as Oregon and Alaska—who thinks clearly and has the heart to express himself the way you do. I admire you immensely. If and when I live in Oregon I will certainly vote for you. I am a Democrat, always will be.

C. R. Winis, R.N.

Los Angeles, Calif.,
August 9, 1964.

Dear Senator Morse: You are a courageous good man to speak up as you did on Vietnam. You spoke simple clear truth in an atmosphere where such truth is unpopular and is shunned. I write you to let you know that you are being heard—and I hope to encourage you to keep up the good work—until all our "swords are turned into plowshares."

Sincerely,

Waldemar Hille.

Laguna Beach, Calif.,
August 11, 1964.

Dear Senator Morse: Congratulations on your good sense and voice on southeast Asia and Vietnam.

In a situation where my country appears determined to take the Hitler road, there appears little effective difference between the available political choices.

I shall write in your name and that of Senator Gruening on the presidential and vice presidential tickets, also Linus Pauling for Senator from California.

Cordially,

R. B. Rogers.

Philadelphia, Pa.,
August 7, 1964.

Dear Senator Morse: I should appreciate receiving copies of all your statements of this week on the southeast Asia crisis.

Thank you.

M. K. Stone.

Bronx, N.Y.,
August 8, 1964.

Dear Senator Morse: I admire your opposition to our participation in the South Vietnamese civil war, and in particular your refusal to support our recent raids against North Vietnam.

May I please have a copy of your speech oposing the grant of special powers to President Johnson in southeast Asia.

Sincerely,

Michael Levine.

Albuquerque, N. Mex.,
August 8, 1964.

Dear Senator Morse: Thanks sincerely for voting against the Vietnam resolution. History will make you a prophet.

Please send any of your speeches on this matter. Also No. 3 of Our Foreign Aid Folly.

Appreciatively,

Bill Renkel.

Urbana, Ill.,
August 6, 1964.

Dear Senator Morse: Your dissent on President Johnson's policy during the present Vietnam crisis is really a dissent covering the past 10 years of southeast Asian policy. I am disturbed that I have thus far been shielded from your views, and I hope you will do me the favor of amplifying them by your own statements or by references to statements by other spokemen for your position. I will appreciate whatever amplification you can provide and I commend you for articulating your position so firmly and clearly. It is unfortunate that your views were not circulated more widely and at an earlier date, since chances for a policy debate are now minimal.

Sincerely,

Ronald Haak.

Richland, Wash.,
August 6, 1964.

Dear Senator: Your thoughtful and careful analysis of the Vietnam situation is appreciated. Recent events prove the correctness of your views. Do you have available reprints of your speeches?

Archie Wilson.

New York, N.Y.,
August 7, 1964.

Sir: Good. Good. Good. Support your effort to restrain imperial effort in Vietnam. Since 1898 there have been those who have stood for justice in our foreign relations. You are already vindicated.

However, I would have appreciated a reply to an earlier letter to you. That might have been helpful to my understanding in this matter.

Regards,

R. Jonas.

San Anselmo, Calif.,
August 13, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Honorable Sir: Thank you for a breath of sanity in a nearly crazy gathering. The excerpts that I have heard from your recent speeches are so fine, that I should appreciate your sending me the entire text of as many as you have on hand on the subject of Vietnam and the Near East.

It would almost be worth moving to your State so that I might vote for you. Our choices here are so poor.

Yours very truly,

Syd M. Hall.

Sun Valley, Calif.,
August 17, 1964.

Dear Mr. Morse: I and my wife are sending our heartfelt thanks to you for your courageous speech delivered August 5 on the southeast Asia situation. The recommendations you made have to be carried out for the sake of world peace and a step toward restoring democratic debate and procedure in our Government and press.

What's the hope for peace and coexistence in this hour of despair? Do you and Senator Gruening represent the only legislators with any fortitude and commonsense? Sir, for the sake of thousands of Americans, keep up the great job.

Sincerely,

Meyer and Madge Lasman.

Hornchurch, Essex, England.,
August 7, 1964.

Senator Wayne Morse,
The Senate House,
Washington, D.C.

Dear Senator Morse: It may be that you will receive some abusive letters about your action in voting against the resolution in the Senate to give President Johnson power to take further measures in the Far East; so I would like you to know that there are many people in this country—as no doubt there are in your own country also, although they will not get much publicity—who are very grateful that there was one man in the Senate with the wisdom to oppose this resolution and the courage to do so against such a majority. I would wish to congratulate you on that courage, and to express a hope that the day will come when it will be more widely recognized.

Were there more men like you, the prospects of peace would be brighter than they are, and the image of the United States of America in the eyes of the world a more favorable one.

Yours sincerely,

D. Martin Dakin.

Goleta, Calif.,
August 17, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: We thank you for being man, and American enough to fight those two idiotic and unholy things—foreign aid and our troops in Vietnam. God bless you.

We in California wish that we had a man as good as you in the Senate.

Yours respectfully,

Mr. and Mrs. G. A. Borquest.

Los Angeles, Calif.,
August 17, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: For a long time I have followed you so to speak as a Member of the U.S. Senate.

I may not have always agreed with your viewpoint, and many times I have had to defend your integrity with other persons, who may not understand the complex problems a Senator faces as a Member of the Senate, but also have the people who elected him back him up, so that he will not be isolated by his political enemies and as a registered independent voter in California, I wish to congratulate you in your stanch defense of the decency that the American people really believe in and that you so ably expressed in the Senate on the question of the situation in Vietnam.

For a long time I have wished that you could have been a candidate for President of the United States and I know that you would be able to lead the American people to a peaceful life and that you would lead the American people as members of the United Nations to bring about a world at peace with all humanity inhabiting this earth. When this gangster general in South Vietnam recently called you a traitor, as an American citizen I felt deeply attached to you knowing that he (the general so-called) was only the mouthpiece of a group of persons who have only the lust of power and regardless of the cost of human slaughter in their persuit of dominating the human race.

Accept my fondest respect for you as a Member of the Senate and the people of Oregon. They could not have chosen a better representative to represent them in the U.S. Government.

If at any time I can be of any service to you you are free to call on me.

Respectfully yours,
Joe Roberti.

P.S.—If you would refuse to take that increase voted for in raising the salaries $7,500 per year you would put a lot of peoples enemies on the spot and place yourself forever in the minds of the people as one who is their leader and friend.

Alexander Richter,
Registered Architect,
Garrett Park, Md., August 18, 1964.

Dear Senator Morse: Your courageous stand on the war in Vietnam truly reflects the wishes of most Americans. Keep up the good fight.

Devotedly yours,
Alexander Richter.

Forks, Wash.,
August 16, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: We are writing to commend you on your previous and recent stand in regards to United States policy in southeast Asia. You have taken the most courageous and logical step to help remove not only the United States but the whole world from an area fraught with danger. Unfortunately the majority of Congressmen and Senators have not yet had the courage to speak out as you have, but we feel it is a must if we are going to survive in this world of ours.

We have been aware of the futility of this undeclared war and the tragic consequences of escalation. Therefore, we have made our views known through our local press, the Port Angeles Evening News, and the Washington-Oregon Shingle Weavers paper.

We are sure you would be happy to know that there are people who support you in your endeavors on this most important issue. Enclosed is a letter printed by the Port Angeles Evening News and was also printed in the Shingle Weavers paper. (Not printed in the Record.) We hope you will continue to work for adherence to the Geneva agreement and free elections in Vietnam, Laos, and from recent news reports a policy of nonintervention in the Congo.

Sincerely,
Mr. and Mrs. Carl D. Lausche.

Huntington Park, Calif.,
August 16, 1964.

Senator Wayne Morse,
U.S. Senate.

Senator Morse: I was proud to read your name in the paper the other day. The issue over the dissention regarding dictatorial powers for the President.

I was not aware that we had such courage in the Senate to resist landslide histeria.

This Nation is very short on presidential material but it is good to know that we have at least two good contenders left in the Senate. I am proud to see our good neighbor Alaska has also shown courage in the wake of histeria.

It is good to know that there were two levelheaded Americans, besides myself, that were old fashioned enough to defend American liberties. I didn't think we had near that many left.

Glenn Humphrey.

Leonia, N.J.,
August 19, 1964.

My Dear Senator Morse: A word of appreciation for your stand all along on the South Vietnam situation, and particularly for your lovely speech at the time of the Senate resolution.

I would certainly like an explanation of (1) Why, in such a large group of Congressmen, is it possible for only two to stand for a given position (it defies the law of statistics)?, and (2) Why Senator Mansfield, in view of his past utterances on South Vietnam, can possibly not have voted against the resolution?

Sincerely yours,
Mrs. Priscilla Silber.

Van Nuys, Calif.,
August 10, 1964.

Hon. Senator Wayne Morse,
The White House, Senate Office Building,
Washington, D.C.

Dear Senator Morse: I would like to commend you on your stand of withholding support of the President's resolution pertaining to Vietnam. It was unfortunate that your voice was in the minority for a position of greater caution in the U.S. involvement of the Vietnam war. Certainly the ramifications of enlarging our support to South Vietnam to more advanced proportions require most serious consideration, and in the face of waging a full-scale war, with possibly China's participation, we cannot be too careful in making a final decision. The risk of initiating what might result in a nuclear conflict is too treacherous to take lightly, and I fear this grave responsibility is not assumed by enough of our representatives in government with the essential reservations necessary that such a decision requires.

We must be thankful to Senators such as yourself for reminding the hastier ones that our foreign commitments must be made on the basis of extreme caution in critical times such as these, when a move in one direction might prove sadly disastrous for humanity the world over.

Thank you for your wise and outspoken thoughts on urgent problems, and we hope we can continue to count on your kind of directions for our country's role in the world.

Respectfully yours,
Mrs. Anne Adato.

Brunswick, Maine,
August 20, 1964.

The Honorable Wayne Morse,
Senator of Oregon,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Although I frequently have the urge to write to a Senator, I rarely get around to do it. Your recent vote and statement in harmony with the honorable Senator from Alaska relative to our military activities in Vietnam I felt were expressions of a true stateman. I want to commend you on your wisdom and courage to express truth out on time when it is sorely needed.

It is my hope that you have received floods of letters expressing similar approval.

Sincerely,
Maurice W. Cobb.

August 12, 1964.

Dear Senator Morse: This is to let you know how grateful I am for your stand on Vietnam. I am sure you are right that the American people should take enough interest in what the United States does overseas, and accept the responsibilities as well as the rights of citizenship. All around me, I hear people say that it is none of my business, and the men in Washington know more about the problems than I do. True. But I certainly feel strongly about this particular situation, and wish I could do something to arouse from that comfortable and fatal lethargy.

Please keep it up, and let me know if there is any way in which I can help.

Yours sincerely,
(Mrs.) Patricia Mocarsky.

Hartsdale, N.Y.,
August 11, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Congratulations on your courageous stand against our involvement in southeast Asia. I strongly feel that many thousands of citizens feel the same way but lack the initiative to do something about it. An organization should be formed to combat this "butt-in" policy which has taken hold of our so-called leaders to make commitments without the consent of the governed. It is high time that the power of the President to make such foreign commitments should be removed. There is no place in a democratic society for such a power which can involve a nation in war and then came and ask for a rubberstamp approval of the action.

Why don't you try to start a movement in this direction.

Very sincerely,
Wm. F. Strobel.

San Francisco, Calif.,
August 6, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: I wish to thank you for the vote which you cast in opposition to the Senate resolution giving President Johnson full wartime powers to deal with the situation in Vietnam.

I feel further, that the U.S. congressional bodies abdicated their responsibilities in this matter. It strikes one as strange that a relatively simple domestic matter can tie up the Congress for weeks and months, giving rise to thunderous oratory and the most acrimonious debate. Yet, on a matter of international policy of the most overwhelming complexity and the gravest danger—danger not only to the citizens of this country, but to the entire planet—our elected representatives have seen fit to deal away their responsibilities with apparently relieved cries of "patriotism" and "solidarity."

Your pronouncements on the policies of this Government in regard to the situation in Vietnam seem to me to be morally correct. I have heard citizens go on and on about national "honor". The word has become a cloak under which to hide the most insane of national actions. Nations, like individuals, are liable to make mistakes. Honor, among other things, involves the courage to recognize, admit, and correct those mistakes.

If I could believe that the South Vietnamese people wanted our intervention in their affairs—and I sometimes wonder why we do not hold a free election in South Vietnam to determine this point—I might find some justification for our presence there. Even then, I could find scant justification for involving ourselves in a war that cannot be won.

Again, my thanks to you, and to your colleague from Alaska, Senator GRUENING, who joined you in voting against this Senate resolution. You both have my deepest admiration.

Respectfully,

GEORGE E. CUYLER.

EAST NORWALK, CONN.,
August 11, 1964.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: May we offer our strong support to you on the courageous stand which you have taken in the matter of the Vietnam war in general and the Tonkin Bay "incident" in particular. It was with a sense of shock and trepidation that we witnessed the President play his "deeply dangerous game" of attempting to out-Goldwater his opponent in the forthcoming election. Our chagrin was intensified as we saw the Congress place its predictable stamp of approval upon this completely unjustifiable and immoral action.

We applaud your position and respectfully urge you to continue to expose the facts in southeast Asia before the American public. Your statements constitute a fresh breeze of truth amid endless torrents of hot air and know-nothing cliches.

It is a temptation to move to Oregon just to support you and vote for you.

EMANUEL MARGOLIS.
ESTELLE MARGOLIS.

BEARSVILLE, N.Y.,
August 6, 1964.

MY DEAR SENATOR MORSE: It isn't often that I write to some one in Washington, commending him for his nobility. (Washington is not the place to look for, or find nobility.) However, your exceptional stand, condemning the war in Vietnam and refusing to vote for its continuance deserves the thanks of all honest Americans. I hope you receive many, many letters approving of your oustanding performance today. Would that you were a Senator from New York. Then I could go to the polls and cast my vote for an honest man. (As it is, I never vote for anyone, other than our local townspeople—as town clerk, road commissioner, etc.)

I had just finished reading your excellent article in the Progressive—with which I fully agree. So it was not a complete surprise to hear over the radio of your dissenting vote. Yet, you could have lacked the integrity to obey your convictions. And you did not. Please accept my hubsand's and my deep appreciation for your courage and honesty.

Sincerely yours,

JO CANTINE.

P.S.—It is terrifying to think of the possible consequences of our State Department's policy. Indeed, I am seriously considering a change of citizenship. I am tired of being ashamed of my country's warlike behavior, while hypocritically proclaiming its devotion to peace. What are we doing in Vietnam anyway?

J.C.

CHICAGO, ILL.,
August 7, 1964.

Hon. Senator WAYNE MORSE,
Senate Building,
Washington, D.C.

MY DEAR SENATOR: I wish to thank you, as a fellow American of whom I am proud, for your sane stand against our aggressive warlike moves in southeast Asia. American policy in that area is not folly, it is madness.

It is a sad day for our great land when you are counted alone as the one voice of protest, but your words give hope to those people who have still maintained a sense of moral justice.

Yours very truly,

GEORGE W. HARTMAN.

SAN FERNANDO, CALIF.,
August 6, 1964.

DEAR MR. MORSE: I am thankful that there are at least two of you Senators who are trying to keep the peace by being peaceful. Who ever heard of such hypocrisy as proposing to keep the peace by waging war? They—the military and most politicians—think most of us are stupid—and evidently most of us are—perhaps too many are uninformed—so they keep up this ghastly farce—so let's get down to the business of letting peace break out in this world—but there is so much fear that our already shaky economy would collapse—has no one any faith in Man? I'd like to see what man can really do if he can get the monkeys (military and politicans) off his back—not just in the United States, but everywhere.

I am a longtime admirer of your senatorial behavior—wish we had more like you.

Kindly send me some copies from the CONGRESSIONAL RECORD of your remarks on Vietnam. I want to try to educate a few neighbors.

Cordially,

MRS. VIRGINIA WILSON.

GRANADA HILLS, CALIF.,
August 6, 1964.

Senator WAYNE MORSE,
U.S. Senate Building,
Washington, D.C.

DEAR SENATOR MORSE: Please accept the sincere appreciation of at least one voter for your courageous stand on the recent events in Vietnam. Isolated as it may unfortunately be, it is nonetheless encouraging to hear at least one voice of reason from the babel of jingoism that seems to be official Washington today.

As a businessman, speaking French and Spanish in addition to English, and with many international contacts, I have been increasingly dismayed over the last decade in realizing the increasing distrust and suspicion with which our foreign policy is viewed abroad. Unfortunately I can only come to the conclusion that we will soon be as feared and hated throughout the world as the Nazis were in their day.

What appears to me as an ultimately self-defeating policy in southeast Asia may possibly have some justification that I fail to perceive, but I would suggest that even so any advantage here would be far outweighed by the negative impact this must have elsewhere in the world. My principal concern is with Latin America, where our support of the status-quo daily loses us more friends, and where our current southeast Asian policies will most certainly be considered fresh proofs of Uncle Sam's aggressiveness. Next month I will be in Mexico for several weeks, and I can already anticipate the arguments my Mexican friends will use to tear down any attempt on my part to defend our present actions.

If I recall correctly, Abraham Lincoln, then a Whig Member of Congress, opposed our participation in the Mexican War of 1848 and suffered cries of traitor. If American history books largely ignore this, Mexican history books most assuredly do not. The analogy is imperfect, but I trust that history books of the future will record your name in a column alongside the Lincolns, rather than with the Polks and their short-sighted modern descendants.

Sincerely,

EDWIN B. BROWN.

BOSTON, MASS.,
August 6, 1964.

Senator WAYNE D. MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Thank you for having the courage to speak out so honestly and fearlessly concerning U.S. action in Vietnam.

I know that if citizens knew the truth and appreciated what has been going on there would be thousands more supporting your opinion. But, unfortunately, very few seem to understand our Government's position with regard to the Geneva Agreement and even though the Pentagon has admitted use of napalm bombs in South Vietnam, people shy away from believing it possible, and deny their responsibility for not protesting.

It is to be hoped that other Senators enlightened and encouraged by your stand for truth, will follow your example.

Gratefully,

DOROTHY A. HICKIE.

COLUMBUS, OHIO,
August 7, 1964.

DEAR SENATOR MORSE: I want to voice my unqualified support of your stand on Vietnam. Your commitment to peace is, unfortunately, a lonely but inspiring stand.

Sincerely,

LUCY BUCHANAN.

WESTON, CONN.,
August 7, 1964.

DEAR SENATOR MORSE: We're not from Oregon but we say bravo for your courageous stand and vote of no on the resolution supporting President Johnson for his Vietnam actions.

Sincerely,

NAOMI and STANLEY BLEIFELD.

P.S.—We also agree on your position on foreign aid.

ALLIANCE, OHIO,
August 7, 1964.

Mr. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

HONORABLE SIR: Your assessment of our predicament in the South Pacific area is 100-percent correct. If the rest of our elected lawmakers do not soon become more realistic and look the facts in the face, this Nation won't have a very promising future.

Your opinions on important matters often seem to be in minority in Washington.

The older I become the more I respect minority opinion because it is usually the studied opinion.

Keep up the good work.

Sincerely,

JOHN E. COOK.

P.S.—I like Senator FULBRIGHT too.

NORTHPORT, N.Y.,
August 7, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I have never before written a letter to a Congressman. Perhaps this is becaues I have never been moved to do so by my own representative's words or deeds.

But your speeches on Vietnam, and your position on our "brinkmanship" policy there makes me wish I were a resident of Oregon so I would have the honor of being represented in Congress by the only honest man in the entire hall of mirrors.

Thank goodness there are still men with the ability to see things as they really are. And with the courage to speak the truth—painful as that truth may be.

I assure you your voice is being heard, and your counsel respected by a growing number of Americans who don't like what is happening in Asia, and who desperately fear that a provocative and irresponsible foreign policy can plunge us into a nightmare from which we may never wake.

Congratulations on your courage and honesty and eloquence. You may stand alone in the U.S. Senate, but you are by no means alone in America.

Yours most respectfully,

SANFORD WEISS.

JAMAICA, N.Y.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: We wish to express the greatest admiration and respect for you for the position you have taken in regard to our role in Vietnam.

Though you might seem to be the lone voice of sanity in Washington, you have a great deal of support from the American people.

We know that there is very little likelihood of a limited war today, and most important of all we feel that this problem must be negotiated through the United Nations. If we are really interested in maintaining peace and freedom in the world, we are surely doing exactly the opposite in Vietnam.

We wish you every success in your efforts for reason to prevail in Washington and Vietnam.

Respectfully,

ELEANOR KLEIN.
KALMAN KLEIN.
PETER KLEIN.

AUGUST 7, 1964.

Senator WAYNE MORSE,
Senate Building,
Washington, D.C.

DEAR SIR: I want to commend you on your courageous stand on Vietnam. I have sent letters to Senators FULBRIGHT, KUCHEL, and SALINGER urging them to use their influence to see that the United States ceases unilateral action and uses the United Nations to settle problems between nations.

Thank you for being our conscience when madness is being masked as logic.

Sincerely yours,

MIRIAM NEWMAN.

LOS ANGELES, CALIF.

Senator WAYNE MORSE.

DEAR SIR: I and my family want to personally thank you for your brave, but unfortunately lonely stand, against enlarging the war in southeastern Asia.

I am afraid we have reached the point of no return by our latest actions in the bay of Tonkin. We are involved in a situation that will be worse than Korea with a tragic and fruitless outcome in death and destruction.

We pray for peace.

TOM SIEGEL AND FAMILY.

LAKESIDE, CALIF.,
August 6, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR: I am grateful for your present stand in regard to Vietnam.

I am truly hoping that negotiations will replace military might in settling the Asian problem.

Yours truly,

LILLIAN ALLEN.

VENICE, CALIF.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR: Please accept my most profound thanks for your demonstration that at least 1 out of more than 500 supposed representatives of the American people has the courage to think twice about following the current stampede into war.

The phrase is constantly being used that "the United States will not stand idly by"—etc., etc. But to my stupefaction I see the American people standing idly by while the invisible government pushed them about like pawns on a chessboard. We who do not stand idly by when menaced by Pentagonic atom-rattling constitute a small minority who sorely need representation. You answer that need. Thank you.

PHILIP STEVENSON.

P.S.—I note that ex-President Eisenhower, who was instrumental in calling off the rape of Korea, has also withheld approbation of our hasty escalations in preparing for the worst.

LOS ANGELES, CALIF.,
August 6, 1964.

Re Vietnam.
Senator WAYNE MORSE.

DEAR SENATOR: Because of your interpretations of events I have written you several times to express encouragement, although I am aware that one who has arrived at the status you have disregards praise or blame and is only concerned with the issue at hand. However, perhaps at this juncture, the enthusiastic appreciation of those who read the real accounts of Vietnam will not come amiss.

Therefore, thank you deeply from our hearts for the position you have taken and we hope that you will be able to continue with many others impelled by your clear and reasonable statements to follow in your train.

Finally to say, we are terrifically troubled at our adminstration's movements and we fear another great war.

Sincerely,

RUTH COLBORN GRUMBINE.

NEW YORK, N.Y.,
August 6, 1964.

Senator WAYNE MORSE,
U.S. Senate Building,
Washington, D.C.

DEAR SENATOR MORSE: I wish that I had the privilege of writing to you as a constituent. I have admired your dissent from U.S. policy in southeast Asia. Certainly your lone opposition to our latest action there, and the obfuscation and false righteousness surrounding it, is historic. It is difficult to see how we can demand peaceful settlements from other nations when we use power so nakedly ourselves. That at least one Senator has spoken out, salvages something from what some day—given a some day—will be our shame.

Very truly yours,

DANIEL PAPISH.

CHICAGO, ILL.,
August 8, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR: Thank God for Senators WAYNE MORSE and ERNEST GRUENING, who are willing to fight for the right even though they stand alone. As I have so many letters to write, will you please hand him this letter when you are through with it.

We are going to have world war three unless we do something about Khanh soon; so I am enclosing a copy of letter I sent to newspapers.

More power to the two of you.

W. ALBRECHT.

PUT KHANH IN JAIL

North Vietnam claims that several towns and two islands were bombed by us, giving the dates and hour. We claim we did not do it. Then who did?

Our Assistant Secretary of State, William Bundy, indicates that South Vietnam gunboats may have shelled the islands. This is just what Premier Khanh has been saying he would do—take the war up into North Vietnam, whether we liked it or not.

It was proper for us to try to destroy any attacking ships. But before visiting such terrible devastation on North Vietnam itself, wouldn't it have been better to investigate just why a little, weak, impotent nation would attack the mighty U.S. Navy? What's behind it all? North Vietnam claims there was no second attack.

Are we going to let Khanh lead us into world war three? He says his is a sovereign nation, and he has the right to do what he pleases. We don't give a darn about his sovereignty if it leads us into another war. Haven't we got the backbone to stop him? Put him into jail, if necessary, until the war is over, or the U.N. takes over.

From what I read, it seems we were a little trigger-happy as the second attack did not amount to much more than a row of pins. One torpedo passed within 300 feet of a destroyer; search lights were thrown on the destroyer; there was small gunfire.

YELLOW SPRINGS, OHIO,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: We commend very strongly your outspoken stand on the U.S. action of retaliation in North Vietnam. Please know that you speak for a great many very frustrated and anxious Americans.

We believe in recent times the South Vietnamese have had no choice as to governments; General Khanh is no better than Diem or Bao Dai. It is cruel deception to speak of defending freedom in this civil war.

Continue to use your good offices, your integrity in an unpopular but moral position, to press for an end to use of American lives and equipment and know-how to deal with this problem. I am writing my opinions also to President Johnson, and my Senators, urging that the issue be taken to the U.N. as it is the rightful concern of the world to achieve peaceful settlement.

Very sincerely yours,

FRANCES M. GOODMAN.

DUARTE, CALIF.,
August 5, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR: We saw you on CBS television tonight stating your position on South Vietnam and our fleet bombing North Vietnam.

We just want to put ourselves on record backing you up all the way. We fully agree with your views.

We regret there are not more like you. Our deepest thanks and appreciation for representing us, small as it may be. At times like this a man may stand alone, but tall.

How Christian can we get, Senator, using the name of God, not His law?

Sincerely,

Mr. and Mrs. JOHN ZABBY.

WOODLAND, CALIF.,
August 6, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I trust you will not consider it presumptuous of me to say how highly I regard your stand in the U.S. Senate in challenging U.S. policy in southeast Asia and particularly in Vietnam.

I speak out of my birth in China and from knowledge acquired during a residence of some 50 years in the Far East. Incidentally, you may remember my very brief appearance before the Senate Foreign Relations Committee inquiry into foreign aid in my capacity as cofounder and cochairman of the Committee for a Review of Our China Policy.

I was again reminded of my duty to tell you that you are not alone—although it might almost seem so—in challenging much of the basic ingredients of our Asian policy insofar as it fails to measure up to true American standards of political morality and international good faith, and as it is characterized by a lack of historical understanding and genuine political realism. The further reminder came as I saw you speak on television last night, in singlehandedly (so far as official legislative expression was concerned) questioning the "provocative" nature of American actions and attributing responsibility to those actions in creating the present highly dangerous American relationship with North Vietnam and with its many supporter nations.

I could join with you in enumerating—as you have done in many speeches in the Senate—the all too many aspects of our actions in the Far East which are a betrayal of the best in American standards of international relationships. I have some qualifications to do this, since I have been a lifetime student of China's political evolution and of the West's relationships with the Far East. You need hardly be assured that the most qualified, as the most intellectually and morally honest, authorities in history and political science support the essential assumptions upon which your viewpoints are based.

It is my very deepest hope, sir, that you will maintain your present courageous confidence that you are "right"—right in the best interests of world peace and mankind at large, and, therefore, right because it follows you are serving the truly best interests of the country which you serve in such intelligent, honest, and moral patriotism—our own United States of America.

With my highest appreciation and my very best wishes, I am, dear Senator Morse,

Respectfully yours,

Ernest T. Nash.

Munich, Germany,
August 6, 1964.

Hon. Wayne Morse,
Senator from Oregon.

Dear Sir: I wish to express my deep admiration for your courageous stand on the current southeast Asia situation. Also your past record in the public service of our country is something to be proud of. I wish we had more men like you in Congress.

Respectfully yours,

Bernard Nied,
Captain, U.S. Air Force (Retired).

Durham, N.C.,
August 7, 1964.

Dear Senator Morse: This note is merely to indicate my warm support for your position as regards the current crisis in southeast Asia. I truly regret that I am not able to cast a vote for you.

Sincerely,

Peter H. Klopfer.

Los Angeles, Calif.

Dear Senator Morse: Again yours is a voice crying in the wilderness. And again I thank you from the bottom of my heart. If there are history books for our grandchildren (children) to read your name will be among the heroes, and I wish you would run for President with, maybe, Linus Pauling for Vice President. I simply cannot see how I or other mothers and human beings devoted to preservation of young lives can vote for a brinkman candidate.

When I try to imagine what a good life could be provided for all the thousands of our people now existing in desperate poverty, if the money spent on worse-than-useless armaments was put to good social uses, well I can't quite imagine, but I know that this school nurse would not walk around the school yard seeing hungry kids. For my part I'd rather see every youth get the best education that a Robert Hutchins can dream up than to know how many and how deep are the craters of the moon.

Again, my thanks for your continued voice against war. Pray keep it up.

Most respectfully,

Mrs. A. T. Reed.

Philadelphia, Pa.,
August 8, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: Thank you for standing for international morality on the floor of the United States. Never was it in greater need of such a stand.

Gratefully yours,

Arthur and Helen Bertholf.

New York, N.Y.,
August 10, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Sir: I wish to express my admiration for your courage in opposing the war in Vietnam. Your voice in the Senate calling for negotiations instead of gun fighting was loud and clear.

You have the support in this matter of many friends and neighbors. I look forward to your speaking again on this question in the future.

Respectfully,

Mrs. A. Citron.

San Diego, Calif.,
August 5, 1964.

Senator Wayne Morse,
White House,
Washington, D.C.

Dear Senator Morse: Thank you for the specific details of your thoughts in exacting words describing your evaluation of the Far East crisis of August 5. I concur with you, believing that you have expressed the mature mind of Jesus Christ, not as a child, but as one who has put away the childish things of first speaking, then thinking and understanding later. For with all my heart as a citizen of the United States of America I believe your words to be the true sonship of your fathered thoughts of understanding, making you a true son of God, joint heir with truth and true freedom. Thank God for men who will think and understand and then speak the convictions that two wrongs do not make a right.

Sincerely,

C. T. Fallgren, Jr.

P.S.—I would greatly appreciate your acknowledgment of this letter.

Croton-on-Hudson, N.Y.,
August 5, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We want to commend you for the courage, integrity, and intelligence you showed in your stand against U.S. aggression in Vietnam, North and South. Many, many people support your position—all honest people who understand and oppose the implications of having American Armed Forces in southeast Asia—and we hope that they will all tell you, and President Johnson, what they think.

Our most sincere thanks.

Victor and Ellen Perlo.

August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I wish to congratulate and thank you for being the only Member of the whole Congress, apparently, to protest the action of our President and country in Vietnam this week. Don't Congressmen ever read or inform themselves on anything except the price of crops—here in Wyoming it is cattle, wool and oil—or what their poorly informed constituents think they want? You are the only man in Congress that approaches the vision of some of the men that Mr. Kennedy wrote about in his "Profiles of Courage." I know it is politically expedient and practically necessary for a Senator like Fulbright to vote against civil rights; and for Mr. McGee to fight to preserve the 27-percent oil depletion allowance; and for Mr. Humphrey to keep his eyes fixed on the miling, agricultural, and mining interests of Minnesota; but where is our beloved country heading when there is no one who really considers the whole country and its relation to the whole world in the light of the reality of the present, and the future?

My husband and I subscribe to and read: Atlantic, Harper's, the Progressive, I. F. Stone's Weekly, the Independent, Atlas, the Bulletin of the Atomic Scientists, Saturday Review, and the Saturday Evening Post, besides the National Geographic and National Wildlife, Wyoming Wildlife, and my organizational teachers' magazines. We also read and buy books and are, at least amateur, students of history. But I am afraid to write a political letter to the people to be published in the local paper. I am a second-grade teacher with only 2 years to retirement, and we have two sons, one 22, married and on his own, but he and his wife both start college again this fall; our youngest son is 16 and starts his senior year at high school in the fall. I have only been a teacher for the last 8 years, qualifying in Wyoming; but I graduated from the University of Minnesota in 1927 from SLA, major English and minor sociology. My husband is physically unfit to work at any protracted heavy work—he has been a salesman and carpenter and constructor; so I started teaching. Mr. McGee is completely correct in stating that Wyoming is rife with John Birchers, even the educated here are politically ignorant and our local press is rabidly rightwing Republican—our columnists are De Toledano, Holmes Alexander, Lyle Wilson, etc. UPI seems to be the only news service they use now. Being the only support of my family, paying on a mortgage—my husband only finished our house last year—for 14 years I lived here with only cold running water and no sink—for the sake of some independence in our old age and to at least see our youngest boy into college, I feel I must keep my mouth shut. Is that not shameful in this country?

But I got angry. I am not the only one who listened to Mr. Goldwater's acceptance speech and was reminded of the beginnings of Hitler. How many Congressmen have even read Shirer's "Rise and Fall of the Third Reich"? I do not accuse Senator Goldwater of being a Hitler; but fundamentally he is not an intelligent or informed man, and he may have hold of the tail of a tiger. I do not like his German acquaintances, nor his following in this country. Neither do I trust the military-industrial complex we now have. I admire Mr. McGee for cosponsoring a bill to try to work out changeover to a peace economy; it should have been done long ago. I do not trust or admire the FBI, particularly those who work in the South. I do not like or admire Robert Kennedy; it was with reluctance that I voted for President Kennedy last time, but he did better than I thought he would. Robert is not his equal. I do not trust Germany, either East or West. I hope the Labor Party wins in England this year. I do not think Russia wants war; and she won more by backing down in the Cuba confrontation than we did. We have been stupid in our Cuban policy from the beginning; and most of Latin America sees our Alliance for Progress as another boondoggle for the rich, as is our foreign aid, which is chiefly military anyway. The Peace Corps has been fine, but I would hate to try to explain to foreigners our alliances with dictators in Spain, Portugal, and Latin America and our dear old friend, Chiang Kai-shek, whom the people of Formosa hate, as do the people of Iwo Jima, for instance, hate us, as represented by our Army. We helped Pakistan against India; made an enemy out of Nasser so we have no influence over him in his Arab campaign against Israel now. And there are probably a hundred more things I could mention.

In conclusion, if President Johnson feels he must go aggressive and to the right, to meet Goldwater, I see no point in voting nationally this year at all. I will vote on the State level, but unless Johnson changes his course—and I've heard others say that this week, only they will vote for Goldwater—I am not going to vote for him. He has Goldwater's approval, not mine; nor some others of my friends and relatives. I even have some Unitarian friends in Texas. To call shelling mainland villages self-defense is ridiculous and an insult to anyone of intelligence. We have violated League of Nations rules, the treaty of 1954, and any other number of things as you have stated. In 1956 the Committee of the United Nations reported both North and South Vietnam had violated borders and the treaty, and then we started helping.

I apologize for the length of this. I have written as a friend, for you have often spoken for me. I have greatly admired your courage ever since you left the Republican Party, which was an act of courage. Stevenson has been a disappointment to me—and I voted for him twice. Thank you again.

With every good wish,
Sincerely yours,
Marian McMunn Nilson.

Copies to: Senator Humphrey, McGee, the President, and my son Eric in California.

East Stroudsburg, Pa.,
August 8, 1964.

Senator Wayne Morse of Oregon.

Dear Senator Morse: This letter relates to your views on the bombing of North Vietnamese installations by the Air Force this week.

In the reckless atmosphere of the past few days, your voice has been one of the few which demonstrated statesmanship and levelheadedness.

You have probably been much abused for your statements. This letter is written simply to help give you a little moral support.

Respectfully,
R. Helffrich.

Philadelphia, Pa.,
August 6, 1964.

Dear Senator Morse: In view of the recent expansion of the war in southeast Asia, I feel compelled to write to let you know of my warm support for your opposition to the war in Vietnam. I'm afraid that too often a person like myself applaud silently when we should let our voices be heard. I feel confident that you will speak out even more forcefully now that we have taken the recent aggressive—and suicidal—steps against North Vietnam. Rest assured that there are many who are grateful to you for your courage in speaking out.

I want you to know that I am writing my representatives, Senator Clark, Senator Scott, and Representative Barrett, asking them to oppose the resolution proposed by President Johnson, and asking them to support you in opposing the war in Vietnam.

Sincerely,
Julia B. Bloch.

North Chevy Chase, Md.,
August 8, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Oregonians can again take satisfaction in having sent to the Senate a man who thinks for himself, and who places conscience above party and the welfare of men above narrow nationalism. Congratulations on your independent stand on the issue of our bombings in North Vietnam.

Cordially,
Robert O. Link.

Detroit, Mich.,
August 8, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Sir: I want to express my gratitude for your courageous stand against the present Government policy in southeast Asia.

Yours is the only voice in Congress that speaks out against following a course which could result in a nuclear war.

In your defense of peace, I feel certain, you express the sentiments of the overwhelming majority of the American people.

Sincerely yours,
Mrs. Ida Olshansky.

August 6, 1964.

Dear Senator Morse: I was so glad to hear your statements about the attacks on the Vietnamese. We support your statements and congratulate your courage. We need more of your caliber in our Government. Sometimes I think we should move to Oregon instead of trying to fight the current here in Los Angeles.

Please continue this type of work. We support you all the way.

Mr. and Mrs. Ray Busser.

Marion, Iowa,
August 8, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I want to congratulate you for not supporting the resolution concerning Vietnam. It all looks like this is the beginning of nuclear world war III, and the next move will be to go into China. This country is flittering away its resources on nothing.

Best wishes.
Sincerely,
Irene J. Coombes.

August 8, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: As one who believes you are doing a job in the Senate for the American people—and a damned good one—I am moved to write these lines in appreciation of what I believe is your sensible and wise stand on so many issues.

I have just finished listening to the WCBS–TV 1 p.m. Saturday news and I am rather incensed at Martin Agronsky's scurrilous remarks about you—at least your hewing to the line and crusading courage for what you believe to be right and just—these admirable traits of yours were presented in a rather contemptuous light.

My feeling is that more "Morse-men" in the Senate and a corresponding reduction of "political hacks" would be very salutory, indeed.

Please keep up the good fight, W. M., and more power to you.

Sincerely in appreciation,
Stanley Crabtree.

Somerset, N.J.
Copy to CBS.

Willow River, Minn.,
August 7, 1964.

Hon. Senator Wayne Morse,
Washington, D.C.

Dear Senator: We are very happy to hear that there is one Senator who is man enough to say what he knows is right. More power to you. We also heard that Senator Gruening, of Alaska, voted as you did, so we have two brave men in Washington, D.C. We feel as you do about Vietnam. Good luck and take good care of yourself. We need men like you.

Sincerely,
Mr. and Mrs. A. E. Borchardt.

Williamsport, Pa.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I admire your courageous stand on the Vietnam issue.

I am happy to know that there are two men in the Senate who represent the American people and are not rubberstamps for a reactionary leadership.

I wish to thank you for your warning to the Americans that their rights and freedoms are being threatened by the actions of the House and Senate in giving Johnson a free hand in going to war without a declaration of war.

Yours truly,
Mrs. Annie E. Ault.

Vineland, N.J.,
August 8, 1964.

Hon. Wayne Morse,
Senator of Oregon,
Senate Building, Washington, D.C.

Dear Mr. Senator: On behalf of many of my friends and clients I wish to express to you my deepest appreciation for the courageous stand which you have taken during the present crisis in southeast Asia.

It is regrettable that only you and Senator Gruening have taken a sane and legally justifiable attitude in this dangerous situation and we are proud to have had you and Senator Gruening as speakers during the past Israeli bond drives in Vineland.

We would like to see the day when your politics will be shared by the majority.

Respectfully,
Rudolph Hearns.

Washington, D.C.,
August 9, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you for your honesty and courage in speaking for peace. I have written to the President urging negotiations rather than warfare over the conflict in Vietnam.

Sincerely yours,
Edmond S. Harris.

Columbus, Ohio,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I wholly appreciate and support your efforts to stop the U.S. action (toward all-out war) in Asia, specifically South Vietnam.

It is necessary to repeat time and again that the United States has no business supporting civil strife as we are doing in Vietnam.

Please continue to urge your fellow colleagues in the Senate to get out of Vietnam as well as informing your fellow countrymen, the unhappy truth—we are acting as a "protector."

Most respectfully,
Donna Childers.

August 10, 1964.

Hon. Wayne Morse,
Senate Office Building
Washington, D.C.

Dear Senator Morse: So much of my time is spent reacting negatively to political figures and acts that, to prevent growing into a perpetual sourpuss, I must send someone a "Bravo." And there is no one in Washington—or probably everywhere else in the world—more deserving of such than yourself. Your unrelenting criticism of the war in Vietnam and the military emphasis of foreign aid are putting the brakes on my growing antistatism.

Of course, I wired the President last week on his address to the Nation on Vietnam. I would wire you, too, but I'm sure you would rather I spent my money on more "No" telegrams.

Enthusiastically yours,

Igal Roodenko.

Iron Mountain, Mich.,
August 10, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: I feel an obligation to be counted as one in deep appreciation for your stand on Vietnam.

Thank you.

Mrs. Enid Avent.

Cleveland, Ohio,
August 9, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We have just completed your excellent article, "Humpty Dumpty in Vietnam," in the August issue of the Progressive. Unfortunately, this article will have limited circulation. Your objections on the floor of the Senate to extending the conflict in Vietnam are truly commendable, though you'll probably get very little reinforcement for your efforts at this time.

Sincerely yours,

Donald M. McPherson.
Sandra B. McPherson.

Los Angeles, Calif.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Honorable Sir: Although not one of your constituents, I feel I must write and congratulate you on your wisdom and courage in your stand on our position in Vietnam.

For years I have wondered why we interfered there in the first place, and why we persisted in an effort that not only was none of our business but not even welcomed or appreciated—or, in many cases, not even tolerated—by the people of South Vietnam; people much more concerned with their need for food and shelter than with the freedom which to them is a mere theoretical abstraction. To me, it was just another Eisenhower-Nixon-Dulles blunder—in their arrogant determination to make the world over in the image of America, and to get more votes from the simple minded. This sort of arrogance is, to me, against all the laws of God and humanity. If we believe—as we self-righteously claim—in self-determination, then why do we not practice what we preach. Heaven knows—we have enough problems on our own doorstep.

Our beloved President Kennedy, I am confident, would have corrected many of the Eisenhower-Nixon blunders, and refused to be drawn into the trap they set for him in the Bay of Pigs affair, had it not been for their continuous and ridiculous contentions that he was elected by only a hair's margin—a myth if ever there was one—considering all that he had against him in religious prejudice.

For at least one voice "crying in the wilderness" I am thankful—so, again, my congratulations and best wishes.

Sincerely,

Edyth K. Ziegler.

Fisk Memorial Methodist Church,
Natick, Mass., August 11, 1964.

Senator Wayne L. Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: As a registered voter in Massachusetts I commend the position you have taken in discouraging the escalating of war in southeast Asia, and have written to President Johnson and Senators Kennedy and Saltonstall supporting your stand. I deeply regret the limited publicity which has been given to your sane approach to the problem.

Sincerely yours,

William H. Likins, Th. D.

Ann Arbor, Mich.,
August 10, 1964.

Wayne Morse,
U.S. Senator from Oregon,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I live in a different State from you, but cannot forbear saying how much I appreciate and admire your standing all alone in this terrible business of the bombing of North Vietnam. I cannot understand Mr. Johnson's eagerness; the crisis was past; the ships had gone on their way; nobody had been killed; investigation should precede action; one wonders what was the role of the CIA in the matter. The U.S. Senate is supposed to be the greatest deliberative body in the world; on civil rights or education it deliberates endlessly, but agreement to bomb civilians to death in an undeclared war requires no deliberation.

And hence my admiration.

Sincerely,

Harriette Simpson Arnow.

Vernon, N.J.,
August 10, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: A day last week I watched, listened, deeply moved while you were let speak, and wished other and younger Senators were standing beside you, and missed Senator Gruening. True, Ibsen said, "A man is strongest when he stands most alone." You spoke with such wisdom and courage and you spoke for the many of us who think as you do but speak only among ourselves and are without authority. I believe that should the question be added to our ballot in this coming election: "Should our Armed Forces be in Vietnam?" the majority of the voters of this country would check "No" and those who would mark "Yes" would for the most part mark it thinking "As all but the one of our Senators are voting for it, they must know something they think it unwise to tell us."

A friend just returned from a couple of months' travel in Europe to tell me that everywhere the people are deeply concerned, anxious over our seeming indifference to the likely results to them, and to the whole world from our war-risking policy in Asia.

I was gratified to read in yesterday's New York Times's letters a long letter by a judge who thinks as you do and quotes you and Senator Gruening. We see all too little mention of your views and his and that little likely to be in derision. This man is so right in saying that we cannot predict the reactions of other nations. The best and the worst of life is its surprises, plan how we may. We are not young, but many who stand to suffer from any bombing done are young, and they have their right not to be robbed of their chance of growing up and of growing old, at least not robbed by us, from our side the world, because of our surmises as to what the threats of communism are for them or for the whole of Asia. "Why ask the night before the darkness comes?"

I write only to say "courage"—and to ask that you get up early all the mornings, from now on, write, so that we can read your history in the Senate, know your views and share your vision, in a book, in articles, in letters to the papers. It is so sobering to think that, if we persist in our military-minded aim, that can be so quick and far-reaching and ruinous, decisions, steps and retaliations could come that could wipe out nations before this letter comes to your desk, making all that you say treasonous, me suspect, and the few left, unhappy and terribly afraid. May you be free to say your say, next week, next congressional term, and for a long time. And may you not always have to stand so alone.

Sincerely yours,

Dorothy T. Buickerood
Mrs. John W. Buickerood.

Union City, N.J.,
August 11, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: This is to express my appreciation for your stand on Vietnam.

Very truly yours,

Irving M. Wolfe.

Ponsolle Manufacturing Co.,
Long Island City, N.Y., August 11, 1964.

Senator Morse,
Washington, D.C.

Dear Senator Morse: Your courageous stand against the Pentagon's decision to make a brutal attack against a defenseless small country like South Vietnam is mighty gratifying.

We in the United States need more honest acting minds like you to get us out of this morass of decadence, of violent, arrogant brutality against humanity. The peoples of the world condemn the U.S. Government's murderous action.

Anyone with religious convictions and mainly with a bit of political knowledge knows that France couldn't hold on to its $500 million plundering adventure in Indochina and now the American monopolists want to grab it.

The people of southeast Asia will defeat us just as the French imperialists were defeated.

Let us not sacrifice more young American lives and innocent Vietnamese people.

Our hearts go to you, Senator Morse, to encourage you in your battle against deception by our Government.

Yours sincerely,

Constant Ponsolle.

Woodmont, Conn.,
August 10, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am heartened by your conviction and courage concerning U.S. action in Vietnam. I am dismayed that our Congress sees right in might, when the same actions applied to other nations would almost certainly be considered as naked aggression. Such action as we have taken weakens our position in the world to stand for the interests of the vast majority of the people. Here we have allowed the powerful pressures of a small American segment to short circuit the cause of peace, international law, and moral considerations. Keep up your fight and let the American people know the whole truth; if the daily press will not print it, I am sure that there are presses that will.

Yours sincerely,

Del Eberhardt.

Kent, Conn.,
August 11, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Mr. Morse: Although I am not one of your constituents, I want you to know that I approve of and admire your efforts, as reported last week over the radio and in the New York Times, to present another side of what President Johnson claimed was an "unprovoked attack" on one of our warships in the Gulf of Tonkin.

I realize that you have been making speeches about Vietnam to your fellow Senators for 5 months or so, and that the newspapers have not publicized these speeches, because for some reason they are afraid to print your criticism of our behavior in southeast Asia. It might be well for more of the American people to hear your views, and last week a few more may have begun to listen.

Sincerely yours,

John Breasted.

New York., N.Y.,
August 10, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Congratulations on your pratriotism in standing firm for your convictions on Vietnam. I don't know yet just what you said because I have not yet read the Congressional Record, but I am sure in the light of what you have said before, that your speech was strong and correct.

Yours sincerely,

Clark Foreman.

Portable Gallery Color Slides,
New York, N.Y., August 11, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I have read with great interest your excellent and, regrettably, minority campaign against our policies in southeast Asia. It was clear from the beginning that it was to be a losing battle, but thank you for trying.

Yours sincerely,

Albert Vanderburg, Jr.

Davidson College,
Davidson, N.C., August 11, 1964.

Hon. Wayne Morse,
U.S. Senate.
Washington, D.C.

Dear Mr. Morse: I have just finished reading the speech you delivered against Senate Joint Resolution 189 as reported in the August 5 Congressional Record. I wish to associate myself with the position you take therein in regard to the situation in southeast Asia and to congratulate you on your courage. You have been, in my opinion, the most consistent, constant, and able defender of justice, freedom, and democracy in the U.S. Congress, and your presence in Congress brings credit to and respect for the entire country. May the voters of Oregon keep you in the Senate as long as you are able to speak.

I am taking the liberty of sending you a copy of a letter I wrote to the Charlotte (N.C.) Observer. A greatly emasculated version was printed therein a couple of days ago.

With best wishes and highest regards to you, I am,

Yours faithfully,

E. F. Patterson,
Associate Professor.

July 28, 1964.

Editor,
The Charlotte Observer,
Charlotte, N.C.

Dear Sir: The problem facing the United States in southeast Asia today is the same one which faced France 10 years ago; i.e., how to end a war which is no longer winnable (if it ever was) without destroying all hope for the future.

The Mendes-France government, which was ruling France 10 years ago, found an answer to the problem; namely, negotiate with those you are fighting—not with your puppets; and when that is done, make a fresh start to remove the bitterness left by the war. The Mendes-France government did not survive long enough to finish this ambitious task—its demise was not connected with its solution to the problem in southeast Asia. But it began the task with such obvious good faith that the ground was laid for the present-day popularity of the French in Laos, Cambodia, and the two Vietnams.

Because of this popularity, French journalists are better received in that area than journalists of other countries and are the best informed reporters in the world about the situation there. The reports they are publishing in such responsible non-Communist French newspapers as Le Monde and France-Soir are completely different from those which appear in the U.S. newspapers. The reports all indicate that Mendes-France's 1954 solution is today, as it was then, the most likely to produce results that will benefit both the United States and the unhappy Vietnamese.

A report from one of these reporters was published in the June 27, London Economist. The reporter made the following observations:

"Probably a truly free vote would show that the great majority of the (South) Vietnamese want two things—peace and independence both from the Americans and the North Vietnam. But even then it would not be possible to ignore the problem posed by the Vietcong, with its roots stretching everywhere, its cadres who are the most honest and energetic in the country, and above all its formidable army. The only question is whether it can be crushed—as the Americans have so far vainly tried to do—or tamed by being brought into the open, in political and parliamentary terms, with all that that implies, in particular, in terms of a Socialist-run economy.

"The more time passes, the harder it becomes to ignore this second possibility, little as it cheers anyone in the West. The Americans are trying to bolt the frontiers and cut off northern aid. This is what the French did on the frontiers of Algeria, but with no success, because the conflict was in the first place an internal one. To threaten Peiping with reprisals is of no use when the sources of the civil war lie in South Vietnam itself.

"From numerous conversations with leaders in North Vietnam and the Vietcong—this correspondent is convinced that it would be an error for the West to look for a solution in Peiping. To deal with the Chinese as if they were already masters of Vietnam would be to pull the rug from under the feet of the Vietnamese in Hanoi and the underground, who are strongly nationalist in their outlook. The consent of Mr. Mao Tse-tung would be necessary. But first one must negotiate with the Vietnamese themselves.

The fact is that there are American troops in South Vietnam today, but not Chinese ones, and if the South Vietnamese have no stomach for the fight with their brothers in the Vietcong, it will be very hard to screw them up to a more combative spirit. Vietnamese affairs are, after all, those of the Vietnamese more than of America or China. The day General Khanh wishes to deal with his Communist compatriots he will not need a go-between; his own brother is a high official in Hanoi controlling North Vietnamese industry. Most of the families of this unhappy country are similarly divided, with members on both sides.

All this is, of course, highly disturbing to most Americans, but it is the same hard, unvarnished truth which Senators Morse and Gruening have been speaking on the floor of the Senate for several months, speeches that have gone largely unreported in the daily press, and it is the truth which we must come to accept and act on immediately. It should be noted, parenthetically, that only if Senator Goldwater is defeated decisively in November will it even be possible to begin the long and difficult process of extricating ourselves from the impossible predicament in southeast Asia in a way that will bring honor to and respect and good will for the United States.

Yours faithfully,

E. F. Patterson,
Associate Professor.

August 8, 1964.

Dear Senator Morse: For your courageous action in questioning our policy in Vietnam and in withholding approval of the President's actions in the recent crisis there. I wish my Senator had as much courage.

Yours truly,

Mary Dwyer.

P.S.—No need to reply to this note.

Los Angeles, Calif.,
August 8, 1964.

Dear Senator Morse: I would like to express my deep admiration for your courage in taking a stand against what many people believe to be a preliminary step in the preparation for an extended land war in Asia. It is due to your courage, dedication to freedom and democracy, and tenacity in searching out facts that the realities of southeast Asia are coming to light. Your job is and will be a lonely one with little consolation from those quarters that should be most thankful. Nevertheless, I know you realize that you are performing an essential and crucial function that in the long run will not go unappreciated.

Fifteen years of the cold war have reduced our flexibility to respond to new situations. Too many people look at the world as a struggle between the forces of good and evil with unchanging truths and grand alternatives. This picture is not accurate, especially in southeast Asia and unless we begin to face this fact, we are in for serious trouble which can only culminate in defeat for all.

With profund gratitude,

Robert Friedman.

Ward, Colo.,
August 8, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am writing to congratulate you on the stand you took this week in the Senate in opposing the administration's policy in the Vietnam crisis.

You may be interested in the letter on this subject which I am sending to President Johnson. I enclose a copy.

Respectfully yours,

Dorothy T. Maxwell.

Ward, Colo.,
August 8, 1964.

President Lyndon B. Johnson,
The White House,
Washington, D.C.

Dear President Johnson: I am writing to object to U.S. policy in Vietnam. I consider that the present crisis has been brought on by our country's military intervention in South Vietnam, which from the beginning has been in abrogation of our pledge not to violate the Geneva accords. I feel that the public has been misinformed concerning this, and other matters relating to Vietnam. Further, I think it very wrong that the Central Intelligence Agency should have the power of creating foreign policy, for example, by machinations aimed at overthrowing governments.

It is time that the people and Government of the United States realize that the world is not going to be won for democracy by military support of undemocratic governments—or by any kind of military action. The spread of democracy will take place on an entirely different plane.

In the present crisis it is my belief that the matter should be referred to another Geneva Conference on southeast Asia. This should be followed, or accompanied, by immediate withdrawal of all U.S. troops and the support of plans for the neutralization and independence of the Indochinese states.

Respectfully yours,

Dorothy T. Maxwell.

Antwerp, Ohio.

Dear Friends: I don't know if you will even receive this or not. Saw in the morning news that there is someone down there thinking about our sons, and felt like shouting and praising God. The prestige of the United States don't seem to mean so much to mothers who have only one son left at home, no husband, and only one son besides.

I have always been brought up to be a stinking Republican (that is I dared not vote for a Democrat or be disgraced) but I love anybody who will try to protect our boys from this terrible conflict that goes on abroad so thank you and may God help us.

Mrs. Goldie Getrost.

Rockville Center, N.Y.,
August 10, 1964.

Senator Wayne Morris,
The U.S. Senate,
Washington, D.C.

Dear Senator Morse: May I most heartily commend you for your forthright stand against President Johnson's handling of the Vietnam crisis. I hope that your independent and clear thinking and your courage to express it will give heart to others to do the same.

Most respectfully,

Enla R. Kielty.

Orange, Calif.,
August 8, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: It is with a great deal of sadness that we learned that only two Senators and no Representatives had the courage and wisdom to vote against the support of action of the President in the recent Vietnam situation.

We wish to congratulate you on your stand this past week and your stand as you have tried to explain it and express it in recent months. We agree with your reasons and hope you will continue to speak out for a wiser southeast Asian policy as the facts become known to you.

Sincerely,

Paul E. Killinger,
Loretta Killinger.

Hopkins, Minn.,
August 9, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: It took courage to be only one of two members of the Senate to vote against the joint resolution. I wish to congratulate you and Senator Gruening on your vote and the reasoning behind it.

The Minneapolis Tribune today had an editorial which stated that, maybe, the North Vietnam attack was not without provocation. Are we being told the truth? The U-2 incident is still fresh in my mind. The Turkish Vice Premier denied the attack on Cyprus by Turkish planes and was caught lying. Must international politics be a mass of lies? If we are to keep the peace, we should try to be honest too. I, as much as anyone, would like the southeast Asia situation resolved in our favor but this type of 18th century swashbuckling can lead to complications notwithstanding the government's cry of self-righteous indignation at being attacked without provocation.

Sincerely yours,

Dr. Paul Slaton.

Copy to Senator Humphrey.

Los Angeles, Calif.,
August 8, 1964.

Senator Wayne Morse,
United States Senate,
Washington, D.C.

Dear Senator Morse: I wish to commend your statement about our position in Vietnam.

It is very frightening to all of us because a limited war is so easily turned it into an unlimited one.

It is time for the United Nations to step in and the United States to step out.

Sincerely,

Libbie Rosenblatt.

Ann Arbor, Mich.,
August 12, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I admire and applaud your courage in calling for reason in southeast Asia amid cries for "national unity." Since your speech was poorly reported, could you send me a copy of your speech against Johnson's resolution on Vietnam made August 7, 1964.

Thank you.

John P. Boyd.

Los Angeles, Calif.,
August 8, 1964.

Hon. Wayne Morse,
U.S. Senator, Senate Office Building, Washington, D.C.

Dear Senator Morse: I wish to commend you on your opposition to our involvement in southeast Asia and specifically in South Vietnam.

Though not one of your constituents, in a sense you represent all of us Americans who deplore our men being killed, but not in defense of our country, and in turn serving to kill even greater numbers of Asians in what is essentially a civil war.

I hope your being in a tiny minority in the Senate will not discourage you in maintaining your position. The men we expend and the treasure we spend in this so-called "police action" in defense of what we call "freedom" could be better used at home.

With admiration and respect.

Abraham S. Rosenthal.

Queens, N.Y.,
August 6, 1964.

Dear Senator Morse: Thank you for your courageous stand against U.S. war policies in Vietnam. I managed to hear about your recent speech despite the blackout by the popular mass media. Please continue to speak out for peace, and keep telling the American people the truth. The present situation in this country is ominously like that of Germany just before Hitler took over.

Please send me your speeches in the international situation that are available. Again, thank you for being one of the few lone voices for the truth in this country.

Sincerely,

Beatrice Boyer.

Los Angeles,
August 12, 1964.

Senator Morse,
Washington, D.C.

Dear Senator Morse: I would like to commend you on your statement you made about North Vietnam. I, myself, have not been able to understand what we are doing there. It seems to me that we have no right there, that this situation should be handled by the U.N.

Please keep up the good work. I for one am glad that you are in the Senate and you are as honest and forthright.

Yours truly,

Gertrude Shriver.

Los Angeles, Calif.,
August 8, 1964.

Senator Wayne Morse,
Senate Chambers,
Washington, D.C.

Dear Sir: We are in full support of your position on Vietnam and your vote in the Senate. How we wish you represented California.

Sincerely,

Mr. and Mrs. John Thorne.

Cheyenne Wells, Colo.,
August 9, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Sir: I want to congratulate you and the Senator from Alaska for your courage and forsight in voting against the resolution giving the President the power to wage war without the consent of the House of Representatives and the Senate.

Senator, for the life of me I can't see where we are accomplishing anything meddling in the troubles of other nations. All I can do is lead us into another big war. I just heard a news broadcast that Turkey is invading Cyprus. What kind of commitments will this bring us into? Will this and the trouble in Asia draw us into the third world war? I believe you will agree with me that South Korea and South Vietnam are dictatorships. That their governments are. I am a veteran of the First World War and I believe firmly in our form of government but I do believe that we should bring all of our boys home and let these foreign countries settle their own troubles. I sometimes wonder as I have heard others remark that we are getting to be the most hated nation in the world. I hope you won't mind when I say in also sincerity, we need more men of your courage and character in public office. I remain,

Yours very truly,

L. W. Kliesen.

Flushing, N.Y.,
August 11, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Honorable Sir: As a thinking United States citizen, I wish to congratulate you for your intelligent stand and comments on the Vietnam situation. Thank you, too, for the amendments you offered to the foreign aid bill, some of which the Senate adopted (as reported in today's Times).

It is only unfortunate that we do not have more men of your caliber in our Government today.

Please have the courage to carry on your good work.

Sincerely,

Mr. and Mrs. Matthew Altschuler.

Madison, Wis.,
August 11, 1964.

The Honorable Wayne Morse,
U.S. Senate,
Washington, D.C.

Sir: To my great regret I am not a constituent of yours, but nonetheless, since I am a U.S. citizen and since you are a U.S. Senator, may I commend you for your courageous compelling, and highly rational stand on the Vietnam issue. At least there is one person in high places who is talking some sense and who can see that our hands are just as dirty as our adversaries. I fail to see how we can realy expect anyone to believe us or in our ideals if we do not move toward achieving at least a few of them. Freedom is not "being just like me". It is being free to choose, to accept or reject.

I hope your constituents support your positive and forthright stand and I hope all of us may look forward to seeing more of your rationality pour forth from the morass of nonsequiturs that surround Vietnam and other critical issues.

I would also like to express appreciation for your article in the August copy of the Progressive. I hope we will be seeing more articles from you.

May I obtain from your office a copy of the pamphlet entitled "Foreign Assistance Act of 1964—Individual Views of Senator MORSE on H.R. 11380" or if not could you tell me where I can obtain a copy? Thank you.

Sincerely,

TERRY A. RHODES.

PHILADELPHIA, PA.,
August 12, 1964.

The Honorable WAYNE MORSE,
Senate Building,
Washington, D.C.

DEAR SENATOR: Yours is the only sane voice I have heard amongst the hysterical babble about "defense" in Vietnam. Defense of what? Certainly not of the United States. As for defense of an ideology (if that is supposed to be the reason we are creating, abetting, or encouraging war there) an ideology cannot be foisted on people by force of arms.

What a hellishly dangerous game the United States is playing. You must feel lonely now, but I believe yours is the word of truth amid insanity.

Sincerely yours,

ODELL PRATHER.

AUGUST 5, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: The apparently unpopular position taken by you during the Vietnam conflict of August 4, 1964, has compelled my husband and me to acknowledge our support of your pronouncement.

Too many details have remained unexplained and too many questions have gone unanswered to expect unconditional acceptance of these recent events. The latest affair in the Gulf of Tonkin has taxed our sense of logic, to say the least, and we have uncomfortably discovered that simple blind faith is no longer tenable.

Your call for a moral renaissance may be ignored by the consciousless, but for a few it remains an eternal hope.

Very truly yours,

MACLYN BARKUS.

MAXWELL, N. MEX.,
August 8, 1964.

DEAR SENATOR MORSE: Just a note to congratulate you on your recent speech in the Senate relative to Vietnam. Of course, your consistent opposition to the official policies pursued in the Vietnam area is to be lauded. It is unfortunate that more of our Congressmen do not see the light in this and other foreign areas—even though the administration doesn't.

FRANK BROOKSHIRE.

JULY 12, 1964.

DEAR SENATOR MORSE: I am writing you to thank you for your viewpoint regarding Vietnam.

I would like to request that you discuss with the President the possibility of a peaceful negotiation regarding Vietnam.

I heard the assistant to the Secretary of State, Mr. Sullivan speak—as he put it in a sanctimonous church gathering—regarding Vietnam, and might I remind you that after hearing him talk, that the facts were greatly distorted.

I am shocked to hear the discussions among officers and enlightened men regarding the situation and all statements in regards to war.

I wish you would do all you can possibly do for a better understanding of this vital situation.

I remain,

Thanking you,

STEWART D. SMILEY.

SANTA MONICA, CALIF.,
August 2, 1964.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: Thank you for a voice of sanity among the pusillanimous during this Asian crisis.

I pray that one strong man can make a majority.

You are helping to preserve the fairness of our Nation's name, in a time when it is being besmirched by many men in high places.

Sincerely,

M. KELLIN.

NEW HAVEN, CONN.,
August 11, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: It was encouraging, indeed, to hear your voice, and that of Senator GRUENING, raised against our dangerous policies and actions in Vietnam. The "movement to the right" of our administration is alarming. It is a mighty contribution to our country to have a few voices like yours speaking out against the panic.

Yours sincerely,

ROBERT L. JACKSON,
Associate Professor.

AUGUST 5, 1964.

DEAR SENATOR WAYNE MORSE: Thank you for your stand on the Vietnam crisis. I do not feel we should give carte blanche to the President so that the possibility of war is alarmingly near.

I urge for a cease fire—that the United Nations settle this crisis, and bring our American boys back home.

Sincerely,

MRS. H. MARTH.

CHISHOLM, MINN.,
August 10, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR: I want to commend you on your stand on voting against the joint resolution approving the President's action against North Vietnam.

I am against this business of the President dropping the bomb and then asking Congress if its OK.

We need more people like you in Congress.

Yours truly,

LUDDIG REHISH.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Yours has been the only sane voice coming over the TV out of Washington this last week.

We completely support your stand on Vietnam and on the special Senate vote to give the Chief Executive a blank check on such an important area of foreign policy.

This country and the world would be a much safer and much better one to live in if in November 3, 1964, if we could be voting for you for President and say Martin L. King as Vice President.

Very sincerely,

ESTER WILLISON.

AUGUST 9, 1964.

DEAR SENATOR MORSE: It is hard to believe that there were only two votes against that resolution on the war in Vietnam. The implications seem to me to be pretty frightening—but even worse is the mindless acceptance by the entire Senate when reason and morality would dictate that there should have been an overwhelming vote against it.

It appears that one must, then, congratulate you on doing what you should have done. Very odd. Congratulations.

MRS. VIRGINIA ROSEN.

AUGUST 8, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: We wish to congratulate you on your courageous stand against the escalation of this useless and senseless war in South Vietnam, in an area not essential to the security of the United States.

Yours respectfully,

HELEN, SOL WEINGAST.

CAMBRIDGE, MASS.,
August 9, 1964.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: When in some other age someone writes another "Profiles in Courage," I am quite sure that you will be included. Your lone vote in the Senate on the Gulf of Tonkin affair was just that. It gives hope to all who read present-day history with their reason rather than with their emotions. Thank you, honorable sir, for your redemptive act. Your vote was not wasted.

With admiration and respect,

KENNETH DEP. HUGHES.

CHICAGO, ILL.,
August 8, 1964.

DEAR SENATOR MORSE: I wish to express my appreciation to you for your courageous and farseeing attitude toward the Vietnam issue.

It is fortunate that at least two Senators—neither, alas, from Illinois—have your wisdom and greatness.

Sincerely yours,

J. H. LEVY.

AUGUST 10, 1964.

DEAR SENATOR MORSE: I support your principled stand in opposition to the reckless bombing of North Vietnam and to the congressional resolution. You are not alone.

Yours truly,

LAWRENCE D. HOCHMAN.

SAN MATEO, CALIF.,
August 8, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Lately, I have been writing a lot of letters—all of them, I think, from what Bruno Betelheim calls the Informed Heart (book). These have been to a wide variety of people, just to let them know what my thoughts have been, politically, on some action; or speech that was made.

The one person I have not written was you. I guess because in some ways you are my political alter ego and one doesn't usually write letters to oneself.

Anyway, I am very glad you are there doing what I think ought to be done, saying what needs to be said; I almost want to move to Oregon just to vote for you.

I am a transplanted New Englander, here in California, best represented in the Senate by MORSE of Oregon. Thank you.

Sincerely,

BARBARA D. STIRTON.

Hillsboro, N.H., *August 18, 1964.*

U.S. Senator Wayne Morse,
Washington, D.C.

Dear Mr. Senator: My husband and I are very grateful to you for your courageous stand against the undeclared war being carried on in Vietnam by the Johnson administration.

President Johnson is making the mistake of his life by attempting to appease the warmongers.

Sincerely yours,
Mrs. Elba Chase Nelson.

Sharon, Mass., *August 19, 1964.*

Dear Senator Morse: I want you to know how much I appreciate your opposition to the resolution supporting our military intervention in southeast Asia.

I am pleased to report to you that your action has had a considerable effect on many of the people I come in contact with.

Your continuing efforts on behalf of our best interests and highest ideals in the face of political pressure and "public opinion" has long been an inspiration to me. I am delighted to discover I have been underestimating its effectiveness.

Sincerely,
Alfred J. Kutzik.

August 18, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I wholeheartedly support you and your position on Vietnam. My only regret is there aren't more like you.

Most sincerely,
Naomi Siskind.
Indianapolis, Ind.

Bronx, N.Y.,
August 8, 1964.

Senator Morse,
The Capitol,
Washington, D.C.

Dear Senator Morse: You are one of the bravest men in Congress. It takes courage to stand by the truth. Some day the world will know that you speak the truth. I am glad that you are in Congress.

Yours truly,
Dr. Samuel Feinstein.
Robert Feinstein.
Selma Feinstein.

Thermal, Calif.,
August 7, 1964

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We wanted to thank you for your courageous and forthright statement on the Vietnam situation.

How can anyone escape the conclusions you have put forward? The proof is that we find ourselves acting unilaterally and without allies. This is the very kind of problem which the United Nations should be handling—or there is no hope for the world.

We are doing nothing but getting in deeper. That is plain to be seen.

Yours sincerely,
Richard M. Keller.

Dallas, Tex.,
August 9, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Sir: I would like to commend your stand on the recent Vietnam issue. As an ordinary citizen, subject to the whims of the news media, it is impossible for me to gather enough information for me to ascertain whether your stand was right or not (in my opinion). From what I have read, I agree. Whether your stand was right or wrong, I admire your courage in standing up for what you believe is right, in the face of overwhelming opinion to the contrary in your own party and in the Republican Party.

Best regards,
Dan Caldwell.

Detroit, Mich.,
August 11, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: "* * * If you can keep your head when all about you are losing theirs and blaming it on you * * *" so goes Kipling's famous poem.

Wayne Morse, genuine patriot of our land, you are not only a man, but will some day be looked upon as one of the few sane men in the world of today * * * if history is permitted to continue.

In this situation I feel so helpless. What can I do to help?

Keep fighting for what you know is right and our only salvation.

Sincerely,
Mrs. Genora Dollinger.

Willoughby, Ohio,
August 11, 1964.

The Honorable Wayne Morse,
United States Senate,
Washignton, D.C.

Dear Senator Morse: I am writing to express my appreciation of your stand for a negotiated settlement in Vietnam and against the recent bombing of North Vietnam.

Psuedo patriotic jingoism appeals to the legions of the semicivilized but your courageous action is in the true interest of humanity.

Sincerely yours,
Alan Rhodes.

New York. N.Y.,
August 10, 1964.

Dear Senator Morse: I am writing in support of your stand on Vietnam It is heartening to know that in the wake of political reaction and apathy, there are still those who cast their vote for reason. Your stand has, from the beginning, demonstrated your integrity and genuine concern for world peace. Thank you for seeking to end the brutality and frustration of the war in Vietnam. There are many of us who are grateful.

Edwina Lieb.

Tripoli, Wis.,
August 11, 1964.

To Senator Morse.

Dear Sir: God bless you and I thank you for your voice on the southeast Asia strife.

I am proud of you and the brave man from Alaska.

Now what do you think is the best way to keep our Nation on the path of honor and peace.

I want to do what I can also.

So I will tell you what I would do to make this Nation strong. I would invite all the idle, poor, practical, humble citizens in the help-needed category to seek out gifted, zealous workers to plan, design, build an American home for poor families. All would get the same hourly wage, from the worker with university training to the worker with school of hard knocks experience. I would invite every religion, society, union, institution, organization, political party, and above all the characters of ability rusting away in solitude because society rubs them wrong. These people could if allowed the chance to solve their own problems. The incentive would not be a material gain but a moral one. This would draw the men of justice to the front.

The spirit of cooperation and equity that William Penn possessed, the compassion of Abe Lincoln, and foresight of Daniel Boone. The same mental vision that taught Columbus and Newton and Switzer. These people are in this Nation right now available, mostly idle, some bitter, some in despair.

Their job is also here now.

Build a home for spiritual, mental, and physical health.

This dwelling should be safer, lower priced, handier, healthier, and more useful than any dwelling ever constructed. This home would provide ventilation, heating, water, lighting, and fire resistance in a degree higher than any other home ever built.

The effect on our own Nation would be a proud surprise to all. To say nothing of the effect on the whole world.

The process of establishing this manufacturing unit would force a boom of all trades for our good people now looking for suitable enterprises to create jobs in depressed areas would have their answer. Most important of all the mother in poor families would be given her precious relief.

Where and when shall I send you a description of what I consider a home fit to live up to what I have just written about?

Sincerely,
Mr. and Mrs. William A. Kurth.

[From the Far East Reporter]

MAUD RUSSELL—SPEAKER ON THE FAR EAST

Miss Russell, a native of California, resided in China from 1917 to 1943, spanning the beginning years of China's now matured and victorious popular movements and including five of the wartime years in Far Western provinces.

Connected with the Young Women's Christian Association of China during those 26 years, Miss Russell worked in many of the major cities of China, and was thus actively related to the student, labor, women's, and other popular movements which have created the People's Republic of China. Her speaking and reading knowledge of the Chinese language gave particular help in understanding the meaning of social developments, nationalist feeling and reactions on international issues.

This quarter of a century of living and working in China during years of momentous social ferment has given Miss Russell an understanding of the Asian peoples' now fast-growing struggle for freedom from feudalism and colonialism and of the issues of their countries' relationships with the West.

In the summer of 1959 Miss Russell made a 3-month visit to China. In China she traveled from north to south, from east to west, covering 10,000 miles of urban and rural China. She spent time in 13 people's communes in 10 different provinces; she went to Manchuria to see the open coal pit at Fushun, the great steel complex at Anshan and the industrial city of Shenyang (Mukden); she attended court sessions in four cities; she was in the homes of and talked with capitalists in five cities; visited neighborhood (block) committee organizations, factories, national minorities universities, workers' clubs, sanitoria and resort homes, prisons, nurseries, kindergartens, YWCA's, historical spots, recreation areas, docks in two ports (Shanghai and Tanku) noting the foreign ships (no American) that carry on trade with China. She enjoyed movies, theater, opera, public parks, shops; attended the opening session of the national congress, attended (as probably the only American) the great semiannual Commodity Exports Trade Fair in Canton where hundreds of foreign traders gather to do business with China, and saw the May Day parade and celebrations in Peking. Throughout the whole time in China she spent hours and days and traveled with her old friends—new people in new China.

Miss Russell functions as a citizen determined to make use of the insights and convictions thus gained to help build among her fellow citizens an appreciation of the relationship between their well-being and our country's Far Eastern policy.

Miss Russell's itinerary has taken her to half of the States, speaking in cities, towns, and rural areas to varied organizations, forums, picnics, rallies, discussion groups, home gatherings, and churches. This work, as publisher and speaker on the Far East, is peculiarly timely as Asian developments and our Government's Far Eastern policy increasingly affect the well-being of the American people.

WEST GLACIER, MONT.,
August 7, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: I wish to express to you my respect and most profound appreciation for your defense of world peace and simple honest decency in our foreign relations. Though we may have to endure in sorrow and shame the result of the failure of so many who must know in their hearts that you are right, yet will not support your effort, your courage and high principle are the more outstanding, a spark of honor in a time of dark and inglorious submission to the worst influences in our Nation. I have a wife and five children on whose behalf I also thank you, come what may.

Gratefully and respectfully,
HAROLD RIDENOUR.

SPOKANE, WASH.,
August 7, 1964.

Senator WAYNE MORSE.

DEAR SIR: I want to commend you and thank you for the stand you took on the resolution that Congress passed, unanimously with the exception of your vote, approving the action of the President in his retaliatory strike against Vietnamese supply depots and defense installations. As I see it, the North Vietnamese were deliberately provoked by our spying jet overflights, patrol of their coastline, and as the Vietnamese say, bombing of villages to retaliate.

The military industrial complex with their hate propaganda has brainwashed the American people to such an extent that President Johnson feels that he has to outdo GOLDWATER in order to be reelected. I feel that Supreme Court Justice William O. Douglas is right when he says that the United States seems to be approaching an "era of arrogance" when the world needs tolerance and understanding.

I was going to vote for the reelection of President Johnson because of his stand on civil rights, medicare, and many other progressive measures, now I can't vote for him even as the lesser of two evils. My vote will merely be a protest vote. I have always thought of Senator MAGNUSON as one of our better Senators. Senator JACKSON I have always considered as a "warmonger." Both voted for the resolution. I can't vote for JACKSON and his Republican opponent is no better, so there is another protest vote.

During the period you have been in Washington, D.C., you have served without fear or favor. It's encouraging to have someone in the Nation's Capital who I feel represents my thinking. Again, thank you.

Yours very truly,
HARDY ROWBERG.

PACIFICA, CALIF.,
August 4, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I wish to express the thanks of me and my wife and my children, not only for your courageous statements of conscience over the past 24 hours, as our involvement in southeast Asia grew suddenly so much darker, but for the courage you have shown through the past months and years in placing truth above power. You have helped us all, I feel, incalculably, to keep our consciences clear, no matter what more perilous conditions may ensue. It is my feeling that you have become a great American.

Yours,
HOWARD EDMINSTER.

AMHERST, MASS.,
August 9, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I support your position on the Vietnam resolution, and I respect your willingness to stand almost alone on this matter.

I have had occasion to sit in on a few of the meetings of the World Assembly of Youth, now meeting here at the University of Massachusetts. Delegates and observers from more than 100 countries are present and, for the most part, are frankly opposed to U.S. military action in Vietnam. They favor demilitarization, along with U.N. supervision, and return to the guarantees of the 1954 Geneva agreement. I wish that our Senate might have the opportunity, as I have had, to sample articulate foreign opinion.

With best wishes,
Sincerely yours,
DEAN A. ALLEN.

PITTSBURGH, PA.,
August 9, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: The performance of the Senate and the House this week in endorsing President Johnson's act of vengeance and unctuous presumption that guilt is all on one side will long stand as a low point in American legislative history. I congratulate you on your courage in fighting for peace and reason.

Sooner or later we must sit down and negotiate or else we will all be destroyed in a nuclear war. Thank you again.

Sincerely yours,
LINCOLN WOLFENSTEN.

OAKLAND, CALIF.,
August 6, 1964.

DEAR SENATOR MORSE: I am so pleased with your position opposing the use of planes to attack North Vietnam. It is unbelievable that such devastation should be considered necessary for an "attack" of PT boats on U.S. destroyers which are already threatening North Vietnam's sovereignty. Please keep up the opposition.

MR. B. EPSTEIN.

AUGUST 10, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Congratulations on your recent statements concerning our actions in Vietnam. It is heartening to have one or two voices speaking out in an election year saying we are wrong and pointing out that sticking to a mistake is no virtue.

Sincerely,
OLIVE HOOGENBOOM.

FAIRFIELD, CONN.,
August 11, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Even though you were speaking to an empty Senate Chamber, to the Senators' everlasting shame, on the question of war and peace, the American people were listening.

Please keep up the good work in speaking out for peace. You are like a sane voice in a world gone mad.

People everywhere are looking to you to keep hoisting the banner for peace. You may have more support than you think.

Sincerely yours,
RITA CHILDS.

SAN FRANCISCO, CALIF.,
August 10, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: We commend and support your vote against the resolution backing President Johnson's Vietnam policy.

Although Senator AIKEN feels we should all "support the President, whether he is right or wrong," we feel this premise to be basically opposed to the democratic system, and will continue to speak out ourselves, and support those few who have the courage to oppose the majority.

Thank you so much.

JAY WENK.
IRENE WENK.

WINTER PARK, FLA.,
August 10, 1964.

DEAR SENATOR MORSE: We, together with all the decent and peace-loving people of the world stand in deep admiration of your courage and sincerity in regards to your stand in the Vietnam situation.

Yours sincerely,
Mr. and Mrs. M. SUNDSTROM.

SANTA MONICA, CALIF.,
August 8, 1964.

Senator WAYNE MORSE,
Washington, D.C.

HONORABLE SIR: Permit me to express my admiration of the courageous stand you took re the resolution endorsing the Government action in the South Vietnam affair.

Sincerely,
ZACHARY SAGAL, M.D.

LOS ANGELES, CALIF.,
August 8, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I applaud your vote for truth against the President's predated declaration of war.

JOSEPH MAIZLISH.

WANAQUE, N.J.,
August 10, 1964.

DEAR SENATOR MORSE: Your vote against the continuation of war on part of United States in Vietnam has earned you the respect and appreciation of all thinking Americans.

If the hostilities cease in that area, your name will go down in history as one who gave the young generation a lease on life and an opportunity to grow and mature.

Anything I can do to help further your cause—you can count on my cooperation.

Many blessings on you.

Sincerely,
MRS. A. BRENNER.

SANTA MONICA, CALIF.,
August 7, 1964.

Senator PIERRE SALINGER,
Senate Office Building,
Washington, D.C.

MY DEAR MR. SENATOR: I want to congratulate you upon becoming a Senator for the State of California.

As your first act, I would like to urge you to speak up for peace—not through military actions such as those our Government has engaged in during the last week—but for real peaceful actions, which means for negotiations of all situations that can lead to war.

There is no doubt that our entering into military actions in North Vietnam will call for retaliatory actions from China and the Soviet Union. Senator Morse in his speeches has made clear that the responsibility for the next world war will be upon our shoulders. It is still not too late to cease fire and to conduct negotiations through the United Nations. All Americans will be grateful to you if you speak out for such negotiations and not for military actions.

Respectfully yours,

Tina L. Tomash.

Copy to Senator Wayne Morse.

Santa Monica, Calif.,
August 7, 1964.

Senator William Fulbright,
Chairman, Foreign Relations Committee,
Washington, D.C.

My Dear Mr. Senator: I am alarmed at the most recent developments in Vietnam. Our military action in North Vietnam is bound to involve China and the Soviet Union, as they have stated in all their recent speeches. How can our country face the responsibility of starting a third world war—this time undoubtedly a nuclear war where there can be no victors?

I urge you, as head of the Foreign Relations Committee of the Senate, to use your office to work for a cessation of all military activity in southeast Asia, and to bring these inflammatory matters to reasonable negotiations which can be conducted under the guidance of the United Nations.

Respectively yours,

Tina L. Tomash.

Copy to Senator Wayne Morse.

McPherson, Kans.,
August 8, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I don't believe in eulogies because I think we should say the good things we feel about people to them while they are alive. I feel this is the only time these words would be worth anything. It is for this reason I am writing you. I just wanted to say that your actions, past and present, in the Senate make me proud to be an American. If America still has Senators like you and Senator Gruening who are willing to stand against an overwhelming majority and vote against the Vietnam resolution, I feel we still have hope. It is really scary to me how our Senators and Representatives are eager and willing to take a step that would take us closer to nuclear war. The most terrifying thing about this was the fact that none of these Senators or Congressmen were even willing to listen to any arguments against the measure. You could have talked for 2 weeks and still none of your colleagues would have probably changed their vote.

I was privileged to visit the Senate while it was in session last November and I happened to hear you answering some of your critics concerning the foreign aid bill that was before you at that time. During your speech, you said the Senate was no longer a discussion or debating group because Senators came to the Senate to vote and not to listen. This fact is becoming more and more obvious and it is truly sad. All I can say is that I hope the Senate gets more Wayne Morses.

Respectfully yours,

Dean Kauffman.

P.S.—If you feel you might have real trouble getting reelected when your term ends, I might even consider moving to Oregon in time to vote for you. In the meantime, do you have any relatives similar to you in Kansas who would make a good Senator. We could use some.

Los Angeles, Calif.,
August 8, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: The crisis in Vietnam, I think, has never really been presented clearly to the American people. Many people I speak with are willing to go along with whatever is asked of them as long as it is phrased in terms of the "cold war." Last week a radio newscast began with the assertion "Yank ships patrol Red coast looking for Communist belligerence." In the context of all of this confusion it is reassuring to know that someone in Washington has the courage to dissent. Until the case is made more meaningful for the average citizen it is good to know that someone such as yourself is protecting our interests. I hope that you will continue in this role for many years to come.

Best wishes,

Kenneth S. Cohen.

New York, N.Y.

Dear Senator Morse: We are proud of you—proud of the principled stand you took in the Senate on the Vietnam issue. Your words lend heart to all who know the folly of war. Keep up the wonderful work.

Sincerely,

Helen and Joseph Eisner.

August 12, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: My heartfelt thanks is extended to you and Senator Gruening for your votes against giving President Johnson "predated declaration of war power."

I have followed closely your views on the South Vietnam "civil war" and find us substantially in agreement. I agree that the U.N. is the place to attempt settlement of this war. I can only foresee another Korea with similar results if our present policy continues. We cannot possibly hope to win a limited war in any part of Asia. All we will succeed in accomplishing is the cruel death of many young American boys for naught.

It appears to me that we invite incidents such as occurred in the Gulf of Tonkin by deploying our Armed Forces on the very edge of Communist countries throughout the world. I'm sure that Communist Chinese destroyers patrolling in Delaware Bay, 13 miles off shore would provoke us into attacking them.

What right have we to attempt to stop the Communists from supplying arms to one faction in the South Vietnam civil war when we supply arms and even troops to the other side? Let's be honest—with dictators like Nguyen Khanh and his predecessors, who wouldn't revolt?

May I again commend you on your stand, not only on this particular incident, but on your foreign policy beliefs in general.

Sincerely yours,

Elden T. Boothe.

Annandale, Va.

Arcata, Calif.,
August 7, 1964.

Senator Pierre Salinger,
Senate Office Building,
Washington, D.C.

Dear Mr. Salinger: I have just read the article in the August 1964 issue of the Progressive by Senator Wayne Morse on his proposal to turn the entire problem of Vietnam over to the United Nations. I believe his analysis to be very clear and logical, and that we have been not only undermining the U.N. itself by our go-it-alone policy, but are persisting in a policy which can easily escalate into a full-scale war.

I urge you to read Senator Morse's article. But more urgently, I hope that you will use your important influence in the Senate to have the entire matter of Vietnam to be turned over to the United Nations, as provided under article 37 of the U.N. Charter.

Sincerely yours,

Donald Coan.

Santa Monica, Calif.,
August 9, 1964.

Senator Wayne Morse,
Washington, D.C.

My Dear Senator Morse: I wish you to know that I deeply admire the stand you have taken with regard to our involvement in South Vietnam. I do hope this can sink deeply into the hearts and minds of our people so that this wholesale slaughter will cease and a peaceful settlement achieved.

To a courageous voice.

Sincerely yours,

Mrs. G. Alstadt.

Hollywood, Calif.,
August 12, 1964.

Dear Senator Morse: I want to thank you on the behalf of California peace groups for stands you have been taking in favor of nuclear disarmament and civil rights. I urge you to do what you can to press for removal of U.S. troops from Vietnam.

Also, on June 30, President Johnson proposed a bill favoring the use of nuclear weapons by our West German allies. I think this is a very dangerous move and urge you to press for open hearings and debate against such a bill.

Martin Mead.

Covina, Calif.,
August 8, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: My daughter and I were fortunate enough to be in the gallery when you spoke on the Vietnam crisis yesterday.

We want to express our admiration for the courage, candor, and logic which characterized your statement.

Very sincerely and respectfully,

Janet Austin.
Nancy Austin.

New York, N.Y.,
August 5, 1964.

Senator Wayne Morse,
The Senate Office Building,
Washington, D.C.

My Dear Sir: Hearing the two sides of the situation in Vietnam, yours and the President's—in effect, that is all there are I am more inclined to agree with you.

I am deeply troubled about the whole situation and would be pleased if you expanded your views regarding the position of the two American destroyers, as enunciated on the CBS-TV program tonight, August 5, at 7:30 p.m. eastern daylight time.

I would also like to commend you on the isolated position, unfortunately, which you are taking regarding Vietnam and the whole of southeast Asia.

Thank you,

Stanley Rosenberg.

New York, N.Y.,
August 6, 1964.

Senator Wayne Morse,
U.S. Senate, Washington, D.C.

Dear Sir: Having heard you speak on television last night, and having just read the very brief account of your speech in the New York Times, I want to thank you most sincerely for speaking out so clearly in this moment of crisis. I am sure there are many people like myself who are very worried and doubtful about this war, so far from our shores, in a country where, apparently, there is not much support from the population for "our" side.

The President's hasty action, which, as Harry Schwartz of the New York Times pointed out in a televised discussion last night, was far stronger than could have been expected from the provocation, seems terrifyingly close to aggression. Certainly if, as you say, the U.S. ships were supporting a raid by the South Vietnamese on North Vietnam islands, it was a natural reaction on their side. In any case, no one doubts the ability of the United States to overpower North Vietnam, so this proves nothing not already recognized. Anyhow, the threats and the admitted actions of South Vietnam against the North recently, together with the fact that, although the United States insisted we would not go that far, nevertheless U.S. funds, weapons, and advisers are virtually carrying on the war; and we can hardly be held guiltless of the South Vietnamese attacks.

It is far from a simple situation, and certainly it is not one the United States should try to resolve unilaterally. Your insistence that all grievances should be referred to the U.N. is the one light in the darkness. Meantime thank you for your efforts to deny the President carte blanche to make undeclared war until the U.N. has had its say and the Congress has openly concluded that such a drastic step was necessary.

I would appreciate a copy of the whole speech if possible.

Very truly yours,

ISABELE MANES
Mrs. Max Manes.

SAVANNAH, GA.,
August 12, 1964.

Hon WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I was so glad to hear you speak out in favor of the isolationist position as regards slaughter of American boys in another useless undeclared war 8,000 miles away. Isolationism is strong—almost unanimous, in the South. Isolationists are also against the unconstitutional conscript law. They are not to be confused with pacifists—who are a bunch of phonies. I have never heard of one opposing the un-American conscript law. A father in this county has erected a stone over the grave of his 18-year-old boy with the following epitaph: "Murdered in Korea by Washington politicians."

You are on firm ground on your isolationist stand. George Washington was an arch-isolationist, and we see today the wisdom of his warning about "entangling alliances," since we are entangled all over the globe with the assurance that we will be involved in any war, anywhere in the world, no matter how nonsensical. I do not believe the Communists would be in this hemisphere today had we not been meddling all over the world, as the Monroe Doctrine prohibiting meddling by European powers in this hemisphere, by the same token did not anticipate our meddling in Europe (and Asia's) business. They did not even think it necessary to specify we were not to meddle, as they had no idea Americans would put up with it, or furnish the cannon-fodder to implement the meddling.

Never forget this: Every American President from George Washington to Wilson was an isolationist. Ninety-nine percent of the people were isolationists. Woodrow Wilson ran on an isolationist ticket ("He kept us out of war"). He realized he could not get elected otherwise. After we had had a taste of a useless foreign war we went back to isolationism and an almost unknown nominee won on account of his party's isolationism. Roosevelt ran as an isolationist for Vice President on the Cox ticket, claiming to be against the League of Nations, and we remained isolationist. We had a neutrality law and a cash-and-carry law whereby warring powers would haul their own ammunition purchased in the United States. There were not any U.S. vessels in world trouble spots, etc., but of course Roosevelt paid little attention to the wishes of the people, and although he had said "I promise you fathers and mothers agayne and agayne and agayne your sons will not be sent to foreign wars." The politicians knew that the people were against the useless slaughter of their sons in Asiatic hell-holes, but the politician had to pretend to be isolationist in order to get elected. Then, as did Wilson and Roosevelt, they proceeded to involve us in useless wars. Mrs. Roosevelt was said to be 100-percent pacifist, but there was no greater shouter for war than she. Remember the bitter tears shared by pacifists when Roosevelt's conscript law, passed in peacetime by only 1 vote?

As this country seems destined to return to constitutional government, I believe it will abandon the un-American and unconstitutional conscript law. The news media reports both Greek and Turkish forces are equipped with American planes. We usually furnish both sides.

Enforce Monroe Doctrine. Protect our country.

Best wishes.

Sincerely,

M. RUSSELL.

JAMAICA, N.Y.,
August 8, 1964.

To the EDITOR,
New York Herald Tribune,
New York.

DEAR SIR: With great interest we read the report of your correspondent Mr. Laurence Barrett "Viet Girds for Blow From North" on page 5 of your edition of the 6th instance.

We were really perplexed to read in column 4: "The U.S. Embassy announced that members of the American civilian community in Saigon were being asked not to congregate in groups on streets, to avoid crowds, to travel in pairs and to stay home after dark."

For years we have been told that the Vietnamese people want our help and that we are there to "protect Democracy"! Any thinking reader must have second thoughts and Senator W. MORSE, Democrat, from Oregon, recent speech in the U.S. Senate only justifies the suspicions one has had all the time about our real motives in southeast Asia.

Thanking you for the attention you are giving this matter and hoping to read from you,

Sincerely yours,

Mr. and Mrs. E. M. POLLACK.

AUGUST 11, 1964.

Senator Wayne Morse, Senator Gruening, and Other Senators Who Will Read, Washington, D.C.

GENTLEMEN: I am writing because of the dangerous situation in Vietnam and the terrible devastation we visited on North Vietnam, because of her "unprovoked attack" on our ships. The enclosed article should be read very carefully, not quickly.

You will notice that our CIA signed a multi-million-dollar contract to airlift guerrillas and saboteurs in North Vietnam. The aircraft carried no identification marks. One unit sabotaged the water system in Dong Hoi, 30 miles north of the 17th parallel. Fourteen spy commando groups have been arrested in North Vietnam.

Does President Johnson honestly think North Vietnam is guilty of aggression when they fight back after all these attacks behind their lines? I don't understand our ethics. Surely, there was provocation.

Premier Khanh has been saying that he would carry the war into North Vietnam whether we liked it or not. Haven't we the backbone to stop him? Put him in jail, if necessary, until the war is over, so he can't take us into world war three.

If only Congress and the people would get to know what we have been doing in North Vietnam, I am sure they would show more willingness to take the matter to the U.N. or else negotiate.

Respectfully,

Mrs. W. ALBRECHT.

PLEASANTVILLE, N.Y.,
August 11, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR MORSE: Thank you for your illuminating article in the Progressive and for your courage and steadfastness in speaking out against the resolution overwhelmingly passed by Congress.

I deplore the policy of our administration in Vietnam and it is men like you who encourage us to do what we can to stop this senseless drift toward war.

Sincerely,

CYNTHIA BODEN.

PHILADELPHIA, PA.,
August 11, 1964.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I want to congratulate you on your courageous stand against the entire body of Congress when you voted against further involvement in Vietnam.

It looks like your senatorial colleagues are not interested in the truth as it really exists. Are not the facts available to them as they are to you?

Are we so uncertain of ourselves, like gawky adolescents, that we must flex our muscles at the slightest provocation, regardless of the peril to which the entire world may be subjected?

Do you think there is any hope that we shall ever grow up to be a truly civilized Nation before we are blotted out forever?

Sincerely yours,

MAY O. MASTRONARDO.

BOULDER, COLO.,
August 10, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Please accept the gratitude of one citizen who appreciates your courageous voice in Congress. Your position on Vietnam stood out as one who raises some question about our whole posture in that area. This contrasts so vividly with the unfortunate jingoism many of our Nation's leaders are apt to succumb to.

Sincerely,

Mrs. JEAN GORE.

SAVANNAH, GA.,
August 10, 1964.

Senator WAYNE MORSE.

DEAR SENATOR: If there is a future history, it will record that you were right in your views on Vietnam and on your recent vote.

Yours is a lonely position in Washington, but not so lonely in the Nation where parents are human beings and are concerned with their children's future.

By the way, did you find time during the long filibuster on civil rights to read the book I sent you? Did you surprise you?

Actually the title shouldn't seem so "funny" to you now.

Sincerely,

ABRAM EISENMAN.

AUGUST 7, 1964.

DEAR SENATOR MORSE: I would like to thank you for taking such a courageous stand against the war in Vietam.

The American people do not stand firmly behind the immoral and inhuman war we are waging in southeast Asia. We appreciate your refusal to be railroaded by the Johnson administration.

Thank you.

LAURIE KAHN.

OAKLAND, CALIF.

SEPULVEDA, CALIF.,
August 8, 1964.

The Honorable Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: This is just a short note to congratulate you on your recent stand about Vietnam. I admire your courage to say what is right on this, as well as on other issues regardless of their popularity.

America needs more men of your caliber in national politics.

Please keep it up, and remember, you are not alone.

Very sincerely yours,

E. A. PHILIPP, M.D.

POMONA, CALIF.

Senator WAYNE MORSE,
U.S. Senate Building,
Washington, D.C.

DEAR SENATOR MORSE: My family and I would like for you to know how deeply moved we were by your courageous denunciation of our Vietnam misadventures. Yours was the sole voice of sanity and Christian conscience.

How typical of you to expose yourself to overt criticism by the apologists, farrightists, and other cultists. No doubt your office is inundated by intricit letters. But, for those who have not forsaken logic, your clear, calm voice was the one measure of sanity in the deluge of ridiculous and chauvinistic, wobbly type press releases and reporting.

How severely history will judge our actions, and how terribly true your every word has been.

God love you, we look on you as an old and dear friend.

The SIEGRIS FAMILY.

AUGUST 11, 1964.

Hon. Senator WAYNE MORSE,
Washington, D.C.

YOUR HONOR: My name is John C. Hansen. I'm a respectful American citizen and a taxpayer. My hobby is politics—local, national, and foreign. I saw your honor on TV where you made a statement about giving the President the right to send American boys to Vietnam without declaration of war and where your honor voted against giving the President the power. I give your honor 100 percent right. We got struck over like that when Truman was President. What did he do? He sent American boys to Korea without declaring war and listening to the U.N. What we got out of that was not an inch. So many thousands dead and crippled. I tell your honor the truth. I don't believe in the U.N. To me it is communistic and I don't believe in foreign aid. You can't buy friends with money. Look what they are doing to the United States. The other day when they had a meeting in the Security Council about Vietnam, what did Poland and Yugoslavia do. They supported Russia and Tito got over $2 million from the United States and so did Gromyko and we still give them some more. I don't see no sense in that. I know my two Senators, they voted against the foreign aid bill. I know Senator ALLEN ELLENDER, Democrat, of Louisiana, is deadly against it. So your honor, here you got my opinion. Keep up the good work.

Sincerely yours,

JOHN C. HANSEN.

AUGUST 10, 1964.

DEAR SENATOR MORSE: Just a line to let you know that you have my support regarding your position on further U.S. involvement in southeast Asia conflict.

Respectfully,

MRS. GLORIA SCHEK.

WEST ALEXANDRIA, OHIO,
August 8, 1964.

Hon. WAYNE MORSE,
Hon. ERNEST GRUENING,
Senate Office Building,
Washington, D.C.

DEAR SIRS: I write to express my deep appreciation for your courageous stand against the resolution giving the President free-for-all power in southeast Asia and for your attempts to awaken the American people to the grim deadend which our national dedication to a military "solution" there is getting us into.

If a shift toward negotiated settlement comes, your stand will have been crucial. My heartiest thanks to you both.

Sincerely,

Pastor DALE AUKERMAN.

UNIVERSITY OF MISSOURI AT
KANSAS CITY,
Kansas City, Mo., August 7, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Your stand on the southeast Asia affair has been statesmanlike and I wish to thank you for it. I regret that others did not join you. The United Nations has recommended a program of action that is workable and in the interest of world peace.

Sincerely,

J. R. HODGES,
Department of Economics.

AUGUST 12, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

HONORABLE SIR: I agree with your declarations concerning the U.S. aggressive policy toward North Vietnam in the Gulf of Tonkin. What are our gunboats doing in a small gulf which is 9,000 miles from our shores? They pose a threat to a nation with whom we are not at war. They have established a 12-mile-zone limit which, if we wanted peace, we would respect. But, the United States has let it be known that they do not recognize a 12-mile limit, only a 3-mile limit, causing friction immediately. This alone is openly hostile. The report that the PT boats attacked without provocation just seems to be a hollow report, as no small nation would not deliberately fire on a warship with big armament and belonging to a world power. If Russian warships were 12 miles from our shores they would be in a legal zone and in international waters the same as U.S. warships in the Gulf of Tonkin. We could do nothing about it. Once more, get out of southeast Asia.

Truly yours,

GERHARD ULRICH.

SONOMA, CALIF.,
August 8, 1964.

Mr. WAYNE MORSE,
Senator from Oregon,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Let me thank you for your stand against the "free hand in Vietnam" resolution given President Johnson.

There can be no principle, national or international, that justifies the death of one American, or even one Vietnamese in southeast Asia.

Sincerely,

RAUL COREY.

BEVERLY HILLS, CALIF.,
August 10, 1964.

The Honorable WAYNE MORSE,
U.S. Senate,
Washington, D.C.

SIR: I want you to know that I, among many of my friends, appreciate the stand that you and Senator ERNEST GRUENING took on the recent North Vietnam incident.

Sincerely yours,

JACK HAMPTON.

GARY, IND.,
August 10, 1964.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I am full of admiration and gratitude for your courage and statesmanship as displayed in opposing the President's request for advance approval of acts that could lead to war in southeast Asia. Although you had only Senator GRUENING and Representative SILER at your side, you spoke louder than the chorus of sheep in both Houses. I am thankful to you for so consistently holding the democratic course. I hope your constituents continue to show their good sense by returning you to your seat in the Senate when you must run again.

I am afraid that GOLDWATER's views on foreign affairs will tempt the President to adopt an opportunistic me-tooism in reverse to show the Nation that he is just as ready as his opponent to get tough internationally. In domestic matters, too, it seems to me, a rightward shift is possible. If the bad guy is bad enough, the good guy can afford to be a little less good without risking more than some annoyance of his followers.

Very sincerely yours,

CARL L. KAHN.

AUGUST 5, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: May I praise your position on the Vietnam crisis. Perhaps you might make a more complete statement with regard to your position—also to advise us how to proceed.

Thank you.

Sincerely,

ELINOR MARION.

SACRAMENTO, CALIF.

DEAR SIR: I want to thank you for speaking out against the "predated declaration of war." As with Truman's war maybe no declaration by Congress ever will be made. I am not for GOLDWATER, but I can see why some people like his seeming frankness.

Again, thank you.

MRS. K. NICHOLS.

NAPA, CALIF.,
August 12, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: My husband and I would like to commend you on your recent protest against the resolution backing President Johnson's actions in southeast Asia.

To us it appears that President Johnson is attempting to undermine Senator GOLDWATER's criticisms by taking action which is the opposite of the responsible control our country should demonstrate; thus the President is doing what, as yet, GOLDWATER merely proposes. Expediency in the defense of freedom is no virtue.

We also believe that by concurring with the resolution most Senators ignored their responsibility to insure their constituents a responsible representation in Congress. If it is true that many Senators believed the action dangerous and unethical but voted in support of it because they believed the voters supported the attack, then the Senators' obligation is that of education.

We sincerely hope that you are correct in stating that a cloakroom vote would have been different from the public vote; however such deception, such a lack of courage and honesty is even more deplorable than opportunism. How far can lawmakers go in their quest for power without losing the integrity of the entire country? How far can they go without gambling the peace of the entire world?

The Senators' failure to be concerned with the rights of their constituents is also illustrated by their apparent unconcern in giving the President the power to wage war without the approval of the people. We appreciate your warning of this misuse of authority. The framers of the Constitution did not, of course, envision mid-20th century insidious engagement in war, the use of euphemisms in place of overt declarations of war. A thoughtful study should be made to resolve the discrepancy between the constitutional definition of war and the realities of present day international politics.

We congratulate you on your heroic stand.

Sincerely yours,

Dorothy A. Kogl.

August 12, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I would like to congratulate you on your courageous stand in opposition to President Johnson in the recent events in North Vietnam. It seems that all the other Congressmen sheeplike followed their leader, and would continue to follow him, even if he decided to lead them over a cliff. Congratulations on your independent thinking and outspokenness. Your outspoken criticism may yet awaken the American people from their profound ignorance which has been induced by a captive press.

I'm sure that the whole world admires your stand.

Very truly yours,

Joan Mathews.

Arlington, Mass.,
August 10, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: May I send you hearty thanks for the stand which you have taken in the recent discussions on Vietnam? We need more like you to ask what business we had to be in the Gulf of Tonkin in the first place.

You may be a voice crying in the wilderness, but please don't stop.

I suppose you have seen the enclosed, and I hope you got a chuckle out of it.

Sincerely,

Mrs. Chester G. A. Zucker.

Carpenter, Miss.,
August 9, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I go along with your decision to vote "nay" on the President's stand in southeast Asia. I think you are a very good Senator. I would like to have an autographed photo of yourself and a Senate pen set.

Thanking you for your time and consideration, I am,

Sincerely yours,

Ray Price, Jr.

Staten Island, N.Y.,
August 11, 1964.

Senator Wayne Morse.

Dear Senator: I wish to compliment you on your courage to vote against Korea II.

I also agree to cut off foreign aid.

I am a merchant seaman and see how little it helps the average citizen, if at all.

It takes courage to vote against the vote-hungry herd.

Sincerely,

Anthony Smolenski.

Washington, D.C.,
August 7, 1964.

Dear Senator Morse: I want to thank you for your efforts and vote against the folly of the present United States policy in shoving the country into war in Indochina and very possibly with China itself.

As you have pointed out all along the Navy, Air Force, CIA, and Defense Department planners have been determined to bring us into a full shooting war against North Vietnam. Now, by filling Tonkin Bay with the U.S. Navy they have managed their "incident" and the super flagwavers gather to cheer.

Oregon and the whole country can be proud of you. You will go down in history as a man of sense and vision.

Sincerely,

Ann D. McNally.

Huister Heide, (U) Holland,
August 10, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Mr. Senator: Although I have disagreed (sharply) with your too severe criticism of President Sukarno, especially after Mr. Robert F. Kennedy did a splendid job in bringing United States-Indonesia relations to the brink of normalcy, I am extremely proud, indeed, that you disagreed with U.S. policy in South Vietnam. And that you expressed your disagreement in your Senate vote. Here, you are entirely correct and history will prove you were.

I am on my way to Cyprus, India, South Vietnam and Malaysia, after which I will begin a tour of China and spend some time in Peiping on assignment for the Associated Press of America. Upon return, I would be most happy to come to your office and relay some of my experiences in the Far East, firsthand, to you sir. As it stands now, I am afraid, our policies tend to promote the spread of communism, not curtail it, as we would like to see.

Respectfully yours,

Willem L. Oltmans.

Boston, Mass.,
August 11, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I wholeheartedly endorse all you say about the war in Indochina.

Unjust, unjustified, and unpopular wars have, among their consequences, the effect of poisoning the political atmosphere at home, arousing antilibertarian and jingoistic feelings. The Algerian war, whatever else it did, effectively destroyed democratic institutions within France. Only because De Gaulle outsmarted the army was France saved from military fascism.

Walter Lippmann pointed out sensibly the other day that we do not need to be present on the ground in order to be a dominant power in southeast Asia. Our Navy and Air Force make it possible for us to keep the Chinese out, if we so choose, without the loss of a single foot soldier.

The Chinese have never been popular in southeast Asia; but before we get through they are very likely to be popular.

Sincerely yours,

John Holt.

Jamaica, N.Y.,
August 10, 1964.

The Honorable Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Enclosed a copy of our letter to the Herald Tribune; of course we do not know if they are going to publish it, but we want to let you know how much we appreciate your recent speech in the U.S. Senate; you were outstanding in every respect and if they call you maverick it's for a good reason. You have definitely shown courage in these crucial times and have our admiration.

With best wishes and kindest regards.

Sincerely yours,

Mr. and Mrs. E. M. Pollack.

Santa Rosa, Calif.,
August 17, 1964.

Senator W. Morse.

Dear Sir: Millions of us are with you against the sacrifice of our men and our taxes in Vietnam.

We have too much in need to be done in our own country to restore the dignity of our people as it befits a democracy and a good example of the world.

God bless you.

Mrs. F. Jay.

Los Alamos, N. Mex.,
August 19, 1964.

Senator Wayne L. Morse,
Senate Building,
Washington, D.C.

Dear Sir: I appreciate your stand on the Vietnam situation. It is easy for the American people to forget what the law of the land demands.

Have just returned from our vacation in Portland, Oreg. Family members, friends, and acquaintances all supported your stand.

Sincerely,

Darrel K. Burns.

Perryopolis, Pa.

Mr. Morse: For quite a few years I have kept tab on the way our Senators and Congressmen have voted and performed and I want to congratulate you for being the best of our present crop.

It is a shame that I cannot vote for you and help you as you seem to have more good commonsense than any of the rest and I want to thank you.

Respectfully,

Albert Krause.

Puget Sound Bank Building,
Tacoma, Washington.

Democratic members of Senate Foreign Relations Committee:

Following is a copy of letter to Walter S. Mack, Esq., chairman of National Committee of Republicans and Independents for Johnson, Inc.:

"Dear Mr. Mack: I would be tickled to death to join your organization and make a substantial contribution if it were not for one thing: President Johnson has astounded me by indicating that he is ready to go as far as or further than Goldwater in Vietnam. If necessary to promote and maintain 'freedom' there, he would take us into a nuclear war. That is one issue that overshadows everything else, in my opinion, for it could result in the destruction of our form of government, our system of free enterprise, and even the human race.

"If this tweedledee and tweedledum continues, I might publicly urge people in this State to abstain from voting for President as a protest against utter irresponsibility. Attached is a clipping covering my views on Vietnam.

"I am tremendously impressed by your record as presented by the New York Herald

Tribune of July 22, 1964. I am a former Republican, now an Independent, a disillusioned veteran of World War I, active for 45 years for world law and order via the League of Nations, World Court, and the United Nations, and 1963 chairman of the Washington State Bar Association Committee, World Peace Through Law."

Rex S. Roudebush.

[From the Tacoma (Wash.) News Tribune, Aug. 13, 1964]

Protests U.S. Action

To the Editor:

I have sent a telegram to President Johnson in the following form:

"The plan for us to go to war, if necessary, against the north half of the smallest, weakest country in Asia to secure peace is altogether new and novel in world history; it is also new as a necessary means for maintaining our national prestige. It would be like a St. Bernard dog attacking a mouse so as to avoid the appearance of cowardice.

"In every one of the liberated countries, there will, undoubtedly, be revolutions for generations, as in South America. For anyone to talk about establishing stable conditions in these countries while exploitation is still in progress and while the people are illiterate and without experience in self-government would appear to me to be childish nonsense.

"I earnestly suggest that your administration honestly support your solemn declarations for the promotion of world peace, that we stop bypassing the U.N., and that we allow the inherent weaknesses of communism to continue without interference from war in order that communism may collapse in due time.

"To fear communism in peacetime shows a lack of confidence in free enterprise—the best system ever developed—a system which has been weakened only by our stupid participation in two world wars, both carried on by our side in the name of freedom."

Rex S. Roudebush.

Austin, Tex.,
August 10, 1964.

Senator Wayne Morse.

Dear Sir: With great satisfaction I listened to your radio pronouncement about the recent insistence in Vietnam and your vote against any warlike undertakings.

I would like to thank you personally for your courage. The English press was very skeptical about the whole affair and implied, that probably the 65-mile limit was not exactly kept.

Thank you again.

Yours truly,

Else Shaw.

Mount Vernon, Mo.,
August 10, 1964.

Dear Senator Morse: We thank you for your great courage in standing almost alone in your fight against United States intervention in South Vietnam. We were greatly disappointed when others who had lent some support in former days, turned, under great pressure, no doubt, and supported the war leaders. It is with great apprehension that we see this thing stepped up and moving nearer to world holocaust. Please keep up your courage. Thousands of American people know that you and Senator Gruening are right and we hope that you keep up the good work.

Sincerely yours,

Mr. and Mrs. Stephen B. Crumpley.

Brooksville, Maine,
August 9, 1964.

Dear Senator Morse: Once again I wish to commend you for refusing to approve of the resolution to step up the Vietnam war.

I hope you will run for President. I want to be able to vote for someone I really believe in.

Sincerely yours,

Martin R. Haase.

Brewster, N.Y.,
August 10, 1964.

Hon. Wayne L. Morse,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: This is to reiterate my appreciation of your courageous stand re Vietnam, which I expressed in a "pom" on August 5.

The wire, if you recall it, read: "Warmest gratitude for sane and courageous condemnation of United States provocative action toward North Vietnam."

This was a purely personal message, but I can well imagine that others, too, associated with our work for World Federal Government, would have agreed.

Thank you, too, most warmly, for pointing out so forcibly the unconstitutionality which many feel marks the resolution. It seems to me to bypass—or attempt to bypass—one of our most important safeguards, i.e. the power of Congress alone to declare war * * *. I should be thankful if you would send me the whole speech as soon as possible.

Again, with fervent thanks for all you do against a war which some reckless men would appear to court.

Sincerely,

Miss Tracy D. Mygatt.

Perham, Minn.,
August 8, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I want to write this letter to let you know there are many people who congratulate you for the stand you have taken on foreign affairs. We certainly are the villains in many places. I think there are other Senators who feel as you do, but who haven't the spunk to stand up for what is right. Senator Humphrey is a "yes man" and afraid he would lose votes if he stood up for righteousness. He will probably lose votes in the next world; which may not be too far off, the way we are going. There are scarcely 10 percent of us who believe in human rights for all people; but I think we will be rewarded in the next world.

I wrote an article about 5 years ago, trying to wake up people up to the fact we have to change our ways in foreign affairs; you got one copy from me. "What Do We Fear?" is the title of it. We should never be in Vietnam. That is an internal affair, people struggling for existence against those who have exploited them; and only the few have all the money. We won't let people have a free hand to speak and vote for what they believe in. Instead we train the money-grabbers to militarize so as not to let the poor people come into power; just because they believe a socialistic government is much better than what they have. Even when they are elected, our money is spent to build up the opposition to militarize, and not let them take office—as in South America—or else have them killed like Lumumba in Africa, by supporting those who oppose communism. In the Lord's eyes, I think we are doing wrong.

Up to now I have voted for Humphrey, but they have gone so far from the path Roosevelt took, I cannot find any President to vote for. We need men like yourself or Senator Fulbright who dare to stand up for the right, even if it means losing votes. We have so thoroughly propagandized the American people that they are blind to what we are doing to other distressed nations, who are trying to better themselves as we did when America started. I wonder how we would have liked it if other nations had come over here and helped the other side to keep us from having a change.

Well, we have one thing they cannot take from us; it is a mind of our own, and the ability to stand up for righteousness, regardless of the consequences.

Thank you very much.

R. E. Nelson.

Tulia, Tex.,
August 9, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator: I am glad you are awake as to what is going on in South Vietnam. This cold war hoax should be stopped. This has been a phony all along.

The very idea of our boys being killed over there for nothing at all. This is ignorant Johnson politics. It will take the election of Senator Goldwater as President to put an end to this damn foolishness.

What are they doing about this communism that is taking over and in the saddle here now?

You are the Senator qualified to expose this South Vietnam rot.

Yours truly,

Grady Briggs.

Spokane, Wash.,
August 9, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: The shocking events of the past week emphasize the urgent need for new legislation to reestablish the control of the Congress over the power to wage war.

When one trigger happy commander, responding to a real or imagined attack on the high seas, can bring the world to, or over the brink of war, the Congress is not exercising its constitutional responsibility. As you pointed out, when the Congress passes a resolution affirming the decisions previously taken by a destroyer commander, the Secretary of Defense and the National Security Council, it is a mere post facto rubber stamp. A dangerous precedent has been established under the guise of national unity in the time of crisis.

The dictatorial powers of an American President to touch off a nuclear holocaust are no less dangerous to the continued existence of humanity than were the dictatorial powers conferred on Hitler after the Reichstag fire or than those exercised by Tojo when he ordered the attack on Pearl Harbor which almost serves as a model for the attack ordered last week on the North Vietnam Navy. While we may admire and trust a Lyndon Johnson, would we want to see these powers in the hands of a Barry Goldwater or a Joe McCarthy?

Obviously the power and speed of the nuclear era, coupled with the modern custom of attacking first and asking for the endorsement of the Congress later has injected a new factor in foreign relations. At the time of the Cuban crisis and again in the attack on North Vietnam, the world has been dependent on the good judgment and self-control of the Communist rulers of Europe and Asia for the preservation of civilization. Had the situation been reversed would American public opinion have permitted us to ignore such a challenge?

Another new element has emerged in the field of foreign relations since the creation of the Central Intelligence Agency, and its entry into the underworld of espionage and intrigue. The United States has become involved in underhanded diplomacy and interference in the affairs of sovereign nations to an extent previously unknown in this country. In many cases their activities appear to serve the Roman Catholic hierachy and the international financial world rather than the interests of the American people.

These two serious developments—the transfer of the warmaking power to the executive branch and the transfer of the conduct of foreign policy to the CIA call for new legislation and an investigation of these dangerous and unconstitutional seizures of power. Your courageous and almost single-handed fight against these forces is a great responsibility and a great burden, but at least it is not as frustrating as the role of those who have no forum from which to "view with alarm."

I believe that I can be of help to you in meeting this responsibility which your position and your conscience have placed on you. Our views of foreign policy coincide and my experience in military affairs, military intelligence and the military attitude can complement your experiences.

After 10 years of service as a reserve officer, I entered on active duty in January 1941, and in the fall of that year I graduated from the Army's Command and General Staff College at Fort Leavenworth. I served as an intelligence officer on the staffs of Gen. Carl Spaatz, Lt. Gen. James Doolittle and Gen. Nathan Twining at Headquarters of the Northwest African Air Forces, Northwest African Strategic Air Forces, and 15th Air Force. In addition to 5 years of active military service I spent 12 years as a civilian employee of the Federal Government working as an auditor, accountant, and investigator. I have had an almost lifelong interest in foreign affairs. My degree is in psychology which has also given me some insight into the almost psychopathic development of foreign policy. I have some thoughts on legislation which I will outline briefly.

For the Congress to fulfill its obligations as the representatives of the people in the fast-moving crises of the nuclear age, it needs some means of keeping in touch with the day-to-day developments throughout the world in the diplomatic world. Members of Congress cannot spend their time watching the developments and they cannot rely on the briefings or handouts from the executive branch. There is a need for either a liaison branch or an intelligence branch which is answerable to the Congress rather than to the executive, if the Congress is to be sufficiently informed to perform its functions.

Perhaps a department similar to the Comptroller General's department to check into the political and conspiratorial activities of the Foreign Service agencies is needed to give the people control over their role in world affairs. Our Government's activities in Guatemala, Cuba, Vietnam, and Laos, as well as in many less publicized places around the world seem to bear no relationship to the real needs of America or to the principles of liberty, equality, and justice which inspired our forefathers.

The increasing strength of the Communist nations of the world has created a new situation in which world affairs are no longer the exclusive business of the financial and commercial interests of the country. When the future of humanity itself is in the balance it is not right that the people, through their elected representatives do not exercise effective control over the agencies which are using the power of America to attempt to maintain the status quo in countries where it no longer represents the will of the people. I believe that the time has come for a far-reaching investigation to determine the true functions of the Department of State, and to make it an instrument of the aspirations, principles, and future welfare of this country, rather than a safe refuge for the upper classes.

There is certainly no more urgent task than the development of a foreign policy which will maintain peace with justice and progress. The Congress has a vital part to play in helping to formulate that policy. It cannot do that successfully unless it has a staff or an agency which can provide it with the information which it needs in order to advise the Chief Executive. A watchdog agency could perform a vital task in preventing the use of the power of the United States to advance the interests of minority groups at the peril of the whole Nation.

There is no lobby working for the interests of the faceless mass of the people and we cannot expect a lobby to prepare the legislation for such an investigation. This is a job for a public-spirited statesman like yourself. I will be happy to do whatever I can but I can do little by myself. If there is some way in which I can serve on the staff of the Foreign Relations Committee or on your staff to work on the plans for an investigation of the forces influencing American foreign policy my experience as an investigator can be utilized to bring out the facts as to why our foreign policy has strayed so far from the principles on which this country was founded. The present crisis and the previous crises in Cuba and Lebanon and in the Congo should be adequate reason for the Senate to take a searching look at foreign policy and why wars can be started without a declaration, in advance, by the Congress.

I sincerely hope that you will be able to suggest a way in which I can be of service to the country and to you.

Yours very truly,

WILBERT H. RIGGS.

BELLINGHAM, WASH.

Hon. Senator WAYNE MORSE.

SIR: Re the last 3 lines "All Viet, etc." I make a guess there are 75 million and myself have said "amen" to this. How right you are. Another thing, these 75M people are against these moon shots; foolish; $156.40 of my taxes each year goes for this foolishness. What we going to do with the moon when we get there? And it's going to cost many lives first. And too, how come we are not fighting in Cyprus. We seem to be in all the fights around the world.

I wish you "rots of ruck" always.

J.S.

CONGRESS GIVES OK TO ACTION TAKEN BY L.B.J.

WASHINGTON.—Congress voted overwhelming approval today of the resolution backing President Johnson's actions in the southeast Asian crisis.

First the House, on a 414-to-0 roll call, and then the Senate adopted the resolution in a display to the world of bipartisan unity behind Johnson's firm military response to attacks by Communist North Vietnamese on U.S. warships.

In the Senate, there were protests against the resolution from Senators WAYNE MORSE, Democrat, of Oregon, and ERNEST GRUENING, Democrat, of Alaska.

MORSE said it was giving Johnson "blanket authority to wage war." GRUENING argued, as did MORSE, that "all Vietnam is not worth the life of a single American boy."

SANTA CRUZ, CALIF.,
August 12, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: I wish to commend you for the courageous stand you have taken on the Vietnam situation. Today there are very powerful forces seeking to embroil us in war. With the exception of American lives lost in the Spanish War, World Wars I and II, most of us Americans know not what the horrors of war really are for we have never had a bomb drop on American soil. Powerful forces who stand to gain financially are whooping up the people into hysteria. They call it patriotism. They know that millions of Americans are like sheep, easily led to believe the lies put out by the paid propagandists over the radio, television, and the press.

The "Masters of Deceit" today are the officials of big business, principally those engaged in so-called defense work. The advisers to our President are mostly corporation executives and military brass from the Pentagon who have become stooges for big business. While talking peace with tongue in cheek they connive clandestinely, urging more and more money for defense, which means more profits and higher salaries for the profiteers. Educators are frowned upon as Presidential advisers for they are all labeled without exception as fellow travelers, pinks, and even Communists. Educators in high government service are anathema. Businessmen only are capable of being advisers. They have the know-how, the ability proven by successful careers, and the accumulation of wealth.

We are constantly reminded by the President and Government officials and the paid propagandists that the free world and American interests must be protected by all means possible. With the exception of a handful of wealthy families, their politicians, and the military, which we always approve who are bribed by our Government and American corporations, what does freedom mean to the masses of starving people in Latin America, Asia, Africa, the Near East—yes, even in the United States, the millions of unemployed, Negroes, Puerto Ricans, and many others?

Protecting American interests? Our President and Government officials keep repeating that theme over and over but never elaborate on it. Why don't our Government officials explain just what those interests are? If they were ever told that to protect American interests the world over is to protect the investments of American oil corporations and the hundreds of all our large companies which have established branches all over the world, just to take advantage of cheap foreign labor—causing much unemployment in our own country—there would be less enthusiasm to protect those investments on the part of millions of us little people. American, British, Dutch, and Belgium interests (investments) are the greatest menace to world peace today. When American corporations go to a foreign country its aim is profits.

Nations which have been saved from the horrors of communism, save the politicians, the military brass and the few wealthy families, are the people any better off than they have ever been throughout the past century? With the exceptions of a few business blocks with beautiful buildings and apartments which are used for window dressing, the whole continent south of the U.S. border is nothing but a mass of shambles, misery, starvation, disease, and illiteracy.

The President of the United States, his advisers and most of our politicians who are stooges for big businesses have been urging a military blockade of Cuba. They have even threatened the so-called free world nations that if they do not do as we say, we will refuse to do business with them, cut off all credit, refuse to buy their products, and will do business with only those nations which obey our demands.

The plan is to starve 6 million Cubans until they submit to our demands—return to American investors the sugar plantations, oil properties, and all other investments taken over by the Castro regime, investments which have exploited to the limit the Cuban people for the past century. Our Government officials and the vested interests want to bring back to Cuba the bright lights, the gay life, gambling, prostitution, dope peddiers, illiteracy, and all the forces of evil that existed prior to the takeover by Castro.

We never miss an opportunity to tell our people the evils of atheism and the godlessness of communism, but we, a great Christian nation and people, are doing the most ungodly act by deliberately urging other Christian nations to starve 6 million poor innocent people so that we can once more satisfy the greed of big business.

What if Castro should be overthrown and the Cuban exiles should take over? With their many differences it would be a mess such as the world has never seen, much worse than Dominican Republic, South Korea, the Congo, Cyprus and the many nations which we have helped set up, which today are in a worse mess than ever.

People today all over the world are on the march. They want to work out their own problems in their own way without being exploited by American business. (The Communists call it American imperialism.)

Since the ending of war in Korea in 1953, we have been on a cold war economy. We have had a period of so-called prosperity since World War II, but look at the great number of unemployed, and the dim outlook for millions of young men and women just coming into the labor market every year. Intensifying the cold war does not seem to solve the problems of our economy, so our American interests are bent on starting a hot war. They have no other solution. The Republicans have just nominated a little boy wonder who is going to clean out the world of communism. The "sheep" believe he is our only savior who will be able to solve all our economic problems

The young generation perhaps do not know that in the depression years of the 1930's, millions of unemployed were still being paid for leaning on shovels right up to the day before Pearl Harbor, December 7, 1941. If it had not been for World War II and since then the many billions poured into keeping the cold war going—with many millions employed directly and indirectly—we would still be in the 1930's depression. Can anyone deny this statement? Unemployment figures for past years in a so-called period of prosperity prove it. Our Presidents, surrounded with business executives for advisers, have no solution. Mr. Goldwater says private enterprise with less Government interference and less money spent by the Government will solve all our problems.

Perhaps it would be a mighty fine idea if we and the rest of the world took a look at the Scandinavian countries to see what makes them tick—three little nations with very limited resources, Denmark, Norway, and Sweden, the only bright spot in the world of "free nations." Their people live on a higher standard, their medical needs are taken care of by the government, illiteracy is practically nonexistent, no slums or people living in shacks, very little unemployed with crime insignificant compared with that in our own Nation.

They do not threaten their neighbors or other nations, and threats from the outside are not serious. American interests (investments) Ah! that may be a sore spot, are nil. If all the nations in the world took a lesson from those three little nations and tried some of their methods, we would have peace and more happiness. It would grow and grow. Communism would be stopped dead on its tracks.

Should our U.S. Government instead of starving Cuba and other governments which our "interests" do not like, were to do the most Christianlike gesture by setting up a Denmark in Cuba, a Norway in Vietnam, and a Sweden in the Congo, it would not be long before the rest of the world would follow suit. This is a challenge to Mr. Goldwater and Mr. Johnson and to all our politicians. Their choice is now limited. Creeping socialism, businessmen may call it, but it is better than galloping communism or a third world war which will be the finale.

Yours very truly,

J. Reynolds Sousa.

August 10, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I wish to express my gratitude for your courageous vote against the South Vietnam resolution. Once again you have demonstrated that it is possible for a man in public life to retain his sanity.

How can we stop this mad rush to out-Goldwater Goldwater?

Sincerely yours,

Faith Bissell.

P.S.—I enclose a clipping which merits the attention of your colleagues.

White Backlash Would Have Been Handy Long Ago

The phrase white backlash has become popular during the civil rights movement. It appears that it will become a permanent part of the vocabulary.

Such a phrase has been sadly lacking for a long time. Its absence has resulted in much injustice. Because there has not been such a phrase, many persons have endured having their true motives and beliefs falsely labeled.

They have been wrongfully accused of being racists, bigots, segregationists, and other things when they were simply white backlashing.

An example of this occurred just a few years ago in a fine North Shore suburb when a builder planned a housing development that would include some Negroes.

By coincidence, the residents of the suburb promptly decided that the homesites would be an excellent place for a park so they voted to condemn the land.

This resulted in an outburst of national publicity, during which residents of the suburb were accused of being prejudiced and of fostering segregation.

This surprised and embarrassed them because most had long been fair and liberal and without prejudice in their conversations on racial matters.

Some, in fact, even owned businesses, such as car washes and laundries, in which they willingly employed Negroes.

Others owned buildings in Chicago that they gladly rented to Negroes, usually to capacity.

But in the face of the ugly charges it was difficult for the suburanites to explain their true position because no matter what they said, some people didn't seem to understand.

Today, instead of groping for words about land values, community wishes, and such, they could elevate the whole issue to the accepted term—backlash—and everybody would understand.

History is full of such cases of people being maligned. A few examples:

Some time after World War I, a group of 50 prominent southern farmers were driving to a tailor shop to have some white sheets repaired. They had holes in them.

On the way, they were attacked by one elderly Negro who had apparently gone berserk because of the heat.

While trying to calm the man, and to defend themselves against his ferocious attack an accident occurred. The poor fellow became entangled in a rope, accidentally lashed himself to a high tree limb and hanged himself.

Thoughtless persons promptly misunderstood what had happened and began accusing the 50 men of terrible things. The spotlight of publicity even intimidated the judge and jury and each man was fined $3.50 plus costs.

Had it happened today, explanation would not have been necessary. The whole thing could have been labeled a backlash of sorts.

Another case of misunderstanding involved a prominent deputy sheriff in one of the border States.

The deputy was strolling, one evening, when he noticed that a big, ugly fly was about to settle on the head of a Negro, who was dozing on a porch.

Because he hated flies and feared that the man would be infected with malaria or something, the deputy whipped out his gun and tried to shoot it.

Unfortunaetly, the shot went astray and fatally wounded the Negro.

Once again, there was a hue and cry, despite the fact that 38 witnesses stepped forward to corroborate the deputy's account of the mishap.

Because of the stigma that attached itself to him, it wasn't until the next election that he was elected sheriff.

Today, it would be immediately labeled as a type of backlash and all of the furor would be avoided.

Cases of backlash can be found even prior to the Emancipation Proclamation, which touched off most of the current problems.

In his autobiography, former slave Frederick Douglas wrote of his boyhood and how he tried to learn to read.

In the furtive manner of most slaves, he did it on the sneak and before long was making some progress in reading words in his textbook—the Bible.

The slaveowner discovered what was going on and became disturbed because he was a firm believer in the dangers of a little knowledge. It had been his experience that slaves were better off with no knowledge.

Without realizing it, the slaveholder became one of the first known practitioners of backlash.

He applied the lash 30 or 40 times to young Douglas' back.

Unfortunately, Douglas didn't get the message and continued in his bad ways, learning to read and all that.

Such stubbornness persists today.

Mill Valley, Calif.,
August 5, 1964.

Senator Wayne Morse.

Dear Sir: You are really performing a great service by enlightening people on Vietnam. It is too bad we do not have someone from California who will do the same. Because of our "managed" news I rely on my short wave radio to tell me what others really think of us and it is a shock to realize that we are not well regarded in many corners of the world because of such arrogant actions.

All my fellow members of the Women's International League for Peace and Freedom agree with and applaud your stand.

If you could send me at least one copy (but preferably two) I would be very grateful.

Sincerely,

Mrs. M. L. Beagarie.

August 6, 1964.

Senator Wayne L. Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: It is heartening to find that your voice continues to ring loud and clear against our involvement in the war in Vietnam.

With best wishes,

Sincerely yours,

Anne Florant.

P.S.—If it is available, I would like to receive a copy of your remarks on the President's message yesterday.

August 6, 1964.

Dear Sir: Please forward a copy of your comments concerning Vietnam made in the Senate on the 5th of August.

May I thank you in advance.

Sincerely,

Sylvan G. Feldstein.

Santa Monica, Calif.,
August 10, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator: May I add my commendation to those you have already received on your very courageous stand in the grave Vietnam situation. Wish that we had more like you or at least more that would at least listen to you.

Faithfully yours,

Jeanette Rosenfeld.

North St. Paul, Minn.,
August 11, 1964.

Senator W. Morse.

Dear Sir: I like your stand on policy regarding the war in Vietnam. Have only felt it necessary to write my own Congressman so far. Only hope that you are able to keep up the good work. And I will continue to press for an end to war in Vietnam here among our State representatives in writing.

Mrs. Irene Kusekhe.

Burlington, Vt.,
August 10, 1964.

Senator Wayne Morse,
U.S. Senate.

Dear Senator Morse: I have delayed much too long in sending you a note to thank you for your representing the point of view of a few Americans at least.

Is there any chance of a Morse-Fulbright ticket so that we can have a real choice in this campaign?

You represent my views exactly, on domestic and foreign policy. Are we as few in numbers as it seems?

Sincerely,

Harold S. Schultz.

Gabbs, Nev., *August 7, 1964.*

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Congratulations on your stand on the Vietnam crisis. I hope you get a good deal more support than I think you will.

Sincerely yours,

William Welsh.

Cumberland Hospital,
Brooklyn, N.Y., August 12, 1964.

Senator Morse,
Washington, D.C.

Dear Senator: May I commend you on your stand on the war in South Vietnam and your courage in standing firm against an overwhelming majority.

Yours respectfully,

Harley Yerdcs, M.D.

Kansas City, Mo.,
August 12, 1964.

Senator Wayne Morse, of Oregon,
The Congress of the United States,
Washington, D.C.

Dear Senator Morse: This is to tell you that I am very much in favor of the courageous stand which you recently took in the U.S. Senate in connection with our activities in southeast Asia. This is a very complicated matter, and should be made objectively clear to all the American people.

We seem to be following a double standard—we impose our ideas of what should be done via force, then counsel other nations to negotiate. This does not seem to be leading the way to world peace, as we say we are.

Respectfully,

Helen Yarnell.

Santa Barbara, Calif.,
August 12, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I want to congratulate you on your vote against the North Vietnam venture.

As I see it, there are three possibilities:

1. Become more and more involved in South Vietnam until we end up in some sort of a debacle like the French did or, like we might have if we had stayed longer in Korea;
2. Extricate ourselves from such a situation by the use of nuclear weapons, probably on Peiping, which in turn, would lead to God knows what; or
3. Get out now while we still have a chance.

I hope you will keep on opposing this silly venture.

Yours truly,

Irving F. Laucks.

Dupont, Ind.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I would like for you to know that I appreciate your courageous voice in the wilderness. Your recent stand on the Tonkin crisis is further assurance that honesty and courage are not dead in America. Our best wishes.

Very truly yours,

J. A. Phillips.

Morgan Hill, Calif.,
August 10, 1964.

Hon. Wayne Morse,
Senate Building,
Washington, D.C.

Dear Senator Morse: Just a line to tell you how much I honor and respect you for your persistent, day in and day out, protestations against our madness in South Vietnam. I am sure you have influenced great numbers of people. I know you are respected by almost all of my friends. If only we had many Senators who had your convictions, our Nation would not have lost the respect of so much of the world.

Very sincerely,

Mrs. Mabel S. Billing.

Denver, Colo.,
August 11, 1964.

Dear Senator Morse: We wish to commend you for voting against supporting the President in the southeast Asia situation.

Your article on Vietnam in the August issue of the Progressive is very worthwhile reading.

We urge you to do all possible to get a full debate in the Senate on a concurrent resolution disapproving the agreement to permit NATO countries to share nuclear information.

You are doing a magnificent job in telling the American people the truth.

Sincerely yours,

Dorothy Jacob.
Ann Beatty.
Elizabeth P. Johnson.
Sophie Ginsburg.

San Diego, Calif.,
August 12, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: We want you to know that we deeply appreciate your speech for peace in Vietnam.

War is an unthinkable way of solving world problems and should be outlawed completely.

With all the nuclear weapons available talking of war is bad enough, but shooting of any kind is a fright.

We hope you will continue your efforts for peace and we hope that President Johnson will display the leadership toward peace and not follow the Goldwater line of war and even atomic war.

Thank you again for your great words and deeds.

Sincerely,

Mrs. Shirley Schiffrin.

Dryden, N.Y.,
August 11, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We would like to express our admiration for the speeches and statements you have been making for the past several months in regard to southeast Asia. The point of view you have been presenting makes more sense to us than any other, and the information you have assembled has been most helpful in clarifying our own thoughts and in talking to others.

Thank you very much.

Sincerely yours,

John and Martha Ferger.

Berkeley, Calif.,
August 10, 1964.

Dear Senator Morse: Congratulations—you are apparently the only U.S. Senator possessing intelligence and integrity. (There are still a few who admire such things.) We thoroughly agree with your courageous stand against war in Vietnam.

Sincerely,

Robin McRae.

Berkeley, Calif.,
August 10, 1964.

Senators Morse and Gruening: More power to you both and bless your hearts for voting against the political warmongers.

Thanks.

Bernice Brode.

Indianapolis, Ind.,
August 12, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: We would like to say that we agree wholeheartedly on your decision not to provoke war in the Far East with the Chinese in Vietnam.

Sincerely yours,

The Congregation of Peoples Temple.

San Francisco, Calif.,
August 7, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I should like to register my strong support for your courageous stand against U.S. aggression in southeast Asia.

It is most important for a person of high political office to speak out for peaceful settlement when much of the population succumbs to the war propaganda of the commercial news media and the war hawks in Government.

Very truly yours,

Arthur W. DiQuattro.

Rochester, N.Y.,
August 11, 1964.

Dear Senator Morse: Though I do not agree with your rather resolute stand against the current foreign aid bill, I laud you on your courage and perseverance in opposing the administration's policy in Vietnam, and I am confounded by the fact that so few Americans will admit that it is hopeless to expect to win a shooting war there. There is no doubt in my mind but what the President's action against North Vietnam has signaled the final last gasps of America's ill-advised intervention in southeast Asia.

Respectfully,

R. G. Buddenhagen.

Madison, Wis.,
August 11, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Yes, we agree with you on your lone stand re Vietnam. It must be difficult with only a few timid voices echoing your words but there is an audience who listens and respects your courage.

Sincerely,
Mr. and Mrs. Trent M. Brady.

Cincinnati, Ohio,
August 9, 1964.

Senator Wayne Morse,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator Morse: I write this note to commend you for your firm stand on the issue of the Vietnam crisis. Yours seems to be the only truly rational voice in the Senate on this entire issue.

Please know that there are many individuals in Cincinnati sharing your point of view, and congratulating you for your unequivocal stand.

Sincerely,
Lucille G. Blocksom.

Beatrice, Nebr.,
August 10, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: It is encouraging for the average citizen to know there are men in the U.S. Senate who believe that government should have a moral responsibility, and is willing to exercise that belief.

I wish to commend you on the stand you took against the President's Far East resolution which could plunge the whole world into total war.

Sincerely,
Charles Sutton.

Des Moines, Iowa,
August 8, 1964.

Senator Wayne Morse.

Dear Mr. Morse: It was most gratifying to hear of your vote against our being in Vietnam.

If we are truly fighting communism we would be helping the Cuban refugees instead of arresting them.

It doesn't make sense, sending our boys thousands of miles from home to fight Communism and at the same time protecting Castro Cuba, and appeasing Khrushchev. These riots show the need of cleaning up our own backyards if we are to receive the respect of the world. It is time more people stood up for what is right. Thanks again and you make me proud, for your convictions.

Sincerely,
Edith Thomas.

Concert Network Inc.,
Somerville, Mass.

Dear Senator Morse: I am writing this brief note to thank you for voting according to your convictions in the recent resolution to give President Johnson a blank check for handling the Vietnam crisis. I recognize that being one of two against the rest of Congress is not an easy task. You may know, however, that there are others who strongly support your view, for one reason or another: A man whose letter to the Times was published (he teaches at Rutgers), a handful of pacifists who were brutally disbanded and arrested in New York, and many others.

One of the most revealing articles printed on the Vietnam situation was published recently by the War Registers League, Bayard Rustin, director. If you have not read this report, I urge you to secure a copy for yourself, and possibly your fellow Senators.

With best wishes.

Gratefully,
Art Silbergeld.

Yonkers, N.Y.,
August 10, 1964.

Honorable Wayne Morse,
Washington, D.C.

Dear Sir: Although I don't come from your State, I want to write to you to tell you that I believe your action in voting against the recent resolution supporting President Johnson in the Vietnam situation was a courageous and right one.

It is too bad more Senators did not have your courage and insight.

As just an ordinary citizen, I am grateful to you for looking out for my interests.

Sincerely yours,
Mrs. Martha Salant.

Davis, Calif.,
August 11, 1964.

Dear Senator Morse: Thank you for voting against the joint resolution to support the President's decision to authorize the U.S. forces in Vietnam to bomb North Vietnamese PT boats.

My personal feeling about the Vietnamese situation is that the United States should withdraw completely its forces and support, providing the governments of both North and South Vietnam would agree to neutralization under United Nations supervision. Even if such an agreement is actually impossible it would seem preferable to me that we should withdraw our armed forces and military aid, rather than become involved gradually in a total conflict. I don't feel our "commitment" in South Vietnam has much real meaning; it is a commitment to a government that needs change, and by the South Vietnamese people themselves, without our military interference.

This country could be proud indeed if all its Senators and Representatives in Congress had the courage to stand alone for what they really believe to be the right vote on each bill and resolution.

Sincerely,
Carolyn Dorn.

Wheaton, Ill.,
August 11, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

My Dear Senator: I am glad to hear that you are opposing the unwise policy of our Government in southeast Asia and Vietnam.

It seems to me that some kind of negotiation to stop the fighting and get all foreign military out of southeast Asia and Vietnam is in order. Where there is a will there is a way.

The longer the war continues the greater will be the danger of communism taking over all of southeast Asia. Not just now of course, but in the years to come. War prepares the soil for the germination and growth of totalitarianism.

Cordially,
Fred E. Johnson.

Skokie, Ill.,
August 10, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I applaud and support your courageous vote in the Senate against United States military actions in North Vietnam.

This dangerous situation in southeast Asia must be brought to a conference, and I hope that you and Senator Gruening will be able to muster further support for your stand against American lives and money being squandered in Vietnam.

Very truly yours,
Mrs. J. Weinman.

P.S.: I have also written to the Illinois Senators, to Senator Aiken (who had previously expressed opposition to expanding the war in southeast Asia) and to President Johnson.

University of California,
Berkeley, Calif., August 10, 1964.

Dear Senator Morse: I wish to commend you on the courageous stand which you took on the resolution increasing President Johnson's power to deal with the situation in southeast Asia. There are very few times when the truth does not deserve to be heard, and the dangers of refusing to hear it seem to me monstrous. There was much truth, if regrettable truth, in your remarks on the United States role in southeast Asia in the past decade. A moment of crisis is no time for that truth to be silenced. There are too many irrevocable moments which follow and in which the main concern can be unity instead of rectitude. I urge you to resist the tide of ignorance and rancor which will attempt to move you from your position. You must continue to deflate the self-righteousness which is so cheap and unacceptable a substitute for the strength of the just.

Sincerely,
Karl Bottigheimer.

Bishops Head, Md.

Senator Morse.

Dear Senator: I wish to thank you for the stand you have taken concerning the Presidential right to act warlike wherever he sees fit.

My TV set is in poor condition and I miss a great deal and it is a 60-mile ride to a newspaper stand and there is no delivery here which puts me at a disadvantage concerning world happenings. I try to keep up by reading current books and that is my source of information.

Have just finished reading "The McNamara Strategy" and it fills my heart with grief to hear that the Vietnamese are being treated so badly at the hands of our military. It is as if one were reading the atrocities committed by the Nazis. How can the American people remain silent while their fellowman is so badly treated?

Our top brass in that far off country finds a subject wishing to do his bidding, he is then offered money and every sort of deadly weapons to compel those unfortunates who cross his path. Finding himself in power he loses no time to harass and kill those who dare refuse to do his bidding.

I have tried a long time, 74 years, and the longer I live the more difficult it is for me to understand the things that are happening around the world.

I was delighted with Woodrow Wilson because I believe he gave his life to make the world a more peaceful place and there was Roosevelt who did his best for the same reason. Since his passing the world and its people have been kicked about like a football and the shining new world that was to be free from fear and want knows greater fear since his going than ever before.

Little man Truman took it upon himself too to stand the Korean war with nothing gained but the loss of many fine men. Mr. Dulles kept us in the brink of disaster. Mr. Kennedy may have done some good tho I dislike his actions against the Cuban people. Had that episode been land led more justly it could have ended in a more satisfactory manner. Now Mr. Johnson is at the helm and tho he talks like a kindly father about peace and the many good things he wants to do for mankind he cuts off by turning over to the military whose business is war.

I am so unfortunate to be living in the neighborhood of an air testing field and day and night subject to planes flying over my house to pass if they were going to slice the roof off. The speed and noise is terrific and I fear I will scream unless I get some relief.

I wrote to the President a letter but he is too busy to answer.

Forgive me for writing such a lengthy letter.

At the beginning I only wanted to thank you for what you are doing for humanity.

All good wishes and many thanks.

May J. Heckman.

Sherman Oaks, Calif.,
August 13, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Be not downhearted. Today's minority is tomorrow's majority.

For the average man in the street the main stumbling block along the road to accepting your point of view about Vietnam is the question, "But if we get out now, won't the Communists take over?" This question is compounded by a mental image of Communists as bestial barbarians who suck the blood of children.

I don't see how we can hope to live in peace unless we are ready to reassert certain basic historical American principles. Number one principle is the right of people to determine for themselves the sort of government they shall have. If they "determine" communism, we have no business suggesting an alternative and backing up our suggestion with the U.S. fleet. This is true in our own backyard as well as in Asia.

A second forgotten principle is that the ends do not justify the means. In support of capitalism we have created an image of a Communist monster. Liberals are particularly guilty of developing this one-sided image of the Red as imperialistic, Anti-Semitic, Fascistic and godless. Small wonder the man in the street says that he prefers war to surrender to the monster.

Yet the simple truth, attested to by all who visit or study the lands under a socialist economy, is that the people rather like guaranteed employment, ownership of the lands and factories and general sharing out of the wealth in the form of free medical care, vacations, old age pensions, etc., etc., etc. While there is plenty of room for argument over the superior merits of our system over theirs, the argument is not of the "final" order that demands war and the obliteration of one side or the other.

Yet how many American politicians will dare serve their country by raising the issue in its proper perspective? The very best are given to a formula that adds up to, "I yield to no man in my hatred for the Communist beast, but * * *." That is a very weak "but," Senator, and one of these days we may even "but" our way into world war III.

Sincerely,

Fred Rinaldo.

Monrovia, Calif.,
August 8, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I am writing to thank you for your courageous stand in opposition to the resolution by the Senate granting what amounts to power to wage war in the Far East to President Johnson. Such war would bring unspeakable tragedy to the world. The presence of our warships so near the coast of our antagonists was provocative to say the least. I have wired the President and our two Senators urging settlement of our issues by negotiation through the United Nations.

I thank you also for your efforts to cut our appropriations for foreign military aid.

Very truly yours,

A. Shoemaker.

San Francisco, Calif.,
August 13, 1964.

Senator Wayne Morse,
Washington, D.C.:

Just to let you know you have many supporters in your antiwar policy.

Eugenia Bem.

Cambridge, Mass.,
August 13, 1964.

Wayne Morse,
U.S. Senate,
Washington, D.C.:

History will vindicate your courage in insisting on the bitter truths about war or peace in Vietnam. May we do anything to provide you with another national forum here in Cambridge?

Martin Peretz,
Harvard University.

San Marino, Calif.,
August 14, 1964.

Wayne Morse,
Senate Office Building,
Washington, D.C.:

Bravo you and Senator Gruening the only sane and humane people in the entire Congress.

Sophia Austin.

New York, N.Y.,
August 12, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: A few lines to let you know that we believe you right in your refusal to give your vote of confidence in our war in Vietnam. It seems to us that the primary issue is moral and humane and it is regrettable that there are not more dissenters and courageous voices in the Senate and House on our involvement in Vietnam and our cruel pressure on Cuba.

We note that nonresidents may run for the Senate in New York State; certainly we know that you love (and understandably) Oregon—but would you consider running here next time? We need you.

Sincerely,

Mr. and Mrs. Hak Vogrin.

Chatsworth, Calif.,
August 6, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: Your remarks on the recent American action in Vietnam were both encouraging and discouraging; encouraging in that you made them and discouraging because yours was the only voice speaking them.

You are to be admired for your courage and honesty in a time when many people in our country seem to be suffering from a type of paranoia concerning certain national and international issues, particularly those dealing with civil rights and communism. When people act through emotions such as fear and hatred instead of logic, the actions seldom are wise and the results usually are undesirable. It seems that it is this kind of national feeling which has led to many foolish decisions in recent years in regard to our relationship with Communist countries. They exist in the world and there is nothing we can do about it, when will we realize this? Perhaps if Red China had been recognized officially by us and seated as a member in the U.N. the world could have more control over the actions of that country; as it is now, China operates outside international law and as a result, we seem to think we may have to confront her with arms. It seems so needless!

You were certainly "to the point" when you asked why U.S. ships were in the Vietnam area and why, in fact, were we participating in their affairs instead of placing the problem properly with the U.N.?

You may have felt quite alone in the stand you took in the Senate, but you were speaking the thoughts of many conscientious Americans whom I know.

Yours truly,

Patricia English.

Philadelphia, Pa.,
August 13, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Honorable Senator: This letter should have been written many moons ago. Courage demands support and your courage coupled with a deep conviction in your fight for peace against an overzealous administration bent on pursuing war, is not only admirable but heroic. In my work which keeps me busy most of the day, for as you should know making a living at today's prices is not a many splendored thing. Well, sir, in speaking to my coworkers I find, too, some similarity to your efforts to convince those who would sooner war than talk peace. In order for me to read your speech of August 5, I had to send away to New York City for a copy as our newspapers merely reported five or six lines from it. So you see, Senator, you have no press. I have no doubt that you, too, express concern over the tone of our press, that seems to have one point of view, that of agreeing with shoot first policy. I not only agree with the statement made in your speech, and I may be late in saying this, quote, How can we implement them? unquote.

Every day becomes a crucial one and events are shaping up every day that require constant vigilance in order to somehow brake this drive to war. Voices like yours are fast becoming few, however, there is an election coming, where policy and platform are adopted, it may be that more voices will unite with yours, and we will be heard. May your strength increase, your voice like a clarion call, be heard on those days to the assembled hosts, and may God soften their hearts in order that we may live in peace. Amen.

Respectfully,

M. Abel Sable.

Minneapolis, Minn.,
August 10, 1964.

President Lyndon B. Johnson,
The White House,
Washington, D.C.

Dear President Johnson: Last night there was a special nationwide television report on the situation on Cyprus. The Greek Cypriote representative at the Security Council meeting condemned Turkish use of napalm as an inhuman tactic, reminiscent of Nazi terrorism. Naturally we Americans agree; it is indeed tragic when civilians, or anyone for that matter, are victimized by such military operations. You yourself called for non-intervention by Turkey and Greece, and urged the crisis to be settled by the U.N.

Excellent. I agree wholeheartedly. And now why not act like reasonable men and apply the same to Vietnam? Is the use of napalm on Vietnamese villages really justified by the fact that there may be some guerrillas among them? The newscasters claim, without a trace of sarcasm, that it has been necessary to convince the South Vietnamese that they should care about the outcome of the war. President Eisenhower suggested a mass propaganda project to persuade the South Vietnamese to quit protecting guerrillas and to support Nguyen Khahn. I have no doubt that such a project is necessary when children are burned by American bombs, crops are destroyed by American scorched-earth policy, and young men are pulled out of the woods (how can one know they are guerrillas?) and tortured by South Vietnamese soldiers in American-made uniforms, carrying American rifles. All of these things are freely admitted by the national press and the military; and yet the American people and their leaders (with a few notable exceptions like Senator WAYNE MORSE) continue in their shockingly blind belief that they are bringing freedom and happiness to South Vietnam. If the United States retreats from that country, it is believed that the Communists will take over the government; I suppose this is possible, even probable. And if I was a South Vietnamese villager, I would much prefer the Communist enemy (who does not bomb the villages of his allies) to the capitalist friend (who does).

You politicians and statesmen claim to care about the lives of civilians (and even, occasionally, about the lives of soldiers); and if you are not irredeemable hypocrites you will reject the following excuse: That the Greeks and Turks are NATO allies: therefore they mustn't kill each other or the Cypriots; and that the North Vietnamese and Americans are not allies at all; therefore they can slaughter all they please, including the South Vietnamese.

Some nation, at some time in this nuclear age, must abstain from committing murder on such a monstrous scale, justified and caused by nationalism, sweet-garlanded with phrases like "manifest destiny" and "peace-and-freedom-loving peoples." Let it be the United States who for once shows it means that it is opposed to war by disarming, unilaterally if necessary. There can be no Communist takeover by means of arms, for ideas must be fought with ideas, not guns. If this country dropped its arms it would be far safer, in my estimation, than with them. Let us hypothecate: If the Soviet Union or Red China decided to "take over" the unarmed United States, they would not bomb this country beforehand, when they could have it intact. And in such a hypothetical situation, the Soviet or Chinese administrators, police, etc. could be submitted to heavy propaganda, helped along by intermarriage, and they would be absorbed into the American life; much as the trespassers on Chinese territory lost their enemy-identity for thousands of years. A synthesis of political and philosophical ideals, of industrial and agricultural methods, of kvass and coca-cola, could be arrived at. In the last analysis, people all over the world are looking for the same things: peace, love, security, freedom, etc. If these things can ever be realized by anyone, they are only obtainable if people work together, not fight against each other The great American argument against the teachings of Lenin is that the ends are invariably affected by the means. If the United States really believed that, it would disarm; or, at the very least, pull out of Vietnam. Other countries would probably follow suit.

I urge you to exert every effort to help the United States free itself from this insane contest.

Yours sincerely,
MRS. SUSAN STANICH ABRAMS.

Copies to Attorney General R. F. Kennedy and Senator WAYNE MORSE.

REGO PARK, N.Y.,
August 12, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Allow me to congratulate and thank you for the forthright, objective, and moral stand you have taken on the Vietnam situation.

I have noted that you have consistently offered a coolheaded appraisal of the southeast Asia predicament and I and my family wish to thank you for speaking out the truth. Unfortunately, not enough people, including Senators, Representatives, and the administration can see things as clearly.

I have been amazed at the United States policy to consider this area of the world as vital to our national interest, regardless of the will of the majority of the native people. Would you know whether our commitment to the South Vietnamese administration has behind it a strong investment in American business dollars? Can this be a part of our interest along with the "saving of face," which often results in the loss of the rest of one's body.

I know you will continue to see the truth and reveal it to the American people in spite of the odds, but I want you to know that it is appreciated.

Sincerely yours,
HARRY GROSSWEINER.

FREER REALTY,
SEATTLE, WASH., *August 10, 1964.*

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR: Thank you again for your stand on our military actions.

I wish I could help.

Yours truly,
R. D. FREER.

LYNWOOD, CALIF.,
August 12, 1964.

The Honorable WAYNE MORSE,
U.S. Senate,
Washington, D.C.

SIR: May I tell you that I agree wholeheartedly with your opinions as expressed in your recent speech before the Senate? I am only sorry that we do not have more like you in Congress, instead of its being infested with so many do-gooding Pollyannas who are so intent on "saving," supporting, and running the rest of the world that they are losing their own United States to the forces of hate and violence.

Ever since Franklin Delano Roosevelt saw himself as the Almighty's Second Son and, together with his "disciples," "Winnie C." and "Good Ole Joe", proceeded to divide the world according to his whims, we have been wasting the moneys and resources of this Nation on every snivelling, half-baked "democracy" on the earth, and, even more tragically, giving up our most precious treasure—our finest young men—to their petty little wars.

I do not give one tinker's dam about South Vietnam, except to wonder how much of our tax money, that my husband has worked like a dog all his life for, is now helping to support Mme. Nhu in luxury in Paris.

South Vietnam was doomed to takeover by the Communists ever since Dienbienphu, when our President Eisenhower was too busy playing golf to take any interest in anything else, and his Vice President marched up and down the land thundering "massive retaliation", as he beat his breasts with cream puffs, and the Communists laughed, thumbed their noses at us, and went about their business of conquest.

All of Asia was lost to communism even before that, when Harry Truman drew a line at the Yalu River and forbade MacArthur to cross it—no matter how many of his men he had to stand by and see slaughtered.

This morning—after reading the enclosed column by Morrie Ryskind I am absolutely livid—does the $10,000 of our money the Turks have been spending on air deodorants make their unwashed millions smell any better? Does the $1,000 for bubble gum keep their young from suffering "psychological trauma" and thus escape becoming juvenile delinquents?

Will the $15,500 spent on hormones and Royal Bee Jelly enable the free Chinese to better enjoy their concubines? Or will it only provide more free Chinese for us to send more thousands of dollars?

Could not the Cambodian just diet—like I do—instead of needing $17,240 of my money for Metracal?

How much more of this idiocy must we stand for—and pay for? How much longer must the American people watch helplessly while our so-called "Representatives" in Congress continue to make first-class asses of themselves, dispensing largesse with both hands and bending the knee meekly to the same recipients of our charity, who have such contempt for us that they allow an American army officer to be slapped in the face, and forbidden to retaliate, take it?

We are sick and tired of it all, sick of the insults, sick of the "sale" of millions of dollars worth of wheat, paying for it ourselves, delivering it in our ships, and have those same ships forced to pay higher fees than other countries pay to dock and unload it. Sick of hearing the Shah of Iran and every other two-bit despot "ruler" of every little corner of the earth come over here, with their hands out, and tell us what we, the "haves" must "share" with the "have-nots," presumably him, while his bejeweled, umpteenth wife, "Empress" spends $5,000 in one shopping spree in Magnin's.

Sick of supporting a lot of raggle-taggle, half-baked "diplomats" in the lap of luxury in the U.N., sick of reading of the lavish parties thrown by these same representatives of nations which "cannot afford" to keep up their dues payments, but can afford their call girls—or, heaven help us, we are paying for them too?

When, and where, will this insanity stop? Who will have the guts to stop it?

Meantime, I see the money earned by us in our productive years, which should be going into savings for our declining ones, going down into such a sewer, and my anger and frustration grows more every day. What a bunch of idiotic damn fools we have running this country today, and have had ever since 1932.

I see all around me so much need and want right here in my own country, I see far too many of our own aged persons living from check-to-check on their "social security"—which seems to get a hike on the level earned so often that fewer persons can hope to draw the maximum benefit each month, while living costs keep skyrocketing so that they cannot possibly live and pay out the prohibitive medical costs we have today, or even pay for the insurance plans the opponents of Federal aid to the aged so glowingly describe (just how can an oldster drawing $90 a month pay out $23 of that for "complete" coverage, which is really far from complete)? Yet Congress allows itself to be led by the nose by a few unscrupulous, powerful members of the AMA, who could not care less about our old ones, and denies help to them so that they must go, hats in hand, to the county begging for charity.

I see this at first hand. My own mother, who worked hard all her life to support herself and me after my father left us, was recently charged $35 for one office visit to her doctor, $20 for the call and $15 for an electrocardiogram, then another $15 for a chest x-ray, and nearly $10 more for her medicines. Her monthly check is a little over $90. What would she have done for rent, food, and other necessities, if she had not been living with us? Yet I read how very well our old folks can manage. Even General Eisenhower's pontifical words in the Post stating how sure he is that our elderly would rather pay their own medical bills. Just what does he know about this? he who has never had to pay a medical expense for himself or his family in his life? And who rests secure in the knowledge that, when his times comes, he will loll in luxury in Walter Reed or some other Government hospital, and not in some cockroach-crawling, rat-infested county general? With all of his expenses paid, and every slightest whim gratified, by the "great suckers," the American taxpayers. His wife had a hysterectomy and remained in Walter Reed for weeks, even special pillows had to be sent out and bought for her because the ones used by the ordinary people did not suit her majesty, every dime paid for by the taxpayers.

Well, I had a hysterectomy about that same time, too, and I was sent home to shift for myself on the sixth day after and nobody paid my bills.

It is high time the taxpayer was let off this hook too. I am all in favor of free care for our service and Government employees—up to a certain point, but I certainly cannot see why we have to pay the medical bills of persons earning more than we do.

I did not vote in the last election because I could not stomach either candidate. I feel exactly the same about the two who will grace our ballots in the coming election, yet I feel that it is high time for all of us to get up and start screaming, get new brooms and declare "a plague on both your houses" and get some new blood into Government, from the lowest to the highest, before it is too late, if it is not already.

While we have been wooing every little petty ruler overseas, our own land has become a land of anarchy and violence. Just a short while ago I read a little squib in the paper which really hit home. It said: "America has fought two costly World Wars to make the world safe for democracy, but it has not been able to make the streets of New York safe for the people of New York." How very tragically true.

Very truly yours,

Phyllis Moreland.

CIA Pullout On Transport of Viet Guerrillas Revealed

(By Beverly Deepe, New York Herald Tribune Special)

Saigon, South Vietnam.—The U.S. Central Intelligence Agency canceled in mid-July its part of a multimillion-dollar contract with a private American aviation company that had the undercover mission of airlifting guerrillas and supplies behind enemy lines in North Vietnam and Communist-held sections of Laos.

Reliable military sources said that pilots of more than 12 aircraft included Chinese and Turkish nationals, but no Americans. American civilians were used for ground support, administrative, and maintenance functions.

The U.S. Government, through the CIA, about 2 years ago, had signed jointly with the Vietnamese Government a contract with a private American firm called American Aviation Investors, Inc. The CIA broke the contract several weeks ago.

SEEN AS REBUKE

The cancellation of the American cosignature was interpreted here as a rebuke to South Vietnamese Prime Minister Nguyen Khanh, who has in recent weeks launched a "go north" campaign to attack Communist North Vietnam.

General Khanh's campaign contradicted U.S. policy at the time. Presumably, the U.S. Government broke the contract in order to limit his capacity to send Vietnamese special forces guerrillas and saboteurs in North Vietnam and Laos.

Since the cancellation of the contract, General Khanh has toned down and redefined his "go north" policy to mean simply a means of finishing the war "instead of letting it drag on." Since then, North Vietnamese PT boats have twice attacked U.S. destroyers in international waters off the coast of North Vietnam.

NO IDENTIFICATION MARKS

The CIA contract with American Aviation Investors, Inc., called for a highly mobile undercover air operation involving several helicopters, six to eight C–45 and C–47 transport aircraft, some equipped with radar, and L–28 heliocourier planes. None of the silver-colored aircraft carried identification markings or insignia, except black numbers.

The C–45 and C–47 transport aircraft are often used to drop paratroopers behind enemy lines; helicopters have the capabilities of landing in small jungle clearings and the four-seater L–28 helicouriers can land on short clearings and runways.

Information concerning the droppings of South Vietnamese guerrillas, agents, and saboteurs behind enemy lines is fragmentary and undetailed, since it is not the official policy of the United States or the South Vietnamese Government. However, such activities are known to have been launched in the past and are continuing now.

Asked about such activities, Khanh simply says, "We cannot discuss that." U.S. military sources confirm that South Vietnamese special forces are dropped behind enemy lines, but details "are classified."

The wives of South Vietnamese special forces troops sent to North Vietnam also sometimes inadvertently drop information. The wives call the mission into North Vietnam an "express train to death."

Casualties on such missions are considered high.

Within the past 6 weeks, reliable Vietnamese sources confirmed that a South Vietnamese special forces unit landed on the South China Sea coast near the North Vietnamese city of Dong Hoi, about 30 miles north of the 17th parallel separating North and South Vietnam. They succeeded in sabotaging the city water system.

CONVICTIONS REPORTED

The most detailed information regarding South Vietnamese saboteurs and guerrillas operating in North Vietnam comes from North Vietnamese radio broadcasts and newspapers, but the accuracy of the information is difficult to assess.

On April 22, the North Vietnamese Government reported a "spy trial" in which a Communist military court 2 days earlier tied a group of seven "spy-commandos of the United States and its henchmen in South Vietnam who had been airdropped on a mountain region of Camb Xuyen district, Ha Tinh Province." The North Vietnamese report listed names and ages of the seven "spies" and their sentences which ranged from 3 years to life imprisonment.

The report continued: "According to their declarations, these commandos were entrusted by the United States and its stooges in Saigon with carrying out intelligence work and sabotaging activities and psychological warfare in North Vietnam. This is the 14th spy-commando group arrested and duly punished in North Vietnam within the past months."

La Crosse, Wis., *August 10, 1964*.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Like some of you men in Washington, **I have not only** opposed our position in southeast Asia, but I deplored the fast action that President Johnson took there.

Why did he choose to act on his own and in such a hurry? With so much talk about expanding the war in that area one can't help but wonder about such action.

I have detected an air of expediency ever since this man took office and because of it he could never get my vote.

As for Congress—I still say that if we are to have "good government" it is imperative that we go through the proper channels as we have always done. To do otherwise is not only to put too much power in the hands of one man but, to destroy our form of government in the process.

I was very much surprised to learn how many Members of Congress couldn't see this. I am, however, grateful for the Members who could.

My very best to you.

Sincerely,

Mrs. Roger Fletcher.

Napa, Calif., *August 7, 1964*.

Senator Thomas Kuchel,
Senate Office Building,
Washington, D.C.

Dear Senator Kuchel: We have just wired the President expressing our opposition to the war in Vietnam and that we strongly support his pledge "to seek no wider war."

It is our hope that Secretary General U Thant's suggestion to reconvene the Geneva Conference be accepted. We definitely share his views that military methods will not achieve peace in South Vietnam.

We share your expressed admiration for the United Nations. We hope you and all those of any influential capacity will tap their ingenuity and ability in implementing a rational and humane course in the area of foreign policy.

Sincerely yours,

Charles Slater,
Greta Slater.

Senator Wayne Morse: We respect and wholeheartedly concur in your courageous dissent on our recent retaliative strike against North Vietnam. We are frankly losing heart in fighting for peace for it appears the tragic heritage of military psychology ever submerges the rational and humane approach in international relations.

G. Slater.

Evanston, Ill.,
August 5, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I just heard and saw you on a special news program on the current crisis in Vietnam. To see a man in public office take a firm stand for what he believes in despite popular belief is a rare and marvelous thing these days. I would never forgive myself if I didn't write and tell you what a deep sense of admiration I felt for you this evening when I saw you take a stand for what you felt was right even though your colleagues and, undoubtedly, many fellow Americans, do not agree with your position. You are a very courageous man, indeed.

I am deeply concerned over the situation in Vietnam and have felt ever since our involvement that we have not been allowed to know the truth about our actions in that country. Reading "A Nation of Sheep" by William Lederer alarmed me even more. I thought he gave very convincing facts in his book showing that the American people were not being told information which is our right to know about.

At this point I even have my doubts as to whether this attack by North Vietnam isn't a falsehood and an excuse to involve ourselves even deeper in that war.

I realize what a dilemma we're in in southeast Asia. We probably could never win a war there and yet we can't allow communism to swallow it up either. Surely there must be some alternative. Is De Gaulle's policy of neutralism completely unrealistic? My husband says yes for anytime we don't stand up with force to the Communists they achieve their goals in a given situation.

I love my country very much and want her so much to stand for principle under all circumstances and not stoop to the Communist tactics of the end justifying the means. The blind chauvinistic attitude that many people seem to have these days concerns me very much. No one is always right, even Americans. We ought to be mature enough to admit our mistakes once in a while and set about correcting them with dispatch.

Would you please be kind enough to give me some information that would help me to justify our position and our right to be in that country in the first place? Do the people really want us there? My heart goes out to these poor people. As Americans we probably could never conceive what it's like having a war going on in one's towns and cities killing women and children as well as soldiers. The thought of it makes me shudder.

I pray that all mankind can be spared another war of any kind.

Thank you so much for your kind attention.

Sincerely,

NANCY S. SHANKS.

VANCOUVER, WASH.,
August 11, 1964.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I have long regarded you as the most courageous man in our public life. Now I must take time to express my admiration for your leadership in the Vietnamese question.

It would be a pity if no one warned of the consequences of sliding gradually into an interminable Korean-type slaughter or, more likely, into an escalating massacre by bombing, including A-bombs.

Nor, on a lower level, can it be good politics to do so. You might remind us that everyone was united in support of President Truman's entry into the Korean war, but that when it became a tragedy the Republicans called it "Mr. Truman's war." I believe that revulsion against it was the greatest single factor in the Republican victory in 1952. Also, if history repeats itself, the current congressional resolution will not save the President from being saddled with "Mr. Johnson's war."

I hope that you will give some thought to countering the omnipresent falling domino theory that has been used at every stage of the cold war. It can be used to justify anything, anywhere.

With great respect,

D. F. FLEMING,
Emeritus Professor of International Relations, Vanderbilt University.

P.S.—I recently expressed my admiration for your leadership concerning southeast Asia in a lecture at the University of Oregon in Eugene.

FOOTHILL COLLEGE,
Los Altos Hills, Calif., August 11, 1964.

DEAR SENATOR MORSE: My wife and I both want to express our agreement with your honest and courageous stand against the Vietnam resolution. It is a shame that only one other could find the courage to join you. But even if only two speak out perhaps others will find heart in their example on some future date.

We wish that we were still living in Oregon so that we could vote for you and work for your reelection.

Yours truly,

W. E. TINSLEY.

PALO ALTO, CALIF.,
August 8, 1964.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: A few days ago my wife and I wired our unequivocal approval of your forthright position respecting the so-called declaration seeking congressional confirmation of the President's hasty and unwarranted retaliatory action against North Vietnam, as well as sanctioning future actions.

Again, we wish to assure you that we are entirely in accord with your position concerning southeastern Asia. We are, indeed, most grateful for your continuous expousal of the only sensible policy for this unfortunate region—neutralization.

Our candidates for President—MORSE and GRUENING.

Very best wishes,

ELIZABETH and JAMES ROBERTSON.

OAKLAND, CALIF.,
August 10, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: My heartfelt thanks for your recent vote against President Johnson's resolution permitting military action in North Vietnam. This resolution was truly a carte blanche to escalate the war.

You were speaking for millions of Americans who are too timid to tell Congress and the President that they want the war in South Vietnam to end, and that they abhor the very thought of spreading it farther and involving our soldiers in it. I wish we had Senators like you and GRUENING in California.

Keep up the good work. Keep plugging for another Geneva Conference, and an end to our senseless intervention.

Yours for peace,

Mrs. GRACE GONICK.

MINNEAPOLIS, MINN.,
August 11, 1964.

Senator MORSE,
Senate Office Building,
Washington, D.C.

HONORABLE SIR: We want again to tell you how much we admire your persistence in talking against our Government's action in Vietnam. With so few of such a huge body of legislators ready to support you, ready to admit U.S. mistakes, we are sure your efforts have not been easy.

Our Minneapolis Star says that the Senators largely leave the Senate Chamber when you rise to speak. If that is true, God help the United States.

Sincerely,

H. K. STEPHENS AND FAMILY.

EAST JAMAICA, VT.,
August 9, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Isn't it wonderful how quickly our Congress achieves unanimity in supporting action for war—would that the same were true in our small steps toward decency and peace. But thank God there are one or two voices of sanity who speak for the many Americans who are ashamed of the disgraceful aggression undertaken in their name.

I am sure I am not the only one outside your State who is grateful for your courageous stand.

Sincerely yours,

JEANNETTE VOSK.

ROCHESTER, MICH.,
August 13, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Thank you for your speech in the Senate urging negotiation of the southeast Asia war. Thank you for your vote against the resolution supporting Johnson's action.

Yours sincerely,

MARGARET DUFFIELD.

BURLINGTON, VT.,
August 10, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

SIR: This is to express sympathy with your stand on Vietnam and admiration for your courage in opposing endorsement of the President's actions.

With every good wish.

Yours sincerely.

ROWENA R. ANSBACHER.
H. L. ANSBACHER.

BERKELEY, CALIF.,
August 10, 1964.

DEAR SENATOR MORSE: We are greatly heartened by your courageous and principled stand regarding our military involvement in Vietnam. We are most unhappy to see our Government carrying on, as France did, a "dirty war" in that unhappy country.

More power to you, sir. We wish you were President.

Gratefully,

LAURA VAIL LYMAN.
ELWOOD W. LYMAN, M.D.

OAK RIDGE, TENN.,
August 11, 1964.

Hon. WAYNE L. MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Thank you for your lonely (except for Senator GRUENING) plea for use of civilized reason in the Vietnam situation last week. I have not been convinced that the U.S. Armed Forces belong there either.

I was appalled at the overwhelming congressional approval of President Johnson's request for power to enlarge the conflict there, should he deem it desirable. Thank God for your voice of dissent.

I can't imagine what has happened to the democratic process in our land when the House of Representatives unanimously approves such a serious step in the face of such abysmal ignorance of the facts among the populace. The Senate performed only slightly better owing to the wisdom and courage of yourself and the good Senator from Alaska. I become concerned when our Congress can come up with but "one mind" on so controversial a question. The exercise of pure intellectual objectivity could never have brought forth such a result.

Certainly, by now, the fallibility of our assessments of the Vietnam situation must be evident to most thinking Americans. To continue on this stupid road to destruction is both unpatriotic and downright immoral.

Your proposal for eventual neutralization of southeast Asia through negotiation by the U.N. appears plausible. Surely it is a step in the right direction.

It seems that you are the only person in Washington who is interested in the facts surrounding the situation and making them available to the man on the street. Our local press, on rare occasion, prints out-of-context excerpts of your speeches, but never full texts. Can you tell me how to get copies of them? Perhaps you should make your speeches available in paperback form as Senator FULBRIGHT has recently done with his foreign policy views.

In closing, I want to thank you again, Senator Morse, for speaking out on behalf of me. I appreciate your efforts.

Sincerely,

Arlene H. Kibbey.

P.S.—I am sending copies of this letter to my own Tennessee Senators, Albert Gore and Hubert Walters, and also to President Johnson.

August 5, 1964.

Dear Senator Morse: During discussions at work about southeast Asia, I have tried to quote or remember things that have come from your committee that has been questioning the Pentagon and State Department, but I have not been doing a very good job of it. So, if your office has any literature or information to help me discuss the southeast Asia problem, I would appreciate it.

Thank you.

Sincerely yours,

Albert Vartanian.

Altadena, Calif.,
August 5, 1964.

Senator Wayne Morse.

Dear Sir: I admire your courage. It is rare indeed to have a politician have great courage to express his views in a time such as this when one is almost compelled to conform.

Please send me a copy of your statement as I wish to try and understand your points of view.

I hope you can be in the Senate for a long time. America needs men like you.

Yours truly,

Evan Thomer.

New York, N.Y.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I wish to thank you very much for your courageous stand taken during this Vietnam crisis. Unfortunately, I heard only the portions of your speech which were broadcast on the air.

It is very rare that we, the American public, are privileged to hear the truth coming from our elected or appointed officials, in either the Federal or local government. The American public has been, and is being barraged by the official opinions of the Government, whether fact or fiction; as the means of communication is almost completely monopolized by those who almost always (and particularly in times of crisis) favor the Government view. The press and periodicals who do offer a counterview have such limited means and circulation as to be rendered almost meaningless, and cannot possibly provide an effective balance to the "respectable press."

I am sure that there are many other people, like myself, who are appalled at the imperialistic posture which the United States has assumed, particularly since World War II. It is, of course, a pattern of interference and manipulation with the governments of sovereign nations (i.e., Cuba, Guatemala, Iran, Egypt, Laos, Vietnam, Burma, Indonesia, etc., and probably many more) that, at least in foreign affairs, justifies my characterization of this country. And, since there is the most intimate relationship between foreign and domestic affairs, I can only see a logical development in this country toward some kind of American brand of totalitarianism which certainly will have, in my opinion, many similarities with facism. This is a frightening prospect for those of us who are concerned not only with the survival of humanity, but with the right of self-determination of the world's peoples, and their own economic, social, and cultural development.

America as a world power has assumed the most backward position (especially vis-a-vis the underdeveloped world) and, in my view is attempting to pattern the world so as to protect American interests, which are, as we all know global, and will, to insure the protection of these interests, sacrifice any country, and risk even total war.

It is only with an enlightened and politically conscious public which is willing not only to hear and accept the truth about the role and interests of the United States in the world today, but which is not afraid, and indeed feels it necessary to act on the realization of this truth, and try to change the disastrous course which America is following today.

It is within this context that I again take this opportunity to thank you for the words which you spoke on August 5.

Sincerely yours,

Nancy Ries.

Durham, N.C.,
August 12, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: It is with regret that I find myself writing to you to commend an action that should not have to be commended. One should not have to note as an exception the courage and strength that allowed a negative vote to the bill legalizing the President's actions in Vietnam. However, the situation being as it is, yourself and Senator Gruening are among the few notes of clarity and sanity in American affairs. As long as you continue your present stands, the notion that our foreign affairs are not conducted with disinterest will continue to be injected into the news media, and people will speculate about the reality of world politics.

I have been unable to find material about the progress of the foreign aid bill in the local newpapers and I am puzzled as to the reasons behind some of your stands. Would you please send to me the relevant excerpts from the Congressional Record.

My wife has informed me that she too is a part of the Wayne Morse fan club of Durham, N.C., a small but growing group of people who respect integrity and responsibility in politics.

Yours sincerely,

Shelley Blum.

San Francisco, Calif.
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I have read a recent pamphlet by the Ad Hoc Committee To End Intervention in Vietnam. They suggest that interested people send a message to you.

It is a confusion in aim which seems to have brought about this useless, inhuman, and thoroughly unjustifiable intrusion and slaughter in a country whose people and problems we (the United States) neither understand nor are apparently interested in.

Whether it may be a mistake politically and strategically to interfere in Vietnam (and it's becoming quite obvious that it certainly is a mistake to do it as we have done), is less important to me than the consideration that all foreign policy is implemented by agencies which are not governed by the will of the American people—that the American people are fed propaganda instead of facts—that the American people are thus taught the fallacious notion that it's better that they leave the fate of their country, of their own bodies and souls, in the hands of others.

You can see by my last sentence I have a facility for writing long, unintelligible sentences.

I can write short ones too. The condition of our country is reminiscent of pro-Fascist Germany. There is much ignorant, loose, hostility which could be manipulated into hatred of the unknown by a government dedicated to power politics.

I am 31 years old and have a 3-year-old daughter. Aside from not wanting her, my husband, and myself demolished in a short atomic war, I do not want her to bear the stain of guilt of belonging to the most irresponsible and immoral nation in the world.

There is no extra money at my disposal, and not a great deal of time. But—what can be done? What can I do?

What can I do to speed the departure of U.S. troops, CIA agents, and other experts from Vietnam as soon as possible?

Very truly yours,

Martha Durham.

Berkeley, Calif.,
August 8, 1964.

Hon. W. L. Morse.
U.S. Senator,
Senate Office Building,
Washington, D.C.

My Dear Senator Morse: The purpose of this letter is twofold. (1) I would like to express my admiration for your wisdom and courage in your stand on Vietnam. (2) I wish to inquire whether you would accept an invitation to a meal, lunch or dinner, at your convenience when you will be visiting Berkeley.

Yesterday, one of our students at the University of California came to ask for my signature on an ad to be published in the San Francisco Chronicle. This proposed ad would contain quotations from your speeches on Vietnam and the expression of support on the part of the signers. It was a pleasure to sign the ad.

On this occasion the student in question (I do not remember his name) told me that, "at the invitation of his organization "Slate" you are expected to speak on our campus sometime in October. If so, you are likely to have a meal with your principal hosts, "Slate." However, it is just possible that we, a group of U.C. professors—your admirers, may have the pleasure of having you as our guest at the other main meal of the day. We shall feel very honored.

Today's Times carries an article about you under the title "Senator Nay-Sayer." While having the appearance of just another factual report, this article is about the highest praise that I have ever seen published. You certainly deserve it. I had a good laugh at your description of the Governor of Alabama. The enclosed copy of a circular letter sent to the university employees indicates that our attitude is similar to yours. Incidentally, on that occasion we collected for Dr. King more than $4,000.

Affectionately yours,

J. Neyman.

Medford, Oreg.,
August 12, 1964.

The Honorable Wayne L. Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I have wanted for some time to write and express my support of your position on our policy in Vietnam, and am ashamed of myself for not doing so before now.

You deserve our admiration and gratitude for taking what is, unfortunately, a lonely stand on this matter and I applaud your courage. I have felt for some time that the United States must seem to our allied and our adversaries to license herself to interfere in a manner which she would not tolerate in others. To put it bluntly, we seem to have a "holier than thou" attitude toward other nations which is, in my opinion, unworthy of us. A double standard should not prevail.

You have, I'm sure, received much adverse criticism of your actions and I wanted to add a few words of support.

With warm regards to you and Mrs. Morse.

Sincerely,

Marjory E. Madden.

Portland, Oreg.,
August 17, 1964.

The Honorable Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you very much for your reports. I enjoy receiving them, as information contained therein is most interesting and current with the topics of the day.

I want you to know that I agree with your stand concerning imports and the situation in the Far East.

Keep up your good work and with best wishes, I am,

Cordially,

Geo. E. Robinson.

Oakridge, Oreg.,
August 17, 1964.

Senator Wayne Morse,
The Senate,
Washington, D.C.

Dear Senator: Thank you for your report of August 12. I agree with you in all you say about the Tonkin Bay affair and our impossible position in southeast Asia.

My family and I have left the Republican Party. We cannot stomach the double-talk, the nonsense talk, the cynical effrontery to common good sense and the meaning of language as shown by their front men. The citizen's first loyalty is to principles, not to party. When a party shows me it has abandoned my principles, regardless of how they say it, I gladly leave it and look for the men that best reflect my views.

Respectfully yours,

Ben Twitchell and Family.

Bronx, N.Y.,
August 12, 1964.

Senator Wayne Morse:
Washington, D.C.

Dear Senator Morse: Speaking for my family, brothers, and sisters alike, thanks. Your courage and best of all correct stand against our country's sick policy vis-a-vis southeast Asia wins from us wholehearted and fully committed support. Your vote for sanity plus your outspoken voice, is I assure you heard and deeply felt here in New York. Our Senators too long silent will hear the people yet. I urge you not to go along with that fraud that states our people are 100 percent behind a policy which leads to senseless killings. Let those Senators who lack the people's will go along with war in Asia and you will see how fast the American people will catch up with our policy and vote those clowns out into the cold. You will no doubt get a lot of hate mail. When two men vote against a tide, they must expect to get wet. But stand nonetheless, for in the sun they will dry and the lies will as always sink back into the sea. Hit back with the hard truth, they print very little of what you say, that's a sign of their weakness. I would deeply appreciate being on your mailing list. Once more thanks from the hundreds of your supporters some silent some not. Also thanks from your opposition for they and we are still here breathing very heavily.

Yours for peace,

Harold Carlson.

Dear Senator Morse: It is comforting to know we have at least one Senator who is courageous and calls things as he sees them even if his views aren't popular.

Thank you, Senator.

Mrs. Will Calmas.

Lake Worth, Fla.,
August 10, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: The people of Oregon are to be admired for electing to office people like you and Governor Hatfield.

Congratulations on your courageous, outspoken stand with regard to our recent Vietnam crisis. I am in total agreement with your position.

Respectfully yours,

Ida R. Feitelberg.

Kettering, Ohio,
August 7, 1964.

Dear Senator Morse: Congratulations and thanks for your courageous stand on the Vietnam action and Senate resolution.

I had just finished your article on Vietnam in the Progressive and was especially pleased to find your position completely consistent with the attitudes expressed in the article.

Your attitude that the United States cannot be a moral force in the world today unless we act in a moral manner appears to be in a decided minority.

Perhaps this note will offer some little encouragement that not all Americans have lost their desire for justice.

Very truly yours,

Ray A. Van Horn.

Chicago Area Committee on Sane
Nuclear Policy,
Chicago, Ill., August 10, 1964.

Senator Wayne Morse,
Senate office Building,
Washington, D.C.

Dear Senator Morse: We want to express our deep respect and admiration to you for your principied stand opposing the congressional resolution on Vietnam giving President Johnson extraordinary powers. We recognize the steadfast courage required in that moment of hysterical, unthinking patriotism.

You have reason to be proud of your position. We, of course, are very, very proud of you.

Respectfully,

Morton W. Ryweck,
Executive Director.

Berkeley, Calif.,
May 24, 1963.

Dear Colleague: This is in connection with the current developments in the South, including the arrests of large numbers of youngsters, their suspension or dismissal from schools, the tricks used to prevent Negroes from voting, and the prospect of the Governor of a State personally barring a few Negro students from a university entrance. These developments appear disgusting to us and we feel compelled to do something about them.

We wish to contribute money to help the young generation of Negroes in their struggle to attain the status of citizens of the United States of America. To take care of bonds, legal expenses and the many other expenses inevitably involved they must have money—much more money than can come from their own community. If you are in sympathy, we ask you to contribute by sending your check to J. Neyman, 212 Amherst Avenue, Berkeley, Calif.

Your check should be made payable to:

Southern Christian Leadership Conference (M. L. King's organization).

Yours sincerely,

David Blackwell, Owen Chamberlain, Milton Chernin, Lucien Le Cam, Benson Mates, J. Neyman, Herbert Robbins, R. M. Robinson, E. L. Scott, Kenneth Stampp, George Stewart.

Larchmont, N.Y.,
July 9, 1964.

Dear Mr. Morse: Probably you receive a lot of correspondence and therefore I only write you a short note to tell you that I admire your courage and stand up to protest against the attack of U.S. forces against North Vietnam. I know it was in retaliation of the shooting in the Gulf of Tonkin but our attack went much too far and might have had very serious consequences.

My wife joins me in telling you that we fully agree with your standpoint. Such a pity we cannot vote for you.

Yours very truly,

M. Sluis.

August 10, 1964.

Dear Mr. Senator: You and Senator Gruening deserve the grateful plaudit of those Americans who question the wisdom of our actions in Vietnam—past and present.

One can only wish that there were more men in the Senate who shared with you the conviction, and the courage to express it, that our course is wrong no matter how one looks at it—and that we must work for a negotiated settlement sooner rather than later.

Very truly yours,

Hope Shapiro.

Berkeley, Calif.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We have just read your article in the Progressive and heard of your speech in the Senate on the "support the President" resolution.

We would like to express our wholehearted support for your views in both instances, Please consider this a support of Senator Gruening also.

Sincerely,

Warren Levinson, M.D.

Los Angeles, Calif.,
August 9, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: I am in full agreement with the stand you have taken in regard to our position in southeast Asia, and deeply respect your courage and integrity. I have written to Senators Kuchel and Fulbright to convey to them my feelings, and have urged that they also support the stand you have taken. If the Government is truly the voice of the people, then let the people be heard. Actions speak louder than words. Let our Government take some positive action in favor of a reduction of war, not an escalation of war.

I would feel a much greater pride in my Government if collectively it possessed the same high degree of integrity that you do. Thank you, for giving me something to be proud of.

Sincerely,

Mrs. Nancy E. Ruhl.

Los Angeles, Calif.,
August 7, 1964.

Dear Senator Morse: I am writing because I like your views on Vietnam. From other things I have read, people I have talked to, and from other things the United States has done in foreign countries, I am inclined to agree with you. If you were not telling what you thought was the truth I could not see any motive for it—it probably is an unpopular move to take—thus I am proud of you, and think you must have some information that the newspapers do not generally say. If you or your secretary have time, could you please inform me a little of this information? (Bad sentence structure but you aren't my English teacher) or tell me your source?

Thank you very much.

A registered voter,

Patricia Silbert.

San Jose, Calif.,
August 12, 1964.

Dear Senator Wayne Morse: It made me feel proud that there was one Member in the Congress who stood up and said that we (the United States) also were guilty of aggression in the Vietnam conflict.

Not all Americans feel that this is the way to have peace and not all Americans are 100 percent solidly behind the President in this venture.

I want to congratulate you on your courage to say what you did, because I am not proud to be an American today. Keep up your courage and speak out loud and strong always.

Sincerely yours,

Mrs. Ann Radu.

Los Angeles, Calif.,
August 9, 1964.

Senator Wayne Morse,
The Senate,
Washington, D.C.

Honorable Senator: In behalf of over 2,000 members of the Los Angeles Jewish Cultural and Fraternal Clubs, we wish to convey to you our heartfelt appreciation and full endorsement on your stand in southeast Asia. We fully endorse your statement "The United States has much to lose and little to gain by continuing its unilateral military action in southeast Asia, unsanctioned by the United Nations and unaccompanied by allies."

We wish to add that your voice for peace will well be remembered in this country, and echoed throughout the world, bringing new hope to those living under guns now, and those who still hope for a peaceful solution of problems through the use of the United Nations instead of bombs and destroyers.

We wish you good health and a long life, so that, you may continue in your fight for life and happiness for us and for the world.

Respectfully yours,

Nathan Garfield,
President.
Sarah Gilbert,
Secretary.

St. Petersburg, Fla.,
August 8, 1964.

The Honorable Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: In order not to take up too much of your valuable time I shall be brief.

This is to thank you from the bottom of my heart for having a Senator like you in our troubled country. I am, of course, referring to your courageous stand in the North Vietnam matter. But there were numerous other occasions on which you showed an attitude that inspired us with confidence in the future of the United States. Incidentally I had the privilege to hear your heart-to-heart talk on the preservation of our natural resources.

May God give you strength to carry on your noble cause unflinchingly. I pray that more of our representatives will be enlightened and talk and act accordingly, so that the name of our country will not go down in shame in history.

Please do not bother to answer this letter. I hold you in great admiration and esteem, dear Senator.

Sincerely,

Otto Hoke, M.D.

Elk River, Minn.,
August 10, 1964.

The Honorable Wayne Morse,
Senator from Oregon,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I wish to commend you for your stand on the Vietnam situation, not only for your vote against giving the President unlimited powers to wage war, but on your stand on this thing all along. In the face of almost unanimous opposition by members of both parties, your stand is simply heroic.

When the truth of this thing comes out, and I predict that it will not be long in coming, both you and Senator Gruening will stand out as the only true statesmen in the U.S. Senate. I am sending a carbon copy of this letter to Senator Gruening and informing the President, through Ralph Dungan, of my sentiments in the Vietnam affair and my praise of you and Senator Gruening.

With kind regards to both you and Senator Gruening.

Beryl M. Sederberg.

Mamaroneck, N.Y.,
August 6, 1964.

Dear Senator Morse: Thank you for your brave position on the current Vietnam crisis. As a mother of three young girls, I worry about the world—if there will be a world—that they will grow up into. Thank you for them. The alternatives of a military approach seem to be: one, either a long, costly, futile war with a dreadful loss of life and suffering, or two, escalation into a major war igniting World War III.

It seems to me, at this point the only sane solution is to reconvene the Geneva Conference with the United States and China participating, and to redefine the meaning of neutralization of southeast Asia. In addition, new guarantees—perhaps a United Nation's observer force—should be worked out to implement agreements.

I would be most grateful for a copy of the complete statement you made yesterday. Again, my heartfelt thanks—

Sincerely,

Wesley Stromberg.

P.S.—I have also written the President of my deep concern.

Exeter, N.H.,
August 6, 1964

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: As an admirer of the late Bob La Follette, I am very interested in the ways you have sought to carry on his tradition. Today I am concerned about the situation in southeast Asia.

The New York Times reported on August 6, 1964, page 8, that you told the Senate that South Vietnamese naval vessels bombarded two North Vietnamese islands within 3 to 6 miles of the North Vietnam coast before the attacks on the U.S. destroyers. It reported that you said that U.S. naval vessels were patrolling nearby during the attack. It said that you cited newspaper reports as your source.

I have not seen such newspaper reports, but I would greatly appreciate it if you could direct me to your source.

Please send me any information you can. We must know the truth.

Best wishes,

Eugene A. Manning.

Honorable (I mean that) Sir: Thank you for having the only sane voice on the southeast Asia question.

Would it be possible to have copies of your remarks of the last few days?

Respectfully,

H. J. Oettinger.

Mount Lawley, W.A., Australia,
August 6, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator: Just a note to say how much you are admired for your statement regarding the action in North Vietnam. I am very proud to be an American when you are in the Senate—when anyone can speak the truth.

It is very difficult to decide what action the Nation should take, but it must not rationalize, it must be aware of the truth in determining the course to take. How quickly forgotten is the reaction to Russian forces in Cuba—further from the United States than the Navy is from North Vietnam.

As long as you keep your mind and spirit open, act and speak the truth, you will be performing your highest function as a man.

Sincerely,

Marco McClintock.

Saratoga, Calif.,
August 11, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Please accept my expression of appreciation for your courage and integrity in the Senate debate on the President's proposed resolution over Vietnam. It is regrettable that you have to carry this heavy load almost alone, but your record indicates that you will not be easily swayed from what you believe to be true.

Cordially yours,

Harry Margolis.

Brooklyn, N.Y.,
August 10, 1964.

Dear Senator Morse: Thank you so much for your strong and clear statement on the real issues involved in the Vietnam crisis. Rather than blindly following the rallying call for swift "counteraggression to preserve peace," you emphasized the basic issues of world peace and morality. Also, you brought to the attention of the American people the fact that quite possibly we helped to provoke the whole recent incident by stationing our Navy's boats as a cover for South Vietnamese naval raids on the North Vietnamese coast. This thought puts the whole situation in a very different perspective.

Americans everywhere should be grateful for your courage in revealing the truth to the world and bringing out the necessity for peace and negotiation instead of simply going along with majority opinion.

Sincerely yours,

Laurie Appell.

Bronx, N.Y.,
August 11, 1964.

Dear Senator Morse: We are glad that you had the courage and wisdom to vote against the joint congressional resolution giving the President power to take "all necessary measures to repel attack and prevent aggression in southeast Asia." We have been heartened by your stand against further involvement there and in support of our getting out of southeast Asia.

We believe we can better stop communism by making democracy work even better in this country, and by offering technical assistance to the underdeveloped countries through such agencies as the United Nations and the Peace Corps. Let us always seek to remove the causes of war and build the framework of peace. Thank you for your efforts.

Yours truly,

Mrs. Virginia Isecke.
William Isecke.
John Isecke.

Modesto, Calif.,
August 13, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I am writing to congratulate you on your courageous stand against the Johnson administration in its conduct of the war in Vietnam.

I heard your speech on TV and thought that your analysis of the problem there to be superb, i.e., we are trying to solve an economic and political problem by exclusively military means.

I hope you continue your fight for sanity in the conduct of our foreign affairs.

Howard Ten Brink.

August 11, 1964.

Dear Senator Morse: This clipping appeared in the Atlanta Journal today. This newspaper does not speak for the white citizens of Atlanta.

As for myself—keep up the good work. I agree with you 100 percent.

Carl Amerson,
A White Democrat for Goldwater.

P.S.—It took a stupid jerk to write something like this:

[From the Atlanta Journal, August 1964]

Morse on Vietnam

Oregon is a far and distant place from where we sit and we are not qualified to assess the streak of madness in that State which keeps Wayne Morse in the Senate.

While the country rushed out a strong support for President Johnson in the retaliatory air strikes against North Vietnam, Senator Morse had other sentiments.

He roundly damned the President for his stand and screamed to high Heaven because of a resolution in Congress to back the President.

In his tirade he charged that the United States had been just as much a provocateur in South Vietnam as had North Vietnam; that this country has violated the United Nations Charter and the Geneva accord; and that a U.S. policy of trying to impose a government of its own choosing "upon a segment of the old colony of Indochina has caught up with us."

The Senator makes no comment on the desperate need for the war in South Vietnam to be won: Defeat ultimately means the loss of southeast Asia to the Reds.

We can't explain the madness in Oregon which sends Mr. Morse to the Senate but we think we know what is wrong with the man's thinking. We recall it has been said that the poor fellow literally was kicked in the head by a horse when he was young.

Tracy, Calif.,
August 10, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I wish to thank you for your courageous stand on opposing President Johnson's reprisal activities in Vietnam. I also commend your public statement of opposition to U.S. intervention in South Vietnam as it appeared in the article "Humpty Dumpty in Vietnam" in the August 1964, Progressive. Such sincere opposition to the administration's foreign policy cannot but help to guide public opinion to a saner view of U.S. involvement.

Sincerely,

Naomi Rippin.

Wichita, Kans.,
August 12, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: As a longtime admirer of yours I want to express to you my appreciation for your courageous opposition to the recent congressional resolution supporting President Johnson's policy in southeast Asia. Sadly I must confess that I am appallingly ignorant of the real situation in that part of the world, and this in spite of the fact that I read the Sunday edition of the New York Times religiously. Would you kindly send me a copy of your remarks on this issue?

Once again let me say that the people of this country can be grateful for men such as you in the U.S. Senate. When I saw you interviewed on television last week, I remarked to my wife, "He is like one of Cicero's 'conscript fathers.' There is something Roman and stoic in his integrity."

Sincerely,

John Mitchell.

Champaign, Ill.,
August 10, 1964.

My Dear Senator Morse: It requires great moral courage to stand alone against an emotion swept crowd or to adopt an unpopular stand.

Years ago, one of the first "modernistic" paintings I ever saw was entitled "The Brave Are Lonely." It made quite an impression on me.

Because I am afraid that just now you may be feeling lonely and somewhat like the small boy who said, "Nobody loves me; I'm going out in the garden and eat worms," I am writing this to say that I think you are right about Vietnam, and I wish your suggested policy would be adopted.

I think the Republicans are advocating all these reckless "get tough" policies purposely to try to get us into war while the Democrats are in power so they can again pin the label "war party" on us.

Good luck and more power to you.

An Illinois admirer and supporter,

Dorothy C. Willcoxen.

Devils Lake, N. Dak.,
August 9, 1964.

Dear Senator Morse: I want to express my appreciation of your efforts in the behalf of the policy in Vietnam. There are other Senators who were elected because of their liberal policies in regard to peace, and in support of taking our difficulties to the United Nations who have kept silent.

I don't know why they are silent. Perhaps it is that they know the power of our war machine—they want more missile bases and so forth—they're afraid of unpopular action—worried about their bread and butter.

Thanks, and more power to you.

Sincerely,

Mrs. Lillian Lee.

African Studies Center, UCLA,
Los Angeles, Calif., August 12, 1964.

President Lyndon B. Johnson,
Washington, D.C.

Dear President Johnson: As best as I have been able to piece together a picture of events in Vietnam from various American and European news media, I have come to the conclusion that the South Vietnam government is not being threatened primarily by external aggression, but rather by internal civil war which is being carried out by people who have legitimate political grievances and who have social, economic, and political aims which could be (though which would not necessarily be) beneficial to the people of Vietnam as a whole.

I strongly support the minority (at present) position of Senators Morse and Gruening that the United States should disengage itself from Vietnam as soon as possible.

Respectfully yours,

Paul Newman,
Peace Corps Volunteer in Nigeria, 1961–63.

Los Angeles, Calif.,
August 11, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I would like to commend you on your courageous stand on the Vietnam crisis in Congress. It is extremely important that this mess be straightened out as soon as possible in order to insure a secure peace in the world and to ease tension that is gaining momentum in our world.

I am with you all the way—keep up the good work.

Sincerely yours,

Myra Coodley.

San Francisco, Calif.,
August 11, 1964.

Dear Senator Morse: I want to commend and thank you for your vote on the Vietnam resolution. Your firm stand on this issue from the beginning has been one of high principle and courage—qualities which the vote showed have become almost nonexistent in our elected representatives.

Be assured that you have a great body of opinion behind you—far beyond that reflected by the vote. Tragically, it is largely silent. May we hope that your voice of leadership will loosen these fearful, silent voices.

Sincerely yours,

Mrs. C. H. Dorsey.

Washington, D.C.,
August 12, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: I appreciate your firm stand on Vietnam and am in complete agreement with you. I am taking the time to say so because courage is a lonely road.

Our policy in Vietnam is immoral and I have written the President to say so.

Very truly yours,

Lola Boswell.

Ukiah, Calif.,
August 8, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: It seems safe to assume that you are receiving quite a few outraged letters from indignant "patriots"; therefore I feel that those who admire your lonely and courageous stand should not be silent.

I suppose the world will not change until a sufficient number of people attain to a level of consciousness where they can see and not feel threatened by an opponent's point of view and where they can discard self-righteous rationalizations of their own motives. It would be truly inspiring to see our own country lead the way toward that new maturity.

In the meantime we owe a debt of gratitude to lonely voices like yours for opposing a resolution to give 1 man the power to dispose over 190 million lives.

May you long keep your role as a Senate gadfly, ready to puncture self-righteousness, smugness, complacency and that national pride which has been the cause of all wars throughout history.

Very truly yours,

Gertrude Roberts.

Downsview, Ontario,
August 7, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Sir: My husband and I, a U.S. citizen now resident in Canada, support and approve your views re U.S. interference in foreign matters—specifically, Vietnam.

Cheers for your courage to express your convictions.

Sincerely yours,

Jean Papernick.

Beverley Hills, Calif.,
August 11, 1964.

The Honorable Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I am 21, a senior in political science, and campaign coordinator of the San Fernando Valley State College Young Democrats Club.

Please be reassured that you have the undaunted support and respect of this unintimidated writer. I still refuse to believe that the presence of our military in southeast Asia will do anything but perpetuate an unpopular and worthless war which we have no business participating in.

Our politicians have proposed everything except ending our part in this war. Many others herewith join me in imploring you to continue your fight against this wanton warmongering.

Sincerely wishing you my best regards,

Alan M. Goldsmith.

San Jose, Calif.,
August 11, 1964.

Senator Wayne Morse.

Dear Senator: Fifty years ago this month the arrogant, power-drunk rulers of Europe plunged the world into war. The untold destruction, death, misery and the repercussions are yet with us.

Revolutions swept the world, old dynasties disappeared, social, political, moral collapse.

It was a terrible thing they did in August 1914.

They were the extremists of their time, the jingoists. The people wanted peace. They, the rulers, spoke of national pride and position etc., just as now.

We must tell the people the whole truth, Senator.

More later.

Respectfully,

John Seidl.

The University of Chicago,
Chicago, Ill., August 13, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I would like to express my sympathy and complete agreement with your stand on the recent Vietnamese crisis. It is a pleasure to see one voice in the Senate symbolizing the courage and conviction necessary to express an objective view of this situation.

Please, again, accept my congratulations.

Respectfully yours,

Matthew H. Nitecki,
Curator.

Los Altos, Calif.,
August 10, 1964.

Senator Wayne Morse,
Senate Building,
Washington, D.C.

Dear Mr. Morse: This is not a letter from a professional letterwriter, in fact, I have never written a letter to the editor, the President or any public official, but I feel that the time has come that I must join you in speaking one's mind and to let you know that you're not alone in this and many other unpopular causes * * * there have been many times before this when I thought I should write to recommend you for your actions. But it seems there is a noisy minority that sounds like a majority until an individual like myself feels that perhaps he is all alone * * * maybe just a crank, but I feel that my rejection of President Johnson's action is justified.

To begin with, I tried on several occasions to hear on the radio what it was you said, in full, but I have only been given short lines, but never your full comment. It seems that the American press should see to it that when a minority opinion is expressed, they should take care to see, at least, that minority opinion is given a full report so that people may see both sides of an issue to draw an opinion. If both Houses of Congress give unanimous support to Johnson, I hope they had more information that I have been able to glean from my local newspapers. The facts I don't know are:

1. What were the American destroyers doing in that area? I'm willing to accept that American merchant ships may go wherever their business takes them into any international waters, and that men-of-war may go with them if they have been attacked in the normal process of their business, but I cannot accept that ships of war may go wherever they please. It seems that their moves should be controlled by the discretion of what is the state of apprehension they may cause, the tensions of any given area and what their appearance might cause. I believe that if 3 to 12 miles is the limit of commercial boats, then perhaps we should have 300 to 400 miles for the modern ships-of-war with missiles, etc.

2. Just exactly where were those ships when attacked? I would like to see on a true scale map just exactly where they were so that it overcomes these rough drawings that show a ship that is 60 miles long sitting innocently in the center of a bay only 140 miles wide.

3. How and why did we arrive at a decision to send those ships in that area? Did it have anything to do with Khanh's agitation to invade the North? It has always appeared to me that Syngman Rhee agitated the North into an attack on the South especially after he had received Dulles' unqualified support * * * it is also worthwhile to note that Rhee had lost, or his party had lost, the elections about 3 or 4 weeks before the fight had broken out.

4. Was President Johnson being motivated by the Goldwater attack on the administration as "being too soft," with the net affect that Johnson becomes too tough * * * he certainly took the wind out of Goldwater's sails by that blast.

5. Was it necessary to make 63 sorties? It seems that it would have been bad enough to have destroyed two PT boats for having the insolence of making a pass at a destroyer. Who cares if they want to say we are a "paper tiger." We know what we are * * * or do we? It seems that we are trying to prove something else. I surely wish I knew what it was.

6. How many lives were destroyed by our bombs? No estimates were given. Neither have I read of any reports of it * * * other than American, I mean. (This reminds me of when Britain bombed Egypt: all I can ever remember reading was all the military installations being destroyed but apparently without any casualties.)

7. Is there any similarity between what the Japanese Army and Navy and government leaders did to the Japanese people? They created situations which the Japanese Diet nearly overwhelmingly approved. Then a new situation, and then another until in the mounting crisis all opposition had to be removed so that before they entered into an all-out war, they had a rubberstamp Diet.

8. Why is it that the military, or the CIA, or the State Department or somewhere along the line there seems to be either bad coordination or duplicity? I can't help but think of the U–2 incident. It was very untimely from my point of view * * * but perhaps not to someone else's. Has anyone ever uncovered the facts as to who gave the order for Powers to fly during that period? Everyone knew that large risks were taken (outside of the moral question) then why did they allow him or order him to fly when Eisenhower was going to the summit meeting which we are still yet avoiding. I sometimes wonder if this wasn't deliberate planning along the line somewhere because it did avoid a summit even yet.

Please excuse all these questions, but I would surely like to be informed as to what goes. I just don't feel that I'm getting all the facts because things just don't make sense. Could you help by directing me to the right sources to read so that I might be a better informed citizen? If they are not available to the public, then surely a congressional Committee should undertake the job of putting together the facts. I'm really serious about this question * * * I'm like Will Rogers: "I only know what I read in the newspapers."

You may not agree with some of the answers I propose, but until I can get better facts, I can only surmise. Nevertheless, I still want to say that I compare you with a few of those brave souls in this world who are willing to stand up and be counted * * * like those rare few who stood up against Hitler, the Japanese police, Stalin and his forces of security. May God bless you and your kind.

Very sincerely,

Harold H. Alldis.

P.S.—I had really planned to get involved in politics this year because I feel that Goldwater has alerted me to how far we have drifted, so that now, even the John Birch Society has become acceptable. But Johnson's excessive action has really confused me. If this is the kind of action I wanted, I would vote for Goldwater. Please don't let the Democrats be a "me too—but better" proposition. Stand for the direct opposite of Goldwater and give the American people a chance to vote on something. Johnson's action causes me to fear the worst: Perhaps Goldwater has a better grasp of the American voters mind, fears, and prejudice than I do. Maybe I am just a crank or a nonconformist or just a fuzzyheaded idealist or maybe a part of all these things, but I do hope I have the chance to vote on the inward feelings I have about civil rights and fairplay at home and abroad. I pray that the Democrats might provide that this year.

Lemont, Ill.,
August 7, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Although I have already wired you two congratulatory messages after having seen you on television and admired your courageous stand, I am adding further heartfelt gratitude to you here.

I hope you can spare a moment to read the enclosed copy, my letter to the Portland Oregonian editor. I have sent a copy of a similar letter to the Chicago Tribune to Senators Fulbright and Douglas.

Gratefully yours,

Mary Phillips.

Lemont, Ill.,
August 7, 1964.

Editor,
The Peoples Own Corner,
Portland Oregonian,
Portland, Oreg.

Sir: A widely quoted observation that "Truth is the first casualty of war," should have been pondered by our Government and a thorough investigation made to determine whether it was North or South Vietnamese forces which attacked our naval vessels in the Tonkin Gulf.

Seymour Topping reported from Saigon (Chicago's American, August 5), that rumors of a coup d'etat were circulating there: "U.S. officials were concerned about the political deterioration in Saigon. Unrest in the capital was attributed more to a clash of rival political and military personalities than to pressure from Communist Vietcong insurgents."

In recent weeks numerous reports have come from Vietnam that high placed military and political leaders were hostile to Khanh and wanted to get rid of him. Is it not possible that one of these factions might have plotted the attack on the *Maddox* in the hope that an expanded war would result and that the added turmoil would help them to unseat Khanh? Or on the other hand, Khanh himself might have been the perpetrator of the crime in the belief that expanded war would help him to hold on.

There are so many possibilities that we were misinformed, I consider it a tragic error that we did not hold our fire. Both sides should have been heard in the United Nations Security Council before we opened fire.

I am deeply grateful for the courageous stand of the Honorable Senator from Oregon, WAYNE MORSE, against expansion of the war. I congratulate all Oregonians on their election of this great statesman. We need more like him.

Very sincerely yours,

MARY PHILLIPS.

LAKESIDE, OHIO,
August 7, 1964.

Whereas we have for some time viewed with deep concern the increasing involvement of American troops in the war in Vietnam; and

Whereas we feel that the expansion of Communist influence in this area is being abetted rather than curbed by the present military action; and

Whereas we are convinced that the crisis in this area must ultimately be resolved around the conference table:

Therefore, we Unitarian-Universalists whose names appear below and who are attending the Ohio-Meadville District's Summer Institute at Lakeside, Ohio, respectfully urge our Congressmen to do all in their power: (1) to prevent the further escalation of the military action in Vietnam and southeast Asia and (2) to seek means of settling this crisis by means of conference.

Clarence Hunter, Worthington, Ohio.
Hannah Gall, Erie, Pa.
Carole Kirby, Bowling Green, Ohio.
Keith L. Smith, Charleston, W. Va.
R. F. Finston, Worthington, Ohio.
Wave A. Hunter, Worthington, Ohio.
Lucy Perry Buchanan, Columbus, Ohio.
Richard S. Gilbert, Charleston, W. Va.
Hans C. Hoornstra, Cleveland, Ohio.
David S. Gifford, Columbus, Ohio.
Bonita M. Post, Cleveland, Ohio.
Dorothy K. Gifford, Columbus, Ohio.
Ruth C. Achenbach, Columbus, Ohio.
Alice Mae Richards, Akron, Ohio.
Helen H. Dick, Belpre, Ohio.
Nancy C. Taylor, Pittsburgh, Pa.
Mary Silverman, Berea, Ohio.
Victor Silverman, Berea, Ohio.
Lyman Achenbach, Columbus, Ohio.
Fay P. Hoornstra, Cleveland, Ohio.
Dorothea A. Strong, Allison Park, Pa.
Marion Henry. Erie, Pa.
Donna Childers, Columbus, Ohio.
Anna Carolyn Veith, Westlake, Ohio.
Carol F. Schultz, Vienna, Ohio.
John A. Childers, Columbus, Ohio.
Ben Kjilchn, Kent, Ohio.
Barbara Stark, Tipton, Ga.
Kenneth S. Stark, Tipton, Ga.
Robert C. Shepard, Stow, Ohio.
Patricia S. Bieber, Cleveland, Ohio.
Dorothy M. Austin, Bay Village, Ohio.

CHICAGO, ILL.,
August 11, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: I would like to voice my support for your stand taken recently in opposition to increased U.S. military action in southeast Asia.

It is becoming more and more apparent that the United States is headed toward a policy of rejecting negotiation and the only sensible answer to the problems of southeast Asia, neutralization of the entire area. It seems we would rather spend enormous sums of money on military operations under the banner of "victory in South Vietnam" but whose efforts result only in more bodies strewn about the South Vietnam countryside and whose ultimate result may be another Korea, in a much more explosive international atmosphere.

The U.S. cannot go on equating neutralization of southeast Asia with loss of the area to the Communists. This attitude completely eliminates the possibility of a lasting and peaceful answer to southeast Asia's problems.

It is my opinion that the only answer to the conflict in Vietnam is a plan such as that favored in most European countries, that is neutralization not only of Vietnam but of the entire southeast Asia area. Surely all parties involved could reach some sort of acceptable agreement if the United States would put its support behind such a proposal. I sincerely hope you will continue your efforts to push our southeast Asian policy in a more sensible direction.

Sincerely,

WILLIAM DOMBROWSKI.

NAPA, CALIF.,
August 9, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: Bless you. Just when I am about to give up on the integrity of our country's posture in this troubled world your clear voice rings out and restores some of the national self-respect I keep losing.

Not that I have much hope. Why must we always wage peace with our friends rather than our adversaries? My father used to quote some one who said "As effective as to strike the sky with a rod of smoke." American citizens owe you a heavy debt of gratitude for your always forthright devotion to truth for the truth's sake.

Sincerely,

LOUISE SCHULZE.

ATLANTA, GA.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Although we are not residents of your home State of Oregon my wife and I would like to extend to you our very deep appreciation for your courage in speaking out so forthrightly in the present crisis concerning southeast Asia. Your voice has been among the few that have been raised against our highly dangerous policy that appears to be leading towards full scale war. Especially dreadful in the situation is the administration's tendency to cope with the Goldwater problem by giving in to just a little bit of Goldwaterism in foreign policy. President Johnson, even if he would wish to, is not likely to win a contest with the Republican candidate as to who can adopt a more belligerent stance. The shame of it is that there is good reason to believe that our unilateral commitments in Vietnam are distinctly unpopular and that the country really would listen to an approach geared to finding a peaceful solution to the conflict. In any event it is most encouraging to know that some Members of the Senate are exerting leadership in leading us to deal with this problem in rational, constructive terms.

I would very much appreciate your having sent on to us available copies of some of your recent Senate statements dealing with the Vietnam problem.

With many thanks for your brave efforts for peace.

Sincerely yours,

HERBERT SHAPIRO.

FREDERICK, MD.,
August 7, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Your position on the activities of the U.S. military in South Vietnam, as I understand it from TV newscasts, is that the U.S. military should not be there; that the United States is committing military provocation in a situation which is economic and political. You would have the United States get out of Vietnam.

The argument for U.S. action in Vietnam is based on the assumption (presumption?) of military activity in South Vietnam on the part of North Vietnam. I do not know if the "Vietcong" are South Vietnamese rebels or are North Vietnamese; whether the North Vietnamese inspired a rebellion in the lower country by sending in "subversives" or organized and/or staffed rebel forces or neither of these; whether or not the people, the "peasants," of South Vietnam favor the Saigon or local governments and system or favor Communist control.

I do not know how to judge the Vietnamese situation because I do not know the facts. I have only news reports and commentators' views to go on. Your views, I feel, are based not on anti-Communist prejudgment, but on interpretation of facts and rights of nations and peoples.

I ask you to supply me, if convenient, with the salient facts on the Vietnam problem or to tell me where I might find them.

I request this information not as a constituent, but as an American concerned with U.S. foreign policy.

Sincerely yours,

ROBERT W. BUTLER.

RICHMOND, VA.,
August 5, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Your office has a request for the pages from CONGRESSIONAL RECORD containing your remarks concerning your efforts to reduce current foreign aid appropriations. But I now must make another request. Will you see that I get for my private library, the pages of the RECORD containing the remarks you will make tomorrow about the "Resolution" on this Vietnam (North) action we are fooling with, so very far out of U.N. charter.

Thanking you very much for your kindness, I am,

Respectfully,

LESTER H. KYLE,
Lieutenant Colonel, A.U.S. (*Retired*).

WASHINGTON, D.C.
August 6, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Although I do not believe I agree with your point of view on our involvement in southeast Asia, I cannot help but agree that our presence inside a bay surrounded by Communist controlled countries was provoking (one needs only to think of our response to the Cuban threat and Cuba is not in the Gulf of Mexico, but more than 90 miles out to sea toward the ocean). Be that as it may, I would like to congratulate you for your courage in presenting dissenting views to our national policy at a time when it is most difficult.

If your office has copies of your speeches on Vietnam readily available, my wife and I would like very much to receive copies of the same.

Sincerely yours,

MICHAEL B. DANTZ.

LOS ANGELES, CALIF.,
August 9, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: It is reassuring to me to know that we have at least one voice of reason in the Government today. I greatly admire the stand that you have taken in current issues both on national and international affairs, and especially on the latest crises concerning North Vietnam.

Each day I become more alarmed and frightened by the actions and attitudes of our leaders in the Government. We live in such perilous times and yet it seems that people are motivated more and more by their own political futures.

I have great admiration for the stand that you take because I believe that you are one of the very few persons in the Government who speaks for sanity.

Sincerely yours,

GLADYS M. BARR.

MOUNT HOLLYWOOD
CONGREGATIONAL CHURCH,
Los Angeles, Calif., August 10, 1964.

President LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR MR. JOHNSON: We are troubled about the bombing of Vietnam. The fact that we are right, in a strict interpretation of international law, makes us no less troubled. We think the central fact is, our country is interfering in the internal affairs of North and South Vietnam, and opposing communism does not justify it. Let's aid in neutralizing that area in the same way that Egypt and India and Yugoslavia and Austria are neutralized; and then let's get our troops and Navy out of there.

Respectfully yours,

GRACE BOWMAN,
Secretary, Social Action Committee.

P.S.—We think it probable that in years to come the foreign policy dissent of Senators MORSE, FULBRIGHT, and GRUENING will be praised as voices of wisdom.

THE COMMITTEE.

(Copies to Senators MORSE, FULBRIGHT, GRUENING.)

BRYN MAWR, PA.,
August 13, 1964.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I am writing in appreciation of your forthright refusal to vote for the "predated declaration of war." This business of getting Congress to underwrite a policy in the midst of a "crisis" is a kind of bullying that ought to be shown up for what it is.

Since there is so little editorial support for even the slightest questioning of our position in Vietnam, all of us who loathe finding our Government pursuing a course of action ludicrously indefensible on moral, legal, and pragmatic grounds, all of us owe a debt to you as the only man in public life who calls attention to the fact that our policy in southeast Asia is being ghostwritten by John Foster Dulles and is the sibling of "massive retaliation," "agonizing reappraisal" and going to "the brink." I am fiercely partisan in this matter: Why should Democrats not demand something better than a watered down version of Goldwaterism?

I have written urging Senator CLARK to support you in calling for a redefinition of our policy, or at least of our political aims in Vietnam.

Sincerely yours,

ANN BERTHOFF

(An old admirer, since the day you gave our commencement address, Cornell College, 1945.)

P.S. The Christian Science Monitor (which supports not uncritically our efforts in Vietnam) prints today (August 13) an excerpt from the London Observer questioning our policy on two very interesting grounds. My guess is that they would be delighted to print a comment of yours on this analysis.

"U.S. POLICY IN VIETNAM

"What is so worrying about American policy in South Vietnam is not so much its present militancy—which is politically and diplomatically understandable—but its apparent failure to consider ways of extricating the United States from a basically untenable position. Seen as an attempt to achieve a better negotiating position, the U.S. policy make sense. But seen as an attempt to win a righteous war, it is frankly alarming. Yet this is how it is being presented to the American people, whatever the private reservations of some of the policymakers.

"There is a further reason for disquiet. America's militancy has increased in proportion to Russia's withdrawal from the scene in southeast Asia. The administration no doubt calculates that, without the backing of Russia, China is in no position to risk upgrading the war in South Vietnam from a guerrilla struggle to a full-scale conflict—in which her lack of modern arms, let alone nuclear weapons, would put her at a severe disadvantage.

"But, no matter how much Mr. Khrushchev might secretly want to see China humiliated, could Russia afford to let this happen? If she did, China's thesis—that Khrushchev is simply another white-skinned imperialist, no better than the capitalists of Wall Street—would appear to be vindicated. And China's position among the Communist Parties of the whole world, for whose allegiance Moscow and Peiping are contesting, would be immeasurably strengthened.

"It should be the aim of American foreign policy to avoid putting the Soviet Union into such a position. Russia's partial disengagement from southeast Asia may on the face of it, have given American greater freedom of maneuver—though it may also have weakened a restraining force in that part of the world. But, unless that freedom is used with great discretion, Washington could yet force the Russians to change their policies and hand an unexpected victory to Peiping.—The Observer (London)."

Since the State Department seeks to identify "neutralization" as De Gaulle's "sour grapes," I think it is vital for there to be given wide publicity to any statement which makes negotiation feasible, a realistic approach and just "humiliating withdrawal."

OAK PARK, ILL.,
August 11, 1964.

Senator MORSE, of Oregon,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I want to thank you and praise you for your vote against President Johnson's resolution of last Friday.

What a tradegy to see a great nation like the United States of America so misled that such a resolution would be accepted and approved with only two dissenting votes. You should be proud to be one of those dissenters. May you be richly rewarded.

My best wishes for your continued success and my deepest hopes for your growing influence in the days to come.

Sincerely,

HELEN R. LAUGHLIN.

PONTIAC, MICH.,
August 13, 1964.

DEAR SENATOR MORSE: I want to state in a few words, I thoroughly agree with you on the Vietnam policy and I say there are only a few who have the courage to stand up and speak for all to hear.

I hope there will be more like yourself, sir.

Sincerely,

MRS. LETTY SPOCK.

LOS ANGELES, CALIF.,
August 10, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Once again, may I commend you and offer my support for your clear and sane views on your southeast Asia policy.

Your criticism of our policy on South Vietnam and your constant warnings that the continued presence of our troops in that country will plunge us into a situation from which we will be unable to extricate ourselves is, unfortunately, fast becoming an accurate prediction. Yet we continue in the role of provocateur.

Congratulations for your vote against a "predated declaration of war." Why more of your colleagues were not willing to cast their vote against this resolution is difficult for me to understand. But at least the courage of you and Senator GRUENING is encouraging.

Yours very truly,

VIRGINIA KAHN.

LEMON GROVE, CALIF.

DEAR SENATOR MORSE: It is heart warming to us all to hear you speak out so clearly in this situation of South Vietnam—we have never had any business there—any more than we had in support of Rhee, Battista, or Chang Kai-shek. We need people like you in the Senate who think freshly and with integrity and who have the courage to express themselves.

Thank you.

MRS. OLIVIA W. DAVIS.

LOS ANGELES, CALIF.,
August 11, 1964.

DEAR SENATOR MORSE: When the history of the sordid episode in southeast Asia is written, you and Senator GRUENING will be the only men in Congress who will stand out as fighters against the cynical politics which has made this terrible situation possible.

Sincerely,

THOMAS AMNEUS.

CRESWELL, OREG.,
August 10, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: The cause of world law is very much in your debt because of your courageous stand on the Vietnam action.

In an hour of increasing conformism it is indeed heartening to know of at least two men who have the courage of their convictions, and who are not easily stampeded with the herd.

With our thanks and best wishes,

As ever,

WESLEY W. NIGHTINGALE.
JANET ALLEN NIGHTINGALE.

DALLES, OREG.,
August 16, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR MR. MORSE: First, let me congratulate you upon your stand concerning the war in Vietnam. I believe it takes a very courageous person to take such a stand in the face of so much opposition. For what little good it may do you, my husband and I want you to know that we back you 100 percent on this issue.

We also want you to know that we support S. 1932 and H.R. 7700.

MRS. E. W. JACOBSON.

SANTA MONICA, CALIF.,
August 18, 1964.

The Honorable WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: You have my wholehearted support in your opposition to present U.S. policy in South Vietnam.

I wish there were something I could do to implement your ideas.

Very truly,

ELIZABETH NICHOLSON.

WESTCHESTER, ILL.,
August 9, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I wish to congratulate you for your courage in this time of hysteria, against involvement in a war.

What are we doing so far away in the Gulf of Tonkin?

What would be our reaction if some of Red China's fleet was patrolling in the Gulf of Mexico?

Yours truly,
J. P. FETCHO.

NEPONSET, LONG ISLAND, N.Y.,
August 10, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR: In these dark days of war in the Far East, unrest and disregard of laws in our own South, it is so encouraging to hear your lone voice cry out in this wilderness.

To be a dissenter with the torch of honesty and truth takes great courage, and our eyes are turned to you.

Yours very respectfully,
LILLIAN R. WARWICK.

CHICAGO, ILL.,
August 10, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Congratulations on your refusal to sign Mr. Johnson's blank check.

I am certain that history will uphold your rejection of this dangerous act.

Sincerely yours,
RICHARD A. FIREMAN.

RIDGEFIELD, N.J.,
August 11, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: Want you to know how much I appreciate your continuing to fight for a peaceful solution to the situation in Vietnam. Reconvening the 14 nations for a conference seems to be the only rational way to stop the war from escalating into a world holacaust.

It has been very evident that the Vietnamese people have no will to fight and only want an opportunity to solve their own affairs without interference.

By bringing devastation to their land and continuing to send more and more American boys to die there will not solve the problem.

Thanks again for your forthright position in calling for our withdrawal of troops and a peaceful solution around the conference table.

Sincerely yours,
MORRIS BRAUNSTEIN.

PORTERSVILLE, PA.,
August 9, 1964.

DEAR SENATOR MORSE: I wish to congratulate and thank you on behalf of my grand- and great-grandchildren for your stand against our sons being used in the dirty plans of dollar-crazed madmen who seem to have learned nothing from 50 million lives snuffed out in two world wars, and for what? My first vote at 21 years was for a Republican, also it was my last. I voted for J.F.K. because he made such an earnest plea for the 17 million below the poverty line. Yet immediately he was embroiled in a Berlin crisis and enhanced the Vietnam dirty war that we took over when France was kicked out. How can any American who just wants to be a decent human being and believes (not in the meatless hogwash of so many of our spiritual advisors) but in the very plainly spelled-out Christian reality of the Gospel that is backed up with everything for the life, love, and care planted in mother earth, with no questions of doubt as it being for him. But he must dig it out. L.B.J. cannot justify what he is doing to anyone who dares to think in terms of Christianity.

Yours for more men like you. Your colleague from the cold country, with a warm heart.

Best,
G. SAUNDERS.

ELLENSBURG, WASH.,
August 8, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

YOUR HONOR: Congratulations on your shining sanity during the hour of crisis in Vietnam. We applaud your outspoken comments concerning the military.

Needless to say we never did believe the news reports justifying our actions and still do not. Therefore we were surprised and pleased to hear one voice speaking truthfully about the disguised aggressions of our country.

We look for your voice.

Sincerely yours,
Mr. and Mrs. ROGER E. JACKSON.

SEATTLE, WASH.,
August 8, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I am thanking you for efforts for negotiation of the trouble in Vietnam. War has never solved anything and never will and if we fire the first atom bomb Russia will immediately bomb us.

Sometimes I wonder if mankind is worth saving.

Thank you for standing almost alone for right.

George W. Norris, La Follette, Jeannette Rankin stood alone too.

In Nivinnah case was first asked for several righteous men were found the city would be saved. The last offer was if one righteous were found the city would be saved. Alas one was not found and we call ourselves civilized?

Thank you.

Mrs. CHAS. W. SCOTT.

SAN FRANCISCO, CALIF.,
August 12, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Your position on Vietnam and the foreign aid bill are highly appreciated.

S. ASTON.

MINNEAPOLIS, MINN.,
August 8, 1964.

DEAR SENATOR MORSE: Although I am not one of your constituents, I would like to commend you for your courageous stand in voting against the recent resolution on Vietnam. I am not a pacifist (absolute-style, I mean) nor am I a Communist sympathizer. But everything I read leads me to conclude that we are acting stupidly and dangerously over there.

Cordially,
PAUL E. MEEHL.

(Same to Senator GRUENING.)

BABBITT, MINN.,
August 10, 1964.

(This is a copy of a letter sent to Senators HUMPHREY and MCCARTHY and Congressman BLATNIK.)

We feel that Senator MORSE's position on warmongering in Vietnam was correct and you should support him even though it may seem unpopular at the moment. We are disappointed in you supporting the resolution on Vietnam; in so doing, you are carrying out the Goldwater program, in our opinion.

If the administration continues to carry out this policy in Vietnam, there will be a lot of confused voters in the coming election. While there is a fairly clear cut difference in domestic issues, there seems to be little choice for the voters on foreign policy. In the first place, we have no moral right interfering in the internal affairs of another nation and secondly, if we get in a real mess, GOLDWATER will use the same tactics that Ike used in Korea to get elected.

Sincerely,
HANNAH JOHNSON,
ANDY JOHNSON.

DEAR SENATOR MORSE: We wish to commend you on your courageous stand on exposing the warmongering in Vietnam, and for taking a stand against the resolution.

Mr. and Mrs. ANDY JOHNSON.

NEW YORK, N.Y.,
August 8, 1964.

DEAR SENATOR MORSE: Little as it may mean to you to receive one letter more out of the myriads of communications that are being now addressed to you, I am happy to add my own thin small note of praise to that myriad of voices.

Certainly it's meant a great deal to me and to people I know and love here in New York to have one or two gentlemen like yourself and Senator GRUENING attempting, despite all hysteria, to clarify the Vietnam situation and explore alternatives of thinking and reporting on what is taking place there.

I spent a short time there (in Saigon) at the time of the Buddhist hunger strike last summer, and saw the—what seemed to me—falsity of our position.

I imagine that if you keep trying to communicate, sooner or later some sense will break through, since it seems inevitable that as U.S. misapprehension and hysteria fades, the situation will resolve itself as other crisis situations have.

I think that if Johnson were to follow a more peaceable and less automatically hostile policy (to both China and North Vietnam, I mean) and tried to resolve the situation in South Vietnam into a neutralist calm, he would have more domestic support here than he figures on, despite the surface acrimony of "warhawk" propaganda. In other words I think a lot of the hysteria is quite arbitrary, the sense of fear arbitrary and not inevitable in the situation. Had he followed a straighter policy of neutralization and conciliation he might have evoked some of the sense of well-being and hope that Kennedy at least touched on, or seemed to, by hindsight.

Good luck and I hope you don't get depressed, all the noise in the papers, etc.

Sincerely,
ALLEN GINSBERG.

ROME, GA.,
August 12, 1964.

Hon. WAYNE MORSE,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: This letter is to express my thanks for your stand with the Senator from Alaska on giving the President the carte blanche to wage war on his own. It is truly amazing that only two recognized this direct assault on our Constitution. Of course this is not new but with each assault this provision that gives only Congress the right to declare war, gets dimmer and dimmer.

Roosevelt started this assault but masked it by getting Japan to attack. Truman continued the work by defying Congress and the voice of the people, and Johnson now ignores it completely and only two raise their voices.

May you continue to have faith in the American people to know what they are about and to know how to govern themselves even though your faith in us wavered when you voted for the civil rights legislation.

Sincerely yours,

GLENN D. CARLSON.

CLEVELAND HEIGHTS, OHIO,
August 9, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: Look magazine opens an article this week on "1914–18" with these words: "The Bloody Years of World War I still stand as a classic testament to man's capacity for folly." Now it looks as if our Government is committing itself to another nightmare of folly. I am glad one man in our Government has the courage to stand up and oppose this new stampede. I want to thank you for your speaking out against this new Korea. I think you would be surprised to know how many people agree with you.

Respectfully yours,

RUTH C. STEINBERG.

OLLIE, IOWA,
August 10, 1964.

Hon. WAYNE MORSE,
Senate Building,
Washington, D.C.

DEAR MR. MORSE: We wish to express our appreciation to you and the Alaska Senator for your stand against President Johnson and all the war-mongering, trigger-happy Congressmen who supported him in his actions in Vietnam.

It requires more courage to stand up for the right, than to hide behind a murderous weapon of war. He who fears his enemy is lost already; but he who loves his enemy is well along the road to changing him into a friend. While we were yet enemies, Jesus loved and died for us; therefore we must love our enemies, do good to those who hate us, and thus fulfill His commandment to "Love ye one another."

We have a son and we do not care to sacrifice him to moneyed interests, working through political maneuvering and military influence which have always been the causes of war.

If you have the time would you please pass this letter on to the Alaska Senator who voted with you?

Sincerely yours,

Mr. and Mrs. R. F. ACHESON.

ELMIRA, N.Y.,
August 11, 1964.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Please accept my gratitude and admiration for your opposition vote against the President's action in the Vietnam affair. The press has reported that you have said, "we are headed straight for war with China." I agree, that is our end and aim.

I spent nearly a quarter of a century working with the Chinese people first in China and then in New York City. In the year 1930 Chinese graduate students in New York City argued that the aim of U.S. foreign policy was to make China an American India. In the 34 years which have passed since that date we have reduced Japan, acquired South Korea, fortified Quemoy and Matsu, and now are struggling for a toehold in the southern peninsula. We are now almost ready to take on the whole of Chinese Asia. This will be our third world war.

In the Library of Congress (I suppose since it was copyrighted) is my history of the Chemung County branch of the Brooks family which I wrote for my nephews and nieces with the title "This Is Your Inheritance." The last 20 pages are called World War II from a point of view in China. I wish that this might be of some help in our crisis. The book is also in the Daughters of the American Revolution Library at 1776 D Street NW., Washington, D.C. Maybe one of your secretaries can check.

Thanking you again for your vote, I am,

Yours sincerely,

RACHEL G. BROOKS.

LOS ANGELES, CALIF.,
August 9, 1964.

President LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR PRESIDENT JOHNSON: We urge you to endorse and initiate full negotiations of the whole issue of South Vietnam and that the complete withdrawal of U.S. military personnel and equipment be our first overture of good faith.

The United States has been committed for 10 years in South Vietnam, to a policy for which we must expect retaliatory actions. To become indignant over the attacks by PT boats on our destroyers, whose presence is intimidating to the North Vietnamese, is pure hypocrisy.

The commitment of the United States in South Vietnam has made us a puppet to the fortunes and fears of the regime of Premier Nguyen Khanh. His bellicose and provocative statements and actions threaten the security of the whole world. In view of this, we support the stand taken by Senator WAYNE MORSE.

GORDON L. REEVES,
LOUDEAM A. REEVES.

NEW HAVEN, CONN.,
August 6, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: This letter is being written shortly after sending you a telegram expressing approval of your stand on the Vietnamese crisis as stated in the New York Times this morning. Since I am profoundly deaf, my information comes from the printed media, and, as I write this, I am not aware of any recent developments that may have been announced over the radio.

There are a number of questions existing in my mind demanding answers before I can express any approval of the administration's actions. Among these are the following:

1. Who was responsible for violating the Geneva treaty—North Vietnam or the United States? Did U.S. support for the Diem regime begin before active support for the South Vietnam rebels came from North Vietnam?

2. To what extent have the "routine" U.S. patrols in the Gulf of Tonkin been aiding South Vietnamese attacks on the North?

3. Were the U.S. raids partly motivated by fear of an impending coup in South Vietnam or by fear that the country may soon fall to the Vietcong? Despite attempts by the administration to make the U.S. position look favorable, news reports and maps of South Vietnam have shown steady gains by the Vietcong, until now they control much of the country surrounding Saigon.

4. To what extent were the raids motivated by the current political situation in this country? Is Johnson trying to prove that he can carry a bigger stick than GOLDWATER?

5. How much truth is there to reports of Vietcong terrorism against the peasants? The Communists have learned in the past that more effective results can be obtained by befriending the populace than by intimidating them. (An example is China, where there was widespread support for the Reds, while the American people were made to believe the opposite.) Force against the local peasants before all opposition has been eliminated would only harm the Vietcong's efforts.

6. How extensive, in terms of men, food, supplies, etc., is North Vietnamese involvement in the South? My own impression, from reading the newspapers, has been that most of the Vietcong's weapons are of U.S. manufacture.

While I consider myself a loyal U.S. citizen and have no desire to see the expansion of communism, I do think that one should give careful and thoughtful study to the history of Asia and the economic, historical, political and ideological background of that region—they undoubtedly play a major role in the present situation, more so than any desire on the part of Communists to gain power for the sake of power. The hasty "preventive" measures taken by this country have demonstrated no real concern for the welfare of the people or any understandings of their feelings or motivations. Why does the freedom of a people become our deep concern only when these people are threatened by an ideology foreign to our own? Are the people of Asia worse off under Communist efforts to develop their countries than they were under exploitation by the West?

Furthermore, by what right do we use our military power to seek "freedom" for citizens in foreign lands when we will not even use this power to guarantee the rights of our own citizens? Who can condemn terrorist tactics abroad without hanging his head in shame at the tactics being employed to intimidate our own Negro citizens and others trying to help them? Keeping people stirred up about events in foreign lands, stirring anger in them over insults to national prestige, and arousing fear concerning foreign ideologies is an effective way of taking their minds off domestic troubles. Is this not the tactic that has been used by the Chinese Communist leaders whose economic plans have not been met?

The world situation now is complex and I am well aware that there is no simple path to be followed in the attempt to preserve and increase our own freedoms and economic advantages while helping to develop the rest of the world and preventing it from falling to an ideology that glorifies the state. But we need to show a little more concern for the feelings of others and for their way of looking at things, realizing that our present position of superiority does not give us the right to tell others what is best for them and not worrying so much about insults to our national pride and image. As a supposedly educated people, we ought to be able to see how inconsequential the latter really are. I am as much opposed to Goldwaterism, which takes a narrow, limited view of our position in the world and which would lead this country down the same path all great empires which have gotten too idealistic and conceited have fallen, as I am to communism.

Before I close, I would like to state that I am a third-year graduate student from Massachusetts, studying for the Ph. D. in physics from Yale University on a National Science Foundation Fellowship. I have held several summer jobs with Government laboratories.

I hope that you will continue to take strong stands on issues, and continue your intelligent criticism of our Government's policies. Although I do not always agree with your conclusions, I appreciate the reasons behind your stands. A free nation requires citizens who are not afraid to stand up to their government, not citizens who emotionally support its every decision.

Yours sincerely,

RALPH F. GUERTIN.

SALEM, OREG.,
August 15, 1964.

Senator WAYNE L. MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I agree with you regarding foreign aid—cut that fund and send out more Peace Corps people, even to Harlem, New York City.

On the poverty question—let the men who make appropriations look at the lineup of unemployed along Burnside in Portland, Oreg., and make room for more than an even 200 men in work camps.

Concerning the election—let the Republicans who are candidates renounce any ties with GOLDWATER, as many voters have said, "I'm a Republican but I am voting a straight Democratic ticket."

I have voted for a Republican occasionally, but not this year.

On Vietnam: "Who was stupid enough to get America's feet stuck in that trap?" The Vietnamese have offered a fair "out"; that is, Vietnamese will not fight any other Vietnamese person unless an American is helping in the battle, an easy "out" for President Johnson and one which would kick all the GOLDWATER props out from under the Republicans' campaign. Don't continue the foolish Madame Nhu policy of beat them harder.

If President Johnson is as dishwater weak on civil rights in the future as in the past, and unless he gets out of Vietnam many people will have to write in your name for President and Senator FULBRIGHT for Vice President in November.

The United States is foolish to tremble over Cuban and Latin Americans' ideology. They are so poor and backward, who cares what their ideology is.

Very truly yours,

MRS. RAY THOMAS.

NEW ORLEANS, LA.,
August 13, 1964.

The Honorable SENATOR MORSE:

I would like to let you know that I approve of your vote on the resolution backing President Johnson's action in the southeast Asian crisis.

You are doing a wonderful job in Washington. We need more men like you.

I only wish that mothers would write you and let you know you are right.

Sincerely,

MRS. PAUL SCHUMACHER.

EVERETT, WASH.,
August 9, 1964.

DEAR SENATOR MORSE: My husband and I want to say a hearty "God bless you and thank you" for the wonderful courage you are showing in this Vietnam outrage.

Many of our friends share our views—you are not alone.

We are senior citizens and have lived through all of the wars since the Spanish-American in 1898.

Again God bless you.

MRS. CARL HAGEDORN.

INDIANAPOLIS, IND.,
August 10, 1964.

DEAR SENATOR: Regarding your recent statement made to the public, I highly respect and support your feelings.

Our pastor, Rev. James W. Jones, of Peoples Temple, Indianapolis, urged his congregation to write you for speaking out against the current crisis in South Vietnam. We do appreciate your honesty, and sincerely believe in your dedication to serve this country in such a matter even though you may seem to be a minority.

May God richly bless you in all your endeavors and may He strengthen you daily, guide and direct you with wisdom.

Yours in Christ,

MRS. LORETTA CORDELL.

SAN JOSE, CALIF.,
August 7, 1964.

Senator WAYNE MORSE,
U. S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I would like to take the opportunity to congratulate you on your courageous stand against President Johnson's military action in North Vietnam. I am deeply concerned by our country's arrogant attitude in southeast Asia, where it is engaged in open warfare without any declaration of war, and this latest action in North Vietnam is just another indication of President Johnson's desire to spread the war in this already wartorn area.

I know how difficult it is to assume a minority position in the face of overwhelming opposition, but this makes your stand even more commendable and you have my wholehearted support.

Sincerely yours,

JUDY RADER,
Senior, University of California.

AMERICUS, GA.,
August 8, 1964.

DEAR SIR: Please allow me to commend your honest and forthright vote against the congressional resolution supporting the recent action of the United States in North Vietnam.

Our Government should not be involved in a war in which we have no direct concern. I believe that this most recent intervention, which can lead only to further involvement, is basically a political gambit aimed at strengthening the prospects of Mr. Johnson's election.

Sincerely,

L. SCOTT MCNEIL.

BRANDON, FLA.,
August 9, 1964.

MY DEAR SENATOR: Please let me thank you for the great courage and moral principle you showed last weak in your speech against administration deeds and policy in Vietnam.

I hope you will continue to be the voice of the conscience of our country and work to get us out of the immoral war—and impractical and foolish too—which we have involved ourselves in on the other side of the world.

Sincerely yours,

ALICE COOPER.

CRAWFORDSVILLE, IND.,
July 29, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Earlier this week I heard a tape recorded interview on our Radio Station WIBC in Indianapolis, in which you expressed your views about South Vietnam, the war there and why the people of this country allowed the administration to let this happen and go on.

Well, I want to tell you Senator, the peoples' wishes don't count any more. The down to earth grassroots of America is hollering. They have been, but their voices are not listened to. I'll bet you a good "Dairy Queen" malt that if you could read the millions of letters that go to the White House you would get your eyes opened. Who do you think opens those letters first and sorts them? The people might as well save their 5 cents postage. In return they get a mimeographed answer. Done by some secretary or other office worker. Those letters are sorted in groups or categories, then given to some departments to read and etc. I even wonder if they are read at all. Ninety-nine percent goes to the State Department and just who is the State Department? Don't they or whoever they are conduct our foreign affairs? They do it to suit themselves. It has gone on far too long. Those in that Department don't have American interests at heart.

We could have been spared these lives that are being taken everyday in South Vietnam if General MacArthur had been allowed to win the Korean war as he wanted to. Mr. Truman had some insane adviser who wanted a no-win policy. Also the Communist Daily Worker had predicted the downfall of General MacArthur in a blast against him in their publication. They called him the last great American to fall. So we are still fighting and for what? The Communists have no intention of losing any of southeast Asia or any other country they enslave. The fall of French Indochina was plotted by the third meeting of the Communist Party after they organized. Khrushchev openly says he will see that Indonesia will get all the help it needs to take Malaysia. That will trigger the next war, but first they want America drained dry of men and resources, so they can conquer us too at the same time. The sooner we get some action by our Congressmen and Senators on throwing out these sympathizers in the State Department the better off America will be.

How stupid it is to believe anything Khrushchev promises to America. He has proven himself to be a liar a million times. A country that doesn't believe in God is void of all honesty. Just look what he did to a captain of an American ship, hauling American wheat. The captain said the Russian stevedores themselves said it was going to Cuba. The State Department put out a feeble news item that they protested vigorously. Believe that if you want to.

Another thing that is a travesty to us Americans is to let Communist propaganda mail travel free in America. What are we coming to? It shouldn't even be allowed at $1 per letter or pamphlet or anything else. Does any of ours go through their mails? I'll say not. We pay 5 cents postage now, as Americans, and the Postmaster General wants to raise the rates again. Shouldn't we come first?

Senator MORSE, I hope that you will see this and read it. The two Senators of my own State wouldn't bother to read this or any other complaint like it. It is like South Vietnam, it's a losing battle and no pattern for victory with us everyday Americans any more.

Very truly,

MRS. MELVIN BALES.

INTERLAKEN, SWITZERLAND,
August 7, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: Firstly, we thank you for a clear-headed stand in the Senate Foreign Relations Committee against the President's action in North Vietnam. It is a reassurance to know that not everyone is hasty to send our young men to fight a war they or we are not informed on.

Secondly, we assure you that we are in agreement with your opinions concerning North Vietnam and are not silent voices among our citizens.

Very truly yours,

Mr. and Mrs. ALPHONSE AVITABILE.

WILMETTE, ILL.,
August 11, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: We want to thank you for your protest against the U.S. bombing of ports in North Vietnam. We are dismayed by the U.S. policy in South Vietnam; instead of upholding freedom, we have been upholding a series of brutal dictatorships. Thank you again for speaking out.

Sincerely,

DAVID and RUTH BENNETT.

COLLEGE OF PHYSICIANS &
SURGEONS OF COLUMBIA UNIVERSITY,
New York, N.Y.

Senator WAYNE MORSE,
Democrat, Oregon,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I am long overdue in writing to thank you for battling against terrible odds on the matter of our involvement in Vietnam. I completely agree with your position, but as a citizen watching the executive and legislative process through newspapers, I grow increasingly discouraged that our policies often evolve to be what the CIA appears to want. Having just read "The Invisible Government" and "The Warfare State" (Fred J. Cook) I am more concerned that nonelected interest groups have the power to push the whole country in any direction they invent a story to cover. Both these books read like cops and robbers, but so do the front pages.

Thank you also for your general qualities of inquiry; I wish there were 20 Wayne Morses in Washington. We could then sleep easier.

Sincerely,

Sue Buckingham, M.D.,
Assistant Professor, Pediatric.

Hon. Wayne Morse,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Philadelphia, Pa.,
August 11, 1964.

Dear Senator Morse: Although my letter is belated, it does not lack intensity in praising you for your stand on the Vietnam crises, and in particular, the Gulf of Tonkin incident.

If there were more men like you in the Senate today, the world would probably be on the road to peace. As it is now, you are the one sane voice crying in a wilderness of "wild men." I fervently hope that soon your views on southeast Asia will take hold of our congressional leaders and make them face and accept reality. However, this is probably too much to hope for since most of them have been out of contact with reality for the last 20 years.

Even though I am a civil servant, employed by the Department of Defense I am strongly opposed to the Pentagon's philosophy of a military solution for southeast Asia. There can be none, I am convinced, and the only rational course would be to negotiate for neutralization of South Vietnam. I hope that you will continue to press your case to the American people on this issue. In so doing, you have my stanch support and great respect for your wisdom and courage.

Sincerely yours,

Lionel H. Medvene.

P.S.—My compliments to Senator Gruening also for his courageous stand.

New York, N.Y.,
August 6, 1964.

Senator Wayne Morse,
U.S. Senate Building,
Washington, D.C.

Dear Sir: As a private citizen deeply impressed by your position in relation to the present Vietnam crisis, I would be very glad if your office could send me whatever published material you may have setting forth the facts and the reasons for your recent statements that the United States has acted as a provocateur, as much as has North Vietnam, of hostilities in this area, and particularly the details of the position of our destroyers in the Gulf of Tonkin at the time of the attack by the vessels of South Vietnam on the shoreline of North Vietnam.

I make this request out of a desire to obtain more specific information about the war in Vietnam than is contained in the daily newspapers, not out of any wish to quote or republish such materials, and trust you can be of help in this direction, or can suggest how I can find out more about what is going on and how you, Senator Morse, feel about it.

Thanking you for your attention.

Very truly yours,

Yonah Richmond.

Brooklyn, N.Y.,
August 6, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I heard excerpts from your comments on the Tonkin Bay affair on television last night. I agree with your sentiments, as I am sure do many others. I admire your courage in voicing your convictions. While all Americans must back the Government's foreign policy and be willing to face the consequences, it is a great mistake to believe that these policies cannot be debated while they are being formulated and criticized when they are open to criticism. As you explained, the U.S. action against North Vietnam is certainly open to criticism. It would be a shame if action such as this, which might bring the most terrible consequences, were not fully debated.

Will you please send me a complete transcript of your speech on the Tonkin Bay situation.

Very truly yours,

Martin Schulman.

Washington, D.C.,
August 11, 1964.

Dear Senator Morse: Just a brief word of congratulations and support for your courageous minority stand re our war in Vietnam. I hope your voice will be heard and listened to in Congress and in the country as a whole.

Sincerely,

E. James Lieberman.

Berkeley, Calif.,
August 9, 1964.

Dear Senator Morse: Your comments on the position of this country in its actions in southeast Asia and your comments on the resolution passed by Congress giving the President special powers to deal with the situation there seem to deserve more attention than they are receiving.

I am particularly concerned with our apparent decision to go it alone there—with no consultation with our allies or the U.N.

Your courage in speaking your mind should be applauded and your counsel should be heeded.

Sincerely yours,

Lillian Marquis.

West Acton, Mass.,
August 11, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

My Dear Senator Morse: I am most anxious to express to you my gratitude for the sensitivity and up-to-date awareness you showed in your vote against Joint Resolution 189. Any resolution predicated, however subtly, on force cannot to my mind be within conscience.

You and Senator Gruening must know that there are many Americans behind your stand.

Yours sincerely,

Sarah Jeffries.

West Newbury, Mass.,
August 11, 1964.

My Dear Senator Morse: A couple of weeks ago I read your piece on Vietnam in the Progressive, and resolved to write you a note of congratulation. But I don't write to Senators easily; I assume that they must know as much as I do, and I cannot add very much. Then came your vote on this congressional orgasm about this Gulf of Tonkin foolishness, and I almost wrote you again. But my general unwillingness to add to busy senatorial mail prevailed and I did not. But your remarks over the radio this evening on the foreign aid bill overcame all my scruples. I hate to believe that you and I are the only sane people in the country, but I must tell you that at least one American (even though not a constituent—I am a registered Democrat in Key West, Fla.) agrees with you 100 percent. As a taxpayer I am perfectly willing to invest $3 or $10 billion a year in foreign aid, provided that it is aid for the right things, but this is just not what we have been doing.

Now, I never write letters of this kind unless I think that there is something to be done about the matter. This whole business of Vietnam, and the larger "foreign-aid" problem, has demonstrated the failure of our educational machinery. And I don't mean our schools and colleges. How many Americans realize that American policy spent the first decade after World War II and several hundred million dollars trying to subjugate Indochina (Vietnam) to the French, and the next decade, and several billion dollars, trying to get the Vietnamese to fight our undeclared war on China for us? (They don't seem to want to, which is just as well.) I cannot believe that Americans would approve these shenanigans, if they knew about them. The Louis Harris poll, reported in yesterday's Washington Post, asserts that the poll proved two things. Harris does not mention that the one thing that it did prove is that Americans know just too little about Vietnam, and not much else.

For reform, I'd like to start with the U.S. Office of Education. It should either change its name to "U.S. Office of Schools and Colleges" or else really set about the business of providing education through all the media of education that there are. We need a national effort to make sure that Americans know enough to reach intelligent decisions democratically. True, there is still plenty to be done about classroom education (for example, believe it or not, professors teach about China in our colleges who have never been in China). But our major educational deficiency is in the education of Americans whose classroom experience is long behind them. So far as I can make out, the foundations are not particularly interested in doing a real job at this level.

Sincerely yours,

Mortimer Graves.

P.S.—Please don't bother to reply unless you can think of something that I ought to be doing about it. As a matter of fact, I am and have been for many years—doing something about it. It goes without saying that I can elaborate on these subjects almost interminably, but I've tried to keep my letter short.

We Were Wrong on Vietnam

To the Editor of the Daily News:

I wonder if Newburyport, Mass., is not as good a place as any to begin to dispel some of the colossal ignorance about Vietnam which seems to possess the American people. The simple first fact to understand is that from the time of Potsdam, almost 20 years ago, where we acquiesced (or worse) in the plan to give Indochina back to the French, who had run out 4 years earlier on the Vietnamese and left them to the tender mercies of the Japanese, American actions with respect to Vietnam can fairly be described as despicable. We should all be ashamed of them; Gen. Douglas MacArthur said they made his "blood boil."

The story is long, complicated, and unpleasant, and cannot be told in detail in a simple letter to the editor, but some recent remarks in your Once Over Lightly column (which I admire very much) impel me to make a small observation with respect to one element in the picture.

You recount a protest by some Vietnamese students against the 1954 "partition" of Vietnam into North and South. Now, who partitioned Vietnam? Not the Geneva

Agreements of 1954, certainly. These did, indeed, accept as a military fact the 17th parallel as the "cease-fire" line between the defeated French and the magnificently courageous Vietnamese (those "won't fight" Vietnamese who dislike participating in our wars but seem to do pretty well on their own) who had just given the Franco-American attempt to subjugate them such a historic licking.

But the whole tone of the agreements is in terms of a unified Vietnam; in fact, one of their principal provisions was for a total general election within 2 years for the purpose. Unfortunately, the Dulles boys and their faineant President of the time did not want a free election unified Vietnam, so the signatories of the Geneva Agreements had hardly got their ballpoint pens back into their breast pockets before the agreements were sabotaged by the United States. This is the whole point of the Eisenhower letter to Ngo Dinh Diem with which President Johnson introduced his recent—miscalled "belligerent"—address.

And the 10 years which have intervened since 1954 have just provided a succession of episodes of this same character. I should be the first to agree that ignorance has been a larger ingredient in this process than malevolence, but I do not expect the rest of the world to see things in so charitable a light.

We should thank our lucky stars that, for the moment at least, we have a level-headed President with some conception of the complexities—mostly American politics—of a problem for which he is not responsible. The Johnson administration is saddled with the fulfillment of a commitment which it did not make. Honorably, it refuses to repudiate the commitment lest those who have depended upon it be harmed, but it must find a way to redress a grievous wrong of two decades' standing which if allowed to persist can only lead to disaster.

It will take national character and courage to admit that we have been wrong. Do we have it? That is our question. It is unfair to President Johnson to leave him up there to answer it alone, especially in an election year.

MORTIMER GRAVES.

DAYTON, OHIO,
August 10, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: This is to express my sincere appreciation to you for opposing the administration's mad recent moves in Vietnam. I feel we have no business over there. When will we ever grow up? When will we ever outgrow the childish and insane use of military might which only leaves more problems to be settled?

Thank you for your position.

Sincerely yours,
MRS. CHASE CONOVER.

RIDLEY PARK, PA.,
August 10, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Congratulations on the position you have taken re our involvement, present and past, in South Vietnam.

All other Washington officials have jumped on the bandwagon, even those whose logic I had come to depend on.

As a social scientist, I am really worried about the trends in thinking and action evidenced by the American populace. The emotional climate in the United States evidences deep running neurotic trends. The outcome could be disastrous.

Very truly,
EMILY M. FLETCHER COOPER.

OAK PARK, MICH.,
August 9, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I am writing for myself and my wife to say that we are proud of you and Senator GRUENING for having the courage of your convictions and standing up for your principles. Thank God that there were the two of you who refused your support to our Vietnam policy.

At this time yours may be voices in the wilderness but I feel that yours is the course that will lead us to peace and a peaceful solution in Vietnam and other places.

I am sorry I cannot vote for you. I do hope you will continue to be reelected for as many more times as you choose to run.

May I also add that even when I disagree with you I have respect for your courage and honesty.

Sincerely yours,
EUGENE BARON, O.D.

ACTON, MASS.,
August 11, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: May I congratulate you on your firm stand against the use of military force in the Vietnamese incident. Your vote against the joint resolution was courageous.

Sincerely,
JANE WESTOVER.

LOS ANGELES, CALIF.,
August 9, 1964.

DEAR MR. MORSE: I am writing to you to express my admiration of your frank and outspoken opposition to the war in South Vietnam and its extension to the north.

I have been writing to other Senators asking to join you in your efforts.

Respectfully yours,
ANNA WEISS.

EMBARRASS, MINN.,
August 8, 1964.

Senator WAYNE MORSE,
Senate Building,
Washington, D.C.

DEAR SIR: I wish to heartily endorse your stand on the vote on the resolution for the President's action in Vietnam.

One vote no longer seems to matter in this great Republic, particularly when action is taken before the public is informed.

I cross party and State lines to offer you encouragement for your courageous, individual stand. I can only hope men of peace will continue to speak out with reason before inflammatory actions bring about a disaster beyond any the world has yet seen.

Sincerely yours,
MRS. D. J. KIVELS.

P.S.—For the sake of the children, there must be no more war.

AUGUST 9, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: You deserve credit and thanks for your opposition to military action in Vietnam. Yours seems to be the only voice in the Senate to state the obvious fact that the United States shares the responsibility for the present crisis; in fact may be the major contributor to the crisis.

Instead of a war, a political solution is needed which is acceptable to the Vietnamese people and is recognized and guaranteed by the United Nations and China.

At this time when Congressmen are playing the dangerous and destructive game of manipulating the truth in the name of national security, you are especially to be commended for your insights into the situation and the courage you have shown by publicly sharing these insights.

Sincerely yours,
EDWARD LAZAR.
LYNN LAZAR.

PROVIDENCE, R.I.

MADISON, WIS.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: The citizens of this country, including myself, owe thanks to you for the courage which your speech of August 5 on the Vietnam incident indicates you have put in the service of our country.

Since as citizens we are not all actively involved in making Government decisions, and since in fact not all the information on which these decisions are based is made available to us, it is difficult or perhaps impossible to judge whether this or that course of action is the better for our Government to take. However, since all of us are interested—with adequate reason—in the effect of us of any Government action, we tend to have opinions which are, perhaps, supported with more of zeal and passion than of knowledge and wisdom.

For this reason we undoubtedly owe you, in addition to our thanks, an apology for the harsh criticism with which some of us will have greeted your speech—a criticism which will rarely recognize either the manifest and sincere concern for our country which you have displayed, or the possible truth and accuracy of your facts and inferences.

The first oversight is unjust to you; the second oversight is dangerous to ourselves. This danger is reason for us to ask that you continue to bear the consequences of the first so that we have some hope of avoiding the second. (In this connection I recall that both Senator FULBRIGHT and Senator SALTONSTALL, when given an excellent opportunity on television to do so, failed to comment on your conjecture as to the position of our ships when fired upon. Since this failure tends to confirm the conjecture, they should be admonished to be more diligent in making the truth known, or more bold in supporting what they otherwise must consider to be a useful falsehood.)

Now for the reasons above I extend my sincere thanks that you have agreed to serve in the Senate of the United States of America; we are a better country because of that decision.

CHARLES C. CONLEY.

SILVER SPRING, MD.,
August 8, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I want to commend you for your stand in southeast Asia.

I am with you all the way.

Sincerely yours,
EDITH TIPPERMAN.

NEW YORK, N.Y.,
August 8, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I am writing to commend you on your courageous and forthright stand on the President's proclamation on the war in Vietnam. I strongly resent the assumption on the part of President Johnson and other leaders that they speak with the full support of the American people in an unjust and unjustifiable war.

In a time when we are threatened in both our domestic and foreign policies by ultraconservative and reactionary forces, the voices of protest and liberalism seem increasingly silent. It is for this reason I am writing, asking that you continue to speak for those of us who do not and will not accede to the injustices being carried out under the guise of exalted American responsibility.

Very truly yours,

David Eliscu.

Los Angeles, Calif.,
August 6, 1964.

Dear Senator Morse: I cannot adequately express my admiration and gratitude for your courageous stand against the war in Vietnam. In times like these I know it is difficult to almost singlehandedly fight for the right against all the forces of reaction in Congress but I know that you must do it for all of us who share your views and who will eventually be joined by more as the truth becomes known. Please be assured that I will do whatever I can to spread the facts before all I can reach. I am this day appealing to our newly appointed Senator from California, Pierre Salinger, to join you in working for peace in southeast Asia.

With every good wish for you,

Sincerely,

Mrs. LaRue McCormick.

Drexel Hill, Pa.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Bravo, Senator Morse, bravo.

For many years, I have been praising your courage; for many years, I have been lauding your independence; for many years, my friends have been referring to you as "Andy's Senator" when they wish to refer to you (pro or con); and for many years, I have put off writing you to praise your courage, laud your independence, and ask you to count me among those who support you in your many unpopular stands.

I can make no more excuses for not writing now, because I fear that the entire weight of the country is going to be brought against you and your stand on the Vietnam mess, and I want you to know that there is support for you and your stand. You are not alone.

You know—as well as those who are doing it—that the American people are easily manipulated. It won't take too long for the American people who, until recently, didn't want war to be clamoring to "Remember the Maine" or "Avenge the burning of the Reichstag."

I regret that I am not an Oregonian so that I may say proudly, "My Senator has brains and guts."

Bravo, sir, bravo.

Respectfully,

Andrew Kevorkian.

Los Angeles, Calif.,
August 5, 1964,

Subject: South Vietnam.
President L. Johnson,
White House,
Washington, D.C.

Dear Mr. President: The attacks on North Vietnam may widen the war.

The alleged attack on U.S. military ships in the Gulf of Tonkin is insufficient justification for the rash action suggested. The various nonresident forces in the area should withdraw to allow a peaceful settlement under the United Nations.

Sincerely,

Jacob Sherman.

(Copies to Senator T. Kuchel and Senator W. Morse.)

Wilmington, Ohio,
August 8, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: This is to express my appreciation for your vote against the joint resolution on policy in southeast Asia. I am glad also for your vigorous and constant questioning of our actions in Vietnam.

A matter of great concern to me is that in these actions that affect us so vitally we are almost entirely in the dark as to what the facts are. This situation is well illustrated by the question as to whether our destroyers "collaborated" with South Vietnamese ships in attacks on North Vietnam.

With every good wish.

Sincerely yours,

Warren Griffiths.

Selah, Wash.,
August 7, 1964.

Senator Wayne Morse.

Dear Sir: May I take this opportunity to say that I agree with your position on U.S. policy in southeast Asia. I hope your courage in taking a public stand on this issue will awaken others to your way of thinking.

Sincerely,

Mrs. John T. Randolph.

Bayside, N.Y.,
August 6, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I understand that you cast the lone vote against the resolution approving U.S. military action against North Vietnam bases.

While you may not receive many letters of praise for your wise and well-considered vote, let me say that I regret I am not an Oregonian—I would consider it an honor to vote for your reelection.

Very truly yours,

John Strauss.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you for your courageous stand on the South Vietnam crisis. The only practical step, as you have been saying for some time, is to get our forces out of such places where the people can very well run their own affairs, and where we run the serious risk of setting off a real global holocaust. I hope you can have some influence with the present administration, to show them that they are carrying out just as bad a foreign policy as would the archreactionary Barry Goldwater. The voters would have a difficult decision to make if they were extremely interested in peace and survival, and I think they are.

Yours very truly,

B. Linton.

Santa Barbara, Calif.,
August 9, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: One still small voice is so priceless to me. I'm grateful for yours.

I heard only a part of your address on CBS or NBC and noted your vote on President Johnson's Vietnam resolution. It seemed to me that only time and history, if we are so blessed to have a future history, will give your words and vote the eloquence they deserve.

In the meantime, if you have a copy of your TV recorded view, would you be so good as to send it to me. I need ammunition for my conviction that we can no longer fight with guns for peace, that the day has come when only a better idea can afford us the security we once imagined in armaments.

Gratefully yours,

Emily Lawrence Newton.

Philadelphia, Pa.,
August 7, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Sir: We are deeply grateful for your courageous "No" in the voting on military actions in southeast Asia.

In turbulent times like these your sober appraisal of events and your steady voice in support of law and humaneness are more needed than ever.

Respectfully yours,

Dr. Hans Rademacher.
Irma W. Rademacher.

Vashon, Wash.,
August 11, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Although I am not one of your constituents, may I assure you that there is much support, unfortunately inarticulate, for your recent statements on the Vietnam situation.

As you may know, the Seattle newspapers pretend you don't exist, unless you are attacked, and we must depend for news of your views on the occasional notice taken of you by television, and on magazines such as the "Progressive."

I know of no way to give you effective aid, but please accept my gratitude for your unfailing respect for equity among nations. Your words give us the rare opportunity to feel pride rather than shame, and I am so sorry that you must, almost alone, bear the expense of recouping some of our national respect, and even self-respect. Your courage is an inspiration.

Sincerely,

Edwin K. Cole.

Columbus, Ohio,
August 10, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: The petition, a copy of which is enclosed, was hurriedly obtained to try to influence our Congressmen against the recently passed resolution on southeast Asia moves.

A few at our institute wrote letters commending your stand and I am glad to say you have some stanch supporters among the Unitarians.

I personally want to congratulate you for your courageous and principled stand. What a wonderful world it would be if we had 50 more Senators like you and Senator Gruening.

Sincerely,

John A. Childers.

Nossaman, Thompson, Waters & Moss,
Los Angeles, Calif., August 11, 1964.

Hon. Wayne Morse,
U.S. Senator from Oregon,
Senate Office Building,
Washington, D.C.
Hon. Ernest Gruening,
U.S. Senator from Alaska,
Senate Office Building,
Washington, D.C.

Dear Sirs: I congratulate you both on two things, your opposition to foreign aid and to President Johnson's personal war in South Vietnam which was begun by President Kennedy.

Foreign aid will rank as the greatest fraud in human history. It has cost the United States over $100 billion, none of which was our money, but all of which added to the more than $300 billion of indebtedness, which will never be paid, hanging over the people of the United States. We, of course, will never have an accounting of where these vast sums went or of who actually received them. We can perhaps get some idea from the fact that two West African chiefs have recently built themselves $10 or $12 million marble palaces out of these handouts. There was another West African chief, a year or so ago, who spent a day or two shopping in New York and ended up with about $1 million in expensive equipment. No one will ever know how many South American and other dictators have been made millionaires by this program. American bankers doing business in South America estimate that perhaps from 40 to 50 percent of American aid filters through to its intended purposes, where we may safely assume it is incompetently expended.

No folly could possibly approach that of foreign aid—unless it is the proposal to spend some $20 billion in trying to put a man on the moon. My recollection is that Senator Morse has spoken out against this program also.

So far as South Vietnam is concerned, we simply have no business there. The fact that this tiny strip of cobra-infested jungle may go Communist is no concern of ours. The alternative would seem to be that we stand guard over it permanently and keep ourselves embroiled in the affairs of this half-civilized little country. We exhibited no particular concern when, without protest or interference, we let Eastern Europe, an infinitely more important area, drift into communism.

I am a Republican and regret that no prominent Republican has seen fit to speak out on these issues and to support the stand which you two gentlemen have so courageously taken. I am sending a copy of this letter to a few other persons who might be interested in its subject matter.

Yours very truly,

Walter L. Nossaman.

Los Angeles, Calif.,
August 5, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We support your position on South Vietnam. You are a courageous man to adhere to the principle of world peace through the machinery of the United Nations, when both political parties wish to attain our goals by military force. Thank you.

Frederic G. Marks.

Dear Senator: Permit me to give my moral and spiritual support for your courageous speech following the so-called attack on the U.S. fleet by North Vietnamese PT boats.

Could anyone in this country, or the world for that matter, actually believe this to be true without extreme provocation on our part? It seems we are intent on engaging them in war by fair means or foul, and this would seem to be the device. I for one can't swallow the yarn that they attacked us without provocation.

I am a registered Republican, in your camp, and hope you will have the strength to continue the fight for some semblance of sanity in this situation.

Please accept my best wishes.

Sincerely,

Andrew T. Culloden.

Flossmoor, Ill.

Brooklyn, N.Y.,
August 8, 1964.

Dear Senator Morse: Only by negotiation can we hope to extricate ourselves from the disaster which the policy of force being employed under the orders of President Johnson in southeast Asia forebodes for the world.

Your courageous stand for a cease-fire in Vietnam and withdrawal of American troops has given heart to the forces of peace and sanity in our country.

Respectfully yours,

Cecelia Wolfson.

Greenbelt, Md.,
August 4, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I cannot send you a communication on any matter without at the same time telling you how thoroughly I agree with your views on Vietnam. I want to commend you most highly for the splendid, courageous and forceful way you have spoken out on numerous occasions against the wrong and folly, as we see it, of our Government's course in regard to Vietnam. I have heard and seen you speak on this matter at least twice on television (on the "Today" program). I have written to President Johnson twice protesting against our policy in Vietnam, and urging a negotiated settlement and neutralization of the whole Indochinese peninsula, and collected 22 additional signatures on my last letter. But it does not look as if all the protests against U.S. participation in and support of the war in Vietnam were going to succeed in changing U.S. policy. There are not enough protests.

I applaud you also for all your efforts to help the poor and unfortunate people. If we could just have a lot more Senators and Representatives like you, how much better off our country and the world would be.

With best wishes, I am,

Sincerely,

Mrs. Elsie B. Reeves.

P.S.—Even since the Vietnam crisis you still maintain your good sense—you and Senator Gruening. I knew you would.

Whitefish, Mont.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you for the "no" vote on the resolution to back the administration's latest move to extend the war in Vietnam and thus bring the world closer to the brink of an unthinkable nuclear war. We strongly believe that the cause of peace can best be served only if we get out of South Vietnam, and now North Vietnam, too. Would that there were more Senators as courageous as you and Senator Gruening.

Very truly yours,

Mr. and Mrs. Wilferd Pedersen.

Oskaloosa, Iowa,
August 10, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: At this occasion must congratulate you for the dissenting vote cast by you against the superimposition of power for President Johnson by both the House and Senate. This gives President Johnson the indiscriminate authority to use uncontrollable force "in aggressive warfare and undeclared war," without Senate approval in specific instances. This is contrary, to the will of the Constitution which desires to keep the peace. By his action President Johnson did in South Vietnam retaliate not only against the first offense but took occasion to instigate a "second aggressive offensive" not granted him by the Constitution or the Congress. This is tyranny and aggressive action due to superimposition of unlawful authority.

It was you and Senator Ernest Gruening who voted right on this matter, the rest voted in a schizophrenic or insane manner, that will greatly hurt the prestige of America in all the world. Please thank Senator Gruening for me, regarding the rightness of this dissenting vote against unauthorized superimposed unconstitutional authority of power for the President of the United States.

I have on several occasions notified President Johnson, that "no power on earth" will be able to prevent the Communist takeover in the Orient or East. This includes also Vietnam. It is a waste of lives and material on our part to defend Vietnam against aggression. It is a violation by us against their sovereignty as a Nation. De Gaulle had the right solution (neutralize the Orient), this President Johnson ignored because of his megacephalic authority foisted upon him by the Congress.

Sincerely,

Walter T. Oetjen.

Los Angeles, Calif.,
August 7, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: It was very heartening to us to hear your comments on the Vietnam matter, and we commend you highly for speaking out. We wish there were more men of your caliber in Congress. We hope fervently that you will continue to use your influence to keep us out of war.

Respectfully yours,

Ben and Ella Walt.

Roseville, Mich.,
August 9, 1964.

Senator Wayne Morse.

Dear Mr. Morse: Commendations and a grateful thanks for offering what appears at present to be one of the only two sane voices in the country on Vietnam situation. Although I am not a constituent of yours I feel you are representing the true wishes of most of the American people who will have to fight the war which Johnson is brewing.

Yours truly,

Rosalind Weltman.

Princeton, N.J.,
August 10, 1964.

The Honorable Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I would like to express my appreciation of the forthright stand you have taken on the floor of the Senate regarding our role in Vietnam. It takes no little courage to support an unpopular position, as you and Senator Gruening did, in the face of widespread opposition and jingoistic fervor.

Although I am not a constituent of yours, and hence my support won't be of much significance, I nevertheless feel that you should know that I, my wife, and many of my friends here at Princeton have great respect for your and Senator Gruening's efforts. I hope that you will have some success in rallying your colleagues to the McGovern proposal.

Sincerely,

Chandler Davidson.

Hamlin, N.Y.,
August 11, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

My Dear Senator: I am one of the millions of Americans who applaud your courageous action in opposing the madness of our policy in Vietnam and its inherent threat to the peace of the world. More power to you.

Personally, I deplore our intransigent attitude toward little Cuba, while at the same time we hob-nob with the beast Franco and bolster his rotten dictatorship by millions in subsidies.

I hope you will work for the withdrawal of our troops from all parts of the globe, and a resumption of our policy time-honored in the past, of minding our own business.

While political beatings, torture, and murder is rampart in the South, and bitter poverty affects millions of our people, it would seem that we have enough to do to mind our own business.

We are neither good enough nor big enough to run the whole damned world.

Respectfully yours,

JOHN D. LA WALL.

P.S.—My father was a Union soldier, my uncle left his arm at Gettysburg, and at the age of 15 I served in the Philippines in the Spanish-American War.

Could you kindly send me a roster of the Senate?

TURN TOWARD PEACE,
New York, N.Y., August 8, 1964.

DEAR SIR: Let me urge you to take time out of a busy life to read the enclosed leaflet on South Vietnam by Robert S. Browne. We send it to you not as an official statement of "Turn Toward Peace"; as an organization of organizations it does not issue such official documents. "Turn Toward Peace" does want to promote discussion, and I can tell you that the general line of Mr. Browne's leaflet is accepted by a great many of the organizations participating in "Turn Toward Peace" as well as by many others unofficially represented at two conferences concerned with this subject.

I think the recent events in the Bay of Tonkin and our aerial bombardment of North Vietnam reinforce the conclusions of this paper. Our involvement in Vietnam is in itself a provocation which can only drag us in deeper and deeper. If we truly seek peace in southeast Asia we should immediately take steps to internationalize the situation, to end unilateral United States involvement, and to see that serious negotiations begin.

I myself, speaking as Norman Thomas rather than officially as chairman of anything, believe that our Government's present policy will, in the long run, help more than hurt aggressive communism throughout the world; further, it points steadily toward Asian, or probably world, war. A political solution may be difficult. A military solution is impossible.

Sincerely yours,

NORMAN THOMAS.

AMHERST, MASS.,
August 9, 1964.

Hon. WAYNE MORSE,
Senator of the United States,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR: Permit me, though not one of your constituents, to express my deep admiration for the courage and wisdom you have exhibited by opposing the recent resolution of the Congress concerning the U.S. policy in southeast Asia. It will be long remembered by many who think like you that you and Senator GRUENING were the lonely dissenters in an emotion-conditioned move that may well be the gravest political error of this generation. The traditional missionary zeal of the Americans who believe that they are destined to bring "the law to the lesser breeds" once again has induced them to identify their own interests with the general postulate of freedom, an attitude which our enemies not unjustly may stigmatize as "imperialism."

I visited Saigon 2 years ago. The impression I gained is that we cannot win this war and the sooner we disengage ourselves the better for us and for them.

Respectfully yours,

KARL LOEWENSTEIN.

SEATTLE, WASH.,
August 9, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: We write to congratulate you on your stand in the Senate on the Vietnam resolution, and to encourage you to continue to try to voice constructive alternatives to this very complicated problem.

We are supporting the positions of people like yourself, and trying to see that they reach as wide an audience as possible.

Sincerely yours,

ANNE M. and DAVID R. STADLER.

P.S.—If your office could also convey this message to the office of Senator GRUENING from Alaska, we would like to extend it to him as well.

CORONA DEL MAR, CALIF.,
August 18, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I want to take this time to express my hearty support on your position regarding our entire conduct to date in South Vietnam. I am particularly proud that you had the courage to again be one of the tiny Senate minority who would express their opposition.

You presented the facts most sincerely and effectively and from what I read you received very good press coverage on your views. Very serious mistakes are presently being made in our national policies and it would be nice to be able to see some way of altering this imprudent and rather disastrous course in southeast Asia. The United Nations is fully prepared to accept these responsibilities and each of these that it can successfully tackle and accomplish helps to build a stronger and more effective U.N. Are we so afraid of our position in the U.N.?

I would appreciate your comments regarding the compromise rider of DIRKSEN and MANSFIELD on the issue of legislative apportionment. I can understand GOLDWATER'S need for delaying this constitutional requirement, but cannot quite understand the Democratic Party's need and presumed support of DIRKSEN'S rider. Just what are these facts as you see them?

It is both interesting and frightening to see the clear and distinct parallels between the birth and development of fascism in Germany and the beginnings I see in the rise of BARRY GOLDWATER. A rereading of Fromm's book, "Escape From Freedom," helps to explain the rising force of America's brand of fascism. I think that GOLDWATER'S use of the word "extremism" helps to further delude the American people. I am reminded that Hitler never was elected, and I would guess that BARRY'S "army" will play an equally dirty game of politics. It would be nice to think that America's intellect is superior to Germany's and that the intellectual resistance will be much more vigorous. Will it?

Best regards,

GEORGE R. HERMACH.

LA JOLLA, CALIF.,
August 19, 1964.

The Honorable WAYNE MORSE,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR MORSE: I want to express my deep gratitude for the lonely and courageous stand which you have taken against the war in Vietnam, for your clarifying of the issue whenever possible (notably in the article in the August Progressive), and especially for your vote against the resolution to give the President power to expand the war.

One negative vote, in a situation and at a time like this, can have historic significance. It may be the nucleus for a rift in a policy which looks unalterable. I believe reality and right are both on your side.

With gratitude and admiration,

Yours sincerely,

HELEN M. BEARDSLEY.

WEST SLAYTON, OREG.,
August 21, 1964.

MY DEAR SENATOR: Just received your letter on the Johnson and McNamara war in Vietnam. The Kennedy and Eisenhower war in Cuba, the Truman police action in Korea. I am against the whole kit and kaboodle and I would advise the foreign aid to get out of business lock, stock, and barrel. I have oodles and gobs of friends that feel the same way I do; (2) Now then I am for a graduated income tax, graduated production tax, graduated ownership tax.

Keeping in mind maximum efficiency with a minimum-size operation; (3) all Federal incomes to be divided 50–50 with the State or States from whence the income came from; (4) the States to run their own health, welfare, and education; (5) and I am for Senator WAYNE MORSE most of the time.

Respectfully your friend,

Mr. and Mrs. C. A. KEIRSEY.

CHICAGO, ILL.,
August 11, 1964.

Senator WAYNE MORSE,
Senator from Oregon,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I want to express my gratitude to you for having voted against the "predated declaration of war" which your colleagues approved last week.

It was gratifying to see that at least one legislator had the good sense to call a spade a spade and spoke out against the questionable and reprehensible and hasty act committed by our government in reprisal for acts equally reprehensible.

It seems that many of our leaders have not yet fully realized that conditions in the world in 1964 are different from any previous time in man's history and therefore require different treatment.

There must be thousands of us appreciating your independent thinking. I certainly do.

Respectfully yours,

KENNETH R. BURLEY.

THE BAPTIST STUDENT CENTER,
San Jose, Calif., August 11, 1964.

Senator WAYNE MORSE.

DEAR SENATOR MORSE: I wish to thank you most heartly for your stand on Vietnam, and for your excellent article in the last "Progressive."

If we don't commit suicide over Vietnam, you will have a great deal of credit for saving us and the world.

Sincerely yours,

GEORGE L. COLLINS.

BRONX, N.Y.,
August 8, 1964.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Applause for a sane voice in this new hysteria around the Vietnam war.

My wire to President Johnson, "You are falling into GOLDWATER'S trap by escalating war in Vietnam without justification," has gone unanswered.

Your courage and independence give hope, however, that others will join you—and that we'll achieve peace in our lifetime.

Sincerely yours,

MILDRED NULLER.

St. Petersburg, Fla.,
August 8, 1964.

Senator Wayne Morse.

Dear Senator: I wish to express my alarm and sorrow at the deterioration in Vietnam. With the possible extension of armed conflict with all its profound tragic consequences to millions of people.

I support your courageous stand with my humble appreciation.

May it strengthen your efforts to seek peace to end these hostilities so all nations and people will bring these problems to a conference and seek solution with peace and justice in our hearts.

Very truly yours,
Maude Doolittle.
Sydney J. Birdsey.

August 7, 1964.

Senator Wayne Morse,
Senate Building,
Washington, D.C.

Dear Mr. Morse: I am writing to express my appreciation for the speech you made August 4 criticizing American policy in Vietnam. The only outcome of such a policy could be sending more and more men to fight, exchange of fire with North Vietnam, bombings and finally war unless there is a reversal because the people do not want such a war. I was appalled at the unanimous approval (with your exception) of President Johnson's "brinksmanship," which is certainly the opposite of statesmanship.

Thank you again for bringing a little light and clarity (and sanity) to the Senate.

Frances Scafidi.
(Mrs. A. Scafidi).
Cleveland Heights, Ohio.

Chapel Hill, N.C.,
August 7, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Yesterday I wired President Johnson urging him to support your position on Vietnam and to call for negotiations through the Geneva conference for a settlement of the southeast Asia crisis. It is good to know that are at least two Members of the U.S. Senate who are willing to stand up to the military and refuse their blessing on this war—carrying on where the French left off. The French were involved because Indochina was their colony. We say we are involved for the sake of "freedom," even though the man we are supporting never won his place through anything more democratic than a military coup. We are supporting a government that is not being supported by the people. Over and over I've said this to the President but I may as well have saved my breath to cool my porridge.

I shall not wear you down with a long harangue. I want simply to thank you for your courage and to commend you. I wish that our Senators from North Carolina had the same courage.

I did not know that Senator Gruening had stood with you until the newscast a few hours ago. I am sending him a copy of this note—as well as my own two Senators, Mr. Ervin and Mr. Jordan.

Cordially,
Charlotte Adams.

Los Angeles, Calif.
August 6, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I am grateful to you for the humanity, good judgment, and courage which you showed in your latest speech upon the situation in Vietnam.

It is tragic that American officials seem so willing to sacrifice American lives and risk the danger of an atomic war to support the interests of the government cliche in South Vietnam.

With thanks and sincere good wishes,
Anna Nacke.

St. Louis, Mo.,
August 7, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Because you will receive many letters condemning your vote on the South Vietnam situation resolution, I want you to know that there are some people who do support your stand. When I finish this brief note to you, I intend to write a similar one to Senator Gruening.

All this turmoil growing out of torpedoes that missed their mark is ridiculous. Furthermore, how are we to be sure that the whole "attack" was not a fabrication on the part of our "ally", South Vietnam, in order to get us more thoroughly involved in the war, as the Kahnh government had been urging us to be in the weeks immediately preceeding the attack? Or, worse, could it be "the invisible government" in action again?

At any rate, let us hope that we will not be pushed over the brink by whoever is doing the pushing.

In closing, let me add that I hope you will continue to be able to maintain your lonely stand and to vote the courage of your convictions. You are not alone, and I do hope others who think as I, and my husband, do, will write to tell you so.

Sincerely,
Barbara B. Wolfe.
Mrs. Alvin W. Wolfe.

August 6, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

My Dear Senator Morse: God give you strength to continue lifting your voice in this era of falsehood and deceptions.

Surely you are a greater patriot than those who would send our men to be killed and to kill others.

May your tribe increase.

Sincerely yours,
Mrs. Hattie Paskin.
Los Angeles.

Senator Morse Assails U.S. as "Provocateur"

Washington.—Senator Wayne Morse, Democrat, of Oregon, yesterday assailed the United States as a "provocateur" in South Vietnam and said he will not support a "predated declaration of war" in Asia.

Morse, a consistent critic of U.S. maintenance of troops in South Vietnam, voiced his opposition as the Senate's leadership mapped plans to push through a resolution backing President Johnson in whatever steps are necessary to preserve peace and freedom in southeast Asia.

He charged, in a Senate speech, that the incidents which inspired the resolution—on which the Senate Foreign Relations and Armed Services Committees will meet at 9 a.m. today—"is as much the doing of the United States as it is the doing of North Vietnam."

The resolution, expected to have overwhelming bipartisan backing, is expected to be introduced in the Senate tomorrow.

Morse charged that a forerunner to the attacks on the U.S. destroyers was a known bombardment by South Vietnamese naval vessels of "two North Vietnamese islands within 3 to 5 or 6 miles of the main coast of North Vietnam."

He said the "clear implication" of that incident is that the U.S. Navy stood guard while vessels of South Vietnam shelled North Vietnam.

Morse declared that the United States has much to lose and little to gain by continuing its "unilateral military action in southeast Asia, unsanctioned by the United Nations, and unaccompanied by allies" and should "strike a blow for peace" at the conference table.

"I shall not support any substitute which takes the form of a predated declaration of war," he declared. "I shall not support any delegation of the duty of Congress—of Congress—not the President—to determine an issue of war or peace.

"I shall not support any substitute which takes the form of military action to expand the war or that encourages our puppets in Saigon to expand the war."

Ann Arbor, Mich.,
August 7, 1964.

Senator Wayne Morse,
U.S. Senate Building,
Washington, D.C.

Dear Sir: I am writing this letter about your dissent vote regarding the resolution backing President Johnson's action in southeast Asia.

I think you are absolutely right in your vote. We should gradually remove all our forces from South Vietnam. I think the French found this out after so many years there.

Thank you.

Sincerely yours,
Clyde J. Bennett.

Edgartown, Mass.,
August 7, 1964.

Hon. Wayne Morse,
Senator from Oregon,
Washington, D.C.

Dear Sir: May I congratulate you for your courageous stand against administration policy on Vietnam. Believe me, there are millions of Americans who feel as you do. Please keep up the good fight.

Sincerely yours,
Samuel Prescott Fay, Jr.

Crawfordsville, Ind.,
August 8, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you for your courageous and intelligent stand on the Vietnam-Gulf of Tonkin question. We need more intelligence with our courage.

I have spent the past 5 years teaching chemistry in India, and hope to return next year. I have seen that the problems in Asia are not primarily military. We need time, not war, in order to help Asians with their task of building freedom in Asia. As India well knows, freedom from foreign rule and from communism does not insure freedom from hunger, from the misuse of freedom, etc. And for most of the fathers and mothers who are seeing their children go hungry, freedom from hunger is more important than political freedom.

We need time. The unwillingness to practice the art of Yankee trading and disproportionate retaliation are not the best ways to obtain the time we need.

Thank you for your statements and vote.

Sincerely yours,
William E. Bauer.

Milwaukee, Wis.,
August 6,1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you for the comments you made on the floor of the Senate in regard to the Vietnam crisis. Yours is the sole voice of sanity in our Government.

We join you in refusing to support a deliberately conceived "predated declaration of war" to quote your excellent statement.

Sincerely,

Ralph Sacks.

Cazenovia, N.Y.,
August 6, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Mr. Morse: I want to tell you how much I have respected and admired you for the wise analysis and counsel you have been giving the American people about Vietnam. If we had followed your advice months ago, we could have avoided our present dangerous predicament. Your courageous stand these last few terrible days has been an inspiration to us all.

Keep up your good work.

Very sincerely yours,

Jane Grey Anderson.

State University of Iowa,
Iowa City, Iowa, August 7, 1964.

Senator Wayne Morse,
Senate Office Building.

Dear Senator Morse: Congratulations on your courageous stand against the administration's reckless policy in Vietnam. Someday it will be generally acknowledged that you were right and the rest of your colleagues wrong about this issue. In the meantime, I hope you will keep up the good work for a long time to come.

Yours,

Christopher Lasch,
Associate Professor of History.

New York, N.Y.

Wayne Morse,
Washington, D.C.

Dear Mr. Morse: I am completely behind your position for getting U.S. troops out of Vietnam and using the U.N. rather than the military to preserve world peace. Thank you, sir, so much for being sane. The rational world, even if they don't realize it, congratulate you on your intelligent stand.

Thank you,

Sincerely,

Marion Shatun.

Detroit, Mich.,
August 7, 1964.

Hon. Wayne Morse,
Washington, D.C.

Dear Senator Morse: Thank you for the fortitude you have shown in withstanding the blandishments of powerful interests apparently bent on dragging this country into a war thousands of miles from our shores, meanwhile neglecting domestic issues crying for attention.

Yours may be a lone voice but you are on the side of truth.

Yours very truly,

Wesley M. Witwer.

Dallas, Tex.,
August 8, 1964.

Hon. Lyndon Johnson,
President, United States,
Washington, D.C.

Dear Mr. President: Our present dilemma in Vietnam points up how fantastically ridiculous it is for us to continue to bar Red China from the United Nations. If that country were a member, grievances could be taken before the U.N. and we would have some hope for a solution of the problem.

To Asians I can imagine that your statement that we "have acted and always will act in self-defense," goes over like a lead ballon. They must draw a parallel between this country and Germany and Italy when the later two countries were miles from their own country bombing the devil out of people.

For the sake of God and humanity, let's go about bringing an end to the war in Vietnam.

Very sincerely,

Cordye Hall.

Copy to Hon. Wayne Morse.

Lidice Is Not Forgotten

Editor, the Record: It was 22 years ago today (June 10, 1942) that Hitler and his Nazis destroyed and razed the little village of Lidice * * * in Czechoslovakia.

That morning Hitler's Nazis took out every male in the village from 16-year-old boys to the oldest men, and lined them up and mowed them down with machine-gun fire. They huddled the women in army trucks and took them to concentration camps, and scattered the children throughout Germany. The entire village was stripped; * * * the buildings were razed with army bulldozers, and the stones and lumber were carted away; the ground was leveled; only a part of the foundation of the old village church and of the Horak home are seen. A little brook runs through the village. * * *

In 1926 I passed through Lidice on my way to Kladno. My friend John Jindra of Emerson visited the old site of Lidice last year. * * * The Czecks have have left it as it was the day the Nazis destroyed it. But on its boundary has been built a memorial park with rose gardens, and the rose plants growing there were sent from all parts of the world. The men and families have a fitting memorial.

After a lapse of 23 years my wife and I went to Czechoslovakia. We arrived in Praha August 13, 1961, the day the Communists finished the Berlin wall. The Czecks of Praha were celebrating the news: they said they should put a wall along the border so there would be no more Lidices.

After 2 days in Praha I went to the village where my mother was born more than 100 years ago. It is a village similar to Lidice. Its name is Maly Bor—Small Boro.

We spoke about the Berlin wall. The Czechoslovaks, the Yugoslavs, and the Polish nation want the wall to stand. They know that had Hitler and the Nazis won, within 40 to 50 years there would have been no Polish, Yugoslav, or Czech schools; all would have been Nazified and German would be the only language spoken. They want no united Germany. They will unite to fight to keep their nationalities. There was once a great Austro-Hungarian empire. What is left is Austria—population, about 8 million. They are independent of Germany. East Germany, with a population of about 18 million, can get along independently.

We known the Berlin wall is a monstrosity. The murdering and shooting down of innocent boys and fathers; the razing of an entire village; the carting off of its women and children; the wiping it off the face of the earth by man, not by natural forces, is a greater monstrosity.

William Zabransky, Jr.

Little Ferry, *June 10, 1964.*

Sacramento, Calif.,
August 13, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you for speaking out on the Vietnam situation.

Yours was a voice of reason. I only hope that others will be strengthened by your courage and insight.

This is not a time for unity toward war. I wish that you were the Senator from my State. I am thankful that you represent the ideas and ideals of interest to me.

Respectfully yours,

Harry Aron, Ph. D.,
Professor of Psychology.

San Lorenzo, Calif.,
August 8, 1964.

The Honorable Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: I wish to commend you for the stand you have taken during the present Vietnam crisis. As a wife and mother of four children I am deeply concerned that other Senators and Congressmen have not taken such a similar courageous stand. I have written both my Congressman and Senator urging them to do all in their power to see that our Nation acts through the United Nations to keep from starting a nuclear war. I have written a similar request to the President of the United States. Please keep on supporting your suggested course of action—the only sensible way of thinking in the atomic age.

Sincerely,

Mrs. Russell Tausheck.

New York, N.Y.,
August 5, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: As a student of political science I have often been disturbed by the seeming broad agreement on an American foreign policy which often lacks any sense. Now and then I have come across statements you have made in an attempt to reorient our foreign policy. However, it is almost impossible to locate any of your speeches in the New York press. Indeed only the Times mentions your statements but there is rarely an amplification. I would appreciate any reprints of your speeches on foreign aid and southeast Asia. If this would not be possible, an indication of where I might locate the aforementioned would be appreciated.

Respectfully,

Ronald Bayer.

Minneapolis, Minn.,
August 9, 1964.

The Honorable Wayne Morse,
U.S. Senate Office Building,
Washington, D.C.

My Dear Senator Morse: Before another day passes, let me express my hearty agreement with your remarks on the Vietnam crisis, and those reasons you expressed for refusing to join in the congressional vote of confidence and authorization of greatly extended powers to the President.

I had a queasy feeling that this affair in the Bay of Tonkin was nothing more than a clever political ploy by the administration to confound the Goldwater opposition. Since Johnson's action was essentially what Goldwater has been clamoring for, this put Goldwater in a position of enforced agreement with the Johnson move, this checkmating (or at least stalemating) Goldwater's arguments that the Johnson forces have been "soft" in the Vietnam affair. And President Johnson most probably reasoned that the Communist Chinese would not react with war, and even if they did, they cannot react with nuclear arms, and with the Sino-Soviet dispute in force, Russia probably would not intervene in such a localized matter. While this calculating may be accurate, and may have "paid off," it consists of the greatest immorality known to 20th century man, namely the gambling with the entire populations of the Northern Hemisphere.

It has been told me, over and over again, that we should not expect "morality" in international affairs. This is why I was so heartened to hear your plea for looking at this issue in a moral light, and for looking at it as * * * say * * * the Turks are now looking at it, doing precisely what we did, only this time against Cyprus. Tit for tat, they say. And, of course, they are right * * * if we were.

The news media made the worst of your remarks, and never did tell the listening or reading public here in Minneapolis who the other Senator was who voted with you against the congressional support vote. I would be curious to know who he was, and his reasons for voting against the overwhelming tide.

Thank you for being, as you always have been, our most courageous Senator. I only wish a third party movement had a chance in America. I'd organize it, and nominate you. Seriously, however * * * such a thing is desperately needed. Have you any thoughts on this you could share with us here?

Sincerely,

BETTE CHAMBERS.

BROOKLYN, N.Y.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I wish to compliment you on your display of integrity and courage in opposing our Nation's gleeful drift toward disaster in Asia and moral loss everywhere. The events which led up to our air attacks against North Vietnam territory are not yet clear to this writer. However, the scale of our retaliation—which attacked "supporting facilities" as well as warships was completely out of proportion to the stated provocation. Restraint, not over reacting, would have been a more fitting response for a nation that is both secure in the strength and convinced of the righteousness of its cause.

I cannot conceive that our Nation chooses to be the implacable enemy of one-fourth of mankind.

I would like very much to receive from your office available reports on the nature of our Nation's involvement in Vietnam and the nature of the regime we are supporting there with our blood and money. I treat most official statements on the crisis there with much skepticism.

Respectfully yours,

DAVID EUGENE BLANK.

HOLLYWOOD CULTURAL CLUB,
August 11, 1964.

Senator WAYNE MORSE,
Senate,
Washington, D.C.

DEAR SENATOR MORSE: We members of Hollywood Cultural Club of Los Angeles, Calif., admire and support wholeheartedly your sane and courageous stand on the grave situation in South Vietnam.

Your views and opinion are correct and true to the facts prevalent in southeast Asia and particularly in Vietnam.

Therefore we all join you in the righteous fight against this undeclared, by our Congress, war to cease the losses of young American lives.

We wish you many scores of healthy and fruitful years of life in our beautiful country; we also wish you to retain the strength of your convictions.

Respectfully yours,

SAMUEL ROSENTHAL, *President.*
DORA H. SHAPIRO, *Secretary.*

WILLOWDALE, ONTARIO, CANADA,
August 6, 1964.

Senator WAYNE MORSE,
Washington, D.C.,
United States of America.

HONORED SIR: Let me express my sincere appreciation for your moral and political courage. I am sure the thinking world regrets that you are not the President of the United States of America.

It is an insult to the average intelligence to assert that a peanut nation like North Vietnam would dare to risk annihilation by an unprovoked attack on the mighty United States of America.

President Johnson strives to steal the thunder from Mr. GOLDWATER—and—will do so—at any cost. Hence the present crisis.

Similar to Korea, we can lose a "conventional" war in North Vietnam—the same enemy, on his own ground.

Seen in action, this breed of fighting man has no equal.

The Commies stole the blueprint from Rome; grab the kid at birth, close his mind, but eliminate the fear of hell.

Korea saw mere boys from Florida and California, who never had seen snow, unable to climb steep hills under a 70-pound pack, slaughtered like sheep. Frostbite casualties were enormous. These kids were up against warmly clad "monkeys" with a bag of rice at their belt, and a burp gun, who skipped up and down steep rocks that would scare a goat. The tough lads who made the hilltop, soon ran out of ammunition. The trucks with "ammo" were sidetracked into a ditch on the only road up front. The beer and ice cream trucks, plus Bob Hope's entertainment mob, had priority.

In any conventional war, men who take a car to buy some smokes are no match for these millions of spindly legged Commies who can—somehow—pack 140 pounds, barefooted up hill, drop his load and be ready to fight. And in this new job in North Vietnam we have the selfsame setup as in Korea. Hence the idea of hiring the same kind of breed in South Vietnam, asking them to fight for money. The Commies have the "legs" and also a belief we Catholics envy; we are not ready to die for the notion like Commies do. North Vietnam wrecked quite a flock of French governments, and licked 600,000 French troops. President De Gaulle must now be dying laughing. He knew. Now American lads are going to die asprawl French graves before it is over.

Anyone ask Mr. Johnson what he will do with North and South Vietnam once the war is won; if ever?

Can we rule southeast Asia which will be boiling with a supreme hatred when it is all over?

Only history will prove that Senator WAYNE MORSE was about the only man in the United States of America who had the ability to see and think clearly on foreign affairs.

Thank you, sir, for reading this letter.

Yours respectfully,

M. J. CAVENEY.

AUGUST 11, 1964.

DEAR SENATOR MORSE: I should like to express my admiration for your courage in voting against the resolution on Vietnam, and may I say sir; that I completely agree with you.

I have written to President Johnson voicing these opinions.

Respectfully yours,

SYMA KAUFMAN.

SEATTLE, WASH.,
August 6, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SIR: I saw a small article in the Seattle P.I. where you opposed the Senators' move to really get us into this darn war for which I thank you.

Lately, we have been fed on war propaganda so much that it is getting sickening. And this P.I. is about the worst.

Yours truly,

GEORGE AUSTIN.

CHICAGO, ILL.

Senator MORSE.

KIND SIR: We, a majority of American people, extend our felicitations and praise for your courage in criticizing the actions of war by our President. Were a referendum instituted probably 80 to 85 percent of our population would be opposed to our action in either South or North Vietnam.

We will not fall for the pentagonic shibboleth of Communist aggression in order to further the former's military aggression.

People are asking what are we doing there, knowing we support military government at the rate of $1½ million per day.

I, as well as many of our citizens, would be ready to bear arms against any enemy approaching our shores.

May health and courage maintain your logic and wisdom in this matter and others where danger confronts the human race to the point of annihilation.

Good luck to you.

JOS. LISS.

ROCHESTER, N.Y.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Building,
Washington, D.C.

DEAR SIR: I have read your views on the U.S. policy in Vietnam which is in violation of the U.N. Charter.

I should like to inform you that I agree with your viewpoint and, in view of the recent U.S. military action, I also support your position in the Senate.

I feel that military force is no substitute for peaceful negotiation in Vietnam.

Very truly,

P. A. BODEN.

GREEN'S FARM, CONN.,
August 6, 1964.

Senator WAYNE MORSE,
The Senate,
Washington, D.C.

DEAR SENATOR MORSE: I heartily approve of your stand in refusing to approve of the resolution backing the President's stand in regard to southeast Asia.

It takes great courage to raise a minority voice of protest. I hope you will continue to do so. I also hope there will be a reevaluation of our presence in southeast Asia. I believe we have "no business to be there," except to uphold our prestige, and feel that the position of our warships in the Gulf of Tonkin is provocative in the extreme, just as that of Russian ships in the Caribbean would be to us.

Sincerely yours,

Mrs. DONALD C. HARRISON.

CLEVELAND, OHIO,
August 9, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: It is most heartening to know that you have taken a forthright stand in favor of a sensible program for dealing with the situation in Vietnam.

I am quite unable to understand why the United Nations has not yet been requested to send forces into this troubled spot. U.S. unilateral action there bespeaks an arrogant attitude which ill-becomes the leading democracy of the world.

Your stand is admirable.

Respectfully yours,

EDNA K. VON PISCHKE.

LOS ANGELES, CALIF.,
August 9, 1964.

Senators WAYNE MORSE, ERNEST GRUENING,
U.S. Senate.

HONORABLE SIRS: Salutations, in that one voice or two the courage to stand by their honest convictions. Great leadership "fer shure," if every voice eager to cry "me too," just to be on the side of popular bravado.

It happens to be the isolated opinion of this humble human that Vietnam—nay—nor any other part of the globe is worth the life of any subject in pursuit of either aggression of defending it.

From this, an artistic picture of how much value one lone human able to put upon the way of life in any part of our "as is" world where milling at the effects of ills, that is the thing to whoop it up over, rather than the causes. Nor can any evidence for faith be conjoured for a better world with due and humane respect for all life. With no faith for the betterment of the human animal, what a far cry any hope for the lower.

Very respectfully,

Mrs. Jean Montague.

Oakland, Calif.,
August 9, 1964.

Senator Wayne Morse,

Dear Sir: Just to let you know that a great many people would be glad that you voted against Johnson in dispute with Vietnam. If they had the opportunity to be informed, and to have read your previous speeches.

Sincerely yours,

Mrs. J. E. Biallas.

Berkeley, Calif.,
August 8, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: In the newspapers on the west coast we have been getting only "official" explanations and speculation on developments in Vietnam. Only by chance did I hear on radio any coverage of your views. As usual, on a major foreign policy issue we are getting absolutely no dialog.

I can't say that I support your views because they are not making the press. However, I urge you to maintain vocally an independent position in the hope that a more sane view of this business will gain currency.

Yours truly,

Daniel J. Roland.

West Covina, Calif.,
August 10, 1964.

Dear Senator Morse: Applaud your stand on Vietnam and admire the courage which it must have taken to voice such a view.

Sincerely,

Patricia Marion.

Denver, Colo.,
August 10, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator: I wish to congratulate you on your position regarding Vietnam.

We should get out of there. The associate editor of the Denver Post, who has been visiting Vietnam and southeast Asia, reports in the Denver Post that the people of South Vietnam are no more prepared or capable of governing themselves than we are of living on the moon.

Have the people who have been promoting this action in Vietnam thought this whole business through? How many puppet governments (inefficient) are we going to set up over there? and for how many decades?

Sincerely yours,

S. N. Burch.

New York, N.Y.,

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I cannot thank you enough for the position you have taken in opposing our actions in southeast Asia. More strength and courage to you because you are so right.

Sincerely,

Lilette Hindin.

Belmont, Vt.,
August 8, 1964.

Senator Wayne Morse,
Senate Building,
Washington, D.C.

Dear Senator Morse: My husband and I would like to offer you our warm congratulations and support regarding your recent statements on Vietnam. At a time when conformity is more and more the rule, no matter what the cost, it is heartening to know that there are even a few people like yourself who are unafraid to come forward with sane and honest criticism of a policy which is surely insane and can only lead to greater conflict.

I would hope that you have received many letters and telegrams such as this one, for you certainly deserve them.

Most sincerely,

Robert and Louise De Cormier.

August 5, 1964.

Dear Senator Morse: Thank you for being honest and courageous in your vote re the resolution on Vietnam.

Florence I. Hosch.

New York, N.Y.,
August 6, 1964.

Dear Senator Morse: Just a note to tell you how much I admire the position you took today in the Foreign Relations Committee hearings.

It is, I am sure, a lonely time for you, standing against the combined jingoism of the Pentagon, the press, and your own colleagues.

This is to let you know that you are not alone.

Best wishes.

Kenneth Mills.

New York, N.Y.,
August 6, 1964.

Dear Sir: Bless you for protesting this miserable Vietnamese war while all the arrogant super patriots fall in line. Have you heard the song which says, "When will we ever learn? This is what puzzles and worries thousands of us. Thank you again, sir.

Paula Klinghoffer.

Amarillo, Tex.,
August 7, 1964.

Senator Wayne Morse,
U.S. Senate Building,
Washington, D.C.

Sir: Congratulations. You need congratulations for not going along with the crowd and becoming a puppet string for Johnson to manipulate. Congratulations for thinking alone and not with the crowd and voting your convictions and with your "good conscience." You stand out a greater man than those who think they must let Johnson pull the puppet strings for them, because if the puppet does not work they are afraid Johnson will lay it aside, throw it away, and get him another puppet on the Hill.

The press nor the Hill did not constantly condemn Johnson during this crisis and blame him for the crisis as it did to John F. Kennedy. No. They did not go back and review all of Johnson's braggings and boastings and gleating about our going into North Vietnam and taking over. Johnson thought his speaking was carrying a big stick and that Red China would lay down and play dead. Since it did not, he used a western-picture saying—"shoot to kill." I believe the saying is "shoot him dead," but isn't shoot to kill makes them dead? Yes, our dear small-minded press will not review all of Johnson's spouting at the mouth that got us in the trouble, because we are a perfect nation and play to win under Johnson no matter how we play.

The press constantly attacked and blamed President Kennedy, but not Johnson. Johnson had advertised his major policy speech for California, I remember. His loud talk and boasting had it advertised quite some time before the day came. Then he made his speech, and the reporters got them a magnifying glass picking out sentence after sentence trying to find that major foreign policy sentence. Sure enough after much straining of the eyes the sentence was found and stressed and stressed and stressed. It was that the war was being carried into North Vietnam. Since Johnson had had this stressed I guess he thought that we could move ships and planes and equipment at will without retaliation.

Last week, though, Johnson got nervous over his major policy speech and instead of blaming himself and his boastings, he blamed the press for making it dangerous stressing the fact that we were going into North Vietnam. The press, being on Johnson's side, the side of bluffing the people, took it like a man the accusations the President handed out to them. If this were Kennedy, the press would have crucified him more and more instead of accepting the blame. That would have been managing the news or keeping things secret or making policies without the people knowing—they would not have taken the accusations like a man like they did under Johnson. Was Johnson then carrying the war to North Vietnam and the Red Chinese revealed it all with the flareup?

Who really came out ahead? This might stop Johnson for a while in spreading the war as that little incident could have embarrassed the United States. But the press will not review all of Johnson's mouthing out his feelers trying to find out how to perform his foreign policies in favor to the name Johnson—that would glorify Johnson and would get no criticism. So we become a perfect Nation which is infallible. The blame is all on the other side. Johnson's mouth did not stir up a thing as he was only feeling so he could do everything just as the people wanted him to, to get his votes. That is the little way Johnson has always practiced politics, but as President he is going have to learn that you do it because it is right and that the United States is not perfect and every little rotten thing United States performs will some day be counted against her. Oh. Johnson is advertised as the man that gets things done without paying any attention to the means. Some day the means will teach us that everything we accomplish is held against us because we did not pay any attention to the way we got where we arrived at our goal. Johnson will pay some day for the ugly way he does things just to put stars in Johnson's crown. So, congratulations, Honorable Morse for a man who thinks and who does not believe the United States is perfect in all its dealings and who has not become a puppet that has to go along with Johnson and his manipulating. Thank you for not becoming another "it" for Johnson to control but is keeping your human character of being a "thou."

Sincerely,

Edna Adams.

Tracy, Calif.

Senator Wayne Morse,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Senator: Just a word to you in regard to your protests against Congress giving Johnson "blanket authority to wage war and the White House having too much power." I thank God for men like you and Senator Ernest Gruening of Alaska. God bless you both.

Sincerely,

James C. McCusker.

August 7, 1964.

Dear Senator: I congratulate you for your courage in standing up against the rest of your spineless colleagues who think that freedom is best served by rattling our rockets. Your stand brings to mind another futile attempt by a courageous Congresswoman from Montana some 20 years ago.

Certainly the road to moderation serves freedom much better than winning useless wars that only prove that our weapons are superior and more numerous.

Yours sincerely,

MICHAEL DAVID.

BELLINGHAM, WASH.,
August 10, 1964.

WAYNE MORSE,
U.S. Senator,
Washington, D.C.

DEAR SENATOR MORSE: I wish to thank you for your courage and good judgment in speaking out as you have relative to the situation into which we have been thrust in Vietnam.

Why our leadership insists upon brutalizing another generation of our children in the name of "peace" and "morality" is something that only Satan could know. It appears that the people of this Nation are not going to experience reality and learn the proper lessons of history until they have been blasted out of their own cities and their own homes. Apparently they cannot learn from the record of the past which lies open before them, they must take their example from the comic strips, the television set and the movies.

Don't stop fighting, and God bless you.

Very truly yours,

JOHN R. KELLY.

ORLANDO, FLA.,
August 8, 1964.

DEAR SENATOR MORSE: I want to thank you for speaking against the war in Vietnam. We have no moral right there or in the Gulf of Tonkin.

You and Senator GRUENING are the only ones to lift your voices against our presence in the southeast Asia region.

Do all the others believe that our wealth and military power give us a right to dictate to all the world?

"Our intervention is very praiseworthy, but what their neighbors do is aggression." How much of the world sees it in that light with us?

Again I am glad you speak out.

Sincerely,

BERTHA E. DAVIS.

NEW YORK, N.Y.,
August 8, 1964.

DEAR SENATOR MORSE: I have been heartened for some months by your honest and resolute stand on Vietnam.

Your courageous stand was continued in the vote yesterday against giving a blank check to President Johnson in his disastrous course. I have expressed this separately, and at greater length to Senator GRUENING.

The two of you certainly stand out from the herd of Congressmen—egregiously (obs.).

Please keep it up.

Respectfully yours,

ROBERT MEETON.

P.S.—I have also sent Senator GRUENING a carbon copy of a letter I sent President Johnson following his brief live television announcement the other night. If you are curious, ask him to let you see it.

DISTRICT 65, RETAIL, WHOLESALE & DEPARTMENT STORE UNION, AFL–CIO,
NEW YORK, N.Y., *August 6, 1964.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: The enclosed document is a copy of a letter sent to President Johnson today.

In light of your courageous leadership, we want you to know what we are doing.

Sincerely and respectfully yours,

DAVID LIVINGSTON,
President.

To All Members of District 65:

By decision of the general council consisting of all the stewards of our union, the following letter was sent to President Johnson. We urge that you read it and discuss it with your shopmates.

AUGUST 5, 1964.

President LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Approximately 1,000 stewards constituting the General Council of District 65, representing more than 30,000 workers, met tonight and discussed the crisis in southeast Asia. With 4 abstentions and 10 opposed, we voted to send you this letter. We met as loyal Americans, good trade-unionists and consistent supporters of you, Mr. President and your administration. As a matter of fact, our main business tonight was detailed preparation to assure your reelection and the defeat of your dangerous opponent.

We are sure that you would want to hear how the elected representatives of our members feel. Of course we condemn an attack on American ships in international waters. We cannot understand what motivated the attack or its ultimate purpose. Whether it is a provocation or a trap, as some newspapers say, we could not know.

What we do know and deeply feel is that this event must not be permitted to become the first act in a great war. Some of us have felt for some time that there was real question as to our American interest and our moral position in supporting a government in Vietnam which, according to the press, has little support among its people. Some share the criticism of Senator MORSE and feel that the many American boys who died in Vietnam may indeed have died in vain and that our extensive military buildup led to this crisis.

Be all this as it may, what is uppermost in our minds and hearts, now, is the hope and prayer that we are not headed for the big third world war with all the destruction and horror it will bring to our country, to the world, to our people, and to our children.

It has been suggested by some, Mr. President, that you are receiving conflicting advice, like that received by the late President Kennedy at the time of the Cuban crisis from the so-called hawks and so-called doves. At that time, according to reports Mr. President, you were one whose voice was raised for restraint, with a happy result.

We are told that there are now some whose line of reasoning is something like this: The real enemy is China. Red China is growing in strength and in a number of years she will be much stronger, perhaps acquiring atomic capability. At this moment, China and the Soviet Union are at odds and it is argued the Soviet Union will not support China in any war with the United States. Therefore, these hawks suggest, now is the time for a confrontation with Red China at the moment of her relative weakness. The hawks welcome every crisis in Asia as an opportunity to take on and defeat Red China. The hawks want to shoot, not talk.

Such a policy is morally bankrupt, criminally dangerous. It is also, Mr. President, unworkable, doomed to failure. The stakes are much too great to depend upon guesswork and speculation. If there were to be a war between the United States and Red China, fought with conventional weapons, it is hard to see how we can win. If it were a war fought with nuclear weapons, it is hard to see how the Soviet Union could remain outside. Mr. President, we implore you, do not buy the speculation of the hawks who advocate a showdown with China. Such a policy would be a disaster for America. It is also reported that the hawks are advocating a deeper involvement in Vietnam with larger numbers of American troops. Again, Mr. President, history has some lessons. If the United States were to be deeply involved in a war in Indochina, fought with conventional weapons, it is hard to see how we can avoid the tragic results, the bitter defeat the French suffered in this very area, 10 years ago. Again, if such a war were fought with atomic weapons, it is hard to see how it could fail to become the first act in a third world war of atomic disaster.

We know, Mr. President, that our information is limited. We rely on the press for reports and analysis that are not always dependable. Nonetheless, we feel constrained to tell you of our fears and our feelings. It is our fervent prayer that the fighting stop and that we can find a solution without a war, a small war or a big war.

Our country is so strong, so powerful. We do not need to prove how resolute or tough we are by overwhelming a tiny foe with our great power. Let us prove our wisdom—our concern for all humanity—by seeking and finding the way of peace.

We are confident that you understand and sympathize with us. We hope that in the anxious hours that lie ahead, in the moments of decision that will develop, you will think of us and the thoughts and feelings we have expressed.

Sincerely yours,

DAVID LIVINGSTON,
President, District 65, Retail, Wholesale & Department Store Union, AFL–CIO.

AUGUST 5, 1964.

Senator WAYNE MORSE,

DEAR SENATOR: We have read your article in the Progressive, also saw you on TV this evening regarding Vietnam. We are with you 100 percent, and we think President Johnson needs someone like you to advise him.

Sincerely,

MARVIN REID HARTLEY.
MARJORIE HARTLEY.

CULVER CITY, CALIF.

NORRISTOWN, PA.,
August 7, 1964.

Hon. WAYNE MORSE,
Senate Building,
Washington, D.C.

DEAR SIR: You must feel all alone in your action in the Senate not backing President Johnson's actions in southeast Asia. Your stand took a lot of courage on your part. It is a shame there aren't more Senators and Representatives of your caliber who are not afraid to think for themselves, and can see further than "today" but can look into the future and surmise the effect of their actions in the time to come. I feel that in the Vietnamese situation Congress long ago abdicated its responsibilities and abandoned its constitutional rights to declare war. This "police action" of ours should have been studied and discussed openly so that the public could have a better understanding of our reasons for being there. Maybe alternative actions could have come out with open discussion.

Columnists James Reston and Jay Hayden also raised questions of the advisability of the quick united front behind the President's strong military action in Vietnam. James Reston says, "it may be wise to take a day or two to analyze where we are and where we are going." Jay Hayden says: "But lingering in the background is a belief among many Americans that the United States had no business meddling in Vietnam in the first place, and that the quicker we get out of it, the better" (the Evening Bulletin, Friday, Aug. 7, 1964).

Also, in the same edition of the Bulletin, there was an article headed "FBI Is Probing Student Group on North Vietnam Aid." I am sure you know of the story of the four Haverford College students who openly, with no secrecy intended, advertised their purpose of sending medical aid through the American Red Cross to the soldiers in North Vietnam, with one purpose in mind, to bring attention to the community of their dissatisfaction with the policy of the U.S. action in Vietnam. Why is the FBI investigating these students? The implications scare me. Are colleges and universities no longer allowed to encourage free thought in their students? Without the voices of the dissenters—how long can a democratic form of government survive?

Thank you very much for all you have done to encourage some dialog on this unhappy situation.

Sincerely,

JOAN GLUCKMAN
Mrs. Howard Gluckman.

KALAMAZOO, MICH.,
August 8, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Many thanks for your splendid article in the Progressive, August 1964, "Humpty Dumpty in Vietnam" which expresses not only my own view but (as I know) also the view of many levelheaded Americans everywhere. You (and Senator FULBRIGHT) seem to be the only ones who keep their heads cool and can see the tragic folly of our policy in southeast Asia—a policy, which smells very much like J. Foster Dulles' "brinkmanship."

Politicians and newspapermen and most people take things uncritically too easy, as a sort of "just crusade" to teach "freedom" to the people of Asia. We are appalled at the present escalation of the war game in the Gulf of Tonkin which to me appears as a provocation on our part. That is why I am so grateful to you that you also voted against the approval of these acts in the Foreign Relations Committee.

We really need men like you to help prevent such possible catastrophes which are really not in the best interest of our country. Please keep the honor of America by such valiant stance.

Yours sincerely,

DR. ROBERT FRIEDMANN.
BETTY FRIEDMANN.

P.S.—I hope that you have gotten many letters of such approval.

AUGUST 8, 1964.

Senator WAYNE MORSE,
Senate of the United States,
Washington, D.C.

DEAR SENATOR MORSE: Please accept my warm congratulations for your standing up for peace. You were the only one who protested our armed action, and our armed intervention in Vietnam. I wish there were hundreds of you, instead of one in the Senate, to stand up for peace. We, women for peace, appreciate it more than we can tell you in words.

Please keep up your valiant struggle for peace.

Thank you many times.

Yours sincerely,

LUBA BRISKER.

BROOKLYN, N.Y.,
August 7, 1964.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR: I sincerely hope your health is good.

Just a reminder of my visit to our Senate Chamber September 6, 1963, in which I heard you speak.

Please be advised that I am a great admirer of yours for years.

In my estimation you are my choice for the Chief Executive Office of our United States; i.e., President. Your views are the most constructive in the Senate Chamber today.

Very respectfully yours,

IRVING I. FIXEL.

P.S.—Please answer. Thank you.

WASHINGTON, D.C.

DEAR SENATOR MORSE: May I congratulate you on your speech of August 5 on the floor, calling for reason and sense instead of gunboat diplomacy.

I am an English expatriate. In 1956 when my country disgraced itself by acts of war against a smaller nation, I wrote a piece in which I quoted Robert Burns lines:

> "Ye hypocrites. Are these your pranks?
> To murder men and gi'e God thanks.
> Restrain yourselves. Proceed no further.
> God will not gi'e you thanks for murder."

It is, however, easier for an expatriate to be critical, though the task of criticizing one's own country is never a pleasant one.

The only act of equal courage to your own I can recall was done by Sidney Silverman, a man of Jewish faith and a stalwart member of the Labor Party in the House of Commons.

When, late in World War II, British bombers set German cities on fire and burned countless thousands the only voice raised in protest amid the savage glee was the voice of this Jewish M.P. who had little reason to like Germans. In speech after speech Silverman pointed out that the end never justified the means and that turning ourselves into savages would not wipe out fascism.

How right he was.

Thank you for your courageous stand. Many Americans would like to say the same thing but are afraid to do so.

I am attempting to get the Washington News to do a feature, not by me, on your speech. It does not deserve to be buried by the press. I will not say "Keep up the good work." You do not need any man's exhortation to do that.

Best wishes,

LOUIS K. MATHER.

NEW YORK, N.Y.,
August 6, 1964.

The Honorable WAYNE MORSE,
U.S. Senate,
Washington, D.C.

SIR: We are writing to congratulate you on the stand you have taken against the war in South Vietnam. We further agree that the President should be denied the discretionary power to make war, and that the measure now before the Senate is in direct violation of the Constitution.

Given the present inhumane conditions in southeast Asia, which are due in no small part to the greed and stupidity of previous U.S. policy, a political solution would seem the only answer.

Your statements encourage us to think that there is still some integrity left in the diseased political body of the United States.

You have our best wishes.

Sincerely,

PHILIP B. KEENAN.
MARY KINYON.

MILWAUKEE, WIS.,
August 8, 1964.

Hon. WAYNE MORSE,
Senate Building,
Washington, D.C.

DEAR SENATOR MORSE: Please accept the expression of my high respect and admiration for stating your opinion and conviction so clearly and courageously in voting against the Vietnam emergency resolution on August 7.

In these times of tense and strained conditions in foreign relations all over the world, giving the President such strong power seems, regardless of the confidence and trust you may have in him, is extremely dangerous. As you stated it, it certainly exceeds our constitutional concept of three coordinated branches of Government and, as I would like to add, our basic democratic concept.

Thank you very much for your strong stand.

Very sincerely yours,

FRIEDA N. HEILBERG.

AUGUST 8, 1964.

DEAR SENATOR MORSE: I wish to commend you for your stand in the Vietnam crisis. I heartily agree with your constitutional reasoning.

I have felt for several years that such problems as Vietnam should be referred to the United Nations for arbitration, settlement, and, if necessary, administration. It is foolish to try to solve complex international problems on a unilateral basis when we have a fine international organization in being.

I favor the following legislation:

1. The recently passed Civil Rights Act.
2. Coverage of all workers by social security and unemployment insurance.
3. Medical care for all the people financed by social security.
4. A full employment law which shall guarantee a job to each person who needs and wants a job.
5. Overhaul of the entire farm price support program in order that it may serve its original purpose of protecting the small full-time farmer from economic adversity.
6. Federal aid to education.
7. More public works to build needed schools, hospitals, libraries, and recreational facilities.
8. I oppose attempts by frightened reactionaries to curb the right of a free people to travel where and when they please.

Wishing you good luck and good health I am,

Sincerely yours,

CLAUDE B. GOULET.

CRANSTON, R.I.

KEMP & COLDWELL,
El Paso, Tex., August 7, 1964.

Senator WAYNE MORSE,
Senator from State of Oregon,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: Please accept my sincere appreciation for your most sensible stand on the stupid war in Vietnam and your continued opposition to foreign aid. I am sure that you receive plenty of letters criticizing you and very few expressing appreciation. I wish that I lived in your State, I would like to vote for you.

I consider myself a true Democrat. My feelings and roots go down very deep, but if the national election was today, I would vote Republican. I protest against the senseless war in Asia, foreign aid, the unbalanced budget, and the utter disregard for the unorganized taxpayer.

Here in El Paso we are concerned about the Chamizal. It concerns us and I know all about it. I know of nothing so uncalled for and stupid. The writer speaks Spanish and has spent considerable time in Mexico and South and Middle America. We are the laughing stock of those countries and people. Mexico has shown its appreciation of what we have done for her by voting consistently against us before the Organization of American States.

Thank you.

Yours truly,

COLBERT COLDWELL.

P.S.—Do not bother to reply to this letter.

SAN FRANCISCO, CALIF.,
August 8, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Admiration and congratulations for your stand on the Vietnam situation.

Sorry our own Senators from California do not have the courage to speak out and be counted with you.

Sincerely,

Julia K. Rosenthal.

(Copies to Senators Thomas Kuchel and Pierre Salinger.)

Worthington, Ohio,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We wish to commend strongly your position stated in the enclosed article from the Cleveland Plain Dealer of August 6 concerning the situation in Vietnam.

For some time we have viewed with deep misgivings the actions of our government in this area and urge you to continue your efforts to seek a peaceful solution of the crisis in southeast Asia around the conference table.

Very sincerely yours,

R. C. Hunter.
Wave A. Hunter.

New York, N.Y.,
August 8, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I believe it was extremely courageous of you and Senator Gruening to vote against the President's recent punitive action against North Vietnam for its unprovoked torpedo boat attack against our destroyers. Obviously, North Vietnam is hostile to us because of our intervention in the internal struggle of Indochina. The consequences of its reckless action could have, and still may, bring China into the Vietnamese war. Our nuclear retaliation against China could lead to nuclear retaliation by the Soviet Union against us.

The war in Indochina is an internal affair and we are frustrating the self-determination of these people. The Geneva Conference of 1954 arbitrarily divided Indochina into North Vietnam, South Vietnam, Laos, and Cambodia, in order to prevent it being unified under the leadership of Ho Chi Minh, who would give Indochina a Communist orientation.

America is hopelessly out of step with the world. We are trying to achieve the impossible and are supporting discredited and repudiated regimes. We subscribe to the fiction that there is a Nationalist China, headed by Chiang Kai-shek. We back General Khanh who usurped political power and whose authority is not only challenged by North Vietnam, but by South Vietnamese rebels, the Vietcong, as well.

At this writing, it is probable that North Vietnam will back down before the vastly superior military establishment of the United States, but does this mean that "might makes right?" Can we be sure that the day is not approaching when those whom we belittle today, will not be in a position to stand up to us militarily tomorrow?

It is my conviction that the United States should recognize Communist China and its claim to Taiwan and the off-shore islands of Quemoy and Matsu. I also believe we should extricate ourselves from southeast Asia and let the peoples there determine their own destinies. I don't believe we can fight communism per se, because it will mean an eventual confrontation with the Communist nations, with dire consequences for all.

I believe we must learn to live with the Communist nations. We don't like their way of life and they don't like ours; but we are being just as dogmatic as they are in insisting that the nations of the world conform to what we believe is the right way of life.

Sincerely yours,

Stanley Singer.

New York, N.Y.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: Congratulations on your forthright and intelligent position regarding our activities in southeast Asia. Are you the only intelligent and courageous man in Washington?

It is obvious that at least 80 percent of the Asians do not want the feudal American puppets we want to impose on them. Is there a way of letting the American people know your position? There has been too little publicity.

With the greatest respect and admiration.

Cordially,

Leo Fisher,
Sculptor.

August 7, 1964.

Dear Senator Morse: Thanks for voting against the recent Vietnam resolution. The President should not be given any blanket permission to take the United States into an Asiatic war if he considers it desirable.

Please mail me a copy of the resolution, and also a copy of your lengthy address in the Senate against it.

What can we do to get the United Nations to maintain order in difficult areas like Cypress, Congo, and Vietnam instead of risking big power confrontations and wars?

Best wishes,

Lindley J. Burton,
Associate Professor of Mathematics.
Lake Forest, Ill.

Monterey Park, Calif.,
August 6, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Sir: I have just read your statement on the Vietnamese situation on August 5.

I agree with your position wholeheartedly. My family asked me to tell you that we admire your courage in this unpopular position and the clear-sighted thinking it represents.

My teenage daughter is going to save this clipping to use in school.

Again, we will support your efforts to remove our beloved country from this dirty war.

Sincerely,

Mrs. Barbara Richardson.

College Park, Md.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We are proud of your sanity, clear-sightedness, and courage in your appeal for understanding and peace. We saw and heard your brief comment on TV regarding our planes attacking points in North Vietnam. Your fight is in the great and good and best American tradition.

May you not grow too weary in this seemingly lone battle, realizing that millions of Americans agree with you because we want peace also.

Sincerely,

D. L. West.

August 6, 1964.

Dear Senator: In the Vietnam struggle I am united behind you.

You are a courageous man, wonderful.

Very truly yours,

Mrs. Mary Bulat.

South Hamilton, Mass.,
August 6, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Sir: After reading your article in the Progressive magazine for August and now your courage in telling the truth when all the newspapers are hollering war. I couldn't sleep tonight without first writing to you and thanking you.

Your good sense and bravery in expressing it is like a cool spring in a desert of stupidity.

Thank you again.

Sincerely yours,

John Foster.

Dear Mr. Morse: My husband and I are writing this note to tell you we are so happy to know there is one man in our Government who speaks commonsense and truth.

We refer to your stand on Vietnam. We also think the United States is guilty of aggression as is North Vietnam. We do not think the President's proposal should be passed in view of this fact.

For what it is worth, you have our support.

Sincerely,

James and Barbara Kinberger.

University Heights, N.Y.,
August 6, 1964.

President Lyndon B. Johnson,
The White House,
Washington, D.C.

Dear Mr. President: I am writing because I hope that there remains time to alter the course which we have been pursuing in Vietnam. This course, unless changed, will in all probability escalate the conflict from a brutal jungle war to a major conflict.

Mr. President, you will gain neither the short-term victory of reelection nor the long-term favor of history by involving this Nation in a continued war in Vietnam. You can win either, and then both, only by adding to your vigorous pursuit of civil rights an effective fight upon domestic poverty, and acting to obtain a negotiated settlement, so wisely counseled by President de Gaulle.

It was not a mark of strength, but of weakness to deny our counsel of law by shooting first and going to the U.N. later. Surely the United States need not be so fearful. It is imperative that we listen to our own prophets before we reap the disaster they clearly see. As Senator Morse said (New York Times, Thursday, Aug. 6, 1964):

"* * * the role of the United States in South Vietnam" over the last 10 years "has been that of a provocateur, every bit as much as North Vietnam has been a provocateur.

"The American effort to impose by force of arms a government of our own choosing upon a segment of the old colony of Indochina has caught up with us. Our violations of the Geneva accord have caught up with us. Our violations of the United Nations Charter have caught up with us."

There has been mounting evidence for months, he said, that the Pentagon and State Department "were preparing to escalate the war into North Vietnam." He charged that before the attacks on the U.S. destroyers. "South Vietnamese naval vessels bombarded two North Vietnamese islands within 3 to 5 or 6 miles of the main coast of North Vietnam."

Mr. President, the war must be ended now.

Respectfully yours,

E. S. Campbell.

(Copy to Senator Wayne Morse.)

Red Bank, N.J.,
August 9, 1964.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: The whole world continues to owe you a debt of gratitude for your continuing fight against America's "dirty war" in Vietnam.

I was in Times Square last Thursday taking part in an all-day vigil against the war and also was present at the rally in Washington Square where your message to us was read.

I am proud that you voted against the recent resolution in the Senate. In high school I learned about "checks and balances." Now the legislature has given over its authority to declare war (or not to declare war) to an exceedingly belligerent Executive.

Very truly yours,

ALLEN STRASBURGER.

BRONX, N.Y.,
August 8, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: Hats off again to you and Senator GRUENING for voting against the resolution to give the President the power to declare war, an unjust and infamous one at that, in southeast Asia. Despite the abuse showered on you now, time will prove that you and Senator GRUENING are the true patriots in defending peace and the Constitution.

Sincerely,

CATHERINE and SIDNEY HARTMAN.

CHICAGO, ILL.,
August 7, 1964.

DEAR SENATOR MORSE: Congratulations on your stand on the southeast Asia situation. It takes rare courage for a public official to voice an unpopular opinion in an emotional situation.

It is heartening to realize that these are individuals who will risk their positions for a principle.

Sincerely,

LEIGH E. ROSENBLUM, M.D.

CASTRO VALLEY, CALIF.,
August 7, 1964.

DEAR SENATOR MORSE: May I express my sincere gratitude and heartfelt thanks for speaking out today on the question of Vietnam.

The voices of sanity are all too few today, but everyone gives us a measure of hope.

I do not believe U.S. soldiers or military weapons should be in Vietnam in the first place. And certainly we should not be actively taking part in a war that the Vietnam people themselves seem not to want.

Please continue to speak out against the warlike activities of our government. We must have peace.

Sincerely,

Mrs. PAUL HUDGINS.

LIBERAL, KANS.,
August 6, 1964.

DEAR SENATOR MORSE: Your appeal over TV last night was the only one in which the moral issue of war in the Far East was even mentioned. It is a sad affair, indeed.

I believe most Americans feel that this is a political war, that President Johnson, though he personally hates to be involved in such a maneuver, is using this occasion, just as it has been built up and planned ahead, to prevent the Goldwater forces from making the accusation of the Democrats being "soft on communism."

The great danger is the smug and complacent attitude shown by the Secretary of Defense and the others in relation to the escalating of the war. We have little choice in that matter now. China, whose voice is denied her through the halls of the U.N. will make that decision. If China elects to call our bluff, send a million troops into North and South Vietnam, then who's fault is it?

Let us hope that the Chinese understand our political system better than most of our people do, and permit us to play upon their nerves until late fall without raising their blood pressure to the boiling point.

I am amazed that though we have our Armed Forces strung all over the world, others are always "the aggressor."

Cordially,

HARRY E. CHRISMAN.

CINCINNATI, OHIO,
June 1964.

Hon. LYNDON B. JOHNSON,
President, the United States,
White House, Washington, D.C.

DEAR MR. JOHNSON: It is no easy task to offer suggestions to our Nation's leader, so I hope that my inclusion of several issues in this my first communication will be excused. Having devoted my career to the field of public school education, I hope that I am qualified to assign you a high mark for your efforts and accomplishments to date. From personal experience of three score and fifteen years, recently attained, I fully appreciate the great need of your campaign against poverty.

The adoption and implementation of an effective civil rights program will go far toward solving our social problems. In a downtown high school in Cincinnati, I have taught dozens of highly qualified colored pupils, including a few Chinese. These fine young people had slight prospects of using their potentialities in the service of society. Very clearly, American business and industry have serious blind spots.

The program of the Peace Corps has won us deserved acclaim and can well be enlarged. An increased interest in other languages and cultures will yield worldwide benefits. The reactivating of the NYA and the CCC, of which you and I know, would help the problem of unemployment and would make life more meaningful to large numbers of our junior citizens. I have been an admirer of Aubrey Williams throughout the years, though he was a disciple of "That Man" and of the good First Lady. That Man, with his vision of a better society, has been one of my modern heroes.

I find it impossible to comprehend the attitude of the Congress and of the public in its hasty willingness to allocate billions of dollars to add to the tremendous overkill stockpile of weaponry. Even though a student and admirer of science, I cannot justify the expenditure of more billions in what we earthbound creatures call the "Conquest of Space." Though I recognize and deplore his fear of reelection if he follows his high principles, I have a high regard for Senator FULBRIGHT. His two recent speeches bear the earmarks of high statesmanship.

My list of issues would be incomplete did I not plead for your support of the King-Anderson bill—medicare. Dr. Reo M. Christenson shatters the AMA's objections to this humane and vital measure in the Progressive for June 1964. Under present provisions, my wife and I would be tragically affected by a prolonged hospital confinement.

I would yet like to comment on aid to education, on the proposed pay boost for all Members of the Congress, on your announced retention of our super Cop, who is blind to the radical right, but space and time forbid.

Yours truly,

FRANK E. FLOYD.

BEAUMONT, TEX.,
August 7, 1964.

DEAR SENATOR MORSE: Courage, the courage to do what a man should do despite personal consequences is a trait of character that glows from your Senate seat perennially.

Our country could use other men of your stature.

Why is it so difficult for most men to make decisions without prejudice?

I agree with you—that these acts of aggression by the North Vietnamese should have been taken before the United Nations. This would have added greatly to the prestige of that world body and also show the world that we are capable of practicing what we preach.

Incidentally, your arguments against the resolution of August 7, have even made a small dent in the hard heads of my "John Birch" friends and coworkers.

Please take heart, that you are not alone in this fight—history will prove your foresight.

Sincerely,

W. K. DICKERSON.

LOS ANGELES, CALIF.,
August 8, 1964.

Senator WAYNE MORSE.

ESTEEMED SIR: A word to let you know I and many others think you exactly right and extremely courageous on your opposition to war in Vietnam.

The Democratic leaders have no idea how angry the majority of citizens are over supporting such a dictatorship as Vietnam.

This could well cost Mr. Johnson and those out of touch with public opinion, advisers of his, the election.

GOLDWATER has won his first victory; carry on, as they don't realize the determination of the Chinese.

Very truly yours,

JOHN PROLL.

LOS ANGELES, CALIF.,
August 9, 1964.

Senator WAYNE MORSE.

DEAR MR. MORSE: I want to commend you for voting against giving the President a free hand in using military power in the Vietnam trouble. Surely the majority of Americans want to see an end to our military assistance in South Vietnam. We believe the avenue of negotiation has not been exhausted and more effort through the United Nations should be made to get a settlement. It is encouraging to know you are working along these lines and hope you will continue to do so.

Yours sincerely,

HAROLD KAUFFEL.

ACTON, MASS.,
August 11, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Your courageous stand against the resolution (189)—granting the President the Congress power to declare war—deserves the gratitude and support of all Americans.

I am sure that painfully few of us realize that your vote and your convictions are more deeply loyal expressions of faith in the American ideal than any amount of superpatriotism. Those of us who do appreciate your stand—and who wish we could say so in a politically useful way—must be content to thank you, and help widen your nationwide constituency. I am one such and,

Yours sincerely and gratefully,

ELIZABETH H. BOARDMAN.

MILWAUKEE, WIS.,
August 12, 1964.

DEAR SENATOR MORSE: Please accept this as a thank you for your stand against Johnson over the Vietnam question.

I've followed you in the news and can feel your decisions are very good.

Will you extend my wishes to your Alaskan colleague for his stand with you.

Sincere wishes,

JOE MEIDL.

HOLLYWOOD, CALIF.,
August 9, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: In this wave of war hysteria for Vietnam you are one of the few calm minds of major importance taking an extremely brave stand against a majority that seems to be driven by political pressure mainly. It is a sad and dangerous fact, but I feel sure that a large portion of people here and around the world agree with your stand on this extremely dangerous issue and have learned from previous war experience that no war will bring any gain yet terrible destruction. (I spent the last "minor, conventional" war as a young girl in Hamburg, Germany.) Immediate negotiations through the United Nations could still change the course—help in form of food, clothing, housing, rebuilding of the economy, etc., in South and North Vietnam would defeat the enemy fast.

In support of your most important fight to prevent more disastrous consequences I have taken part in the Hiroshima memorial vigil in Los Angeles and sent telegrams to President L. B. Johnson and Senators THOMAS KUCHEL, PIERRE SALINGER, J. W. FULBRIGHT, and HUBERT HUMPHREY.

May I use this opportunity to thank you most sincerely for the great service you are doing all peace-loving people. May the commonsense prevail again that has prevented an outbreak of a major war in other critical situations.

Yours gratefully,

TAMARA MERZBACH.

PONTIAC, MICH.,
August 8, 1964.

DEAR SENATOR WAYNE MORSE: The exultation I felt for your opposition to the "tide of reaction" during this present crisis, leaves me some hope that perhaps insanity hasn't invaded all of us. President Johnson's reasons for taking drastic measures in Vietnam leaves me absolutely "cold." Our warships have absolutely no business flirting and harrassing the North Vietnamese. Our military leaders must have taken a page from "Dr. Strangelove," and have decided for the American people what action should be taken, and our "great" President only explained the action as conforming to our "defense" policies. Forgive me, but I cannot help being sarcastic when all reason has disappeared from the American scene * * * except your reasoning. A hope, a small light, a glimmer, that's all that remains. What's left for me? for you? for a small segment of thinking Americans? What's left? I dare not explore this matter further because what I fear, may become a reality. Therefore, I must take courage that all cannot be for naught, that someday, somehow, reason and truth will be once again restored amongst us, because we willed it so, and that no one can put it asunder, and endanger the lives of any one citizen let alone the entire American people.

You, Mr. MORSE, should be highly commended among the great men of our times and I hope that your voice and mine and others shall never be stilled until reason has been restored to this mad, mad, world.

With great respect and admiration,

Very truly yours,

MARGARET E. BEGOVICH.

P.S.—Please forgive the mistakes. My typewriter is in poor shape and so am I. However, I want you to know that I am at your service if something should come up which I could in any way help. I feel that I am your friend and I want to be your friend when you need me.

CEDAR FALLS, IOWA,
August 11, 1964.

Senator WAYNE MORSE,
U.S. Senate Building,
Washington, D.C.

DEAR SENATOR MORSE: I was glad to see that you did not join the stampede to give Johnson his war declaration.

In my opinion, Congress is entirely too war eager for the good of this Republic.

Cordially,

F. B. PARKS.

MOUNT RAINIER, MD.,
August 11, 1964.

The Honorable WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Your statements before the Senate regarding Vietnam were appreciated by at least this American. Though you may be a voice crying in the wilderness, there are some in that wilderness who hear.

Sincerely,

MRS. MARIE G. ALI.

DETROIT, MICH.,
August 9, 1964.

MY DEAR SENATOR: I am a grandma with a lively interest in the world of affairs: Presidents, politicians, unemployment—and world peace.

I have a B.A. in education and an M.A. in economics: earned in the dark 1930's, also 35 story credits at WXYZ, an ABC affiliate studio here. I've taught vocal music, harmony, piano, and conducted a cappella choirs. Students of mine teach in universities, play in big name bands, publish their creative opuses and make hit records. I've had a rewarding career.

Now that I'm retired and my family (husband and son) deceased, I try to stay abreast of public figures and their contributions to this war-weary, blundering family of nations. I intrude on your valuable time (if this gets past your staff of secretaries) to make a contribution as seen from the distaff point of view, relative to your TV interview and suspicion of L.B.J.'s honor, horsesense, or trustworthiness in the face of attack on the United States of America.

Many people—women and men—feel confident that the late John Kennedy had a truer bead on him than yours, or he'd not've openly selected L.B.J. as his runningmate in 1960. Not one word ever spoken, or written, by Mr. Johnson indicates that he'd rush American boys into the maw of war due to loss of face, hurt pride, impatience, or self-importance. He only seeks to cut tape if the Vietnam crisis worsened. Of course, cutting short the time-consuming argument and debate among males in Congress who are charmed by the sound of their own voices—on both sides of that aisle—may lose disgruntlement so much so that they feel sold short or something.

The price of White House status is the real "American tragedy"; assassination or wasteless punishment of a human being who isn't necessarily superman. In years past, Senator, when you played political maverick, to the secret delight of kindred American spirits, and brushed off popular opinion, you had more admirers, many of whom were recently disillusioned by your anti-Johnson "warning," which had absolutely no basis in fact for average Americans.

Everyone's reflexes and judgments suffer from the inroads of time, Mr. Senator, So-o-o, haven't you chosen—at a time when our beset leader most sorely needs a maximum of trust and loyalty—to be "different" merely to be different?

Reflex action versus serious thought?

A rut of habit now easier to make deeper, than not?

At this late date, is it not a pity to becloud your "sincere individualist" image by that of a senile, crotchetty oddball? If the GOP's candidate were in L.B.J.'s sorry, unsought dilemma, I'd agree with you $99\frac{44}{100}$ percent. He'd "misquote" us smack dab into an atomic holocaust.

That even saving precious time in a crisis is not worth endowing an impulsive, self-righteous, self-important, self-made power-seeker with rights to wage unprovoked war, even if Commander in Chief—God forbid.

I and a lot of women would wager their right arms that our man in the White House is too dead serious about preserving the peace, to allow America to go down in history as a trigger-happy aggressor; no better than the Reds who lack all sense of honor or ethics—and lie, lie, lie, to sell their ideology to southeast Asia's ignorant, idle, hungry people—or wherever hunger rules and fear stalks.

Don't you owe L.B.J. a reconsidered retraction?

You'd be a bigger, better, man for it.

(Not judged a modern-day Judas.)

The GOP has had its own Bobby Bakers (Sinclair and the Teapot Dome, its Billie Sol Estes—offshore oil rights and the steel "gray market," after V–J Day)—so should hesitate to cast the first stone, as they say, yet they will.

Why not give logic and objectivity a chance?

Sincerely,

RUTH MOFFAT.

BERKELEY, CALIF.,
August 5, 1964.

SENATOR MORSE: I wish to address myself to a major problem, one which I think you might well have thought seriously of. I am writing to you, instead of some other Senator, because I respect the fact that you have not passively followed the Johnson administration as have most other Democrats. I am a Democrat myself and do have serious reservations in the course taken by the current administration, particularly in foreign policy.

Usually, I do not write letters, because they are almost always answered by secretaries and the Senator does not receive the communication himself. This is part of the problem I hope to outline. I sincerely hope that you will personally have time to read and acknowledge this letter, as I think it covers a problem, possibly the most important in today's United States.

To begin with, I am in complete agreement with you, that our forces should be taken out of Vietnam, then if any action is to be taken, it must be exercised by the United Nations. However, after the happenings of the past few days, it may be too late for us to withdraw. The Red Chinese have accused the United States with fabricating the attacks on an American destroyer. I do not know how much truth may be attached to this accusation, but I do think the retaliatory action taken by this country was uncalled for and too severe.

There are many other measures that we could have adopted short of this serious revengeful method, which might have brought results—conference, inquiry, protests, etc.

I am in opposition to such policies of our Government. I know many other people who feel the same way. The most galling and frustrating part of our situation is that us "little old" citizens have nothing to say. We vote for the presidential candidates put before us or we do not vote. If we write Congressman, our letters are answered on form letters and filed in wastebaskets, and often put on the "crank" list, if they are radical in nature. What can a citizen do, when he has an honest complaint? He is powerless, helpless to express his will against the overpowering monopoly on voice and will and thought, exercised by our Government. I know you have addressed yourself to this most important problem before, and hence I write to you.

I cannot sit back and watch others determine my future and maybe make decisions which will cost me my life in a nuclear war. I cannot passively accept this as my fate. But what can I do and what can others like me do? We are shouted down like Rockefeller before the screaming hordes which determine policy and too often, control.

It appears to me that the action taken, for instance, in South Vietnam yesterday and today, might very well be a political strategy by President Johnson to win in November, something which is not so certain as many would have us believe. Goldwater has strength, and I am horrified when I even contemplate the possibility of his being our President. I am not in favor of many of the policies of President Johnson, but I would vote for him in a second, just to defeat Goldwater. I have no other choice. But if Johnson is playing with our lives in southeast Asia, as is very possible, I would find it most difficult to support him, either.

What can intellectuals and other concerned citizens do today in this country to make themselves heard, listened to, and to help make policy and decisions? President Kennedy was one intellectual who did do something concrete along these lines, I believe, but there are too few of these people in public life.

I sincerely hope you may find time, from your busy schedule, to answer me personally concerning this vital matter, which, to use a wornout cliche, is a matter of life or death. Thank you very much for your consideration.

Sincerely yours,

Michael Yale.

New York, N.Y.
August 6, 1964.

Hon. Wayne L. Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I agree wholeheartedly with you and your comments as reported by the New York Times of today, and compliment you on your courage to state your view.

Most sincerely,

Anna Gottfrais.

Long Island, N.Y.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We are fully in agreement with your position against involvement in Vietnam. Who appointed us policemen for the world? This matter should be handled through the United Nations.

It is terrible to think that so many lives of our boys should be risked in a place where we really have no right to be.

God bless you for your courage and integrity.

Sincerely and gratefully,

Mrs. Alfredo Valente.

The Civil War in Vietnam: Background and Prospects

THE UNITED STATES IS HEAVILY INVOLVED IN SOUTH VIETNAM

The recent events in the Bay of Tonkin have brought the world once again to the brink of disaster. It was easily predictable that the ever-increasing military intervention of the United States in the unhappy Vietnamese civil war would inevitably lead to open conflict between U.S. forces and those of North Vietnam.

Amidst the whirl of charges and countercharges as to which side provoked the crisis, the overriding goal must be immediate negotiations to defuse the explosive situation.

Perhaps never before has the United States been in a more untenable political, moral, and military dilemma than the one which now confronts us in the steaming jungles and the rice paddies of South Vietnam.

There—despite official denials of our combat involvement, despite short-lived bursts of exuberance over minor skirmishes, despite loud assertions that we are supporting responsible government and freedom against Communist subversion—the great and powerful United States is rapidly losing respect and influence, men and money, dignity and maneuverability.

Despite American casualties in the hundreds and expenditures in hundreds of millions, the U.S. military and political position in South Vietnam is becoming increasingly desperate, and our frustrated military leaders are calling for "escalation" of the war, which means, essentially, using nuclear weapons and getting on with World War III.

Such hysteria is eloquent confirmation of the administration's most poorly kept secret: that 16,000 crack U.S. military "advisers" and 250,000 South Vietnam military forces, supported by extensive U.S. arms and chemical warfare techniques, can achieve no more than a stalemate, and possibly not even that, against some 25,000 ragged guerrilla fighters. Obviously, these guerrillas must be receiving tremendous aid and support from South Vietnam's civilian population. Hundreds of thousands, perhaps millions, of South Vietnamese are not only refusing to support their Government, they are actively opposing it. Unfortunately, they are permitted no other channel for registering opposition to their Government than that of giving support to the guerrillas. Thus the Vietnam war is essentially a civil war. As Senator Wayne Morse of the U.S. Senate Foreign Relations Committee says: "There are no Chinese in South Vietnam. There are no Russian soldiers in South Vietnam. The only foreign soldiers in South Vietnam are U.S. soldiers." (March 25, 1964.)

HOW DID THE UNITED STATES GET INTO SUCH A LUDICROUS POSITION?

It was in 1954 that the U.S. interest in South Vietnam, as well as in neighboring Laos and Cambodia, began in earnest. After almost 8 years of frustrating hide-and-seek warfare with Vietnamese guerrilla forces, the exhausted French gave up the struggle to retain their colonies in Indochina and joined with eight interested nations to negotiate a cease-fire agreement at Geneva. The temporary partitioning of Vietnam into Communist and "democratic" portions, pending nationwide elections, was the most significant provision of the conference agreements.

Fearful of the alleged "vacuum" created by the French defeat and withdrawal, the U.S. Government handpicked a leader for the newly independent "democratic" South Vietnam and promptly committed the resources and prestige of the United States to building a "free and independent" South Vietnam to serve as a bulwark against the spread of communism and as a model example of what a new society could achieve by alining itself with the United States.

Unfortunately, the virtual impossibility of implementing such a program in that locality and at that juncture of history was not realized by our statesmen, due in large measure to our abysmal ignorance of that part of the world (e.g., when the author was preparing for his assignment to Indochina in 1955, it was impossible to find Americans in Washington who had extensive firsthand experience in that area). This unrealistic policy was further hindered by clumsy execution. Our choice of Mr. Diem as the leader for South Vietnam proved to be disastrous as he and his corrupt and dictatorial family quickly came to symbolize precisely the sort of tryranny against which our efforts were meant to be directed.

Widespread disaffection developed which had its origins in a variety of factors. Popular discontent with the cruel and oppressive tactics of the Diem government was reinforced by religious and sectional grievances. The excessive economic dependence of the new government on massive injections of U.S. aid, and the resultant attachment of South Vietnam so completely to the U.S. global political strategy, offended the sensitive nationalism of the Vietnamese people. Diem's negative responses to repeated overtures from the north for establishment of trade and other relations, and his refusal to hold the elections for unification in 1956 as outlined in the cease-fire agreements, further aggravated the dissatisfaction with the government and, by extension, with the United States, whose hand was widely believed to be directing government policy. Not surprisingly, Communist North Vietnam, once she had succeeded in bringing a measure of order to her own shattered economy, proceeded to add to the agitation and disorder which was engulfing the government of the south.

The Diem government responded to criticism and opposition by adopting a policy of crushing those whose views did not coincide with its own, or labeling them as "Communists"—a policy which has been substantially followed by its successors. The rationale, offered by the U.S. State Department for its continuing support of the autocratic and unpopular Diem regime and its successors, was that they, like ourselves, are intensely dedicated to fighting the Communists—an observation which totally ignores the obvious fact that, if their people reject them, their fierce dedication is of little avail.

THE U.S. BUILDUP COMMENCES

By 1960 sizable portions of South Vietnam were under the control of anti-Government forces. In 1961 the decision was made to introduce a major American military presence into Vietnam. By 1962 there were estimated to be upward of 16,000 American military forces stationed there, equipped with enormous supplies of U.S. military gadgetry for themselves as well as for the swollen Vietnamese Army.

Enthusiastic U.S. support was provided for a variety of inhuman pacification tactics of dubious effectiveness. Entire rural communities were arbitrarily resettled in prison-like camps to prevent their providing succor to the rebellious forces. New chemical-warfare tactics, introduced to defoliate wooded areas, had the side effect of destroying crops, a fact which did not deter us from using them. Brutal tortures and the burning of entire villages were undertaken as a means of extracting information about Vietcong and other rebels from sympathetic peasants. Practices, whose cruelty revolts civilized men and which must certainly be considered "crimes against humanity" if that term has any meaning whatsoever, became standard procedure.

Not surprisingly, the more destructive and grotesque the combat tactics, the greater became the resentment of the local peasantry which had to bear the wrath of both antagonists (more than 80 percent of Vietnam's population is rural). The area of the country under rebel control continued to increase, and the number of guerrilla recruits to the rebels' cause grew to the currently estimated 25,000, with sympathizers, perhaps running into the millions, providing food and shelter. Defections from the South Vietnamese Army itself have become increasingly a problem, and most of the rebels' weapons are reported to consist of U.S. arms which have been captured by, sold, or given to the rebel forces.

WHAT IS THE U.S. IMAGE IN VIETNAM?

There is, of course, no way to distinguish pro- from anti-Government sympathizers amongst the local populace. The tall, fair-skinned Americans are the only obvious intruders, a fact which gives eloquent credibility to the widespread charge that we are the new colonialists.

To the Vietnamese who watch their country being ravaged and their people being mutilated by the airpower and mysterious chemical agents which we have supplied, the idea that the United States may be using Vietnamese territory to achieve American objectives becomes increasingly convincing.

Our protestations that we are fighting for liberty ring hollow when it is only by the force of U.S. support that the unpopular South Vietnamese governments have been able to achieve and retain power. Our exhortations that communism must be defeated seem irrelevant in an area where other foes are much more tangible. More recently, our talk of introducing nuclear weapons awakens latent memories with racist overtones potentially more explosive than the A-bomb itself. U.N Secretary General U Thant, himself a Burmese, even felt obliged to warn the United States of how such a decision would be viewed by Asians. He said: "Such action is sure to generate widespread resentment and bitter criticism, particularly from quarters which so far have not been very vocal, and have not been very outspoken regarding the situation in southeast Asia. In 1945, when atomic bombs were dropped over Hiroshima and Nagasaki in Japan, there was a widespread feeling in many parts of Asia that these deadly atomic bombs were dropped on Japanese cities because the Japanese were nonwhites."

The American public has been intentionally victimized throughout this entire adventure. The genuine complexity of the situation has been made particularly unintelligible by distorted reporting and a partial blackout on news from the area, apparently at the instigation of Washington authorities. According to a recent New York Times editorial (July 29, 1964), "the Government's negative—indeed repressive and distorted—news policies obscured both the purposes and progress of the war. The public was not only misinformed by Government spokesmen but unpalatable facts were withheld and the truth subverted." The shifting pronouncements and blatant contradictions of Secretary McNamara have exasperated Members of the Senate as well as the press and the public. Optimism and gloom have played tag in official Washington views since early 1961. Troop cutbacks have been made, only to be reversed within a few months. McNamara's predictions, reiterated as recently as February 1964, of essentially total U.S. military withdrawal by 1965, have been replaced by an announcement (July 27, 1964) of a 5,000-man increase in our Vietnam military mission and by talk of 20 more years of warfare.

Similar contradictions can be found between the sympathetic support which rebel forces obviously receive from the rural populace throughout South Vietnam and the claim of Premier General Khanh that "the people have called for the war to be carried to the North." Guerrilla insurgents can succeed only when the surrounding population provides them aid and cover, a fact which accounts both for the success of the rebel forces in the South and the failure of attempts to carry out subversion in the North. Speculating on the wisdom of U.S.-sponsored infiltration of the North, the New York Times' military specialist, Hanson Baldwin, said: "The population of North Vietnam is unlikely to be friendly." Actually, the commander of South Vietnam's Air Force announced at a press conference on July 22, 1964, in the presence of top-ranking U.S. officers, that combat teams have been infiltrated inside North Vietnam for at least 3 years, with no apparent success.

Massive aerial attack on North Vietnam, on the other hand, requires no popular support whatsoever. At the same press conference on July 22, Air Commodore Ky announced that 30 pilots had been specially trained to bomb North Vietnam. "We could go this afternoon," he said. "I cannot assure you that all of North Vietnam would be destroyed, but Hanoi would certainly be destroyed."

The extent of the direct involvement of the north in the insurgency activities has in fact been a subject of considerable disagreement among knowledgeable observers. As recently as March 1964, Pulitzer Prize winning reporter David Halberstam, of the New York Times, reported: "The war is largely a conflict of southerners fought on southern land. No capture of North Vietnamese in the south has come to light * * *." By mid-1964 charges of actual intervention of North Vietnamese military forces in the southern struggle were being heard with increasing frequency. Although not yet substantiated, should such reports in fact prove true they would certainly indicate a widening of the framework within which this civil war is being fought. Key U.S. leaders have admitted, however, that aerial bombardment of North Vietnam would, by itself, be unlikely to improve substantially the situation in the south.

There are also significant byproducts which deserve serious consideration with respect to bombing North Vietnam. Such an action would further fasten upon the United States the image of unprovoked destroyer of Asian peoples and their property. It would accelerate the conversion of Vietnamese Nationalists to pro-Communists, a shift which our obtuse policy has been accomplishing in the south for quite some time. Furthermore, such an attack would push North Vietnam firmly into the arms of China to which she would obviously have to turn for support. Thus we would accomplish for the Chinese the very objective which they have so far not achieved for themselves: the expansion of Chinese power far south into the Indochina peninsula.

WHY DO WE REMAIN IN SOUTH VIETNAM?

In their more candid moments our leaders argue that, ugly as the situation may be, U.S. prestige in Asia is at stake in South Vietnam and can be salvaged only by victory. Although it is true that our prestige has suffered seriously, it does not follow that any sort of conventional "victory" is likely or even possible. In such circumstances prudence may dictate that avoidance of further humiliating defeat is the best means of "saving face."

A fundamental consideration is needed of just what "victory" means in the Vietnamese context. The war is not a conventional one of armies and battlefields. Neither is it a simple struggle of international communism against capitalism, as some of our demagogic leaders assert. Nor yet is it merely the current installment of the historic struggle between imperial China and her small neighbors. Certainly both the ideological and the imperialistic factors are involved to a degree. Basically, the Vietnamese war is a civil conflict with a strong nationalistic base. There is little for foreigners to "win" in such a conflict, short of destroying perhaps a majority of the Vietnamese people, it is unlikely that we will ever succeed in molding a Vietnam tailored to American desires.

It is pitiful and frightening that our leaders insist upon ignoring these domestic roots of the civil war in South Vietnam. We seem unable to realize that killing Vietnamese people and destroying their homes increases rather than reduces their hostility to us. Our utter failure to grasp this obvious fact was demonstrated by our former Ambassador to Vietnam, Henry Cabot Lodge, when he was asked upon his return to the United States how the war would end. "It will end when there aren't any more Vietcong insurgents," he said. "That doesn't mean that they're all dead. It means they've decided not to be Vietcong any more. And the reason they decide not to be Vietcong any more is that it's too dangerous—they're liable to be killed." (The New York Times, June 28, 1964.)

Even were our might to prevail in South Vietnam's civil war, the presence of neighboring China, with over a quarter of the world's people, would make futile the attempt to create a stable and peaceful southeast Asia. We cannot ignore China's existence and its natural interest in any political settlement in that area. There is, of course, a school of thought which views Vietnam as merely one outpost in a strategic chain of installations which the United States is constructing for the purpose of meeting Red China head-on. Vast jet facilities and supporting bases, far surpassing conceivable requirements for actions restricted only to Vietnam, are being prepared there to complement similar installations in Thailand. In this view, Vietnam is only a rehearsal and staging area for the real confrontation which is yet to come. Ignoring the military futility of such crucial installations in a region likely to be so hostile as to render sabotage or capture by enemy forces almost inevitable, one is appalled by the cynicism of this attitude as well as by the horror of its immorality.

THE PEOPLE CANNOT BE FOOLED FOREVER

Many people are becoming increasingly restive over the situation. A number of our allies have attempted to disassociate themselves from our actions in South Vietnam. France has openly advocated neutralism for the Indochinese states and has accepted the fact that China must be recognized and dealt with as a power in the area if conditions are ever to be stabilized. Our efforts to convince our other NATO partners to support our Vietnam policy have met with little sympathy. The majority of Asian nations shy away from taking a positive stand on either side of the conflict, many of them maintaining relations with both Vietnams and avoiding public comment about the civil war. However, neighboring Cambodia's Prince Sihanouk, who has had phenomenal success with a neutralist policy, has long predicted a victory for the Vietnamese rebel forces. U Thant has said that "military methods will not bring about peace in South Vietnam," and he suggested that the Geneva agreements might profitably be revived.

Here in our country, protest against the official policy in South Vietnam has been increasing as news reporting from Vietnam has fought itself somewhat free of the strictures imposed by the Department of Defense and as public opinion has begun to react to the frequent contradictions and sharp reversals in the administration's own accounts of what is taking place.

The ever-increasing magnitude of our expenditures is also a growing cause of concern among both administration supporters and opponents. Senator Dirksen, in predicting that the $1½ million of aid per day to South Vietnam would shortly rise to $2 million, complained that in South Vietnam itself: "We appear to have made no real progress." Other citizen groups have expressed abhorrence at our country's so completely subsidizing and dominating the economy of another nation, including paying the salaries of its army. This is indeed a type of "invisible" colonialism which, nevertheless, becomes quite visible in Washington's outrage whenever the South Vietnam Government unilaterally decides to embark on a course of action of its own choosing.

In 1963 some 17,000 ministers of all faiths protested to President Kennedy against support of the dictatorial Vietnam Government and the immorality of our chemical-warfare tactics against the Vietnamese people. More recently 5,000 college and university professors have presented a petition to the State Department asking that the Vietnamese war be ended and Vietnam neutralized.

In the U.S. Senate several Senators consistently protest "Secretary McNamara's war," although their statements are generally not reported by the mass media. Curiously, this group includes both Senators from Alaska, one of the States most sensitive to political developments in the Pacific region generally. Alaska's Senator Gruening recently declared: "The time has come to cease the useless and senseless losses of American lives in an area not essential to the security of the United States. This is a fight which is not our fight, into which we should not have gotten in the first place. The time to get out is now, before the further loss of American lives."

WHAT HAPPENS IF WE PULL OUT?

Certainly for Americans or for any foreigners to plan and impose a peace policy on the Vietnamese people would be as presumptuous, as objectionable, and as foolhardy as has been our practice of imposing a war policy on them. Satisfactory terms upon which a settlement may be reached can be decided only by themselves, for theirs is basically a civil war with myriad nuances only dimly comprehended by outsiders. Indications are that the South Vietnamese people are interested primarily in ending the war. It is we who are most concerned about winning it. Unfortunately, the succession of U.S.-backed governments in South Vietnam has ruthlessly repressed open expression of such sentiments, and General Khanh has even staged demonstrations and attacks on the French Embassy to symbolize his people's alleged hostility to a neutralist solution. Buddhist leaders have been condemned for suggesting neutralization and politicians known to support neutralism are in exile or in prison. Under such conditions it is obvious that a genuine reflection of popular wishes can be obtained only when the United States decides to stand aside and permit all contending factions to vie for popular support.

Admittedly, if there is sufficient support for them among the people, Communist elements might well gain control of a freely elected government, a fact of life which we should be prepared to face. There is, however, considerable evidence that a genuinely representative South Vietnam Government, whether Communist or non-Communist, would opt for peace and neutrality, perhaps under international guarantees. It is also likely that North Vietnam, or even a Communist-oriented, unified Vietnam, would welcome an opportunity to minimize its dependence on China, the historical "imperialist" of Asia. Consolidation of the complementary economies of North and South Vietnam would help to accomplish this by permitting the Southern rice surplus to fill the North's rice deficit, at the same time catering to the nationalistic passion which so dominates Vietnamese thought. The recent fissures in the Communist bloc suggest that nationalism will increasingly assert itself over monotheistic communism, and a unified or federated Vietnam would enjoy much greater maneuverability to pursue such a course.

The precise form which any negotiated solution might take can hardly be predicted at this time. Public statements by the National Liberation Front, spokesman for the bulk of the insurgent forces, concentrate on demands for a cessation of U.S. intervention in South Vietnam affairs. According to Georges Chaffard of Le Monde, the Front favors a neutral belt to include South Vietnam, Cambodia, and Laos and does not want South Vietnam to become dependent upon North Vietnam. Other rebel elements, more closely oriented toward North Vietnam, give high priority to unification of the country.

The continuing crisis in neighboring Laos cannot be settled until there has been a settlement in Vietnam, nor are our touchy relations with Cambodia likely to improve so long as we obstruct efforts to bring peace along her frontier. Cambodia has twice complained to the U.N. about U.S. violations of her border: First, charging that Americans participated in a bombing mission which killed 17 Cambodians, and second, charging us with the aerial spraying of destructive chemicals over Cambodian territory. Such incidents do us no good but great harm; they could even serve to ignite a major conflict.

The idea of reconvening the 1954 Geneva Conference which ended the French-Indochinese conflict has been revived periodically, most recently by U Thant (July 9, 1964). The U.S. response to this suggestion has been essentially that until the existing agreements are respected no purpose would be served by another conference.

Considerable doubt is cast on the sincerity of this response in view of the well-known fact that some of the most blatant violations of the Geneva accords have been committed by the United States or with its encouragement. Probably the most crucial term of the Geneva cease-fire agreement was the provision for nationwide unifying elections to be held by June 1956. The South Vietnam Government, correctly afraid that it would lose such an election, if for no other reason than its smaller population, adamantly refused to honor this provision in 1956, and has steadfastly continued to refuse to permit unification elections despite periodic demands for these elections by the North (both South Vietnam and the United States hide behind the technically correct claim that they never signed the Geneva agreements). Other provisions of the agreement prohibited the introduction into Vietnam of any additional military personnel (art. 16) or armament (art. 17) and forbade the establishment of new military bases (art. 18). By 1956 both North and South Vietnam had been found guilty of violating these conditions. The massive buildup of U.S. forces in 1961, including the construction of jet air bases, was all done in knowing violation of this agreement.

Another approach has been that of General De Gaulle. He proposes that the United States, the U.S.S.R., China, and France withdraw from Indochina and that a massive economic and technical aid program be substituted for the fighting. This proposal, and indeed the entire idea of taking the Vietnamese conflict to the conference table, was summarily rejected by President Johnson (press conference, July 24, 1964) within 24 hours after the General suggested it. Such haste indicated a rigid and unthinking response.

Any course of action is risky, but almost none is more risky than the one we are following. As mature individuals Americans must realize that we cannot dictate to every corner of the globe, nor do we win respect for ourselves by brandishing our nuclear arsenal whenever we cannot have our way. Forces in existence before the discovery of North America, as well as forces as fresh as post-World War II nationalism, are at work in the Vietnamese conflict. An American-backed unrepresentative government can temporarily distort the relative strengths of these forces, but until they are allowed to assert themselves and to find their support among a free population, unchecked guerrilla warfare, accompanied by a political instability which cannot be restricted to Vietnam's border, will continue to sap U.S. energies and prestige, to irritate U.S. politics, both domestic and international, to aggravate the racial polarization of the world, and to stoke the flames of World War III.

August 1964.

At a meeting of 20 national voluntary civic affairs, church, labor, and peace organizations, some of which are not formal participants in the Turn Toward Peace effort, it was agreed and stressed that U.S. citizens do not have, and do not receive, adequate information on the situation in Vietnam and southeast Asia. Turn Toward Peace was asked to help provide and distribute such information. Turn Toward Peace does not itself take substantive positions but offers its channels for the distribution of responsible materials on war/peace issues. It is making this paper available to provide background and to stimulate the discussion necessary to a peaceful solution of the Vietnam crisis.

Senator Wayne Morse.

Dear Mr. Morse: I support your stand on Vietnam. I feel strongly that the way to settle international disputes and questions is by negotiation and not by military intervention as the United States has done.

I am encouraged that the U.N. is going to invite both North and South Vietnam to air their differences. Perhaps this will lead to a peaceful settlement of the dirty and bitter war where only the people suffer and no one gains except those hungry for power.

The United States would do better to support the South Vietnamese with food and technical advisers in the fields of agriculture and economics rather than with the horrors of napalam bombs.

Sincerely,

Carol W. Rende.

Washington, D.C.

New York, N.Y.,
August 7, 1964.

Senator Wayne Morse,
The Senate,
Washington, D.C.

My Dear Mr. Morse: Allow me to express my admiration and gratitude for the courage and integrity you displayed in your stand on Vietnam.

Although you are alone among those in our Government who would put political expediency before the very life of humanity, you are not alone among the people of our country. Millions of Americans honor and respect you and will persevere beside you.

Gratefully,

Jane K. Skear.

El Segundo, Calif.,
August 6, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Sir: I agree with you so often that I feel I should write again and tell you so. We had no business in Vietnam to start. We have a United Nations. We should be democratic enough to abide by its majority decisions.

Thank goodness we have had sense enough to keep out of Cyprus so far. If we cannot be democratic enough to abide by United Nations, then we should not blame Russia for her refusal to share in the cost of Congo—which was another of our stupidities in my opinion, against Soviet wishes.

The vision of a white knight on a white charger bouncing around all over the world, to meddle in the domestic affairs of evoluting nations, may look pretty but surely it does not jibe with actualities of today's world.

On the whole I do respect Mr. Johnson, and when he adopts that soft "reasoning" tone I go along—mostly. But he is an astute politician and he has spiked one of the biggest guns of the Republicans before electioneering has even started by this "bold" stroke on North Vietnam bases.

Those who have lost some member of the family in this outer "war" probably have a lesser word than "bold" for it.

However, I look for a precarious campaign this year, and I still cannot be for Goldwater; too immature, in my view, as surely he wouldn't let himself be simply ignorant.

You have a pretty brave colleague in Mr. Fulbright, from news reports occasionally. I thank you for your courage.

Respectfully,

Mrs. Pearl M. Campbell.

EVERETT, WASH.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: As I am deeply concerned about the worsening Vietnam crisis, I am writing to commend you on your stand in this matter. I urge you to continue to use your influence in helping our country find creative solutions to this serious threat to world peace. No unilateral solution can be effective in so complex a problem, particularly when we are so heavily involved in the guilt of the crisis.

As you have indicated in newspaper reports I have read recently, the economic and social problems which we have helped to create in that part of the world cannot be solved by purely military means. We must appeal to the U.N. and all countries who have any feeling of responsibility for world peace, whether they are members or not, to work on this urgent problem. The 14-nation Geneva Conference should be reconvened in an effort to settle the war. Peacekeeping forces should supervise the implementation of any peace plans which are developed.

Some decisions made by such a multilateral group may cost us some sense of prestige, but if we are willing to work for economic and social improvement in that area even so, we are likely to be remembered as the people who were humble enough to help solve the problem of world peace rather than risk being remembered as the precipitators of the World War III holocaust to our eternal discredit.

I have written to Senators MAGNUSON and JACKSON and to Congressman WESTLAND about this matter urging that they support your recommendations. I truly hope they will.

Sincerely,

MRS. FRANCES J. WESTER.

MADISON, WIS.,
August 7, 1964.

Senator WAYNE MORSE,
The Senate,
Washington, D.C.

DEAR SENATOR MORSE: Your vote against the resolution to support fully the administration's policy and actions in Vietnam has been the single bright spot these past few miserable days. I am very glad you voted as you did and I am grateful too for this necessitating more publicizing of your views than has occurred so far.

Whether the North Vietnamese torpedo boats were provoked into action by such a specific incident as you have mentioned or simply by the whole menacing position of both American Naval and Army units does not seem to me to matter a great deal. One has the feeling inevitably that the North Vietnamese attack was as ludicrous as a squirt gun aimed at an elephant and that there has been much of this sort of thing going on and tolerated. That it should be now made an issue of appears to the cynical observer a political move to answer the Republican charge of not enough action combined with a diversion from domestic affairs going badly in the way of Negro riots.

One can only hope that you will do all that is possible to open up real debate on our South Vietnamese war.

Sincerely,

JEAN WILEY.

AUGUST 7, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: May I congratulate you on your courage to stand up for a sane policy for Vietnam?

I agree with you that the only way out of the southeast Asia impasse is through the United Nations, and that the United States will fail if she insists on imposing a military solution on a political and economic problem.

Sincerely,

EUGENIA V. NORRIKRY, Ph. D.
Research Associate, Stanford University.

CARMEL, CALIF.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Three cheers for you in your continuing struggle to get the truth about South Vietnam before the American people. The war we are engaged in there is a dirty war, a disgrace to our Nation, and instead of expanding it (as we've done in the past 2 days) we should be negotiating for peace and getting our soldiers out of the country.

A recent article by you in the Progressive covered the whole situation in an exceedingly capable manner except for the omission of one vital point: the 1956 elections that were slated to be held under international auspices, according to the 1954 Geneva accords, which would have unified the country. From all that I've been able to find out about this, the United States, through our then-flunkey, Diem, blocked the holding of these elections because we had become convinced that a leftist regime under Ho Chi Minh would win. If this is true, shouldn't it be widely publicized? For it demolishes the U.S. argument for being in South Vietnam, i.e., that the Vietcong is the side that has broken the Geneva accords, and that we only broke them after they did. And even now, if we're willing to face the possibility of a Vietcong victory at the polls, peace could perhaps be achieved by the announcement that such elections would soon be held.

Or doesn't our Government really believe in democracy? It's hard to keep from getting pretty cynical on this point.

Anyway, keep up the good work. You're a rare type of politician—one with integrity and courage.

Sincerely,

BOBBIE HARMS.

BIRMINGHAM, MICH.,
August 6, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I have just finished reading your article in the August Progressive. One hopes with desperation that men like you and Senators MANSFIELD and FULBRIGHT keep your critical eyes on southeast Asia—particularly now.

Yours sincerely,

T. C. CRANE.

CORNELL UNIVERSITY,
Ithaca, N.Y., August 9, 1964.

Senator WAYNE L. MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Please accept my sincere congratulations and my strong support for your vote against the southeast Asia resolution.

I am not at all sure that the interests of our country are best served by our being involved in Vietnam. Your voice, raising some serious and embarrassing questions, has been one of the few expressions of sanity that seems to remain on Capitol Hill. What is it that makes so many of our lawmakers so bellicose? I often wonder if they are trying to prove something about themselves—or to themselves.

Keep on saying "No." You represent more than your Oregon constituents here.

Sincerely yours,

ANDREW HACKER,
Associate Professor.

SYRACUSE, N.Y.,
August 7, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Your opposition to the resolution before the combined Foreign Relations and Armed Services Committees of the Senate is to be commended.

Military action in a situation that would appear to be somewhat ambiguous must be seriously considered, and not hastily seconded.

At a time when so many are rushing into an area of unknown consequence, it takes courage to remain steadfast. May you continue to so serve the American public.

Sincerely,

Mr. and Mrs. ROGER D. COHEN.

NEW YORK, N.Y.,
August 8, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: May I commend you on your honest and courageous stand in voting against the President's aggressive actions in the Gulf of Tonkin.

We are interferring in a civil war, expending billions of dollars and hundreds of our menfolk supporting a corrupt government, earning the hatred of honest people everywhere, and, because we are losing ground, tempting provocations that may escalate this into worldwide and, possibly, atomic war.

Where is the vaunted "American courage," "honesty," "love of liberty," and "intelligence"—that out of 90 Senate and 416 House votes, only 2 Senators have these qualities of decency to recognize and stand up against a Presidential "carte blanche" in a nefarious undertaking?

Would that there were many more of you in the Senate. How can we get them there?

Respectfully yours,

LEWIS J. SKLAR.

NEW YORK, N.Y.,
August 7, 1964.

Senator WAYNE MORSE,
Senate Chambers,
Washington, D.C.

DEAR SENATOR WAYNE MORSE: I want to urge you to keep on fighting. Your voice rings out like a clarion and gives me hope.

Sincerely,

BELLA GOODSTEIN.

ABERDEEN, WASH.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: We want you to know that we appreciate the stand you are taking against U.S. involvement in Vietnam—North or South.

We regret that since we are Washington State residents the only support we can give you is moral. If we could have the privilege of voting for you we would certainly do so. It would be a real exercise of voting privilege to vote for a man of your caliber. The residents of Oregon are indeed fortunate.

Thank you again.

Yours truly,

Mr. and Mrs. PENT JARVELA.

NEW YORK, N.Y.,
August 5, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Thank goodness you are still a "maverick" Senator or else we would have no voice in Congress that dared criticize our stupid blundering in southeast Asia.

Keep up the good work—challenging foreign aid "mis-spenditures" and mixed up militarism in Vietnam.

Sincerely,

JOYCE S. GILES.

Richmond, Calif.,
August 5, 1964.

Hon. Wayne Morse,
Washington, D.C.

Dear Sir: I congratulate you on your courageous statements on our policies in southeast Asia.

I completely agree with you that we should solve this question through the United Nations rather than by involving ourselves in a military action. The United States was wrong to allow itself to be goaded into an attack on North Vietnam, and I greatly admire you for standing up alone to say so.

Sincerely,

Patricia H. Duncan.

Tacoma, Wash.,
August 5, 1964.

Dear Senator Morse: It is difficult to put into words our admiration for your courage in this dreadful crisis. Tonight we saw you interviewed on television and heard you say you would not vote for the resolution to support President Johnson, that you would stand alone if need be. If only our President would take such a stand.

We, my husband and I, have lived long enough to experience two World Wars, the Korean war and now this war, to date undeclared, illegal, unilateral but nonetheless a ruthless cruel war which now may spread into all out nuclear war.

The two World Wars to "end war" and to "save democracy" were self-defeating and the atomic age was ushered in changing the entire character of war. War, as such, is no longer a solution to world problems as you well know.

Enclosed is copy of General Hester's article "Is the United States Fighting the Vietnamese People."

I am the secretary of the Peace Committee of Hillside Community Church and for 6 years have corresponded with General Hester. We have placed his book "On The Brink" in many libraries. We distribute his articles in quantity.

He has at various times paid high compliment to you particularly also Senator Gruening. Do hope he will stand with you.

You said today "This is a predated declaration of war." May I quote a paragraph from his recent letter:

"As I view it we have to mobilize to do one thing the rest of the year and that is to prevent the expansion of war in Asia and an invasion of Cuba. Both are building up fast and we will be lucky indeed if we can hold the line."

In another paragraph he wrote, "So far U.S. foreign aid has been used to set nations fighting nations and to maintain the status quo."

We have sent telegrams to President Johnson protesting this present action, urging as you and General Hester have done, an international conference.

President Johnson's present position leaves little choice between him and Senator Goldwater on foreign policy.

Thank you again.

Mrs. Maude Richard.

Newton, Mass.,
August 7, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: For some time, my husband and I have felt that the United States is involved in a very unjust and morally undefensible war in South Vietnam. We fail to see a distinction between a Communist-enforced dictatorship and an American-enforced dictatorship, as both the Diem and the subsequent military regimes are. Support of this government is especially open to criticism since it appears that the populace of South Vietnam does not support this government, and apparently tends to sympathize with the revolutionary forces. Furthermore we object, on moral grounds, to the techniques used by the military forces against the peasants, such as the ghetto compounds, the burning of villages and ricefields, and especially the physical brutality.

We support completely your recent statements about American foreign policy. We were impressed with your appearance on "Meet the Press," and today with your objections in the Senate to the resolution. We admire very much your moral courage and your rational objectivity, so decidedly lacking in most political figures today. We hope that you will continue to be strong in your position, and that you will be able to influence others to consider the moral issues involved, rather than just empty American prestige.

Sincerely,

Anita Simpson
Mrs. Charles Simpson.

Santa Monica, Calif.,
August 6, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: You have our heartfelt understanding for your positive stand on the South Vietnam situation. It takes stamina and knowledge of this acute problem, and you have shown courage almost alone, and we want you to feel we, as Democrats, are behind you.

Continue the good work.

Cordially,

Mrs. Rose Y. Nicholas.

Cazenovia, N.Y.

Senator Wayne Morse,
Washington, D.C.

Dear Mr. Morse: Thank you for your courage in speaking out in an effort to stop the current war hysteria in America.

I wish I could vote for you.

Yours truly,

Elizabeth Zo Allen.

August 6, 1964.

Senator Morse,

This is to encourage you to hold your position on the southeast Asia situation.

There is a better way to gain respect as a nation than killing.

I am a teacher, 60, of mathematics in high school.

Sincerely,

Mr. Claire W. Palmer.

August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

I thank you from the bottom of my heart because you are a true representative of the common people of the United States, and I might add for all the common people throughout the world.

It appears you stand alone as Christ did during his time.

We thank you for your courageous stand and for trying to save mankind from total annihilation.

Sincerely yours,

Katie Klicinovich.

Syracuse, N.Y.,
August 5, 1964.

Dear Senator Morse: I would like to congratulate you on your extremely brave stand over the present policies of the U.S. Government. It seems that in times of grave crisis there is always a call for unity in the country and this eliminates intelligent and democratic discussion on the subject and anyone who stands out against this is considered unpatriotic. Therefore any man, especially in an elected position, who takes such a stand is to be greatly admired and considered very courageous.

I would also like to thank you for your attempt to expose the hideous doubletalk which has accompanied the recent developments in southeast Asia.

I can only say that I believe the chances for world peace would be greatly increased if men of your thinking were in power in this country.

Sincerely,

Valerie Ashworth.

San Francisco, Calif.,
August 6, 1964.

Senator Wayne Morse,
Senate of the United States,
Washington, D.C.

Dear Senator Morse: This is just a brief note to say that we agree with everything that you have said about the U.S. intervention in Vietnam and admire tremendously your courage in speaking the way that you have done.

Whether you know it or not, we believe that you speak for many American people who, unfortunately, have no voice outside of your own.

Sincerely,

Irene Cosmos.
Jill Jeffery.

Los Angeles, Calif.,
August 8, 1964.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Just a line of congratulations on your courageous stand against our involvement in foreign wars. Keep up the good work.

Sincerely,

Lincoln Haynes.

Clintonville, Wis.,
August 7, 1964.

Senator Wayne Morse: I wish to express my appreciation for your stand in re the attack on North Vietnam. This should have been taken to the United Nations in accordance with its charter. I believe the PT boats were probably from South Vietnam. They are very anxious to get us into a war with their neighbor to the north.

Next, I suppose, there will be a phony attack in Cuban waters to justify an attack on their harbors.

The CIA could have staged this as they did the attack preceding the Bay of Pigs fiasco.

Yours,

Wm. L. Stanton.

San Pedro, Calif.,
August 5, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: May I personally thank you and congratulate you on the stand you have taken on the U.S. position in Vietnam. I am in complete agreement with you, that we are both the aggressors and agitators in this incident.

I give you my full support and encourage you to take this stand to whatever heights are necessary.

There are few men in political office today who are willing to sacrifice political gain for their own convictions. I believe that you have truly passed the test of a qualified Senator, which I am afraid many of your colleagues would fail.

Again I urge this stand, and offer myself in any way to keep this a country and world in peace.

My deepest admiration,

Miss Helen Meyers,
College Student.

New York, N.Y.,
August 8, 1964.

Senator Wayne L. Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: My congratulations to you on your stand on the resolution which, I think, you said "predated a declaration of war."

I am extremely worried about our whole policy in Vietnam and a newspaper picture of a baby terribly burned by one of our fire bombs has haunted me.

A world at peace with more reliance on the United Nations seems farther away and the stupidity of man on the increase. I don't like to be ashamed of my country but how can we send the Peace Corps around the world on one hand and push everyone closer to nuclear destruction on the other.

I wish that other Senators than you and Senator Ernest Gruening would speak up in times of crisis.

Sincerely,

Eileen B. Waring.

August 6, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: The Palomar Peace Group meeting in full session feel especially indebted to you. You seem to be the strongest voice for peace in the U.S. Government.

You have taken the winning side, as only full discussion of issues and agreement on peace and neutrality could be a sensible role today. Any other leads to nuclear war and destruction.

The Johnson administration has taken a turn toward carrying out the policies of Goldwater.

In one sense we felt after the Republican convention, we now had a straight course for end poverty, civil rights, and peace. We are now all confused and continuation of this policy could easily end in the election of Barry Goldwater.

Or—the nuclear destruction of the world.

Yours very truly,

William Ingham,
Chairman, Palomar Peace Group.

August 8, 1964.

Hon. Senator Wayne Morse,
Senate Building,
Washington, D.C.

Sir: A few years ago I had the pleasure of having dinner with you and Mrs. Morse and I was impressed and enlightened by your independence and knowledge.

Your recent vote against President Johnson's bill is a courageous act. I hope that you are better informed on our problems than I or millions of other Americans are.

The rest of our legislators' speedy and ready consent marks them, in my book, as a bunch of "yo-yos."

Congratulations and may you enjoy a good, happy and long life. We need you.

Sincerely,

Harry Rich.

Miami, Fla.

August 6, 1964.

Senator Wayne Morse,
Senate of the United States,
Washington, D.C.

Dear Senator Morse: My wife and I were greatly pleased by your comments on the Vietnamese crisis. I had thought that all dissenting voices were buried under the heap of elegies on individualism. May Oregon continue to return you to the Senate.

Sincerely yours,

Douglas M. Moon.

Berkeley, Calif.

Brooklyn, N.Y.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I commend your vote on the Vietnam resolution as a courageous and independent action.

I think it is good to have a few doves when it is much easier to be a hawk. In fact, it alarms me, as it did in the Cuban crisis, that to be anything but a hawk is tantamount to treason.

If we don't have debate on such monumental questions, we lose a great asset of democracy—the check of power of the establishment. The vote on Wilson's war resolution was not unanimous. Perhaps, at that time, if there had been more debate or consultation, alternative courses might have been reached which would have been less costly.

Military commitment can be a dangerous procedure because it does not always permit an honorable disengagement. Cuba proved otherwise, fortunately, but possibly only because the motives on both sides were evident and communication was easy and available. I am not sure whether the Prisedent's action is the best course for the United States or will produce any lasting benefits. However, I don't believe that honest debate should be ruled out or that individuals should fear to raise questions lest their patriotism or paper courage be questioned. I have also felt for a long time that a Senator should not be merely a relay switch for the wishes of his voters on important questions. On matters that require background, wisdom and moral thinking to decide, I think a Senator and the Senate have a higher obligation than to party loyalty or the next election.

Yours truly,

B. F. Karnow.

Brooklyn, N.Y.,
August 5, 1964.

Hon. Wayne Morse,
Senator, Office of the Senate,
Washington, D.C.

Dear Sir: Am writing to express my support for, and my admiration and respect for, your integrity and moral courage as expressed by you concerning the Vietnam situation. The action taken by the administration is not the way of the Founding Fathers.

Respectfully,

Mrs. R. L. McGarrett.

August 7, 1964.

Senator Wayne Morse,
Washington, D.C.:

I, too, with many thinking people, have long considered the wisdom of our policy in Vietnam and have just written the President, again, urging caution and a postponement of further military action till the situation can be reviewed before the Security Council with both sides participating.

I have admired your stand in the Senate which must have taken conviction and courage and I want you to know you have the full support of many of us.

Sincerely,

Mrs. Marion M. Mallery.

Philadelphia, Pa.

Frankfort, Ky.,
August 7, 1964.

Senator Wayne Morse,
Senate Building,
Washington, D.C.

Dear Senator Morse: In the flurry of activity that surrounds a U.S. Senator, it must be especially trying to defend a position as unpopular as is your position on Vietnam. Now, as I write this, you are speaking to an almost empty Senate Chamber—speaking about what is probably the most important topic in the world today. You might very well be committing political suicide, because this time your opposition to U.S. policy in southeast Asia is getting wide publicity.

Of course, I know nothing about what kind of person you are. I do know that you are not a coward, and have taken grave political risks in the past. But I do know that when caught up in the middle of a struggle, it is often hard to keep an eye on oneself, and to remember what it is all about. It is often especially difficult to find meaning to a struggle which at one and the same time must be fought, and will be lost.

This letter, then, is to remind you of that which only someone else can tell you. You are a good man. If life can ever have any meaning, it will be given such by men like yourself. I can't wish you great happiness, because I know that men such as you can never be fully happy in an evil world. But I do wish for you the satisfaction that comes from fighting for what is right. I wish for you part of the beauty that you yourself are adding to the world.

With profound respect.

Lawrence Caroline.

Montrose, Pa.,
August 8, 1964.

Thank you, Senator, for your dissenting vote yesterday on that "vote of confidence" for the President's military action in North Vietnam.

"The evil that men do lives after them" may well be said of our involvement in southeast Asia.

How did Asia ever survive for 7,000 years without the United States? One hell of a mess.

Fred K. Brewster.

Pasadena, Calif.,
August 6, 1964.

Dear Senator Morse: This is to encourage you in your stand against our undeclared war in Vietnam.

Please continue to press for a solution through the U.N.

Respectfully,

Rega Engeloberg.

Seattle, Wash.

Senator Wayne Morse,
Washington, D.C.

Dear Senator: It was with joyful appreciation that I read in the morning Post-Intelligencer your statements regarding U.S. intervention in Asia. I wish to congratulate you for the stand you have taken.

I am writing to the two Senators from Washington.

Sincerely yours,

Hector J. Duracker.

Brooklyn, N.Y.,
August 6, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am filled with pride that we have one Senator who has the intelligence to understand the international implications of our insane foreign policy and has the courage to say that he does not agree with it. What's driving these people to build up another Korea? If the plan is to provoke the Chinese so they'll enter on the side of the North Vietnamese and give us an excuse to bomb the mainland to please Chiang Kai-shek, we're underestimating the power of the Communist world. No matter what the rift over ideology Russia won't stand by and do nothing. But I don't have to tell you these things. You are well aware of the world situation.

Thank you very much for your dedication to the real interests of the people of this country. Judging by the vast number of supporters you have in this community you'd be our first choice for President. Shall we draft you?

Very truly yours,

Anne R. Colford.

New York, N.Y.,
August 7, 1964.

Wayne L. Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: This is to express my admiration to you for your courageous stand against our involvement in an Asian war. Thank God there is at least one voice in the Senate that speaks out for peace and sanity.

Respectfully,

Kurt H. Gruen.

August 6, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: For years I've heard the Republicans criticize our party because, quote, "It's always the Democrats who get us into war." Again this morning I heard this refrain from a fellow worker on the subject of the North Vietnam bombings.

I just want you to know that a fellow Democrat is proud of you for your courage in questioning this action of our country and I wholeheartedly agree with you.

May God bless you.

Phyllis A. Caine.

Berkeley, Calif.

Copies to President Johnson, Senator H. Humphrey.

San Jose, Calif.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: May I commend you for your courageous stand on the limited war resolution. It is a rare pleasure to see a man of such integrity and conviction, and would that there were more like you in the Senate. We lived in Oregon for 3 years, while students at the University of Oregon (both my husband and I hold Ph. D's in sociology from the University of Oregon.) I only wish we could still vote for you.

On many, many previous occasions I have admired your stands and the articulate way in which you have expressed your viewpoint—with which I am almost always in accord. My husband joins me in congratulating you on your rare courage.

Sincerely,

Gail J. Putney, Ph. D.

Muncie, Ind.,
August 6, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We want you to know that we are in strong support of your position that the United States should cease its involvement in Vietnam and should submit the issues to negotiation. The United States should faithfully abide by the results of such negotiations.

We sent the following telegram to President Lyndon Johnson:

"Urge avoid war escalation in Vietnam. Negotiate permanent settlement through United Nations."

Sincerely,

Robert J. and Martha Gwyn.

Copies to Senators Birch Bayh, Vance Hartke, Congressman Ralph Harvey.

East Amherst, N.Y.,
August 6, 1964.

Dear Senator: I am writing to express my approval and appreciation for your position on the crisis in southeast Asia. Your remarks have shown that the only intelligent solution to this complex problem is through sincere attempts at negotiation.

Sincerely,

Jo Anne Bradley.

New York City, N.Y.,
August 7, 1964.

Dear Senator Morse: Thank God for you. I just finished your article in the Progressive and know that we can count on you to soberly appraise our drive to war in southeast Asia. This is sheer madness and can lead only to the extermination of the whole human race.

Now we're playing "chicken" and seem disappointed that China is not responding to our bullying of North Vietnam.

We know you are almost alone in Congress. Please keep on.

Thank you again, most fervently.

Sincerely yours,

Dorothy Jacobson.

Agency, Iowa,
August 8, 1964.

Hon. Wayne Morse,
Senator for Oregon,
Washington, D.C.

Dear Mr. Morse: Do you realize, sir, that you and Senator Gruening, of Alaska, are the only Members of Congress willing to go on record as agreeing with the fundamental doctrines of all of the great religions in the world on human rights and human relations? My congratulations, and my fervent hope you will remain steadfast in your stand on our foreign policy, must be conveyed to you. I am now nearly 90 years old and ever since I can remember I have thought much as you do about such things.

Yours truly,

Madison Warder.

Bozeman, Mont.,
August 7, 1964.

Dear Senator Morse: I appreciate your stand on the current Vietnam crisis. As a history teacher I watch current events with interest.

Thank you for sending me "Senator Morse Speaking."

Sincerely,

Clyde W. Smith.

Brooklyn, N.Y.,
August 6, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Please accept this brief note in wholehearted support of your position in connection with American activity in Vietnam. I pray the Lord will strengthen your voice and the voices of others who appeal for sanity in a situation quickly escalating toward deeper involvement and total war.

Sincerely,

Richard J. Neuhaus.

New York, N.Y.,
August 6, 1964.

Dear Senator Morse: We commend you on your courageous stand on our "immoral" war in Vietnam.

Yours is the only sane, realistic, and humane position on this matter.

We applaud your courage in being able to stand alone amid a "sea of fools."

Sincerely,

Mr. and Mrs. S. Romaine.

Chicago, Ill.,
August 7, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: It was heartening to hear two sane voices raised in the Senate when the vote on Vietnam was taken.

Not all Americans favor the U.S. aggressive "big stick" policy in southeast Asia and many of us are unwilling to give President Johnson free rein in pursuing that policy.

We are grateful to you and Senator Gruening for representing us.

Sincerely,

Glenn and Anne Thureson.

Muskegon, Mich.,
August 7, 1964.

Hon. Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I wish to thank you for your leadership and straight thinking regarding the Vietnam situation. History will prove you are right. I fear for our country and for our sons who are being killed for nothing. (We have a son in the Navy.)

You are a profile in courage and one of the few legislators I could call "honorable." Congratulations.

I am a teacher and wish I could do something to help constructively. Our letters to Congressmen seem to have little effect.

Sincerely,

Mrs. Mildred E. Wall.

Los Angeles, Calif.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Mr. Morse: I wish to congratulate you for your courageous and forthright position you have taken on the issue of U.S. naval aircraft bombing North Vietnam bases. Although you are apparently outnumbered by those that support this action, remember there are millions of Americans who support your courageous and correct stand.

I agree 100 percent with you that our policy over the last 10 years in southeast Asia is terribly wrong and can only lead to disastrous results. Open intervention in South Vietnam, which we have been following for years is in itself aggressive action which can only be countered with similar action by the Government of North Vietnam and China.

Obviously the Government in South Vietnam is not a popular regime with the people of this country and is being kept in power by U.S. military might. I further agree that the problem in southeast Asia is a political one and cannot be solved by military action. Our sons who are dying in Vietnam are obviously being sacrificed for a lost cause.

Please keep up your fight for a correct policy in southeast Asia, and be of mind that there are millions of Americans who are behind you in this fight. Remember that although your position is a minority position at this time—it is the correct position—and eventually must be the majority position if we are to have peace in southeast Asia. The issues in southeast Asia must be settled over the conference table.

I am sending carbon copies of this letter to both of my Senators from California.

Sincerely,

Leonard Dahlsten.

San Diego, Calif.,
August 9, 1964.

The Honorable Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I wish to express my admiration for the stand you have taken on the policy of the U.S. Government in Asia, and especially in Vietnam. It takes a lot of courage to raise the only dissenting voice in the Senate, particularly when the whole country has been excited to the point of hysteria over the Tonkin Gulf exchange.

Having just recently read your article, "Humpty Dumpty in Vietnam", in the Progressive, I was aware of your thorough knowledge of the 10-year history of our participation in this area. I also have a copy of Senator GRUENING's speech of March 10, 1964, on "The United States Should Get Out of Vietnam" and have used this material when writing to my Congressmen and Senators about the cruelty and futility of this war. The response I have received has not been impressive as you can observe from the letter from Senator KUCHEL, copy of which is enclosed. The President naturally turns such letters over to the State Department which forwards the writer a fat pamphlet too voluminous to wade through.

The War Registers League issued a "Memo on Vietnam" recently, prepared by David McReynolds and A. J. Muste, which seems to me very comprehensive. I am ordering some copies of this memo to distribute to people in this area. As I feel you will be interested in this "Memo", I am enclosing a copy and also a clipping from a smalltown newspaper, the Valley News, to show you that we do have one thoughtful editor in this area which is otherwise covered by the San Diego Union and Evening Tribune, both owned by the ultraconservative Copley Press.

Yours very truly,

MRS. F. W. MCCONNELL.

SAN DIEGO, CALIF.,
AUGUST 5, 1964.

DEAR SENATOR MORSE: Thank you for your courageous and positive stand regarding the shocking position our Government has taken in Vietnam.

I feel our being there was all wrong in the first place. We should work through the United Nations at all times. It seems hypocritical to me to keep saying we are fighting to preserve peace and freedom.

Sincerely,

MRS. MARY HANCOCK.

LOS ANGELES, CALIF.,
August 7, 1964.

Senator THOMAS KUCHEL,
U.S. Senate,
Washington, D.C.

DEAR SIR: I beg of you to oppose extending the war in Vietnam. Brinkmanship is a dangerous game, and might start a conflagration which will end in total destruction of the world.

We suggest that all misunderstandings should be threshed out at a conference table.

Yours respectfully,

MRS. SARAH YURAVICH.

LOS ANGELES, CALIF.,
August 7, 1964.

Senator MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.

DEAR SIR: Please support Senator WAYNE MORSE in opposing extension of the war in Vietnam, which may eventually start a nuclear war and the total destruction of the world.

There must be other ways to settle differences, and a conference table is a good way.

Respectfully,

MRS. SARAH YURAVICH.

LOS ANGELES, CALIF.,
August 7, 1964.

Senator J. W. FULBRIGHT,
Chairman, Foreign Relations Committee,
U.S. Senate,
Washington, D.C.

DEAR SIR: Please continue to oppose extending the war in Vietnam, as you have done in the past. Brinkmanship is a dangerous gamble, which might light the fuse that will start such a conflagration that will destroy the world.

Don't you think that things can be settled at a conference table in preference to war?

Respectfully yours,

MRS. SARAH YURAVICH.

AUGUST 9, 1964.

Mr. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I congratulate you on your courage to face up to President Johnson's barbaric act against the people of North Vietnam. To me his act is in the same category of a 6 foot 2 inch, 250-pound man slugging a 6-year-old boy, or raping an 8-year-old girl. Why, oh why, do we have to pick on little nations such as South Vietnam; North Vietnam, Cambodia; Laos; Cuba; Guatemala, British Guiana—we wouldn't dare do it to the U.S.S.R.

I wrote Senator WILLIAMS denouncing him for his Casper Milquetoast attitude—for bending his knees to Johnson's ignominious act. I'd like to receive your speech apropos this base act of Johnson's.

Sincerely yours,

HUBERT N. SMITH.

AUGUST 7, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: I wish to tell you I am in complete agreement with you on Vietnam and southeast Asia. Why, oh why, can we not see that we must settle disputes around a conference table in this day of the atom bomb.

It is a lonely, lonely vigil for you but keep up the good work.

Sincerely,

BETTY KELLOGG.

LONG BEACH, CALIF.

Hon. SENATOR MORSE,
Washington, D.C.:

Thank you for your courageous stand regarding the Vietnamese crisis.

Wish you were president.

Sincerely,

K. A. ELIASSEN.

PROVIDENCE, R.I.,
August 7, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: This is a brief note to let you know that I wholeheartedly support your bold and farsighted thought on the South Vietnam crisis. In 1964, we cannot have American solutions to all problems, and you are one of the few people in Washington to recognize this.

As a member of the U.S. Marine Corps Reserve, I have witnessed the insidious and immoral indoctrination that our troops are subjected to; that is to say, a reckless "my-country-right-or-wrong" policy is promulgated. For myself, I will not become a part of this inexorable march toward mass annihilation.

Again I applaud your standing. Rest assured, that there are others who support your statement; indeed, as you say, we must beat our big nuclear swords into plowshares.

Very truly yours,

STEPHEN J. FORTUNATO, Jr.

AUGUST 6, 1964.

DEAR SENATOR MORSE: I like to consider myself a thinking individual, one who takes time to make up his mind when important matters present themselves. It appeared for the moment that I had lost complete touch with the human race when this trouble in Vietnam arose this week. By chance I happened to see you on TV and hear your statement in regard to the situation there. I can assure that I am on your side in this matter and don't I wish more felt the same way.

I have not always agreed with your stand on various issues, but I have certainly admired your honesty and courage through the years you have served in the Senate. Without reservation, as a history teacher, I can confidently say that your name is already recorded in the pages of this Nation's history as one of her most noble servants. Please continue your good work.

Sincerely,

RICHARD L. PETTERSON.

TOPEKA, KANS.

CHICAGO, ILL.,
August 8, 1964.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I wish to express my approval and admiration for your stand on Vietnam. Your voice is practically alone and therefore you deserve credit for having the courage of your convictions. Let me assure you I share the above with you, and hope that the present situation will be settled not by guns, but through negotiations.

Sincerely yours,

SAMUEL L. TALMY.

NEW YORK, N.Y.,
August 8, 1964.

Senator WAYNE MORSE of Oregon,
Senator ERNEST GRUENING of Alaska,
Washington, D.C.

DEAR SENATORS WAYNE MORSE AND ERNEST GRUENING: We want to thank you both for your honorable and courageous defense of peace and humanity, in respect to the Vietnam crisis.

With your powerful voices in Washington, our democracy and our international morality cannot die out, but will, we hope, grow stronger.

We enclose a copy of our letter to President Lyndon B. Johnson on the North Vietnam matter, in which we affirm our support of your position.

With admiration and respect,

DR. OAKLEY C. JOHNSON,
MRS. MARY LEA J. JOHNSON.

NEW YORK, N.Y,
August 8, 1964.

LYNDON B. JOHNSON,
President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We still protest, after hearing your statement to the people, against your policy toward North Vietnam, and toward Vietnam and against the unreasonable assault on that little nation.

We appreciate your declaration that you wish "no wider war," but that is not enough. It does not explain away the sudden horror of the brutal attack, without inquiry, without negotiation, without reporting first to the United Nations.

You know these things perfectly well, Mr. President. Why do you persist in giving our country an image as being among the still uncivilized imperialist nations which disregard international courtesy and international law?

We still urge a 14-nation conference, as asked by De Gaulle, with solution of all problems by negotiation, and withdrawal of American troops and ships.

We urge that you include Senators WAYNE MORSE and ERNEST GRUENING in every important conference on southeast Asia, because they speak for the majority of the people of the United States. Let their viewpoint, not Senator GOLDWATER'S, be reflected in your foreign policy.

Respectfully yours,

DR. OAKLEY C. JOHNSON,
MRS. MARY LEA J. JOHNSON.

LOS ANGELES, CALIF.,
August 8, 1964.

SENATOR WAYNE MORSE:

With reference to current Tonkin Gulf affair and Fred Cook's book "The Warfare

State," Library of Congress card 62-19422—these clips show forces behind GOLDWATER and mortal crisis facing one beloved country in November.

We have put lethal hardware in hands of Greeks and Turks, Laotians, Vietnamese, and many others. All that it took to initiate hostilities 50 years ago was one pistol bullet.

Now with GOLDWATER on a white horse leading the Birchites to "victory," one can only hope there will be a few more sane, mature, and courageous Senators to stem the tides of hate that are destroying our beloved Nation.

Why did Aviation Industries Association, using Hill and Knowlton of Madison Avenue, initiate a propaganda campaign of "Hate Russia" in 1946? They have unleashed the forces of hell over the expanse of our country. Can we control it before it is too late?

Sincerely,

G. B. GELLEY,
Captain, USCG (Retired).

Associated Press wire from Washington (dated May 18, 1960), which stated: Senator BARRY GOLDWATER (Republican of Arizona), today urged full speed in development of the B-70 bomber, asserting the United States could use it to launch a war. It is interesting to note that Senator GOLDWATER has recently written a book entitled "The Conservative Conscience." If the foregoing report is an indicative reflection of the conservative conscience, I am inclined to doubt whether it has developed to any great extent since the days of Genghis Khan. And again where is the still small voice?

But no matter how close war is to becoming a sudden and violent reality, we must not lose faith in man's ability to reach a noble destiny. The goal cannot be reached by keeping in the middle of a smooth and unobstructed highway. The course is set on a tortuous and rugged alpine slope, and so far, man has made some brilliant strides in his ascent. Will he abandon his lofty position and go down into "the valley of the shadow of death," or will he push on up toward the unscaled summit? The German philosopher Lotze once remarked that "The deeper our insight into human destiny becomes, the more sacred does every individual human being seem to us." May our conscience grow in the conviction that man's reverence for life will prevail.

I believe that the mature conscience must be based on a deep reverence for life, and that its crowning characteristics should consist of understanding and the courage to translate it into action. Conscience is not enough, for it has spurred bloody atrocities, as well as noble deeds. Understanding is not enough, for it often leaves men fearful and irresolute, as well as courageous and determined. Action is not enough, for it is the habit of both beast and benefactor. Conscience, understanding, and action must be welded together, if we are to tread the path of wisdom.

CHRISTIAN MORALITY AND NUCLEAR WAR

(By Thomas Merton)

(NOTE.—This article, which deals with the individual Christian's moral responsibility in the face of the threat of modern nuclear warfare, was written several months prior to the publication of Pope John's recent encyclical Pacem in Terris. In view of the Holy Father's powerful statement Father Merton's observations acquire a unique timeliness and importance.)

A death struggle can also be a struggle for life, a new birth. Perhaps the present crisis is the birth agony of a new world. Let us hope that it is. No one can dare to predict what is about to be born of our confusion, our frenzy, our apocalyptic madness. Certainly the old order is changing, but we do not know what is to come. All we know is that we see the many-crowned and many-headed monsters rising on all sides out of the deep, from the ocean of our own hidden and collective self. We do not understand them, and we cannot. We panic at the very sight of their iridescent scales, their jaws that flame with nuclear fire. But they pursue us relentlessly, even into absurd little caves fitted out with battery radios and hand-operated blowers. We find no security even in the spiritual cave of forgetfulness, the anesthesia of the human mind that finally shuts out an unbearable truth, and goes about the business of life in torpor and stoical indifference.

And yet the monsters do not have to come to life. They are not yet fully objective like the world around us. They do not have the substance which is given to things by the creative power of God: they are the spiritual emanations of our own sick and sinful being. They exist in and by us. They are from us. They cannot exist without us. They are our illusions. They are nightmares which our incredible technological skill can all too easily actualize. But they are also dreams from which we can awaken before it is too late. They are dreams which we can still, perhaps, choose not to dream.

MORAL PARALYSIS

The awful problem of our time is not so much the dreams, the monsters, which may take shape and consume us, but the moral paralysis in our own souls which leaves us immobile, inert, passive, tonguetied, ready and even willing to succumb. The real tragedy is in the cold, silent waters of moral death which climb imperceptibly within us, blinding conscience, drowning compassion, suffocating faith, and extinguishing the spirit. A progressive deadening of conscience, of judgment, and of compassion is the inexorable work of the cold war.

One thing is getting to be more and more certain. The balance of terror, which dictates all the policies of the two great armed power blocs, cannot stay "balanced" much longer. It will crash. It may crash very soon. Napoleon said you cannot sit on bayonets. You have to use them, if you have them. This is a thousand times more true of the montrous weapons which offer an overwhelming advantage to the one who strikes first and who strikes hardest, who smashes everything the enemy has before the enemy can wake up to his danger.

The slightest false move, the most innocent miscalculation, an ill chosen word, a misprint, a trivial failure in the mechanism of a computer, and one hundred million people evaporate, burn to death, go up in radioactive dust, or crawl about the face of the earth waiting for death to release them from agony.

We are not good at resisting sin, even under the best conditions. But under the most violent provocation, under the most diabolical pressures, when we have abdicated from reason and morality, when we have frankly gone back to the law of the jungle, how much chance is there, humanly speaking, that we can live without disaster?

Two things are clear. First, the enemy is not just one side or the other. The enemy is not just Russia, or China, or communism, or Castro, or Khrushchev, or capitalism, or imperialism. The enemy is on both sides. The enemy is in all of us. The enemy is war itself, and the root of war is hatred, fear, selfishness, lust. Pius XII said in 1944, "If ever a generation has known in the depths of its being the cry of 'War on war' it is our own." As long as we arm only against Russia, we are fighting for the real enemy and against ourselves. We are fighting to release the monster in our own soul, which will destroy the world. We are fighting for the demon who strives to reassert his power over mankind. We have got to arm not against Russia but against war. Not only against war, but against hatred. Against lies. Against injustice. Against greed. Against every manifestation of these things, wherever they may be found, and above all in ourselves.

Yet at the same time we must not ignore the spiritual borderline that separates the nations of the West, with their Christian background, from the officially atheistic Communist bloc. We must avoid two extremes: seeing all good on our side and all evil on their side, or, on the contrary, dismissing both sides as totally evil. The fact remains that although the Communists have explicitly rejected the Christian ethical tradition, there may still remain in Communist-dominated countries strong surviving elements of that tradition. And although we of the West appeal to the Christian tradition in favor of our own cause, and do this quite legitimately, yet nevertheless there are materialistic and atheistic elements at work among us just as powerful and just as destructive of our tradition as the materialism and atheism of the official Communist ideology.

THE PRESSURE GROUPS

On both sides there are powerful and fanatical pressures groups dominated by their political obsessions, who drive toward nuclear war. On both sides the vast majority desire nothing but peace. The extremists on both sides are very much alike, though they regard one another as opposites. The moderates on both sides also have very much in common. One sometimes wonders if the real dividing line is not to be drawn between the fanatics (whether Russian or American) and the moderate, ordinary people of both sides.

In any case the policy makers and propagandists are tending more and more in the direction of what they call "realism": that is to say an all-out nuclear strike involving the mass destruction of civilians. In effect, the extreme bellicosity which leads each of the great power blocs to depend more and more on the threat of a pre-emptive attack, with no limit to the megatonic impact of the nuclear weapons and no discrimination between civil and military objectives, is equally immoral on both sides, equally inhuman and incompatible with Christian ethics.

In this restricted sense it may indeed be possible to find the same demonic evil at work, perhaps in different degrees, on both sides. Once one adopts the policy of nuclear "realism" which is purely and simply a policy of annihilation, then one abandons the moral advantage of fighting for freedom, justice, and democracy. None of these values is likely to survive an all-out nuclear war. Even if one nation manages to win such a war, the conditions will be such that social, moral, and spiritual values with which we are familiar, and which we should certainly be prepared to defend with our lives, will no longer be recognizable in the moral debacle. Such at least is the belief of Pope Pius XII and of John XXIII.

The conclusion is, then, that we must defend freedom and sanity against the bellicose fanaticism of all warmakers, whether "ours" or "theirs" and that we must strive to do so not with force but with the spiritual weapons of Christian prayer and action. But this action must be at once nonviolent and decisive. Good intentions and fond hopes are not enough.

PROBLEM IS DEEPER

The present world crisis is not merely a political and economic conflict. It goes deeper than ideologies. It is a crisis of man's spirit. It is a great religious and moral upheaval of the human race, and we do not really know half the causes of this upheaval. We cannot pretend to have a full understanding of what is going on in ourselves and in our society. That is why our desperate hunger for clear and definite solutions sometimes leads us into temptation. We oversimplify. We seek the cause of evil and find it here or there in a particular nation, class, race, ideology, system. And we discharge upon this scapegoat all the virulent force of our hatred, compounded with fear and anguish striving to rid ourselves of our fear by destroying the object we have arbitrarily singled out as the embodiment of all evil. Far from curing us, this is only another paroxysm which aggravates our sickness.

The moral evil in the world is due to man's alienation from the deepest truth, from the springs of spiritual life within himself, to his alienation from God. Those who realize this, try desperately to persuade and enlighten their brothers. But we are in a radically different position from the first Christians, who revolutionized an essentially religious world of paganism with the message of a new religion that had never been heard of.

We on the contrary live in an irreligious world in which the Christian message has been repeated over and over until it has come to seem empty of all intelligible content to those whose ears close to the word of God even before it is uttered. In their minds Christianity is no longer identified with newness and change, but only with the static preservation of outworn structures. Doubtless Christians themselves have helped to create this unfortunate impression.

THE CLOSED MIND

This should teach us that though the words of the Gospel still objectively retain all the force and freshness of their original life, it is not enough now for us to make them known and clarify them. It is not enough to announce the familiar message that no longer seems to be news. Not enough to teach, to explain, convince. Now, above all, it is the time to embody Christian truth in action even more than in words. No matter how lucid, how persuasive, how logical, how profound our theological and spiritual statements may be, they are often wasted on anyone who does not already think as we do. That is why the serene and almost classic sanity of moralists exposing the traditional teaching of Christian theologians on the "just war" is almost a total loss in the general clamor and confusion of half-truths, propaganda slogans, and pernicious clichés. Who will listen and agree, except another professional theologian? What influence can such statements have in preserving sanity, clear and logical though they may be?

THE PRESENT NEED

What is needed now is the Christian who manifests the truth of the Gospel in social action, with or without explanation. The more clearly his life manifests the teaching of Christ, the more salutary will it be. Clear and decisive Christian action explains itself, and teaches in a way that words never can.

What is wanted now is therefore not simply the Christian who takes an inner complacency in the words and example of Christ, but who seeks to follow Christ perfectly, not only in his own personal life, not only in prayer and penance, but also in his political commitments and in all his social responsibilities. The Christian conscience can hardly be at peace with a minimalist ethic which justifies and permits as much as possible of force and terror, in international politics and in war, instead of struggling in every way to restrain force and bring into being a positive international authority which can effectively prevent war and promote peace.

We are at a point of momentous choice. Either our frenzy of desperation will lead to destruction of our patient loyalty to truth to God and to our fellow man will enable us to perform the patient, heroic task of building a world that will thrive in unity and peace. At this point, Christian action will be decisive. That is why it is supremely important for us to keep our heads and refuse to be carried away by the wild projects of fanatics who seek an oversimplified and immediate solution by means of inhuman violence.

Christians have got to speak by their actions. Their political action must not be confined to the privacy of the polling booth. It must be clear and manifest to everybody. It must speak loudly and plainly the Christian truth, and it must be prepared to defend that truth with sacrifice, accepting misunderstanding, injustice, calumny, and even imprisonment or death. It is crucially important for Christians today to adopt a genuinely Christian position and support it with everything they have got. This means an unremitting fight for justice in every sphere—in labor, in race relations, in the "third world", and above all in international affairs.

This means (to adopt a current military cliché) closing the gap between our interior intentions and our exterior acts. Our social actions must conform to our deepest religious principles. Beliefs and politics can no longer be kept isolated from one another. It is no longer possible for us to be content with abstract and hidden acts of "purity of intention" which do nothing to make our outward actions different from those of atheists or agnostics.

Nor can we be content to make our highest ideal the preservation of a minimum of ethical rectitude prescribed by natural law. Too often the nobility and grandeur of natural law have been debased and deformed by the manipulation of theories until natural law has become indistinguishable from the law of the jungle, which is no law at all. Hence those who complacently prescribe the duty of national defense on the basis of "natural law" often forget entirely the norms of justice and humanity without which no war can be permitted. Without those norms, natural law becomes mere jungle law, that is to say crime.

The Popes have repeatedly pleaded with Christian people to show themselves in all things disciples of Christ the Prince of Peace, and to embody in their lives their faith in His teachings. "All His teaching is an invitation to peace," says Pope John XXIII in the 1961 Christmas message. Deploring the ever-increasing selfishness, hardness of heart, cynicism and callousness of mankind, as war becomes once again more and more imminent, Pope John says that Christian goodness and charity must permeate all the activity, whether personal or social of every Christian. The pontiff quotes St. Leo the Great in a passage which contrasts natural ethics with the nonviolent ethic of the Gospel:

"To commit injustice and to make reparation—this is the prudence of the world. On the contrary, not to render evil for evil, is the virtuous expression of Christian forgiveness." These words, embodying the wisdom of the church and the heart of her moral teaching, are heard without attention and complacently dismissed even by Catholics.

CHRISTIANITY IS ALSO FOR NATIONS

Too often, in practice, we tend to assume that the teaching of Christian forgiveness and meekness applies only to the individual, not to nations or collectivities. The state can go to war and exert every form of violent force, while the individual expresses his Christian meekness by shouldering his gun without resistance and obeying the command to go out and kill. This is not Pope John's idea at all. He utters a solemn warning to rulers of nations: "With the authority we have received from Jesus Christ we say: Shun all thought of force; think of the tragedy of initiating a chain reaction of acts, decisions, and resentments which could erupt into rash and irreparable deeds. You have received great powers not to destroy but to build, not to divide but to unite, not to cause tears to be shed but to provide employment and security."

Christian action is based on the Christian conscience, and conscience has to be informed by moral truth. What are the moral options open to the Catholic in regard to nuclear war? This has seldom been made clear, and it is tragic to observe that many Catholics are in a state of ignorance and confusion on some very important points. The vague statement that "a Catholic cannot be a pacifist" is taken in much too sweeping and absolute a sense. Actually it is true that in the Christian message of 1956 Pope Pius XII reminded the faithful of their duty to face the "unpleasant reality * * * of an enemy determined to impose on all people, in one way or another, a special and intolerable way of life." Referring to violent tactics used by communism, including atomic blackmail and the ruthless suppression of resistance in weaker nations, the Pope said that these tactics would have to be resisted. Pius XII clearly had the recent Hungarian uprising in mind when he declared that Christians might have the right and the duty to resist oppression by force if no other means were available or effective.

Hence he said that in the case of extreme danger a legitimately constituted government, after every effort to avoid war has been expended in vain might lawfully wage a war of self-defense against unjust attack. The Pope laid down many clear conditions for the legitimacy of such a war. It would have to be strictly a war of defense, against evidently unjust attack. All efforts at keeping peace must have been unavailing. Legitimate means of defense must be used. There must be hope of effective self-defense and of a favorable outcome. In view of such a situation, if the nation takes defensive precautions with legitimate instruments of internal and external policy, then the citizen would have an obligation to serve the nation in its defense effort. Ho could not appeal to his conscience to refuse military service imposed by law. At the same time the Pope deplored the necessity of such laws and pointed to "general disarmament as an effective remedy."

Without commenting in detail on this statement of Pius XII, two things must be stressed: First that the Pope is not setting aside the Christian conscience in matters of war. The Christian remains obliged in conscience to weigh the matters seriously and to consider whether or not the conditions laid down are in fact fulfilled. In the case of all-out nuclear war, there exists a serious problem as to whether or not the "means" may be considered legitimate, either in themselves or in the manner in which they are obviously to be used.

THE CHRISTIAN CONSCIENCE

Far from dismissing or slighting the individual conscience in this matter, the Pope says immediately that "there are occasions in the lives of nations when only recourse to higher principles can establish clearly the boundaries between right and wrong." He adds: "It is therefore consoling that in some countries, amid today's debates, men are talking about conscience and its demands."

It must, therefore, clearly be stated that the measured and clearly qualified terms in which Pius XII admitted that there could still be a just war, at least (so the context seems to suggest) with conventional weapons, this did not mean that the government purely and simply had the last word and that Christian conscience was no longer to be consulted. He was not prescribing blind obedience to any government in any situation in which the power struggle might dictate war by any methods as the expedient thing.

Note also that the obligation is not strictly to fight and to kill but to serve the country in some capacity, according to its laws.

Hence the Catholic who feels that in conscience he ought to choose the more perfect way of avoiding bloodshed and serving in the ambulance corps or in some other noncombatant capacity retains the right to follow his conscience in this matter, and indeed ought to follow it. And his requests ought to be respected.

But do these distinctions apply in an all-out nuclear war?

One other remark made by Pius XII in the same address is very important. He devotes several paragraphs to the problem of discerning accurately when peace is and is not really threatened, when there is and is not a serious emergency, and how the calculated threats and recriminations of power politicians are really to be interpreted. This gravely affects the whole question of that "extreme danger" which makes defensive measures urgent and obligatory.

In conclusion, we must not forget that Pope XII's affirmation that a just war could still be possible and that the Christian might be bound to serve in it, must always be seen against the background of his insistence upon general disarmament and the policy of peace. He explicitly states in this message that it is not "abandoning that mission of peace which flows from our apostolic office," still less "calling Christendom to a crusade."

Clearly we cannot assert that a Catholic is bound in conscience to accept passively every form of war and military force that his government may decide to use against an enemy. According to this view, a good Christian is one who shrinks from no work of violent destruction commanded by the state in war. How far that would be from the primitive idea that the good Christian normally refused military service and suffered violence in himself rather than inflicting it on others. Such a misconception could lead to the awful conclusion that a Catholic commanded by a new Hitler to operate the furnaces of another Dachau would be "only doing his duty" if he obeyed. The noble Christian concept of duty and sacrifice must not be debased to the point where the Christian becomes the passive and servile instrument of inhumane governments.

In brief: A Catholic is permitted to hold the following views of nuclear war.

(a) Many sound theologians have taught that the traditional conditions of a just war cannot be fully realized today and that, as Pope Pius XII himself said "the theory of war as an apt and proportionate means of solving international conflicts is now out of date." In practice, what has been called "relative pacificism" can very certainly be held and is held by many Catholics. Without rejecting the traditional teaching that a "just war" can theoretically be possible under certain well-defined conditions, this view holds that nuclear war is by its very nature beyond the limits of the traditional doctrine. This is supported by very clear statements of Cardinal Ottaviani and Pope Pius XII. Hence, though it is not the definitive "teaching of the church" it is certainly not only a tenable doctrine but seems to be the soundest and most traditional opinion.

(b) Though absolute pacificism in a completely unqualified form has been reproved, nevertheless today the pacifist standpoint pure and simple tends in practice to rejoin the above view, since a Catholic can be a pacifist in a particular case when there are very serious reasons for believing that even a limited war may be unjust, or may "escalate" to proportions which violate justice. It is to be noted that when a war is evidently unjust a Catholic not only may refuse to serve but he is morally obligated to refuse to participate in it.

(c) Catholic tradition has always admitted the legality of a defensive war where there is a just cause, right intention, and use of the right means. It is argued that a limited nuclear war for defensive purposes can fulfill the requirements of a just war, and that therefore it is right and just to possess stockpiles of nuclear weapons and to threaten retaliation for a nuclear attack. This may be and is held by many Catholics, and it is probably the majority opinion among Catholics in the United States. But it can be said that this position, while specious and reasonable in theory, becomes very dangerous when we consider the actual facts. All theologians agree that the unrestricted use of nuclear weapons for the simple purpose of annihilation of civilian centers is completely immoral. It is nothing but murder and is never permitted, any more than a nuclear preemptive strike on civilian centers would be permitted by Christian ethics.

Could a preemptive attack on the military installations of the enemy be admitted as a "just" defensive measure? To do so would seem very rash in view of the disastrous consequences of the retaliatory war that would inevitably be unleashed, and would inevitably entail the total mass destruction of great centers of population. The statement quoted above from Pope John XXIII, while not formerly declaring such an action intrinsically evil, is a solemn warning not to initiate, by any form of aggression, a chain of acts of war and violence. While it may be all very well for theologians to theorize about a limited nuclear war, it is all too clear that the game of nuclear deterrence uses the cities of the enemy as hostages, and that the policies of the two great power blocs are frankly built on the threat of an all-out war of annihilation.

In such a situation our Christian duty is clear. Though no Catholic is formally obliged to adhere to a policy of immediate nuclear disarmament, whether multilateral or unilateral, he is certainly obliged to do everything he can, in his own situation, to work for peace. It is difficult to see how one can work for peace without ultimately seeking disarmament. If he holds one of the above opinions which are tenable he becomes obliged to a course of action which promotes peace according to his view.

It would, however, be a serious mistake to limit Christian obligations in the present crisis to a course of action that does not conflict with sound moral principles. The problem is deeper. What is needed is a deeply Christian social action that will have the power to renew society because it springs from the inner renewal of the Christian and of his church.

THE REAL PROBLEM

The real problem of our time is basically spiritual. One important aspect of this problem is the fact that in so many Christians, the Christian conscience seems to function only as a rudimentary vestigial faculty, robbed of its vigor and incapable of attaining its full purpose: a life transformed in the charity of Christ.

The mature moral conscience is one that derives its strength and its light not from external directives alone but above all from an inner spiritual connaturality with the deepest values of nature and of grace. Such a conscience is rooted and grounded in human compassion and in the charity of Christ. The most important thing for us all to do (and this is a spiritual task which is essential to Christian renewal) is to recover this hidden "ground" in which sound spiritual judgment and fruitful action can grow abundantly.

But the great danger of our cold war obsessions is their dreadful capacity to sterilize that inner "ground" and make it utterly fruitless. When this happens we tend to judge by a connaturality with violence, and not with love. Constantly exposed to dread, to anguish, to a strange force which menaces our security and our attachment to an effluent society with its privileges and all its soothing irresponsibilities and comforts, we come to feel that menace as a spiritual fact. Insofar as our existence is at stake, and the structure of our religious beliefs and practices is at stake along with it, we experience the threat of communism and of war as a kind of ultimate spiritual test. We have to face it with a radical decision, with a self-commitment analogous in some respects to martyrdom. Indeed there is no question that we may have to be, in actual fact, martyrs.

True, there is a fateful element of ambiguity even in the promise that our death at the hands of a persecutor can rate as martyrdom. Are we to die because we are Christians or because we are bourgeois? It does make a difference. But at any rate, the possibility of destruction or at least of persecution by a ruthless and clever enemy, whose power and success we are never allowed to forget. begets intolerable anguish. This anguish, shared with others like ourselves, mounting into indignation and resentment produces a kind of spurious exaltation. The will to resist by any available means, and without concern even for the most disastrous possible miscarriage of our hopes, then appears to us as bravery. We allow our desperation and our hatred to swallow up our moral judgment, because we feel like crusaders. The enthusiasm we are able to feel, from time to time, when we reflect on the frightful power of our weapons, may also assume a decidedly noxious psuedoreligious quality.

Yet all this proceeds from an inner ground of false spirituality, of debased and brainwashed enthusiasm. Like the disciples who wanted to call down fire upon the city of the Samaritans, we do not realize by what spirit we are inspired. Unfortunately this cold war mentality not only blinds us to true Christian values but makes all our judgments spring from this ground of sterility and frustration in which the best seed can only die and in which the weeds of hatred and incipient fascism, (or communism for that matter) very easily flourish.

It is therefore above all vitally necessary to cultivate an inner ground of deep faith and purity of conscience, which cannot exist without true sacrifice. Genuine Christian action has, in fact, to be based on a complete sacrificial offering of our self and our life, in the service of truth. Short of this, we cannot attain sufficient detachment from our own selfish interests and from the peripheral concerns of a wealthy, spiritually indolent society. Without this detachment we cannot possibly see nuclear war as it really is, and we will consequently betray Christ and his church, in the mistaken conviction that in defending our wealth we are defending Christian truth.

The Catholic, who believes, as the Popes themselves seem quite clearly to believe, that a nuclear war will most probably be a completely unjust war because its destructive effects cannot be controlled, and that it is in any case unreasonable and totally undesirable, will be obliged to base his political activity on the conviction that war must be prevented here and now, and that we must try as best we can to work for its eventual abolition.

There are many reasons to believe that the social action of someone like Dorothy Day, who is willing to refuse cooperation even in civil defense drills and ready to go to jail for her belief in peace, is far more significantly Christian than the rather subtle and comfy positions of certain casuists. When I consider that Dorothy Day was confined to a jail cell in nothing but a light wrap (her clothes having been taken from her) and that she could only get to mass and communion in the prison by dressing in clothes borrowed from prostitutes and thieves in the neighboring cells, then I lose all inclination to take seriously the self-complacent nonsense of those who consider her kind of pacifism sentimental.

August 6, 1964.

Hon. Wayne Morse,
U.S. Senator from Oregon.

Honorable Sir: It was my privilege to hear and see you on television yesterday. Also an article in New York World Telegram. I am with you 100 percent. I am 76 years old. Still active in plumbing business. Consists of 80 to 100 men. Was founder of Woodrow Wilson Independent League, 1916, in Bergen County. A great admirer of Stevenson, our Ambassador to United Nations. But don't agree with him on Vietnam policies. So far can't see President Eisenhower policy—I have been in 27 countries including Russia. Speak Czech, German, Polish. Born in Brooklyn, 1888—76 years young. During World War I slept with Chinese. They crawled in my bed in Brooklyn Navy Yard. I somehow got along with them. We made one mistake. Should have them in United Nations. To me the French got out. We should have stayed out. I was taken a prisoner in 1938 as a spy. In Neuremberg, Germany, by Hitler's men. A long story. Been in Czechoslovakia four times, last time after 25 years—in 1961. I was a member of selective service. If you meet the U.S. Senator, Roman Hruska, of Nebraska. Know him 8 years. We gained nothing in Korea—but lost—thousands of your men and cripples. We will do the same in Vietnam and get chased out as did the French. I knew Masaryk, Benes personally for years. Admirer of Anthony Eden. Wrote to him often. Been in England. The majority is not always right. I'd rather be like Woodrow Wilson—our great late President John F. Kennedy.

You will excuse my long letter. Hope you can read it. Really have one good eye, got other damaged in explosion.

Wishing you and your family and your journey through life success and health.

Sincerely,

William Zabransky, Jr.

P.S.—Enclosed are news clipping that may interest you. I wrote Senator Fulbright some time ago.

August 8, 1964.

Hon. Senator Wayne Morse.

Dear Sir: After reading your speech on South Vietnam, I had an overwhelming desire to tell you how much I respect and admire your opinion and your courage.

According to the newspapers, Congress and the "Free World" are favorably impressed with President Johnson's decision. Their opinion is that it was "justified retaliation."

Be it as it may, only you, my dear Senator, had the courage of being a nonconformist.

Progress and discoveries that changed the dogmatic believers came about from people like yourself.

They stood alone against world opinion, defending their unpopular ideas, disregarding their safety and comfort.

These men showed us the way to progress and freedom.

We may recall President Johnson's phrase from his state of the Union message: "There is strength in unity in a world made safe for diversity." We owe you our profound gratitude. Our faith in democracy is much stronger, thanks to you.

Respectfully yours,

Eva Soltzer.

Los Angeles, Calif.

Dayton, Ohio,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Friend: Thank you so much for your efforts in opposing further involvement in Vietnam. I recently attended (in June) a State Department briefing in Cleveland, and I am convinced that the American people are being brainwashed. It is tragic indeed to see the administration take actions which may spread the war.

I have read Robert Trumbull of the New York Times' analysis, have also seen David Arnold, formerly of USIS, and talked to several Asians about the situation. All agree that there is a civil war—contrary to U.S. propaganda—that we cannot win a struggle for men's minds by military efforts, and that we are wrong.

I feel that ethically and morally we are embarked on a wrong course of action, but a Mr. Sullivan in the State Department who seems to be the chief architect, is convinced otherwise. He is backed by W. W. Rostow, who could well be removed from Government.

Thank you again, and I do hope you will continue to speak out.

Sincerely,

Matt H. Thomson.

La Mirada, Calif.,
August 9, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Honorable Sir: In these trying times I want to congratulate you on your attitude in regards to the Vietnam holocaust.

Your voice seems to be the only one principally dedicated toward lessening tensions, not increasing them.

I certainly agree that the United Nations is the only place for disputes to be worked out effectively. A shooting war of today cannot be considered as a stopping point. It could lead us to annihilation in nuclear warfare.

Again, thank you for speaking out in favor of negotiations.

Mrs. P. Steele,
A Mother of Three Boys.

Petaluma, Calif.,
August 7, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We wish to express our support for your opposition to President Johnson's resolution allowing the President to get our country into war without declaring war and without the approval of the Congress.

We appreciate your support for our constitutional rights and wish there were more people like you, with your courage and integrity, in the Senate.

Sincerely,

Mary McChesney.
Robert McChesney.
Byron Randall.

Malaga, N. Mex.,
August 8, 1964.

Dear Senator Morse: The people listen to your words on South Vietnam.

But they can't believe that we've shelled out $1½ million per day over there for how long?

So, sir, will you please repeat this every time you speak and see that news media prints it in all papers.

I can't understand our sudden patriotic gunshots. Anyone and everyone of those boys murdered in South Vietnam were the flag of our country. A ship is a ship is a ship, but humans come first.

God bless you.

Mrs. Estelle B. Cox.

Brooklyn, N.Y.,
August 7, 1964.

Hon. Wayne L. Morse,
U.S. Senate,
Washington, D.C.

My Dear Senator Morse: Once again I would like to thank you for your continued quest for sanity in our Asian policy. For to those who do not know any of the history of the Vietnam war and of our past actions, the recent attacks on our destroyers seem more aggressive than they really are.

History will show the stupidity and senselessness of the American participation in Vietnam—though it can never bring back the 260 Americans who have died for no reason.

Daniel Webster once said that "Whatever government is not a government of laws is a despotism, let it be called what it may." In today's shrunken world this should be amended to read "Whatever world is not a world of laws is a despotism, let it be called what it may."

I have enclosed letters that I sent to Senators Javits and Keating and President Johnson and an editorial of Friday, August 7, 1964, from the New York Post, which favors a solution on the lines suggested by both you and the great Senator from Alaska—Ernest Gruening.

Senator Morse, it is about time the Senate and the country listens to peacemakers, instead of warmakers, so again, please continue to speak out against our reckless actions in Asia.

Sincerely,

Neil M. Horwitz.

Brooklyn, N.Y.

The Honorable Lyndon B. Johnson,
The White House,
Washington, D.C.

My Dear Mr. President: I am shocked at the needless and senseless show of force that you ordered at North Vietnam. When, however, it is examined as a part of our total policy toward southeast Asia it then fits in.

Might is never right in itself. After our destroyers were attacked and they defended themselves the fighting should have ended. We need not and should not have played their game and fell to their level by the bombing of North Vietnamese bases. This is aggression. When we indiscriminately bomb North and South Vietnamese and Cambodian hamlets can we not but expect these desperate people to attempt something—even something as stupid as attacking our destroyers?

Our participation in the Vietnamese civil war is illegal, immoral, and just plain stupid. If we are basing our entry on the SEATO treaty then where are the Thai, Pakistanis, New Zealanders, Australians, and Filipinos? They are sitting home watching us make a fool of ourselves as the French did in 1954.

If our entry is based on the Geneva accords, which neither we nor South Vietnam signed, where are the other signatory nations and why have we not used this agreement to call for a new conference? Because we would be found to be violating the treaty as would Red China, North Vietnam, and South Vietnam. If our entry is based upon our Constitution where is the declaration of war? For it is a war. Two hundred and sixty Americans have already been murdered and 10 times that may soon follow.

Let me remind you of the United Nations Charter. Article 33, section 1 says that "The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice." This we have not done. Surely we cannot say that international peace and security have not been endangered. Article 37, section 1 says that "Should the parties to a dispute of the nature referred to in article 33 fail to settle it by the means indicated in that article, they shall refer it to the Security Council." This, too, we have not done. There is no reason for this neglect.

Once again, as with the test-ban treaty, we have the chance to take another step toward peace. Let us take it. Let us bring the Vietnamese civil war before the United Nations, late as it is and show the world that we do not believe that might makes right. Let us plead our case before the United Nations and not in the battlefield. Let us do this because it is the right thing to do. Let us put Russia on the spot and force them toward peace not war. Let us force Russia to side against war and give them the chance to put their words of peace into deeds. And if the United Nations proves incapable of taking command we will still have our troops in Vietnam ready to continue "forever" with, at least, the knowledge that we tried. But if the United Nations takes command as it did in the Congo, in the Middle East, and in Cyprus then we will have earned the gratitude of the world and a world of law and of peace would be that much closer. This we owe ourselves and all of mankind. This we must do.

Sincerely,

NEIL M. HORWITZ.

SHREVEPORT, LA.,
August 7, 1964.

Hon. WAYNE MORSE,
Washington, D.C.

DEAR SENATOR: I have read in the press that you have voted against that insane war in Vietnam and I hasten to congratulate you for your courage and integrity.

Vietnam, South and North, as well as Laos and Cambodia, which once was called French Indochina, is not worth the life of one American soldier. The only solution of that mess in South Vietnam (in which mess plunged us the insane foreign policy of the late John Foster Dulles) is to heed the advice of the French President de Gaulle and to declare South Vietnam, Laos, and Cambodia neutral after an international agreement, to save face and to get out of South Vietnam.

I believe the majority of the American people are against that insane and infamous war in South Vietnam and they do not want another Korea.

This insane policy of the Johnson administration to escalate the war to North Vietnam will plunge us to the third world war and in this nuclear age, destroy all of us, probably the whole human race.

In this terrible nuclear age, anyone who thinks about war is either ignorant or out of his mind.

I hope sanity to prevail and to avoid another Korea, and you are the man who thinks right about this dirty war, and all of us who believe in peace, we are grateful to you, Senator.

Hoping you success in your noble efforts for peace in southeast Asia, I remain,

Very truly yours,

GEORGE T. PAPPAS.

August 5, 1964.

Senator MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Please permit me to congratulate you on your manly stand on our present crisis in Asia. This affair looks very much like the Bay of Pigs in 1961. Please be assured that you are not alone in your demand that we should get out of Asia at once.

Very truly yours,

WILLIAM S. MILSON,
SAN BERNARDINO, CALIF.

SHARON CENTER, OHIO,
August 7, 1964.

Hon. WAYNE MORSE,
Washington, D.C.

SENATOR MORSE: We are with you all the way in your opposition to the current policy in Vietnam.

Sincerely,

W. W. JOHNSON.
Miss ALICE JOHNSON.

PENNSAUKEN, N.J.,
August 7, 1964.

DEAR SENATOR MORSE: All accounts of the trouble in the shooting affair in southeast Asia indicates that our ships were attacked by PT boats. You have publicly stated that "Our forces are at fault." We provoked the attacks. We have been provoking this attack for the past 10 years. You are a U.S. Senator. I respect all opinions of our statesmen. You are in the United States. The shooting occurred in a far away place. How did you know so quickly that we were at fault. What is the source of your information. Why is this information not available to me. Please give me some facts to substantiate your claims.

Respectfully,

M. GLICKMAN.

BERKELEY, CALIF.,
August 7, 1964.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We believe that our presence in Vietnam up to now has been both dangerous and immoral: Dangerous because, as graphically illustrated by the current crisis, our participation in the fighting has represented a continuing threat to world peace; immoral because we have supported, using brutal and inhumane means, a government which is not representative of the people of Vietnam, and which has invariably acted against their welfare.

We therefore urge that all efforts be made to settle the crisis by negotiation, the only acceptable means of settling international disputes in this thermonuclear age; and that plans be made to hold a general election under the terms of the 1954 Geneva agreement.

Sincerely,

ALAN REIN.
MARY REIN.
FRANK BANCROFT.

Copies to W. MORSE, T. KUCHEL, E. GRUENING, P. SALINGER.

AUGUST 6, 1964.

DEAR SENATOR MORSE: What would we Americans do without an honest, courageous man like you that speaks the truth no matter how unpopular it might be?

Keep speaking up on the southeast Asian situation.

Sincerely,

Mrs. LLOYD S. WOLF.

DEAR SENATOR: Bravo. Keep it up. Someone must keep expressing reality in this country.

Sincerely,

PERRY M. STURGES.

ASHLAND, MASS.,
August 7, 1964.

President LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: For days I have been deeply worried about your aggressive "self-defense" policy in the Gulf of Tonkin, but have only expressed my opinion once since that was the only time it was solicited. This morning, while I was shaving, I heard a Westinghouse Broadcasting network newscast quoting Bostonians interviewed on the street, in their attitudes toward your policy. Unanimously, the voices sounded indignation over the North Vietnam PT boat actions, and complete support of your policy. The most negative comment, from among at least a dozen, was "What else can we do?"

Though I was incredulous to find myself so alone in my own country, and in my own part of the country, I decided not to be cynical and suspect the network of having chosen only comments supporting the defensive action. Instead I quietly accepted the fact that there must be something awfully wrong with my view of the world. I was momentarily jolted from this notion on my subway ride to work by comments in the New York Times to the effect that much world opinion—admittedly neutralist or Communist—was opposed to your action. But, on second thought I could derive little consolation from this since all it left me with were suspicions that I am a poor American, who could only find bedfellows in foreign and nonallied lands. My debate with myself was at an end. I thought.

Then, when I stepped out for lunch, I came suddenly upon a completely silent, very impressive demonstration by about 10 persons, including clergymen, who stood stock still holding hand-lettered posters to the effect that our current policy in the Gulf of Tonkin is very dangerous, and urging any who agreed with this position to let you know. It suddenly dawned on me that you would want to know of people like my wife and me who—though ardent supporters of your domestic policy—are frightened about the consequences of this aspect of your foreign policy; and that, if you read the New York Times, or listen to radio station WBZ in Boston, you wouldn't have the faintest suspicion that our opinion, and those of the silent poster holders, existed. Knowing that you would certainly want to know that there is a minority of undetermined size among your electorate which dissents with you, I decided to write you this letter, and to send copies of it to several Senators whom I thought would be or ought to be interested in my views.

Sincerely yours,

RICHARD STEINMAN.

(Copies to Senators BARTLETT, AIKEN, GRUENING, KENNEDY, MORSE, PELL, and SALTONSTALL.)

NEW YORK, N.Y.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Congratulations on your criticism of the recent American military attack upon North Vietnam. At a time when there seems to be a "bipartisan" coalition for war and military exploits, you've shown great courage in opposing the dangerous drift in American foreign policy toward settling disputes through the use of force.

It appears obvious to us that the trifling adventures of a few North Vietnamese PT boats did not require massive American military retaliation and threat of full-scale war. The United Nations would seem to be the area to resort to when faced with such provocations. Therefore, the uncalled for military response by the United States can only be understood in terms of its growing desperation about the losing war in South Vietnam. The PT boat incidents were a good excuse to make a show of force in the Far East in an attempt to back up a deteriorating situation.

Such saber rattling is not only dangerous, however, it is also futile, for it will not deal with the causes of revolution in southeast Asia. Until the United States replaces its war with negotiations, and its guns with support of the goals of the local social revolutions, it will be wasting its efforts while courting nuclear annihilation. It is indeed encouraging to hear you speak out against this policy of unilateral force.

Sincerely,

Mr. and Mrs. LAWRENCE S. WITTNER.

SEATTLE, WASH.,
August 8, 1964.

Senators WAYNE MORSE and ERNEST
GRUENING,
Senate Office Building,
Washington, D.C.

GENTLEMEN: The members of the Fellowship of Reconciliation generally, and I personally, wish strongly to commend you for your splendid stand on our miserable involvement in South Vietnam. We particularly appreciate your vote yesterday in opposition to the blanket endorsement given President Johnson to continue any intervention in southeast Asia.

We feel there are a growing number of Americans who are sick and tired of the whole business and want us to get out of it now and seek a negotiated settlement.

We are sure that you will continue your opposition. You are assured of our wholehearted support in doing so.

Sincerely yours,

Robert B. Shaw,
Chairman.

August 7, 1964.

President Lyndon B. Johnson,
White House,
Washington, D.C.:

The plan for us to go to war, if necessary, against the north half of the smallest, weakest country in Asia to secure peace is altogether new and novel in world history; it is also new as a necessary means for maintaining our national prestige. It would be like a St. Bernard dog attacking a mouse so as to avoid the appearance of cowardice.

In every one of the liberated countries there will undoubtedly be revolutions for generations as in South America. For anyone to talk about establishing stable conditions in these countries while exploration is still in progress and while the people are illiterate and without experience in self-government would appear to me to be childish nonsense.

I earnestly suggest that your administration honestly support your solemn declarations for the promotion of world peace, that we stop bypassing the U.N., and that we allow the inherent weaknesses of communism to continue without interference from war in order that communism may collapse in due time. To fear communism in peacetime shows a lack of confidence in free enterprise—the best system ever developed—a system which has been weakened only by our stupid participation in two World Wars, both carried on by our side in the name of freedom.

Thanks for your masterful work.

Rex S. Rudebush.

Tacoma, Wash.

Parma, Ohio.

Senator Wayne L. Morse,
Senate Office Building,
Washington, D.C.

Honorable Senator: I want to commend you for your courage and stand in the current southeast Asia crisis.

I believe that nonviolent forms of peacemaking are the only ways to solve international strife.

Sincerely,

John P. Marhevkee.

Deming, N. Mex.,
August 6, 1964.

Mr. Senator Morse:

You are in the right about Vietnam, you and Charles de Gaulle.

Mamie Sconce.

U.S. Senate,
Washington, D.C., July 9, 1964.

Mrs. F. W. McConnell,
San Diego, Calif.

Dear Mrs. McConnell: The people, and the Government, of the United States oppose communism. We earnestly support the aspirations of people, in Asia and around the globe, for independence and a just peace.

Vietnam is divided in two parts, like Korea and Germany. South Vietnam desires to be free. The Communist conspiracy desires to engulf and destroy her. If communism were successful in that area, 12 million people would immediately lose their freedom; and 150 million people, in adjacent free countries, would face far greater dangers of being mercilessly swept into the Red orbit.

President Eisenhower, responding to the urgent request of Vietnam, agreed to give that country assistance by which she might defend herself against Red subversion and attack. That has been the continuing policy of our Government.

Should we now abandon the cause of freedom in Vietnam? I do not believe so. If we broke our word in this situation, how could our free friends—and our potential enemies—expect us to honor our word next time? There is a simple way to achieve peace in southeast Asia—let the Communists leave their neighbors alone.

Sincerely,

Thomas H. Kuchel,
U.S. Senator.

Pasadena, Calif.,
August 5, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I applaud your stand expressed on CBS at 8:15 P.s.t.

If what you indicate about the U.S. destroyers most probably guarding South Vietnam ships while the latter were in the process of shelling North Vietnam shores is true, then I agree with your conclusion, and feel that the United States should have limited its action to direct defense while under attack. If the case was otherwise, I would tend to agree with President Johnson's decision.

I felt that Senator Fulbright's refutation of your view was valid only up to a point. His simile was poorly chosen, and although logical to most Americans is not reasonable for civilized nations since in essence the United States is chasing the burglar out of the house before clubbing him. Senator Saltonstall's view is in my opinion an anachronism of the 19th century and is not worth the time to debate.

Again, thank you for expressing your personal views publicly, even though they will be immensely unpopular in the near future.

Sincerely,

Richard P. Pharis.

August 7, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator: I wish to commend you on your position in the Vietnam crisis.

As you have pointed out, our presence in that troubled country can only lead either to a debacle such as France suffered, or worse yet, trigger a nuclear war.

Submission of the question to the United Nations is a reasonable and sensible proposal which I hope will be followed by our Government.

It certainly takes courage to stick to your stand on this critical issue.

Would there were more legislators with your principles. We certainly could use them in this period.

I have also written to Senator Kuchel.

Respectfully yours,

Fred Friedman.

Montebello, Calif.

Los Angeles,
August 7, 1964.

Hon. Senator Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: It is with deep interest, appreciation and admiration that I listened to your statement on the present Vietnam crisis. As one of many peace-loving Americans, I give you my wholehearted support. All our efforts must be directed toward peace. You have stated so correctly what our position should be, that there is no need to reiterate it. Military intervention cannot and must not take the place of negotiation. It is the United Nations that has to solve these world problems as they arise. No country, including ours, has the right to resort to unilateral action that will drag us into another war.

Please stand fast, Senator. Yours is one of the few voices raised for the just course to follow. Your insight and foresight, your challenging courage will be remembered by posterity. I am sure that I express the sentiment of many mothers and wives, as well as of many clear-thinking people who have no vested interests in war.

With my deep respect.

Sincerely,

Rachel Liph.

Seattle, Wash.,
August 8, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am writing this letter to express my support for the courageous stand you have taken in this Vietnam situation. It is indeed encouraging to know that someone is standing up in opposition to the dangerous foreign policies which both Democrats and Republicans are endorsing.

It makes one shudder to contemplate the dangers inherent in policies practiced by our leaders in the foreign field. The "shooting from the hip" philosophy is not Goldwater's monopoly.

I am doing what I can to talk to my neighbors and other voters about the situation in southeast Asia. We are fortunate to have a candidate for the U.S. Senate who supports your position in southeast Asia, and it is indeed heartening to talk to people, as they are openminded and looking for answers. I find that most of them are very concerned about the war situation.

If possible, I would like to receive a copy of your speech in Congress regarding the resolution on the southeast Asia situation. The Seattle papers print very little of your position.

Very truly yours,

Mrs. Ann Carlson.

Oakland, Calif.,
July 6, 1964.

Dear Mr. Morse: You possess that apparently rare combination of intelligence and courage. My wife and I commend you. Stand fast; your "liberal" brethren have not the visceral qualities to challenge or perhaps even to see the hypocrisy of those massmen—L.B.J. and Senator Goldwater.

If you can reply * * * will Humphrey do anything about the U.S. "bipartisan" (a euphemism for "unquestioned") policy re Vietnam?

Sincerly yours,

Joe W. Webb.

Note.—This is my first letter to the Hill.

Do You Want Another Korea? Act Today, Tomorrow May Be Too Late

THIS IS THE ROAD TO WAR

Expansion of the war has already begun.

It means sending more American soldiers and money to Vietnam, where we already have 16,000 military "advisers," 5,000 civilians, and where we have increased our expenditures of $1,500,000 per day during the past 2 years.

U.S. killed, wounded, or missing: January 1, 1961–May 15, 1964: 1,105 according to the Pentagon. How many more lives will be sacrificed?

U.S. WARNINGS

An aircraft carrier task force with reconnaissance jets has been moved into the South China Sea. The United States has given the Vietnamese Air Force an additional 100 aircraft. Secretary of State Dean Rusk said May 22 the war could be expanded "if the Communists persist in their course of aggression." General Harkness said, June 22: "The danger of communism in Vietnam is so great it justifies an all-out war with China."

To carry the war into North Vietnam and risk another Korea "would surely lead to Chinese intervention and could precipitate a nuclear war between the United States and the Soviet Union."

JOHN S. KNIGHT,
Chicago News.

There is an alternative: Do you want another, and worse, Korea?

This is the road to peace: an immediate conference should be called for the purpose of achieving a settlement of all the nations involved in the dispute. "The problem in southeast Asia—is essentially a political problem, and only political and diplomatic means * * * can solve it.

U THANT,
Secretary General, U.N.

"There are no Chinese soldiers fighting in Vietnam; there are no Russian soldiers. The only foreign troops are American * * * the unilateral war being conducted by the United States in Vietnam must be stopped; and the only force that can stop it is American public opinion."

Senator WAYNE MORSE,
Democrat of Oregon.

"Why has not this threat been brought before the U.N.?"

Gen. HUGH HESTER,
U.S. Army (Retired).

"The time has come to reverse our policy of undertaking to defend areas such as South Vietnam * * *. A return of troops to our own shores should begin * * *."

Senator ERNEST GRUENING,
Democrat of Alaska.

The United States must work for a peaceful solution in South Vietnam, as opposed to a military solution.

The people of South Vietnam have the right to choose the kind of government they want.

Your voice is important: act today, tomorrow may be too late.

Speak out on Vietnam now! Write, phone, telegraph, and visit your Senators and Congressman. Ask them to urge President Johnson to stop the fighting and start negotiating for peace in Vietnam.

Senator WARREN G. MAGNUSON,
Senator HENRY M. JACKSON,
Senate Office Building,
Washington, D.C.
Congressman TOM PELLY,
House Office Building,
Washington, D.C.

Write or wire President Lyndon B. Johnson, White House, Washington, D.C.

Seattle Women Act for Peace, 5411 Ravenna Avenue NE., Seattle, Wash. Write or wire now.

HISTORICAL BACKGROUND OF THE VIETNAM CRISIS

Vietnam * * * populated centuries ago by migrants from southern China * * * won independence from China in the 10th century * * * fought Chinese domination for 1,000 years.

In 1885 France colonized the territory now known as North and South Vietnam, Laos, and Cambodia * * * called Indochina. After 85 years of exploitation, France gave Indo-China to Japan without a shot being fired.

During World War II Vietnamese formed National Liberation Movement called Vietminh, now called Vietcong. Vietnamese freed themselves from foreign domination briefly in 1945. France attempted to regain their colony * * * bloody war ensued until 1954 * * * France defeated * * * Geneva Conference convened.

Geneva Conference decisions: 1. Recognized independence of all Vietnam. Signatory powers were France, Britain, China, Canada, India, Russia, et al.

2. Vietnam divided at 17th parallel with free elections to be held by 1956 to reunify country. France was to turn over power to Vietminh in north and to Emperor Bao Dai in south.

3. All foreign troops to be withdrawn by 1956. United States verbally agreed to Geneva agreement * * * but intervened in South Vietnam to help Ngo Dinh Diem form a pro-western dictatorship * * * overthrown in November 1963.

Terror and suffering still stalk this war-ravaged land. We are now faced with expanding war in Vietnam, or finding peaceful solutions.

LOS ANGELES, CALIF.,
August 5, 1964.

Hon. Senator MORSE.

I heartily endorse your stand on Cuba and Vietnam. I believe that through peaceful negotiation we will save the world from destruction. I wish you good health so that you can carry on your good work. God bless you.

Sincerely yours.

LOUIS MEISNER.

DETROIT, MICH.,
August 8, 1964.

The Hon. WAYNE L. MORSE,
U.S. Senate
Washington, D.C.

SIR: Your opposition to yesterday's congressional resolution on Vietnam was the last ray of light before a long age of darkness.

Yours very truly,

RICHARD SCHICK, M.A.,
School of Advanced International Studies of The Johns Hopkins University.

MADISON, WIS.,
August 7, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

SIR: I want to express my deep admiration for your refusal to support the congressional resolution backing President Johnson in the Far East.

In addition, I want you to know about my continuing agreement with you in your criticism of our Vietnam policies. The courage you have displayed in exposing the distortions, suppressions, exaggerations, and outright lies of the Kennedy-Johnson administration about this critical problem is not common.

Nothing is more fundamentally irresponsible in a democratic society than an attempt to restrict open debate and to move alternatives to accepted policies to the sidelines. The man who values our republican form of government must oppose any attempt to hand over crucial policymaking powers to a small body of men (or even to one man) under the pressure of military events. Whatever the advocates of executive efficiency and national unity may argue, we cannot afford to give up the effective right of meaningful discussion, debate, and democratic decision in this crisis involving war and peace. The stakes are too high, not only for ourselves, but for the world.

JOHN WILEY.

TELEMLY, ALGERIA,
August 3, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I thought you might be interested in the enclosed clipping from the Algerian paper Le Peuple.

I am a student of economics at Columbia University and am passing the summer here.

Keep up the good work.

Sincerely,

PETER S. FRANKLIN.

BROOKLYN, N.Y.,
August 6, 1964.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I have just written to President Johnson. I fully agree with you and the many other thoughtful Congressmen who are for negotiations to end and thereby prevent an escalation of the war in Vietnam.

This would avoid the needless loss of men, many of them Americans. The million and a half, the daily cost of the war, could be spent for food and medicine for the South Vietnamese people.

Sincerely yours,

Mrs. RAE FRIEDNAM.

NEW YORK, N.Y.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building.

DEAR MR. SENATOR: I congratulate you on your courage and humanity in standing alone in the Senate to condemn the administration's belligerency in Vietnam.

An accident of the calendar places this week's crisis close to the anniversary of the bombing of Hiroshima, a fact that gives us all pause and for me lends added weight to your position.

Sincerely yours,

JULES RABIN.

NORTH MERRICK, N.Y.,
August 6, 1964.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: The New York Times of today reports your dissent from the resolution with the rest of Congress. I agree wholeheartedly with you and your comment and compliment you on your courage to speak up—alone.

We made France give up the colonial war it fought against Indochina—and now we help another "stinker" to keep the people of Vietnam under his thumb. I agree with you that the incident which inspired the resolution is as much the doings of the United States as it is the doing of the North Vietnam and that our role has been that of a provocateur, every bit as much as North Vietnam has been a provocateur. Do we want another Guatemala? Is South Vietnam territory of the United States? Whose interest are we protecting in keeping the inhabitants of South Vietnam in barbed-wire enclosures? Do we have no brains and guts in Congress, the State Department, the Pentagon and the White House which can find the direction to a real peace—all nations included, Pacem in Terris as John the XXIII spoke of?

Most sincerely yours,

ELIZABETH GODEFROY.

MONTPELIER, VT.,
August 8, 1964.

DEAR SENATOR MORSE: Thank you for your vote—and your courage—in opposing the Vietnam resolution.

C. V. PARKINSON,

AUGUST 6, 1964.

Re Vietnam.
Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Again I am writing to thank you for raising your voice in protest against recent American action in Vietnam.

What happened to Senator ERNEST GRUENING on this issue? And the other very few supporters of your stand?

Thank you again.

Yours truly,

Mrs. G. WRIGHT.

LOS ANGELES, CALIF.

CHICAGO, ILL.,
August 8, 1964.

Senator WAYNE MORSE,
Senate Building,
Washington, D.C.

DEAR SENATOR: I want to congratulate you on your stand taken in regards to our dirty war in southeast Asia.

The slaughter of human beings there should be stopped before we will all be blown to bits.

Sincerely,

FRANK A. PELLEGRINO.

P.S.—Also I congratulate Senator GRUENING, of Alaska.

ST. LOUIS, MO.,
August 6, 1964.

Hon. WAYNE MORSE,
U.S. Senator,
Washington, D.C.

DEAR MR. MORSE: Your blunt language concerning the U.S. actions in Vietnam makes me feel very good.

As I think I have indicated on other occasions, we have had only one other Senator I'd care to name in the same breath with WAYNE MORSE. That was George W. Norris.

It was seldom possible to disagree with Mr. Norris. And is equally difficult to disagree with your conclusions about our proper course as a nation.

This requires no reply. I wanted you to know that most of the people I know think that you make sense when you talk.

Very truly yours,

JOHN M. FISHELL.

AURORA, ILL.,
August 6, 1964.

Senator WAYNE MORSE,
Senator from Oregon,
Washington, D.C.

DEAR SENATOR MORSE: I have just read your article "Humpty Dumpty in Vietnam" in the Progressive magazine, and I found it very disturbing—so much so that I immediately wrote letters to my Senators and Congresswoman. What else can I do. What is being done now about this terrible situation?

Thank you.

MRS. WALTER E. WEISS.

EL CERRITO, CALIF.,
August 6, 1964.

DEAR SENATOR MORSE: We admire, and would like to commend your courage, in voting against the resolution condemning North Vietnam and giving the President a mandate for bellicose behavior in southeast Asia.

In this bluster of wounded ego, and contrived incident, we as Americans are silent partners in the butchery of innocent people. We don't know what the precise facts are in this most recent episode in the Tonkin Gulf, but we do know that the American people are not being truthfully informed. We don't know anyone here, who fully accepts the official account of recent events. The past 10 years has revealed too many willful manipulations of information at the highest level. A dozen torpedo boats do not take on the whole U.S. Navy without extreme provocation.

Again thank you for your courage to stand up against the immense pressure to conform whenever the flag is run up on the Senate floor. We wish you were the Senator from California.

Yours respectfully,

JOSEPH and ROSEMARY TOBY.

CEDAR FALLS, IOWA,
August 8, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I want to encourage you in your outspoken opposition to the nearly unanimous belief of official Washington that unilateral foreign policy is only wrong when practiced by other nations, and I sympathize with your inevitable loneliness in a crowd of men who do not even pay you the courtesy of listening, as if abstaining, pairing, and being "present" were responsible legislative behavior.

Sincerely,

JOHN LINDBERG.

SAN FRANCISCO, CALIF.

DEAR SENATOR: Yours is one of the few sane voices in our mad, mad Capital. I admire your courage and integrity in the face of such odds and offer my help, if I can be of assistance.

M. ROBINSON.

OAKLAND, CALIF.,
August 6 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I want to express my appreciation of your statement on the radio, emphasizing your position that the United States should not continue the war in Asia. To go into these foreign countries where the rulers so often do not represent the welfare of the average person and begin a shooting war, seems very wrong to me and to millions of other American citizens.

I am grateful for your position and hope other Senators will join you in protesting our continued war in Vietnam.

Sincerely yours,

ETHEL COHEN.

NORTH CARVER, MASS.,
August 5, 1964.

Hon. WAYNE MORSE,
Washington, D.C.

DEAR SIR: It seems to me that there should be a truce called in the North Vietnam and South Vietnam fighting area. During this period interested people the world over should examine the situation.

It is possible that this method would lead to a peaceful world which we all would enjoy.

Yours truly,

FRANK H. COLE.

BROOKLYN, N.Y.,
August 8, 1964.

The Honorable WAYNE MORSE,
The Senate,
Washington, D.C.

DEAR SENATOR MORSE: I am writing to congratulate you on your courageous opposition to the resolution passed by Congress, giving President Johnson a blank check to extend military action in southeast Asia, and so to imperil the peace of the world.

I have followed your position on the Vietnamese war as covered in the I. F. Stone Weekly, and I applaud your repeated recognition of our unjustifiable presence in Vietnam, and of the provocatory role U.S. forces have played there, as in the stationing of destroyers in the Gulf of Tonkin.

My family joins me in this letter of congratulations on your position. We are grateful for your unceasing efforts to bring the truth on the issue of Vietnam to the attention of the American people. We know how unpopular your position is and we respect you for not having compromised on this critical resolution. It is encouraging to know that our Congress includes so dedicated and clearheaded a Member.

Very truly yours,

Miss JUDITH GOODMAN.

AUGUST 7, 1964.

Senator WAYNE MORSE.

DEAR SIR: I support you on your stand against U.S. participation in the Vietnam war. If only we had more like you in the Senate.

CELIA TIERMAN.

LOS ANGELES, CALIF.

AUGUST 7, 1964.

DEAR SENATOR MORSE: As one appreciative American mother, I am writing to express to you my thanks for your courage and honesty in speaking the truth about the Vietnam situation. This is not a new role for you since your entire service in the Senate has been devoted to the best interests of the American people. Your voice has been the only one of sanity and reality in a situation which seems to be frighteningly designed to plunge us into world war III.

Why must history repeat itself with alarming regularity, and why must the "ordinary American citizen" be relegated to the role of bystander while their leaders commit such outrageous actions? How can the United States justify its "support" of the United Nations while at the same time undertaking unilateral action in Vietnam? Am I to be pleased because President Johnson conferred with Senator GOLDWATER before he made his statement to the American people regarding the attack which was already underway? Rather, I am appalled by what seems to be one bipartisan course, leading in one direction—war.

At this moment, I am in despair over what I could possibly do to restore some hope in my thinking, and which will restore my confidence in this kind of action on the part of my Government.

My father went to serve in the U.S. Army in World War I, my brother in World War II, and now I have a 16-year-old son—must he soon be sacrificed to the horrible nightmare of a possible world war III? With all my heart, I cry out—no.

Although I am not a resident of your State, we are neighbors, and I felt you should know how grateful I am for your presence in the Senate, for you are its conscience.

Best wishes to you for continued good health and strength to wage the battles which surely still lie ahead.

Very truly yours,

MRS. SOL KIPNIS.

LOS ANGELES, CALIF.

LONG BEACH, CALIF.,
August 6, 1964.

Hon. Senator WAYNE MORSE,
Congress of United States,
Washington, D.C.

DEAR SENATOR MORSE: It was indeed with gratification I read your statements printed in Los Angeles Times in regard to our part in the war going on in Vietnam, and this citizen fully concurs with your views that we have no business to meddle in Vietnam or anywhere else for that matter. It seems as if Uncle Sam has grown a long nose he sticks into everybody's business around the world, which is costing the American taxpayers billions. I, for one, am afraid if he does not stay at home and attend to his own knitting (there are many holes in his socks) he may some day find his nose cut off.

With much admiration, and with very best regards,

Most sincerely,

JOHN A. GILMONT,

BROOKLYN, N.Y.

Hon. KENNETH B. KEATING,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR KEATING: I strongly oppose our present Vietnam policy and I am shocked at the recent actions taken by President Johnson. I strongly condemn these needless, reckless, wanton attacks on North Vietnam. President Johnson said that acts of aggression must be met with positive force and they were—our indiscriminate bombings of North and South Vietnamese and Cambodian hamlets were met by positive action.

President Johnson said that violations of the Geneva agreements must be ended—and I agree—North Vietnam, Red China, and

South Vietnam and the United States must stop these violations. While we did not sign these agreements we did recognize them as law. And we are definitely in violation of them. Article 16 of the agreement reads as follows:

"With effect from the date of entry into force of the present agreements, the introduction into Vietnam of any troop reinforcements and additional military personnel is prohibited."

We have, at this moment, a minimum of 16,000 troops in Vietnam in clear violation of article 16. Article 17 read as follows:

"With effect from the date of entry into force of the present agreement, the introduction into Vietnam of any reinforcements in the form of all types of arms, munitions, and other war material, such as combat aircraft, naval aircraft, pieces of ordnance, jet engines, and jet weapons and armored vehicles, is prohibited."

Clearly our supplies of arms of the past years and our present military buildup are in violation of article 17. Just because we were not the first violators is no reason for us to follow suit.

President Johnson said that we will continue to defend the freedom of South Vietnam. But what freedom? South Vietnamese newspapers critical of their government are soon closed. U.S. Senators who criticize our actions are branded as traitors by the Vietnamese dictator. And since the Geneva agreements South Vietnam has had but one election and that one was a Russian-type of election with only one slate of candidates—to either take or leave.

We have been fighting unilaterally for no one else has been as foolish as we. Americans have been murdered and for no reason, for no purpose.

It is for these and other reasons that I must request you, Senator Keating, to announce my position for the Record—It must be shown that at this time in history there is at least a small minority that believes that might is no necessity for right. That believes that the big nations cannot brand their aggressions as retaliations. That believes in a world of law not military might.

At this time the United States is the greatest threat to world peace and we are the aggressor whether or not one likes to hear it. Unfortunately it is true. We have violated the Geneva agreements. We have been supporting a military dictator. We have not used the machinery of the United Nations. We have sent 260 Americans to their deaths and have 10 times that waiting in the wings and all without a declaration of war. Congress has abdicated their responsibilities and has granted a blank check to a continuation of these illegal acts—for forever.

If, as seems too possible, the war is expanded and we face Communist China, there are two ways we may fight them:

We could fight as in Korea using conventional land, naval, and air forces. But even with our improved weapons and know-how we could never win. France fought in Indochina with 250,000 men, U.S. arms and U.S. money and against far less than the full might of China. Yet they were crushed. We have more money, more and better weapons, and more soldiers to waste in such a war but we lack the experience of fighting such a war. Neither the French then nor we now have the public support for such wars. Though we would do better than they, such tactics could never stop the waves and waves of humans who neither care for their meager existence nor for our "high" purpose. This human flood would destroy the heart of our youth and not only we today but succeeding generations would feel this loss. It is a sad fact that we are taking Americans away from their families and friends and sending them far away to die but to do so without good reasons is a disgrace and a sin. "Blessed are the peacemakers" not the warmakers. Peace through mediation or peace through conciliation or peace through compromise never through war.

The other way to fight China would be to destroy them by using our already too large nuclear arsenal. We could destroy 400 million Chinese thousands of miles away more efficiently than a Hitler could ever have dreamed possible. And it could be done in a matter of hours. But such warfare would not have its dangers. For can we expect the Russians to do nothing while we obliterate their former friend and foul up the air they breathe? Can we expect our enemies, neutral nations, and even our allies to allow us to destroy a country even if we do not recognize that country? Can we expect not to harm ourselves and future generations from the fallout from such an attack?

Senator Keating it is about time that we peal away the old myths and finally consider the new realities in Vietnam. It is about time that we not talk of "saving face" but of saving mankind.

Harry Truman once said that the "responsibility of the great states is to serve and not to dominate the world." After such actions ordered by President Johnson who can believe that we are serving and not dominating the world?

United Nations control of this area would not be an easy solution. There would still be many problems to face. But it would be a step in the right direction. It would be one of the thousand miles toward peace.

For these reasons I cannot and will not accept the needless and senseless position we have taken toward Vietnam and must request that this position be stated.

Senator Keating, I urge you to reconsider your views.

Without a declaration of war I cannot see how Congress can "approve and support" all action taken by the President. Such a declaration may be constitutional but it can never be moral. I urge a complete reexamination and reconsideration of our Asian policies from all branches of the Federal Government.

We have the choice to either continue an unsuccessful and dangerous policy which has no possible chance of success but which may well lead to the final conflagration or we can return to a world of law. A world where the mighty are strong in the pursuit of justice and weak in the quest of expediency.

The choice is ours.

Neil M. Horwitz.

THE U.N. AND VIETNAM

We do not share Senator Morse's view that the air strike ordered by President Johnson against North Vietnam was an outcome of a State Department-Pentagon plan to escalate the war.

The world has had too much experience with Communist expansionism masquerading as just wars of liberation to shrug off as inconsequential PT boat attacks against U.S. naval vessels on the high seas. Even nonbelligerent countries like India no longer dispute the larger Chinese design to subjugate southeast Asia, of which the attacks were a part.

President Johnson's reply to those provocations, while emphatic, has been restrained. As Ambasador Stevenson said in the Security Council:

"I want to emphasize that the action we have taken is a limited and measured response fitted precisely to the attack that produced it and that the deployment of additional U.S. forces to southeast Asia is designed solely to deter further aggression."

There is, moreover, another point which advocates (like Senator Morse) of a negotiated, U.N. solution must bear in mind. The Communists respect power alone. If that point needed further proof in the postwar period, the Cuban missile crisis provided it.

That showdown marked the turning point in our relations with Premier Khrushchev. Unfortunately Peiping did not get the message. It taunted Khrushchev for backing down before a "paper tiger."

A negotiated solution in Indochina, as distinct from a negotiated surrender, may only become possible when the Chinese are persuaded the United States will not permit them to take over southeast Asia.

Yet Senator Morse has a point when he insists the rights and wrongs in Indochina are not all black and white.

If we consider a Chinese takeover in South Vietnam, which is 8,000 miles away from our shores, as a threat to our security and interests, it should be possible for us to appreciate that the Chinese would consider a U.S. military presence next door in Indochina as a threat to them.

Indochina constitutes a power vacuum which is sucking in both sides partly out of fear and partly out of ambition. The pattern is not novel. Other power vacuums—in the Middle East and Africa—have produced dangerous confrontations between the great powers.

In the end the solution in those areas that proved to be most compatible with the distribution of power and the safety of the world was for East and West to move out militarily and the U.N. to move in.

Ambassador Stevenson's speech to the Security Council reaffirmed this to be the objective of U.S. policy in Indochina.

The people of Indochina want to be "left alone," Mr. Stevenson emphasized. When their Communist neighbors "decide to leave them alone," he added, and that decision "can be put in enforcement terms," the United States will be prepared to withdraw its military power.

Ambassador Stevenson made this offer once before, during the Cambodian debate last spring in the Security Council. At that time Hanoi and Peiping, tempted by hopes of a military victory, ignored the proposal.

Now that the United States is demonstrating that it will not be driven from southeast Asia, the Communists may be more inclined to discuss a U.N.-guaranteed military neutralization formula.

The congressional resolution backing up the President manifests the united determination of this country to stand firm in southeast Asia. It also envisages a live-and-let-live settlement.

As proposed by the President, the resolution will expire when "the peace and security of the area is reasonably assured by international conditions created by action of the U.N. or otherwise * * *."

The choice is up to Peiping and Hanoi.

Brooklyn, N.Y.
August 8, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: To you goes the sincere gratitude for being the only statesman (except for Senator Gruening) in the whole country. Bless you for your moderate, sane approach to the war we are conducting in South Vietnam and now the push toward the north. Your name will go down in history as the "savior of our country."

Sincerely yours,

Mildred C. Corben.

Los Angeles, Calif,
August 6, 1964.

Senator Wayne Morse,
Washington, D.C.

Dear Senator: We bless you for your courageous stand on Vietnam. We are 100 percent in accord with you and will do our utmost to help. More power to you. May your efforts bear fruit for peace and humanity.

Yours very truly,

MRS. ANNA L. HALPRIN.

[From the El Cajon, (Calif.) Valley News, Aug. 6, 1964]

NO ONE WAS DYING—WHY THE HASTE?

The whole world is chewing its fingernails and passing judgment on what has been happening during the last 48 hours in the Gulf of Tonkin.

The facts seem to be plain enough. A lone U.S. destroyer was cruising in the Gulf or Tonkin, last Sunday, about 30 miles off the coast of North Vietnam. Three PT boats approached at high speed and two were seen to fire torpedoes.

Our destroyer dodged the torpedoes, fired upon the PT boats, and apparently sank one.

Next day, two of our destroyers were cruising in the same area, but about 65 miles offshore. This time some six PT boats attacked. In retaliation, we flew 64 air attack missions off 2 aircraft carriers, destroyed or damaged about 25 North Vietnam PT boats, blew up an oil depot and wrecked other facilities at 4 different bases, along the coast. We lost at least two aircraft, including the pilots.

This ratio of retaliation to provocation is weighted in our favor considerably more than the old Moslem formula of an eye for an eye provides. The initial public reaction, however, seems to be that somebody had it coming.

President Johnson, having himself ordered the retaliation, didn't have any choice but to tell the country it was thoroughly justified. He assured his countrymen "the attacks were unprovoked" and invited "the scrutiny of all men who seek peace, for peace is the only purpose of the course we pursue."

In the United Nations, U.S. Ambassador Adlai Stevenson branded the PT boat attacks as "deliberate military aggression against vessels lawfully present in international waters."

These are comforting words from men in whom the Nation has every right to impose confidence.

But life is not as simple these days as in the days when buffalo roamed the plains and ships were moved by sail. In those happy bygone days we did not have "invisible governments" like the CIA—and who knows what other hidden forces—at work within our own or other nations.

It is not that any of our responsible national leaders would deliberately deceive the American people. But do they always know the whole truth themselves?

Some can remember when President Eisenhower was embarrassed by having to deny that he knew about the U-2 flights over Russia in 1960. More can remember when Ambassador Stevenson was embarrassed by having to deny in the U.N. that we had any part in the Bay of Pigs fiasco.

And only in the last few months has it come to light that the CIA had given secret instructions to raiders about how to go ahead with the Cuban invasion even if President Kennedy tried to call them back.

Such evidence of skullduggery in high places proves nothing, of course, about the Gulf of Tonkin episode. But such evidence does serve to remind that these are times when the facts are not always easy to obtain, particularly while the smell of gunpowder is still in the air.

Not even a President can be sure. After all, the reports he sees travel through many hands. And they all started in a little known body of water half way around the world, with no newspaper correspondents, TV cameras, or other disinterested observers on hand to watch.

A feeling of vague uneasiness about this Gulf of Tonkin incident already has been expressed in some significant places. Senator RICHARD RUSSELL, chairman of the Senate Armed Services Committee, pointed out to reporters that "there have been naval operations in the Gulf of Tonkin by South Vietnamese, and this could have confused the North Vietnamese."

In Saigon, some South Vietnamese officials privately have voiced skepticism about the U.S. version of the incident. News dispatches quote one official as saying with a laugh:

"That is a very unusual guerrilla action for three small ships to attack an American destroyer in broad daylight, isn't it?"

These same officials questioned why PT-type boats would make such a suicidal attack without provocation. What motivation could the Communists have had in ordering so isolated an incident?

Time will bring out the whole story. President Johnson must make sure that it does. And he should use "all deliberate speed." This is no time for playing guessing games or for bear-trapping a chief executive with doctored incidents.

Until the facts have stood the test of time, a disturbing mist of doubt will hang over this Gulf of Tonkin affair. It sounds almost too dramatic, as if it were staged. And our retaliation was a little too quick, as if someone were afraid the whole show might be called off unless it were put on the road at once.

What was our hurry, anyhow? Neither of those PT "attacks" did any damage or caused any casualties on our destroyers. And that oil depot or those PT boats weren't going anywhere. We could have clobbered them just as successfully any day next week, after making sure we really were being pushed around.

But we had to shoot first. Okay, now let's ask questions. And let's have some straight answers from eyewitnesses protected against intimidation.

STANFORD, CALIF.,
August 6, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I have just finished reading your article in the August issue of the Progressive magazine. I can't impress upon you the relief I feel in knowing that someone in our Government knows that what we are doing in Vietnam is wrong. I should have written before to tell you of my and others support, but I lacked initiative. I think it was the recent speech by President Johnson that got me worried enough to write.

Please accept my support and the support of the whole CNVA–West. (Committee for Non-Violent Action.)

KATY FESTINGER.

OXFORD, ENGLAND,
August 7, 1964.

DEAR SENATOR MORSE: Thank you for your sane words on Vietnam. It is men like you who prevent us in Europe from despairing completely of the United States. I'm afraid you are not getting much help from the British Government, but it is some years since that was representative of the British people.

Yours sincerely,

PHILIP STEWART.

WOODMERE, N.Y.,
August 7, 1964.

DEAR MR. MORSE: I congratulate you on the political courage you have shown in regard to Vietnam, and thank you for your efforts to stem the hysterical reaction to the reported attack on the *Maddox*. Such an attack would be so stupid and so out of line with the apparent policies of North Vietnam and China that it seems to me incredible that it happened as reported without some overt aggressive action on the part of the ship. In any case, such matters should be laid before the United Nations rather than settled by military response. If you have any information on what really did happen, I hope you will spread it abroad in the interest of peace in the world.

I believe our military, and particularly our CIA, should not be in Vietnam, and that their presence there will sooner or later bring on such incidents that may lead to expanding war.

As to the "blank check" for the President, however, I am not sure that I would agree with what I understand to have been your stand on the matter. I remember that Congress took some such action with Mr. Eisenhower during a crisis in the Middle East, and again in the Formosan Straits and in each case, armed with this power, he was able to ease tensions and avoid military action. I suspect that Mr. Johnson is especially eager to avoid increasing military action in Vietnam but feels politically pressured to avoid anything which could be called appeasement. It might well be, although I have little political savoir faire, that a resolution such as proposed would give him greater room for maneuvering around war than for the present, rather belligerently minded Congress to refuse him this power.

Anyway, thank you for your efforts, which I hope you will continue.

Sincerely yours,

CHARLES T. JACKSON.

To the EDITOR OF THE NEW YORK TIMES:

All honor to Senators WAYNE MORSE and ERNEST GRUENING for voting against the joint congressional resolution that, in effect, endorses our Government's past, and continuing, massive intervention in southeast Asia.

No matter what the facts of this latest crisis turn out to be—and as of now they are clouded—the record of the past decade uncontrovertibly discloses that our Government, under both parties, has systematically ignored the international agreements which it claims to be upholding. I predict that in the future our Government's intervention in southeast Asia will be recognized as one of our Nation's darkest hours.

And I further predict that the names of Senator Morse and Senator Gruening will emerge then as representing the voice of sanity, good faith, and reason which is, we all hope, the true voice of our nation.

HELEN MEARS.

NEW YORK CITY, *August 8, 1964.*

AUGUST 8, 1964.

Senator WAYNE MORSE.

DEAR SIR: May I commend you on your stand concerning American intervention in South Vietnam? I am in complete agreement with you.

I think the money we've thrown away in southeast Asia is deplorable.

It's inconceivable to me that only two Senators would not vote for this warlike measure.

Sincerely,

MRS. NANCY J. FABING.

CAPITOLA, CALIF.,
August 5, 1964.

Hon. WAYNE MORSE,
Senator, U.S. Senate,
Washington, D.C.

DEAR SIR: It is not pleasant to think that yours is the only voice. We are with you—to the last man?

Sincerely,

Mr. and Mrs. WM. WEINTRAUB.

MILWAUKEE, WIS.

DEAR SENATOR: The affair in Vietnam stinks just like the *Maine* in Havana in 1898. I was in Galveston at that time. The rumor was the big brass in Washington did the dirty work. Whoever made the commitments in Asia should have been indicted. Tell your gang what George Washington said in his farewell speech, "Keep your nose out of other people's business." It makes my blood boil when I read Johnson is sending more boys over there to protect a bunch of royal bandits and get killed. I don't know what is the matter with you fellows. Billions for foreign relief and peanuts for Alaska and that 5 percent for our old people. You know what you can do with that. I am 85 and still interested in our national affairs. Oregon can be proud of you.

My best wishes to you.

A. SIBIESKY.

AUGUST 6, 1964.

DEAR SIR: I have listened to your views on South Vietnam that you have aired on such programs as "Face the Nation" and "Issues and Answers." I admire the political courage you have shown in defying both the Johnson administration and the Republican Party on this crucial matter. I am sure you are aware as I am that the major factor influencing international relations is power and not morality or law. The freedom of the South Vietnamese people should not be negotiable. Neutralization of South Vietnam is not practical as long as North Vietnam is communistic.

However I agree with you that the United States alone cannot, and should not be forced, to maintain South Vietnam's security against Communist aggression. Using the United Nations to solve this problem would definitely put the United States on the side of morality and international law. Communist China and North Vietnam would be greatly influenced by a resolution condemning their aggression in South Vietnam.

But condemnation is not enough.

I praise you for advocating a solution for Vietnam within the province of international law.

But will the African and Asian nations in the General Assembly really uphold the charter and vote to condemn North Vietnam and China? Will the General Assembly provide 25,000 to 100,000 ground troops to patrol borders between South Vietnam and Laos, South Vietnam and Cambodia, and between South Vietnam and North Vietnam, in order that the infiltration of Communist guerrillas and supplies be halted?

Please reply.

Respectfully,

LEE ROSEN.

AUGUST 7, 1964.

Hon. Senator WAYNE MORSE,
Senate,
Washington, D.C.

DEAR SENATOR WAYNE MORSE: It was with great pleasure to hear that you had the courage to express your opinion about our stand in Vietnam, which is contrary to our official interpretation of the latest developments in that troubled area.

Let us hope that your voice will not be a "Call in the wilderness." May your voice find more similar voices and bring about a better understanding, among nations, and bring peace in that part of the world.

With respect to you, and to all those who join you for a better world for a real peace.

N. STEIN.

SEBASTOPOL, CALIF.

FALLS VILLAGE, CONN.,
August 6, 1964.

DEAR SENATOR MORSE: Complete approval for your objective and long-view stand on our foreign policy and Vietnam in particular. Heaven save us from power without empathy—it is such an easy stance. Your courage is not lost amid all the emotional chauvinism.

Sincerely,

MARION W. FERGUSON.

LOS ANGELES, CALIF.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: Please accept my sincere congratulations for your courage and forthright statement today regarding the Vietnam crisis. I have written to the President asking him to discontinue further military action in North Vietnam and to withdraw our forces in South Vietnam. The seriousness of our mistaken involvement in Vietnam has been revealed and I hope other Senators will join you to lend a restraining hand on those who would push the panic extermination button.

Sincerely,

ROBERT FRIEDMAN.

SKOKIE, ILL.,
August 8, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I completely support your stand on the President's resolution supporting our aggression in Vietnam. Once again, our Congress rose "above principle" when it passed this resolution. This is not the first time I have noted your courage, conviction, sanity, and strict adherence to the principle that there shall not be two sets of laws (one for us and one for them). You are truly a Senator we can be proud of. You are one who I think really believes in the ideal of equality before the law, both in domestic and international law. You are one who, I think, is truly a liberal, in the best sense of the word. I am ashamed to think that my country invaded North Vietnam. I am ashamed to think that we have supported three governments in South Vietnam which were all military dictatorships. I am ashamed to think that the Government which we now support in Vietnam has taken away the right of appeal and given military courts the absolute power of death. I am ashamed to think that the Government we support in Vietnam is now censoring all newspapers, books, television, and radio. We cannot say "my country, right or wrong." There comes a point where you must, as you have done, denounce your country as an "outlaw."

I also wish to ask you to support the seating of the Mississippi Freedom Democratic Party at the Democratic Convention and strong planks on civil liberties, civil rights, extremism, and the Presidential control of nuclear weapons. For Vice President, my own personal choice is Adlai Stevenson, but even before he was eliminated, I felt that for the good of the party he should not be the nominee. I feel that a Catholic should definitely be the nominee both to keep as much of the Catholic vote in the party as possible and to remove the religious issue from the campaign (both parties will have a Catholic Veep). I oppose Senators DODD or RIBICOFF for Vice President because DODD I disagree with on many issues, and while I'm a Jew myself, I feel that RIBICOFF could seriously damage our chances. MCCARTHY seems to me to be the best prospect. Personally, I doubt whether the elimination of Bob Kennedy will hurt the ticket as the people who supported him have nowhere else to go.

I hope that despite our disagreement with President Johnson that you work hard for the ticket this year as it would be a disaster if BARRY GOLDWATER got in the White House.

Thank you for your time.

Sincerely yours,

BERNARD J. FARBER.

AUGUST 7, 1964.

DEAR SENATOR MORSE: Thank you for your vote against our participation in the Vietnam war.

Millions of your fellow citizens are in agreement with you.

Continue your fight against our aggression in the affairs of foreign states. Thank you once again.

Faithfully yours,

JOSEPH and SADYE ROBIN.

BROOKLYN, N.Y.

CORAL GABLES, FLA.,
August 5, 1964.

Hon. Senator MORSE.

SIR: I wish to congratulate you on your stand on Mr. Johnson's stand on Vietnam. The President has no right to order: "Shoot to kill." This is war. Congress alone can declare war and there is no reason why he should declare an emergency situation, and should not be given free action. Cuba is closer to us than Vietnam.

Mr. Johnson has assumed too much already since he has been in office, without elections. He has used and abused the Congress far beyond his powers. The Congress should keep its rights and power. We've been told: "All is good for long, long time in Vietnam."

Respectfully,

V. B. SMITH.

LOS ANGELES, CALIF.,
August 7, 1964.

DEAR SENATOR MORSE: May I extend to you my deepest and most sincere appreciation for your courageous stand on the Vietnam situation. It seems to me that yours is the only sane voice being heard on this issue and we hope you will continue to be, as always you have been, "the conscience of the Senate."

Thank you for your honesty and courage.

Sincerely yours,

Mr. LEO RIRSMAN.

EAST ORANGE, N.J.,
August 7, 1964.

DEAR SENATOR MORSE: I want to tell you that I agree with you and the Senator from Alaska on the Vietnam action.

President Johnson's action was outrageous and if it doesn't get us in world war III it will be a miracle.

I thank you for voting against the resolution. It is too bad, in fact a tragedy, that the resolution passed.

I believe that if a referendum were taken, the action of President Johnson would be overwhelmingly condemned.

If we get through this trouble without a war, I think the Senate and House should pass a bill taking away the right of any President to order such an action as Johnson did.

Why didn't he ask Congress first?

Why didn't he take it to the U.N. first?

And why was he so melodramatic as to address the Nation on TV at 11:40 at night? I heard it and of course, could not get to sleep.

I don't care what happens to Vietnam. It can go Communist or anything else. I don't want any more of our young men killed in defense of that picayune country that is none of our business and means nothing to us.

I am mad.

Very truly,

Mrs. M. D. CLAUDER.

OLD CHELSEA STATION,
NEW YORK, N.Y.,
August 7, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: In these days of hypocrisy and arrogance, it is inspiring to hear honest and clear-cut statements from you and from Senator FULBRIGHT on our grotesque foreign policy. This foreign policy of ours ponderously announces that "under

God" we are a self-appointed world policeman.

More strength and honor to you, because you and all who agree with you, are making history, leading toward disarmament and mutually beneficial world cooperation.

Cordially,

MARION D. MUNSELL.
ALEX E. O. MUNSELL.

Copy of a nightletter sent to President Lyndon Johnson, The White House, Washington, D.C., August 6–7, 1964.

"Our retaliatory action against North Vietnam is bullyism, indicating moral weakness. Further involvement risks world annihilation.

We strongly urge complete neutralization and withdrawal of all foreign troops from southeast Asia.

(S) Mr. and Mrs. ALEX MUNSELL.
NEW YORK, N.Y.

ARCATA, CALIF.,
August 7, 1964.

DEAR SENATOR MORSE: Just want to add my voice of approval for your stand against giving the President the right to wage war without a declaration by Congress.

I have been totally against our participation in southeast Asia from the beginning. It looks like another Korea.

I believe time is on our side. Let them try Communist dictation for 25 years and then they'll be sick of it and throw it off. We should be prepared to aid India and Australia, the Philippines, etc.

Sincerely,

MRS. IVAN MILHOUS.

FORKS, WASH.,
August 7, 1964.

Senator WAYNE MORSE.

DEAR SENATOR: We want to congratulate you on your courageous stand on the Vietname problem, and your stand on the past events. We need more men of your type, believe me. We are behind you 100 percent.

The best to you.

Mr. and Mrs. AUGUST SLATHOR.

INDIANAPOLIS, IND.,
August 7, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I personally would like to shake your hand. I thank God that there are those who still think of others. As in Isaiah 33: 7, "Behold, their valiant ones shall cry without, the ambassadors of peace shall weep bitterly." I pray that God will bless you as you stand fast for a peaceful world. I give you my support and prayers.

Let us remember that "Righteousness exalteth a nation, but sin is a reproach to any people."

And what the President done was wrong in Vietnam. We should pull out.

"And many people shall go and say, Come ye, and let us go up to the mountain of the Lord, to the house of the God of Jacob; and He will teach us of His ways, and we will walk in His paths; for out of you shall go forth the law, and the word of the Lord from Jerusalem. And He shall judge among the nations and shall rebuke many people and they shall beat their swords into plowshares, and their spears into pruning hooks; nation shall not lift up swords against nation, neither shall they learn war any more." Isaiah 2: 3–4.

"Behold, their valiant ones shall cry without, the ambassadors of peace shall weep bitterly."—Isaiah 33: 7.

"For when they shall say peace and safety; then sudden destruction cometh upon them, as travail upon a woman with child; and they shall not escape."

And our only hope is Jesus. "Because thou hast made the Lord, which is my refuge, even the most high, thy habitation; there shall no evil befall thee, neither shall any plague come nigh thy dwelling."—Psalm 91: 9, 10.

I pray for a lasting peace which the world cannot give. But with Christ, all things are possible.

A friend,

MRS. REBECCA MAY BECKMAN.

P.S.—Please write. Thank you.

DENVER, COLO.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I wish to thank you for your remarks on the southeast Asia situation on the Senate floor as well as in the article "Humpty-Dumpty in Vietnam" which appears in the current issue of the Progressive. I wish to add that there are those of us who do make our voices heard about the follies of the U.S. imperialism in southeast Asia. However, compared to the larger and more important number (including our Government) who scream that we're fighting for "freedom," our sound is so soft, no one seems to hear it. Our Government does such an excellent job of propagandizing, the American people, or the vast majority, in their naive way, really believe that next to communism, you and those who think as you do about our foreign policy are their biggest enemy. So, I wonder sometimes if it's worth the effort to make our voices heard, especially in an election year when a presidential nominee who has everyone's ear is one who advocates the use of nuclear weapons to preserve the southeast Asian's freedom, whatever that is. It is obvious that most Americans feel to wield a strong arm abroad, to stand up and fight in the face of "Communist aggression" compensates for the lack of our ability to solve, or even recognize, the domestic problems that threaten to "bury" us much more than communism.

It does help to see an occasional article such as yours appear. My only wish is that it had greater circulation. I often wonder where the voices of CLARK, HUMPHREY, MCCARTHY, and others whose work I admire so much usually, are in these instances. Maybe they're being sounded and I just don't hear. I do hope that your article will be circulated among your colleagues so that they may have the benefit of reading it.

Do keep speaking, for there are certainly those who agree with you whose voices are rarely heard above the din of the militarists.

Sincerely yours,

MRS. KATHERINE ARMITAGE.

PITTSBURGH, PA.,
August 7, 1964.

DEAR SENATOR MORSE: My thanks and congratulations to you in this your finest hour. May history record your courageous stand against the lawlessness of our Government long after the names of your fellow Senators have been forgotten in deserved ignominy.

Sincerely yours,

LINCOLN WOLFENSTEIN.

AUGUST 7, 1964.

DEAR SENATOR MORSE: I congratulate you on your stand on Vietnam.

I wish we would have more men of your caliber in our Government.

Sincerely yours,

LUCILLE BOKSER.
PITTSBURGH, PA.

AUGUST 8, 1964.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: I commend and thank you for speaking and voting against the resolution granting the President increased military power in southeast Asia.

Our troops should be recalled from that area and negotiations should be started immediately for a peaceful solution of the problem.

Respectfully yours,

MINERVA T. FEENSTEIN.
BROOKLYN, N.Y.

NEW YORK, N.Y.,
August 7, 1964.

Senator WAYNE L. MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Congratulations on your principled stand on the outrageous aggression endangering the peace of the entire world. In the last 50 years of my adult life I have seen a tragic deterioration in American life. Where in my youth when I was an undergraduate at Harvard, we were really proud of the motto "Veritas," there has now been substituted a cynical sophistication so that hypocrisy is no longer a disrespectable adjunct to life but has become a way of life. Joined to this is the arrogance which permits President Johnson to refer to aggression and provocation as a defense of "peace." It is time for the young people to learn about the Pax Americana what Josephus said of the Pax Romana "Vastatem Faciunt Pacem Apellant."

Let me assure you that there is a large reservoir of people who have not fallen victim to the conformity of flag waving chauvinism and contempt for the rest of the peoples of the world who will applaud heartily the stand taken by you and Senator GRUENING (and I hope others not yet named in the news) in refusing to issue what you have properly designated as a predated declaration of war (and it may be added, terror). It is good for old people like myself but even more for the young that there are men of stature in American public life and legislative halls who will not permit themselves to be intimidated by the false cry of "patriotism" which Dr. Johnson so fittingly designated.

That this is the first surrender of the administration to the Goldwater mentality and hysteria is clear to the world press, and increasingly to the people of these United States. The courage of men like Senator GRUENING and yourself will be an inspiration to the people not to permit the victory of the Neanderthal mentality which toys with the destiny of the people of the entire planet.

I personally desire to express my gratitude and appreciation and to ask others to do so. If you have any suggestion of any manner in which plain ordinary people like myself can be of service in stemming the hysterical tide, please suggest what may be helpful.

Cordially,

ADOLPHUS BROOK.

NULL VALLEY, CALIF.,
August 7, 1964.

DEAR SENATOR MORSE: Congratulations on your stand on southeast Asia. It must be lonely in Washington among all of the sheep. If there is enough time before the end to write it, I am glad that history can record one man in the U.S. Senate with a mind of his own and the courage to speak it.

Best regards and wishes.

DON MIXON,
MRS. DONALD MIXON.

AUGUST 5, 1964.

Senator WAYNE MORSE,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Thank you for your stand against U.S. involvement in southeast Asia.

I am certain that the American people are basically for international understanding and world peace and will eventually find a way to put these wonderful ideals into practice.

Sincerely,

Mrs. Kae Brown.

Kansas City, Mo.

Belle Glade, Fla.,
August 6, 1964.

Hon. Wayne Morse,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator: While I would have difficulty in naming another Senator with whom I more disagreed with as to public affairs than yourself, I must concede that you have my wholehearted support in your opposition to this Nation becoming involved in military participation on the mainland of Asia, and further participation in foreign aid. As to Asia and the so-called threat stemming from Red China, let us face it. Not having the transport to move men and supplies overseas, nor the Navy to provide protection thereof, any speculation of China's threat to offshore islands becomes an insult to anyone's intelligence. Thus the only threat Red China offers ourselves is that to wage war against us, we would have to accommodate her by going to her area, in her own backyard, so to speak, which we did in Korea and now seek to do the very same thing as to South Vietnam and southeast Asia.

Now in our national interest there is no return benefit to us for the aid we have squandered in both Asia and Africa. Militarily their only resource is manpower, which is not needed in today's streamlined modern military. Commerce we do not need to buy from them near so much as they need to sell to us, so there can be no justification for our expense in their behalf. Insofar as communism is concerned, excepting Europe—the Pacific offshore islands—Western Hemisphere, I suggest that any country wanting communism, let them have it, and as time goes on their experience from it will be cause for its ultimate rejection, etc. I gave full approval to the Marshall plan to rebuild devastated war countries and make it possible for them to be a customer of our manufacture and agriculture, but the job in this respect was completed about 1949 and foreign aid should have ceased at that point. We could have continued some foreign aid from a military standpoint, but only to those countries named in the group above and from whom we had a commitment to stand with us when called upon.

This South Vietnam bids fair to become another Korea, so let us take a look at Korea. No one on the scene, or away from there, other than certain members of the Washington authorities, ever knew what the objective was that was had by our forces. Certainly the restrainer put on MacArthur, and other field commanders, there was not the goal of winning. Was it then merely to support a politician's argument with other politicians? Hardly anybody would buy the glib statement that we needed to go 10,000 miles away from in order to defend our shores, or that in present year we need to go about the same distance, also away from, to resist communism, and yet never took care of communism no more than 90 miles off our east shores. Before we go anywhere we need an all-out effort to cure the situation as to communism inside our own country, which there is practically no effort on the part of the authorities to do. In fact through the Supreme Court, and acquiescence of Congress through their failure to counteract, communism in this country enjoys a privileged sanctuary. In Korea we paid a tremendous price in loss of men and treasure, but as we wound up exactly where we commenced, there was not only loss in vain, but if we are to accomplish the objective sought, whatever that was, then the job needs doing all over again. This cannot be disputed, can it?

As we didn't win in Korea, and precluded from doing so, and our losses unnecessary, is it possible for us to win in southeast Asia, also 10,000 plus miles away? I say not. First place our boys would be hemmed in from all side as you couldn't distinguish friend from foe, nor count on it. If we won the battles militarily we would still lose the war, for we would have to maintain police occupation forces forever and forever, plus rebuild the country out of our finances. There is but one solution as to the mainland of Asia and that is to vacate our forces and wash our hands of the whole mess. We have the Navy and the Airforce to protect any and all lands east of the Asiatic mainland, and can do so most effectively, and with but little outlay. Any forces beyond our own shores can be used to protect the Western Hemisphere in accordance with the Monroe Doctrine, and the other areas already enumerated upon.

I attach a news item taken from the Miami Herald (a Knight publication), in which you are quoted as predicting Barry Goldwater will not take more than six States. Now I am a lifelong South Democrat where during my lifetime but one party was had, though the Republicans in last few years are becoming a factor, but only nationally and not as to State and local. I have lived in, or spent considerable time therein of each and every State of the South plus those termed "border" though actually south so I can be considered typical of these States and its people, and knowledgeable. In those States of 11 Old Confederacy plus Maryland, Missouri, Kentucky, Oklahoma, West Virginia—total 16, I make the assured prediction that Barry Goldwater will capture each and every one of the total 16, excepting West Virginia, which is a welfare and unemployment State and welcoming the handout. Of the remaining 15 even Nixon in 1960 carried all excepting Missouri, Maryland, Arkansas, Texas, South Carolina, North Carolina, Georgia, and he had only about 30 percent the appeal as is had by Goldwater. This time Goldwater will not only take all taken by Nixon but the seven not taken by Nixon. If you challenge Arkansas I say in 1960 the Kennedy-Johnson ticket only captured 50.2 percent of total vote, and Louisiana it was but 50.4 percent, in Texas it was but 50.5 percent and much has happened in the 4 subsequent years to reduce each State's Democrat vote much below 50 percent. In Maryland the combination of Republican and Wallace votes should easily put that State in the Goldwater column. Having lived 3 years in Kansas City and knowing that State very well politically I am confident she too will be found in the Republican column. I came to my present area from Texas (Fort Worth-Houston) where I had some 18 years' residence and I doubt if anyone knows the State any better than I do, and I'll place my bet there on Goldwater over Lyndon Johnson, and I'd do the same if Goldwater was running against Billie Sol Estes, Bobby Baker, George Parr, or any of the other Johnson clique. One thing you can rest assured of and that is that Barry Goldwater will take each and every State through the South, and no mistake about it.

Of course, there are other States Goldwater will take as well. He will take the total States taken by Nixon in 1960, also Illinois, Delaware, the neighboring Western States of New Mexico, Nevada, and others previously taken by Kennedy-Johnson in 1960. Frankly, I anticipate a Goldwater landslide come November 3, and will be the most surprised man in the country if this does not occur. So when you say Goldwater will take no more than six States, you have the wrong candidate in mind, and should make your statement concerning Johnson, or whoever might be substituted in his stead, etc. Our people, South as well as throughout the country, are disenchanted with incumbent administration, and are thoroughly dissatisfied with Government as administered from Washington. Most of our dissatisfaction stems from Federal judiciary abuse of the National Constitution, and Congress failure to reverse and restrict their actions. Members of Congress are not correctly representing their constituents unless they provide remedial legislation. For my part I want a constitutional amendment providing for election of Justices and all Federal judiciary both geographically and prescribing eligible qualifications of candidates and election for terms similar to Senators. To say there is no desire to put the judiciary into politics that is all it is today, members appointed as reward for support or favors received, etc. If we are to get relief it has to come from Goldwater for none could be had from a character such as Lyndon B. Johnson. Of course, the country can retire as many of present Members of Congress as they can get it, which will be considerable.

Now when Congress recently enacted the so-called civil rights legislation, they went beyond the place of no return. In the South no one in his right mind is going to give adherence and compliance to this measure, though it may seem so at first glance but not when things straighten out and countermeasures get underway. In the first place if the nigger was mistreated in the South they would not remain here and a long time ago would have departed. Inasmuch as they are dependent 90 percent on white private enterprise, 5 percent on their own kind, 5 percent on Government for livelihood employment, they will very soon be denied both employment and welfare to hasten them into areas outside the South, where the news media and politicians have created all this turmoil and agitated the niggers in their intrusion on whites. I am for the nigger having his constitutional rights so long as it does not provide his unwanted intrusion upon white people. In other words he can enjoy his rights in the company of his own kind and not where he is unwanted by others. If there has not been white-nigger association in this country since its very beginning, it is clear that such association is not desired. Yet there is had the proposition of the officeholder saying "Whether such association is desired or not I propose to create it," like it or not. Is this politician saying "I am your master and not your servant"? We'll see about that.

Yours,

John E. Pritchett.

Morse Predicts Goldwater's Defeat

(By Edwin A. Lahey)

Washington.—A prediction that Senator Barry M. Goldwater would be defeated went out over the airwaves from a regular Sunday broadcast of Senator Kenneth B. Keating, of New York.

Keating is a Republican, seeking reelection this year for a second term. He is unfriendly to the Republican nominee for President, Senator Goldwater.

The prediction of defeat came from Keating's guest on his regular program, Senator Wayne Morse of Oregon, who entered politics as a Republican, but switched to the Democratic Party during the 1952 election campaign, because he didn't like Dwight D. Eisenhower.

In the Keating program, which is carried over 6 television stations and 28 radio stations in New York, the New York Senator was questioning Senator Morse on public issues, as is his custom with his weekly guests.

"I want to ask you a couple of political questions," Keating told Morse. "First, who's going to get the vice-presidential nomination on the Democratic ticket?"

"I don't think even the President knows yet," MORSE answered.

"Secondly, how's this election going to come out?"

"I'll be surprised if BARRY GOLDWATER carries more than six States," MORSE told KEATING. "The American people aren't going to be fooled by the extremism of BARRY GOLDWATER."

This partisan statement was not a slip of the tongue. The interview was taped in the U.S. Capitol recording studio, and the text was distributed to the offices of correspondents as early as Friday, with the notation that it could not be released until after the Sunday broadcast.

GOLDWATER LEADS IN SOUTH

(By George Gallup, director, American Institute of Public Opinion)

PRINCETON, N.J.—Senator BARRY GOLDWATER leads President Johnson by a wide margin in the popular vote of the South at this time.

In a survey just completed of the 13-State area which makes up the South, GOLDWATER leads Johnson by a ratio of 57 percent to 43 percent.

This comes within 2 percentage points of the lead that GOLDWATER had over Kennedy in a trial heat race exactly 1 year ago in this section of the country.

At that time it was pointed out that this was the largest margin which any Republican had obtained over a Democratic opponent in the 29-year history of the Gallup poll in the South.

The following question was asked in the latest survey:

"Suppose the presidential election were being held today. If BARRY GOLDWATER, the Republican candidate, runs against Lyndon Johnson, the Democratic candidate, which would you like to see win?" (Those who said they were undecided were asked which man they lean to, as of today.)

The present figures, based on interviewing conducted after the GOP convention, shows the following division of opinion in the South:

	Percent
GOLDWATER	51
Johnson	40
Undecided	9

Allocating the undecided vote on the basis of careful analysis of opinions on other key aspects of the race produces the following division of opinion:

	Percent
GOLDWATER	57
Johnson	43

JAMAICA, N.Y.,
August 7, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: I should like to thank you for your lone voice of reason and sanity amidst confusion and blind acceptance. Last March you expressed very well your position on Vietnam, at that time a few of your colleagues joined you by expressing similar opinions.

Today we see once again the failure of the present American policy in South Vietnam. A crisis has helped to unite most of the Senate in supporting our present policies. I thank God that you have not joined your fellow Senators. At least there is still one glimmer of hope in the darkness. You have not yielded to the belligerent policy wanted by the "superpatriots." You have shown a keen understanding of the situation and have spoken accordingly.

You are right in saying we had no business being in South Vietnam, but this is history already. You are right in saying we must get out. The present South Vietnamese Government is not supported by the people of South Vietnam. It is a cruel, militaristic, and a dictatorial regime. The Vietnamese people have suffered enough.

They suffered a Japanese invasion and a World War II on their own soil. They suffered through a war with France. They have suffered through the Diem regime. They have suffered and are being terrorized by the Communist Vietcong. They have suffered, had their food poisoned and their people killed by the Vietcong. But the American-supported South Vietnamese Government has been just as bad as the Vietcong guerrillas. They live in a reign of sickness, death, fear, and terror. I am ashamed that my Government supports and keeps alive such a regime.

The Vietnamese people are tired of war. They want to return to their families and their crops—a return to peace.

The uncalled for North Vietnamese attack on our ships is a disgrace but our retaliatory measures are just as bad. This was not a peaceful move. It invites another Korea. It invites a world war III where we would all be killed. Our action was a disgrace. We show fault in the U.N. by treating U Thant well on his recent state visit by paying our finances. When it comes to the real test we pursue a militaristic policy which can destroy the U.N.

Yesterday 19 years ago we unleashed an atomic bomb. It must never be used. The present situation invites its use.

I urge you to support a neutralized Vietnam, either as one or two states. I urge you to continue your fight for an end to the war in Vietnam. Too many are being killed, there can be no victory for anyone.

In 1956 the Russians committed aggression in Hungary. In 1964 we are doing it in Vietnam. Will the suicidal arms race never stop?

Keep up your good work and may you have peace in your life and all mankind in the world.

Sincerely yours,
ALVIN VERTER.

PALO ALTO, CALIF.,
August 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I deplore the retaliatory and provocative stance this administration takes in southeast Asia.

We must learn to avoid such precipitous action—to try nonviolent methods—to use the U.N. more fully than ever before.

The President's unilateral striking back without deliberation seems like "warmongering" to me. Makes me lose faith in him. (Johnson is not much different from GOLDWATER—after all—et cetera.)

Moreover, this "power politics" with superior arms is an old method that yields nothing but a vicious cycle doomed to a chaotic outcome.

How can an administration with such humanitarian goals as to effect civil rights and antipoverty be so inhumane as to "shoot to kill."

We have no problems but what cannot be negotiated, etc. And if we need better machinery for that, let's get it.

Sincerely,
OLIVER HENDERSON, M.D.,
Psychiatrist.

P.S.—"Live and let live."

AUGUST 6, 1964.

DEAR SENATOR MORSE: It is a great pleasure to salute you for your courage in the stand you are taking in opposing the administration's current suicidal policy in Vietnam.

You are not alone. Hundreds, if not thousands, of common people here are with you.

You should be the presidential candidate so we could have a real fighter against Goldwaterism.

THOMAS DENNIS, Jr.

DETROIT, MICH.,
August 6, 1964.

Hon. Senator WAYNE MORSE,
Washington, D.C.

DEAR SIR: Please accept our heartfelt thanks for your courageous stand on the Vietnam war. Yours is the only voice of sanity in what appears to be a world gone crazy.

It gives us courage and inspiration at this moment and perhaps may even help to keep us firm in our determination not to give up in disgust in the forthcoming elections.

The nightmarish spectacle of the Goldwater victory during the recent Republican Convention brought back memories of "It Can't Happen Here" by Sinclair Lewis. During that week we still had hopes that with President Johnson we will still have a choice. We were resolved to work for his election as we had not done since the days when Franklin D. Roosevelt was running to defeat Alf Landon.

But his rash stand on bringing us nearer to another world war makes this choice a farce.

What answer shall I give to my three new voters this year? My son, daughter and her husband. My friends whom I meant to inject with a spirit of hope and determination are as undecided and pessimistic as I am.

Were it not for voices such as yours I believe I would vote Democratic out of habit not out of belief.

Can one morally choose between the two leading candidates? Does it really make a difference whether world war III starts with BARRY's little A-bomb or President Johnson's provocations?

Keep up your good fight and may you be blessed in your endeavors. We are proud of you and wish we had you as our Michigan Senator or better still, as our new President.

With all our good wishes and thanks.
Respectfully yours,
MAY and SAM SWEET AND FAMILY.

P.S.—We love you.

VAN NUYS, CALIF.,
August 7, 1964.

DEAR SENATOR MORSE: My wife and I congratulate you on your stand on the bombing of the ports of North Vietnam. We support your courageous opposition to the ill-considered action of the military.

We have followed your career in the Senate and would be proud to have you represent us here in California.

We would also like to see you nominated as the running mate of President Johnson, but I suppose that this is asking too much.

Please keep up the good fight in the future and remember that there are others that hold your views and are behind you.

Sincerely yours,
G. J. GIESLER.

NEW YORK, N.Y.,
August 7, 1964.

DEAR SENATOR MORSE: My grateful thanks to you. If it were not for your voice of reason and truth it would be a black day for us.

My warmest good wishes for many years of priceless service.

MRS. JANE JOHNSON.

LEVITTOWN, PA.,
August 8, 1964.

DEAR SIR: I want to express my gratitude to you for your courageous and intelligent stand on the Vietnam issue. The voices of sanity and fairplay are all too few.

You have my deepest admiration and support. My only regret is that I couldn't have the honor of voting for you as a Senator although I am considering writing in your name for President.

If this country is ever to be led out of the morass it is now in, it will depend on men like yourself to lead the way. I pray that you will never give up this fight.

Sincerely,

ALBERT ELMAN.

WELD, MAINE,
August 8, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: This letter is written to express sincerest thanks to you for your courage and realism in opposing the congressional blank check joint resolution requested by President Johnson in the current, preventable Vietnam crisis. We would be unfortunate indeed without you and Senator GRUENING to speak for the thousands in the United States who deplore this sad ploy of the political and military factions in this country. The attempts to make a righteous cause out of the shabby and ambiguous situation in Vietnam are so tired and familiar that they are discouraging to those who hope for statesmanship in this perilous era.

The truly frightening aspect is that so many legislators, in whose power we are, have not yet been able to conceive of, much less accept, the fact that any major war will be the last war; and that major wars grow from small wars.

There is an obvious longing by many in the Pentagon for the old horse and buggy days; for the small controllable military conflicts; and because these men wish for this long-past possibility, they are willing, however unconsciously, to plunge the rest of the world into irreversible chaos.

I can only say again, thank you for your truly heroic stand and for your sanity. They are greatly needed.

With best wishes.

Sincerely yours,

ALICE POLLARD.

NEW YORK, N.Y.,
August 6, 1964.

Hon. WAYNE L. MORSE,
Senate Office Building,
Washington, D.C.

MY DEAR MR. MORSE: I am impelled to write you to congratulate you on your courage in attacking the role of our Government in the current Vietnam crisis. It must be lonely up there on your eminence of integrity and valor. Where was Senator FULBRIGHT when the vote was taken? I note that he has written a book criticizing our Government's policy toward the Communist world, but when the chips are down he runs with the herd.

More power to you, and may your courage to defend the right never falter.

Sincerely yours,

RUTH STARR.

P.S.—You might pass this on to Senator FULBRIGHT.

JERICHO, LONG ISLAND, N.Y.,
August 7, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

HONORABLE SIR: Bravo. Many cheers to you for your stand in regard to the Vietnam resolution. If there were only more such as you.

How can I help in this frightening situation? What can one individual do?

Thank you for your courage.

Most sincerely,

MRS. BEATRICE FELSHER.

WALNUT CREEK, CALIF.,
August 6, 1964.

DEAR SENATOR MORSE: Thank you for taking the stand you have on the situation in Vietnam.

I feel, as I believe many thinking people do, that our country has no business "playing God" in southeast Asia or in the many other spots around the world. If we cannot now put the problem of the future of this small country in the hands of the U.N. and let whatever policing may be necessary rest in the hands of this international body, then there is no hope for world peace and understanding. If there is no such hope then I fear for myself, for my family and friends, and for all mankind—for the world cannot survive another war.

I wish there were more politicians with your courage and forthrightness.

Sincerely,

MARGARET B. BLAKE.

MARINA, CALIF.,
August 8, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: On behalf of myself and my family I would like to take this opportunity to thank you, with great sincerity, for your lonely fight in the U.S. Senate, for sanity in regard to the terrible conditions in southeast Asia, conditions that we are in a large way responsible for. I have read most of your speeches, or excerpts from them and your many articles written about conditions in South Vietnam. It is indeed unfortunate that I find very little mentioned of them in the so-called popular mass media, but have only found them in the more thoughtful journals that deal more objectively with situations presenting a more balanced and rational view. Unfortunately all too few people are able to secure or read these journals, or frankly understand a rational point of view, much less want to understand one. As you know the mass press is now merely the fourth estate.

I have often said, "thank heaven we have a man like Seantor MORSE left in the Senate." Let me, sir, encourage you further in your efforts and knowing your background and knowledge of history, let me humbly remind you that history teaches us that most often the minority have been correct in their analysis, while the majority, blind to reason, have only resorted to power when power was too readily available. Do these men of power think they can succeed where historically every major power has failed thus far in modern history? History also shows one long series of defeats for the conservatives—time is not on their side—nor is history. The Asian people will in time look upon us in the same eyes as they formerly looked upon the other colonial powers of past years—indeed most of them do now. In order to win (?), as the war-minded think, we will have to carry on a war of annihilation—involving the "loss of face" in all of Asia. By our actions thus far we have done more to advance the cause of the opposition then if we would have followed the Geneva agreements of 1954, which we of course were afraid of—let's be honest about it—our policy even to be recognized had to be backed by force of arms. Indeed the soul of Mr. Dulles goes marching on—carrying us still deeper into a situation that can only lead to our eventual disaster. History again teaches us a frightening lesson—all too often in the past when power has become frustrated by the rebelliousness of people, power has resorted to still more power, blindly unable to see its own folly.

Are the war-minded indeed so blind and unreasonable to believe that it can win in southeast Asia? What will we win—can we occupy the whole area—while every other native not bribed sufficiently will resist our occupation? What will we accomplish? Did the French succeed in southeast Asia, in Algeria against a ragged, ill-fed bunch of revolutionary irregulars? What does national prestige entail—false frightened pride? What will be gained by killing off all the people in southeast Asia—they will continue to resist—what have they to lose? I have often suspected that this war in southeast Asia is a popular war of revolution because history has taught me that you don't get people to fight like the Vietcong do for nothing—least of all for the Chinese. They fought hard against the French and now they are fighting just as hard against our puppets. It matters little what label you give them—Communist included. The national liberation front, thanks to our ignorance, includes a great deal more opposition than just Communists even though the U.S. mass media cowardly avoids talking about this.

What about China—are you going to use nuclear bombs against her—what will this lead to? Supposing they resort to war by other means—no doubt you have heard of chemical warfare—supposing we use it, too. War begets war, I'm sure you know this—but it's frightening because there are so darn few men like you in our Government these days—indeed, where is the opposition anyway?

I have spoken out at every opportunity that I have had and have convinced many, but what more can I do. I wish to hell that I could do more. People that I have reasoned with come to humane conclusions and even though you may not receive much response for your efforts I know they agree with you. All I can offer you is my support and I will continue to speak out, even though I stand a chance of losing my job as a teacher. This is another agonizing problem you might let your fellow Congressmen know about.

Since World War II, gradually people have become more and more afraid to discuss anything openly and frankly or have developed an almost hysterical response on their part to shut anyone up that does speak out as a citizen. People have imposed self-censorship upon themselves of the worst type—far more psychologically damaging than an outside force in a totalitarian state could do. Perhaps, Senator MORSE, as time goes on the truth becomes too intolerant for people to face up to. How about your fellow Senators—do they bother to study this situation from all points of view, including an unbiased, undistorted one—no doubt some do, but what honor do the others heap upon themselves when they vote in ignorance, at best only having consulted with the generals? When will we learn that you don't successfully fight ideas with bombs, but only with better ideas and when will we learn that people in various parts of this world eventually must solve their own problems in their own way, based upon their concept of their perception of reality and not upon ours. Our way of life may not be for them—is that so frightening when you consider that no two people on earth are the same? What arrogance do we inwardly possess that seems to result in our dictation to others that they must stand with us or follow our way. This course of action isn't even possible in an individual family, let alone in a family of nations. The only union of nations is a union of diversity. Perhaps it's true that the most powerful are indeed the most afraid. I will never allow myself to become that fearful and insecure as to think that our way is the only way. Perhaps it's also true that, "whom the gods would destroy, they first made mad." I for one have seen enough of our madness in southeast Asia and go on record as supporting your stand 100 percent. Thank God there are men like you left—you're the salt of the earth. If I can ever do anything in my small way to assist you, I would consider it an honor and privilege.

Sincerely yours,

EUGENE T. BERNHARDT.

P.S.—Just a thought, if you ever run for President, I'd be tempted to vote for you once legally, but as many times as possible illegally; I do think we need an opposition party, don't you?

ATCHISON, KANS.,
August 7, 1964.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR: We heard you speak on television about the recent naval battle off the coast of Vietnam and our Government's attitude toward it. We agree with you. Thank you for taking a courageous stand for the right.

Sincerely,

Mr. and Mrs. MORRIS NIELSON.

BRONX, N.Y.,
August 8, 1964.

Hon. WAYNE MORSE,
U.S. Senator.
Washington, D.C.

DEAR SIR: I want to express my heartfelt thanks and admiration for your—and Senator GRUENING'S—courageous opposition to the resolution on Vietnam, and your forthright statement of our role in that stricken area (New York Times, Aug. 6). Yours are voices, it seems, in a wilderness of hysteria that is abetting the dangerous reactionary supporters of GOLDWATER and heading our country, our sons, and the world toward disaster.

While there's still time, I pray that saner, and even vacillating Members of Congress will see reason—that we will withdraw our fleet and armed forces, and negotiate for a peaceful settlement, so that we can enjoy our blessings.

Sincerely,

Mrs. MAE MARQULIES.

NEWARK, N.J.,
August 6, 1964.

DEAR SENATOR MORSE: I wish to thank you from the bottom of my heart for maintaining your position of sanity in the midst of adolescent aggressiveness, and infantile possessiveness.

You alone have had the courage to speak out in the jungle that has become Washington. I take this opportunity to commend you.

This dangerous policy in Vietnam can only lead to the horrors that were displayed in Korea, and in Hiroshima 19 years ago today.

May you have the strength and resoluteness to continue.

You are not alone in this country. God bless you.

Sincerely yours,

MICHAEL V. KLEIN.

EVERETT, WASH.,
August 5, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: For your position on peace, I want to commend you.

This is a critical time during which your action may determine whether we, the people of the world, will go on living or not.

Certainly Vietnam is not our country, and our men have no good reason to be there, or to die there. If President Johnson wishes the voters to see him as a better man than GOLDWATER it seems to me he should be leading our country toward peace. If he doesn't how can the voters tell him from GOLDWATER?

I hope that you can gather propeace or prosurvival people together for a voice against the war. Again, praises to you for your action against the war in Vietnam.

Sincerely,

FLORENCE M. HEMEKE.

DES PLAINES, ILL.,
August 7, 1964.

DEAR SENATOR MORSE: Thank you. Your negative vote today on the Vietnam situation makes one believe that maybe there are a few intelligent men in Congress.

Your opposition was magnificent—and if only they had listened. How long can we continue with force and the threat of force before the whole thing blows sky high?

We had better find some peaceful solutions and we had better find them soon or there will be no one left to know that "we preserved our honor."

We owe a debt to our children to leave them on earth where they can grow up secure.

Your brave voice, raised in opposition to the folly we are committing in Vietnam, gives me courage. Again—thank you.

Sincerely,

LILLIAN HAYWARD.

MCCORMICK THEOLOGICAL SEMINARY,
Chicago, Ill., August 8, 1964.

DEAR SENATOR MORSE: Thank you for your outspoken criticism of the southeast Asia policy.

Please continue to press for a political solution in keeping with the policy we expect other nations to follow.

Best wishes.

Prof. CLINTON MORRISON.

AUGUST 9, 1964.

DEAR SENATOR: I am proud of your vote on the go-ahead resolution. Strange your associates fail to realize that those people after French colonial rule and the Dulles "doodlebug," don't understand what they have to fight for.

Too bad that you didn't provide in the so-called poverty bill, a give out to educate the law makers.

Personal regards.

MATT BROSSARD.

COLLEGE PARK, MD.

DEAR SENATOR MORSE: I want to convey my appreciation for your courageous stand against U.S. aggression in southeast Asia. You are one of too few Senators who rightly see the United States as the threat to peace which it plainly is. When will I get a chance to vote for you for President?

For democracy,

ALLEN SOLGANCH.

ST. PAUL, MINN.

DEAR SIR: Your stand on the role of Congress is a great one, and I sympathize wholeheartedly with it.

No one man should have the power to commit the United States to war.

Sincerely,

LOREN F. HOLSTE.

BRIGHTON, MASS.,
August 5, 1964.

DEAR SENATOR MORSE: I should like to tell you how pleased I was with your stand on the resolution to support President Johnson's position on the recent developments in southeast Asia. Many of my friends are also in support of your position, and are deeply disturbed that your voice was alone. We had voiced our support earlier of Senator Fulbright's proposal to reevaluate our Nation's foreign policy, and were disheartened by his more recent position on this matter.

Although we are in the minority, I am confident that the trend is in our favor, from a self-righteous and sanctimonious stand to a realistic and practical approach in our relations with other countries.

I am reminded, sir, of what has happened to the minority opinions of Justices Holmes, Brandeis, Black, and Douglas. Civilization does move forward.

May I offer you my best wishes and hopes for a continuing, distinguished career in the Senate.

Sincerely,

MARTIN JOEL MOULD.

JEROME B. HEYMAN,
CONVERTER AND DISTRIBUTOR,
New York N.Y., August 7, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: My family and I wish to congratulate you upon your stand concerning the war in Vietnam.

Thank God that there is one Senator in the U.S. Senate who is not afraid to speak the truth.

Sincerely yours,

JEROME B. HEYMAN.

CINCINNATI, OHIO,
August 8, 1964.

Hon. WAYNE MORSE,
Senator from Oregon,
U.S. Senate Office Building,
Washington, D.C.

DEAR MR. MORSE: I hasten to commend you for your courageous stand on the Vietnam situation. You have been one of the all too few who stand apart from the Me-Tooers in the Congress. Mrs. Floyd and I have read and highly regarded your article in the August "Progressive" monthly, and are reminded of the courage of the LaFollettes. I have been so bold as to recommend that Ohio's senior follow your example (insert Senator) in switching party allegiance in the opposite direction.

As a retired teacher of science in the public schools of Ohio, I hold a high respect for "How" and "Why" and have enrolled with the Humanists. As a member of a nonexistent Senior Citizens Council I have addressed letters of opinion to the President and to Congressmen. I enclose one to L.B.J. of recent date, yet prior to the late naval action. I am reminded of Lincoln's spot resolution preceding the Mexican War adventure. Why were our warships cruising so near to the North Vietnam shore?

However these things may be, we have no license to act as the sole conscience of the world. As one of the prime movers in creating a United Nations Organization, the United States should be the first to appeal to its authority. We owe to the world to implement the authority and status of the U.N.

Who commands the warmaking forces in our Nation? I would like to believe that civilians direct our overkill potentiality, rather than the high brass. How long can the piling-up of bombs continue. I regret that you cannot convert the Senator from Boeing.

Again, thanks for your stand.

Sincerely,

FRANK E. FLOYD.

P.S.—The enclosed cartoon does not apply to you. I merely thought that it may be of intrinsic interest to visitors to your office.

AUGUST 6, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WAYNE MORSE: I am writing to you to commend you for your fearless defense of the truth and peace in the world. It is a sad state of affairs that so few of our representatives have the courage to defy the war industries and vote in the peoples' interest. Here in California, my representatives, for whom I voted, will undoubtedly go down the line for war.

At the time I heard of the President's provocative actions against Vietnam, I also heard the news of the discovery of the bodies of the three young men in Mississippi. The President and the Attorney General assured us in the past that he had no authority legally to interfere in Mississippi to protect the voting rights of American citizens there. But for some strange reason, he seems to think that he has the legal right to interfere in Vietnam and even go so far as to send American warships 30 miles off the coast of the mainland of another country. If warships were sent to that distance from our shores, I am sure we would feel threatened. I don't understand the doubletalk about not sending our troops to the South but that our sons should be sent to Vietnam to protect the Vietnamese.

It is obvious that Mr. Johnson is giving us the Goldwater and McNamara program and leaving us with no alternative in November but to vote for war in either case. Many of us will sit this one out unless a man of your caliber can be brought into the picture.

All my family and friends urge you to continue your fight for our interests. We are behind you 100 percent.

I am sending copies of this letter to my California representatives.

Sincerely,

MRS. VERA MACMURRAY.

WOODLAND HILLS, CALIF.

NEW YORK, N.Y.,
August 7, 1964.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: You deserve the praise of the people of the United States and of the whole world for the statement which you made in Congress this week denouncing the part which the United States has played in the southeast Asia crisis.

I hope that your courageous and responsible voice will be heeded.

Yours truly,

MARK AARON SONNENBERG.

ABIQUIU, N. MEX.,
August 8, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Your progressive article was much appreciated as very timely. You will be interested to know that the following telegram has been sent to the President of the United States:

"Grave concern for the deterioration of the situation in Vietnam and threatened extension of hostilities prompts urgent recommendations that the 14 nations' conference be reassembled through U.N. offices."

Signed by individuals, as individuals, from Colorado, California, Texas, Arkansas, Mississippi, Oklahoma, Pennsylvania, and New York at Family Camp, sponsored by the American Friends Service Committee, Ghost Ranch, Abiquiu, N. Mex.

Sincerely,

MARIE B. FOWLER.

FAYETTEVILLE, ARK.

Copies to: Senator J. W. FULBRIGHT, Senator HUBERT HUMPHREY.

SANTA ROSA, CALIF.,
August 6, 1964.

THE WHITE HOUSE,
Washington, D.C.

GENTLEMEN: Capitalism is again engaged in its two favorite pastimes—blood letting and lying. The Tonkin attacks did not happen, say the Chinese, and there are excellent reasons for believing them.

Following two alleged attacks, the second of which was carried out in stormy weather very favorable to the attackers, the American ships suffered not the slightest damage of any kind or nature whatsoever. The Chinese must have recognized the error of their brief incursion into India and would not be likely to make a second mistake. Without nuclear weapons they are, after all, the same as unarmed.

When Hitler invaded Poland the brainwashed German people were told it was a counterattack. Shirer in his book "Berlin Diary" asked how they could be expected to know any differently when all the news media stuck to the same lie. I have a sheaf of explanations from State on what is really going on in Vietnam and elsewhere. They are nothing but hogwash and deliberately intended to deceive.

The President's remark that China (without naming her) is as powerful as the United States gives the clue to what the long-term goals are of American capitalism, the monopolists, the military-industrial complex. They wish to eventually engage the Chinese forces and will immediately call for the use of nuclear weapons, beginning with small field variety, in order to cope with the Chinese hordes. Warmakers in recent decades have deemed it essential to try out their weapons. GOLDWATER has said that ours have never been actually tested. The suggestion that China with her conventional weapons is as strong as the United States is ridiculous. A year from now, after the small ones have been tried out, the argument will be whether to explode 10 or 20 megaton bombs on Peking and Shanghai. How could the Chinese reply to nuclear bombs dropped from as near as a hundred miles away? Given the GOLDWATER mentality the situation is ideal for testing.

The Russians are manifestly right in denouncing the presence of our warships in tiny Tonkin Gulf as hostile and provocative. Anyone can see that this has nothing to do with rights on the high seas.

Stevenson charges that the Communists are using methods of terror and assassination in southeast Asia. The CIA is generally recognized as the assassins, directly or indirectly, of the Diem brothers. Sihanouk pulled the rug out just in time and is still alive. Nkrumah and Goulart are other examples of CIA attentions.

Senator WAYNE MORSE, a great American in this or any era in our history, seems to be fed up with American monopoly behavior in southeast Asia. The tricky media never fail to say he is against but always fail to give his reasons.

This morning McNamara testified before Congress that he doesn't believe there will be any further attacks on American ships. Who should know better? This is a manufactured incident from beginning to end for the purpose, first, of an immediate military buildup in the area, and second, to indoctrinate the world in the later use of nuclear weapons.

Comment, especially unfavorable, is invited.

Respectfully yours,

I. M. TOMREN.

WESTPORT, CONN.,
August 8, 1964.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: My wife and I congratulate you on your courageous stand in opposing the resolution requested by President Johnson.

It is of some solace to know that there are two brave and honest voices in our Congress who oppose our headlong flight to total war.

We fully support your stand and thank you for it.

Respectfully,

JEAN and LEO A. GORDON.

SAN FRANCISCO, CALIF.,
August 7, 1964.

President LYNDON JOHNSON,
White House, Washington, D.C.:

Strongly protest military action in Gulf of Tonkin and continued provocative buildup of American military forces in southeast Asia. Our interventionist policies in this area seem calculated to produce a chain of incidents, reprisals, and counterreprisals which could escalate into a full-scale catastrophe. Many people are asking what difference it makes whether GOLDWATER or a liberal pushes the button. Others are saying that continually we reserve our severest repression, at home and abroad, for people of color. As a long-time Democrat, I urge that we follow the enlightened lead of Senator WAYNE MORSE and seek a conference and a political solution to the problems of southeast Asia. It is difficult, if not impossible, to explain to anyone how the greatest power in the world today must repeatedly prove its military might in clashes with tiny, backward people struggling to achieve the barest standard of subsistence. It seems to me quite impossible to explain and justify what in heaven's name we are doing in southeast Asia in the first instance.

RICHARD LYNDEN.

Copy to Senator WAYNE MORSE.

NEW YORK, N.Y.,
August 8, 1964.

DEAR SENATOR MORSE: Just a word in praise of your negative vote.

Sincerely,

MRS. GLADYS SKIDELL.

THE METHODIST OFFICE FOR
THE UNITED NATIONS,
New York, N.Y., August 7, 1964.

President LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR PRESIDENT JOHNSON: The recent developments in the Bay of Tonkin have caused many of us to think more seriously about our policy in South Vietnam. From an official point of view I should like to draw your attention to a resolution which was passed by our board of Christian social concerns early in this year. You will note that at that time it called for internationalizing the situation in southeast Asia rather than attempting to defend South Vietnam by our own military or economic efforts.

I must say that from a personal point of view I have had a good deal of sympathy with the critical attitude of Senator MORSE. The following questions come to my mind and attention:

1. Is it possible for the United States to establish a permanently stable government in South Vietnam when there is so much internal division and weakness and when this country is so far from our shores and so near another great power?

2. Was it desirable or necessary for the United States to wait until there was violence in the Bay of Tonkin before it brought the issue to the United Nations? From a technical point of view would it not have been better to have withheld fire and to have brought the matter to the Security Council rather than to have taken action and then to have announced to the Security Council what we did?

3. Were there any actions on our part preceding the *Maddox* incident which constituted aggression on our part or had the appearance of aggression by either South Vietnam or ourselves?

4. Would it not be wise to internationalize the situation in southeast Asia either by using the offices of the United Nations or by participating in a meeting of all concerned nations? By all concerned nations we not only mean North and South Vietnam but also such countries as Laos, Burma, Malaysia,

the Philippines, and especially the People's Republic of China. Personally we believe that either peace in Asia or calm in the world will not be achieved until we are dealing with the People's Republic of China within the framework of the United Nations.

Sincerely yours,

Carl Soule.

P.S.—Many thanks, Senator Morse, for your valiant and lonely struggle for a nonmilitary solution to the problems of southeast Asia.

Identical letters to Senators Jacob K. Javits, Kenneth B. Keating.

Vietnam

(Resolution adopted by the Board of Christian Social Concerns of the Methodist Church at its annual meeting in Tampa, Fla., February 16–21, 1964)

The deteriorating situation in Vietnam with increasing loss of life, and the seeming failure of present U.S. policy, is arousing widespread concern. These events lead us to express the conviction that in the future a wise and enlightened policy will be based upon—

1. The awareness that military power has limited value and stable government depends upon satisfactory economic conditions, a concerned citizenry, and leadership of competence and integrity in government.

2. The recognition that in areas where there are tense ideological confrontations the U.N. has unusual advantages of universality and prestige which can contribute to reasonably just and peaceful solutions.

We urge that the United States ask the U.N. to take responsibility for the settlement of the conflict in Vietnam and that the United States declare its readiness to withdraw its troops and military support upon the assumption of this responsibility by the U.N.

Oakland, Calif.,
August 7, 1964.

President L. B. Johnson,
The White House,
Washington, D.C.

Dear President Johnson: Recently just before the GOP convention in San Francisco we heard Senator Javits say that if the Republicans nominated an extremely conservative candidate like Goldwater, then the Democrats would also be moved in a direction toward extreme conservatism. This was clearly demonstrated in Vietnam events this week.

It is possible that if it were not for extreme right reaction, as symbolized by Goldwater's nomination, that the administration would have taken a more civilized attitude during this week's crisis. Since the PT boats had attacked naval armed forces only, which suffered no casualties or damages, and which in turn completely routed the few PT boats which allegedly came from North Vietnam, then we think the action of attacking a nation and endangering the civilian population was an action of extreme barbarism. What is to keep the very people we are trying to win over to our way of thinking from regarding this Nation as one more foreign bully taking advantage of its power?

A more civilized action would have been to take our complaint of the PT boat attack to the U.N., with a warning to all parties concerned that any further attack on U.S. forces would bring swift retaliatory action on North Vietnam bases. We particularly refer to alleged North Vietnam boats because news dispatches from South Vietnam have indicated that the South Vietnam Government is very anxious to trap the U.S. Government into expanding the war in that area.

Let us not play into Goldwater's hands, but rather it is high time as Senators Fulbright, Morse, Gruening, and Representative William Ryan have so ably pointed out, for an agonizing reappraisal of our foreign policy, in this as well as other areas—a policy which deals with basic problems and preventive measures rather than last-minute expediencies which can only lead from one crisis to another.

Very respectfully,

Mrs. Rose Della-Monica.
Anthony Della-Monica.

Copies to Senators Fulbright, Morse, Gruening, Javits, Kuchel, Salinger, Representative William Ryan.

P.S.—Please keep up the good fight, and many thanks for your constructive, intelligent leadership.

R.D.M.

Oakland, Calif.,
August 8, 1964.

Senator Wayne Morse,
Senator Ernest Gruening,
Washington, D.C.

Dear Sirs: I salute you both for your very courageous stand August 7 against President Johnson's Vietnam resolution. Please send me two copies each of your speeches. I secured and read your previous speeches regarding our illegal and brutal Vietnam war.

The House voted 416 to 0, the Senate 88 to 2, which means you 2 stood alone against 504 Congressmen. I am sure history will record your marvelous courage when the 504 "metoo-ers" will be forgotten. There can be no doubt that among the 504 are many who think exactly as you 2 do, but are too yellow and dishonest to vote their convictions. What a gutless Congress we have.

Said Senator Gruening: "All Vietnam is not worth the life of a single American boy." I agree wholeheartedly. It is very disheartening to know there are so many cheap Congressmen willing to trade American lives for votes.

To me, the current Vietnam "crisis" and, last week's OAS farce are both manufactured election deals.

Very truly yours,

Jos. E. Biallas.

Copies to: President L. B. Johnson, Secretary Dean Rusk, Adlai Stevenson, Defense Secretary Robert McNamara, CIA Director John McCone, Senator Thomas Kuchel, Senator Hubert Humphrey, and Representative Jeffrey Cohelan.

Bronx, N.Y.,
August 8, 1964.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: Vis-a-vis the southeast Asian crisis, permit me to express my gratitude and appreciation to you * * * it takes but one person of courage and self-respect to cast the light of shame and reproach on those others who are cowards, even to fear of feeling ashamed themselves for the miserable, rubber-stamping ways in which they act.

Respectfully yours,

Harry Grant.

Santiago, Chile.,
August 6, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We heard on the noon news today that some kind of resolution backing President Johnson's actions in North Vietnam passed two committees of the Senate, with only one dissenting vote in each case, yours.

Thank you. Your vote is one of the few aspects of U.S. behavior—international as well as internal—in which we find something admirable.

I must agree with President Johnson, "aggression unopposed is aggression unleashed" or words to this effect in his speech of yesterday, and it seems to me that no other nation is at the present time engaged in anywhere near as much aggression as is the United States. It is therefore very heartening to hear once in a while of some slight opposition, a speech by you or Fulbright or Gruening.

Best wishes,

John Marica.
Carol Marica.

P.S.—We are California residents, but are not wasting any more postage on Congressman Moss, etc.

P.P.S.—It is particularly disgusting to be abroad when Johnson and Rusk make fantastic statements about the constitutionality of military takeovers in Brazil and similar affairs.

Washington, D.C.
August 8, 1964.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Just a note to let you know of my continued approval of your courageous stand in opposition to the U.S. Government's war policy in southeast Asia. I hope you do not get discouraged at the more serious turn of events have recently taken and that you continue your valuable work of speaking for a powerfully felt view shared my many of your fellow citizens.

Sincerely yours,

Mrs. Catherine R. Harris.

Clifton, N.J.,
August 8, 1964.

Dear Senator Morse: Although I have not seen or heard your entire statement concerning the recent action taken by our forces in Vietnam, I must say that I agree with the tenor of your remarks.

I doubt very much if our Government has told the American people the entire story of the events leading up to the incidents in the Gulf of Tonkin.

Your remarks concerning the activities of our destroyers in the gulf appear to be at odds with the "official" story and I doubt if the American people will know the true situation for many years to come (if at all).

Basically, the purpose of this letter is to let you know that there are other Americans who feel as you do about the Southeast situation.

Our country has appeared to get involved in situations where "morality" is thrown out the window (assuming it was ever considered) but where we cry out in righteous indignation when we are attacked. Of course I feel that we must protect ourselves when necessary but I also think our recent response was somewhat extreme notwithstanding the defense of liberty.

When the great majority of the country becomes elated over military action against a weak adversary then something is indeed wrong with the body politic and moral fiber of this country.

I hope you continue to keep up your struggle for your admittedly unpopular views on Vietnam in particular and the world in general. When there is only one voice in the entire Senate and who even questions the action taken when things look bleak indeed. Wishing you continued success in your future battles to bring light and perspective to our foreign relations, I remain,

Sincerely yours,

Robert S. Molnar.

Savannah, Ga.,
August 8, 1964.

Hon. Wayne Morse,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Enclosed you will find three editorials dealing with the Vietnam situation.

I thought that you would be interested in their contents. Perhaps, after reading them, you'll honor me by having them inserted in CONGRESSIONAL RECORD.

Thanks for past favors and kind personal regards.

Sincerely yours,

RAY MARTIN,
Chief Editorial Writer,
Savannah Evening Press.

[From the Savannah Evening Press, Aug. 5, 1964]

VIETNAM—THE CRISIS DEEPENS

At an unprecedented hour last night, President Johnson took to radio and television to issue a rally-round-the-flag call to the American people. Such rallying cries in the past have been predicated upon reasonably clear events. The current crisis is shrouded with a disturbing cloudiness.

In an hour of grave national peril partisan politics should be shunted aside and the enemy confronted by a unified America. The actions of the leaders of the country's two major political parties suggest that we are at a point of national peril.

A mantle of urgency, cloaked in wartime secrecy, was evident in Washington following disclosure that two U.S. Navy destroyers were the targets of attack in the Gulf of Tonkin. It was the second such attack in international waters since Sunday.

The President responded to the latest development by declaring that "air action is now in execution against gunboats and certain supporting facilities of North Vietnam which have been used in the hostile operations."

Mr. Johnson asked Congress to adopt a resolution making it clear that our Government is united in its determination to take all necessary measures in support of freedom, and in defense of peace, in southeast Asia.

Further, he instructed U.N. Ambassador Adlai Stevenson to arrange for an emergency session of the United Nations Security Council. That meeting is being held today. Little affirmative action can be expected there because of the Russian veto power.

The Southeast Asia Treaty Organization (SEATO), which lacks any military prowess, is meeting in Bangkok in the wake of the Johnson pronouncement.

Despite the tension prevalent in Washington which kept top Pentagon officials at their offices throughout the night, the President did not alter his plans to travel to Syracuse, N.Y., today to dedicate a communications center at the university there.

THE INCIDENTS

The Gulf of Tonkin episodes present several unique questions. "Jane's Fighting Ships," the international authority on men-of-war, shows that the entire navy of North Vietnam consists of 16 so-called PT boats. The craft are Russian-built and have been in the hands of the Vietcong since 1952. Why would such a minuscule naval force seek to engage the goliath U.S. Navy's 7th Fleet? Reports from Saigon would indicate that a fifth of the Vietcong naval force has already been taken out of action as the result of the encounters since Sunday.

Reports of the two incidents emphasize that the two destroyers were not damaged in the attacks, nor were any American casualties incurred. At the same time, however, the same clarity is missing in statements relative to the attacking PT boats. There is just a supposition that they were sunk. Surely, the art of naval intelligence is sufficiently advanced to make this determination.

It has been said that the two attacks in the Gulf of Tonkin caught us by surprise. How can this be? Just last week we were able to get some pretty good pictures of the moon and in the past we've learned some of Cuba's innermost secrets from the air. Was there a breakdown in our intelligence operations? The American people should be told the harsh truth of the matter.

Word of the retaliatory action was kept from the American people for more than 2 hours last night, while our key allies around the world were briefed. When the President's orders became public knowledge, silence was the order of the day for our global friends. Tokyo was the only national capital to speak out in our favor. Are we to bear this new burden alone?

SERIOUS QUESTIONS

While the American people chewed their fingernails last night, wondering just what the White House response was going to be, our international propaganda spokesman, the Voice of America, was concerned with other matters. News reports on VOA mentioned the latest attack in scant detail. Heavy emphasis, however, was placed on activities related to the so-called civil rights struggle.

Radio Prague was proclaiming that the U.S. activity was part and parcel of plan 6, a tactical activity agreed upon at the recent southeast Asia Conference held in the Philippines. The Czech radio voice said that authorities were in a real dither over how much of the plan could safely be revealed to the American people. We tend to dismiss claims of Communist-oriented radio voices out of hand, but past events have taught us to subject them to a degree of scrutiny—they sometimes contain an element of truth. Truth which the American people often learn too late.

One New York City radio station last night suggested that the United States was being made the "fall guy" in the current hassle between Red China and Soviet Russia. This can't be dismissed too lightly, since the Gulf of Tonkin activity comes on the first anniversary of the limited nuclear test ban treaty negotiated between the U.S.S.R. and the United States. It would indeed be tragic if we let ourselves become a patsy for this one.

Other observers question whether this action fits a preordained pattern of our own Central Intelligence Agency. The CIA, it is said, is pushing for our recognition of Red China so that it can get its operatives there with a minimum of fuss and bother. It may be that we'll soon hear that our intelligence bogged down because we didn't have any spies inside Red China—and hence the CIA's argument would be this action shows the importance of such recognition. Presumably, our attacks are concentrated against North Vietnam, not Red China. This is one to watch.

M'NAMARA'S REPORT

First reports of the retaliatory action taken by U.S. aircraft issued by Secretary of Defense McNamara are cause for concern. He said that we flew 64 sorties and that we destroyed 25 PT boats. We lost two of our planes and their pilots in the action, the Pentagon Chief said at 7:45 a.m. today.

As we said earlier in this space, "Jane's Fighting Ships" lists 16 PT boats in the North Vietnam Navy. This, too, was the figure used in earlier Pentagon statements.

How do we now destroy more boats than existed in the first place? That's a baffling question at best.

As the hours wear on, more and more clouds appear over this crisis.

We should leave no stone unturned when our national safety or the safety of the free world is imperiled. But the American people are a mature lot and can be trusted with the truth. They should be told the full truth by official Washington—no matter how distasteful that truth may be in the mouth of the one who utters it.

We would hate for our response to North Vietnam to go down in the history books as one being too late, too little, and too close to election day.

[From the Savannah Evening Press, Aug. 6, 1964]

HISTORY OF THE VIETNAM MILLSTONE

Last week Washington officials would not predict that extension of the war in Vietnam could be avoided before the November election, although they expressed hope that with the announced buildup in the south it could be avoided. Said one official: "Whether we can get through the election (without escalation) is almost up to Hanoi. If it turns out that they are infiltrating very large numbers into South Vietnam, we would have to rethink."

Events of the past few days have undoubtedly caused a lot of planners at the Pentagon and State Department to "rethink" the strategy of the United States in southeast Asia. What their new answers will be, only time will tell.

Prior to the shooting incidents involving the destroyers *Maddox* and *C. Turner Joy*, which placed this country in a posture one step from a declaration of war by the Congress, it was revealed that some 5,000 additional U.S. "advisers" would join the Nation's 16,000-man military mission in South Vietnam. This move ostensibly was an effort to prevent the fall of that strife-torn country, and with it a takeover by the Communists of all strategic southeast Asia.

The announced buildup marks a complete change from the rosy talk last October when the White House said its goal was the return of all U.S. forces by the end of 1965. Now there is no more such talk—or talk of being out by any other year in the foreseeable future. Of the original McNamara statement, one administration colleague confessed: "We hope it's forgotten."

THE STAKES ARE HIGH

In what must be history's first war fought by on-the-job training, Uncle Sam is much like a poker player getting sandbagged. He has to keep raising his stake or get out of the game.

The Kennedy-Johnson administration has been under heavy fire at home for conducting a "no-win" policy in the Vietnam conflict. In view of this, it would be difficult to withdraw from the southeast Asian trouble spot anytime and impossible in an election year.

The untenable position of the Johnson administration does not settle the matter. There are other questions.

How did we get involved in this southeast Asian jungle country? Is either political party more to blame for our present plight? What do we want? What alternatives are open to us?

VIETNAM: WHAT IS IT?

Vietnam: What is it? It is a narrow strip of high hills, swamps and riceland that runs along the South China Sea. Along with Cambodia and Laos, it once formed the area known as French Indochina.

The Japanese took over its administration from the Vichy government during World War II.

In 1946, when the rest of the world was settling into peace, a new conflict flared as the French tried to reassert their control over Indochina.

This led to an 8-year struggle known in Paris as "the dirty war." Finally, in the middle of 1954, after the fall of the jungle fortress of Dienbienphu, agreements were signed in Geneva ending hostilities and partitioning Vietnam at the 17th parallel.

The Geneva accord made Vietnam a divided land, like Germany and Korea. The north was Communist. The French withdrew from the south and it was given complete independence. A plebiscite to determine the status of Vietnam reunification has never been held under the terms of the Geneva agreement.

The Communists who remained in South Vietnam subsequently launched a civil war against the Saigon government led by President Ngo Dinh Diem.

President Diem asked for U.S. help.

President Eisenhower's reply was made public recently by President Johnson, who said it marked the beginning of present U.S. policy in South Vietnam.

In the letter, Eisenhower said he was instructing our ambassador "to assist the Government of Vietnam in developing and maintaining a strong viable state, capable of resisting attempted subversion or aggression through military means."

The United States sent ships to bring hundreds of thousands of anti-Communists from North Vietnam to new homes in the south. Economic aid was extended. Arms were sent, but no soldiers.

THE PACE QUICKENS

In 1957, the United States agreed to finance an eight-division south Vietnam force trained by U.S. military advisers. During the early years in South Vietnam, the U.S. advisers saw little action and there were not many of them. Between 1954 and 1961 our military personnel numbered only 685.

The Communist guerrillas strengthened their attack in 1960 and in the spring of 1961 President Kennedy said the United States was considering increasing its forces there.

President Johnson, then Vice President, was sent to Saigon. He pledged additional U.S. military and economic aid. By the end of 1962 there were 12,000 Americans in South Vietnam.

Two years later, 1964, the number of troops had increased to 16,000 and the rate of military and economic spending increased to about $1.5 million a day. The latest decision of Washington will put 5,000 more military men in South Vietnam.

The solution to the Vietnam dilemma is an elusive dream. After 3 years of intensive effort and considerable pain, including the expenditure of $3.3 billion in aid, after the loss of 264 Americans killed, 1,196 wounded or injured, and 17 missing, the war is still not being discernibly won.

CANADA'S RESPONSIBILITY

Communist power has been built up in Vietnam because of the ineffective Canadian team that represents the West on the International Control Commission, a former Royal Canadian Air Force officer has charged.

Squadron Leader Hugh Campbell, who served in Vietnam in 1961 and 1962 as air adviser to the Canadian mission, said that "by 1962 the Canadians in North Vietnam were virtually prisoners under armed guard."

Canada is on the Control Commission with India and Poland to see that South Vietnam and Communist North Vietnam adhere to the Geneva agreement of 1954, which forbids the creation of aggressive force.

Canadians on the Control Commission, the RCAF officer said, have accepted such "ridiculous charades" as one 15-minute inspection a week of trains entering Vietnam from Red China—"the Canadians being free to inspect only empty boxcars." The Canadians, he added, were denied access to docks and airfields.

"When we should have been battling for every vantage point and screaming to high heaven whenever the Communists violated the agreement * * * we protested politely, ineffectually, and thrust our head back into the sand.

"We made no serious attempt to win. On the contrary, so casual was our concern, we didn't bother to field our best team. We sent in a scrub team * * * and our efforts became an international joke. We should have taken some action. Any action. Even petulant screams would have indicated that at least we cared * * * a large share of responsibility for today's unholy mess in Vietnam is ours," the Canadian officer declared.

THE UNANSWERED QUESTION

Prior to this week's incidents in the Gulf of Tonkin, Senator GOLDWATER's statements and President Johnson's policies highlighted two different paths. The pertinent issue remains. What should be done in South Vietnam?

Gen. William C. Westmoreland, commander of U.S. troops in South Vietnam said: "The battle can never be won unless the hearts and minds of the people can be won."

How right he is. We must possess the determination to win and the hearts and minds of the South Vietnamese must be aimed with ours toward a common goal—victory.

[From the Savannah Evening Press, Aug. 7, 1964]

CONGRESS, VIETNAM, AND U.S. LAW

In his address to the Nation on the Vietnam situation late Tuesday night, President Johnson said: "I have met today with the leaders of both parties in the Congress of the United States and I have informed them that I shall immediately request the Congress to pass a resolution making it clear that our Government is united in its determination to take all necessary measures in support of freedom and in defense of peace, in southeast Asia."

The resolution which the President sought is now before the Congress and shows signs of being passed with "overwhelming support." The full text of the resolution "to promote the maintenance of international peace and security in southeast Asia" follows:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

"Whereas naval units of the Communist regime in Vietnam, in violation of the principles of the charter of the United Nations and of international law, have deliberately and repeatedly attacked U.S. naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace;

"Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom;

"Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way: Now, therefore, be it

"*Resolved* by the Senate and House of Representatives of the United States of America in Congress assembled:

"The Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

"SEC. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution and the Charter of the United Nations and in accordance with its obligations under the southeast Asia collective defense treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the southeast Asia collective defense treaty requesting assistance in defense of their freedom.

"SEC. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress."

In the minds of some people, the pace of today's world has outmoded some of the functions of the Congress as defined in the Constitution. Article I, section 8, clause 11, of the Constitution states that the Congress shall have power "to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water." Historically, declarations of war, like the taxing power, are too important and dangerous to be given to any one man; therefore, the people declare war through their representatives in Congress.

The word "war" is not mentioned in the text of the resolution now before the Congress. It's length is far greater than the one paragraph declarations of Congress in past conflicts.

In a practical sense, this document confers upon the President the power to wage "war" as he sees fit. The semantics may be different, but the smell of gunpowder is the same.

We believe that the Congress is abdicating another of its constitutional duties and responsibilities when it "approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression."

We hope that this doesn't presage the opening of a Pandora's box of Presidential Executive orders under the guise of a national emergency which would make controls enforced on the civilian populace during World War II look like child's play.

Affirmative action must be taken to meet any threat of our national security. But this action should be consonant with our democratic heritage and in keeping with the fundamental law of these United States—the Constitution.

AUGUST 8, 1964.

DEAR BROTHER MORSE: In the name of God, our Creator and Heavenly Father, I greet you in this period of great crisis to congratulate you for daring to be a Daniel—to stand alone and proclaim the power of God (love).

"My people perish for lack of knowledge of the nature of God" is as true today as it was when the prophets thus foretold the downfall of Israel.

God is love. God is omnipotent. Love is the greatest force in the universe. And we are out of rhythm with the universe and out of harmony with God (love) as long as we make and trust in devastating weapons. They are as useless in providing security as were the gods for whom we have named some—Thor, Jupiter, Nike-Zeus, etc. God, the Ruler of the Universe, is Commander in Chief, King of kings, and He has commanded us to love and feed our enemies, not send a *Mad(d)ox* out on His seas. It is comparable to an ignorant farmer turning a mad ox loose on a playground to terrify his neighbors. The natural thing for anyone to do was to try to get it away.

We go on doing the same old thing in the same old way not realizing that we are on the threshold of a new era. The nuclear age must become the new clear age when we, who are God's handiwork, created in Christ Jesus to devote ourselves to good deeds for which God has designed us (Ephesians 2: 10) will let our light shine (Matthew 5: 14–16). It is thus, with good deeds, that we will be "optical masers" and nudge our old world into the new orbit of which the prophets foretold when mercy and justice shall cover the earth.

For on-the-spot inspection, see Proverbs 15: 3; II Chronicles xvi: 9; Psalm 33: 18, etc.

Humbly and sincerely,

"GRANDMA HOFF."

MILLERSVILLE, PA.

TOWSON, MD.,
August 6, 1964.

U.S. Senator MORSE,
Washington, D.C.

DEAR SENATOR MORSE: You are so right. What a courageous, good, loyal public official you are. Our Federal Government is always trying to get our children murdered in warmongering to suit the war profiteers and militarists no matter who gets into office. I have read as much as anyone can of all this. The Vietcong are the sons of the peasant citizens of South Vietnam who want the Communist setup as it is in North Vietnam, just as South Koreans want joined to North Korea, but the United States forces an artificial government on them and constant warmongering because our evil, militaristic officials want constant war in some faroff place against small areas of backward peasants who have to take it. Haiti has one of the worst dictatorships on earth and so does Spain. Yet in New York State a man was locked up for treason against the United States, of all the silly, fool things, for being in the Abraham Lincoln Brigade that tried to help the Republic of Spain, the established government, against the traitors under Franco. I specialized in history to teach it in high school, and one thing stuck out like a sore thumb. Official Washington policy is always on the wrong side. We have as bad government in our local, county, and State areas as any country could have, so this country has no room to talk. Also, the governments the United States calls "allies" and "friends" are as rotten, if not worse, than the ones our politicians call "enemies" which they would not be enemies if the United States behaved itself and minded its business. China has as much right to bomb our coasts to protect North Vietnam as we have to be over there carrying on. Also, the draft is unconstitutional. It deprives children—boys—of their civil rights to stay in their own country under civil law and civil government. If grown men past 35 want to volunteer to murder helpless peasant boys called Vietcong over in other people's land 10,000 miles away, they deserve what they get, but the whole United States deserves punishment for forcing our children into it. This whole mess is cooked up the way Roosevelt cooked up Pearl Harbor and only a few Republican Senators in New England saw through it, although later the Saturday Evening Post printed Harry Hopkins' letters admitting the plot. Harry Truman pulled the same stunt about South Korea. And all that slop against communism. In the first place, the United States is as Communist as any other country. In the second place, it is none of the United States business what form of government other parts of the world prefer. Also, if we have the gall to murder and destroy helpless peasants and their property 10,000 miles, or 90 miles, or whatever away, other countries have the same right to bomb us so that our Government should be changed to suit other countries and give our citizens their rights. For years and years, our country did everything it could to stir up a war with Russia—insults, U-2 spy planes, "weather balloons"—Eisenhower boldly claiming the United States had a "right" to go over anywhere it pleased. Yet you can imagine what would happen if Russia sent spy planes and weather balloons over here, and they were landed, or if the Russians insulted our politicians like that. But they really are peaceable or we would not even be in existence, as you can bet your life if we had succeeded in cooking up a war for ourselves our so-called allies would not naturally have come to our aid, for they have sense enough to think of themselves all the time and only Americans are silly. One big trouble is the world bankers want us to owe billions of dollars so as to be paying interest forever while they live in luxury off the proceeds of the wealth they got by grabbing up more than their share of the natural resources which God Himself created for all of His children equally. Since men are supposed to earn their own bread by the sweat of their brow, and the Bible says call no man father, but only your Father in Heaven, obviously God intended to provide the support for all the world's children that He is Father of. Since we are His stewards, obviously the natural resources—the wealth He created—are to be held by all the people of the world in a government as His stewards, and the resources sold at retail or rented and the proceeds used for food, clothes, education, and health of all children from conception to maturity. That means a direct world government with the job of providing schools and health care for all the children from conception to adolescence; a few large national governments to provide boarding schools for adolescents, and our regular governments for adults. It would be easy to provide three meals a day in the school cafeterias free and free uniforms. One world language. It is already English. Working on this could help keep the energetic Americans out of so much troublemaking, as it would be constructive. Somebody ought to have vision enough to start the ball rolling.

McHENRY.

ADJOURNMENT TO MONDAY, AUGUST 31

Mr. MORSE. Mr. President, I move that the Senate adjourn.

The motion was agreed to; and (at 7 o'clock and 27 minutes p.m.) the Senate, pursuant to House Concurrent Resolution 359, adjourned until 12 o'clock noon Monday, August 31, 1964.

NOMINATIONS

Executive nominations received by the Senate August 21, 1964:

U.S. MILITARY ACADEMY

Prof. John Robert Jannarone, O21053, U.S. Military Academy, for appointment as dean of the Academic Board of the U.S. Military Academy under the provisions of title 10, United States Code, section 4335.

POSTMASTERS

The following-named persons to be postmasters:

CALIFORNIA

Henry H. Neidenbach, Danville, Calif., in place of R. M. Podva, retired.

DELAWARE

Clarence A. Schwatka, Jr., Townsend, Del., in place of E. M. Conner, retired.

GEORGIA

Evelyn P. Gregory, Clinchfield, Ga., in place of E. P. Peed, retired.

MASSACHUSETTS

John B. Howarth, Worcester, Mass., in place of S. E. Johnson, removed.

MICHIGAN

William L. Donner, Garden City, Mich., in place of G. O. Donner, retired.

MISSOURI

Jeff H. Shiflett, Fayette, Mo., in place of W. L. Talbot, retired.

NEW HAMPSHIRE

Roger E. Brassard, Manchester, N.H., in place of W. J. Richard, retired.

NEW YORK

Wesley W. Mackmer, Collins Center, N.Y., in place of L. C. Heim, retired.

OHIO

Ray L. Chadwell, Amesville, Ohio, in place of R. C. Bennett, transferred.

OREGON

Leao M. Johnson, Lyons, Oreg., in place of R. I. Lyons, retired.

SOUTH CAROLINA

John D. Nettles, Cordova, S.C., in place of C. C. Kennerly, Jr., transferred.

TEXAS

Edgar A. Bradford, Menard, Tex., in place of Hugh Spinks, retired.

BOARD OF PAROLE

Ziegel W. Neff, of Missouri, to be a member of the Board of Parole for the term expiring September 30, 1970.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 21, 1964:

U.S. AIR FORCE

To be lieutenant general

Maj. Gen. Paul S. Emrick 1801A, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade indicated, under the provisions of section 8066, title 10, of the United States Code.

U.S. ARMY

The following-named officers for temporary appointment in the Army of the United States to the grades indicated, under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major general

Brig. Gen. William Donald Graham O20067, Army of the United States (colonel, Medical Corps, U.S. Army).

To be brigadier general

Col. Norman Everett Peatfield O21027, Medical Corps, U.S. Army.

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Richard Davis Meyer O18963, Army of the United States (brigadier general, U.S. Army).

U.S. NAVY

The following-named officers of the Navy for permanent promotion to the grade indicated:

MEDICAL CORPS

To be rear admiral

Herbert H. Eighmy

SUPPLY CORPS

To be rear admirals

Elton W. Sutherling
William A. Evans
Bernhard H. Bieri, Jr.

To be vice admiral

Rear Adm. Lloyd M. Mustin, U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

IN THE NAVY

The nominations beginning Alfred W. Snell to be lieutenant (junior grade), and ending Arthur L. Smeland to be lieutenant commander, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 27, 1964.

POSTMASTERS

ILLINOIS

Robert M. Nelson, Addison.
Philip E. Talbot, Batavia.
Eva E. Hall, Butler.

Roy J. Prather, Catlin.
Gale D Pool, Chambersburg.
Vincent C. Reinema, Chana.
Elbert A. Hoppe, Chester.
Carl E. Thomas, Clay City.
William J. Winget, Clayton.
Glenn A. Thompson, Denver.
Oliver E. Sopp, East Carondelet.
Fred Spanier, Highland Park.
William C. Lease, Kirkwood.
Martha A. Gavin, Little York.
Edward H. Bangs, Lostant.
Clarence R. Dusch, Makanda.
Harry G. Miller, Mount Carmel.
James L. Brummell, New Canton.
William C. Jones, New Holland.
Robert L. Wright, Oregon.
Walter D. Hage, Oswego.
Mitchell Braun, Park Forest.
Jerry D. Akers, Pearl.
Woodrow W. Herrmany, Pinckneyville.
Raymond A. Mylcraine, Piper City.
Edward R. Remus, Plainfield.
John E. Phebus, Plano.
Robert J. Bohnert, Port Byron.
Walter W. Brown, Preemption.
J. Donald Roche, Raritan.
Beverly J. Ebert, Ridott.
Henry Vonck, Saint Charles.
Roland O. Britt, Smithboro.
Murrell E. Carter, Springerton.
Freeman R. Nausley, Vergennes.
Harry M. Moore, Virden.
George G. Wright, West Chicago.
Harley B. Hewitt, Western Springs.
Robert J. Ambacher, Winthrop Harbor.

OKLAHOMA

Louella F. Tabor, Carter.
Robert L. Harrison, Fairview.

PENNSYLVANIA

John D. Stroup, Belleville.

WITHDRAWAL

Executive nomination withdrawn from the Senate August 21, 1964:

POSTMASTER

The nomination sent to the Senate on February 3, 1964, of Mr. William I. Haynes to be postmaster at Fillmore, in the State of California.

EXTENSIONS OF REMARKS

Salute to Trinidad-Tobago

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 21, 1964

Mr. POWELL. Mr. Speaker, on August 31, Trinidad-Tobago will celebrate their second year of independence. We take this opportunity to send warm felicitations to His Excellency the Premier, Dr. Eric Williams; and His Excellency the Ambassador of Trinidad-Tobago to the United States, Elias E. I. Clarke.

Only a short distance offshore from Venezuela, it enjoys the benefits of world trade, exporting petroleum and sugar. Its economy has been one of the fastest growing in the world, with the result that the per capita income ranks quite high in the Western Hemisphere. With its independence in 1962, the desire to become a responsible nation in world affairs was manifested by applying for membership in the United Nations. Shortly afterward, on September 18, 1962, Trinidad-Tobago was granted a seat in the United Nations. The record shows that the citizens themselves have shown their active interest in civil affairs; 88 percent voted in their last election.

The Premier of Trinidad-Tobago, Dr. Eric Williams, has served his country in many capacities—as Chief Minister in 1956 and Premier since 1958. Due to his efforts, Trinidad-Tobago are now independent nations in the Commonwealth. Here in Washington, D.C., we are proud to have known Dr. Eric Williams, the Premier, when he was teaching at Howard University.

Trinidad, discovered by Columbus in 1498, came under British control in 1802 with the signing of the Treaty of Amiens. Later, Tobago became an administered British colony in 1814. Until 1888, they were ruled separately at which time they amalgamated, sharing budget control and common administration. Trinidad-Tobago have had a long history of British rule and have incorporated much of the parliamentary procedure, democratic institutions, and heritage into their way of life. The population of the country is composed of many races, all living together in harmony and mutual cooperation which make for its truly heterogeneous and ethnically cosmopolitan society.

The motto on Trinidad and Tobago's coat of arms, "Together we aspire, together we serve" can equally apply to the country's international aspirations as well as its national ones. Initially an active supporter of the now-defunct West Indies Federation, Trinidad-Tobago takes an active part in Caribbean conferences and the Government hopes that eventually some sort of Caribbean common market can be established. The long-range benefits of such a plan would increase the economic prosperity of Trinidad-Tobago even further as well as stabilize the various Caribbean economies. Thus, on the second anniversary of their independence, the future is bright for the people of the island nation. The American people will continue to support and encourage the development of our Caribbean neighbor, Trinidad-Tobago.

Law and Order as It Relates to the Bible, History, and the Future of Our Great Country

EXTENSION OF REMARKS
OF
HON. B. EVERETT JORDAN
OF NORTH CAROLINA
IN THE SENATE OF THE UNITED STATES
Friday, August 21, 1964

Mr. JORDAN of North Carolina. Mr. President, on Wednesday, August 19, 1964, the Senator from Tennessee [Mr. WALTERS] delivered a lesson to the Senate breakfast prayer group. It is a timely and good lesson. I want all of our colleagues to have the opportunity to read it. Senator WALTERS has made a great contribution to the Senate since he has been here. We all hate to see him retire at the end of this session.

I ask unanimous consent that the lesson delivered by the Senator from Tennessee [Mr. WALTERS] on August 19, 1964, to the Senate breakfast prayer group be printed in the RECORD.

There being no objection, the lesson was ordered to be printed in the RECORD, as follows:

PRAYER BREAKFAST, WEDNESDAY, AUGUST 19, 1964

Good morning, friends and colleagues. Today I would like to talk to you about law and order as it pertains to the Bible, as it pertains to history, as it pertains to the future of our great country.

From Romans, chapter 2, verses 12 and 13, I read:

"For as many as have sinned without law, shall also perish without law, and as many as have sinned in the law, shall be judged by the law. For not the hearers of the law are just before God, but the doers of the law shall be justified."

These precepts of God have endured thousands of years of trial, yet they are just as vital and living today as they were at the time of their author, St. Paul the apostle.

Americans are a religious people. Our Nation was given its beginning by God-fearing men. Our laws are out of the Old Testament. On the coin of the Republic we proudly proclaim, "In God We Trust." America has achieved her greatness not primarily because of her great natural wealth, but because the foundation of our form of government, and way of life, are firmly imbedded in the rugged rock of our Christian spiritual heritage.

It is a heritage that had its beginning at the time of Moses, the lawgiver, when 3 years after he led his people from Egypt, God chose to reveal His law to him.

It was these revelations which Jesus later taught as the law of God, and it was this law that Jesus not only preacned—but upheld. He, Himself, said in His Sermon on the Mount: "Think not that I am come to destroy, but to fulfill. For verily I say unto you, 'til heaven and earth pass, one jot or one tittle shall in no wise pass from the law 'til all be fulfilled. Whosoever, therefore, shall break one of these least commandments, so shall he be called least in the Kingdom of Heaven."

History is replete with examples of the gradual decay and eventual destruction of those nations devoid of law—of those nations who ignored the word of God.

The Roman Republic fell because the morality of the masses collapsed. At the beginning, the Romans, simple, agricultural people, had little wealth. They were later degraded by the proceeds of lush conquests which invited indulgence in luxury and idleness. Some landowners had lost their holdings because of enforced absence as soldiers in never-ending wars, and, since there was nothing in the artificially created Roman religion to promote a high standard of conduct, they lived without any semblance of law and order. Without any restraints, they trampled themselves in the furor of their own greed, gluttony, and vice.

Another classic example of what lawlessness can do to a country is vividly demonstrated by an examination of the French Revolution.

The country, in 1793, was aflame as revolts, enemy troops, economic suffering, and political hatreds threatened France with disaster. To win mass support, a constitution was hastily voted and, in a brilliantly conceived propagandist move, it was submitted to a popular referendum and then quietly put aside. Terror and virtue—the oil and water combination—was the motivating force of the government, and many thousands fell victim to a more or less legalistic terror.

It was to take many years and the efforts of many to restore domestic tranquility through just law and order.

Another example of national lawlessness, when God's word was set aside, began with the advent of the Nazi Party in 1921. After Hitler's book, "Mein Kampf," was published, it was called, blasphemously, the bible of the German people. During the intervening years, until Hitler took over as chancellor in 1933, it has been said that there were two governments in Germany—one visible and operating lawfully—the other silent and hidden—gradually strengthening its authority outside and above the law.

Once Germany became a Nazi state, all pretense toward law and order went out, and was supplanted by one of the cruelest and most despotic governments the world has ever known.

Many millions lost their lives in a lawless era of tyranny that saw the Nazi government add to its totalitarian control through merciless bloodbaths. The master race concept was to be accomplished through the extermination of the Jews.

The Nazis failed in their mad dreams of world conquest through a victory of a moral force that brought the totalitarian regimes of Germany and Italy crashing to earth.

Today, however, perhaps an even greater menace threatens our way of life through established law and order under God. We are living in a world which is rapidly being overrun by a system of government which denies freedom to all. The Communist concept, fathered by Karl Marx, now threatens the entire world.

The purpose of the Russian revolution of 1917 was to overthrow not only the czarist government, but all existing law as well.

This law contained basic elements of eastern Christianity and was adapted to Slavic life and customs. As such, we would understand it to embody concepts of justice that had been in the making for centuries. Within a month after the overthrow of the czarist government, all courts were abolished.

The Soviet legal system has since that time been characterized as a system of parental law in which people are treated, not as independent possessors of rights, but as immature dependent youths who must be trained and disciplined in their consciousness of rights and duties, and for whom rights are also gifts. Today the distinctive feature of Soviet law is that it is force law, since all of it is pointed to promote the policy of the Soviet state without regard to the individual.

The intangible force that makes our freedom and progress possible, is, of course, law which concerns itself with the individual. It is such a law that brings order into the affairs of men—that enables them to lift their sights above mere survival to accumulate possessions, to develop arts, to pursue knowledge, and to enjoy life among their fellows.

Law, as we know it, gives the individual security that he could obtain in no other way. It protects the family, and it permits the growth of great cities and the development of vast enterprises. In other words, it is the element that holds our free society together.

We are now faced with a very serious situation with regard to compliance or noncompliance with the law. I am speaking, of course, of the recently enacted civil rights law. It is important that we realize compliance is not optional.

We must join hands.

We must practice the principles of the golden rule which we were taught in childhood.

We must realize it is the duty of each of us to insist on total obedience to the law.

Each law enforcement officer, from those at the local level to those of the Federal agencies, should be instructed to act according to the law and not as convenience or self-disposition dictates.

We have no other prerogative. To willfully disobey is to follow the path to anarchy, and the American majority will never choose anarchy as its avenue of redress for grievance.

We eulogize our great men, we glory in our past achievements, and we regularly pledge allegiance to the divine principles upon which our Nation was created. Yet, we have never let the past be a stumbling block to orderly progress—rather, we have used the past as a stepping stone to greater accomplishments.

So let it be now. The freedoms and civil liberties we enjoy today are an important link to our past, but they are an even more important link to our future.

Mr. JORDAN of North Carolina. In closing, I would like to quote a portion of a speech made by J. C. Penney:

> They must obey the law. I do not refer to the civil law that protects one man against another. I refer to the spiritual law that protects a man against himself. For all men are tempted to slip down from their best standards. We have to watch and pray.

The Memory of Nikola Petkov

EXTENSION OF REMARKS

OF

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 21, 1964

Mr. ZABLOCKI. Mr. Speaker, September 23 will mark the 17th anniversary of the murder of the Bulgarian national hero, Nikola Petkov, who courageously opposed Communist tyranny and fought Soviet domination of his nation.

In commemoration of this anniversary, the Bulgarian National Committee, headed by Dr. George M. Dimitrov, has arranged a memorial meeting to be held on September 5 at the Sheraton Park Hotel in Washington, D.C., to be followed by a requiem mass on September 6 in the Russian Orthodox Church of St. Nikola in this city.

I want to join with my colleagues in commending the Bulgarian National Committee for arranging this observance, and in paying tribute to the unflinching spirit and devotion to his nation and to the cause of freedom, of Nikola Petkov.

His courage, his dedication to the principles of democracy, his love of freedom, provide an inspiring example to the people of Bulgaria and to freemen everywhere.

Mr. Speaker, for 17 years—since the execution of Nikola Petkov by the agents of the Communist conspiracy—the people of Bulgaria have lived under a regime imposed upon them by their neighbor to the east.

The harshness of that regime, the ordeal of drabness and privation which it has visited upon Bulgaria, find no parallel in Eastern Europe, save perhaps in Albania.

This was shown in the course of a series of hearings held recently before the Subcommittee on Europe of the Committee on Foreign Affairs.

The winds of change and the tendency toward liberalization found in recent years in some of the other countries of Eastern Europe, apparently have not touched Bulgaria.

Mr. Speaker, in commemorating the anniversary of Petkov's death, let us recall the words of President John F. Kennedy, delivered in Frankfurt on June 25, 1963.

In addressing himself to the people of free Europe, he said:

> Together we must work to strengthen the spirit of those Europeans who are now not free, to reestablish their old ties to freedom and the West, so that their desire for liberty, and their sense of nationhood, and their sense of belonging to the Western community will survive for future expression.

He went on to say:

> All of us in the West must be faithful to our conviction that peace in Europe can never be complete until everywhere in Europe * * * men can choose, in peace and freedom, how their countries shall be governed.
>
> I preach no easy liberation and I make no empty promises, but my countrymen, since our country was founded, believe strongly in the proposition that all men shall be free and all free men shall have this right of choice.

Mr. Speaker, this is our position, and our national goal.

We are united in our determination to pursue it.

Walter Besterman

EXTENSION OF REMARKS

OF

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 21, 1964

Mr. MILLER of California. Mr. Speaker, in the 79th Congress it was my great pleasure to serve on the predecessor committee to the current Immigration and Nationality Subcommittee of the Judiciary Committee. During the course of this time Mr. Walter Besterman became a member of the staff as our counsel.

Over the years I have known Mr. Besterman I have greatly admired his wisdom, perseverance to his cause, his resourcefulness, and his many contributions to the immigration laws. His dedication to the liberalization of immigration policies by the United States gave real meaning to the words of Emma Lazarus' great poem quoted on the Statue of Liberty:

> Give me your tired, your poor,
> Your huddled masses yearning to breathe free,
> The wretched refuse of your teeming shore,
> Send these, the homeless, tempest-tossed to me:
> I lift my lamp beside the golden door.

He will be a great loss to the House of Representatives. However, I know that he goes on to a position where he will offer many new services on behalf of the cause he has so faithfully served. For this reason I want to join my many colleagues in wishing Mr. Besterman well in his future work with the Committee for European Migration.

Statement of Hon. Benjamin S. Rosenthal Before Joint Committee on Atomic Energy

EXTENSION OF REMARKS

OF

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 21, 1964

Mr. ROSENTHAL. Mr. Speaker, under leave to extend my remarks in the Record, I would like to include herewith the statement I made before the Joint Committee on Atomic Energy on August 18, in support of my resolution, House Concurrent Resolution 352, calling for congressional disapproval of the agreement entitled "Agreement Between the Parties to the North Atlantic Treaty for Cooperation Regarding Atomic Information," submitted to Congress by the President on June 30, 1964.

The statement follows:

Statement of the Honorable Benjamin S. Rosenthal Before the Joint Committee on Atomic Energy, August 18, 1964.

I am Congressman Benjamin S. Rosenthal, of the Eighth District of New York.

I appear here this morning in support of my resolution and three other similar resolutions introduced yesterday.

I am also advised, Mr. Chairman, for the information of the committee that other Members of the House will introduce similar resolutions today.

I appear here this morning as just one of the many Members of Congress who know very little about the agreements sent to the Congress by the President on June 30, 1964.

I have come this morning because I am among the 535 Americans who have the responsibility, whether we like it or not, to give the solemn sanction of congressional approval or disapproval to our Nation's nuclear weapons policy. This is an awesome task for the ill-informed.

Yesterday, I and three other Members, realizing that our combined knowledge of this agreement was minute and a little and possibly dangerous thing, decided nevertheless that the greater danger lay in harboring in silence our doubts about the purposes of this agreement. Convinced that these doubts were substantial and deserved a reply we introduced these concurrent resolutions expressing congressional disapproval of the proposed agreement.

This procedure, Mr. Chairman, is not exactly my cup of tea, but we did this because we had no safe assurance otherwise that the questions that we were concerned with would be asked or answered either in the executive hearings, for which no transcripts are available to us, or in the committee's final report which, in the case of past agreement, has avoided the larger questions of our alliance nuclear policy.

The preambles of the resolution make our concern plain. We oppose the proliferation of nuclear weapons because we feel that any policy which assumes that increasing familiarity with these weapons will breed contempt for them must overcome volumes of human history to the contrary.

While we may tentatively accept the idea that multilateral control is in the end preferable to a profusion of independent nuclear forces, we favor all steps to avoid either one because nothing persuades us that joint control would permanently satisfy the quest for nuclear power.

The views I am expressing this mornng, Mr. Chairman, are somewhat conservative and they show, I think, unimaginative prejudice but they reflect the truth which virtually every American knows: that the world today is not organized to cope with its nuclear power.

The pressures for the dissemination of nuclear information are still competitive pressures, not cooperative ones, and buying cohesion among nations with the currency of nuclear information is still as dangerous as quenching thirst with salt water because the short-run formula for survival may become in fact the ultimate cause of death.

One fundamental question about this agreement is why is it needed, unless it is to usher in a major change in our NATO nuclear policy.

We are told that the United States is employing new IRBM's on the European continent as a NATO weapon system and that a new agreement is needed to do this. Yet, the 1955 NATO agreement coupled with the nine bilateral agreements made after the 1958 amendments to the law would seem to provide ample authority for this. Some or all of the bilaterals allow for the transfer of weapons parts which the proposed agreement does not.

I understand from the State Department, Mr. Chairman, that the bilaterals had never been used to the full extent of their scope. I can only wonder why they would not serve the purpose of integrating this new American weapons system in the NATO force of these countries.

I hope the committee will ask the appropriate administration representatives as they have done this morning just how much would be transmitted under this agreement. Specifically, I think we should know whether this agreement could be used as an incentive to get NATO countries to accept a multilateral force treaty by holding out the promise of additional nuclear information to those who join.

If I understand the bilaterals correctly, they may already allow such negotiations, but I would hope that this widely held belief about the pending agreement would be cleared up one way or the other.

In addition, Mr. Chairman, I think Congress should know whether this agreement would permit the transfer of information on which to base negotiations or implementation of the details of a multilateral force treaty such as specifications for ships and other nonnuclear parts of the seaborne weapons systems.

We have been assured that if and when it comes the MLF agreement will be subject to the affirmative approval of Congress; although that assurance extends literally only to the agreement to transfer nuclear warheads, some notice should be given of an agreement which is designed to provide for the nonnuclear parts.

Surely, it would strike many members as surprising if this agreement authorized transfer of the nonnuclear information needed for MLF and no mention was made of that fact in the committee's report.

Mr. Chairman, I think what has motivated some of us can best be illustrated by a brief history of events in this field. I would like to presume on the committee for just a few minutes more if I may, sir; in reviewing the history and the agreements in this area.

In 1955, we had the first international agreement with NATO on atomic information. This was presumed for military use, in these categories: one, the development of defense plants; two, training of personnel in defense against use of atomic weapons; and three, evaluation of enemy capabilities.

In 1957, NATO began stockpiling of American nuclear warheads. As I said earlier, in 1958, as you gentlemen well know, the Atomic Energy Act was amended to allow the United States to disseminate additional information so that the NATO countries could use warheads and receive information relating to nuclear weapon design; nonnuclear parts of weapons could be transferred; and for the first time information could be given directly to NATO countries.

Between 1959 and 1961, nine bilateral agreements were entered into with individual NATO countries and they provided for the inclusion of the 1958 amendments.

Now in 1964, under this new proposed agreement, for the first time we shall provide NATO with information for the development of delivery systems compatible with the atomic weapons which they carry.

In the copy of agreement put into the Record by Senator Gore, on page 16693 of the Record of July 23, it shows that under article 3 of the proposed agreement we add a new section that had never appeared before in the prior agreement. This section says that we will give to NATO new information concerning the development of delivery systems compatible with the atomic weapons which they carry.

It would appear from the testimony of the other witnesses this morning and what I said earlier, that the United States was already providing this information under the bilateral agreements and therefore that we should not object to the new agreement because on the face of it it is almost superfluous, redundant, and unnecessary.

However, it seems to me that under the proposed agreement where we give this new information, "the development of delivery systems compatible with atomic weapons which they carry," we are opening a backdoor approach to establishing MLF. Under the agreement, we could give them all of the inventory of atomic hardware.

We may be told by the administration that we can't give them the atomic warheads but maybe we can give them the information to build the ships, to build the launching pads, to build the missiles.

Subsequently, I suspect and anticipate with a great deal of apprehension, we will be told that these countries have everything but the bullet, itself. They don't have the warhead. As long as they have everything else, why not give them the rest of it?

We may find ourselves having established MLF without ever really intending to do so.

So, I raise the question to the committee this morning, Mr. Chairman, and hope and anticipate as I have seen the committee do this morning, that the committee will address itself to these two principal questions. If there is no legitimate reason for the agreement, if it is superfluous, if we have the bilaterals with the nine countries and we can give them all we want to give them under those agreements, why should we enact the agreement now?

It seems to me that the burden of proof is on the proponents of the agreement. They must first prove to the satisfaction of this committee and, secondly, and if it is not presumptuous, to the satisfaction of all members of Congress, that there is a necessity for the agreement. And I think more important and morally in response to an obligation we have to the American people they must prove that there is no intention for an undisclosed purpose to the agreement. If the agreement is not necessary, if it does not provide a new vehicle for transmitting additional information, if it brings nothing new to international negotiations, let us not have it.

If their answer to that, the administration's answer to that, is that there are valid reasons for the agreement, then let them meet the burden of proof that they have to show the necessity and the fact that there are no undisclosed reasons for the agreement.

Thank you very much, Mr. Chairman, for the opportunity of appearing.

Reapportionment of State Legislatures

EXTENSION OF REMARKS

OF

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 21, 1964

Mr. WHITENER. Mr. Speaker, on Saturday, August 15, 1964, the Charlotte, N.C., Observer carried two editorials under the captions of "Tuck Bill Aims Death Blow at Cities' Representation" and "Short Memory."

On August 17, 1964, I wrote a letter to the editor of the Charlotte Observer setting forth some of my views with reference to the reapportionment of State legislatures and the usurpation of power by the Supreme Court in this field. The editor of the Observer has advised my office that due to the length of my reply he did not feel that it was feasible for them to carry its full text. I can understand their problem but feel that their editorials and my reply should be made a part of the Congressional Record in order that it might be made available to the people of my district.

Therefore, Mr. Speaker, under unanimous consent, I include the editorials and my letter of August 17, 1964, in the Record for today.

The material follows:

Tuck Bill Aims Death Blow at Cities' Representation

The lengths to which some rural legislators will go to maintain their stranglehold on the Nation's lawmaking processes has been amply demonstrated by the House Rules Committee.

Representative Howard W. Smith and his committee jerked from the Judiciary Committee a bill which would gag the Federal courts on the reapportionment issue, assigned it a rule and hastened it to the floor for action.

The bill, drafted by Representative William M. Tuck, of Virginia, is even more pernicious than the highhanded, though theoretically legal, procedure which speeded it to the floor without due study.

It would remove all power to decide legislative apportionment suits from the Federal district courts and would prohibit the Supreme Court from hearing these cases on appeal.

In effect, the bill would slam shut the only door of appeal and the only hope of redress for the urban citizens of the Nation in their efforts to get a fair shake in State legislative representation.

It would open the door for rural legislators to destroy the progress that has already been made toward this goal in at least 26 States and would end all hope for similar progress in others. For the bill would nullify not only the recent one-man-one-vote decisions of the Supreme Court, but *Baker* v. *Carr* as well. And popular referendums, such as North Carolina's smashing defeat of the "Little Federal" plan, could be readily swept aside by State legislators intent on undoing with impunity what they have been forced to do.

In short, the unavowed purpose of the bill is to strike a political blow against the cities and the towns which are growing into cities, a blow from which they are not intended to recover.

In a narrow and immediate sense, the bill appears to be constitutional. So is a Senate "rider," attached to the foreign aid bill, which would delay State compliance with the court decisions and allow time for the passage of a constitutional amendment to strip the courts of the same power.

As Senator Sam Ervin notes, Congress is authorized by the Constitution to define the jurisdiction of inferior Federal courts and to define the appellate jurisdictions of the Supreme Court. But if the Supreme Court found that malapportioned legislatures robbed citizens of their rights under the 14th amendment, it seems possible that the Court could also decide that the House bill, at least, was similarly unconstitutional.

Hopefully the House will consign the Tuck bill to the waste can where it belongs and that the Senate will do the same to the Mansfield-Dirksen "rider."

If the Congress is in a mood to deprive a majority of Americans of an effective vote in their State governments, then it has come to a sad pass.

Short Memory

Representative Basil Whitener's strong support of the Tuck bill, which is an effort to cripple the political power of urban voters, flies in the face of a majority of voters in his home county.

Last January Gaston County said "No" by 11,000 votes to 500 to the "Little Federal" plan, an attempt to stack the legislative deck permanently against North Carolina cities.

Whitener's political logic is no more clear than his political motivation. In defending the Tuck bill, he said, "I'm not for unequal representation in State legislatures. But I want to preserve State government in this country."

Yet the refusal of rural-dominated assemblies to legislate on behalf of urban areas has been the single biggest factor in the massive growth of Federal powers and the weakening of State government.

Logic? Hardly the word for it.

Congress of the United States,
House of Representatives,
Washington, D.C., August 17, 1964.

Editor,
Charlotte Observer,
Charlotte, N.C.

Dear Sir: Your editorial entitled "Short Memory," appearing in the Charlotte Observer on August 15, 1964, has been brought to my attention.

Many people apparently are not informed as to the true nature of the legislation regarding defining the jurisdiction of the Supreme Court of the United States and other Federal courts in the field of legislative apportionment and reapportionment. The conclusion in your editorial that I have "a short memory" and that my position in connection with this important matter is lacking in logic is completely unwarranted.

I note that the editorial fails to refer to the fact that in my testimony before the House Judiciary Subcommittee, as well as before the Rules Committee, I pointed out the experience of North Carolina on the "Little Federal plan" vote as an example of the wisdom of our Founding Fathers in leaving such decisions to the States and local communities. My desire to preserve that right to the people of North Carolina and every other State and local community prompted me to join with Representative Tuck of Virginia in sponsoring the legislation and in seeking to have it enacted into law.

The necessity for statutory definition of the jurisdiction of Federal courts in apportionment and reapportionment matters results from the decision of the Supreme Court in *Reynolds* v. *Sims*, (84 St. Ct. 1362 (1964)). In that case the Court asserted the right to supervise apportionment and reapportionment by State legislatures under the contention that the equal protection clause of the 14th amendment made such cases justiciable in the Federal courts. Their decision was a radical departure from time-honored constitutional principles and, in my judgment, constituted a usurpation of power and jurisdiction which the Constitution did not vest in these courts.

Because of this belief I introduced legislation specifically defining the jurisdiction in the Federal courts to provide that hereafter such courts would not have jurisdiction in the apportionment or reapportionment of the legislatures of the State or of any branch of a State. The lesser political subdivisions were referred to in my bill since it would appear that if the Federal courts have jurisdiction to decide apportionment matters involving States they could, by the same contention, exercise jurisdiction over apportionment in cities, towns, counties, and lesser political subdivisions where elections are held. This does not seem desirable to me.

Justice John M. Harlan of the U.S. Supreme Court is apparently burdened with the same lack of "political logic" and endowed with the same political motivation which you seem to apprehend is burdening me. In his dissenting opinion he expressed the thought "that judicial entry into this realm is profoundly ill advised and constitutionally impermissible." He further states that "the Court's elaboration of its new 'constitutional' doctrine indicates how far—and how unwisely—it has strayed from the appropriate bounds of its authority. The consequence of today's decision is that in all but the handful of States which may already satisfy the new requirements the local district court, or, it may be, the State courts, are given blanket authority and the constitutional duty to supervise apportionment of the State legislatures. It is difficult to imagine a more intolerable and inappropriate interference by the judiciary with the independent legislatures of the States."

There is no precedent for the action taken by the Supreme Court in *Reynolds* v. *Sims*, The decision constitutes an extension of jurisdiction of the Court without constitutional authority. It is my considered judgment that the Court wandered into a field not made available to it by the Constitution or by statute and that it should be removed from that arena at the earliest possible time. Its decision constitutes an amendment to the Constitution in a manner not provided in the Constitution itself. As Justice Harlan has said, the evil of this situation is apparent, "For when, in the name of constitutional interpretation, the Court adds something to the Constitution that was deliberately excluded from it, the Court in reality substitutes its view of what should be so for the amending process."

The equal protection clause of the 14th amendment was never intended to inhibit the States in choosing any democratic method they please for the apportionment of their legislatures. A mere reading of the entire 14th amendment will clearly indicate the validity of this contention. When the 14th amendment was written shortly after the War Between the States the Members of the House and Senate clearly indicated that the elective process would remain in the hands of the States, notwithstanding the 14th amendment. In order to obviate any abuse by the States of the right to vote it was provided in section 2 of the 14th amendment that Representatives in the Congress would be apportioned among the several States according to population, "but whenever, in any State, the elective franchise shall be denied to any portion of its male citizens not less than 21 years of age, or in any way abridged except for participation in rebellion or other crime, the basis of representation in such States shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens not less than 21 years of age."

This clear language shows that the authors of the 14th amendment did not contemplate that the Federal courts or the Federal Legislature would ever have any authority in the elective processes of a sovereign State. The dilution of representation was the penalty to be assessed against States denying votes to male eligibles, and that was to be the only Federal sanction to be imposed against the States.

If the language of the 14th amendment left any doubt in the mind of any person, the debate in the House and Senate clearly supports the position which my bill seeks to serve. Representative Thaddeus Stevens and Representative Bingham, the author of the 14th amendment, in congressional debate clearly asserted that the exercise of the elective franchise would remain exclusively under the control of the States.

In the U.S. Senate the bill was handled by Senator Howard, who, in referring to the 14th amendment, said: "The second section leaves the right to regulate the elective franchise still with the States, and does not meddle with that right." Thus, it is clear that in both the House and Senate it was fully understood that neither section of the 14th amendment interferred with the right of the States to regulate the elective franchise or gave to the Federal Government any authority other than to require that a State had a republican form of government.

The logic of my position on this legislation is further supported by facts surrounding the ratification of the 14th amendment. It seems illogical to assume that the legislatures of the several States would have ratified an amendment which at the time of its ratification would have nullified their own State constitutions under the amended U.S. Constitution.

Of the 23 loyal or Union States which ratified the amendment, 5 had constitutional provisions for apportionment of at least 1 house of their respective legislatures which wholly disregarded population. Ten more had constitutional provisions which gave emphasis to population but applied other principles in determining apportionment. In the 10 States of the Confederacy, which States were required to ratify the Constitution before being readmitted to the Union, 6 of the 10 States contained provisions requiring substantially the method of apportionment which the U.S. Supreme Court now says is prohibited by the Constitution. For example, at that time North Carolina had 90 counties. Ninety of the 120 representatives were apportioned among the counties without regard to population, leaving 30 seats to be distributed by numbers. There were 7 counties with population under 5,000 and 26 counties with population over 15,000 at that time. Thus, the apportionment existing in North Carolina at the time of the ratification of the 14th amendment was not unlike the present-day situation except that we now have 100 counties each having one seat in the North Carolina House of Representatives.

I believe that the debates in the Congress, as well as the statistical data with reference to the ratifying States, regardless of their former position in the War Between the States, indicates clearly that it was not within the contemplation of the Congress or the ratifying States that the 14th amendment would ever be construed as the Supreme Court has done in *Reynolds* v. *Sims*.

There are many who have taken the position that because of their residence in urban centers or densely populated areas that the people of the Nation should acquiesce in a grievous assault upon basic constitutional principles. There are others of us who feel that the aim of equitable and fair apportionment of the legislative bodies is laudatory and should be promoted within the confines of the several States, as was done in North Carolina when the "little Federal plan" was before the people of our State. Those of us in the latter category do not believe that the aim for equality of apportionment justifies striking down the Constitution of the United States.

I do not believe that it is the function of the Federal court to usurp power not given to it by the Constitution or statutes because of social ills which the Court may think exist in our country. As Justice Harlan has well said, "The Constitution is an instrument of government, fundamental to which is the premise that in a diffusion of governmental authority lies the greatest promise that this Nation will realize liberty for all its citizens." Logic, and not political motivation, prompted me to take the position which I took in introducing the bill referred to in your editorial. The same logic and a dedication to constitutional principles prompts me to continue this battle.

I hope that you will see fit to carry the full text of this communication in an early edition of your paper.

Very truly yours,

BASIL L. WHITENER,
Member of Congress.

Eleventh Annual Questionnaire

EXTENSION OF REMARKS
OF

HON. FRANK C. OSMERS, JR.

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, August 21, 1964

Mr. OSMERS. Mr. Speaker, once again I have received a most rewarding response to my annual questionnaire. More than 100,000 of my constituents in the Ninth New Jersey District received them in July and some 28,000 have already been returned. Supplementary comments and letters from about 3,500 of the recipients have also been received. It is most encouraging to observe this keen awareness and continuing interest in the vital issues of the day.

Residents of my district seem just about evenly divided on the overall record of the Johnson administration. Only 1 percent divides those in favor and those not—39 percent in favor, 40 percent not in favor, 21 percent undecided. Last year, the overall record of the Kennedy administration was favored by only 22 percent while 68 percent were opposed and 10 percent undecided about it.

There is an interesting comparison in the answers to the question on the admission of Red China to the United Nations. In 1962, 78 percent of those polled were opposed to admission and this year 79 percent feel the same way. This year 80 percent also oppose recognition of Red China by the United States. Last year our fight to keep South Vietnam out of Communist control was approved by 63 percent but this year our policy there has the support of only 14 percent. Nearly two-thirds of the 58 percent who oppose our present action there favor military action at the risk of war and 28 percent are undecided on the subject.

On the question of incresed U.S. trade with Communist nations, 65 percent oppose and 31 percent favor. Of those favoring greater Communist trade, 70 percent felt that such trade should be limited to nonstrategic goods only and 22 percent think we should extend credit to these nations. Foreign aid spending is not quite as unpopular this year as it was last year. For example, in 1963, 81 percent were then opposed to the level of foreign aid spending while this year only 64 percent are opposed to the program with 29 percent favoring it. Of those opposed to present foreign aid spending, 44 percent urged stopping all aid to pro-Communist nations, 46 percent favored less spending with only 1 percent wanting more to be spent.

There has been a significant change in the attitude of those in my district toward civil rights legislation. Last year, 59 percent favored the enactment of strong civil rights laws but this year 54 percent are opposed to the 1964 civil rights bill with 16 percent of those opposing it feeling it is too strong, 56 percent unconstitutional, and 20 percent unnecessary. Only 8 percent regard it as too weak. The use of Federal marshals and troops to protect those helping Negroes in the South obtain their rights drew a close response with 46 percent for and 44 percent against. The revamping of our present immigration laws has the support of 51 percent who feel the present national origin quota system should be changed. A third of those replying opposed any changes and 16 percent were undecided.

The establishment of a Domestic Peace Corps was favored 52 percent to 36 percent. Cigarette packages should carry a warning of cancer in the opinion of 59 percent. Almost two-thirds favor tax credits for college parents and students. Congressional pay increases are opposed 49 to 39 percent. The Supreme Court decision on State reapportionment is supported by a greater than 3-to-1 margin. There is an interesting comparison in replies this year to the question of school prayer and Bible readings. Last year, 76 percent favored and only 19 percent were opposed, with 5 percent undecided. This year, it is interesting to note, that the percentage in favor of amending the Constitution has dropped to 47 percent with 37 percent opposed and 16 percent undecided.

The increase in social security benefits won the approval of 70 percent. Government preservation of our wilderness areas was favored by 84 percent. Federal assistance for mass transit systems was approved by 81 percent. Television debates between the presidential candidates are favored by more than 4 to 1.

Of course, not everyone replying answered every question listed. The percentages shown for each question in the tables below are based on the tabulation of all the replies received to that particular question or part thereof.

Mr. Speaker, because the replies to my questionnaires have aroused much interest among Members, under unanimous consent, I include in the RECORD the tabulated percentages of my 11th annual questionnaire.

[Percent]

	Yes	No	Undecided
Do you favor—			
1. The overall record of the Johnson administration?	39	40	21
2. (a) Recognition of Red China by the United States at this time?	11	80	9
(b) Admission of Red China to the United Nations at this time?	12	79	9
3. Our present policy in Vietnam and southeast Asia?	14	58	28
If no, do you favor—			
(a) U.S. military action at risk of war? 65			
(b) U.S. withdrawal from the area? 35			
4. Increased U.S. trade with Communist nations?	31	65	4
If yes, do you favor—			
(a) Maximum trade with no limitations? 8			
(b) Limiting trade to foodstuffs and nonstrategic goods only? 70			
(c) Extending credit to Communist nations? 22			
5. Foreign aid spending program at about present level?	29	64	7
If no, do you favor—			
(a) More spending? 1			
(b) Less? 46			
(c) None? 9			
(d) Stopping all aid to pro-Communist countries? 44			
6. The 1964 civil rights bill as passed by Congress?	39	54	7
If no, do you regard bill as—			
(a) Too weak? 8			
(b) Too strong? 16			
(c) Unconstitutional? 56			
(d) Unnecessary? 20			
Do you favor—			
7. Use of Federal marshals and troops to protect those helping Negroes in the South to obtain their rights?	46	44	10
8. Substituting a basis of skills, or relationship to U.S. citizens, for present national origin immigration quota system?	51	33	16
Do you favor admitting—			
(a) Same number as now admitted? 43			
(b) More? 16			
(c) Fewer? 41			
9. Establishing a Domestic Peace Corps (National Service Corps)?	52	36	12
10. Requiring cancer warning on cigarette packages?	59	34	7
11. Raising pay of Senators and Congressmen?	39	49	12
12. College education tax credits for parents and students?	65	30	5
13. Recent Supreme Court ruling requiring that both houses of State legislatures be apportioned according to population?	68	21	11
14. Amending Constitution to allow school prayer and Bible readings?	47	37	16
15. Increasing social security benefits by 5 percent with resulting tax rise?	70	26	4
16. Strong Federal action to preserve our remaining wilderness areas?	84	7	9
17. Federal assistance program to help build and improve mass transportation systems?	81	16	3
18. Television debates between principal presidential candidates?	77	19	4

Congressman Harding, of Idaho, Praises Local Soil Conservation Districts

EXTENSION OF REMARKS

OF

HON. RALPH R. HARDING

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 21, 1964

Mr. HARDING. Mr. Speaker, yesterday this House passed a Department of Agriculture appropriations bill containing a large appropriation for soil and water conservation. I was delighted with this House action as I firmly believe that one of the real challenges facing not only rural America, but all of America, is the adequate conservation of our soil and water resources. It is vital that we preserve our soil from erosion, from becoming cropped out, and from bad soil management practices.

By the same token, with the obvious water shortages already present and the dire threat of even greater water shortages in the years ahead, we owe it to ourselves and to future generations to make the utmost use of every drop of water.

It is as a result of my sincere feeling on conservation and my great respect for the work of the Soil Conservation Service and the dedicated volunteers of local soil conservation districts that I testified before the Appropriations Subcommittee on Agriculture on April 6 of this year and recommended increased appropriations for our soil and water conservation program.

Following is the testimony that I pesented before the important Agriculture Appropriations Subcommittee chaired by our able and distinguished colleague, the gentleman from Mississippi [Mr. WHITTEN] at that time:

CONGRESSMAN RALPH HARDING, DEMOCRAT, OF IDAHO, SECOND DISTRICT, TESTIMONY BEFORE HOUSE APPROPRIATIONS COMMITTEE, AGRICULTURE SUBCOMMITTEE ON APPROPRIATIONS, APRIL 6, 1964

Mr. Chairman, I appreciate your courtesy in allowing me to discuss my concern about our support of the national soil and water conservation program. It is a pleasure to be here again today.

I want to commend you for your past support of the programs for protection and improvement of our resources. Certainly these programs have given impetus to the continued growth of our Nation's economy and particularly of our Nation's rural areas. All of us have benefited from this important work. My purpose is to urge your continued strong support of this work.

As you well know, the key to the success of soil and water conservation efforts is the soil conservation district. This locally organized group of dedicated landowners and operators has shown that it can handle effectively the resource conservation and development job on its lands if given adequate support. Much of this support comes from the Federal Government in the form of technical assistance by the Soil Conservation Service.

The National Association of Soil and Water Conservation Districts indicates that this support needs to be greatly strengthened—that an additional $10 million is needed for Soil Conservation Service assistance to districts. More than 1,500 additional man-years of SCS technical help is needed—just to meet the present workload, I am informed.

In my own State of Idaho, the number of cooperators in the 54 districts increased by 1,500 during the past year to a total of 19,500. The districts, with assistance by the SCS, have helped less than half of these cooperators develop soil and water conservation plans. These plans are basic to conservation work, and we desperately need to get more of them made.

More help also is needed in planning and carrying out individual measures called for in the plans.

I know that this picture is repeated across the Nation. And the amount of SCS help per district has gradually decreased during the past 20 years from an average of 5.6 man-years in 1944 to about 3.2 in 1964.

As I emphasized in my testimony last year, if adequate technicians are not available, it can only serve to stifle local initiative and progress. This is continually underscored in the letters I receive from my State of Idaho. Typical of the concern expressed is the following excerpt from a letter written my office on March 12, by Byron Wayment, chairman, board of supervisors, West Cassia County Soil Conservation District, Burley, Idaho.

Writes Mr. Wayment, "Our board of supervisors have reviewed the cut in man-hour help in our district and it looks very discouraging. We have a fine district with a lot of ground to cover and not nearly enough help to get the job done. Unless we can have more assistance instead of less, we may as well hang up our hats and call it quits.

"I can see little value of us putting in our time and money unless we can have this technical help to assist us.

"We have worked hard in West Cassia the past 5 years to make this district a good one and we are just beginning to see and realize some of our efforts materialize. We certainly don't want to see this fall apart.

"If there was ever a time for people to wake up to the fact, that soil and water conservation is vital it is now, and this can only be done through cooperation of our Government and the people who live here."

And the Central Bingham Soil Conservation District, Blackfoot, Idaho, chairmaned by Alma Merrill, advises me of their desperate need for additional personnel in their annual report submitted the middle of March.

"The Central Bingham SCS is very much in need of additional soil conservation personnel to handle the work in our district.

"The intensive farming of irrigated land in our district will require considerably more technical assistance to get a balanced soil and water conservation program on this larger number of farming units."

If time permitted, I could read at length from letters and reports Idahoans have sent me expressing concern over the level of personnel provided to assist with the conservation of our natural resources.

Certainly one factor that makes this problem of technical help even greater is that SCS has been given additional responsibilities, some of them not funded. And much of the new work has been done with the staff provided to assist districts. Thus, time has been pulled away from helping district cooperators.

I don't have to tell you, Mr. Chairman, the tremendous value of the small watershed projects under Public Law 566. Through them, rural and urban groups are working together to prevent flooding and to provide water for farm and ranch, industrial, municipal and recreational use. The projects are an effective complement to the downstream flood-control work through the Army Corps of Engineers. This program has started slowly in Idaho, but interest now is accelerating.

Assistance should be available at the time heightened interest in a watershed reaches the stage when planning assistance is requested. When assistance is not available, there is a danger that local initiative and progress will be stifled.

The National Association of Soil and Water Conservation Districts estimates that an additional $7 million is needed for SCS help in watershed planning and operations to cope with present demands for assistance. I urge your support of SCS activities in this field. We cannot afford to let this program be curtailed.

As I pointed out to your subcommittee last year, watershed planning is particularly vital in Idaho. In the past the areas most severely damaged by floodwaters which have covered sections of our State have been the small farming areas in need of the kind of structural and land treatment assistance which can be provided under Public Law 566.

Let me state again that I would much prefer to provide funds now for adequate watershed development than to expend our tax money on flood recovery after the precious water has been lost and it has taken a terrific toll of public and private property.

For all these reasons we in Idaho are extremely concerned over the $925,000 reduction in watershed planning called for in the budget estimate.

Let me divert here for a moment to read you the reaction of Glenn Nelson, president of the Idaho Association of Soil Conservation Districts, to this cut in watershed funds.

"This item is very discouraging to us here in Idaho. Interest in the Public Law 566 watershed program is high, and we have several very prospective applications waiting for the SCS watershed planning party to work on. The lack of adequate technicians, due to the small allotment received for this program, has hampered our progress in this State in the past. We were able to get the State legislature to make a small contribution to this program this last year. With a slight increase in SCS funds, we could make a little progress; and decrease in planning funds would almost stop our watershed planning activities. We have just started to get this program moving in our State, and we sure hate to see it slowed down any."

If the time of the subcommittee permitted, I could give many specific examples of watershed programs which will be drastically affected by the sizable cutback provided for in the present budget.

Mr. Chairman, as you know, the Soil Conservation Service has technical responsibility for designated conservation measures of the agricultural conservation program administered by the Agricultural Stabilization and Conservation Service. Cooperative agreements are worked out in each county between the ASCS County Committee and the SCS whereby not to exceed 5 percent of the county allotment is transferred to SCS which partly reimburses them for the work done.

The 1965 budget carries a reduced authorization for the ACP. This is of utmost concern to me as this will necessitate that the SCS reduce its trained staff by approximately 555 positions.

Mr. Chairman, I strongly recommend that provision be made to provide funds for these positions and that the committee strongly urge the increase of personnel ceilings for the SCS to cover these 555 positions and the additional ceiling positions for sufficient staff to carry out the program in soil conservation districts and the watershed work I have discussed.

I would also recommend as I have done previously before your subcommittee that adequate financial support be given the Snake River Conservation Field Station at Kimberly, Idaho. It is essential that we at least have the $400,000 budgeted for this station if its work is to move forward as the Congress originally intended.

Idaho is fortunate to have one of the first 10 resource conservation and development projects in the Nation.

Our district supervisors and others consider these projects to be a sound approach to areawide resource problems and opportunities, and are working well together on planning the project. It is hoped that the plan can be completed by November and operations started shortly thereafter.

I deeply appreciate your providing funds to move ahead with this program.

Mr. Chairman, I know that you and your subcommittee are as concerned as I am about protecting and improving our resources for the welfare, enjoyment, and use of all our people. I hope that you will continue to give the Soil Conservation Service the strong support it needs to carry on this worthwhile effort.

Hawaii Celebrates Its Fifth Statehood Anniversary

EXTENSION OF REMARKS

OF

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, August 21, 1964

Mr. MATSUNAGA. Mr. Speaker, Hawaii—the Aloha State—today commemorates the fifth anniversary of its admission to the Union. In the 5 years of statehood Hawaii has enjoyed unprecedented growth and prosperity. In this period the State has risen from 22d place in per capita income to 17th place among the 50 States.

It is with a sense of deep gratitude and a feeling of great pride that I address this august body, as a Representative of the people of Hawaii, for it was this House which first approved a statehood bill for Hawaii as early as 1947, paving the way for the final approval by both bodies of the Congress 12 years later.

For more than half a century the people of Hawaii had knocked on the congressional door seeking admission. Twenty-two congressional investigations were held. The results exhaustively cover 57 subjects, ranging from agriculture to war record. More than 6,300 printed pages, available in the Library of Congress, record the hearings held and the committee reports made. These include the record of 128 days of hearings and the testimonies of more than 700 witnesses. Thirty-nine Members of Congress visited Hawaii as investigating committees. The last four of these congressional committees overwhelmingly recommended immediate statehood for Hawaii, and I am happy to be serving now with those who served on those committees.

On March 11, 1959, the Senate approved the Hawaii statehood bill by a vote of 76 to 15, and on March 12, 1959, at 3:04 p.m., this great body voted 323 to 89 to admit Hawaii into the Union of States.

History will record that Hawaii became a part of the United States in a unique way. It was not by war or military occupation or by economic conquest or colonial exploitation. Hawaii became identified with the United States by an assimilation of the political and social ideals of America.

The first contacts between Americans and Hawaiians in the first half of the 19th century gave rise in Hawaiians to a profound tendency to identify themselves with the ideals of individual rights and liberties and representative government. Indeed, it was only 20 years after the first Christian missionaries from New England came to our islands that the Hawaiian people adopted their first constitution, which was modeled after the Constitution of the United States. This was in 1840, and as early as 1854 the Hawaiian people expressed their overwhelming desire to be annexed to this country. Mr. Speaker, I think that these facts are especially remarkable considering that the people of Hawaii at that time were almost entirely of Polynesian origin. A fact worth noting is that the tie which binds the people of Hawaii to the United States is not that of race or history, nor that of force or economic exploitation, but that of ideals freely accepted.

As a State, Hawaii continues to be as Mark Twain described it, "the loveliest fleet of islands anchored in any ocean." Its eternal spring climate, its swaying palm trees and lovely hula maidens beckon to its shores peoples from all parts of the world. Statehood fortunately has not changed this.

What has changed is the stronger awareness with which the people of Hawaii have assumed their responsibilities as full-fledged American citizens. They fully realize that Hawaii today represents the westernmost outpost of the American frontier, that it must serve as a bridge between the East and West for international cooperation for world peace.

Much has been written about Hawaii by anthropologists and sociologists, poets, and romanticists. All agree that Hawaii is "the showcase of American democracy" for all the world to see. There out in the middle of the Pacific Ocean, peoples of diverse cultures, have proven beyond a doubt that they can live together and work together in harmony and in concert toward their own social, political, economic, and cultural betterment. They have proven by actual experimentation that the ideals of Americanism can and will work.

It is for us here in the Congress of the United States to appreciate this truth. The people of Hawaii have proven to be one of our greatest assets in our struggle to maintain our friendship with the Afro-Asian nations. We must exploit the offerings of this new State to the fullest. Its east-west center is proving as one of the best investments in peace we have made in a long time—we must continue its support. As a training ground for the Peace Corps it has proven itself beyond expectations.

On this the 5th anniversary of statehood, the citizens of Hawaii cannot find words sufficiently in the superlative to sing praises to President Johnson. As a key Member of Congress who was largely responsible for the admission of Hawaii into the Union, the President has shown continued keen interest in the 50th State. His announcement today that 285 acres of Federal land will be returned to the State of Hawaii in the immediate future is strong evidence of this. We in Hawaii are truly fortunate to have such a great friend in the White House—a man who fully recognizes the great role which Hawaii and its people can play in furthering the interests of our great Nation.

To the Members of Congress who shared in the creation of Hawaii as the 50th State, I say for my people, "Thank you for granting us the status of first class citizens. We will not fail you."

Our Tragic African Policy

EXTENSION OF REMARKS

OF

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 21, 1964

Mr. RIVERS of South Carolina. Mr. Speaker, in the paper this morning the press carried an article about two Americans disappearing in the Congo.

Mr. Speaker, this just indicates and illustrates our inadequate African policy—for which tragedy—America cannot escape her measure of criticism. By our acts of omission and commission, we have been part and parcel to the program employed by the United Nations which has led to the current debacle in the Congo.

One has only to review the early days of the fight of Tshombe to save his country to find out what our State Department did to this man. He tried every way on earth to be our friend, yet his efforts were spurned and his dignity insulted by our Government.

He was even refused a visa to visit this country.

Our military transports were used in the move to drive him from his homeland. But now, he has returned and here we are. We find our State Department telling the American people how distressed our Government is over the plight of the Congo.

Mr. Speaker, the crime of the Congo has been the crime of the United Nations.

We belong to the United Nations and I am not a bit proud of it. In this connection, I am enclosing a speech that I prepared on our African policy many weeks ago. I believe it is now time to make its contents known.

The speech follows:

OUR TRAGIC AFRICAN POLICY

Our African policy needs a careful and thorough review for there are many indications it is a failure which will have serious and perhaps disastrous consequences.

Our policy for the Dark Continent seems to be a very simple one. We oppose colonialism and apparently our definition of colonialism is a situation in which Negroes oppose whites. The United States has been the primary factor in the so-called freedom wave which has swept both Africa and Asia. We have pressured France, Britain, Belgium, and Portugal to give up their territories. In Africa, numerous new states have been created since the end of World War II. There are only a few white enclaves left and these are concentrated south of the former Belgian Congo. The giant provinces of Angola and Mozambique still are Portuguese territory and South Africa is firmly in white hands. But, elsewhere in Africa the whites have relinquished power or are in the process of doing so.

Obviously, old style colonialism could not be maintained indefinitely in Africa. But just as obviously, independence for the former colonial areas was not the answer to every problem. Not every mistake or mishap in Africa is this country's fault. Yet, as I have stated, we did pressure our former allies to get out and get out fast.

As a result, the continent has gone backwards. The civilization which the former colonial powers built has eroded; dictators control many of the new countries; many of these leaders and their favorites live on a profligate scale; the condition of the masses is worse than it was when independence came. There is little prospect of improvement but there are plenty of indications that the situation will get worse.

Nevertheless, we seem to have learned nothing by experience. This country has taken the lead in attempting to force the Portuguese out of Angola and Mozambique. Once that event takes place, we probably will try to throw out the South Africans.

Let me point out to you that we backed the United Nations attack on Tshombe in the former Belgian Congo. To all intent and purpose, this was our fight and it was pursued for motives which still remain obscure. The African nations wanted Tshombe crushed, the latter being a friend of the whites in the Congo. Our own Negro leaders also wanted the defeat of Tshombe. Perhaps these factors were decisive in our decision to convert the U.N., established to keep world peace, into an instrument of war.

Our State Department has tried to represent the downfall of Tshombe and the so-called unification of the Belgian Congo as a great victory. Actually, the Belgian Congo is torn to pieces. The situation in the Congo is so chaotic that it will take years for that unhappy country to reach the degree of stability and order which it had prior to independence.

If our dislike of Tshombe is a mystery, our attitude toward Portugal is even more so. In March, 1961, a group of terrorists invaded Angola from the Belgian Congo. They killed and tortured without mercy, being finally defeated and driven out by the aroused settlers and Portuguese troops.

Coincidentally with the invasion of Angola, the United Nations Security Council considered a resolution calling for an inquiry into conditions in the Province. To the amazement and consternation of Portugal, a NATO member and longtime friend of the United States, this country voted for the resolution.

Shortly afterward, the United States voted in the U.N. General Assembly for an inquiry into the situation in Angola, the Security Council resolution having failed despite our vote for it. But before any inquiry could begin, we voted for a resolution before the Security Council which called upon the Portuguese to "desist forthwith from repressive measures in Africa." This resolution carried.

In reality, we voted at the Security Council to condemn the Portuguese for defending themselves against the terrorists, whose atrocities are beyond description. A most distinguished columnist, Arthur Krock, of the New York Times, pointed out somewhat wryly that our censure of the Portuguese prior to any investigation of the fighting in Angola amounted to "a form of lynch law."

The Belgian Congo furnishes an example of what happens to a colony which achieves freedom before it is ready for it. Not only will it take a long time to undo the damage already done, but our own poor taxpayers must pay a large part of the bill. The United States has put more than $200 million into the Congo, to say nothing of U.N. funds which we furnished indirectly. Our taxpayers will be shelling out for a long time to come.

I don't think there is a single new state in Africa which isn't worse off now than when it gained its independence. The trend was summarized in a series of articles this year by Arthur Veysey, London correspondent, of the Chicago Tribune. He wrote from Lagos, Nigeria:

"To travel through Africa 10 years ago was an exciting experience. Everywhere buildings, from proud city skyscrapers to neat one-room houses, were rising. New fields were being cleared and planted, pastures contoured to save water and soil, schools and hospitals opened.

"Each year fewer people were going to bed on the ground, hungry, cold, and sick. Fewer babies were dying. Everywhere people of all races were full of hope.

"Then came independence for most of the colonial countries.

"To travel through Africa today is a saddening, heartsearing ordeal. Building has stopped or slowed down, productive fields are going back to unproductive bush, idleness has increased, standards, both physical and moral, are slipping.

"People who so short a time ago saw an ever-brightening future, today ponder how bad things can get."

Even under the best of circumstances, many of the new countries cannot exist. They simply do not have the resources necessary for statehood. The well-known African geographer, George H. T. Kimble, has pointed out that only five or six of the new nations were viable. Among these he named Nigeria, Uganda, the Belgian Congo, the Sudan, Tanganyika and Ghana. He did not predict that these six had bright futures, or would remain as entities. He simply said they could get along if they were run right. But they aren't being run right. Without exception, I think most of them are in bad shape today. Under the policies being pursued at present, they will continue to go downhill.

The independence wave in Africa has been followed by a series of unpleasant developments. Increasingly, the Afro-Asian bloc at the U.N. has become racist. They violate the charter frequently and with impunity. Not too long ago, the bloc used the U.N. as a forum for assaults on Portugal and South Africa. They are using the world organization as a megaphone in their campaign to drive Portugal and South Africa out of Africa, itself. They cry colonialism, which has come to be a very bad word, indeed, but they have no interest whatever in the colonialism practiced by Russia and the Red Chinese.

During the U.N. debate, the world's greatest colonial power cheered the Afro-Asian bloc on and took an active part in the proceedings. Our representatives at the U.N. sat by straight faced and let Russia get away with cynical and blatant hyprocrisy. The U.N. has greatly damaged its prestige by its irresponsibility during the past few years. Regardless of the propaganda in its behalf, its destruction is likely unless it mends its ways.

Our own Negro leaders should be the first to criticize the U.N. for racism. Their goal in this country, or so they say, is complete integration. They do not want to be judged on the basis of skin color. Yet, curiously enough, they back racism in Africa. The Negro papers denounce not only South Africa, which practices apartheid, but the multiracial Portuguese. The latter, alone among the European colonizing nations, eschew discrimination based on skin color. Many Negroes have risen to high positions in the Portuguese African territories. But Dr. Martin Luther King, James Farmer, Roy Wilkins, and almost every prominent Negro leader denounces the Portuguese. They say they are not sincere and, in effect, argue for Negro rule in Angola and Mozambique because the Negroes are in the majority. If that argument is turned around, the whites should rule in this country. They are not only greatly in the majority but they settled North America and developed it. Sometimes I wonder whether our Negro leaders are as sincere as they profess to be. If they are sincere, they would be greatly exercised over the wrongs done the whites in Africa, or so it seems to me. Along with their denunciation of southern leaders in this country, they would be denouncing racists like Tubman in Liberia, Mboya in Kenya, and Nkrumah in Ghana.

I wonder sometimes also about the sincerity of our anticolonial policy. I cannot understand why our spokesmen at the U.N. and the State Department are so quiet, not to say supine, in the face of Russian colonialism. We seem also not to mind Red Chinese colonialism in the least. Tears for Tibet long since ceased to flow, and we actually are talking about closer relations with the Russian regime in Hungary. We were greatly upset at the brutal massacre of the Hungarian revolutionists, but now our anger has abated. Our ire seems to be directed toward Western leaders like De Gaulle and friendly countries like Portugal.

Moreover, I am astonished at our part in making Dutch New Guinea an Indonesian colony. The story is long and involved but the purport is clear. Dutch New Guinea is a primitive area lying between Australia and Indonesia. As the name indicates, it formerly belonged to Holland. As customary, we told the Dutch to get out. They agreed and suggested that New Guinea be turned over to the U.N. for an interim period. About that time, Sukarno, the cocky little Indonesian ruler, decided he wanted New Guinea. Why, I do not know. This country is mostly jungle and is inhabited by a race called Papuans, a backward, tribal people. The former Dutch New Guinea had no economic, political, or ethnic ties with Indonesia. That didn't matter. This country helped Sukarno and a deal was worked out. The net result: Sukarno took over the Papuans. Instead of being heartily ashamed of this breach of principle, our officials were very complacent about it. They seemed pleased that they had been able to do something for Sukarno, a dictator with close Communist ties.

I have tried very hard to understand our African policy. The best explanation, when its defects and consequences are pointed out, is that the whites cannot maintain a foothold in Africa. The Portuguese say that Angola and Mozambique are as much a part of their country as Hawaii and Alaska are part of the United States. Our Government pays no attention to such statements. Our officials simply shrug and say that the Portuguese cannot hold on. Nor does it help to point out that Angola and Mozambique are thriving and prosperous by comparison with the new states on the continent. Obviously, if the Portuguese are forced out we'll see a repetition of the Congo mess all over again. Once again, our taxpayers will be handed the bill.

Our Government says it wants the Portuguese to make concessions. We should know that no concession made by the Portuguese will suffice, short of complete surrender. The drive against the Portuguese seems to have little support in Angola and Mozambique, themselves. If it had such support, the new African nations wouldn't be threatening an invasion of the provinces. After the first attack on Angola in 1961, the terrorists have never been able to muster any strength. If they had any real following inside Angola, there would have been trouble all along. Also, in view of the demoralized situation inside almost every new African state, it would seem that the first order of business would be to try to set some things right at home. But no, they are united on one thing—they want to end all white authority in Africa and the consequences don't seem to worry them in the least.

The Arab countries, including Ben Bella, Algerian dictator and friend of Castro, also want to drive out the whites. As an aside, I might say to the new Negro nations that they have a lot more to fear from the Arabs than from the remnants of white rule in Africa. After all, the Arabs were the original African slave traders.

Our Government seems to feel that events in Africa constitute a triumph in the cold war. None of the new African nations are avowedly Communist, although several are very close to Russia. The real Communist threat in Africa is demoralization. If the trend continues, the Communists can pick up the pieces. The ruling politicians in Africa have made a lot of promises. They told their people that things would be great after the whites were gone. Instead things get worse and worse. Below the rulers are younger politicians, impatient with the way things are going. They are more radical than existing leaders and much closer to the Communists. If the State Department wants to know what is likely to happen in Africa, I suggest that somebody take a look at the recent revolution in the former French Congo. This is a most ominous portent. I suggest also that the Russians are all for driving the Portuguese out of Africa. They support, most enthusiastically, this part of our policy. They are not doing it out of concern for the African natives.

This doctrine that certain events are foreordained does not convince me. If colonialism is dead, does that include Communist colonialism? Is it written in the stars that we must pursue a course which tears Africa to pieces? Would it not be the part of wisdom and commonsense to try to work out an African program which would include sensible cooperation between the Negroes and the whites? The needs of Africa are almost limitless. If we are to back racism and irresponsibility, Africa cannot possibly hope to get the money and help from white technicians and administrators which it must have. Surely, there are Negro leaders in Africa who have some sense of reality. But they have no reason to show it so long as the United States, itself, pursues an irresponsible course.

The only logical explanation of our African policy is that our own Negro leaders want it. Otherwise, it makes no sense. If this is the case, our own Negro leaders must take a long, sober look at the situation. They have their hands full in this country. Eventually, their double standard on racism will become known. They cannot have it both ways, even though they are getting away with it now. When the American people realize that we have brought disaster on ourselves in Africa and disaster on Africa also, some of the blame will go to our Negro spokesmen. That blame will stand squarely in the way of the objectives which our Negroes profess to seek in the United States.

Some American Negroes, I am sorry to say, are talking race war on a world scale—the colored races against the whites. I suggest this idea be closely examined. The Red Chinese are singing that song, but the Red Chinese are racists, themselves. They think their race is vastly superior to all others and have thought so for a long time. The colored races do not get along too well. I think our Negroes should take time out to study events in British Guiana on the east coast of South America. That country is torn to pieces. Why? There is a veritable race war going on between the Indians, who are not native but immigrants from India, and the Negroes.

There are only about 200 million Negroes in the world. There are about 1 billion whites, 1 billion of the yellow race, and 1 billion of the brown-red race. If the whites should lose in a world race war, the Negroes would be the next to lose. For race war, once begun on a vast scale, would not end with the defeat of the whites. It would continue and the Negroes, being in the minority, would find their situation infinitely worse than it has ever been.

Chairman Aspinall Reviews Accomplishments in Natural Resource Legislation

EXTENSION OF REMARKS

OF

HON. COMPTON I. WHITE, JR.

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 21, 1964

Mr. WHITE. Mr. Speaker, during the American Bar Association's 87th annual meeting in New York City last week many of the country's leaders spoke on the issues of the day. Among those who presented outstanding papers was the chairman of the House Committee on Interior and Insular Affairs, the gentleman from Colorado, the Honorable WAYNE N. ASPINALL, who has furnished the leadership during this Congress in the enactment of legislation that will have far-reaching significance in connection with the conservation and development of our natural resources.

In his address, which was presented on Monday, August 10, 1964, at the opening session of the Section of Mineral and Natural Resources Law, Chairman ASPINALL said that he expected the 88th Congress will write "one of the brightest pages in the history of conservation law." I would be remiss, Mr. Speaker, if I did not point out that this record is being accomplished because of the leadership of Congressman WAYNE ASPINALL.

As a member of the Committee on Interior and Insular Affairs, I have seen the tireless efforts of the chairman in sponsoring legislation for the establishment of a Public Land Law Review Commission and the interim legislation that will permit proper classification of public lands for their highest and best use and the disposal of some of these public lands so that they may be developed under non-Federal ownership and bring the maximum tax revenue to the counties in which they are situated. I am confident that we are on the threshold of a new chapter in conservation of our public lands under the traditional maxim of highest use of our resources for the good of the maximum number.

Some of the history of how this came about, together with significant features of the legislation that is about to become law, was set forth in Chairman ASPINALL's address to the Mineral and Natural Resources Law Section of the American Bar Association. The full text of the speech is therefore included with my remarks under permission previously granted and I urge all Members to read it:

LEGISLATIVE DEVELOPMENTS AFFECTING PUBLIC LANDS AND NATURAL RESOURCES—A YEAR OF ACCOMPLISHMENT

When the 88th Congress adjourns, it will have written one of the brightest pages in the history of conservation law. This will have been accomplished within the framework of our traditional philosophy, fulfilling the prophesy that I made in May of 1962 at the White House conference on conservation when, after tracing the historical landmarks of conservation law and defining my concept of conservation and the congressional interpretations of it, I concluded by saying:

"In summary, what I am saying is that Congress will continue to equate conservation with wise use; will not put out of reach resources that may be required for our national continuance; and that all the resources will be managed for the benefit of the many and not the few."

Before examining the outstanding recent developments in public land and natural resource law and assessing our current position, it is necessary that we review part of the immediate past. Wind, rain, flood, and drought combined with a great depression, a world war, and the Korean war compelled us to be satisfied with what I call holding actions in the conservation of our natural resources. Nonetheless, even these holding actions were progressive for their times.

THE 1934–62 PERIOD

The Taylor Grazing Act of 1934 protected the public lands from further deterioration while, at the same time, it stabilized the livestock industry. The Historic Sites Act of 1935 declared a national policy of preserving for public use historic sites, buildings, and objects of national significance. Also in 1935, the Soil Conservation Service was set up as a separate unit following the initiation of a program in the Department of the Interior previously authorized under the National Industrial Recovery Act.

The Civilian Conservation Corps contributed considerably to the maintenance and rehabilitation of public land and park areas. Our concentration on two wars led to a neglect in appropriations for activities such as the national parks and certainly there was little inclination to seek their expansion. Looking forward to its 50th anniversary in 1966, the National Park Service in 1956 inaugurated a 10-year program to overcome past deficiencies, to increase maintenance, and to provide new facilities to meet the increased utilization of national park facilities.

It was about this time that we realized that we were witnessing one of the major changes in the patterns of American life. Tremendous population increases—induced by an accelerated birth rate at one end and a prolonged lifespan at the other end—coupled with a shortened workweek for most people and definite retirement plans for the elderly provided new leisure time for our people who were simultaneously moving from the cities and the rural areas to the semiurban development we have come to know as suburbia. To meet this particular challenge, the Congress, in 1958 enacted a bill that I sponsored for the establishment of an Outdoor Recreation Resources Review Commission to evaluate and determine the recreation needs of the United States and its people in the years ahead.

As was to be expected, the Congress waited for the report of the body that it had created before moving forward with legislation affecting matters being studied by the Commission. As a corollary there was no new definition given or guidelines prescribed for the executive agencies respecting the use of our public lands and the development of additional public recreational facilities. This contributed further to the failure to plan for the wise use of our natural resources generally.

When, therefore, the Outdoor Recreation Resources Review Commission submitteed its report to the President at the end of January, 1962, many of us were ready to proceed with an orderly program for the use and development of all of our resources, giving due consideration to recreation. This comprehensive report with its supporting study papers not only provided the background against which we could start to evaluate the recreational needs of the Nation but placed in perspective the manner in which our other resources could be developed and utilized. And, though there were those who it seems would have—and might still, if uncontrolled—set aside all undeveloped lands in their natural state, in May 1962, I reaffirmed my adherence to the basic principles of conservation and, at the White House Conference on Conservation, reassured the Nation that we in Congress would act in accordance with the traditional principles of conservation.

I think it is safe to say that the approach to the use of our natural resources must always be in two parts with relation to (1) the eastern part of the country and (2) the western part, where uncommitted public lands of the United States are still plentiful and vast acreages of other public lands are reserved as national forests, national parks, and national monuments.

In the discussions that started with the White House conference and in the actions that have followed, I have endeavored to give attention to both of these parts. If it appears that at times I have stressed the public lands, and therefore western aspects, I ask your indulgence and point out that since the United States owns one-third of the land area of the Nation, of which public land forms the great bulk, actions taken with respect to the public lands will have a wide impact.

Another 1962 report was submitted to the President by the National Academy of Sciences—National Research Council. It concluded that Federal support in the necessary fields of mineral resources is "inadequate to marginal, and should be substantially augmented in anticipation of projected requirements." A supporting task force report indicated that fundamental changes were required in both the laws and technological concepts governing mineral production. I think it is rather obvious that the Federal Government can be most effective in this field in connection with the development of the public lands for which the Federal Government has direct responsibility. Accordingly, the National Academy of Sciences—National Research Council report served to underline the need to reexamine the laws governing mineral development on the public lands.

All in all, as we discussed the various phases of public land use and the administration of the public land laws, it became apparent that a comprehensive review was required. The initial period of reexamination, following the growth patterns of the 1950's, culminated, in a sense, when, at your sessions a year ago, I proposed the establishment of a Public Land Law Review Commission to examine the manifold problems of the public lands ranging from the question of mining to intensive use for residential or commercial development and to use for recreation.

It was not my purpose, however, to restrict our activities to the public lands and we have, in this year acted on a broad range of legislation affecting the conservation of our natural resources. But, much remains to be done; and we, as legislators, and you as lawyers, have a responsibility of keeping pace with social and economic growth, of being alert to scientific and technological advances, in order to make certain that the law keeps abreast of these developments and, as a living structure, provides modern adequate tools for the people of the United States. So, while we can take pride in that which we have accomplished, which I will discuss in greater detail later, we must recognize the incomplete work that remains and plan for its accomplishment.

OIL SHALE DEVELOPMENT

I was, therefore, pleased to see that the program of this section of mineral and natural resources law does not deal only with the past. I was particularly pleased to see that one of your discussions tomorrow will involve the future development of competitive fuels and I hope that someone on that panel will discuss the production of oil from the shale deposits to be found in the public lands.

The development of oil shale lands is an example of our need to keep abreast of current technology. Oil shale was removed from the purview of the mining law of 1872 by the Mineral Leasing Act of 1920; but, of course, any valid claims filed before 1920 could be prosecuted to patent.

Between 1920 and 1930 there were two minor oil shale leases granted by the Federal Government and then, in 1930, the President withdrew all oil shale and oil shale lands from prospecting and leasing.

The provisions of the Mineral Leasing Act of 1920 pertaining to oil shale, and the regulations implementing that act, have not been modified and, in addition, the withdrawal order remains in effect although it had been instituted as a temporary measure. Today we are on the threshold of an industry based on the production of oil from shale and we do not have the legal framework within which the industry can operate. Many of the pre-1920 claimants pursued their rights and obtained patents. The majority of those claimants did nothing and these pre-1920 claims must now be acted on before much of the land can be developed under either private ownership or Government lease.

As lawyers you can readily see the breadth and depth of the problems and the need for action. It is my own position that the time has come for the executive branch to rescind the withdrawal order, at least to the extent that unencumbered lands can be utilized by industry for on-site research, even if we are not yet ready to enter into large-scale leasing for developmental purposes.

The Secretary of the Interior has quite understandably been moving cautiously, before taking action and recommending any additional legislation. First, the Secretary requested all interested parties to submit their views concerning existing regulations and the need for modification of either the law or regulations. These have been received and analyzed indicating that industry is unanimously agreed that the time has come to discuss actual production and that, as a first step, the withdrawal order should be rescinded in whole or in part.

More recently Secretary Udall appointed a committee of outstanding people for the purpose of studying all phases of the matter and to advise him as to the best manner in which to proceed with oil shale development. The committee's report should be available before the beginning of the next Congress when I predict we will be ready to proceed with earnest consideration of legislation designed to launch a new industry that may well become a giant in the American economy.

LEGISLATIVE ACTIONS

Our most outstanding accomplishments this past year are the land and water conservation fund bill, a bill for the establishment of a wilderness preservation system, and the bill for the establishment of a Public Land Law Review Commission. Although none of these has yet become law, they have progressed to the point that I feel safe in predicting that all of them will be sent to the President within the 2 weeks that remain in this session and that the President will approve the three measures.

In addition, we have assured the enactment this year of legislation providing procedures for the classification of public lands during the period of the Land Law Review Commission study and for the sale, during the same period, of public lands needed for the growth and development of a community or because they are chiefly valuable for residential, commercial, industrial or public uses for development.

Significant action has also been taken by our Committee on Interior and Insular Affairs with respect to water resources development and matters related thereto.

In my opinion, before this Congress adjourns a significant water resources development program will be approved. Seven or eight reclamation projects, in as many Western States, stand a good chance of being approved. These projects not only provide for the expansion of irrigation, which contributes so greatly to the agricultural economy throughout the West and the Nation, but they help prevent the loss of life and property from frequent devastating floods, they help meet our ever-expanding needs for electric power energy, and they provide extensive water-based outdoor recreation and fish and wildlife opportunities which are so much in demand by the American people.

In recognition of the need for additional research, to assure the maximum and most efficient utilization of this Nation's water resources, the Congress has passed legislation which provides for Federal assistance for non-Federal water resources research activities. This legislation was approved by the President on July 17, 1964, providing a new research program primarily at the State level through grants to colleges and universities.

Although I have been disturbed, just as some of you have been, by the trend of departmental interpretations of the mining law, and particularly the establishment of a marketability rule which precludes mining claims on public lands when our needs for a particular mineral can be satisfied by imports, we have taken no action, and I anticipate that none will be taken, to make any basic change in the mining law before the report of the Public Land Law Review Commission can be studied. It is my view that it is a judicial function to determine whether a law is being administered and interpreted properly by an executive agency. Within the last 2 weeks a bill was introduced and referred to our committee that would reject the marketability rule, not only for future cases, but in all proceedings decided by the Secretary of the Interior in the last 6 years. Individual relief bills may sometimes be necessary to take care of a specific situation in which someone is injured by a harsh application of the law; however, general retroactive legislation would lead to chaos.

We must, of course, look to and legislate for the future. We cannot close our eyes. The difficulty is that if we try to take up any general modification of the mining laws without reference to other phases of the public land laws we will not be acting fairly and equitably toward any of those interested in the use of public lands.

The members of the Mineral and Natural Resources Law Section, as the representatives of the major users of our resources, including the public lands, are going to have a major role in determining the success or failure of the programs that we have started this year. It is for this reason that I will go into some detail concerning the major legislation that is about to become law. In doing so, I appeal to you individually and as a constituent body of the American Bar Association to lend your support to our programs by giving sympathetic understanding to this legislation.

LAND AND WATER CONSERVATION FUND

In the land and water conservation fund bill we are establishing a new basic national policy that the users of Federal recreational facilities shall contribute toward at least part of the cost of etsablishing new facilities of the same sort by payment of admission and user fees. We have also established the policy that the primary responsibility for the development of recreational facilities should be assumed by State and local governments with the assistance of the Federal Government in financing planning and land acquisition. These policies were strongly recommended by the Outdoor Recreation Resources Review Commission.

Enactment of this legislation, by providing overall planning, will permit the maximum use of resources that are or can be made available for recreational development. This act will be beneficial in all parts of the country and will enable the States—including the densely populated Eastern States—to obtain recreation areas where they are needed the most.

I know that some of you and some of the groups you represent have had qualms concerning some of the provisions of the Land and Water Conservation Fund Act. Let me reassure you that the Committee on Interior and Insular Affairs will be exercising its oversight responsibilities in the surveillance of the administration of this act by the Departments of the Interior and Agriculture and that, if the intent of the legislation is subverted, we will take such action as is necessary to have the intent of Congress carried out.

While speaking of recreation, I would also like to call your attention to the probable establishment of two additional major units of the national park system. Under legislation that I hope will pass this session we will establish the Fire Island National Seashore in New York and the Ozark National Scenic Riverways in Missouri.

WILDERNESS BILL

The most controversial of the major conservation bills is the Wilderness Act. The House and Senate have each passed bills for the establishment of a wilderness preservation system and we must now reconcile the differences between the two. I am confident that this will be accomplished before adjournment and that the basic principles of maximum wise use of our natural resources will prevail regardless of any modification in the details that may be agreed upon.

Under the Senate-passed bill all of the areas presently classified by the Forest Service as wilderness, wild, canoe, and primitive, totaling 14.6 million acres of land, would be placed in the wilderness system immediately, with the primitive areas subject to being removed in whole or in part after review during a 10-year period. The House-passed bill places in the wilderness system at the outset the 9.1 million acres of wilderness, wild, and canoe areas and defers consideration of the loosely defined primitive areas until after the review has been completed. Under an amendment adopted on the floor, however, each primitive area would be rigidly fixed as it is at the present time and, for all intents and purposes, managed as a wilderness area until Congress has acted to either declassify it or include it as part of the wilderness system. The treatment of the primitive areas is one of the main factors to be discussed in the conference committee that will resolve the differences between the Senate and the House on the wilderness legislation.

Another difference between the two bills revolves around the role of the Congress in the designation of wilderness areas other than those established by the bill itself. Under the Senate bill, the primitive areas would be reviewed and executive agency recommendations submitted to Congress; the executive recommendations would automatically take effect unless one House of Congress adopted a resolution in opposition. Similar procedures for Executive action and congressional veto would govern the review and possible designation as wilderness of areas from within units of the national park and wildlife refuge systems. The House bill requires Congress to assume its constitutional responsibility and affirmatively designate such areas for inclusion in the wilderness system, after the receipt of recommendations from the executive branch.

The bill that the House passed on July 30 provides that the mining and mineral leasing laws shall remain applicable to wilderness areas designated therein for a period of 25 years except that patent will be granted to the minerals only. In addition the Secretary of the Interior is required to develop and conduct a program for continuing surveys by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present in these wilderness areas. I think these provisions concerning mineral exploration and development are fair and adequately fulfill the pledge I gave at the White House Conference on Conservation, and since then in other forums, to the effect that we would not arbitrarily cut off areas from mineral development and put out of reach resources that may be required in the future.

There are other differences between the two wilderness bills, but they are of lesser importance and I shall not go into them at this time.

PUBLIC LAND LAW REVIEW

The third major piece of legislation will, like the other two, be of lasting importance to the welfare of our country. It is, as I indicated earlier, the bill that will establish a Public Land Law Review Commission. My hopes for the success of this Commission have always been high, but they increased as I discussed the potential with interested people and listened to the testimony given to our committee.

During the last year we have drawn almost universal support for a public land law review along the lines I proposed. In the hearings before our committee there was no opposition to the concept but only to detail and I think we met those objections by the amendments that were made before the bill was passed by the House of Representatives.

For those of you who may not have followed this too closely, let me review the salient features. The Commission will be composed of 19 members: 6 from the Senate Committee on Interior and Insular Affairs and 6 from the House Committee on Interior and Insular Affairs (the 12 congressional Members are to be evenly divided between the majority and minority parties), 6 members to be appointed by the President subject, however, to a provision that no member appointed by the President may be a Federal officer or may have been employed by the Federal Government within a year before his appointment, with the 19th member, the Chairman, to be a full-time official elected by the first 18. The bill also provides for a full-time staff director and such additional personnel as may be necessary to carry out the objectives of the legislation. The Chairman and staff director cannot have been identified in the past with any particular group and must be persons to whom all groups can look with trust for fair treatment.

Next in importance to the Commission itself will be the Advisory Council which will consist of liaison officers from the various interested Federal departments and agencies together with 25 members appointed by the Commission "representative of the various major citizens' groups interested in problems relating to the retention, management, and disposition of the public lands." Members of this Advisory Council must also be chosen with care to assure that they are truly representative of broad user groups.

Each of the Governors will be requested to designate a representative to work with the Commission and Advisory Council.

When we reviewed the scope of work to be accomplished, I concluded that the Commission would require at least 3 years within which to complete its study and that, thereafter, an additional 6 months would be required for the preparation and printing of the report, as outlined in my talk to this group last year. Accordingly, the bill I introduced required submission of the Commission report not later than December 31, 1967, in time for consideration by the new Congress. The Senate has apparently adopted a similar yardstick and, in recognition of the fact that we no longer have 3½ years until the end of 1967, has extended the time for the submission of the report to June 30, 1968.

Now that the establishment of the Commission is virtually assured, it is appropriate for us to turn our attention to the implementation of the act and start thinking affirmatively about the functioning of the Commission. First and foremost, the Commission must be kept out of partisan politics. The success of the review and the acceptance of the Commission's reccomendations depend on a continuance of the bipartisan approach through which the bill has been brought to its present stage. We must, therefore, do everything in our power to remove from its path the temptations of politics.

In keeping with this basic principle, I think that it would be unwise to rush in and name the members of the Commission before the election that will be held on November 3 of this year. No time will be lost because, aside from anything else, Members of Congress who are to be appointed to the Commission will, in any event, be preoccupied with the election. In order to assure prompt organization in November, I urge the administration to include, in the supplemental appropriation request that it proposes to send to Congress before the end of this session, an amount that will be sufficient to carry the Commission through the approximately 8 months that will remain in this fiscal year.

User groups can be utilizing this time in planning cooperation with the Commission and, particularly, with the designation of representatives to sit on the Advisory Council. In some instances, selection of representatives will require careful consideration because, for example, there may be competing organizations of a particular class of users who will be entitled to only one representative on the Council.

If the start of the Commission's work is to be deferred until after the election, it may be well to extend further the date for completion of its study until December 31, 1968. In this connection we will give consideration to the fact that the original scope of work has been enlarged to embrace a review of rules and regulations as well as the public land laws themselves. Further, an extension to the end of 1968 will remove the report from the possibility of entanglement in the election campaign of that year.

Recognizing the need to provide some procedure whereby public lands can pass into non-Federal ownership for valid requirements that cannot wait for the outcome of the Commission study, we tackled the problem by considering temporary legislation to provide the Secretary of the Interior with tools with which to operate during the next few years. In doing so we came face to face at the outset with one of the basic problems that is responsible for many of the difficulties encountered by the Bureau of Land Management in the administration of the public lands in recent years.

ENTRY ON PUBLIC LANDS

Traditionally the public lands of the United States have been free and open to entry by our citizens. The Homestead Act of 1862 and the mining laws of 1866 and 1872 embodied this principle in the statute law. It was later carried forward in several other laws. In addition, the vacant unappropriated public lands were customarily utilized by homesteaders for the unrestricted grazing of their stock.

The fact, of course, is that the public lands no longer are "free and open to entry" and it is a long time since they were really "free and open to entry." You lawyers know that; but most of the average people do not because the Taylor Grazing Act of 1934, while removing the lands from unrestricted entry, granted an absolute right for citizens to apply for entry with the applicant entitled to a preference right if the lands are opened to entry under the public land laws. Further, the mining law was specifically excepted from the restrictions of the Taylor Grazing Act and all the public lands pronounced as open to mineral entry.

Despite the right of application, the Secretary of the Interior in 1961 established a general moratorium on new applications for the use of public lands for any nonmineral purposes and only recently has closed all public lands in the State of Nevada to agricultural entry. Withdrawals of public lands from the operation of the mining laws have also continued, thereby further restricting lands actually open for mineral development.

These factors are cited to demonstrate how we have moved away from traditional concepts and, in some instances, the true spirit of the law. The law just has not kept pace with the realities when measured in terms of available land, the competing demands on such lands, and our increased population which results in a great number of people who might want a given piece of land for similar uses.

INTERIM CLASSIFICATION

A bill that I sponsored and that I expect will become law takes the Taylor Grazing Act procedure one step further and, for the first time, completely reverses the principle of free entry on the public lands with priority for the one who gets there first, by requiring that public lands must be classified for a particular use before they can be made available for nonmineral utilization. Another feature of this bill (H.R. 5159) is the establishment for the first time in the statutes that vacant unappropriated public lands need not be disposed of by the Federal Government and that those that are retained, even if only for the period of the Public Land Law Review Commission study, shall be managed under principles of multiple use and to produce a sustained yield of products and services.

The act requires that implementing regulations with criteria to determine which lands should be disposed of and which should be retained shall be issued by the Secretary of the Interior. In order to achieve a maximum understanding and agreement we require that a public hearing on the regulations be held after publication of the proposed regulations.

It is my hope and expectation that the Department of the Interior will, in its proposed regulations, be very specific both as to procedures and as to details for classification. Such detailed definition will permit specific comment and suggestions for specific change.

There has been a tendency for administrative agencies to seek broad discretionary powers. The greatest criticisms that flow into my office in connection with proposed legislation or proposed regulations result from broad and vague language. In H.R. 5159 we are fulfilling, in my opinion, our proper legislative role by establishing definite benchmarks to be followed by the Secretary of the Interior. It will now be his responsibility to fill in the specifics. I hope that, when they are published, each of you will review the proposed regulations and furnish your comments to the Secretary of the Interior so that when they become effective the regulations will be the best that can be obtained and be understandable by all. I certainly hope that in this way we will be able to achieve a set of regulations that will not be self-defeating through numerous delaying appeals that have, in some instances under other regulations, kept land tied up without beneficial use for years while conflicting claims were considered.

INTERIM LAND SALES

Lands that are classified for sale because they are required for the orderly growth and development of a community or because they are chiefly valuable for residential, commercial, industrial, or public uses or development would be offered for sale under the procedures established by H.R. 5498, another act I expect will become law this year.

The House Committee on Interior and Insular Affairs has considered legislation for the sale of public lands during the last several Congresses. One of the impediments to agreement in the past has been the problem of reconciling the right of the United States to sell federally owned lands without control by State or local bodies while at the same time assuring that the land will be utilized in harmony with local development. In addition, experience under the Small Tract Act put us on notice that, if the proper controls are not exercised, we might contribute to the development of new slum areas.

Our committee in the past has refused to surrender Federal sovereignty by restricting the sale of public lands to areas that have been zoned by local governments as to the type or density or use. At the same time we were mindful of the fact that in some of the areas where the undeveloped public lands are located there is no local governmental agency having zoning authority.

The solution that we presented in H.R. 5498 provides for notification to the political subdivision having zoning jurisdiction or, if there is no such agency, the Governor would be notified before the lands are offered for sale. A 90-day waiting period would provide an opportunity for the adoption of zoning regulations. Although the Department would not be required to withhold the sale of lands on which zoning actions had not been completed, I am confident that, if a local agency initiated action within the 90-day period, the Secretary of the Interior would afford additional time for completion of such action.

H.R. 5498 as amended by the Senate Interior Committee would preclude the sale of any lands over which zoning action has not been completed.

The other major point of difference between the Senate and House bills concerns the right of the Secretary of the Interior to specify, in addition to a general mineral reservation, conditions, reservations, and reasonable restrictions in patents or other evidences of title. The House bill would give this authority to the Secretary of the Interior; but the Senate committee apparently was fearful of allowing any action that might result in placing a cloud on title. The House committee action was based on our past experience. In connection with individual sale bills it has frequently been necessary to protect the residual interests of the United States. In addition, we have seen the chaotic manner in which some of the areas disposed of under the Small Tract Act have been developed or, really, not developed.

We therefore thought it best to allow the Secretary to sell land subject to conditions, reservations, and restrictions that could be used to protect the Government's interest and also assure lands are used for the purpose for which they are acquired.

In view of the temporary nature of this bill, I feel confident that this matter, as well as other differences between the House and Senate on this legislation, will be resolved without too much difficulty. However, these differences focus attention on one of the major problems that must be studied by the Public Land Law Review Commission: the relationship between the Federal Government and State and local governments with respect to the use and development of the Federal public lands.

The House has passed another bill that would be effective during the period of the Commission study to require the Secretaries of the Interior and Agriculture to advise Congress in advance of signficant land actions concerning which notice will not have been furnished under the provisions of H.R. 5159. The Senate has not acted on this bill but I am still hopeful that action will be completed this session. While it is true that, by agreement with the Secretaries involved, we are presently being notified of such actions, it seems to me that it would be better to regularize and formalize this procedure so that it could not be upset by a change in personalities.

A review of the public lands statistics bears out the fact that there has been a steady decline in the disposition of the public lands under existing law. In addition, we have now completed a period in which we have assured the retention in Federal ownership of large areas of public lands for varied purposes. During the next few years, while the Public Land Law Review Commission is making its study, some additional disposals will be made; but I think it is safe to say that large-scale disposals will await the Commission report. Likewise, I think that in the interim period there will be no new reservations on a large scale for the permanent retention of public lands in Federal ownership and I urge the Secretary of the Interior in setting up regulations for the classification of lands to keep in mind that the legislation we are now enacting provides for retention only during the period of the Land Law Review Commission study.

Because of its importance to the entire country, I urge all of you to cooperate fully with the Public Land Law Review Commission and give to it the benefits of your experience so that the report will be the best product that we can obtain.

SENATE

Monday, August 31, 1964

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. **Metcalf**).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal Spirit, in whom alone are the strength of our hearts and the hope of our world, with penitent hearts we come in our noontide fellowship of prayer, not so much to seek Thee as to open our faltering lives to Thy waiting strength.

Now, as from deserted halls, after great conclaves on both the bounding seas, the tumult and the shouting have died, and the political captains and kings have departed, give to the Nation's leaders, we pray, facing unfinished tasks, as they deliberate once more in this shrine of each patriot's devotion, the solemn realization that "Still stands Thine ancient sacrifice, an humble and a contrite heart."

Differing in their appraisals of national trends and world affairs, give to Thy servants, as they take their places in this Chamber, the grace of tolerance which, while it may question the judgment of others, does not impeach their sincerity or integrity.

In all the disputes and divergencies of the coming months, as public questions are argued before the jury of the national citizenship, may those who speak, and the millions who weigh the spoken words, not depart in spirit or motive from the altar of personal responsibility or from the prayer there lifted—

America! America!
God shed His grace on thee
And Crown thy good with brotherhood
From sea to shining sea!

We ask it in the ever-blessed name of the one whose applied truth makes all men free. Amen.

THE JOURNAL

On request by Mr. **Mansfield**, and by unanimous consent, the reading of the Journal of the proceedings of Friday, August 21, 1964, was dispensed with.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED DURING ADJOURNMENT

Pursuant to the order of the Senate of August 21, 1964,

The ACTING PRESIDENT pro tempore, on August 22, 1964, signed the following enrolled bills and joint resolutions, which had previously been signed by the Speaker of the House of Representatives:

H.R. 130. An act to provide for the payment of compensation, including severance damages, for rights-of-way acquired by the United States in connection with reclamation projects the construction of which commenced after January 1, 1961;

H.R. 1136. An act to compensate certain parties for the loss of their leasehold interests in lands taken by the United States in connection with the Red Rock Reservoir project;

H.R. 3672. An act to provide for the construction, operation, and maintenance of the Savery-Pot Hook, Bostwick Park, and Fruitland Mesa participating reclamation projects under the Colorado River Storage Project Act;

H.R. 4844. An act relating to the release of liability under bonds filed under section 44(d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death, and to amend the Internal Revenue Code of 1954 with respect to certain reacquisitions of real property;

H.R. 5739. An act to amend the Internal Revenue Code of 1954 to correct certain inequities with respect to the taxation of life insurance companies and for other purposes;

H.R. 8000. An act to amend the Internal Revenue Code of 1954 to impose a tax on acquisitions of certain foreign securities in order to equalize costs of longer term financing in the United States and in markets abroad and for other purposes;

H.R. 8344. An act to amend the Railway Labor Act to provide that the terms of office of members of the National Mediation Board shall expire on July 1;

H.R. 8355. An act to amend the Life Insurance Company Act of the District of Columbia (48 Stat. 1145), approved June 19, 1934, as amended;

H.R. 8451. An act to amend the District of Columbia Sales Tax Act, as amended, relating to certain sales to common carriers or sleeping-car companies;

H.R. 9586. An act to provide for the establishment of a National Council on the Arts to assist in the growth and development of the arts in the United States;

H.R. 9803. An act to authorize the Secretary of he Army to acquire the building constructed on the Fort Jay Military Reservation tion, N.Y., by the Young Men's Christian Association;

H.R. 10467. An act to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay, and for other purposes;

H.R. 11202. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes;

H.R. 11241. An act to amend the Public Health Service Act to increase the opportunities for training professional nursing personnel, and for other purposes;

H.R. 11338. An act to remove certain conditions subject to which certain real property in South Boston, Mass., was authorized to be conveyed to the Massachusetts Port Authority;

H.R. 11369. An act making appropriations for military construction for the Department of Defense, for the fiscal year ending June 30, 1965, and for other purposes;

H.R. 11594. An act to authorize the Secretary of the Navy to convey to the State of California certain lands in the county of

Monterey, State of California, in exchange for certain other lands;

H.R. 12128. An act to amend the act of March 10, 1964;

H.R. 12196. An act to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, the District of Columbia Teachers' Salary Act of 1955, and for other purposes;

H.R. 12278. An act to authorize the Secretary of the Navy to convey to the city of Sunnyvale, State of California, certain lands in the county of Santa Clara, State of California, in exchange for certain other lands;

H.J. Res. 393. Joint resolution to authorize the President to proclaim October 9 in each year as Leif Erikson Day; and

H.J. Res. 733. Joint resolution to designate the powerhouse on Clear Creek at the head of Whiskeytown Reservoir, in the State of California, as Judge Francis Carr Powerhouse.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 400. An act to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds;

S. 524. An act to provide for the registration of contractors of migrant agricultural workers, and for other purposes;

S. 692. An act to establish Federal agricultural services to Guam, and for other purposes;

S. 1365. An act to establish the Fire Island National Seashore, and for other purposes;

S. 1875. An act for the relief of Thomas M. Talley;

S. 2170. An act for the relief of Mary Lane Laycock;

S. 2905. An act to provide for the appointment of a Commissioner General for U.S. participation in the Canadian Universal and International Exhibition, and for other purposes; and

S. 2950. An act to authorize the mint to inscribe the figure 1964 on all coins minted until adequate supplies of coins are available.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that he presented to the President of the United States the following enrolled bills:

On August 22, 1964:

S. 4. An act to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; and

S. 3049. An act to extend and amend laws relating to housing, urban renewal, and community facilities, and for other purposes.

On August 31, 1964:

S. 400. An act to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds;

S. 524. An act to provide for the registration of contractors of migrant agricultural workers, and for other purposes;

S. 692. An act to establish Federal agricultural services to Guam, and for other purposes;

S. 1365. An act to establish the Fire Island National Seashore, and for other purposes;

S. 1875. An act for the relief of Thomas W. Talley;

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S. 2905. An act to provide for the appointment of a Commissioner General for U.S. participation in the Canadian Universal and International Exhibition, and for other purposes; and

S. 2950. An act to authorize the mint to inscribe the figure 1964 on all coins minted until adequate supplies of coins are available.

ORDER DISPENSING WITH CALL OF CALENDAR

On request by Mr. MANSFIELD, and by unanimous consent, the call of the legislative calendar, under rule VIII, was dispensed with.

LIMITATION OF DEBATE DURING MORNING HOUR

On request by Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

DEATH OF EDWARD J. HICKEY, JOURNAL CLERK OF THE SENATE

Mr. MANSFIELD. Mr. President, I announce that during the adjournment of the Senate, on last Friday, Mr. Edward J. Hickey, the Journal clerk of the Senate, passed away.

Mr. Hickey had a very extended service with the Government, both in the executive branch and for more than 47 years with the Senate itself. He was assistant Journal clerk from 1933 until he became Journal clerk in 1937. He was a devoted and valuable employee; and I am sure that I speak for the entire membership of the Senate in expressing our deep sorrow over his passing, and in extending deep sympathy to Mrs. Hickey and their two sons.

Mr. DIRKSEN. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I am delighted to yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, it is always a matter of grief and sorrow when mortal dissolution removes one who has had such a long record of constancy and devotion.

I believe that when Mr. Hickey's services in one capacity or another are added, it will be found that he served the Senate for approximately 47 years, which is almost half a century.

What a testament and a testimony it is to the constancy of his service, to his diligence, to his duty, and to the efficient way in which he discharged his responsibilities as a public servant.

I know that every Senator—and those who formerly served in the Senate—will mourn the passing of a good and faithful servant.

Mr. YARBOROUGH. Mr. President, I join in the tributes paid to our late Journal clerk, Mr. Edward J. Hickey. When I first came to the Senate 7 years ago, and studied the CONGRESSIONAL RECORD, the Journal, and various other publications of the Congress, I found that Mr. Hickey was extremely proud of the status of the Journal as the authentic document, in the event of a dispute, showed what bill was passed or defeated, and what amendment was adopted or rejected. It is the official record of the proceedings of this body. It would be difficult to find a custodian who was prouder of the record he kept or its authenticity, not with respect to debate, but with respect to the record of the action taken.

I regarded his work as being of such importance that I have kept in my personal office—not merely in my senatorial office, but in my personal office—bound copies of the Journal for each year since I came to the Senate.

We have lost a great public servant. Those who keep the records are quiet. They are not known to the public; but they are performing an indispensable service to the legislative process.

In the territorial body of the Commonwealth of Pennsylvania, Benjamin Franklin was the clerk, and kept the records. He stated that he thought the job was more important than that of being a member of the senate of the Commonwealth of Pennsylvania—first the Colony, and then the Commonwealth. Benjamin Franklin was one of the wisest of all Americans. He emphasized the importance of keeping accurate records. Fidelity in the keeping of such records is of great importance to our Government and to this body.

We have lost one of the finest and most dedicated servants the Senate has ever had. I join in the tributes paid to him and in expressions of condolence to his family.

I ask unanimous consent that the article from the Sunday Star, August 30, 1964, captioned, "E. J. Hickey, 77, Dies; Senate Journal Clerk," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

E. J. HICKEY, 77, DIES; SENATE JOURNAL CLERK

Edward J. Hickey, 77, Journal clerk of the Senate for 27 years, died Friday at his home after a heart seizure.

Mr. Hickey entered Government service in 1906 as an employee of the Department of

Agriculture. Two years later he was named assistant clerk of the Senate Naval Affairs Committee. Before World War I, he served as clerk to the Appropriations Committee, official index clerk of the Senate and clerk to the Military Affairs Committee.

During World War I he served with the War Industries Board. For 8 years after the war, he left the Government for private business.

In 1925, he returned to the Senate as assistant clerk to the Appropriations Committee. He was promoted to assistant Journal clerk in 1930 and in 1937 was named Journal clerk. In that position, he was responsible for the daily recording and annual publication of the compiled legislative action of the Senate.

Mr. Hickey leaves his wife, Margaret, of the home address at 4000 Massachusetts Avenue; two sons, Edward J., Jr., of 4803 Broad Brook Court, Bethesda, and William J., of 9702 Hillridge Drive, Kensington, Md. He also leaves six grandchildren.

Friends may call at Gawler's Funeral Home, Wisconsin Avenue and Harrison Street NW., today and tomorrow. A funeral service will be held at Annunciation Catholic Church, 3200 39th Street N.W., Tuesday at 11 a.m. Burial will be in Fort Lincoln Cemetery.

Mr. CHURCH. Mr. President, the proceedings of this body will no longer undergo the meticulous editing and care of Edward J. Hickey, our Journal clerk for a quarter of a century. His death, on Friday, of a heart attack represents a serious loss to the Senate. We knew him as a skilled assistant, as a loyal and tireless worker, and as a friend. Mr. Hickey will be sorely missed by all, and I extend to his widow and family my heartfelt sympathy.

I ask unanimous consent that the obituary which was published in the Washington Post on Sunday, August 30, 1964, be printed in the RECORD.

There being no objection, the obituary was ordered to be printed in the RECORD, as follows:

SENATE CLERK EDWARD HICKEY

Edward J. Hickey, 77, Journal clerk of the Senate for 25 years, died at his home Friday after a heart attack. He lived at 4000 Massachusetts Avenue NW.

Mr. Hickey was responsible for the daily recording and compilation of the official actions of the Senate. He prepared for publication at the end of each year the Journal of the U.S. Senate, a volume of about 900 pages.

His skill at shorthand made it unnecessary for Mr. Hickey to have an assistant in his work. He was able to record well over 200 words a minute.

Because he worked alone, Mr. Hickey had to stay at his job whenever the Senate was in session. He spent many a long day in the Senate Chamber while the legislators argued into the night.

Mr. Hickey was born in Worcester, Mass. He entered Government service in 1906 and began work with the Senate about 10 years later. After holding a variety of positions, he became Journal clerk in 1937 and remained in that post until his death.

Survivors include his wife, Margaret, of the home address, and two sons, Edward J., Jr., of 4803 Broad Brook Court, Bethesda, and William J., of 9702 Hillridge Drive, Kensington.

Mr. MORSE. Mr. President, I am sure that I bespeak the sadness of each Member of the Senate on hearing of the death of our late beloved Journal clerk, Edward J. Hickey.

Mr. Hickey was the Journal clerk of the Senate since 1937. He was the assistant Journal clerk from 1913 to 1937. He gave to the Senate 47 years of dedicated, devoted, loyal public service.

Mr. Hickey was a very gentle man. He was a good man. I have lost not only a loyal colleague in the Senate, but I have also lost a cherished neighbor and friend. Mr. Hickey and I were neighbors in the same apartment house. We worked together on matters that were considered to be, not important in national affairs, but very important to us as neighbors, solving together some of the problems of our neighborhood.

Mr. President, Mrs. Morse joins with me in extending our deepest sympathy to Mrs. Hickey and the members of the family.

Mr. METCALF subsequently said: Mr. President, in my capacity as Acting President pro tempore of the Senate, I was presiding earlier today when the majority leader announced the death of our Journal clerk, Mr. Edward J. Hickey. I was privileged to listen to the tributes paid him. I concur in all of them. In the few years I have served in the Senate I have had a special opportunity to observe the efficiency and the competence with which Mr. Hickey performed his duties. The Senator from Texas [Mr. YARBOROUGH] suggested that in a parliamentary body such as this the correct and accurate keeping of the records provides as great a challenge as membership in the body, and is especially important from a historical standpoint. In the special capacity in which I have been privileged to serve since the death of President Kennedy, and previously in the Senate, I have not only known Mr. Hickey as a valued friend but as a mentor and guide whose advice has been wise and experienced. The Senate will miss his abilities. The country will miss his accuracy and reportorial skill, but the Members of the Senate will also miss him as a friend and counselor. Mrs. Metcalf and I extend our heartfelt sympathies to Mrs. Hickey and his two sons.

EXPRESSION OF APPRECIATION BY THE PRESIDENT OF INDIA

The **ACTING PRESIDENT** pro tempore laid before the Senate the following communication from the President of India, which was referred to the Committee on Foreign Relations:

NEW DELHI, INDIA,
July 30, 1964.

We are deeply touched by the Senate Resolution No. 333 expressing the sorrow of the Senate of the United States on the death of our late Prime Minister Jawaharlal Nehru. On behalf of the Government and the people of India and on my own behalf I convey to the Honorable Senators our sincere thanks for their expressions of sympathy and generous reference to the services of Jawaharlal Nehru in the cause of world peace. We can assure the Senate and the people of the United States of America that the friendship and cooperation between our two countries, founded on our common ideals of democracy, social justice and human dignity, will be further strengthened in the interest of world peace and progress.

M. SHASTRI,
President of India.

EXECUTIVE COMMUNICATIONS, ETC.

The **ACTING PRESIDENT** pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON PUBLIC UTILITY CONTRACT NEGOTIATED BETWEEN AGRICULTURAL RESEARCH SERVICE AND POTOMAC ELECTRIC POWER CO.

A letter from the Acting Secretary of Agriculture, reporting, pursuant to law, on a public utility contract negotiated between the Agricultural Research Service and the Potomac Electric Power Co.; to the Committee on Agriculture and Forestry.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on rent-free use of Government-owned facilities in production of commercial aircraft engines by Pratt & Whitney Aircraft Division of United Aircraft Corp., East Hartford, Conn., Department of the Navy, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on inadequate management action to review and adjust compensation benefits to veterans when standards for evaluating disabilities are revised, Veterans' Administration, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on failure to use excess Air Force aeronautical instruments to satisfy Navy needs, Department of Defense, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on overprocurement of ammunition by the U.S. Marine Corps, Department of the Navy, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on uneconomical clothing procurement practices, Atomic Energy Commission, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on combat capability of vehicles impaired and unnecessary procurement costs incurred because of lack of repair parts support by the Army Tank-Automotive Center, Department of the Army, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on failure to use available Government-owned housing at Fort Leonard Wood, Mo., Department of the Army, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unauthorized assistance to seemingly nondepressed areas under the Public Works Acceleration Act and the Area Redevelopment Act, Area Redevelopment Administration, Department of Commerce, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report relating to deficiencies in the military assistance program for the Spanish Army (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on procurement of unneeded spare assemblies resulting from negligence of the Raytheon Co., Lexington, Mass., Department of the Army, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs resulting from Government production of M-60 machineguns and repair parts rather than procurement from the commercial source, Department of the Army, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary cost to the Government through the leasing of electronic data processing systems by Lincoln Laboratory, Massachusetts Institute of Technology, Lexington, Mass., Department of the Air Force, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on cost of welding equipment improperly included in price redetermination proposal under contract with Ford Motor Co., Dearborn, Mich., Department of the Army, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAMES

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the names of Lai Wai Chin, also known as Lai Wai Dock, David Chin, Shuet Fong Hui, also known as Shuet Fong Dock, Virginia, Shuet Fong Dick, and Yok Gin Mark, also known as Joe Yok Gin, from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on August 1, 1963; to the Committee on the Judiciary.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate the petition of Harry F. Cruz Rodriguez, of Camuy, P.R., praying for a redress of grievances, which was referred to the Committee on the Judiciary.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. GRUENING, from the Committee on Interior and Insular Affairs, with an amendment:

S. 1984. A bill to amend the Mineral Leasing Act regarding the timely payment of rentals, and for other purposes (Rept. No. 1518).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 3160. A bill to modify the flood control project for the Kaskaskia River, Ill., with respect to certain requirements for local cooperation; to the Committee on Public Works.

(See the remarks of Mr. DIRKSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS:

S. 3161. A bill for the relief of Roger Robert Baudry; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 3162. A bill to amend section 105(a) of the Legislative Branch Appropriation Act, 1965, with respect to the disclosure in reports required thereunder of the names of persons who have appeared as witnesses before committees sitting in executive session; to the Committee on Rules and Administration.

By Mr. LONG of Louisiana (for Mr. HARTKE):

S. 3163. A bill for the relief of Mrs. Athanasia Dagniantis; to the Committee on the Judiciary.

RESOLUTION

AMENDMENT OF RULE RELATING TO REFERENCE OF BILLS, AND SO FORTH

Mr. THURMOND submitted the following resolution (S. Res. 366); which was referred to the Committee on Rules and Administration:

Resolved, That rule XIV of the Standing Rules of the Senate is amended to read as follows:

"RULE XIV

"Bills, joint resolutions, and resolutions

"1. Whenever a bill or joint resolution shall be offered, its introduction shall, if objected to, be postponed for one day.

"2. Every bill and joint resolution shall receive three readings previous to its passage, which readings shall be on three different days, unless the Senate unanimously direct otherwise; and the Presiding Officer shall give notice at each reading whether it be the first, second, or third: *Provided,* That the first or second reading of each bill may be by title only, unless the Senate in any case shall otherwise order.

"3. No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it shall be referred to a committee; bills and joint resolutions introduced on leave, and bills and joint resolutions from the House of Representatives, shall be read once, and may be read twice, on the same day, if not objected to, for reference, but shall not be considered on that day nor debated, except for reference, unless by unanimous consent.

"4. Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed on the Calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading shall be referred to a committee.

"5. The Secretary of the Senate shall examine all bills, amendments, and joint resolutions before they go out of the possession of the Senate, and shall examine all bills and joint resolutions which shall have passed both Houses, to see that the same are correctly enrolled, and, when signed by the Speaker of the House and the President of the Senate, shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States and report the fact and date of such presentation to the Senate.

"6. All resolutions shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct."

MODIFICATION OF FLOOD CONTROL PROJECT FOR THE KASKASKIA RIVER, ILL.

Mr. DIRKSEN. Mr. President, I introduce, for appropriate reference a bill to modify the flood control project for the Kaskaskia River, Ill., with respect to certain requirements for local cooperation.

The Secretary of the Army and the Board of Engineers for Rivers and Harbors recommended that the project for the Kaskaskia River, authorized by the Flood Control Act, approved July 3, 1958, be modified to delete therefrom the requirement that local interests make a cash contribution to the cost of the levees between Cowden and Vandalia, Ill., except that they make a cast contribution equal to the full cost of acquisition of flowage easements on those lands acquired by the United States, which upon completion of the levee in the district No. 22, will not be required for construction, operation, and maintenance of the Carlyle Reservoir.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3160) to modify the flood control project for the Kaskaskia River, Ill., with respect to certain requirements for local cooperation, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on Public Works.

AMENDMENT OF TITLE 10, UNITED STATES CODE, TO VITALIZE THE RESERVE OFFICERS' TRAINING CORPS (AMENDMENT NO. 1249)

Mr. NELSON submitted amendments, intended to be proposed by him, to H.R. 9124, to amend title 10, United States Code, to vitalize the Reserve Officers' Training Corps programs of the Army, Navy, and Air Force, and for other purposes, which were ordered to lie on the table and to be printed.

SOCIAL SECURITY AMENDMENTS OF 1964—AMENDMENTS

AMENDMENT NO. 1250

Mr. DODD. Mr. President, I submit and ask to have printed, an amendment to H.R. 11865, the bill to increase and in other ways liberalize the Social Security Act.

The purpose of my amendment is simply to restore to H.R. 11865 the section extending social security coverage to self-employed doctors. As my colleagues know, the Senate Finance Committee deleted this section when it considered the House bill.

I will make the case for this amendment in detail when it is brought up for consideration by the Senate. But I would like to make a few preliminary observations at this point.

Physicians are the only professional group that does not enjoy social security coverage. The reason why this coverage has never been extended to doctors is that the house of delegates of the American Medical Association officially opposes it.

Now, if the doctors of this country, because of circumstances peculiar to their profession, really did not want social security coverage I would not seek to press it upon them. But all of the information that I can obtain indicates that the great majority of doctors do want social security.

In 27 States polls have been taken among doctors by their respective State medical societies. In 19 of these States, which represent more than half of the voting strength of the house of delegates, a majority of the doctors voted for inclusion under social security. In the State of Connecticut, 73 percent of the doctors favored coverage. In only 8 States have doctors voted against social security coverage.

Thus, there is no real reason why doctors should remain outside the social security system.

I offer this amendment because I know from personal knowledge that there are many doctors who need the protection of the social security system for themselves and for their families.

My argument is as simple as that. I hope we will close this one last remaining gap in our social security system.

I hope my colleagues will join me in support of this amendment when it is brought up for consideration.

I ask unanimous consent that the amendment be held at the desk until the close of business today, in order for other Senators to cosponsor it, if they so desire.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and will lie on the table; and, without objection, the amendment will lie on the desk, as requested by the Senator from Connecticut.

AMENDMENT NO. 1251

Mr. McNAMARA submitted amendments, intended to be proposed by him to the amendment (No. 1233) proposed by Mr. RIBICOFF to House bill 11865, supra, which were ordered to lie on the table and to be printed.

ADDITIONS TO FEDERAL PAYROLL

Mr. WILLIAMS of Delaware. Mr. President, on August 5, I placed in the RECORD a report showing that from January to June 1964, a period of 6 months, this administration had added 7,948 new employees to the Federal payroll.

Later, on August 21, my good friend, the Senator from Minnesota, claimed that I was in error on this report. He tried to claim that the Johnson administration had actually reduced employment. What he did was to include 14,000 additional employees who had been added for the Christmas holidays but who were removed in the month of December. This has nothing whatever to do with the figures for the 6-month period of this calendar year.

The record stands, based upon the report issued by the chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, the Senator from Virginia [Mr. BYRD], that in January 1964 the civilian employment total was 2,473,546. At the end of June 1964 the total was 2,481,494, or an increase of 7,948 for these 6 months—an average of more than 1,200 a month.

These figures completely refute the administration's claim of a reduction in Federal employment.

To prove that point further let us go back to January 1, 1961, when the Kennedy-Johnson administration first took office.

On January 1, 1961, total civilian employment of the Federal Government was 2,352,837. In June 1964 it was 2,481,494. This is an increase over the 42 months of the Johnson and Kennedy administrations of 128,657 new employees. That is an average increase of over 3,000 new employees for every month the Kennedy-Johnson administrations have been in office, or an increase of 100 new employees added to the public payroll for every day—365 days in the year—if we figure on the basis of a 5-day working week, for the Government.

The computation shows the addition of 150 Federal employees a day, 18 every hour, or a new employee every 4 minutes the Kennedy and Johnson administrations have been in office.

It is a farce for the Johnson administration to claim a reduction in Government expenditures.

This is the most extravagant administration ever to assume control of this Government, and no amount of juggling of statistics can prove otherwise.

To support further the charge that our payroll is at an alltime high I quote an article appearing in today's issue of the Washington Daily News entitled "BYRD Reports New Payroll Peak":

> Senator HARRY F. BYRD, Democrat, of Virginia, said today the cost of the civilian payroll in the Federal Government was at an alltime high at the end of the last fiscal year. He said it totaled $16.20 billion, $858 million higher than the preceding fiscal year. The Virginia Democrat is chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures.

ORDER FOR ADJOURNMENT UNTIL TOMORROW AT 10 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it adjourn to meet at 10 o'clock tomorrow morning.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AS WE SEE IT: THE CASE FOR LYNDON B. JOHNSON

Mr. SYMINGTON. Mr. President, it is with pleasure and pride that I notify the Senate today what I am sure many of my colleagues already know—namely, the fact that yesterday, in a magnificent editorial, the Kansas City Star, one of the world's great newspapers, endorsed without reservation the candidacy of President Lyndon B. Johnson.

It is our understanding this is the first time this great newspaper has endorsed a Democrat for the Presidency since Grover Cleveland.

The editorial entitled, "As We See It: The Case for Lyndon B. Johnson" speaks for itself, and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AS WE SEE IT: THE CASE FOR LYNDON B. JOHNSON

> These are dangerous and still-troubled times for all of us, times that demand the most careful and prudent leadership both in our affairs at home and in the world.
>
> Abroad, the family of nations grows. New countries emerge in the ferment of freedom, often without the sense of responsibility that is essential to world stability.
>
> On new battlegrounds and old, freedom continues its struggle against communism in that spasm of history that is called the cold war. The drama plays on, with the omnious threat of nuclear holocaust ever a part of the plot.
>
> At home our great struggle is over what loosely is termed civil rights. But the term is an oversimplification. It is a problem of race. It touches upon traditions and a way of life. It borders on economics and the persistently high rate of unemployment that particularly affects Negroes. There has been no internal challenge of such proportions since the Civil War.
>
> Abroad and at home, it is a time in which national decisions must be weighed carefully and made judiciously. We refer not only to the decisions that our elected leaders may make, but also to the millions of individual decisions to be made by the voters in November. As citizens, they have a meaningful duty to discharge.
>
> Believing this in all conscience, the Star is making its decision, as each of its readers must do. The conventions are past, the platforms written. The issues are joined. Unhesitatingly, this newspaper supports the candidacy of President Lyndon B. Johnson.
>
> We are convinced that the cause of world peace would be better served by Mr. Johnson and his foreign policy, with its roots deep in both Democratic and Republican administrations. It would be safer to keep his finger on the nuclear trigger than to place the awesome responsibility on Senator GOLDWATER. We frankly fear that the Goldwater philosophy, transformed into presidential policy, might plunge the world deeper into the uncertainty of greater international tensions.
>
> Of course, no one can be wholly satisfied with the rate of progress toward peace and world understanding. All of us share the frustrations of this atomic era. But inch by inch there has been progress. In the Goldwater makeup, in the GOP platform, in the candidate's statements, we see every reason to fear an end of such progress and, in fact, a period of retrogression with increased tensions.
>
> Let us put it another way, and bluntly: We believe that to entrust the peace to a Goldwater administration would be an unnecessary and undesirable gamble for the Nation to take.
>
> On the domestic front, civil rights is the overriding issue. It is pointless to hope that it can be kept out of the campaign. It is dangerous to ignore the explosiveness of the issue. And it is unduly optimistic to see any lasting solutions for years to come.
>
> Here, then, is a point of the utmost relevancy to the Goldwater candidacy: should he win, he would unquestionably do so with the support of the extreme segregationist groups of the South and with the backing of those groups, North or South, that place the Negro inside their circle of hate.
>
> We believe that BARRY GOLDWATER is as determined as any other man to solve this

problem. But as President, could he? We are not at all certain, for his election itself could create division, not unity. Support from the extreme racists would inevitably transform itself into pressure on the President—pressure for actions that could destroy the uneasy bridges of understanding between the races.

By contrast, President Johnson has been a strong leader in the civil rights cause, despite his Texas background. Because of that background, he has a kinship to the whole South and is better equipped to understand its problem. Regardless of the convention outbursts from the South, the Star believes that, for the long pull, Mr. Johnson would be much more effective in solving the racial problem than would his opponent.

He is entitled to his views. In our judgment he means what he says. And frankly, we think he has said too much.

We are bothered by that unbending insistence that he is, in all cases, absolutely right, that he has simple answers to all questions. We have seen nothing that indicates moderation on the part of BARRY GOLDWATER—and we do not except that unity meeting in Pennsylvania. Such inflexibility, as we see it, does not belong in the White House. He has shown no comprehension of the art of compromise which is essential to the functioning of government. Consider, if you will, the Senator's record:

He stood with the very few lawmakers who voted against ratification of the test ban treaty that was a first if feeble step toward the distant goal of real peace.

He voted against the tax bill even though a large majority of his own party favored the measure.

In the cloture vote and in the final action on civil rights, BARRY GOLDWATER was in the "No" column—again, one of but a very few in the GOP.

We cite merely a part of the record. But there is, here, evidence to prove that this is a very opinionated man who sticks by his opinions, whatever the cost. Now we have heard a lot of quibbling over word meanings and the like since the Republican Convention, and it probably hasn't meant much. But it is one thing, we suggest, to have convictions; it is another to be opinionated. The latter describes the man in whom there is conviction carried to a potentially dangerous extreme.

You may, of course, admire conviction when it is described as political guts. But you may also see in the record of consistent opposition a demonstrated inability to work with people to get things done—even with members of the Senator's own party. How, we wonder, could BARRY GOLDWATER work with other world leaders? Where would such a lone-wolf attitude take us?

We regard this election as the Nation's business, not Europe's. Nevertheless, the Star can see why the Western nations should get the chills at the mere nomination of BARRY GOLDWATER. Without falling back on the overused cliches—"shooting from the hip" and the like—we see, in the Goldwater philosophy and method of operation a recklessness that gives us the chills too.

One instance in point. When Castro shut off the water to the Guantánamo base the Goldwater reaction was to send in the Marines. In fact, Washington had prepared for such an emergency. Today the water has not been turned on. The base is self-sufficient. The United States has not retreated. Nor has it unnecessarily risked nuclear war.

We would not place undue stress on one incident. But there have been many others of like nature. And there is the Goldwater approach, reflected in the platform he virtually dictated at San Francisco. Should that platform become reality in the Goldwater spirit, we would foresee a setback in the search for peace. It seems to assume that it is impossible to work with the Communists in any way or to negotiate with them. It raises questions on cooperation even with our allies. It places the major stress on military might, not on firm but prudent diplomacy.

Similarly, that defense of—or apology for—extremism in the acceptance speech made us wonder precisely what road this Nation might be forced to travel with BARRY GOLDWATER as its leader. Here, we must note that on the surface, the Senator seemed conciliatory at Hershey, with his profession of faith in the Eisenhower way. But was it the real GOLDWATER? Or was the real GOLDWATER the man who left San Francisco flush with the victory of the rightwing takeover of the party? The man who made that amazing acceptance speech?

We need not debate whether the speech—and the defense of extremism was, of course, the real essence of it all—was a political blooper. But this we do know: The unity conference at Hershey was necessary because the words of the nominee at San Francisco were so open to adverse interpretation. We cannot buy a presidential candidate who so consistently uses language that he needs later to explain—or others need to explain for him. Clarity of mind, expression and thought are essential for a President. We cannot afford a Chief Executive who, later, would have to explain precisely what he meant. In this world of cold war, that would be dangerous indeed.

We recognize the American tradition of rallying around each new President. Undoubtedly there would be, in the terminology of politics, a "honeymoon" of sorts for BARRY GOLDWATER, should he be elected. Nevertheless, we foresee many difficulties for him. Above all else, he would face world and national leadership with the forces of hate from both extremes intensified rather than lessened.

Moreover, it seems to us that Lyndon B. Johnson deserves election on the record he has made in the months since an assassin's bullet tragically struck down John F. Kennedy. What a crisis Mr. Johnson faced at that time. He has, we believe, dealt with it masterfully.

This is not to say that we go along with everything Mr. Johnson has done or says that he will do. Most certainly we do not.

But we were impressed in the days of transition from the Kennedy to the Johnson administration and we have continued to be impressed. In the manner of an old pro, L.B.J. convinced the 88th Congress, which had been on a virtual sitdown strike in its first session, that certain actions were essential in the national interest. Mr. Johnson got the country moving again.

In the foreign field—and in this area we were admittedly uncertain of his leadership—the President has demonstrated his ability to serve effectively as the Nation's spokesman. All in all, his performance as a Chief Executive thrust suddenly onto the world stage has inspired confidence both in Lyndon Johnson and in the United States.

The latest test of the Johnson leadership came in Vietnam, when Communist PT boats attacked U.S. ships not once but twice. In the first instance, there was a Presidential warning; when that was ignored and the attack was repeated, the United States struck back with a pinpoint demonstration of military power which left no doubt that this country meant business. And even as the bombs were falling, the White House had started the diplomatic moves designed to keep local confrontation from becoming world conflagration.

It was firmness coupled with "prudence." And that word, we suggest, belongs without qualification with another essential word of our times: "Preparedness."

It seems significant to us, too, that Mr. Johnson's critics have made such a point of assailing him as a man who tries to work both sides of every political fence, to be all things to all people. Particularly at this time, we believe his talent for compromise to be an asset. We cannot afford a divided country, and Mr. Johnson has displayed an ability to draw Americans together, to be the President of all the people.

Thus, the case for Lyndon Johnson. What of the case against BARRY GOLDWATER, as we see it?

Certainly we do not dislike the Senator. We cannot accept the line of those who say he is a phony or a demagog. Unquestionably, Senator GOLDWATER is totally sincere.

Thus, the choice is proposed, and the Star has made its choice. In taking this position, we believe that we are in line with the traditional thinking of this newspaper, even though the Star has generally supported Republican candidates for the Presidency.

The Star has never made any pretense at being a "liberal" newspaper. We have believed consistently that the country could be served best by a philosophy of moderate conservatism.

In the distant past, this newspaper opposed populism when it was on the move throughout our territory. It supported sound money principles and the gold standard through the years of William Jennings Bryan. In 1912, when business seemed to be gaining too much power, we did not hesitate to follow the Bull Moose of Theodore Roosevelt.

In the New Deal era we stood fast against extreme liberalism and left-wing extremists. Consistently, we have opposed Ku Kluxism, that frightening symbol of internal hatred, even as we have spoken out against John Birchism and the hate groups of today.

On civil rights, we have supported that movement in the name of justice and morality, while denouncing lawlessness on the part of any racial group, white or Negro. We will continue to speak forthrightly, whether in criticism of the reckless white segregationist of the South or the reckless Negro integrationist of the North.

Let it be known that in supporting President Johnson, we are not buying the Democratic Party as such, nor its platform. The Star will continue to make its decisions on State and local candidates as it sees each situation, irrespective of the national election.

We do not condone the Bobby Baker scandals, any more than we did similar scandals of the Truman and Eisenhower administrations. We believe that Congress has been woefully neglectful in protecting itself against a repetition of such sordid affairs. We are not convinced that the Baker investigation has been as thorough as it ought to have been.

We will go even further: We wish the Johnson family were not in the television business. Not that there is anything wrong with that business. Undoubtedly, by placing his properties in trust when he became Chief Executive, the President in his own mind removed any possibility of a conflict of interest. Nevertheless, the Presidency is such a precious thing in our system that it should at all times be above reproach or even the slightest whisper of undue advantage.

Having said all this, and promising frank criticism of Mr. Johnson's campaign and administration when we feel it necessary, we restate the case: On the record and on his demonstrated capacity for leadership both at home and abroad. The Star believes that the President deserves 4 years more in the White House.

As a newspaper, we hope that the campaign will be conducted without a spewing of hatred by extremists on either side, without bitter divisiveness, without damage to the national morale that might take so many years to repair. We hope that the campaign somehow will leave a nation strong and united, not weakened and divided.

> For obviously there are many things on which all of us can agree. We know that any sacrifice must and will be made in defense of freedom and we know that our Nation must be strong militarily, economically, and spiritually. These are truths for this election and for any election.
>
> And there is another truth to which we hold with firm conviction. Each candidate should be given a full and fair hearing. Let the campaign be hard hitting, as determined as each contender would make it. But we hope that it will at no time degenerate into brawls, disorderly demonstrations, picketing and the like. This is a vital election to be held in the American way. The American way means fair play for both men.
>
> On our part, while we support President Johnson, we shall do everything possible to print the news of the campaign fairly and objectively. We will, in statements of editorial opinion, call the shots as we see them. That is our duty as a newspaper. And that, too, is a part of the American way in an American campaign.

Mr. **AIKEN** subsequently said: Mr. President, I listened with interest to the statement of the senior Senator from Missouri [Mr. SYMINGTON] in which he reported that the Kansas City Star, after a lapse of 72 years, had decided to support another Democratic candidate for President.

I had not been born very long when the Kansas City Star decided to support Grover Cleveland. But I remember for a generation thereafter my father telling me what happened after Cleveland was elected. The farmers of the community became destitute. My father had to sell his best sheep for $3 a piece and his lambs for 50 cents—not 50 cents a pound but 50 cents per lamb. The price of butter dropped to a few cents a pound. Tobacco and apples were hardly worth harvesting, and eggs sold for only a few cents a dozen. A real depression swept the country.

I rise now to express the fervent hope that history will not completely repeat itself.

EXTENSION OF INTERSTATE HIGHWAY SYSTEM THROUGH SOUTHWEST MISSOURI

Mr. **SYMINGTON**. Mr. President, the people of the United States are very proud of their Interstate Highway System. The people know that this system facilitates the security as well as the prosperity of our Nation. Seldom has any project received such wholehearted approval of all concerned.

Nevertheless, a network map of the present system discloses a vast "blank spot" in the Midwest.

To the east, Interstate 55 extends from Chicago to St. Louis, then follows the Mississippi River as far as Memphis; then veers into midstate Mississippi, through Jackson to a terminus at New Orleans.

To the west, Interstate 35 originates at Duluth, passes through Minneapolis, Des Moines, and St. Joseph to Kansas City, then swings sharply west through Wichita, Oklahoma City, Dallas and Houston, to the gulf coast at Galveston.

Between these two interstate routes—55 and 35—the distance from Memphis to Oklahoma City is 490 miles; from Dallas to Jackson, 415 miles; and, therefore, clearly there is a need for a third north-south route.

Interstate 29, which has its beginnings in North Dakota, nevertheless terminates abruptly at Kansas City.

Noticing this "blank spot" in the Interstate System many prominent people in the areas involved, including from my State, Kenneth Krakauer, president of the Kansas City Chamber of Commerce, and Mr. C. W. Johnson of the Springfield Missouri News & Leader, have led in work on a proposed new four-lane interstate highway. After study, I am confident that this proposal will receive the approval of the Congress, the administration and the people.

To me, the logic behind extending Interstate 29 southward through the heart of the "blank spot" existing in the central United States is unanswerable. The "four lanes" would join Kansas City, St. Joseph, and cities of the upper Missouri Valley with New Orleans, by way of Springfield—the Joplin area down to Baton Rouge—a total distance of approximately 950 miles.

This proposed new highway would also funnel traffic from the Midwest and Northwest to the gulf and Florida.

At the north end of the proposed construction is Kansas City with a population of 1,040,000—at the south end would be New Orleans, population 970,000.

We in Missouri are very grateful for the recent decision to join the southeast side of our State with Tennessee by constructing a bridge between the Hayti-Caruthersville area of our State, and Dyersburg. Based on past history, we know well what this bridge will do for the future of the economy of our famous 10th district and the entire State.

In the southwest part of Missouri, however, we have the above problem, accentuated because of a heavy traffic increase resulting from the completion of such developments as the Table Rock and Pomme De Terre Dams. This traffic can only further increase heavily when such additional developments as the Stockton and Kaysinger Dams are completed.

I recognize there is not enough mileage left in the Interstate System to justify this development, but am confident that my colleagues, and all other fair-minded people will agree that the already proved benefits of the interstate in other parts of the country should be added to this area, for the Nation's benefit and in order to eliminate this "blank spot."

I recognize the difficulty, under present circumstances, of obtaining legislation on this matter at this session. I therefore plan to introduce legislation immediately upon the start of the next session so as to obtain the additional interstate mileage in question.

In the meantime, let all of us who are interested in this worthy project continue to gather facts and figures prior to further discussion with the very able Rex Whitton, Federal Highway Administrator.

ESTABLISHMENT OF COLUMBUS DAY AS A NATIONAL LEGAL HOLIDAY

Mr. **DIRKSEN**. Mr. President, I received a letter from His Excellency, the Spanish Ambassador, who has taken careful account of the discussion, both in the committee and in the Senate Chamber, on the resolution that would provide that October 12 be designated as Columbus Day and be made a national, legal holiday.

I recite one paragraph from his letter. It reads as follows:

> I should like, however, to point out that I have followed closely all of the relevant speeches and statements reproduced in the CONGRESSIONAL RECORD—particularly in the issues of August 14 and 15—and have noted that in none does the name of Spain appear, nor is there any reference to Spain's extraordinary contribution to the great feat of the discovery.

Mr. President, I ask unanimous consent that the entire letter from the Marquis of Merry del Val under date of August 26, 1964, be printed at this point in the RECORD. It does set forth some items of history that would be of interest.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> WASHINGTON, D.C.,
> *August 26, 1964.*
>
> MY DEAR SENATOR DIRKSEN: I am taking the liberty of writing you with regard to recent legislation passed by the U.S. Senate to establish the 12th of October, Columbus Day, as a national holiday.
>
> As the representative of Spain to the President of the United States, I am naturally very gratified by this step which provides an opportunity, subject to House approval, for the President to affirm a law by which this country will unite with all those of Spanish heritage which in 1912, at the initiative of the Argentine President, Hipólito Irigoyen, decreed this day a national holiday.
>
> I should like, however, to point out that I have followed closely all of the relevant speeches and statements reproduced in the CONGRESSIONAL RECORD—particularly in the issues of August 14 and 15—and have noted that in none does the name of Spain appear, nor is there any reference to Spain's extraordinary contribution to the great feat of the discovery.
>
> For quite evident reasons which I do not think necessary to detail, this unique event in the history of the universe has become so remote in many sectors of American thought that the country which made the event possible has not been appropriately credited for it.
>
> This phenomenon, quite understandably, rankles deep in the hearts of some 40 million inhabitants of the Iberian Peninsula and in those of countless millions of their decendants south of the Rio Grande who live in this New World discovered by their ancestors.
>
> The pretext for this appears to have been based on the much discussed question of the birthplace of Christopher Columbus, irrespective of the fact that countless historians and researchers who have dedicated themselves to the matter have never been able to solve the mystery of the birth and family background of the great navigator.
>
> Neither the Archives of the Indies in Seville, which contain an amazing wealth of documents concerning the discovery, conquest and colonization of the Americas, nor those in the possession of the direct heirs of Columbus, the Dukes of Veragua, searched thoroughly though they have been through

the centuries, have yielded any clue whatsoever to this enigma.

Besides Genoa, Majorca, Cataluna, and even Galicia make claim to being the birthplace of the Admiral of the Ocean Sea, and around his perplexing origin have been woven the most fantastic legends in which he is variously described as a wool merchant of Jewish descent, a pirate or corsair preying on the ships of Genoa, a mountebank or adventurer, and even a rebel against his leige and master, the King of Aragon.

For reasons best known to themselves, Columbus, and after him his sons and grandsons, eliminated with great care and meticulous zest every shred of evidence which could have served to trace their origin and that of their family. It is as if they wished in life to repudiate one and all of those claims to which I refer—perhaps with the intention of destroying for all time something in their past which they thought detrimental to themselves and to the prestige they had acquired after the discovery of America.

Whoever Columbus was or where he came from is a question of secondary importance in the light of his achievements which are not fiction but well proven and established historical facts.

From the very moment that this navigator, poor and unknown, knocked at the door of the sleepy, peaceful monastery of La Rabida, all that was mysterious and problematical in his life henceforth becomes clear and certain. At that instant, whatever Columbus may have been is suddenly immaterial—legend gives way before reality. He enters through the wide portals of history and posterity and is integrated forever in the life of Spain.

Each and every one who helped and aided him in his vast enterprise, from the wise monks of La Rabida and Salmanca, to Queen Isabella herself, the conselors of the kingdom of Castile, the humble fishermen, the pilots, cartographers, the shipbuilders, and the crews of the frail caravels, were without a single exception Spaniards. All were galvanized by the dream of the great adventure which their compatriot by birth or adoption was able to conjure up before them with the magic of his eloquence.

It is hardly surprising that Spaniards do not and cannot honor the memory of a Columbus of uncertain or nebulous origin. Instead, we render homage through the centuries to a man whose person is defined by the severely scrupulous light of history—admiral of Castile, viceroy and captain general of the Indies he discovered for Spain, whose proud motto on his personal coat of arms proclaimed: "To Castile and to Leon a New World gave Colon."

I would like to feel that the Congress of the United States, in establishing Columbus Day as a national holiday, intends not only to pay homage to Columbus—in itself a worthy act—but also to honor those who contributed so much in bringing Western civilization to this continent. In this initiative—and specifically in what refers to the current territory of the United States—Spain's participation was extraordinary and magnificent, as publicly acknowledged by the late President Kennedy in a speech given at a convention of the Inter-American Archivists on October 24, 1961, and by the then Vice President Johnson on March 11, 1963 in St. Augustine at a banquet commemorating the discovery of Florida by Ponce de Leon.

The Spanish heritage in this country is one of the greatest among those which today blend to form the United States, and it is a source of great satisfaction to me to note the growing movement in this country to recognize this contribution. The symbolical observances which will be held during 1965 in St. Augustine, Fla., the oldest city in the United States, on the occasion of the 400th anniversary of its founding by the Spanish admiral, Pedro Menendez de Avilés, is but one example.

The 12th of October is memorialized in Spanish-speaking countries as the date uniting them for all time to each other and to Spain, their mother country. In the United States, a nation in which the Spanish presence, historical and current, is so strong (the many Puerto Ricans in New York, the Mexicans in the South and Southwest, the Cubans throughout the country and particularly concentrated in Florida) I feel it would be particularly desirable if the 12th of October, in addition to eulogizing Columbus, were to become a symbol of that union whose attainment is the goal sought by the Alliance for Progress.

Being aware of your strong sense of justice coupled with a great love of country, I have addressed my remarks to you, Mr. Senator, with the hope that you will recognize the validity of the sentiments of the many citizens of Spanish descent who populate your great nation, as well as those of the other countries of the Americas and Spain, and with the assurance that once the facts were made known to you, you would, if possible, undertake to rectify those oversights which you deem necessary.

Should you feel it propitious to forward a copy of my letter to the chairman of the House subcommittee charged with these matters, or to circulate it among your colleagues, I would be most happy to have you do so.

Thank you very much for your kind attention and with expression of my highest consideration, I am,

Sincerely yours,

Marquis of Merry del Val.

TWO OF LARGEST NEWSPAPERS OF TEXAS ENDORSE PRESIDENT JOHNSON FOR REELECTION

Mr. YARBOROUGH. Mr. President, two of Texas' largest and most influential newspapers have joined the swiftly growing list of the newspapers of America in giving unqualified endorsement to President Lyndon B. Johnson for election to the Presidency on November 3.

The papers are the Dallas Times Herald, of Dallas, Tex., and the Houston Post, of Houston, Tex. These endorsements came in editorials published Sunday, August 30, following the Democratic National Convention and the selection of Senator Hubert H. Humphrey, of Minnesota, as the vice-presidential nominee, a choice assuring this Nation of in-depth leadership of the highest quality. These two newspapers supported Vice President Nixon for the Presidency in 1960. They are now supporting the Democratic nominees.

Mr. President, I ask unanimous consent that these editorials, published in Texas while the President and vice-presidential nominee, Senator Humphrey, were in our State for the weekend, be published in the Congressional Record. The articles are: "Lyndon B. Johnson," from the Dallas Times Herald, August 30, 1964, and "For a Better U.S.A.—Vote for L.B.J.," from the Houston Post, August 30, 1964.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Dallas (Tex.) Times Herald, Aug. 30, 1964]

Lyndon B. Johnson

In the critical hours of history nothing can replace leadership—built upon courage to make decisions born of wisdom and experience.

It is the studied conviction of the Times Herald that Lyndon Baines Johnson is possessed of the strong threads that make a President. We feel that he should be retained by the people in the November election.

It is with considerably more than sectional pride that we endorse a native Texan. It has little to do with the decision.

President Johnson is qualified. His abilities have been tested over the years as a Member of the House of Representatives, as Senate majority leader, as Vice President, and as President.

Lyndon Baines Johnson is tough, but he is tolerant. He is loyal to the party, but he has been a bipartisan giant in the darkest hours. He is a fierce driver who never slackens pace until a goal is attained, but he will heed opposition voices.

Master politician? Yes—but he plays the roughest role the world has ever known as President of the United States and he can outmaneuver evil forces that would trick, betray, and destroy us.

No one has ever accused Lyndon Johnson of being afraid of anything. But neither have they ever accused him of impetuous, impulsive action in the fire of controversy. He acts quickly, but he acts with knowledge and with tactical skill.

The United States must be the strongest force in the world and it must have a President who will use the greatest caution in handling that strength. He must be prepared to assure a free world that the United States will act in total strength—but he can not be impulsive.

President Johnson took his baptism on that score with quick, sure action in the Gulf of Tonkin.

He is a man who gave reassurance to industry and labor alike that he would deal impartially with the industrial life of this Nation when he accomplished what other Presidents had not achieved in successfully getting the railroads and unions to settle differences without strife or strike.

He is a man who sponsored the civil rights legislation, but he is also a President who stood before the Nation and warned that he would bring down the Federal fist upon lawless forces who wantonly violate those rights in illegal mob violence.

He is a man dedicated to peace. His record is long and brilliant in that endless quest, both as Senate majority leader, Vice President, and President.

Lyndon Baines Johnson is a Texan, yes. But more importantly he is a leader who knows how to carry the burdens of the Presidency for all Americans—and the frightened peoples of the world.

[From the Houston (Tex.) Post, Sunday, August 30, 1964]

For a Better U.S.A.—Vote for L.B.J.

The Presidency of the United States is a unique office. It combines the functions of chief of state, head of Government and party leader.

It therefore imposes upon the man who occupies the office unique burdens, chief among them that he must be President of all the people of the United States, not simply those who happen to belong to the party he heads.

The President represents the aspirations of all the people: The hope of citizens of blighted Appalachia for a life above the subsistence level, the hope of city dwellers for an environment free of violence, the hope of each citizen to be treated on his own merits by the society in which he lives, the hope for a stable economy that is essential to all our other hopes, and finally, the hope of men and women the world over for freedom from the fear of the mushroom cloud.

As usual, Thomas Jefferson said it best: "The care of human life and happiness is the first and only legitimate object of good government."

But the President of the United States has not only to represent these aspirations, he has to exercise the leadership to move the Nation in the direction of a better life.

He first has to provide leadership for the Congress by proposing a legislative program designed to meet these needs. He must then continue to use his influence and power to see that his program, or as much of it as possible, is passed by the Congress.

And, if he is a strong President, he inevitably sets the tone of the political life of the country. If he is essentially a positive, progressive man, the history of his administration will be one of continuing effort to solve the problems of our society. If he is obsessed with fear and anxiety and distrust, he will put those stamps on our society.

The choice between the two presidential candidates that the Nation will make in November is nothing less than a choice about the whole basic quality of our national life for the next 4 years.

The choice is a clear one. The Post believes that President Lyndon Johnson is the best qualified to lead this country.

His record in the past 9 months has been impressive. When he became President, the administration's legislative program was mired in a congressional morass. The foreign aid bill was thoroughly entangled in congressional redtape. It took strong and dramatic action to get the bill out of Congress by the year's end. That action was forthcoming.

And President Johnson's legislative leadership has continued firm and sure.

Indeed, virtually all of President Johnson's career as a public servant has fitted him to exercise this leadership. He was the youngest man ever elected minority leader. When the Democrats again became the majority party in the Senate (in 1954), Mr. Johnson became majority leader at a difficult time in our history.

It would have been easy for him to have followed a policy of destructive opposition to the programs of a Republican President.

He did not do so.

He exercised his power in a responsible and constructive way that won him the respect and admiration of all who observed his actions. In doing so he helped the Nation over what could have been a rough time—the 6-year period of divided control of government when the GOP held the White House and the Democrats controlled the Congress.

There have been in the past 9 months the usual number of crises abroad, and President Johnson has met these with the same sort of prompt and effective action.

The North Vietnamese can testify amply to that.

The threatened railroad strike last April yielded to the same kind of firmness and decisiveness.

One of the basic yardsticks by which any administration is judged is the success of its economic policies. In this field, the present administration has had remarkable success. It can point to a 42-month period of economic expansion, unmatched in peacetime history. Moreover, that expansion has been sustained in the face of declining defense expenditures.

The increase in gross national product by $120 billion since January of 1961 is something any administration can be proud of.

President Johnson's record of accomplishment is outstanding by any standard. Were no other considerations involved in this campaign, the record would be the strongest reason for endorsing President Johnson.

But there is an even stronger reason, and that is the issue of what kind of a Nation we really want to be. The issue was well put in these paragraphs from the Democratic platform:

"Of first priority is our renewed commitment to the values and ideals of democracy.

"We are firmly pledged to continue the Nation's march toward the goals of equal opportunity and equal treatment for all Americans regardless of race, creed, color, or national origin.

"We cannot tolerate violence anywhere in our land—North, South, East or West. Resort to lawlessness is anarchy and must be opposed by the Government and all thoughtful citizens.

"We must expose, wherever it exists, the advocacy of hatred which creates the clear and present danger of violence.

"We condemn extremism, whether from the right or left, including the extreme tactics of such organizations as the Communist Party, the Ku Klux Klan and the John Birch Society.

"We know what violence and hate can do. We have seen the tragic consequences of misguided zeal and twisted logic.

"The time has come now for all of us to understand and respect the unity of spirit and purpose from which our future greatness will grow—for only as we work together with the object of liberty and justice for all will the peace and freedom of each of us be secured."

PEOPLE OF STONEWALL, TEX., IN HILL COUNTRY OF TEXAS, GIVE PRESIDENT JOHNSON A GREAT BIRTHDAY WELCOME

Mr. YARBOROUGH. Mr. President, the whole Nation watched on television, the magnificent birthday party which the Democrats gave to our beloved President, Lyndon B. Johnson, at Atlantic City, August 27.

It was my great privilege on Friday, August 28, 1964, to accompany President Lyndon B. Johnson and Senator HUBERT H. HUMPHREY, the vice-preisdential nominee, to Texas, and to witness the great welcome given them and their families in my home city of Austin. It was a stirring, heartfelt welcome in the Texas tradition.

On Saturday evening, August 29, Lyndon Johnson's homefolk gave him a Texas family-style birthday party sponsored by the Gillespie County Democratic Executive Committee at Stonewall.

In the small village of Stonewall, some 5,000 neighbors gathered for a barbecue—not catered, but prepared. The presiding officer, being a westerner, knows what it means when the people dig the pits and barbecue the meat all night long. It was a delicious barbecue. A stirring, heartfelt welcome was extended to the President and his lovely lady, and to Senator HUMPHREY and his lovely wife. The people of that country took Senator HUMPHREY and his charming wife to their hearts as though they were natives.

Mrs. Johnson, Senator HUMPHREY, and the President made some remarks at this enthusiastic gathering of friends. Mrs. Yarborough and I had the privilege of attending that gathering.

I ask unanimous consent that the text of the remarks of Mrs. Johnson, Senator HUMPHREY, and President Johnson be printed at this point in the RECORD.

There being no objection, the texts were ordered to be printed in the RECORD, as follows:

REMARKS OF MRS. LADY BIRD JOHNSON AT A BARBECUE SPONSORED BY THE GILLESPIE COUNTY DEMOCRATIC EXECUTIVE COMMITTEE, STONEWALL, TEX.

Our home folks, this has been a week of 3 o'clock going to bed at night, and early morning "getups." So when we came home, you know how ready we were to soak up the sunshine and the relaxation and the peace of the ranch. And to drive around and to show to Muriel and HUBERT HUMPHREY our home country that they have heard so much about.

They have been here once before, but it has been such a joy to show them the cattle, the hills, the fields, and to brag about the Stonewall peaches. It has been such a tense and exciting time that my husband is—well, he is not quite the relaxed youngster that used to ride that donkey to Stonewall, to school.

But the thought of coming here tonight to be with his own, the people of Stonewall, to welcome them, and to have you meet Hubert and Muriel Humphrey is something that we appreciation deeply. He can understand it because he was born and raised in a little town about this size, too, and there are a lot of little Stonewalls and little—what is the name of yours, HUBERT? Huron, S. Dak.—there are a lot of those little towns all over the United States that we want to work for.

It is especially fun to come and see things that have been a part of our life, the St. Mary's Choir that we have heard on several wonderful occasions in our lives. If I am not mistaken this corsage is made right here in Stonewall, and the poem which is so beautifully heard is a hometown product, too.

Thank you one and all. This is the nicest birthday party anyone could possibly have given us.

REMARKS OF THE HONORABLE HUBERT H. HUMPHREY, U.S. SENATOR FROM THE STATE OF MINNESOTA, DEMOCRATIC NOMINEE FOR THE OFFICE OF THE VICE PRESIDENT, AT A BARBECUE SPONSORED BY THE GILLESPIE COUNTY DEMOCRATIC EXECUTIVE COMMITTEE, STONEWALL, TEX.

Mr. Chairman and fellow husbands: The ladies generally do the speaking in the house, and I generally do the speaking outside the house. But I do want to say how honored Mrs. Humphrey and I are this evening to be here with you, the neighbors and the friends of the President of the United States and his wonderful lovely Lady Bird Johnson.

We have had a wonderful day and a wonderful half afternoon yesterday and evening. I have been soaking up this good Texan sun which is really the kind of vitamins that a man in politics really needs. It stands you well for many days to come. I may have to come back and get refreshed on occasion.

The President has been so kind and considerate of us, and I am sure you all know better than I do and better than Muriel does, that Mrs. Johnson is the most gracious, lovely, and generous hostess that you could ever possibly have. We have had a wonderful time.

I consider that Muriel and Hubert are about two of the luckiest people in the world. We are privileged to be associated with and now to be partners with the President of the United States and Mrs. Johnson. How wonderful could you ever hope to have it. It seems to me that is just about the best that anyone could wish for or hope for. We are going to try to do the sort of things that will at least make you feel that we have done right or well.

I want to say just a word or two about your community. I have asked your chairman this evening about the population of

Stonewall. Frankly, you are a great metropolitan area compared to where I come from. Our home is in Waverly, Minn., presently. We were originally from the plains of South Dakota. I was born in a community of 77. I graduated to a great urban center of 600.

Later on the Humphreys moved to a community of approximately 12,000, but that was too big for us, so we left and now we live in Waverly, Minn., and Waverly, Minn.—one of the great cultural centers of the Midwest—has about 300 people.

We don't have any peaches, however. We have been eating these Stonewall peaches out at the L.B.J. Ranch, and they are simply delicious. As a matter of fact, if you haven't caught on, they are so delicious, I would like to have some from here on out.

Now let me just thank you for what you have done for our President tonight. He has all the burdens of the world. He has all the worries that you and I think of once in awhile, but he has to worry about them and do something about them.

And the wonderful choir that sang for us, St. Mary's, and this fine band—I want to compliment this band and I want to compliment the director of the band. It was wonderful music. And they played the national anthem like we like it.

I want to say that when we came here we were greeted by these three beautiful young ladies, all of whom could qualify for Miss America, 1964. It is just about as nice an evening as you could have. And then you gave us this warm welcome of friendship and fellowship. There isn't anything better than that.

That is the best medicine in the world, no matter how tired you feel, no matter how harassed you feel. There is just nothing like homefolks giving you a warm, friendly welcome. And that birthday card, that is the birthday card of all birthday cards. There will never be anything like that again.

So let me just say to you from the bottom of our hearts, with all the sincerity that we can possibly have, that we, the Humphreys, are very, very happy and honored to be in the presence of the friends of President and Mrs. Johnson.

God bless you.

REMARKS OF THE PRESIDENT

Mr. Stehling, reverend clergy, Senator and Mrs. Yarborough, Congressman Pickle, Mrs. Stehling, Mrs. Weinheimer, the next Vice President of the United States and Mrs. Humphrey, ladies and gentlemen, boys and girls, this is a very nice thing for you to do for us, and we appreciate it very much. We have had a long and exciting week. It is nice to end it here at home among friends that we have known for 56 years. I know that a lot of hard work has gone into this effort that makes this such a pleasant evening for all of us. I want to thank all of you who served on the committee that brought us this barbecue, the fine singing, the good band, the excellent speaker that you will hear a little later, and these distinguished guests.

I need not take any of your time to tell you how much this State and this particular area of the State means to me; I do want to take this opportunity to tell you how proud I am of the people that you send to Washington to help us there do the work that needs to be done for you here. I am particularly proud of Congressman J. PICKLE, who serves the 10th District, beginning down here at the Blanco County line, whose district runs almost to Houston. He has been in Congress only a short time, but he has caught on. He knows his way around Washington; he is doing a good job; he is genuinely interested in making life better for our people; and he has contributed a great deal to the program that we have passed this year that we think will do just that.

If I can have a few more words, I want to take this chance to tell you how proud I am and how grateful I am for the steadfast, courageous support that I have received from Senator YARBOROUGH and his wife, Opal Yarborough. You have heard and you have read that Senator YARBOROUGH and I have had differences at times. I have read a good deal more about them and I have heard a good deal more about them than I was ever aware of. But I do want to say this, that I don't think that Texas has had a Senator during my lifetime whose record I am more familiar with than I am with Senator YARBOROUGH's. And I don't think Texas has had a Senator that voted for the people more than Senator YARBOROUGH has voted for them. And no Member of the U.S. Senate has stood up and fought for me or fought for the people more since I became President than RALPH YARBOROUGH. He is the Democratic nominee of the good Democrats of this State for the 6-year assignment of U.S. Senator. We have one Republican Senator from Texas already, and I am hopeful that all of you who claim to be Democrats, all of you who pretent to be Democrats, all of you who want to be Democrats, all of you who are really good Americans will go out, come election day, and send to Washington to help HUBERT HUMPHREY and me in the program for all the people of this Nation, RALPH YARBOROUGH.

Thank you very much for this nice party. I want to assure you that we are going to have a long and rough campaign. It is not going to be any new adventure for us or any new experience because we have cut our teeth on campaigns for 30 or 40 years around this place. We are not afraid of what we face. We will not indulge in any fear or any smear. We will put the searchlight on and the spotlight out there and we will tell the people what we stand for. In very brief terms, we stand for them. We want prosperity here at home where the laborer is worthy of his hire and where he gets a chance to get decent wages for his work; where the farmer can have stable income, and can enjoy the fruits of this rich land, and educate his children, and provide them with clothes and food and some of the luxuries of life; we want a place where business can prosper and earn a fair return on their investment and a fair profit on their capital that they have put into their venture; we want to build a nation of peace lovers, who do not seek war, but who yearn for peace, but who realize that we cannot build fortress America and put our heads in the sand, and let the rest of the world go by. We do not covet the acreage of anyone else. We seek to dominate no other people. All we try to do is promote peace and harmony in the world, and we like peace so much that we want everybody to have some of it. We don't question the motives of our adversaries; we don't spend the time talking about the people that oppose us. We don't think you are really interested in my personal opinion of the man who may be on the Republican ticket in various places. What you are interested in is what we stand for, what we are going to do about it, how prepared we are to accept the challenge, how experienced we are to render the judgment that will preserve for you the kind of a land that you want to live in. I spent a good many serious evenings studying the problems of this land. and what could confront us the next 4 years. After doing that to the best of my ability, I came to the conclusion that the man and woman with us on the platform tonight could do more to help us to do what you need to have done for you than anyone else that was available.

So I recommended to the Democratic National Convention for their consideration Senator HUMPHREY. I did that after reviewing the recommendations made by the various Presidents that have preceded me for their running mates. I observed that a few Presidents didn't have the privilege of recommending their running mates, and, generally speaking, where they didn't, they had very poor running mates.

So I was glad that after I made my recommendation that at the Democratic Convention, made up of more than 2,000 delegates, there wasn't one single "no" in that hall.

I think that is a great tribute to Senator HUMPHREY and Mrs. Humphrey, and the kind of life they have led.

We bring you no ready-made answers and we don't know the answers to all the problems we have. We have them in various parts of the world tonight. We have serious problems in Vietnam. We have serious problems on the continent of Africa. We have serious problems on the little island of Cyprus that Lady Bird and I visited just a few weeks ago.

Any one of those problems can turn into serious events that would bring great shock to our country. We are doing our dead level best to find the solutions to those problems, and we appreciate the support we have from the people of America.

I particularly appreciate the faith of my home folks. I can't tell you that every decision I make will be the right one. But I can tell you that when I had to issue the order the other day to send the boys off of that carrier with the bombs in their planes to destroy the nests of those PT boats that had fired on our destroyer, that it was an order that I didn't want to give. It was an act that I realized was a very serious act. But I felt that it was in the best interest of this Nation and it was the only course I could follow if I really wanted peace, to let them know that we meant what we said and said what we meant, and we were prepared to back it up and we did that.

We didn't bomb any cities. As a matter of fact, we carefully refrained from doing that. We didn't kill any women and children. We didn't invade any metropolitan areas. We didn't provoke any great nations. We said to them, "You must leave your neighbors alone and you mustn't ever shoot at U.S. destroyers without expecting a reply."

I get a lot of advice and I need a lot, and I seek it all the time. I am very happy that the men on this platform with me tonight are the kind of men that I can counsel with and I can trust. I have had advice to load our planes with bombs and to drop them on certain areas that I think would enlarge the war and escalate the war, and result in our committing a good many American boys to fighting a war that I think ought to be fought by the boys of Asia to help protect their own land.

And for that reason, I haven't chosen to enlarge the war. Nor have I chosen to retreat and turn it over to the Communists. Those are two alternatives that we have to face up to. The third alternative is neutralization in Vietnam. We have said that if any one was willing to come forward and guarantee neutralization, in other words guarantee the independence of these free people and guarantee them security from their neighbors who are trying to envelop them, we would be the first to stand up to the table and say to them, "Show us that you can guarantee their independence and we will salute you and we will be very proud of you."

But there is no country that is willing to do that, that we know of, so neutralization is not very practical at this stage of the game. There are three alternatives we considered.

The fourth alternative is to do what we are doing, to furnish advice, give counsel, express good judgment, give them trained counselors, and help them with equipment to help themselves. We are doing that. We have lost less than 200 men in the last several years, but to each one of those 200 men—and we lose about that many in Texas in accidents on the 4th of July—to each one of those 200 men who have given their life to preserve freedom, it is a war and a big war and we recognize it.

But we think it is better to lose 200 than to lose 200,000. For that reason we have tried very carefully to restrain ourselves and not to enlarge the war. We have had a good many difficulties that could have sprung into major events. We had four of our soldiers killed in Panama, and some of our people thought I ought to send in paratroopers, and that we ought to launch a strong force against the small group of folks that live in Panama.

But we told them that they couldn't behave this way, and that they would have to sit down and reason with us across the table, that we could not make any precommitments and we wouldn't sign a blank check to a treaty that we didn't know what was in it, but that we would do what was fair, what was right and what was just.

It took us 60 days to work out an agreement with them and they came to us and said, "We think that is fair enough," and so we worked out an agreement. Now we have rather peaceful relations and we are on the way to making amendments and modifications in the arrangements between the two nations that will be satisfactory.

Mr. Castro sought to cut our water off at Guantanamo. He notified us in a hasty moment in his own impulsive way that he would not supply water to our base. I had some military experts, some generals here and there, that hollered at me right loudly and said, "Please send in the Marines immediately."

I didn't see any reason to send in the Marines to cut the water off. I just sent in one admiral to turn it off and kept the Marines at home. I didn't start any war although I would like very much to see the free people of Cuba be able to govern themselves without the dictations of Mr. Castro.

We are going to do everything that we consistently can in our policies to see that the people of Cuba are free people, and can govern themselves. But I would remind you that Mr. Castro came to power before Mr. Kennedy came to power. He came to power in 1959. All these people that give you solutions to Cuba today—ask them where they were in 1959.

So we have had in Vietnam in the last, less than a year, three different governments. That is pretty difficult, to carry on the resistance that must be carried on when you are changing governments very often. As a matter of fact, I know how difficult it is to change governments at all, because notwithstanding the experience that we had, the transition following the tragedy in Dallas has been a very difficult one that required the cooperation of all good people, Republicans, Democrats, and Independents for the last 8 months.

We just had two governments in the United States. I hope we don't have another one in November. But we do have some of our people, a rather hard core people, they make up a rather small minority, I think, of our total population.

But some of them are frustrated, some of them are overalarmed, some of them have their blood pressure worked up, some of them are excited and think our country is not doing at all well, and everything is being mismanaged, and we have a lot of worries and a lot of troubles, a lot of headaches that we could do without.

Well, we do have troubles and we do have problems, any great nation has them. When you are the leader of the world, when you are the richest nation in the world, when you are the most prosperous people in the world, you do have difficulties.

I don't know of any people anywhere that don't look up to the United States of America and really wish that they had some of the things that we have. In all of the travels of more than 40 countries that I have had, I have had impressed upon me the great faith that the people have in our system of government and in our fairness and our justice as people. And most of them like what we have so well they would like to have a little of it themselves.

So I say to you tonight engage in a little introspection, and ask your wife when you go home, ask your children, talk to your family about it, and see just what country you would like to live in that you think is better than this one. Try to figure out what people you think have as high a standard of living as you have. Try to figure out the group of citizens anywhere that enjoys the freedom that you enjoy here in America. Think about how your ancestors came across the water in risky, dangerous adventure, seeking the liberty that you now enjoy. Ask yourself what you are really doing to preserve that liberty, and to be worthy of that liberty, and to justify that liberty and that freedom.

All I can say to you is that I have talked much longer than I intended to, but I am proud of the opportunity that you have given me to try to wrestle with your safety and your security, and your future, and the future of the little ones that are here in the front row. I accepted that challenge when I accepted that nomination. As long as the Good Lord gives me life, I am going to do my dead level best with all the energy I have, and with any talent that I may have, and with any experience, any judgment, I may have, to leave this world better than I found it, and to leave it prepared always to defend itself; to leave it willing always to meet any neighbor half way and do him justice; leave it a prosperous Nation, where every child has an opportunity to get an education, where every man has an opportunity to get a job, where every family can worship God according to the dictates of their own conscience, and where we have the right of free speech and we do not discriminate against our own people, and that we try to make this one happy family made up of 200 million people in this country that can be an example for all the rest of the world to follow.

Thank you and good night.

WELCOME OF TEXAS TO HUBERT HUMPHREY AND HIS WIFE, MURIEL

Mr. YARBOROUGH. Mr. President, I was privileged to return to Texas from Atlantic City on Air Force 1 on Friday, August 28, with President Lyndon B. Johnson, my colleague Hubert H. Humphrey, and their families.

It was heartwarming to see the way my fellow Texans so enthusiastically welcomed the new Vice Presidential nominee of the Democratic Party, and his wife, Muriel, just as this Senate has welcomed Senator Humphrey home here today with warmth and enthusiasm.

It was obvious from the cheering throng in Texas that President Johnson and Mrs. Johnson would have enthusiastic support in making our Minnesota colleague "at home" in Texas. My wife Opal and I were deeply pleased that Senator Humphrey, the Senate's idea man, who is so skilled at putting ideas to work for the benefit of the people, would receive this spontaneous outpouring of friendship in Texas.

It is significant of the character of Majority Whip Humphrey that during his stay in Texas he spent so much of his time outlining what can best be done to keep our legislative programs moving.

I ask unanimous consent the articles in the Fort Worth Star-Telegram, dated August 29, 1964, captioned "Humphrey Given Cordial Welcome," in the Dallas Morning News, dated Sunday, August 30, captioned "Johnson Presents His Teammate," and in the Dallas Times Herald, dated Thursday, August 27, captioned "Text of Johnson Remarks to Democratic Convention" be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Fort Worth (Tex.) Star-Telegram, Aug. 29, 1964]

Humphrey Given Cordial Welcome

(By Harley Pershing)

Austin, August 28.—Senator Hubert Humphrey learned Friday what to expect on a trip to Texas:

Wear a hat, have your walking shoes on and be ready to shake hundreds of hands.

Humphrey picked up this political tidbit from the old master himself, Lyndon Baines Johnson, who brought his vice presidential running mate to Texas to show him off to the home folks.

The balding, portly Humphrey was introduced to part of the lesson when he and the President arrived at Bergstrom Air Force Base to begin a weekend of plotting political strategy at Johnson's L.B.J. Ranch.

As the two stepped from the Presidential jetliner, *Air Force 1*, applause and cheers went up from the crowd of about 1,500 spectators lining the landing strip fence.

And Johnson couldn't resist the crowd. He guided Humphrey toward the fence and near the midway point, Johnson directed his companion to go one way and he headed the other.

It was a breeze for the President, who is accustomed to this sort of greeting. He shook hands, kissed a few women he recognized, patted youngsters, and waved to those he couldn't reach.

NEW HAT

Humphrey was shaking hands and patting heads, too.

But Johnson had one point in his favor. He was wearing a new western style straw hat.

The vice presidential candidate was hatless and the hot central Texas sun made its mark. His high forehead and face showed traces of sunburn before he and the President boarded a helicopter for the 25-minute ride to the Little White House.

While Humphrey had a major part in the show, the star was Johnson and the crowd was there to greet him.

They had signs and placards. Some were professionally printed. Others were hand lettered.

One that drew a big smile from Johnson as he strolled up and down the gate read: "We Want Rainwater, not Goldwater."

Many of the spectators were loyal supporters of U.S. Senator Ralph Yarborough. Their signs praised Johnson, Humphrey, and the Senator.

They cut loose with a loud cheer when Johnson and Humphrey stopped their handshaking long enough to pose with Yarborough for a picture.

LADIES CHAT

The cheering grew louder when Hank Brown, president of Texas AFL–CIO, and Roy Evans, secretary-treasurer, joined the trio.

While the husbands were talking and wooing voters, the wives, Mrs. Muriel Humphrey and Mrs. Lady Bird Johnson, stood on the landing strip and chatted.

Mrs. Johnson stopped passing Texas news reporters and introduced them to Mrs. Humphrey.

They had to halt their chat when they saw their husbands break away from the crowd and head for the waiting helicopter.

Minutes after the helicopter rose from the landing strip, Senator Yarborough, campaigning for reelection against a Republican candidate, went to work.

He walked up and down the line of spectators, shaking every outstretched hand and grasping for others that were not so outstretched.

Meanwhile, the President's helicopter landed at the ranch at 2:08 p.m. and the two party leaders wasted no time in turning to the business at hand:

Sitting under the live oak trees along the banks of the Pedernales River, plotting strategy for the fall campaign.

Soon after arriving at the ranch, Johnson took Senator Humphrey and his wife on a tour of the ranch, viewing his prize-winning Hereford cattle.

There was one report the President boarded a golf cart and guided it as it chugged along Ranch Road 1 as part of the inspection tour.

White House News Secretary George Reedy said he had no specific information on such a ride but added that the golf cart trip could have been made.

Later in the evening, the party moved from the ranch to the President's vacation retreat on Lake Granite Shoals near Kingsland, presumably for a catfish dinner and a boat ride on the reservoir.

No special activities were announced for Saturday.

[From the Dallas (Tex.) Morning News, Aug. 30, 1964]

Stonewall Speech—Johnson Presents His Teammate

(By Robert E. Baskin)

Stonewall, Tex.—President Johnson Saturday night presented his running mate, Senator Hubert Humphrey, to the homefolks in this conservative Central Texas area and told them of how he had decided to select the liberal Minnesotan.

Mr. Johnson assured his neighbors that he had spent "a good many serious evenings" studying the Nation's problems and what the country will face in the next 4 years.

When it was all over, he declared, he concluded that Humphrey was the right man for the No. 2 spot.

He said he reviewed the recommendations made by various earlier Presidents on their running mates. Some didn't have a choice, he said, and later rued their decision.

Mr. Johnson expressed pleasure over the reception given his dramatic announcement last Wednesday night that Humphrey was his pick.

And there wasn't a single no from the convention floor on the nomination, he declared.

Mr. Johnson said the campaign ahead would be a rough, hard one but that he and Humphrey were used to such campaigns and were prepared for it.

Humphrey and his attractive wife, Muriel, received a big hand from the crowd when they were introduced. The Senator spoke briefly but made no political references. Instead he praised peaches grown in the Stonewall area and compared this small city to those he had lived in in South Dakota and Minnesota.

Mr. Johnson took the occasion to speak soberly of foreign affairs. He said his administration had no ready-made answers.

"I can't tell you that every decision I make will be the right one," he said.

But he promised to do his best to preserve peace and keep the Nation strong.

Reviewing the recent crisis in southeast Asia, Mr. Johnson said: "When we had to issue the order that the boys be sent to North Vietnam, it was an order that I didn't want to give—an act that I realized was a very serious act. But I found that it was in the best interests of the Nation and the only choice."

He said he wanted the Communists to know that "we were prepared to back it up and we did back it up."

"We didn't bomb any cities. We carefully refrained from that," he said.

Mr. Johnson said the Communists had been effectively told that "they must not shoot at U.S. destroyers without expecting a reply."

He spoke disparagingly of proposals to bomb North Vietnam, an act which he said would "enlarge and escalate" the war.

So far, Mr. Johnson said, 200 American lives have been lost aiding South Vietnam.

"There have been 200 men who have given their lives to preserve freedom, but it is better to lose 200 than 200,000," he said.

He struck at Republican criticism of Democratic policy on Cuba and reminded his audience that Fidel Castro had come to power before the late President Kennedy took office.

"Ask them where they were in 1959," Mr. Johnson said of the GOP critics.

Mr. Johnson acknowledged that "some of the people are frustrated, some are alarmed, and some have got their blood pressures up."

But, he said, he would continue to follow a course combining a desire for peace with a reservoir of national military strength.

[From the Dallas (Tex.) Times Herald, Aug. 27, 1964]

On Choice of Humphrey—Text of Johnson Remarks to Democratic Convention

Atlantic City.—The transcript of President Johnson's remarks to the Democratic National Convention Wednesday night:

"My fellow Americans, my fellow Democrats, columnists, and commentators: It is wonderful to be here with you tonight, particularly, but do we need all of these lights on? Do we really need all of these lights on?

"I thank the convention for the honor it has done me. I will be with you tomorrow to begin the march toward an overwhelming victory for our party and for our Nation.

"Four years ago, one of our greatest Americans stood before this Democratic Convention, John F. Kennedy, of the State of Massachusetts. We grieved at his loss, but we carried on, and we have fulfilled his program without flinching for one moment.

"In the last 3 days, the noble Democrats who are delegates to this convention have made a great start toward a great Democratic victory. You have built a platform on which I am proud to stand, a platform built on solid performance and framed for a future of prosperity and peace."

FAIR ANSWER

"In your settlement of the problems of credentials, you have found a fair answer to honest differences among honorable men. You struck a magnificent keynote through the eloquence of the gifted Senator from Rhode Island, John Pastore. You have reaffirmed our enduring values through your wise and beloved permanent chairman, Mr. Rayburn's friend, and his worthy successor, Speaker John McCormack, of the State of Massachusetts.

"No chairman of any platform committee ever guided a committee better or a party better than the Honorable Carl Albert, of the State of Oklahoma.

"Well, I, too, have been working to carry out my obligations under a very old American tradition, for it is the traditional task of your presidential nominee to recommend for your deliberation a candidate for Vice President of the United States. I have such a recommendation. I have reached it after consultation with the leaders of the Democratic Party in every section of this Nation, and at every level of our Government. I have reached it after discussions with outstanding Americans in every area of our national life. I have reached it after long and prayerful private talk, consulting my own experience of that office, and the burdens that it brings. All of this has had a single guide to find a man best qualified to assume the office of President of the United States should that day come. I have found such a man."

TESTED, PROVEN

"He has been tested and proven in our democratic process of political campaign and election. He has had long and distinguished experience in public life as an executive and as a legislator. And every step has been marked by excellence and achievement. He knows the problems of all of our people in every part of our Nation. He knows the world and he knows its problems, and he has shown understanding and a deep concern for the strength of our country and for the peace of the world. He matches energy in the right with compassion for the needs of others. He matches strong convictions with understanding of the convictions of others.

"If you select him, you can proudly say to the American people, 'This is not a sectional choice.' This is not just merely the way to balance the ticket. This is simply the best man in America for this job.

"The qualities that he brings to office will help make the Vice Presidency an important instrument of the executive branch. From that office he can help connect Congress to the White House, and he can help carry America around the world.

"I want to say to you that I will feel strengthened knowing that he is at my side at all times in the great work of your country and your Government."

CONFIDENCE TOLD

"Nothing has given me greater support in the past 9 months than my knowledge of President Kennedy's confidence that I could continue the task that he began. I have found a man that I can trust in the same way. This confidence and this recommendation are not mine alone. They represent the enthusiastic conviction of the great majority of the Democratic Party in the United States.

"They will, I believe—they will, I am sure, receive the overwhelming support of the American people. I hope that you will choose as the next Vice President of the United States my close, my longtime, my trusted colleague, Senator Hubert Humphrey, of Minnesota.

ADDRESS BY GEN. JAMES H. DOOLITTLE AT PENNSYLVANIA MILITARY COLLEGE

Mr. SIMPSON. Mr. President, at the request of Senator Goldwater, I ask unanimous consent that the remarks of Gen. James H. Doolittle, made on June 6, 1964, on which date he was awarded the Pennsylvania Military College Engineering Centennial Medal, be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Thank you, Senator Goldwater, for the very kind and generous introduction and thank you, ladies and gentlemen, for your warm-hearted and friendly response.

I am pleased and very proud to receive the Pennsylvania Military College Engineering Centennial Medal. I am doubly happy when I realize that my illustrious predecessors were two very dear friends, Dr. Lee duBridge and Dr. Edward Teller.

President Moll has asked me to say a few words. I am happy to do so. My problem was to select a subject about which I knew more than the members of this distinguished audience. I finally decided to talk about military or, more precisely, Air Force technology—that is, the impact of science and technology on the future of the Air Force.

The Air Power Technical Guide from 1945 to 1955 was a report entitled, "Toward New Horizons." In late 1944 Gen. H. H. Arnold requested Dr. Theodore Von Karman to prepare an Army Air Force long-range development program. A study group was formed which was composed of a considerable number of the Nation's best informed scientists and technologists. Just over a year later, the report was tendered. The report itself was about a half an inch thick but it was backed up by a file over 2 feet thick of supporting material.

The report stated:

"1. Over the next 10 years, air power will become increasingly important.

"(a) Atomic weapons will increase destructive capabilities over a thousandfold.

"(b) Improvements in aerodynamics and propulsion will lead to supersonic flight." (Two years later, Chuck Yeager in the X–1 rocket plane broke the sonic barrier and 8 years later in 1953, the F–100, the first supersonic jet-powered combat aircraft, was flown.)

"(c) There would be improvements in guidance, navigation and radar which would lead to all-weather flying and the ability to recognize the target and hit it accurately." (This is readily possible but I must say still only partially realized.)

"(d) We would have long-range pilotless aircraft." (In 1953, 8 years later, the Snark first flew.)

"(e) We would have intercontinental ballistic missiles and intermediate-range ballistic missiles." (Twleve years later, in 1957, we had the Thor and the Atlas.)

"(f) We would have earth satellites." (Russia had them in 1957; we, in 1958.)

"2. We must have proper balance between manned and automatic weapons' systems." (Incidentally, as Senator GOLDWATER intimated, that argument is still going on. The answer to me is very simple—we need both.)

"3. We can and must have air mobility to move whole armies, complete with equipment, anywhere on earth." (We still can, and must, but such an airplane is not yet available.)

"4. Communications, command, and control in the new era will be all-important." (While great improvements have been made, this problem is also not yet solved.)

This report was truly prophetic, but there is much left to be done to fulfill its prophecy. Last year Gen. C. E. LeMay directed Gen. B. A. Schriever to evaluate the military potential of science and technology as related to Air Force requirements extended into the midseventies. That is, he requested another 10-year prediction. This resulted in Project Forecast. The best talent in and out of the Air Force was used to prepare this report. The Army, the Navy, and the Marines participated. In addition, 10 Federal agencies, 70 industrial concerns, 10 nonprofit organizations, and 26 colleges and univerisities took part in the preparation of the report.

In the study, the primary goal was to assure controlled and flexible response at all levels of conflict. In other words, we must remain sufficiently strong, militarily, to deter all-out war. If smaller wars become more likely, we must be able, hopefully, to deter them and if we cannot deter, then to prevail.

The report considered first the future threat; that is, Communist objectives and capabilities. A very important part of the future threat is Russian technology. The excellence of Russian technology is indicated by their considerable accomplishments in the nuclear energy, missile and space fields and, of course, in the importance and high priority they give to their technological efforts. They are presently turning out more scientists and engineers than we. I do not believe they are turning out better scientists and engineers, but they are turning out more and some of them are very good indeed. It is interesting to note that the number of their technical institutions increased by 50 percent between the years 1955 and 1960.

The report considered national policy and the requirements and restraints it imposes on military planning and operations.

It considered technological opportunities. There were 12 technical panels. They covered the most important aspects of Air Force technology.

And, finally, it considered capability. There were panels on general war, limited war, continental defense, intelligence and reconnaissance and support; logistics. These were all tied together with a cost analysis panel, an integration panel, and an evaluation panel.

The technical opportunities considered included:

"1. Materials:

"(a) Among the most promising new materials are metallic fibers with plastic binders. They are much lighter, stronger, and stiffer than structural steel.

"(b) Metals with dispersed oxides. They permit strength retention to much higher temperatures than the best heat resistent metals.

"2. Propulsion: With the new materials and new techniques, we are able to have higher tip speeds, higher temperatures, reduce weight per unit of thrust and reduce specific fuel consumption. This makes possible vertical-lift engines, very long-range engines, and hydrogen-fuel engines. The advantage of a hydrogen-fuel engine is that the jet engine fueled with hydrogen is usable up to about mach 6 around 4,000 miles per hour, whereas with conventional fuel it is only possible, in the light of present knowledge, to go to about mach 3, or 2,000 miles per hour.

"3. Aerodynamic development: Two important developments are laminar flow, which reduces drag—gives more range—the first flight was made in 1954—10 years ago and far too little has been done on this in the interim and variable geometry aircraft. That is, aircraft in which the wings were able to change their sweep in flight. This permits efficient operations at high speeds, at low speeds, at high altitudes, and at low altitudes." (Incidentally, the first variable sweep wing airplane was built in 1951—13 years ago and now the next ones will probably be the TFX, of which you have heard considerable controversy, and possibly the new supersonic transport.)

"4. Special weapons: That is, nuclear weapons. We need smaller weapons. We need cleaner weapons so that we can take out precise targets and reduce collateral damage.

"5. Guidance: Better gyros, terminal guidance, and matching will lead to ICBM's with CEP's, that is, miss distances only a small fraction of the present, and will lead to hitting missiles with CEP's measured in feet at ranges of 10 to 50 miles."

A word about capabilities—what can we have from these technical advances provided we exploit them aggressively? There are eight important possibilities:

1. One is the AMPSS—the Advanced Manned Precision Strike System. That is, a manned bomber with controlled capability. (I would point out that the last B52 was delivered 3 years ago in 1961. 744 were delivered in 10 years.)

2. Very accurate ICBM's. These would be counterforce weapons as opposed to countervalue weapons. A counterforce weapon is a weapon of improved accuracy with which you can selectively take out the enemy's military strength; a countervalue weapon is a city-busting weapon.

3. The hitting air to ground missile of which I spoke—very precise. A limited war weapon to take out bridges, etc., anything that the Army wants taken out.

4. A VTOL fighter. That is, a vertical takeoff and landing strike reconnaissance aircraft for army support. (The first VTOL aircraft was built 8 years ago in 1956. There, again, we have made some progress but nowhere near as much as we should.)

5. A VTOL light transport to support the ground forces.

6. A CXX which is a large cargo aircraft. I would estimate that this would be perhaps two times as big as the biggest airplane flying today. It could go halfway around the world without refueling. It could move armies, complete with their equipment, as advocated by Von Karman almost 20 years ago. This airplane is possible and it must be built.

7. Mobile Air Defense: Through the utilization of an airplane like the CXX, it would be possible to have long range radar, radio directed and infra-red homing missiles, air to air, air to ground, air to space, effective against aircraft, air to ground missiles, and submarine launched missiles.

8. A hypersonic mach 6, 4,000 mile an hour reconnaissance aircraft.

Thus, if we aggressively exploit present technology, we can have survivable forces in being which will provide:

1. Effective deterrents at any and all levels of intensity.

2. Multiple options throughout the entire spectrum of warfare.

3. Capability to respond in a controlled and decisive manner.

4. The ability to prevail at the level of conflict chosen.

5. The ability to use escalation as a tool; we to dictate, not merely to respond.

6. Manned weapon system with positive control and properly selected warheads permitting: (a) careful identification of target; (b) extreme accuracy; (c) the ability to limit collateral damage to ourselves, our allies, and our enemies.

7. Ready adaptability to satisfactory war termination policy.

8. Adaptability to realistic arms control measures.

9. And finally, a reliable communication system providing absolute command and control.

Science and technology, if we exploit the high payoff concepts will enable our Military Establishment and particularly the Air Force to accomplish its mission of supporting national policy.

The obvious conclusion is that our national security and our national welfare, in future, will depend very largely on military technology and, of course, as always, on the spirit and will of our citizens. Our Nation must become and remain superior in science and technology. We must have more and better scientists and engineers. This is one of the very important challenges to Pennsylvania Military College and to all of the other fine educational institutions of our land.

Thank you.

HALF COMMITMENT IN SOUTHEAST ASIA

Mr. SIMPSON. Mr. President, nowhere in the world is American prestige more deeply committed to an ambiguous objective than in Vietnam. A distinguished theologian, Dr. Charles Wesley Lowry, who edits "The Blessings of Liberty" for the Foundation for Religious

Action in the Social and Civil Order, has written an excellent treatise on the deepening dilemma in southeast Asia. In it he likens the folly of our half commitment in Vietnam to that of our half commitment in Korea, and he deduces that "it is time in Asia we break out of the pattern of inconclusiveness and unpurpose bequeathed by the Korean conflict."

Dr. Lowry has authorized a thought-provoking and perceptive article on the war in Vietnam, entitled, "Deepening Dilemma in Southeast Asia" and I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Deepening Dilemma in Southeast Asia

Things appear to be coming apart at the seams in southeast Asia.

In estimating the forces at work and the probable or possible consequences, it is necessary to look before and after, and to take a long view.

The final passing from the stage of Gen. Douglas MacArthur, and the flareup of old controveries and issues occasioned by the publication of interviews given a decade ago, are reminders of the existence of abiding factors in world affairs.

MacArthur was the apostle of the priority of the Orient. He saw with a clear vision that as China went Asia would go. He wanted a solution and not a ceaseless stalemate in the Far East.

He was overruled. The counsels of the diplomatic trimmers and appeasers prevailed. The period of living from hand to mouth in terms of Asian policy was inaugurated and has since been maintained. Melancholy monuments of this policy are the partition of Korea, the collapse of French rule in Indochina; the partition (as with Korea) of Vietnam into Communist and free sectors, the attempted neutralization of Laos, the appeasement of Sukarno in relation to Dutch New Guinea, and the American-inspired overthrow of the Diem regime in free Vietnam.

One should perhaps add, the holding on the leash all this time of Chaing Kai-shek, for clearly our policy has been not to threaten or assail at a weak point the Communists on the Chinese mainland, even though we stood behind a "Republic of China" regime on Formosa and spared neither money nor pains to assist the development of an economic showcase on this island.

Things never stand still for long. The maintenance of the defensive permanently is a moral impossibility. This is the inevitable disadvantage of containment as a doctrine. It is therefore hardly a surprise that the terrible patience of the Communists is paying off in southeast Asia.

Everybody knows how high the stakes are in this area and this situation. We know it. The Communist high command, located we can be sure in Peiping not in Hanoi, knows it.

At issue is (a) rice-rich, relatively underpopulated territory, greatly coveted and needed by the Chinese; (b) American will and prestige as the standard bearer of freedom in a global conflict; and (c) the control and destiny of Asia, the giant of continents.

The United States, as the result of drifting, misjudgment, weak counsel from allies, and too deep an acceptance of limitation and passivity in policy, finds herself in the valley of decision. We are deprived of the luxury of further postponement. We are backed up against the edge of a most dangerous divide.

The Chinese believe, with some reason, that we are a "paper tiger." They, on the other hand, have come through the ordeal of the communes crisis and they have not shrunk from standing up to Khrushchev and his rockets. To them he is the betrayer of the revolution, a cowardly capitulationist, a collaborator with the imperialists, a Bible-quoting psalm singer with the soul of a Buddhist, not a true Communist. He is also "a lunatic."

Of course, the Soviets in retaliation have called Mao Tse-tung "a maggot and an idiot." But the latter appears to have the initiative in the new cold war within the Communist camp. One indication of this is inability or unwillingness on the part of the Soviet dictator either to master or to get out of the southeast Asia melee. The fundamenal factor is Chinese will. And the well tried method of the war, be it remembered, is that which Mao invented and which bears his patent throughout the Communist orbit and the world. As a guerrilla he survived and rose to mastery over 600 million people.

The American dilemma is severe and is unlikely to lessen. Indeed time can hardly be on our side in the distant Asian scene. On the one hand, there looms the specter of Chinese intervention, if we step up the war, and the nightmarish possibility of a second installment of the Korean conflict, with Chinese hordes pouring down to grapple with our thin lines. On the other hand, unless the moral and psychological tide can be turned speedily and markedly, in free Vietnam and in Laos, we shall almost certainly have the ground cut out from under our feet and have to capitulate ignominiously by leaving on the invitation of erstwhile allies.

Predictably we are seeking some middle way out of this dilemma, and continuing to think wishfully that something may still turn up. What must be done, it seems to us, is to take a long look at China, at Asia, and at American interests. Then our leaders must have the courage to lead. They must decide what prudent action is necessary in order, not only to avert present disaster, but to influence the course of future events.

The Nation is ready and able for such action. It is surely safer to act now rather than pursue the path of appeasement. It is doubtful, whether the time and background will ever be more favorable. Thanks not to our own merits or achievements, save in defense preparations, but to the strains and ruptures of the Communist monolith, the risk of action is minimal.

It is time that in Asia we break out of the pattern of inconclusiveness and unpurpose bequeathed by the Korean conflict.

Charles Wesley Lowry.

THEY ARE LISTENING TO BARRY GOLDWATER

Mr. SIMPSON. Mr. President, in the softly fading echo of the last hurrah from Atlantic City, I should like to bring to my colleagues' attention a most perceptive and salient editorial written by Bruce Kennedy, editor and publisher of the Greybull Standard-Tribune.

Writing of the Republican National Convention at San Francisco, Publisher Kennedy noted that "America is at last listening to Barry Goldwater." He said Americans are listening "despite intentional misrepresentation by a press ignoring its basic obligation to objectivity."

Bear in mind that this man is himself an outstanding member of the press. The Standard Greybull Tribune has for the second consecutive year been chosen as 1 of the top 6 newspapers in the United States in the under 2,000 circulation category, and the paper's exemplary editorials are among the most effective opinion formers in the Equality State.

Publisher Kennedy went on to assert that Americans are "listening despite a bunch of liberal tripe about warmongering and turning back to the 18th century. They are listening despite misguided political columnists who have seen no good in what the right conservative wing believed and no wrong in what the liberals have done."

In a beautifully drawn allusion to the late President Kennedy's classic "Ask not what your country can do for you, but what you can do for your country," Editor Kennedy noted that Senator Goldwater has himself been speaking and performing in the context of the do-for-your-country remark for a good many years. However, "in the eyes of the liberals, the prejudiced press, and the eastern establishment, the wrong person is saying it. When Kennedy did, it was a masterpiece. When Goldwater did, it is turning the country backward."

I ask that the July 23 editorial from the Greybull (Wyo.) Standard Tribune be printed in the Record as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

They're Listening

San Francisco proved that America is at last listening to Barry Goldwater.

Americans are listening despite intentional misrepresentation by a press ignoring its basic obligation of objectivity. They're listening despite a bunch of liberal tripe about warmongering and "turning back" to the 18th century. They're listening despite misguided political columnists who have seen no good in what the right, conservative wing believed and no wrong in what the liberals have done.

It has been baffling for conservatives to understand this complete denial of beliefs and philosophies just because they were espoused by the right and not the left. If the liberals introduced them, they were progress; if the right, disaster. And the press—with its double standard of press coverage—has been a willing accomplice.

The world hailed John Kennedy's Cuban blockade. And although he took it off too soon to have its full effectiveness, J.F.K. made his point to the Russians. Yet wasn't this brinkmanship? Didn't this bring America to the edge of war with the Russians? John Foster Dulles could not have done it better. Nor could any action have been a better example of the philosophy of Goldwater for handling similar situations. This was the brinkmanship the liberals so abhored in Dulles in his day and Goldwater now in his. Yet because J.F.K. did it, it was "statesmanship." With Goldwater it is warmongering.

J.F.K.'s inaugural statement about "asking not what your country can do for you but what you can do for your country" quickly became a classic. Despite the fact that Kennedy made a hypocrisy of its finely stated theme by immediately demanding more Federal aid to education, more Federal housing, more public debt, more Government services and programs, the statement will be remembered as long as J.F.K. is. Yet when Goldwater's basic philosophy of government is precisely that, when he speaks of it on dozens of different occasions, when he votes in Congress exactly that way, when he demands more individualism and less dependence upon government, he is accused of 18th century provincialism and 20th century extremism. In the eyes of the liberals, the prejudiced press and the eastern elements, the wrong person is saying it. When Kennedy did, it was a masterpiece; when Goldwater did, it's "turning the country backward."

There will be a battle over civil rights in this campaign despite the honest efforts of both Johnson and Goldwater to keep it out. Republicans will be accused—nay they already have—of being against the Negro. Yet nearly 100 years of Democratic Party rule in the South prevented the Negro from voting. Not Republican. It was Democratic filibusters for years that prevented any civil rights legislation, including the filibuster of 1964. The civil rights platform that came out of San Francisco last week is being criticised. Yet the platforms of the Democrats on civil rights have always been farces when one entire section of Democratic votes believed—and practiced—the opposite way. And without this section there could not be Democratic victories.

But despite all of this, America, as San Francisco showed us, is listening to Barry Goldwater.

Of course the columnists and the political "observers" back East, the liberal magazines, the poll takers are all predicting a Johnson landslide. And that Goldwater doesn't have a chance. But don't be too sure—don't be too sure.

ADLAI STEVENSON'S TRIBUTE TO ELEANOR ROOSEVELT

Mr. CHURCH. Mr. President, one of the most moving tributes heard at the Democratic National Convention last week was that of our eloquent United Nations Ambassador, Adlai Stevenson, to the late and beloved Eleanor Roosevelt. I ask unanimous consent that this inspiring message be printed in the Record.

There being no objection, the message was ordered to be printed in the Record, as follows:

She Was a Lady for All Seasons

(By Adlai Stevenson)

She was a lady—a lady for all seasons. And, like her husband, our immortal leader, she left "a name to shine on the entablatures of truth—forever."

There is, I believe, a legend in the Talmud which tells us that in any period of man's history the heavens themselves are held in place by the virtue, love, and shining integrity of 12 just men. They are completely unaware of this function. They go about their daily work, their humble chores—doctors, teachers, workers, farmers (never, alas, lawyers so I understand), just ordinary devoted citizens—and meanwhile the rooftree of creation is supported by them alone.

And I think perhaps there are times when nations or movements or great political parties are similarly sustained in their purposes and being by the pervasive, unconscious influence of a few great men and women. Can we here, in the Democratic Party, doubt that Eleanor Roosevelt, throughout her selfless life, had in some measure the keeping of the party's conscience in her special care? That her standards and integrity steadied our own? That her judgment persuaded the doubters and "too-soon despairers"? That her will stiffened the waverers and encouraged the strong?

I do not suggest some unworldly saint dwelling in remote regions of unsullied idealism. On the contrary, as we all know, Eleanor Roosevelt was a bonny fighter, at her best down in the arena, face to face with opponents and ideas she disapproved. Like that other grand old veteran of so many Democratic wars—Herbert Lehman—in ripe old age she took on tasks that might have daunted people half their age. Whether it was Communist bosses in the United Nations or party bosses in the precincts, exploiters of the poor, traducers of the faith of freedom, she sailed in, tall, courteous, good-tempered, implacable, and thwacked them with the dispassionate energy of a good mother chastising a bad boy.

She did not carry our conscience by remote control. It was precisely her involvement that gave her such tremendous influence. Long before the civil rights issue moved to the forefront of the Nation's consciousness, she was there, earning obloquy for her quiet reminders of the inequalities practiced in our land.

Throughout the depression, her patient journeys brought to the President and dramatized for the Nation the misery and neglect of millions.

During the gray days of national peril she heartened the wounded and the weary.

And during the affluent fifties, when misery ran for cover before the national complacency, she never ceased to remind us of the slums, disease, and deprivation which still make up the dark face of this shining American planet.

And again when we emerged from the war, blinking and surprised, to the role of world leadership, there she was at the center of the effort, reminding her countrymen of their duties as citizens in the greater society of man.

It was this gift for facing the facts and accepting the consequences which gave her place among the supporters of the rooftree of our world.

She thought of herself as an "ugly duckling," but she walked in beauty in the ghettos of the world, bringing with her the reminder of her beloved St. Francis, "it is in the giving that we receive." And wherever she walked, beauty was forever there.

There are always in any society, as there are in ours at this moment, plenty of men and women who would like—despite Abraham Lincoln's warning—to "escape history," to evade the "fiery trial," to turn back the clock. Eleanor Roosevelt never would and never did. She trained herself from the beginning of her life to face the realities, however unwelcome they might be, and face them she did, not only in the world around her but in her own family, in her own life. Few human beings are called upon to make decisions as difficult as some of hers. Fewer still—fewer women, in any case—have ever been subjected to personal abuse as malicious and persistent. But never did she hide, run, wince, or lower her head. Falsity withered in her presence. Hypocrisy left the room.

And never did she fail to act. If anything equaled the candor and courage of her confrontation with the facts, it was the courage and warmth of her response. She saw the state of our world as well as the most cynical, the most despairing, but she never indulged in cynicism, she never gave up. She believed in the human heart because she knew her own, and she proved by love what all the despair of a despairing time will never disprove—that hope is more powerful than fear.

She left us—our counselor, our friend, our conscience. But there can be no doubt where she would be directing our great party today were she still in our midst.

She would bid us add to the civil liberties we guarantee, the extra dimension of opportunity without which even rights can seem so much emptiness.

She would tell us to look at our great cities and ask whether, in the midst of overwhelming affluence, we can afford such misery, such squalor, such hopelessness.

She would tell us to labor on in the vineyards of the world, to succor the needy and to underpin the rule of law, to check aggression and, with remorseless purpose, to seek peace.

She would ask us to engage ourselves profoundly in the war on poverty at home and abroad.

She would urge us to build the great society not only in terms of America, but of all God's children.

And she would bid us do all this not from party spirit or partisan prejudice or anger or bitterness or fear or contempt. She would ask only for the positive emotions: love of one's unfortunate neighbor, since "there but for the grace of God go I"; love of our party as a mighty engine of social betterment; love for a world community threatened by the same annihilation and, above all, love for America, which our Founding Fathers first dedicated to the great propositions of freedom, equality, and happiness and which can never fulfill itself until these magnificent promises can be turned into even more magnificent facts.

This is the spirit in which she would have us go out to join the everlasting battle for something better.

This is her lasting legacy to humankind and the party she loved and worked for all her life.

INTERVIEW OF DAVID POWERS BY SANDER VANOCUR ON THE LATE PRESIDENT KENNEDY

Mr. CHURCH. Mr. President, when Sander Vanocur of the National Broadcasting Co. interviewed David Powers, longtime friend of the late President Kennedy, during the Democratic Convention at Atlantic City last Thursday, he unearthed a fascinating addition to the growing compilation of historical sidelights on a great man.

The edited transcript of this valuable interview was printed in the Washington Post of Sunday, August 30, 1964, and I ask unanimous consent that it be printed in the Record.

There being no objection, the report of the interview was ordered to be printed in the Record, as follows:

J.F.K.'s Climb, Ideals Recalled by Confidant

David Powers is a Bostonian who used to hold the title of assistant to President Kennedy. That title covered many jobs—companion, man-Friday, confidant, and friend.

The relationship of Powers and Mr. Kennedy began during Mr. Kennedy's first campaign for public office in 1946 and it continued, through the House of Representatives, the Senate, and the quest for the Presidency and into the White House.

Last Thursday night, Reporter Sander Vanocur of the National Broadcasting Co. went into the balcony of Convention Hall at Atlantic City and interviewed Powers. What follows is an edited transcript of the interview, published with permission of the National Broadcasting Co.

Question. Mr. Powers, during the 1960 Democratic National Convention I was driving one day and I went past that apartment on North Rossmore (in Los Angeles). You were inside that night; I was outside. That was Actor Jack Haley's apartment. Can you tell us what happened that night? That was Senator Kennedy's hideaway on North Rosemore, wasn't it?

Answer. Well, we managed to keep it a great secret.

Question. You did.

Answer. And Pierre Salinger all day long was bugging me about letting the press know where the President was staying. At noon that day I told Pierre. We started to leave the apartment but the President was delayed a half hour longer that he thought and we had to get back there and get his bathing suit and a jacket because we were going to spend the day with his father and mother. They were staying at Marion Davies' estate. When the President saw all the crowd there in front of the apartment house, he said, "Ho, my God, how are we going to get out of here?" I called Actor William Gargan, who had a suite downstairs, and he showed us the fire escape. The President and I went down the fire escape, put a barrel on top of a chair and climbed over the fence. All that day we were over at Marion Davies and in the evening it was more difficult getting back. But you never saw a man so calm in all your life as the rollcall of the States came in, Sandy. He knew he had done the work and now was just there to pick up all the marbles.

And, as you remember, he needed 761 votes to win, and he had a scorecard. During the day he had checked with Ken O'Donnell and his brother, Bobby, and Larry O'Brien to see if there were any changes. And he kept putting one down and adding one and erasing one. So finally he is at 750 and he has Wyoming down for 9. And just then he looked up and he could see his brother, Teddy, now Senator TED KENNEDY, in the middle of the Wyoming delegation. And he started to put his shoes on and to tighten his tie because Teddy had that famous Kennedy confident grin. And the President said, "This could be it." And just then Tracy McCracken, the chairman of the Wyoming delegation, grabbed a microphone and shouted, "Wyoming casts all 15 for the next President of the United States." And the President turned around and just said, "Get me Jackie at the Cape." And after he talked to her, we headed for the convention.

Question. I remember you gave me a ride and there was that crush. I got shoved into the house there when he was greeting the chieftains of the Democratic Party. What happened when you went back to the apartment on North Rossmore that night? You know there are conflicting reports. Did he call Senator Lyndon Johnson that night?

Answer. No. As he came into the hall he was a bit hungry that night. He'd had a glass of milk and a chicken sandwich around 3 o'clock. So his victory breakfast or dinner was two sunnyside eggs fried in butter, some broiled bacon, a glass of milk, and toast.

Question. When did the wire from Senator Johnson come? That morning?

Answer. Early that morning. The President was up at 7 o'clock. We went right down to the Biltmore and he went into a meeting with his brother, Bobby, and Ken O'Donnell. And then he talked to now-President Johnson on the phone, and went down to his suite.

Question. Did you know that he was going to ask Senator Johnson to be his running mate?

Answer. Well, the President—he wanted the strongest man, and I felt this riding in the car that day, that just from—well, something that was said over the phone.

Question. I understand that the Ambassador (Joseph P. Kennedy) was strong for Lyndon Johnson; that he thought he would be good. Did the President talk about that?

Answer. Well, no. The President's father had great insight into these things. He just seemed to know what was going on all of the time.

Question. Why did the President's father think that Lyndon B. Johnson would be the strongest? I mean he had been around politics since the Roosevelt days. Did he talk about why he would be the strongest candidate? You remember at Marion Davies' house that night, did you talk about the vice-presidency with the President's father?

Answer. No. He's great, like all the Kennedys, for taking one thing at a time. And until his son, John F., was nominated, he wouldn't start thinking of it. But he did say that he felt that Texas was a key State and that Lyndon B. Johnson was the only one that could carry it with the President.

Question. Mr. Powers, I don't think I have ever asked you this: When did you meet John F. Kennedy? Was it in 1946? What were you doing in Boston and who brought John F. Kennedy to you to start him on his political career?

Answer. It's a great story. One night I am sitting home, a babysitter for my widowed sister and their eight children.

There was a knock on the door and I answered. In the semidarkness I could see this tall, thin, handsome fellow, and he reached out his hand and said, "My name is Jack Kennedy. I am a candidate for Congress. Will you help me?"

So we sat in the parlor and talked about the campaign, the best way to campaign in that three-decker neighborhood. And it seemed that a fellow named Bill Sutton said he knew the 11th Congressional District like the back of his hand, and the President was trying to get someone to do some work for him in each of the wards in Boston. And he said, "Dave Powers knows everyone in Charlestown by their first name."

Question. Why was that?

Answer. Well, I sold papers over there for 10 years, and you know a newsboy gets to know a lot of people. And I ushered at St. Catherine's Church, five masses every Sunday. And I guess, you know, you see them at mass every Sunday.

When you think back to that fight in 1946, you realized that no man ever worked as hard or made as many sacrifices to be elected President. You know, he made you work hard because he was trying so hard himself all the time. And I think if you were trying to explain his success in maybe two sentences, they might be, "To meet him is to like him. To know him is to want to help him."

Question. What did you think about his potential as a political candidate?

Answer. I felt he would have been a great success in anything that he wanted to do. He didn't like politics at first, being as shy as he was, but then he learned to love it, because he loved a challenge. I always thought that Knute Rockne had a man like President Kennedy in mind when he said, "When the going gets tough, the tough get going," because he was always at his best when he had to be.

Question. You were with him through the congressional years and when he ran against Henry Cabot Lodge in 1952. What was the toughest night you've ever been with him? Was it the night in Houston, when he went and faced the Protestant ministers on the religious issue?

Answer. That was tough in sort of a different way. I had charge of his TV suit that night. And Ken O'Donnell and I rushed to the Rice Hotel where the studio was. I had the TV suit, and he put it on. He looked like a million dollars, the TV shirt and the TV tie. And now I looked down and the only pair of shoes in the room are brown. But I forgot to bring the black shoes. And I head for the door. I said, "One minute, Mr. President," and headed for the door. And I headed for the elevator, held it for him. He got on and he's looking down at the brown shoes with the dark blue suit. No one said anything. I always felt the President sounded better when he was a little bit angry, but we never did it on purpose.

You know how great he was in Houston. And after it was over, to help him relax, I said, "Mr. Senator, that was a brown shoe crowd if I ever saw one."

Question. What happened the night of the Kennedy-Nixon debate? What did you do that day, first? You went back and got him a shirt, didn't you?

Answer. Yes. It was a marvelous day in Chicago. We had that house in the roof at the Ambassador East. He was up early that day and he had his bathing trunks and he's out on the house on the roof and he has all his notes and he is standing there and he looks great, you know, and he's pointing as if he's saying to himself, "If Vice President Nixon asks me this, I am going to tell him that."

Every now and then when he wanted something * * * some of the staff members had a suite underneath. Ted Sorenson came up at one time, and it seems to me that Mike Feldman came up and Dick Goodwin—and then late in the afternoon his brother, Bobby, came up.

That night, he's standing in front of a mirror. Now, you never saw a man look more tanned, more fit and more confident than he. And he said, "Dave, I feel like a light heavyweight champ going into Madison Square Garden." And I said, "No, Senator, it's more like the opening day pitcher in the World Series because you are going to have to win four of these."

Question. You know, I was always struck by the fact that the President was a very close personal friend of Senator GOLDWATER. Didn't the President give him his doctor to help his back? What was the closeness of this relationship based on?

Answer. Well, now President Kennedy would do that for anyone. You know, he wanted everyone to be as happy as he. Even if a Republican Senator had a backache and he had some extra liniment he'd pass it around.

Question. When you first came to the White House, was the change remarkable? You were an ex-newsboy in Boston and you used to stand there as the doorkeeper, as the President's chief aide. What did you used to say to these people as they came in? What did you say to the Shah of Iran?

Answer. It was a great experience from an usher at a church to an usher at the White House. But I enjoyed every bit of that. You know, that every day I saw President Kennedy he looked more like a President than the day before. He seemed to have grown more in stature until that tragic day in Dallas. I always called him Mr. President because no one ever deserved it more than he and every now and then to change the pace when I was bringing someone in like the Shah of Iran, I would say to the President, "Our type Shah is in the Cabinet Room, Mr. President." And so he'd relax a bit. We had our type ambassadors like David Ormsby-Gore that he was very fond of and we had "our type" everything.

Question. What happened that day when Mikoyan came up the driveway?"

Answer. We were waiting for him to come in and I happened to turn to Mitch that works for me and I said, "You know, Mitch, I hope this fellow is the real mikoyan."

Question. On that last day you were with him in Dallas. Did he have a fatalism about the possibility that he might die that way?

Answer. He had no fear of death. Even during those 15 historic days when we were worried about Cuba and he'd be swimming in the pool and he had no fear. I think he thought after he survived the PT–109 and those terrible back operations that he was sort of indestructible, and his only fear was the children, not only the children of America, but the children of the world. And he said, "Gosh, if it weren't for these people that haven't yet lived, it would be easy to make decisions of this sort."

The President loved Mrs. Kennedy so much that he was always looking out for her welfare.

On our last visit to Houston, he said, "Dave, how is the crowd here compared to our last visit?" and I said, "Well, Mr. President, just about as many came out to see you as they did on our last visit, but there was about a hundred thousand more for Jackie." And he looked at her and beamed and said, "You see, you do help."

THE 1964 ESTES KEFAUVER AWARD TO SENATOR WAYNE MORSE

Mr. GRUENING. Mr. President, last Saturday night, August 29, at the Ambassador Hotel in Los Angeles, Calif., our colleague, Senator WAYNE MORSE, was deservedly honored by receiving from the Californians for Liberal Representation the 1964 Estes Kefauver Award.

This prized award consisted of a bronze plaque and a check for $1,000. The award reads as follows:

THE ESTES KEFAUVER AWARD

(First annual presentation Californians for Liberal Representation, Los Angeles, August 29, 1964)

To Senator WAYNE MORSE—Your courageous and independent voice in the vigilant pursuit of peace and justice serves the highest purpose of an elected Representative—and deserves the profound gratitude of all the people in our country.

More than 2,000 friends of the Senator from Oregon came to honor him as he received the Estes Kefauver Award and hear him speak in criticism of the U.S. warmaking policies in southeast Asia. The enthusiastic response to his speech left no room for doubt that those of us in the Senate who have opposed the unilateral military action of the United States in South Vietnam do not stand alone.

Following his speech, Senator MORSE was twice honored for the evening by receiving a beautiful parchment citation from the Peace Exchange in honor of his advocacy of the substitution of the rule of law for unilateral U.S. military action in southeast Asia.

The California Peace Exchange consists of the following organizations:

Council of Women for Legislative Action: day, evening, valley, central chapters.

SANE: Culver City, northern Orange County, West Los Angeles/Beverly Hills chapters.

Southern California Council of Women's Strike for Peace: Centinella/South Bay, Hollywood Hills, Laurel Canyon, Long Beach/Orange County, Pasadena, San Fernando Valley, San Pedro, Santa Monica, West Los Angeles, Whittier chapters.

Unitarian-Universalist Fellowship for Social Justice, Los Angeles chapter.

Women's International League for Peace and Freedom: Los Angeles, Pasadena, Orange County, San Gabriel branches, Whittier Peace Council.

The citation reads as follows:

To the Honorable WAYNE MORSE, senior Senator, State of Oregon.

We salute your integrity, your courage, and your clearsighted statesmanship in the service of our beloved country—your recognition that policies of justice and peace are necessary to achieve the abundant life for all men at home and abroad.

We commend you for revealing to the American public the true nature of our Government's policy in South Vietnam, where at great cost in life blood and money we are supporting a government which is an obstacle to achieving the goals of freedom and democracy for which we as a nation stand.

We admire your courageous stand against granting the President greater powers to implement the Government's policy in southeast Asia, an action which you fittingly describe as a "predated declaration of war."

We support you in your proposal that we seek a political rather than a military solution to the problems in southeast Asia, that we cease waging war, and that we seek instead the good offices of the United Nations or a conference of the nations which produced the Geneva Accord of 1954.

We wish you continuing health and strength in your efforts to promote justice and peace and pledge to you our hearty support.

I am particularly proud to place these two citations honoring the senior Senator from Oregon [Mr. MORSE] in the CONGRESSIONAL RECORD, because he and I have stood shoulder to shoulder for the past many months in our proposals to submit the southeast Asia crisis to the procedures of international law for settlement.

Mr. MORSE subsequently said:

Mr. President, I thank the Senator from Alaska for his kind and generous remarks about my receiving the Estes Kefauver Award last Saturday night in Los Angeles. In the course of my speech on the Vietnam crisis, I paid homage to the Senator from Alaska, when I said very clearly to that audience that I have followed the leadership of one of my greatest teachers, the Senator from Alaska, ERNEST GRUENING.

AUTHORIZATION FOR PRIVILEGE OF THE FLOOR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the discussion of the bill (H.R. 11865) to increase benefits under the Federal Old-Age, Survivors, and Disability Insurance System, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes, Mr. Fred Arner and Miss Helen Livingston, both of the Education and Public Welfare Division of the Legislative Reference Service, Library of Congress, be permitted to be present in the Chamber.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SECRETARY OF DEFENSE ROBERT McNAMARA—THE WONDER MAN

Mr. CURTIS. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point in my remarks an editorial entitled "The Wonder Man," published in the Omaha World-Herald on August 19, 1964, relating to Secretary of Defense Robert McNamara:

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE WONDER MAN

If strong, emphatic words are the measure of a man's ability, then surely Robert McNamara is the most prodigious cleaner-upper of messes since Hercules shoveled out the Augean stables.

He found what he calls a "chaos of disorganization" in the Defense Department when he took over in 1961.

Under Dwight D. Eisenhower, a President who obviously could not be expected to know anything about military matters, the Nation's Military Establishment, says Mr. McNamara, had become a shambles.

America's strategic nuclear force, run by such incompetent characters as Curtis LeMay and Tom Power, "was vulnerable to surprise missile attack."

And America's nonnuclear forces were "weak * * * weak * * * weak."

But then something wonderful happened. Fresh from the Edsel assembly line, his remarkable mind uncluttered by knowledge of military matters, came Robert the Ready. And quick as you could say "Bay of Pigs" or "Scuttle the Skybolt," America's pitifully weak, old-fashioned, disorganized military machine shaped up.

Such things don't "just happen," Mr. McNamara's admiring audience of platform-writers was given to understand.

And, as a matter of fact, they didn't happen.

In blustering and belligerent language, Mr. McNamara painted a picture which varied so widely from what this Nation's 1961 defense posture was known to be that one can only wonder how much truth there is in his portrait of flawless American defenses in 1964.

Secretary McNamara's obvious purpose was to blow down BARRY GOLDWATER, his persistent and implacable critic, who has refused to go along with the myth of Mr. McNamara's genius.

The Republican candidate already has hit hard at the failure of the administration to develop a single new weapons system, while abandoning the B-70, Skybolt, and other systems. Mr. GOLDWATER also has accused the administration, and Mr. McNamara directly, of neglecting the military uses of space. He has charged that research has been haphazard, misdirected, and inadequate.

Mr. McNamara's counterblast was perhaps the best defense he could muster. But it brings to mind one undeniably novel achievement of the Pentagon under Mr. McNamara—namely, the introduction of managed news in the Cuban crisis and the justification of official falsehood in time of national emergency.

There is reason to wonder whether, in Pentagon circles, a presidential election is considered a national emergency.

ALASKA'S WILDLIFE RESOURCES GAINING UNDER STATE MANAGEMENT

Mr. GRUENING. Mr. President, an excellent article which includes gratifying reports on the condition of Alaska's game appeared in an article by Lawrence E. Davies, the capable west coast correspondent of the New York Times, who has recently published a series of articles on various topics within Alaska.

An example of how game has multiplied in Alaska under the capable management of the State department of fish and game will be found in the following quotation from an official of that agency:

The Alaska State government takes the position that predators are needed to keep big game within range capability, that not enough big game is taken by man. There is a controversy now among biologists up here as to how many caribou the Arctic slope will support. There is no limit, no closed season on the north slope.

The fact is that since the advent of statehood, when the State department of fish and game largely replaced the Fish and Wildlife Service, in the management of the pertinent natural resources the situation both in regard to the fisheries and wildlife in Alaska has largely improved.

The Fish and Wildlife Service, under Federal control, when Alaska was a territory, was in complete charge of Alaska's wildlife and fishery resources. The Organic Act of 1912 had denied Alaska uniquely among territories the right to manage its own natural resources. This discrimination was the object of unceasing protests during the remaining 47 years of territorialism. Every territorial legislature memorialized against it and asked that the control of the fisheries be transferred to Alaska. Alaska's voteless delegates in the House of Representatives, in session after session of the Congress, urged such course of action. These Alaskan representatives knew that the conservation policies of the Federal Fish and Wildlife Service were utterly disastrous, and so it proved. In consequence of this Federal mismanagement, the salmon fisheries declined from a high of some 7 million cases to the lowest point in 60 years, in 1959, the last year of Federal control, to about a million and a half cases. The result was that the young State which came into the Union in 1959 inherited not only the arduous task of rebuilding a sorely depleted and almost extinct salmon fishery, but faced the grave economic problem that resulted from largely removing the livelihood from Alaska's coastal areas which had always been dependent on the fisheries for their income.

However, the change in policy, the abolition of fish traps—which had never been permitted while the Fish and Wildlife Service had been in control—has enabled the State to rebuild the salmon fisheries gradually, permitting Alaskans and all other Americans to look forward to the time when under its wise management this once great resource may be fully restored.

I ask unanimous consent that the article by Lawrence E. Davies, entitled: "Polar Bear Prey on Alaska Hunts," be printed in the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POLAR BEAR PREY ON ALASKA HUNTS: SCORES OF TROPHY COLLECTORS KILLED 187 THIS YEAR

(By Lawrence E. Davies)

KOTZEBUE, ALASKA, August 24.—The polar bear hunting season ended last spring but Kotzebue is still talking about the scores of trophy collectors who flew out over the Arctic ice in their quest for big white bearskin rugs. Each year the number grows, although the polar bear harvest has fluctuated since 1957.

It costs nonresident hunters an average of at least $2,500 to kill a bear on the increasingly popular aerial stalking expedition, according to the State fish and game department.

"There must have been 30 planes tied up on the ice here sometimes waiting to carry hunters on their trips over the ice floes," Mrs. David W. Johnson recalled.

For 11 years she and her husband have been in charge of this Eskimo village's office of the Alaska communication system, which is now operated by the Air Force.

POPULAR BASE FOR HUNTING

Kotzebue is one of the most popular takeoff places for the hunters. Slightly more than half of the bears taken this year were shot by members of Kotzebue-based operations.

Walter Kirkness, State fish and game commissioner, said at Juneau that this year's polar bear harvest totaled 187, compared with 250 in 1959. He said 128 were killed in 1958 and 189 last year.

"The fluctuation," he explained, "is probably due to availability of the animals and weather conditions."

Conservationists have attacked the trophy hunting as endangering the polar bear population and as wasteful of food on the ground that the carcasses are left behind after the bear is skinned. When Eskimos hunt the bears by dogsled, the conservationists point out, they carry home the meat.

Mr. Kirkness, however, asserted that the State was keeping a close watch on its animal population and that about the only difference in results over an extended period of years was that "different people are getting the bears."

ESKIMOS KILLING FEWER BEARS

He meant that Eskimos, many of whom pay only a 25-cent fee in contrast to a $10 license and a $150 polar bear tag paid by a nonresident hunter, were getting fewer bears and the trophy hunters more.

The trophy hunter customarily uses two small airplanes with pilots and guides. When a bear is located, the decision is made whether it is acceptable for trophy purposes. If it is, the advance plane lands to test the ice. The second plane, carrying the hunter, follows, landing usually a mile or so from the bear.

Some guides guarantee their clients a bear. Several hunters in this area last spring did not get an animal, however.

"None of the game in Alaska is in danger," Commissioner Kirkness declared. "Most of it is well underharvested. That goes for moose, caribou, and other animals. Our kill of sheep is insignificant because of the requirement that a sheep have a three-quarter curl in its horns. Wolves get one once in awhile."

STATE POSITION NOTED

An official of the Federal Wildlife Service observed:

"The Alaska State government takes the position that predators are needed to keep big game within range capability, that not enough big game is taken by man. There is a controversy now among biologists up here as to how many caribou the Arctic slope will support. There is no limit, no closed season on the north slope."

The official said he had heard that about 60,000 walruses were believed to abound in Alaskan waters. He said that there was "a terrific production of moose" and an oversupply of caribou, and that sheep were "in good shape."

"We should be a little careful of brown bear on the Alaska Peninsula," he added.

In 1959–60 another official of the Fish and Wildlife Service—Karl Kenyon—made an aerial observation of the walrus situation.

"We made a report but it has never been published," he said in a telephone interview from Seattle. "Based on biological evidence and aerial observation we estimated 40,000 to 70,000 head then and I think the figure would be pretty much the same today.

"The State has laws regulating the exploitation of walrus but a lot of wasteful exploitation goes on past the 3-mile limit."

Soviet walrus hunters have been reported active in the St. Lawrence Island area in the Bering Sea southwest of Nome.

ANCHORAGE'S MAYOR DISCUSSES HIS CITY'S PROBLEMS FOLLOWING THE EARTHQUAKES

Mr. GRUENING. Mr. President, a vivid account of the action taken by the city officials of Anchorage immediately after the earthquake and the problems that still confront the city are found in an excellent article by George Sharrock, mayor of Anchorage, in the August issue of Western City magazine.

Among the indefatigable and dedicated public officials who did so much to bring order out of the chaos wrought by the disastrous earthquake of March 27 was George Sharrock himself. Similarly dedicated and indefatigable labor was exhibited by Federal, State, and municipal officials. The list of those who contributed so mightily to the efforts to restore Alaska to its former condition, both in Alaska and in Washington—efforts which still continue and will for months, if not years to come—would be too long to list here. But, at the appropriate time, they should be recorded in an imperishable roll of honor.

I ask unanimous consent that the article entitled "Planning Alaska's Cities After the Earthquake," by Mayor George Sharrock, be printed at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PLANNING ALASKA'S CITIES AFTER THE EARTHQUAKE

Within a very few hours after our earthquake in Anchorage we realized that some of our long-range plans might need changing, and that even the short-range ones were now not completely adequate. I believe some or our experiences may serve to emphasize even more the necessity of planning in our complicated society, if we're to come close to achieving the better living we all want.

Anchorage was started only 50 years ago. It was construction headquarters, and later operating headquarters for the Alaska Railroad, national defense establishments, oil and fishing industries and others have been added to our economic base until now we have 50,000 people inside the city limits, with another 35,000 in the suburbs.

We have all the modern utilities and services. Some of the utilities had been started by private enterprises, but later were purchased by the city for several reasons, mostly economic. They have been developed mainly under city ownership. We own our water system, electrical generation and distribution systems, telephone system, city airport, and an $8 million seaport. We are a home rule city under the State constitution and therefore have all the powers not specifically prohibited by general law. I mention this only to indicate we can do much to shape our own destiny.

We have our city planning commission and other commissions and boards as advisory bodies. In 1960 we completed our 1980 general plan for the greater Anchorage area, which gave us some reasonable guidelines on development and land use over the next 20 years. This plan was to be updated every 5 years. Prior to the earthquake we were in the process of completely updating our zoning laws, and a new central business district plan found necessary for the same reasons existing all over the country—deterioration in certain sections with some business moving to the suburbs.

Following the earthquake our immediate concern, of course, was for public safety and the protection of property, and to provide food and housing for those needing them. Simultaneously, work was begun to restore utilities and services.

Electric power was restored by the city plant after only about 3 hours, however, because of damaged transmission lines it was 48 to 72 hours before service was returned to nearly all undamaged or usable properties.

Water and sewer lines received the heaviest damage, of course, because of being underground. In order to meet the emergency, the same night of the earthquake water tank trucks were delivering pure water to all areas. Human waste disposal units were distributed and scheduled pickup was established the next day. Water breaks were repaired as rapidly as possible and within 72 hours some 75 percent of service had been restored. In the badly damaged sections water was delivered or made available for the first week through large purifiers strategically located. By that time a system of above-ground irrigation pipes had been installed and water service was restored to all.

We found that two wells were completely lost. Water depth dropped drastically in all wells and even streamflows were reduced for several days. After a week or so they were practically all back to more or less normal. It was found that as fast as water service was restored the sewage system could be used. As breaks or blocks were discovered they were repaired temporarily.

Many roads and streets were damaged, some sinking as much as 15 feet and many cracks developed in others. Work was begun on the same evening of the quake to make emergency repairs.

Our seaport was the only one remaining usable and accessible in south-central Alaska. It had considerable damage, but the first ship was able to dock and discharge cargo only 4 days after the earthquake.

Because we are in an earthquake zone and because of the extensive damage, we were convinced, almost as soon as we knew what had happened, that some geologic and soil studies were necessary, if we were to rebuild with confidence. Within 3 days we had 40 geologists drilling, making tests, compiling, and studying available information. They presented a preliminary report the second week in April which gave some explanation of what had happened, and a general picture of unstable areas still existing.

The most extensive damage caused by the earthquake was due to large movements of earth either by subsidence or sliding. Our underlying land is composed mostly of deep deposits of gravel, sand, and clay. This movement, we are told, was caused by earth movement over the underlying deposits of clay, whose composition is such that under certain conditions it acts almost like a liquid.

Because of the severity and length of the quake it caused large blocks up to 80–100 feet deep to slide in areas along cliffs and bluffs. In the Turnagain residential area actually an area 2 miles long and 500 to 100 feet wide, slipped and moved toward the ocean. In moving, this land was completely fractured and broken up, destroying some 77 homes. Extending back 1,000–2,000 feet from these slide areas were many cracks parallel to the slides, usually only about 50–100 feet apart. Although these cracks were only an inch or two wide they ran to depths of 80 to 100 feet.

From preliminary geologic studies made for the city the Federal Government established so-called hazard zones which were to serve as interim guide lines for Federal agencies in making loans under SBA and FHA programs. Since these lines enclosed most of the damaged structures, its establishment had the effect of stopping all Federal loans, and work depending on such loans.

If we are to take into account the effects of the earthquake on our future planning, we must obtain much information. For intelligent planning we need to know what building, if any, can safely be done in the slide and unstable areas, and what land uses should be permitted.

A measure of rethinking will be necessary as to specific uses of unstable land if building is not permitted. It may be used as parking or parks in the downtown section, and for parks or recreational purposes in the residential sections.

The existence of the unstable areas in the center of town has necessitated changes in our central business district plan. To get answers to the soils questions, in April we asked the Corps of Engineers to conduct comprehensive soil tests in the appropriate areas, aimed at giving us the necessary information on safe building loads.

Contractors began abont May 1 to do core drilling and making laboratory analysis of their samples. They now have 14 drilling rigs in the field. They promised that we will have reports on the three badly damaged areas by about July 1. This will enable us to start immediately to rehabilitate our water and sewer systems and allow private individuals and firms to proceed with repairs and reconstruction, at least in those sections which we fully expect will be removed from the hazard zones. In the meantime, of course, demolition of destroyed buildings has proceeded as fast as legal requirements have allowed.

We need to know if weak and unstable soils can be stabilized and if so what is involved and at what costs.

The reports by the Corps will advise us what may be done on stabilization. They say that possible methods may consist of special drainage to prevent as much as possible water getting into the regions of the clay deposits. Such clays have been stabilized by the injection of salt water, somehow altering the characteristics of the clay and strengthening it. Reducing the grade of slopes will help stabilize, and protection of the toe of slopes from tidal action is desirable. However, whatever their recommendations, we will need to determine if such action is economically feasible, and therefore further engineering studies will be required.

The kinds and extent of damage to the water, sewer, and other underground systems dictates a complete review of design of components and methods of trenching and installation. The design of underground systems will need to be reevaluated.

It might be interesting to describe the type of failures that so far have been uncovered, although a complete report has not yet been compiled. There were failures due to several different causes, some quite interesting.

In the slide areas it is easy to picture what happened. All underground systems were completely destroyed. In spots where large pressure ridges occurred, a few water pipes came out of the ground and were standing vertically. In others where there was vertical shearing action pipes were broken off or severely bent. The most extensive damage to water was in the Turnagain residential section behind the actual slide area, but where there were hundreds of cracks indicating a stretching movement of the land toward the sea. This had the effect of pulling apart the joints of the pipes and a resulting total loss of pressure.

Sewer pipes failed in these same ways, but due to the kind of materials also had other failures. Many of our lateral, trunk and outfall sewers are of concrete pipe. Some breaks developed because of trench settlement caused by the shaking. Others cracked on top and on the bottom because of lateral pressure caused by the waves in the earth. Others were squeezed by vertical pressures and were cracked along both sides. In both cases the pipes were left oval in shape. Many of the ends of the individual concrete sewer pipes were broken by the violent action. On a long section of outfall made of large corrugated metal pipe the connecting bands were broken or the seals popped out. Because of substantial earth movement, flotation was caused in some sewers because the middle of a long section was raised, destroying the proper grade.

In view of the kinds of failures of sewer and water systems, some consideration needs to be given to changes in fabrication and design of water and sewer pipes themselves to cope with some of the more mild failures we experienced but which actually contributed to the most extensive loss of service as well as reconstruction costs. Small design changes might eliminate, for example, the loss of pressures due to relatively small pulling movements at the joints. Care in the placement of trenching might minimize extensive surface cracks in possible future earthquakes. Better methods of backfilling and compaction could prevent subsidence or other pressure factors damaging pipe. We believe many things may be learned that can benefit us, as well as other cities subject to earthquakes. Full engineering papers in detail, I'm sure, will be forthcoming within the next year, as soon as more detailed studies are made on the various aspects of the situation.

I have attempted here, very briefly, to give—perhaps too broadly—a perspective of some of our problems and what the experience may mean to our future planning. This experience has shown us that planning cannot be done on a broad scale only, but that it is necessary to get into details, too. If we don't get into detail, it doesn't seem that it is possible to forecast the vital problems on which success or failure of the plan may hinge. For instance, if our past planning had more realistically considered the probability of a major earthquake, I believe it could have changed some of our building design and locations. But only if we had considered it important enough to go into detailed studies. Of course, this is pure conjecture, and perhaps not a good example. It might have been impossible to get any general acceptance of conclusions which had the appearance or effect of restriction of private action. It might also have been impossible from the political standpoint.

The point I want to make is that planning should involve the study of details if it is to adequately anticipate problems and their solutions.

TWO INCIDENTS STRESS VIGOR OF U.S. SYSTEM

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the RECORD an article from the Chicago Tribune of August 20, 1964, entitled "Two Incidents Stress Vigor of U.S. System," by Eliot Janeway. It is an excellent article. I commend Mr. Janeway for it.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Chicago (Ill.) Tribune, Aug 20, 1964]

TWO INCIDENTS STRESS VIGOR OF U.S. SYSTEM

(By Eliot Janeway)

NEW YORK, August 19.—The strength of the American system may lie in the feasibility and fluidity of its floating center. The floating center is perhaps most clearly described as the area where the checks and balances envisioned by the Founding Fathers meet, and where the processes of change are worked out.

In terms of the world competition between the Soviet system and our own, it is clear too that inflexibility has become a weakness for the other side. Soviet Russia and Red China have got themselves frozen into so many rigid positions that rigidity has become their way of life, and they have ended by getting frozen into conflict with each other.

The Americans of this generation have from time to time grown concerned with the inefficiency said to be inherent in democracy. Admittedly, various dictatorships have seemed formidable in their ability to get the jump on us and to assert their sense of direction. But the spectacle of Russia and China, hobbled and isolated by their respective rigidities, at a time when the United States is able to maneuver freely and flexibly, suggests that this defensive thinking may be out of date.

The advantage of the American system is that the majority is always on notice to keep a watchful eye on the opposition, and that majorities and oppositions are formed and reformed anew from issue to issue and from situation to situation.

PROVIDES AN ILLUSTRATION

The Senate of the United States has just provided a classic illustration of how the American system works—and of how well it works. Take, for example, two experiences in 1 week in the never uncontroversial career of Senator WAYNE MORSE, the American Democrat from Oregon.

On Thursday, August 6, Senator MORSE found himself leading a minority of two on the Vietnam resolution. This certainly was a hot issue, and one on which feeling ran high. Even in other democracies, Senator MORSE would have cut a ludicrous figure, and he would be stamped as a loner and a hopeless oppositionist—an isolated one at that.

But exactly 5 days later, on Wednesday, August 11, the same Senator MORSE turned up as the leader of a majority of 50 who voted to cut the foreign aid appropriation bill. His progress from the outer fringe of lonely opposition to the heart of the center may have seemed mysterious to the foreign eye, but was standard operating procedure for the American political system.

A BIPARTISAN COALITION

Thirty Democrats from both sides of the Mason-Dixon line and 19 Republicans (including Senator DIRKSEN, of Illinois, Republican leader) joined him. It was a thoroughly bipartisan coalition of center-mindedness—neither Democratic nor Republican, neither liberal nor conservative—that Senator MORSE turned up leading in his fight to cut cash foreign aid.

The actual sum involved ($216 million) is not very large measured in terms of the Federal budget. It's not even very large measured in terms of the foreign aid budget, or the amount by which aid had already been slashed from last year's appropriation. It is more important qualitatively than quantitatively. It is important as a protest against "more of the same" spending as a substitute for new thinking.

This particular cut won't balance the budget, nor will it affect America's ability to treat old sores abroad or to prevent new ones from appearing. But it is a signal for us to start improvising new approaches and new procedures. It is a signal not likely to be lost on President Johnson, noted as he is for his sensitivity to the flexible and fluid position of the American center as it is reflected on the Senate floor.

STATEMENT BY ROBERT S. BROWNE TO THE COMMITTEE ON RESOLUTIONS AND PLATFORM OF THE DEMOCRATIC NATIONAL COMMITTEE

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement to the Committee on Resolutions and Platform of the Democratic National Committee by Prof. Robert S. Browne on behalf of 5,000 college and university professors who have expressed their dissatisfaction with the U.S. policy in southeast Asia. I agree with Mr. Browne's statement.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT TO THE COMMITTEE ON RESOLUTIONS AND PLATFORM OF THE DEMOCRATIC NATIONAL COMMITTEE

(By Robert S. Browne, on behalf of the ad hoc group of 5,000 college and university professors for Vietnam)

On July 10, a petition was presented to the administration which contained the names of more than 5,000 college and university professors and which asked the President not to enlarge the scope of the war in Vietnam but to work instead for neutralization of the area. Copies of this petition have been made available to you.

Because of my familiarity with southeast Asia, based on several years of residence in the area as well as my marriage into a Vietnamese family, I was requested by the National Committee for a sane nuclear policy which circulated the petition, to participate in the public presentation of this petition (along with Profs. Hans Morganthau and David Arnold) and to request an opportunity to present it to the Democratic Convention. On behalf of these 5,000 college and university professors whom I am today representing, I wish to thank the Committee on Resolutions and Platform for this opportunity to appear before you today.

This group of educators is not a formally organized body and for that reason no authority exists to identify them with any statement beyond the five terse sentences which comprise the petition. Although these five sentences are quite explicit, some further elaboration of them may be desirable.

The sense of the educators' statement is, essentially, that the prolonged U.S. involvement in Vietnam is proving itself to be extremely costly in both American and Vietnamese lives, that it is inflicting tremendous suffering on the Vietnamese people and may increasingly be harmful to the American public as well, and that despite these enormous hardships it is not likely to lead to any constructive settlement of the conflict.

The depth of the suffering of the Vietnamese people hardly needs amplification. These tormented people have been at war almost continuously since 1941. The bombed villages, the ruined crops, the mutilated bodies have become a part of our daily news diet. Here at home, the list of American dead in Vietnam is approaching the 300 mark, with American casualties running well over a thousand. U.S. expenditures in Vietnam are running close to $1½ million per day, and our former national unity on Vietnam policy is rapidly giving way to acrimony and divisiveness which is spreading its poison into other policy areas as well. To these costs must be added the erosion which our Vietnam policy is causing in our relations with some of our European allies as well as with certain of the neutral countries of Asia, who either disapprove of the unpopular governments which we have supported in South Vietnam or who view the war as primarily an internal Asian conflict in which outside powers, especially Western ones, have no business. In addition to this neocolonial image which our involvement creates, there is also an inevitable deterioration of U.S. prestige generated by the meager success—indeed, one can say failure—of the U.S. supported forces to make any substantial headway against a ragged guerrilla force only one-tenth as large.

The need for exploring a new approach to settling the conflict has long been apparent. The indigenous sentiment for a negotiated ending of the war has been ruthlessly suppressed by each South Vietnamese Government and consequently the extent of such sentiment is unknown. However, persisting indications that the people of South Vietnam are not in any significant degree supporting the war in Vietnam despite the endless exhortations to which they have been subjected leads one to the conclusion that more and more of the same is not likely to alter the deteriorating situation.

The likelihood that the Laotian situation cannot be settled until the Vietnam crisis is ended, the possibility that the continued agitation between the two Vietnams may drag us unwillingly into a full scale war at South Vietnam's provocation, the difficulty of "containing" such a conflict once it heats up, the fact that war with North Vietnam would probably bring China at least as far south as the 17th parallel, an advance which she has thus far been unable to achieve, are only a few of the factors which suggest that a progressive disengagement of our excessive involvement in South Vietnam is extremely desirable.

Whether a neutralized Indochina is indeed attainable or not is indeterminate at this time. The risk of eventual Communist control of a neutralized South Vietnam is admitted but even should this occur it need not be catastrophic in view of the strong nationalistic sentiments of the Vietnamese and their historic apathy toward China. Efforts to impose our anti-Communist ideology in Vietnam have proved notoriously ineffective, and a continuance of that policy bids well to push the entire country into the Chinese orbit as well as into communism.

We 5,000 American educators feel that an effort at neutralization of Vietnam offers a greater promise for peace, security, and freedom than does the present policy and we strongly urge the Democratic National Convention to endorse such an objective.

GARNETT E. CANNON HONORED BY AMERICAN LIFE CONVENTION

Mr. MORSE. Mr. President, Senator NEUBERGER and I were delighted to learn that an outstanding businessman of Oregon, Mr. Garnett E. Cannon, has been selected for special recognition by one of the major life insurance trade associations.

Mr. Cannon, president of the Standard Insurance Co. of Portland, Oreg., was recently designated as State vice president of the American Life Convention. This is a distinct honor which was very much deserved by this business leader of our State.

It gives Senator NEUBERGER and me a great deal of pleasure to bring this event to the attention of our colleagues.

I ask unanimous consent that the letter of August 11, 1964, addressed to the Oregon Senators on this subject, be included in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN LIFE CONVENTION,
Washington, D.C., August 11, 1964.

Hon. WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: I am writing to inform you that a fellow citizen of Oregon, Mr. Garnett E. Cannon, president of the Standard Insurance Co., of Portland, Oreg., has been selected as State vice president of the American Life Convention. Mr. Cannon, as you probably know, has had a distinguished career in the life insurance business. He is widely respected spokesman for the business and his lifetime of experience in developing and building an insurance company affords him an excellent background for his responsibilities. We feel greatly honored to have him serve our association in this capacity.

This is a signal honor in the life insurance business because the American Life Convention is the oldest and largest of the life insurance trade associations. Its 317 member companies doing business in the United States and Canada have 97.4 percent of the total assets held by life insurance companies in the United States and Canada and 94 percent of the life insurance in force in this country.

The life insurance business occupies a significant place in the economy in the State of Oregon. In 1963 citizens of your State purchased $660 million of ordinary life insurance bringing the total life insurance in force of all kinds in Oregon to a total of $6,290 million. A substantial percentage of the reserves backing the life insurance companies' commitments to policyholders in Oregon has been invested within the State. For example, in 1962, life companies' investments in Oregon of just one type—mortgage loans—totaled $512,550,000.

I would like to wish you continued success in the performance of the duties of your office.

Please let us know if there is any way we can be of service to you.

Sincerely,

GLENDON E. JOHNSON.

NATIONAL DEFENSE EDUCATION ACT AMENDMENTS, 1964

Mr. MORSE. Mr. President, there is at the desk Senate bill 3060 as amended by the House. I ask that the House amendment be taken from the desk and laid before the Senate.

The **ACTING PRESIDENT** pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3060) to amend and extend the National Defense Education Act of 1958 and to extend Public Laws 815 and 874, 81st Congress (federally affected areas) which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "National Defense Education Act Amendments, 1964".

TITLE I—AMENDMENTS OF TITLE I

Amendment of statement of findings

SEC. 101. The second sentence of the second paragraph of section 101 of the National Defense Education Act of 1958 is amended by striking out "which have led to an insufficient proportion of our population educated in science, mathematics, and modern foreign language and trained in technology".

Schools of nursing

SEC. 102. The second sentence of section 103(b) of the National Defense Education Act of 1958 is amended by striking out "private" and by striking out "(3)", and by inserting before the period at the end thereof the following: ", and includes any school of nursing as defined in subsection (l) of this section".

Additional definitions

SEC. 103. Section 103 of such Act is amended by adding at the end thereof the following:

"(l) The term 'school of nursing' means a public or other nonprofit collegiate or associate degree school of nursing.

"(m) The term 'collegiate school of nursing' means a department, division, or other administrative unit in a college or university which provides primarily or exclusively an accredited program of education in professional nursing and allied subjects leading to the degree of bachelor of arts, bachelor of science, bachelor of nursing, or to an equivalent degree, or to a graduate degree in nursing.

"(n) The term 'associate degree school of nursing' means a department, division, or other administrative unit in a junior college, community college, college, or university which provides primarily or exclusively an accredited two-year program of education in professional nursing and allied subjects leading to an associate degree in nursing or to an equivalent degree.

"(o) The term 'accredited' when applied to any program of nurse education means a program accredited by a recognized body or bodies approved for such purpose by the Commissioner of Education."

TITLE II—AMENDMENTS OF TITLE II

Appropriations authorized

SEC. 201. The first sentence of section 201 of the National Defense Education Act of 1958 is amended by striking out "and $135,000,000 for the fiscal year ending June 30, 1965, and such sums for the fiscal year ending June 30, 1966, and each of the next three fiscal years as may be necessary to enable students who have received loans for school years ending prior to July 1, 1965, to continue or complete their education" and inserting in lieu thereof "$163,300,000 for the fiscal year ending June 30, 1965, $179,300,000 for the fiscal year ending June 30, 1966, and $200,000,000 for the fiscal year ending June 30, 1967, and such sums for the fiscal year ending June 30, 1968, and each of the next three fiscal years as may be necessary to enable students who have received loans for school years ending prior to July 1, 1967, to continue or complete their education".

Allotments to States

SEC. 202. Section 202 of the National Defense Education Act of 1958 (20 U.S.C. 422) is amended by striking out "1965" wherever it appears therein and inserting in lieu thereof "1967".

Payment of Federal capital contributions

SEC. 203. Effective with respect to fiscal years beginning after June 30, 1964, section 203 of the National Defense Education Act of 1958 is further amended by striking out subsection (b) and by striking out "(a)" after "Sec. 203.".

Conditions of agreements

SEC. 204. (a) Paragraph (4) of section 204 of the National Defense Education Act of 1958 is amended to read as follows:

"(4) provide that in the selection of students to receive loans from such student loan fund special consideration shall be given to students with a superior academic background;".

(b) The amendment made by subsection (a) of this section shall apply to the selection of students under title II of the National Defense Education Act of 1958 made in or after the second month following the month in which this Act is enacted.

Terms of loans

SEC. 205. (a) Subsection (a) of section 205 of the National Defense Education Act of 1958 is amended to read as follows:

"(a) The total of the loans for any academic year or its equivalent, as determined under regulations of the Commissioner, made by institutions of higher education from loan funds established pursuant to agreements under this title may not exceed $2,500 in the case of any graduate or professional student (as defined in regulations of the Commissioner), and may not exceed $1,000 in the case of any other student. The aggregate of the loans for all years from such funds may not exceed $10,000 in the case of any graduate or professional student (as so defined, and including any loans from such funds made to such person before he became a graduate or professional student), or $5,000 in the case of any other student."

(b)(1) Subparagraph (1)(C) of subsection (b) of such section 205 is amended by striking out "either as an undergraduate or graduate student" and inserting in lieu thereof "as an undergraduate, graduate, or professional student".

(2) Paragraph (2) of such subsection (b) of such section 205 is amended by striking out "and (D)" and inserting in lieu thereof the following: "(D) the institution may provide that periodic installments needs not be paid during any period or periods, aggregating not in excess of three years, during which the borrower is in part-time attendance at an institution of higher education taking courses which are creditable toward a degree, and may also provide that any such period shall not be included in determining the ten-year period during which the repayment must be completed, but interest shall continue to accrue during any such period, and (E)".

(3) Subparagraph (3) of such subsection (b) of such section 205 is amended to read as follows:

"(3) not to exceed 50 per centum of any such loan (plus interest) shall be canceled for service as a full-time teacher in a public or other nonprofit elementary or secondary school in a State, in an institution of higher education, or in an elementary or secondary school overseas of the Armed Forces of the United States, at the rate of 10 per centum of the amount of such loan plus interest thereon, which was unpaid on the first day of such service."

(4) Paragraph (4) of subsection (b) of such section 205 is amended by inserting immediately before the semicolon at the end thereof the following: "in all cases except where the date on which repayment is to begin is suspended by reason of clause (D) of paragraph (2)".

(c) The amendment made by subsection (a), shall apply for purposes of determining the amount of any loans under title II of the National Defense Education Act of 1958 for academic years beginning after the date of enactment of this Act. The amendments made by paragraphs (2) and (4) of subsection (b) shall apply to any loan (under an agreement under title II of the National Defense Education Act of 1958) outstanding on the date of enactment of this Act only with the consent of the institution which made the loan. The amendment made by paragraph (3) of subsection (b) shall apply with respect to service performed during academic years beginning after the enactment of this Act, whether the loan was made before or after such enactment.

Distribution of assets from student loan funds

SEC. 206. Section 206 of the National Defense Education Act of 1958 (20 U.S.C. 426) is amended by striking out "1969" wherever it appears therein and inserting in lieu thereof "1971".

TITLE III—AMENDMENTS OF TITLE III

Appropriations authorized

SEC. 301. Section 301 of the National Defense Education Act of 1958 is amended to read as follows:

"Appropriations authorized

"SEC. 301. There are hereby authorized to be appropriated $70,000,000 for the fiscal year ending June 30, 1959, and for each of the eight succeeding fiscal years, for (1) making payments to State educational agencies under this title for the acquisition of equipment (suitable for use in providing education in science, mathematics, modern foreign language, reading, and English when taught to persons for whom English is a second language), and wall maps and globes, but excluding supplies which are consumed in use, and for minor remodeling described in paragraph (1) of section 303(a), and (2) making loans authorized in section 305. There are also authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1959, and each of the eight succeeding fiscal years for making payments to State educational agencies under this title to carry out the programs described in paragraph (5) of section 303(a)."

Allotments to States

SEC. 302. (a) The second sentence of subsection (a)(2) of section 302 of the National Defense Education Act of 1958 is amended by striking out "as soon as possible after the enactment of this Act, and again between July 1 and August 31 of 1959" and inserting in lieu thereof "between July 1 and August 31 of each even-numbered year beginning with calendar year 1964".

(b) The third sentence of such subsection is amended to read as follows: "Each such promulgation shall be conclusive for each of the two fiscal years in the period July 1 next succeeding such promulgation, except that the ratios promulgated in 1959 shall be conclusive for each of the five fiscal years in the period beginning July 1, 1960, and ending June 30, 1965."

(c) Effective with respect to allotments under subsection (b) of section 302 of such Act for fiscal years beginning after June 30, 1964, the third sentence of such subsection is amended by striking out "$20,000" wherever it appears therein and inserting in lieu thereof "$50,000".

State plans

SEC. 303. (a) Clause (A) of section 303(a)(1) of the National Defense Education Act of 1958 is amended to read as follows: "(A) acquisition of laboratory and other special equipment (other than supplies consumed in use), including audiovisual materials and equipment and printed and published materials (other than textbooks), suitable for use in providing education in science, mathematics, modern foreign language, reading, or English when taught to persons for whom English is a second language in public elementary or secondary schools, or both, and of wall maps, globes and test-grading equipment for such schools and specialized equipment for audiovisual libraries serving such schools, and such equipment may, if there exists a critical need therefor in the judgment of local school authorities, be used when available and suitable in providing education in other subject matter, and".

(b) Paragraph (5) of section 303(a) is amended by striking out "and modern foreign languages" and inserting in lieu thereof "science, mathematics, modern foreign language, reading, and English when taught to persons for whom English is a second language, or in connection with the use of maps and globes".

Payments to States

SEC. 304. The second sentence of subsection (b) of section 304 of such Act is amended by striking out "five" and inserting in lieu thereof "seven".

Interest rates

SEC. 305. Paragraph (3) of subsection (b) of section 305 of such Act is amended by striking out "as of the last day of the month" and inserting in lieu thereof the following: "as computed at the end of the fiscal year next".

TITLE IV—FELLOWSHIPS

SEC. 401. Effective July 1, 1964, section 402(a) of the National Defense Education Act of 1958 is amended to read as follows:

"Number of fellowships

"SEC. 402. (a) During the fiscal year ending June 30, 1965, the Commissioner is authorized to award not to exceed three thousand fellowships to be used for study in graduate programs at institutions of higher education, during the fiscal year ending June 30, 1966, he is authorized to award not to exceed five thousand such fellowships, and during the fiscal year ending June 30, 1967, he is authorized to award not to exceed six thousand five hundred such fellowships. Such fellowships may be awarded for such period of study as the Commissioner may determine, but not in excess of three academic years, except that where a fellowship holder pursues his studies as a regularly enrolled student at the institution during periods outside the regular sessions of the graduate program of the institution, a fellowship may be awarded for a period not in excess of three calendar years."

Award of fellowships and approval of institutions

SEC. 402. (a) The first sentence of subsection (a) of section 403 of the National Defense Education Act of 1958 is amended to read as follows: "Of the total number of fellowships authorized by section 402(a) to be awarded during a fiscal year (1) not less than one thousand five hundred of such fellowships awarded during the fiscal year ending June 30, 1965, and not less than one-third of such fellowships awarded during fiscal years ending June 30, 1966, and June 30, 1967, shall be awarded to individuals accepted for study in graduate programs approved by the Commissioner under this section, and (2) the remainder shall be awarded on such bases as he may determine, subject to the provisions of subsection (c)." The second sentence of subsection (a) of such section is amended by striking out ", and" at the end of clause (2) and inserting in lieu thereof a period, and by striking out clause (3) thereof.

(b) Section 403(b) of such Act is amended by striking out "under this title" and inserting in lieu thereof "as described in clause (1) of subsection (a)", and by inserting before the period at the end thereof the following: ", and the Commissioner shall give consideration to such objective in determining the number of fellowships awarded under this title for attendance at any one institution of higher education".

(c) Section 403 of such Act is further amended by adding at the end thereof the following new subsections:

"(c) Recipients of fellowships under this title shall be persons who are interested in teaching, or continuing to teach, in institutions of higher education and are pursuing, or intend to pursue, a course of study leading to a degree of doctor of philosophy or an equivalent degree.

"(d) No fellowship shall be awarded under this title for study at a school or department of divinity. For the purposes of this subsection, the term 'school or department of divinity' means an institution or department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects."

(d) The amendments made by this section shall become effective July 1, 1964.

Fellowship stipends

SEC. 403. Section 404(a) of the National Defense Education Act of 1958 is amended (1) by striking out "academic year of study after the baccalaureate degree" and inserting in lieu thereof "year of study", and (2) by adding at the end thereof the following: "Where a person awarded a fellowship under this title for study at an institution of higher education pursues his studies as a regularly enrolled student at such institution during periods outside of the regular sessions of the graduate program of the institution, the Commissioner may make appropriate adjustments in his stipends and allowances for dependents."

TITLE V—GUIDANCE, COUNSELING, AND TESTING; IDENTIFICATION AND ENCOURAGEMENT OF ABLE STUDENTS

Appropriations authorized

SEC. 501. Section 501 of the National Defense Education Act of 1958 is amended by striking out "and $17,500,000 each for the fiscal year ending June 30, 1964, and the succeeding fiscal year," and inserting in lieu thereof "$17,500,000 for the fiscal year ending June 30, 1964, $23,500,000 for the fiscal year ending June 30, 1965, $23,500,000 for the fiscal year ending June 30, 1966, and $28,500,000 for the fiscal year ending June 30, 1967,".

State plans

SEC. 502. (a) Paragraph (1) of subsection (a) of section 503 of the National Defense Education Act of 1958 is amended to read as follows:

"(1) a program for testing students in the public elementary and secondary schools of such State and, if authorized by law, in other elementary and secondary schools in such State, to identify students with outstanding aptitudes and ability, and the means of testing which will be utilized in carrying out such program; and"

(b) Paragraph (2) of subsection (a) of section 503 of such Act is amended by striking out "who are not below grade 7".

Payments to States

SEC. 503. (a) Section 504(a) of the National Defense Education Act of 1958 is amended by striking out "five" and inserting in lieu thereof "seven".

(b) Section 504(b) of such Act is amended by striking out ", who are not below grade 7,", and by striking out "six" and inserting in lieu thereof "eight".

Repealer

SEC. 504. Title V of the National Defense Education Act of 1958 is amended by striking out the heading "Part A—State Programs", and by striking out part B thereof.

Technical amendment

SEC. 505. Sections 501, 503, and 504 of the National Defense Education Act of 1958 are each amended by striking out "part" and inserting in lieu thereof "title".

TITLE VI—LANGUAGE DEVELOPMENT

Extension of title

SEC. 601. (a) Section 601 of the National Defense Education Act of 1958 is amended by striking out "1965" wherever it appears therein and inserting in lieu thereof "1967".

(b) Section 603 of such Act is amended to read as follows:

"Appropriations authorized

"SEC. 603. There are hereby authorized to be appropriated $8,000,000 for the fiscal year ending June 30, 1964, $13,000,000 for the fiscal year ending June 30, 1965, $14,000,000 for the fiscal year ending June 30, 1966, and $16,000,000 for the fiscal year ending June 30, 1967, to carry out the provisions of this title."

Repealer

SEC. 602. Effective July 1, 1964, title VI of the National Defense Education Act of 1958 is amended by striking out the center heading "Part A—Centers and Research and Studies" and by striking out part B thereof.

TITLE VII—UTILIZATION OF TELEVISION, RADIO, MOTION PICTURES, AND RELATED MEDIA FOR EDUCATIONAL PURPOSES

Extension of program

SEC. 701. Section 763 of the National Defense Education Act of 1958 is amended by striking out "six succeeding fiscal years" and inserting in lieu thereof "eight succeeding fiscal years".

TITLE VIII—MISCELLANEOUS

State administration

SEC. 801. (a) Subparagraph (2) of section 1004(a) of the National Defense Education Act of 1958 is amended by inserting before the semicolon "and will keep such records and afford such access thereto as the Commissioner may find necessary to assure the correctness and verifications of such reports".

(b) Subparagraph (3) of such section 1004(a) is amended by inserting before the period at the end thereof "(including such funds paid by the State to the local educational agencies)".

Extension of statistical services program

SEC. 802. Section 1009(a) of the National Defense Education Act of 1958 is amended by striking out "six" and inserting in lieu thereof "eight".

TITLE IX—ADDITIONAL TITLES

SEC. 901. (a) The National Defense Education Act of 1958 is amended by adding at the end thereof the following new title:

"TITLE XI—INSTITUTES

"Authorization of institutes

"SEC. 1101. There are authorized to be appropriated $35,000,000 for the fiscal year ending June 30, 1965, and each of the two succeeding fiscal years, to enable the Commissioner to arrange, through grants or contracts, with colleges and universities for the operation by them of short-term or regular session institutes for advanced study, including study in the use of new materials, to improve the qualification of individuals—

"(1) who are engaged, or are preparing to engage in elementary or secondary schools as counseling and guidance personnel,

"(2) who are engaged in or preparing to engage in the teaching, or supervising or training of teachers, of modern foreign languages, reading, or English when taught to persons for whom English is a second language, in elementary or secondary schools,

"(3) who are engaged in or preparing to engage in the teaching of disadvantaged youth and are, by virture of their service or future service in elementary or secondary schools enrolling substantial numbers of culturally, economically, socially, and educationally handicapped youth, in need of specialized training; except that no institute may be established under this title for teachers of disadvantaged youth unless such institute will offer a specialized program of instruction designed to assist such teachers in coping with the unique and peculiar problems involved in the teaching of such youth, or

"(4) who are engaged as library personnel in the elementary or secondary schools, or as supervisors of such personnel.

"Stipends

"SEC. 1102. Each individual who attends an institute operated under the provisions of this title shall be eligible (after application therefore) to receive a stipend at the rate of $75 per week for the period of his attendance at such institute, and each such individual with one or more dependents shall receive an additional stipend at the rate of $15 per week for each such dependent."

TITLE X—AMENDMENTS OF TABLE OF CONTENTS

SEC. 1001. The table of contents of the National Defense Education Act of 1958 is amended—

(1) by striking out

"Part A—State Programs";

(2) by striking out

"Part B—Counseling and Guidance Training Institutes

"Sec. 511. Authorization.";

(3) by striking out

"Part A—Centers and Research and Studies";

(4) by striking out

"Part B—Language Institutes

"Sec. 611. Authorization.";

(5) by inserting at the end thereof the following:

"Title XI—Institutes

"Sec. 1101. Authorization of institutes.

"Sec. 1102. Stipends."

TITLE XI—FEDERALLY AFFECTED AREAS

Extension of Public Law 815

SEC. 1101. (a) The first sentence of section 3 of the Act of September 23, 1950, as amended (20 U.S.C. 631–645), is amended by striking out "1965" and inserting in lieu thereof "1966".

(b) Subsection (b) of section 14 of such Act is amended by striking out "1965" each time it appears therein and inserting in lieu thereof "1966".

(c) Paragraph (15) of section 15 of such Act is amended by striking out "1962–1963" and inserting in lieu thereof "1963–1964".

Amendments to Public Law 874

SEC. 1102. Sections 2(a), 3(b), and 4(a) of the Act of September 30, 1950, as amended (20 U.S.C. 236–244), are each amended by striking out "1965" each place where it appears and inserting in lieu thereof "1966".

Comprehensive study

SEC. 1103. The Commissioner of Education shall submit to the Secretary of Health, Education, and Welfare for transmission to the Congress on or before June 30, 1965, a full report of the operation of Public Laws 815 and 874, as extended by this Act, and his recommendations as to what amendments to such laws should be made if they are further extended.

Mr. MORSE. Mr. President, I move that the Senate disagree to the House amendment and request a conference with the House thereon, and that the Chair appoint the conferees on the part the Senate.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Oregon.

The motion was agreed to; and the Acting President pro tempore appointed Mr. MORSE, Mr. HILL, Mr. MCNAMARA, Mr. YARBOROUGH, Mr. CLARK, Mr. RANDOLPH, Mr. PROUTY, Mr. GOLDWATER, and Mr. JAVITS conferees on the part of the Senate.

ORDER OF BUSINESS

Mr. HOLLAND. Mr. President, I believe Senators desiring to be heard in the morning hour have concluded their statements. Therefore, I ask that I be given unanimous consent to proceed for not to exceed 10 minutes on a matter which would not be appropriate after the morning hour.

The ACTING PRESIDENT pro tempore. The Chair will state that before the morning hour is concluded, the Chair is going to lay before the Senate H.R. 11926, as a part of the morning business. The Chair will be delighted to hear the Senator, but before the conclusion of the morning hour that bill must be laid before the Senate.

Mr. HOLLAND. Does the Chair mean the foreign aid bill?

The ACTING PRESIDENT pro tempore. The so-called Tuck bill for a second reading.

Mr. HOLLAND. My discussion will not be on the Tuck bill. I, therefore, ask unanimous consent that I may speak for 10 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. CLARK. Mr. President, reserving the right to object—and I shall not object—I have a statement I should like to make in the immediately near future about the situation of the riots in Philadelphia over the weekend. I wondered what the Senator's plans were. I came into the Chamber after the Senator from Florida rose.

Mr. HOLLAND. I do not mind stating the situation for the Senator. I stated to the majority leader, before morning business was started, that I had a statement to make which would take longer than 3 minutes and asked if it would be satisfactory to make it after all Senators who wished to proceed under the morning hour had concluded. I understood he had no objection to that course.

Mr. CLARK. Nor have I.

Mr. HOLLAND. Any Senator has a right to object, but I wish to speak on the Dirksen-Mansfield amendment. I have not spoken on the Dirksen-Mansfield amendment. It will be brief, but I wish to speak on it while it is still the pending business, because under the unanimous-consent agreement, it will be replaced after the morning hour is over, and another matter will be made the pending business.

Mr. CLARK. I have no objection. I understand from the majority leader that I shall have an opportunity to make my statement. There might be a question of germaneness if I made it after the conclusion of the morning business.

Mr. MANSFIELD. I am sure the Senator will have an opportunity to make his statement.

The ACTING PRESIDENT pro tempore. Without objection, the Senator from Florida is recognized for 10 minutes.

REAPPORTIONMENT OF STATE LEGISLATURES

Mr. HOLLAND. Mr. President, I strongly support the amendment offered by Senators DIRKSEN and MANSFIELD to the pending foreign aid bill proposing to delay until January 1, 1966, further Federal court proceedings on reapportionment of State legislatures.

As to Florida, the State legislature attempted to reapportion both houses several years ago under the provisions of our State constitution. A three-judge Federal court disapproved of the proposed formula and, further, set aside the legislative apportionment provisions of the Florida State constitution as "invidiously discriminatory." The legislature again reapportioned, this time by statute, in the effort to comply with the decision of the three-judge court. The three-judge Federal court this time approved the proposed formula as adopted by the legislature. In its most recent decisions the U.S. Supreme Court has declared that the latest reapportionment proposals of six other States, and Florida, are unconstitutional, thus overriding, as to Florida, our three-judge court. The Supreme Court now proposes to assume in the Federal courts the complete power to control State legislative reapportionment.

Aside from constitutional questions, what has happened in Florida gives a fair illustration of the instability which may be expected to result from Federal judicial control of reapportionment at least every 10 years, and more often where more frequent State censuses are taken.

I believe that the matter of reapportionment of the Florida Legislature is a State function. I, therefore, joined on July 23 with Senator DIRKSEN and others to propose a constitutional amendment leaving to each State the power of determining the composition of its legislature subject only to the clear condition that at least one house must be on a strict population basis.

The present Dirksen-Mansfield amendment to the foreign aid authorization bill is nothing more than an attempt to hold up further Federal court action until the constitutional amendment approach can be given the thorough, serious study it requires. Our calling a halt to further court action until January 1, 1966, will give us the needed time. The procedure by which a constitutional amendment is adopted requires extensive committee hearings, adoption of the proposal by a two-thirds majority of each House, and ratification by three-fourths of the States. This long, complicated procedure was purposely placed in the Constitution to afford the people of the States ample opportunity to give such a matter the consideration it deserves.

An argument is being made that the Founding Fathers intended one House of the National Legislature to be elected on a population basis and the other House on a geographical basis, but that the State legislatures were not required to be so organized. This argument is correct, but irrelevant, since most States of the Union then and since have followed legislative apportionment provisions similar to the national formula. The fact is that the Founding Fathers left this field to the continued exclusive jurisdiction of the States, where it existed prior to the adoption of the Federal Constitution.

I cannot conceive that the majority of the present Supreme Court, basing its decision on the 14th amendment, which was submitted in 1867, knew better what the Congress of 1867 intended by that amendment than did those who submitted it 97 years ago. The Congress of 1867 did not so construe the equal protection clause of the 14th amendment, nor have others until recent years. Most of the three-fourths of the States which ratified the 14th amendment made no such changes in their own constitutions, and I am sure that the 14th amendment could not have been ratified if such a contention had been made at the time.

I have received many communications indicating that I, by cosponsoring the Dirksen-Mansfield measure, am attempting to deprive people in Florida of proper representation in the State legislature. Nothing could be further from the truth. I am merely trying to make sure that the people of our State and the people of every other State shall decide, as they should, how their legislature shall be composed. If we fail in submitting an amendment, they cannot carry out their will except under the strict limitations of the Supreme Court decision. If we submit the amendment and it is ratified by three-fourths of the States, they will have the complete right to carry out their will within the framework of the amendment. In that case, at least one house must be based on population and the other house likewise if the people of Florida or any other State shall so decide. But they will have the power to base the apportionment in one house on factors other than population if they so decide.

I could not stand idly by and watch the Federal courts take away this important function from the people of the 50 States when I deeply feel that it was never so intended and such action is not in accord with our American system or our Federal Constitution.

I agree with former Justices Frankfurter and Brandeis and Mr. Justice Harlan, of the present Court, that this is a political question which, constitutionally, must be left to the States. As Justice Harlan said in the most recent cases on June 15, 1964, these decisions "have the effect of placing basic aspects of State political systems under the pervasive overlordship of the Federal judiciary."

I proceed further, Mr. President, on another and rather humorous aspect of this matter.

Among the communications from Floridians that I have received on the subject, several have indicated that because of my stand in support of the Dirksen-Mansfield amendment they intend to change their party allegiance in the coming November election. To quote one of them directly, the writer states:

> I will go Republican.

Which, of course, is his privilege. In response, however, I quote from subsection 3 of section 3 of the platform adopted recently by the Republican Party in their convention at San Francisco, which reads as follows:

> We pledge * * * support of a constitutional amendment, as well as legislation, enabling States having bicameral legislatures to apportion one house on bases of their choosing, including factors other than population.

It is clear that the Republican Party has formally adopted the same stand that I take on this matter. It is equally true that many, and I believe most, of my Democratic colleagues in both Senate and House hold identical or similar views, though the platform of the Democratic Party, adopted recently at Atlantic City, takes no stand on this subject, leaving the matter to the individual conscience of each Democrat.

I fear that many of those well-intentioned citizens who wish to uphold this recent encroachment of the Supreme Court and to supinely yield to that Court the unlimited power to control legislative redistricting in all of the 50 States have in many instances become so impatient with the long failure of State legislatures to bring about fair reapportionment that they are forgetting the dire consequences of allowing the Supreme Court to arbitrarily upset the constitutional balance between Federal and State power in this important field. I fear that they have adopted the wholly unacceptable philosophy that the end justifies the means.

I again quote Mr. Justice Harlan in his dissenting opinion of June 15, 1964:

> This Court, limited in function * * * does not serve its high purpose when it exceeds its authority even to satisfy justified impatience with the slow workings of the political process. For when in the name of constitutional interpretation the Court adds something to the Constitution that was deliberately excluded from it, the Court in reality substitutes its view of what should be so for the amending process.

And again, Mr. Justice Harlan says:

> What is done today deepens my conviction that judicial entry into this realm is profoundly ill-advised and constitutionally impermissible.

I believe that, if given a chance to consider seriously this important matter, most citizens will agree strongly with Mr. Justice Harlan's position with which I am in complete accord.

JURISDICTION OF SUPREME COURT AND FEDERAL COURTS IN CERTAIN INSTANCES

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate H.R. 11926, a bill to define the jurisdiction of the U.S. Supreme Court and all Federal courts inferior thereto in certain instances, heretofore read the first time, which, under the rule, the clerk will now read the second time.

The bill was read the second time by its title.

Mr. THURMOND. Mr. President, I object to further proceedings on the bill and ask that it be placed on the calendar.

The ACTING PRESIDENT pro tempore. Under the rule, the bill will go to the calendar.

Mr. PROXMIRE. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. PROXMIRE. It is my understanding that under the precedent which has been established a number of times, most conspicuously with respect to the civil rights bill of 1964, the objection of one Senator to proceedings after second reading will send a bill to the calendar.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin is correct, if a point of order is not made challenging the validity of the rule; if a point of order is made, the Senate on appeal will determine the question.

Mr. PROXMIRE. It is my understanding also that the distinguished Senator from Georgia [Mr. RUSSELL], who was the leader of the southern forces against the civil rights bill, made a point of order that under the La Follette-Monroney Act, a contrary rule had been established, and that the bill would not automatically go to the calendar.

I shall not make any further motion or take any further action at this time, except to observe that now a very distinguished and very able southern Senator is "copper riveting," on the basis of that precedent, the position that if any bill comes from the House to the Senate and if one Senator objects to further proceedings, the bill automatically goes to the calendar, whether it be a civil rights bill of 1965 or a civil rights bill of 1966, or any other kind of bill. Does not the force of the objection of the distinguished Senator from South Carolina tend to reestablish that precedent?

The ACTING PRESIDENT pro tempore. The present occupant of the chair ordered the civil rights bill placed on the calendar on the basis of a previous precedent. A point of order was made at that time and the ruling of the Chair was sustained. At the present time, the present occupant of the chair is again, on the objection of one Senator, ordering the bill placed on the calendar after second reading. If no point of order is made, that concludes the matter and establishes the same precedent that obtained in the case of the civil rights bill of 1964.

Mr. THURMOND. Mr. President, I was not in accord with the ruling previously made and the action of the Senate. I did not believe it was a sound position to take. I do not think so now.

However, Mr. President, the Chair ruled and the Senate acted. Since the precedent has been set, and since that is the action of the Senate, I have asked that this bill, upon which urgent action is needed, be placed upon the calendar. In doing so, we are merely following the precedent which was established by liberal thinking Senators on another occasion.

Because I believe the ruling was in error and that the Senate was unwise in following such a procedure, I shall offer an amendment to the rule to provide that bills must be referred to committee. I believe that to be the sound procedure. However, since the precedent has been set, the action I have taken follows the action taken previously on the civil rights bill.

There is need for urgent action in this particular matter at the moment; that is why I asked that the bill be placed on the calendar.

The ACTING PRESIDENT pro tempore. The bill will be placed on the calendar.

CIVIL VIOLENCE IN PHILADELPHIA

Mr. CLARK. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania will state it.

Mr. CLARK. Is the Senate still operating under the 3-minute limitation in the morning hour?

The ACTING PRESIDENT pro tempore. The Senate is still in the morning hour, operating under the 3-minute limitation.

Mr. CLARK. Mr. President, I ask unanimous consent that I may proceed for not to exceed 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, the Senator from Pennsylvania is recognized for 5 minutes.

Mr. CLARK. Mr. President, I address myself to the tragic riots and violations of law and order which erupted in my home city of Philadelphia over the past weekend. On Friday, August 28, violence erupted in an area in north Philadelphia bounded by Poplar, Lehigh, 10th, and 33d Streets, an area occupied by some 250,000 Philadelphians, most of them Negroes. Over the weekend there was widespread looting, stores were broken into, and rioting occurred. I am happy to say that order has now been restored in that area. There was no violence yesterday. None has been reported today. We hope the rioting is over. There were, it is true, sporadic outbreaks of a minor nature yesterday in both West Philadelphia and South Philadelphia; but the area where the major rioting occurred over the weekend is now calm.

I have just finished speaking on the telephone with Mayor James H. J. Tate, of Philadelphia. He as assured me that what I read in the newspapers over the weekend was correct; namely, that there is not the slightest evidence that civil rights agitation had anything whatever to do with this outbreak of violence. Not a single civil rights leader, no matter how radical he might be, participated in or condoned the rioting. Every civil rights leader has supported the mayor and has supported the police.

More than 300 arrests have been made. Most of the people who were responsible for the violence have been brought to book at law. A special magistrate's court consisting of Judges Carroll, Reimel, and Hagen has been created. All three of them, I may add, are distinguished Republican judges. They are hearing the charges brought against the 300 individuals who broke the law and committed burglary and, frequently, assault and violence. Those individuals will be brought to justice in the courts of Philadelphia in due course.

I speak with the highest commendation of the mayor of Philadelphia and of the career police force of which he is the titular head, but which is under the direct command of Police Commissioner Howard Leary, who, I am happy to say, took an active, leading position in our police force when I had the honor to be the mayor of Philadelphia some 12 years ago. From 6 o'clock p.m. on Saturday until today, one-half of Philadelphia's police force has been on duty in the riot area. That means that between 1,250 and 1,500 policemen have at all times been on the spot, doing all they could to quell the riots. I am proud to say that there is not the slightest evidence of police brutality. No tear gas was used; no dogs were brought out. The force used by the police in order to subdue those who resisted arrest was at all times moderate. Every effort was made to protect property to the extent that that could be done within the limits of the law.

I regret very much, as does every other citizen of Philadelphia and, I am sure, every citizen of the Nation, that this quite inexplicable series of riots should have broken out. Senators will recall that similar waves of riots have occurred in the North over the past several weeks. Harlem, Rochester, Jersey City, and Chester are a few of the places. The intelligence unit of the Philadelphia Police force, assisted by the Federal Bureau of Investigation, is at present engaged in an investigation to determine the cause of the riots. We do not know; we hope to find out. There are rumors of all sorts, which I shall not undertake to repeat. I can only say in conclusion that it is clear beyond peradventure that civil rights had nothing whatever to do with the outbreak. There is not a scintilla of evidence to support such a theory.

I repeat my expression of shame that Philadelphia should have been disgraced by this outbreak of violence, and I express my pride in the mayor and the superintendent of police for the magnificent way in which they handled the problem, which got out of hand initially but was quickly brought under control by police reinforcements, who did everything possible to restore order.

I hope we have heard the last of mob violence in Philadelphia.

AND STILL THE RAINS OF POISON

Mr. BARTLETT. Mr. President, today in Alaska, American citizens are receiving radiation doses considerably in excess of levels which the Federal Government calls acceptable. Many times in the past, I have risen to speak of the dangers and unknowns connected with radioactive fallout. Today, it is my grave duty to call to the attention of the Senate new data on fallout in the Arctic.

The people of Anaktuvuk Pass, in north Alaska, are American citizens and members of the Eskimo race. They live largely on the game they hunt, and caribou meat is their principal source of protein. The caribou, in their turn, during the long, hard Arctic winter live largely on lichens and mosses. These are heavily radioactive, as the result of the Soviet and United States atom bomb test series of past years. Because of this food chain running from lichen, to caribou, to man, the Eskimos of inland Alaska have received radiation levels substantially higher than those received by other population groups.

Of course, exposure to any radiation is to be avoided; the less radiation, the better. However, because of natural background, radiation, and modern scientific developments, including real and atomic testing, it is virtually impossible to escape receiving some exposure to these radionuclides. The Federal Radiation Council, in its radiation protection guide, has set forth what is generally considered to be the acceptable level of exposure for normal peacetime use. When this level is exceeded, the Council "has recommended that measures limiting intake of radioactive materials should be considered."

Radiation in the Arctic comes principally from two sources—cesium 137 and strontium 90.

Cesium 137 is a relatively long-lived radionuclide which, when taken into the body, spreads itself throughout the system. Strontium 90, on the other hand, tends to lodge in the bones. Children absorb eight times the amounts of strontium absorbed by adults in similar conditions, and for this reason it is particularly dangerous to the young.

The maximum acceptable burden of cesium 137 for populations is set in the range of 1,000 nanocuries; for individuals the maximum range is set at 3,000 nanocuries. The average rate is set lower than the individual rate, to allow for individual variations of the contamination level within the group being averaged.

With this in mind, let us look at the figures on the cesium 137 body burden of Eskimos at Anaktuvuk Pass. The latest figures, taken on July 7 of this year, have just now become available:

On July 7 of this year, the average individual cesium 137 contamination level at Anaktuvuk was 1,170 nanocuries; the maximum individual body burden found was 2,200 nanocuries.

A year ago—on July 1, 1963—the average individual cesium 137 contamination level at Anaktuvuk was 630 nanocuries; the maximum individual body burden found was 1,240 nanocuries.

Two years ago, the average individual cesium 137 contamination level at Anaktuvuk was 421 nanocuries; the maximum individual body burden found was 790 nanocuries.

Obviously, airborne residue from past atomic testing is still coming to earth; contamination levels in the Arctic are still rising. Because cesium 137 is long lived, its radiation will continue in its potency for many years. In 1962, the body burden of the average American was estimated at 3.9 nanocuries. Today, the Anaktuvuk average stands at 300 times this level.

This is contamination from but one source. To it must be added the substantial amounts of stronium 90 which the Eskimos receive, as well, from caribou meat.

Mr. President, why do I bring these omnious and depressing figures to the attention of the Senate? I do so for three reasons:

Eighteen years have passed since the first atomic bombs were dropped. In this period of time, we have made remarkable advances in our knowledge of how to make and control ever larger nuclear explosions. We have not, however, advanced to a similar degree our knowledge of the effects of radiation. We know little more now than we did then about the somatic and genetic effects upon the body of high doses of radiation on large-scale population groups. Yet it is most important to know about these things.

If, by means of extensive and continuing micro-insults—it makes little difference whether these come from radiation, pollution, or contamination—we are to alter the genetic and growth processes of nature, then it is incumbent upon us to do all we can to understand the effects and the extent of this meddling. This, we have not done.

A similar point was recently made by the director of the Biomedial Research Division of the Lawrence Radiation Laboratory, in California. I ask unanimous consent that an article, from the April 3 issue of the New York Times quoting Dr. Gofman's speech be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES URGED TO UNDERTAKE WIDE STUDY INTO EFFECTS OF RADIATION ON HEALTH

(By Gladwin Hill)

DAVIS, CALIF., April 22.—A mass population study of radiation effects, similar to current smoking and cancer research, is needed to fill tremendous gaps in medical knowledge and to combat a fallacious argument about radiation hazards, a prominant atomic scientist said today.

The survey would have to cover upward of a million people to yield statistically significant data. But within 10 years it might throw light on radiation hazards that are now imponderable, he told a national conference of atomic scientists and engineers.

The speaker was Dr. John W. Gofman, director of the biomedical research division of the Lawrence Radiation Laboratory at Livermore, Calif., which the University of California operates for the Atomic Energy Commission.

Dr. Gofman, who holds doctorates in both medicine and nuclear chemistry, said that most ideas of radiation dangers were simply deductions from the known fact that large doses of radiation can kill people or make them sick.

CUMULATIVE DOSAGES

In regard to the far more important area of the effects of small doses of radiation received over long periods, he said:

"Frankly, we have no direct, valid information on the subject of injury to be anticipated in humans either for the generation receiving such radiation or for their descendants."

There is not even "valid evidence," he continued, to support the commonplace assertion that "any radiation above natural background levels is harmful."

Dr. Gofman spoke at the university's branch here before 500 participants in the third national symposium on the Atomic Energy Commission's Plowshare program for harnessing atomic explosions for peaceful purposes.

He said the released radiation involved in the contemplated Plowshare excavation projects was only a fraction of accepted exposure standards.

But factfinding about radiation effects, he added, "represents the kind of progress required to cope with man's health and welfare, irrespective of nuclear explosions, in the world of today and tomorrow.

Dr. Gofman said that lack of evidence about radiation effects had been fallaciously and opportunistically cited in support of arguments of "proponents of one side or the other of the radiation hazard question."

CITES VARIATION OF NOTE

The notion that any augmentation of natural radiation was bad was questionable, he said, since natural radiation varied by as much as a factor of 15 in different parts of the world.

People in mile-high Denver, Colo., are constantly exposed to half again as much natural radiation as people in sea-level San Francisco, he continued, yet San Franciscans have half again as much leukemia and bone cancer as Denverites.

This does not mean at all that radiation is good for you—simply that the quite unscientific comparison, excluding all other factors, is quite invalid, he said.

Similarly, he said, some people have inferred that because 500 Rongelapp Islanders had developed no malignant diseases, they were not affected by fallout from the Pacific atomic tests.

The fact is, he continued, that in such a small group, a marked increase in disease rate might amount statistically to one-twentieth of a case.

Radiation has two areas of impact—genetic (inheritance) and somatic (physical injury). A major reason for the great lack of knowledge about genetic effects on humans, Dr. Gofman noted, is that most research has been with fruitflies and mice—as a matter of scientific feasibility—and that how valid the findings might be in human terms was still an unknown.

Moreover, he continued, there was evidence that all mutations of genes—the supposed genetic effect of radiation at certain levels—were not bad.

Mr. BARTLETT. My second reason for making this statement is a simple one: I do so to emphasize the very great importance of the test ban treaty. President Kennedy did nothing more important or significant to all mankind than the initiation of this treaty. The Senate has never acted more wisely than it did when it ratified the treaty, for there has now been no major atom test series for 2 years. Until last spring, a series of test explosions, both by the Soviets and by ourselves, had become an annual occurrence. Each year, these series had grown in their intensity and in their poison; and they culminated in the 1962 Russian 60-megaton explosion at Novaya Zemlya, in the Arctic. The souvenirs from this blast are still falling on the Alaska Arctic tundra. There were no atmospheric tests last year. There have been none this year. Even so, as I have pointed out, contamination levels in the Arctic are unconscionably high. What would they have been if testing had continued? What would become of the Eskimos and the caribou in the north, if testing were to be resumed on a major scale for many years?

My last reason for speaking is to say that I am pleased that the Public Health Service has stepped up its monitoring and surveillance of radiation in the Arctic, and that at last we are obtaining accurate, continuing, and scientifically collected data on this problem. For some years, the Scandinavians have been doing valuable work in this field. We have just begun. In December, at a meeting in my office, officials of the Federal Radiation Council, the Atomic Energy Commission, and the Division of Radiological Health of the Public Health Service, worked out the terms of this program of Arctic surveillance. I have a very deep interest in the program; and I intend to continue to pursue this interest. On June 17 a summary of the program was printed in the New York Times. I ask unanimous consent that the article be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BARTLETT. Mr. President, I want to obtain the answers to some questions: How much longer can we expect contamination levels to continue to rise in the Arctic? How much higher can we expect them to go? How much contamination from all sources are Anaktuvuk natives now receiving? What work has been done on the development of countermeasures suitable for Arctic conditions?

Ours is a great and powerful Government. Each year, Public Health Service receives millions of dollars of appropriations, and the Atomic Energy Commission receives billions of dollars. These agencies have available to them all the resources of modern medicine and science. Surely, it is our right and responsibility to insist upon obtaining the answers to these questions.

What does the Government intend to do about the mounting hazards in the Arctic?

EXHIBIT 1

[From the New York Times, June 17, 1964]

FALLOUT STUDIED IN ARCTIC PEOPLE—AIM IS TO MEASURE THE FOOD CONTAMINATION IN ALASKA

(By Walter Sullivan)

BARROW, ALASKA, June 17.—The twin-engined transport plane of the Navy's Arctic Research Laboratory took off from here this morning on a strange mission, the ferrying of 5,000 lead bricks from Kotzebue to Arctic Village.

Its assignment is part of a Federal study to determine how much atomic bomb fallout has contaminated the food of Alaskan Eskimos and Indians. The bricks are used with 5,000 others to shield the subjects from outside radiation—particularly cosmic rays—while a sensing device then measures the radioactive materials that have been incorporated into their bodies over a period of time.

The laboratory here, operated for the Office of Naval Research by the University of Alaska, is aiding in the study as part of its support of polar research projects.

Those who live off the land in northern Alaska are under scrutiny because of the selective manner in which mosses and licens on the tundra pick up and retain fallout material. These plants are eaten by Caribou that in turn, are hunted by the Indians and Eskimos.

The tests are being carried out for the Atomic Energy Commission in such communities as Anuktuvuk, in the path through which hordes of caribou migrate across the Brooks Range twice each year.

The Anuktuvuk Eskimos are largely dependent for food and clothing on these migrations. They are believed to have one of the highest burdens of radioactivity of any group of people in North America.

CARIBOU POPULATION UP

In each community 100 inhabitants are given the whole-body radiation test, and in some places this constitutes more than half the population. Other locations include Barrow, Kotzebue, Point Hope, and Fort Yukon. Only those 14 years of age or older are being tested.

According to Max Brewer, director of the Arctic Research Laboratory, the summer Caribou population on that north slope of the Brooks Range has grown so large that many of the animals are falling victim to diseases such as brucillosis and hoof rot.

On a recent flight, he said, they looked like ants on the treeless slopes. There are perhaps a half million there, he said. The overpopulation seems to have resulted from the killing off of wolves by hunters. The caribou, spared their natural enemies, multiply until they overtax the food supply and become weakened.

This is in contrast to the situation reported in recent years from the barrens of the Canadian Arctic, where Eskimos dependent on caribou have starved because the herds were so depleted.

The laboratory planes also help the Fish and Wildlife Service of the Department of the Interior in its annual census of polar bears. The increasing use of light planes to locate the bears on the polar pack ice, with land hunters nearby, has been a source of concern to conservationists. The most recent flights, however, have not shown any dramatic drop in bear population.

POLAR EXPERTS ON TOUR

Mr. Brewer was host today to a group of visiting polar specialists who are on a tour of research facilities in the north. The laboratory receives a sizable portion of the Navy's $2 million annual budget for arctic research.

Much of this goes into air operations, not only in support of other Government projects but also to supply the two stations that the laboratory maintains on platters of ice in the Arctic Ocean. Both have drifted past the North Pole and far to the east of Alaska. One, Arlis 2, is moving toward the east coast of Greenland. The other, T–3, seems to be circling back toward the coast of Canada and Alaska.

The laboratory intermittently operates 21 camps that provide shelter for scientists who wish to work in the field. Eight of the camps were smaller radar stations of the Distant Early Warning Line until they were closed down as superfluous. Last year 229 scientists and technicians from a number of universities and Government agencies made use of the laboratory's facilities.

One of the studies here concerns the effect of hibernation on the longevity of squirrels. The findings, described by Mr. Brewer, are reminiscent of the old saying that the hearts of all mammals beat about the same number of times in a typical lifetime. The elephant's heart beats slowly and he lives long; the mouse's heart beats like a triphammer and its life span is correspondingly short.

When a squirrel hibernates, its pulse drops to one or two beats a minute and its body temperature falls to within a few degrees of freezing. The squirrel which curls into a ball can be tossed about like a football without awakening. However, it has been found that, if the squirrel is kept awake for its normal 8-month period of hibernation, it becomes senile in 2½ years instead of 5.

SOCIAL SECURITY AMENDMENTS OF 1964

The PRESIDING OFFICER (Mr. NELSON in the chair). Is there further morning business? If not, morning business is closed.

The Chair lays before the Senate the unfinished business, H.R. 11380, the Foreign Assistance Act of 1965, which, under the order of August 21, 1964, will be laid aside temporarily so that the Senate may proceed to the consideration of H.R. 11865, the Social Security Amendments of 1964, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 11865) to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust fund, to extend coverage, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with amendments.

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROMOTION OF QUALIFIED OFFICERS OF THE ARMY AND AIR FORCE TO EXISTING UNIT VACANCIES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 1454, H.R. 2501.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 2501) to authorize the promotion of qualified Reserve officers of the Army and the Air Force to existing unit vacancies.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services with an amendment, to strike out all after the enacting clause and insert:

That clauses (6) and (48), section 1, of the Act of June 30, 1960, Public Law 86–559 (74 Stat. 264), are each amended by striking out "July 1, 1964" in the last sentence and inserting "July 1, 1965" in place thereof.

SEC. 2. Section 3383(e) of title 10, United States Code, is amended by striking out "July 1, 1964" and inserting "July 1, 1965" in place thereof.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1515), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL AS AMENDED

The bill as passed by the House would provide permanent authorization for the Army and Air Force to exceed present statutory ceilings for the authorized number of Reserve officers in each grade below lieutenant colonel for the purpose of promoting Reserve officers to fill unit vacancies and to appoint Reserve officers to fill mobilization requirements.

Under existing law the authority to exceed the authorized ceilings for unit promotions expired July 1, 1964. The committee recognizes the need for a temoprary extension of this authority. The committee amendment deletes the provision for permanent authority to exceed the ceilings, but provides for a 1-year extension of this authority—until July 1, 1965.

UNIVERSITY OF

The committee, while recognizing the need for this authority, is opposed to extending it for more than 1 year.

Prior to the 1960 amendments to the Reserve Officer Personnel Act of 1954, the promotion of officers to fill unit vacancies in the Army and the Air Force Reserves were subject to the overall grade ceilings. Under the Reserve Officer Personnel Act unit officers were eligible for promotion under two methods—the mandatory system or the unit vacancy system. However, between 1955 and 1960, overages in certain grades in the Army and Air Force Reserves components did not permit unit vacancy promotions to be made in most instances. In order to obtain relief from the statutory grade ceilings, the Department of Defense in 1959 requested that unit vacancy promotion be exempted from the overall ceilings for a period of 2 years. The bill as it passed the House containing the 1960 amendments to the Reserve Officer Personnel Act of 1954, would have provided for a permanent exemption from the grade authorizations for the purpose of making unit promotions. As amended, in the Senate, and subsequently enacted, the bill provided for a 4-year extension until July 1, 1964. A 4-year period was granted with the understanding that the services would make every effort during the 4-year period to reduce the excesses so that unit promotions could be made within the overall ceilings. While a limited number of actions have been taken, the grade structures of both the Army and the Air Force Reserves continue to be imbalanced.

The 1-year extension will permit the Army and Air Force to continue making unit promotions in excess of the authorized ceiling. At the same time, it will enable the Army and the Air Force to make a serious effort with respect to bringing their overall Reserve grade structure within the authorized strength ceilings in order for unit Reserve officers to receive unit promotions under the unit vacancy system. Unit promotions are authorized on a permanent basis under existing law. Subsequent to July 1, 1965, however, unit promotions would be subject to authorized strength ceilings for the various Reserve grades in the Army and Air Force.

It should be emphasized that unit officers are also eligible for promotion under the so-called mandatory system under which officers below the grade of colonel are considered for promotion at certain points of total service and time in grade.

DEPARTMENT OF DEFENSE POSITION

The Department of Defense in commenting on this legislation requested a 1-year extension for the authority to make unit promotions in the Army and Air Force in excess of the authorized ceilings. The departmental letter states that "during the period of extension, if authorized, the Army and Air Force will continue their efforts to eliminate or provide for the existing grade excesses using alternative measures."

THE EFFECT OF THE BILL

For members of the Air Force Reserve including the Air National Guard there would be a total of 1,491 officers in the grades of captain, major, and lieutenant colonel, who would receive unit vacancy promotions if the bill is passed. These officers without the authority of the bill would be denied unit vacancy promotions. The Army does not know precisely how many officers would be affected by the bill during fiscal year 1965. Only the grade of lieutenant colonel would be affected, however, and it is estimated there would be about 2,000 unit vacancies in the grade of lieutenant colonel. A certain portion of the officers occupying these vacancies, however, would receive promotions under the mandatory system, and would thereby fill the grade of their unit positions in this manner.

Authorized and assigned strengths, Army and Air Force Reserve

FOR DEPARTMENT OF THE ARMY

	Col. I, authorized	Col. II, assigned	Col. III, overage
Colonel	5,500	4,139	----------
Lieutenant colonel	16,500	21,298	4,798
Major	35,750	29,131	----------
Captain	96,250	57,888	----------
Lieutenant	120,793	113,478	----------
Total	274,793	225,934	----------

FOR THE DEPARTMENT OF THE AIR FORCE

	Col. I, authorized	Col. II, assigned	Col. III, overage
Colonel	3,600	2,328	----------
Lieutenant colonel	9,200	14,114	4,914
Major	28,000	34,274	6,274
Captain	64,000	65,117	1,117
Lieutenant	95,043	46,839	----------
Total	199,843	162,672	----------

AMENDMENT OF TITLE II OF SOCIAL SECURITY ACT—RETROACTIVITY FOR DISABILITY DETERMINATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1455, H.R. 9393.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 9393) to amend title II of the Social Security Act to provide full retroactivity for disability determinations, to extend the period within which ministers may elect coverage, and to validate wages erroneously reported for certain engineering aids employed by soil and water conservation districts in Oklahoma.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with amendments, on page 8, after line 4, to insert a new section, as follows:

SEC. 4. (a) Section 209 of the Social Security Act (relating to definition of wages) is amended—

(1) by striking out "or" at the end of subsection (i);

(2) by striking out the period at the end of subsection (j) and inserting in lieu thereof ", or"; and

(3) by inserting immediately after subsection (j) the following new subsection:

"(k) Remuneration paid to or on behalf of an employee if (and to the extent that) at the time of the payment of such remuneration it is reasonable to believe that a corresponding deduction is allowable under section 217 of the Internal Revenue Code of 1954."

(b) Section 3121(a) of the Internal Revenue Code of 1954 (relating to definition of wages) is amended—

(1) by striking out "or" at the end of paragraph (9);

(2) by striking out the period at the end of paragraph (10) and inserting in lieu thereof "; or"; and

(3) by adding after paragraph (10) the following new paragraph:

"(11) remuneration paid to or on behalf of an employee if (and to the extent that) at the time of the payment of such remuneration it is reasonable to believe that a corresponding deduction is allowable under section 217."

(c) Section 3306(b) of such Code (relating to definition of wages) is amended—

(1) by striking out the period at the end of paragraph (8) and inserting in lieu thereof "; or"; and

(2) by adding after paragraph (8) the following new paragraph:

"(9) remuneration paid to or on behalf of an employee if (and to the extent that) at the time of the payment of such remuneration it is reasonable to believe that a corresponding deduction is allowable under section 217."

(d) The amendments made by this section shall apply with respect to remuneration paid on or after the first day of the first calendar month which begins more than ten days after the date of the enactment of this Act.

And, on page 9, after line 20, to insert a new section, as follows:

SEC. 5. (a) Clause (8) of section 1002(a) of the Social Security Act is amended to read as follows: "(8) provide that the State agency shall, in determining need, take into consideration any other income and resources of the individual claiming aid to the blind, as well as any expenses reasonably attributable to the earning of any such income, except that, in making such determination, the State agency (A) shall disregard the first $85 per month of earned income, plus one-half of earned income in excess of $85 per month, (B) shall, for a period not in excess of twelve months, and may, for a period not in excess of thirty-six months, disregard such additional amounts of other income and resources, in the case of an individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of such plan;".

(b) Clause (14) of section 1602(a) of such Act is amended to read as follows:

"(14) provide that the State agency shall, in determining need for aid to the aged, blind, or disabled, take into consideration any other income and resources of an individual claiming such aid, as well as any expenses reasonably attributable to the earning of any such income; except that, in making such determination with respect to any individual who is blind, the State agency (A) shall disregard the first $85 per month of earned income plus one-half of earned income in excess of $85 per month, and (B) shall, for a period not in excess of twelve months, and may, for a period not in excess of thirty-six months, disregard such additional amounts of other income and resources, in the case of an individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of such plan, and in making such determination with respect to any other individual who has attained age 65 and is claiming aid to the aged, blind, or disabled, of the first $50 per month of earned income the State agency may, after December 31, 1962, disregard not more than the first $10 thereof plus one-half of the remainder; and".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read: "An act to amend title II of the Social Security Act to provide full retroactivity for disability determinations, to extend the period within which ministers may elect coverage, and to validate wages erroneously reported for certain engineering aids employed by soil and water conservation districts in Oklahoma, and for other purposes."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1516), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

First, the bill amends the old-age, survivors, and disability insurance program under the Social Security Act to permit a disabled worker to establish the beginning of his disability, for purposes of social security protection, as of the date he actually became disabled regardless of when he files his application. In the case of applications filed after June 30, 1962, the period of disability may begin no more than 18 months before the application for disability benefits is filed. Because of this restriction it appears that more than 50,000 people (disabled workers and their dependents) who filed applications during the 12 months following June 1962 have either been denied benefits or had their benefits lowered by reason of delayed filing. These persons will be allowed benefits or have their benefits increased by virtue of this amendment.

Second, the bill amends the Internal Revenue Code of 1954 as it affects the rights of ministers whose eligibility for electing social security coverage has expired. It would extend, generally through April 15, 1965, the time within which such persons (including Christian Science practitioners) can elect to be covered under social security. Ministers who failed to elect social security coverage before the deadline of April 15, 1962, which applied to most of them, would have another opportunity to elect coverage.

Third, the bill validates certain earnings reported under social security of engineering aids working for local soil and water conservation districts in Oklahoma who were reported in good faith, but erroneously, as State employees under the coverage agreement between the State of Oklahoma and the Secretary of Health, Education, and Welfare.

Fourth, the bill provides for excluding from the definition of wages for social security and unemployment insurance purposes, payments by an employer to a newly hired employee for reimbursement of moving expenses in reporting to his place of employment. This change is to conform with new income tax withholding procedures authorized by the Revenue Act of 1964.

Fifth, the bill will allow the States to extend the duration of the income exemption for certain needy blind who have State-approved rehabilitation plans. Titles X and XVI of the Social Security Act provide that, in determining need for eligibility purposes under the blind program, there shall be exempted by the State agency in addition to certain specified amounts of earned income, other amounts of income and resources for individuals under such plans for as much as a 12-month period. The committee bill would authorize the States at their option, to extend the exemption under such plans for a period of up to 36 months.

Elimination of present restriction on the time for filing fully retroactive applications for establishing disability periods

When the legislation providing disability benefits under social security was enacted in 1956, benefits were made available to disabled workers who had become disabled many years before, provided that the disability insured-status requirements were met at the time the disability began. This was done in view of the need for benefits on the part of the great number of workers who were already disabled, though it was recognized that there would be problems in determining whether a person who had stopped working many years before had met the definition of disability at a point when he still met the disability insured-status requirement of 5 years of covered work during the 10-year period preceding disablement. At the same time, is was assumed that almost all of the disabled workers applying for benefits in the future would be those whose disabilities had begun quite recently, and that there would be no need to continue to face the problems of determining whether a person who stopped working many years ago met the definition of disability when he still met the 5-years-out-of-10 requirement. It was, therefore, provided that after a specified date disabled workers would be required to file applications relatively promptly in order to protect their rights. The date at which the requirement of relatively prompt filing was to take effect was postponed several times, and the requirement finally became effective with respect to applications filed after June 30, 1962. Under present law, a period of disability (the period during which a worker's earnings record is "frozen" so that the period does not count against him in determining whether he is insured and in computing his benefit amount) may be established beginning no earlier than 18 months before the application is filed. The requirement of 5 years of covered work in the preceding 10-year period must be met at the point the period of disability begins. People who have been unable to work for a long time because of total disability but delay filing application for disability protection may fail to qualify for a period of disability and lose all social security benefit rights or have their benefit amounts significantly reduced because they are unable to meet these work requirements in the 18 months before they filed.

The committee has concluded that the original assumption that over the long run almost all totally disabled workers would apply promptly for disability benefits can no longer be maintained. Despite continuing efforts to inform disabled people of their rights under social security, many, for one reason or another, still do not apply for their benefits promptly. For example, in some instances there are medical or other factors that suggest that a totally and permanently disabled individual should not be informed of his unfortunate prognosis; he assumes that his condition will improve and does not file promptly. Most applicants who delay filing—particularly those who delay for a relatively short period, but longer than 1½ years after disablement—are able to qualify for monthly benefits that are smaller in amount than would have been the case had they applied promptly; others lose their right to benefits altogether. Among disability applicants filing during the 12 months following June 30, 1962, it appears that more than 50,000 people, including disabled workers and dependents, have suffered loss or diminution of benefits because the disabled worker failed to apply promptly.

The committee believes that the experience, over a number of years, in making determinations concerning the beginning date of a disability of long standing has shown that the expected problems are not of sufficient magnitude to support the continuation of a provision under which so many people suffer a continuing loss or diminution of benefits by reason of the date on which they filed an application. The committee, therefore, recommends that disabled workers be permitted to establish the beginning of a period of disability as of the date of actual disablement, even though the application for disability benefits is filed much later. Under the committee's bill, benefits or increased benefits resulting from the change we recommend would not be payable for more than 12 months prior to the effective date specified in the bill or the date of the application, whichever is later. This would be in accord with comparable provisions of present law, under which social security benefits are payable for no more than 12 months prior to the filing of an application.

Provision of an additional opportunity for ministers to obtain coverage

Coverage was made available to ministers, under the Social Security Amendments of 1954, on an individual voluntary basis. The 1954 legislation provided that ministers (including members of religious orders, other than members of religious orders who have taken vows of poverty as members of such orders, and Christian Science practitioners) already in practice would be covered if they filed, by April 15, 1957, certificates electing social security coverage. In 1957 and 1960, when it appeared that many clergymen who desired coverage had, through lack of knowledge or misunderstanding of the provisions, failed to file timely certificates electing coverage, legislation was enacted to extend the time for electing coverage. The 1960 extension expired on April 15, 1962. Under present law, in general, only newly ordained ministers (and ministers who have not had net earnings from self-employment of $400 or more, some part of which was from the exercise of the ministry, for as many as 2 taxable years after 1954) may still file certificates electing coverage.

Notwithstanding these extensions of the time for electing coverage many ministers who want coverage have failed to file certificates electing coverage under the self-employment provisions. In some cases, such ministers failed to file timely certificates because they misunderstood the provisions or were unaware of the deadline. Other ministers erroneously believed that they met the requirements for electing coverage by filing tax returns.

The committee is concerned about the need to maintain reasonable restrictions on the time within which ministers may elect coverage. However, the situation of ministers who desire social security protection but have failed to take timely action to become covered seemed to require an extension in the time for election, despite our misgivings and the problems involved. To this end, ministers who have lost their eligibility would be permitted to file certificates through April 15, 1965. Certificates filed under this amendment would be effective for taxable years ending after 1961 and all succeeding years.

Validation of earnings reported for certain engineering aids employed by soil and water conservation districts in Oklahoma

The committee's bill validates the earnings reported under social security for those engineering aids working for local soil and water conservation districts who were erroneously reported as State employees under the coverage agreement between the State of Oklahoma and the Secretary of Health, Education, and Welfare. The employees involved should properly have been reported as employees of the local soil and water conservation districts, where such districts were covered under the State's social security coverage agreement. Clearly, the State of Oklahoma has acted in good faith. The State intended from the outset to provide social security coverage for the employees concerned. Through the years the State has been filing wage reports and paying contributions for these employees, believing that the engineering aids were employees of the Oklahoma State Soil Conservation Board.

Recently, however, the attorney general of the State of Oklahoma has held that these engineering aids are in the employ of the local conservation districts. The committee's bill would treat these employees as though they were, for the period January 1, 1951, through June 30, 1962, employees of the State, thereby validating their coverage under social security for this period. The bill would have no effect on social security coverage for periods after June 30, 1962.

Exclusion of moving expenses from covered wages for social security and unemployment insurance purposes

The committee had added to the House-passed bill a provision for excluding from the definition of "wages" for social security and unemployment insurance purposes, amounts received by a newly hired employee as reimbursement of moving expenses incurred in reporting to his place of employment.

Prior to 1964, amounts received by a new employee as moving expenses were included in gross income and were subject to social security, unemployment insurance, and income tax withholding. The Revenue Act of 1964 not only provided a special deduction for the moving expenses of new employees, but also changed the income tax withholding provisions to exempt these amounts from withholding to the extent that, at the time the payment was received, it was reasonable to believe that the employee could claim a deduction for moving expenses.

Under the committee bill, the social security and unemployment insurance provisions relating to these payments would be changed to conform with the new income tax withholding provisions. Thus to the extent a deduction may be available, these reimbursements would not be subject either to the social security or unemployment tax. Since the payments that the bill would exclude from coverage are merely reimbursement for expenses incurred, they are properly not wages or salary and should be excluded from the definition of "wages."

Income and resources requirement in aid to the blind public assistance program

The Public Welfare Amendments of 1962 amended title X and XVI of the Social Security Act to provide that, in determining need for eligibility purposes in the aid to the blind program, a State shall, in addition to the specified exempted amounts of earned income in present law, exempt such other amounts of income and resources for an individual who has a plan approved by the State agency for achieving self-support, as will be necessary to fulfill such plan. Under this legislation the period of additional exemption cannot be in excess of 12 months for any individual.

The committee has added a section to the House-passed bill which would retain the provision of existing law, but permit a State, at its option, to allow a period beyond 12 months but not in excess of 36 months for an individual who has such a State-approved plan. The amounts otherwise exempted under existing law are the first $85 per month of earned income, plus one-half of earned income in excess of this amount.

FOSTER CARE EXTENSION IN CHILD CARE INSTITUTIONS UNDER AID TO DEPENDENT CHILDREN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 1456, H.R. 10473.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10473) to extend the period during which Federal payments may be made for foster care in child care institutions under the program of aid to families with dependent children under title IV of the Social Security Act.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Finance, with an amendment on page 1, after line 5, to insert a new section, as follows:

SEC. 2. (a) Section 406(a) of the Social Security Act is amended by inserting "(1)" after "needy child", by striking out "under the age of eighteen,", and by inserting before the semicolon at the end thereof ", and (2) who is (A) under the age of eighteen, or (B) under the age of twenty-one and (as determined in accordance with standards prescribed by the Secretary) a student regularly attending a high school in pursuance of a course of study leading to a high school diploma or its equivalent, or regularly attending a course of vocational or technical training designed to fit him for gainful employment".

(b) So much of section 407 of such Act which precedes paragraph (1) is amended by striking out "under the age of eighteen" and inserting in lieu thereof "who meets the requirements of section 406(a)(2),", by inserting a comma after "parent", and by striking out "relatives specified in section 406(a)" and inserting in lieu thereof "relatives specified in section 406(a)(1)".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read: "An act to extend the period during which Federal payments may be made for foster care in child-care institutions under the program of aid to families with dependent children under title IV of the Social Security Act, and for other purposes."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1517), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXTENSION OF AUTHORITY FOR FOSTER CARE IN INSTITUTIONS

This bill extends until June 30, 1967, the provision of the Public Welfare Amendments of 1962 (Public Law 87–543) which permits Federal participation in payments under the program of aid and services to needy families with children (title IV of the Social Security Act) for certain children requiring foster care who are in nonprofit private child-care institutions.

In order to give the States an alternative to leaving children in unsuitable homes or caring for them elsewhere without Federal participation in the costs, the Congress in 1961 enacted a temporary provision for Federal participation, under limited circumstances, in the cost of care in foster family homes. This applied to children who had been receiving aid to dependent children but who had been removed by a court from homes found contrary to the welfare of the child.

In the Public Welfare Amendments of 1962 the provision for Federal participation in the cost of care in foster family homes was made permanent and the Congress extended the provision to include care in nonprofit private child-care institutions so that whatever facility is most appropriate for a particular child may be used. The costs authorized to be paid to an institution were for the same items as if a child were in the foster family home of an individual. Under the 1962 legislation, however, authority for Federal matching for children placed in nonprofit private child-care institutions ends September 30, 1964.

The Department of Health, Education, and Welfare reports that only limited use has been made of the provision. Ten States have modified their plans for aid to families with dependent children so that care in institutions may be provided and in May 1964 a total of 156 children in 8 States were reported to be actually receiving such care under these plans.

The committee bill extends this provision until June 30, 1967. The Department of Health, Education, and Welfare has no objection to the extension of this temporary legislation. An Advisory Council on Public Welfare, to be appointed in 1964 under the 1962 law, will have the opportunity to consider this provision along with other provisions scheduled to expire on June 30, 1967, and to give the Congress the benefit of its views well before that date.

EXTENSION OF AGE LIMIT FOR DEPENDENT CHILDREN IN SCHOOL

The committee has added a provision which would extend Federal matching as to payments of aid to families with dependent children where a child has attained 18 but is still attending high school or a vocational school. The child must be in regular attendance in pursuance of a course of study leading to a high school diploma, or its equivalent, or in regular attendance in a course of vocational or technical training designed to fit him for gainful employment. Upon reaching age 21, or withdrawing from school, eligibility for Federal matching would cease. The extension of the program in this manner would be optional with the States.

The assumption that children are no longer dependent upon attaining age age 18 is not valid as applied to children still attending school. Moreover, the present sharp cutoff at age 18 may have the effect of forcing just those children to leave school who are most in need of a high school education or vocational training if they are to become self-sufficient and stay off the welfare rolls.

The estimated cost of this amendment is $2 million for the first full year and $11 million after 5 years, assuming that half of the States are then participating.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(At this point Mr. HUMPHREY entered the Chamber and was greeted by spontaneous applause from Senators and occupants of the galleries.)

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTES TO SENATOR HUMPHREY, DEMOCRATIC VICE-PRESIDENTIAL NOMINEE

Mr. LONG of Louisiana. Mr. President, before proceeding to the discussion of the merits of H.R. 11865, I should like briefly to pay my respects to the senior Senator from Minnesota [Mr. HUMPHREY], upon his nomination to the Vice-Presidency of the United States.

Mr. President, the Senator from Louisiana had occasion to observe the talents of the senior Senator from Minnesota many years ago—I believe it was about 1937—when the Senator from Minnesota attended the Louisiana State University briefly as a fellowship student.

The Senator from Minnesota appeared to have such superior forensic ability that the Senator from Louisiana, who was then a senior at Louisiana State University, joined in requesting that the Senator from Minnesota represent the university in debating a team from England—I believe it was the Oxford team—which had a way of giving the Louisiana State University a hard time in the debates.

The Senator from Minnesota and his partner—who, I believe, was John Makar—gave the English opposition that was rather far more effective than anticipated, and the Louisiana State University was very successful on that occasion.

Since that time it has been my privilege to observe the ability, indefatigable energy, effort, and work of the Senator from Minnesota.

I congratulate the Senator upon his nomination to represent the Democratic Party for the Office of Vice President. The Senator has been a hard worker in behalf of the farmer and the laboring people of the country. He has shown an interest in every proposal that would improve the welfare of the needy and the laboring people of the country.

While the Senator from Minnesota would naturally have some difference of opinion with the Senator from Louisiana on the matter that we discussed over a period of more than 3 months this year, nevertheless, when it comes down to trying to provide means that would make life better for the underprivileged, for those who live on retirement income—such as those whom we shall seek to help through the pending social security bill—for the farmers, and the working people of the country, the Senator from Minnesota has made a magnificent record.

I wish, as one of his colleagues who came here with him at that time, to congratulate the Senator on his nomination to as high a position as any member of the Democratic side of this body had a chance to attain at the Democratic Convention; namely, the Office of Vice President. We have a very outstanding President who was at all times certain of nomination to succeed himself.

On this side of the aisle, we wish the Senator from Minnesota well as the standard bearer of his party. I had occasion to observe his activities as a college student. It was predicted long ago that his talents would carry him far. Although I had not quite anticipated the office to which he is nominated, I could not have been surprised.

Mr. HUMPHREY. I thank the Senator.

Mr. GORE. Mr. President, I join the distinguished Senator from Louisiana [Mr. LONG] in extending congratulations to the able and distinguished senior Senator from Minnesota on his nomination at the Democratic National Convention to the Office of Vice President.

I doubt if the convention could have searched the earth and found one who would enjoy the coming battle quite so much as he. Like the description of Job:

> He smelleth the battle afar off, the thunder of the captains, and the shouting.

The distinguished senior Senator from Minnesota enjoys battle. He thrives on battle, and generally wins battles.

We are happy and fortunate to have as one of our standard bearers one who has a zest for the cause, one who is unafraid, one who is able, fluent, flexible, likable, and lovable. I am happy with his selection, and if in his journeys in the course of this battle he comes to the volunteer State, I volunteer to stand by his side.

Mr. LONG of Louisiana. I yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I cannot go back to the days when the Senator from Minnesota [Mr. HUMPHREY] was debating in college contests, as was the able Senator from Louisiana. I would wish to recall for the RECORD that in December 1947, I first became intimately acquainted with the then dynamic young mayor of the city of Minneapolis, Minn. I had occasion to visit that growing area of our country, and it was apparent to me very soon after I was privileged to talk with him that Mayor HUMPHREY was not only intensely interested in the development of transportation—which was the reason for my being there—but that he was also able to translate into action the desires of his constituency in that city for embracing a new industry which was to join in the development of the transportation system which was based in the Minneapolis-St. Paul area.

I have often been reminded by Senator HUMPHREY's zest for life of the comment of William James when he purchased a new house—that "it has 16 doors and they all open outward." So too, do the doors of HUBERT HUMPHREY's life all open outward.

Since that first meeting in 1947, I have been rewarded by a constant deepening and strengthening of my friendship with and my respect for Senator HUMPHREY. And during my years in the Senate, especially I have been the beneficiary on many occasions of the personal counsel of HUBERT HUMPHREY—occasions which have led to a better understanding and perception of the function of the Senate and the responsibilities of individual Senators.

During these years also I have come to a deep appreciation of HUBERT HUMPHREY for his constant and consistent advocacy of programs to assist humankind and for his capacity to enlarge our vision of the kind of world we can create. He has acted always, not from a narrow view, but in the unswerving effort to advance the public good.

Members of this body acknowledge the superior skills of Senator HUMPHREY in the verbal advancement of a cause. But beyond the skills of argumentation—important though these are—are the qualities in HUBERT HUMPHREY of conviction and compassion and the courage to stand strong for his convictions.

As a delegate to the Democratic Convention in Atlantic City, and chairman of the West Virginia delegation, I was pleased to participate in the nomination by acclamation of HUBERT H. HUMPHREY for Vice President of the United States. He will join President Lyndon B. Johnson and add his strength to a team that will lead the Democratic Party to victory in November. This choice gratifies not only the Democrats of West Virginia. For there is a great reservoir of confidence among all West Virginians in Senator HUMPHREY and in his zeal for the causes which will advance America to the goal of the great society.

Mr. President, I would relate one incident which seems to characterize much of the life and character of HUBERT HUMPHREY.

I had invited him to address the citizens of our State on August 1 at the L.B.J. barbecue in Martinsburg. It was one of those days when the Senate was in a prolonged session, and it became too late to make the meeting by car or train. I asked Senator HUMPHREY if he could attend if we had a plane standing by. He acknowledged that he could, and sometime after 6 p.m., he called me in the cloakroom and exclaimed, "JENNINGS, let us go."

HUBERT HUMPHREY is always on the go, and this time he is going to the Vice Presidency of the United States, in which office he will serve with the great effectiveness and high distinction that have characterized his service in this body. I wish him good health and the best of good will as he faces this new challenge in a full and inspiring life.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Mr. President, I yield to the Senator from Florida.

Mr. SMATHERS. Mr. President, I wish to join with other Senators who are today commending and congratulating the able senior Senator from Minnesota [Mr. HUMPHREY] on his having received the Democratic nomination for the Office of Vice President of the United States.

It was my happy privilege to have been one of those who, along with several others, was asked to second the nomination of HUBERT HUMPHREY at the convention. While the invitation did not get to me until about 35 minutes prior to the opening of the nominations—and there were some difficulties with the police in getting into the convention hall, nevertheless, all this was finally accomplished.

Mr. President, I do not believe that the able Senator from Minnesota has thus far had the opportunity to read that nominating speech. In a moment, I shall ask that it be included in the RECORD as a part of my remarks, so that he will know what I said about him, and the high regard in which I hold him. I have many times stated over television and radio stations, in my State and elsewhere, my high regard for the Senator from Minnesota. I have often said that I would challenge any man to be around HUBERT HUMPHREY for any length of time and not develop a great admiration and respect for him. I have also said that I would defy any man to observe him for any length of time and not be impressed with his objectivity, his impartiality, his understanding of the other man's point of view, and particularly his great intellect.

So, I think, Mr. President, that our party—and, for that matter, our Nation—is fortunate to be afforded the opportunity of having a man of the high character and quality that is possessed by the able Senator from Minnesota to serve us in this position of great responsibility. Mr. President, I ask unanimous consent to have printed in the RECORD at this point, my speech delivered at the Democratic Convention in Atlantic City seconding the nomination of Senator HUMPHREY to be the vice-presidential candidate of the Democratic Party.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SENATOR SMATHERS' SPEECH SECONDING NOMINATION OF VICE PRESIDENT HUMPHREY IN ATLANTIC CITY, AUGUST 26, 1964

Mr. Chairman, delegates, my fellow Americans, 8 years ago at the Democratic Convention it was my great privilege to be called a few hours before the nomination for Vice President, by my late beloved friend and our late great President, John F. Kennedy, and asked to place his name in nomination for Vice President of the United States.

I considered that a very great honor. Tonight, just a few hours ago, I received another call, this time asking that I second the nomination for Vice President of my friend, Senator HUBERT H. HUMPHREY, of Minnesota. I consider this also a very great honor.

For 14 years it has been my privilege to serve in the Senate with HUBERT HUMPHREY.

It has been my privilege to watch him grow—in mind, in spirit, in understanding.

For the past 5 years HUBERT HUMPHREY, while maintaining his badge as a great liberal spokesman, has nevertheless demonstrated a capacity to see the other side—to appreciate the other man's point of view.

In short, he is a liberal without dogmatism; he is a thinker who does not have to be doctrinaire.

He understands that there are problems that affect the various regions of the country in different ways; that what reacts well in the North may not, in the same manner, have the same result in the South.

As a southerner I share with many Members of Congress from the South the belief that HUBERT HUMPHREY understands these differences. In short, HUBERT HUMPHREY, while not yielding anything on principle, has learned that the application of these principles frequently must take different approaches.

HUBERT HUMPHREY has, as a Senator, made member of the Foreign Relations Committee, himself an expert on farm problems; as a he has become one of this Nation's outstanding authorities on our many and complex foreign policy issues; he knows about our public works programs; he is one of the Nation's best informed men on fiscal affairs; as a member of the Appropriations Committee, he is thoroughly conversant with this Nation's national defense program.

In summary, HUBERT HUMPHREY is ready for this great opportunity and this enormous challenge.

He is progressive, yet prudent.

He is compassionate, without weakness.

He is experienced, yet enthusiastic.

He is a man of vitality and judgment, character, and wisdom.

And above all he is a team man, and I know that he will be of great comfort and assistance to the President of the United States.

Together these men will make an unbeatable combination in the election this fall and will provide for this Nation and the free world the high quality of leadership which it so sorely needs.

Mr. Chairman, for me it is a great privilege and honor to second the nomination of HUBERT HUMPHREY for Vice President of the United States.

Mr. LONG of Louisiana. Mr. President, I yield to the Senator from Alaska.

Mr. GRUENING. Mr. President, I thank the Senator from Louisiana for yielding to me.

Those of us who were at the Democratic Convention heard the great shout that went up when President Johnson, after keeping us in suspense for months and enjoying it, and finally keeping us in more suspense for more minutes—a suspense that became almost unbearable toward the end—finally utter the words "Senator HUBERT HUMPHREY." A great lusty shout went up, which was a demonstration of how the assembled Democrats really felt about this very wise choice made by the President. We rejoiced in it.

American history has probably never previously recorded an instance in which the President of the United States, who is invariably granted the power to name his Vice President, if he wishes it, studied so long and so hard over whom to name, and had such a galaxy of talent from which to choose. The list of candidates for the vice-presidency contained some of the most distinguished names in public life. Practically every Member of this body on the Democratic side of the aisle was a potential nominee, which, it has been suggested good-humoredly, explains also why the administration had such magnificent support for most of its measures during recent months. But I think nearly all of us came to the conclusion that the President could not have made a better choice than he has made. One could speak at great length about the superlative qualifications of HUBERT HUMPHREY.

The distinguished senior Senator from Tennessee made reference to the Book of Job and the lust of battle alluded to therein. I think there is a parallel phrase which has become historic in more recent times in our own country, as applied to another great American statesman: "The Happy Warrior." I can think of no man now living to whom that felicitous designation would apply more than to HUBERT HUMPHREY, who goes into battle with zest, with joy, with high spirits, but always with scrupulous fairness. This was so conspicuously evident in his magnificent managing of the civil rights bill, one of the most controversial, one of the thorniest, one of the most emotionally charged issues ever to come before Congress. In that long drawn out legislative battle he impressed everyone not merely with his unflagging determination and zeal for the measure, but with the gallant and generous spirit in which he conducted himself, and not permitting thereby the debate to degenerate into the bitterness, acrimony, and hard feeling which, in view of the tense issues involved, could easily have happened. HUBERT HUMPHREY'S good nature, kindliness, fairness, consideration for opposing views, prevented that from happening. I think that was one of the greatest performances in all American legislative history.

Much has been said, and will be said, about his wide ranging interests. Probably few vital issues have come before the American people in the past decade and a half in which he has not had some part, generating legislation which not only has had his warm support, but for which he has often furnished the original concept, such as the antipoverty legislation, peace corps, test ban treaty, food for peace, area redevelopment, antipollution, and much, much else. Measures of great social import have not only had his support, but frequently owed their inspiration to his fertile, imaginative and socially conscious outlook.

We can look forward to his presiding over the Senate. So our regret at his leaving this body as a Senator will be partially tempered by his becoming its presiding officer.

We shall now go before the country with the strongest possible team that could have been nominated. We know they will succeed. We know the American people will return Lyndon B. Johnson and will elect HUBERT HUMPHREY to their respective exalted and responsible positions with overwhelming majorities. We look forward to that happy occasion, happy not merely for our party, but for the whole Nation. It will be in good hands, supplying the leadership which our democracy requires.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Thursday I was in Manitowoc, Wis., and Friday I was in Waukesha and Stoughton. Many Wisconsin people were delighted with the nomination of Senator HUMPHREY.

On Friday, after the great speech by Senator HUMPHREY in accepting the nomination there was a wonderful glow among our Wisconsin people at his brilliant exposition of our position and the ringing phrase that was repeated over and over again, that may become a great slogan like "Martin, Barton, and Fish."

But, much deeper than that, there was a recognition that this was a man of very high caliber, a man who has accomplished much during his career in the Senate, particularly during the last 4 years, a man who helped represent our State, because Minnesota is the second greatest dairy State in the country, a man who is extremely articulate, a man who is deeply humanitarian, a man whose whole career and personality can be understood as the great yea-sayer, the predominantly positive, optimistic happy man. Recently in a film on television, the American people were able to see a part of the reason for this in his wholesome happy childhood.

If any man in this body in the last few years has been "Mr. Peace," "Mr.

Civil Rights," yes "Mr. Humanitarian," it has been HUBERT HUMPHREY.

I especially want to join with my fine friend from Tennessee who stressed that great attribute of the HUBERT HUMPHREY personality—zest; that wonderful joy in battle that I think even Senator HUMPHREY's opponents may savor.

It was a happy, happy day for all of us in Wisconsin, Republicans, as well as Democrats, because Wisconsin people recognize that here is a man who loves his country very dearly, who will serve brilliantly as Vice President.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Oklahoma.

Mr. MONRONEY. I thank the Senator from Louisiana for yielding. I appreciate this opportunity to join all the wonderful friends and colleagues who have had so many years of service with the distinguished senior Senator from Minnesota and who have expressed their appreciation of his candidacy as Vice President for the Democratic Party.

I have seen many conventions. I have seen and heard many persons nominated. I can recall no man who was ever nominated for Vice President who was more decidedly the enthusiastic, popular choice of the convention than HUBERT HUMPHREY. Such enthusiasm was displayed the other night at Atlantic City in his behalf.

I have known him to travel many miles in behalf of Members of this body, at risk to his own position in his home State, in an effort to help elect Members from other States. Nobody has worked harder or traveled more miles on the campaign trail than has Senator HUBERT HUMPHREY since he entered the Senate in 1948.

Now that he is a candidate, we shall all join in the campaign to help him achieve success in his efforts.

He is not a stranger to the mainstream of American politics. He helped create the mainstream. He has initiated or given major support to measures that are the treasure of the Democratic Party—food for peace, agriculture, soil conservation, REA, a sensible foreign program to nail down peace, nuclear test ban, the Peace Corps, civil rights, and the antipoverty program.

He has devoted his great strength, ability, energy, and above all, a great sense of humor, to the effort to enact meaningful legislation. He is a builder of legislation for all the people.

Those who wondered about him in his early days have come to love him as they have come to know him and have watched the progress he has made as a Member of the Senate, in fashioning programs for the benefit of the people.

I thank the Senator from Louisiana for yielding to me and the convention for nominating HUBERT HUMPHREY.

Mr. DODD. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Connecticut.

Mr. DODD. I join my colleagues in paying deserved tribute to the Senator from Minnesota. I have long admired his wonderful qualities of soul; his great, generous heart. I have felt the edge of his sword, too. He not only has a great heart, tongue, and talent, but he knows how to deliver when he has to. I think it is a great thing for the country that this man will be our next Vice President and our presiding officer.

I shall always remember last Wednesday afternoon, when Senator HUMPHREY and I took a rather celebrated plane ride together because circumstance gave me the good fortune to be on the ground floor of history. I have been trying to remember everything that happened and everything that was said. When we were in the airplane flying, I was doing a great deal of talking. HUBERT was being very patient with me, and I was thinking to myself what a wise and learned listener he was. Then I looked around once and saw that he was sound asleep. It dawned on me then that he will make a great Vice President. [Laughter.]

By that I mean, of course, that the calmness and coolness that permitted him to sleep at such a crucial moment in his life will sustain and strengthen him in facing the crises and challenges that lie ahead.

He has an attribute that I never suspected. For a long time I believed he did not sleep at all. Now I know how he does it. He is a truly great man. He will be a great Vice President. I could not be happier about his candidacy.

The Senate has given many of its sons to fill the two highest elective offices within the gift of the people. This body has never given a finer, abler, stronger, gentler, wiser, humbler, more eloquent or more humane man than HUBERT HUMPHREY.

Mr. BURDICK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from North Dakota.

Mr. BURDICK. Mr. President, I rise to congratulate my neighbor. I join my colleagues in expressing my feeling of satisfaction and great pleasure at the selection made by the Democratic Party Convention at Atlantic City.

HUBERT and I have had a considerable number of things in common over the years. We both attended the same educational institution; namely, the University of Minnesota. We have engaged in the same type of political activity. We have attempted to cement, maintain, and construct a two-party system in Minnesota as well as in North Dakota. He has been a visitor in our State many times. His State is a part of the three-State agricultural area which is blessed with such a great soil and wonderful people. That area consists of South Dakota, Minnesota, and North Dakota.

Although Senator HUMPHREY is a man who is conversant with the problems of the entire Nation, we feel a particular attachment to him in the Midwest because of his strong leaning and interest in agricultural problems.

Having served on the Committee on Agriculture and Forestry, and being familiar with agricultural problems, we in the Midwest are indeed very happy and fortunate to see a man of Senator HUMPHREY's caliber leading the ticket with President Johnson.

So, HUBERT, from the other side of the Red River I congratulate you on your nomination.

Mr. LONG of Louisiana. I yield to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, it is a very great pleasure to stand on the floor to deliver a eulogy on someone who is still very much alive, instead of on one who has only recently passed away. As I gaze on the benign countenance of the senior Senator from Minnesota, and note his vigor and vitality, it is gratifying to note that a man of his integrity, vision, and deep understanding of the problems of the country has been nominated for the office of Vice President. I wish him well.

In all this happiness I must sound a note of sadness. The country's gain is the Senate's loss. I regret to see him go. I know of the many legislative achievements which are to his credit. I know of the great support he has given me time after time, sometimes in connection with measures which were not particularly popular.

When I came to the Senate, the first thing I did was to call on the Senator from Minnesota. He gave me a great deal of advice. We had lunch together in New York, and he gave me a great deal more advice. One of the things he said to me, that I shall always remember was, "Keep your mouth shut." That advice has been difficult for me to follow at times. On the other hand neither has the Senator always followed that advice.

I say to one of my dearest friends—if he is not my very dearest friend—that in the next 2 hours I shall be urging him to come to Pennsylvania as often as possible during the coming campaign.

Mr. LONG of Louisiana. I yield to the Senator from Wisconsin.

Mr. NELSON. Mr. President, I wish to join in endorsing the remarks that have been made by my colleague the senior Senator from Wisconsin [Mr. PROXMIRE], as well as the remarks which have been made by other Senators, all friends of Senator HUMPHREY. I have told Senator HUMPHREY on a number of occasions that I believe there is no one in public life with whom I have agreed more often than I have with him. He has been right 99 percent of the time. That is a pretty good record.

I was in Wisconsin over the weekend. My colleague, Senator PROXMIRE, was absolutely correct. I was in Minneapolis on Saturday evening, and I was in Kenosha at a picnic. All the Democrats, a great many Independents, and even some Republicans had smiles on their faces because their favorite Senator had been nominated for Vice President.

Senator HUMPHREY has been a great friend of our political party in Wisconsin. When we were getting started in Wisconsin in 1948, and for 9 years thereafter, until Senator PROXMIRE was elected to the Senate in a special election, Senator HUMPHREY came to Wisconsin time after time to help us build our party. Never once did he turn down our request to come to Wisconsin.

One thing that has not been said about him, which I think is a key to his character, is that he is one of the rare people I mave met who are able to communicate successfully with everyone. Whether it is a 16-year-old girl or boy in high school, a senior citizen, a businessman, a farmer, a worker, a professor, or a politician, Senator HUMPHREY understands them all. He understands people in all walks of life and of all philosophies. He has the wonderful characteristic of being able to treat everyone exactly alike. He will spend as much time and give as much consideration to the request of a 15-year-old high school student as that of a Governor, a Senator, a Representative, or a businessman. Being able to treat all people alike is a wonderful trait. It is a fine characteristic.

I am proud to mark myself a friend of his of some 16 years standing. I regret that he cannot be both a Senator and Vice President at the same time.

Mr. LONG of Louisiana. I yield to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, I am deeply pleased and heartened to be able to extend my congratulations to my dear friend and colleague, HUBERT HUMPHREY. His nomination by acclamation by the delegates last week in Atlantic City, to be the Democratic candidate for Vice President, will be a distinguished event in history. It was a moment of personal gratification for me.

I claim, along with only a very few of my present colleagues in the Senate, membership in what was once called "the class of 1948," that group of Senators newly elected in 1948 which included the former mayor of Minneapolis, HUBERT H. HUMPHREY. Some commentators found that class of Senators worthy of note. If this was so, it was due in large part to the vitality and progressive spirit of the Senator from Minnesota. Those of us who have had HUBERT as a comrade and colleague for the past 16 years have been better Senators and better men because of this association.

And as the work of the Senate and the lives of its Members have been enriched by Senator HUMPHREY, so has the Nation's strength been made stronger, the lives of our people happier, and the peace of the world more secure.

We who have been colleagues of Senator HUMPHREY for 16 years know his legislative leadership by his important and lasting works.

For all of these 16 years, and even before, as mayor of Minneapolis, he helped to lead the conscience of the Nation toward firm guarantees to all people of equal justice and equal opportunity. His skilled management in the Senate of the Civil Rights Act of 1964 was remarkable and a true achievement of the highest legislative order. He has indeed shown himself to be an outstanding national leader at the moment of national readiness to act to protect civil rights. But for many years he also showed the courage to work for the equal protection of the laws when the national conscience was not ready to fully effectuate the mandate of the Constitution.

His imaginative leadership has extended to nearly every field of national policy, both domestic and international. We know him as a great worker for peace, through humanitarian assistance to the people of countries less fortunate than ours as well as through maintenance of unequalled national power. He was the principal mover behind the nuclear test ban treaty and the Arms Control and Disarmament Agency. He was a principal author of the Peace Corps. He stimulated the Congress to devote our great agricultural surpluses to the betterment of conditions of life for millions through the food-for-peace programs. He led the effort to promote international understanding through the Public Law 480 programs which permit the use of our soft currencies abroad for a number of educational and humane projects.

All Americans respect his outstanding contributions to the encouragement of small business and the family farm. They know him as a smalltown boy and son of a druggist. They know he has never lost his deep respect for the values which the small business and the family farm have placed in our national character.

The highest value to HUBERT HUMPHREY, as his service has so clearly shown, is the quality of an individual's life and its reflection in a free society. This can be demonstrated in many ways, but I recall immediately his efforts to establish the Youth Conservation Corps, now to be embodied in the war on poverty as the Job Corps. I recall his extremely important leadership in proposing the National Defense Education Act, giving both opportunities to our youth and strength to our national security. I recall his work to establish and then to expand the food stamp program which grants the impoverished and their families a share of our abundant food without the dispiriting embarrassment of the bread line. I recall the Humphrey-Durham Drug Regulation Act which would protect American consumers.

It is only minutes before the Senate will begin the debate on providing adequate health care services for our elderly people. HUBERT HUMPHREY was one of the very first Senators to propose a decade and a half ago a social security financed system of hospital care for the aged.

Encouragement for our youths, opportunity for our students, dignity for all our people, protection and assistance for the ill and the aged—these are principles which Senator HUMPHREY holds dear and for which he has worked tirelessly.

No nominee for the office of Vice President of the United States, in this century at least, has been so well qualified in mind, heart and body. His absence as a Senator will leave a large deficiency in the National Legislature, but the vigor and the wise counsel which as Vice President he will give to the executive branch and to the legislative leadership of the President will be of highest benefit to the United States and the free world.

Mr. LONG of Louisiana. I yield to the Senator from Idaho.

Mr. CHURCH. Mr. President, it is not often, in the history of American politics, that a political party offers the people its two best qualified and most entitled men as candidates for the Presidency and Vice-Presidency of the United States.

Most often, as the public well knows, candidates are chosen for reasons other than their personal qualifications—for the size or importance of their State, for giving religious or geographical balance to the ticket, for being noncontroversial, or for simply qualifying as the best compromise to break a deadlock between leading contenders.

As we have not, typically, sought the best men to head up our national tickets, so the American people have often been saddled with mediocre Presidents.

During the period of Republican ascendancy in the twenties, when such men as Borah, Norris, and LaFollette were the giants of their party, lesser men were nominated and elected to national office. Harding, Coolidge, and Hoover occupied the White House; while the Vice Presidents of that era are already forgotten. Against these men the Democrats often nominated candidates who came close to being political nonentities; the best men of our party were also shunted aside in our national conventions.

For anyone who thinks that the habit of choosing a national ticket on the basis of political expediency, rather than personal qualification, has been changing for the better in our recent past, I cite the classic example of the shunning of Senator Taft at the Republican Convention in 1952, as evidence to the contrary. Like every bad habit, this one has been hard to break.

But the habit was definitely broken, I am proud to say, at the Democratic Convention in Atlantic City last week. The ticket chosen there consists, without question, of the two most qualified and best entitled men in the Democratic Party today.

Lyndon B. Johnson brings 30 years of experience in government—administrative, legislative, and executive—to the tasks of the Presidency. His long, varied, and fruitful apprenticeship has made him the best trained President in modern times. His effectiveness, during the last 10 months, testifies to the value of combining prolonged experience with personal capacity.

HUBERT H. HUMPHREY, from the time of his first election to the Senate in 1948, has been an outstanding Senator. He has won the respect and affection of his colleagues on both sides of the aisle. The Democrats have given him special recognition by elevating him to the position of assistant majority leader. His name has become famous throughout the land for his zestful advocacy, his unflagging spirit, and his dedication to each worthy cause. As his fame has grown, so has his skill in the arts of government.

So it was no wonder that HUBERT H. HUMPHREY was the preponderant choice of the delegates well in advance of the convention. Each of us knew him to be best entitled, not on account of the size or location of his State, not on account of his religious preference, not because he represented a shrewd compromise, and certainly not because he was noncontroversial. He was best entitled because he was the most deserving, and, as President Johnson himself observed, because—of all Democrats—HUBERT HUMPHREY was personally most qualified to serve in the Presidency itself, should he ever be called upon to do so.

This is how a ticket should be chosen. This is why I shall support Johnson and HUMPHREY with enthusiasm and conviction. And this is why the Democrats will be successful in November.

Mr. LONG of Louisiana. I yield to the junior Senator from Illinois.

Mr. DIRKSEN. Mr. President, I was afraid that this symposium would be limited to the "great society." I am glad that a modest Republican can participate, and with some qualification express his affection and love for the distinguished senior Senator from Minnesota. I do not know what strange animadversion put me on the train that took me to Minneapolis many years ago, in order to look for a job so that I might go to school.

I belong to the great fraternity of the Northern Star, namely the University of Minnesota.

Senators can imagine my present embarrassment and awkward position, as I shall go about the country, after this session is over, vigorously expressing my affection for the Senator and my desire to keep him here in the Senate. This offers a difficult problem.

I should like to say to the Senator what the late Senator O'Mahoney said to me years ago, when I went out to conquer the State of Wyoming for my party's cause.

The first thing I did when I arrived there was to call on Senator O'Mahoney. I said, "Joe, I am embarrassed."

He said, "Yes, EVERETT, I know. I have been watching the front pages. So you are going to address this great rodeo at Cheyenne. EVERETT, I love you like a brother. I wish for you all of life's blessings except the cause that brings you here."

The Scriptures have been quoted by our friend the Senator from Tennessee [Mr. GORE], who referred to Job. He said that if our distinguished friend from Minnesota ever goes to Tennessee he will stand at his side. If the Senator from Minnesota ever comes to Illinois, I may be standing at his side, although the chances are that I shall probably have to tell him what the apostle Paul said about the trumpet. It is recorded, I believe, in one of the epistles to the Corinthians, that if the trumpet gives forth an uncertain sound, who shall prepare himself to the battle? So, Mr. President, I shall have to say to my friend, "Now that you have heard the uncertain sound, listen for the gospel."

I am not so sure that we shall be on the same platform. In any event, I do not want to see him leave. I would much rather, on January 20, 1965, when he comes to attend the inaugural of the distinguished Senator from Arizona [Mr. GOLDWATER], take him by the hand out to the front steps of the Capitol and make him a distinguished guest, even on that occasion. Then, when we install our candidate here as the Presiding Officer of the Senate, I want to be able to say, with a heart full of thanksgiving: "Glory be. We love HUBERT, and we have kept him at home."

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield to the distinguished majority leader.

Mr. MANSFIELD. When I picked up the Washington Post this morning and saw a picture of the senior Senator from Minnesota on a horse, I did not know whether he would be able to reach the Senate in time to attend to his business.

All I can say is: HUBERT, you are better on your feet than you are in the saddle. I hope that bit of advice will stay with you during the rest of this campaign.

I believe we Democrats have been extremely fortunate in having as our candidate for Vice President a man of the caliber of Senator HUMPHREY—a conciliator, a mediator, a man of reason, a man who has had his share of setbacks but who has always bounced back from them, a man of ebullience—I believe that is the latest term applied to him—but also a man who is articulate and understanding.

I believe we Democrats and the Nation are fortunate that, so far as our party is concerned, we have selected the one most talented, the one most deserving, the one who will represent us the best of any of the candidates who were mentioned. I can lay claim to the fact that he is a neighbor, because while he is a Senator from Minnesota, he was born in a small town in South Dakota which is fairly close to the eastern border of the State of Montana.

So we wish you well, HUBERT. Contrary to what the distinguished minority leader has said, when we meet on next January 20—those of us who are here—we shall at that time have the honor of addressing you as "Mr. President," because you will be sitting in the chair of the Vice President. We are delighted. We are happy. We think we are the ones who have come out the best in the nomination hassle. We know that with you and the President, we have the strongest possible ticket that this party of ours can bring forth.

Mr. LONG of Louisiana. Mr. President, I yield to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I thank the Senator from Louisiana. To be quite frank, the eulogy to the living this morning, as was said earlier today, is much appreciated, yet unexpected.

First, I thank the distinguished junior Senator from Louisiana, who is a college classmate from the great University of Louisiana, for his kind words and his long friendship. I am honored by that friendship and by his good nature, tolerance, and understanding of me.

I wish to express my appreciation to every one of my colleagues who has spoken on this occasion. What could be finer, more meaningful, or more touching than the friendship and the good words of fellowship of one's colleagues in the U.S. Senate? This is a unique body. It is more like home than a legislative assembly, because we live here with one another almost as closely as we do with our own families. I have had the privilege of knowing my colleagues in the Senate with the same feeling of intimacy one exhibits toward his loved ones in his own family circle. One of the most rewarding experiences of my life has been the privilege of knowing my colleagues in the Senate on both sides of the aisle and having the opportunity to be in their fellowship and in their circle of friendship.

It is not appropriate for me to comment upon the remarks of each of my colleagues. I am gratified to know, however, that my Democratic colleagues have been out on the hustings earlier, campaigning. There is no substitute for hard work; and there is nothing that will lend greater certainty to the victory that will be ours than the hard work that Democratic Senators are putting in now back home with our constituents.

I am honored beyond words by the comments of those who were willing to place my name in nomination, especially my colleague from Minnesota [Mr. MCCARTHY] and others who were seconders. This was an honor that was really undeserved, but one that was ever appreciated. I express to them now my personal thanks, as I shall do privately and individually in the days ahead.

We had a good convention. As Democrats, we had our troubles. We would not have wanted to disappoint our friends on the other side of the aisle—nor did we. We did not even disappoint ourselves. We had a happy convention. One of the characteristics of the Democratic Party is that it has an aura of happiness and a sense of joy and exuberance. I believe that characteristic is contagious, and that the Nation will be a part of this great happiness that was so evident in the convention in Atlantic City.

I am highly honored to be the running mate of the President of the United States. I have known him long and well. I am particularly honored that the candidates of both parties come from Congress.

I must say with all fairness and respect that it has been my privilege to share in the friendship of the Senator from Arizona [Mr. GOLDWATER]. I intend to respect him as a fine human being, as a good citizen, as a patriot, and as a man of conviction.

I have not had the privilege of knowing so well the gentleman from New York, the vice-presidential candidate on the Republican ticket, but I know he is a man of considerable ability. He has a distinguished record. He has a fine family. I am certain that he is an articulate, effective spokesman for his cause.

Our President is a giant among men.

I know of his personality, of his drive, of his sense of commitment, of his deep dedication to the cause of democracy, freedom, and peace. I only hope that in some way, somehow, I may be able to ease his burden a little, and be of some genuine help in the months ahead in the campaign; and, if victory crowns our efforts, to be of help to him as his Vice President.

We are going to have a good campaign. I suppose, in a sense, it has really started. Nothing would please me more than to know that my esteemed and beloved friend from Illinois would, on occasion, extend his warm hand of good fellowship, even as he levels those body blows of Republican oratory upon me.

If I am ever to be the victim of a trouncing in political debate, I hope it will come from the Senator from Illinois, because in debate he is so masterly.

(At this point Mr. Dirksen walked across the aisle and shook hands with Mr. Humphrey, accompanied by applause from Senators and occupants of the galleries.)

Mr. HUMPHREY. Mr. President, I know of no greater joy in the Senate than occasionally having to tussle with this eloquent, effusive, and excellent orator from the State of Illinois. He is a master of the art of debate and a superman in the use of the English language.

Would that he only had a better cause, he would be unbeatable; but even with less than a worthy cause, he is difficult—he is a firm adversary.

(At this point Mr. Salinger took the chair as Presiding Officer.)

Mr. HUMPHREY. Mr. President, I deeply appreciate the words of friendship which have been spoken here today by the minority leader—and by all my other friends on the majority side. I can pledge to the minority leader that while the battle may be hard fought, we shall adhere to the standards to which he and the majority leader have adhered in the Senate.

If we will remember those standards, we shall encounter no difficulty.

In the past, wherever there should be cooperation, there was. There was always respect. Where the battleline had to be drawn, it was drawn sharply and cleanly. The battle was always fought fairly, so that whoever was the victor could say that he won with honor, and whoever was the loser could say that he lost with dignity.

If we can adhere to that line of conduct, America will be the better for it, the processes of democracy will have been well served and strengthened, and the relationships between men of good will will endure and will indeed be all the better.

I thank my colleagues very much for their words of encouragement. I also thank those who are not so willing to encourage as they are to more or less massage whatever aching body there may be.

Let me assure the minority leader that, one way or another, I shall be back in the Senate on that day in January soon to come. I would prefer, however, that I might always be in a position where my eyes could be cast upon the countenances of both the majority and minority leaders. I know of no better place to do so than in the chair now occupied by the Senator from California [Mr. Salinger].

I thank my colleagues. [Applause.]

SOCIAL SECURITY AMENDMENTS OF 1964

The Senate resumed the consideration of the bill (H.R. 11865) to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

Mr. LONG of Louisiana. Mr. President——

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield briefly?

Mr. LONG of Louisiana. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, during the past week, a personal tragedy befell the chairman of the Finance Committee, the distinguished senior Senator from Virginia [Mr. Byrd], in the loss of his lifetime partner, his beloved wife.

In his absence, I present the proposed amendment to the Social Security Act, entitled "Social Security Amendments of 1964."

The purpose of the Social Security Amendments of 1964 is, broadly, to improve the benefit and financing structure of the Federal old-age, survivors, and disability insurance system and to enable States to improve their federally matched public assistance programs for the needy aged, blind, and disabled. Very briefly, the bill accomplishes this purpose in the following ways.

First. In recognition of changes in the economy since the last across-the-board increase was made in 1958, the bill provides a 5-percent increase in the amount of benefits for the 20 million beneficiaries now on the rolls and corresponding increases for all future beneficiaries. Monthly payments would range from $42 to $133.40 now for primary beneficiaries, as compared with $40 to $127 under present law, and survivors and dependents benefits would also be proportionately increased. Eventually, as the full new wage base is realized, the maximum primary benefit would rise to $143.40. Another effect would be to raise the ceiling on the total amount of family benefits payable on a worker's earnings record from its present range of $60 to $254, depending upon the worker's average monthly earnings to a range of $63 to $281.20.

For the first full year, 1965, it is estimated that $925 million in additional benefit amounts would be paid as a result of this 5-percent increase.

The committee has added an amendment so that people on the railroad retirement rolls whose benefits are determined by the so-called social security minimum guarantee provision of the Railroad Retirement Act would also be appropriately increased. It has also acted to prevent certain VA pensioners from incurring a reduction in, or complete loss of entitlement to, their pensions because of the social security benefit increases.

The committee bill will make certain people now in their seventies or older, who cannot now qualify for benefits because they do not have the minimum of 6 quarters of coverage required in existing law, eligible for a special benefit. Most of these elderly people had already reached retirement age in 1954 and cannot meet the 6-quarter minimum because the jobs in which they spent their working lives were excluded from social security coverage while they were working. The bill would liberalize the eligibility requirement so that some 400,000 of our oldest workers, wives, and widows will qualify for benefits at age 72 if they have as little as 3 quarters of coverage acquired at any time during their working life.

Recognizing the fact that many women are widowed for many years after having left the labor market to become housewives and mothers, and therefore lack skills necessary to qualify for suitable employment, the reported bill would provide for the payment of widow's benefits beginning at age 60, with the benefits actuarially reduced to take account of the longer period over which they would be paid. Under existing law, widows are entitled to full benefits at age 62. The amount of the reduction is sufficient to assure that, over the long run, there will be no additional cost to the social security system as a result of this change. An estimated 180,000 widows are expected to claim benefits during the first year of operation.

To help children continue in school, the bill also provides for the payment of a social security or railroad retirement child's benefit beyond age 18 and up to age 22 if the child is in a public or accredited school. School is defined broadly to permit payments to students taking vocational or academic courses. The committee believes that, with the present need to encourage young people to remain in school and with many employers requiring more than a high school education, it is appropriate and desirable to provide these benefits for children in this age group who are full-time students, most of whom have suffered the loss of parental support because of the death, retirement, or severe disability of the father. According to estimates, around 270,000 young people will benefit from this provision in the amount of $175 million in 1965.

Consistent with the policies established by the Congress through the years, the improvements made by the bill will be adequately financed and the program will continue to be self-supporting on a sound actuarial basis. To this end, the committee's bill raises the limitation on the annual amount of a worker's earnings that is subject to tax—generally referred to as the earnings base—from the present $4,800 to $5,400, beginning January 1, 1965. Moreover, the tax rate schedule under existing law has been changed to bring more revenue into the system and to make more gradual the scheduled increases in existing law. This latter aspect is illustrated by the fact that the tax rates for 1966 through 1970 are less than those scheduled under current law. To bring the disability fund within the allowable limits of actuarial soundness, the bill also provides for tranfer of revenue from the old-age and survivors insurance trust fund. The net effect of the bill is to improve the actuarial soundness of the whole old-age, survivors, and disability insurance program.

Certain liberalizations as to the social security coverage of State and local employees are effectuated by the committee bill. Moreover, the maximum amount of gross farm income that self-employed farmers may use in computing covered farm income, under the optional reporting method based on gross income, would be increased from $1,800 to $2,400, effective with respect to taxable years ending after December 31, 1964.

The committee deleted the provision in the House bill extending coverage to self-employed physicians because the national association representing 70 percent of the physicians in the United States has, once again, indicated its opposition to the inclusion of self-employed physicians.

The committee has also deleted the House provision which would have repealed the longstanding prohibition against the social security coverage of policemen and firemen under State and local retirement systems. The committee believes the present method of providing such coverage on a State-by-State basis offers both an opportunity for those who wish coverage to obtain it while it continues the safeguards which organizations representing policemen and firemen believe are necessary to preserve the integrity of their unique retirement systems.

Finally, the committee struck the section of the House bill providing for the coverage of cash tips. The committee was not altogether convinced that this was a workable provision, and believes that it might unduly burden employers and employees and tend to disrupt traditional working relationships in industries where tipping plays a major role.

Moreover, to encourage States to make commensurate upward adjustments in their payments to needy people on State public assistance programs for the aged, the blind, and the disabled, the committee bill would increase the maximum amount which will be matched by the Federal Government by $5 per month per individual. It thus increases the matching maximum from $70 to $75 a month for the needy, blind, and disabled, and an equivalent amount for old-age assistance where a special provision of $15 of medical matching in existing law brings the maximum to $90 a month. The Federal cost of this proposal will be about $35 million a year.

Because it believes that the historical exclusion for Federal matching of aged recipients who are in mental and tuberculosis institutions is no longer warranted, the committee bill removes this exclusion The existing discrimination against aged persons with those diseases seems out of spirit with other Federal legislative action in this area. The committee earnestly believes, however, that this additional financing should provide better care for afflicted individuals, rather than serve as a replacement for State funds now being expended for this purpose.

The cost of this proposal is estimated at about $150 million a year.

Mr. President, I ask unanimous consent that the committee amendments to the bill be agreed to en bloc and that the bill as amended be considered as original text for the purpose of amendment.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and the amendments are agreed to en bloc.

The committee amendments agreed to en bloc are as follows:

On page 17, line 7, after the word "benefit", to strike out "whether" and insert "(whether"; on page 21, line 5, after "(b)", to strike out "(and section 202 (m))"; on page 22, line 9, after the word "enacted", to insert "on the basis of applications filed in or after the month in which this Act is enacted"; on page 29, after line 7, to strike out:

"COVERAGE FOR DOCTORS OF MEDICINE

"SEC. 8. (a)(1) Section 211(c)(5) of the Social Security Act is amended to read as follows:

"'(5) The performance of service by an individual in the exercise of his profession as a Christian Science practitioner.'

"(2) Section 211(c) of such Act is further amended by striking out the last two sentences and inserting in lieu thereof the following: 'The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by him under section 1402(e) of the Internal Revenue Code of 1954 is in effect.'

"(3) Section 210(a)(6)(C)(iv) of such Act is amended by inserting before the semicolon at the end thereof the following: ', other than as a medical or dental intern or a medical or dental resident in training'.

"(4) Section 210(a)(13) of such Act is amended by striking out all that follows the first semicolon.

"(b)(1) Section 1402(c)(5) of the Internal Revenue Code of 1954 (relating to definition of trade or business) is amended to read as follows:

"'(5) the performance of service by an individual in the exercise of his profession as a Christian Science practitioner.'

"(2) Section 1402(c) of such Code is further amended by striking out the last two sentences and inserting in lieu thereof the following: 'The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by him under subsection (e) is in effect.'

"(3)(A) Section 1402(e)(1) of such Code (relating to filing of waiver certificate by ministers, members of religious orders, and Christian Science practitioners) is amended by striking out 'extended to service' and all that follows and inserting in lieu thereof 'extended to service described in subsection (c)(4) or (c)(5) performed by him.'

"(B) Clause (A) of section 1402(e)(2) of such Code (relating to time for filing waiver certificate) is amended to read as follows: '(A) the due date of the return (including any extension thereof) for his second taxable year ending after 1954 for which he has net earnings from self-employment (computed without regard to subsection (c)(4) and (c)(5) of $400 or more, any part of which was derived from the performance of service described in subsection (c)(4) or (c)(5); or'.

"(4) Section 3121(b)(6)(C)(iv) of such Code (relating to definition of employment) is amended by inserting before the semicolon at the end thereof the following: ', other than as a medical or dental intern or a medical or dental resident in training'.

"(5) Section 3121(b)(13) of such Code is amended by striking out all that follows the first semicolon.

"(c) The amendments made by paragraphs (1) and (2) of subsection (a), and by paragraphs (1), (2), and (3) of subsection (b), shall apply only with respect to taxable years ending after December 31, 1964. The amendments made by paragraphs (3) and (4) of subsection (a), and by paragraphs (4) and (5) of subsection (b), shall apply only with respect to services performed after 1964."

On page 32, after line 2, to strike out:

"COVERAGE OF TIPS

"SEC. 9. (a)(1) Section 209 of the Social Security Act is amended by striking out 'or' at the end of subsection (i), by striking out the period at the end of subsection (j) and inserting in lieu thereof '; or ', and by adding immediately after subsection (j) the following new subsection:

"'(k)(1) Tips paid in any medium other than cash;

"'(2) Cash tips received by an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is $20 or more.'

"(2) Section 209 of such Act is further amended by adding at the end thereof the following new paragraph:

"'For purposes of this title, tips received by an employee in the course of his employment, on his own behalf and not on behalf of another person, shall be considered remuneration for employment, whether such tips are received by the employee directly from a person other than his employer or are paid over to the employee by his employer. Such tips shall be deemed to be paid to the employee by the employer, and shall be deemed to be so paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053 of the Internal Revenue Code of 1954 or (if no statement including such tips is so furnished) at the close of the 10th day following the calendar month in which they were received.'

"(b)(1) Section 3102 of the Internal Revenue Code of 1954 (relating to deduction of tax from wages) is amended by adding at the end thereof the following new subsection:

"'(c) SPECIAL RULE FOR TIPS.—In the case of tips which constitute wages, subsection (a) shall be applicable only to such tips as are included in a written statement furnished to the employer pursuant to section 6053, and only to the extent that collection can be made by the employer, at or after the time such statement is so furnished and before the close of the 10th day following the calendar month in which the tips were received, by deducting the amount of the tax from such wages of the employee (exclusive of tips, but including funds turned over by the employee to the employer for the purpose of such deduction) as are under control of the employer.'

"(2) Section 3121(a) of such Code (relating to the definition of wages under the Federal Insurance Contributions Act) is amended by striking out 'or' at the end of paragraph (9), by striking out the period at the end of paragraph (10) and inserting in lieu thereof '; or', and by adding after paragraph (10) the following new paragraph:

" '(11) (A) tips paid in any medium other than cash;

" '(B) cash tips received by an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is $20 or more.'

"(3) Section 3121 of such Code is further amended by adding at the end thereof the following new subsection:

" '(q) Tips. Tips received by an employee in the course of his employment, on his own behalf and not on behalf of another person, shall be considered remuneration for employment, whether such tips are received by the employee directly from a person other than his employer or are paid over to the employee by his employer. Such tips shall be deemed to be paid to the employee by the employer, and shall be deemed to be so paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053 or (if no statement including such tips is so furnished) at the close of the 10th day following the calendar month in which they were received.'

"(c) (1) Section 6051(a) of such Code (relating to receipts for employees) is amended by adding at the end thereof the following new sentence: 'In the case of tips received by an employee in the course of his employment, the amounts required to be shown by paragraph (5) shall include only such tips as are reported by the employee to the employer pursuant to section 6053.'

"(2) (A) Subpart C of part III of subchapter A of chapter 61 of such Code (relating to information regarding wages paid employees) is amended by adding at the end thereof the following new section:

" 'Sec. 6053. Reporting of tips.

" 'Every employee, who in the course of his employment by an employer, receives in any calendar month tips which are wages as defined in section 3121(a) shall report all such tips in one or more written statements furnished to his employer. For purposes of sections 3111, 6051(a), and 6652(c), tips received in any calendar month shall be considered reported pursuant to this section only if they are included in such a statement furnished to the employer on or before the 10th day following such month and only to the extent that the tax imposed with respect to such tips by section 3101 can be collected by the employer under section 3102. Such statements shall be furnished by the employee under such regulations, at such other times before such 10th day, and in such form and manner, as may be prescribed by the Secretary or his delegate.'

"(B) The table of sections for such subpart C is amended by adding at the end thereof the following:

" 'Sec. 6053. Reporting of tips.'

"(3) Section 6652 of such Code (relating to failure to file certain information returns) is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

" '(c) Failure To Report Tips. In the case of tips to which the first sentence of section 6053 is applicable, if the employee fails to report any of such tips to the employer pursuant to such section, unless it is shown that such failure is due to reasonable cause and not due to willful neglect, there shall be paid by the employee, in addition to the tax imposed by section 3101 with respect to the amount of the tips which he so failed to report, an amount equal to such tax.'

"(d) Section 3111 of such Code (relating to rate of tax on employers under the Federal Insurance Contributions Act), as amended by section 16 of this Act, is amended by adding at the end thereof (after and below paragraph (4)) the following new sentence:

" 'In the case of tips which constitute wages, the tax imposed by this section shall be applicable only to such tips as are reported by the employee to the taxpayer pursuant to section 6053.'

"(e) The second sentence of section 3102 (a) of such Code (relating to requirement of deduction) is amended by inserting before the period at the end thereof the following: '; and an employer who is furnished by an employee a written statement of tips (received in a calendar month) to which paragraph (11) (B) of section 3121(a) is applicable may deduct an amount equivalent to such tax with respect to such tips from any wages of the employee (exclusive of tips) under his control, even though at the time such statement is furnished the total amount of the tips so reported by the employee as received in such calendar month in the course of his employment by such employer is less than $20'.

"(f) The amendments made by this section shall apply only with respect to tips received by employees after 1964."

On page 37, at the beginning of line 20, to change the section number from "10" to "8"; on page 38, after line 8, to strike out:

"ELIMINATION OF PROHIBITION AGAINST COVERAGE OF POLICEMEN AND FIREMEN

"Sec. 11. (a) Subparagraph (A) of section 218(d) (5) of the Social Security Act is amended to read as follows:

" '(A) For purposes of this subsection, a retirement system which covers—

" '(i) positions of policemen and firemen, or

" '(ii) positions of policemen or firemen, or both, and other positions,

shall be deemed to be a separate retirement system with respect to the positions of such policemen or firemen, or both, as the State desires, and no positions of persons other than policemen or firemen may be included in any such separate retirement system.'

"(b) Section 218(d) (1) of such Act is amended—

"(1) by striking out ', and except in the case of positions excluded by paragraph (5) (A)' in the first sentence; and

"(2) by striking out '(other than a position excluded by paragraph (5) (A))' in the second sentence.

"(c) Section 218(d) (3) of such Act is amended by striking out 'excluded by or pursuant to paragraph (5)' each place it appears and inserting in lieu thereof 'excluded pursuant to paragraph (5)'.

"(d) (1) Section 218(d) (7) of such Act is amended by striking out 'excluded by or pursuant to paragraph (5)' and inserting in lieu thereof 'excluded pursuant to paragraph (5)'.

"(2) Section 218(d) (8) (D) of such Act is repealed.

"(e) Section 218(k) (3) of such Act is repealed.

"(f) Section 218(p) of such Act is repealed.

"(g) The amendments made by this section shall apply only in the case of agreements or modifications agreed to after November 30, 1964.

On page 39, at the beginning of line 22, to change the section number from "12" to "9"; on page 40, at the beginning of line 6, to change the section number from "13" to "10"; at the beginning of line 11, to change the section number from "14" to "11"; on page 41, at the beginning of line 11, to change the section number from "15" to "12"; on page 44, at the beginning of line 21, to change the section number from "16" to "13"; on page 47, after line 11, to strike out:

"(d) (1) The proviso in section 3201 of such Code (relating to rate of tax on employees under Railroad Retirement Tax Act) is amended by inserting after 'at such time' the following: '(determined under the provisions of section 3101 as in effect of June 1, 1964)'.

"(2) The proviso in section 3211 of such Code (relating to rate of tax on employee representatives under Railroad Retirement Tax Act) is amended by inserting after 'at such time' the following: '(determined under the provisions of section 3101 as in effect on June 1, 1964)'.

"(3) Section 3221(b) of such Code (relating to rate of tax on employers under Railroad Retirement Tax Act) is amended by inserting after 'at such time' the following: '(determined under the provisions of section 3111 as in effect on June 1, 1964)'."

On page 48, at the beginning of line 3, to strike out "(c)" and insert "(d)"; after line 7, to insert a new section, as follows:

"AMENDMENT PRESERVING RELATIONSHIP BETWEEN RAILROAD RETIREMENT AND OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE SYSTEMS

"Sec. 14. (a) Section 1(q) of the Railroad Retirement Act of 1937 is amended by striking out '1961' and inserting in lieu thereof '1964'.

"(b) The last sentence of section 5(j) of such Act is amended by inserting before the period at the end thereof the following: 'except that this sentence shall not operate to prevent the payment of an annuity to an individual for a month solely because during such month he ceases to be a "full-time" '.

"(c) Section 5(l) (1) (ii) of such Act is amended by inserting after 'years of age' the following: ', or shall be a full-time student and less than twenty-two years of age'.

"(d) Section (5) (l) (1) of such Act is amended by inserting before the semicolon at the end thereof the following: '. The term "full-time student" shall for the purposes of this section have the meaning ascribed to it by section 202(d) (8) of the Social Security Act, and the references to the Secretary therein shall be deemed to be references to the Board. For the purposes of subsection (e) of section 2, and subsection (b) of this section, a child who has attained the age of eighteen years and who is not under a disability which began before the child attained age eighteen, shall be deemed not entitled to benefits under subsection (c) of this section'.

"(e) Section 5(l) (9) of such Act is amended by striking out 'after 1958 is less than $4,800' and inserting in lieu thereof the following: 'after 1958 and before 1965 is less than $4,800, or for any calendar year after 1964 is less than $5,400'; and by striking out 'and $4,800 for years after 1958', and inserting in lieu thereof the following: '$4,800 for years after 1958 and before 1965, and $5,400 for years after 1964'.

"(f) The amendments made by subsections (b) and (c) shall be effective with respect to annuities under the Railroad Retirement Act of 1937 for months after the month in which this Act is enacted but only (except as provided in the next sentence) on the basis of an application filed with the Board in or after the month in which this Act is enacted. In the case of an individual who was entitled to an annuity under section 5 of the Railroad Retirement Act of 1937 for the month in which this Act is enacted such amendments shall apply to annuities for months after the month in which this Act is enacted.

On page 50, after line 2, to insert a new section, as follows:

"EXTENSION OF PERIOD FOR FILING PROOF OF SUPPORT AND APPLICATIONS FOR LUMP-SUM DEATH PAYMENT

"SEC. 15. (a) Subsection (p) of section 202 of the Social Security Act is amended to read as follows:

" 'Extension of Period for Filing Proof of Support and Applications for Lump-Sum Death Payment

" '(p) In any case in which there is a failure—

" '(1) to file proof of support under subparagraph (C) of subsection (c)(1), clause (i) or (ii) of subparagraph (D) of subsection (f)(1), or subparagraph (B) of subsection (h)(1), or under clause (B) of subsection (f)(1) of this section as in effect prior to the Social Security Act Amendments of 1950, within the period prescribed by such subparagraph or clause, or

" '(2) to file, in the case of a death after 1946, application for a lump-sum death payment under subsection (i), or under subsection (g) of this section as in effect prior to the Social Security Act Amendments of 1950, within the period prescribed by such subsection,

any such proof or application, as the case may be, which is filed after the expiration of such period shall be deemed to have been filed within such period if it is shown to the satisfaction of the Secretary that there was good cause for failure to file such proof of application within such period. The determination of what constitutes good cause for purposes of this subsection shall be made in accordance with regulations of the Secretary.'

"(b) The amendments made by this section shall be effective with respect to (1) applications for lump-sum death payments filed in or after the month in which this Act is enacted, and (2) monthly benefits based on applications filed in or after such month."

On page 51, after line 10, to insert a new section, as follows:

"INTERRELATIONSHIP BETWEEN VETERANS' BENEFITS AND INCREASED SOCIAL SECURITY BENEFITS

"SEC. 16. (a) Section 503 of title 38, United States Code, is amended by inserting '(a)' after '503.', and by adding at the end thereof the following:

"(b) Notwithstanding the provisions of subsection (a), in the case of any individual—

" '(1) who for the first month after the month in which the Social Security Amendments of 1964 is enacted, is entitled to a monthly insurance benefit under section 202 or 223 of the Social Security Act,

" '(2) who, for such month, is entitled to a monthly benefit payable under the provisions of this chapter, and

" '(3) whose insurance benefit referred to in clause (1) for any subsequent month is increased by reason of the enactment of the Social Security Amendments of 1964,

there shall not be counted, in determining the annual income of such individual under this chapter, so much of the insurance benefit referred to in clause (1) for any subsequent month as is equal to the amount by which such insurance benefit is increased by reason of the enactment of the Social Security Amendments of 1964.'

"(b) The amendments made by this section shall be applicable in determining income received for months after the first month following the month in which the Social Security Amendments of 1964 is enacted."

On page 52, after line 13, insert a new section, as follows:

"AMENDMENT TO DEFINITIONS OF ASSISTANCE UNDER TITLES I AND XVI OF THE SOCIAL SECURITY ACT

"SEC. 17. (a)(1) Section 6(a) of the Social Security Act is amended to read as follows:

" 'SEC. 6. (a) For the purposes of this title, the term "old-age assistance" means money payments to, or (if provided in or after the third month before the month in which the recipient makes application for assistance) medical care in behalf of or any type of remedial care recognized under State law in behalf of, needy individuals who are sixty-five years of age or older, but does not include any such payments to or care in behalf of any individual who is an inmate of a public institution (except as a patient in a medical institution).'

"(2) Subsection (b) of such section 6 is amended by striking out all that follows clause (12) thereof, and inserting in lieu thereof the following: 'except that such term does not include any such payments with respect to care or services for any individual who is an inmate of a public institution (except as a patient in a medical institution).'

"(b)(1) Section 1605(a) of such Act is amended to read as follows:

" 'SEC. 1605. (a) For purposes of this title, the term "aid to the aged, blind, or disabled" means money payments to, or (if provided in or after the third month before the month in which the recipient makes application for aid) medical care in behalf of or any type of remedial care recognized under State law in behalf of, needy individuals who are 65 years of age or older, are blind, or are 18 years of age or over and permanently and totally disabled, but such term does not include—

" '(1) in the case of any individual, any such payments to or care in behalf of any individual who is an inmate of a public institution (except as a patient in a medical institution); or

" '(2) in the case of any individual who has not attained 65 years of age—

" '(A) any such payments to or care in behalf of any individual who is a patient in an institution for tuberculosis or mental diseases, or

" '(B) any such payments to any individual who has been diagnosed as having tuberculosis or psychosis and is a patient in a medical institution as a result thereof, or

" '(C) any such care in behalf of any individual, who is a patient in a medical institution as a result of a diagnosis that he has tuberculosis or psychosis, with respect to any period after the individual has been a patient in such an institution, as a result of such diagnosis, for forty-two days.'

"(2) Subsection (b) of such section 1605 is amended by striking out all that follows clause (12) thereof, and inserting in lieu thereof the following: 'except that such term does not include any such payments with respect to care or services for any individual who is an inmate of a public institution (except as a patient in a medical institution).'

And, at the top of page 55, to insert a new section, as follows:

"INCREASED MAXIMUM ON FEDERAL PAYMENTS UNDER PUBLIC ASSISTANCE TITLES OF THE SOCIAL SECURITY ACT

"SEC. 18. (a) Section 3(a)(1) of the Social Security Act as amended by striking out clauses (B) and (C) and inserting in lieu thereof the following:

" '(B) the larger of the following:

" '(i)(I) the Federal percentage (as defined in section 1101(a)(8)) of the amount by which such expenditures exceed the amount which may be counted under clause (A), not counting so much of such excess with respect to any month as exceeds the product of $40 multiplied by the total number of recipients of old-age assistance for such month, plus (II) 15 per centum of the total of the sums expended during such quarter as old-age assistance under the State plan in the form of medical or any other type of remedial care, not counting so much of any such expenditure with respect to any month as exceeds the product of $15 multiplied by the total number of recipients of old-age assistance for such month, or

" '(ii)(I) the Federal medical percentage (as defined in section 6(c)) of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditures with respect to any month as exceeds (a) the product of $50 multiplied by the total number of such recipients of old-age assistance for such month, or (b) if smaller, the total expended as old-age assistance in the form of medical or any other type of remedial care with respect to such month plus the product of $35 multiplied by such total number of such recipients, plus (II) the Federal percentage of the amount by which the total of the sums expended during such quarter as old-age assistance under the State plan exceed the amount which may be counted under clause (A) and the preceding provisions of this clause (B)(ii), not counting so much of such excess with respect to any month as exceeds the product of $40 multiplied by the total number of such recipients of old-age assistance for such month;'.

"(b) Section 1603(a)(1) of such Act is amended by striking out clauses (B) and (C) and inserting in lieu thereof the following:

" '(B) the larger of the following:

" '(i)(I) the Federal percentage (as defined in section 1101(a)(8)) of the amount by which such expenditures exceed the amount which may be counted under clause (A), not counting so much of such excess with respect to any month as exceeds the product of $40 multiplied by the total number of recipients of aid to the aged, blind, or disabled for such months, plus (II) 15 per centum of the total of the sums expended during such quarter as aid to the aged, blind, or disabled under the State plan in the form of medical or any other type of remedial care, not counting so much of any such expenditure with respect to any month as exceeds the product of $15 multiplied by the total number of recipients of aid to the aged, blind, or disabled for such month, or

" '(ii)(I) the Federal medical percentage (as defined in section 6(c)) of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditures with respect to any month as exceeds (a) the product of $50 multiplied by the total number of such recipients of aid to the aged, blind, or disabled for such month, or (b) if smaller, the total expended as aid to the aged, blind, or disabled in the form of medical or any other type of remedial care with respect to such month plus the product of $35 multiplied by such total number of such recipients, plus (II) the Federal percentage of the amount by which the total sums expended during such quarter as aid to the aged, blind, or disabled under the State plan exceed the amount which may be counted under clause (A) and the preceding provisions of this clause (B)(ii), not counting so much of such excess with respect to any month as exceeds the product of $40 multiplied by the total number of recipients of aid to the aged, blind, or disabled for such month;'.

"(c) Section 1003(a)(1)(B) of such Act is amended by striking out '$70' and inserting in lieu thereof '$75'.

"(d) Section 1403(a)(1)(B) of such Act is amended by striking out '$70' and inserting in lieu thereof '$75'.

"(e) The amendments made by this section shall apply in the case of expenditures made after September 30, 1964, under a State plan approved under title I, X, XIV, or XVI of the Social Security Act."

Mr. LONG of Louisiana. Mr. President, I send an amendment to the desk on behalf of myself, the Senator from Florida [Mr. SMATHERS], the Senator from Kansas [Mr. CARLSON], the Senator from Kentucky [Mr. MORTON], and the Senator from Indiana [Mr. HARTKE]. I ask that the amendment be printed, and that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be received and printed as requested.

The amendment offered by Mr. LONG of Louisiana is as follows:

On page 2, line 1, strike out "5-percent" and insert "7-percent".

Strike out the table appearing on pages 2 and 3 of the bill, and insert in lieu thereof the following new table:

"Table for determining primary insurance amount and maximum family benefits

"I (Primary insurance benefit under 1939 act, as modified)		II (Primary insurance amount under 1958 act, as modified)	III (Average monthly wage)		IV (Primary insurance amount)	V (Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—		At least—	But not more than—		
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----------	$14.48	$40 41 42	----------	$70	$45.00	$67.50
$14.49	15.00	43	$71	72	46.10	69.20
15.01	15.60	44	73	74	47.10	70.70
15.61	16.20	45	75	76	48.20	72.30
16.21	16.84	46	77	78	49.30	74.00
16.85	17.60	47	79	80	50.30	75.50
17.61	18.40	48	81	81	51.40	77.10
18.41	19.24	49	82	83	52.50	78.80
19.25	20.00	50	84	85	53.50	80.30
20.01	20.64	51	86	87	54.60	81.90
20.65	21.28	52	88	89	55.70	83.60
21.29	21.88	53	90	90	56.80	85.20
21.89	22.28	54	91	92	57.80	86.70
22.29	22.68	55	93	94	58.90	88.40
22.69	23.08	56	95	96	60.00	90.00
23.09	23.44	57	97	97	61.00	91.50
23.45	23.76	58	98	99	62.10	93.20
23.77	24.20	59	100	101	63.20	94.80
24.21	24.60	60	102	102	64.20	96.30
24.61	25.00	61	103	104	65.30	98.00
25.01	25.48	62	105	106	66.40	99.60
25.49	25.92	63	107	107	67.50	101.30
25.93	26.40	64	108	109	68.50	102.80
26.41	26.94	65	110	113	69.60	104.40
26.95	27.46	66	114	118	70.70	106.10
27.47	28.00	67	119	122	71.70	107.60
28.01	28.68	68	123	127	72.80	109.20
28.69	29.25	69	128	132	73.90	110.90
29.26	29.68	70	133	136	74.90	112.40
29.69	30.36	71	137	141	76.00	114.00
30.37	30.92	72	142	146	77.10	116.80
30.93	31.36	73	147	150	78.20	120.00
31.37	32.00	74	151	155	79.20	124.00
32.01	32.60	75	156	160	80.30	128.00
32.61	33.20	76	161	164	81.40	131.20
33.21	33.88	77	165	169	82.40	135.20
33.89	34.50	78	170	174	83.50	139.20
34.51	35.00	79	175	178	84.60	142.40
35.01	35.80	80	179	183	85.60	146.40
35.81	36.40	81	184	188	86.70	150.40
36.41	37.08	82	189	193	87.80	154.40
37.09	37.60	83	194	197	88.90	157.60
37.61	38.20	84	198	202	89.90	161.60
38.21	39.12	85	203	207	91.00	165.60
39.13	39.68	86	208	211	92.10	168.80
39.69	40.33	87	212	216	93.10	172.80
40.34	41.12	88	217	221	94.20	176.80
$41.13	$41.76	$89	$222	$225	$95.30	$180.00
41.77	42.44	90	226	230	96.30	184.00
42.45	43.20	91	231	235	97.40	188.00
43.21	43.76	92	236	239	98.50	191.20
43.77	44.44	93	240	244	99.60	195.20
44.45	44.88	94	245	249	100.60	199.20
44.89	45.60	95	250	253	101.70	202.40
		96	254	258	102.80	206.40
		97	259	263	103.80	210.40
		98	264	267	104.90	213.60
		99	268	272	106.00	217.60
		100	273	277	107.00	221.60
		101	278	281	108.10	224.80
		102	282	286	109.20	228.80
		103	287	291	110.30	232.80
		104	292	295	111.30	236.00
		105	296	300	112.40	240.00
		106	301	305	113.50	244.00
		107	306	309	114.50	247.20
		108	310	314	115.60	251.20
		109	315	319	116.70	254.00
		110	320	323	117.70	255.00
		111	324	328	118.80	256.00
		112	329	333	119.90	257.00
		113	334	337	121.00	258.00
		114	338	342	122.00	259.00
		115	343	347	123.10	260.00
		116	348	351	124.20	260.40
		117	352	356	125.20	262.40
		118	357	361	126.30	264.40
		119	362	365	127.40	266.00
		120	366	370	128.40	268.00
		121	371	375	129.50	270.00
		122	376	379	130.60	271.60
		123	380	384	131.70	273.60
		124	385	389	132.70	275.60
		125	390	393	133.80	277.20
		126	394	398	134.90	279.20
		127	399	403	135.90	281.20
			404	407	136.90	282.80
			408	412	137.90	284.80
			413	417	138.90	286.80
			418	421	139.90	288.40
			422	426	140.90	290.40
			427	431	141.90	292.40
			432	436	142.90	294.40
			437	440	143.90	296.00
			441	445	144.90	298.00
			446	450	145.90	300.00"

On page 45, line 7, strike out "5.7 percent" and insert in lieu thereof "6 percent".

On page 45, line 11, strike out "6 percent" and insert in lieu thereof "6.3 percent".

On page 45, line 19, strike out "7.2 percent" and insert in lieu thereof "7.5 percent".

On page 46, line 8, strike out "3.8 percent" and insert in lieu thereof "4 percent".

On page 46, lines 10 and 11, strike out "4 percent" and insert in lieu thereof "4.2 percent".

On page 46, line 16, strike out "4.8 percent" and insert in lieu thereof "5 percent".

On page 47, line 4, strike out "3.8 percent" and insert in lieu thereof "4 percent".

On page 47, line 6, strike out "4 percent" and insert in lieu thereof "4.2 percent".

On page 47, line 11, strike out "4.8 percent" and insert in lieu thereof "5 percent".

At the end of the bill, add the following new section:

"INCREASE IN AMOUNT AN INDIVIDUAL IS PERMITTED TO EARN WITHOUT SUFFERING DEDUCTIONS FROM BENEFITS

"SEC 19., (a) (1) Paragraphs (1), (3), and (4)(B) of subsection (f) of section 203 of the Social Security Act are each amended by striking out '$100' wherever it appears therein and inserting in lieu thereof '$125'.

"(2) The first sentence of paragraph (3) of such subsection (f) is amended by striking out '$500' each place it appears therein and inserting in lieu thereof '$1,500'.

"(b) Paragraph (1)(A) of subsection (h) of section 203 of such Act is amended by striking out '$100' and inserting in lieu thereof '$125'.

"(c) The amendments made by this section shall be effective, in the case of any individual, with respect to taxable years of such individual ending after 1964."

Mr. LONG of Louisiana. Mr. President, during the 10 days since the bill was reported, some of us have been studying the proposed increases provided by the bill as reported. We have concluded that it should be possible to provide greater increases in social security benefits than those provided by the House bill as reported by the committee.

This Senator and others have been studying the question carefully during the past 10 days. We have had the advice of Mr. Robert J. Myers, who is perhaps one of the best actuaries in America. He has advised us on the cost of social security and retirement benefits.

We have found that since the last across-the-board increase in social security benefits, in 1958, there has been a 7-percent cost-of-living increase. Therefore, we urge consideration of the pending amendment—which I shall not ask to have voted on at this time—which would cause the across-the-board increase to be 7 percent, rather than 5 percent.

In addition, after studying the attitude the Senate has taken with regard to retirement income problems, we have felt that there should be a further increase in the amount of retirement income that a person earning social security benefits can earn without having his social security income reduced.

We propose that the earnings be liberalized to permit earnings of $1,500 a year, rather than $1,200 a year; and, further, where the present law provides that $500 may be earned, with a reduction of 50 percent of the $500—that is, $250 reduction in benefits—we propose that that be increased to $1,500. That would then mean that a person could earn $1,500 without a reduction of his social security income. In addition, the person could earn an additional $1,500 with regard to which he would be required to accept $1 of reduction in his social security income for every $2 increase in terms of additional earnings.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. AIKEN. What would be the total amount that he would be permitted to keep—$2,250?

Mr. LONG of Louisiana. Yes. In other words, a person who earns $3,000 a year could keep $2,250 of it before he would reach the point at which he would have a dollar of earnings deducted for every dollar that he earned beyond that point.

Mr. AIKEN. I commend the Senator from Louisiana and his associates for arriving at that conclusion.

Mr. LONG of Louisiana. I thank the Senator very much. I have discussed the proposal with the chairman of the Committee on Finance; and although I do not wish to say that he has committed himself to the suggestions I have made, he did indicate to me that the amendment has merit. I am very hopeful that tomorrow, if he is present, he will be willing to accept the amendment.

Mr. President, the costs of the proposal would increase the tax to 8 percent next year, as compared with 7.6 percent provided in the bill before the Senate. The cost would then go to 8.4 percent for 1966 and 1967; it would go to 9 percent for 1968 through 1970; and the cost would then be 10 percent from that point forward.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Kansas.

Mr. CARLSON. Following the thought that was suggested by the Senator from Vermont [Mr. AIKEN], I believe that the suggestion made by the Senator from Louisiana and written into the proposed amendment is a worthy one in view of the increased cost of living. People who have been limited to earning $1,200, and people who, by giving up some of their contributions, could earn $1,500, would go from those points to $2,250. Those of us who have had to deal with the problem for years have always recognized that an individual can have a large income from stock dividends and bonds, and it does not cost him a cent against his social security income. But once he earns a few dollars, it does. I believe the proposal is a worthy suggestion; and the Senator from Louisiana is entitled to much credit for having worked on the subject.

In regard to the amendment as a whole, I believe that the Senator from Louisiana has come forward with a proposal that will be well received by the country. Those of us who attended the hearings in the Senate Finance Committee on the bill that came from the House were not too enthusiastic or too happy about some of the proposals in the bill. I sincerely hope that Senators and others throughout the country who will receive the RECORD tomorrow will look into the proposal. I think it is a very worthy suggestion for consideration by the Senate before final action is taken on the measure.

Mr. LONG of Louisiana. I thank the Senator from Kansas. I should like further to state that the amendment also provides that the minimum primary benefit would be increased from $40 to $45, as compared with an increase from $40 to $42 as provided in the House bill and in the committee version of the bill now before the Senate. The proposed increase in the minimum, in this particular area, in my judgment and in the judgment of those who are sponsoring the amendment, is well justified because small amounts of increased income for some persons who have had only minimum coverage might make a great deal of difference. Without such an increase, people receiving those amounts might need public welfare assistance, even though the general desire and expressions of purpose of the social security law are that the program will provide adequate retirement so that additional income will not be needed.

Mr. AIKEN. Mr. President, will the Senator yield for a further question?

Mr. LONG of Louisiana. I yield.

Mr. AIKEN. How many States provide benefits under the Kerr-Mills program based upon the earnings permitted by social security?

Mr. LONG of Louisiana. Mr. President, I do not have an answer to the Senator's question at the present moment, although I shall obtain it for him as soon as possible. As the Senator knows, not all States have availed themselves of the Kerr-Mills program, even though the program has grown. I believe that at present it is about a $500 million program.

Mr. AIKEN. Would the proposed $2,250 limitation apply to only one person in a family? Suppose a couple were eligible for social security benefits. Would only one of the two be permitted to make the proposed increased earnings without penalty, or would both husband and wife be able to receive the benefit?

Mr. LONG of Louisiana. The proposal is based upon family earnings. The retirement income test is a substantial and expensive proposal. The problem is that a great number of people do not retire at 65. The average person retires at age 68, as I am sure the Senator knows. Our proposal would cost 16 percent of a payroll, as compared with the cost of the proposed increase of the minimum to $45, which would be only one-quarter of that amount. As the Senator knows, there is additional social security income provided to families—a wife and each dependent—so while the additional earnings are considered on a family basis, they nevertheless relate to a high degree of social security income, which would be affected and would not count against the earnings.

Mr. AIKEN. I am particularly concerned because I have in mind the case of a single man whose income amounted to $1,516 last year. I am not at liberty to go into details in respect to the case, but I think the proposal of the Senator from Louisiana would easily take care of such cases without question.

Mr. LONG of Louisiana. The proposal would certainly help with those cases and would help in a substantial degree. I am sure the Senator shares my feeling that it is unfortunate that we cannot provide enough revenue with the taxes that are available to us to do all that we would like to do for worthy people who have built up the social security fund and who have done so much in all other respects for this country.

Mr. President, I do not believe that there will be votes on the measure today, and I shall not insist upon the pending amendment being voted upon today. I hope that it will be voted on tomorrow.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. Is the amendment of the Senator from Louisiana the pending amendment?

The PRESIDING OFFICER. The pending amendment is the amendment of the Senator from Louisiana [Mr. LONG].

Mr. DOUGLAS. I regret that. There are more fundamental questions to be settled before the vote will come on his amendment. The question of hospital and nursing care for the aged is more important. If the amendment of the Senator from Louisiana were adopted, it might be used as an argument that we should not subsequently deal with hospital and nursing care. So I hope that my good friend, who is one of the most amiable and obliging Members of this body, would not insist on priority for his amendment.

Mr. LONG of Louisiana. Mr. President, if the Senator wishes to offer his amendment to provide additional benefits, I hope he will offer it as an alternative to the benefits provided in the measure or on an optional basis, somewhat along the line of the Ribicoff proposal, or as an addition to the benefits otherwise proposed in the event that they should be agreed to.

Mr. DOUGLAS. The Senator from Louisiana is very obliging and friendly. There is no animus in him. He never tries to obtain a parliamentary advantage on these questions. So I hope that he will be willing now to withdraw his amendment and allow some proposal providing for a form of hospital and nursing care to be offered as the first amendment.

Mr. LONG of Louisiana. Mr. President, I would hope that the pending amendment would be agreed to. It would provide an increase in across-the-board benefits. I would hope that the Senator from Illinois and others would agree that a 7-percent across-the-board increase was justified in view of the fact that the cost of living has advanced 7 percent since the 1958 Social Security Act amendments were enacted. If a Senator desires to propose something in addition, of course, that is his privilege. But I believe that the proposed increase in benefits can and should be agreed to by a substantial vote of the Senate without reference whatever to whether or not the Senate wishes to add to the bill a proposal for medical insurance, be it compulsory or optional.

Mr. DOUGLAS. Let me say to my good friend that, even with best intentions in the world, he has executed a very clever parliamentary maneuver, because he has offered an amendment increasing taxes and benefits as the first to be acted upon, so that if health care for the aged is later proposed, it will tend to be as a substitute for his measure rather than as an addition to the House bill as reported by the Finance Committee. So, either by accident or design, he has put the advocates of hospital care for the aged "behind the eight ball." I know that this is contrary to his disposition. Therefore, I appeal to him again to withdraw his amendment and have it voted on later. If he wishes to do so, he can offer it as a substitute for hospital and nursing care for the aged.

Mr. LONG of Louisiana. This amendment does not have the effect the Senator suggests. If Senators sponsoring the Ribicoff amendment, for example, offer their proposal, instead of taking a 7-percent across-the-board increase, a person could waive all the increase in favor of medical insurance, if that is what the Senate wishes to provide.

Furthermore, if Senators supporting the so-called Gore proposal, or the old King-Anderson proposal as it was known in previous years, would like to offer their proposal as an addition to this measure, they could offer it as an addition to the bill before the Senate.

In either case, the Senator from Louisiana hopes that the beneficiaries will not be denied a cost-of-living increase in their social security payments. I should like to have the opportunity to vote for the proposal. I hope it will be adopted.

Mr. DOUGLAS. I take it then that my friend does not wish to withdraw his amendment. He has proposed to increase the cash benefits to such a degree as to strengthen the opposition to hospital and nursing care for the aged. I congratulate him on his astuteness. I thought he might have merely rambled into this situation. I should have known that my friend not only is amiable, but is extremely adroit in parliamentary matters. I congratulate him on his strategy, but I believe the end result will be totally unsatisfactory.

Mr. LONG of Louisiana. My guess is that if the proposal to have an across-the-board increase of 7 percent to match the increase in the cost of living should change one vote, on the medical insurance amendments that would be about the maximum one would expect to have, based on the attitude of the Senate. If Senators desire to vote for a compulsory or voluntary insurance plan, they should have that opportunity. It is my judgment that 99 percent will do so anyhow, or perhaps 100 percent will do so.

I make this statement after studying the situation. I believe the Senator from Illinois will realize the need for the increase after studying the question, as the Senator from Louisiana realizes the problem now, which he did not realize before. The cost of living has advanced 7 percent since the 1958 amendments. I believe the Senator will agree that particularly those receiving the lower benefits—$42, $45, or $50 a month—are certainly entitled to a cost-of-living increase, and that such an increase is justified standing on its own merits. Any increase should stand on that basis.

Mr. CARLSON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. CARLSON. It should be pointed out that the Finance Committee considered and reported the House bill with no medical care section added to it. All the Senator's amendment does is to expand the benefits as proposed in the House bill. It seems to me that not only from a parliamentary standpoint is it proper to determine whether the social security benefits should be increased based on the study that has been made. As the Senator from Louisiana has stated, the Senator from Illinois will have plenty of opportunity to offer the other proposal. In view of the fact that the only bill that came from the Finance Committee was the bill that came from the House, and that it dealt only with social security increased benefits, this was a perfectly proper parliamentary step.

Mr. DOUGLAS. I cannot criticize it. I do not criticize it. I only say that the Senator from Louisiana, with his astuteness, has made it far more difficult for us to adopt hospital and nursing care for the aged. That is all.

Mr. President, it is always a pleasure to listen to the Senator from Louisiana. We take pride in his rise in the Senate. We came into the Senate at the same time. The Senator from Louisiana is now the ranking member of the Finance Committee and one of the ranking members of the Foreign Relations Committee. He graces both committees. He has one of the best minds in the Senate. He is humane in his attitudes. He has now again demonstrated his parliamentary legerdemain.

I think in most respects his speech was very good, but there is a tremendous lack both in the speech and in the bill which he reported. It does not deal with the greatest need of aged people. This need is a sounder system to meet the extraordinarily high expenses for medical, surgical, hospital, and nursing home care which burden the aged. There was no mention of that in the committee report. There was no mention of it in the speech by my very good friend, the Senator from Louisiana.

In other words, what is most characteristic of it is not what was said, but what was unsaid; not what was affirmed, but what was omitted.

There were six of us on the Finance Committee, a little over one-third of the total number, who believed that the program should also include some form of hospital and nursing care for the aged.

May I say that I think the term "medicare" is a misnomer. "Medicare" was a part of the original Forand bill, introduced in 1957 or 1958, which included surgical care, as well as hospital and nursing care. Surgical care was dropped long ago from the major aged health care proposals. The King-Anderson bill provides simply for hospital or nursing care. Specifically, it provides up to 45 days of hospital care without deduction or up to 90 or 180 days of hospital care subject to certain deductions; up to 180 days of nursing home care; and up to 240 days of practical but supervised nursing in the home.

Then, as we all know, in recent days the Senator from Connecticut [Mr. RIBICOFF] has proposed an alternative, making it optional to take either an addition in cash benefits or a somewhat different version of hospital and nursing care.

THE MENACE OF SERIOUS ILLNESS TO THE AGED

What hangs over the heads of most old people is the possibility, which in many cases becomes a probability, that they will have a serious and prolonged illness and that their personal and family resources will be inadequate to meet that illness.

This subject has been studied over and over again. The publications about it have accumulated. The evidence is clear. When people reach the age of 65, a large proportion of them are unable to hold their jobs, and for all except the most extraordinary, their income diminishes. At the same time that their incomes are going down, their health care costs are going up. They spend about three times as long a period of time, on the average, in the hospitals as do younger people. The average income of a married couple over the age of 65—and when I say average, I mean the median income—is about $2,800 a year, which means that half of them have an income of less than $2,800 a year. The median income for single men or women is about $1,100 a year, which means that half of them have an income of less than $1,100 per year.

The vast majority of these people do not have liquid assets, and indeed have very few assets, aside from their homes. Not all of them, by any means, own their homes. They face the possibility of crippling or chronic sicknesses—strokes, heart attacks, cancer—which are serious, prolonged, and costly.

The increase in health costs is particularly true in the case of hospital and nursing care. The average cost for hospital care is now around $40 a day. In 1957 this same hospital care cost $26. Nursing home costs have also gone up. These costs are continuing to mount.

Our elderly citizens are put in a cruel position. In some cases they must fall back upon their children, if they are fortunate enough to have children. But these children in many cases have moved away from their parents and their home ties have been reduced, and these children, in turn, have their own children. People under 40 who have parents over 65 are placed in the cruel position of either taking care of their parents, provided they can afford to do it, and neglecting their children, or taking care of their children and neglecting their parents.

I know someone will say, "Why not take out private insurance?"

IN YOUTH, MEN AND WOMEN WORRY ABOUT OTHER THINGS THAN ILLNESSES OF OLD AGE

Well, at what time would one take out private insurance? We cannot expect young people in their twenties to take out hospitalization and nursing home insurance to take care of them after they reach the age of 65. Young men and young girls under 20 are interested in other things than what will happen to them after they reach 65. They are interested in courtship and marriage. Both are rather expensive institutions. They are not as expensive for the woman as they are for the man, but they are still expensive. Then, after they are married, there is the problem of getting a home and furniture, and the matter of bringing up and educating the children. It is generally not until they get into their fifties when they begin to think that some time they will reach the age of 65. They wonder what will happen then.

By that time a great deal of water has passed under the bridge. Earnings have been spent for other things. But now the sickness rate is higher. The insurance premiums are higher. Indeed, the insurance premiums by this time have risen to the point where the average person over 65 cannot afford to pay them.

PRIVATE INSURANCE FOR THE ELDERLY IS TOO COSTLY

The Senator from Louisiana knows this, because he is an acute student underneath his bland and charming exterior. He knows that a decent private insurance policy for hospital and nursing care is not available for less than $12 a month per person who has reached the age of 65. That is $12 a month per person, or $144 a year. We must multiply that by 2 for husband and wife. This comes to almost $300 a year.

People with incomes under $2,800 a year cannot afford these private policies. That is why, though we welcome the development of private insurance, private insurance by itself is inadequate. It cannot provide for the vast majority of those who reach the age of 65. The protection which it gives, as the very thorough analysis of the committee headed by the Senator from Michigan [Mr. McNamara] has shown, is inadequate and insufficient.

THE GREAT ADVANTAGE OF THE SOCIAL SECURITY PRINCIPLE

The great advantage of social security is not merely that many make small contributions to meet the heavy burdens which fall upon the few—and that is the essence of the whole insurance principle—but that these contributions start at an early age, as a person enters employment. As he enters employment, he begins to make contributions under the social security system. In other words, lifetime coverage is provided so far as contributions are concerned, to take care of people when they reach old age.

The social security system is sound. The same objections which are being advanced against social security for hospitalization and nursing care were advanced against social security itself in the beginning. They have been proved to be false. It does not result in governmental bureaucracy. The social security system covers approximately 95 million people, but administrative costs under this system have only been about 2 percent. They will only be 3 percent for any additions if coverage is extended to provide for a program of hospitalization and nursing care.

Mr. GORE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to the fine Senator from Tennessee, who has been in the forefront of this battle.

Mr. GORE. I thank my distinguished friend the able Senator from Illinois. He has called attention, it seems to me, to the fact that the so-called medicare proposal, the hospital insurance under social security, relates to people under 65 as well as those past 65. So many people regard this issue as merely a program to provide adequate health care for the elderly. This is a permanent program in which the people who are now in their earning years can lay up means for a rainy day to qualify themselves for hospital care and build themselves an insurance program to which, if the unfortunate day of hospitalization should come, they would have a right to go to receive this benefit.

Mr. DOUGLAS. I agree with the Senator from Tennessee. He very properly underscores the fact that it will lift this heavy burden from people in their forties, who now feel obliged to meet the heavy costs which their parents over the age of 65 must bear. These expenses for their parents cut into what they can use for the care of their family.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. DOUGLAS. I yield.

Mr. GORE. Is it not a fact that a great many people who are retired are finding the necessity of supporting their parents, at great health cost?

Mr. DOUGLAS. Of course. I agree with the Senator.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. RIBICOFF. Mr. President, would the Senator from Illinois agree that the greatest need of our citizens in health care when they are old is the answer to the question, "Who will take care of my health costs when I become sick in my old age?"

Mr. DOUGLAS. The Senator is correct. I agree with him. That is why I was struck with admiration and sorrow to see the Senator from Louisiana execute such an extraordinary and adroit parliamentary maneuver as increasing the existing cash benefits, and making that the order of business, so that if we try to displace it with either the King-Anderson bill or the Ribicoff amendment, we would be under a great disability.

Mr. RIBICOFF. May I again ask the distinguished and able Senator from Illinois, who has been a hard battler and a sincere fighter in the cause of the elderly, why it is that those people who are most adamant in their opposition to health care for the elderly seek to hike the basic cost of the social security program so as to make it economically, practically, and politically infeasible to give health care to the aged in our Nation?

Mr. DOUGLAS. I do not wish to attribute motives to my good friend from Louisiana. As I say, he graces the Senate. Certainly, he graces the Committee on Finance. However, I know that out in the country there are many determined opponents of hospital and nursing care for the aged, led by the American Medical Association, the National Association of Manufacturers, the United States Chamber of Commerce, and others, who will greet this proposal of the Senator from Louisiana with great approval.

There will be joy—not in Valhalla, but in the canyons of Wall Street.

Mr. RIBICOFF. Mr. President, will the Senator further yield?

Mr. DOUGLAS. I yield.

Mr. RIBICOFF. I notice that the distinguished Senator from Louisiana in his great generosity and concern for the problems of elderly citizens would, under his proposal, boost the cash benefits for many elderly people to the munificent sum of $1.10 a month.

Based upon his notable experience as an economist, will the distinguished Senator from Illinois tell us what is more important to the people over 65 in the United States: $1.10 a month, or to have their basic health needs cared for if they should have to go to the hospital?

Mr. DOUGLAS. The latter. The whole system of insurance is based upon the truth that it is better to have small contributions by large numbers of people rather than that huge losses should fall upon a minority of the people. I could prove that by developing the margin curves of money; but I shall not go into that.

Mr. RIBICOFF. Much is frequently said to the effect that the basic problem of health care for the aging is to take care of people over 65. But is it not true that in trying to provide health care for the aging, it is necessary to take care, basically, of three generations?

Mr. DOUGLAS. It helps to take care of the grandparents, take care of their children, who otherwise would have to support them, and to take care of their children's children. Therefore, the King-Anderson bill or the Ribicoff amendment would be blessed unto three generations.

Mr. RIBICOFF. When we deal with the children of a person who is 65, they are usually in their late thirties or forties. If they are in their late thirties or forties, they have a growing family of their own. They have responsibilities of their own. No matter how good their hearts are, no matter how they may assume their responsibility, the elderly citizens, in their pride, do not want to be a burden on their children or grandchildren. Consequently, they deprive themselves of health care in order not to go to their children, because they know that to do so would deprive their children of some of the basic necessities of life and of their grandchildren's education.

Mr. DOUGLAS. That is correct.

Mr. RIBICOFF. Is it not also important to an understanding of the problem to point out that what we are talking about is not the indigent? Is it not true that one of the basic problems in this entire field concerns the self-respecting, hard-working people who are the backbone of the American economic system? Let us take an example. John and Mary Jones have lived all their lives in a city in the United States. They have reached the age of 65. John Jones goes to work one morning. Perhaps his fellow employees in his department—or perhaps his boss—come up to him and say, "Well, John, now that you have retired, we are going to have a party." They have a party, and they give John a gold watch.

Mr. DOUGLAS. A funeral ceremony during the man's life?

Mr. RIBICOFF. So John goes home and says, "Mary, I am retired now. I think we are all set. We have worked hard all our lives. We have paid for our house on Maple Street. We do not have a mortgage. The house needs some repairs, but I can putter around. I am handy with tools. We have $200 or $300 in the savings bank. I will be receiving $120 or $130 a month in social security. Our children are educated."

Mr. DOUGLAS. That is the idyllic picture of life under the elms in the beautiful towns in the Connecticut Berkshires; but the great mass of people throughout the country are in a far worse position.

Mr. RIBICOFF. Let us take the best position. Let us take the idyllic situation of retirement in the Connecticut Berkshires, the example that I give.

What John Jones does not consider is that, as happens with great frequency, to every person over 65, either John or Mary will become seriously ill, and perhaps more than once, after 65. The average hospital bill in this country is about $40 a day; and if it becomes necessary to stay in a hospital 30 days, the cost will be $1,200; for 60 days, $2,400; for 90 days, $3,600.

Mr. DOUGLAS. This is plus doctor's fees, plus surgeon's fees, plus the cost of drugs, plus nursing home care, plus nursing care in one's own home.

Mr. RIBICOFF. John and Mary have exhausted their savings, but they have their home left. The distinguished Senator from Illinois, besides being a member of the Committee on Finance, is also a member of the important Committee on Banking and Currency. Does he believe that a man who is over 65 and whose wife is over 65, and who no longer has an earning capacity, can go to his bank and get a mortgage on his home? The man has no earning capacity. The banks do not want to foreclose. So he must sell his home if he is to get enough money to keep body and soul together. But what will he do if he loses his home? Where will he live?

Is it not true, based upon the Senator's experience in housing, that the last possession a person wants to hold on to is his home, where he has spent his entire life, and which he has paid for and maintained? What can a proud man like that do? Has not the Senator from Illinois found, from his experience, that the average man or woman in America who is self-respecting, who has always paid his or her own way, does not want something for nothing?

Mr. DOUGLAS. That is correct.

Mr. RIBICOFF. Basically, what is the alternative? To go to charity? Is that the proper end for such a person?

Mr. DOUGLAS. The opponents of the King-Anderson bill and the Ribicoff amendment will say, "Oh, but there is the Kerr-Mills Act."

Mr. RIBICOFF. Ah, but what does the Kerr-Mills Act give?

Mr. DOUGLAS. It compels a person to take an oath of medical indigence, so that he can qualify for the benefits. The Kerr-Mills Act operates comprehensively in only five States of the Union.

Mr. RIBICOFF. What we are dealing with is the inadequacy of Kerr-Mills and the loss of self-respect. It would be very interesting if those who oppose the social security approach to health care and point to Kerr-Mills could see some of the inadequacies of their programs under Kerr-Mills.

Mr. DOUGLAS. It could be done.

Mr. RIBICOFF. I hope the Senator will point that out, too.

THE KERR-MILLS PROGRAM IS INADEQUATE

Mr. DOUGLAS. We should make the inadequacy of the Kerr-Mills Act known. The Kerr-Mills Act operates effectively in only five States of the Union—Michigan, California, Massachusetts, Pennsylvania, and New York. Those five States absorb approximately 74 percent of all the Federal money. These States are able to supply the matching funds. The other States have difficulty supplying matching funds under Kerr-Mills and thus the benefits in the great majority of States are grossly inadequate.

Mr. RIBICOFF. The people of the country, not only those over 65, but everyone who has a mother or a father who is reaching 65, and everyone who someday will be 65, owe a debt of gratitude to the Senator from Illinois for fighting in this cause. It is a great cause. It is a cause that must be fought—and that must be fought in the Senate. This is one of the most important measures to come before Congress. I am glad that it comes before the Senate in the closing days of this session, when very little legislation is left to be considered on the floor of the Senate, because it will be highlighted and spotlighted. The entire Nation will know that we are finally joined in battle to determine whether we shall set the older people of the country adrift or whether we shall meet our responsibility to "put it right on the line," so that every Member of the Senate may go on record as to whether, finally, he wishes to do something to assist the elder citizens of the Nation.

Mr DOUGLAS. I thank the Senator from Connecticut. It so happens that I had to take up this burden because I was almost alone on the floor of the Senate when the good Senator from Louisiana [Mr. LONG] spoke and threw his bombshell. I wish that others might have been here; but I will say, repeating a phrase used by Theodore Roosevelt in 1912:

> We stand at Armageddon, and we battle for the Lord.

The Kerr-Mills bill has been discussed. I believe it has become increasingly apparent that the Kerr-Mills program is an ineffective approach to the solution of the problems of health care for the aged. Congress has hoped the program would be broad and comprehensive, but this goal has not been achieved because the burden of setting up the program has been left to the individual States, many of which are financially unable to meet their share of the cost. Only 33 States are participating. The vast majority of the funds, as I have said, are being spent by five States. Most of the 33 States, including my own State of Illinois, have been unable to design the kind of program which is necessary. In order to constitute an effective remedy, a plan must include a comprehensive range of medical services and have eligibility requirements which are realistic in terms of the expense of medical costs and the financial resources of the aged.

KERR-MILLS EXTREMELY INADEQUATE IN ILLINOIS

Such is not the present experience, and Illinois excellently illustrates the inadequacy of Kerr-Mills.

BENEFITS

The Illinois plan is minimal. Services are limited to hospital care, physicians' services in hospitals, and physicians' services in the post hospital period of home care. No nursing home care is provided. Prescribed drugs are not included, despite the fact that aged persons spend twice as much for medicine as does the entire population, and that 25 percent of the per capita health expenditures of aged persons is for drugs. Also, no dental care is provided.

ELIGIBILITY

No person can receive assistance unless: First, gross income does not exceed

$1,800 for a single person or $2,400 for an applicant and his spouse excluding the cost of maintaining a medical health insurance policy—included in gross income are contributions from responsible relatives; and second, no assets are held which exceed $1,800 in value for a single person and $2,400 for an applicant and his spouse. Excluded from assets are homes, autos, personal effects, and life insurance policies with a face value of $1,000 or less. A person meeting these requirements is eligible only for payments for those medical services covered by the program which exceed—and I emphasize that word—10 percent of his income or 10 percent of his combined income when he is living with a spouse. Thus, there is a means test and a 10-percent deductibility.

LIENS

In Illinois, a lien may be placed on the estate of the person who has received aid in order to collect for any claim after his death. Since his assets were limited initially in order to qualify for the program, the effect of the lien provision is to preclude the possibility of the recipient leaving much to his heirs.

Under Kerr-Mills, the Federal Government shares the payments with the States. This is done on a 50-50 basis in Illinois. However, Illinois, with about 5.4 percent of the country's population, receives only 2 percent of the total spent by the Federal Government under Kerr-Mills. By comparison, Massachusetts receives 12.3 percent, Michigan 5.4 percent, and Washington 3.6 percent—figures for June 1964. The number of people receiving payments in Illinois per 1,000 aged of the population is 0.14, which is the fourth lowest rate of assistance of all the States participating in the program.

Illinois has had to use most of its financial resources for the other State programs it maintains, and consequently Kerr-Mills has not been an effective remedy for the problem of health care for the aged. Those States which have matching funds at hand have received large sums from the Federal Government, and thus Federal distribution has been grossly unequal. For example, in June of 1964 Massachusetts received $2,212,518 and Illinois received only $382,368.

The experience with Kerr-Mills indicates that it cannot solve the problems of health care which confront millions of the aged in our Nation. A new solution from the Federal Government which includes financing the program through social security payments by workers made over their years of employment is needed.

It is my hope that the Congress will approve such a program.

A PARTIAL SUMMING UP

In other words, the aged themselves have inadequate resources to care for the heavy medical costs which fall upon them in old age. Private insurance is too costly. Kerr-Mills benefits and resources are inadequate. Furthermore, the aged who need assistance are compelled to go to the local relief station and become relief recipients. Even though they are not called relief cases, but are called medically indigent, they are branded as relief recipients.

Personally, I find it extraordinary that those who condemn socialized medicine, including the American Medical Association, should be advocating the Kerr-Mills system, which is 100 percent socialized medicine; because under the Kerr-Mills Act, the recipient makes no contribution himself. It is paid for completely out of taxes. It is socialized in its origin. It is administered through governmental agencies, even though the payments are made to doctors and to hospitals.

It is an extraordinary fact that the opponents of self-paid social insurance have hit upon a system of socialized medicine to try to offset and defeat the self-paid system of health care financed under social security.

SOME FURTHER POINTS

Mr. President, I wish to emphasize certain other points.

The King-Anderson bill and the Ribicoff alternative would concentrate our attention upon hospitals and nursing care. Neither would affect medical care provided by doctors except that provided by interns within a hospital nor would either affect surgical care. The costs for doctors and surgeons would still have to be borne by the private individual. They would be, perhaps, less than half the total medical cost, but still there would be room for individual initiative and individual saving. The heaviest part of the cost—prolonged hospital care—would be met through a system of health care financed under the social security system.

If the private insurance companies are wondering and worrying over what would happen to them, I point out that they would do very well indeed, because they then could confine their policies to the services not provided under the King-Anderson bill or the Ribicoff amendment, and they could sell insurance for doctors' fees and for surgical care. There would be ample room for them. The cost of the private insurance would be sufficiently reduced so that, in my judgment, a very large proportion of the aged would be able to take out these policies. The result might very well be an increase in private insurance rather than a decrease in private insurance.

Mr. President, this point takes me back 30 years. It so happens that during the 1920's I was one of the earliest advocates in this country of social insurance against unemployment, and against the catastrophic expenses of old age. In a minor way, I participated in the drafting of the original Social Security Act. In a somewhat major way, I participated in its revision in 1939.

I see my good friend the Senator from Kansas [Mr. CARLSON] across the aisle. I believe he served in the House of Representatives at that time. He was constructive then, as he is always constructive.

I can remember the opposition we encountered over social security at that time. The private insurance companies said, "If you provide a system of social insurance, how are we going to sell annuities to people to protect them in their old age?" They were a powerful force which initially was lined up against the social security system, with the exception of one or two farseeing insurance companies.

Despite this objection, the Social Security Act was passed. What has happened to the private insurance companies? It has been the best thing for them that has ever occurred. It pushed the question of providing security for old age to the fore. It gave people a floor of protection. It made people want to obtain more protection. As a result, there was a movement for supplemental insurance benefits—negotiated by unions in some cases, and in other cases, voluntarily put into effect by employers whose reserve funds run into the tens of billions. The amount rose astronomically as I can testify from my investigation some years ago, when I had the privilege of drafting legislation to require disclosure and publicity in the handling of pension funds, as well as welfare funds.

The social security system has popularized the selling of policies to individuals. It is apparent that the private insurance companies of the country have benefited from the extension of social security, and I predict that if some form of health care for the aged under social security is enacted, it will have the same effect. It will increase the sale of private insurance for medical costs and surgical costs. And we can still retain the Kerr-Mills program to provide for costs, in excess of those covered under social security, for people who do not have the funds to buy private policies for medical and surgical care.

KERR-MILLS CAN BE RETAINED TO SUPPLEMENT SOCIAL SECURITY HEALTH CARE

Thus, the Kerr-Mills program can serve to buttress the King-Anderson or Ribicoff proposal in the same way that old age assistance backstops old age security and old age insurance. It can also apply to people not covered. The limited resources under the Kerr-Mills program can then apply to those who are really in need.

I believe we are close to the day of decision. I am afraid that if we do not adopt some form of hospital and nursing care for the aged under social security, now, it will be a long time before we do it. I do not believe it will be possible for many Members of the Senate to say, "Oh, yes. I am in favor of hospital and nursing care under social security, but not now. Let us wait a little while." In the meantime, if we increase the cash benefits we shall find that after the cash benefits have been increased, it will be financially very difficult, if not impossible, to superimpose health care for the aged.

SHOULD WE LEAVE OUT THE 18 MILLION NOW OVER 65?

There is another criticism which is made of social security which needs to be dealt with at this time. It is said, "You are going to blanket in all of the present aged, over 65, and pay them benefits, even though they have not had an opportunity to contribute toward meeting the cost." This is true. Those over the age of 65 will draw full benefits. For those who are now under the social security system—some 15 million of the total of 18 million—their benefits will be provided from the separate social security trust fund for health care. For the 3 million who are not under social security, or who have not acquired eligibility, the costs will be borne by governmental expenditures. But, is this really an objection?

What would happen if we paid the people only the actuarial equivalent of what their contributions would amount to? People who are 60 will have only a few years in which to make contributions. The amount of hospital and nursing care benefits which they could receive under such conditions would be very limited. I am inclined to believe that it would be less than 10 days, possibly less than 5. People who are 50 would have only a few years in which to make contributions. And their benefits would have to be correspondingly curtailed if we provided that each age group should receive only benefits from funds to which that specific age group had contributed in the past.

This is the problem which faces those who install any pension system, or any insurance system for the aged. There is a technical actuarial term which is applied to that group. It is called accrued liability. These are liabilities which are taken over because the system had not been in effect in the past. And yet, more people have continued to become aged. They have passed on into the ranks of the retired or near retired. We have them on our hands. Every private pension system has had to deal with this problem. Every private pension system has had to make some provision for the aged, even though they have not contributed in the past, or have contributed to only a very slight degree. We cannot postpone the operation of this system until a whole generation of people now in their twenties and thirties have progressed to the age of 65. We must deal with the 18 million people who are now over the age of 65 and in danger of incurring cancer, strokes, heart attacks, high blood pressure, and all the other ailments of age. We must deal with existing problems now.

THIS MAY BE OUR LAST OPPORTUNITY TO PROVIDE ADEQUATE HEALTH CARE FOR THE AGED

Mr. President, I hope very much that the Democratic Party is not led down the garden path of seduction by the American Medical Association, the National Association of Manufacturers, the U.S. Chamber of Commerce, and all the other opponents of health care for the aged.

This is the week of truth. And the Democratic Party will be put on trial. We welcome the support of our good friends on the other side of the aisle. We do not want to make this a party matter. We hope they will not make it a party matter. We all have warm friends on the other side of the aisle. I note the presence of the distinguished Senator from Maryland [Mr. BEALL]. We know that the vast majority of those on the other side of the aisle are as humane as we are. We hope they will join us in this issue. We have been gratified by the fact that some Senators on the other side of the aisle have introduced a similar proposal, which has become known as the Javits amendment. They have taken a big step forward.

I do not believe the Javits plan is as good as either the Ribicoff plan or the King-Anderson plan. But it is a step forward. We want to pay tribute to the motives behind that step forward.

Mr. President, at a later time perhaps I shall address the Senate at greater length. In a sense, I have blundered into the present discussion. I had not anticipated speaking, but I was almost alone on the floor of the Senate when my good friend from Louisiana started to speak. He exercised his blandishments and introduced his amendments in such a way that I felt I should raise the flag of danger. Under the guise of an increase in insurance benefits, he would make it more difficult to provide the fundamental protection against the costs of medical care, which the vast majority of old people need.

Mr. President, unless some Senator wishes to speak, I should like to suggest the absence of a quorum.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. It is the Senator's privilege to make any argument which in his heart he thinks is correct, and I would not stop him from doing that at all. The logic of his speech would suggest that we should not even pass the bill which is before the Senate, which would provide a 5-percent increase in social security payments across the board, and would also provide for certain other ways in which the program would be liberalized, such as better educational opportunities for dependent children and taking care of persons who were only partly covered previously.

The argument of the Senator from Illinois would suggest that we should not have any part of the bill before the Senate, but that we should sidetrack the whole thing for a part which he thinks is most desirable. The thought of the Senator from Louisiana is that we ought at all odds to have an across-the-board increase to allow for the increased cost of living since 1958. I know that standing alone the Senator from Illinois would support such a proposal, because he believes in a cost-of-living increase for people on fixed incomes, particularly those receiving only small amounts of social security income.

In addition, I believe the Senator supports every provision in the bill and in the amendment that I have offered, with the exception that he has something else in mind which he thinks is more important.

I feel that all of these proposals should be judged entirely on their merits. We must ask the question, "Is this something we ought to do?"

So far as the Senator from Louisiana is concerned, he does not plan to vote for the King-Anderson proposal and he does not plan to vote for the Ribicoff amendment because, in his judgment, though the Federal Government should go so far as to help anyone who has difficulty paying his medical bills, and he will vote for a general tax on the people of this country to provide medical care for someone who is unable to pay for his medical expenses, he declines—as he has previously declined—to vote for a proposal which would levy a general tax on the public for the purpose of providing medical care for someone who is well able to provide it for himself, and who can show no need for the Federal Government to spend Federal money raised by a general tax on the people for that purpose.

I shall not vote to take money out of the pockets of the poor, needy, and unfortunate people, and the well to do alike, in order to provide medical care for someone who is well able to pay his own medical bill. There is no need whatever for the Federal Government to tax the poor people in order to pay the medical bill of those who have no need of help.

The Senator from Illinois knows, for I have debated the question with him before, that under the medicare proposals which he supported people could be making $50,000, $100,000, or $200,000 a year and still receive medical assistance provided by the Federal Government from a tax on a poor man who has not enough money to put butter on his bread. In my judgment, such a proposal does not make a great deal of sense. That is the issue as I see it. It is the issue of whether we wish the Federal Government to levy a general tax on the public to pay for medical care for those who are well able to pay for it themselves and who are not asking for us to pay their medical bills. We should help people who cannot pay their own medical bills and we have repeatedly voted to do so with measures such as old-age assistance and the Kerr-Mills amendment.

Mr. DOUGLAS. First, after the existing group of the aged have passed on, as they will, the wealthy who have become aged will have already made contributions into the Treasury which will provide the basic protection for them.

Second, what my good friend would do would be to require that the wealthy take care of their own needs and that the Kerr-Mills program would take care of the indigent, but would do nothing to provide for the great majority of our elderly citizens, the self-respecting aged who are burdened heavily with sickness but who do not have the funds to provide protection out of their own income, and who are too proud to go to the relief station and ask for aid. I know that my friend from Louisiana likes a rather extensive relief system. I do not. I wish to minimize relief. I prefer self-respecting social insurance to relief administered under a means test.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. As the Senator well knows, under the Kerr-Mills program—and it was well settled at the time the bill was passed—a person might have a very substantial income, making as much as $3,000 or $4,000 a year, and he could have a home worth $15,000 or $20,000 debt free, and still be eligible for the benefits of the Kerr-Mills program, if the State in which he lives has instituted such a plan. Some States have. Under such a plan the person would still be eligible to receive his entire medical assistance, the whole thing being paid for, not merely for the period of 90 days that the Senator wishes to provide under the so-called King-Anderson amendment, but for as long as a man might be sick, which could involve a period much longer than 90 days. All of that is available, not on the basis of any sort of pauper's oath, but on the basis that the person would have some difficulty paying a large medical bill. If the Senator's State does not have such a plan, Illinois is to blame for the fact that it does not.

In respect to Louisiana, a long time ago we looked after this situation in many respects. Prior to the passage of the Kerr-Mills measure, over half the patient-days were spent in our State hospitals, and with passage of that proposal, the percentage has gone higher than that for the aged. Anyone who has any problem about paying his medical expenses will find a program available to him.

The Federal Government is most generous in providing $3 every time that the State provides $1 for medical care for aged persons. We have a very fine program. We have good hospitals. We have good doctors. We have good care for our people.

I am willing to vote for more money to provide care for those who have difficulty in paying for it themselves, but this Senator is reluctant to vote for the complete dole.

The complete dole is a program under which a millionaire might be placed on relief—and that is what it would amount to—when the working people would be taxed in order to provide medical care for the wealthy. The beneficiary would not be required to pay 5 cents of his own money for medical care. We would tax the general public to provide care for people who are ready, able, and willing to pay for it themselves.

Mr. DOUGLAS. Mr. President, I am ready to yield the floor. Before I do so, I ask unanimous consent that there be printed at the conclusion of my remarks two brief tables which I have compiled. The first compares the methods of financing the health care plans. It shows the employer and employee contributions under the provisions of the present law, the House bill (H.R. 11865) as it came to the Senate, the Gore amendment to the House bill, the Ribicoff amendment, the Javits amendment, and the King-Anderson proposal. The second compares benefits provided under each of the three plans.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Brief comparison of financing of the health care plans

EMPLOYEE AND EMPLOYER CONTRIBUTIONS, EACH

Year	Present law	H.R. 11865	Gore amendment to H.R. 11865	Ribicoff amendment to H.R. 11865	Javits amendment to H.R. 11865	King-Anderson alone
1965	3.625	3.8	4.2	3.9	4.08	3.875
1966-67	4.125	4.0	4.4	4.3	4.28	4.375
1968-70	4.625	4.5	4.9	4.7	4.78	4.875
1971	4.625	4.8	5.2	5.0	5.08	4.875
	Base rate					
	$4,800	$5,400	$5,400	$5,400	$5,400	$5,200
	Maximum yearly contribution rates (maximum tax rate on maximum base rate)					
	$222	$259.20	$280.80	$270	$274.32	$253.50

CONTRIBUTION RATES OF SELF-EMPLOYED

Year	Present law	H.R. 11865	Gore amendment to H.R. 11865	Ribicoff amendment to H.R. 11865	Javits amendment to H.R. 11865	King-Anderson alone
1965	5.4	5.7	6.3	5.9	6.12	5.8
1966-67	6.2	6.0	6.6	6.5	6.14	6.6
1968-70	6.9	6.8	7.4	7.1	7.22	7.3
1971	6.9	7.2	7.8	7.5	7.62	7.3
	Base rate					
	$4,800	$5,400	$5,400	$5,400	$5,400	$5,200
	Maximum yearly contribution rates (maximum tax rate on maximum base rate)					
	$331.20	$388.80	$421.20	$405	$411.48	$379.60

Brief comparison of the benefits provided in the 3 health care plans

	Gore amendment (King-Anderson)	Ribicoff amendment	Javits amendment
1. Inpatient hospital care (per benefit period).	Choice between— (a) 45 days with no deductible; (b) 90 days with a $10 deductible for a maximum of 9 days; (c) 180 days with a deductible equal to 2½ times the average daily cost.	Choice between— (a) 45 days with no deductible; (b) 90 days with deductible of the lesser of— (1) 2½ times the average days' cost for such services throughout the country under the program; or (2) Charges the hospital usually charges for such services.	45 days with no deductible.
2. Skilled nursing home care (per benefit period).	Up to 180 days after transfer from hospital to a home affiliated with a hospital.	Up to 30 days after transfer from a hospital. No requirement of hospital affiliation.	Up to 180 days in home affiliated with a hospital or one which need not be affiliated after transfer from a hospital.
3. Home health services	Up to 240 visits per year	Up to 30 visits per year	Up to 240 visits per year furnished by a home health agency affiliated with a hospital.
4. Outpatient diagnostic hospital services.	No duration limit but subject to a $20 deductible per 30-day period.	None	None.

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. Mr. President, the inclusion of health insurance in the social security system is a pressing need. Health insurance for the aged is not a new subject. Indeed, it has been about as thoroughly explored as any subject I know.

That the need is not now being met is acknowledged by all but those who are unwilling to look squarely at the facts. The only real basis for argument is the question of how the need should be met.

Mr. President, I hope that I can call attention to the fact that the platform of the Democratic Party adopted last week endorsed health insurance through social security. Without in any way seeking to make this subject a partisan affair, I invite the attention of my colleagues to the fact that in the speech of acceptance by President Johnson, as I recall, the very first program which he advocated was a health care program.

Pending before the Senate is an amendment which would increase the total tax upon the payrolls of American workmen to 10 percent—5 percent for the employee and 5 percent for the employer.

I would not wish to impute any unworthy motives to the authors of that amendment. However, I suggest that the effect of its adoption would be to kill health care insurance under the social security program for the foreseeable future, and perhaps forever. But, Mr. President, the Nation cannot afford to kill the chance to enact a medicare program under social security.

There is now being drafted an amendment which would install in the bill the principles of the King-Anderson bill. Staff members are now drafting the amendment, under the direction of the Democratic leadership of the Senate. I shall offer the amendment before the day is over, so that the amendment will be printed, and the Senate may have a clear-cut choice. The choice will be whether health care and hospitalization through the social security program will be adopted, or whether the piddling increase proposed in the pending amendment will serve to kill an effective medicare program for all foreseeable time.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. Of course the Senator can draw whatever conclusion he wishes to draw in an attempt to ascribe motives to others, if he wishes to do so.

Mr. GORE. I did not suggest that it was anyone's motive to do anything. I said that the proposal would have the effect of doing what I think it would do.

Mr. LONG of Louisiana. If I were in favor of what the Senator wishes to do, that is, levy a general tax on everyone, to pay the medical bills of everyone over 65, be he rich or poor, without regard to any need that people may have for this assistance, I would vote for the Senator's amendment in addition to the cost-of-living increase for those who are on social security.

The amendment that I have proposed is a cost-of-living increase amendment. If the Senator had offered his amendment first, and his amendment had been agreed to, the Senate would still have voted for at least some of the provisions in my amendment, or would have liberalized the amount that a man can earn and keep under social security, by raising the amount from $40 to $45, or by providing some of the other advantages in the bill, to make it possible for a person, for example, to finish college or go to college through age 21.

I believe that the Senate would vote for most if not all of these provisions whether the Senator's amendment was agreed to or not.

Does the Senator from Tennessee know of a single vote which, in his judgment, would be cast against his amendment in the event my amendment was agreed to? Does he know of a single vote that he could say with assurance would be lost?

Mr. GORE. I——

Mr. LONG of Louisiana. I am not asking the Senator to name any Senator. All I am asking is, Does he know, in checking where the votes are—and there has been a nose count on both sides of this issue—of any Senator who would vote differently because a cost-of-living increase was included in the bill?

Mr. GORE. I do not wish to forecast how any Senator would vote. I am suggesting that I shall offer a health care proposal under the social security program, which I hope will prevail over the amendment which the distinguished junior Senator from Louisiana has offered. The Senate may then make a choice. I shall offer the program endorsed by the Democratic National Convention only last week, the program of President Lyndon Baines Johnson, the program of the Democratic leadership of the Senate, and the program which I earnestly believe—though this I cannot certify as a fact—the overwhelming majority of the people who are already 65, and also those who are in their fifties and early sixties, who see the specter of pauperism as the requirement for hospital care staring them in the face, will endorse.

That is the amendment which I shall offer.

I should like to discuss this issue in some detail. What is the basis for saying that there is a greater need for health insurance among the over-65 age group than among other groups in our population? The basis is threefold.

First, those over 65 use far more hospital and similar services than do others. The record shows that those who are past 65 require hospitalization to the extent of three times the requirement of those who are under 65.

Fortunately, the lifespan of the American people has been greatly extended. I am happy that this is so.

The problem is made more acute by the longevity of our people. More and more of our people live into the sunset years, when their requirements for hospitalization are three times as great.

Yet, Mr. President, the lengthening of the evening years of life, at a time when more hospitalization is required, also comes, sadly, when the earning capacity of those individuals is greatly reduced, if not entirely obliterated.

Where is the man aged 65 now to turn for gainful employment, with automation, with increased productivity per man, requiring alacrity and dexterity? Where is the woman of 65 to find a job? Indeed, where is the man 60 years of age to find a job?

The problem of adequate medical care is made more acute by the better diets we have, by the improvement in medical science, by the increased longevity of our people. Of those facts I am proud. But these facts combine to create a problem which is among the most pressing problems in our society.

Moreover, it becomes more acute day by day. Why? Because the indexes point to a further lengthening of life. I presume all of us will be proud and glad that the indexes thus indicate; but that poses a social problem which is unmet. Yet there is pending before the Senate an amendment which, in my opinion, would kill health care under the social security program.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I should like, if I may, to complete this thought before yielding. The second point which makes necessary the inclusion of health insurance in the social security program is, as I already stated, that most of those who are over 65 have reduced earnings and cannot pay for those services out of current earnings

Third, should the elderly—and when I refer to the elderly, I refer not only to those who are now 65, but also to the mass of our people who face the insecurity of old age without health insurance; I refer to younger people who wish to pay during their earning years a small amount in order to lay up, to build for themselves an entitlement to hospital care, which is theirs as a matter of right—be forced to deplete their resources to pay for a long illness, there is little possibility that their savings can be replenished. They thus run the risk of becoming fully and permanently indigent.

There are two types of insurance which might be considered—private and public. Private insurance is not meeting the need; and, as I shall show later, it cannot reasonably be expected to meet that need.

In this area, the only answer to peace of mind in old age, so far as I am concerned, is a Government-sponsored program; and the best machinery—already in existence—is the social security system.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. I have not seen the amendment to which the Senator has referred. As I understand, he proposes to deny social security increases in order to provide medical assistance to everyone, whether he is rich or poor, whether he needs it or not. I hope the Senator will not try to draft his amendment in such a way that a person will have no choice, because in Louisiana, such an amendment would result in taking from the poor in order to give to the rich. In my State, 50 percent of all hospital aid to all persons at all ages is provided by the State in State hospitals, at no cost to those people. For aged persons, it is a much higher percentage than 50. I shall try to obtain the figure, but I do not believe it is more than 75 percent. The Federal Government contributes $3 for every dollar that the State contributes with respect to the health of the aged. The Federal Government does not match State efforts so far as those below 65 years of age are concerned.

But with this very generous Federal assistance, any aged person who has a problem paying a medical bill can receive assistance. Louisiana has a much better program than does Tennessee. However, I hope every State will do what Louisiana has done by providing a liberal program for sick people.

This amendment would deny some aged person, who might have fine hospital facilities available, the benefit of a small cost-of-living increase to enable him to buy bread and butter, in order to provide hospitalization for some rich person who does not need that assistance. Thus the dole becomes complete. A general tax would be imposed on the public as a whole in order to pay for hospital service for all people, including the rich, who are well able to provide it for themselves. It would be provided for them on a giveaway basis, because they would have paid nothing whatever for the service that the bill provides for them.

When the poor are taxed to help the rich, the dole will be complete. Everybody will be on the dole, be he rich or poor.

Mr. GORE. This is a most interesting comment from the distinguished Senator from Louisiana. He complains of a program which, to use his words, taxes the poor to benefit the rich. Yet he proposes an amendment which would do exactly that. Taxes would be increased upon the payroll of every covered worker in the United States, under the Long amendment, to 10 percent of the payroll. Who would get the benefit? The rich and the poor alike. I do not condemn the Senator's amendment for that reason, because the social security program is not a welfare program; it is a contributory program with insurance features maximized and general taxation features minimized.

Mr. LONG of Louisiana. The Senator is——

Mr. GORE. I do not yield just now. The Senator has made an argument; I am going to hoist him by his own petard.

Mr. LONG of Louisiana. We shall see if the Senator can do so.

Mr. GORE. I am proceeding to do so. The benefits flow from the social security program to all beneficiaries in accordance with the payments made therein. One could be a multimillionaire in assets and still be a beneficiary of the amendment of the Senator from Louisiana. Yet he insists he is opposed to an amendment to tax the poor to benefit the rich.

Again, I do not condemn the Senator's amendment on that basis. Yet the Senator undertakes to condemn medicare by a yardstick which would condemn his own amendment. The distinguished Senator from Louisiana has used the word "need" many times. He says that the Kerr-Mills Act—the present program—helps those who need it.

I desire to see a program that is based not upon charity, not upon public welfare, not upon a pauper's oath, but upon insurance principles, by which the mass of the people, not merely the indigent and pauperized element of our population, but the great mass of self-respecting, self-supporting people, will make contributions in the earning years of their lives, in order that they may be assured of adequate hospital care, if misfortune befalls them in the evening of their lives.

We know that the inexorable facts of life being as they are, as the oak tree grows mature and old, its branches begin to wilt. Decay sets in. So it is with human beings. Those who are past 65 require hospitalization to the extent of three times as much as those under 65. What of the doctors' bills, the nursing home care, the drugs and the nurses?

Mr. President, we are dealing with the most pressing unmet problem of our society. It may sound paradoxical to say that happily it is growing worse—happily, in that more and more of us have the prospect of living more years in the evening of our lives. The King-Anderson bill, the medicare proposal as it is referred to—though that may be a misnomer—is a sound program, one in which people can participate with dignity and respect.

God forbid that ill fortune should befall my distinguished friend the Senator from Louisiana [Mr. LONG], so that in the evening of his life he should be bereft of economic resources despite his great earning capacity in the full bloom and youthfulness of his talent at the present time. May he never have to go to Louisiana with his hat in hand, and go down to the welfare office and qualify as an indigent. That is what the Kerr-Mills program is designed for. It is designed to give aid in the form of hospitalization and medical care for those who are medically indigent. I hope that the Senator will never be indigent for any purpose. I hope that if illness should ever befall him in the evening of his life, he will be just as proud, just as dignified, just as self-respecting, and just as self-supporting as he is now, through participation in a health insurance program as a part of the social security system.

Mr. LONG of Louisiana. Mr. President, will the Senator from Tennessee yield at that point?

Mr. GORE. I yield.

Mr. LONG of Louisiana. I made the point that the Senator's proposal, insofar as my State is concerned, to deny a cost-of-living increase under social security and to substitute for that an insurance program that a needy person does not need, is a program of taxing the poor for the benefit of one who is well able to pay for his own medical expenses. I said that it was a dole in the utmost, when we tax the poor for the benefit of the rich. The Senator said that is what my amendment would do for an across-the-board cost-of-living increase. Not at all. What I am proposing in the cost-of-living increase is to provide the same benefits to which those persons would have been entitled in 1958, had Congress kept the cost of living in line with what it was then, and had Congress maintained the stable purchasing power of the dollar.

The people have paid for these benefits. What they get is not as much as what they were supposed to get, because of the responsibility which resides in Washington; namely, that of maintaining a stable cost of living.

But every one of those people has paid for the social security insurance benefits he is receiving. What I am proposing is merely to give him what has been eroded away from him as a result of inflation.

Some of the additional people to be benefited by this bill—and I hope the Senator is not going to take them out of coverage—include those who have paid for social security insurance and did not receive any because they were covered for perhaps only 9 months, or a year, and therefore did not get any social security benefits, while someone else did.

My amendment would extend the principles that those who have paid for the benefits and built up this $20 billion fund—which the Government can manage as a trust fund to its own advantage—should get a cost-of-living adjustment to which they are entitled and which they have paid.

What the Senator is proposing to take this from them in order to go out into the States like mine, where Louisiana is already providing for approximately 75 percent of the aged in the hospitals now, and take care of the other 25 percent including great numbers who do not need help, ignoring the 75 percent who are entitled to a little cost-of-living increase, to put a little protein on their table so that they can eat meat once in a while, so that they can have chicken on Saturday and fish on Friday, so that those people can enjoy a little better life. If we do not do something to help those people live better, they may not even be lucky enough to get into a hospital; they may starve to death first.

Mr. GORE. Mr. President, it is interesting that the Long amendment was not introduced in the committee. There were no meatless days then, any more than there are now. The Long amendment was not presented nor, so far as I know, was it heard of until it was offered just today after the King-Anderson bill, now at the desk, was called up.

Let us not become too confused. Largely, the same people would be the beneficiaries of the increased social security benefits proposed in the Long amendment and the health insurance proposed by the King-Anderson bill, embodied in an amendment which I have offered along with several other Senators. So there is a choice. There is a choice between providing a sound hospitalization program, hospital insurance under the social security program, and voting for "piddling" benefit increases in an election year. I have offered an amendment for the aged as well as for those who will become aged in years to come, on a sound pay-as-you-go basis. That is an interesting point. The King-Anderson bill, which is the substance of my amendment, proposes to levy a tax of four-tenths of 1 percent on the employer and employee on salaries and wages up to $5,600 a year—that is, on the first $5,600 of wages, salaries.

The revenue from this tax would be paid into a trust fund. A record would be kept of every person's contribution. He would have certain entitlements as a result, if, after 65, he should become ill, if he or his wife must go to a nursing home or a hospital, or if either or both were afflicted with a long or crippling illness. The proposal has been described as actuarially sound. Yet, somehow, the proposal to levy a tax to establish a fund out of which benefits would be paid is branded as irresponsible, as socialized medicine. On the other hand, as if day were night, the Kerr-Mills law, which provides unlimited benefits, so far as the Federal Government is concerned, and which provides no source of revenue—it is merely charged to the public debt—is somehow called fiscally sound.

There is another paradox. The King-Anderson bill does not propose to pay doctors' fees. The Kerr-Mills bill does. It is unlimited. The measure that makes no provision for payment for doctors is called socialized medicine. The measure that provides for unlimited payments for doctors' fees is somehow called free enterprise medicine. This is paradoxical, indeed.

I have stated that the Kerr-Mills bill was without limit. The president of the American Medical Association appeared before the Senate Finance Committee. I asked him if the Kerr-Mills bill would provide, insofar as the Federal Government is concerned, for the complete payment of hospitalization, doctors, nurses, X-rays, drugs, and treatments of all sorts for a man from the time he was 65 until he was 95. The answer that he gave was, "Yes."

In contrast, this actuarially and fiscally sound program I propose provides limited benefits.

There is another way in which the Kerr-Mills law is without limit. It covers any condition; name it. The Kerr-Mills law provides that the Federal Government shall pay its share of the cost for treatment of every disease or condition, physical or mental, any kind of treatment that the authors of the bill could imagine. Then, as if that were not enough, the 12th item reads as follows:

> Any other medical care or remedial care recognized under State law.

Let me read the conditions, infirmities, diseases, and afflictions for which the Federal share under the Kerr-Mills program is without limit. They are:

> One, inpatient hospital services.
>
> Two, skilled nursing home services.
>
> Three, physicians' services.
>
> Four, outpatient hospital or clinic services.
>
> Five, home health care services.
>
> Six, private duty nursing services.
>
> Seven, physical therapy and related services.
>
> Eight, dental services.
>
> Nine, laboratory and X-ray services.
>
> Ten, prescribed drugs, eyeglasses, dentures, and prosthetic devices.
>
> Eleven, diagnostic screening and preventive services.

And, as if they had overlooked something:

> Twelve, any other medical care or remedial care recognized under State law.

I do want to point out that tuberculosis is an exception. Yet the program which provides no means of financing, no source of income, and whose benefits are completely unlimited, is somehow called fiscally responsible.

How do we come to such a massive national misunderstanding of the facts? I propose a sound program, an addition to the social security program that is time tested, that is widely accepted, and demonstrably actuarially sound.

The Senate Finance Committee, unfortunately, again this year as in 1960, has refused to adopt a health insurance program under social security. We have made progress, however; in 1960, five members of the committee signed minority views favoring medicare. This year, six members of the committee did so.

In 1960, those of us who signed minority views arrived at the following conclusions:

First. The aged have high potential and actual disability and heavy costs of medical care.

Second. The aged—especially the retired—have markedly reduced incomes and limited liquid assets which are not replenishable.

Third. Private insurance policies cannot meet their needs either in terms of costs or benefits.

Fourth. The aged should not be required to undergo the humiliation of meeting medical costs through the charity approach.

Fifth. The aged and the aging prefer to obtain medical benefits through an insurance system to which they themselves contribute and receive benefits as a matter of right.

Sixth. The system of OASDI now covers 9 out of 10 working Americans; it has been tested by experience; it is the efficient, effective method, and should be extended to include the financing of the basic medical needs of the aged.

Our experience since 1960, especially with the Kerr-Mills approach to medical care, has validated and strengthened every one of these conclusions.

HEALTH CARE AND THE ELDERLY

The elderly need far more health care, as I have already pointed out, than do the younger earning groups. This is, of course, self-evident, but the cold statistics cruelly bear out the general observation.

Those over 65 use three times as many hospital days, on the average, as do younger groups. Elderly couples, even without any hospitalization, will spend, on the average, $233 for medical costs during a year. But, if one of them has to go to the hospital, then the average medical care for the year will jump to a crushing cost of $1,220. Compare this necessary expenditure, this one item of expense, with the fact that half our elderly couples have total annual incomes of less than $2,800 per year. After one hospitalization of either, the husband or the wife, how does the average old couple live and pay health cost, rent, food, and other living expenses?

Suppose both of them have a serious illness. It would not take long to make them medical indigents. I do not like to condemn the mass of our people to the prospect of indigency. I propose an amendment to save them from that indignity.

Even though their average income is low, and even though cash benefits now received under social security, veterans' pensions, and other provisions are inadequate, most of the elderly who do not have a serious illness can exist in self-respect, though in many instances in but small comfort.

But let that serious illness strike. Let the necessity arise for going to a nursing home, as it has come to an increasing number of old people. The prospect under present law for the great mass of our people is medical indigency, the requirement to go upon welfare, and to accept public charity. Can we not afford better than that?

But what happens? Without an amendment it means that we would condemn our old people—not only those who are old now, but those who will become old tomorrow—to the taking of a pauper's oath, affirmation, or statement. That to me is a disgrace in a country as rich as ours.

The Senate could vote a $11.5 billion per year tax reduction, but now some Senators quiver at the prospect of providing health insurance under the social security program by the levying of a small tax—four-tenths of 1 percent for employer and employee—upon payrolls up to $5,600 per year.

What happens when a serious illness strikes? Current income which is needed for groceries and rent must go for medical care. Savings must be depleted. The home may have to be sold. Then, hat in hand, this formerly self-sufficient, self-reliant, respected member of the community must go to the welfare people and beg a handout under Kerr-Mills or some other charity program.

This is a disgrace in a country such as ours.

Charity should be provided where insurance is not applicable or practicable. But we can do better than charity for most of our people.

That is why I strive so earnestly, though some others seem to be unwilling, to provide for them in their early years a program through which they can lay up for the rainy day which, on the average, must come someday for nearly all.

IS THE NEED NOW BEING MET?

The need for better health care for the elderly is not being met, but in the name of decency it must be met. Surely we cannot afford to ignore the health needs of the elderly. We cannot leave them to die unattended in the absence of ability of their relatives to take care of them.

Yet a great many people seem to favor abandonment of those who become old.

I am shocked by some of the mail I receive. Many, in condemning medicare, will decry "big government," quote the Biblical passage about the poor always being with us, and cite ancient history to try to prove that governments which become too centralized quickly fall. Arguments of this sort have no bearing on the question of providing health insurance on a sound, pay-as-you-go basis. They certainly cannot logically be advanced by anyone who supports the present social security system.

There was a time when our economic and social structure were such that we could conscientiously, perhaps, allow the burden to be carried by the elderly and their families. We could, in effect, allow each family unit to be a self-insurer insofar as health care expenses were concerned, or we did so, at least, however inadequately.

But then ours was an agrarian society. Most of the elderly of today and of tomorrow cannot insure themselves against a long hospital stay. They must, then, seek some sort of outside help for this catastrophic occurrence.

True, private health insurance is available and is being sold in relatively large quantities. There are two problems, however. If an elderly couple can afford to pay the premiums on a given policy, they wind up with inadequate coverage. If they get a policy giving them adequate coverage, they must deny themselves many comforts, and even necessities, in order to scrape up the $400 to $550 annual premium. And then there is the "fine print," such as cancellation clauses.

Many an old person has paid his mite as an insurance premium for a long period of time only to find, as the distinguished senior Senator from Michigan demonstrated in the report of his committee, that the benefits were wholly inadequate to provide sufficient health care.

There is some dispute as to how many of our elderly have some sort of health insurance, but it would seem that a little over half have some kind of coverage. But, according to the best figures I can obtain, only about 1 million of our older people, 5 to 6 percent, have insurance coverage which would pay as much as 40 percent of today's medical costs. About 8 million have no coverage at all, and another 3 million have policies paying $10 per day or less—or something less than half the average cost of a hospital room today.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. DOUGLAS. The Senator has made a very significant statement. What he is saying is that almost half of the 18 million over the age of 65 have no medical insurance for their old age.

Mr. GORE. True; and of those who have some form of private insurance, a great many have utterly inadequate coverage. Many policies have cancellation clauses.

Mr. DOUGLAS. The Senator also says that only 3 million have policies which pay up to $10 a day for hospital bills.

Mr. GORE. That is correct.

Mr. DOUGLAS. We have evidence—and the Senator from Michigan can confirm or deny this statement—that the average cost of hospital care in the country is approximately $37 a day.

Mr. GORE. That is correct.

Mr. DOUGLAS. In other words, 8 million persons have no protection; another 3 million probably have insurance covering only from a third to a quarter the cost of hospitalization alone.

Mr. GORE. That is correct.

Mr. DOUGLAS. This indicates a great need; does it not?

Mr. GORE. It indicates one of the most pressing needs, if not the most pressing need, of our society. This is an issue which the Senate must face, and it is a good time to face it, because this is a year of decision for the American people. It is a time when they have a choice to make. I know all of us will be proud of the extent to which the American people will participate in decisionmaking. Our two-party system performs its highest function only when it offers to the American people meaningful choices.

It may well be that the Senator from Arizona [Mr. GOLDWATER] would support the Long amendment. President Johnson supports health insurance through the social security program.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. Is the Senator sure President Johnson is opposed to a cost-of-living increase for the aged? I know he is for health insurance, but I had never heard that he was opposed to a cost-of-living increase for those who are now on social security.

Mr. GORE. The Senator from Louisiana seeks to bring up this question again. I am perfectly willing to face it. I am sure the President would be willing to face it. I am sure the choice of the Senate will be clear—whether, on the one hand, it wishes to provide health insurance through the social security program, or, on the other hand, provide no health insurance in exchange for the piddling increase in benefits proposed in the pending amendment.

Mr. LONG of Louisiana. Mr. President——

Mr. GORE. I do not yield just now. The Senator has made this point three times, and I am prepared to answer it again.

The amendment of the Senator from Louisiana would provide a 2-percent increase in benefits. A person who, under the House bill, would receive $45 a month in social security benefits would receive less than 90 cents a month additional under the amendment of the Senator from Louisiana; yet be denied, perhaps for his lifetime, the opportunity to have a health insurance program under social security, under which and through which he would have benefits as a matter of right should he have to go to a nursing home or hospital before the Grim Reaper struck him.

Yes—90 cents a month. Consider it. Benefits of 90 cents a month are piddling. Yet they are sought to be added—perhaps not for the purpose of defeating medical care forever, but, in my honest opinion, if adopted, that would be the effect of it.

Mr. LONG of Louisiana. Mr. President——

Mr. GORE. Just a moment. I wish to go further. The Senator says also that the amendment which I have proposed would tax the poor to help the rich.

Let us take a larger benefit, one of the more generous social security benefits. Let us take the case of a person who is earning a better salary or a larger wage, and has under existing law a social security benefit of $99 a month.

Under the pending bill that is not exactly a rich man's income. It is more like a widow's mite. What would the amendment of the Senator from Louisiana do? It would kill medicare for one thing, and it would provide, instead, an increase in benefits of $1.98 a month.

Look at the great benefit for which medicare will be sacrificed if the Senate makes that choice. It is 90 cents a month for those who receive $45 a month under the House bill, and the vast sum of $1.98 for those who are receiving the magnificent sum of $99 a month. How long would $1.98 last? How many pills would that buy? How long would it last in a hospital where the cost is above $30 a day?

I hope the old person to whom the Senator would give 90 cents a month is never forced to go to the hospital. I hope his children can keep him. I hope he or she never has to be taken to a nursing home. How long would the 90 cents last?

I do not like to discuss it on this basis, but the Senator insists upon dragging this question into the debate. If he wishes to discuss it on that basis, I shall discuss it on that basis. His amendment would provide piddling benefits; and the effect of his amendment would be to kill forever health care under the social security program, a sound program under which a man can contribute a small amount, to be placed in a trust fund, to entitle him in later years to hospitalization, or have nursing home care, which would enable such a person to walk into those places in dignity, without having to say, "I am a medical indigent. Please give me public charity."

The $1.98 additional benefits per month is no substitute for the self respect of the self-supporting mass of people who are left out of the existing program and who would largely be left out of private hospital insurance also.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. Mr. President, I know the Senator did not intend it this way; but some of the things the Senator has said would indicate to the Senator from Louisiana that an impartial person hearing the Senator's statement would gain the impression that the Senator from Louisiana is not sincere in offering his amendment.

Mr. GORE. I have not implied that.

Mr. LONG of Louisiana. No; but some impartial person listening might gain that impression. I know the Senator did not intend to say that. I believe the RECORD should show that no Senator during the last 16 years has offered more amendments, and I doubt if any Senator has been more successful in having amendments agreed to in the Senate, in aid of the needy and the underprivileged people of this country, than the Senator from Louisiana.

I was a cosponsor of the Kerr-Mills amendment, which, while it might not be what the Senator from Tennessee likes, has done more than a great number of other proposals which have been suggested, and which have not become law, to help provide for those who have difficulty providing for themselves.

What I am proposing is not a minimum of 90 cents. I am proposing a $5 increase. The maximum increase would go from $40 to $45. The House proposed an increase from $40 to $42.

The $3 difference may sound small to the Senator from Tennessee. It might sound like a piddling amount—he has used the word "piddling" throughout the debate—but to a person who has nothing but $42 a month income it represents a great deal of money.

The Senator from Tennessee did not mention the fact that the bill also contains two major public welfare amendments which the junior Senator from Louisiana offered.

Mr. GORE. Mr. President, the Senator has made one point. I wish to respond to it. Then I shall yield further to the Senator.

Under the existing law the maximum social security payment is $127 per month. Let us get down to the facts. That is the maximum. The bill before the Senate would add 5 percent to that, which would be $6.35 a month.

The Long amendment would further increase that amount by $2.54. The Long amendment would increase the benefits by 2 percent.

Mr. LONG of Louisiana. Would the Senator mind telling me what else it does?

Mr. GORE. It raises the minimum from $40 to $45.

Mr. LONG of Louisiana. Would the Senator mind telling the rest of it?

Mr. GORE. Beyond the $45 minimum, it increases the benefits by 2 percent. The maximum increase is the meager sum of $2.54 a month. It comes down to $1 a month for the person who under present law draws $50 a month. I shall not again describe the increases provided by the Senator's amendment as piddling amounts. I withdraw that word, although I think at least the adjective "meager" would be appropriate. For this meager amount, if accepted by the Senate, health insurance under the social security program would be killed.

Mr. President, I hope the Senate will make a sound choice. The distinguished junior Senator from Louisiana has referred to his record of increasing benefits for the old and needy. I applaud him upon his record. In many cases I have assisted him in the adoption of his amendments.

I did not assist in the enactment of the Kerr-Mills bill. I do not believe it is sound. It is not sound for two reasons. It has two basic faults. First, it operates to give the greatest benefits to the aged people in the richest States, the States which are best able to provide those benefits themselves. One State is now receiving 42 percent of the benefits from the present Kerr-Mills program. Five of the 50 States now receive 76 percent of the benefits, according to the president of the American Medical Association.

What about the States which have the least capacity, the least economic resources? A great many of them, comparatively, receive only a very small amount. Only 24 percent is left to be divided among 45 States. So the Kerr-Mills Act is unsound upon that basis.

Another reason why it is unsound is that its benefits are available only to indigents. I do not know what the requirements are in all other States, but in my State of Tennessee the elderly are disqualified for benefits if they have as much as $1,500 in personal property. Where is there an old couple with an electric stove in the house, a meager amount of household furniture, and a few holdings which they consider dear, who do not have as much as $1,500 in personal property? Yet if they have an income of as much as $1,800 a year, they are disqualified from participating in the Kerr-Mills program in Tennessee. How do they eat; how do they pay for medicine; how do they pay doctors' and hospital bills on $1,800 a year? Or, if they own a home worth $8,000 or $10,000, they are disqualified. Where is there a house and lot or a few acres of farmland now that is not worth that much? The Kerr-Mills program is in basic fault in that it provides benefits only for the indigent.

People of wealth can provide for themselves. They can afford the premiums for private insurance policies. Also, as the Senator from New Mexico [Mr. ANDERSON] knows, the law provides a liberal tax deduction for health expenses, and persons in the high-income brackets, for that reason, have a large part of their health costs paid for. But the great mass of the people, those who are neither very poor nor very rich, are left out. More and more of this number are living longer, with a larger percentage of their lives in the evening years, when the costs of health care are greater.

This is a pressing problem. It is one to which the conscience of the Senate must be directed.

I know that the distinguished senior Senator from New Mexico [Mr. ANDERSON], who is a coauthor of the King-Anderson bill, and at whose side I strove to accomplish its adoption, will tomorrow make an address to the Senate which will challenge its attention and its conscience.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. The Senator referred to my amendment on the basis of a so-called 90-cent benefit, or a $2.47 benefit. The maximum benefit one would get under the amendment would depend on one's particular circumstances. If he had, say, an income of $40, he would get an increase of $5, which would be an increase of 12½ percent.

On the other hand, if one considers the whole amendment, and if the person were working to supplement his social security income, if we consider the maximum benefit one would get from the amendment, plus the bill, it would be a benefit of $906.80 a year, as I calculate it. Let us analyze that. If we consider the amendment merely as an addition to the bill, the benefit would be $876.32. What I am computing is the additional income to a person if he were making $3,000 a year, and had that taken out of his social security income, with the result that he would have had none of his social security income left.

The Senator knows that the Long amendment provides that one could keep $1,500 that he earned and could keep half of the next $1,500 that he earned, compared with the present test, which allows him to keep only $1,200 plus $250 of the next $500.

So if we consider the additional earnings, and if we talk about the maximum, the maximum would be an increase of about $906.80, as I calculate it.

Mr. GORE. Let me answer that point before the Senator goes further. This situation is indeed unusual. The able junior Senator from Louisiana is ingenious, indeed. He is now calculating what the old person already has, not what the Senator's amendment would give him. Let us look at the situation. The average social security benefit is $78 a month. The Long amendment would increase that benefit by 2 percent, which, according to my calculation, would be $1.56 a month. That does not come to $800 or $900 a year. The best I can make of it is that it would be a little less than $20 a year.

Mr. LONG of Louisiana. Let us pursue that a step further. Suppose the person were making $250 a month.

Mr. GORE. The Senator would not be giving him that; the person is already earning it.

Mr. LONG of Louisiana. But if the Senator had his way, he would take $78 away from him. If a person were making $250 a month, under my amendment he would keep most of the $250, plus the amount of the social security income. The proposal of the Senator from Tennessee would take that away.

The Senator continues to refer to this amendment as one that is being offered to kill his proposal. I do not favor paying the medical expenses of people who are well able to pay their own medical expenses. I shall vote for any reasonable proposal to help to take care of a person who is not in a position to pay his own medical expenses, but I do not propose to vote to have the Federal Government pay the medical expenses of people who are well able to pay their own expenses.

But if I did agree with the Senator from Tennessee, from an ideological point of view, an additional payroll tax of 0.4 percent of the payroll to provide it would not stop me from voting for it.

(At this point Mr. WALTERS took the chair as Presiding Officer.)

Mr. LONG of Louisiana. My guess is that if the Senator had enough confidence in his proposal to offer it on its own merits, he would find that he would have as many votes for it on its own merits as otherwise. I believe that the Senate would vote for my amendment on its merits. I do not propose to "piggyback" my amendment on that of the Senator from Tennessee. My guess is that if the Senator will offer his amendment he will get as many votes for his amendment when he offers it on its own merits as mine offered for the cost of living increase to which the people are entitled. My guess is that if it were not for the Senator's great interest in the amendment he is offering on its own merits, he would vote for the amendment that I am offering, feeling it is a good proposition. The fact is that he has voted for some parts of it on other occasions—an increase in the earnings limitation, for example.

Mr. GORE. I thank the able Senator from Louisiana. If the Senate will examine carefully the amendment of the Senator from Louisiana, it will discover that the amendment would provide for a 2-percent increase in social security benefits.

Mr. LONG of Louisiana. Seven percent—but the Senator means 2 percent plus the 5 percent which the bill provides.

Mr. GORE. I appreciate the effort of the Senator to make it plain, but I did not speak ambiguously. I said that the Senator's amendment would increase benefits 2 percent.

Mr. LONG of Louisiana. Over the bill.

Mr. GORE. Let us state it exactly. The House bill increases benefits 5 percent. The Senator's amendment would increase that to 7 percent; is that not correct?

Mr. LONG of Louisiana. The Senator is correct; but that is not all it would do.

Mr. GORE. Then, Mr. President, the fact stands that when the average social security benefit is $78, the Long amendment would on the average increase social security benefits by $1.56 per month. Instead of this, I and many other Senators will offer substance of the King-Anderson bill. I hope that the distinguished Senator from New Mexico will take the lead, as he is in the Chamber, and I would appreciate the encouragement of his attention, because as he knows, when he was ill and away, I offered the King-Anderson bill as an amendment in committee and said, and repeated, that I was doing so only to keep the issue alive and because the distinguished Senator from New Mexico was absent and unable to do so himself.

Mr. ANDERSON. Mr. President, will the Senator from Tennessee yield at that point?

Mr. GORE. I am glad to yield to the Senator from New Mexico.

Mr. ANDERSON. I am happy to say that what the Senator has said is correct; but it also took place when I was away. He has pointed out that he was doing so only because I was at that time in the hospital, enjoying the privilege of paying $2 for a shot of insulin which I normally give myself in the morning free.

Also, the able Senator from Illinois [Mr. DOUGLAS], the able Senator from Tennessee [Mr. GORE], and various other Senators had similar proposals. The King-Anderson bill, so called, was selected out of a group only because there were few modifications in it, which the other bills did not possess. But the bill of the Senator from Tennessee, the bill of the Senator from Illinois, and the bill of the Senator from Michigan [Mr. McNAMARA] were all very much alike, and I am sure that the country would have been well served by any one of them.

Tomorrow, I shall join the Senator from Tennessee as vigorously as I can to try to see that his amendment prevails.

Mr. GORE. I thank the able Senator from New Mexico.

I wish to make one other point clear. After the surprise move of the distinguished, able and adroit Senator from Louisiana [Mr. LONG], it became necessary to arrange a strategy conference, for the preparation of an amendment to be offered under the present situation. I happened to be the only Member of a group with a speech ready to deliver. That is why I am speaking now. It had been hoped and expected—at least by me—that the Senator from New Mexico would make the first speech on the subject; but, since I am on the floor, I shall conclude and then listen to the Senator from New Mexico tomorrow, because I know that his speech will be far more persuasive, far more incisive, and far more effective than the one which I am now delivering.

Mr. President, if there could be some feasible way for private insurance to be set up so that a wage earner could pay premiums during his working years for adequate protection during retirement, something in the private area might be worked out. But the problems are many. Premiums would have to be high to insure a profit. Nearly all people would have to be covered to spread the risk, and hold down administrative costs. And, worst of all, cash, rather than service benefits would have to be paid.

Mr. President, I have been buying fire insurance on a home for approximately 26 years. There has been no fire. I hope my home will never burn, but I am not at all sorry for the payments that I have made for 26 years because those payments have provided a reserve fund out of which policyholders in the same company who suffered the misfortune of a fire were compensated for their loss.

This is not socialism. This is business. The insurance principle is imbedded throughout the system of American private enterprise. It happens that for society as a whole it is advantageous to spread the risk among all our people, each paying a small amount a month in order to build a fund from which those who in later years suffer health hazards can draw benefits.

Mr. ANDERSON. Mr. President, will the Senator from Tennessee yield at that point?

Mr. GORE. I yield.

Mr. ANDERSON. I believe that one of the things in the insurance field that sometimes is forgotten is the fact that these risks are measured over a long period of years. We contribute to each other's welfare. As I remember, the average dwelling house policy is based on a rate assuming that the average dwelling house will burn down once every 400 years. It is only through spreading the risks out that we can provide protection. The Senator from Tennessee will recognize that there are other types of insurance, of course, which have been reduced in cost because of the coverage having been added and combined.

I watch television advertising every once in a while, especially that of the insurance companies. They advertise a combined policy and assert that they can write a combined policy for almost the same cost as other companies write individual policies. I happen to be associated with a company that writes combined policies now. We found that the greatest cost to the insurance business is putting the policy on the books in the first place, and then keeping some track of the individual. Therefore, we can write a policy that combines several forms of insurance at very little more cost than the original basic coverage, not nearly what the individual coverage would cost. That has some bearing on the reason for the use of social security, because the records of people who are in the social security system are already available. The basic data are available. They are all kept in one place. If a loss occurs under a person's health insurance policy, it can be handled a great deal cheaper under the social security system than by keeping records in 100 different agencies. That is the reason why so many of us have favored using the social security system. The records are already available. They are already kept. They are preserved in one spot. They are quickly accessible. The cost of insurance is substantially reduced.

I am very glad that the Senator from Tennessee has covered the question of cost. That is one argument that cannot be overcome. It is cheaper to carry the names of all persons in 1 spot than to have them in 100 different places. That is the reason why I have supported the program. I am glad the Senator from Tennessee supports it.

Mr. GORE. I am grateful for the remarks of the able Senator.

I wish to invite the attention of Senators to the fact that the distinguished senior Senator from New Mexico, who states that he is associated with an insurance company, was, in fact, the founder of an insurance company that has grown to be one of the great insurance companies of the Southwest. He is not a wildeyed Socialist. The senior Senator from New Mexico is a successful businessman. He believes in free enterprise. He knows the actuarial cost of insurance. He also is acquainted with the costs of administering a program. He very effectively, and, I think, tellingly, pointed to one of the strong arguments in favor of health insurance through the social security program—I repeat it for emphasis—that the Social Security Administration now has an individual account for every covered worker in the United States. Each worker—including most Senators, I daresay—has a social security number. I have in my billfold my social security card as a self-employed person.

This social security number is identified in the social security files on a punch card system. My benefits, and the benefits of millions of American workers, can be determined by the pushing of a button. The addition of health insurance to that system would require one additional category. The same machines would calculate and fix the data. The same administrative costs—instead of being duplicated—would, in large measure, suffice. That is one strong argument. This problem requires a sensible businesslike approach. I appreciate very much the fact that the distinguished senior Senator from New Mexico, with his vast experience in the insurance field, pointed this out.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. ANDERSON. If one is the owner of stocks on which he receives dividends, the Federal Government asks the company that issues the stock to ask for the individual's social security number when the company sends a dividend check.

When one transfers stock, the question arises. I received today—on my return from Atlantic City—some dividend checks. The company informed me that they did not have my social security number. They asked me to send it to them. This is done because the Federal Government can trace those payments through the social security system more easily than they can be traced through the taxpayer.

That is the very principle that we would like to use here. There is nothing wrong with it. The Federal Government likes it. The capitalist likes it. Everyone seems to get along very well in that way.

If this principle can be useful to the Treasury, I do not see why it cannot be useful to the taxpayer who pays his taxes.

Mr. GORE. I thank the Senator from New Mexico for his further contribution.

The private insurance industry is to be commended for getting into this field as strongly as it has. In addition to social security, I have a health insurance policy. Fortunately, I can make the premium payments. But it is a great burden for the mass of our people to pay premiums on an adequate insurance policy. It is particularly a hardship for the elderly people to pay the higher premiums that are charged them. As a Senate committee has shown, many old people think they have an adequate health insurance policy, only to discover through the fine print of the cancellation clauses that they do not have it. Nevertheless, I applaud the extent to which private insurance has entered this field. I favor further entrance of private insurance into the field. Such nonprofit organizations as Blue Cross are to be commended. There is a place for such organizations. But that place is as a supplement and complement—not to carry the whole load.

Many who will admit that not all can be covered by private health insurance will claim that the Kerr-Mills program is meeting the need for medical care among our elderly. This is a charity program. I do not believe that public charity should be imposed on the majority of the elderly of today, or upon those who will be retired tomorrow. There is a place for charity. But the Kerr-Mills program will not do the necessary job. It is not now doing it, and it will not do it in the future.

There are several very basic things wrong with Kerr-Mills, some of which I have already pointed out. But I wish to emphasize them once again. They are:

First. The bulk of Federal funds go to the more prosperous States. At the present time, according to the AMA, 76 percent of the Federal payments go to five States. According to Government sources, these five States, with only 32 percent of our elderly, got 74 percent of Federal funds under this program in May of this year.

Second. Eligibility requirements are such, in many States, as to negate any real benefit. In my own State of Tennessee, the requirements are very severe. For instance, an elderly couple with personal property worth more than $1,500, or an annual income of $1,800, or a home worth more than $10,000 cannot receive benefits under the Kerr-Mills program. In other words, proved pauperization is a requirement for eligibility. Other States have strict requirements.

Third. Administrative costs are disproportionately high as compared with other programs. According to a report of the Subcommittee on Health of the Elderly, published in 1963, administrative costs were running as high as 25 to 59 percent in 1962.

I call that fact particularly to the attention of the senior Senator from New Mexico. Administrative costs ran as high as 59 percent of the amount of money which went to a State. Such costs amounted to 25, 30, 40 percent, on up to 59 percent. No such administrative costs would be experienced under the social security program.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. ANDERSON. Though I am not sure of it, I believe an estimate has been made that the cost would be only about 3 percent under the social security system.

Mr. GORE. Three percent?

Mr. ANDERSON. Three percent. I know that it would not be anything like the percentage which the Senator has mentioned. I am reasonably sure that the administrative cost would be only about 3 percent, because of the fact that the record is already kept. As I pointed out a moment ago, if an individual has an automobile insurance policy covering liability and property damage, and he wishes to add windstorm and tornado coverage, practically nothing must be added because the record is already kept. A policy has been made out. A charge slip is made through an agent. The agent makes out his bill to the customer. All of those things are done at one time. For that reason these things can be done for 3 percent. If that figure is not correct, I shall try to correct it. But I am quite sure the figure is somewhere in the neighborhood of 3 percent.

Mr. GORE. I appreciate that. Imagine how deluded an old person would feel if he were told that a specified amount of money would come to a State for hospital care, and yet learn also that $1 out of every $2 goes not to the old people who need hospital and health care, but for administrative costs.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. GORE. I yield to the Senator from Kansas.

Mr. CARLSON. I was greatly interested in the statement which the Senator from Tennessee made about administrative costs. I am not particularly familiar with the entire program, but if I am not in error, the State of Kansas administers the Kerr-Mills program through the social security board. I cannot see why there should be any difference in cost between the handling of the Kerr-Mills program and the handling of the King-Anderson program if it were handled through the same agency. That is why I was greatly concerned about the figures stated by the Senator from Tennessee.

Mr. GORE. The Kerr-Mills program is not handled through the contributory system of the social security program. I believe what the Senator refers to is the welfare agency. I believe that in all States the Kerr-Mills program is administered by the welfare phase of the old-age assistance program rather than through the social security program.

Mr. CARLSON. If the Senator will permit, I happen to know Mr. Marvin Larson, the man who administers the social security program and the welfare program in the State of Kansas. He is one of our outstanding leaders in that field in Kansas. I was interested in the comment. I cannot conceive how the program would be handled any differently under the King-Anderson amendment than under the present Kerr-Mills Act. Perhaps I am in error.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. GORE. In a moment.

I am not acquainted with the details of the program in the State of Kansas, but I ask unanimous consent to have printed in the RECORD at this point a statement of the administrative costs of the Kerr-Mills program in those States participating in that program in 1962.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TABLE VII.—*MAA: Administration costs in relation to total vendor payments, by jurisdiction, calendar year 1962*

[Expenditures in thousands]

Jurisdiction	Payments began	Expenditures		
		Vendor payments	Administration [1]	Administration as percent of vendor
Total		$250,830	$15,652	6.2
Alabama	February 1962	393	42	10.7
Arkansas	October 1961	810	102	12.6
California	January 1962	46,046	2,933	6.4
Connecticut	May 1962	6,731	458	6.8
Guam	June 1962	11	3	27.3
Hawaii	July 1961	1,195	41	3.4
Idaho	August 1961	2,090	156	7.5
Illinois	November 1961	2,414	93	3.9
Kentucky	April 1961	535	156	29.2
Louisiana	December 1961	793	229	28.9
Maine	January 1962	750	17	2.3
Maryland	June 1961	2,519	119	4.7
Massachusetts	November 1960	43,111	2,352	5.5
Michigan	November 1960	18,726	451	2.4
New Hampshire	December 1961	41	2	4.9
New York	April 1961	102,887	6,839	6.6
North Dakota	August 1961	1,961	175	8.9
Oklahoma	December 1960	1,116	39	3.5
Oregon	January 1962	524	144	27.5
Pennsylvania	February 1962	10,615	108	1.0
Puerto Rico	January 1961	530	11	2.1
South Carolina	August 1961	1,023	258	25.2
Tennessee	do	413	245	59.3
Utah	September 1961	1,265	62	4.9
Vermont	October 1962	63	15	23.8
Virgin Islands	May 1961	26	17	65.4
Washington	November 1960	1,632	69	4.2
West Virginia	do	2,609	516	19.8

[1] Includes costs of continuing cases on rolls; excludes costs of determining eligibility of cases transferred from othe programs.

Mr. GORE. I yield to the Senator from New Mexico.

Mr. ANDERSON. Again I come back to the point which I made a while ago. If a person is over 65 years of age and has been in covered employment, all of his records are in one spot. If illness befalls that person, an administrator does not have to find out if the person is medically indigent. As a consequence, administrative costs are lower. The thing that raises administrative costs is that in many cases investigations must be made of the surrounding circumstances of persons past 65. That is a costly process. If an administrator knows that a person is covered and is past 65 years of age, all that is required is the filing of a claim and checking to see if the person is covered. If those conditions are satisfied, the claim is paid. There is no question whether the person is medically indigent or prosperous. That is the reason for the difference in the administrative costs as between the Kerr-Mills Act and the Anderson-King proposal. It involves a question of volume handling, which is extremely important.

Mr. GORE. If I understand the Senator from New Mexico correctly, if a program is organized on an insurance basis, that is, if benefits are paid out on an actuarial basis and contributions are made to the program, it is a question of the processing of records that are already processed by the most modern means available.

Mr. ANDERSON. On punchcards.

Mr. GORE. By the punchcard system.

Mr. ANDERSON. Surely.

Mr. GORE. Whereas in the case of the public welfare program, some investigator, some welfare agent, must get into an automobile and go out and make an inquiry. Perhaps he would be required to spend a couple of days determining the amount of personal property and the estimated value of a house and lot which the old couple own, and make an inquiry as to the actual income received. It is that kind of operation which the Senator has said raises the administrative cost.

Mr. ANDERSON. Surely. Though I do not testify as to administrative costs, I believe I have seen the figures that have been estimated. I think the Senator quoted them correctly.

I point out to the Senator that any time insurance is handled so that everyone is covered and an administrator can go down a list and determine that a person who is ill is past 65 years of age and is covered, the system has a lower administrative cost than a system which requires an individual investigation of each case.

That statement is true in all areas of activity, and not especially in connection with medical care.

Suppose the Senator has an insurance business, and in that business he has a large share of the insurance of contractor A, who is the Senator's friend and customer. The Senator has complete information as to that man's business. He frequently calls in. Supposing that an accident occurs in that man's business. The Senator would know that the man was covered for that accident because he was the Senator's customer. The accident is covered quickly and expeditiously. The Senator does not have to check to see whether grader A or scoop shovel B or automobile C is covered by the policy, for he knows that he has coverage of the entire business. A different question entirely is involved.

A program in which we know that every person past 65 is covered and is actually in covered employment is cheaper to administer, for the cases can be handled quickly, without making a financial examination to find out whether the people are medically indigent.

Mr. GORE. I take it that that is why trucking concerns take out fleet policies covering all their vehicles. By doing so, they receive a cheaper rate.

Mr. ANDERSON. And they write into such policies a special provision that covers any material that the company happens to select which is not reported to the insurance company. Every truck operated by that firm, which is covered, is covered for insurance. It is the cheaper way of handling the business.

Once in a while I watch television advertising of such policies. A particular company that holds a large policy might spread it out so that it has the coverage of a number of other policies behind it. There might be five different coverages in one policy; and the cost is not very much more than the single policy would have been.

The answer is that the record has been kept on the first and basic policy, and all the rest of the coverage that is added is added at a reasonable figure because the policy is a combined policy. That is what would happen in the case which we have been discussing. The work is now already done by the Social Security Board.

Mr. GORE. Mr. President, I hope that the Senate will consider the business aspect of this very pressing problem. My experience in the business world is limited. I have had no experience whatever in the insurance field except that of the payment of premiums, and now and then receipt of some policy payment. I dare say that the distinguished senior Senator from New Mexico is more experienced than any other Member of this body in this field. He has made the point eloquently, and I believe meaningfully; so much so, that I cannot add to it.

No practicable improvements in Kerr-Mills can cure its basic defects. It is repugnant to me to face old people to go, hat in hand, to the welfare office when they need hospitalization. I do not want them to have to pauperize themselves before they can participate in a health program of the U.S. Government. I want to keep people independent and self-reliant—and I think most people want to so remain—not to make them dependent on a government handout.

Both political parties are now talking about another tax cut. Yet here we plead for the levying of a small tax upon wages and payrolls, which the working men and women of America want—fourtenths of 1 percent a month to build a trust fund, to build for themselves entitlements to which they would have a right in their old age if hospitalization should fall as their lot.

The type of medical care program proposed by my amendment, which is the King-Anderson bill, is one which is set up on insurance principles. But it must have broad participation, and thus in a sense be compulsory. It must have service benefits, rather than merely pay a certain amount of cash. It must have the backing of the U.S. Government in order to have the certainly, safety, and flexibility which any such system requires.

The social security system fits in well here. It is well established. It is well understood. It is well accepted.

The social security system has certain insurance attributes and certain taxation characteristics. Some seem not to understand this. It is doubly important that this be understood when we are discussing medical or health insurance.

The ordinary insurance policy is based on a specified cash payment. For this reason, inflation inures to the benefit of the insurance company. This is one reason for the very large profits enjoyed by many of our insurance companies over the past few years. This is one reason for the inadequacy of the retirement plans of those who have had to depend on fixed dollar assets for their declining years.

Social security employs insurance principles up to a point. Those who are to benefit in later years pay into the fund. Benefits are related to payments.

But we depart from insurance principles in several respects. Benefits are varied from time to time to keep pace with changing needs. New beneficiaries are brought in from time to time, some having made only minimal payments. Benefit increases call for increased payments into the fund. In these respects, the social security system has more attributes of a tax and Government benefits program.

Now, how does this apply to medical care?

To begin with, any benefits must be "service" benefits. It is not sufficient to offer a young man today protection against a big hospital bill 20 years hence if we offer that protection in the form of, say, $20 per day. The cost, 20 years from now, may be $40 per day. What that man needs is the assurance that, after his earning years have gone by, he can go to the hospital for a certain period of time without becoming pauperized on that account.

We have basically proceeded in this country on the theory that a man should not be completely pauperized and kept that way. This is the underlying philosophy behind our homestead exemptions. This is the reason for our bankruptcy laws. This is one reason for social security.

This is, above all, the reason why no charity program like the Kerr-Mills law is appealing to many self-respecting Americans.

Kerr-Mills was designed to provide for the medically indigent. It is actually being used in most States merely to take care of the wholly indigent.

Under the King-Anderson bill, embodied in the amendment I have offered, a social security trust fund would be set up. People would pay into this fund during their working years. In retirement, they would be insured by this fund against the more catastrophic expenses connected with health care, that is, hospital and nursing home expenses. There is also provision for some home health and outpatient diagnostic services.

Let me emphasize that King-Anderson is designed as an insurance mechanism to guard retirees against pauperization by reason of expenses incurred for hospitalization and related treatment in old age when these items could not be paid for out of current income, and if paid for out of assets the elderly would be left without further means of support and with no opportunity to rebuild those assets.

This is sound, this is decent, this is workable. This is necessary.

Of all the objections raised against medicare, the only argument which warrants careful consideration and analysis is that medicare may overburden, and thus weaken or destroy, the social security system.

Other arguments—big government, socialized medicine, voter control, and the like—which we hear so often from organized groups which have their own peculiar axes to grind, can be dismissed as not worthy of careful consideration or serious study, because they do not fit a sound pay-as-you-go program under the social security system.

I for one do not feel that providing insurance against the more catastrophic risks connected with health care will overburden the social security system. But let us discuss this point seriously. I think it is the one argument against this program that requires serious study.

It has been suggested by some that a practical ceiling on the social security contribution rate should be set at 10 percent. I would not want to fix it exactly at 10 percent, or 9½ percent, or 10½ percent, but, generally, it seems to me a 10 percent tax upon payroll, if not the maximum, should be approaching the maximum. That is why I say the effect of the Long amendment, which would levy a 10 percent tax upon payrolls, would be the death knell to health insurance under the social security program. It would be inequitable to tax the lower salaried or lower hourly rated employee at a rate much in excess of 5 percent of his paycheck. To go much higher would put many in a position of paying more in social security than in income taxes, and would thus operate to make our overall tax structure even more regressive than it now is.

Under existing law, the rate is scheduled to go up to 4.625 percent. The King-Anderson package would cost 0.4 percent. This would not put the tax significantly above 5 percent, and I would settle for that. Of course, the meager benefit increases now called for by this bill, H.R. 11865, will cost almost 0.2 percent, but our elderly and those who anticipate old age would be better off to press for medical care instead of the pittances in the pending bill and far better off to press for medicare instead of the still smaller benefits proposed by the pending Long amendment.

But there are considerations other than the rate. There are two elements of cost, so far as the computation of the social security tax is concerned. One must have due regard, not only to the stated rate, but to the wages against which that rate is levied. Then, too, the wage base must be related to actual wages being paid, and the total social security tax weighted against other taxes paid by employers and employees.

When the social security system was first established, we fixed a wage base of $3,000. To those who were not trying to scratch for a living during the thirties, this may not seem like a lot of money. But, in those days, $3,000 covered all earnings of 94 percent of regularly employed men. The equivalent wage base today would be $12,500.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. DOUGLAS. What the Senator is saying is that 6 percent of those employed earn more than $12,500, and 94 percent less than $12,500. If we were to provide the same percentage of coverage, we would have to raise the base to $12,500. Is that correct?

Mr. GORE. The Senator is correct. It is now proposed in the bill to raise the base to $5,400; but let us not forget that this figure is far below the current median. In other words, $5,400 covers the earnings of less than half our regularly employed men.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. DOUGLAS. "Median" does not refer to the Medes and Persians, but the point below which half the persons fall and above which half the persons fall. It is a mid-point.

Mr. GORE. I certainly did not want to refer to the Persians, but I am not sure that I did not mean to refer to the medes.

Mr. DOUGLAS. The Senator is referring only to the statistical medes, not to the geographic Medes.

Mr. GORE. The Senator is correct.

Mr. DOUGLAS. Mr. President, will the Senator yield further?

Mr. GORE. I yield.

Mr. DOUGLAS. Perhaps this point should be clarified, that the $5,400 covers the full amount of the earnings of less than half of the regularly employed persons.

Mr. GORE. The Senator is correct.

A wage base of $6,600 would support the provisions of the King-Anderson package with a rate of 5 percent each for employer and employee, on top of the benefits provided in the pending House bill. This wage base may sound high, but it is low when compared with the $3,000 base we started with back in the thirties, considering the actual wage rates which existed then and exist now.

So I say to my colleagues in the Senate who may be worried about rates that we have sufficient flexibility in the wage base to hold the rate down to a flat 10 percent, and still provide every benefit contained in the House bill and provide for the King-Anderson bill. I ask the Senate to make this decision.

For that matter, it seems sensible to begin to think about cutting back a bit on the reserves, or perhaps paying part of certain costs from general revenues. It would certainly be appropriate to use general revenues to pay part of the cost of medical benefits for those who have already retired and who would receive health care benefits without having contributed specifically for that purpose. If this point worries any of my colleagues, let me remind them that the entire cost of the Kerr-Mills program is paid out of general funds, and thus added to the public debt.

I point out these things in order to suggest that we must not become hidebound in our consideration of this subject. Nor should we allow those who do not wish to see an improved social security system to use this financial argument as a screen behind which to hide.

A decent program of health care insurance can be incorporated into the social security system without endangering the system, and without unduly burdensome taxation of our currently productive population.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. DOUGLAS. Is it not correct to say that there is a historical, built-in margin of safety in the social security system, because of the tendency of the average earnings to rise over time; that is, as earnings go up over time, the contributions increase at a given ratio?

Mr. GORE. That is correct.

Mr. DOUGLAS. But the benefits do not increase in the same ratio, because the benefits are appreciably higher in the first blocks of lifetime earnings than they are in the blocks which follow. Therefore the additions to the system increase at a greater rate than the expenditures of the system, assuming the benefits schedule and rates of contributions to be constant.

Historically, therefore, that has been the factor which has permitted us to raise benefits under social security and at the same time dampen increases in the contributions which otherwise would have to occur. Is that correct?

Mr. GORE. The Senator is correct.

Mr. DOUGLAS. This has been happening during the 29 years that the system has been in operation. Is there not every expectation that it will continue to happen in the future, with the increase in productivity?

Mr. GORE. I know of nothing that is so dramatically illustrative of the figures to which we have referred; that is, 94 percent of the employed persons when the social security system was inaugurated earned no more than $3,000 a year, whereas 94 percent of the employed persons now earn $12,500.

Mr. DOUGLAS. Earn less than $12,500.

Mr. GORE. Yes. I thank the Senator. I appreciate his contribution.

The social and economic structure of this country is such that the health needs of the elderly, becoming more acute, cannot be met by many of the individuals or families concerned.

No longer is there a family farm for most Americans, to which family members who have gone to the city to work can return to live out their last years. Some may wish for the so-called good old days, but they will not return. Indeed, if we will be honest in our reading of history, they never really were. I do not wish to see a return to the county poorfarm system. We have advanced from that. But when there is no longer a county poorhouse, when there is no longer a family farm or a family unit to which the old can repair for care, when health care costs are going up, up, and up, when there are so many more things that good doctors, good drugs, good nurses, and good hospitals can do for people, particularly old people, it seems to me that the necessity for providing a sound health insurance program by which human beings can have entitlements by right should bear heavily upon the conscience of the country.

I do not want to see more and more of our elderly stripped of their savings for hospital expenses and then be put on relief. This is degrading. This is not the way to provide for independent American citizens.

The next logical step in expanding our social security system so as to keep up with current needs is to provide for the most pressing need of our elderly, retired people—medical care.

Some speak of political control through expanded social security. This, it seems to me, is cynicism. Nothing is more conducive to political control than a system which depends on a needs test, where some bureaucrat, whether in Washington or in Podunk, can decide whether payments shall be granted or withheld. I want the rules clearly established, and payments made as a matter of right. I want expanded social security, not handouts.

I am a little bit tired of the "socialized medicine" argument. What I advocate is not socialized medicine, nor will it lead to socialized medicine. There is, in my view, more earmarked socialized medicine in Kerr-Mills than there ever could be in King-Anderson.

Mr. President, I send to the desk an amendment and ask that it be printed in the RECORD together with a statement of explanation.

The PRESIDING OFFICER. The amendment will be received and printed; and without objection, the amendment and explanation will be printed in the RECORD.

The amendment (No. 1253) submitted by Mr. GORE (for himself and Senators ANDERSON, MCCARTHY, BARTLETT, CLARK, DODD, DOUGLAS, HART, HUMPHREY, MCINTYRE, MCNAMARA, MUSKIE, RANDOLPH, RIBICOFF, SALINGER, and WILLIAMS of New Jersey) is as follows:

On the first page of the bill, strike out lines 3 and 4, and insert in lieu thereof the following:

"TITLE I—SOCIAL SECURITY AMENDMENTS

"SEC. 101. This title may be cited as the 'Social Security Amendments of 1964'."

On page 2, line 1, strike out "5 percent" and insert "$7".

Strike out the table appearing on pages 2 and 3 of the bill, and insert in lieu thereof the following new table:

"TABLE FOR DETERMINING PRIMARY INSURANCE AMOUNT AND MAXIMUM FAMILY BENEFITS

"I		II	III		IV	V
(Primary insurance benefit under 1939 act, as modified)		(Primary insurance amount under 1958 act, as modified)	(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—		At least—	But not more than—		
------	$13.48	$40	------	$67	$47	$70.50
$13.49	14.00	41	$68	69	48	72.00
14.01	14.48	42	70	70	49	73.50
14.49	15.00	43	71	72	50	75.00
15.01	15.60	44	73	74	51	76.50
15.61	16.20	45	75	76	52	78.00
16.21	16.84	46	77	78	53	79.50
16.85	17.60	47	79	80	54	81.00
17.61	18.40	48	81	81	55	82.50
18.41	19.24	49	82	83	56	84.00
19.25	20.00	50	84	85	57	85.50
20.01	20.64	51	86	87	58	87.00
20.65	21.28	52	88	89	59	88.50
21.29	21.88	53	90	90	60	90.00
21.89	22.28	54	91	92	61	91.50
22.29	22.68	55	93	94	62	93.00
22.69	23.08	56	95	96	63	94.50
23.09	23.44	57	97	97	64	96.00
23.45	23.76	58	98	99	65	97.50
23.77	24.20	59	100	101	66	99.00
24.21	24.60	60	102	102	67	100.50
24.61	25.00	61	103	104	68	102.00
25.01	25.48	62	105	106	69	103.50
25.49	25.92	63	107	107	70	105.00
25.93	26.40	64	108	109	71	106.50
26.41	26.94	65	110	113	72	108.00
26.95	27.46	66	114	118	73	109.50
27.47	28.00	67	119	122	74	111.00
28.01	28.68	68	123	127	75	112.50
28.69	29.25	69	128	132	76	114.00
29.26	29.68	70	133	136	77	115.50
29.69	30.36	71	137	141	78	117.00
30.37	30.92	72	142	146	79	118.50
30.93	31.36	73	147	150	80	120.00
31.37	32.00	74	151	155	81	124.00
32.01	32.60	75	156	160	82	128.00
32.61	33.20	76	161	164	83	131.20
33.21	33.88	77	165	169	84	135.20
33.89	34.50	78	170	174	85	139.20
34.51	35.00	79	175	178	86	142.40
35.01	35.80	80	179	183	87	146.40
35.81	36.40	81	184	188	88	150.40
36.41	37.08	82	189	193	89	154.40
37.09	37.60	83	194	197	90	157.60
37.61	38.20	84	198	202	91	161.60
38.21	39.12	85	203	207	92	165.60
39.13	39.68	86	208	211	93	168.80
39.69	40.33	87	212	216	94	172.80
40.34	41.12	88	217	221	95	176.80
41.13	41.76	89	222	225	96	180.00
41.77	42.44	90	226	230	97	184.00
$42.45	$43.20	$91	$231	$235	$98	$188.00
43.21	43.76	92	236	239	99	191.20
43.77	44.44	93	240	244	100	195.20
44.45	44.88	94	245	249	101	199.20
44.89	45.60	95	250	253	102	202.40
		96	254	258	103	206.40
		97	259	263	104	210.40
		98	264	267	105	213.60
		99	268	272	106	217.60
		100	273	277	107	221.60
		101	278	281	108	224.80
		102	282	286	109	228.80
		103	287	291	110	232.80
		104	292	295	111	236.00
		105	296	300	112	240.00
		106	301	305	113	244.00
		107	306	309	114	247.20
		108	310	314	115	251.20
		109	315	319	116	254.00
		110	320	323	117	254.80
		111	324	328	118	256.80
		112	329	333	119	258.80
		113	334	337	120	260.40
		114	338	342	121	262.40
		115	343	347	122	264.40
		116	348	351	123	266.00
		117	352	356	124	268.00
		118	357	361	125	270.00
		119	362	365	126	271.60
		120	366	370	127	273.60
		121	371	375	128	275.60
		122	376	379	129	277.20
		123	380	384	130	279.20
		124	385	389	131	281.20
		125	390	393	132	282.80
		126	394	398	133	284.80
		127	399	403	134	286.80
			404	407	135	288.40
			408	412	136	290.40
			413	417	137	292.40
			418	421	138	294.00
			422	426	139	296.00
			427	431	140	298.00
			432	436	141	300.00
			437	440	142	301.60
			441	445	143	303.60
			446	450	144	305.60
			451	454	145	307.20
			455	459	146	309.20
			460	464	147	311.20
			465	466	148	312.00

On page 2, line 3, strike out "Sec. 2." and insert in lieu thereof "Sec. 102.".

On page 6, line 13, strike out "Sec. 3," and insert in lieu thereof "Sec. 103.".

On page 15, line 11, strike out "Sec. 4." and insert in lieu thereof "Sec. 104.".

On page 20, line 10, strike out "Sec. 5." and insert in lieu thereof "Sec. 105.".

On page 22, line 13, strike out "Sec. 6." and insert in lieu thereof "Sec. 106.".

On page 28, line 11, strike out "section 6" and insert in lieu thereof "section 106".

On page 28, line 22, strike out "Sec. 7." and insert in lieu thereof "Sec. 107.".

On page 29, line 1, strike out "0.65" and insert in lieu thereof "0.67".

On page 29, line 5, strike out "0.4875" and insert in lieu thereof "0.5025".

On page 37, line 20, strike out "Sec. 8." and insert in lieu thereof "Sec. 108.".

On page 38, line 3, strike out "Sec. 11." and insert in lieu thereof "Sec. 111.".

On page 39, line 12, strike out "Sec. 12." and insert in lieu thereof "Sec. 112.".

On page 39, line 19, strike out "Sec. 13." and insert in lieu thereof "Sec. 113.".

On page 39, line 24, strike out "Sec. 14." and insert in lieu thereof "Sec. 114.".

On page 40, line 23, strike out "Sec. 15." and insert in lieu thereof "Sec. 115.".

On page 41, line 18, strike out "$5,400" and insert in lieu thereof "$5,600".

On page 42, lines 5, 9, 13, and 19, strike out "$5,400" and insert in lieu thereof "$5,600".

On page 43, lines 4, 9, 12, 17, and 25, strike out "$5,400" and insert in lieu thereof "$5,600".

On page 44, lines 3 and 10, strike out "$5,400" and insert in lieu thereof "$5,600".

On page 44, line 8, strike out "Sec. 16." and insert in lieu thereof "Sec. 116.".

On page 45, line 7, strike out "5.7 percent" and insert in lieu thereof "6.4 percent".

On page 45, line 11, strike out "6 percent" and insert in lieu thereof "6.8 percent".

On page 45, line 15, strike out "6.8 percent" and insert in lieu thereof "7.5 percent".

On page 45, line 19, strike out "7.2 percent" and insert in lieu thereof "7.8 percent".

On page 46, line 8, strike out "3.8 percent" and insert in lieu thereof "4¼ percent".

On page 46, lines 10 and 11, strike out "4 percent" and insert in lieu thereof "4½ percent".

On page 46, line 14, strike out "4.5 percent" and insert in lieu thereof "5 percent".

On page 46, line 16, strike out "4.8 percent" and insert in lieu thereof "5.2 percent".

On page 47, line 4 , strike out "3.8 percent" and insert in lieu thereof "4¼ percent".

On page 47, line 6, strike out "4 percent" and insert in lieu thereof, "4½ percent".

On page 47, lines 8 and 9, strike out "4.5 percent" and insert in lieu thereof "5 percent".

On page 47, line 11, strike out "4.8 percent" and insert in lieu thereof "5.2 percent".

On page 48, line 11, strike out "Sec. 14." and insert in lieu thereof "Sec. 114.".

On page 50, line 5, strike out "Sec. 15." and insert in lieu thereof "Sec. 115".

On page 51, line 13, strike out "Sec. 16." and insert in lieu thereof "Sec. 116.".

On page 52, line 16, strike out "Sec. 17." and insert in lieu thereof "Sec. 117.".

On page 55, line 3, strike out "Sec. 18." and insert in lieu thereof "Sec. 118.".

At the end of the bill, add the following:

"TITLE II—HEALTH CARE INSURANCE FOR THE AGED

"Sec. 201. This title may be cited as the 'Hospital Insurance Act of 1964.'

"Part A—Hospital insurance benefits for the aged

"Findings and Declaration of Purpose

"Sec. 201. (a) The Congress hereby finds that (1) the heavy costs of hospital care and related health care are a grave threat to the security of aged individuals, (2) most of them are not able to qualify for and to afford private insurance adequately protecting them against such costs, (3) many of them are accordingly forced to apply for private or public aid, accentuating the financial difficulties of hospitals and private or public welfare agencies and the burdens on the general revenues, and (4) it is in the interest of the general welfare for financial burdens resulting from hospital services and related services required by these individuals to be met primarily through social insurance.

"(b) The purposes of this Act are (1) to provide aged individuals entitled to benefits under the old-age, survivors, and disability insurance system or the railroad retirement system with basic protection against the costs of inpatient hospital services, and to provide, in addition, as an alternative to inpatient hospital care, protection against the costs of certain skilled nursing facility services, home health services, and outpatient hospital diagnostic services; to utilize social insurance for financing the protection so provided; to encourage, and make it possible for, such individuals to purchase protection against other health costs by providing in such basic social insurance protection a set of benefits which can easily be supplemented by a State, private insurance, or other methods; to assure adequate and prompt payment on behalf of these individuals to the providers of these services; and to do these things in a manner consistent with the dignity and self-respect of each individual, without interfering in any way with the free choice of physicians or other health personnel or facilities by the individual, and without the exercise of any Federal supervision or control over the practice of medicine by any doctor or over the manner in which medical services are provided by any hospital; and (2) to provide such basic protection, financed from general revenues, to those persons who are now age 65 or over or who will reach age 65 within the next several years and who are not eligible for benefits under the old-age, survivors, and disability insurance or railroad retirement systems.

"(c) It is hereby declared to be the policy of the Congress that skilled nursing facility services for which payment may be made under this Act shall be utilized in lieu of inpatient hospital services where skilled nursing facility services would suffice in meeting the medical needs of the patient, and that home health services for which payment may be made under this Act shall be utilized in lieu of inpatient hospital or skilled nursing facility services where home health services would suffice.

"(d) It is further declared to be the policy of the Congress that no individual who receives aid or assistance (including medical or any other type of remedial care) under a State plan approved under I, IV, X, XIV, or XVI of the Social Security Act shall receive less benefits or be otherwise disadvantaged by reason of the enactment of this Act.

"Part A—Hospital insurance benefits for the aged

"Benefits

"Sec. 202. The Social Security Act is amended by adding after title XVII the following new title:

" 'TITLE XVIII—HOSPITAL INSURANCE BENEFITS FOR THE AGED

" 'Prohibition Against Any Federal Interference

" 'Sec. 1801. Nothing in this title shall be construed to authorize any Federal officer or employee to exercise any supervision or control over the practice of medicine or the manner in which medical services are provided, or over the selection, tenure, or compensation of any officer or employee of any hospital, skilled nursing facility, or home health agency; or to exercise any supervision or control over the administration or operation of any such hospital, facility, or agency.

" 'Free Choice by Patient Guaranteed

" 'Sec. 1802. Any individual entitled to have payment made under this title for services furnished him may obtain inpatient hospital services, skilled nursing facility services, home health services, or outpatient hospital diagnostic services from any provider of services with which an agreement is in effect under this title and which undertakes to provide him such services.

" 'Description of Services

" 'Sec. 1803. For purposes of this title—

" 'Inpatient hospital services

" '(a) The term "inpatient hospital services" means the following items and services furnished to an inpatient in a hospital and (except as provided in paragraph (3)) by the hospital—

" '(1) bed and board,

" '(2) such nursing services and other related services, such use of hospital facilities, and such medical social services as are customarily furnished by the hospital for the care and treatment of inpatients, and such drugs, biologicals, supplies, appliances, and equipment, for use in the hospital, as are customarily furnished by such hospital for the care and treatment of inpatients, and

" '(3) such other diagnostic or therapeutic items or services, furnished by the hospital or by others under arrangements with them made by the hospital, as are customarily furnished to inpatients either by such hospital or by others under such arrangements;

excluding, however—

" '(4) medical or surgical services provided by a physician, resident, or intern, except services provided in the field of pathology, radiology, physiatry, or anesthesiology, and except services provided in the hospital by an intern or a resident-in-training under a teaching program approved by the Council on Medical Education and Hospitals of the American Medical Association (or, in the case of an osteopathic hospital, approved by a recognized body approved for the purpose by the Secretary), and

" '(5) the services of a private-duty nurse.

" 'Skilled nursing facility services

" '(b) The term "skilled nursing facility services" means the following items and services furnished to an inpatient in a skilled nursing facility, after transfer from a hospital in which he was an inpatient, and (except as provided in paragraph (3)) by such skilled nursing facility—

" '(1) nursing care provided by or under the supervision of a registered professional nurse,

" '(2) bed and board in connection with the furnishing of such nursing care,

" '(3) physical, occupational, or speech therapy furnished by the skilled nursing facility or by others under arrangements with them made by the facility,

" '(4) medical social services,

" '(5) such drugs, biologicals, supplies, appliances, and equipment, furnished for use in the skilled nursing facility, as are customarily furnished by such facility for the care and treatment of inpatients,

" '(6) medical services provided by an intern or resident-in-training of the hospital, with which the facility is affiliated or under common control, under a teaching program of such hospital approved as provided in subsection (a)(4), and

" '(7) such other services necessary to the health of the patients as are generally provided by skilled nursing facilities;

excluding, however, any item or service if it would not be included under subsection (a) if furnished to an inpatient in a hospital.

" 'Home health services

" '(c) The term "home health services" means the following items and services furnished to an individual, who is under the care of a physician, by a home health agency or by others under arrangements with them made by such agency, under a plan (for furnishing such items and services to such individual) established and periodically reviewed by a physician, which items and services are provided in a place of residence used as such individual's home—

"'(1) part-time or intermittent nursing care provided by or under the supervision of a registered professional nurse,

"'(2) physical, occupational, or speech therapy,

"'(3) medical social services,

"'(4) to the extent permitted in regulations, part-time or intermittent services of a home health aid,

"'(5) medical supplies (other than drugs and biologicals), and the use of medical appliances, while under such a plan, and

"'(6) in the case of a home health agency which is affiliated or under common control with a hospital, medical services provided by an intern or resident-in-training of such hospital, under a teaching program of such hospital approved as provided in subsection (a)(4);

excluding, however, any item or service if it would not be included under subsection (a) if furnished to an inpatient in a hospital.

"'Outpatient hospital diagnostic services

"'(d) The term "outpatient hospital diagnostic services" means diagnostic services—

"'(1) which are furnished to an individual as an outpatient by a hospital or by others under arrangements with them made by a hospital, and

"'(2) which are customarily furnished by such hospital (or by others under such arrangements) to its outpatients for the purpose of diagnostic study;

excluding, however—

"'(3) any item or service if it would not be included under subsection (a) if furnished to an inpatient in a hospital; and

"'(4) any services furnished under such arrangements unless (A) furnished in the hospital or in other facilities operated by or under the supervision of the hospital, and (B) in the case of professional services, furnished by or under the responsibility of members of the hospital medical staff acting as such members.

"'Drugs and biologicals

"'(e) The term "drugs" and the term "biologicals", except for purposes of subsection (c)(5) of this section, include only such drugs and biologicals, respectively, as are included in the United States Pharmacopoeia, National Formulary, New and Non-Official Drugs, or Accepted Dental Remedies, or are approved by the pharmacy and drug therapeutics committee (or equivalent committee) of the medical staff of the hospital furnishing such drugs or biologicals (or of the hospital with which the skilled nursing facility furnishing such drugs or biologicals is affiliated or is under common control).

"'Arrangements for certain services

"'(f) As used in this section, the term "arrangements" is limited to arrangements under which receipt of payment by the hospital, skilled nursing facility, or home health agency (whether in its own right or as agent), as the case may be, with respect to services for which an individual is entitled to have payment made under this title, discharges the liability of such individual or any other person to pay for the services.

"'Deductible; Duration of Services

"'Deductible

"'SEC. 1804. (a) (1) Except as provided in subsection (c), payment for inpatient hospital services furnished an individual during any benefit period shall be reduced by a deduction equal to $20, or if greater, $10 multiplied by the number of days, not exceeding nine, for which he received such services in such period.

"'(2) Payment for outpatient hospital diagnostic services furnished an individual during any thirty-day period shall be reduced by a deduction equal to $20. For purposes of the preceding sentence, a thirty-day period for any individual is a period of thirty consecutive days beginning with the first day (not including in a previous such period) on which he is entitled to benefits under this title and on which outpatient hospital diagnostic services are furnished him.

"'Cost sharing

"'(3)(A) For the purpose of maintaining the Hospital Insurance Trust Fund on an actuarially sound basis if the average per diem cost of inpatient hospital services increases and the maximum amount of earnings on which contributions to such trust fund are based is not increased proportionately, payment for inpatient hospital services furnished an individual after December 31, 1968, during a benefit period shall be reduced by a deduction (in addition, in the case of an individual who has not made an election pursuant to subsection (c)(1)(B), to the deduction imposed pursuant to subsection (a)) equal to the applicable average per diem rate differential determined under subparagraph (B), multiplied by the number of days of such services in such period for which payment may be made under this title.

"'(B) The Secretary shall, between July 1 and October 1 of the year 1968 and each even-numbered year thereafter, promulgate the average per diem rate differential which shall be applicable for the purposes of subparagraph (A) in the case of days of inpatient hospital services furnished during the two succeeding calendar years. Such differential shall be the amount determined—

"'(A) by multiplying (i) $36 (the estimated average per diem rate for inpatient hospital services for 1964 and 1965) by (ii) the ratio of

"'(I) the maximum on the amount of remuneration paid during such two succeeding calendar years which may, under section 3121(a)(1) of the Internal Revenue Code of 1954, be counted as wages for purposes of chapter 21 of such Code (or, if there is a different maximum for each of such two years, the average of such maxima), to

"'(II) $5,600, and

"'(B) by subtracting the product derived thereby from the current average per diem rate for inpatient hospital services;

except that if the result obtained under clauses (A) and (B) is not a multiple of $2, it shall—

"'(C) if it is a multiple of $1, be raised to the next higher multiple of $2, or

"'(D) if it is less than $1, be reduced to zero, or

"'(E) in any other case be rounded to the nearest multiple of $2.

If the differential determined under the preceding sentence is a negative amount, it shall be deemed instead to be zero. The determination of the current average per diem rate for purposes of any promulgation under this paragraph shall be based on the best information available to the Secretary (at the time the determination is made) as to the amounts paid under this title on account of inpatient hospital services furnished, during the two calendar years preceding such determination by hospitals which have agreements in effect under section 1812, to individuals who are entitled to insurance benefits under this title.

"'Duration of services

"'(b) Payment under this title for services furnished any individual during a benefit period may not be made for—

"'(1) inpatient hospital services furnished to him during such period after such services have been furnished to him for 90 days during such period, except as provided in subsection (c); or

"'(2) skilled nursing facility services furnished to him during such period after such services have been furnished to him for 60 days during such period.

For purposes of the preceding provisions of this subsection, inpatient hosital services or skilled nursing facility services shall be counted only if payment is or would, except for this subsection and except for the failure to comply with the procedural and other requirements of or under section 1809(a)(1), be made with respect to such services under this title. Payment under this title for home health services furnished an individual during a calendar year may not be made for any such services after such services have been furnished him during 240 visits in such year.

"'Election as to duration of inpatient hospital services and deductible

"'(c)(1) An individual may elect, instead of the number of days in a benefit period for which payment may be made for inpatient hospital services furnished to him specified in subsection (b)(1)—

"'(A) to have such number of days for each benefit period increased to 180, and, in such case, the payment under this title for inpatient hospital services furnished him during any benefit period shall, instead of being reduced by the deduction specified in subsection (a)(1), be reduced by a deduction equal to either (i) 2½ times the average per diem rate for such services, determined under paragraph (4), or ((ii) if less, the charges customarily made for such services by the hospital which furnished them, or

"'(B) to have such number of days reduced to 45 for each benefit period and, in such case, the reduction, provided in subsection (a)(1), in the payment under this title for inpatient hospital services furnished during any benefit period shall not apply to him.

"'(2) An individual may make an election under paragraph (1) only on such form or forms and in such manner as the Secretary may prescribe. Any such election shall be valid only if made before the month preceding, and after the fourth month preceding, the first month in which he both has attained the age of 65 and is eligible for the benefits referred to in section 1805(a)(2); except that if such first month occurs before January 1966, such election shall be valid only if made after May 1965 and before December 1965. For purposes of the preceding sentence, (A) an individual shall be regarded as eligible for benefits for a month if he is or, upon filing application for such benefits in such month, would be entitled to such benefits, and (B) an individual to whom section 204 of the Hospital Insurance Act of 1964 applies shall be deemed eligible for the benefits referred to in such section 1805(a)(2) for and after the month in which he attains the age of 65.

"'(3) An individual shall be permitted only one election under this subsection and such election shall be irrevocable.

"'(4) The Secretary shall, between July 1 and October 1 of the calendar year 1967 and of each calendar year thereafter, promulgate the average per diem rate for inpatient hospital services which shall be applicable in the case of benefit periods beginning during the succeeding year. Such promulgation shall be based on the best information available to the Secretary (at the time the determination is made) as to the amounts paid under this title on account of inpatient hospital services furnished, during the calendar year preceding such determination, by hospitals, with which agreements under section 1810 are in effect, to individuals who are entitled to have such payments made with respect to such services; and the amount so determined shall be rounded to the nearest $1, or, if it is a multiple of $0.50 but not of $1, to the next higher $1. For benefit periods beginning prior to the calendar year 1968, such average per diem rate shall be $37.

" 'Benefit period

" '(d) For the purposes of this section, a "benefit period" with respect to any individual means a period of consecutive days—

" '(1) beginning with the first day (not included in a previous benefit period) (A) on which such individual is furnished inpatient hospital services or skilled nursing facility services and (B) which occurs in a month for which he is entitled to insurance benefits under this title, and

" '(2) ending with the ninetieth day thereafter on each of which he is neither an inpatient in a hospital nor an inpatient in a skilled nursing facility (whether or not such 90 days are consecutive), but only if such 90 days occur within a period of not more than 180 consecutive days.

" 'Entitlement to Benefits

" 'SEC. 1805. (a) Every individual who—

" '(1) has attained the age of 65, and

" '(2) is entitled to monthly insurance benefits under section 202,

shall be entitled to insurance benefits under this title for each month for which he is entitled to such benefits under section 202, beginning with the first month after December 1965 with respect to which he meets the conditions specified in paragraphs (1) and (2).

" '(b) For the purposes of this section—

" '(1) entitlement of an individual to insurance benefits under this title for a month shall consist of entitlement to have payment made under, and subject to the limitations in, this title on his behalf for inpatient hospital services, skilled nursing facility services, home health services, and outpatient hospital diagnostic services furnished him in the United States during such month; and

" '(2) an individual shall be deemed entitled to monthly insurance benefits under section 202 for the month in which he died if he would have been entitled to such benefits for such month had he died in the next month.

" '(c) Notwithstanding the preceding provisions of this section, no payments may be made under this title for inpatient hospital services, outpatient hospital diagnostic services, or home health services furnished an individual prior to July 1, 1965, or for skilled nursing facility services furnished him prior to January 1, 1966.

" 'Definitions of Providers of Services

" 'SEC. 1806. For purposes of this title—

" 'Hospital

" '(a) The term "hospital" (except for purposes of section 1804(d)(2), section 1809(f), paragraph (6) of this subsection, and so much of section 1803(b) as precedes paragraph (1) thereof) means an institution which—

" '(1) is primarily engaged in providing, by or under the supervision of physicians or surgeons, to inpatients (A) diagnostic services and therapeutic services for medical diagnosis, treatment, and care of injured, disabled, or sick persons, or (B) rehabilitation facilities and services for the rehabilitation of injured, disabled, or sick persons.

" '(2) maintains clinical records on all patients,

" '(3) has bylaws in effect with respect to its staff of physicians,

" '(4) continuously provides twenty-four-hour nursing service rendered or supervised by a registered professional nurse.

" '(5) has in effect a hospital utilization review plan which meets the requirements of subsection (e),

" '(6) in the case of an institution in any State in which State or applicable local law provides for the licensing of hospitals, (A) is licensed pursuant to such law or (B) is approved, by the agency of such State responsible for licensing hospitals, as meeting the standards established for such licensing, and

" '(7) meets such other of the requirements prescribed for the accreditation of hospitals by the Joint Commission on the Accreditation of Hospitals, as the Secretary finds necessary in the interest of the health and safety of individuals who are furnished services by or in the institution.

For purposes of section 1804(d)(2), such term includes any institution which meets the requirements of paragraph (1) of this subsection. For purposes of section 1809(f) (including determination of whether an individual received inpatient hospital services for purposes of such section 1809(f)), and so much of section 1803(b) as precedes paragraph (1) thereof, such term includes any institution which meets the requirements of paragraphs (1), (2), (4), and (6) of this subsection. Notwithstanding the preceding provisions of this subsection, such term shall not, except for purposes of section 1804(d)(2), include any institution which is primarily for the care and treatment of tuberculosis or mentally ill patients.

" 'Skilled nursing facility

" '(b) The term "skilled nursing facility" means (except for purposes of section 1804(d)(2)) an institution (or a distinct part of an institution) which is affiliated or under common control with a hospital having an agreement in effect under section 1810 and which—

" '(1) is primarily engaged in providing to inpatients (A) skilled nursing care and related services for patients who require planned medical or nursing care or (B) rehabilitation services,

" '(2) has policies, which are established by a group of professional personnel (associated with the facility), including 1 or more physicians and 1 or more registered professional nurses, to govern the skilled nursing care and related medical or other services it provides and which include a requirement that every patient must be under the care of a physician,

" '(3) has a physician, a registered professional nurse, or a medical staff responsible for the execution of such policies,

" '(4) maintains clinical records on all patients,

" '(5) continuously provides twenty-four-hour nursing service rendered or supervised by a registered professional nurse,

" '(6) operates under a utilization review plan, which has been made applicable to it under subsection (g), of the hospital with which it is affiliated or under common control,

" '(7) in the case of an institution in any State in which State or applicable local law provides for the licensing of institutions of this nature, (A) is licensed pursuant to such law, or (B) is approved, by the agency of such State responsible for licensing institutions of this nature, as meeting standards established for such licensing; and

" '(8) meets such other conditions of participation under this section as the Secretary may find necessary in the interest of the health and safety of individuals who are furnished services by or in such institution;

except that such term shall not (other than for purposes of section 1804(d)(2)) include any institution which is primarily for the case and treatment of tuberculosis or mentally ill patients. For purposes of section 1804(d)(2), such term includes any institution which meets the requirements of paragraph (1) of this subsection.

" 'Home health agency

" '(c) The term "home health agency" means an agency which—

" '(1) is a public agency, or a private nonprofit organization exempt from Federal income taxation under section 501 of the Internal Revenue Code of 1954,

" '(2) is primarily engaged in providing skilled nursing services or other therapeutic services,

" '(3) has policies, established by a group of professional personnel (associated with the agency), including 1 or more physicians and 1 or more registered professional nurses, to govern the service (referred to in paragraph (2)) which it provides,

" '(4) maintains clinical records on all patients,

" '(5) in the case of an agency in any State in which State or local law provides for the licensing of agencies of this nature, (A) is licensed pursuant to such law, or (B) is approved, by the agency of such State responsible for licensing agencies of this nature, as meeting standards established for such licensing, and

" '(6) meets such other conditions of participation as the Secretary may find necessary in the interest of the health and safety of individuals who are furnished services by such agency;

except that such term shall not include any agency which is primarily for the care and treatment of tuberculosis or mentally ill patients.

" 'Physician

" '(d) The term "physician", when used in connection with the performance of any function or action, means an individual (including a physician within the meaning of section 1101(a)(7)) legally authorized to practice surgery or medicine by the State in which he performs such function or action.

" 'Utilization review

" '(e) A utilization review plan of a hospital shall be deemed sufficient if it is applicable to services furnished by the institution to individuals entitled to benefits under this title and if it provides—

" '(1) for the review, on a sample or other basis, of admissions to the institution, the duration of stays therein, and the professional services furnished, (A) with respect to the medical necessity of the services, and (B) for the purpose of promoting the most efficient use of available health facilities and services;

" '(2) for such review to be made by either (A) a hospital staff committee composed of 2 or more physicians, with or without participation of other professional personnel, or (B) a group outside the hospital which is similarly composed;

" '(3) for such review, in each case in which inpatient hospital services are furnished to such individuals during a continuous period, as of the twenty-first day, and as of such subsequent days as may be specified in regulations, with such review to be made as promptly after such twenty-first or subsequent specified days as possible, and in no event later than 1 week following such day;

" '(4) for prompt notification to the institution, the individual, and his attending physician of any finding (after opportunity for consultation to such attending physician) by the physician members of such committee or group that any further stay therein is not medically necessary.

The provisions of clause (A) of paragraph (2) shall not apply to any hospital where, because of the small size of the institution or for such other reason or reasons as may be included in regulations, it is impracticable for the institution to have a properly functioning staff committee for the purposes of this subsection.

" 'Provider of services

" '(f) The term "provider of services" means a hospital, skilled nursing facility, or home health agency.

" 'Skilled nursing facilities affiliated or under common control with hospitals

" '(g) A hospital and a skilled nursing facility shall be deemed to be affiliated or under common control if, by reason of a written agreement between them or by reason of a written undertaking by a person or a body which controls both of them, there is reasonable assurance that—

" '(1) the facility will be operated under standards which are developed jointly by, or are agreed to by, the two institutions, with respect to—

" '(A) skilled nursing and related health services (other than physicians' services),

" '(B) a system of clinical records, and

" '(C) appropriate methods and procedures for the dispensing and administering of drugs and biologicals;

" '(2) timely transfer of patients will be effected between the hospital and the skilled nursing facility whenever such transfer is medically appropriate, and provision is made for the transfer or the joint use (to the extent practicable) of clinical records of the two institutions; and

" '(3) the utilization review plan of the hospital will be extended to include review of admissions to, duration of stays in, and the professional services furnished in the skilled nursing facility and including review of such individual cases (and at such intervals) as may be specified in this title or in regulations thereunder, and with notice to the facility, the individual, and his attending physician in case of a finding (after opportunity for consultation to such attending physician) that further skilled nursing facility services are not medically necessary.

" 'States and United States

" '(h) The term "State" and "United States" shall have the same meaning as when used in title II.

" 'Additional skilled nursing facilities

" '(i) The Secretary shall, as soon as practicable after December 31, 1965, study the best ways of increasing the availability of skilled nursing facility care for beneficiaries under this title under conditions assuring good quality of care; and, on the basis of such study and after consultation with associations of nursing homes, the American Hospital Association, the Joint Commission on Accreditation of Hospitals, and other appropriate professional organizations, he may determine that additional nursing facilities in which such conditions assuring good quality of care exist constitute skilled nursing facilities under subsection (b) if they meet the requirements of such subsection (other than the requirement of affiliation and other than the requirement that a hospital utilization review plan be made applicable) and if the Secretary finds that such action will not create (or increase) any actuarial imbalance in the Federal Hospital Insurance Trust Fund. The Secretary shall report to the Congress from time to time, and in any event by July 1, 1967, the results of the study under this subsection and any action taken as a result thereof.

" 'Use of State Agencies and Other Organizations To Develop Conditions of Participation for Providers of Services

" 'SEC. 1807. In carrying out his functions, relating to determination of conditions of participation by providers of services, under section 1806(a)(7), section 1806(b)(8), or section 1806(c)(6), the Secretary shall consult with the Hospital Insurance Benefits Advisory Council established by section 1812, appropriate State agencies, and recognized national listing or accrediting bodies. Such conditions prescribed under any of such sections may be varied for different areas or different classes of institutions or agencies and may, at the request of a State, provide (subject to the limitation provided in section 1806(a)(7)) higher requirements for such State than for other States.

" 'Use of State Agencies and Other Organizations To Determine Compliance by Providers of Services With Conditions of Participation

" 'SEC. 1808. (a) The Secretary may, pursuant to agreement, utilize the services of State health agencies or other appropriate State agencies for the purposes of (1) determining whether an institution is a hospital or skilled nursing facility, or whether an agency is a home health agency, or (2) providing consultative services to institutions or agencies to assist them (A) to qualify as hospitals, skilled nursing facilities, or home health agencies, (B) to establish and maintain fiscal records necessary for purposes of this title, and (C) to provide information which may be necessary to permit determination under this title as to whether payments are due and the amounts thereof. To the extent that the Secretary finds it appropriate, an institution or agency which such a State agency certifies is a hospital, skilled nursing facility, or home health agency may be treated as such by the Secretary. The Secretary shall pay any such State agency, in advance or by way of reimbursement, as may be provided in the agreement with it (and may make adjustments in such payments on account of overpayments or underpayments previously made), for the reasonable cost of performing the functions specified in the first sentence of this subsection, and for the fair share of the costs attributable to the planning and other efforts directed toward coordination of activities in carrying out its agreement and other activities related to the provision of services similar to those for which payment may be made under this title, or related to the facilities and personnel required for the provision of such services, or related to improving the quality of such services.

" '(b) (1) An institution shall be deemed to meet the conditions of participation under section 1806(a) (except paragraph (5) thereof) if such institution is accredited as a hospital by the Joint Commission on the Accreditation of Hospitals. If such Commission, as a condition for accreditation of a hospital, hereafter requires a utilization review plan or imposes another requirement which serves substantially the same purpose, the Secretary is authorized to find that all institutions so accredited by the Commission comply also with section 1806(a)(5).

" '(2) If the Secretary finds that accreditation of an institution by a national accreditation body, other than the Joint Commission on the Accreditation of Hospitals, provides reasonable assurance that any or all of the conditions of section 1806 (a), (b), or (c), as the case may be, are met, he may, to the extent he deems it appropriate, treat such institution as meeting the condition or conditions with respect to which he made such finding.

" 'Conditions of and Limitations on Payment for Services

" 'Requirement of requests and certifications

" 'SEC. 1809. (a) Except as provided in subsection (f), payment for services furnished an individual may be made only to eligible providers of services and only if—

" '(1) written request, signed by such individual except in cases in which the Secretary finds it impractical for the individual to do so, is filed for such payment in such form, in such manner, within such time, and by such person or persons as the Secretary may by regulation prescribe;

" '(2) a physician certifies (and recertifies, where such services are furnished over a period of time, in such cases and with such frequency, appropriate to the case involved, as may be provided in regulations) that—

" '(A) in the case of inpatient hospital services, such services are or were required for such individual's medical treatment, or such services are or were required for inpatient diagnostic study;

" '(B) in the case of outpatient hospital diagnostic services, such services are or were required for diagnostic study;

" '(C) in the case of skilled nursing facility services, such services are or were required because the individual needed skilled nursing care on a continuing basis for any of the conditions with respect to which he was receiving inpatient hospital services prior to transfer to the skilled nursing facility or for a condition requiring such care which arose after such transfer and while he was still in the facility for treatment of the condition or conditions for which he was receiving such inpatient hospital services;

" '(D) in the case of home health services, such services are or were required because the individual needed skilled nursing care on an intermittent basis or because he needed physical or speech therapy; a plan for furnishing such services to such individual has been established and is periodically reviewed by a physician; and such services are or were furnished while the individual was under the care of a physician;

" '(3) with respect to inpatient hospital services or skilled nursing facility services furnished such individual after the twenty-first day of a continuous period of such services, there was not in effect, at the time of admission of such individual to the hospital, a decision under section 1810(e) (based on a finding that timely utilization review of long-stay cases is not being made in such hospital or facility);

" '(4) with respect to inpatient hospital services or skilled nursing facility services furnished such individual during a continuous period, a finding has not been made (by the physician members of the committee or group) pursuant to the system of utilization review that further inpatient hospital services or further skilled nursing facility services, as the case may be, are not medically necessary; except that, if such a finding has been made, payment may be made for such services furnished in such period before the fourth day after the day on which the hospital or skilled nursing facility, as the case may be, received notice of such finding.

" 'Determination of costs of services

" 'The amount paid to any provider of services with respect to services for which payment may be made under this title shall be the reasonable cost of such services, as determined in accordance with regulations establishing the method or methods to be used in determining such costs for various types or classes of institutions, services, and agencies. In prescribing such regulations, the Secretary shall consider, among other things, the principles generally applied by national organizations (which have developed such principles) in computing the amount of payment, to be made by persons other than the recipients of services, to providers of services on account of services furnished to such recipients by such providers. Such regulations may provide for payment on a per diem, per unit, per capita, or other basis, may provide for using different methods in different circumstances, and may provide for the use of estimates of costs of particular items or services.

"'Amount of payment for more expensive services

"'(c)(1) In case the bed and board furnished as part of inpatient hospital services or skilled nursing facility services is in accommodations more expensive than two-, three-, or four-bed accommodations and the use of such more expensive accommodations rather than such two-, three-, or four-bed accommodations was not at the request of the patient, payment with respect to such services may not exceed an amount equal to the reasonable cost of such services if furnished in such two-, three-, or four-bed accommodations unless the more expensive accommodations were required for medical reasons.

"'(2) Where a provider of services with which an agreement under this title is in effect furnishes to an individual, at his request, items or services which are in excess of or more expensive than the items or services with respect to which payment may be made under this title, the Secretary shall pay to such provider of services only the equivalent of the reasonable cost of the items or services with respect to which payment under this title may be made.

"'Amount of payment where less expensive services furnished

"'(d) In case the bed and board furnished as part of inpatient hospital services or skilled nursing facility services in accommodations other than, but not more expensive than, two-, three-, or four-bed accommodations and the use of such other accommodations rather than two-, three-, or four-bed accommodations was neither at the request of the patient nor for a reason which the Secretary determines is consistent with the purposes of this title, the amount of the payment with respect to such services under this title shall be the reasonable cost of such services minus the difference between the charge customarily made by the hospital or skilled nursing facility for such services in two-, three-, or four-bed accommodations and the charge customarily made by it for such services in the accommodations furnished.

"'No payments to Federal providers of services

"'(e) No payment may be made under this title (except under subsection (f) of this section) to any Federal provider of services, except a provider of services which the Secretary determines, in accordance with regulations, is providing services to the public generally as a community institution or agency; and no such payment may be made to any provider of services for any item or service which such provider is obligated by a law of, or a contract with, the United States to render at public expense.

"'Payments for emergency inpatient hospital services

"'(f) Payments shall also be made to any hospital for inpatient hospital services or outpatient hospital diagnostic services furnished, by the hospital or under arrangements (as defined in section 1803(f)) with it, to an individual entitled to health insurance benefits under this title even though such hospital does not have an agreement in effect under this title if (A) such services were emergency services and (B) the Secretary would be required to make such payment if the hospital had such an agreement in effect and otherwise met the conditions of payment hereunder. Such payment shall be made only in amounts determined as provided in subsection (b) and then only if such hospital agrees to comply, with respect to the emergency services provided, with the provisions of section 1810(a).

"'Payment for services prior to notification of noneligibility

"'(g) Notwithstanding that an individual is not entitled to have payment made under this title for inpatient hospital services, skilled nursing facility services, home health services, or outpatient hospital diagnostic services furnished by any provider of services, payment shall be made to such provider of services (unless such provider elects not to receive such payment or, if payment has already been made, refunds such payment within the time specified by the Secretary) for such services which are furnished to the individual prior to notification from the Secretary of his lack of entitlement if such payments are not otherwise precluded under this title and if such provider complies with the rules established hereunder with respect to such payments, has acted in good faith and without knowledge of such lack of entitlement, and has acted reasonably in assuming entitlement existed.

"'Agreements With Providers of Services

"'SEC. 1810. (a) Any provider of services shall be eligible for payments under this title if it files with the Secretary an agreement not to charge any individual or any other person for items or services for which such individual is entitled to have payment made under this title (or for which he would be so entitled if such provider had complied with the procedural and other requirements under or pursuant to this title or for which such provider is paid pursuant to the provisions of section 1809(g)), and to make adequate provision for return (or other disposition, in accordance with regulations) of any moneys incorrectly collected from such individual or other person, except that such provider of services may charge such individual or other person the amount of any deduction imposed pursuant to subsection (a) or (c) of section 1804 with respect to such services (not in excess of the amount customarily charged for such services by such provider) and, where the provider of services has furnished, at the request of such individual, items or services which are in excess of or more expensive than the items or services with respect to which payment may be made under this title, such provider may also charge such individual or other person for such more expensive items or services but not more than the difference between the amount customarily charged by it for the items or services furnished at such request and the amount customarily charged by it for the items or services with respect to which payment may be made under this title.

"'(b) An agreement with the Secretary under this section may be terminated—

"'(1) by the provider of services at such time and upon such notice to the Secretary and the public as may be provided in regulations, except that the time such agreement is thereby required by the Secretary to continue in effect after such notice may not exceed 6 months after such notice, or

"'(2) by the Secretary at such time and upon such notice to the provider of services and the public as may be specified in regulations, but only after the Secretary has determined, and has given such provider notification thereof, (A) that such provider of services is not complying substantially with the provisions of such agreement, or with the provisions of this title and regulations thereunder, or (B) that such provider no longer substantially meets the applicable provisions of section 1806, or (C) that such provider of services has failed to provide such information as the Secretary finds necessary to determine whether payments are or were due under this title and the amounts thereof, or has refused to permit such examination of its fiscal and other records by or on behalf of the Secretary as may be necessary to verify such information.

Any termination shall be applicable—

"'(3) in the case of inpatient hospital services or skilled nursing facility services, with respect to such services furnished to any individual who is admitted to the hospital or skilled nursing facility furnishing such services on or after the effective date of such termination,

"'(4)(A) with respect to home health services furnished to an individual under a plan therefor established on or after the effective date of such termination, or (B) if such plan is established before such effective date, with respect to such services furnished to such individual after the calendar year in which such termination is effective, and

"'(5) with respect to outpatient hospital diagnostic services furnished on or after the effective date of such termination.

"'(c) Nothing in this title shall preclude any provider of services or any group or groups of such providers from being represented by an individual, association, or organization authorized by such provider or providers of services to act on their behalf in negotiating with respect to their participation under this title and the terms, methods, and amounts of payments for services to be provided thereunder.

"'(d) Where an agreement filed under this title by a provider of services has been terminated by the Secretary, such provider may not file another agreement under this title unless the Secretary finds that the reason for the termination has been removed and there is reasonable assurance that it will not recur.

"'(e) If the Secretary finds that timely review in accordance with section 1806(e) of long-stay cases in a hospital or skilled nursing facility is not being made with reasonable regularity, he may, in lieu of terminating his agreement with such hospital or facility, decide that, with respect to any individual admitted to such hospital or skilled nursing facility after a date specified by him, no payment shall be made for inpatient hospital services or skilled nursing facility services after the twenty-first day of a continuous period of such services. Such decision may be made only after such notice to the hospital, or (in the case of a skilled nursing facility) to the hospital and the facility, and to the public as may be prescribed by regulations, and its effectiveness shall be rescinded when the Secretary finds that the reason therefor has been removed and there is reasonable assurance that it will not recur.

"'Payment to Providers of Services

"'SEC. 1811. The Secretary shall periodically determine the amount which should be paid to each provider of services under this title with respect to the services furnished by it, and the provider shall be paid, at such time or times as the Secretary believes appropriate and prior to audit or settlement by the General Accounting Office, from the Federal Hospital Insurance Trust Fund the amounts so determined; except that such amounts may be reduced or increased, as the case may be, by any sum by which the Secretary finds that the amount paid to such provider of services for any prior period was greater or less than the amount which should have been paid to it for such period.

"'Hospital Insurance Benefits Advisory Council

"'SEC. 1812. For the purpose of advising the Secretary on matters of general policy in the administration of this title and in the formulation of regulations under this title, there is hereby created a Hospital Insurance Benefits Advisory Council which shall consist of 14 persons, not otherwise in the employ of the United States, appointed by the Secretary without regard to the civil service laws. The Secretary shall from time to time appoint one of the members to serve as Chairman. Not less than 4 of the appointed members shall be persons who are outstanding in the fields pertaining to hospitals and health activities. Each appointed member shall hold office for a term of 4 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the terms of office of the members first taking office shall expire, as designated by the Secretary at the time of appointment, 3 at the end of the first year, 4 at the end of the second year, 3 at the end of the third year, and 4 at the end of the fourth year after the date of appointment. An appointed member shall not be eligible to serve continuously for more than 2 terms. The Secretary may, at the request of the Council, appoint such special advisory or technical committees as may be useful in carrying out its functions. Appointed members of the Advisory Council and members of its advisory or technical committees, while attending meetings or conferences thereof or otherwise serving on business of the Advisory Council or of such a committee or committees, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, and while so serving way from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently. The Advisory Council shall meet as frequently as the Secretary deems necessary. Upon request of 4 or more members, it shall be the duty of the Secretary to call a meeting of the Advisory Council.

" 'Review of Determinations

" 'Sec. 1813. Any individual dissatisfied with any determination made by the Secretary that he is not entitled to insurance benefits under this title or that he is not entitled to have payment made under this title with respect to any class of services furnished him, shall be entitled to a hearing thereon by the Secretary to the same extent as is provided in section 205(b) with respect to decisions of the Secretary, and to judicial review of the Secretary's final decision after such hearing as is provided in section 205(g).

" 'Overpayments to Individuals

" 'Sec. 1814. (a) Any payment under this title to any provider of services with respect to inpatient hospital services, skilled nursing facility services, home health services, or outpatient hospital diagnostic services, furnished any individual shall be regarded as a payment to such individual.

" '(b) Where—

" '(1) more than the correct amount is paid under this title to a provider of services for services furnished an individual and the Secretary determines that, within such period as he may specify, the excess over the correct amount cannot be recouped from such provider of services, or

" '(2) any payment has been made under section 1809(g) to a provider of services for services furnished an individual,

proper adjustments shall be made, under regulations prescribed by the Secretary, by decreasing subsequent payments—

" '(3) to which such individual is entitled under title II, or

" '(4) if such individual dies before such adjustment has been completed, to which any other individual is entitled under title II with respect to the wages and self-employment income which were the basis of benefits of such deceased individual under such title.

" '(c) There shall be no adjustment as provided in subsection (b) (nor shall there be recovery) in any case where the incorrrect payment has been made (including payments under section 1809(g)) for services furnished to an individual who is without fault and where such adjustment (or recovery) would defeat the purposes of title II or would be against equity and good conscience.

" '(d) No certifying or disbursing officer shall be held liable for any amount certified or paid by him to any provider of services where the adjustment or recovery of such amount is waived under subsection (c) or where adjustment under subsection (b) is not completed prior to the death of all persons against whose benefits such adjustment is authorized.

" 'Use of Private Organizations To Facilitate Payment to Providers of Services

" 'Sec. 1815. (a) The Secretary is authorized to enter into an agreement with any organization, which has been designated by any group of providers of services, or by an association of such providers on behalf of its members, to receive payments under section 1811 on behalf of such providers, providing for the determination by such organization (subject to such review by the Secretary as may be provided for in the agreement) of the amount of payments required pursuant to this title to be made to such providers, and for making such payments. The Secretary shall not enter into an agreement with any organization under this section unless he finds it consistent with effective and efficient administration of this title.

" '(b) To the extent that the Secretary finds that performance of any of the following functions by an organization with which he has entered into an agreement under subsection (a) will be advantageous and will promote the efficient administration of this title, he may also include in the agreement provision that the organization shall (with respect to providers of services which are to receive payments through the organization)—

" '(1) serve as a center for, and communicate to providers, any information or instructions furnished to it by the Secretary, and serve as a channel of communication from providers to the Secretary;

" '(2) make such audits of the records of providers as may be necessary to insure that proper payments are made under this title;

" '(3) assist in the application of safeguards against unnecessary utilization of services furnished by providers to individuals entitled to have payment made under this title with respect to services furnished them;

" '(4) perform such other duties as are necessary to carry out the functions specified in subsection (a) and this subsection.

" '(c) An agreement with any organization under this section may contain such terms and conditions as the Secretary finds necessary or appropriate, and may provide for advances of funds to the organization for the making of payments by it under subsection (a) and shall provide for payment of the reasonable cost of administration of the organization as determined by the Secretary to be necessary and proper for carrying out the functions covered by the agreement.

" '(d) If the designation of an organization as provided in this section is made by an association of providers of services, it shall not be binding on members of the association which notify the Secretary of their election to that effect. Any provider may, upon such notice as may be specified in the agreement with an organization, withdraw his designation to receive payments through such organization and any provider who has not designated an organization may elect to receive payments from an organization which has entered into agreement with the Secretary under this section, if the Secretary and the organization agree to it.

" '(e) An agreement with the Secretary under this section may be terminated—

" '(1) by the organization entering into such agreement at such time and upon such notice to the Secretary, to the public, and to the providers as may be provided in regulations, or

" '(2) by the Secretary at such time and upon such notice to the organization, and to the providers which have designated it for purposes of this section, as may be provided in regulations, but only if he finds, after reasonable notice and opportunity for hearing to the organization, that (A) the organization has failed substantially to carry out the agreement, or (B) the continuation of some or all of the functions provided for in the agreement with the organization is disadvantageous or is inconsistent with efficient administration of this title.

" '(f) An agreement with an organization under this section may require any of its officers or employees certifying payments or disbursing funds pursuant to the agreement, or otherwise participating in carrying out the agreement, to give surety bond to the United States in such amount as the Secretary may deem appropriate, and may provide for the payment of the charges for such bond from the Federal Hospital Insurance Trust Fund.

" '(g)(1) No individual designated pursuant to an agreement under this section as a certifying officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payments certified by him under this section.

" '(2) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by a certifying officer designated as provided in paragraph (1) of this subsection.

" 'Option to Individuals to Obtain Supplementary Private Health Insurance Protection

" 'Sec. 1816. (a) Nothing contained in this title shall be construed to preclude any State from providing, or any individual from purchasing or otherwise securing, protection against the cost of health or medical care services in addition to those for which payment may be made under this title.

" '(b) The Secretary shall consult with providers of hospital or other medical care services, and with insurance companies and other similar organizations providing protection against the costs of any of such services, and representatives of such providers, insurance companies, or other similar organizations, and with appropriate State and other public or private agencies or organizations to the end that they are encouraged and assisted in developing and providing protection, which supplements that provided under this title, against the costs of health or other medical care services for which payments may not be made under this title.

" 'Regulations

" 'Sec. 1817. When used in this title, the term "regulations" means, unless the context otherwise requires, regulations prescribed by the Secretary.

" 'Application of Certain Provisions of Title II

" 'Sec. 1818. The provisions of sections 206, 208, and 216(j), and of subsections (a), (d), (e), (f), and (h) of section 205 shall also apply with respect to this title to the same extent as they are applicable with respect to title II.

" 'Designation of Organization or Publication by Name

" 'Sec. 1819. Designation in this title, by name, of any nongovernmental organization or publication shall not be affected by change of name of such organization or publication, and shall apply to any successor organization or publication which the Secretary finds serves the purpose for which such designation is made.'

"Federal Hospital Insurance Trust Fund

"Sec. 203. (a) Section 201 of the Social Security Act is amended by redesignating subsections (c), (d), (e), (f), (g), and (h) as subsections (d), (e), (f), (g), (h), and (i), respectively, and by adding after subsection (b) the following new subsection:

" '(c) There is hereby created on the books of the Treasury of the United States a trust fund to be known as the "Federal Hospital Insurance Trust Fund". The Federal Hospital Insurance Trust Fund shall consist of such amounts as may be appropriated to, or deposited in, such fund as provided in this section. There is hereby appropriated to the Federal Hospital Insurance Trust Fund for the fiscal year ending June 30, 1966, and for each fiscal year thereafter, out of any moneys in the Treasury not otherwise appropriated, amounts equivalent to 100 per centum of—

"'(1) (A) 0.6 of 1 per centum of the wages (as defined in section 3121 of the Internal Revenue Code of 1954) paid after December 31, 1964, and prior to January 1, 1966, and reported to the Secretary of the Treasury or his delegate pursuant to subtitle F of the Internal Revenue Code of 1954, which wages shall be certified by the Secretary of Health, Education, and Welfare on the basis of the records of wages established and maintained by such Secretary in accordance with such reports; and (B) 0.76 of 1 per centum of the wages (as so defined) paid after December 31, 1965, and so reported, which shall be so certified by the Secretary of Health, Education, and Welfare; and

"'(2) (A) 0.45 of 1 per centum of the amount of self-employment income (as defined in section 1402 of the Internal Revenue Code of 1954) reported to the Secretary of the Treasury or his delegate on tax returns under subtitle F of the Internal Revenue Code of 1954 for any taxable year beginning after December 31, 1964, and prior to January 1, 1966, which self-employment income shall be certified by the Secretary of Health, Education, and Welfare on the basis of the records of self-employment income established and maintained by the Secretary of Health, Education, and Welfare in accordance with such returns; and (B) 0.57 of 1 per centum of the self-employment income (as so defined) reported to the Secretary of the Treasury or his delegate on tax returns under such subtitle F for any taxable year beginning after December 31, 1965, which shall be so certified by the Secretary of Health, Education, and Welfare.'

"(b) (1) The heading of section 201 of the Social Security Act is amended to read: 'FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND, FEDERAL DISABILITY INSURANCE TRUST FUND, AND FEDERAL HOSPITAL INSURANCE TRUST'.

"(2) Subsection (a) of section 201 of such Act is amended by inserting 'and the amounts specified in clause (1) of subsection (c) of this section' immediately before the semicolon in clause (3) thereof, by inserting 'and the amount specified in clause (2) of subsection (c) of this section' immediately before the period in clause (4) thereof, and by striking out the last sentence and inserting in lieu thereof: 'The amounts appropriated by clauses (3) and (4) shall be transferred from time to time from the general fund in the Treasury to the Federal Old-Age and Survivors Insurance Trust Fund, the amounts appropriated by clauses (1) and (2) of subsection (b) shall be transferred from time to time from the general fund in the Treasury to the Federal Disability Insurance Trust Fund, and the amounts appropriated by clauses (1) and (2) of subsection (c) shall be transferred from time to time from the general fund in the Treasury to the Federal Hospital Insurance Trust Fund, such amounts to be determined on the basis of estimates by the Secretary of the Treasury of the taxes, specified in clauses (3) and (4) of this subsection, paid to or deposited into the Treasury; and proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or were less than the taxes specified in such clauses (3) and (4) of this subsection.'

"(c) The first sentence of the subsection of such section 201 herein redesignated as subsection (d) is amended by striking out 'and the Federal Disability Insurance Trust Fund' and inserting in lieu thereof ', the Federal Disability Insurance Trust Fund, and the Federal Hospital Insurance Trust Fund'.

"(d) Paragraph (1) of the subsection of such section 201 herein redesignated as subsection (h) is amended by striking out 'titles II and VIII' and 'this title' wherever they appear and inserting in lieu thereof 'this title XVIII'.

"(e) The last sentence of paragraph (2) of such subsection is amended by striking out 'and clause (1) of subsection (b)' and inserting in lieu thereof ', clause (1) of subsection (b), and clause (1) of subsection (c)'.

"(f) The subsection of such section herein redesignated as subsection (i) is amended by adding at the end thereof the following new sentence: 'Payments required to be made under title XVIII shall be made only from the Federal Hospital Insurance Trust Fund.'

"(g) Section 218(h) (1) of such Act is amended by striking out 'and (b) (1)' and inserting in lieu thereof ', (b) (1), and (c) (1)'.

"(h) Section 221(e) of such Act is amended—

"(A) by striking out 'Trust Funds' wherever that appears and inserting in lieu thereof 'Trust Funds (except the Federal Hospital Insurance Trust Fund)';

"(B) by striking out 'subsection (g) of section 201' and inserting in lieu thereof 'subsection (h) of section 201'; and

"(C) by inserting 'under this title' before the period at the end thereof.

"(i) Section 1106(b) of such Act is amended by striking out 'and the Federal Disability Insurance Trust Fund' and inserting in lieu thereof ', the Federal Disability Insurance Trust Fund, and the Federal Hospital Insurance Trust Fund'.

"Transitional provision for eligibility for presently uninsured individuals

"SEC. 204. (a) Anyone who—

"(1) has attained the age of 65,

"(2) (A) attained such age before 1968, or (B) has not less than 3 quarters of coverage (as defined in title II of the Social Security Act or section 5(l) of the Railroad Retirement Act of 1937), whenever acquired, for each calendar year elapsing after 1965 and before the year in which he attained such age,

"(3) is not, and upon filing application therefor would not be, entitled to monthly insurance benefits under section 202 of the Social Security Act and does not meet the requirements set forth in subparagraph (B) of section 21(b) of the Railroad Retirement Act of 1937, and

"(4) has filed an application under this section at such time, in such manner, and in accordance with such other requirements as may be prescribed in regulations of the Secretary,

shall (subject to the limitations in this section) be deemed, solely for purposes of section 1805 of the Social Security Act, to be entitled to monthly insurance benefits under such section 202 for each month, beginning with the first month in which he meets the requirements of this subsection and ending with the month in which he dies or, if earlier, the month before the month in which he becomes entitled to monthly insurance benefits under such section 202 or meets the requirements set forth in subparagraph (B) of section 21(b) of the Railroad Retirement Act of 1937.

"(b) The provisions of subsection (a) shall apply only in the case of an individual who—

"(1) is a resident of the United States (as defined in section 210 of the Social Security Act), and

"(2) is a citizen of the United States or has resided in the United States (as so defined) continuously for not less than 10 years.

"(c) The provisions of subsection (a) shall not apply to any individual who—

"(1) is a member of any organization referred to in section 210(a) (17) of the Social Security Act,

"(2) has been convicted of any offense listed in section 202(u) of the Social Security Act,

"(3) is an employee of the United States, or

"(4) is eligible for the benefits of the Federal Employees Health Benefits Act of 1959 or the Retired Federal Employees Health Benefits Act.

"(d) There are authorized to be appropriated to the Federal Hospital Insurance Trust Fund (established by section 201 of the Social Security Act) from time to time such sums as the Secretary deems necessary, on account of—

"(a) payments made from such Trust Fund under title XVIII of such Act with respect to individuals who are entitled to insurance benefits under such title solely by reason of this section,

"(b) the additional administrative expenses resulting therefrom, and

"(c) any loss in interest to such Trust Fund resulting from the payment of such amounts,

in order to place such Trust Fund in the same position in which it would have been if subsections (a) and (b) of this section had not been enacted.

"Technical Amendments

"Suspension in case of aliens

"SEC. 205. (a) Subsection (t) of section 202 of such Act is amended by adding at the end thereof the following new paragraph:

"'(9) No payments shall be made under title XVIII with respect to services furnished to an individual in any month for which the prohibition in paragraph (1) against payment of benefits to him is applicable (or would be if he were entitled to any such benefits).'

"Persons convicted of subversive activities

"(b) Subsection (u) of such section is amended by striking out 'and' before the phrase 'in determining the amount of any such benefit payable to such individual for any such month,' and inserting after such phrase 'and in determining whether such individual is entitled to insurance benefits under title XVIII for any such month,'.

"Advisory Council on Social Security Financing

"(c) (1) Subsection (a) of section 116 of the Social Security Amendments of 1956 is amended by striking out 'and the Federal Disability Insurance Trust Fund' and inserting in lieu thereof ', of the Federal Disability Insurance Trust Fund, and of the Federal Hospital Insurance Trust Fund'. Such subsection is further amended by inserting before the period at the end thereof 'and the insurance benefits program under title XVIII of the Social Security Act'.

"(2) Subsection (d) of such section is amended by striking out 'and the Federal Disability Insurance Trust Fund' and inserting in lieu thereof ', the Federal Disability Insurance Trust Fund, and the Federal Hospital Insurance Trust Fund'.

"(3) Subsection (f) of such section is amended by striking out ', the adequacy of benefits under the program, and all other aspects of the program' and inserting in lieu thereof 'and the insurance benefits program under title XVIII of the Social Security Act, the adequacy of benefits under the programs, and all other aspects of the programs'.

"Technical amendment to Internal Revenue Code

"SEC. 206. Section 3121(l) (6) of the Internal Revenue Code of 1954 is amended by striking out 'and the Federal Disability Insurance Trust Fund,' and inserting in lieu thereof ', the Federal Disability Insurance Trust Fund, and the Federal Hospital Insurance Trust Fund,'. The amendment made by this section shall be effective January 1, 1966.

"*Part B—Railroad retirement amendments*

"Hospital Insurance Benefits for the Aged Under the Railroad Retirement Act

"SEC. 210. (a) The Railroad Retirement Act of 1937 is amended by adding after section 20 of such Act the following new section:

"'Hospital insurance benefits for the aged

"'SEC. 21. (a) For the purposes of this section, and subject to the conditions hereinafter provided, the Board shall have the same authority to determine the rights of individuals described in subsection (b) of this section to have payments made on their behalf for insurance benefits consisting of inpatient hospital services, skilled nursing facility services, home health services, and outpatient hospital diagnostic services within the meaning of title XVIII of the Social Security Act as the Secretary of Health, Education, and Welfare has under such title XVIII with respect to individuals to whom such title applies. The rights of individuals described in subsection (b) of this section to have payment made on their behalf for the services referred to in the next preceding sentence shall be the same as those of individuals to whom title XVIII of the Social Security Act applies and this section shall be administered by the Board as if the provisions of such title XVIII were applicable, references to the Secretary of Health, Education, and Welfare were to the Board, references to the Federal Hospital Insurance Trust Fund were to the Railroad Retirement Account, references to the United States or a State included Canada or a subdivision thereof, and the provisions of sections 1807 and 1812 of such title XVIII were not included in such title. For purposes of section 11, a determination with respect to the rights of an individual under this section shall, except in the case of a provider of services, be considered to be a decision with respect to an annuity.

"'(b) Except as otherwise provided in this section, every individual who—

"'(A) has attained age sixty-five, and

"'(B) (i) is entitled to an annuity, or (ii) would be entitled to an annuity had he ceased compensated service and, in the case of a spouse, had such spouse's husband or wife ceased compensated service, or (iii) had been awarded a pension under section 6, or (iv) bears a relationship to an employee which, by reason of section 3(e), has been, or would be, taken into account in calculating the amount of an annuity of such employee or his survivor,

shall be entitled to have payment made for the services referred to in subsection (a), and in accordance with the provisions of such subsection. The payments for services herein provided for shall be made from the Railroad Retirement Account (in accordance with, and subject to, the conditions applicable under section 10(b) in making payment of other benefits) to the hospital, skilled nursing facility, or home health agency providing such services, including such services provided in Canada to individuals to whom this subsection applies but only to the extent that the amount of payments for services otherwise hereunder provided for an individual exceeds the amount payable for like services provided pursuant to the law in effect in the place in Canada where such services are furnished.

"'(c) No individual shall be entitled to have payment made for the same services, which are provided for in this section, under both this section and title XVIII of the Social Security Act, and no individual shall be entitled to have payment made under both this section and such title XVIII for more than the number of days of inpatient hospital services determined as provided in section 1804 of such Act or more than 180 days of skilled nursing facilities services during any benefit period, or more than two hundred and forty visits in any calendar year in which home health services are furnished. In any case in which an individual would, but for the preceding sentence, be entitled to have payment for such services made under both this section and such title XVIII, payment for such services to which such individual is entitled shall be made in accordance with the procedures established pursuant to the next succeeding sentence, upon certification by the Board or by the Secretary of Health, Education, and Welfare. It shall be the duty of the Board and such Secretary with respect to such cases jointly to establish procedures designed to minimize duplications of requests for payment for services, of elections for purposes of determining the number of days of inpatient hospital services for which payment may be made, and of determinations and to assign administrative functions between them so as to promote the greatest facility, efficiency, and consistency of administration of this section and title XVIII of the Social Security Act; and, subject to the provisions of this subsection to assure that the rights of individuals under this section or title XVIII of the Social Security Act shall not be impaired or diminished by reason of the administration of this section and title XVIII of the Social Security Act. The procedures so established may be included in regulations issued by the Board and by the Secretary of Health, Education, and Welfare to implement this section and such title XVIII, respectively.

"'(d) Any agreement entered into by the Secretary of Health, Education, and Welfare pursuant to title XVIII of the Social Security Act shall be entered into on behalf of both such Secretary and the Board. The preceding sentence shall not be construed to limit the authority of the Board to enter on its own behalf into any such agreement relating to services provided in Canada or in any facility devoted primarily to railroad employees.

"'(e)(1) A request for payment for services filed under this section shall be deemed to be a request for payment for services filed as of the same time under title XVIII of the Social Security Act, and a request for payment for services filed under such title shall be deemed to be a request for payment for services filed as of the same time under this section.

"'(2) An election filed under this section for purposes of determining the number of days of inpatient hospital services for which payment may be made, as provided in section 1804(c) of the Social Security Act, shall be deemed an election filed as of the same time under section 1804(c) of such Act, and such an election filed under such section 1804(c) shall be deemed to have been filed at the same time under this section.

"'(f) The Board and the Secretary of Health, Education, and Welfare shall furnish each other with such information, records, and documents as may be considered necessary to the administration of this section or title XVIII of the Social Security Act.'

"Amendment preserving relationship between railroad retirement and old-age, survivors, disability, and hospital insurance systems

"(b) Section (1)(q) of such Act is amended by striking out '1961' and inserting in lieu thereof '1964'.

"Financial interchange between railroad retirement account and Federal hospital insurance trust fund

"(c)(1) Section 5(k)(2) of such Act is amended—

"(A) by striking out subparagraphs (A) and (B) and redesignating subparagraphs (C), (D), and (E) as subparagraphs (A), (B), and (C), respectively;

"(B) by striking out the second sentence and the last sentence of the subparagraph redesignated as subparagraph (A) by subparagraph (A) of this paragraph;

"(C) by adding at the end of the subparagraph redesignated as subparagraph (A) by subparagraph (A) of this paragraph the following new subdivision:

"'(iii) At the close of the fiscal year ending June 30, 1966, and each fiscal year thereafter, the Board and the Secretary of Health, Education, and Welfare shall determine the amount, if any, which, if added to or subtracted from the Federal Hospital Insurance Trust Fund, would place such fund in the same position in which it would have been if service as an employee after December 31, 1936, had been included in the term "employment" as defined in the Social Security Act and in the Federal Employment Contributions Act. Such determination shall be made no later than June 15 following the close of the fiscal year. If such amount is to be added to the Federal Hospital Insurance Trust Fund the Board shall, within ten days after the determination, certify such amount to the Secretary of the Treasury for transfer from the Retirement Account to the Federal Hospital Insurance Trust Fund; if such amount is to be subtracted from the Federal Hospital Insurance Trust Fund the Secretary of Health, Education, and Welfare shall, within ten days after the determination, certify such amount to the Secretary of the Treasury for transfer from the Federal Hospital Insurance Trust Fund to the Retirement Account. The amount so certified shall further include interest (at the rate determined under subparagraph (B) for the fiscal year under consideration) payable from the close of such fiscal year until the date of certification.';

"(D) by striking out 'subparagraph (B) and (C)' where it appears in the subparagraph redesignated as subparagraph (B) by subparagraph (A) of this paragraph and inserting in lieu thereof 'subparagraph (A)'; and

"(E) by amending the subparagraph redesignated as subparagraph (C) by subparagraph (A) of this paragraph to read as follows:

"'(C) The Secretary of the Treasury is authorized and directed to transfer to the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, or the Federal Hospital Insurance Trust Fund from the Retirement Account or to the Retirement Account from the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, or the Federal Hospital Insurance Trust Fund, as the case may be, such amounts as, from time to time, may be determined by the Board and the Secretary of Health, Education, and Welfare pursuant to the provisions of subparagraph (A), and certified by the Board or the Secretary of Health, Education, and Welfare for transfer from the Retirement Account or from the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, or the Federal Hospital Insurance Trust Fund.'

"(2) The amendments made by paragraph (1) of this subsection shall be effective January 1, 1966. Such amendments and the amendments made by section 202(a) shall not be construed to increase or diminish the sums to be transferred, under the provisions of section 5(k)(2) of the Railroad Retirement Act before their amendment by paragraph (1) of this subsection, between the Railroad Retirement Account and the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund.

"*Part C—Miscellaneous provisions*

"Studies and recommendations

"SEC. 220. The Secretary of Health, Education, and Welfare shall carry on studies and develop recommendations to be submitted from time to time to the Congress relating to (1) the adequacy of existing facilities for health care for purposes of the program established by this Act; (2) methods for encouraging the further development of efficient and economical forms of health care which are a constructive alternative to inpatient hospital care; (3) the feasibility of providing additional types of health insurance benefits within the financial resources provided by this Act; and (4) the effects of the deductibles upon beneficiaries, hospitals, and the financing of the program."

Amend the title so as to read: "An Act to provide hospital insurance, to increase benefits under that System, to provide child's insurance benefits beyond age 18 while in high school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, improve the actuarial status of the Trust Funds, to extend coverage, and for other purposes."

The explanation presented by Mr. GORE is as follows:

GORE AMENDMENT

INCREASE IN BENEFITS

The House-passed bill provides for a 5-percent increase in social security benefits and the Long amendment would raise this increase to 7 percent. The effect of this change would be to provide an average increase in old-age benefits under the Long amendment of about $5.50 a month, being as little as $2.80 at the minimum for those who apply at age 65 or later, and a little under $9 at the maximum. This amendment would raise benefits for all old-age beneficiaries by $7 a month, $1.50 more on the average than the Long amendment would.

In addition, the maximum benefits payable would be increased by raising the earnings base from $5,400 to $5,600. The new maximum payment to a retired worker would be $148 a month as opposed to $143 in the House-passed bill and $145.90 under the Long amendment. This provision for a higher base would also help to finance the proposed amendment.

PERSONS ENTITLED TO BENEFITS

Protection would be provided beginning July 1, 1965 (January 1, 1966 for skilled nursing home benefits), against the cost of inpatient hospital, outpatient hospital diagnostic, skilled nursing home, and home health services for people age 65 and over who are entitled to monthly benefits under the old-age and survivors insurance program or under the railroad retirement system. The number of people past 65 who would be included in this way is estimated at 16¾ million as of July 1, 1965.

In addition, the bill would make it possible for essentially all people who are now 65 and over, or who will reach 65 in the next few years but who are not eligible for social security or railroad retirement benefits, to have the same protection. (This provision would not apply to aliens with relatively short residence in the United States or to active or retired Federal employees who already have the opportunity for protection under their own health insurance plans.) The cost of this provision would be met from general revenues. Men and women who will reach age 65 before 1968 and who do not meet the regular insured status requirements of the social security system would be deemed insured for the hospital and related benefits. Uninsured people who reach age 65 after 1967 would need, to be insured for these benefits, three quarters of coverage for each year elapsing after 1965 and before age 65. The provisions would not apply to women who reach age 65 in 1972 (or later) and men who reach age 65 in 1974 (or later) since in those years the number of quarters that would be required to qualify for hospital benefits would be the same as, or greater than, the number required for social security cash benefits. About 1¾ million persons would be covered in this way as of July 1, 1965.

SCOPE AND DURATION OF BENEFITS PROVIDED

The services for which payment would be made under the bill include:

1. Inpatient hospital services for up to either 45 days with no deductible, 90 days with a deductible amount of $10 a day for the first 9 days (with a minimum of $20), or 180 days with a deductible amount equal to the average cost of 2½ days of hospital care, as elected by the beneficiary (failure to specifically elect the 45-day option or the 180-day option would be deemed an election of the 90-day option); hospital services would include all those customarily furnished by a hospital for its inpatients; payment would not be made for the hospital services of physicians except those in the fields of pathology, radiology, physical medicine, and anesthesiology provided by or under arrangements made by the hospital, or services provided by an intern or resident in training under an approved teaching program;
2. Skilled nursing home services furnished in nursing facilities that are affiliated with hospitals, after the patient is transferred from a hospital, for up to 60 days;
3. Outpatient hospital diagnostic services, as required, subject to a $20 deductible amount for diagnostic services furnished within a 30-day period; and
4. Home health services for up to 240 visits during a calendar year for a person in the care of a physician and under a plan established by a physician for the use of such services; these services would include intermittent nursing care, therapy, and the part-time services of a home health aid.

No service would be covered as a nursing home, outpatient diagnostic, or home health service if it could not be covered as an inpatient hospital service.

An individual would be eligible for the number of days of hospital care provided under the option he elects and 180 days of skilled nursing facility services in each benefit period. A new benefit period could not begin until 90 days had elapsed in which the patient was neither in a hospital nor in a skilled nursing facility. The 90 days need not be consecutive, but they must fall within a period of not more than 180 consecutive days.

The Secretary would be required to study, after consultation with appropriate professional organizations, ways of increasing the availability of skilled nursing facility care. On the basis of such study, the Secretary may authorize the participation of facilities which, though not affiliated with hospitals, operate under conditions assuring the provision of a good quality of care, provided such action does not create (or increase an actuarial imbalance in the trust fund.

Automatically adjusted cost sharing: To maintain the hospital insurance program on an actuarially sound basis, the amendment provides in the future but not before 1969, for the possibility of cost sharing by the patient (in addition to the amount of the deductible under the 90-day plan). This cost sharing feature would provide a safeguard both against the earnings base not being kept up-to-date with rising earnings and against hospitalization costs rising more rapidly than wages. In either of these events hospital costs would probably increase faster than the earnings base and the cost-sharing provision would become operative.

It is expected that the social security earnings base will be increased periodically in line with increased earnings (as occurred in 1950, 1954, 1958, and would occur again under the bill), in the process of keeping cash benefits in line with higher prices and earnings. Furthermore, hospital costs may rise more than other prices but cannot rise much more than earnings without hospitals pricing themselves out of the market. If the expected increase in earnings and adjustment in the earnings base occur, the resulting increased income to the hospital insurance system will go toward meeting higher hospital costs. If covered earnings do not keep up with the rise in hospital costs, the difference would be covered by beneficiary cost sharing of so many dollars per day of hospital care. That is, if in 1969 hospital costs have risen $2 a day but the social security earnings base is not adjusted, the beneficiary would pay the $2.

FREE CHOICE OF PHYSICIAN AND HOSPITAL

Under the bill, no change would be made in the freedom of choice of physician and hospital. No service performed by any physician at either home or office, and no fee he charges for such services, would be involved or affected. No supervision or control over the practice of medicine by any physician or over the manner in which services are provided by any hospital is permitted.

BASIS OF REIMBURSEMENT

Payment of bills for hospital and related services would be made in generally the same manner as is now customary in Blue Cross plans. Payments to the providers of service would be made on the basis of the reasonable cost incurred in providing care for beneficiaries. A provider of services could not charge the beneficiary for services which would be covered under the program, except, of course, that the provider could charge the patient the deductible amounts and extra charges for a private room, unless medically necessary, or private duty nursing.

ADMINISTRATION

Responsibility for administration of the program (except for railroad retirement annuitants and pensioners) would rest with the Secretary. Considerable reliance would be placed upon the States to assure that local conditions would be taken into account. The Secretary would consult with appropriate State agencies and recognized national accrediting bodies in formulating the conditions of participation for providers of service. Provision would be made for the establishment of an Advisory Council which would advise the Secretary on policy matters in connection with administration. In order to be eligible to participate in the program, providers of service would have to meet specified conditions to assure the health and safety of the beneficiaries, but these conditions for hospitals could not be more strict than those required for accreditation by the Joint Commission on Accreditation of Hospitals. Accreditation by the joint commission would be accepted as meeting all requirements for hospital participation save the requirement that it have a utilization review plan.

PARTICIPATION OF PRIVATE ORGANIZATIONS

Any group of hospitals—or group of other providers of covered services—could designate a private organization of their own choice, such as Blue Cross, to receive bills for services and to pay these bills for whichever of their members prefer such an arrangement. The Secretary would be able to delegate certain administrative functions of the program to such designated organizations. These administrative functions could include reviewing hospital fiscal records as a part of the determination of the cost of services, and acting as a center for communicating and interpreting payment procedures to hospitals.

SUPPLEMENTARY INSURANCE

The Secretary would be required to consult with and furnish assistance to providers, insurance carriers and public and private welfare organizations in order to encourage and help them to develop and make generally available to the aged supplementary insurance protection.

Financing: To finance the increased cost of the amendment over the House-passed social security bill, a higher contribution schedule than in the House bill would be provided, as follows:

[In percent]

Calendar years	Employee contribution rate		
	Present law	House bill	Amendment
1965	3. 625	3. 8	4. 25
1966-67	4. 125	4. 0	4. 5
1968-70	4. 625	4. 5	5. 0
1971 and thereafter	4. 625	4. 8	5. 2

Actuarial estimates of cost made in connection with the House-passed bill were based on 1963 earnings; but fiscal year 1964 has ended and more current data are now available for the estimation of program costs. The higher earnings experience of the 1964 fiscal year over the 1963 calendar year indicates a reduction of the cost of the social security system of 0.04 percent of payroll below that previously estimated. The overall effect of the amendment, considering the additional benefits, the financing provisions, and the savings due to higher earnings would be to leave the estimated actuarial imbalance of the system as a whole at 0.30 percent of payroll, the same as has long been considered acceptable by the Congress, and was the state of the funds when the 1960 and 1961 social security amendments were enacted.

Mr. PROUTY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from Tennessee yield for a parliamentary inquiry?

AMENDMENT NO. 1256

Mr. GORE. Not yet. I now send to the desk, and ask that it be stated, another amendment. This amendment is that portion of No. 1253 which deals with hospitalization benefits. I now offer this amendment as a perfecting amendment to the Long amendment.

Mr. LONG of Louisiana. Is that one amendment or a series of amendments?

Mr. GORE. I shall send the amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

Strike out section 19 of the amendment and the entitlement thereof and insert in lieu thereof the following:

"Health Care Insurance for the Aged

"SEC. 201. This title may be cited as the 'Hospital Insurance Act of 1964'.

"Part A—Hospital Insurance Benefits for the Aged

"Findings and Declaration of Purpose

"SEC. 201. (a) The Congress hereby finds that (1) the heavy costs of hospital care and related health care are a grave threat to the security of aged individuals, (2) most of them are not able to qualify for and to afford private insurance adequately protecting them against such costs, (3) many of them are accordingly forced to apply for private or public aid, accentuating the financial difficulties of hospitals and private or public welfare agencies and the burdens on the general revenues, and (4) it is in the interest of the general welfare for financial burdens resulting from hospital services and related services required by these individuals to be met primarily through social insurance.

"(b) The purposes of this Act are (1) to provide aged individuals entitled to benefits under the old-age, survivors, and disability insurance system or the railroad retirement system with basic protection against the costs of inpatient hospital services, and to provide, in addition, as an alternative to inpatient hospital care, protection against the costs of certain skilled nursing facility services, home health services, and outpatient hospital diagnostic services; to utilize social insurance for financing the protection so provided; to encourage, and make it possible for, such individuals to purchase protection against other health costs by providing in such basic social insurance protection a set of benefits which can easily be supplemented by a State, private insurance, or other methods; to assure adequate and prompt payment on behalf of these individuals to the providers of these services; and to do these things in a manner consistent with the dignity and self-respect of each individual, without interfering in any way with the free choice of physicians or other health personnel or facilities by the individual, and without the exercise of any Federal supervision or control over the practice of medicine by any doctor or over the manner in which medical services are provided by any hospital; and (2) to provide such basic protection, financed from general revenues, to those persons who are now age 65 or over who will reach age 65 within the next several years and who are not eligible for benefits under the old-age, survivors, and disability insurance or railroad retirement systems.

"(c) It is hereby declared to be the policy of the Congress that skilled nursing facility services for which payment may be made under this Act shall be utilized in lieu of inpatient hospital services where skilled nursing facility services would suffice in meeting the medical needs of the patient, and that home health services for which payment may be made under this Act shall be utilized in lieu of inpatient hospital or skilled nursing facility services where home health services would suffice.

"(d) It is further declared to be the policy of the Congress that no individual who receives aid or assistance (including medical or any other type of remedial care) under a State plan approved under I, IV, X, XIV, or XVI of the Social Security Act shall receive less benefits or be otherwise disadvantaged by reason of the enactment of this Act.

"Part A—Hospital insurance benefits for the aged

"Benefits

"SEC. 202. The Social Security Act is amended by adding after title XVII the following new title:

"'TITLE XVIII—HOSPITAL INSURANCE BENEFITS FOR THE AGED

"'Prohibition Against Any Federal Interference

"'SEC. 1801. Nothing in this title shall be construed to authorize any Federal officer or employee to exercise any supervision or control over the practice of medicine or the manner in which medical services are provided, or over the selection, tenure, or compensation of any officer or employee of any hospital, skilled nursing facility, or home health agency; or to exercise any supervision or control over the administration or operation of any such hospital, facility, or agency.

"'Free Choice by Patient Guaranteed

"'SEC. 1802. Any individual entitled to have payment made under this title for services furnished him may obtain inpatient hospital services, skilled nursing facility services, home health services, or outpatient hospital diagnostic services from any provider of services with which an agreement is in effect under this title and which undertakes to provide him such services.

"'Description of Services

"'SEC. 1803. For purposes of this title—

"'Inpatient hospital services

"'(a) The term "inpatient hospital services" means the following items and services furnished to an inpatient in a hospital and (except as provided in paragraph (3)) by the hospital—

"'(1) bed and board,

"'(2) such nursing services and other related services, such use of hospital facilities, and such medical social services as are customarily furnished by the hospital for the care and treatment of inpatients, and such drugs, biologicals, supplies, appliances, and customarily furnished by such hospital for equipment, for use in the hospital, as are customarily furnished by such hospital for the care and treatment of inpatients, and

"'(3) such other diagnostic or therapeutic items or services, furnished by the hospital or by others under arrangements with them made by the hospital, as are customarily furnished to inpatients either by such hospital or by others under such arrangements;

excluding, however—

"'(4) medical or surgical services provided by a physician, resident, or intern, except services provided in the field of pathology, radiology, physiatry, or anesthesiology, and except services provided in the hospital by an intern or a resident-in-training under a teaching program approved by the Council on Medical Education and Hospitals of the American Medical Association (or, in the case of an osteopathic hospital, approved by a recognized body approved for the purpose by the Secretary), and

"'(5) the services of a private-duty nurse.

"'Skilled nursing facility services

"'(b) The term "skilled nursing facility services" means the following items and services furnished to an inpatient in a skilled nursing facility, after transfer from a hospital in which he was an inpatient, and (except as provided in paragraph (3)) by such skilled nursing facility—

"'(1) nursing care provided by or under the supervision of a registered professional nurse,

"'(2) bed and board in connection with the furnishing of such nursing care,

"'(3) physical, occupational, or speech therapy furnished by the skilled nursing facility or by others under arrangements with them made by the facility,

"'(4) medical social services,

"'(5) such drugs, biologicals, supplies, appliances, and equipment, furnished for use in the skilled nursing facility, as are customarily furnished by such facility for the care and treatment of inpatients,

"'(6) medical services provided by an intern or resident-in-training of the hospital, with which the facility is affiliated or under common control, under a teaching program of such hospital approved as provided in subsection (a)(4), and

"'(7) such other services necessary to the health of the patients as are generally provided by skilled nursing facilities;

excluding, however, any item or service if it would not be included under subsection (a) if furnished to an inpatient in a hospital.

"'Home health services

"'(c) The term "home health services" means the following items and services furnished to an individual, who is under the care of a physician, by a home health agency or by others under arrangements with them made by such agency, under a plan (for furnishing such items and services to such individual) established and periodically reviewed by a physician, which items and services are provided in a place of residence used as such individual's home—

" '(1) part-time or intermittent nursing care provided by or under the supervision of a registered professional nurse,

" '(2) physical, occupational, or speech therapy,

" '(3) medical social services,

" '(4) to the extent permitted in regulations, part-time or intermittent services of a home health aid,

" '(5) medical supplies (other than drugs and biologicals), and the use of medical appliances, while under such a plan, and

" '(6) in the case of a home health agency which is affiliated or under common control with a hospital, medical services provided by an intern or resident-in-training of such hospital, under a teaching program of such hospital approved as provided in subsection (a)(4);

excluding, however, any item or service if it would not be included under subsection (a) if furnished to an inpatient in a hospital.

" 'Outpatient hospital diagnostic services

" '(d) The term "outpatient hospital diagnostic services" means diagnostic services—

" '(1) which are furnished to an individual as an outpatient by a hospital or by others under arrangements with them made by a hospital, and

" '(2) which are customarily furnished by such hospital (or by others under such arrangements) to its outpatients for the purpose of diagnostic study;

excluding, however—

" '(3) any item or service if it would not be included under subsection (a) if furnished to an inpatient in a hospital; and

" '(4) any services furnished under such arrangements unless (A) furnished in the hospital or in other facilities operated by or under the supervision of the hospital, and (B) in the case of professional services, furnished by or under the responsibility of members of the hospital medical staff acting as such members.

" 'Drugs and biologicals

" '(e) The term "drugs" and the term "biologicals", except for purposes of subsection (c)(5) of this section, include only such drugs and biologicals, respectively, as are included in the United States Pharmacopoeia, National Formulary, New and Non-Official Drugs, or Accepted Dental Remedies, or are approved by the pharmacy and drug therapeutics committee (or equivalent committee) of the medical staff of the hospital furnishing such drugs or biologicals (or of the hospital with which the skilled nursing facility furnishing such drugs or biologicals is affiliated or is under common control).

" 'Arrangements for certain services

" '(f) As used in this section, the term "arrangements" is limited to arrangements under which receipt of payment by the hospital, skilled nursing facility, or home health agency (whether in its own right or as agent), as the case may be, with respect to services for which an individual is entitled to have payment made under this title, discharges the liability of such individual or any other person to pay for the services.

" 'Deductible; Duration of Services

" 'Deductible

" 'SEC. 1804. (a)(1) Except as provided in subsection (c), payment for inpatient hospital services furnished an individual during any benefit period shall be reduced by a deduction equal to $20, or if greater, $10 multiplied by the number of days, not exceeding nine, for which he received such services in such period.

" '(2) Payment for outpatient hospital diagnostic services furnished an individual during any thirty-day period shall be reduced by a deduction equal to $20. For purposes of the preceding sentence, a thirty-day period for any individual is a period of thirty consecutive days beginning with the first day (not including in a previous such period) on which he is entitled to benefits under this title and on which outpatient hospital diagnostic services are furnished him.

" 'Cost sharing

" '(3)(A) For the purpose of maintaining the Hospital Insurance Trust Fund on an actuarially sound basis if the average per diem cost of inpatient hospital services increases and the maximum amount of earnings on which contributions to such trust fund are based is not increased proportionately, payment for inpatient hospital services furnished an individual after December 31, 1968, during a benefit period shall be reduced by a deduction (in addition, in the case of an individual who has not made an election pursuant to subsection (c), to the deduction imposed pursuant to subsection (a)) equal to the applicable average per diem rate differential determined under paragraph (2), multiplied by the number of days of such services in such period for which payment may be made under this title.

" '(2) The Secretary shall, between July 1 and October 1 of the year 1968 and each even-numbered year thereafter, promulgate the average per diem rate differential which shall be applicable for the purposes of paragraph (1) in the case of days of inpatient hospital services furnished during the two succeeding calendar years. Such differential shall be the amount determined—

" '(A) by multiplying (i) $36 (the estimated average per diem rate for inpatient hospital services for 1964 and 1965) by (ii) the ratio of

" '(I) the maximum on the amount of remuneration paid during such two succeeding calendar years which may, under section 3121(a)(1) of the Internal Revenue Code of 1954, be counted as wages for purposes of chapter 21 of such Code (or, if there is a different maximum for each of such two years, the average of such maxima), to

" '(II) $5,600, and

" '(B) by subtracting the product derived thereby from the current average per diem rate for inpatient hospital services;

except that if the result obtained under clauses (A) and (B) is not a multiple of $2, it shall—

" '(C) if it is a multiple of $1, be raised to the next higher multiple of $2, or

" '(D) if it is less than $1, be reduced to zero, or

" '(E) in any other case be rounded to the nearest multiple of $2.

If the differential determined under the preceding sentence is a negative amount, it shall be deemed instead to be zero. The determination of the current average per diem rate for purposes of any promulgation under this paragraph shall be based on the best information available to the Secretary (at the time the determination is made) as to the amounts paid under this title on account of inpatient hospital services furnished, during the two calendar years preceding such determination by hospitals which have agreements in effect under section 1812, to individuals who are entitled to insurance benefits under this title.

" 'Duration of services

" '(b) Payment under this title for services furnished any individual during a benefit period may not be made for—

" '(1) inpatient hospital services furnished to him during such period after such services have been furnished to him for 90 days during such period, except as provided in subsection (c); or

" '(2) skilled nursing facility services furnished to him during such period after such services have been furnished to him for 60 days during such period.

For purposes of the preceding provisions of this subsection, inpatient hospital services or skilled nursing facility services shall be counted only if payment is or would, except for this subsection and except for the failure to comply with the procedural and other requirements of or under section 1809(a)(1), be made with respect to such services under this title. Payment under this title for home health services furnished an individual during a calendar year may not be made for any such services after such services have been furnished him during 240 visits in such year.

" 'Election as to duration of inpatient hospital services and deductible

" '(c)(1) An individual may elect, instead of the number of days in a benefit period for which payment may be made for inpatient hospital services furnished to him specified in subsection (b)(1)—

" '(A) to have such number of days for each benefit period increased to 180, and, in such case, the payment under this title for inpatient hospital services furnished him during any benefit period shall, instead of being reduced by the deduction specified in subsection (a)(1), be reduced by a deduction equal to either (i) 2½ times the average per diem rate for such services, determined under paragraph (4), or (ii) if less, the charges customarily made for such services by the hospital which furnished them, or

" '(B) to have such number of days reduced to 45 for each benefit period and, in such case, the reduction, provided in subsection (a)(1), in the payment under this title for inpatient hospital services furnished during any benefit period shall not apply to him.

" '(2) An individual may make an election under paragraph (1) only on such form or forms and in such manner as the Secretary may prescribe. Any such election shall be valid only if made before the month preceding, and after the fourth month preceding, the first month in which he both has attained the age of 65 and is eligible for the benefits referred to in section 1805(a)(2); except that if such first month occurs before January 1966, such election shall be valid only if made after May 1965 and before December 1965. For purposes of the preceding sentence, (A) an individual shall be regarded as eligible for benefits for a month if he is or, upon filing application for such benefits in such month, would be entitled to such benefits, and (B) an individual to whom section 204 of the Hospital Insurance Act of 1964 applies shall be deemed eligible for the benefits referred to in such section 1805(a)(2) for and after the month in which he attains the age of 65.

" '(3) An individual shall be permitted only one election under this subsection and such election shall be irrevocable.

" '(4) The Secretary shall, between July 1 and October 1 of the calendar year 1967 and of each calendar year thereafter, promulgate the average per diem rate for inpatient hospital services which shall be applicable in the case of benefit periods beginning during the succeeding year. Such promulgation shall be based on the best information available to the Secretary (at the time the determination is made) as to the amounts paid under this title on account of inpatient hospital services furnished, during the calendar year preceding such determination, by hospitals, with which agreements under section 1810 are in effect, to individuals who are entitled to have such payments made with respect to such services; and the amount so determined shall be rounded to the nearest

$1, or, if it is a multiple of $0.50 but not of $1, to the next higher $1. For benefit periods beginning prior to the calendar year 1968, such average per diem rate shall be $37.

" 'Benefit period

" '(d) For the purposes of this section, a "benefit period" with respect to any individual means a period of consecutive days—

" '(1) beginning with the first day (not included in a previous benefit period) (A) on which such individual is furnished inpatient hospital services or skilled nursing facility services and (B) which occurs in a month for which he is entitled to insurance benefits under this title, and

" '(2) ending with the ninetieth day thereafter on each of which he is neither an inpatient in a hospital nor an inpatient in a skilled nursing facility (whether or not such 90 days are consecutive), but only if such 90 days occur within a period of not more than 180 consecutive days.

" 'Entitlement to Benefits

" 'SEC. 1805. (a) Every individual who—

" '(1) has attained the age of 65, and

" '(2) is entitled to monthly insurance benefits under section 202,

shall be entitled to insurance benefits under this title for each month for which he is entitled to such benefits under section 202, beginning with the first month after December 1965 with respect to which he meets the conditions specified in paragraphs (1) and (2).

" '(b) For the purposes of this section—

" '(1) entitlement of an individual to insurance benefits under this title for a month shall consist of entitlement to have payment made under, and subject to the limitations in, this title on his behalf for inpatient hospital services, skilled nursing facility services, home health services, and outpatient hospital diagnostic services furnished him in the United States during such month; and

" '(2) an individual shall be deemed entitled to monthly insurance benefits under section 202 for the month in which he died if he would have been entitled to such benefits for such month had he died in the next month.

" '(c) Notwithstanding the preceding provisions of this section, no payments may be made under this title for inpatient hospital services, outpatient hospital diagnostic services, or home health services furnished an individual prior to July 1, 1965, or for skilled nursing facility services furnished him prior to January 1, 1966.

" 'Definitions of Providers of Services

" 'SEC. 1806. For purposes of this title—

" 'Hospital

" '(a) The term "hospital" (except for purposes of section 1804(d)(2), section 1809(f), paragraph (6) of this subsection, and so much of section 1803(b) as precedes paragraph (1) thereof) means an institution which—

" '(1) is primarily engaged in providing, by or under the supervision of physicians or surgeons, to inpatients (A) diagnostic services and therapeutic services for medical diagnosis, treatment, and care of injured, disabled, or sick persons, or (B) rehabilitation facilities and services for the rehabilitation of injured, disabled, or sick persons,

" '(2) maintains clinical records on all patients,

" '(3) has bylaws in effect with respect to its staff of physicians,

" '(4) continuously provides twenty-four-hour nursing service rendered or supervised by a registered professional nurse,

" '(5) has in effect a hospital utilization review plan which meets the requirements of subsection (e),

" '(6) in the case of an institution in any State in which State or applicable local law provides for the licensing of hospitals, (A) is licensed pursuant to such law or (B) is approved, by the agency of such State responsible for licensing hospitals, as meeting the standards established for such licensing. and

" '(7) meets such other of the requirements prescribed for the accreditation of hospitals by the Joint Commission on the Accreditation of Hospitals, as the Secretary finds necessary in the interest of the health and safety of individuals who are furnished services by or in the institution.

For purposes of section 1804(d)(2), such term includes any institution which meets the requirements of paragraph (1) of this subsection. For purposes of section 1809(f) (including determination of whether an individual received inpatient hospital services for purposes of such section 1809(f)), and so much of section 1803(b) as precedes paragraph (1) thereof, such term includes any institution which meets the requirements of paragraphs (1), (2), (4), and (6) of this subsection. Notwithstanding the preceding provisions of this subsection, such term shall not, except for purposes of section 1804(b)(2), include any institution which is primarily for the care and treatment of tuberculosis or mentally ill patients.

" 'Skilled nursing facility

" '(b) The term "skilled nursing facility" means (except for purposes of section 1804(d)(2)) an institution (or a distinct part of an institution) which is affiliated or under common control with a hospital having an agreement in effect under section 1810 and which—

" '(1) is primarily engaged in providing to inpatients (A) skilled nursing care and related services for patients who require planned medical or nursing care or (B) rehabilitation services,

" '(2) has policies, which are established by a group of professional personnel (associated with the facility), including 1 or more physicians and 1 or more registered professional nurses, to govern the skilled nursing care and related medical or other services it provides and which include a requirement that every patient must be under the care of a physician,

"(3) has a physician, a registered professional nurse, or a medical staff responsible for the execution of such policies,

" '(4) maintains clinical records on all patients,

" '(5) continuously provides twenty-four-hour nursing service rendered or supervised by a registered professional nurse,

" '(6) operates under a utilization review plan, which has been made applicable to it under subsection (g), of the hospital with which it is affiliated or under common control,

" '(7) in the case of an institution in any State in which State or applicable local law provides for the licensing of institutions of this nature, (A) is licensed pursuant to such law, or (B) is approved, by the agency of such State responsible for licensing institutions of this nature, as meeting standards established for such licensing; and

" '(8) meets such other conditions of participation under this section as the Secretary may find necessary in the interest of the health and safety of individuals who are furnished services by or in such institution; except that such term shall not (other than for purposes of section 1804(d)(2)) include any institution which is primarily for the case and treatment of tuberculosis or mentally ill patients. For purposes of section 1804(d)(2), such term includes any institution which meets the requirements of paragraph (1) of this subsection.

" 'Home health agency

" '(c) The term "home health agency" means an agency which—

" '(1) is a public agency, or a private nonprofit organization exempt from Federal income taxation under section 501 of the Internal Revenue Code of 1954,

" '(2) is primarily engaged in providing skilled nursing services or other therapeutic services,

" '(3) has policies, established by a group of professional personnel (associated with the agency), including 1 or more physicians and 1 or more registered professional nurses, to govern the service (referred to in paragraph (2)) which it provides,

" '(4) maintains clinical records on all patients,

" '(5) in the case of an agency in any State in which State or local law provides for the licensing of agencies of this nature, (A) is licensed pursuant to such law, or (B) is approved, by the agency of such State responsible for licensing agencies of this nature, as meeting standards established for such licensing, and

" '(6) meets such other conditions of participation as the Secretary may find necessary in the interest of the health and safety of individuals who are furnished services by such agency;

except that such term shall not include any agency which is primarily for the care and treatment of tuberculosis or mentally ill patients.

" 'Physician

" '(d) The term "physician", when used in connection with the performance of any function or action, means an individual (including a physician within the meaning of section 1101(a)(7)) legally authorized to practice surgery or medicine by the State in which he performs such function or action.

" 'Utilization review

" '(e) A utilization review plan of a hospital shall be deemed sufficient if it is applicable to services furnished by the institution to individuals entitled to benefits under this title and if it provides—

" '(1) for the review, on a sample or other basis, of admissions to the institution, the duration of stays therein, and the professional services furnished, (A) with respect to the medical necessity of the services, and (B) for the purpose of promoting the most efficient use of available health facilities and services;

" '(2) for such review to be made by either (A) a hospital staff committee composed of 2 or more physicians, with or without participation of other professional personnel, or (B) a group outside the hospital which is similarly composed;

" '(3) for such review, in each case in which inpatient hospital services are furnished to such individuals during a continuous period, as of the twenty-first day, and as of such subsequent days as may be specified in regulations, with such review to be made as promptly after such twenty-first or subsequent specified day as possible, and in no event later than 1 week following such day;

" '(4) for prompt notification to the institution, the individual, and his attending physician of any finding (after opportunity for consultation to such attending physician) by the physician members of such committee or group that any further stay therein is not medically necessary.

The provisions of clause (A) of paragraph (2) shall not apply to any hospital where, because of the small size of the institution or for such other reason or reasons as may be included in regulations, it is impracticable for the institution to have a properly functioning staff committee for the purposes of this subsection.

" 'Provider of services

" '(f) The term "provider of services" means a hospital, skilled nursing facility, or home health agency.

" 'Skilled nursing facilities affiliated or under common control with hospitals

" '(g) A hospital and a skilled nursing facility shall be deemed to be affiliated or under common control if, by reason of a written agreement between them or by reason of a written undertaking by a person or body which controls both of them, there is reasonable assurance that—

" '(1) the facility will be operated under standards which are developed jointly by, or are agreed to by, the two institutions, with respect to—

" '(A) skilled nursing and related health services (other than physicians' services),

" '(B) a system of clinical records, and

" '(C) appropriate methods and procedures for the dispensing and administering of drugs and biologicals;

" '(2) timely transfer of patients will be effected between the hospital and the skilled nursing facility whenever such a transfer is medically appropriate, and provision is made for the transfer or the joint use (to the extent practicable) of clinical records of the two institutions; and

" '(3) the utilization review of the hospital will be extended to include review of admissions to, duration of stays in, and the professional services furnished in the skilled nursing facility and including review of such individual cases (and at such intervals) as may be specified in this title or in regulations thereunder, and with notice to the facility, the individual, and his attending physician in case of a finding (after opportunity for consultation to such attending physician) that further skilled nursing facility services are not medically necessary.

" 'States and United States

" '(h) The terms "State" and "United States" shall have the same meaning as when used in title II.

" 'Additional skilled nursing facilities

" '(i) The Secretary shall, as soon as practicable after December 31, 1965, study the best ways of increasing the availability of skilled nursing facility care for beneficiaries under this title under conditions assuring good quality of care; and, on the basis of such study and after consultation with associations of nursing homes, the American Hospital Association, the Joint Commission on Accreditation of Hospitals, and other appropriate professional organizations, he may determine that additional nursing facilities in which such conditions assuring good quality of care exist constitute skilled nursing facilities under subsection (b) if they meet the requirements of such subsection (other than the requirement of affiliation and other than the requirement that a hospital utilization review plan be made applicable) and if the Secretary finds that such action will not create (or increase) any actuarial imbalance in the Federal Hospital Insurance Trust Fund. The Secretary shall report to the Congress from time to time, and in any event by July 1, 1967, the results of the study under this subsection and any action taken as a result thereof.

" 'Use of State Agencies and Other Organizations To Develop Conditions of Participation for Providers of Service

" 'SEC. 1807. In carrying out his functions, relating to determination of conditions of participation by providers of services, under section 1806(a)(7), section 1806(b)(8), or section 1806(c)(6), the Secretary shall consult with the Hospital Insurance Benefits Advisory Council established by section 1812, appropriate State agencies, and recognized national listing or accrediting bodies. Such conditions prescribed under any of such sections may be varied for different areas or different classes of institutions or agencies and may, at the request of a State, provide (subject to the limitation provided in section 1806(a)(7)) higher requirements for such State than for other States.

" 'Use of State Agencies and Other Organizations To Determine Compliance by Providers of Services With Conditions of Participation

" 'SEC. 1808. (a) The Secretary may, pursuant to agreement, utilize the services of State health agencies or other appropriate State agencies for the purposes of (1) determining whether an institution is a hospital or skilled nursing facility, or whether an agency is a home health agency, or (2) providing consultative services to institutions or agencies to assist them (A) to qualify as hospitals, skilled nursing facilities, or home health agencies, (B) to establish and maintain fiscal records necessary for purposes of this title, and (C) to provide information which may be necessary to permit determination under this title as to whether payments are due and the amounts thereof. To the extent that the Secretary finds it appropriate, an institution or agency which such a State agency certifies is a hospital, skilled nursing facility, or home health agency may be treated as such by the Secretary. The Secretary shall pay any such State agency, in advance or by way of reimbursement, as may be provided in the agreement with it (and may make adjustments in such payments on account of overpayments or underpayments previously made), for the reasonable cost of performing the functions specified in the first sentence of this subsection, and for the fair share of the costs attributable to the planning and other efforts directed toward coordination of activities in carrying out its agreement and other activities related to the provision of services similar to those for which payment may be made under this title, or related to the facilities and personnel required for the provision of suhc services, or related to improving the quality of such services.

" '(b)(1) An institution shall be deemed to meet the conditions of participation under section 1806(a) (except paragraph (5) thereof) if such institution is accredited as a hospital by the Joint Commission on the Accreditation of Hospitals. If such Commission, as a condition for accreditation of a hospital, hereafter requires a utilization review plan or imposes another requirement which serves substantially the same purpose, the Secretary is authorized to find that all institutions so accredited by the Commission comply also with section 1806(a)(5).

" '(2) If the Secretary finds that accreditation of an institution by a national accreditation body, other than the Joint Commission on the Accreditation of Hospitals, provides reasonable assurance that any or all of the conditions of section 1806 (a), (b), or (c), as the case may be, are met, he may, to the extent he deems it appropriate, treat such institution as meeting the condition or conditions with respect to which he made such finding.

" 'Conditions of and Limitations on Payment for Services

" 'Requirement of requests and certifications

" 'SEC. 1809. (a) Except as provided in subsection (f), payment for services furnished an individual may be made only to eligible providers of services and only if—

" '(1) written request, signed by such individual except in cases in which the Secretary finds it impractical for the individual to do so, is filed for such payment in such form, in such manner, within such time, and by such person or persons as the Secretary may by regulation prescribe;

" '(2) a physician certifies (and recertifies, where such services are furnished over a period of time, in such cases and with such frequency, appropriate to the case involved, as may be provided in regulations) that—

" '(A) in the case of inpatient hospital services, such services are or were required for such individual's medical treatment, or such services are or were required for inpatient diagnostic study;

" '(B) in the case of outpatient hospital diagnostic services, such services are or were required for diagnostic study;

" '(C) in the case of skilled nursing facility services, such services are or were required because the individual needed skilled nursing care on a continuing basis for any of the conditions with respect to which he was receiving inpatient hospital services prior to transfer to the skilled nursing facility or for a condition requiring such care which arose after such transfer and while he was still in the facility for treatment of the condition or conditions for which he was receiving such inpatient hospital services;

" '(D) in the case of home health services, such services are or were required because the individual needed skilled nursing care on an intermittent basis or because he needed physical or speech therapy; a plan for furnishing such services to such individual has been established and is periodically reviewed by a physician; and such services are or were furnished while the individual was under the care of a physician;

" '(3) with respect to inpatient hospital services or skilled nursing facility services furnished such individual after the twenty-first day of a continuous period of such services, there was not in effect, at the time of admission of such individual to the hospital, a decision under section 1810(e) (based on a finding that timely utilization review of long-stay cases is not being made in such hospital or facility);

" '(4) with respect to inpatient hospital services or skilled nursing facility services furnished such individual during a continuous period, a finding has not been made (by the physician members of the committee or group) pursuant to the system of utilization review that further inpatient hospital services or further skilled nursing facility services, as the case may be, are not medically necessary; except that, if such a finding has been made, payment may be made for such services furnished in such period before the fourth day after the day on which the hospital or skilled nursing facility, as the case may be, received notice of such finding.

" 'Determination of costs of services

" '(b) The amount paid to any provider of services with respect to services for which payment may be made under this title shall be the reasonable cost of such services, as determined in accordance with regulations establishing the method or methods to be used in determining such costs for various types or classes of institutions, services, and agencies. In prescribing such regulations, the Secretary shall consider, among other things, the principles generally applied by national organizations (which have developed such principles) in computing the amount of payment, to be made by persons other than the recipients of services, to providers of services on account of services furnished to such recipients by such providers. Such regulations may provide for payment on a per diem, per unit, per capita, or other basis, may provide for using different methods in different circumstances, and may provide for the use of estimates of costs of particular items or services.

" 'Amount of payment for more expensive services

" '(c)(1) In case the bed and board furnished as part of inpatient hospital services or skilled nursing facility services is in accommodations more expensive than two-, three-, or four-bed accommodations and the use of such more expensive accommodations rather than such two-, three-, or four-bed accommodations was not at the request of the patient, payment with respect to such services may not exceed an amount equal to the reasonable cost of such services if furnished in such two-, three-, or four-bed accommodations unless the more expensive accommodations were required for medical reasons.

"'(2) Where a provider of services with which an agreement under this title is in effect furnishes to an individual, at his request, items or services which are in excess of or more expensive than the items or services with respect to which payment may be made under this title, the Secretary shall pay to such provider of services only the equivalent of the reasonable cost of the items or services with respect to which payment under this title may be made.

"'Amount of payment where less expensive services furnished

"'(d) In case the bed and board furnished as part of inpatient hospital services or skilled nursing facility services in accommodations other than, but not more expensive than, two-, three-, or four-bed accommodations and the use of such other accommodations rather than two-, three-, or four-bed accommodations was neither at the request of the patient nor for a reason which the Secretary determines is consistent with the purposes of this title, the amount of the payment with respect to such services under this title shall be the reasonable cost of such services minus the difference between the charge customarily made by the hospital or skilled nursing facility for such services in two-, three-, or four-bed accommodations and the charge customarily made by it for such services in the accommodations furnished.

"'No payments to Federal providers of services

"'(e) No payment may be made under this title (except under subsection (f) of this section) to any Federal provider of services, except a provider of services which the Secretary determines, in accordance with regulations, is providing services to the public generally as a community institution or agency; and no such payment may be made to any provider of services for any item or service which such provider is obligated by a law of, or a contract with, the United States to render at public expense.

"'Payments for emergency inpatient hospital services

"'(f) Payments shall also be made to any hospital for inpatient hospital services or outpatient hospital diagnostic services furnished, by the hospital or under arrangements (as defined in section 1803(f)) with it, to an individual entitled to health insurance benefits under this title even though such hospital does not have an agreement in effect under this title if (A) such services were emergency services and (B) the Secretary would be required to make such payment if the hospital had such an agreement in effect and otherwise met the conditions of payment hereunder. Such payment shall be made only in amounts determined as provided in subsection (b) and then only if such hospital agrees to comply, with respect to the emergency services provided, with the provisions of section 1810(a).

"'Payment for services prior to notification of noneligibility

"'(g) Notwithstanding that an individual is not entitled to have payment made under this title for inpatient hospital services, skilled nursing facility services, home health services, or outpatient hospital diagnostic services furnished by any provider of services, payment shall be made to such provider of services (unless such provider elects not to receive such payment or, if payment has already been made, refunds such payment within the time specified by the Secretary) for such services which are furnished to the individual prior to notification from the Secretary of his lack of entitlement if such payments are not otherwise precluded under this title and if such provider complies with the rules established hereunder with respect to such payments, has acted in good faith and without knowledge of such lack of entitlement, and has acted reasonably in assuming entitlement existed.

"'Agreements with providers of services

"'SEC. 1810. (a) Any provider of services shall be eligible for payments under this title if it files with the Secretary an agreement not to charge any individual or any other person for items or services for which such individual is entitled to have payment made under this title (or for which he would be so entitled if such provider had complied with the procedural and other requirements under or pursuant to this title or for which such provider is paid pursuant to the provisions of section 1809(g)), and to make adequate provision for return (or other disposition, in accordance with regulations) of any moneys incorrectly collected from such individual or other person, except that such provider of services may charge such individual or other person the amount of any deduction imposed pursuant to subsection (a) or (c) of section 1804 with respect to such services (not in excess of the amount customarily charged for such services by such provider) and, where the provider of services has furnished, at the request of such individual, items or services which are in excess of or more expensive than the items or services with respect to which payment may be made under this title, such provider may also charge such individual or other person for such more expensive items or services but not more than the difference between the amount customarily charged by it for the items or services furnished at such request and the amount customarily charged by it for the items or services with respect to which payment may be made under this title.

"'(b) An agreement with the Secretary under this section may be terminated—

"'(1) by the provider of services at such time and upon such notice to the Secretary and the public as may be provided in regulations, except that the time such agreement is thereby required by the Secretary to continue in effect after such notice may not exceed 6 months after such notice, or

"'(2) by the Secretary at such time and upon such notice to the provider of services and the public as may be specified in regulations, but only after the Secretary has determined, and has given such provider notification thereof, (A) that such provider of services is not complying substantially with the provisions of such agreement, or with the provisions of this title and regulations thereunder, or (B) that such provider no longer substantially meets the applicable provisions of section 1806, or (C) that such provider of services has failed to provide such information as the Secretary finds necessary to determine whether payments are or were due under this title and the amounts thereof, or has refused to permit such examination of its fiscal and other records by or on behalf of the Secretary as may be necessary to verify such information.

Any termination shall be applicable—

"'(3) in the case of inpatient hospital services or skilled nursing facility services, with respect to such services furnished to any individual who is admitted to the hospital or skilled nursing facility furnishing such services on or after the effective date of such termination,

"'(4)(A) with respect to home health services furnished to an individual under a plan therefor established on or after the effective date of such termination, or (B) if such plan is established before such effective date, with respect to such services furnished to such individual after the calendar year in which such termination is effective, and

"'(5) with respect to outpatient hospital diagnostic services furnished on or after the effective date of such termination.

"'(c) Nothing in this title shall preclude any provider of services or any group or groups of such providers from being represented by an individual, association, or organization authorized by such provider or providers of services to act on their behalf in negotiating with respect to their participation under this title and the terms, methods, and amounts of payments for services to be provided thereunder.

"'(d) Where an agreement filed under this title by a provider of services has been terminated by the Secretary, such provider may not file another agreement under this title unless the Secretary finds that the reason for the termination has been removed and there is reasonable assurance that it will not recur.

"'(e) If the Secretary finds that timely review in accordance with section 1806(e) of long-stay cases in a hospital or skilled nursing facility is not being made with reasonable regularity, he may, in lieu of terminating his agreement with such hospital or facility, decide that, with respect to any individual admitted to such hospital or skilled nursing facility after a date specified by him, no payment shall be made for inpatient hospital services or skilled nursing facility services after the twenty-first day of a continuous period of such services. Such decision may be made only after such notice to the hospital, or (in the case of a skilled nursing facility) to the hospital and the facility, and to the public as may be prescribed by regulations, and its effectiveness shall be rescinded when the Secretary finds that the reason therefor has been removed and there is reasonable assurance that it will not recur.

"'Payment to Providers of Services

"'SEC. 1811. The Secretary shall periodically determine the amount which should be paid to each provider of services under this title with respect to the services furnished by it, and the provider shall be paid, at such time or times as the Secretary believes appropriate and prior to audit or settlement by the General Accounting Office, from the Federal Hospital Insurance Trust Fund the amounts so determined; except that such amounts may be reduced or increased, as the case may be, by any sum by which the Secretary finds that the amount paid to such provider of services for any prior period was greater or less than the amount which should have been paid to it for such period.

"'Hospital Insurance Benefits Advisory Council

"'SEC. 1812. For the purpose of advising the Secretary on matters of general policy in the administration of this title and in the formulation of regulations under this title, there is hereby created a Hospital Insurance Benefits Advisory Council which shall consist of 14 persons, not otherwise in the employ of the United States, appointed by the Secretary without regard to the civil service laws. The Secretary shall from time to time appoint one of the members to serve as Chairman. Not less than 4 of the appointed members shall be persons who are outstanding in the fields pertaining to hospitals and health activities. Each appointed member shall hold office for a term of 4 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the terms of office of the members first taking office shall expire, as designated by the Secretary at the time or appointment, 3 at the end of the first year, 4 at the end of the second year, 3 at the end of the third year, and 4 at the end of the fourth year after the date of appointment. An appointed member shall not be eligible to serve continuously for more than 2 terms. The Secretary may, at the request of the Council, appoint such special advisory or technical committees as may be useful in carrying out its functions. Appointed members of the Advisory Council and members of its advisory or technical committees, while attending meetings or conferences thereof or otherwise serving on business of the Advisory Council or of such a committee or committees, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently. The Advisory Council shall meet as frequently as the Secretary deems necessary. Upon request of 4 or more members, it shall be the duty of the Secretary to call a meeting of the Advisory Council.

" 'Review of Determinations

" 'Sec. 1813. Any individual dissatisfied with any determination made by the Secretary that he is not entitled to insurance benefits under this title or that he is not entitled to have payment made under this title with respect to any class of services furnished him, shall be entitled to a hearing thereon by the Secretary to the same extent as is provided in section 205(b) with respect to decisions of the Secretary, and to judicial review of the Secretary's final decision after such hearing as is provided in section 205(g).

" 'Overpayments to Individuals

" 'Sec. 1814. (a) Any payment under this title to any provider of services with respect to inpatient hospital services, skilled nursing facility services, home health services, or outpatient hospital diagnostic services, furnished any individual shall be regarded as a payment to such individual.

" '(b) Where—

" '(1) more than the correct amount is paid under this title to a provider of services for services furnished an individual and the Secretary determines that, within such period as he may specify, the excess over the correct amount cannot be recouped from such provider of services, or

" '(2) any payment has been made under section 1809(g) to a provider of services for services furnished an individual,

proper adjustments shall be made, under regulations prescribed by the Secretary, by decreasing subsequent payments—

" '(3) to which such individual is entitled under title II, or

" '(4) if such individual dies before such adjustment has been completed, to which any other individual is entitled under title II with respect to the wages and self-employment income which were the basis of benefits of such deceased individual under such title.

" '(c) There shall be no adjustment as provided in subsection (b) (nor shall there be recovery) in any case where the incorrect payment has been made (including payments under section 1809(g)) for services furnished to an individual who is without fault and where such adjustment (or recovery) would defeat the purposes of title II or would be against equity and good conscience.

" '(d) No certifying or disbursing officer shall be held liable for any amount certified or paid by him to any provider of services where the adjustment or recovery of such amount is waived under subsection (c) or where adjustment under subsection (b) is not completed prior to the death of all persons against whose benefits such adjustment is authorized.

" 'Use of Private Organizations To Facilitate Payment to Providers of Service

" 'Sec. 1815. (a) The Secretary is authorized to enter into an agreement with any organization, which has been designated by any group of providers of services, or by an association of such providers on behalf of its members, to receive payments under section 1811 on behalf of such providers, providing for the determination by such organization (subject to such review by the Secretary as may be provided for in the agreement) of the amount of payments required pursuant to this title to be made to such providers, and for making such payments. The Secretary shall not enter into an agreement with any organization under this section unless he finds it consistent with effective and efficient administration of this title.

" '(b) To the extent that the Secretary finds that performance of any of the following functions by an organization with which he has entered into an agreement under subsection (a) will be advantageous and will promote the efficient administration of this title, he may also include in the agreement provision that the organization shall (with respect to providers of services which are to receive payments through the organization)—

" '(1) serve as a center for, and communicate to providers, any information or instructions furnished to it by the Secretary, and serve as a channel of communication from providers to the Secretary;

" '(2) make such audits of the records of providers as may be necessary to insure that proper payments are made under this title;

" '(3) assist in the application of safeguards against unnecessary utilization of services furnished by providers to individuals entitled to have payment made under this title with respect to services furnished them;

" '(4) perform such other duties as are necessary to carry out the functions specified in subsection (a) of this subsection.

" '(c) An agreement with any organization under this section may contain such terms and conditions as the Secretary finds necessary or appropriate, and may provide for advances of funds to the organization for the making of payments by it under subsection (a) and shall provide for payment of the reasonable cost of administration of the organization as determined by the Secretary to be necessary and proper for carrying out the functions covered by the agreement.

" '(d) If the designation of an organization as provided in this section is made by an association of providers of services, it shall not be binding on members of the association which notify the Secretary of their election to that effect. Any provider may, upon such notice as may be specified in the agreement with an organization, withdraw his designation to receive payments through such organization and any provider who has not designated an organization may elect to receive payments from an organization which has entered into agreement with the Secretary under this section, if the Secretary and the organization agree to it.

" '(e) An agreement with the Secretary under this section may be terminated—

" '(1) by the organization entering into such agreement at such time and upon such notice to the Secretary, to the public, and to the providers as may be provided in regulations, or

" '(2) by the Secretary at such time and upon such notice to the organization, and to the providers which have designated it for purposes of this section, as may be provided in regulations, but only if he finds, after reasonable notice and opportunity for hearing to the organization, that (A) the organization has failed substantially to carry out the agreement, or (B) the continuation of some or all of the functions provided for in the agreement with the organization is disadvantageous or is inconsistent with efficient administration of this title.

" '(f) An agreement with an organization under this section may require any of its officers or employees certifying payments or disbursing funds pursuant to the agreement, or otherwise participating in carrying out the agreement, to give surety bond to the United States in such amount as the Secretary may deem appropriate, and may provide for the payment of the charges for such bond from the Federal Hospital Insurance Trust Fund.

" '(g)(1) No individual designated pursuant to an agreement under this section as a certifying officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment certified by him under this section.

" '(2) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by a certifying officer designated as provided in paragraph (1) of this subsection.

" 'Option to Individuals To Obtain Supplementary Private Health Insurance Protection

" 'Sec. 1816. (a) Nothing contained in this title shall be construed to preclude any State from providing, or any individual from purchasing or otherwise securing, protection against the cost of health or medical care services in addition to those for which payment may be made under this title.

" '(b) The Secretary shall consult with providers of hospital or other medical care services, and with insurance companies and other similar organizations providing protection against the costs of any such services, and representatives of such providers, insurance companies, or other similar organizations, and with appropriate State and other public or private agencies or organizations to the end that they are encouraged and assisted in developing and providing protection, which supplements that provided under this title, against the costs of health or other medical care services for which payments may not be made under this title.

" 'Regulations

" 'Sec. 1817. When used in this title, the term "regulations" means, unless the context otherwise requires, regulations prescribed by the Secretary.

" 'Application of Certain Provisions of Title II

" 'Sec. 1818. The provisions of sections 206, 208, and 216(j), and of subsections (a), (d), (e), (f), and (h) of section 205 shall also apply with respect to this title to the same extent as they are applicable with respect to title II.

" 'Designation of Organization or Publication by Name

" 'Sec. 1819. Designation in this title, by name, of any nongovernmental organization or publication shall not be affected by change of name of such organization or publication, and shall apply to any successor organization or publication which the Secretary finds serves the purpose for which such designation is made.'

"Federal Hospital Insurance Trust Fund

"Sec. 203. (a) Section 201 of the Social Security Act is amended by redesignating subsections (c), (d), (e), (f), (g), and (h) as subsections (d), (e), (f), (g), (h), and (i), respectively, and by adding after subsection (b) the following new subsection:

" '(c) There is hereby created on the books of the Treasury of the United States a trust fund to be known as the "Federal Hospital Insurance Trust Fund". The Federal Hospital Insurance Trust Fund shall consist of such amounts as may be appropriated to, or deposited in, such fund as provided in this section. There is hereby appropriated to the Federal Hospital Insurance Trust Fund for the fiscal year ending June 30, 1966, and for each fiscal year thereafter, out of any moneys in the Treasury not otherwise appropriated, amounts equivalent to 100 per centum of—

"'(1) (A) 0.6 of 1 per centum of the wages (as defined in section 3121 of the Internal Revenue Code of 1954) paid after December 31, 1964, and prior to January 1, 1966, and reported to the Secretary of the Treasury or his delegate pursuant to subtitle F of the Internal Revenue Code of 1954, which wages shall be certified by the Secretary of Health, Education, and Welfare on the basis of the records of wages established and maintained by such Secretary in accordance with such reports; and (B) 0.76 of 1 per centum of the wages (as so defined) paid after December 31, 1965, and so reported, which shall be so certified by the Secretary of Health, Education, and Welfare; and

"'(2) (A) 0.45 of 1 per centum of the amount of self-employment income (as defined in section 1402 of the Internal Revenue Code of 1954) reported to the Secretary of the Treasury or his delegate on tax returns under subtitle F of the Internal Revenue Code of 1954 for any taxable year beginning after December 31, 1964, and prior to January 1, 1966, which self-employment income shall be certified by the Secretary of Health, Education, and Welfare on the basis of the records of self-employment income established and maintained by the Secretary of Health, Education, and Welfare in accordance with such returns; and (B) 0.57 of 1 per centum of the self-employment income (as so defined) reported to the Secretary of the Treasury or his delegate on tax returns under such subtitle F for any taxable year beginning after December 31, 1965, which shall be so certified by the Secretary of Health, Education, and Welfare.'

"(b) (1) The heading of section 201 of the Social Security Act is amended to read: 'FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND, FEDERAL DISABILITY INSURANCE TRUST FUND, AND FEDERAL HOSPITAL INSURANCE TRUST'.

"(2) Subsection (a) of section 201 of such Act is amended by inserting 'and the amounts specified in clause (1) of subsection (c) of this section' immediately before the semicolon in clause (3) thereof, by inserting 'and the amount specified in clause (2) of subsection (c) of this section' immediately before the period in clause (4) thereof, and by striking out the last sentence and inserting in lieu thereof: 'The amounts appropriated by clauses (3) and (4) shall be transferred from time to time from the general fund in the Treasury to the Federal Old-Age and Survivors Insurance Trust Fund, the amounts appropriated by clauses (1) and (2) of subsection (b) shall be transferred from time to time from the general fund in the Treasury to the Federal Disability Insurance Trust Fund, and the amounts appropriated by clauses (1) and (2) of subsection (c) shall be transferred from time to time from the general fund in the Treasury to the Federal Hospital Insurance Trust Fund, such amounts to be determined on the basis of estimates by the Secretary of the Treasury of the taxes, specified in clauses (3) and (4) of this subsection, paid to or deposited into the Treasury; and proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or were less than the taxes specified in such clauses (3) and (4) of this subsection.'

"(c) The first sentence of the subsection of such section 201 herein redesignated as subsection (d) is amended by striking out 'and the Federal Disability Insurance Trust Fund' and inserting in lieu thereof ', the Federal Disability Insurance Trust Fund, and the Federal Hospital Insurance Trust Fund'.

"(d) Paragraph (1) of the subsection of such section 201 herein redesignated as subsection (h) is amended by striking out 'titles II and VIII' and 'this title' wherever they appear and inserting in lieu thereof 'this title XVIII'.

"(e) The last sentence of paragraph (2) of such subsection is amended by striking out 'and clause (1) of subsection (b)' and inserting in lieu thereof ', clause (1) of subsection (b), and clause (1) of subsection (c)'.

"(f) The subsection of such section herein redesignated as subsection (i) is amended by adding at the end thereof the following new sentence: 'Payments required to be made under title XVIII shall be made only from the Federal Hospital Insurance Trust Fund.'

"(g) Section 218(h) (1) of such Act is amended by striking out 'and (b) (1)' and inserting in lieu thereof ', (b) (1), and (c) (1)'.

"(h) Section 221(e) of such Act is amended—

"(A) by striking out 'Trust Funds' wherever that appears and inserting in lieu thereof 'Trust Funds (except the Federal Hospital Insurance Trust Fund)';

"(B) by striking out 'subsection (g) of section 201' and inserting in lieu thereof 'subsection (h) of section 201'; and

"(C) by inserting 'under this title' before the period at the end thereof.

"(i) Section 1106(b) of such Act is amended by striking out 'and the Federal Disability Insurance Trust Fund' and inserting in lieu thereof ', the Federal Disability Insurance Trust Fund, and the Federal Hospital Insurance Trust Fund'.

"Transitional Provision for Eligibility for Presently Uninsured Individuals

"Sec. 204. (a) Anyone who—

"(1) has attained the age of 65,

"(2) (A) attained such age before 1968, or (B) has not less than 3 quarters of coverage (as defined in title II of the Social Security Act or section 5(l) of the Railroad Retirement Act of 1937), whenever acquired, for each calendar year elapsing after 1965 and before the year in which he attained such age,

"(3) is not, and upon filing application therefor would not be, entitled to monthly insurance benefits under section 202 of the Social Security Act and does not meet the requirements set forth in subparagraph (B) of section 21(b) of the Railroad Retirement Act of 1937, and

"(4) has filed an application under this section at such time, in such manner, and in accordance with such other requirements as may be prescribed in regulations of the Secretary,

shall (subject to the limitations in this section) be deemed, solely for purposes of section 1805 of the Social Security Act, to be entitled to monthly insurance benefits under such section 202 for each month, beginning with the first month in which he meets the requirements of this subsection and ending with the month in which he dies or, if earlier, the month before the month in which he becomes entitled to monthly insurance benefits under such section 202 or meets the requirements set forth in subparagraph (B) of section 21(b) of the Railroad Retirement Act of 1937.

"(b) The provisions of subsection (a) shall apply only in the case of an individual who—

"(1) is a resident of the United States (as defined in section 210 of the Social Security Act), and

"(2) is a citizen of the United States or has resided in the United States (as so defined) continuously for not less than 10 years.

"(c) The provisions of subsection (a) shall not apply to any individual who—

"(1) is a member of any organization referred to in section 210(a) (17) of the Social Security Act,

"(2) has been convicted of any offense listed in section 202(u) of the Social Security Act,

"(3) is an employee of the United States, or

"(4) is eligible for the benefits of the Federal Employees Health Benefits Act of 1959 or the Retired Federal Employees Health Benefits Act.

"(d) There are authorized to be appropriated to the Federal Hospital Insurance Trust Fund (established by section 201 of the Social Security Act) from time to time such sums as the Secretary deems necessary, on account of—

"(a) payments made from such Trust Fund under title XVIII of such Act with respect to individuals who are entitled to insurance benefits under such title solely by reason of this section,

"(b) the additional administrative expenses resulting therefrom, and

"(c) any loss in interest to such Trust Fund resulting from from the payment of such amounts,

in order to place such Trust Fund in the same position in which it would have been if subsections (a) and (b) of this section had not been enacted.

"Technical Amendments

"Suspension in case of aliens

"Sec. 205. (a) Subsection (t) of section 202 of such Act is amended by adding at the end thereof the following new paragraph:

"'(9) No payments shall be made under title XVIII with respect to services furnished to an individual in any month for which the prohibition in paragraph (1) against payment of benefits to him is applicable (or would be if he were entitled to any such benefits).'

"Persons convicted of subversive activities

"(b) Subsection (u) of such section is amended by striking out 'and' before the phrase "in determining the amount of any such benefit payable to such individual for any such month,' and inserting after such phrase 'and in determining whether such individual is entitled to insurance benefits under title XVIII for any such month,'.

"Advisory Council on social security financing

"(c) (1) Subsection (a) of section 116 of the Social Security Amendments of 1956 is amended by striking out 'and the Federal Disability Insurance Trust Fund' and inserting in lieu thereof ', of the Federal Disability Insurance Trust Fund, and of the Federal Hospital Insurance Trust Fund'. Such subsection is further amended by inserting before the period at the end thereof 'and the insurance benefits program under title XVIII of the Social Security Act'.

"(2) Subsection (d) of such section is amended by striking out 'and the Federal Disability Insurance Trust Fund' and inserting in lieu thereof ', the Federal Disability Insurance Trust Fund, and the Federal Hospital Insurance Trust Fund'.

"(3) Subsection (f) of such section is amended by striking out ', the adequacy of benefits under the program, and all other aspects of the program' and inserting in lieu thereof 'and the insurance benefits program under title XVIII of the Social Security Act, the adequacy of benefits under the programs, and all other aspects of the programs'.

"Technical Amendment to Internal Revenue Code

"Sec. 206. Section 3121(l) (6) of the Internal Revenue Code of 1954 is amended by striking out 'and the Federal Disability Insurance Trust Fund,' and inserting in lieu thereof ', the Federal Disability Insurance Trust Fund, and the Federal Hospital Insurance Trust Fund,'. The amendment made by this section shall be effective January 1, 1966.

"Part B—Railroad retirement amendments

"Hospital Insurance Benefits for the Aged Under the Railroad Retirement Act

"SEC. 210. (a) The Railroad Retirement Act of 1937 is amended by adding after section 20 of such Act the following new section:

" 'Hospital insurance benefits for the aged

" 'SEC. 21. (a) For the purposes of this section, and subject to the conditions hereinafter provided, the Board shall have the same authority to determine the rights of individuals described in subsection (b) of this section to have payments made on their behalf for insurance benefits consisting of inpatient hospital services, skilled nursing facility services, home health services, and outpatient hospital diagnostic services within the meaning of title XVIII of the Social Security Act as the Secretary of Health, Education, and Welfare has under such title XVIII with respect to individuals to whom such title applies. The rights of individuals described in subsection (b) of this section to have payment made on their behalf for the services referred to in the next preceding sentence shall be the same as those of individuals to whom title XVIII of the Social Security Act applies and this section shall be administered by the Board as if the provisions of such title XVIII were applicable, references to the Secretary of Health, Education, and Welfare were to the Board, references to the Federal Hospital Insurance Trust Fund were to the Railroad Retirement Account, references to the United States or a State included Canada or a subdivision thereof, and the provisions of sections 1807 and 1812 of such title XVIII were not included in such title. For purposes of section 11, a determination with respect to the rights of an individual under this section shall, except in the case of a provider of services, be considered to be a decision with respect to an annuity.

" '(b) Except as otherwise provided in this section, every individual who—

" '(A) has attained age sixty-five, and

" '(B) (i) is entitled to an annuity, or (ii) would be entitled to an annuity had he ceased compensated service and, in the case of a spouse, had such spouse's husband or wife ceased compensated service, or (iii) had been awarded a pension under section 6, or (iv) bears a relationship to an employee which, by reason of section 3(e), has been, or would be, taken into account in calculating the amount of an annuity of such employee or his survivor,

shall be entitled to have payment made for the services referred to in subsection (a), and in accordance with the provisions of such subsection. The payments for services herein provided for shall be made from the Railroad Retirements Account (in accordance with, and subject to, the conditions applicable under section 10(b) in making payment of other benefits) to the hospital, skilled nursing facility, or home health agency providing such services, including such services provided in Canada to individuals to whom this subsection applies but only to the extent that the amount of payments for services otherwise hereunder provided for an individual exceeds the amount payable for like services provided pursuant to the law in effect in the place in Canada where such services are furnished.

" '(c) No individual shall be entitled to have payment made for the same services, which are provided for in this section, under both this section and title XVIII of the Social Security Act, and no individual shall be entitled to have payment made under both this section and such title XVIII for more than the number of days of inpatient hospital services determined as provided in section 1804 of such Act or more than 180 days of skilled nursing facilities services during any benefit period, or more than two hundred and forty visits in any calendar year in which home health services are furnished. In any case in which an individual would, but for the preceding sentence, be entitled to have payment for such services made under both this section and such title XVIII, payment for such services to which such individual is entitled shall be made in accordance with the procedures established pursuant to the next succeeding sentence, upon certification by the Board or by the Secretary of Health, Education, and Welfare. It shall be the duty of the Board and such Secretary with respect to such cases jointly to establish procedures designed to minimize duplications of requests for payment for services, of elections for purposes of determining the number of days of inpatient hospital services for which payment may be made, and of determinations and to assign administrative functions between them so as to promote the greatest facility, efficiency, and consistency of administration of this section and title XVIII of the Social Security Act; and, subject to the provisions of this subsection to assure that the rights of individuals under this section or title XVIII of the Social Security Act shall not be impaired or diminished by reason of the administration of this section and title XVIII of the Social Security Act. The procedures so established may be included in regulations issued by the Board and by the Secretary of Health, Education, and Welfare to implement this section and such title XVIII, respectively.

" '(d) Any agreement entered into by the Secretary of Health, Education, and Welfare pursuant to title XVIII of the Social Security Act shall be entered into on behalf of both such Secretary and the Board. The preceding sentence shall not be construed to limit the authority of the Board to enter on its own behalf into any such agreement relating to services provided in Canada or in any facility devoted primarily to railroad employees.

" '(e) (1) A request for payment for services filed under this section shall be deemed to be a request for payment for services filed as of the same time under title XVIII of the Society Security Act, and a request for payment for services filed under such title shall be deemed to be a request for payment for services filed as of the same time under this section.

" '(2) An election filed under this section for purposes of determining the number of days of inpatient hospital services for which payment may be made, as provided in section 1804(c) of the Social Security Act, shall be deemed an election filed as of the same time under section 1804(c) of such Act, and such an election filed under such section 18004(c) shall be deemed to have been filed at the same time under this section.

" '(f) The Board and the Secretary of Health, Education, and Welfare shall furnish each other with such information, records, and documents as may be considered necessary to the administration of this section or title XVIII of the Social Security Act.'

"Amendment preserving relationship between railroad retirement and old-age survivors, disability, and hospital insurance systems

"(b) Section (1)(q) of such Act is amended by striking out '1961' and inserting in lieu thereof '1964'.

"Financial interchange between railroad retirement account and Federal hospital insurance trust fund

"(c) (1) Section 5(k)(2) of such Act is amended—

"(A) by striking out subparagraphs (A) and (B) and redesignating subparagraphs (C), (D), and (E) as subparagraphs (A), (B), and (C), respectively;

"(B) by striking out the second sentence and the last sentence of the subparagraph redesignated as subparagraph (A) by subparagraph (A) of this paragraph;

"(C) by adding at the end of the subparagraph redesignated as subparagraph (A) by subparagraph (A) of this paragraph the following new subdivision:

" '(iii) At the close of the fiscal year ending June 30, 1966, and each fiscal year thereafter, the Board and the Secretary of Health, Education, and Welfare shall determine the amount, if any, which, if added to or subtracted from the Federal Hospital Insurance Trust Fund, would place such fund in the same position in which it would have been if service as an employee after December 31, 1936, had been included in the term "employment" as defined in the Social Security Act and in the Federal Employment Contributions Act. Such determination shall be made no later than June 15 following the close of the fiscal year. If such amount is to be added to the Federal Hospital Insurance Trust Fund the Board shall, within ten days after the determination, certify such amount to the Secretary of the Treasury for transfer from the Retirement Account to the Federal Hospital Insurance Trust Fund; if such amount is to be subtracted from the Federal Hospital Insurance Trust Fund the Secretary of Health, Education, and Welfare shall, within ten days after the determination, certify such amount to the Secretary of the Treasury for transfer from the Federal Hospital Insurance Trust Fund to the Retirement Account. The amount so certified shall further include interest (at the rate determined under subparagraph (B) for the fiscal year under consideration) payable from the close of such fiscal year until the date of certification.';

"(D) by striking out 'subpagraph (B) and (C)' where it appears in the subparagraph redesignated as subparagraph (B) by subparagraph (A) of this paragraph and inserting in lieu thereof 'subparagraph (A)'; and

"(E) by amending the subpagraph redesignated as subparagraph (C) by subparagraph (A) of this paragraph to read as follows:

" '(C) The Secretary of the Treasury is authorized and directed to transfer to the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, or the Federal Hospital Insurance Trust Fund from the Retirement Account or to the Retirement Account from the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, or the Federal Hospital Insurance Trust Fund, as the case may be, such amounts as, from time to time, may be determined by the Board and the Secretary of Health, Education, and Welfare pursuant to the provisions of subparagraph (A), and certified by the Board or the Secretary of Health, Education, and Welfare for transfer from the Retirement Account or from the Federal Old-Age and Survivors Insurance Trust Funds, the Federal Disability Insurance Trust Fund, or the Federal Hospital Insurance Trust Fund.'

"(2) The amendments made by paragraph (1) of this subsection shall be effective January 1, 1966. Such amendments and the amendments made by section 202(a) shall not be construed to increase or diminish the sums to be transferred, under the provisions of section 5(k)(2) of the Railroad Retirement Act before their amendment by paragraph (1) of this subsection, between the Railroad Retirement Account and the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund.

"Part C—Miscellaneous provisions

"Studies and Recommendations

"SEC. 220. The Secretary of Health, Education, and Welfare shall carry on studies and develop recommendations to be submitted from time to time to the Congress relating to (1) the adequacy of existing facilities for health care for purposes of the program established by this Act; (2) methods for encouraging the further development of efficient and economical forms of health care which are a constructive alternative to inpatient hospital care; (3) the feasibility of providing additional types of health insurance benefits within the financial resources provided by this Act; and (4) the effects of the deductibles upon beneficiaries, hospitals, and the financing of the program."

Mr. LONG of Louisiana. Mr. President, is that all one amendment or a series of amendments?

The PRESIDING OFFICER. It is one amendment.

Mr. PROUTY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from Tennessee yield for a parliamentary inquiry?

Mr. GORE. I yield for a parliamentary inquiry.

Mr. PROUTY. I understood the distinguished Senator from Tennessee to say that he was offering his amendment as a substitute.

Mr. GORE. I withdrew the word "substitute". The amendment offered is a perfecting amendment.

Mr. PROUTY. Mr. President, will the Senator yield to me?

Mr. GORE. I will yield first for a parliamentary inquiry by the Senator from Kentucky.

Mr. MORTON. I shall not propound the parliamentary inquiry.

Mr. PROUTY. I take it that the Senator is not offering an amendment in the nature of a substitute.

Mr. GORE. It is a perfecting amendment.

Mr. PROUTY. Mr. President, will the Senator from Tennessee yield to me now?

Mr. GORE. I yield. I have not quite finished my remarks, but I yield for a question.

Mr. PROUTY. I was about to say that the Senator from Tennessee has apparently changed his mind. He is not offering his amendment as a substitute. Therefore, I am precluded from offering an amendment to the Long amendment which would raise social security benefits from $40 to $70. Apparently the Senator from Tennessee desires to make it impossible for me to offer my amendment at this time. I had intended to offer a series of amendments to increase social security benefits from $40 to $70, which it seems to me would be far more helpful to the poor and needy than the proposal which is being offered by the Senator from Tennessee.

Mr. GORE. Mr. President, I was not apprised that the distinguished Senator from Vermont intended to offer this or any other amendment. I have offered the amendment which I have submitted to accomplish the purposes about which I have been speaking. I had no way of knowing what amendments other Senators might wish to offer. I am offering an amendment as a perfecting amendment. This amendment is, in substance, a part of a broader amendment which I sent to the desk and asked to have printed.

I should now like to conclude my remarks. The social and economic structure of our country would support my proposal. I am impatient with the argument that we cannot afford to provide for decency in old age. We can afford this program. It is a sound program. We can afford a good medicare bill. We have the time and opportunity to pass a good medicare bill. Let us do it. I am as anxious as anyone to get home and campaign, but I am willing to stay here until this job is done—this year.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. McNAMARA. I compliment the distinguished Senator from Tennessee for his very fine presentation. Earlier he made some kind references to the Senator from Michigan and his efforts in behalf of the program. I appreciate them. The Senator's presentation today is most persuasive. It was done in a proper manner. I compliment him highly for the excellent contribution he has made to the solving of this pressing problem.

Let me say briefly that the Senator has made reference in the last part of his remarks to not wishing to go back to the old county poorhouse system. I agree with that. What interested me in trying to do something for our old people a great many years ago, when I was a young man, was being around a county home where the old people were living. Coming through the gate, I remember seeing an old man and an old lady, who had been together practically all their lives, being separated at that point. The woman was placed in the women's dormitory and the man was placed in the men's dormitory. If there was ever a time when those two people needed one another, it was then, in the closing days of their lives. Yet this is what happened at what is called the county home, or the county hospital, where many people wound up their days. So, when the Senator says that he does not wish to go back to that kind of living, I am sure that the American public will support him and will not wish to perpetuate such a system.

We can go back to the old tribal days. We know what tribes did before civilization such as we have known it for many centuries. They walked away from their aged and their sick. When the tribe moved, it left its older people and the sick to shift for themselves. Is that not about the way we have been handling our older people up to now? We walk away from them. Our system today is such that we walk away and let them shift for themselves?

There is an astonishingly high rate of suicides among our elderly people these days. A doctor in San Francisco, whose name escapes me for the moment, has made a study of this situation; and he has statistics that I would not use because they are so morbid concerning the number of suicides that take place in this country among the elderly. The newspapers do not print that kind of news any more. It is not news to them. This is how shabbily we are treating our older people.

Again, I compliment the Senator from Tennessee. I do not believe that I can add anything to what he has said, except that I am sure the American people do not wish to go back to the old county home system for its elderly people.

Mr. GORE. Mr. President, I am grateful for the generous and thoughtful comments of the Senator from Michigan.

Earlier, I referred to the study which he directed. I have found it rich in facts. It is full of compassion. It is sound in its proposals. In my view, this is the high watermark of the distinguished service of the very able Senator from Michigan [Mr. McNAMARA].

Mr. McNAMARA. I thank the Senator from Tennessee.

Mr. ANDERSON. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. ANDERSON. I wish to say to the Senator from Tennessee that as one who has been interested in this field for a long time, I greatly appreciate his remarks today. I appreciate the fine statements he has made. He has advanced the cause a great deal with his excellent presentation.

Mr. GORE. I am grateful to the Senator from New Mexico for his comments. I am grateful to the Senator in this body who more than any other Senator deserves to be called Mr. Health Care.

It is only because of his recent illness that I am performing the role which I have undertaken today. I am happy that he is back in the Senate full of vigor and with even more determination than when he left .

Tomorrow, I shall listen to him with the greatest of interest and approbation.

Mr. YARBOROUGH. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. YARBOROUGH. I commend the distinguished Senator from Tennessee for his able presentation, and for the leadership which he has given and is giving the distinguished Senator from

New Mexico [Mr. Anderson] for his amendment which is being sponsored to give medical care to our elder citizens.

I receive a great amount of mail from people suffering from the economic hazards of old age. Some are 80 years old. They tell me that they retired, when they were 70, with $10,000 or $11,000 in cash saved up, and it was all wiped out when sickness came to them; and now they have nothing.

This is badly needed legislation. I pledge my support to the amendment offered by the Senator from Tennessee, and wish to express my appreciation for the hard work he has done on this amendment.

Mr. GORE. I thank the Senator for his comments.

Mr. DOUGLAS. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. DOUGLAS. I do not wish to gild the lily. The Senator from Tennessee has received very proper tributes. I merely wish to echo what many Senators have said, that I believe the Senator from Tennessee has made a great contribution. I hope that his speech will be read by the thousands of people who read the Congressional Record. I believe that it will have its effect when the roll is called.

Mr. GORE. I thank my very dear friend the exceptionally able Senator from Illinois.

AMENDMENT NO. 1252

Mr. MORTON. Mr. President, on August 17, the Senate Finance Committee reported the bill now pending. Section 16 of the pending bill was amended in the Finance Committee by the so-called Prouty amendment. I offered it in committee, and it was adopted.

The purpose of the amendment was to make sure that veterans who receive an increment of 5 percent under social security, by virtue of the bill—if it is enacted—would not lose, perhaps, many more dollars in their veterans' pensions.

Since that time, there has been a hearing on the bill—H.R. 1927—before the Finance Committee. The Administrator of the Veterans' Administration and his attorneys have pointed out that our amendment did not accomplish all that we sought, and that it gave them certain administrative problems.

I then asked them, with the permission of the Senator from Vermont [Mr. Prouty] to meet with us and work out an amendment that would accomplish the purpose. This has been done.

Now I submit an amendment to section 16 of the Social Security Amendments of 1964, H.R. 11865, as reported by the Senate Committee on Finance. I ask that the amendment be printed and be subject to calling up at any time there may be an opportunity to do so.

The PRESIDING OFFICER. Without objection, the amendment will be printed and lie on the table.

Mr. MORTON. Mr. President, I also ask that section 16 be printed in the Record so as to appear with the amendment which I have just offered.

There being no objection, section 16 was ordered to be printed in the Record, as follows:

Section 16 of H.R. 11865 as It Will Read if Draft Amendment to Subsection (a) Is Adopted

Sec. 16. (a) Section 503 of title 38, United States Code, is amended by inserting "(a)" after "503.", and by adding at the end thereof the following:

"(b) Notwithstanding the provisions of subsection (a), in the case of any individual—

"(1) who for the first month after the month in which the Social Security Amendments of 1964 is enacted, is entitled to a monthly insurance benefit under section 202 or 223 of the Social Security Act,

"(2) who, for such month, is entitled to a monthly benefit payable under the provisions of this chapter, or under the first sentence of section 9(b) of the Veterans' Pension Act of 1959, and

"(3) whose insurance benefit referred to in clause (1) for any subsequent month is increased by reason of the enactment of the Social Security Amendments of 1964,

there shall not be counted, in determining the annual income of such individual, 5 per centum of the insurance benefit as increased by the Social Security Amendments of 1964."

(b) The amendments made by this section shall be applicable in determining income received for months after the second month following the month in which the Social Security Amendments of 1964 is enacted.

Mr. MORTON. I further ask unanimous consent that a brief statement on the amendment be printed in the Record so that Senators may understand the mission we are trying to accomplish, which I am sure will be accepted by the Finance Committee as it was unanimously accepted in committee. This is merely a clarifying amendment.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement on Proposed Amendments to H.R. 11865, 88th Congress

On August 17, 1964, the Senate Finance Committee ordered favorably reported with amendments the Social Security Amendments of 1964, H.R. 11865. Section 16 of the bill as reported is based on an amendment proposed by Senator Prouty and others, and is designed to protect persons who are receiving pension payments from the Veterans' Administration, along with social security benefits, from loss or reduction of pension as a result of the 5-percent across-the-board increases provided by H.R. 11865.

On August 19, 1964, during a hearing before the Senate Committee on Finance on H.R. 1927, involving certain liberalizations in the Veterans' Administration pension laws, there arose questions as to whether section 16 of H.R. 11865 would protect all Veterans' Administration pensioners, and whether it would create a difficult problem of administration.

The testimony developed facts which demonstrate that the purpose of the amendment submitted by Senator Prouty can be fully accomplished by the proposed amendments which I now submit. They would amend section 16 of the H.R. 11865 to provide an exclusion of 5 percent of the social security benefit in the computation of income for Veterans' Administration pension purposes. This exclusion would be applicable to all those entitled to both VA pension and social security during the month preceding the month in which the social security increases provided by H.R. 11865 are effective. They would protect not only those receiving pension under the so-called new pension law (Public Law 86–211) but also those receiving under the "old law" (protected) and would assure that no one on the rolls would lose any VA pension by virtue of this increase in social security rates.

The percentage exclusion would be comparatively easy to administer since it would require only a simple mathematical computation on the income questionnaire submitted each year by the Veterans' Administration pension recipient. Manual recourse to claims folders would be obviated.

Mr. PROUTY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Vermont will state it.

Mr. PROUTY. Would it be in order to offer a further amendment to the Long amendment?

The PRESIDING OFFICER. Not at this time.

Mr. PROUTY. Mr. President, I anticipated the ruling of the Chair. I had intended to offer an amendment which would increase the benefits now being paid to social security beneficiaries as follows:

Those now receiving between $40 and $49, would receive, under my amendment, $70.

Those receiving $50 to $59 would receive $77.

Those receiving $60 to $69, would receive $84.

Those receiving $70 to $79 would receive $91.

Those receiving $80 to $89 would receive $98.

Those receiving $90 to $99 would receive $106.

Those receiving $100 to $109 would receive $116.

Those receiving $110 to $119 would receive, under my proposal, $126.

Those receiving $120 to $127 would receive $134. Those with an average monthly wage of $412 would receive $134. Those with an average monthly wage of $450 would receive $144. I shall go into this at some length later on. I believe this is the way to help our elderly people.

I point out that in the Dominion of Canada, any citizen 70 years of age or older receives $75. There is no social security program in Canada. But, at least in that country, it is felt that a minimum for anyone 70 years of age or older should be not less than $75.

The minimum that I provided under the social security program in this country was $70.

AMENDMENT NO. 1255

Mr. President, I ask unanimous consent that the amendment which I intend to offer to the amendment of the distinguished junior Senator from Louisiana [Mr. Long] be printed at this point in the Record.

The PRESIDING OFFICER. Without objection, it will be received, and printed, and will lie on the table. Also, without objection, the amendment will be printed in the Record.

The amendment (No. 1255) submitted by Mr. Prouty, intended to be proposed by him to the amendment of Mr. Long of Louisiana (No. 1254) to House bill 11865, supra, is as follows:

Strike all of the Long amendment, except that portion which proposes to add a new section 19 to the bill, and insert in lieu thereof the following:

"Strike out the table appearing on pages 2 and 3 of the bill, and insert in lieu thereof the following table:

"I		II		III		IV	V
(Primary insurance benefit under 1939 Act, as modified)		(Primary insurance amount under 1958 Act, as modified)		(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—		Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203 (a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—	At least—	But not more than—	At least—	But not more than—		
------	$19.24	$40	$49	---	$83	$70.00	$105.00
$19.25	24.20	50	59	$84	101	77.00	115.50
24.21	29.25	60	69	102	132	84.00	126.00
29.26	35.00	70	79	133	178	91.00	142.40
35.01	41.76	80	89	179	225	98.00	180.00
41.77	-----	90	99	226	272	106.00	217.60
		100	109	273	319	116.00	254.00
		110	119	320	365	126.00	266.00
		120	127	366	412	134.00	284.80
				413	450	144.00	300.00"

SEC. 2. Add at the end of the bill the following new sections.

"SEC. —. In addition to amounts appropriated under other provisions of law to the Federal Old-Age and Survivors Insurance Trust Fund, there are hereby authorized to be appropriated to such fund, from time to time, such amounts as may be necessary to equal, with respect to each individual who becomes entitled to a benefit under title II of the Social Security Act by reason of the amendments made by this Act, payments to such individuals to the extent that they exceed additional contributions to such trust fund provided for by this Act.

"SEC. —. Notwithstanding any other provisions of this Act, no increase in social security benefits provided for by this Act shall be counted in determining the annual income of an individual entitled to a monthly benefit under Chapter 15 or the first sentence of Section 9(b) of the Veterans Pension Act of 1959."

OPPOSITION TO MEDICARE AMENDMENT TO 1964 SOCIAL SECURITY LEGISLATION

Mr. PEARSON. Mr. President, the medical expenses of our needy elderly citizens can—and often do—constitute a serious financial strain on limited resources. The need to be certain that these citizens secure adequate medical attention is widely accepted by all sectors of the American public. We disagree, however, over the manner in which this problem can most effectively be resolved.

Two years ago, this body debated a proposal designed to finance health care for the aged under social security. As a consequence of that very thorough debate, the proposed program was rejected. We now face debate over a similar legislative measure. Differences, to make the scheme more palatable, do exist between the current version and that of 1962. For example, the present proposal has an optional feature. An eligible participant could receive either a $7 monthly increase in social security benefits, without health insurance; or he could receive health-insurance coverage and an increase of only $2 a month in social security benefits.

The health benefits would offer 90 days of hospitalization, with a 2½-day deductible provision; or 45 days of hospitalization, with no deductible—less than was proposed in 1962. The amount of nursing-home care and visiting-nurse services would be reduced below that of the 1962 plan, and outpatient diagnostic services would be omitted.

Persons over 65—not covered by social security—would be extended health-service benefits free of any cost, since they would not have contributed to social security.

The proposal envisages administration by a national private organization, supposedly to remove the curse of Federal Government domination.

The cost of the proposed reduced health program would be met by an increase in the taxable wage base from $4,800 to $5,400 and by an increase in the social security tax rate for both employees and employers. That rate would increase on January 1, 1965, to 3.9 percent, with an ultimate goal of 5 percent by 1971 stipulated. The cost of the new plan would thus be greater than that of the 1962 plan, although the benefits would be less.

These differences in the 1964 edition of a health-care program under social security nevertheless represent no basic change in the 1962 legislative measure.

On the other hand, Mr. President, enactment of the proposed health-care program currently before us would represent a grave and unwarranted challenge to many facets of American life.

The American medical profession could not expect to avoid the damaging repercussions of a heavy Federal hand, as a result of Federal intervention.

The increasingly successful Kerr-Mills health-care program would undoubtedly suffer the consequences of duplication and needless competition in a field in which we simply cannot afford wasted effort and misuse of resources.

Present contributors in the social security system and the system itself would be subject to inappropriate financial stress.

Although no one can logically or legitimately maintain that the proposed program in its somewhat limited form would constitute socialized medicine, no one can deny that the program, if enacted, would represent a first, big step in that direction. The fact that only institutional and certain limited medical expenses would be covered paves the way, nonetheless, for extension of Federal coverage in the future. The political exigencies which result in election-year expansion of the basic social-security program assure this result. By the same token, Federal responsibility in meeting institutional and medical expenses of this spectrum of private citizens—some poor, and some wealthy; some in need, and some not—would soon produce demands for even broader inclusion. Federal influence would be committed irrevocably in all aspects of medical care—institutions, drugs, and medical practice.

American medicine has achieved an unprecedented level of development through its own efforts. The health and welfare of this Nation have correspondingly benefited. We have every reason to expect that we shall benefit further and more completely in the future. In view of these considerations, it would appear foolish to endanger this high level of initiative and performance by imposing the heavy blanket of Government supervision. A Federal health program, financed under social security, would represent such a danger.

Existing health legislation would, furthermore, be subject to the damaging repercussions of a second federally sponsored health-care program. In 1960, the Kerr-Mills program was established. Based on a time-tested Federal-State arrangement which provides for Federal guidelines and individual State administration, the Kerr-Mills program has, in the past 4 years, been successfully implemented in 38 States. Authorization of enabling funds has been approved in four additional States. Thus, only eight States have so far failed to accept the Kerr-Mills program.

Enactment of the presently proposed health program, therefore, might well eclipse the effectiveness of the Kerr-Mills program, through needless duplication. It might, in the final analysis, endanger a sound and widely accepted health program for the elderly. Inadequacies and flaws in this program do exist. Our efforts, however, should be devoted to strengthening and improving this program, rather than blindly and hurriedly resorting to an election-year gimmick, at the ultimate expense of the very persons whom this measure is alleged to assist.

As a matter of record, Mr. President, if this administration had devoted to improvement of the Kerr-Mills program a fraction of the effort it has devoted to promoting this medicare scheme, we would not have need for this debate today, for the needs of our elderly ill would be satisfied.

The financing provisions of this health program would constitute a greatly increased burden on the present participants. The immediate increase in the withholding rate—three-tenths of 1 percent—is, by itself, not great. However, when coupled with expansion of the taxable wage base from $4,800 to $5,400 and a combined employer-employee withholding rate of 10 percent by 1971, the picture changes.

A young man—and especially a young working couple—with sharp pencils will quickly calculate that this program, which would soon prove to be inadequate, would be an extremely costly bargain. To many who so eagerly accept the slogan of "medicare" as a solution to a complicated social and economic problem, an increase from one-half of 1 percent to 2 percent, or more, in personal income-tax rates would be an appalling proposal. Yet, an increase in social security taxes on gross income, with an increase in the tax base, as here proposed, constitutes nothing less than such a major tax increase.

In a word, the increased cost burden which would rest on the shoulders of present contributors would, indeed, represent a pressing financial load.

Furthermore, sponsors of this proposition have freely admitted that a combined social security withholding tax of 10 percent would represent a maximum tax burden to support the social security system itself. The health care amendment now before us would result in that level by 1971. If this program were to be accepted, we would have tied our hands completely with respect to future adjustments in social security benefits in order to meet unforeseen contingencies.

The proposed medical care for the aged amendment to the 1964 social security bill is a compromising half measure; it would achieve little for those who need it, while subjecting the very fabric of American life to the strain of severe and unnecessary sacrifices. These sacrifices might be worthy of the cost if the rewards forthcoming, as a result, were of sufficient magnitude. But I state definitely and emphatically that they would not be.

We have presently in operation an appropriate and effective alternative to the proposed health care plan. This alternative has been implemented by the vast majority of our States. It should be improved as needs dictate, and should be financed on a pay as you go basis.

When this proposition was before the Senate in 1962, I contended that it represented the elixir of the frontier medicineman: it promised much, but in the end left only an empty purse and a bad taste. That description applies equally well to this measure.

For these reasons, Mr. President, I register my strong opposition to a health care program for the aged, under social security, as now proposed.

ATTORNEY GENERAL ROBERT F. KENNEDY'S TRIBUTE TO PRESIDENT AT ATLANTIC CITY

Mr. YARBOROUGH. Mr. President, when the history of our time is written and the epoch of John F. Kennedy is recorded, one of the finest human relationships I have ever seen—the brotherly love and affection and mutual respect and teamwork in the conduct of the public's business between President John F. Kennedy and Attorney General Robert F. Kennedy—will serve as a keystone in the understanding of this remarkable period.

Last Thursday evening, August 27, the whole Nation witnessed on TV the memorable tribute of all those present in Convention Hall at the Democratic National Convention when the Attorney General was presented to introduce the memorial film tribute—"One Thousand Days"—dedicated to John F. Kennedy.

None who participated in Atlantic City, or who watched on television, shall ever forget the bond of love that binds the American people and all the members of the Kennedy family.

But I wish to speak for a moment about Robert F. Kennedy, Attorney General of the United States. This remarkable young man has made an incomparable record as the Nation's chief law enforcement officer. One of the youngest men ever to serve in a President's Cabinet, he distinguished himself, his family, and did honor to the President who appointed him. The record of Robert F. Kennedy as Attorney General is a record of service without fear, or favor, service in the public interest. Many men have been appointed to high place and given an opportunity for service and accomplishment, but only a few achieve greatness. Robert F. Kennedy has been one of the great Attorney Generals. I, for one, say thank you, Robert F. Kennedy, for services rendered to the people of the United States as Attorney General.

Mr. President, I ask unanimous consent that the text of the Attorney General's remarks on last Thursday evening at Atlantic City, in tribute to the late beloved President, John F. Kennedy, be printed at this point in the RECORD, as published in an article from the Washington Evening Star of August 28, 1964, entitled, "Kennedy Text—Party Is Thanked For Aiding Brother" be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KENNEDY TEXT—PARTY IS THANKED FOR AIDING BROTHER

Mr. Chairman, I wish to speak just a few moments. I first want to thank all of you delegates to the Democratic National Convention and the supporters of the Democratic Party for all that you did for President John F. Kennedy.

I want to express my appreciation to you for the effort you made on his behalf at the convention 4 years ago, the efforts that you made on his behalf for his election in November of 1960, and perhaps most importantly, the encouragement and the strength that you gave him after he was elected President of the United States.

I know that it was a source of the greatest strength to him to know that there were thousands of people all over the United States who were together with him dedicated to certain principles and to certain ideals.

SUSTAINED BY PARTY

No matter what talent an individual possesses, no matter what energy he might have, no matter how much integrity and honesty he might have, if he is by himself, particularly a political figure, he can accomplish very little. But if he is sustained, as President Kennedy was, by the Democratic Party all over the United States dedicated to the same thing that he was attempting to accomplish, you can accomplish a great deal.

No one knew that really more than President John F. Kennedy.

He used to take great pride in telling of the trip that Thomas Jefferson and James Madison made up the Hudson River in 1800 on a botanical expedition—searching for butterflies—and that they ended up in New York City and they formed the Democratic Party.

He took great pride in the fact that the Democratic Party was the oldest political party in the world and he knew that the linkage of Madison and Jefferson with the leaders of New York combined the North and the South, combined the industrial areas of the country with rural farms; that this combination was always dedicated to progress.

DEDICATED TO PROGRESS

All of our Presidents have been dedicated to progress—Thomas Jefferson and the Louisiana Purchase; Thomas Jefferson, who realized that the United States could not remain on the eastern seaboard and sent Lewis and Clark to the west coast, of Andrew Jackson, or Woodrow Wilson, of Franklin Roosevelt seeing that our citizens were in great despair because of the financial crisis, of Harry Truman, who not only spoke but acted for freedom.

When he became President he not only had his own principles and his own ideas, but he had the strength of the Democratic Party so that when he became President he wanted to do something for the mentally ill and the mentally retarded, for those who were not covered by social security, for those who were not receiving an adequate minimum wage, for those who did not have adequate housing, for our elderly people who had difficulty paying their medical bills, for our fellow citizens who are not white who had difficulty living in this society.

To all this he dedicated himself, but he realized also that in order for us to make progress here at home we had to be strong overseas, that our military strength be strong.

He said one time: "Only when our arms are sufficient without doubt can we be certain without doubt that they will never have to be employed."

RUSSIANS WITHDREW

And so, when we had the crisis with the Soviet Union and the Communist bloc in October of 1962, the Soviet Union withdrew their missiles and their bombers from Cuba.

Even beyond that, his idea really was that this country, that this world really, should be a better place when we turned it over to the next generation than when we inherited it from the last generation. That is why—with all of the other efforts that he made—the test ban treaty, which was done with Averell Harriman, was so important to him.

And that's why he made such an effort and so was committed to the young people, not only of the United States but to young people of the world. And in all of these efforts you were there, all of you.

When there were difficulties, you sustained him.

When there were periods of crisis, you stood beside him.

When there were periods of happiness, you laughed with him.

SHAKESPEARE QUOTED

And when there were periods of sorrow, you comforted him.

I realize that as an individual that we can't just look back, that we must look forward. When I think of President Kennedy, I think of what Shakespeare said in "Romeo and Juliet":

"When he shall die, take him and cut him out in little stars and he will make the face of heaven so fine that all the world will be in love with night and pay no worship to the garish sun."

I realize as an individual, and even more important, for a political party and for the country, you can't just look to the past. We must look to the future.

So I join with you in realizing that what has been started 4 years ago—that everyone here started 4 years ago—that's to be sustained, that's to be continued.

The same effort and the same energy and the same dedication that was given to President John F. Kennedy must be given to President Lyndon Johnson and HUBERT HUMPHREY.

If we make that evident, it will not only be for the benefit of the Democratic Party, but, far more important, it will be for the benefit of this whole country.

CAPACITY DESCRIBED

When we look at this film we must think that President Kennedy once said: "We have the capacity to make this the best generation in the history of mankind, or make it the last."

If we do our duty, if we meet our responsibilities and our obligations, not just as Democrats, but as American citizens in our local city and towns and farms and our States and in the country as a whole, then this country is going to be the best generation in the history of mankind.

And I think that if we dedicate ourselves as he frequently did to all of you when he quoted from Robert Frost and said, applied to himself and we could apply it to all the Democratic Party and to all of us as individuals: "The woods are lovely, dark and deep, but I have promises to keep and miles to go before I sleep, and miles to go before I sleep."

Mrs. Kennedy has asked that this film be dedicated to all of you—to all the others throughout the country who helped make John F. Kennedy President of the United States. I thank you.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

REPORT ENTITLED "JUVENILE DELINQUENCY"—REPORT OF A COMMITTEE (S. REPT. NO. 1519)

Mr. DODD. Mr. President, from the Committee on the Judiciary, pursuant to Senate Resolution 265, 87th Congress, and Senate Resolutions 63 and 274, 88th Congress, I submit a report entitled "Juvenile Delinquency," and ask unanimous consent that the report may be printed.

The PRESIDING OFFICER. Without objection, the report will be received and printed, as requested by the Senator from Connecticut.

SOCIAL SECURITY AMENDMENTS OF 1964—AMENDMENTS

AMENDMENT NO. 1252

Mr. MORTON submitted amendments, intended to be proposed by him, to the bill (H.R. 11865) to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 1254

Mr. LONG of Louisiana (for himself, Mr. SMATHERS, Mr. CARLSON, Mr. MORTON, and Mr. HARTKE) proposed an amendment to House bill 11865, supra, which was ordered to be printed.

AMENDMENT NO. 1255

Mr. PROUTY submitted an amendment, intended to be proposed by him to the amendment of Mr. LONG of Louisiana, to House bill 11865, supra, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 1256

Mr. GORE submitted an amendment, intended to be proposed by him, to the amendment proposed by Mr. LONG of Louisiana (for himself and others) (No. 1254) to House bill 11865, supra, which is pending.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, if there is no further business to come before the Senate at this time, I move, pursuant to the order previously entered, that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 16 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Tuesday, September 1, 1964, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate, August 31, 1964:

U.S. ATTORNEY

Jon O. Newman, of Connecticut, to be U.S. attorney for the district of Connecticut for the term of 4 years, vice Robert C. Zampano, resigned.

DIPLOMATIC AND FOREIGN SERVICE

Byron B. Snyder, of California, now a Foreign Service officer of class 2 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

Louis Silverberg, of New York, for appointment as a Foreign Service officer of class 2, a consul, and a secretary in the diplomatic service of the United States of America.

James T. Doyle, of Florida, for reappointment in the Foreign Service as a Foreign Service officer of class 6, a vice consul of career, and a secretary in the diplomatic service of the United States of America.

The following-named Foreign Service officers for promotion from class 7 to class 6:

Norman L. Achilles, of Pennsylvania.
Robert P. Coe, of Massachusetts.
Leroy E. Debold, Jr., of New York.
Robert Duncan Emmons, of California.
Myles R. René Frechette, of Washington.
Robert P. Goold, of California.
John P. Jurecky, of Illinois.
John E. Kelley, of Hawaii.
James P. Murphy, of Oklahoma.
Ernest H. Preeg, of New York.
Edward F. Richards, Jr., of Alabama.
John Hall Rouse, Jr., of Maryland.
Robert William Smith, of California.
Miss Mary J. Sommer, of Connecticut.
Timothy L. Towell, of Ohio.

The following-named Foreign Service officers for promotion from class 8 to class 7:

Edward B. Berman, of Michigan.
John Steven Boritas, of Pennsylvania.
Richard C. Brown, of New Mexico.
F. Scott Bush, of Illinois.
Robert G. Davis, of Nebraska.
A. Edward Elmendorf, of California.
Townsend B. Friedman, Jr., of Illinois.
Alexander G. Gilliam, Jr., of Virginia.
Lewis Girdler, of Connecticut.
Francis S. Hall, of New York.
John E. Hall, of New York.
William Edwin Humphrey, of Oklahoma.
Miss Linda C. Irick, of Arizona.
Arthur Ronald Klampert, of New York.
Robert Allan Kohn, of New York.
H. Alan Krause, of Illinois.
David F. Lambertson, of Kansas.
Melvyn Levitsky, of Iowa.
Roscoe C. Lewis, III, of the District of Columbia.
Edward W. Lollis, II, of Indiana.
J. Phillip McLean, of Washington.
James H. Madden, of California.
Dwight N. Mason, of New Jersey.
Miss Lois Jean Matteson, of Virginia.
William B. Milam, of California.
Miss Linda Margaret Pfeifle, of Maryland.
Thomas Payne Rohlen, of Illinois.
Theodore E. Russell, of Maine.
John Todd Stewart, of California.
Miss Elizabeth A. Swift, of the District of Columbia.
Thomas J. Wajda, of Ohio.

G. Lewis Schmidt, of California, a Foreign Service Reserve officer, to be a consul general of the United States of America.

The following-named Foreign Service Reserve officers to be consuls of the United States of America:

Edmund A. Bator, of Maryland.
Manning Hawthorne, of Virginia.
William K. Payeff, of South Carolina.
Milos O. Ptak, of Ohio.
Richard Sears, of Massachusetts.
William W. Tyng, of the District of Columbia.

Nicholas Volk, Jr., of New Jersey, a Foreign Service Reserve officer, to be a vice consul of the United States of America.

Richard A. Kahane, of Louisiana, a Foreign Service Reserve officer, to be a vice consul and a secretary in the diplomatic service of the United States of America.

The following-named Foreign Service Reserve officers to be secretaries in the diplomatic service of the United States of America:

Howard T. Bane, of Virginia.
Dwight S. Burgess, of Virginia.
Lewis H. Gevantman, of California.
Albert Ernst Hemsing, of New Jersey.
Lorents R. Jorgensen, of Virginia.
Frank S. Lee, of Tennessee.
Willard C. Matthias, of Virginia.
Donald K. Taylor, of Maryland.
Earl J. Wilson, of Maryland.

POSTMASTERS

The following-named persons to be postmasters:

FLORIDA

Delbert L. Layton, Long Key, Fla., in place of R. W. Craig, retired.

INDIANA

Richard B. Corns, Elkhart, Ind., in place of J. F. Dunmire, deceased.

Ellsworth L. Malchow, Francesville, Ind., in place of O. O. Welden, retired.

Rolland D. Reese, Huntington, Ind., in place of P. G. Weber, retired.

VERMONT

Paul C. Gale, Lyndon Center, Vt., in place of J. A. Colburn, resigned.

WEST VIRGINIA

Olive H. Stanley, Eskdale, W. Va., in place of N. B. Lee, transferred.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 31, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

James 5:16: *"The effectual fervent prayer of a righteous man availeth much."*

Almighty God, we are again fervently seeking Thee in the fellowship of prayer, beseeching Thee to bless us with Thy divine light to guide and encourage and in Thy loveliness of spirit to transform and transfigure our lives.

Grant that in this moment of sacred communion we may receive a clearer vision and a richer experience of those eternal verities which will set our minds and hearts free from the errors that blind, the doubts that darken, and the fears that weaken.

Help us to feel that, with the confident assurance of thy counsel and companionship, no task is too arduous, no responsibility too exacting, and no burden too heavy.

Inspire us to yield ourselves to the sovereignty of Thy wise and holy will, not in sullen submission, but in glad and grateful obedience to the larger life of love and service to which Thou hast called us.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, August 21, 1964, was read and approved.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

AUGUST 22, 1964.

The Honorable the SPEAKER,
House of Representatives.

SIR: Pursuant to authority granted on August 21, 1964, the Clerk received from the Secretary of the Senate today the following messages:

That the Senate passed H.R. 130, entitled "An act to provide for the payment of compensation, including severance damages, for rights-of-way acquired by the United States in connection with reclamation projects the construction of which commenced after January 1, 1961";

That the Senate passed H.R. 9586, entitled "An act to provide for the establishment of a National Council on the Arts to assist in the growth and development of the arts in the United States";

That the Senate passed H.R. 9803, entitled "An act to authorize the Secretary of the Army to acquire the building constructed on the Fort Jay Military Reservation, N.Y., by the Young Men's Christian Association";

That the Senate passed H.R. 11338, entitled "An act to remove certain conditions subject to which certain real property in South Boston, Mass., was authorized to be conveyed to the Massachusetts Port Authority";

That the Senate passed H.R. 11594, entitled "An act to authorize the Secretary of the Navy to convey to the State of California certain lands in the county of Monterey, State of California, in exchange for certain other lands";

That the Senate passed H.R. 12128, entitled "An act to amend the act of March 10, 1964";

That the Senate passed H.R. 12278, entitled "An act to authorize the Secretary of the Navy to convey to the city of Sunnyvale, State of California, certain lands in the county of Santa Clara, State of California, in exchange for certain other lands";

That the Senate passed House Joint Resolution 393, entitled "Joint resolution to authorize the President to proclaim October 9 in each year as Leif Ericson Day"; and

That the Senate concur in the amendment of the House of Representatives to the amendment of the Senate No. 4 to the bill (H.R. 11241) entitled "An act to amend the Public Health Service Act to increase the opportunities for training professional nursing personnel, and for other purposes."

Respectfully yours,
RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.
By JOHN A. ROBERTS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

AUGUST 24, 1964.

The Honorable the SPEAKER,
House of Representatives.

SIR: Pursuant to authority granted on August 21, 1964, the Clerk received from the Secretary of the Senate today the following messages:

That the Senate agree to the amendment of the House of Representatives to the bill S. 400 entitled "An act to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds";

That the Senate agree to the amendment of the House of Representatives to the bill S. 524 entitled "An act to provide for the registration of contractors of migrant agricultural workers, and for other purposes";

That the Senate agree to the amendment of the House of Representatives to the bill S. 692 entitled "An act to establish Federal agricultural services to Guam, and for other purposes";

That the Senate agree to the amendment of the House of Representatives to the bill S. 1365 entitled "An act to establish the Fire Island National Seashore, and for other purposes";

That the Senate agree to the amendment of the House of Representatives to the bill S. 1875 entitled "An act for the relief of Thomas M. Talley";

That the Senate agree to the amendment of the House of Representatives to the bill S. 2170 entitled "An act for the relief of Mary Lane Laycock";

That the Senate agree to the amendments of the House of Representatives to the bill S. 2905 entitled "An act to provide for the appointment of a Commissioner General for U.S. participation in the Canadian Universal and International Exhibition, and for other purposes";

That the Senate agree to the amendment of the House of Representatives to the bill S. 2950 entitled "An act to authorize the mint to inscribe the figure 1964 on all coins minted until adequate supplies of coins are available";

That the Senate passed with amendments H.R. 5159 entitled "An act to authorize and direct that certain lands exclusively administered by the Secretary of the Interior be classified in order to provide for their disposal or interim management under principles of multiple use and to provide a sustained yield of products and services, and for other purposes";

That the Senate passed with amendments H.R. 5498 entitled "An act to provide temporary authority for the sale of certain public lands"; and

That the Senate disagree to the amendment of the House of Representatives to the bill S. 27 entitled "An act to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BIBLE, Mr. ANDERSON, Mr. MOSS, Mr. ALLOTT, and Mr. JORDAN of Idaho to be the conferees on the part of the Senate.

Respectfully yours,
RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

HOUSE BILLS AND JOINT RESOLUTIONS ENROLLED

Mr. BURLESON, from the Committee on House Administration, announced that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles:

H.R. 130. An act to provide for the payment of compensation, including severence damages, for rights-of-way acquired by the United States in connection with reclamation projects the construction of which commenced after January 1, 1961;

H.R. 1136. An act to compensate certain parties for the loss of their leasehold interests in lands taken by the United States in connection with the Red Rock Reservoir project;

H.R. 3672. An act to provide for the construction, operation, and maintenance of the Savery-Pot Hook, Bostwick Park, and Fruitland Mesa participating reclamation projects under the Colorado River Storage Project Act;

H.R. 4844. An act relating to the release of liability under bonds filed under section 44(d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death, and to amend the Internal Revenue Code of 1954 with respect to certain reacquisitions of real property;

H.R. 5739. An act to amend the Internal Revenue Code of 1954 to correct certain inequities with respect to the taxation of life insurance companies, and for other purposes;

H.R. 8000. An act to amend the Internal Revenue Code of 1954 to impose a tax on acquisitions of certain foreign securities in order to equalize costs of longer term financing in the United States and in markets abroad, and for other purposes;

H.R. 8344. An act to amend the Railway Labor Act to provide that the terms of office of members of the National Mediation Board shall expire on July 1;

H.R. 8355. An act to amend the Life Insurance Company Act of the District of Columbia (48 Stat. 1145), approved June 19, 1934, as amended;

H.R. 8451. An act to amend the District of Columbia Sales Tax Act, as amended, relating to certain sales to common carriers or sleeping-car companies;

H.R. 9586. An act to provide for the establishment of a National Council on the Arts to assist in the growth and development of the arts in the United States;

H.R. 9803. An act to authorize the Secretary of the Army to acquire the building constructed on the Fort Jay Military Reservation, N.Y., by the Young Men's Christian Association;

H.R. 10467. An act to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay, and for other purposes;

H.R. 11202. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes;

H.R. 11241. An act to amend the Public Health Service Act to increase the opportunities for training professional nursing personnel, and for other purposes;

H.R. 11338. An act to remove certain conditions subject to which certain real property in South Boston, Mass., was authorized to be conveyed to the Massachusetts Port Authority;

H.R. 11369. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes;

H.R. 11594. An act to authorize the Secretary of the Navy to convey to the State of California certain lands in the county of Monterey, State of California, in exchange for certain other lands;

H.R. 12128. An act to amend the act of March 10, 1964;

H.R. 12196. An act to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, the District of Columbia Teachers' Salary Act of 1955, and for other purposes;

H.R. 12278. An act to authorize the Secretary of the Navy to convey to the city of Sunnyvale, State of California, certain lands in the county of Santa Clara, State of California, in exchange for certain other lands;

H.J. Res. 393. Joint resolution to authorize the President to proclaim October 9 in each year as Leif Erikson Day; and

H.J. Res. 733. Joint resolution to designate the powerhouse on Clear Creek at the head of Whiskeytown Reservoir, in the State of California, as Judge Francis Carr Powerhouse.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him by House Concurrent Resolution 360, 88th Congress, he did on August 22, 1964, sign the following enrolled bills and joint resolutions of the House, as follows:

H.R. 130. An act to provide for the payment of compensation, including severance damages, for rights-of-way acquired by the United States in connection with reclamation projects the construction of which commenced after January 1, 1961;

H.R. 1136. An act to compensate certain parties for the loss of their leasehold interests in lands taken by the United States in connection with the Red Rock Reservoir project;

H.R. 3672. An act to provide for the construction, operation, and maintenance of the Savery-Pot Hook, Bostwick Park, and Fruitland Mesa participating reclamation projects under the Colorado River Storage Project Act;

H.R. 4844. An act relating to the release of liability under bonds filed under section 44(d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death, and to amend the Internal Revenue Code of 1954 with respect to certain reacquisitions of real property;

H.R. 5739. An act to amend the Internal Revenue Code of 1954 to correct certain inequities with respect to the taxation of life insurance companies, and for other purposes;

H.R. 8000. An act to amend the Internal Revenue Code of 1954 to impose a tax on acquisitions of certain foreign securities in order to equalize costs of longer term financing in the United States and in markets abroad, and for other purposes;

H.R. 8344. An act to amend the Railway Labor Act to provide that the terms of office of members of the National Mediation Board shall expire on July 1;

H.R. 8355. An act to amend the Life Insurance Company Act of the District of Columbia (48 Stat. 1145), approved June 19, 1934, as amended;

H.R. 8451. An act to amend the District of Columbia Sales Tax Act, as amended, relating to certain sales to common carriers or sleeping-car companies;

H.R. 9586. An act to provide for the establishment of a National Council on the Arts to assist in the growth and development of the arts in the United States;

H.R. 9803. An act to authorize the Secretary of the Army to acquire the building constructed on the Fort Jay Military Reservation, N.Y., by the Young Men's Christian Association;

H.R. 10467. An act to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay, and for other purposes;

H.R. 11202. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes;

H.R. 11241. An act to amend the Public Health Service Act to increase the opportunities for training professional nursing personnel, and for other purposes;

H.R. 11338. An act to remove certain conditions subject to which certain real property in South Boston, Mass., was authorized to be conveyed to the Massachusetts Port Authority;

H.R. 11369. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes;

H.R. 11594. An act to authorize the Secretary of the Navy to convey to the State of California certain lands in the county of Monterey, State of California, in exchange for certain other lands;

H.R. 12128. An act to amend the act of March 10, 1964;

H.R. 12196. An act to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, the District of Columbia Teachers' Salary Act of 1955, and for other purposes;

H.R. 12278. An act to authorize the Secretary of the Navy to convey to the city of Sunnyvale, State of California, certain lands in the county of Santa Clara, State of California, in exchange for certain other lands;

H.J. Res. 393. Joint resolution to authorize the President to proclaim October 9 in each year as Leif Erikson Day; and

H.J. Res. 733. Joint resolution to designate the powerhouse on Clear Creek at the head of Whiskeytown Reservoir, in the State of California, as Judge Francis Carr Powerhouse.

ADDITION TO THE LEGISLATIVE PROGRAM FOR THIS WEEK

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SHRIVER. Mr. Speaker, I have asked for this time to inquire of the majority leader if there have been any changes in the legislative program for the week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. SHRIVER. I yield to the majority leader.

Mr. ALBERT. Mr. Speaker, I appreciate the gentleman's taking this time for this purpose, because we are adding to the program previously announced for this week H.R. 11946, Appalachian Regional Development Act of 1964, which will be brought to the House on Wednesday, under an open rule, with 3 hours of general debate.

Mr. SHRIVER. I thank the gentleman.

BRANIFF INTERNATIONAL AIRWAYS

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, I rise to take exception to remarks made by the Congressman from California on page 16571 of the CONGRESSIONAL RECORD of July 22. In that statement, remarks were made concerning the Douglas DC–9. This statement reflects on the integrity and honesty of a well known and respected Texas company. I would feel remiss in my duty as Congressman at Large from the great State of Texas if I let the record go unchallenged. I have a copy of a letter from one of my constituents which answers in detail the allegations made by the gentleman from California on July 22. Mr. Speaker, I ask unanimous consent to have printed at this point in the Record a copy of a letter I have received from Mr. Charles E. Beard, president of Braniff International Airways.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Braniff International Airways,
Dallas, Tex., August 28, 1964.
The Honorable Craig Hosmer,
House of Representatives,
Washington, D.C.

My Dear Mr. Hosmer: At page 16571 of the Congressional Record of July 22 in the statement you made concerning the Douglas DC–9, a portion of the statement (I am quite sure because of incorrect information which had been given you) unjustly accused us of placing our order for British Aircraft Corp. One-Eleven aircraft at a time when the DC–9 was available for purchase.

Your statement said: "On a previous occasion, July 24, 1963, I criticized American Airlines, Braniff Airways, and Mohawk Airlines for placing their orders for the foreign aircraft, British Aircraft Corp.'s BAC–111."

In the following paragraph your statement said: "These orders were placed at a time when Douglas was well along with construction of its initial DC–9 prototype. The three U.S. airlines involved made no secret of the fact that they placed their orders overseas simply because an earlier delivery date was promised. The unwisdom of their decisions later became evident when difficulties with the British aircraft forced delays in delivery dates."

I, of course, can speak only for Braniff Airways but this is an unfair statement, not based upon the true facts, and I deeply hope that you will give this corrective letter equal prominence in the Congressional Record. You and your associates in the Congress are entitled to the facts with respect to Braniff's purchase and I will make them just as brief as possible because I am aware of the burden of correspondence with which you and your fellow Congressmen must deal.

We in Braniff Airways commenced our search for a small short-haul, low-cost jet late in 1959 and continued this search and discussions with the four U.S. manufacturers then building aircraft for scheduled airline operations. I personally participated in all these discussions and most especially those with the officials of Douglas and was advised that Douglas Aircraft was not in position to undertake the development of any additional jet-type aircraft. One manufacturer did indicate a very real interest but at the conclusion of their studies and investigations among prospective customers, the aircraft they decided to make did not fit the specifications of the airplane, as a short-haul carrier, had to have. A fifth U.S. manufacturer, who had not heretofore built commercial aircraft for scheduled operations, submitted proposals for an aircraft intended to meet our specifications but before their proposal could be fully analyzed or an order firmed up they withdrew from the market.

With the exception of the Convair 240, 340, and 440 fleet there had not been a transport aircraft designed in the post-world War III period for the specific purpose of serving the kind of short-haul route we operate. Even today 75 percent of all the flights we operate domestically make an average hop of only 250 miles. Without an airplane designed for our purposes we have had to adapt to short-haul operation aircraft which were primarily designed for the long-haul nonstop operations, such as coast to coast, etc.

At about this time the British Aircraft Corp. presented to us a proposed aircraft and in the course of discussion they changed the design to create an aircraft as close to ideally suited for our type of operation as could be devised. These discussions culminated in our furnishing to British Aircraft a letter of intent, dated October 4, 1961, indicating our intention of buying six and obtaining an option on six additional. This option was to be valid until March 1, 1963.

Bearing in mind that our letter of intent was given to British Aircraft Corp., and publicized in early October 1961, the following quotation from the November 17, 1961, issue of Aviation Daily at page 107 is pertinent to the purposes of this letter and indicates clearly that no U.S.-made short-haul jet was available. That article said:

"U.S. Industry Seen Missing Out of Short-Range Jet Transport—The lack of a U.S. equivalent of the BAC–111 short-range jet is causing concern among sales representatives of American manufacturers. They feel that more airlines will follow Braniff's example in ordering the British model unless the U.S. industry decides very soon to cut metal on a similar design.

"While Boeing, Convair, Douglas, Lockheed, and North American all have market surveys and have completed designs for aircraft similar to the BAC–111 none of them has been moved beyond the project stage. Although the market surveys have shown definite interest in the small jet transport and a preference for a U.S.-built model, the manufacturing companies have so far been reluctant to commit themselves to the large financial investment involved, particularly in the light of the current shaky financial position of many of the world's carriers."

On February 7, 1962, this letter of intent was implemented by a definitive agreement for six aircraft with an option to purchase an additional six which had to be exercised by March 1, 1963. More than a year later on February 14, 1963, we exercised the options we held for the additional six aircraft. Even at this time there was no U.S.-made short-haul jet available to be ordered.

This unavailability of U.S.-made short-haul aircraft is indicated by the fact that Airlift, an air transportation magazine, in its February 1963 issue on page 13 said:

"Airlines are impressed with changing philosophy at Douglas in plan for model 2086 short-haul jet * * * once production go-ahead is given, every aircraft will be built to one standard, Douglas (hopefully) insists. Order by American Airlines for 25 is the talk of the trade, but no official word was forthcoming at press time."

The first public advertising of the Douglas DC–9 aircraft which we can find appeared in the August 1963 edition of American Aviation, which was the successor to Airlift.

I hope that these facts will convince you of the error which included Braniff among U.S. airlines which placed their orders, "at a time when Douglas was well along with the construction of its initial DC–9 prototype." I hope it also convinces you that it was unjust to Braniff to include it among the airlines which, "made no secret of the fact that they placed their orders overseas simply because an earlier delivery date was promised." The simple facts are that we had to place our order overseas in order to get any delivery date. There was no competitive U.S.-made aircraft available for any delivery date.

With respect to that portion of the statement quoted above relating to the delays in delivery dates, I can only say that the progress in the manufacture of the One-Eleven aircraft has resulted in what, in terms of aircraft manufacturing, would be termed only the most nominal kind of delay. Aircraft originally scheduled to be delivered to us in October of this year will be delivered in December.

Although we do not have all the detailed information concerning the DC–9 aircraft, the knowledge which we have of it indicates that it is going to be a very fine one but after waiting more than a decade for the development of the kind of short-haul airplane we needed and after being specifically advised by the potential U.S. manufacturers that it would not be made, we had no choice but to place our order where we did.

In closing I would like you to know that Braniff has purchased well over $100 million worth of U.S.-built aircraft including long-haul large jets. Braniff has also made its deposit on two of the prospective U.S.-built supersonic aircraft even though the French-English supersonic promises both earlier delivery and lower cost.

I am sorry to be at such length but I felt your interest in the subject entitled you to the actual facts and I deeply hope that you will accede to our request and place this letter in the Congressional Record.

Cordially,

Charles E. Beard,
President.

LAND AND WATER CONSERVATION FUND

Mr. RIVERS of Alaska submitted a conference report and statement on the bill (H.R. 3846) to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes.

THANK HEAVEN FOR THE POLICE

Mr. SHRIVER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, 2 weeks ago, Dixmoor, Ill., a south Cook County suburban community, was the scene of unfortunate rioting which was compounded by the reporting the incident received.

A very proper and commendable editorial comment is contained in the Sunday, August 23, edition of the Calumet Index, an independent publication serving the far South Side of Chicago and adjacent suburbs, which I believe merits the attention, especially, of the nationwide directors of new media. The editorial follows:

Thank Heaven for the Police

If you can believe the daily news media the Dixmoor mess was not the fault of the rioters—it was started by the police. Rubbish. Who knows how far this mob, or any mob, not restrained by the police, might go.

If, as these news media report, the owner of the liquor store gouged his customers and therefore contributed to the feelings which resulted in the riot, where was the liquor control commission? As we understand it the liquor store owner is an ex-convict. How did he get a license to operate? How could he keep it? Who gave it to him in the first place?

Chicago's American carried a page 1 indictment of the false impressions wantonly or deliberately given the Dixmoor mess by the eastern press. The American should also turn the light of truth on the rest of Chicago's news media who fanned an already firey situation with a hysterical treatment so that the mess in Dixmoor continued a second night.

We are not alone in our concern. The Chicago police have been briefed by the mayor's commission on human relations in the handling of racial incidents. One of the first things they warn against is the TV camera crew which swarms down upon a community in difficulty, sets up its equipment ready for the show and attracts crowds of curious and rabble.

Heaven knows we all have a lot to learn—but none more than the news media—press, radio, and television.

HURRICANE CLEO DAMAGE DEMANDS SWIFT ATTENTION FOR FLORIDA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. ROGERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, the wake left by Hurricane Cleo in Florida has created an urgent situation in need of immediate attention. The Office of Emergency Planning has advised me that efforts are underway to accurately estimate the effects of the storm, and I have been given assurance that disaster assistance will be expedited as soon as the area has been designated eligible.

In addition, the Small Business Administration has given assurances that applications for SBA loans will be quickly handled, and low-interest, long-term loans will be available for persons in need of relieving the damage done by this storm.

Mr. Speaker, that is the first hurricane to hit Florida in 14 years. It comes at a time when Florida is enjoying unprecedented expansion, and many Americans who have recently moved to Florida from many other parts of this Nation will experience real hardship unless prompt efforts are made to lessen this catastrophe. Damage in my congressional district is particularly high, with estimates in Broward County alone put at over $15 million, and damage in other counties running almost as high.

I am maintaining constant contact with the appropriate agencies of the Government to insure that every attention is given, and am pleased to state that the matter is receiving careful surveillance by those agencies. However, much work must be done to lighten the great discomfort caused by this storm.

MINUTEMEN—EXTREMISTS WHO THREATEN OUR COUNTRYMEN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the statements I have made about the Minutemen in past speeches may have caused many of my colleagues to shrug their shoulders in disbelief. Yet those who have seen newspaper and television accounts about these fanatics know that I have not exaggerated. A typical account is that of Paul Weeks, a reporter for the Los Angeles Times, and whose story was reprinted by the Washington Post. Consistent reports of this kind show that the Minutemen are indeed the kind of extremists who threaten our country with political blood poisoning and who need to be exposed to the public light. A reading of Mr. Week's story will cause all rational men to take pause and think of the dangers posed to our country by self-appointed vigilantes.

The statement follows:

HOW TO FIGHT REDS OUTLINED TO MINUTEMEN

(By Paul Weeks)

LOS ANGELES.—The crowd was restless.

The meeting called by the Southern California Freedom Councils to present a Minuteman as their speaker had been delayed because the Knights of Columbus in suburban Van Nuys had canceled their hall rental.

The crowd of about 150 was settling into folding chairs in the quickly substituted Sons of Norway Hall, 40 minutes after the scheduled starting time.

There were old ladies, young boys, well-dressed young women, men in working clothes. There seemed to be no pattern.

Dennis Mower, blond, 18-year-old president of the Councils, had said earlier that only genuine conservatives, would be admitted.

"If there are any members of the press present," he said "I urge them to leave now—peaceably." Heads were craned. No one left.

A television cameraman tried to squeeze through the front door. It was closed against him. Windows were snapped shut, curtains drawn.

Mower suggested with a smile that some who might want to take pictures were not the press but "Communists or agitators" who would want a pictorial record of those present.

After recitation of the Lord's Prayer, the pledge to the flag and singing of "The Star-Spangled Banner," Mower said that if any ladies were squeamish they could leave before showing of a motion picture.

Then Troy Haughton, 31, identified as western regional director for the Minutemen, said the picture would be a documentary of Communists' treatment of prisoners of war. It was prepared, he said, for former Gen. Edwin Walker in his "Pro-Blue program" for the troops "which the Army censored."

The Minutemen, a secret, paramilitary organization preparing a guerrilla defense against what they consider a virtually inevitable "Marxist takeover" of the United States, say in a pamphlet:

"A pro-American Government can no longer be established by normal political means. There has not been one presidential election since World War II where the American public has had an opportunity to vote for a real American."

The body of the picture was an unspeakable portrayal of butchery, terror, brutality. In one scene a man in a Japanese military uniform was torturing a prisoner.

"The uniform is false," the narrator said. "The man is really a Communist."

When the lights were on, Haughton, wearing horn rimmed spectacles, leaned heavily on a lectern and read haltingly from his notes.

The essence of his talk was that few are to be trusted, and that the Minutemen must use cunning, deceit, and subterfuge—and guns—to fight the deceitful Communist takeover.

Haughton went on to tell how the general public does not know it, but all kinds of effective weapons, including military surplus such as flamethrowers are available for purchase.

He also said with broad innuendo that rifle clubs are booming in California. You would not find out from any rifle club member that he belonged to the Minutemen, said Haughton.

There were ways, he said, to get weapons and ammunition economically through the Government for target practice and training.

Nationally, Haughton said, the Minutemen claim 25,000 members. He would not detail procedure for obtaining membership because of the possibility that unfriendly persons were present.

In fact, he had opened his speech by addressing, somewhat facetiously, "Patriots and the FBI," to indicate his professed awareness of being watched.

The meeting was closed with the singing to piano accompaniment, of the first and fourth verses of "America."

The singing of the fourth stanza was not as strong as the singing of the first, because fewer knew the lines which go:

> "Long may our land be bright
> With freedom's holy light * * *."

THE SCHOOL PRAYER DECISION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the decisions of the Supreme Court in the Engel and Schempp cases—the so-called school prayer cases—unloosed an emotional storm in our country. There have been many demands that these decisions be nullified by a constitutional amendment. Perpetual enemies of the Court and a number of innocent people have demanded nullification of these decisions, giving little thought to what they are really demanding.

I submit that the Supreme Court in its decisions on school prayer was in fact defending our liberty, not subtracting from it. Ever since the unhappy experiences of the experimental theocracies in our colonial history, we have had a healthy fear of an established religion.

When we remember the problems engendered by state religions, we are grateful that there is no official religion here. It is one of the great attributes of our society that men are free to believe what they wish to believe; and it is a hard truth that if men are to be free to believe, they must also be free not to believe. Religious freedom implies the freedom of one man to believe in the doctrine of any of a number of churches, but to disbelieve in those which he does not follow. And for a very few, religious freedom includes the right not to believe anything. Those who would foster a state religion through overturning the decision of the Court in the school prayer cases do not realize that they are attacking their own freedom of religion, their own freedom to believe or disbelieve what they choose.

I sometimes feel that these people believe that ceremony, no matter how meaningless or devoid of feeling, is somehow more important than true conviction, honestly felt.

Fortunately for us, there are many churchmen in this country—I believe most responsible churchmen—opposing the Becker amendment, and similar efforts to undermine the first amendment. People like these share the courage and vision of Thomas Jefferson, who was responsible for the first amendment, and who was responsible for the Virginia Statute of Religious Freedom. I think that, like Jefferson, they can be justly proud of their defense of religious freedom. One such minister in my district is David A. Brantley, who recently wrote this letter to his Methodist membership:

Public School Religion: The Becker Amendment and Others

For the past few years the broad area of religion in public schools has been touched in this way that that, fought in skirmishes as released time Bible courses, biblical courses taught during school as literary or historical courses. Now we have the full-scale war in the Supreme Court decision versus the Becker amendment and others, if this one fails. Now the issue boils down to the fact which side must one assume.

Certainly this is one time when the "don't meddlers" are not speaking out against the church being quiet in this affair. That is, they are all for the preacher speaking out, if he says the right thing or is on the right side. The right side would be in defense of prayer and Bible reading in the public school—sort of a defense in behalf of God, as if God needed this.

The Becker amendment has made some real strange bedfellows in its behalf—Billy Graham, Gov. George Wallace, and Episcopal Bishop James Pike. No less strange are those opposed in liberal church groups that have taken a definite stand along with fundamentalist groups in POAU (Protestants and Other Americans United against church and state).

The Board of Christian Social Concerns of the Methodist Church, sought a stand on the amendment from the general conference shortly before the close of conference in Philadelphia, but it was tabled. Therefore, there is no official Methodist position on this issue.

The Supreme Court avoided this controversial area as long as it could, just as it did in school integration. Many good Christians and churchmen are on the frontlines leading the battle against the Court for these decisions—"integration and prayer in public schools." This is the nature of the church too often to wait for someone else to do what she should have done long ago. The world might overlook this sin in time, if the church will avoid inaction and seize an opportunity given it by a secular agency.

The Court is all right in the eyes of extremists, if it will just do what it's supposed to do—interpret laws that will weed out criminals, Communists, and other misfits. But if it interprets section 1 of the 14th amendment or the 1st amendment in cases contrary to their thinking they are ready to condemn, harass, and attempt to defame any or all members of the Court.

The Court has acted in its interpretation of the Constitution. It seems to me that the Becker amendment and others that may be brought before Congress are unjustifiable and contrary to the first amendment—"Congress shall make no law respecting an establishment of religion." An amendment to allow prayer in the public school as a formal exercise is the application of something carried out heretofore by implication. If implication is illegal, how then does application find sanction?

All of this is said to lead to the crucial issue for the church. Both of the Court decisions have been a slap in the face for the church. If we had been doing our job, this would not be an issue. By implication and application it has been the mission of the church to teach prayer and the Bible in the tradition of the church, and since, we have denominations we interpret from our various points of view.

The Christian understanding of prayer and the Bible have meaning only out of the context of the Christian community. If they are taught and interpreted properly, they become meaningful in the context of daily life. Therefore if the child or youth who has been properly taught will use what he has been taught through the church in public school life, and there is no legislation that can keep him from this. He is free as a child of God, and the first amendment gives him constitutional liberty to practice his faith when and where he chooses. Therefore prayer is not an exercise that someone says, in the context of a strange place, "we shall now pray." It is far different than the service of worship, where people have come for this purpose, for one to say, "let us pray." The Government has not asked the church to teach reading, writing, and arithmetic, etc., but this does not deny the student the opportunity to use any or all of these, when or where he needs them including the Sunday school. We, then, need to command as much respect from the State and do as good a job of teaching what has been given us to teach and allow the student to use it, when he needs to. If we feel that prayer and/or Bible reading may cause someone to seek out the church, let us see our mission in perspective to seek out the lost and bring them to Christ and the church, not through a religious exercise of 5 minutes but a genuine concern for the total person. Children and youth are by nature evangelistic. Let them carry out their mission in the world where they live.

Your pastor,

D. A. B.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Kluczynski (at the request of Mr. Libonati) on account of illness in the family.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

(The following Members and to include extraneous matter:)

Mr. Corman.

Mr. Boland.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 860. An act to amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage and overtime compensation protection, and improved means of enforcement; to the Committee on the District of Columbia.

S. 883. An act to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes; to the Committee on Interior and Insular Affairs.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 400. An act to establish penalties for misuse of feed made available for relieving distress or preservation and maintenance of foundation herds;

S. 524. An act to provide for the registration of contractors of migrant agricultural workers, and for other purposes;

S. 692. An act to establish Federal agricultural services to Guam, and for other purposes;

S. 1365. An act to establish the Fire Island National Seashore, and for other purposes;

S. 1875. An act for the relief of Thomas M. Talley;

S. 2170. An act for the relief of Mary Lane Laycock;

S. 2905. An act to provide for the appointment of a Commissioner General for United States participation in the Canadian Universal and International Exhibition, and for other purposes; and

S. 2950. An act to authorize the mint to inscribe the figure 1964 on all coins minted until adequate supplies of coins are available.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On August 22, 1964:

H.R. 439. An act to provide for the establishment of the John Muir National Historic Site in the State of California, and for other purposes;

H.R. 931. An act to provide for the establishment of the Allegheny Portage Railroad

National Historic Site and the Johnstown Flood National Memorial in the State of Pennsylvania, and for other purposes;

H.R. 1794. An act to authorize payment for certain interests in lands within the Allegany Indian Reservation in New York, required by the United States for the Allegheny River (Kinzua Dam) project, to provide for the relocation, rehabilitation, social and economic development of the members of the Seneca Nation, and for other purposes;

H.R. 3545. An act to amend section 131 of title 13, United States Code, so as to provide for taking of the economic censuses 1 year earlier starting in 1968;

H.R. 4364. An act to provide for the free entry of certain articles imported for the use of certain universities;

H.R. 5837. An act to amend the act entitled "An act to authorize the purchase, sale, and exchange of certain Indian lands on the Yakima Indian Reservation, and for other purposes," approved July 28, 1955;

H.R. 6910. An act to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes;

H.R. 8960. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain and for other purposes;

H.R. 9178. An act to amend section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes;

H.R. 10178. An act to authorize the Smithsonian Institution to employ aliens in a scientific or technical capacity; and

H.R. 11846. An act to amend the act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes.

On August 24, 1964:

H.R. 130. An act to provide for the payment of compensation, including severence damages, for rights-of-way acquired by the United States in connection with reclamation projects the construction of which commenced after January 1, 1961;

H.R. 1136. An act to compensate certain parties for the loss of their leasehold interests in lands taken by the United States in connection with the Red Rock Reservoir project;

H.R. 3672 An act to provide for the construction, operation, and maintenance of the Savery-Pot Hook, Bostwick Park, and Fruitland Mesa participating reclamation projects under the Colorado River Storage Project Act;

H.R. 4844. An act relating to the release of liability under bonds filed under section 44(d) of the Internal Revenue Code of 1939 with respect to certain installment obligations transmitted at death, and to amend the Internal Revenue Code of 1954 with respect to certain reacquisitions of real property;

H.R. 5739. An act to amend the Internal Revenue Code of 1954 to correct certain inequities with respect to the taxation of life insurance companies, and for other purposes;

H.R. 8000. An act to amend the Internal Revenue Code of 1954 to impose a tax on acquisitions of certain foreign securities in order to equalize costs of longer term financing in the United States and in markets abroad, and for other purposes;

H.R. 8344. An act to amend the Railway Labor Act to provide that the terms of office of members of the National Mediation Board shall expire on July 1;

H.R. 8355. An act to amend the Life Insurance Company Act of the District of Columbia (48 Stat. 1145), approved June 19, 1934, as amended;

H.R. 8451. An act to amend the District of Columbia Sales Tax Act, as amended, relating to certain sales to common carriers or sleeping-car companies;

H.R. 9586. An act to provide for the establishment of a National Council on the Arts to assist in the growth and development of the arts in the United States;

H.R. 9803. An act to authorize the Secretary of the Army to acquire the building constructed on the Fort Jay Military Reservation, N.Y., by the Young Men's Christian Association;

H.R. 10467. An act to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay, and for other purposes;

H.R. 11202. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1965, and for other purposes;

H.R. 11241. An act to amend the Public Health Service Act to increase the opportunities for training professional nursing personnel, and for other purposes;

H.R. 11338. An act to remove certain conditions subject to which certain real property in South Boston, Mass., was authorized to be conveyed to the Massachusetts Port Authority;

H.R. 11369. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1965, and for other purposes;

H.R. 11594. An act to authorize the Secretary of the Navy to convey to the State of California certain lands in the county of Monterey, State of California, in exchange for certain other lands;

H.R. 12128. An act to amend the act of March 10, 1964;

H.R. 12278. An act to authorize the Secretary of the Navy to convey to the city of Sunnyvale, State of California, certain lands in the county of Santa Clara, State of California, in exchange for certain other lands;

H.J. Res. 393. Joint resolution to authorize the President to proclaim October 9 in each year as Leif Erikson Day; and

H.J. Res. 733. Joint resolution to designate the powerhouse on Clear Creek at the head of the Whiskeytown Reservoir, in the State of California, as Judge Francis Carr Powerhouse.

On August 25, 1964:

H.R. 12196. An act to amend the District of Columbia Police and Firemen's Salary Act of 1958, as amended, the District of Columbia Teachers' Salary Act of 1955, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 9 minutes p.m.), the House adjourned until tomorrow, Tuesday, September 1, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2465. A letter from the Comptroller General of the United States, transmitting a report on the examination of the military assistance program for Spain; to the Committee on Government Operations.

2466. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriation to the Treasury Department for "Salaries and expenses, Bureau of the Mint" for the fiscal year 1965, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

2467. A letter from the Acting Secretary of Agriculture, relative to the execution of a public utility contract negotiated between the Agricultural Research Service of this Department and the Potomac Electric Power Co. relative to electric power at the Agricultural Research Center, Beltsville, Md.; to the Committee on Appropriations.

2468. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), relative to a letter dated February 4, 1964, with respect to certain construction projects for the Air Force Reserve relative to the lump-sum authorization contained in Public Law 88–174, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

2469. A letter from the Deputy Secretary of Defense, transmitting a copy of the Annual Report of the Secretary of Defense for fiscal year 1963, together with the reports of the Secretaries of the Army, Navy, and Air Force, pursuant to section 202(d) of the National Security Act of 1947, as amended; to the Committee on Armed Services.

2470. A letter from the Acting Administrator, General Services Administration, transmitting a report on the liquidation of the Reconstruction Finance Corporation activities, pursuant to Public Law 163, 83d Congress, and with Reorganization Plan No. 1 of 1957; to the Committee on Banking and Currency.

2471. A letter from the Secretary of State, transmitting the Fiscal Year 1964 Report of Gifts and Bequests received and accepted by the U.S. National Commission for the United Nations Educational, Scientific, and Cultural Organization, pursuant to Public Law 85–477; to the Committee on Foreign Affairs.

2472. A letter from the Secretary of the Army, transmitting a draft of proposed legislation, entitled "A bill to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952"; to the Committee on Foreign Affairs.

2473. A letter from the Comptroller General of the United States, relative to transmitting additional material relating to a letter dated April 16, 1964, which related to a report to the Chairman, Joint Economic Committee, concerning failure to curtail operation at Government expense of military commissary stores in the continental United States where adequate commercial facilities are available, etc.; to the Committee on Government Operations.

2474. A letter from the Comptroller General of the United States, transmitting a copy of a report dated July 29, 1964, concerning proposed appropriations to the railroad retirement account for military service credits, Railroad Retirement Board; to the Committee on Government Operations.

2475. A letter from the Comptroller General of the United States, transmitting a report on combat capability of vehicles impaired and unnecessary procurement costs incurred because of lack of repair parts support by the Army Tank-Automotive Center, Department of the Army, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

2476. A letter from the Comptroller General of the United States, transmitting a report of the examination of the administration by the Area Redevelopment Administration, Department of Commerce, of the depressed area programs authorized by the Area Redevelopment Act and Public Works Acceleration Act; to the Committee on Government Operations.

2477. A letter from the Comptroller General of the United States, transmitting a report on the uneconomical clothing procurement practices, Atomic Energy Commission; to the Committee on Government Operations.

2478. A letter from the Comptroller General of the United States, transmitting a report on rent-free use of Government-owned facilities in production of commercial aircraft engines by Pratt & Whitney Aircraft, division of United Aircraft Corp., East Hartford, Conn., Department of the Navy; to the Committee on Government Operations.

2479. A letter from the Comptroller General of the United States, transmitting a report of the review of the compensation and pension program at the Milwaukee Veterans' Administration Regional Office; to the Committee on Government Operations.

2480. A letter from the Comptroller General of the United States, transmitting a copy of a report on unnecessary costs resulting from Government production of M-60 machineguns and repair parts, Department of the Army; to the Committee on Government Operations.

2481. A letter from the Comptroller General of the United States, transmitting a report on excessive payments of living-quarters allowances to civilian employees in Japan, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67) covering the period from April 1961 to May 1963; to the Committee on Government Operations.

2482. A letter from the Comptroller General of the United States, transmitting a report on failure to use excess Air Force aeronautical instruments to satisfy Navy needs, Department of Defense, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

2483. A letter from the Comptroller General of the United States, transmitting a report on overprocurement of ammunition by the U.S. Marine Corps, Department of the Navy, which was completed in November 1963, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

2484. A letter from the Comptroller General of the United States, transmitting a report on procurement of unneeded spare assemblies resulting from negligence of the Raytheon Co., Lexington, Mass., Department of the Army, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), the Accounting and Auditing Act of 1950 (31 U.S.C. 67), and the authority of the Comptroller General to examine contractors' records as set forth in 10 U.S.C. 2313(b); to the Committee on Government Operations.

2485. A letter from the Comptroller General of the United States, transmitting a report on failure to use available Government-owned housing at Fort Leonard Wood, Mo., Department of the Army, covering the period of December 14, 1962, to August 16, 1963, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

2486. A letter from the Director, Congressional Liaison, Agency for International Development, Department of State, transmitting the Agency's reply to the report of the Comptroller General dated July 17, 1964 (B-146928), on undercollections of interest and principal in foreign currencies on certain loans to foreign governments; to the Committee on Government Operations.

2487. A letter from the Assistant Secretary of the Interior, transmitting a proposed concession contract under which the Waukesha Building Corp. will be authorized to obtain hot waters from Hot Springs National Park, pursuant to 70 Stat. 543; to the Committee on Interior and Insular Affairs.

2488. A letter from the General Manager, U.S. Atomic Energy Commission, transmitting the annual report of the Atomic Energy Commission concerning claims paid under the Federal Tort Claims Act, for the period July 1, 1963, to June 30, 1964, pursuant to section 2673, title 28, United States Code; to the Committee on the Judiciary.

2489. A letter from the Secretary of Commerce, transmitting the quarterly report of the Maritime Administration of this Department on the activities and transactions of the Administration under the Merchant Ship Sales Act of 1946, from April 1, 1964, through June 30, 1964, pursuant to section 13 of the above act; to the Committee on Merchant Marine and Fisheries.

2490. A letter from the Secretary of the Treasury, transmitting a proposed draft of legislation entitled "A bill to improve the aids to navigation services of the Coast Guard"; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASPINALL: Committee of conference. H.R. 3846. An act to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes (Rept. No. 1847). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII,

Mr. BENNETT of Florida introduced a bill (H.R. 12503) to provide that dependent parents may be covered by a health benefit plan under the Federal Employees Health Benefits Act of 1959, which was referred to the Committee on Post Office and Civil Service.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of Hawaii in support of the Congress of the United States and President Lyndon B. Johnson in their effort to carry out our Nation's determination to take all necessary measures in support of freedom, and in defense of peace, in southeast Asia, which was referred to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. JOHANSEN introduced a bill (H.R. 12504) for the relief of Gyula Veres and Sylvia Veres, his wife, which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1020. By the SPEAKER: Petition of city clerk, city of Boston, Mass., petitioning consideration of their resolution with reference to a resolution of the city council regarding the berthing of the U.S.S. *Massachusetts* in available space in the Boston area, as a permanent memorial to the Armed Forces of our country; to the Committee on Armed Services.

1021. Also, petition of executive director, American Veterans Committee, Washington, D.C., supporting recent Supreme Court decisions calling for equal representation by population in both Houses for State and Federal Legislatures; to the Committee on the Judiciary.

1022. Also, petition of Henry Stoner, New York, N.Y., requiring a committee to investigate "letters of clearance" and/or "letters of full clearance" used by the U.S. House Committee on Un-American Activities; to the Committee on Rules.

1023. Also, petition of Vicente Diaz-Samayoa, President, Constituent Assembly Guatemala City, Guatemala, reaffirming the unimpeachable rights of the Republic of Guatemala on the Territory of Belice, denouncing the validity of any agreements, treaties, or mutual understanding concluded by or with the Government of the United States of Mexico, and to safeguard the sacred interests of Guatemala; to the Committee on Foreign Affairs.

1024. Also, petition of Armando Bolanos Bolanos, First Secretary, Legislative Assembly, San José, Costa Rico; expressing the concern of Costa Rico in legislation which, due to the efforts of North American cattlemen, establishes a meat import quota system, and requesting that the countries of Central America be exempt therefrom, also seeking a reclassification of Costa Rico meat imports; to the Committee on Ways and Means.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

QUARTERLY REPORTS

The following reports for the first calendar quarter of 1964 were received too late to be included in the published reports for that quarter:

A. Active-Retired Lighthouse Service Employees Association, Post Office Box 2169, South Portland, Maine.
D. (6) $147. E. (9) $86.59.

A. Actors' Equity Association, 226 West 47th Street, New York, N.Y.
D. (6) $2,500. E. (9) $2,500.

A. Nicholas E. Allen & Merrill Armour, 1001 15th Street NW., Washington, D.C.
B. Music Operators of America, Inc., 128 East 14th Street, Oakland, Calif., and 228 North LaSalle Street, Chicago, Ill.
D. (6) $400.

A. American Carpet Institute, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $280.35. E. (9) $280.35.

A. American Civil Liberties Union, Inc., 156 Fifth Avenue, New York, N.Y.
D. (6) $2,280.39. E. (9) $2,280.39.

A. American Dental Association, 222 East Superior Street, Chicago, Ill.
D. (6) $4,087.01. E. (9) $4,087.01.

A. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $7,520.99. E. (9) $7,520.99.

A. American Legion.
D. (6) $78,258.48. E. (9) $33,097.90.

A. American Library Association, 50 East Huron, Chicago, Ill.
D. (6) $241.25. E. (9) $10,286.78.

A. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.
D. (6) $1,006.80. (9) $51.65.

A. American Merchant Marine Institute, Inc., 11 Broadway, New York, N.Y.
E. (9) $2,244.35.

A. American Podiatry Association, 3301 16th Street NW., Washington, D.C.
E. (9) $129.36.

A. American Surveys, 2000 P Street NW., Washington, D.C.
B. On behalf of certain cement companies.
D. (6) $1,350. E. (9) $299.53.

A. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $10,290.06. E. (9) $15,783.89.

A. American Veterinary Medical Association, 600 South Michigan Avenue, Chicago, Ill.
E. (9) $1,070.19.

A. Robert E. Ansheles, 1028 Connecticut Avenue, Washington, D.C.
B. Consolidated International Trading Corp., Empire State Building, New York, N.Y.
D. (6) $312.25. E. (9) $39.79.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. Commissioner of Baseball, 30 Rockefeller Plaza, New York, N.Y.
E. (9) $932.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. Lever Bros. Co., 390 Park Avenue, New York, N.Y.
D. (6) $2,555. E. (9) $53.70.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
D. (6) $1,608.75.

A. Lester Asher, 130 North Wells Street, Chicago, Ill.
B. Conference of labor organizations.
D. (6) $500.

A. Douglas B. Bagnell, Post Office Box 1286, Fairhope, Ala.
B. Maine Potato Council, Presque Isle, Maine.
D. (6) $75.

A. Frank Baird-Smith, 1616 P Street NW., Washington, D.C.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. William G. Barr, 711 14th Street NW., Washington, D.C.
B. National Parking Association, 711 14th Street NW., Washington, D.C.

A. Donald S. Beattie, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $1,050.

A. Carl H. Berglund, 607 South Pine, Tacoma, Wash.

A. William S. Bergman, 201 Massachusetts Avenue NE., Washington, D.C.
B. Committee To Promote American-Made Motion Pictures, 6721 Melrose Avenue, Los Angeles, Calif.
D. (6) $1,072.

A. William S. Bergman, 201 Massachusetts Avenue NE., Washington, D.C.
B. Dixie Project & Development Association, Inc., St. George, Utah.

A. William S. Bergman, 201 Massachusetts Avenue NE., Washington, D.C.
B. Legislative Council for Photogrametry, 201 Massachusetts Avenue NE., Washington, D.C.
D. (6) $1,200.

A. William S. Bergman, 201 Massachusetts Avenue NE., Washington, D.C.
B. William Radkovich Co., 9133 Gravey Boulevard, Rosemead, Calif.
D. (6) $285.

A. Blue Cross Association, 840 North Lake Shore Drive, Chicago, Ill.
E. (9) $2,338.30.

A. G. Stewart Boswell, 1025 Connecticut Avenue NW., Washington, D.C.
B. Cotton Producers Legislative Committee, 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $300. E. (9) $52.64.

A. J. Wiley Bowers, 537 Cherry Street, Chattanooga, Tenn.
B. Tennessee Valley Public Power Association, 537 Cherry Street, Chattanooga, Tenn.

A. Charles B. Bowling, 1616 H Street NW., Washington, D.C.
B. National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $600.

A. Sam Boyce, 414 Second Street, Newport, Ark.
B. American Taxicab Association, Inc., 4415 North California Avenue, Chicago, Ill., and National Association of Taxicab Owners, 803 Leader Building, Cleveland, Ohio.
D. (6) $2,900. E. (9) $1,400.

A. Col. A. A. Brackett, 333 Pennsylvania Avenue SE., Washington, D.C.

A. Florence I. Broadwell, 1737 H Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $2,942.34.

A. Charles H. Brown, Inc., 1701 K Street NW., Washington, D.C.
B. American Society of Composers, Authors & Publishers, 575 Madison Avenue, New York, N.Y.
D. (6) $2,880. E. (9) $2,880.

A. Charles H. Brown, 1701 K Street NW., Washington, D.C.
D. (6) $940.50.

A. Charles H. Brown, Inc., 1701 K Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $937.50. E. (9) $937.50.

A. Brown & Lund, 1625 I Street NW., Washington, D.C.
B. American & Foreign Power Co., Inc., 100 Church Street, New York, N.Y.
D. (6) $1,200. E. (9) $108.32.

A. Brown & Lund, 1625 I Street NW., Washington, D.C.
B. Electric Bond & Share Co., 2 Rector Street, New York, N.Y.
D. (6) $187.50. E. (9) $38.85.

A. James E. Bryan, 2000 P Street NW., Washington, D.C.
B. National Association of Blue Shield Plans, 425 North Michigan Avenue, Chicago, Ill.
E. (9) $1,091.36.

A. Lyman L. Bryan, 2000 K Street NW., Washington, D.C.
B. American Institute of Certified Public Accountants, 666 Fifth Avenue, New York, N.Y.
D. (6) $25. E. (9) $42.28.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. The Canal Authority of the State of Florida, 803 Rosselle Street, Jacksonville, Fla.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. Florida Inland Navigation District, Citizens Bank Building, Russell, Fla.

A. Mrs. Fred L. Bull, 8124 Oakleigh Road, Baltimore, Md.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.
E. (9) $228.13.

A. George J. Burger, 250 West 57th Street, New York, N.Y., and 740 Washington Building, Washington, D.C.

A. George B. Burnham, 132 Third Street SE., Washington, D.C.
B. Numerous stockholders of the Burnham Chemical Co., 132 Third Street SE., Washington, D.C.
D. (6) $355. E. (9) $355.

A. Charles S. Burns, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $584.50. E. (9) $94.36.

A. Monroe Butler, 550 South Flower Street, Los Angeles, Calif.
B. The Superior Oil Co., 550 South Flower Street, Los Angeles, Calif.
D. (6) $1,534.24. E. (9) $3,276.10.

A. Canal Authority of the State of Florida, 803 Rosselle Street, Jacksonville, Fla.

A. Col. John T. Carlton, 333 Pennsylvania Avenue SE., Washington, D.C.

A. Robert S. Carr, 1220 Pennsylvania Building, Washington, D.C.
B. Hiram Walker & Sons, Inc., 8323 Jefferson Avenue, Detroit, Mich.

A. Hal M. Christensen, 808 17th Street NW., Washington, D.C.
B. American Dental Association, 808 17th Street NW., Washington, D.C.
D. (6) $2,250.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. Superior Oil Co.
D. (6) $1,000.

A. David Cohen, 1341 Connecticut Avenue NW., Washington, D.C.
B. Americans for Democratic Action, 1341 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,892.30. E. (9) $132.50.

A. Nicholas S. Collins, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $240. E. (9) $33.22.

A. Paul G. Collins, 730 15th Street NW., Washington, D.C.
B. The American Bankers Association, 12 East 36th Street, New York, N.Y.
D. (6) $125. E. (9) $33.85.

A. Bernard J. Conway, 222 East Superior Street, Chicago, Ill.
B. American Dental Association, 222 East Superior Street, Chicago, Ill.
D. (6) $1,280.

A. Council for a Livable World, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $18,140.97. E. (9) $20,881.57.

A. A. Harry Crane, 303 New England Building, Topeka, Kans.
B. Southern Railway System, Washington, D.C.
E. (9) $23.82.

A. Joseph M. Creed, 1317 F Street NW., Washington, D.C.
B. American Bakers Association, 1317 F Street NW., Washington, D.C.
E. (9) $60.

A. C. B. Culpepper, Post Office Box 1736, Atlanta, Ga.
B. National Conference of Non-Profit Shipping Associations, Inc.

A. Michael P. Daniels, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $100.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.
D. (6) $15,000.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Committee on Consumer Finance Companies, 731 Washington Building, Washington, D.C.
D. (6) $10,000.

A. S. P. Deas, 520 National Bank of Commerce Building, New Orleans, La.

A. Debevoise, Plimpton, Lyons & Gates, 320 Park Avenue, New York, N.Y.
B. Edward G. Sparrow, 1 East 66th Street, New York, N.Y.
E. (9) $82.58.

A. James J. Delaney, Jr., 220 Central Building, Anchorage, Alaska.
B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Leslie E. Dennis, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $540.

A. Division of Federal Relations, National Education Association, 1201 16th Street NW., Washington, D.C.
E. (9) $16,016.91.

A. Evelyn Dubrow, 1710 Broadway, New York, N.Y.
B. International Ladies' Garment Workers' Union, 1710 Broadway, New York, N.Y.
D. (6) $2,340. E. (9) $1,288.48.

A. Carlyle M. Dunaway, 1922 F Street NW., Washington, D.C.
B. The National Association of Life Underwriters, 1922 F Street NW., Washington, D.C.
D. (6) $530. E. (9) $461.06.

A. Henry I. Dworshak, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $553.14. E. (9) $4.30.

A. EG&A International, Inc., 640 Fifth Avenue, New York, N.Y.
B. Council of the Forest Industries of British Columbia, 550 Burrard Street, Vancouver, British Columbia.
D. (6) $1,000. E. (9) $2,493.47.

A. James M. Earnest, 1000 Woodward Building, Washington, D.C.
B. Shannondale, Inc., Shannondale Community Club, Inc., Post Office Box 72, Charles Town, W. Va.
E. (9) $385.

A. Ernest J. Eaton, Washington Building, Washington, D.C.
B. National Independent Business Association, 835 Washington Building, Washington, D.C.

A. Ernest J. Eaton, Washington Building, Washington, D.C.
B. Nebraska Mid-State Reclamation District, Washington Building, Washington, D.C.

A. Ernest J. Eaton, Washington Building, Washington, D.C.
B. Water Conversion Institute, Washington Building, Washington, D.C.

A. J. C. B. Ehringhaus, Jr., Post Office Box 1776, Raleigh, N.C.
B. Southern Railway System.
D. (6) $4,500. E. (9) $1,036.

A. John W. Emeigh, 1040 Warner Building, Washington, D.C.
B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $859.24. E. (9) $17.40.

A. Arthur S. Fefferman, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.

A. Joe G. Fender, 2033 Norfolk Street, Houston, Tex.
B. National Conference of Non-Profit Shipping Associations, Inc.
D. (6) $800.

A. John B. Fisher, 5514 Grove Street, Chevy Chase, Md.
B. National Association of Independent Schools, 4 Liberty Square, Boston, Mass.
D. (6) $600. E. (9) $88.50.

A. John B. Fisher, 5514 Grove Street, Chevy Chase, Md.
B. National Employment Association, 260 Southfield Road, Detroit, Mich.
D. (6) $4,450. E. (9) $1,948.

A. John B. Fisher, 5514 Grove Street, Chevy Chase, Md.
B. Woven Label Manufacturers of the United States, 1440 Broadway, New York, N.Y.
D. (6) $1,250. E. (9) $500.

A. Donald G. Fletcher, 828 Midland Bank Building, Minneapolis, Minn.
B. Crop Quality Council, 828 Midland Bank Building, Minneapolis, Minn.
D. (6) $4,125.

A. Florida Inland Navigation District, Citizens Bank Building, Bunnell, Fla.

A. Forest Farmers Association Cooperative, Post Office Box 7284, Station C, Atlanta, Ga.
D. (6) $459.68. E. (9) $459.68.

A. James F. Fort, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $750. E. (9) $363.60.

A. Milton Fricke, Papillion, Nebr.
B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. Mary Condon Gereau, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $2,234.99. E. (9) $332.10.

A. William P. Giglio, 1913 I Street NW., Washington, D.C.
B. National Business Publications, Inc., 1913 I Street NW., Washington, D.C.

A. Jack Golodner, 1301 Delaware Avenue SW., Washington, D.C.
B. Actors' Equity Association, 226 West 47th Street, New York, N.Y.
D. (6) $2,500. E. (9) $310.

A. John A. Gosnell, 1225 19th Street NW., Washington, D.C.
D. (6) $1,833.34.

A. Harry L. Graham, 1616 H Street NW., Washington, D.C.
B. National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $3,000.

A. John R. Graves, 1736 19th Street NW., Washington, D.C.
B. Oxy-Catalyst, Inc., Berwyn, Pa.
E. (9) $160.

A. Dale Greenwood, 302 Hoge Building, Seattle, Wash.
B. Washington Railroad Association, 302 Hoge Building, Seattle, Wash.
E. (9) $435.04.

A. John F. Griner, 900 F Street NW., Washington, D.C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D.C.
D. (6) $4,983.30. E. (9) $498.33.

A. William A. Hanscom, 100 Indiana Avenue NW., Washington, D.C.
B. Oil, Chemical and Atomic Workers International Union, 1840 California Street, Denver, Colo.
D. (6) $1,437.50. E. (9) $225.

A. William B. Harman, Jr., 1701 K Street NW., Washington, D.C.
B. American Life Convention, 230 Michigan Avenue, Chicago, Ill.
D. (6) $301.80.

A. Robert B. Harris, 1627 K Street NW., Washington, D.C.
B. National Independent Dairies Association, 1627 K Street NW., Washington, D.C.

A. Hedrick & Lane, 1001 Connecticut Avenue NW., Washington, D.C.
B. Comite de Productores de Azucar, Antonio Miro Quesada 376, Lima, Peru.
E. (9) $91.91.

A. Robert B. Heiney, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $875. E. (9) $336.38.

A. Noel Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.

A. Ralph D. Hodges, Jr.
B. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.
E. (9) $46.50.

A. Frank N. Hoffmann, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $4,000. E. (9) $1,000.

A. Harold K. Howe, Mills Building, Washington, D.C.
B. American Institute of Laundering, Joliet, Ill.
D. (6) $2,649.99.

A. Harold K. Howe, Mills Building, Washington, D.C.
B. National Automatic Merchandising Association, Mills Building, Washington, D.C.

A. Harold K. Howe, Mills Building, Washington, D.C.
B. The Outdoor Power Equipment Institute, Inc., Mills Building, Washington, D.C.

A. Joe L. Howell, Jr., 3800 U.S. Highway 51 North, Jackson, Miss.
B. National Committee for Insurance Taxation, the Hay-Adams House, Washington, D.C.

A. Floyd E. Huffman, 1040 Warner Building, Washington, D.C.
B. National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $859.24. E. (9) $12.65.

A. Illinois Railroad Association, 135 East 11th Place, Chicago, Ill.
E. (9) $1,630.18.

A. Illinois State Conference of Building Trades Unions, 130 North Wells Street, Chicago, Ill.
D. (6) $4,000. E. (9) $3,474.13.

A. International Association of Machinists, Machinists Building, Washington, D.C.
E. (9) $2,155.77.

A. Iron Ore Lessors Association, Inc., W-1481, First National Bank Building, St. Paul, Minn.
E. (9) $1,111.31.

A. Rear Adm. Alexander Jackson, Jr., 333 Pennsylvania Avenue SE., Washington, D.C.
B. Reserve Officers Association of the U.S.

A. Ralph K. James, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $440. E. (9) $9.73.

A. Mrs. Margaret E. Jenkins, 30 Deerpath, Norgate, Roslyn Heights, Long Island, N.Y.
B. National Congress of Parents and Teachers.

A. Glendon E. Johnson, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.
D. (6) $610.50. E. (9) $46.35.

A. Ned Johnston, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D.C.

A. Charlie W. Jones, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Carpet Institute, Inc., 350 Fifth Avenue, New York City, N.Y.
D. (6) $187.50. E. (9) $27.15.

A. Max H. Jordan, 1040 Warner Building, Washington, D.C.
B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $859.24. E. (9) $32.15.

A. Karelsen & Karelsen, 230 Park Avenue, New York, N.Y.
E. (9) $80.

A. Jerome J. Keating, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $3,125.

A. Ken Kendrick, 1411 K Street NW., Washington, D.C.
B. National Association of Wheat Growers, 1411 K Street NW., Washington, D.C.
D. (6) $4,803.09. E. (9) $4,803.09.

A. William F. Kenney.
B. Shell Oil Co., 50 West 50th Street, New York, N.Y.
D. (6) $250. E. (9) $50.

A. Franklin E. Kepner, Berwick Bank Building, Berwick, Pa.
B. Associated Railroads of Pennsylvania, Room 1022, Transportation Center, Philadelphia, Pa.

A. H. Cecil Kilpatrick, 912 American Security Building, Washington, D.C.
B. Rossmoor Leisure World, Seal Beach, Calif.
D. (6) $772.50. E. (9) $59.88.

A. Joseph T. King, 1028 Connecticut Avenue NW., Washington, D.C.
B. Associated Equipment Distributors and Sprinkler Irrigation Association.
E. (9) $788.29.

A. Mr. and Mrs. Harry L. Kingman.
D. (6) $1,780 E. (9) $1,780.

A. William L. Kohler, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $224.95.

A. Kominers & Fort, 529 Tower Building, Washington, D.C.
B. Board of Commissioners, Port of New Orleans, Post Office Box 60046, New Orleans, La.
E. (9) $38.36.

A. Kominers & Fort, 529 Tower Building, Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D.C., and American Steamship Traffic Executive Committee, 1 Broadway, New York, N.Y.

A. Kominers & Fort, 529 Tower Building, Washington, D.C.
B. Marine Transport Lines, Inc., 60 Broad Street, New York, N.Y.

A. Kominers & Fort, 529 Tower Building, Washington, D.C.
B. Wall Street Traders, Inc., 60 East 42d Street, New York, N.Y.
D. (6) $3,500.

A. Dillard B. Lasseter, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $525.

A. Latham & Watkins.
B. Rossmoor Corp., Post Office Box 125, Seal Beach, Calif.
D. (6) $495. E. (9) $5.

A. G. E. Leighty, 400 First Street NW., Washington, D.C.

A. Donald Lerch, Jr., & Co., Inc., 1025 Connecticut Avenue NW., Washington, D.C.
B. Shell Chemical Co., Client of Lerch & Co., 110 West 31st Street, New York, N.Y.

A Maj. Gen. George O. N. Lodoen, 333 Pennsylvania Avenue SE., Washington, D.C.
B. Reserve Officers Association of the U.S.

A. Harold O. Lovre, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $279.07.

A. James C. Lucas, 711 14th Street NW., Washington, D.C.
B. Retail Jewelers of America, Inc., 711 14th Street NW., Washington, D.C.
E. (9) $60.

A. John M. Lumley, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $2,316.28. E. (9) $629.07.

A. J. A. McCallam, 1507 M Street NW., Washington, D.C.
E. (9) $1,986.50.

A. Stanley J. McCutcheon, 315 Fourth Avenue, Anchorage, Alaska.
B. Marathon Oil Co.

A. Mrs. Barbara D. McGarry, 6400 Winston Drive, Bethesda, Md.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.
E. (9) $189.87.

A. Joseph B. McGrath, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $2,763.45. E. (9) $171.65.

A. William H. McLin, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $3,203.72. E. (9) $207.12.

A. William F. McManus, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $200. E. (9) $60.

A. James D. Mann, 839 17th Street NW., Washington, D.C.
B. National Association of Motor Bus Owners, 839 17th Street NW., Washington, D.C.

A. Mrs. Olya Margolin, 1637 Massachusetts Avenue NW., Washington, D.C.
B. National Council of Jewish Women, Inc., One West 47th Street, New York, N.Y.
D. (6) $2,242.02. E. (9) $124.22.

A. Edwin E. Marsh, 600 Crandall Building, Salt Lake City, Utah.
B. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $3,099.99. E. (9) $1,466.36.

A. Albert E. May, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $326.67. E. (9) $29.91.

A. Arnold Mayer, 100 Indiana Avenue NW., Washington, D.C.
B. Amalgamated Meat Cutters & Butcher Workmen of North America, AFL–CIO, 2800 North Sheridan Road, Chicago, Ill.
E. (9) $282.

A. Mehler, Smoller & Buschmann, 2000 K Street NW., Washington, D.C.
B. Legislative Steering Committee for Rebuilders of Automotive Parts.
D. (6) $53.13. E. (9) $2,322.78.

A. M. Barry Meyer, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $750. E. (9) $730.05.

A. Joseph L. Miller, 918 16th Street NW., Washington, D.C.
B. Northern Textile Association, Boston, Mass.; Theisen-Clemens Co., St. Joseph, Mich.

A. Clarence Mitchell, 100 Massachusetts Avenue NW., Washington, D.C.
B. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y.

A. Stephen A. Mitchell, Post Office Box 932, Taos, N. Mex.

A. Mobilehome Dealers National Association, 39 South LaSalle Street, Chicago, Ill.
E. (9) $2,153.24.

A. Harry L. Moffet, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $1,737.50. E. (9) $24.20.

A. Joseph E. Moody, 1000 16th Street NW., Washington, D.C.
D. (6) $625.

A. J. Walter Myers, Jr., Post Office Box 7284, Station C, Atlanta, Ga.
B. Forest Farmers Association Cooperative, Post Office Box 7284, Station C, Atlanta, Ga.
D. (6) $75.56. E. (9) $238.22.

A. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y.

A. National Association of Blue Shield Plans, 425 North Michigan Avenue, Chicago, Ill.
E. (9) $1,091.36.

A. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $16,651.10. E. (9) $13,044.57.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $776,315.50. E. (9) $22,213.49.

A. National Association of Life Underwriters, 1922 F Street NW., Washington, D.C.
D. (6) $1,157.56. E. (9) $1,157.56.

A. National Association of Postmasters of the United States, 348 Pennsylvania Building, Washington, D.C.
D. (6) $111,767.72. E. (9) $1,710.

A. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill., and 1300 Connecticut Avenue, Washington, D.C.
E. (9) $11,082.88.

A. National Association of Social Workers, Inc., 2 Park Avenue, New York, N.Y., and 1346 Connecticut Avenue NW., Washington, D.C.
E. (9) $450.

A. National Association of Wheat Growers, 1411 K Street NW., Washington, D.C.
D. (6) $4,803.09. E. (9) $4,803.09.

A. National Audio-Visual Association, Inc., 1201 Spring Street, Fairfax, Va.
D. (6) $2,277.40. E. (9) $1,496.94.

A. National Business Publications, Inc., 1913 I Street NW., Washington, D.C.

A. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $365,850.49. E. (9) $5,253.01.

A. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
E. (9) $4,345.23.

A. National Committee for Insurance Taxation, the Hay-Adams Hotel, Washington, D.C.
D. (6) $218.70.

A. National Committee for Research in Neurological Disorders, 386 Park Avenue, South, New York, N.Y.
E. (9) $1,000.

A. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. National Creative Arts Committee for Better Copyright Laws, 1701 K Street NW., Washington, D.C.
E. (9) $390.

A. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.
D. (6) $29,537.45. E. (9) $5,943.35.

A. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $88,310.32. E. (9) $9,258.04.

A. National Federation of Independent Business, Inc., 740 Washington Building, Washington, D.C.
D. (6) $13,913.97. E. (9) $13,913.97.

A. National Fisheries Institute, Inc., 1614 20th Street NW., Washington, D.C.
E. (9) $35.

A. National Grange, 1616 H Street NW., Washington, D.C.
E. (9) $8,850.

A. National Independent Dairies Association, 1627 K Street NW., Washington, D.C.

A. National Livestock Feeders Association, 309 Livestock Exchange Building, Omaha, Nebr.
D. (6) $5,125. E. (9) $5,125.

A. National Parking Association, 711 14th Street NW., Washington, D.C.

A. National Reclamation Association, 897 National Press Building, Washington, D.C.
D. (6) $9,819.86. E. (9) $4,360.85.

A. National Rehabilitation Association, Inc., 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $7,645. E. (9) $1,015.

A. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
E. (9) $723.84.

A. National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D.C.
D. (6) $15,455. E. (9) $15,596.35.

A. National Small Business Association, 1225 19th Street NW., Washington, D.C.
D. (6) $5,000. E. (9) $2,562.52.

A. National Tax Equality Association, 1000 Connecticut Avenue Building, Washington, D.C.
D. (6) $15,877.50. E. (9) $8,749.43.

A. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $21,946.10. E. (9) $4,896.38.

A. George R. Nelson, Machinists Building, Washington, D.C.
B. International Association of Machinists, Machinists Building, Washington, D.C.
D. (6) 1,500. E. (9) $655.77.

A. New York & New Jersey Dry Dock Association, 161 William Street, New York City.
D. (6) $1,977.58. E. (9) $2,099.04.

A. Herschel D. Newsom, 1616 H Street NW., Washington, D.C.
B. National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $3,750.

A. Joseph A. Noone, 603 Associations Building, Washington, D.C.
B. National Agricultural Chemicals Association, 1145 19th Street NW., Washington, D.C.

A. North Carolina Cotton Promotion Association, Box 5425, Raleigh, N.C.
E. (9) $311.11.

A. Seward P. Nyman, 3301 16th Street NW., Washington, D.C.
B. American Podiatry Association, 3301 16th Street NW., Washington, D.C.
D. (6) $650.

A. John A. O'Donnell, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200.

A. Order of Railway Conductors and Brakemen, O.R.C. & B. Building, Cedar Rapids, Iowa.
E. (9) $5,229.24.

A. John A. Overholt, 10315 Kensington Parkway, Kensington, Md., and 1106 Munsey Building, Washington, D.C.
B. National Association of Retired Civil Employees, 1625 Connecticut Avenue, Washington, D.C.
D. (6) $1,076.95.

A. J. Allen Overton, Jr., 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $1,200.

A. Geo. F. Parrish, P.O. Box 7, Charleston, W. Va.
B. West Virginia Railroad Association.

A. Lynn C. Paulson, 1627 K Street NW., Washington, D.C.
B. National Independent Dairies Association, 1627 K Street NW., Washington, D.C.

A. Andrew A. Pettis, 100 Indiana Avenue NW., Washington, D.C.
B. Industrial Union of Marine and Shipbuilding Workers of America, 534 Cooper Street, Camden, N.J.
D. (6) $4,711. E. (9) $3,682.32.

A. James F. Pinkney, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D. C.
D. (6) $1,000. E. (9) $36.85.

A. Milton M. Plumb, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

A. J. Francis Pohlhaus, 100 Massachusetts Avenue NW., Washington, D.C.
B. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y.

A. Gordon M. Quarnstrom, 7447 Skokie Boulevard, Skokie, Ill.
B. National Committee for Insurance Taxation, Hay-Adams House, Washington, D.C.

A. James H. Rademacher, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,500.

A. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.

A. Stanley Rector, 520 Hotel Washington, Washington, D.C.
B. Unemployment Benefit Advisors, Inc.
D. (6) $1,000.

A. George L. Reid, Jr., 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $799.98. E. (9) $274.89.

A. Reserve Officers Association of the United States, 333 Pennsylvania Avenue SE., Washington, D.C.

A. John Arthur Reynolds, 653 Cortland Avenue, Fresno, Calif.
B. Western Cotton Growers Association, 1212 Guarantee Savings Building, Fresno, Calif.
D. (6) $937.50. E. (9) $750.

A. John J. Riley, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders, 1625 L Street NW., Washington, D.C.
D. (6) $1,456.74. E. (9) $82.75.

A. William Neale Roach, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $349.88.

A. John F. Rolph III, 730 15th Street NW., Washington, D.C.
B. The American Bankers Association, 12 East 36th Street, New York, N.Y.
D. (6) $500. E. (9) $144.34.

A. John Forney Rudy, 902 Ring Building, Washington, D.C.
B. The Goodyear Tire & Rubber Co., Akron, Ohio.

A. J. T. Rutherford, 1616 P Street NW., Washintgon, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $232.08.

A. J. T. Rutherford & Associates, 1701 K Street NW., Washington, D.C.
B. National Creative Arts Committee for Better Copyright Laws, 1701 K Street NW., Washington, D.C.
D. (6) $390. E. (9) $390.

A. Francis J. Ryley, 519 Title and Trust Building, Phoenix, Ariz.
B. Standard Oil Co. of California, San Francisco; et al.

A. Robert A. Saltzstein, 1300 Wyatt Building, Washington, D.C.
B. The Associated Business Publications, 205 East 42d Street, New York, N.Y.
D. (6) $2,750. E. (9) $212.42.

A. Clayton A. Seeber, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Division of Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $2,317.58. E. (9) $227.95.

A. Theodore A. Serrill, 1025 Connecticut Avenue NW., Washington, D.C.
B. National Editorial Association, 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $137.32.

A. John J. Sheehan, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $3,000. E. (9) $300.

A. Laurence P. Sherfy, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $575.

A. Henry M. Shine, Jr., 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $2,078.43. E. (9) $200.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. Bluejay Oil Co., National Press Building, Washington, D.C.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. FHA Apartment Owners Association, Woodward Building, Washington, D.C.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. Fiduciary Counsel, Inc., 40 Wall Street, New York, N.Y.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. Insurance Securities, Inc., 100 California Street, San Francisco, Calif.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. Investors Management Co., Westminster at Parker, Elizabeth, N.J.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. National Realty Trust, National Press Building, Washington, D.C.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. Pet Shop Management, Inc., P.O. Box 109, Fond du Lac, Wis.

A. Richard L. Shook, 940 Federal Bar Building, Washington, D.C.
B. Mr. and Mrs. Herschal Day, Edgerton, Ohio.
D. (6) $1,500. E. (9) $21.50.

A. T. W. Smiley, 135 East 11th Place, Chicago, Ill.
B. Illinois Railroad Association, 135 East 11th Place, Chicago, Ill.
E. (9) $1,630.18.

A. Gordon Smith, 1145 19th Street NW., Washington, D.C.
B. E.G. & A. International, Inc., 640 Fifth Avenue, New York, N.Y.
E. (9) $25.50.

A. Irvin A. Smith, 418 East Rosser Avenue, Bismarck, N. Dak.
B. North Dakota railroads.
E. (9) $135.47.

A. Milan D. Smith, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.

A. Wayne J. Smith, 201 Massachusetts Avenue NE., Washington, D.C.
B. Committee to Promote American-Made Motion Pictures, 6721 Melrose Avenue, Los Angeles, Calif.
D. (6) $1,027.

A. Wayne J. Smith, 201 Massachusetts Avenue NE., Washington, D.C.
B. Dixie Project & Development Association, Inc., St. George, Utah.

A. Wayne J. Smith, 201 Massachusetts Avenue NE., Washington, D.C.
B. William Radkovich Co., 9133 Gravey Boulevard, Rosemead, Calif.
D. (6) $285.

A. Wayne J. Smith, 201 Massachusetts Avenue NE., Washington, D.C.
B. Legislative Council for Photogrametry, 201 Massachusetts Avenue NE., Washington, D.C.
D. (6) $1,200.

A. W. Byron Sorrell, 1100 New Hampshire Avenue NW., Washington, D.C.
B. Mobilehome Dealers National Association, 39 South LaSalle Street, Chicago, Ill.
D. (6) $2,025. E. (9) $128.24.

A. Southern Pine Industry Committee, 520 National Bank of Commerce Building, New Orleans, La.
D. (6) $1,491.58. E. (9) $2,886.91.

A. John F. Speer, 1105 Barr Building, Washington, D. C.
B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D.C.

A. Mrs. Alexander Stewart (Annalee), 120 Maryland Avenue NE., Washington, D.C.
B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.
D. (6) $21 680.42. E. (9) $7,447.70.

A. Nelson A. Stitt, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $50.

A. Sam S. Studebaker, Tipp City, Ohio.
B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. Walter B. Stults, 537 Washington Building, Washington, D.C.
B. National Association of Small Business Investment Cos., 537 Washington Building, Washington, D.C.
D. (6) $600.

A. C. Austin Sutherland, 1616 P Street NW., Washington, D.C.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. Noble J. Swearingen, 224 East Capitol Street, Washington, D.C.
B. National Tuberculosis Association, 1790 Broadway, New York, N.Y.
D. (6) $250. E. (9) $23.30.

A. David Teetor, 1346 Connecticut Avenue NW., Washington, D.C.
B. National Aviation Trades Association, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $750.

A. J. Woodrow Thomas, 1000 16th Street NW, Washington, D.C.
B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.
E. (9) $121.65.

A. Julia C. Thompson, 1030 15th Street N.W., Washington, D.C.
B. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.
D. (6) $2,168.28.

A. Bert M. Tollefson, Jr., 1 Farragut Square South, Washington, D.C.
B. Blue Cross Association, 840 North Lake Shore Drive, Chicago, Ill.
E. (9) $2,338.30.

A. Mrs. Hattie B. Trazenfeld, 2012 Massachusetts Avenue NW., Washington, D.C.
B. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.

A. Paul T. Truitt, 1700 K Street NW., Washington, D.C.
B. National Plant Food Institute, 1700 K Street NW., Washington, D.C.
E. (9) $181.22.

A. Trustees for Conservation, 251 Kearny Street, San Francisco, Calif.
D. (6) $4,034.70. E. (9) $2,198.83.

A. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $225. E. (9) $225.

A. Universal Exchange, P.O. Box 2782, Orlando, Fla.
E. (9) $417.66.

A. Arvin E. Upton and James A. Greer II, 1821 Jefferson Place NW., Washington, D.C.
B. National Committee on Radiation Protection and Measurements, U.S. Department of Commerce, National Bureau of Standards, Washington, D.C.
D. (6) $150. E. (9) $12.67.

A. Richard E. Vernor, 1701 K Street N.W., Washington, D.C.
B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.
D. (6) $94.50. E. (9) $5.30.

A. Veterans of World War I, USA, Inc., 40 G Street NE., Washington, D.C.

A. Franklin Wallick, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $3,189.06. E. (9) $986.16.

A. T. M. Walters, 400 First Street NW., Washington, D.C.
B. Order of Railway Conductors & Brakemen, ORC & B Building, Cedar Rapids, Iowa.

A. Watters & Donovan, 161 William Street, New York, N.Y.
B. New York & New Jersey Dry Dock Association, 161 Williams Street, New York, N.Y.
D. (6) $1,250.

A. Wm. E. Welsh, 897 National Press Building, Washington, D.C.
B. National Reclamation Association, 897 National Press Building, Washington, D.C.
D. (6) $3,750.

A. Western Cotton Growers Association, 1212 Guarantee Savings Building, Fresno, Calif.
D. (6) $21,822.51. E. (9) $3,133.40.

A. Western States Meat Packers Association, Inc., 604 Mission Street, San Francisco, Calif.
D. (6) $113,822.92. E. (9) $13.20.

A. Don White, 1201 Spring Street, Fairfax, Va.
B. National Audio-Visual Association, Inc., 1201 Spring Street, Fairfax, Va.
D. (6) $693.75. E. (9) $1,147.80.

A. Donald S. Whyte, 1102 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $487.50. E. (9) $23.05.

A. Albert E. Wilkinson, Investment Building, Washington, D.C.
B. The Anaconda Co., 25 Broadway, New York, N.Y.
D. (6) $2,250. E. (9) $1,157.74.

A. Robert P. Will, 989 National Press Building, Washington, D.C.
B. The Metropolitan Water District of Southern California, 1111 Sunset Boulevard, Los Angeles, Calif.
D. (6) $1,125. E. (9) $1,504.25.

A. W. A. Williams, Jr., Santa Fe, N. Mex.
B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. Kenneth Williamson, 1 Farragut Square South, Washington, D.C.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $1,144.23. E. (9) $288.52.

A. Albert Y. Woodward, 1625 I Street NW., Washington, D.C.
B. The Flying Tiger Line, Inc., Lockheed Air Terminal, Burbank, Calif.

A. Albert Young Woodward, 1625 I Street NW., Washington, D.C.
B. Signal Oil & Gas Co., 1010 Wilshire Boulevard, Los Angeles, Calif.

A. Linda Bell Zimmer, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $25.

QUARTERLY REPORTS

The following quarterly reports were submitted for the second calendar quarter 1964:

(NOTE.—The form used for reports is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_______ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees*. An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

NOTE ON ITEM "D."—(*a*) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(*b*) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(*c*) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $--------Dues and assessments
2. $--------Gifts of money or anything of value
3. $--------Printed or duplicated matter received as a gift
4. $--------Receipts from sale of printed or duplicated matter
5. $--------Received for services (e.g., salary, fee, etc.)
6. $--------TOTAL for this Quarter (Add items "1" through "5")
7. $--------Received during previous Quarters of calendar year
8. $--------TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $--------TOTAL now owed to others on account of loans
10. $--------Borrowed from others during this Quarter
11. $--------Repaid to others during this Quarter

12. $--------"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more
(from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": --------

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor*
	(*"Period"* from Jan. 1 through ----------------, 19---)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(*a*) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(*b*) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $--------Public relations and advertising services
2. $--------Wages, salaries, fees, commissions (other than item "1")
3. $--------Gifts or contributions made during Quarter
4. $--------Printed or duplicated matter, including distribution cost
5. $--------Office overhead (rent, supplies, utilities, etc.)
6. $--------Telephone and telegraph
7. $--------Travel, food, lodging, and entertainment
8. $--------All other expenditures
9. $--------TOTAL for this Quarter (Add "1" through "8")
10. $--------Expended during previous Quarters of calendar year
11. $--------TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $--------TOTAL now owed to person filing
13. $--------Lent to others during this Quarter
14. $--------Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

A. Charles D. Ablard, 1629 K Street NW., Washington, D.C.
B. Magazine Publishers Association, Inc., 575 Lexington Avenue, New York, N.Y.
D. (6) $2,243.25. E. (9) $63.86.

A. Clarence G. Adamy, 1725 I Street NW., Washington, D.C.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $600. E. (9) $35.25.

A. Aerospace Industries Association of America, Inc., 1725 De Sales Street NW., Washington, D.C.
D. (6) $4,474.40. E. (9) $4,474.40.

A. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $21,398. E. (9) $17,182.81.

A. Air Traffic Control Association, Inc., 528 Barr Building, Washington, D.C.
D. (6) $800. E. (9) $500.

A. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,138.35. E. (9) $5,138.35.

A. Aircraft Owners & Pilots Association, 4650 East-West Highway, Bethesda, Md.
E. (9) $177.59.

A. George Venable Allen, 4370 Quebec Street NW., Washington, D.C.
B. The Tobacco Institute, 1735 K Street NW., Washington, D.C.

A. Louis J. Allen.
B. Class I Railroads in Tennessee.

A. Nicholas E. Allen & Merrill Armour, 1001 15th Street NW., Washington, D.C.
B. Music Operators of America, Inc., 128 East 14th Street, Oakland, Calif., and 228 North LaSalle Street, Chicago, Ill.
E. (9) $84.18.

A. Amalgamated Transit Union, 5025 Wisconsin Avenue NW., Washington, D.C.

A. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. American Coalition of Patriotic Societies, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $750. E. (9) $15,280.56.

A. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. American Farm Bureau Federation, 425 13th Street NW., Washington, D.C.
D. (6) $35,120. E. (9) $35,120.

A. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
E. (9) $39,736.90.

A. American Federation of Musicians, 425 Park Avenue, New York, N.Y.
D. (6) $183,918.06. E. (9) $6,691.19.

A. American Finance Conference, Inc., 1629 K Street NW., Washington, D.C.
D. (6) $600. E. (9) $600.

A. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $8,371.05. E. (9) $8,371.05.

A. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.

A. American Israel Public Affairs Committee, 1737 H Street NW., Washington, D.C.
D. (6) $3,321.11. E. (9) $2,625.33.

A. American Justice Association, Inc., Defense Highway, Cambridge, Md.
D. (6) $2. E. (9) $2.

A. American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $7,067.10. E. (9) $29,009.22.

A. American Maritime Association, 17 Battery Place, New York, N.Y. and 1725 K Street NW., Washington, D.C.
D. (6) $700. E. (9) $25.10.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
E. (9) $8,678.28.

A. American Merchant Marine Institute, Inc., 11 Broadway, New York, N.Y.
E. (9) $2,722.74.

A. American Optometric Association, Inc., c/o Dr. Melvin D. Wolfberg, 100 West Pine Street, Selinsgrove, Pa.
D. (6) $8,654.48. E. (9) $8,654.48.

A. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
D. (6) $561.45. E. (9) $561.45.

A. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. American Parents Committee, Inc., 20 E Street NW., Washington, D.C. and 52 Vanderbilt Avenue, New York, N.Y.
D. (6) 1,168.16. E. (9) $539.81.

A. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $5,997. E. (9) $11,281.

A. American Pulpwood Association, 605 Third Avenue, New York, N.Y.
E. (9) $930.65.

A. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $1,616.37. E. (9) $1,616.37.

A. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $1,350. E. (9) $900.

A. American Taxpayers Association, Inc., 411 Munsey Building, Washington, D.C.
D. (6) $65. E. (9) $2,001.89.

A. American Textile Machinery Association, c/o E. C. Connor, Foster Machine Co., Westfield, Mass.
D. (6) $188.65.

A. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $12,193.85. E. (9) $12,193.85.

A. American Warehousemen's Association, 222 West Adams Street, Chicago, Ill.

A. American Waterways Operators, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,866.18. E. (9) $1,866.18.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.
B. Hotel and Restaurant Employees and Bartenders International Union, 6 East Fourth Street, Cincinnati, Ohio.
D. (6) $2,499.99.

A. Jerry L. Anderson, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Walter M. Anderson, Jr., Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $125. E. (9) $204.98.

A. Anti-Monopoly Transportation Conference, 1130 17th Street NW., Washington, D.C.

A. George W. Apperson, 900 F Street NW., Washington, D.C.
B. Division 689, Amalgamated Transit Union, 900 F Street NW., Washington, D.C.

A. David Apter, 1145 19th Street NW., Washington, D.C.
B. Council of the Forest Industries of British Columbia, 550 Burrard Street, Vancouver, B.C.
D. (6) $3,000. E. (9) $167.25.

A. W. B. Ardery.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. Carl F. Arnold, 1625 K Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $2,750. E. (9) $1,821.93.

A. Arthritis and Rheumatism Foundation, 10 Columbus Circle, New York, N.Y.
E. (9) $1,122.46.

A. Associated General Contractors, Inc., 1957 E Street NW., Washington, D.C.

A. Associated Railroads of New Jersey, Pennsylvania Station, Raymond Plaza, Newark, N.J.

A. Associated Third Class Mail Users, 100 Indiana Avenue NW., Washington, D.C.

A. Association of American Physicians and Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.,
D. (6) $525. E. (9) $525.

A. Association of American Railroads, 929 Transportation Building, Washington, D.C.
D. (6) $3,530.57. E. (9) $3,530.57.

A. Association on Broadcasting Standards, Inc., 1741 De Sales Street NW., Washington, D.C.
E. (9) $33.64.

A. Association of Casualty and Surety Companies, 110 William Street, New York, N.Y.
D. (6) $2,512.85. E. (9) $2,512.85.

A. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.

A. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.
E. (9) $450.

A. Association of Western Railways, 224 Union Station Building, Chicago, Ill.
D. (6) $125. E. (9) $125.

A. Atlanta Committee for Democratic Republican Independent Voter Education, 2540 Lakewood Avenue SW., Atlanta, Ga.
D. (6) $2,663.36. E. (9) $1,634.47.

A. Atlantic Refining Co., 260 South Broad Street, Philadelphia, Pa.
E. (9) $300.

A. Robert L. Augenblick, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $50. E. (9) $5.

A. Automotive Trade Association National Capital Area, 1026 17th Street NW., Washington, D.C.

A. Richard W. Averill, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the United States of America.

A. Michael H. Bader, 1735 De Sales Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 De Sales Street NW., Washington, D.C.

A. Harry S. Baer, Jr., 1725 De Sales Street NW., Washington, D.C.
B. National AeroSpace Services Association, 1735 De Sales Street NW., Washington, D.C.
E. (9) $148.45.

A. Douglas B. Bagnell, Post Office Box 1286, Fairhope, Ala.
B. Maine Potato Council, Presque Isle, Maine.
D. (6) $75.

A. Charles B. Bailey, Sr., 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway & Steamship Clerks, Freight Handlers, Express & Station Employees.
D. (6) $2,568.55. E. (9) $336.80.

A. Donald Baldwin, 1619 Massachusetts Avenue NW., Washington, D.C.
B. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.
E. (9) $240.75.

A. Baltimore Gas & Electric Co., Gas & Electric Building, Baltimore, Md.
E. (9) $2,008.90.

A. Arthur R. Barnett, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $700. E. (9) $200.35.

A. Irvin L. Barney, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
D. (6) $3,600.

A. A. Wesley Barthelmes, 1701 K Street NW., Washington, D.C.
B. Insurance Company of North America and Life Insurance Company of North America, 1600 Arch Street, Philadelphia, Pa.
D. (6) $464. E. (9) $129.15.

A. Laurie C. Battle, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers of the U.S.A., 918 16th Street NW., Washington, D.C.

A. Roy Battles, 532 Shoreham Building, Washington, D.C.
B. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D.C.

A. James F. Bell, 1001 Connecticut Avenue NW., Washington, D.C.
B. National Association of Supervisors of State Banks, Munsey Building, Washington, D.C.
D. (6) $500.

A. Ernest H. Benson, 400 First Street NW., Washington, D.C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $5,250.

A. Walter J. Bierwagen, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Bigham, Englar, Jones & Houston, 99 John Street, New York, and 839 Shoreham Building, Washington, D.C.
B. American Institute of Marine Underwriters, 99 John Street, New York, N.Y.
E. (9) $139.71.

A. Leon G. Billings, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $225.

A. Robert J. Bird, 1000 Connecticut Avenue, Washington, D.C.
B. Occidental Life Insurance Company of California, 1151 South Broadway, Los Angeles, Calif.

A. John H. Bivins, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $605.

A. James C. Black, 1025 Connecticut Avenue NW., Washington, D.C.
B. Republic Steel Corp., Republic Building, Cleveland, Ohio.
D.(6) $600. E. (9) $500.

A. Wm. Rhea Blake, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

A. Blue Cross Association, 840 North Lake Shore Drive, Chicago, Ill.
E. (9) $3,437.36.

A. William Blum, Jr., 1815 H Street NW., Washington, D.C.
B. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.
D. (6) $6,380. E. (9) $1,059.87.

A. William Blum, Jr., 1815 H Street NW., Washington, D.C.
B. Pacific Navigational System, Inc., 9 First Street, San Francisco, Calif.
D. (6) $1,500. E. (9) $90.80.

A. Fred F. Bockmon, 405 Luhrs Building, Phoenix, Ariz.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif., and the Atchison, Topeka & Santa Fe Railway, 121 East Sixth Street, Los Angeles, Calif.
E. (9) $4.87.

A. Maurice G. Boehl, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers of the U.S.A., 918 16th Street NW., Washington, D.C.

A. Eugene F. Bogan, 1108 16th Street NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.

A. Joseph L. Borda, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers of the U.S.A., 918 16th Street NW., Washington, D.C.

A. Lyle H. Boren, Seminole, Okla.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.
D. (6) $125.

A. Joseph Borkin, 802 Ring Building, Washington, D.C.
B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.

A. Robert T. Borth, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $1,700. E. (9) $142.70.

A. Robert Bosch Corp., 40–25 Crescent Street, Long Island City, N.Y.
E. (9) $11,725.37.

A. G. Stewart Boswell, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $150. E. (9) $2.17.

A. J. Wiley Bowers, 537 Cherry Street, Chattanooga, Tenn.
B. Tennessee Valley Public Power Association, 537 Cherry Street, Chattanooga, Tenn.

A. Sam Boyce, 414 Second Street, Newport, Ark.
B. American Taxicab Association, Inc., 4415 North California Avenue, Chicago, Ill., and National Association of Taxicab Owners, 803 Leader Building, Cleveland, Ohio.
D. (6) $2,200. E. (9) $1,300.

A. A. A. Brackett, 333 Pennsylvania Avenue SE., Washington, D.C.

A. Charles N. Brady, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Joseph E. Brady, Sheraton Gibson Hotel, Cincinnati, Ohio.
B. National Coordinating Committee of the Beverage Industry, Sheraton Gibson Hotel, Cincinnati, Ohio.

A. W. Kenneth Brew, 122 East 42d Street, New York, N.Y.
B. American Paper and Pulp Association, 122 East 42d Street, New York, N.Y.

A. Parke C. Brinkley, 1145 19th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association.
D. (6) $10. E. (9) $1.50.

A. W. S. Bromley, 605 Third Avenue, New York, N.Y.
B. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. Milton E. Brooding, 215 Fremont Street, San Francisco, Calif.
B. California Packing Corp., 215 Fremont Street, San Francisco, Calif.
D. (6) $750. E. (9) $125.

A. Derek Brooks, 1028 Connecticut Avenue NW., Washington, D.C.
B. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.
D. (6) $600. E. (9) $614.91.

A. J. D. Brown, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $150.

A. Brown & Lund, Cafritz Building, Washington, D.C.

B. American & Foreign Power Co., Inc., 100 Church Street, New York, N.Y.

D. (6) $500. E. (9) $28.86.

A. Brown & Lund, 1625 I Street NW., Washington, D.C.

B. National Association of Electric Cos., Ring Building, Washington, D.C.

D. (6) $1,500. E. (9) $1,454.09.

A. Robert W. Bruce, 140 New Montgomery Street, San Francisco, Calif.

B. The Pacific Telephone & Telegraph Co., 140 New Montgomery Street, San Francisco, Calif.

D. (6) $442. E. (9) $316.

A. Lyman L. Bryan, 2000 K Street NW., Washington, D.C.

B. American Institute of Certified Public Accountants, 666 Fifth Avenue, New York, N.Y.

A. George S. Buck, Jr., 1918 North Parkway, Memphis, Tenn.

B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn.

D. (6) $120. E. (9) $4.03.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.

B. The Canal Authority of the State of Florida, 803 Rosselle Street, Jacksonville, Fla.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.

B. Florida Inland Navigation District, Citizens Bank Building, Bunnell, Fla.

A. Norman D. Burch, 1317 F Street NW., Washington, D.C.

B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.

E. (9) $45.55.

A. George J. Burger, 921 Washington Building, Washington, D.C.

B. Burger Tire Consultant Service, 250 W. 57th Street, New York, N.Y., and National Federation Industrial Business, 921 Washington Building, Washington, D.C.

A. Burley & Dark Leaf Tobacco Export Association, P.O. Box 860, Lexington, Ky.

E. (9) $714.09.

A. Gustave Burmeister, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,375. E. (9) $6.33.

A. David Burpee, Fordhook Farms, Doylestown, Pa.

E. (9) $7.90.

A. Orrin A. Burrows, 1200 15th Street NW., Washington, D.C.

B. International Brotherhood of Electrical Workers, 1200 15th Street NW., Washington, D.C.

D. (6) $3,999.99.

A. Hollis W. Burt, 1212 Munsey Building, Washington, D.C.

B. National Association of Supervisors of State Banks, 1212 Munsey Building, Washington, D.C.

D. (6) $55.

A. Robert B. Byrnes, 1703 Rhode Island Avenue NW., Washington, D.C.

B. National Railroad Pension Forum, Inc., 2403 East 75th Street, Chicago, Ill.

D. (6) $300. E. (9) $29.07.

A. C. G. Caffrey, 1120 Connecticut Avenue NW., Washington, D.C.

B. Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.

D. (6) $760.20. E. (9) $50.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D.C.

B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.

D. (6) $500. E. (9) $472.87.

A. Carl C. Campbell, 502 Ring Building, Washington, D.C.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

D. (6) 138.46.

A. Canal Authority of the State of Florida, 803 Rosselle Street, Jacksonville, Fla.

A. Canal Zone Central Labor Union-Metal Trades Council, Post Office Box 471, Balboa Heights, C.Z.

D. (6) $5,074.45. E. (9) $5,661.04.

A. Ronald A. Capone, 505 Farragut Building, Washington, D.C.

B. Committee of European Shipowners, 3-6 Bury Court, St. Mary Axe, London, E.C. 3.

D. (6) $3,750. E. (9) $467.53.

A. John T. Carlton, 333 Pennsylvania Avenue SE., Washington, D.C.

A. James R. Carnes, 1825 Connecticut Avenue NW., Washington, D.C.

B. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.

D. (6) $2,500.

A. Braxton B. Carr, 1025 Connecticut Avenue, Washington, D.C.

B. The American Waterways Operators, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

D. (6) $1,400. E. (9) $175.02.

A. Robert S. Carr, 1220 Pennsylvania Building, Washington, D.C.

B. Hiram Walker & Sons, Inc., 8323 Jefferson Avenue, Detroit, Mich.

A. Carretta & Counihan, 1000 Connecticut Avenue NW., Washington, D.C.

B. Bicycle Manufacturers Association of America, 122 East 42d Street, New York, N.Y.

A. H. Allen Carroll, 1730 K Street NW., Washington, D.C. and 195 Broadway, New York, N.Y.

B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.

D. (6) $248.50.

A. Eugene C. Carusi, 1629 K Street NW., Washington, D.C.

B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

D. (6) $100.

A. Channing Service Corp., 85 Broad Street, New York, N.Y.

A. Alger B. Chapman, Jr., 11 Wall Street, New York, N.Y.

B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. Chapman, Friedman, Shea, Clubb & Duff, 425 13th Street NW., Washington, D.C.

B. American Taxicab Association, Inc., 4415 North California Avenue, Chicago, Ill.

D. (6) $750. E. (9) $225.92.

A. Chapman, Friedman, Shea, Clubb & Duff, 425 13th Street NW., Washington, D.C.

B. Bruynzeel Fabricken, Zaandam, Holland and Bruynzeel Suriname, Paramaribo, Suriname.

E. (9) $610.57.

A. Chapman, Friedman, Shea, Clubb & Duff, 425 13th Street NW., Washington, D.C.

B. Hawaiian Botanical Gardens Foundation, Inc., 1527 Keeaumoku Street, Honolulu, Hawaii.

E. (9) $706.19.

A. Chapman, Friedman, Shea, Clubb & Duff, 425 13th Street NW., Washington, D.C.

B. Jeppesen & Co., 8025 East 40th Avenue, Denver, Colo.

E. (9) $21.60.

A. Chapman, Friedman, Shea, Clubb & Duff, 425 13th Street NW., Washington, D.C.

B. Strohmeyer & Arpe Co., 139 Franklin Street, New York, N.Y.

D. (6) $625. E. (9) $8.14.

A. Chapman, Friedman, Shea, Clubb & Duff, 425 13th Street NW., Washington, D.C.

B. Union Nacional de Productores de Azucar, S. A. de C. V., Balderas 36, Primer Piso, Mexico, D. F., Mexico.

D. (6) $8,125. E. (9) $487.21.

A. Chapman, Friedman, Shea, Clubb & Duff, 425 13th Street NW., Washington, D.C.

B. Western Geothermal, Inc., International Building, St. Mary's Square, San Francisco, Calif.

E. (9) $20.64.

A. Charitable Contributors Association, 100 Old York Road, Jenkintown, Pa.

E. (9) $346.35.

A. A. H. Chesser, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railroad Trainmen.

E. (9) $47.50.

A. Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.

D. (6) $2,978.30. E. (9) $2,978.30.

A. Citizens Committee on American Policy in the Near East, Box 368, McLean, Va.

D. (6) $2,177.88. E. (9) $2,675.56.

A. Citizens Foreign Aid Committee, 1001 Connecticut Avenue NW., Washington, D.C.

A. Allen C. K. Clark, 1730 K Street NW., Washington, D.C.

B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Earl W. Clark, 100 Indiana Avenue NW., Washington, D.C.

B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $954. E. (9) $48.88.

A. Robert M. Clark, 1710 H Street NW., Washington, D.C.

B. The Atchison, Topeka & Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill.

A. Clay Pipe Industry Depletion Committee, P.O. Box 2028, Kansas City, Mo.

E. (9) $416.75.

A. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D.C.

A. Cleary, Gottlieb, Steen & Hamilton, 224 Southern Building, Washington, D.C.
B. The Oil Shale Corporation, 68 Fifth Avenue, New York, N.Y.
E. (9) $30.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. American Merchant Marine Institute, Inc., 919 18th Street NW., Washington, D.C. and 11 Broadway, New York, N.Y.
D. (6) $300. E. (9) $66.39.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. The American Tobacco Co.
D. (6) $1,374.99. E. (9) $909.70.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. Brown & Williamson Tobacco Corp.
D. (6) $1,374.99. E. (9) $909.70.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. Liggett & Myers Tobacco Co.
D. (6) $1,374.99. E. (9) $909.70.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. P. Lorillard Co.
D. (6) $1,374.99. E. (9) $909.70.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. Philip Morris, Inc.
D. (6) $1,374.99. E. (9) $909.70.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. R. J. Reynolds Tobacco Co.
D. (6) $1,374.99. E. (9) $909.70.

A. Earle C. Clements, 919 18th Street NW., Washington, D.C.
B. Superior Oil Co.
D. (6) $500.

A. Washington I. Cleveland, 1712 G Street NW., Washington, D.C.
B. District of Columbia Division, American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Junius E. Cobean, Sr., 1706 Old Stage Road, Alexandria, Va.
B. Brotherhood of Railway & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $425.

A. Edwin S. Cohen, 26 Broadway, New York, N.Y.
B. Investment Co., Institute, 61 Broadway, New York, N.Y.
D. (6) $250. E. (9) $10.

A. Joseph Cohen, National Press Building, Washington, D.C.
B. The National Association of Retail Druggists, 1 East Wacker Drive, Chicago, Ill.
D. (6) $500.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Tanker Owners, Inc., 1 Chase Manhattan Plaza, New York, N.Y.
E. (9) $17.95.

A. J. I. Collier, Jr., 2000 Massachusetts Avenue NW., Washington, D.C.
B. The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $175.

A. Collier & Shannon, 1625 I Street NW., Washington, D.C.
B. National Shoe Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.
D. (6) $350. E. (9) $32.50.

A. Collier & Shannon, 1625 I Street NW., Washington, D.C.
B. Tool & Stainless Steel Industry Committee, c/o Carpenter Steel Co., Reading, Pa.
D. (6) $750. E. (9) $87.50.

A. Nicholas S. Collins, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $240. E. (9) $28.98.

A. Colorado Railroad Association, 701 Majestic Building, Denver, Colo.

A. Committee for Broadening Commercial Bank Participation in Public Financing.

A. Committee for Study of Revenue Bond Financing, 149 Broadway, New York City.
D. (6) $10,710. E. (9) $21,079.29.

A. Committee for Time Uniformity, 1710 H Street NW., Washington, D.C.
E. (9) $52.40.

A. R. T. Compton, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D.C.

A. John C. Cone, 815 15th Street NW., Washington, D.C.
B. Pan American World Airways, 815 15th Street NW., Washington, D.C.

A. Raymond F. Conkling, 135 East 42d Street, New York, N.Y.
B. Texaco, Inc., 135 East 42d Street, New York, N.Y.
D. (6) $130. E. (9) $23.15.

A. John D. Conner, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.

A. John D. Conner, 1625 K Street NW., Washington, D.C.
B. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. Edward Cooper.
B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D.C.

A. J. Milton Cooper, 700 Washington Building, Washington, D.C.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. J. Milton Cooper, 700 Washington Building, Washington, D.C.
B. R. J. Reynolds Tobacco Co., Winston-Salem, N.C.

A. Mitchell J. Cooper, 1625 K Street NW., Washington, D.C.
B. Council of Forest Industries, 550 Burrard Street, Vancouver, B.C., Canada.
D. (6) $3,000. E. (9) $2.25.

A. Mitchell J. Cooper, 1625 K Street NW., Washington, D.C.
B. Footwear Division of Rubber Manufacturers Association, Inc., 444 Madison Avenue, New York, N.Y.
D. (6) $1,250. E. (9) $13.80.

A. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. Edward M. Corneaby, 25 Louisiana Avenue NW., Washington, D.C.
B. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C.
D. (6) $2,748.

A. Council for a Livable World, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $25,099.18. E. (9) $26,877.

A. Council of Mechanical Specialty Contracting Industries, Inc., 610 Ring Building, Washington, D.C.

A. Council of Profit Sharing Industries, Munsey Building, Washington, D.C.

A. Donald M. Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. American Corn Millers' Federation, 1000 Connecticut Avenue, Washington, D.C.

A. Donald M. Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio.

A. Edsall Lee Couplin, 441 East Jefferson Avenue, Detroit, Mich.
B. Michigan Hospital Service, 441 East Jefferson Avenue, Detroit, Mich.
D. (6) $1,500. E. (9) $18.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Allentown Cement, et al.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. American Machine Tool Distributors' Association, 1500 Massachusetts Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Hawaiian Trust Co., Ltd., Honolulu, Hawaii.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. A. P. Moller, 8 Kongens Nytorv, Copenhagen, Denmark.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Tool, Die & Precision Machining Association, 1411 K Street NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Savings & Loan Bank of the State of New York, 60 East 42d Street, New York, N.Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. The Travelers Insurance Co., Hartford, Conn.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. The Wisconsin Corp., 500 Union Street, Seattle, Wash.
E. (9) $4.29.

A. A. Harry Crane, 303 New England Building, Topeka, Kans.
B. Southern Railway System, Washington, D.C.
E. (9) $9.61.

A. Theodore F. T. Crolius, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $300. E. (9) $90.

A. William A. Cromartie, 1 North LaSalle Street, Chicago, Ill.
B. Park Sherman Co., 1200 Park Avenue, Murfreesboro, Tenn.
E. (9) $33.39.

A. Robert E. Cronin, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Henry Ashton Crosby, 1346 Connecticut Avenue NW., Washington, D.C.
B. Council for a Livable World, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $4,153.86.

A. H. C. Crotty, 12050 Woodward Avenue, Detroit, Mich.

A. Leo J. Crowley, 701 Majestic Building, Denver, Colo.
B. Colorado Railroad Association, 701 Majestic Building, Denver, Colo.

A. Bernard Cushman, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, 5025 Wisconsin Avenue NW., Washington, D.C.

A. John R. Dalton, 1508 Merchants Bank Building, Indianapolis, Ind.
B. Associated Railways of Indiana, 1508 Merchants Bank Building, Indianapolis, Ind.

A. Louis S. Damiani, Box 54, Gatun, Canal Zone.
B. Canal Zone Central Labor Union & Metal Trades Council, P.O. Box 471, Balboa Heights, C.Z.
D. (6) $2,805.34. E. (9) $2,920.

A. John C. Datt, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $787.50. E. (9) $26.83.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. Chicago Bridge & Iron Co., 1305 West 105th Street, Chicago, Ill.
E. (9) $160.28.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. James S. Copley, 7776 Ivanhoe Avenue, La Jolla, Calif.
E. (9) $3.40.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.
E. (9) $376.13.

A. Lowell Davis, 601 Ross Avenue, Mart, Tex.
B. (6) $120.45. E. (9) $120.45.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. D.C. Transit System, Inc., 36th & M Streets NW., Washington, D.C.
D. (6) $500.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. Hilton Hotels Corp., Chicago, Ill.
D. (6) $500. E. (9) $98.32.

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association, Calcutta, India.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association, Calcutta, India.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Laundry Dry Cleaning Association of D.C., 2300 Connecticut Avenue NW., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Variable Annuity Life Insurance Co., Washington, D.C.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Virgin Islands Gift & Fashion Shop Association, Inc., St. Thomas, Virgin Islands.

A. John F. Dawson, 1735 New York Avenue NW., Washington, D.C.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.
D. (6) $500.

A. Dawson, Nagel, Sherman & Howard, 1900 First National Bank Building, Denver, Colo.
B. Downtown Denver Improvement Association, Guaranty Bank Building, Denver, Colo.
D. (6) $2,150.

A. Debevoise, Plimpton, Lyons & Gates, 320 Park Avenue, New York, N.Y.
B. Edward G. Sparrow, 1 East 66th Street, New York, N.Y.

A. Tony T. Dechant.
B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue NW., Washington, D.C.

A. James J. Delaney, Jr., 220 Central Building, Anchorage, Alaska.
B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Max A. Denney, 1629 K Street NW., Washington, D.C.
B. American Finance Conference, Inc., 1629 K Street NW., Washington, D.C.
D. (6) $600.

A. Mary S. Deuel, 3006 Cambridge Place NW., Washington, D.C.
B. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D.C.
D. (6) $749.35.

A. Cecil B. Dickson, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,687.50. E. (9) $225.32.

A. George E. Diethelm.
B. American Sugar Co., 120 Wall Street, New York, N.Y.

A. George S. Dietrich, 1741 DeSales Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.
E. (9) $25.25.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Sacramento Municipal Utility District, 6201 South Street, Sacramento, Calif.
D. (6) $1,229.92. E. (9) $179.22.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Thurman & Wright, 1208 Latham Square Building, Oakland, Calif.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Tulelake Irrigation District, Post Office Box 737, Tulelake, Calif.
D. (6) $916. E. (9) $16.

A. Disabled American Veterans, National Service Headquarters, 1701 18th Street NW., Washington, D.C.
B. Disabled American Veterans, 1425 East McMillan Street, Cincinnati, Ohio.
E. (9) $6,524.74.

A. Robert H. Distelhorst, Jr., 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $312.50. E. (9) $1.

A. District Lodge No. 44, International Association of Machinists, 400 First Street NW., Washington, D.C.
D. (6) $37,090.30. E. (9) $29,751.61.

A. Division 689, Amalgamated Transit Union, 900 F Street NW., Washington, D.C.

A. Robert C. Dolan, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $400. E. (9) $239.

A. Paul R. M. Donelan, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $220.

A. James L. Donnelly, 200 South Michigan Avenue, Chicago, Ill.
B. Illinois Manufacturers' Association, 200 South Michigan Avenue, Chicago, Ill.
E. (9) $431.99.

A. Ronald D. Doremus, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
E. (9) $25.

A. J. Dewey Dorsett, 110 William Street, New York, N.Y.
D. (6) $150.

A. Jasper N. Dorsey, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
D. (6) $1,755.95.

A. C. L. Dorson, 900 F Street NW., Washington, D.C.
B. Retirement Federation of Civil Service Employees of the U.S. Government, 900 F Street NW., Washington, D.C.
D. (6) $2,353.39. E. (9) $128.

A. Evelyn Dubrow, 1710 Broadway, New York, N.Y.
B. International Ladies' Garment Workers' Union, 1710 Broadway, New York, N.Y.
D. (6) $2,535. E. (9) $2,219.84.

A. R. Michael Duncan.
B. Cleary, Gottlieb, Steen & Hamilton, 224 Southern Building, Washington, D.C.

A. William E. Dunn, 1957 E Street NW., Washington, D.C.
B. The Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Eastern Railroad Presidents Conference, 1 Exchange Place, Jersey City, N.J.

A. Herman Edelsberg, 1640 Rhode Island Avenue NW., Washington, D.C.
B. Anti-Defamation League of B'nai B'rith, 315 Lexington Avenue, New York, N.Y.

A. Wallace Edgerton, 1762 Church Street, Washington, D.C.
D. (6) $3,000.

A. Walter A. Edwards, 1700 K Street NW., Washington, D.C.
B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.
D. (6) $250. E. (9) $100.

A. James B. Ehrlich, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $516.25. E. (9) $127.95.

A. John M. Elliott, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Clyde T. Ellis, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $48.

A. Otis H. Ellis, 1001 Connecticut Avenue NW., Washington, D.C.
B. National Oil Jobbers Council, 1001 Connecticut Avenue NW., Washington, D.C.

A. Perry R. Ellsworth, 910 17th Street NW., Washington, D.C.
B. Milk Industry Foundation and International Association of Ice Cream Manufacturers, 910 17th Street NW., Washington, D.C.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $2,100.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Coachella Valley County Water District, Coachella, Calif.
D. (6) $1,200.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Department of Water and Power of the City of Los Angeles, 207 South Broadway, Los Angeles, Calif.
D. (6) $2,400.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. East Bay Municipal Utility District, 2130 Adeline Street, Oakland, Calif.
D. (6) $1,200.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Imperial Irrigation District, El Centro, Calif.
D. (6) $2,100.

A. Ely, Duncan & Bennett, 1200 Tower Building, Washington, D.C.
B. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
D. (6) $4,772.94.

A. Charles P. English, Post Office Box 2154 AMF, Miami, Fla.
B. Luisa M. English, Apartado Aereo No. 14256, Bogotá, Colombia, South America, and Post Office Box 2154 AMF, Miami, Fla.
D. (6) $680.50. E. (9) $680.50.

A. Myles W. English, 966 National Press Building, Washington, D.C.
B. National Highway Users Conference, Inc., 966 National Press Building, Washington, D.C.

A. Grover W. Ensley, 200 Park Avenue, New York, N.Y.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $229.88. E. (9) $40.20.

A. John D. Fagan, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $1,875. E. (9) $24.20.

A. Family Tax Association, 2110 Girard Trust Building, Philadelphia, Pa.
E. (9) $1,270.08.

A. Farmers' Education and Co-operative Union of America, 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue NW., Washington, D.C.
D. (6) $36,705.87. E. (9) $19,274.55.

A. Joseph G. Feeney, 1725 I Street NW., Washington, D.C.
B. REA Express, 219 East 42d Street, New York, N.Y.
D. (6) $900. E. (9) $300.

A. Bonner Fellers, 1001 Connecticut Avenue NW., Washington, D.C.
B. Citizens Foreign Aid Committee, 1001 Connecticut Avenue NW., Washington, D.C.

A. Maxwell Field, 210 Lincoln Street, Boston, Mass.
B. New England Shoe & Leather Association, 210 Lincoln Street, Boston, Mass.
D. (6) $400. E. (9) $82.28.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C.
B. Council of the Forest Industries of British Columbia, 550 Burrard Street, Vancouver, B.C., Canada.
D. (6) $8,000. E. (9) $247.66.

A. Maurice W. Fillius, 700 National Press Building, Washington, D.C.
B. National Association of Alcoholic Beverage Importers, Inc., 700 National Press Building, Washington, D.C.

A. William J. Flaherty, 1701 18th Street NW., Washington, D.C.
B. Disabled American Veterans, 1425 East McMillan Street, Cincinnati, Ohio.
D. (6) $2,125.

A. Roger Fleming, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,225. E. (9) 27.22.

A. Donald G. Fletcher, 828 Midland Bank Building, Minneapolis, Minn.
B. Crop Quality Council, 828 Midland Bank Building, Minneapolis, Minn.
D. (6) $4,125. E. (9) $963.02.

A. Florida Citrus Mutual, Lakeland, Fla.
E. (9) $1,412.57.

A. Florida Inland Navigation District, Citizens Bank Building, Bunnell, Fla.

A. James W. Foristel, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,537.20. E. (9) $137.25.

A. Ronald J. Foulis, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.

A. John G. Fox, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $198.

A. Morley E. Fox, 300 New Jersey Avenue SE., Washington, D.C.
B. Central Arizona Project Association, 642 Security Building, Phoenix, Ariz.

A. George R. Frankovich, Providence, R.I.
B. Manufacturing Jewelers & Silversmiths of America, Inc., 207–211 Sheraton Biltmore Hotel, Providence R.I., and Jewelry Industry Tax Committee, 919 18th Street NW., Washington, D.C.
D. (6) $6,875.46. E. (9) $732.46.

A. James H. French, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.

A. James H. French, 1625 K Street NW., Washington, D.C.
B. Corn Starch Industry Committee, 1625 K Street NW., Washington, D.C.

A. Philip P. Friedlander, Jr., 1343 L Street NW., Washington, D.C.
B. The National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.

A. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $47,379.76. E. (9) $11,183.03.

A. Malcolm H. Frost, 25 West 43d Street, New York, N.Y.
B. Book Manufacturers' Institute, Inc., 25 West 43d Street, New York, N.Y.

A. Garrett Fuller, 836 Wyatt Building, Washington, D.C.
B. West Coast Steamship Co., 1210 Standard Plaza, Portland, Oreg.

A. Lawrence H. Gall, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $975.

A. M. J. Galvin, 207 Union Depot Building, St. Paul, Minn.
B. Minnesota railroads.
D. (6) $700. E. (9) $352.12.

A. Marion R. Garstang, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $200.

A. Aubrey D. Gates, 535 North Dearborn Street, Chicago, Ill.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $170. E. (9) $105.35.

A. J. M. George, 165 Center Street, Winona, Minn.
B. The Inter-State Manufacturer's Association, 163–165 Center Street, Winona, Minn.
D. (6) $1,500.

A. J. M. George, 163–165 Center Street, Winona, Minn.
B. National Association of Direct Selling Companies, 163–165 Center Street, Winona, Minn.
D. (6) $3,000.

A. Ernest Giddings, 1346 Connecticut Avenue NW., Washington, D.C.

B. National Retired Teachers Association and American Association of Retired Persons, Executive Office, Washington, D.C.

E. (9) $1,464.06.

A. Joseph S. Gill, 16 East Broad Street, Columbus, Ohio.

B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.

E. (9) $102.26.

A. Neal P. Gillen, 1712 G Street NW., Washington, D.C.

B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Ginsburg & Leventhal, 1 Farragut Square South, Washington, D.C.

B. U.S. Plastic & Chemical Corp., Metuchen, N.J., and Haverstraw, N.Y.

E. (9) $176.29.

A. Glen Alden Corp., 1740 Broadway, New York, N.Y.

E. (9) $500.

A. Don A. Goodall, 1615 H Street NW., Washington, D.C.

B. Chamber of Commerce of the United States of America, 1615 H Street NW., Washington, D.C.

A. Edward Gottlieb & Associates, Ltd., 640 Fifth Avenue, New York, N.Y.

B. Florists' Telegraph Delivery Association, 900 West Lafayette Boulevard, Detroit, Mich.

E. (9) $149.32.

A. Lawrence L. Gourley, 1757 K Street NW., Washington, D.C.

B. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.

D. (6) $375.

A. Government Employees' Council, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $8,162.12. E. (9) $15,649.15.

A. Grand Lodge of the Brotherhood of Locomotive Firemen and Enginemen, 318/418 Keith Building, Cleveland, Ohio.

D. (6) $2,398.32. E. (9) $2,398.32.

A. Cornelius R. Gray, 1712 G Street NW., Washington, D.C.

B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. James A. Gray, 1411 K Street NW., Washington, D.C.

B. National Tool, Die and Precision Machining Association, 1411 K Street, Washington, D.C.

A. Mrs. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D.C.

B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.

D. (6) $240. E. (9) $66.12.

A. Samuel A. Grayson, 611 Idaho Building, Boise, Idaho.

B. Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.

B. C.I.T. Financial Corporation, 650 Madison Avenue, New York, N.Y.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.

B. Indian Sugar Mills Association, Calcutta, India.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.

B. Mutual Benefit Health and Accident Association, Omaha, Nebr.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.

B. Variable Annuity Life Insurance Co., Washington, D.C.

A. J. S. Grigsby, Jr., 1107 Stahlman Building, Nashville, Tenn.

B. Southern States Industrial Council, 1103–1111 Stahlman Building, Nashville, Tenn.

D. (6) $2,050.

A. Ben H. Guill, 2000 K Street NW., Washington, D.C.

B. National Automobile Dealers Association, American Smelting & Refining Co., and American, Zinc., Lead & Smelting Co.

D. (6) $4,200. E. (9) $2,300.

A. Seymour S. Guthman, 200 Woodward Building, Washington, D.C.

B. Syndicat des Distillateurs et Producteurs de sucre de Madagascar, 282 Boulevard Street, Germain, Paris, France.

A. Robert W. Haack, 888 17th Street NW., Washington, D.C.

B. National Association of Securities Dealers, Inc.

A. Hoyt S. Haddock, 100 Indiana Avenue NW., Washington, D.C.

B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $3,000. E. (9) $851.56.

A. Hoyt S. Haddock, 100 Indiana Avenue NW., Washington, D.C.

B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $954. E. (9) $34.01.

A. Hal H. Hale, 421 Transportation Building, Washington, D.C.

B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Andrew G. Haley, 1735 De Sales Street NW., Washington, D.C., and Haley, Bader & Potts, 1735 De Sales Street NW., Washington, D.C.

B. Association on Broadcasting Standards, Inc., 1741 De Sales Street NW., Washington, D.C.

A. Harold T. Halfpenny, 111 West Washington Street, Chicago, Ill.

A. J. G. Hall, care of General Motors Corp., Detroit, Mich.

B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. Robert A. Hall, 3502 East Kiest, Dallas, Tex.

B. Kingdon Gould, Jr., and D. F. Antonelli, Jr., 1725 De Sales Street NW., Washington, D.C.

E. (9) $291.63.

A. E. C. Hallbeck, 817 14th Street NW., Washington, D.C.

B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.

D. (6) $4,500.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. American Trading and Production Corporation, Baltimore, Md.

D. (6) $7,500. E. (9) $1,100.21.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. The Council of Private Lending Institutions, Inc., 912 RCA Building, Washington, D.C.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. Eastern Airlines, Inc., 10 Rockefeller Plaza, New York, N.Y.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

D. (6) $3,800.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.

B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.

D. (6) $5,137.50. E. (9) $150.71.

A. W. C. Hammerle, 605 Third Avenue, New York, N.Y.

B. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. Eugene J. Hardy, 918 16th Street NW., Washington, D.C.

B. National Association of Manufacturers of the U.S.A., 918 16th Street NW., Washington, D.C.

A. Bryce N. Harlow, 1730 K Street NW., Washington, D.C.

B. The Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio.

E. (9) $56.

A. Mildred B. Harman, 212 Maryland Avenue NW., Washington, D.C.

B. Women's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.

D. (6) $720. E. (9) $314.33.

A. Herbert E. Harris II, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,562.50. E. (9) $52.10.

A. R. A. Harris, 38 South Dearborn Street, Chicago, Ill

B. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.

D. (6) $2,749.98. E. (9) $143.15.

A. Robert B. Harris, 1627 K Street NW., Washington, D.C.

B. National Independent Dairies Association, 1627 K Street NW., Washington, D.C.

A. W. Gibson Harris, 815 Mutual Building, Richmond, Va.

B. Household Finance Corp., 3220 Prudential Plaza, Chicago, Ill.

E. (9) $9.41.

A. Burr P. Harrison, Graichen Building Winchester, Va.

B. Household Finance Corp., 3220 Prudential Plaza, Chicago, Ill.

E. (9) $3.16.

A. Walter A. Hasty, Jr.

B. The Farmers' Educational and Co-Operative Union of America, 1575 Sherman Street, Denver, Colo. and 1404 New York Avenue NW., Washington, D.C.

D. (6) $2,215.30. E. (9) $83.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D.C.

B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

D. (6) $26. E. (9) $8.59.

A. Hays & Hays, 920 Warner Building, Washington, D.C.

B. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.

D. (6) $300. E. (9) $9.45.

A. Joseph H. Hays, 280 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. John C. Hazen, 1317 F Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $102.95.

A. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $197.72. E. (9) $197.72.

A. Patrick B. Healy, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $300. E. (9) $48.30.

A. George J. Hecht, 52 Vanderbilt Avenue, New York, N.Y. and 20 E Street NW., Washington, D.C.
B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C.

A. Hedrick & Lane, 1001 Connecticut Avenue NW., Washington, D.C.
B. Comite de Productores de Azucar, Antonio Miro Quesada 376, Lima, Peru.
D. (6) $5,000. E. (9) $62.79.

A. Kenneth G. Heisler, 907 Ring Building, Washington, D.C.
B. National League of Insured Savings Associations, 907 Ring Building, Washington, D.C.
D. (6) $500.

A. Edmund P. Hennelly, 150 East 42d Street, New York, N.Y.
B. Socony Mobil Oil Co., Inc., 150 East 42d Street, New York, N.Y.
D. (6) $2,439.98. E. (9) $1,314.98.

A. John K. Herbert, 575 Lexington Avenue, New York, N.Y.
B. Magazine Publishers Association, 575 Lexington, Avenue, New York, N.Y.

A. Maurice G. Herndon, 801 Warner Building, Washington, D.C.
B. National Association of Insurance Agents, 96 Fulton Street, New York, N.Y. and 801 Warner Building, Washington, D.C.
D. (6) $82.05. E. (9) $82.05.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. Boston Wool Trade Association, 263 Summer Street, Boston, Mass.
D. (6) $600. E. (9) $79.85.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. National Association of Wool Manufacturers, 386 Fourth Avenue, New York, N.Y.
D. (6) $1,000.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.
E. (9) $14.55.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. National Wool Trade Association, 263 Summer Street, Boston, Mass.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. New York Wool Trade Association, 155 West 44th Street, New York, N.Y.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. Philadelphia Wool & Textile Association, P.O. Box 472, Station S, Philadelphia, Pa.

A. Hester, Owen & Crowder, 432 Shoreham Building, Washington, D.C.
B. United States Brewers Association, 535 Fifth Avenue, New York, N.Y.
D. (6) $5,000. E. (9) $69.26.

A. M. F. Hicklin, 507 Bankers Trust Building, Des Moines, Iowa.
B. Iowa Railway Committee, 507 Bankers Trust Building, Des Moines, Iowa.

A. Robert L. Higgins, 1200 18th Street NW., Washington, D.C.
B. National Electrical Contractors Association, 1200 18th Street NW., Washington, D.C.

A. John W. Hight, 1025 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $100.

A. James A. Hirshfield, 305 Rockefeller Building, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. J. D. Hittle, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $1,166.67. E. (9) $30.25.

A. Lawrence S. Hobart, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $300.

A. Claude E. Hobbs, 1625 K Street NW., Washington, D.C.
B. Westinghouse Electric Corp., 3 Gateway Center, Pittsburgh, Pa.
D. (6) $900. E. (9) $120.

A. Ralph D. Hodges, Jr.
B. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.
E. (9) $63.05.

A. Lawrence J. Hogan, 1012, 14th Street NW., Washington, D.C.
B. Joint Committee on Transportation for Metropolitan Washington.
D. (6) $1,500.

A. Lawrence J. Hogan, 1012 14th Street NW., Washington, D.C.
B. National Apartment Owners Association, 1012 14th Street NW., Washington, D.C.
D. (6) $2,925. E. (9) $418.59.

A. Lawrence J. Hogan, 1012 14th Street NW., Washington, D.C.
B. National Council of Specialty Contractors Associations, Inc., 1012 14th Street, NW., Washington, D.C.
D. (6) $1,500. E. (9) $175.

A. Holland & Hart, 500 Equitable Building, Denver, Colo.
B. National Livestock Tax Committee, 801 East 17th Avenue, Denver, Colo.

A. Home Manufacturers Association, 1117 Barr Building, Washington, D.C.
D. (6) $500. E. (9) $1,000.

A. Edwin M. Hood, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Samuel H. Horne, 1145 Munsey Building, Washington, D.C.
B. Park Sherman Co., 1200 Park Avenue, Murfreesboro, Tenn.
E. (9) $33.39.

A. Donald E. Horton, 222 West Adams Street, Chicago, Ill.
B. American Warehousemen's Association.

A. Harold A. Houser, 1625 I Street NW., Washington, D.C.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $2,917.

A. Harold K. Howe, Mills Building, Washington, D.C.
B. American Institute of Laundering, Joliet, Ill.
D. (6) $2,649.99.

A. Harold K. Howe, Mills Building, Washington, D.C.
B. National Automatic Merchandising Association, Mills Building, Washington, D.C.

A. Harold K. Howe, Mills Building, Washington, D.C.
B. Outdoor Power Equipment Industry.

A. Charles L. Huber, 1701 18th Street NW., Washington, D.C.
B. Disabled American Veterans, 1425 East McMillan Street, Cincinnati, Ohio.
E. (9) $4,399.74.

A. W. T. Huff, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $275.

A. William J. Hull, 326 Cafritz Building, 1625 I Street NW., Washington, D.C.
B. Ashland Oil & Refining Co., 1409 Winchester Avenue, Ashland, Ky.
E. (9) $100.08.

A. William J. Hull, 326 Cafritz Building, Washington, D.C.
B. Ohio Valley Improvement Association, Inc.
E. (9) $548.74.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
E. (9) $297.

A. Frank N. Ikard, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

A. Illinois Railroad Association, 135 East 11th Place, Chicago, Ill.
E. (9) $1,193.89.

A. Bernard J. Imming, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.
D. (6) $1,250.

A. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $10,009.32. E. (9) $10,009.32.

A. Inland Steel Co., 30 West Monroe Street, Chicago, Ill.
E. (9) $9,057.80.

A. Institute of Appliance Manufacturers, 2000 K Street NW., Washington, D.C.

A. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D.C.
D. (6) $300. E. (9) $1.50.

A. International Union of Electrical, Radio & Machine Workers, AFL–CIO, 1126 16th Street NW., Washington, D.C.
E. (9) $2,175.

A. Inter-State Manufacturer's Association, 163–165 Center Street, Winona, Minn.
D. (6) $2,975. E. (9) $3.60.

A. Rear Adm. Alexander Jackson, Jr., 333 Pennsylvania Avenue SE., Washington, D.C.
B. Reserve Officers Association of the U.S.

A. Robert C. Jackson, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $3,750. E. (9) $158.45.

A. Walter K. Jaenicke, 1957 E Street NW., Washington, D.C.
B. The Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Ralph K. James, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $440. E. (9) $15.80.

A. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.
E. (9) $150.

A. Daniel Jaspan, Post Office Box 1924, Washington, D.C.
B. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $3,912.51. E. (9) $39.27.

A. Philip F. Jehle, National Press Building, Washington, D.C.
B. The National Association of Retail Druggists, 1 East Wacker Drive, Chicago, Ill.
D. (6) $1,000.

A. Joe Jenness, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Chas. B. Jennings, 1712 I Street NW., Washington, D.C.
B. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $400.

A. Robert G. Jeter, Dresden, Tenn.
B. H. C. Spinks Clay Company, Paris, Tenn.; Old Hickory Clay Co., Paducah, Ky.; Bell Clay Co., Gleason, Tenn.; United Clay Mines Corp., Trenton, N.J.; Kentucky-Tennessee Clay Co., Mayfield, Ky.
D. (6) $652.41.

A. Peter D. Joers, 810 Whittington Avenue, Hot Springs, Ark.,
B. Dierks Forests, Inc., 810 Whittington Avenue, Hot Springs, Ark.
E. (9) $292.09.

A. Hugo E. Johnson, 600 Bulkley Building, Cleveland, Ohio.
B. American Iron Ore Association, 600 Bulkley Building, Cleveland, Ohio.

A. Reuben L. Johnson.
B. The Farmers' Educational and Co-operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D.C.
D. (6) $2,769.41. E. (9) $338.51.

A. Willis Johnson, 300 New Jersey Avenue SE., Washington, D.C.
B. Business Information Service, 300 New Jersey Avenue SE., Washington, D.C.

A. Ned Johnston, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Geo. Bliss Jones, Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $205. E. (9) $324.43.

A. James E. Jones, 122 East 42d Street, New York, N.Y.
B. American Paper and Pulp Association, 122 East 42d Street, New York, N.Y.

A. L. Dan Jones, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $35.25.

A. Phillip E. Jones, 920 Tower Building, Washington, D.C.
B. United States Beet Sugar Association, 920 Tower Building, Washington, D.C.
D. (6) $200.

A. John E. Kane, 1625 K Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6)$2,187.50. E. (9) $730.23.

A. Karelsen & Karelsen, 230 Park Avenue, New York, N.Y.
E. (9) $180.99.

A. W. M. Keck, Jr., 9864 Wilshire Boulevard, Beverly Hills, Calif.
B. Superior Oil Co.
E. (9) $275.

A. Charles C. Keeble, 1730 K Street NW., Washington, D.C.
B. Humble Oil & Refining Co., P.O. Box 2180, Houston, Tex.
E. (9) $112.70.

A. Eugene A. Keeney, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.A., 1615 H Street NW., Washington, D.C.

A. Francis V. Keesling, Jr., 605 Market Street, San Francisco, Calif.
B. West Coast Life Insurance Co., 605 Market Street, San Francisco, Calif.

A. John T. Kelly, 1411 K Street NW., Washington, D.C.
B. Pharmaceutical Manufacturers Association.

A. Ken Kendrick, 1411 K Street NW., Washington, D.C.
B. National Association of Wheat Growers. 1411 K Street NW., Washington, D.C.
D. (6) $3,871.11. E. (9) $3,871.11.

A. I. L. Kenen, 1737 H Street NW., Washington, D.C.
B. American Israel Public Affairs Committee, 1737 H Street NW., Washington, D.C.

A. Harold L. Kennedy, 420 Cafritz Building, Washington, D.C.
B. Marathon Oil Co., Findlay, Ohio.
E. (9) $54.40.

A. William F. Kenney, Shell Oil Co., New York, N.Y.
B. Shell Oil Co., 50 West 50th Street, New York, N.Y.

A. Kennon, White & Odom, 233 St. Ferdinand Street, Baton Rouge, La.
B. Connecticut General Life Insurance Co., Hartford, Conn.

A. Franklin E. Kepner, Berwick Bank Building, Berwick, Pa.
B. Associated Railroads of Pennsylvania, room 1022, Transportation Center, Philadelphia, Pa.

A. William J. Kerwin, 18th and M Streets NW., Washington, D.C.
B. National League of Insured Savings Associations, 18th and M Streets NW., Washington, D.C.
D. (6) $500.

A. Ronald M. Ketcham.
B. Southern California Edison Co., Post Office Box 351, Los Angeles, Calif.
D. (6) $1,944. E. (9) $2,842.77.

A. Jeff Kibre, 1341 G Street NW., Washington, D.C.
B. International Longshoremen's & Warehousemen's Union, 150 Golden Gate Avenue, San Francisco, Calif.
D. (6) $2,469.96. E. (9) $1,965.64.

A. Edward W. Kiley, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. H. Cecil Kilpatrick, 912 American Security Building, Washington, D.C.
B. Roosmoor Leisure World, Seal Beach, Calif.
D. (6) $150. E. (9) $18.23.

A. Ludlow King, 2139 Wisconsin Avenue, Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue, Washington, D.C.

A. T. Bert King, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $750.

A. Clifton Kirkpatrick, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $630. E. (9) $49.77.

A. George W. Koch, 1612 K Street NW., Washington, D.C.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Robert M. Koch, 210 H Street NW., Washington, D.C.
B. National Limestone Institute Inc., 210 H Street NW., Washington, D.C.
E. (9) $32.50.

A. Louis C. Krauthoff II, 1025 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

A. Germaine Krettek, 200 C Street SE., Washington, D.C.
B. American Library Association, 50 East Huron Street, Chicago, Ill.
E. (9) $3,393.52.

A. Herman C. Kruse, 245 Market Street, San Francisco, Calif.

B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.

D. (6) $3,125. E. (9) $4,360.10.

A. Lloyd R. Kuhn, 1725 DeSales Street NW., Washington, D.C.

B. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.

D. (6) $3,912. E. (9) $552.65.

A. Labor Bureau of Middle West, 1155 15th Street NW., Washington, D.C., and 11 South LaSalle Street, Chicago, Ill.

A. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $6,900. E. (9) $5,682.21.

A. Lake Carriers' Association, Cleveland, Ohio.

A. Kenneth C. Landry, 1735 New York Avenue NW., Washington, D.C.

B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.

D. (6) $500.

A. Richard H. Lane, 1511 K Street NW., Washington, D.C.

B. The Committee for Broadening Commercial Bank Participation in Public Financing.

A. Latham & Watkins.

B. Rossmoor Corp., Post Office Box 125, Seal Beach, Calif.

D. (6) $365. E. (9) $6.

A. John V. Lawrence, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $297.50. E. (9) $10.10.

A. Thomas B. Lawrence, 917 15th Street NW., Washington, D.C.

B. National Licensed Beverage Association, 420 Seventh Street, Racine, Wis.

D. (6) $650.

A. Warren Lawrence, 1700 K Street NW., Washington, D.C.

B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.

D. (6) $125. E. (9) $168.27.

A. Robert F. Lederer, 835 Southern Building, Washington, D.C.

B. American Association of Nurserymen, Inc., 835 Southern Building, Washington, D.C.

D. (6) $35. E. (9) $107.28.

A. Leonard F. Lee, 402 Solar Building, Washington, D.C.

B. Tennessee Gas Transmission Co., Post Office Box 2511, Houston, Tex.

E. (9) $56.75.

A. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

D. (6) $8,297. E. (9) $189.50.

A. Legislative Committee, International Economic Policy Association, 1625 I Street NW., Washington, D.C.

E. (9) $3,708.

A. Geo. Stephen Leonard, 1730 K Street NW., Washington, D.C.

B. Coordinating Committee for Fundamental American Freedoms, Inc., 301 First Street NE., Washington, D.C.

D. (6) $1,325. E. (9) $110.93.

A. Roy T. Lester, 1 Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $375. E. (9) $37.40.

A. Morris J. Levin, 1012 14th Street NW., Washington, D.C.

B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. Hal Leyshon, 122 East 42d Street, New York, N.Y.

B. American Federation of Musicians, 425 Park Avenue, New York, N.Y.

D. (6) $4,999.98. E. (9) $2,352.33.

A. L. Blaine Liljenquist, 917 15th Street NW., Washington, D.C.

D. (6) $6,250. E. (9) $25.

A. Lester W. Lindow, 1735 DeSales Street NW., Washington, D.C.

D. (6) $55.

A. Charles B. Lipsen, 1741 DeSales Street NW., Washington, D.C.

B. Retail Clerks International Association, 1741 DeSales Street NW., Washington, D.C.

D. (6) $3,576.90. E. (9) $1,070.17.

A. Robert G. Litschert, 1200 18th Street NW., Washington, D.C.

B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.

D. (6) $573.75. E. (9) $75.30.

A. Basil R. Littin, 1710 H Street NW., Washington, D.C.

B. Continental Oil Co., Post Office Box 2197, Houston, Tex.

A. Fred Livingston, 802 Ring Building, Washington, D.C.

B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.

A. Maj. Gen. George O. N. Lodoen, 333 Pennsylvania Avenue SE., Washington, D.C.

A. John J. Long, 711 14th Street NW., Washington, D.C.

B. International Printing Pressmen & Assistants' Union of North America, Pressmen's Home, Tenn.

D. (6) $1,300. E. (9) $30.

A. Paul H. Long, 1730 K Street NW., Washington, D.C.

B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.

E. (9) $30.20.

A. Otto Lowe, Cape Charles, Va.

B. National Canners Association, 1133 20th Street NW., Washington, D.C.

D. (6) $1,500.

A. Otto Lowe, Cape Charles, Va.

B. Norfolk & Western Railway Co., Roanoke, Va.

D. (6) $600.

A. James C. Lucas, 711 14th Street NW., Washington, D.C.

B. Retail Jewelers of America, Inc., 711 14th Street NW., Washington, D.C.

E. (9) $80.

A. Scott W. Lucas, 1028 Connecticut Avenue NW., Washington, D.C.

B. Mobile Homes Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.

D. (6) $1,000.

A. Scott W. Lucas, 1028 Connecticut Avenue NW., Washington, D.C.

B. Western Medical Corp., 415–423 West Pershing Road, Chicago, Ill.

D. (6) $1,000.

A. Charles Emmet Lucey, 905 16th Street NW., Washington, D.C.

B. Support Group for Progressive Banking, 905 16th Street NW., Washington, D.C.

D. (6) $25. E. (9) $5.

A. A. B. Luckey, Jr., 103 G Street SW., Washington, D.C.

B. Memlo Realty Co., 6303 Wilshire Boulevard, Los Angeles, Calif.

D. (6) $1,850. E. (9) $196.90.

A. Milton F. Lunch, 2029 K Street NW., Washington, D.C.

B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.

D. (6) $750.

A. John C. Lynn, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $2,437.50. E. (9) $39.63.

A. Breck P. McAllister, 25 Broadway, New York, N.Y.

B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. John A. McCart, 100 Indiana Avenue NW., Washington, D.C.

B. Government Employees' Council, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $3,365.32.

A. Albert L. McDermott, 777 14th Street NW., Washington, D.C.

B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.

D. (6) $500. E. (9) $45.

A. Angus H. McDonald.

B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue NW., Washington, D.C.

D. (6) $2,446.08. E. (9) $200.

A. Joseph T. McDonnell, 425 13th Street NW., Washington, D.C.

B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.

A. Joseph A. McElwain, 40 East Broadway, Butte, Mont.

B. The Montana Power Co., Butte, Mont.

E. (9) $359.94.

A. Mrs. Barbara D. McGarry, 6400 Winston Drive, Bethesda, Md.

B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

D. (6) $94.87. E. (9) $94.87.

A. William F. McKenna, 907 Ring Building, Washington, D.C.

B. National League of Insured Savings Associations, 907 Ring Building, Washington, D.C.

D. (6) $68. E. (9) $6.

A. Marvin L. McLain, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $2,250. E. (9) $48.38.

A. W. H. McMains, 1132 Pennsylvania Building, Washington, D.C.

B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. William F. McManus, 777 14th Street NW., Washington, D.C.

B. General Electric Co., 570 Lexington Avenue, New York, N.Y.

D. (6) $200. E. (9) $112.40.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW., Washington, D.C.
B. American Optometric Association, Inc., 100 West Pine Street, Selingsgrove, Pa.
D. (6) $4,550. E. (9) $24.20.

A. John G. Macfarlan, 1725 I Street NW., Washington, D.C.
B. REA Express, 219 East 42d Street, New York, N.Y.
D. (6) $1,567.50. E. (9) $478.38.

A. James E. Mack, 1028 Connecticut Avenue NW., Washington, D.C.
B. National Confectioners Association, 36 South Wabash Avenue, Chicago, Ill.

A. James E. Mack, 1028 Connecticut Avenue, Washington, D.C.
B. Rolled Zinc Manufacturers Association, 1028 Connecticut Avenue, Washington, D.C.

A. David I. Mackie, 1 Exchange Place, Jersey City, N.J.
B. Eastern Railroad Presidents Conference, 1 Exchange Place, Jersey City, N.J.

A. H. E. Mahlman, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Optometric Association, Inc., % Dr. Melvin D. Wolfberg, 100 West Pine Street, Selingsgrove, Pa.
D. (6) $687.50. E. (9) $133.23.

A. Don Mahon, 1127 Warner Building, Washington, D.C.
E. (9) $978.44.

A. Carter Manasco, 8 4201 Chesterbrook Road. McLean, Va.
B. National Coal Association, Coal Building, Washington, D.C.
D. (6) $4,800. E. (9) $171.80.

A. D. L. Manion, 2000 Massachusetts Avenue NW., Washington, D.C.
B. The American Short Line Railroad Association, 2000 Massachusetts Avenue, NW., Washington, D.C.
D. (6) $564.38.

A. R. R. Manion, 1010 Pennsylvania Building, Washington, D.C.
B. New York Central Railroad Co., 230 Park Avenue, New York, N.Y.

A. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,000. E. (9) $3,000.

A. Manufacturing Jewelers and Silversmiths of America, Inc., 207–11 Sheraton Biltmore Hotel, Providence, R.I.
D. (6) $26,250. E. (9) $4,910.44.

A. Mrs. Olya Margolin, 1637 Massachusetts Avenue NW., Washington, D.C.
B. National Council of Jewish Women, Inc., One West 47th Street, New York, N.Y.
D. (6) $2,242.02. E. (9) $163.39.

A. Rodney W. Markley, Jr., Wyatt Building, Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $101.75. E. (9) $181.40.

A. Raymond E. Marks, 65 Market Street, San Francisco, Calif.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif.

A. Robert O. Marritz, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $36.

A. David M. Marsh, 837 Washington Building, Washington, D.C.
B. Association of Casualty and Surety Companies, 110 William Street, New York, N.Y.
D. (6) $200. E. (9) $5.90.

A. Edwin E. Marsh, 600 Crandall Building, Salt Lake City, Utah.
B. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $3,100. E. (9) $1,089.25.

A. Winston W. Marsh.
B. The National Tire Dealers and Retreaders Association, 1346 L Street NW., Washington, D.C.

A. Fred T. Marshall, 1112 19th Street NW., Washington, D.C.
B. The B. F. Goodrich Co., 500 South Main Street, Akron, Ohio.

A. J. Paull Marshall, 925 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $260.45. E. (9) $194.25.

A. Thomas A. Martin, 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.
D. (6) $500. E. (9) $100.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.

A. Mike M. Masaoka, 919 18th Street., Washington, D.C.
B. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.
D. (6) $150.

A. Walter J. Mason, 815 16th Street NW., Washington, D.C.
B. Building and Construction Trades Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6)$ 4,124.90. E. (9) $1,515.44.

A. David Mathews, Jr., 345 4th Avenue, Pittsburgh, Pa.
B. Pittsburgh Coal Exchange.

A. P. H. Mathews, 925 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $585. E. (9) $373.22.

A. Charles D. Matthews, 1200 18th Street, Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $260. E. (9) $74.38.

A. C. V. & R. V. Maudlin, 1111 E Street NW., Washington, D.C.
B. National Association of Secondary Material Industries, Inc., 271 Madison Avenue, New York, N.Y.

A. Albert E. May, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Steamship Lines, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $340. E. (9) $34.32.

A. John S. Mears, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $2,916. E. (9) $14.40.

A. Mehler, Smollar & Buschmann, 2000 K Street NW., Washington, D.C.
B. Legislative Steering Committee for Rebuilders of Automotive Parts.
E. (9) $1,719.86.

A. Kenneth A. Meiklejohn, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,640.

A. William R. Merriam, 1707 L Street NW., Washington, D.C.
B. International Telephone & Telegraph Corp., 1707 L Street NW., Washington, D.C.
D. (6) $750. E. (9) $1,080.

A. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.

A. Michigan Hospital Service, 441 East Jefferson Avenue, Detroit, Mich.
E. (9) $1,505.78.

A. Midland Cooperative Dairy Association, Shawano, Wis.

A. Clarence R. Miles, 1625 I Street NW., Washington, D.C.
B. Legislative Committee, International Economic Policy Association, 1625 I Street NW., Washington, D.C.
D. (6) $3,600. E. (9) $108.

A. Milk Industry Foundation, 910 17th Street NW., Washigton, D.C.
E. (9) $505.

A. Capt. A. Stanley Miller, 1629 K Street NW., Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100.

A. Miller Associates, Inc., 1701 K Street NW., Washington, D.C.
B. American Society of Composers, Authors & Publishers, 575 Madison Avenue, New York, N.Y.
D. (6) $1,800. E. (9) $90.

A. Miller Associates, Inc., 1701 K Street NW., Washington, D.C.
B. The Associated Cooperage Industries of America, Inc., 408 Olive Street, St. Louis, Mo.
D. (6) $1,000. E. (9) $90.

A. Miller Associates, Inc., 1701 K Street NW., Washington, D.C.
B. The League of New York Theatres, Inc. and The National Association of the Legitimate Theatre, Inc., 137 West 48th Street, New York, N.Y.
D. (6) $750. E. (9) $206.85.

A. Miller & Chevalier et al., 1001 Connecticut Avenue, Washington, D.C.
B. Baltimore Gas & Electric Co., Lexington and Liberty Streets, Baltimore, Md.
D. (6) $2,000. E. (9) $8.90.

A. Miller & Chevalier, 1001 Connecticut Avenue, Washington, D.C.
B. Blue Cross Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $974.56. E. (9) $50.40.

A. Miller & Chevalier et al., 1001 Connecticut Avenue, Washington, D.C.
B. Columbia Gas System Service Corp., 120 East 41st Street, New York, N.Y.

A. Miller & Chevalier et al., 1001 Connecticut Avenue, Washington, D.C.
B. Investors Diversified Services, Inc., Investors Building, Minneapolis, Minn.
D. (6) $12,500. L. (9) $1,157.37.

A. Miller & Chevalier et al., 1001 Connecticut Avenue, Washington, D.C.
B. Pacific Lighting Corp., 600 California Street, San Francisco, Calif.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Dallas, Tex., Chamber of Commerce.
D. (6) $1,500.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Intracoastal Canal Association of Louisiana and Texas, 2211 South Coast Building, Houston, Tex.
D. (6) $2,625.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Texas Gulf Sulphur Co., Newgulf, Tex.
D. (6) $2,250.

A. Edwin Reid Miller, 1004 Farnam Street, Omaha, Nebr.
B. Nebraska Railroads Legislative Committee, 1004 Farnam Street, Omaha, Nebr.
D. (6) $3,465.

A. Joseph L. Miller, 918 16th Street NW., Washington, D.C.
B. Northern Textile Association and Theisen-Clemens Co.

A. Lloyd S. Miller, 1730 K Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $500.

A. Luman G. Miller, 424 Henry Building, Portland, Oreg.
B. Oregon Railroad Association, 424 Henry Building, Portland, Oreg.

A. Joseph A. Millimet, 1838 Elm Street, Manchester, N.H.
B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.
E. (9) $212.

A. Joseph A. Millimet, 1838 Elm Street, Manchester, N.H.
B. National Association of Independent Insurors, 30 West Monroe Street, Chicago, Ill.
E. (9) $408.09.

A. Claude Minard, 215 Market Street, San Francisco, Calif.
B. California Railroad Association, 215 Market Street, San Francisco, Calif.

A. Othmer J. Mischo, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Missouri Railroad Committee, c/o W. W. Dalton, 906 Olive Street, St. Louis, Mo.
E. (9) $177.57.

A. Mobilehome Dealers National Association, 39 South LaSalle Street, Chicago, Ill.
E. (9) $2308.56.

A. Willis C. Moffatt, 536 First Security Building, Boise, Idaho.

A. Marion S. Monk, Jr., Bachelor, La.
B. National Association of Soil and Water Conservation Districts, League City, Tex.
D. (6) $200. E. (9) $200.

A. G. Merrill Moody, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building Washington, D.C.
D. (6) $17. E. (9) $33.60.

A. Mrs. Jennelle Moorhead, Eugene Continuation Center, Eugene, Oreg.

A. Morison, Murphy, Clapp & Abrams, The Pennsylvania Building, Washington, D.C.
B. William S. Beinecke, 114 Fifth Avenue, New York, N.Y.
E. (9) $2.60.

A. Morison, Murphy, Clapp & Abrams, The Pennsylvania Building, Washington, D.C.
B. The Sperry & Hutchinson Co., 114 Fifth Avenue, New York, N.Y.

A. Curtis Morris, Premier Building, Washington, D.C.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $1,200. E. (9) $377.

A. Bernard R. Mullady, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers.
D. (6) $2,730.

A. T. H. Mullen, 711 14th Street NW., Washington, D.C.
B. American Paper and Pulp Association, 122 East 42d Street, New York, N.Y.

A. T. H. Mullen, 711 14th Street NW., Washington, D.C.
B. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. Ray R. Murdock.
B. American Maritime Association, 17 Battery Place, New York, N.Y., and 1725 K Street NW., Washington, D.C.
D. (6) $700.

A. Dr. Emmett J. Murphy, 5737 13th Street NW., Washington, D.C.
B. National Chiropractic Insurance Co., American Building, Webster City, Iowa.
D. (6) $900. E. (9) $900.

A. John J. Murphy, 420 Gardiner Drive, Hillsmere Shores, Annapolis, Md.
B. National Customs Service Association.

A. Robert F. Murphy, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $2,397.60. E. (9) $68.80.

A. William E. Murray, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Augustus Nasmith, Pennsylvania Station-Raymond Plaza, Newark, N.J.
B. Associated Railroads of New Jersey, Pennsylvania Station-Raymond Plaza, Newark, N.J.

A. Raymond Nathan, Ruder & Finn, Inc., 1812 K Street NW., Washington, D.C.
B. Glen Alden Corp., 1740 Broadway, New York, N.Y.
D. (6) $500. E. (9) $400.

A. National Agricultural Chemicals Association, 1145 19th Street NW., Washington, D.C.
D. (6) $11.50. E. (9) $11.50.

A. National Associated Businessmen, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $702. E. (9) $746.87.

A. National Association of Direct Selling Companies, 163–165 Center Street, Winona, Minn.
D. (6) $13,750. E. (9) $865.

A. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $2,578.17. E. (9) $11,457.01.

A. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $626.75. E. (9) $626.75.

A. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.

A. National Association of Insurance Agents, Inc., 96 Fulton Street, New York, N.Y.
D. (6) $3,500. E. (9) $8,050.70.

A. National Association of Margarine Manufacturers, Munsey Building, Washington, D.C.

A. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $2,447.23. E, (9) $2,447.23.

A. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C.

A. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $15,000. E. (9) $7,864.60.

A. National Association of Retired Civil Employees, 1625 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,384.62.

A. National Association of Shoe Chain Stores, Inc., 51 East 42d Street, New York, N.Y.
E. (9) $1,154.65.

A. National Association of Soil and Water Conservation Districts, League City, Tex.
D. (6) $1,026.35. E. (9) $1,679.10.

A. National Association of Travel Organizations, 900 17th Street NW., Washington, D.C.
D. (6) $37,943.49. E. (9) $682.50.

A. National Association of Wheat Growers, 1411 K Street NW., Washington, D.C.
D. (6) $3,871.11. E. (9) $3,871.11.

A. National Audio-Visual Association, Inc., 1201 Spring Street, Fairfax, Va.,
D. (6) $968.45. E. (9) $984.96.

A. National Automotive Dealers Association, 2000 K Street NW., Washington, D.C.
D. (6) $8,844.07. E. (9) $8,844.07.

A. National Coal Association, Coal Building, Washington, D.C.

A. National Committee for Research in Neurological Disorders, 386 Park Avenue, South, New York City, N.Y.
E. (9) $6,000.

A. National Conference of Non-Profit Shipping Associations, Inc., 26 Auburn Avenue, Atlanta, Ga.
D. (6) $7,300.

A. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn.
D. (6) $3,276.04. E. (9) $3,276.04.

A. National Council, Junior Order United American Mechanics, 3027 North Broad Street, Philadelphia, Pa.
E. (9) $169.04.

A. National Electrical Contractors Association, Inc., 1200 18th Street NW., Washington, D.C.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.
D. (6) $4,036.30. E. (9) $4,036.30.

A. National Fisheries Institute, Inc., 1614 20th Street NW., Washington, D.C.

A. National Housing Conference, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $12,355.72. E. (9) $25,350.81.

A. National Independent Dairies Association, 1627 K Street NW., Washington, D.C.
E. (9) $222.44.

A. National League of Insured Savings Associations, 18th and M Streets NW., Washington, D.C.
D. (6) $15,510.99. E. (9) $1,301.71.

A. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
D. (6) $2,762.50. E. (9) $2,762.50.

A. National Lumber Manufacturers Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $4,721.85. E. (9) $6,365.56.

A. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $6,715.80. E. (9) $6,715.80.

A. National Restaurant Association, 1012 14th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $10,792.51. E. (9) $10,792.51.

A. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.

A. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $6,631.45.

A. National Rivers & Harbors Congress, 1028 Connecticut Avenue NW., Washington, D.C.
D. (6) $14,782. E. (9) $28,337.71.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $154,321. E. (9) $2,438.

A. National Tire Dealers & Retreaders Association, 1343 L Street NW., Washington, D.C.

A. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $2,334.71. E. (9) $2,877.46.

A. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $1,459. E. (9) $7,060.33.

A. Nation-Wide Committee on Import-Export Policy, 815 15th Street NW., Washington, D.C.
D. (6) $7,750. E. (9) $7,148.04.

A. Robert R. Neal, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $45. E. (9) $12.23.

A. Samuel E. Neel, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
D. (6) $4,999.98. E. (9) $2,436.07.

A. New England Shoe & Leather Association, 210 Lincoln Street, Boston, Mass.
D. (6) $482.28. E. (9) $482.28.

A. New York & New Jersey Dry Dock Association, 161 William Street, New York, N.Y.
D. (6) $1,087.50. E. (9) $2,228.25.

A. Sarah H. Newman, 1029 Vermont Avenue NW., Washington, D.C.
B. National Consumers League, 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $1,650.

A. Stanley D. Noble, Munsey Building, Washington, D.C.
B. Council of Profit Sharing Industries, Munsey Building, Washington, D.C.

A. Charles M. Noone, 1209 Ring Building, Washington, D.C.
B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.
D. (6) $1,500. E. (9) $289.99.

A. Joseph A. Noone, 1145 19th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association, 1145 19th Street NW, Washington, D.C.

A. O. L. Norman, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D.C.
D. (6) $562.50 E. (9) $87.35.

A. Robert H. North, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Harry E. Northam, 185 North Wabash Avenue, Chicago, Ill.
B. Association of American Physicians and Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.

A. Graham T. Northup, 1001 15th Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
D. (6) $4,500. E. (9) $2,434.81.

A. E. M. Norton, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $300.

A. Ira H. Nunn, 1012 14th Street NW., Washington, D.C.
B. National Restaurant Association, 1012 14th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $1,458.32. E. (9) $250.

A. William B. O'Connell, 400 First Street NW., Washington, D.C.
B. The Brotherhood of Railroad Signalmen, 2247 West Lawrence Avenue, Chicago, Ill.

A. John F. O'Connor, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $4,375.12. E. (9) $68.60.

A. R. E. O'Connor, 122 East 42d Street, New York, N.Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N.Y.

A. John B. O'Day, 11 East Adams Street, Chicago, Ill.
B. Insurance Economics Society of America, 11 East Adams Street, Chicago, Ill.
D. (6) $10,073.47.

A. John A. O'Donnell, 1025 Connecticut Avenue NW., Washington, D.C.
B. National Federation of Sugarcane Planters, 4th Floor, Gonzaga Building, Manila, Philippines.
D. (6) $1,500.

A. John A. O'Donnell, 1025 Connecticut Avenue NW., Washington, D.C.
B. Philippine Sugar Association, 409 Davies Building, Manila, Philippines.
D. (6) $3,000. E. (9) $814.98.

A. Jane O'Grady, 815 16th Street NW., Washington, D.C.
B. Amalgamated Clothing Workers of America, 15 Union Square, New York, N.Y.
D. (6) $1,625. E. (9) $116.72.

A. Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
E. (9) $1,881.04.

A. Clarence H. Olson, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $3,888. E. (9) $155.09.

A. Samuel Omasta, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.
E. (9) $30.

A. Morris E. Osburn, Central Trust Building, Jefferson City, Mo.
B. Missouri Railroad Committee.

A. Kermit Overby, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $150.

A. John A. Overholt, 10315 Kensington Parkway, Kensington, Md., and 1106 Munsey Building, Washington, D.C.
B. National Association of Retired Civil Employees, 1625 Connecticut Avenue, Washington, D.C.
D. (6) $923.10.

A. Vaux Owen, 1737 H Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $4,307.73. E. (9) $7.50.

A. Walter Page, Box 128, Cazenovia, N.Y.

A. Everett L. Palmer, 901 Hamilton Street, Allentown, Pa.
B. Pennsylvania Power & Light Co., 901 Hamilton Street, Allentown, Pa.
E. (9) $94.08.

A. Lew M. Paramore, Town House Hotel, Kansas City, Kans.
B. Mississippi Valley Association, 121 South Meramec, Clayton, Mo.

A. J. D. Parel, 244 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $110.83. E. (9) $156.

A. Holcombe Parkes, 38 South Dearborn Street, Chicago, Ill.
B. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
D. (6) $9,750. E. (9) $60.75

A. James D. Parriott, Jr., 539 South Main Street, Findlay, Ohio.
B. Marathon Oil Co., 539 South Main Street, Findlay, Ohio.

A. Robert D. Partridge, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $273.80.

A. James G. Patton.
B. The Farmers' Educational & Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1404 New York Avenue NW., Washington, D.C.
D. (6) $1,375. E. (9) $108.41.

A. Lynn C. Paulson, 1627 K Street NW., Washington, D.C.
B. National Independent Dairies Association, 1627 K Street NW., Washington, D.C.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. Charitable Contributors Association, 100 Old York Road, Jenkintown, Pa.
D. (6) $300. E. (9) $39.42.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. Family Tax Association, 2110 Girard Trust Building, Philadelphia, Pa.
D. (6) $1,100. E. (9) $210.96.

A. Philip C. Pendleton, Second Street Pike, Bryn Athyn, Pa.
B. The Pitcairn Co., 100 West 10th Street, Wilmington, Del.
D. (6) $300. E. (9) $45.54.

A. Peter J. Pestillo, 1012 14th Street NW., Washington, D.C.
B. National Restaurant Association, 1012 14th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $1,062.50. E. (9) $125.

A. R. Wally Petersen, Lakeview, Mich.
B. National Association of Soil & Water Conservation Districts, League City, Tex.
D. (6) $120. E. (9) $120.

A. Ervin L. Peterson, 910 17th Street NW., Washington, D.C.
B. Milk Industry Foundation and International Association of Ice Cream Manufacturers, 910 17th Street NW., Washington, D.C.
D. (6) $65.

A. J. Hardin Peterson, Drawer BS, Lakeland, Fla.
B. Florida Citrus Mutual, Lakeland, Fla.
D. (6) $1,200. E. (9) $189.11.

A. J. Hardin Peterson, Post Office Drawer BS, Lakeland, Fla.
B. Florida Fruit & Vegetable Association, Post Office Box 6787, Orlando, Fla.
D. (6) $500. E. (9) $20.

A. J. Hardin Peterson, Post Office Drawer BS, Lakeland, Fla.
B. West Coast Inland Navigation District, Court House, Bradenton, Fla.
D. (6) $600. E. (9) $29.10.

A. Pharmaceutical Manufacturers Association, 1411 K Street NW., Washington, D.C.

A. Richard N. Philleo, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,275.30. E. (9) $54.25.

A. Phinney, Hallman & Pulley, 617 First National Bank Building, Dallas, Tex.
B. Kingdon Gould, Jr., and D. F. Antonelli, Jr., 1725 DeSales Street NW., Washington, D.C.
E. (9) $188.19.

A. Tom Pickett, 944 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $76.66.

A. T. E. Pinkston, 101 East High Street, Lexington, Ky.
E. (9) $210.66.

A. James H. Pipkin, 1001 Connecticut Avenue NW., Washington, D.C.
B. Texaco, Inc., 135 East 42d Street, New York, N.Y.
D. (6) $700. E. (9) $1,255.

A. Pitcairn Co., 100 West 10th Street, Wilmington, Del.
E. (9) $331.90.

A. Plains Cotton Growers, Inc., 1720 Avenue M, Lubbock, Tex.
D. (6) $26,837.38. E. (9) $1,350.

A. Sanford L. Platt, 723 Investment Building, Washington, D.C.
B. Hawaiian Sugar Planters' Association, Honolulu, Hawaii.

A. James K. Polk, 522 Fifth Avenue, New York, N.Y.
B. Consolidated Edison Co. of New York, Inc., 4 Irving Place, New York, N.Y.
D. (6) $67. E. (9) $0.48.

A. Robert R. Poston, 908 Colorado Building, Washington, D.C.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $900. E. (9) $198.10.

A. Ramsay D. Potts, 910 17th Street NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $4,999.98. E. (9) $291.33.

A. William J. Potts, Jr., 1735 DeSales Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. William I. Powell, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $23.20.

A. Richard M. Powell, 1210 Tower Building, Washington, D.C.
B. National Association of Refrigerated Warehouses, 1210 Tower Building, Washington, D.C.

A. Graydon R. Powers, Jr., 1735 DeSales Street NW., Washington, D.C.

A. William H. Press, 1616 K Street NW., Washington, D.C.
D. (6) $6,500.

A. Forrest J. Prettyman, 730 15th Street NW., Washington, D.C.
B. Association of Registered Bank Holding Cos., 730 15th Street NW., Washington, D.C.
D. (6) $125. E. (9) $2.75.

A. Wm. R. Pringle, 23640 Bryden Road, Cleveland, Ohio, and 744 Pennsylvania Building, Washington, D.C.
B. Con-Gas Service Corp., 4 Gateway Center, Pittsburgh, Pa.

A. Purcell & Nelson, 888 17th Street NW., Washington, D.C.
B. Sugar Sales (Pvt.), Limited, Throgmorton House, Jameson Avenue, Salisbury, Southern Rhodesia.
E. (9) $31.71.

A. Luke C. Quinn, Jr., 1001 Connecticut Avenue NW., Washington, D.C.
B. American Cancer Society, New York, N.Y., et al.
D. (6) $16,499.97. E. (9) $6,394.78.

A. Alex Radin, 919 18th Street NW., Washington, D.C.
B. American Public Power Association, 919 18th Street NW., Washington, D.C.
D. (6) $333.30.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. The Bermuda Trade Development Board, Hamilton, Bermuda.
D. (6) $1,666.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. Sea-Land Service, Inc., Post Office Box 1050, Newark, N.J.
D. (6) $900.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. Seatrain Lines, Inc., 595 River Road, Edgewater, N.J.
D. (6) $900.

A. Edward F. Ragland, 6917 Marbury Road, Bethesda, Md.
B. The Tobacco Institute, Inc., 1735 K Street NW., Washington, D.C.

A. Railway Progress Institute, 38 South Dearborn Street, Chicago, Ill.
D. (6) $2,872.16. E. (9) $2,872.16.

A. Alan T. Rains, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Donald J. Ramsey, 1725 K Street NW., Washington, D.C.
B. Silver Users Association, 1725 K Street NW., Washington, D.C.
D. (6) $450. E. (9) $6.39.

A. James A. Ransford, 1701 Pennsylvania Avenue NW., Washington, D.C.
B. Tidewater Oil Co., Los Angeles, Calif.

A. Sydney C. Reagan, 3840 Greenbrier Drive, Dallas, Tex.
B. Southwestern Peanut Shellers Association, Drawer 747, Durant, Okla.
D. (6) $420.71. E. (9) $270.71.

A. Robert E. Redding, 1710 H Street NW., Washington, D.C.
B. Committee for Time Uniformity, 1710 H Street NW., Washington, D.C.
E. (9) $52.40.

A. Robert E. Redding, 1710 H Street NW., Washington, D.C.

B. Transportation Association of America, 1710 H Street NW., Washington, D.C.

A. Otie M. Reed, 1107 19th Street NW., Washington, D.C.

B. National Creameries Association.

D. (6) $2,300.01. E. (9) $3,016.50.

A. W. O. Reed, 6254 Woodland Drive, Dallas, Tex.

B. Texas railroads.

D. (6) $305. E. (9) $301.09.

A. Lawrence D. Reedy, 200 Park Avenue, New York, N.Y.

B. American Association of Advertising Agencies, Inc., 200 Park Avenue, New York, N.Y.

E. (9) $33.20.

A. J. A. Reidelbach, Jr., 1117 Barr Building, Washington, D.C.

B. Home Manufacturers Association, 1117 Barr Building, Washington, D.C.

D. (6) $200.

A. Reserve Officers Association of the United States, 333 Pennsylvania Avenue SE., Washington, D.C.

A. Retired Officers Association, 1625 I Street NW., Washington, D.C.

D. (6) $86,949.14.

A. Retired Officers Tax Credit Committee, Box 1965, Annapolis, Md.

D. (6) $5,152.50. E. (9) $1,260.08.

A. Retirement Federation of Civil Service Employees of the U.S. Government, 900 F Street NW., Washington, D.C.

D. (6) $9,564.68. E. (9) $11,036.65.

A. John Arthur Reynolds, 653 Cortland Avenue, Fresno, Calif.

B. Western Cotton Growers Association, 1212 Guarantee Savings Building, Fresno, Calif.

D. (6) $166.68. E. (9) $66.64.

A. F. Marion Rhodes, 60 Beaver Street, New York, N.Y.

B. New York Cotton Exchange, 60 Beaver Street, New York, N.Y.

A. Theron J. Rice, 1615 H Street NW., Washington, D.C.

B. Chamber of Commerce of the United States.

A. James W. Richards, 1000 16th Street NW., Washington, D.C.

B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.

D. (6) $1,138.34. E. (9) $20.46.

A. Dorsey Richardson, 61 Broadway, New York, N.Y.

B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Harry H. Richardson, 335 Austin Street, Bogalusa, La.

B. Louisiana railroads.

D. (6) $25.25. E. (9) $62.66.

A. James W. Riddell, 731 Washington Building, Washington, D.C.

B. C.I.T. Financial Corp., 650 Madison Avenue, New York, N.Y.

A. James W. Riddell, 731 Washington Building, Washington, D.C.

B. Committee of Consumer Finance Co., Washington Building, Washington, D.C.

A. James W. Riddell, 731 Washington Building, Washington, D.C.

B. Entertainment Law Committee, 731 Washington Building, Washington, D.C.

A. James W. Riddell, 731 Washington Building, Washington, D.C.

B. Indian Sugar Mills Association, Calcutta, India.

A. James W. Riddell, 731 Washington Building, Washington, D.C.

B. Mutual Benefit Health & Accident Association, Omaha, Nebr.

A. James W. Riddell, 731 Washington Building, Washington, D.C.

B. State Farm Mutual Automobile Insurance Co., Bloomington, Ill.

A. Richard J. Riddick, 1012 14th Street NW., Washington, D.C.

B. Freight Forwarders Institute, 1012 14th Street NW., Washington, D.C.

D. (6) $3,375. E. (9) $373.09.

A. Siert F. Riepma, Munsey Building, Washington, D.C.

B. National Association of Margarine Manufacturers.

A. C. E. Rightor, 3300 Rolling Road, Chevy Chase, Md.

B. Committee for Study of Revenue Bond Financing, 149 Broadway, New York, N.Y.

D. (6) $450. E. (9) $772.65.

A. Gloria Riordan, 1126 16th Street NW., Washington, D.C.

B. International Union of Electrical, Radio & Machine Workers, 1126 16th Street NW., Washington, D.C.

D. (6) $500.

A. Paul H. Robbins, 2029 K Street NW., Washington, D.C.

B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.

D. (6) $250.

A. Clyde F. Roberts, Jr., 918 16th Street NW., Washington, D.C.

B. National Association of Manufacturers of the U.S.A., 918 16th Street NW., Washington, D.C.

A. Roberts & Holland, 405 Lexington Avenue, New York, N.Y.

B. I.O.S., Ltd. (S.A.), 119 rue de Lausanne, Geneva, Switzerland.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

D. (6) $179.

A. Rogers & Cowan, Inc., 598 Madison Avenue, New York, N.Y., and 250 North Canon Drive, Beverly Hills, Calif.

B. Robert Bosch Corp., 4025 Crescent Street, Long Island City, N.Y.

E. (9) $2,467.34.

A. Donald L. Rogers, 730 15th Street NW., Washington, D.C.

B. Association of Registered Bank Holding Cos., 730 15th Street NW., Washington, D.C.

D. (6) $437.50.

A. Frank W. Rogers, 1700 K Street NW., Washington, D.C.

B. Western Oil & Gas Association, 609 South Grand Avenue, Los Angeles, Calif.

D. (6) $5,260.

A. T. J. Ross & Associates, Inc., 405 Lexington Avenue, New York, N.Y.

B. Committee of American Steamship Lines.

D. (6) $6,000. E. (9) $6,304.53.

A. Edmond F. Rovner, 1126 16th Street NW., Washington, D.C.

B. International Union of Electrical, Radio & Machine Workers, 1126 16th Street NW., Washington, D.C.

D. (6) $1,250.

A. James H. Rowe, Jr., & Richard C. O'Hare, 1120 Investment Building, Washington, D.C.

B. Haytian-American Sugar Company, S.A., Port au Prince, Haiti.

D. (6) $6,250.

A. Royall, Koegel & Rogers, 1730 K Street NW., Washington, D.C.

B. Pinkerton's National Detective Agency, Inc., 154 Nassau Street, New York, N.Y.

E. (9) $23.30.

A. Albert R. Russell, 1918 North Parkway, Memphis, Tenn.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

D. (6) $108. E. (9) $100.

A. Oswald Ryan, 528 Barr Building, Washington, D.C.

B. Air Traffic Control Association, Inc., 528 Barr Building, Washington, D.C.

D. (6) $500. E. (9) $27.85.

A. William H. Ryan, 400 First Street NW., Washington, D.C.

B. District Lodge No. 44, International Association of Machinists, 400 First Street NW., Washington, D.C.

D. (6) $2,999.88. E. (9) $60.

A. Kermit B. Rykken, 1712 G Street NW., Washington, D.C.

B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Robert A. Saltzstein, 1300 Wyatt Building, Washington, D.C.

B. The Associated Business Publications, 205 East 42d Street, New York, N.Y.

D. (6) $2,750. E. (9) $558.06.

A. O. H. Saunders, 1625 I Street NW., Washington, D.C.

B. Retired Officers Association, 1625 I Street NW., Washington, D.C.

D. (6) $2,275.

A. William H. Scheick, 1735 New York Avenue NW., Washington, D.C.

B. American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.

D. (6) $400. E. (9) $290.

A. Ernest Schein, 1025 Connecticut Avenue NW., Washington, D.C.

B. Distribuidora de Azucares S.A., Azucareros Independientes LTDA, Compania Azucarera Del Valle S.A., Bogotá, Colombia.

A. C. Herschel Schooley, 815 15th Street NW., Washington, D.C.

B. Independent Bankers Association, Sauk Centre, Minn.

D. (6) $4,000. E. (9) $2,265.75.

A. Hilliard Schulberg, 1346 Connecticut Avenue NW., Washington, D.C.

B. Washington, D.C., Retail Liquor Dealers Association, Inc., 1346 Connecticut Avenue NW., Washington, D.C.

E. (9) $83.50.

A. Durward Seals, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit and Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Leo Seybold, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,125. E. (9) $249.05.

A. Alvin Shapiro, 919 18th Street NW., Washington, D.C.
B. American Merchant Marine Institute, Inc., 919 18th Street NW., Washington, D.C.; and 11 Broadway, New York, N.Y.
D. (6) $2,025. E. (9) $331.35.

A. David C. Sharman, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Optometric Association, Inc., 100 West Pine Street, Selingsgrove, Pa.
D. (6) $1,000. E. (9) $726.28.

A. A. Manning Shaw, 1625 I Street NW., Washington, D.C.
B. Brown & Lund, 1625 I Street NW., Washington, D.C., and National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $968.

A. John E. Shea, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington D.C.

A. Robert H. Shields, 920 Tower Building, Washington, D.C.
B. United States Beet Sugar Association, 920 Tower Building, Washington, D.C.
D. (6) $1,500.

A. Max Shine, 900 F Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 900 F Street NW., Washington, D.C.
D. (6) $992.50. E. (9) $20.

A. Robert L. Shortle, 306 International Trade Mart, New Orleans, La.
B. Mississippi Valley Association, 121 South Meramec, Clayton, Mo.

A. Charles B. Shuman, Merchandise Mart Plaza, Chicago, Ill.
B. American Farm Bureau Federation, Merchandist Mart Plaza, Chicago, Ill.
D. (6) $750.

A. Sidley, Austin, Burgess & Smith, 11 South LaSalle Street, Chicago, Ill., and 1625 I Street NW., Washington, D.C.
B. Inland Steel Co., 30 West Monroe, Chicago, Ill.
D. (6) $8,600.

A. Silver Users Association, 1725 K Street NW., Washington, D.C.
E. (9) $1,245.17.

A. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
D. (6) $50,000. E. (9) $4,772.94.

A. John T. Skelly, 1730 M Street NW., Washington, D.C.
B. Samuel E. Stavisky & Associates, Inc., 1730 M Street NW., Washington, D.C.
E. (9) $50.

A. Jack C. Skerrett, 717 South 19th Street, Arlington, Va.
B. The Camping Club of America, Inc., 945 Pennsylvania Avenue NW., Washington, D.C.

A. Harold S. Skinner, P.O. Box 2197, Houston, Tex.
B. Continental Oil Co.

A. Carstens Slack, 1625 I Street NW., Washington, D.C.
B. Phillips Petroleum Co., Bartlesville, Okla.

A. Harold Slater, One Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,312.50. E. (9) $102.86.

A. Stephen Slipher, 812 Pennsylvania Building, Washington, DC.
B. United States Savings and Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $3,125. E. (9) $9.20.

A. T. W Smiley, 135 East 11th Place, Chicago, Ill
B. Illinois Railroad Association, 135 East 11th Place, Chicago, Ill.
E. (9) $1,193.89.

A. Gordon L. Smith, 1145 19th Street NW., Washington, D.C.
B. Edward Gottlieb & Associates, Ltd., 640 Fifth Avenue New York, N.Y.
E. (9) $80.15.

A. Harold Arden Smith, 605 West Olympic Boulevard, Los Angeles, Calif.
B. Standard Oil Co. of California, 225 Bush Street, San Francisco, Calif.
D. (6) $200.

A. Irvin A. Smith, 418 East Rosser Avenue, Bismarck, N. Dak.
B. North Dakota Railway Lines.
E. (9) $56.

A. James R. Smith, 1060 Omaha National Bank Building, Omaha, Nebr.
B. Mississippi Valley Association, 121 South Meramec, Clayton, Mo.

A. Lloyd W. Smith, 416 Shoreham Building, Washington, D.C.
B. Chicago, Burlington & Quincy Railroad Co., 547 West Jackson Boulevard, Chicago, Ill., and Great Northern Railway Co., 175 East Fourth Street, St. Paul, Minn.

A. Wallace M. Smith, 425 13th Street NW., Washington, D.C.
B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

A. Wayne H. Smithey, 1200 Wyatt Building, Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $223.05. E. (9) $181.40.

A. Lyle O. Snader, 244 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $142.51. E. (9) $195.

A. Frank B. Snodgrass, 1025 Connecticut Avenue NW., Washington, D.C.
B. Burley and Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $325. E. (9) $389.09.

A. Edward F. Snyder, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,918.25.

A. J. R. Snyder, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railroad Trainmen.

A. Society for Animal Protective Legislation, 745 Fifth Avenue, New York, N.Y.
D. (6) $2,152.15. E. (9) $3,124.84.

A. J. Taylor Soop, 400 First Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, 330 South Wells Street, Chicago, Ill.
D. (6) $895.25.

A. W. Byron Sorrell, 1100 New Hampshire Avenue, NW., Washington, D.C.
B. Mobilehome Dealers National Association, 39 South LaSalle Street, Chicago, Ill.
D. (6) $2,025. E. (9) $283.56.

A. Southern States Industrial Council, 1103-1111 Stahlman Building, Nashville, Tenn.
D. (6) $2,552.34. E. (9) $5,257.29.

A. William W. Spear, 214 Fremont National Bank Building, Fremont, Nebr.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $729.17. E. (9) $10.29.

A. John F. Speer, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Chester S. Stackpole, 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Marian S. Stafford, 777 14th Street NW., Washington, D.C.
B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.
D. (6) $250.

A. Samuel E. Stavisky & Associates, Inc., 1730 M Street NW., Washington, D.C.
B. International Coffee Agreement (Dr. Joao Oliveira Santos, liquidating trustee), 1312 Park Terrance Drive, Alexandria, Va.
D. (6) $50. E. (9) $50.

A. Samuel E. Stavisky, 1730 M Street NW., Washington, D.C.
B. Samuel E. Stavisky & Associates, Inc., 1730 M Street NW., Washington, D.C.

A. Mrs. Nell May F. Stephens, Post Office Box 6234, Washington, D.C.

A. Russell M. Stephens, 900 F Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 900 F Street NW., Washington, D.C.
D. (6) $240. E. (9) $20.

A. Steptoe & Johnson, 1100 Shoreham Building, Washington, D.C.
B. American Claims in Cuba Committee, 1100 Shoreham Building Washington, D.C.

A. Steptoe & Johnson, 1100 Shoreham Building, Washington, D.C.
B. Hamilton Watch Co., and Elgin National Watch Co.
D. (6) $100.

A. Steptoe & Johnson, 1100 Shoreham Building, Washington, D.C.
B. U.S. Foreign Investment Committee, 1100 Shoreham Building, Washington, D.C.

A. Sterling F. Stoudenmire, Jr., 61 St. Joseph Street, Mobile, Ala.
B. Waterman Steamship Corp., 61 St. Joseph Street, Mobile, Ala.

A. Francis W. Stover, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $2,750. E. (9) $245.95.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Hualapai Tribe of the Hualapai Reservation, Peach Springs, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Laguna Pueblo of New Mexico, Laguna, N. Mex.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Metlakatla Indian Community, Post Office Box 142, Metlakatla, Alaska.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Nez Perce Tribe, Lapwai, Idaho.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Oglala Sioux Tribe of the Pine Ridge Reservation, Pine Ridge, S. Dak.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. Salt River Pima-Maricopa Indian Community, Box 907-X, Scottsdale, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The San Carlos Apache Tribe, San Carlos, Ariz.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Seneca Nation of Indians, 25 Main Street, Salamanca, N.Y.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.
B. The Tuscarora Nation of Indians, Lewiston, N.Y.

A. Bonnie J. Straw, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. William A. Stringfellow, 6004 Roosevelt Street, Bethesda, Md.
B. National Association of Mutual Insurance Agents, 827 Investment Building, Washington, D.C.

A. Norman Strunk, 221 North LaSalle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $1,875.

A. Sam S. Studebaker, Tipp City, Ohio.
B. National Association of Soil and Water Conservation Districts, League City, Tex.
D. (6) $114.28. E. (9) $114.28.

A. Walter B. Stults, 537 Washington Building, Washington, D.C.
B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.
D. (6) $600.

A. Barry Sullivan, 536 Washington Building, Washington, D.C.
B. National Association of River and Harbor Contractors, 3900 North Charles Street, Baltimore, Md.
D. (6) $750. E. (9) $131.50.

A. Roger H. Sullivan.
B. American Sugar Co., 120 Wall Street, New York, N.Y.

A. Frank L. Sundstrom, 1290 Avenue of the Americas, New York, N.Y.
B. Schenley Industries, Inc., 1290 Avenue of the Americas, New York, N.Y.

A. Noble J. Swearingen, 224 East Capitol Street, Washington, D.C.
B. National Tuberculosis Association, 1790 Broadway, New York, N.Y.
D. (6) $250. E. (9) $59.30.

A. John J. Synon, 1301 Park Avenue, Richmond, Va
B. Coordinating Committee for Fundamental American Freedoms, Inc., First and C Streets NE., Washington, D.C.
D. (6) $6,500. E. (9) $1,200.

A. Charles P. Taft, 1025 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

A. Glenn J. Talbott.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D.C.

A. John I. Taylor, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,500. E. (9) $36.14.

A. Mrs. Margaret K. Taylor, 20 E Street NW., Washington, D.C.
B. American Parents Committee, Inc, 20 E Street NW, Washington, D.C., and Bipartisan Citizens Committee for Federal Aid for Public Elementary and Secondary Education, 2107 Davenport Street NW., Washington, D.C.

A. Richard W. Taylor, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,315.37. E. (9) $82.55.

A. J. B. Thayn, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,468.75. E. (9) $26.45.

A. William B. Thompson, Jr., 244 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $44. E. (9) $53.

A. John N. Thurman, 1625 K Street NW., Washington, D.C.
B. Pacific American Steamship Association, 16 California Street, San Francisco, Calif.
D. (6) $999. E. (9) $1,323.63.

A. J. R. Timmins & Co., 61 Broadway, New York, N.Y.

A. William H. Tinney, 1223 Pennsylvania Building, Washington, D.C.
B. The Pennsylvania Railroad Co., Six Penn Center Plaza, Philadelphia, Pa.

A. M. J. Tisdale, 4200 Cathedral Avenue NW., Washington, D.C.
B. Armed Services Committee, Chamber of Commerce, Vallejo, Calif.
D. (6) $147.50. E. (9) $125.85

A. Tobacco Associates, Inc., 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $988.

A. H. Willis Tobler, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $3,125. E. (9) $392.50.

A. John H. Todd, 1085 Shrine Building, Memphis, Tenn.
B. National Cotton Compress & Cotton Warehouse Association, 1085 Shrine Building, Memphis, Tenn.

A. Bert M. Tollefson, Jr., 1 Farragut Square, South, Washington, D.C.
B. Blue Cross Association, 840 North Lake Shore Drive, Chicago, Ill.
E. (9) $2,412.40.

A. Dwight D. Townsend, 1012 14th Street NW., Washington, D.C.
B. Cooperative League of USA, 59 East Van Buren Street, Chicago, Ill.

A. F. Gerald Toye, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $1,000. E. (9) $118.80.

A. Trade Relations Council of the U.S., Inc., 122 East 42d Street, New York, N.Y.

A. Transportation Association of America, 1710 H Street NW., Washington, D.C.

A. Matt Triggs, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,850. E. (9) $70.63.

A. Glenwood S. Troop, Jr., 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $1,875. E. (9) $82.25.

A. Joel B. True, 1800 Connecticut Avenue, Washington, D.C.
B. The Tobacco Institute, Inc., 1735 K Street NW., Washington, D.C.

A. Galen Douglas Trussell, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers of the U.S.A., 918 16th Street NW., Washington, D.C.

A. Trustees for Conservation, 251 Kearny Street, San Francisco, Calif.
D. (6) $1,617.40. E. (9) $2,564.19.

A. Dick Tullis, 307 Maple Terrace, Dallas, Tex.
B. Superior Oil Co., Houston, Tex., and Los Angeles, Calif.
D. (6) $300. E. (9) $250.

A. Ernest A. Tupper, 1420 New York Avenue, NW., Washington, D.C.
B. American Can Co., 100 Park Avenue, New York, N.Y.

A. John W. Turner, 814 Railway Labor Building, Washington, D.C.
B. Brotherhood of Locomotive Engineers, B. of L. E. Building, Cleveland, Ohio.

A. William S. Tyson, 821 15th Street NW., Washington, D.C.
B. Western Range Association, 375 North Fulton Street, Fresno, Calif.
E. (9) $30.66.

A. Union Producing Co., 1525 Fairfield Avenue, Shreveport, La., and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.
E. (9) $871.25.

A. United Cerebral Palsy Associations, 321 West 44th Street, New York, N.Y
E. (9) $1,247.17.

A. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $275,861.97. E. (9) $28,149.35.

A. United States Beet Sugar Association, 920 Tower Building, Washington, DC.
E. (9) $1,600.

A. United States Savings and Loan League, 221 North La Salle Street, Chicago, Ill.
E. (9) $21,169.15.

A. Valicenti Leighton Reid & Stock, 70 Pine Street, New York, N.Y.
B. Channing Service Corp., 85 Broad Street, New York, N.Y.

A. Theodore A. Vanderzyde, 400 First Street NW., Washington, D.C.
B. District Lodge No. 44, International Association of Machinists, 400 First Street NW., Washington, D.C.
D. (6) $2,499.90. E. (9) $15.

A. John E. Vetter, 635 F Street NW., Washington, D.C.

A. L. T. Vice, 1700 K Street NW., Washington, D.C.
B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.
E. (9) $150.

A. R. K. Vinson, 1400 20th Street NW., Washington, D.C.
B. Machinery Dealers National Association, 1400 20th Street NW., Post Office Box 19128, Washington, D.C.

A. B. J. Viviano, 1223 Pennsylvania Building, Washington, D.C.
B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. Voice of the People in Action, 621 Sheridan Street, Chillum, Md.
B. Dr. Russell Forrest Egner.
D. (6) $529. E. (9) $410.58.

A. Harold S. Walker, Jr., 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. Franklin Wallick, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $2,400. E. (9) $823.16.

A. Stephen M. Walter, 1200 18th Street NW., Washington, D.C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D.C.
D. (6) $298.75. E. (9) $6.80.

A. William A. Walton, 920 Jackson Street, Topeka, Kans.
B. Kansas Railroad Committee, 920 Jackson Street, Topeka, Kans.

A. Jeremiah C. Waterman, 205 Transportation Building, Washington, D.C.
B. Southern Pacific Co., 205 Transportation Building, Washington, D.C.
D. (6) $500.

A. Waterways Bulk Transportation Council, Inc., 10 East 40th Street, New York, N.Y.
D. (6) $15,5505. E. (9) $144.32.

A. Watters & Donovan et al., 161 William Street, New York, N.Y.
B. New York and New Jersey Dry Dock Association, 161 William Street, N.Y.
D. (6) $1,250.

A. Weaver & Glassie, 1527 New Hampshire Avenue NW., Washington, D.C.
B. The Atlantic Refining Co., 260 South Broad Street, Philadelphia, Pa.
D. (6) $300.

A. Weaver & Glassie, 1527 New Hampshire Avenue NW., Washington, D.C.
B. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Wahington, D.C.
D. (6) $5. E. (9) $3.22.

A. Weaver & Glassie, 1527 New Hampshire Avenue NW., Washington, D.C.
B. The National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $300. E. (9) $25.92.

A. Weaver & Glassie, 1527 New Hampshire Avenue NW., Washington, D.C.
B. J. B. Timmins & Co., 37 Wall Street, New York, N.Y.
E. (9) $74.10.

A. William H. Webb, 523–A La Salle Building, Washington, D.C.
B. National Rivers and Harbors Congress, 1028 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,762.06. E. (9) $590.70.

A. Dr. Frank J. Welch, 3724 Manor Road, Chevy Chase, Md.
B. The Tobacco Institute, 1735 K Street NW., Washington, D.C.

A. Joseph E. Welch, 1630 Locust Street, Philadelphia, Pa.
B. Wellington Management Co., 1630 Locust Street, Philadelphia, Pa.

A. West Coast Inland Navigation District, Court House, Bradenton, Fla.
E. (9) $609.40.

A. Western Cotton Growers Association, 1212 Guarantee Savings Building, Fresno, Calif.
D. (6) $2,940.05. E. (9) $1,263.32.

A. Don White, 1201 Spring Street, Fairfax, Va.
B. National Audio-Visual Association, Inc., 1201 Spring Street, Fairfax, Va.
D. (6) $693.75. E. (9) $718.77.

A. John C. White, et al., 838 Transportation Building, Washington, D.C.
D. (6) $1,125. E. (9) $461.13.

A. John C. White, 711 14th Street NW., Washington, D.C.
B. Private Truck Council of America, Inc., 711 14th Street NW., Washington, D.C.

A. Marc A. White, 888 17th Street NW., Washington, D.C.
B. National Association of Securities Dealers, Inc.

A. Louis E. Whyte, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

A. Claude C. Wild, Jr., 1120 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,000. E. (9) $250.

A. Albert E. Wilkinson, Investment Building, Washington, D.C.
B. The Anaconda Co., 25 Broadway, New York, N.Y.
D. (6) $2,250. E. (9) $911.25.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. American Society of Travel Agents, Inc., 360 Lexington Avenue, New York, N.Y.
E. (9) $7.45.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Arapahoe Indian Tribe, Fort Washakie, Wyo.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.
E. (9) $1.20.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Quinaielt Tribe of Indians, Taholah, Wash.
E. (9) $1.30.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Frank B. Rowlett, 143 Chatham Road, Ellicott City, Md.
E. (9) $10.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Spokane Indian Tribe, Wellpinit, Wash.

A. Robert P. Will, 989 National Press Building, Washington, D.C.
B. The Metropolitan Water District of Southern California, 1111 Sunset Boulevard, Los Angeles, Calif.
D. (6) $3,375. E. (9) $4,107.57.

A. John Willard, Box 1172, Helena, Mont.
B. Montana Railroad Association, Helena, Mont.

A. Franz O. Willenbucher, 1625 I Street NW., Washington, D.C.
B. Retired Officers Association, 1625 I Street NW, Washington, D.C.
D. (6) $3,500.

A. Harding deC. Williams, 1300 Connecticut Avenue NW., Washington, D.C.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill.
D. (6) $1,750. E. (9) $131.73.

A. Robert E. Williams, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $950. E. (9) $327.88.

A. John C. Williamson, 1300 Connecticut Avenue NW., Washington, D.C.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill.
D. (6) $4,000. E. (9) $117.55.

A. Kenneth Williamson, 1 Farragut Square South, Washington, D.C.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $1,142.54. E. (9) $410.12.

A. Clark L. Wilson, 1145 19th Street NW., Washington, D.C.
B. Consultant to Emergency Lead-Zinc Committee.
D. (6) $2,000. E. (9) $945.93.

A. E. Raymond Wilson, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,686.18.

A. Henry B. Wilson, 1612 K Street NW., Washington, D.C.
B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.
E. (9) $37.85.

A. Richard W. Wilson, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. W. E. Wilson, 1525 Fairfield Avenue, Shreveport, La.
B. Union Producing Co., 1525 Fairfield Avenue, Shreveport, La., and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.
D. (6) $600. E. (9) $271.25.

A. Morton M. Winston.
B. Cleary, Gottlieb, Steen & Hamilton, 224 Southern Building, Washington, D.C.

A. Everett T. Winter, 121 South Meramec, St. Louis, Mo.
B. Mississippi Valley Association, 121 South Meramec, St. Louis, Mo.

A. Richard F. Witherall, 701 Majestic Building, Denver, Colo.
B. Colorado Railroad Association, 701 Majestic Building, Denver, Colo.

A. Lawton B. Wolfe, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. Venlo Wolfsohn, 1729 H Street NW., Washington, D.C.
B. Institute of Scrap Iron & Steel Inc., 1729 H Street NW., Washington, D.C.
D. (6) $300.

A. Russell J. Woodman, 400 First Street NW., Washington, D.C.
B. The Order of Railroad Telegraphers, 3160 Lindell Boulevard, St. Louis, Mo.

A. John H. Yingling, 905 16th Street NW., Washington, D.C.
B. Support Group for Progressive Banking, 905 16th Street NW., Washington, D.C.
D. (6) $50. E. (9) $5.

A. J. Banks Young, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $510.

A. Gordon K. Zimmerman, Washington, D.C.
B. National Association of Soil & Water Conservation, League City, Tex.

A. Zimring, Gromfine and Sternstein, 1155 15th Street NW., Washington, D.C., and 11 South LaSalle Street, Chicago, Ill.

REGISTRATIONS

The following registrations were submitted for the second calendar quarter 1964:

(NOTE.—The form used for registration is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19______ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

A. Donald C. Alexander, 603 Dixie Terminal Building, Cincinnati, Ohio.
B. National Piano Manufacturers Association of America, Inc., 1801 Gilbert Avenue, Cincinnati, Ohio.

A. American Finance Conference, Inc., 1629 K Street NW., Washington, D.C.

A. American Waterways Operators, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

A. Arnold, Fortas & Porter, 1229 19th Street NW., Washington, D.C.
B. California Financial Corp., and others.

A. Robert C. Barnard, 224 Southern Building, Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 224 Southern Building, Washington, D.C.

A. Thomas C. Barringer, 301 Harvey Road, McLean, Va.
B. Simon Enterprises, Inc., 250 West 57th Street, New York, N.Y.

A. Albert F. Beitel, 905 American Security Building, Washington, D.C.
B. Local Airline Service Action Committee, Downtown St. Paul Airport, St. Paul, Minn.

A. William S. Bergman, 201 Massachusetts Avenue NE., Washington, D.C.
B. District Council of Plasterers & Cement Masons, 3921 Burbank Boulevard, Burbank, Calif.

A. Big B Ranch of Belle Glade, Fla., 230 Park Avenue, New York, N.Y.

A. William Blum, Jr., 1815 H Street NW., Washington, D.C.
B. Pacific Navigation System, Inc., 9 First Street, San Francisco, Calif.

A. Robert Bosch Corp., 4025 Crescent Street, Long Island City, N.Y.

A. Cleary, Gottlieb, Steen & Hamilton, 224 Southern Building, Washington, D.C.
B. Sugar Refining Co., Ltd., 1-3 O'Connell Street, Sydney, Australia.

A. Cleary, Gottlieb, Steen & Hamilton, 224 Southern Building, Washington, D.C.
B. The Oil Shale Corp., 680 Fifth Avenue, New York, N.Y.

A. Mitchell J. Cooper, 1625 K Street NW., Washington, D.C.
B. Footwear Division of Rubber Manufacturers' Association, Inc., 444 Madison Avenue, New York, N.Y.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Castle & Cooke, Inc., 130 Merchant Street, Honolulu, Hawaii.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Hawaiian Trust Co., Ltd., Honolulu, Hawaii.

A. Cuba Claims Association, Inc., 407 Lincoln Road, Miami Beach, Fla. (a nonprofit Florida corporation).

A. Donald S. Dawson, 731 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association, Calcutta, India.

A. Dawson, Griffin, Pickens & Riddell, 731 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association, Calcutta, India.

A. Max A. Denney, 1629 K Street NW., Washington, D.C.
B. American Finance Conference, Inc., 1629 K Street NW., Washington, D.C.

A. Denning & Wohlstetter, 1 Farragut Square South, Washington, D.C.
B. Western Publishing Co., Inc., 1220 Mound Avenue, Racine, Wis.

A. George S. Dietrich, 1741 DeSales Street NW., Washington, D.C
B. Association On Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. James F. Dineen, 141 Spring Street, Lexington, Mass.
B. Raytheon Co., 141 Spring Street, Lexington, Mass.

A. R. Michael Duncan.
B. Cleary, Gottlieb, Steen & Hamilton, 224 Southern Building, Washington, D.C.

A. Ernest J. Eaton, Washington Building, Washington, D.C.
B. Ocean Beach Club, Inc., 1025 Connecticut Avenue NW., Washington, D.C.

A. Donald P. Falconer, 215 Market Street, San Francisco, Calif.
B. California & Hawaiian Sugar Refining Corp., Ltd., 215 Market Street, San Francisco, Calif.

A. William R. Falkner, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.

A. Robert L. Farrington, 1025 Connecticut Avenue, Washington, D.C.
B. Chinese Government Procurement & Services Mission, Division for Taiway Sugar Corp., 61 Broadway, New York, N.Y.

A. Josiah Ferris, 510 Union Trust Building, Washington, D.C.
B. American Sugar Cane League of the U.S.A., New Orleans, La.

A. Josiah Ferris, 510 Union Trust Building, Washington, D.C.
B. United States Sugar Corp. et al.

A. Morley E. Fox, 300 New Jersey Avenue SE., Washington, D.C.
B. Central Arizona Project Association, 642 Security Building, Phoenix, Ariz.

A. Gardner, Morrison & Rogers, 1126 Woodward Building, Washington, D.C.
B. American Metal Climax, Inc., 1270 Avenue of the Americas, New York, N.Y.

A. Ginsburg & Leventhal, 1 Farragut Square South, Washington, D.C.
B. U.S. Plastic & Chemical Corp., Metuchen, N.J.

A. Jerry N. Griffin, 731 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association, Calcutta, India.

A. Seymour S. Guthman, Woodward Building, Washington, D.C.
B. Syndicat des Distillateurs et Producteurs de sucre de Madagascar; 282 Boulevard St. Germain, Paris 7, France.

A. Institute of Amateur Radio, Inc., Peterborough, N.H.

A. Henry T. Kirkland, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Morris J. Levin, 1012 14th Street NW., Washington, D.C.
B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. R. C. Longmire, Paulis Valley, Okla.
B. National Association of Soil & Water Conservation Districts, League City, Tex.

A. Lovre & DeVany, 639 Woodward Building, Washington, D.C.
B. Foreign Trade Committee, c/o The Anti-Friction Bearing Manufacturers Association, Inc., 60 East 42d Street, New York, N.Y.

A. Miller & Chevalier, 1001 Connecticut Avenue NW., Washington, D.C.
B. The Boeing Co., 7755 East Marginal Way, Seattle, Wash.

A. Miller & Chevalier, 1001 Connecticut Avenue NW., Washington, D.C.
B. Lockheed Aircraft Corp., Burbank, Calif.

A. Miller & Chevalier, 1001 Connecticut Avenue NW., Washington, D.C.
B. Carl M. Loeb, Rhoades & Co., 42 Wall Street, New York, N.Y.

A. National Rehabilitation Association, Inc., 1029 Vermont Avenue NW., Washington, D.C.

A. Michael J. Norton, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.

A. John B. O'Day, 11 East Adams Street, Chicago, Ill.
B. Insurance Economics Society of America, 11 East Adams Street, Chicago, Ill.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. The Bermuda Trade Development Board, Hamilton, Bermuda.

A. Retired Officers Tax Credit Committee, Box 1965, Annapolis, Md.

A. James W. Riddell, 731 Washington Building, Washington, D.C.
B. Indian Sugar Mills Association, Calcutta, India.

A. Rogers & Cowan, Inc., 598 Madison Avenue, New York, N.Y., and 250 North Cannon Drive, Beverly Hills, Calif.
B. Robert Bosch Corp., 4025 Crescent Street, Long Island City, N. Y.

A. David P. Seaman, 230 Park Avenue, New York, N.Y.
B. Big B Ranch of Belle Glade, Fla., a Division of the Osceola Operating Corp., 230 Park Avenue, New York, N.Y.

A. Kenneth D. Shaw, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.

A. John E. Shea, 210 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 210 H Street NW., Washington, D.C.

A. William L. Shea, 1026 17th Street NW., Washington, D.C.
B. Big B Ranch of Belle Glade, Fla., a Division of the Osceola Operating Corp., 230 Park Avenue, New York, N.Y.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. Bluejay Oil Co., National Press Building, Washington, D.C.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. Fiduciary Counsel, Inc., 40 Wall Street, New York, N.Y.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. Insurance Securities, Inc., 100 California Street, San Francisco, Calif.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. Investors Management Co., Westminster at Parker, Elizabeth, N.J.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. National Realty Trust, 1066 National Press Building, Washington, D.C.

A. Shipley, Akerman & Pickett, 1366 National Press Building, Washington, D.C.
B. Pet Shop Management, Inc., P.O. Box 109, Fond du Lac, Wis.

A. Richard L. Shook, 1815 H Street NW., Washington, D.C.
B. Hardware Wholesalers, Inc., Nelson Road, Fort Wayne, Ind.

A. John Silard, 1625 K Street NW., Washington, D.C.
B. Council for a Livable World, 1346 Connecticut Avenue NW., Washington, D.C.

A. Jack C. Skerrett, 717 19th Street, Arlington, Va.
B. The Camping Club of America, Inc., 1842 Kenyon Street NW., Washington, D.C.

A. Irvin A. Smith, 418 East Rosser Avenue, Bismarck, N. Dak.
B. North Dakota railroads.

A. Robert B. Smith, 41 D Street SE., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Wayne J. Smith, 201 Massachusetts Avenue NE., Washington, D.C.
B. District Council of Plasterers & Cement Masons, 3921 Burbank Boulevard, Burbank, Calif.

A. Samuel E. Stavisky & Associates, Inc., 1730 M Street NW., Washington, D.C.
B. Pan-American Coffee Bureau, 120 Wall Street, New York, N.Y.

A. Steptoe & Johnson, 1100 Shoreham Building, Washington, D.C.
B. American Claims in Cuba Committee, 1100 Shoreham Building, Washington, D.C.

A. Steptoe & Johnson, 1100 Shoreham Building, Washington, D.C.
B. U.S. Foreign Investment Committee, 1100 Shoreham Building, Washington, D.C.

A. Eugene L. Stewart, 1001 Connecticut Avenue, Washington, D.C.
B. Trade Relations Council of the United States, Inc., 122 East 42d Street, New York, N.Y.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. American Council of Flatware Importers, Inc., 241 Fifth Avenue, New York, N.Y.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. Hitachi New York, Ltd., 666 Fifth Avenue, New York, N.Y.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. Japan General Merchandise Exporters' Association, No. 2, 3-Chome, Nihonbashi, Muromachi, Chuo-ku, Tokyo, Japan.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. Japan Steel Wire & Wire Products Exporters' Association, 36, Hisamatsucho, Nihonbashi, Chuo-ku, Toyko, Japan.

A. Stitt & Hemmendinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. National Silver Co., 241 Fifth Avenue, New York, N.Y.

A. Stoneman & Chandler, 44 School Street, Boston, Mass.
B. Woven Label Manufacturers of the United States of America, 1440 Broadway, New York, N.Y.

A. Roger H. Sullivan.
B. American Sugar Co., 120 Wall Street, New York, N.Y.

A. Trade Relations Council of the United States, Inc., 122 East 42d Street, New York, N.Y.

A. Peter P. Weidenbruch, Jr., 510 Shoreham Building, Washington, D.C.
B. Socony Mobil Oil Co., Inc., 150 East 42d Street, New York, N.Y.

A. Western Publishing Co., Inc., 1220 Mound Avenue, Racine, Wis.

A. George L. Will, P.O. Box 781, Miami, Fla.
B. American Society of Professional Bail Bondsmen, P.O. Box 781, Miami, Fla.

A. Morton M. Winston.
B. Cleary, Gottlieb, Steen & Hamilton, 224 Southern Building, Washington, D.C.

EXTENSIONS OF REMARKS

Canoga Park, Calif., Citizens To Visit Sister City

EXTENSION OF REMARKS
OF
HON. JAMES C. CORMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 31, 1964

Mr. CORMAN. Mr. Speaker, on Saturday, October 3, 25 of my west San Fernando Valley constituents from the community of Canoga Park will leave Los Angeles airport on an international good will visit to Taxco, Mexico.

Sixteen months ago the Canoga Park Chamber of Commerce elected to join the people-to-people sister city movement. Canoga Park, with a population the size of Harrisburg, Pa., and the space technology center of the United States was assigned Taxco, Mexico, a city of 20,000 people, located 100 miles west of Mexico City. Taxco is the silver capital of Mexico.

In June 1963, 20 Canoga Park residents traveled to Taxco and inaugurated the program. Gifts, pictures, and scrolls adorn the Canoga Park Chamber of Commerce office and Taxco City Hall. Canoga Park citizens have joined with the chamber of commerce in an organization known as the Friends of Taxco. Spanish classes, exchange of letters, library books, and participation in the Taxco school milk program are regular activities.

Last June Mayor and Mrs. Luis Tellez Bustamante came to Canoga Park as community guests of honor. The main program was a fiesta dinner attended by over 200 residents. At that time I presented a U.S. flag flown over our capitol to Mayor Bustamante. He told those attending that the flag would hold a place of honor in his community. The mayor also announced the naming of a John F. Kennedy Street in Taxco.

Chamber of Commerce President James Ross and his wife, Rosemary, will be joined by Honorary Mayor and Mrs. Francis Lederer, Messrs. and Mmes. Gallup, Benson, Charney, D'Agostino, Feddern, Harte, Lindeberg, Mazure, Patterson, Staley, and John Casey on the trip. The group will travel throughout Mexico visiting points of interest in Mexico City, Queretaro, Guanajuato, and many others. In Taxco they will be feted by the entire citizenry.

Mr. Speaker, such citizen groups are playing a significant role in greater international friendship. I know that the Congress joins me in congratulating Canoga Park and asking them to extend our very good wish to their sister city Taxco, Guerrero, Mexico.

Mr. Clyde W. Young, Honorary Chairman of the Board—60 Years of Service With Monarch Life Insurance Co. of Springfield, Mass.

EXTENSION OF REMARKS
OF
HON. EDWARD P. BOLAND
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, August 31, 1964

Mr. BOLAND. Mr. Speaker, Monarch Life Insurance Co. is one of the great insurance organizations in this country. It was organized in Springfield, Mass., 63 years ago and from its birth, it has continued its progress to become one of the leaders in health, accident, and life insurance.

Mr. Speaker, on Saturday, August 15, 1964, a splendid tribute was paid to Mr. Clyde W. Young, honorary chairman of the board. On that evening, Mr. Young was cited for the 60 years he served the company and the remarkable part he had in nursing Monarch from its birth to preeminence in the great insurance industry. Mayor Charles V. Ryan, Jr., of Springfield, noted the pride that his community holds for Monarch and expressed the gratitude of his city to Mr. Young for the time he has given and the role he has played in many civic activities. Mr. Frank S. Vanderbrouk, president of Monarch Life Insurance Co., delivered a special tribute. It was my privilege to bring the greetings of the United States.

Mr. Speaker, under unanimous consent, I insert in the RECORD the tribute of Mr. Vanderbrouk and my own remarks:

A SPECIAL TRIBUTE TO CLYDE WHEATON YOUNG

(By F. E. Vanderbrouk, president, chairman of testimonial dinner)

Tonight we are assembled to honor Clyde Wheaton Young, whose vision, integrity and singleness of purpose were highly instrumental in assuring a successful future for Monarch Life Insurnace Co.

When Mr. Young joined our company on August 15, 1904, it was a 3-year-old infant—with assets of $6,000, premium income of $7,000, and a home office staff of two people.

He began his career as an office boy and clerk, and there are probably very few positions he did not fill in the 60 intervening years. He became a director in 1908, treasurer in 1912, secretary and treasurer in 1921, and was elected to the office of president in 1925.

During the 26 years of his presidency, from 1925 to 1951, Monarch's growth was rapid and sound. Our field force grew to sizable proportions; our company became one of the Nation's foremost health and accident companies; a life insurance company was formed to provide complete lifelong financial security for our policyholders; and a large new home office was built at 365 State Street to accommodate Monarch's expanding operations.

In 1925 when Mr. Young became president, premium income was $1,372,000 and assets were $728,000. In 1951 when he relinquished the presidency to become chairman of the board, premium income was $15,572,000 and assets were $33,686,000. These were years of noteworthy achievement.

As chairman of the board from 1951 to 1960, Mr. Young continued to play a significant part in our growth and development. In 1960 he became honorary chairman of the board and retired from active participation in management.

Tonight we also pay special tribute to 62 members of our companys' field force—10 general agents and 52 field underwriters—who are here to honor Mr. Young. For 6 months, these men worked brilliantly and tirelessly to make this occasion a fitting testimonial.

These 62 men are our National Award winners and represent an elite segment of our company's sales representatives. They are carrying on the Monarch tradition of providing clients with the finest in lifelong financial security and their efforts merit our highest praise.

To Mr. Young and to our 62 National Award winners, we all say, "Congratulations and well done."

CONGRESSMAN EDWARD P. BOLAND'S TRIBUTE TO CLYDE W. YOUNG

Mr. Vanderbrouk, Your Honor Mayor Ryan, distinguished guests and officers and employees of the Monarch Life Insurance Co., when Mr. Vanderbrouk sent me the invitation to come here tonight, I readily accepted—and for a number of reasons. With this captive audience, it seemed to me to be an ideal atmosphere to give a paper on the King-Anderson medicare bill. However, I understand that the dinner committee was snowed under by requests for equal time—so that took care of that. Another reason for my quick acceptance was that the guest of the evening and I have some things in common. My staff and I usually guide General Counsel Jim Bulkley's church groups around the Nation's Capitol just as Mr. Young has guided Jim's children in this area. Mr. Young and I are both graduates of Classical High School—both of us are corporators of Springfield College and each of us have ties with Columbus, Ohio. It is Clyde Young's birthplace and a city in which I spent some time in 1960. For I arranged John F. Kennedy's preelection campaign visits to Columbus. The late, beloved President used to puzzingly say that, in Columbus, he got the largest crowds in his campaign and the fewest votes. It points up that today, as in Clyde Young's time of 1885, they are still voting Republican in Columbus.

But, I come here tonight to join with all of you in this meaningful and magnificent tribute to a remarkable man.

As I flew here this morning from Washington and touched down at fantastic Kennedy International Airport in New York and then on into Bradley Field, the brilliant weather framed some thrilling, constantly changing flight pictures of teeming recreation areas, magnificent highways and bridges—of towns, some old and some new and growing—crowded cities with miles of homes, towering buildings and acres of industrial plants.

These panoramic views gave me cause to reflect on the part that the great insurance industry had in building this Nation. It invested in the future of America—in its physical plant and in its people. It has played an incalculable role in creating the greatest standard of life anywhere on this globe.

Monarch has been a vital part of this scene. Clyde W. Young has sketched a real part of this picture. Monarch is, in a real sense, Clyde Young and Clyde Young is Monarch. His has been 60 years of struggle, hard work, achievement and success. Sixty glorious years. It has been well said that there is no one with endurance like the man who sells insurance. Few men in the insurance field have been as durable as Clyde Young.

I need not read the litany of accomplishments and progress Monarch experienced under Mr. Young. Its growth from a one-room office and assets of $6,516 to a beautiful multiroomed home office and assets of almost $34 million in 1951—and since that time, under Frank Vanderbrouk it has rocketed to almost a quarter of a billion dollars—this tells the real story. Institutions are but the lengthened shadows of men. Monarch, indeed, has been and is, the lengthened shadow of Clyde W. Young.

He is honored tonight for his incredible service to Monarch and his giant stature in the great insurance field. We, likewise, honor him as Mayor Ryan has so well said, for his civic service and the many community activities he has joined in. Our city is better because he passed this way. He has been a great and good citizen.

I convey my own personal congratulations to him on this wonderful occasion. I have the high honor and personal privileges of bringing the greetings of the President of the United States to Mr. Young and to express the gratitude of the United States of America.

Thank you.

HIGHLIGHTS IN MONARCH'S HISTORY

Monarch founded as an accident company (1901): From the beginning, Monarch was destined to become a leader in health and accident—and in later years, a leader in the life insurance field. Integrity and progress have been Monarch's twin objectives for over 60 years.

Great influenza epidemic of World War I (1918–19): Monarch established a record for claim service and stability that has never been surpassed.

Monarch develops new type health and accident noncancellable contract (1921): Monarch introduced the first health and accident noncancellable, nonaggregate contract with a specified indemnity period—a contract that has been widely copied throughout the industry ever since.

Monarch enters the life insurance field (1926): Monarch Life Insurance Co. was formed so that Monarch policyholders could have complete protection against the destruction of human life values caused by disability, death, and old age.

Monarch Life Insurance Co. and Monarch Accident Co. merge (1931): Both companies merged into one—Monarch Life Insurance Co.—in order to provide its policyholders with the benefits of greater economy and operating efficiency.

Monarch becomes a career company (1932): Monarch severed its connections with part-time agents and brokers, believing that Monarch's quality products should be sold only by full-time, professionally trained salesmen.

Monarch organizes first training school for new men (1936): This new training school was formed to supplement regional and in-agency training activities—and to give Monarch agents professional status at the very beginning of their new careers.

Monarch builds new home office plant (1938): Modern, new home office building completed, so that Monarch could accommodate its greatly expanding sales and service operations.

Monarch creates first industry college (1947): This was an innovation in the American business world because it was built as a separate unit with dormitories included. This was another giant step in improving the caliber of Monarch's agency operations.

Monarch scores a "first" in major medical protection (1954): In 1954 Monarch developed and offered to the public the first major medical plan to be guaranteed continuable to age 65—a major contribution in the field of medical expense coverage.

Monarch introduces nonparticipating life insurance (1961): In this year, Monarch introduced a new and complete portfolio of nonparticipating life insurance contracts, to add to its already complete and up-to-date line of participating plans. Very few companies are able to extend professional service of this caliber.

Monarch offers policyholders complete disability programing service (1962): Monarch developed and introduced a unique set of disability insurance contracts—and became the first and only company to adapt its entire product line to the concept of the total programing of health insurance needs.

New highs set in premium income, assets, and life insurance in force (1963): As of the end of 1963, Monarch's premium income had reached $49,781,000, assets amounted to $149,880,000 and life insurance in force totaled $761,516,000.

HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 1, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Isaiah 55: 11: *So shall my word be that goeth forth out of my mouth; it shall accomplish that which I please.*

Eternal God, our Father, under whose canopy of grace and goodness we dwell in safety and whose divine providence shelters and surrounds us all our days, fill our lives with the spirit of praise.

Enlarge and expand our hearts with feelings of concern and compassion for the hungry, the homeless, and the hopeless and all Thy needy children.

We penitently acknowledge that in the spheres of human relationships we are frequently so thoughtless and inconsiderate, so selfish and supercilious.

Grant that the greater society which we are endeavoring to build into the life of our Nation and humanity may not be pagan and materialistic in character but supremely moral and spiritual, bearing the marks of the righteousness of God and the rule of justice and good will.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2501. An act to authorize the promotion of qualified Reserve officers of the Army and the Air Force to existing unit vacancies;

H.R. 9393. An act to amend title II of the Social Security Act to provide full retroactivity for disability determinations, to extend the period within which ministers may elect coverage, and to validate wages erroneously reported for certain engineering aids employed by soil and water conservation districts in Oklahoma; and

H.R. 10473. An act to extend the period during which Federal payments may be made for foster care in child-care institutions under the program of aid to families with dependent children under title IV of the Social Security Act.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 3060) entitled "An act to amend and extend the National Defense Education Act of 1958 and to extend Public Laws 815 and 874, 81st Congress (federally affected areas)," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MORSE, Mr. HILL, Mr. MCNAMARA, Mr. YARBOROUGH, Mr. CLARK, Mr. RANDOLPH, Mr. PROUTY, Mr. GOLDWATER, and Mr. JAVITS to be the conferees on the part of the Senate.

POLAND 25 YEARS AGO TODAY

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, 25 years ago today many of us were glued to our radio loudspeakers in shock and amazement as we learned of the unheralded invasion of Poland by the Nazi Panzer divisions and the Luftwaffe. The rain of death and destruction which plummeted from the skies on Poland's cities, famed for their beauty and culture; the tide of death and demolition which engulfed the forests and fields of Poland in the wake of the ruthless motorized minions of the mad painter of Bavaria—all of this we heard in stunned disbelief. But it did happen then and there and it could happen again and here.

Mr. Speaker, all the people of the free world and particularly we Americans must never forget the date of September 1, 1939. We must never forget the tragedy that engulfed a nation which by blood and common ideals has always been close to Americans. We must remember, too, that the September invasion just 25 years ago marked only the beginning of years of unbelievable suffering and privation. For upon the heels of the Nazis came the Communist oppressors. Poland along with the other eastern European countries was not to emerge from the clouded shadows of war and enjoy the bright light and warmth of peace as did Western Germany, France, Belgium, Italy, and other Western powers. No, unfortunately Poland, the first to stem the Nazi onslaught, was destined to become the victim of appeasement and to live behind the shadow of the Iron Curtain, there to remain enslaved by an atheistic foreign power.

Mr. Speaker, let us all recall the tragic events which overtook our friends in Poland. Let us all rededicate ourselves to the task of bringing freedom to all mankind. Let us not lessen our efforts until freedom-loving people such as the people of Poland can enjoy the blessings that attend the free choice of government, the uninhibited right to practice the religion of their choice, the free choice of jobs, and the free choice of all the rights and privileges which we as Americans possess and hold dear.

APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE AND RELATED AGENCIES, FISCAL YEAR 1965

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 10809) making appropriations for the Departments of Labor and Health, Education, and Welfare and related agencies for the fiscal year ending June 30, 1965, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

Mr. TAFT. Mr. Speaker, reserving the right to object, I reserve the right to object at this time in order to make some inquiries with regard to the change made by the Senate under the Public Health Service, which appears on pages 21 and 22 of the bill, Buildings and Facilities. The amount provided was increased by the Senate from $21,512,000 to $23,012,000, an addition of $1.5 million, which, as I understand it, relates to plans for the Environmental Health Center, the location of which had not as yet been determined at the time of the House action.

Mr. Speaker, this item was turned down by the House committee and turned down by the House. It has now been restored by the Senate.

I would like to ask the gentleman from Rhode Island [Mr. FOGARTY], the chairman of the subcommittee, if he would care to comment on the reason why the Senate may have added this amount to the bill and what the state of the plans for this center might be.

Mr. FOGARTY. Mr. Speaker, if the gentleman will yield, I believe that the Senate thinks the Center should be built, and has been guided, somewhat at least, by the thinking of many experts in this field who have been pushing for this Center for the last 4 or 5 years.

The House did not accede to the request of the Department this year, because of the confusion, regarding the proposed location of the Center, which existed last year and still existed at the time of the House hearings this year.

The Senate has done this year what it did last year. Last year the House would have agreed on the money but not on the location in the Washington area. However, we could not reach agreement on that and as a result there was no appropriation last year.

What will happen this year in conference I do not know. However, if conferees are appointed we will be able to sit down tomorrow morning and discuss the matter.

Mr. TAFT. As I understand it at the time of the hearings in the House, the Department advocated a Beltsville site or a site in the Washington area for the Center.

The House deletion of the item as proposed by the Department resulted from a disagreement in the House committee as to a proper site. I would like to inquire at this time as to what will be the attitude of the conference members from the House toward this item in view of the fact that the Department wishes to locate this site at a location in the District of Columbia, or at Beltsville, Md., or in this area.

The gentleman will probably be a conferee. May I ask him, is it the intention of the gentleman, if he is a conferee, to oppose this item if the location continues to be designated for the Maryland site?

Mr. FOGARTY. That will be determined by the majority of the conferees, and not on the recommendation I may make.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from Wisconsin.

Mr. LAIRD. The House over a period of the last 3 or 4 years has taken the position there is getting to be too great a concentration of Federal facilities in the Washington area, and has deleted the money for this Center because it was specified to be built in the Washington, D.C., area. The conferees will meet tomorrow. It is not possible to say what the position of the conferees will be. However, it would seem to me that the House of Representatives has been taking a good position and it is the responsibility of the conferees on the part of the House to support the position that the House took here in its earlier action this year. I can assure the gentleman, if I am appointed as one of the conferees I, and I am sure all the five Members of the House, will do the best we can to present the position of the House of Representatives.

Mr. TAFT. I thank the gentleman. I would like to direct one more inquiry to the chairman of the subcommittee.

Is it not true that in prior hearings on this particular item the Office of Civilian Defense of the Nation opposed the location of this environmental health facility here in the Washington area, and, if this is true, has this position ever been changed in any respect by the Civil Defense Authority?

Mr. FOGARTY. If they have it has not been brought to my attention.

Mr. TAFT. I did not understand the gentleman.

Mr. FOGARTY. If they have disagreed to this location it has never come to my attention. It may be so, but it has not been brought to my attention.

Mr. TAFT. It should be noted that the House on three occasions has turned down this particular item because of the announced intention, which is still apparently the position of the Public Health Service, that location be in the Washington area. This represents not only a serious question with regard to the matter and something that should have been gone into by the committee, but it also represents further evidence of the policy of centralizing facilities in the Washington area, and on the east coast, and to some extent the west coast, moving away from the central area of the country, such as has happened in connection with other research and development programs. We have in the city of Cincinnati, Ohio, a national health center which is engaged in the field of environmental health. This would be affected adversely. There is an urgent need for additional facilities in that area.

I would urge the conferees, when they are appointed, to stand by the position of the House as previously taken. If they fail to do so we expect to bring it to the attention of the House.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. Fogarty, Denton, Mahon, Laird, and Michel.

CANYONLANDS NATIONAL PARK, UTAH

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 27) to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes, with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

The Chair hears none, and appoints the following conferees: Messrs. Aspinall, Morris, Taylor, Saylor, and Burton of Utah.

DISPENSING WITH THE CALL OF THE PRIVATE CALENDAR TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar today may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SELECT COMMITTEE ON SMALL BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Select Committee on Small Business may be permitted to sit today during general debate.

Mr. GROSS. Mr. Speaker, I object.

NOTICE OF INTENTION TO ADDRESS THE HOUSE TOMORROW

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, I have the privilege of representing some wonderful Negro constituents. Likewise we have the pleasure of serving here with some wonderful Congressmen of that race.

Last week I was shocked and amazed when one Member of this body took the liberty of attacking another. That was the Congressman from Harlem, who referred to the gentleman from Mississippi [Mr. Williams] as a hoodlum.

I have asked for 10 minutes to address the House tomorrow to reply to that unwarranted attack by the Congressman from Harlem. I am serving notice on him that I shall reply to that charge tomorrow, and if anyone can find him in Puerto Rico or some place else I welcome the opportunity to face him directly with my reply.

LAND AND WATER CONSERVATION FUND

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (H.R. 3846) to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. GROSS. Mr. Speaker, reserving the right to object, are the amendments of the other body germane to this bill?

Mr. ASPINALL. If the gentleman will yield to me, I will make the statement that I was going to make. The amendments are germane as far as that is concerned, and may I say that the House was able to hold its position on most of the matters in this bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado that the statement of the managers on the part of the House be read in lieu of the report?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 1847)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3846) to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7 and 14.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 8 and 9, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows:

In lieu of the language of the sentence as amended by the Senate, insert the following: No fee of any kind shall be charged by a Federal agency under any provision of this Act for use of any waters.

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows:

In lieu of the language inserted by the Senate amendment, insert the following: In the Smoky Mountains National Park, unless fees are charged for entrance into said park on main highways and thoroughfares, fees shall not be charged for entrance on other routes into said park or any part thereof.

And the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 10, 11, 12 and 13, and agree to the same with an amendment as follows:

In lieu of the language of the paragraph as amended by the Senate, insert the following:

National Forest System.—Inholdings within (a) wilderness areas of the National Forest System, and (b) other areas of national forests as the boundaries of those forests exist on the effective date of this Act which other areas are primarily of value for outdoor recreation purposes: *Provided*, That lands outside of but adjacent to an existing national forest boundary, not to exceed 500 acres in the case of any one forest, which would comprise an integral part of a forest recreational management area may also be acquired with moneys appropriated from this fund: *Providing further,* That not more than 15 percent of the acreage added to the National Forest System pursuant to this section shall be west of the 100th meridian.

And the Senate agree to the same.

WAYNE N. ASPINALL,
THOMAS G. MORRIS,
LEO W. O'BRIEN,
JOHN P. SAYLOR,
JOHN KYL,
By Proxy.
Managers on the Part of the House.

HENRY M. JACKSON,
ALAN BIBLE,
FRANK CHURCH,
GORDON ALLOTT,
LEN B. JORDAN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (H.R. 3846) to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreational demands and needs of the American people, and for other purposes, submit the following statement in explanation of the effect of the language agreed upon and recommended in the accompanying conference report.

Fourteen amendments to H.R. 3846 were adopted in the Senate. Amendments Nos. (1)–(5), inclusive, struck from the bill provisions permitting fees to be charged for access to or the use of water areas and for admission to wilderness areas. The conference report recommends acceptance of all these amendments except one, namely, that which would have prohibited the charging of any fee for access to water areas. It also recommends a further amendment to the sentence to which this last amendment was appended to make clear that the prohibition against charging fees for the use of waters applies only to Federal agencies. This last will obviate difficulties which have been encountered under other legislation (for example, section 4 of the act of December 24, 1944, as amended, 16 U.S.C. 460d) pursuant to which Federal agencies have thought it necessary, even though recreation developments were turned over to State or local bodies to administer, to prohibit the charging of fees by these bodies.

The striking of the references to "bodies of water" and to "land or water areas" in section 2 of the bill does not mean that the officers and agencies of the United States charged with administration of the act may not, in fixing the amount of fees to be charged for admission to land areas covered by the bill, properly take into account the existence of reservoirs, lakes, streams, and other bodies of water which enhance the attractiveness of the areas for recreational use or that they may not take into account facilities which make such bodies of water accessible and usable for this purpose. Indeed, if this were not done a large part of the justification for providing in section 6(a)(2) of the bill that part of the appropriations from the Land and Water Conservation Fund may be devoted to offsetting the capital costs of Federal water development projects which are allocated to recreation and the enhancement of fish and wildlife values would disappear. What, in effect, acceptance of the Senate amendments mentioned above does, therefore, is to insure that payment of whatever fee is charged for admission to an area otherwise within the coverage of the bill will carry with it the use and enjoyment of waters within that area without payment of any further fee except such as is imposed for the use of special facilities.

Senate amendment No. 6 modified the House language with respect to entrance fees at the Smoky Mountains National Park to prohibit the collection of such fees "without the consent of the States of North Carolina and Tennessee." The conference report recommends restoration of the House language with a clarifying amendment.

Senate amendment No. 7 would have required officers of the United States, before establishing fees, to hold a public hearing at or near any area for which it was proposed to establish admission fees if such a hearing were requested by the Governor of a State in which more than 50 percent of the area is located. The conference report recommends that the Senate recede from this amendment.

Amendments Nos. 8 and 9 had to do with the maximum punishment which may be imposed for violation of rules and regulations issued under the act. Under the House version of the bill this was fixed at 6 months imprisonment or a fine of $500 or both. This was in accord with existing statutes relating to the violation of rules and regulations pertaining to the national parks, national forests, and national wildlife refuges. The Senate amendments deleted the imprisonment provision and made the maximum fine $100. The conference report recommends acceptance of the Senate amendments.

Amendment 10–13, inclusive, would have modified the House language in section 6(a)(1) with respect to the use of appropriations from the land and water conservation fund for land acquisition in national forest system areas (1) by restricting the use of this authority to inholdings within the presently existing boundaries of the forest system and (2) by providing that not more than 15 percent of the acreage acquired shall be west of the 100th meridian. The conference report recommends a substitute for the Senate amendment which will (1) retain the 15-percent limitation on land acquisition west of the 100th meridian, (2) allow acquisition of inholdings within the boundaries of wilderness areas of the national forest system as those boundaries are established at the time of acquisition, and (3) limit acquisition in other forest areas to inholdings within the present boundaries of the forests, but (4), notwithstanding this last restriction, allow land which lies outside the present boundaries of a forest but which would "comprise an integral part of the forest recreational management area" to be acquired with appropriations from the fund up to a maximum of 500 acres per forest.

The conference committee notes, in connection with this substitute amendment, that the provision of the House bill which spoke of "wilderness, wild, and canoe areas of the national forest system" has been modified to refer only to wilderness areas in view of the passage of the Wilderness Act (S. 4); that the substitute retains the House requirement that lands outside the wilderness areas may be acquired only if the area in which they lie is "primarily of value for outdoor recreation purposes"; that the provision for limited acquisitions outside the established boundaries of the forests is not intended to modify the prohibition against additions to national forests without act of Congress in certain States (16 U.S.C. 471, 471a); that authority for any acquisition, whether within or outside the forests, must still be found in law (sec. 6(b)); and that the term "national forests," as used in the substitute, is not used in a technical sense but refers to any federally owned forested area within the national forest system.

Senate amendment No. 14 would have added "the development of recreational facilities on lands owned by the Federal Government" to the purposes for which moneys might be appropriated from the land and water conservation fund. The conference report recommends that the Senate recede from this amendment. In so recommending, the conference committee recognizes that in some parts of the country, particularly in the Western States, there is less need for money for land acquisition than for recreational development. It was partly in recognition of the large extent of existing Federal land holdings in the Western States and partly in recognition of the great need for a substantial land acquisition program in the East that the conference committee retained the 15–85 percent provision of the Senate amendment in the case of forest lands. Nevertheless the conference committee took note of the facts: (1) That there has been much less reluctance to make appropriations from conventional sources for development of existing recreation areas than to make them for land acquisition, as evidenced by the fact that the combined appropriations to the National Park Service and the Forest Service for development over the last 6 years have been 12 times as great as they have been for land acquisition ($458.6 million versus $38.5 million); (2) that it is doubtful that the land and water conservation fund, if the bill with the Senate amendment were construed to make this fund the sole source of appropriations for development and land acquisition, would yield enough to keep up, let alone expand, the present level of expenditure; (3) that the basic purpose of the bill, notwithstanding the provision that States may be allowed to use part of their share of appropriations from the fund for development, is to provide a means for catching up with the lag in land acquisition which, as the House committee report on the original bill (H. Rept. 900) pointed out, has developed over the years.

The conference report therefore recommends deletion of the Senate amendment referred to. The conference committee recommends that the Bureau of the Budget and other Federal agencies make appropriate adjustments in the amounts requested from conventional sources in the light of the fact that land acquisition costs, which have heretofore been borne by these sources, will now be financed, in whole or in part, from the land and water conservation fund, and that all Members of Congress, particularly those from the East, support increased appropriations from normal sources for development of the parks and other recreation areas in the West since the bulk of the appropriations from the land and water conservation fund will be for the benefit of the East. Members of the conference committee, acting in their other capacities as Members of Congress, are also prepared to examine the situation at the end of, say, 4 to 6 years and to consider at that time whether an amendment to permit use of the land and water conservation fund for Federal development would, in the light of facts as they have developed by then, be useful and proper.

WAYNE N. ASPINALL,
THOMAS G. MORRIS,
LEO W. O'BRIEN,
JOHN P. SAYLOR,
JOHN KYL,
By Proxy
Managers on the Part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR] and I may extend our remarks in the RECORD at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. **ASPINALL**. Mr. Speaker, the principal issues which the conference committee on H.R. 3846 had to resolve were these:

First. Should the bill include a provision prohibiting the charging of fees for the use of and access to Federal water areas?

Second. Should officers of the United States who have the duty of fixing fees for admission to a Federal area be required to hold public hearings, if this is requested by the Governor of the State in which the area is located, before doing so?

Third. Should the authority to use moneys appropriated from the land and water conservation fund bill for the acquisition of land within the national forests be limited to land within the present boundaries of these forests? And should the acreage that may be acquired in the Western States be limited to 15 percent of the total acquired by the Forest Service?

Fourth. Should appropriations from the land and water conservation fund be authorized for development of Federal recreation areas as well as for land acquisition?

The first of these four questions was resolved by accepting the Senate language forbidding the charging of fees for the use of water areas and deleting the portion of the amendment which would have prohibited the charging of fees for access to such areas. A further amendment was adopted making it plain that the prohibition against fees in these cases goes only to fees imposed by the Federal agencies and not to fees imposed by State and local agencies to which such areas may be turned over for administration. The net result of the conference committee's decision is that, while no fees may be charged for the use of water areas as such, the existence of such areas within, say, a national park or a national recreation area may be taken into account in determining whether to charge a fee—and, if so, what the fee shall be—for admission to the park or recreation area or for the use of facilities which make the water area accessible.

The second question, that of public hearings, was resolved by striking out the Senate amendment. The conferees were agreed that a requirement that such hearings be held would be impracticable.

The question of land acquisition in connection with the national forests was resolved this way: The Senate language restricting the amount of acreage that may be acquired in the Western States to 15 percent of the total was retained. As far as wilderness areas are concerned—and I may note that the term "wilderness" as used in the conference report includes what we have heretofore called wilderness, wild and canoe areas—it will be permissible to use appropriations from the fund for acquisition within the boundaries of those areas as they exist at the time of acquisition. As far as other forested areas are concerned, it is the boundaries on the effective date of the bill—that is, January 1, 1965—that control. The conference committee, however, made one exception in the latter case. Under the language adopted by it, it will be permissible to acquire up to 500 acres of land adjacent to a forest if that land would "comprise an integral part of a forest recreational management area." In all cases, of course, there must be statutory authority for the acquisition in the first place.

The final question had to do with the use of the land and water conservation fund for development of Federal areas. The conference committee has recommended omission of the Senate language with, however, the understanding that this is a matter which will be open to reconsideration in a few years hence. The conferees recognized that, in some parts of the country the need for development may be more important than for land acquisition. Two considerations, however, led to the conclusion that development should not be included at present. First, the usual sources of financing development costs will continue to be available; if appropriations for development continue to be as adequate compared to appropriations for land acquisition as they have been in the past, they will take care of this part of the picture. Second, it is too early to say with certainty how much money the fund will yield, how appropriations from it will be divided among the many purposes which it is to serve, and whether whatever division is made will be sufficient for all these purposes. To add another item now might well result in obligating the fund beyond what it can carry.

Mr. Speaker, we have now reached the final stage in our consideration of H.R. 3846. It will soon become law. I want to thank all members of the conference committee, both those from the House and those from the Senate, for their reasonable and constructive approach to the problems with which they were faced. It has already been suggested by commentators on the work of the 88th Congress that it will be known as the conservation Congress. I am glad that this is so. Certainly enactment of H.R. 3846 will go down in history as one of its great achievements.

Mr. **SAYLOR**. Mr. Speaker, I join with the chairman of the Committee on Interior and Insular Affairs in congratulating all members of the conference committee on a job well done. I join also with those who believe that the 88th Congress will go down in history as the conservation Congress. The enactment of a long-sought wilderness bill, the enactment of a land and water conservation fund bill, and the enactment of several bills to create new major units of the national park system—I refer to the Ozark National Scenic Riverways, the Fire Island National Seashore, and, hopefully, the Canyonlands National Park—guarantee this.

As far as the conference report on H.R. 3846 goes, I want to dwell on only one of its aspects. The most important decision of the conference committee, to my mind, was its resolution of the question whether appropriations from the land and water conservation fund would be available for development of Federal areas as well as for land acquisition in connection with such areas. I am glad to say that this has been resolved against the use of the fund, at least for the time being, for development purposes. To illustrate the importance of this I ask leave to include as part of my statement two tabulations, one showing the amounts appropriated to the National Park Service over the last 6 years for land acquisition and development, the other showing the same for the Forest Service. As these tables show and as the statement of the managers on the part of the House points out, appropriations for development have outrun appropriations for land acquisition by 12 to 1.

It was never intended that the land and water conservation fund should be the sole source of financing Federal land acquisition programs connected with outdoor recreation. The fund was intended to be supplementary to the other and more normal sources of such financing. Unfortunately there are already signs that the fund will be looked to to do the whole job. If this turns out to be the case and if development had been written into the bill and treated the same way, we would have come out worse than we went in.

The question of development was debated at length in our Committee on Interior and Insular Affairs. It was debated at length here on the floor. In both cases the proposal to open the land and water conservation fund to use for development of Federal lands was defeated. Now it is out of the bill again. This may not mean that it is out permanently. Perhaps the day will come when the fund is so prosperous that we can afford to finance development from it, in whole or in part. But not now. First we have to get our feet on the ground and see how much the fund will produce. Then we have to get on with the job of acquiring land where it is most needed for recreation purposes—that is, near our big centers of population. That is going to be expensive, but it has to be done. Only after we have found out what this is going to cost can we afford to think seriously about including development in the fund picture. When that time comes, I will be glad to reconsider the problem. For the present, however, I say once more that I am glad the conference committee arrived at the conclusion it did.

Appropriations to Park Service for land acquisition and development

LAND ACQUISITION	
Fiscal year:	
1959	$1,502,870
1960	1,700,000
1961	2,475,000
1962	7,600,000
1963	[1] 13,622,000
1964	5,300,000
Total	32,199,870
DEVELOPMENT	
1959	48,406,800
1960	44,805,000
1961	48,823,000
1962	62,416,500
1963	61,110,500
1964	59,032,000
Total	324,593,800

[1] Includes $5,000,000 for Point Reyes.

Appropriations for acquisition, fiscal years 1960–65, Forest Service, U.S. Department of Agriculture

Item	1960	1961	1962	1963	1964	1965	Total
Acquisition of lands (Weeks Act)	$100,000	$100,000	$300,000	$500,000	$962,000	$680,000	$2,642,000
Acquisition of lands for Cache National Forest	50,000						50,000
Acquisition of lands for Superior National Forest		750,000	250,000	2,000,000			3,000,000
Acquisition of lands for Wasatch National Forest					250,000	150,000	400,000
Acquisition of lands for national forests, special acts (receipts fund [1])	10,000	10,000	10,000	30,000	70,000	70,000	200,000
Total	160,000	860,000	560,000	2,530,000	1,282,000	900,000	6,292,000

[1] Appropriations allocated from national forest receipts.

Appropriations for recreational development, fiscal years 1960–65, Forest Service, U.S. Department of Agriculture

Fiscal year	Rehabilitation and new development	Total recreation-public use (including rehabilitation and new development)
1960	$3,458,000	$10,283,000
1961	6,413,000	15,180,000
1962	9,193,000	20,500,000
1963	13,165,000	26,312,136
1964	12,507,500	25,051,000
1965	11,916,000	26,105,000
Total, Forest Service appropriations	56,652,500	123,431,136
Accelerated public works appropriations (available fiscal years 1963–65)	10,611,000	10,611,000
Grand total	67,263,500	134,042,136

CALL OF THE HOUSE

Mr. HALEY. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER.** The gentleman from Florida makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 246]

Alger
Anderson
Andrews, Ala.
Ashbrook
Ashley
Avery
Baring
Bell
Bolton, Oliver P.
Buckley
Burkhalter
Carey
Celler
Colmer
Cramer
Diggs
Dingell
Donohue
Farbstein
Finnegan
Flynt
Ford
Forrester
Fraser
Gill
Grant
Gray
Griffiths
Hagan, Ga.
Hansen
Harvey, Mich.
Hays
Healey
Hébert
Hoffman
Holifield
Huddleston
Johansen
Karth
Kee
Kelly
Keogh
King, Calif.
Kluczynski
Landrum
Lankford
Lesinski
Lloyd
McIntire
Martin, Calif.
Martin, Mass.
Matsunaga
Meader
Miller, N.Y.
Montoya
Moorhead
Morris
Morrison
Mosher
Multer
Nedzi
O'Hara, Mich.
Philbin
Pike
Pilcher
Powell
Rains
Reid, N.Y.
Robison
Ryan, Mich.
Scott
Sheppard
Shipley
Sikes
Sisk
Staebler
Stephens
Stratton
Teague, Tex.
Toll
Ullman
Utt
Van Pelt
Wallhauser
Williams
Wilson, Charles H.
Winstead
Wright

The **SPEAKER.** On this rollcall, 345 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENDING THE NATIONAL DEFENSE EDUCATION ACT OF 1958

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 3060) to amend and extend the National Defense Education Act of 1958 and to extend Public Laws 815 and 874, 81st Congress—federally affected areas—with House amendments thereto, insist on the House amendments and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Oregon [Mrs. GREEN]?

Mr. FRELINGHUYSEN. Mr. Speaker, reserving the right to object, I take this time to make a request of a member of the Committee on Education and Labor. What is contemplated with respect to the conference to be set up by the House? I was requested by the chairman of the full committee 3 weeks ago to give him four names as the minority members of the conference committee, which I did. Since that time I have heard a variety of rumors as to how many members will be on that committee. It was not until after the quorum call of a few minutes ago that the chairman again requested me to suggest minority members of the conference committee, but now he suggests that I name five.

Can anyone enlighten me as to how many are contemplated to be named to the conference committee?

Mrs. GREEN of Oregon. That is a matter over which I have no control whatsoever. That is up to the chairman of the full committee and the Speaker to appoint conferees.

Mr. FRELINGHUYSEN. I might say, Mr. Speaker, the gentlewoman is quite correct. She has no control over a matter of this kind. However, the informality of the action, or inaction, of the chairman compels me to object to this unanimous-consent request.

SEA LEVEL CANAL CONNECTING THE ATLANTIC AND PACIFIC OCEANS

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2701) to provide for an investigation and study to determine a site for the construction of a sea level canal connecting the Atlantic and Pacific Oceans, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to appoint a Commission to be composed of five men from private life, to make a full and complete investigation and study, including necessary on-site surveys, and considering national defense, foreign relations, intercoastal shipping, interoceanic shipping, and such other matters as they may determine to be important, for the purpose of determining the feasibility of, and the most suitable site for, the construction of a sea level canal connecting the Atlantic and Pacific Oceans; the best means of constructing such a canal, whether by conventional or nuclear excavation, and the estimated cost thereof. The President shall designate as Chairman one of the members of the Commission.

SEC. 2. The Commission is authorized to utilize the facilities of any department, agency, or instrumentality of the executive branch of the United States Government, and to obtain such services as it deems necessary in accordance with the provisions of section 15 of the Act of August 2, 1946 (5 U.S.C. 55a).

SEC. 3. The Commission shall report to the President for transmittal to Congress on July 31, 1965, with respect to its progress, and each year thereafter until the completion of its duties. The President shall submit such recommendations to the Congress as he deems advisable. The Commission shall continue until the President determines that its duties are completed, but not later than June 30, 1968.

SEC. 4. There are hereby authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act, not to exceed $17,500,000.

The **SPEAKER.** Is a second demanded?

Mr. TOLLEFSON. Mr. Speaker, I demand a second.

Mr. GROSS. Mr. Speaker, is the gentleman from Washington opposed to the bill?

Mr. TOLLEFSON. No; I am not.

Mr. GROSS. Mr. Speaker, I demand a second. I am opposed to the bill.

The **SPEAKER.** The gentleman from Iowa demands a second.

Without objection, a second will be considered as ordered.

There was no objection.

Mr. BONNER. Mr. Speaker, I yield 5 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN], chairman of the Subcommittee on the Panama Canal.

Mrs. SULLIVAN. Mr. Speaker, on August 15 the Panama Canal began its 51st year of service to the commerce of the United States and world shipping.

Over the years the canal has served us well and as concluded by the board of experts retained by the Merchant Marine Committee 4 years ago, its continued efficiency can be assumed for a considerable further period of time. However, it is unquestionable that by reason of increased size of vessels and increased number of vessels that sooner or later the canal will have reached the point where it will prove insufficient to handle its traffic.

Since that be so, it is important that we give thought to providing a successor facility and the almost universal view is that this should take the form of a sea level canal. As the French found when they attempted to build a canal in Panama, the construction of a sea level canal presents far greater problems than those met in the original canal construction. Basically, these included the necessity for a detailed knowledge of the substrata at the site of the canal, both to determine the method of construction and to minimize the possibility of crippling earth slides.

With respect to construction techniques, those familiar with the use of nuclear energy believe that this will prove not only the most efficient but the most economical method of constructing a canal. However, the state of knowledge at this point is not sufficient to reach any firm conclusions and it is our duty to ourselves and to world commerce to supply that deficiency.

Under the provisions of this bill, a commission of five individuals to be established under the authority of the President would conduct detailed studies of not less than two selected routes, probably in Panama and Colombia. These studies would take the form of actual physical exploration of the routes, securing of appropriate samples of the rock and other material through which the canal might be located, the weather conditions and tidal conditions in the particular location. The studies are estimated to require some 3 years in time and the expenditure of some $17.5 million in money. It will require the construction of roads and living facilities for the exploration workers through what is now virtually trackless jungles and the securing and examination of geological samples to determine the types of construction required and the probable cost.

While as stated, the present canal has a considerable life expectancy before it, nevertheless the acquisition of this knowledge will be essential to determine the location, the type of canal and method of construction to be utilized, and will enable the United States to make the necessary arrangement with the country chosen for its construction.

In view of the importance of the canal to all of us—over 60 percent of the cargoes through it either originate or terminate in the United States—it is essential that we be prepared for the necessity of maintaining a waterway between the Atlantic and the Pacific Oceans, and it is strongly urged that the present bill is the most effective vehicle to supply the necessary knowledge to that end.

INTEROCEANIC CANAL COMMISSION

The Interoceanic Canal Commission will require approximately 3 years to complete its investigations and studies and report its findings and conclusions to the President and Congress. The estimated cost of the Commission and its investigations and studies, including necessary on-site surveys in the Isthmian region, is $17,500,000.

The product of the Commission will be a report setting forth its findings and conclusions on the feasibility of and most suitable site for an interoceanic sea-level canal, the best means of construction, whether by conventional or nuclear means, and the estimated cost.

It is visualized that the overall Commission report would include a summary report and a number of more detailed supporting reports, such as:

(1) Foreign policy considerations.

(2) Effect on national defense.

(3) Effect on world trade and national economy.

(4) Engineering feasibility of alternative sea-level canal routes.

It is contemplated that the overall Commission report and the supporting reports above covering the foreign policy considerations, national defense, and the broad national economic considerations would be by interdepartmental working groups from Defense, State, Commerce, and the Atomic Energy Commission. The estimated cost of the Commission and its expert consultants and necessary special studies relating to these broad aspects is $1 million.

The greatest effort and cost will be in collecting and evaluating data and preparing the supporting report "Engineering Feasibility of Alternative Sea-Level Canal Routes" which will include site surveys and investigation, an analysis of construction methods, preliminary designs, safety analyses, cost estimates and evaluation of economic benefits to interoceanic canal traffic together with other identifiable benefits. The estimated cost for this work is $16,500,000. Full utilization will be made of earlier and current studies and reports.

Based on studies to date, three alternative canal routes appear most favorable for sea-level canal construction and are the ones on which the engineering feasibility and economic studies will concentrate. While the Commission may desire a review of engineering and economic data for other routes, it is proposed that the following alternatives receive most of the effort:

(1) Conversion of the present lock canal in the Canal Zone to a sea-level canal by conventional excavation methods.

(2) Construction of a sea-level canal by a combination of nuclear and conventional methods across the northwest corner of Colombia, near the route known as Atrato-Truando.

(3) Construction of a sea-level canal primarily by nuclear excavation methods in the Darien region of eastern Panama, near the route known as Sasardi-Morti.

Two basic programs, a data collection program and a data evaluation and engineering studies program, will be undertaken in order to develop the preliminary design, cost estimates and economic aspects which will be the main content of the report on "Engineering Feasibility of Alternative Sea-Level Canal Routes."

The data collection program will be the program of on-site surveys to obtain field data in the areas of the Atrato-Truando route in northwest Colombia and the Sasardi-Morti route in the Darien region of Panama. Available site data for these areas are very limited and entirely inadequate for canal studies. Available site data for the Canal Zone are considered adequate for study of conversion of the present canal to sea level.

The data collection program along the two routes, Atrato-Truando in Colombia and Sasardi-Morti in Panama, will be undertaken upon receipt of appropriations and will take approximately 2 years to complete. The estimated cost of the data collection program is approximately $14,500,000.

A large part of the data collection program is associated with the alternative which studies the use of nuclear explosives to excavate a navigation channel. By nuclear excavation is meant digging a channel with a row of buried nuclear charges. The explosions would be designed to blow enough rubble out of the channel to leave it wide and deep enough for navigation. Thus, we are speaking of blasting a ditch across the Isthmus through the Continental Divide. Previous studies indicate that it may be possible to effect a savings of as much as 60 percent with nuclear explosives compared to conventional excavation.

Developments which make nuclear explosives a construction tool instead of a weapon of war are:

(1) Using "clean" devices with very low fission yields and high total yields so that the total amount of radioactivity is minimized.

(2) Burying the explosive charges deep enough so that only a small percentage of the low fission yield escapes to the atmosphere.

(3) Utilizing weather data to limit to a prescribed area the fallout pattern.

Thus it appears possible to use nuclear explosives for channel construction in remote areas where the establishment of an exclusion area for reasons of safety does not become an insurmountable problem.

Weather information is essential in determining the characteristics of air blast from any given explosion. Air blast of the intensity that breaks windows can be transmitted in the upper wind layers to distances of 100 to 300 miles from the detonation. Once the seasonal or periodic variation of the upper wind layers is established it will be possible to determine the largest size detonation and the timing of its use.

An evaluation of the ground shock requires data on rock formations, soil stratification and ground water and of the size and type of structures within 50 miles of the detonation to establish another limitation on the size of the total charge detonated at one time.

The data collection effort falls into two broad categories: (1) Basic engineering data, and (2) data for safety studies.

Basic engineering data: Four types of basic engineering data are required to determine the feasibility of construction of a sea level canal:

(1) Topography: Mapping presently available is based on aerial photography which can only provide elevations within 60 feet. These maps are sufficient to select tentative alinements. Since the terrain encountered will vary from sea level to as much as 1,200 feet above sea level, a center line with cross sections at 1 mile intervals must be surveyed to define needed elevations.

(2) Geology: Subsurface materials that will be encountered will vary from muck to hard rock. The cost of excavation depends on the type and quantity of material moved. This is equally true in excavation by nuclear means. The number and yield of the nuclear explosives and the diameter and depth of the emplacement holes which must be drilled in each type material will be a determinant of costs.

(3) Hydrology: The need for river diversion and handling natural drainage must be determined by studying the rainfall and runoff in the drainage basins.

(4) Hydrography: The cost of harbor development and approach channels will depend on the conformation of the sea bottom and coastlines. This same data is necessary to an investigation for construction by nonnuclear means.

Safety data: Data required for safety studies will include weather data to permit prediction of the aerial extent and the fallout patterns and the direction and speed of the upper wind layers. Data is required to evaluate ground shock as previously described. Information on the extent and density of the population, their food habits and food chains is required to determine necessity for temporary relocations with respect to the evacuation area and to determine a safe reentry time into this evacuation area.

Data collection is a major operation. It requires seaborne landings at the two remote routes: clearing jungles and constructing rough haul roads, field offices, and supply points at each route; clearing jungle centerline trails across the isthmus, installing data collection stations and providing resupply, communications, and medical support for the men collecting data in this primative jungle. This must be done during the 4-month dry season which begins in January.

Approximately $2 million will be required for data evaluation and engineering studies. This includes $140,000 for nuclear excavation studies to determine the most feasible and economical canal alinement, channel design, and nuclear detonation schedule, $1¼ million for the safety studies, and $660,000 for engineering studies including conversion of the present Panama Canal to a sea level canal by conventional methods, navigation studies with respect to projected commercial traffic and transportation savings, river diversion, and hydraulic studies, and facility support studies.

The preliminary cost estimate of the study is $17½ million. The details are set forth in enclosures 1 and 2: (1) Summary of Financial Data, (2) Data Collection Program.

Interoceanic Canal Commission—Summarized financial data

	Total estimated cost	Appropriation requested for fiscal year 1965	Balance required after fiscal year 1965
Interoceanic Canal Commission	$17,500,000	$5,000,000	$12,500,000
1. Data collection	14,450,000	4,525,000	9,925,000
(a) Topography, geology, and hydrography	2,255,000	980,000	1,275,000
(b) Hydrology	1,475,000		1,475,000
(c) Meteorology (weather)	4,265,000	1,075,000	3,190,000
(d) Seismic effects (ground shock)	160,000	45,000	115,000
(e) Population, ecology, and economic resources	2,050,000	485,000	1,565,000
(f) Management and general support of field surveys:			
Executive agency	3,660,000	1,625,000	2,035,000
Atomic Energy Commission	585,000	315,000	270,000
2. Data evaluation and engineering studies	2,050,000	245,000	1,805,000
(a) Nuclear excavation studies	140,000	35,000	105,000
(b) Safety studies	1,250,000	145,000	1,105,000
(c) Engineering studies	660,000	65,000	595,000
3. Commission support and special studies	1,000,000	230,000	770,000
(a) Commission administration	260,000	65,000	195,000
(b) Consultant fees	170,000	45,000	125,000
(c) Special studies	570,000	120,000	450,000

Interoceanic Canal Commission

Data collection program	$14,450,000
Basic engineering data	3,730,000
Ground elevations and landforms (topography)	600,000
Nature and extent of rock formations (geology)	1,535,000
Configuration of coastline and sea bottom (hydrography)	120,000
Rainfall, streamflow, and tidal flow (hydrology)	1,475,000
Safety data	6,475,000
Weather data including installation and manning of 4 weather stations for 2 years and upper-air sounding rockets for 2 years	4,265,000
Extent and characteristics of local inhabitants, their food habits and food chains	2,080,000
Seismic—structural surveys	160,000
Management and general support	4,245,000
Planning and advance party	340,000
Construction—site offices, trails, etc	600,000
Communications	250,000
Medical	200,000
General logistical support, transportation, campsites, etc	1,560,000
Management of overall operation and collection effort for basic engineer data	685,000
Management of collection effort for safety data	585,000

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter and tabular material.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mr. GROSS. Mr. Speaker, I yield 4 minutes to the gentleman from Washington [Mr. TOLLEFSON].

Mr. TOLLEFSON. Mr. Speaker, the matter before us provides, as the title of the bill indicates, for an investigation and study of areas in the Panama Canal area to ascertain the best place to construct a new canal, a sea level canal.

The bill was considered by our committee. We had some excellent witnesses—knowledgeable witnesses. As a matter of fact, the most knowledgeable in the United States with respect to this matter. After giving it consideration, the bill was reported out unanimously. Both sides of the aisle supported it wholeheartedly as the necessary thing to do.

I think perhaps some of the opposition or questions concerning this bill had to do with the cost of the surveys and the investigation, and perhaps also the eventual cost of the construction of a new canal should Congress decide to build one.

The amount of money involved in this bill is limited to about $17 million for the survey and investigation. Now this seems like a large sum of money and in many respects it is. But what is involved here is not only the actual above-the-ground survey and searching out for a best possible site. There is going to have to be a lot of geological drilling, core drilling, all the way across that part of the land where the new canal will be located. This is tremendously expensive type of work.

I might say that in the committee the people who appeared were not in a position to estimate exactly and in detail how the money would be spent because before that sort of information could be made available to us, we would have to first create the commission which this bill calls for. This bill will create a commission to make the study and until they do make some preliminary survey, they will not be able to come in and tell the Congress exactly how many dollars they are going to need. They will be able to do that once they have made a general survey. Then they can come before the Committee on Appropriations and justify every dollar that they are going to ask for.

Mr. Speaker, this is something we must do. The survey will take several years and if we should then decide to build a new canal, it is going to take quite a few years to build it. In the meantime the burden on the present canal is getting heavier and heavier and eventually it will not be able to carry the load in the way of ships and transports going from one ocean to the other.

Furthermore there is some political implication involved here as you can understand since our relationships with the Panamanians in recent years have not been too happy. Some of the people down there, I might say very frankly, have caused us a considerable amount of grief and trouble. It just seems to me that even if we never build the canal, the very fact that we make a survey for one to be built at another point would have a salutary effect upon the people in Panama.

I trust the House will vote for the bill. It is supported by all agencies and departments of Government who are interested. There was no opposition to it in committee that I know of. I sat through all the hearings. I never heard of any opposition to this until the bill came to the floor. Then, as I indicated at the outset, it just seems to me the opposition stemmed around the dollar cost more than anything else.

Mr. Speaker, I yield back the balance of my time.

Mr. BONNER. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. GARMATZ].

Mr. GARMATZ. Mr. Speaker, I should like to read a portion of a letter from the Department of the Army relative to the canal situation.

> The Interoceanic Canal Commission will require approximately 3 years to complete its investigations and studies and report its findings and conclusions to the President and Congress. The estimated cost of the Commission and its investigations and studies, including necessary on-site surveys in the Isthmian region, is $17,500,000.
>
> The product of the Commission will be a report setting forth its findings and conclusions on the feasibility of and most suitable site for an interoceanic sea level canal, the best means of construction, whether by conventional or nuclear means, and the estimated cost.
>
> It is visualized that the overall Commission report would include a summary report and a number of more detailed supporting reports, such as (1) foreign policy considerations, (2) effect on national defense, (3) effect on world trade and national economy, (4) engineering feasibility of alternative sea level canal routes.
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> * * * * *
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> Based on studies to date, three alternative canal routes appear most favorable for sea level canal construction and are the ones on which the engineering feasibility and economic studies will concentrate. While the Commission may desire a review of engineer-

> ing and economic data for other routes, it is proposed that the following alternatives receive most of the effort:
>
> 1. Conversion of the present lock canal in the Canal Zone to a sea level canal by conventional excavation methods.
>
> 2. Construction of a sea level canal by a combination of nuclear and conventional methods across the northwest corner of Colombia, near the route known as Atrato-Truando.
>
> 3. Construction of a sea level canal primarily by nuclear excavation methods in the Darien region of eastern Panama, near the route known as Sasardi-Morti.

Mr. GROSS. Mr. Speaker, I yield myself 13 minutes.

Mr. Speaker, if I correctly understood the gentlewoman from Missouri—and I hope she will correct me if I am wrong—she said it was our duty to build this sea-level canal to accommodate foreign commerce. Were those, effectively, your words?

Mrs. SULLIVAN. I believe I said I believe it is our duty and responsibility to explore the building of a new canal and the necessity for it.

Mr. GROSS. What obligation do we have to explore or to do anything else in behalf of world commerce? Why does not the world commerce, the nations of the world, pick up some of the bill for this exploration?

Mrs. SULLIVAN. In my remarks I mentioned that over 60 percent of the cargoes through the canal now either originate in or terminate in the United States. I believe that is a very good reason why we have this responsibility.

Mr. GROSS. What about the other 40 percent, if you want to put it on that basis? Why do we have to pick up the entire bill for a canal to transit Panama or any other area down there?

Mrs. SULLIVAN. Would you rather have some other country come in and do it for us?

Mr. GROSS. Why not? Certainly, I would much prefer to have some other country or a good many other countries come in and help us out. Why bleed the U.S. taxpayers for $17.5 million for this exploration and investigation of the possibilities? Why should we build a canal for the rest of the world?

As I understand it, the present canal is not even paid for. Am I correct or am I incorrect in that understanding?

Mrs. SULLIVAN. I will let the chairman answer that question.

Mr. GROSS. Is the present canal paid for?

Mr. BONNER. Does the gentleman direct his remarks to the chairman of the full committee?

Mr. GROSS. Yes, or to anyone who can answer.

Mr. BONNER. The gentleman has asked a very pointed question. Why should we build a sea-level canal?

Mr. GROSS. Just a minute. The question I asked was: Is the present canal paid for?

Mr. BONNER. No, the present canal is not paid for.

Mr. GROSS. What was the cost of the present canal?

Mr. BONNER. The cost of the present canal?

Mr. GROSS. I will tell the gentleman, so he will not take quite all my time; $380 million.

Mr. BONNER. Then, why did you ask the question?

Mr. GROSS. I just wondered if you knew the situation.

Mr. BONNER. Yes. I know. Let me tell the gentleman something. I asked you the other day when I brought up this bill would you object to it. Of course, it is your privilege to oppose this bill and, of course, I have been very friendly with you. We will not get personal in this matter.

Mr. GROSS. Did I ever tell you I was going to support this bill?

Mr. BONNER. I am going to give you the reason why we want the canal built, if you want to know.

Mr. GROSS. Did I ever tell you I was going to support this bill?

Mr. BONNER. No, you did not.

Mr. GROSS. All right. Let us get that straight.

Mr. BONNER. All right. Get that straight. But now do you want me to answer your question?

Mr. GROSS. Yes.

Mr. BONNER. Why we are going to build the canal is this——

Mr. GROSS. I understand the arguments that you have presented here and the arguments that are presented in your report. That much I know. But where do you propose to locate this canal?

Mr. BONNER. If the gentleman will just be patient a little, we will tell you. We are setting up this committee or this program to ascertain where we are going to locate the canal. There are three sites that are possible. There is one in Colombia.

Mr. GROSS. Stop right there.

Mr. BONNER. And there are two in Panama.

Mr. GROSS. Surveys have already been made of the Nicaragua-Costa Rica border canal site.

Mr. BONNER. That site has been determined as impossible in Nicaragua.

Mr. GROSS. Then, that is out. Why mention it? It is out.

Mr. BONNER. We did not mention it. I did not mention it. You mentioned it.

Mr. GROSS. Go ahead.

Mr. BONNER. Now, what else do you want to ask?

Mr. GROSS. Where else do you propose to locate it?

Mr. BONNER. You asked the question why we were going to build the sea-level canal. The reason why we are going to build a sea-level canal or study the proposal of a sea-level canal is because in not over 15 or 20 years the present canal will become obsolete.

The SPEAKER pro tempore (Mr. Rivers of South Carolina). The gentleman from Iowa has consumed 5 minutes.

Mr. GROSS. Mr. Speaker, I yield myself 5 additional minutes.

Mr. BONNER. Now, we are more or less responsible to the world for the conduct and the operation of the Panama Canal as it exists today. The gentleman is quibbling about this $17 million. When we took over the operation that France was conducting, we saved more than 2½ to 3 years in the construction of the canal under the great leadership of President Roosevelt. That is Theodore Roosevelt. You have heard of him, I am sure.

Mr. GROSS. I am glad to have the gentleman remind me of him.

Mr. BONNER. Yes. These are things you should be reminded of as time goes on.

Mr. GROSS. I am sure I would not have remembered him if the gentleman had not reminded me of his identity.

Mr. BONNER. Yes. We saved 3 or 4 years, and we only paid France $40 million for the geological survey and the hydrological survey.

Mr. GROSS. I think I know something about the history of it. Please do not take all my time.

Mr. BONNER. You are asking me the questions.

Mr. GROSS. Yes. Let us get to a few other questions, if I may I will direct my attention now to someone else, and perhaps he will not take all my time to give me a lot of well-known history about this thing. Let me ask the gentleman from Washington [Mr. Tollefson] a question or two.

What is the estimate for the cost of a canal, or are there any estimates for the cost of a canal built with the use of nuclear explosives?

Mr. TOLLEFSON. Will the gentleman yield?

Mr. GROSS. Yes. I yield to the gentleman from Washington.

Mr. TOLLEFSON. There have been some indefinite estimates that would run up into the billion-dollar figure, but they are not firm enough for me to give any great credence to them at this point.

Mr. GROSS. Do I understand correctly that it is now estimated that it could be built at certain locations for around $2 billion with nuclear explosives?

Mr. TOLLEFSON. That is correct.

Mr. GROSS. What would a canal dug with conventional machinery cost?

Mr. TOLLEFSON. I have heard no estimate with respect to that. I expect the reason for that is that it is not contemplated using conventional equipment; at least, I have not heard of any figure.

Mr. GROSS. So you are going to rely, or you hope to be able to rely upon nuclear explosives?

Mr. TOLLEFSON. We hope to rely upon the recommendations of the commission that will be appointed under this bill.

Mr. GROSS. In other words, you hope to rely on nuclear explosives, do you not?

Mr. TOLLEFSON. My personal thought is "Yes."

Mr. GROSS. That leads to this question: How are you going to use nuclear explosives since there is a nuclear test ban agreement in effect?

Mr. TOLLEFSON. This presents a problem.

Mr. GROSS. Then why not put first things first and get permission under the nuclear test ban agreement to use nuclear explosives to dig this canal? You can vote $17.5 million here today and you will not know any more than a hog does about Sunday whether you are going to get permission of the 100 other nations to use nuclear explosives. Why not put first things first?

Mr. TOLLEFSON. We think we are putting first things first by establishing a commission to make the study and to determine the feasibility of the new canal site, wherever it might be, and to determine the feasibility as between nuclear construction and conventional construction.

Mr. GROSS. The gentleman does not have the slightest idea whether these 100 other nations will agree; and any one of them can veto it. It takes only one to veto it.

Mr. MAILLIARD. Mr. Speaker, will the gentleman yield

Mr. GROSS. I yield.

Mr. MAILLIARD. The testimony that we had from the Chairman of the Atomic Energy Commission indicated that it is quite possible when the state of the art is such that we know more about it than we do now, this canal could be dug by nuclear devices without violating the test ban agreement. We do not know that it can. It will depend entirely upon whether we can develop devices which will not cause fallout in an adjacent country. We do not know the answer to that yet.

Mr. GROSS. The gentleman really does not believe that you can explode enough nuclear devices to dig a canal 40 or more miles long and the Russians will give you permission to do that?

Mr. MAILLIARD. They may not give us permission but if we can develop the state of the art it is quite possible that we can do it because there have been very deep explosions that have occurred without violating the provisions of the treaty and then we can do it without anybody else's permission.

Mr. GROSS. I think the gentleman from Washington put his finger on the real situation a while ago when he said that there were "political implications" involved. I think that is the reason for this bill being brought up at this time. In other words, we have not got the courage to face the Panamanians and tell them that we expect our sovereignty to be respected. It is proposed to authorize the expenditure of $17.5 million to "implement" American foreign policy with respect, in this case, to the Panamanians. Surely, there are political implications, and they are pretty expensive political implications when you start dealing with them in terms of the Panamanians and $17.5 million. This is what is at issue here as much as anything else at this time.

I say to you go back and obtain the permission that you are going to have to get under the nuclear test ban agreement, to use nuclear devices to dig a canal, and then come back to Congress; get from the 100 nations that are signatory to the nuclear test ban agreement their permission to let you use them, and then come back here and perhaps we can look at this in a different light.

Mr. BONNER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia, a member of the committee [Mr. DOWNING].

Mr. DOWNING. Mr. Speaker, I rise in full and complete support of this legislation. We have had thorough hearings on this matter in the committee. We are of the opinion that it is timely now to undertake this project.

Mr. Speaker, it is estimated that the construction time of the new canal will be some 15 years.

During its first 50 years of life the Panama Canal has well served the people of the United States. At the present time more than 6 out of 10 ships that transit the canal either originate or terminate their voyages in the United States. Our world commerce has developed immeasurably by reason of the availability of this artery for our use. Unhappily, the vast expansion in ocean commerce, both ours and that of other nations, indicates that the utility of the canal will diminish to a point some time in the next 50 years when it will be necessary to have another canal to take over its burden.

The board of consultants retained by the House Merchant Marine and Fisheries Committee some 4 years ago indicated its belief that the present canal would serve past the year 2000. However, in view of the fact that time passes faster for most of us than we would wish, it is important that steps be taken now to determine our future course of action.

The bill S. 2701, enacted by the House today, to authorize the expenditure of $17.5 million to examine potential routes for a new canal is a most desirable one. Briefly, it contemplates a detailed examination of two new routes, one in the Republic of Panama and the other in Colombia. These routes would be examined with a view toward the construction of a sea-level canal either by nuclear or conventional means. It is anticipated that the study would occupy some 3 years in time and that it would furnish definite information upon which a determination could be made.

While the expenditure of $17.5 million appears to be high, it should be noted that neither of these routes has been explored, each of them being located in what is virtually a trackless jungle. Thus, it will be necessary to provide all facilities for the survey crews, including roads and housing, and the work will include detailed studies of the flows of the rivers along the sites of the projected canal, the amount of rainfall, prevailing winds, the geology, the number and location of inhabitants, and the tides in the Atlantic and Pacific Oceans.

A very considerable part of this information is necessary to determine the feasibility of the use of nuclear explosions in the construction of a canal. It is important to arrive at a proper determination concerning the feasibility of such use inasmuch as it is estimated that the cost of such construction by such means would be as little as one-third of the construction by conventional means.

In view of the fact that we are talking in terms of billions of dollars, it is important that all factors be considered which would tend to reduce construction costs.

It is to be assumed that the cost of the canal would be defrayed by tolls and our interest in our own merchant marine and our own commerce dictate that the canal be constructed at the lowest possible cost consistent with maximum utility.

It should be pointed out that the studies authorized by the current bill will be usable whether the canal is constructed tomorrow or a half a century hence. In any event, the studies are essential to a proper determination both of the location of a canal, the means of its construction and the manner of payment of its cost.

The House will be wise to enact this bill so that the necessary studies can be instituted with all possible speed.

Mr. BONNER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. CASEY].

Mr. CASEY. Mr. Speaker, I agree with the gentleman from Iowa [Mr. GROSS] that we should take first things first. This, however, is the first step with reference to this project.

Mr. Speaker, if we are going to make any progress in determining whether we even need a canal, where it might be located, whether it will be feasible to build a sea level canal, the method of constructing it, and so forth we are going to have to start. This bill represents that start.

Mr. Speaker, this Commission which would be appointed under this legislation, if enacted, is supposed to study the feasibility of the project as well as its possible location.

Mr. RUMSFELD. Mr. Speaker, will the gentleman yield for one question?

Mr. CASEY. I yield to the gentleman from Illinois.

Mr. RUMSFELD. As I recall, the chairman of the Foreign Relations Committee in the other body made some suggestion to the effect that we should consider a joint cooperative effort in the construction of a canal with the Soviet Union.

Does the gentleman know if this bill which we are considering today authorizes the Commission to investigate the possibility of a joint effort with the Soviet Union concerning the proposed canal?

Mr. CASEY. This bill does not authorize that; if it did I would not support it. This bill authorizes the appointment of a commission and authorizes the Commission to report to the President of the United States as to the feasibility of the canal, the most likely location of such canal, taking into consideration our own national defense, and the effect it would have on our neighbors, wherever we may locate it, and whether we should even build one or not.

We have to have a beginning. The appointmentt of his Commission is the beginning.

Mr. Speaker, we could debate this matter from now on and never get anywhere.

Mr. Speaker, I urge the passage of this bill.

The SPEAKER pro tempore (Mr. RIVERS of South Carolina). The time of the gentleman from Texas has expired.

Mr. BONNER. Mr. Speaker, I yield 2 additional minutes to the gentleman from Texas.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. CASEY. I yield to the gentleman from Florida.

Mr. HALEY. The gentleman said that this Commission would report back to the President of the United States before any canal or anything could be done. This Commission would have to report back also to the Congress of the United States for further authorization before anything could be done?

Mr. CASEY. Absolutely, for further authorization. This is only the initial authorization. They would have to obtain any funds with which to carry out this authorization from the Committee on Appropriations, and this Congress would have to appropriate it.

Therefore, Mr. Speaker, I believe there is plenty of control over it.

By casting your vote for this bill you will start the wheels to finally begin to turn on a project which has received lots of talk but very little action. It is a project that you and I can take pride in having had a part in. I urge your support.

Mr. BONNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, I rise in support of S. 2701. This bill provides for an investigation and study to determine a site for the construction of a sea level canal connecting the Atlantic and Pacific oceans.

At the present time, over two-thirds of the traffic through the Panama Canal either originates or terminates in the United States and its importance to the well-being of the United States cannot be overestimated. The vulnerability of the present Panama Canal to interruption of service through sabotage or accident, the ever-increasing demands on existing facilities, and the recent difficulties between the United States and Panama which stem in large part from the security and personnel requirements imposed by lock-type canal give this matter high national priority.

The bill provides that the President be authorized to appoint a commission to make a full and complete investigation and study and to determine the feasibility and most desirable site for a sea level canal. The Commission, after completing the investigation and study, would present its findings and conclusions to the President and the Congress by January 31, 1966.

Various proposals for a water level canal have been made in recent years. The Army Engineers already are looking into the feasibility of a canal across Colombia. The Panama Canal requires locks because of the difference in heights between the Atlantic and Pacific at those points. A sea level canal would enhance the U.S. intercoastal commerce and could very well effect a growth in expanding maritime commerce.

In House Report No. 2218, 2d session, 86th Congress, the Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs stated that the board of consultants contracted by the Committee on Merchant Marine and Fisheries:

> Is optimistic about the possibility of a canal in Colombia, recommending that "further engineering studies of sea-level routes across the isthmus in Colombia should be initiated and prosecuted vigorously." The subcommittee concurs fully with the board of consultants in this matter.

I believe, therefore, that preparatory steps looking forward to maintaining an adequate shipping link connecting both oceans should be taken now. Therefore, I strongly favor enactment of this legislation.

Mr. BONNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama [Mr. SELDEN].

Mr. SELDEN. Mr. Speaker, while I agree with the gentleman from Iowa [Mr. GROSS] that a revision of the test ban treaty will probably be necessary before nuclear devices can be used in the digging of a new canal, I do not agree with him that the passage of S. 2701 should be delayed until such a revision has taken place.

This legislation simply authorizes exploration and study to determine a site for a new sea-level canal between the Atlantic and Pacific Oceans. These studies will require up to 3 years. The eventual construction, after negotiations with the country involved, will take up to another 15 years.

The intricate nature of the Panama Canal lock system poses a serious security problem for the United States that could be avoided to a large degree with a sea-level canal. Also, construction of a sea-level canal would enhance U.S. intercoastal commerce and would undoubtedly effect a growth in our maritime fleet.

S. 2701 has been the subject of careful study and consideration by the Merchant Marine and Fisheries Committee, and the committee amendments reflect that careful study. The sum of $17.5 million authorized for the investigations needed to determine a proper site for the new sea-level canal will be money well spent in our national interest. I urge the passage of S. 2701.

Mr. BONNER. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Speaker, it seems to me only commonsense to begin now the planning of a second canal connecting the Atlantic and Pacific Oceans, and of course it should be at sea level.

Personally, I would not wish to see the Nicaraguan route discarded unless its infeasibility were established beyond any peradventure of doubt. I am not at all convinced by what I have been told by those who seem obsessed with the notion of doing away with the dream of the 19th century of a canal from San Juan del Norte on the eastern coast of Nicaragua, connecting with the San Juan River and finally Lake Managua.

It may be, of course, that I am blinded by sentiment. It also may be that I am placing an excessive reliance on the engineering judgment of the years when work on the Nicaraguan route actually was started, only to be halted by a renewal of the bitter, persistent opposition of the railroad interests.

It will be 70 years this coming February when first I saw the Nicaraguan Canal as completed up to 1895. A mile or so of the canal had been dug from the lagoon at San Juan del Norte and the giant dredge was moved in the lagoon, awaiting the word from Washington to go on with the job, the word that never came and the dredge that started on its way to the Pacific destined to die of rot in the lagoon.

General Ludlow and Admiral Walker, representing what then was recognized as the best engineering knowledge of the Armed Forces, were assigned to make another study at firsthand of the Nicaraguan route. I, a boy of 12, was permitted to accompany them.

When work had stopped a narrow gage railroad had been constructed paralleling the canal, as I remember a mile or perhaps a little farther. This we took at the beginning of our tour, being drawn by the engine that, like the dredge, was destined to perish in tropical rust instead of winning a place in glory by bearing the canal builders to the completion of the first canal to the Pacific.

The rest of the way General Ludlow and Admiral Walker, with their party, including the boy of 12, trudged on foot, cutting the way through much of the jungle with machetes. Every foot, every inch of the proposed canal route was covered. To the conscientious completeness of the task assigned to General Ludlow and Admiral Walker I can testify. It was many years ago, but every detail of what was in my boyish mind a memorable adventure is as vivid in my memory as though its timing were yesterday.

General Ludlow and Admiral Walker reported, as had all previous study groups, that the Nicaraguan route was feasible and that the only engineering problem was the construction of a breakwater at San Juan del Norte to take care of the shifting sands that kept the entrance to the lagoon at San Juan del Norte unnavigable. What in 1895 was an engineering problem, the building of a breakwater of the required strength and length into the Gulf of Mexico, I am told no longer would give modern engineering much concern.

Yet, Mr. Speaker, in 1895 that was the only problem. General Ludlow and Admiral Walker found, as had others, that the rest of the job of building an interoceanic canal through Nicaragua was simple. Be it sentiment or be it just ordinary everyday commonsense, I hope and pray that the route unanimously recommended by the engineering greats at the turn of the century will not be abandoned from further consideration until there has been the fullest measure of impartial examination.

Mr. BONNER. Mr. Speaker, I yield 1½ minutes to the gentleman from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. Speaker, I wholeheartedly support this bill.

This bill provides for a study, the purpose of which is to determine the location of the proposed canal.

Mr. Speaker, our responsibility to this Nation means that we must carry out this program, especially for our defense and for our own foreign trade. Over 60 percent of this commercial trade which transits the canal is generated from our own shipping ports.

Mr. Speaker, this new canal will be paid for through the use of tolls. This $17.5 million constitutes a part of the project.

For nuclear explosion for the construction of this canal a study must be made. That is just good, commonsense.

This bill is just plain commonsense. There must be a beginning and that is exactly what the bill is.

Mr. BONNER. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. MURPHY].

Mr. MURPHY of New York. Mr. Speaker, as a member of the Subcommittee on the Panama Canal and of the full Committee on Merchant Marine and Fisheries, I rise to wholeheartedly support this legislation which is the first logical step to authorize a site-selection study to see if a sea-level canal at another location in Central America is feasible.

I participated with the subcommittee in its field trip to Panama last year for the purpose of conducting hearings on problems inherent in the Canal Zone area. The Panama Canal Company at that time went to great lengths to brief the committee on prior reconnaissance and work done for the purpose of looking for other areas of suitability for either lock or sea-level canals specifically. The areas in Nicaragua in which we presently have treaty rights, the area across the Yucatan Peninsula, the area in Colombia, and several sites in Panama were all considered as feasible.

The purpose of this legislation is to pick the best site, considering all aspects of the problem including the feasibility of using nuclear devices to assist in the excavation. This nuclear device, incidentally, can save 4 or 5 years in construction time as well as cutting construction costs by about 300 percent. The allegation that the nuclear test ban treaty would prohibit the use of a nuclear device is not sound because that treaty specifically provides for a country to explode devices provided the explosion stays within the geographical limits of that country, and further by petition to the signatory nations peaceful detonation can be attained.

I note that this Commission is made up of five members from civilian life whose recommendation to the President will, of course, necessitate further petition to this body for funding and approval of the findings.

I feel that the cost of this study will most assuredly be assessed against the toll formula. I further feel that the toll formula of this canal has assured that the American taxpayer will not bear the cost of the construction and operating funding because the users of the canal will be bearing the costs.

It is significant to note that by 1985 the present canal will be obsolete and that the present ratio of traffic, 60 percent of which either originates or terminates in the United States, will be seriously inconvenienced. It is incumbent upon us to authorize this appropriation. The appropriation will automatically be ended by 1968 when this report must be forwarded to the President.

I urge adoption of this bill.

Mr. GROSS. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. Mr. Speaker, I believe that it is wise that a complete survey of the problems of the Panama Canal and the possible construction of alternate routes be studied thoroughly. Therefore I favor this bill constituting a commission to study this problem carefully over a period of time, as this vital project costing millions should not be embarked upon without adequate preparation.

We must remember that the Panama Canal has been a lifeline both for commerce in peace, and for defense in times of emergency and war. The American people deserve the benefit of adequate planning and research by competent staffs to insure both the security of our Nation and our economic progress in the seaborne commerce of the United States.

In order to be sure how the citizens of my large, industrial and agricultural, urban and suburban, area feel about this problem, I have sent out a questionnaire—not printed at Government expense—asking the very question involved under the policy of S. 2701 and this debate in the U.S. Congress. The question to my district was:

> Do you favor the construction of a new sea level canal to replace the Panama Canal?

The answers of my people have indicated that 57 percent favor construction and 34 percent oppose this proposal, while 9 percent remain undecided.

This is a strong indication of the feeling of the American people on the requirement for further study to determine feasibility of the construction of an alternate route to the Panama Canal.

I am, therefore, voting today in accordance with the basic decisions and strong recommendation of the people of my congressional district whose considered opinion I respect highly.

In order that the Members of the U.S. Congress and the American people, as well as the executive department, will have the benefit of the results of the answers to my questionnaire on major issues, I am submitting this entire questionnaire showing the percentage of answers as well as the percentage of undecideds on these major questions which face the U.S. Congress and the American people in these challenging times.

> TO MY GOOD FRIENDS: Congress is facing basic issues on vital questions that will affect you and your family for years in the future—these are historic decisions—right now.
>
> While I cannot write to the 425,000 people in our congressional district, I have taken your name from my personal list to get a serious and a really representative cross section of our people. I do believe our citizens should have their point of view and judgment given thoughtful consideration. I will read your answers carefully and value your advice.
>
> Sincerely,
>
> JIM FULTON

	Percent		
	Yes	No	Undecided
1. Should the Constitution be amended to permit voluntary Bible reading and prayer in the public schools?	87	13	(1)
2. Do you approve of President Johnson's announced plan to incur a $4,900,000,000 deficit this coming year?	22	68	10
3. Do you favor the construction of a new sea-level canal to replace the Panama Canal?	57	34	9
4. The United States now permits sale of wheat and other grain to Russia by our exporters. Should the U.S. Government guarantee payment?	10	87	3
5. Should foreign aid be cut below President's figure of $3,400,000,000?	73	23	4
6. U.S. Senate is debating civil rights bill—and it will come to the House for concurrence.			
Should civil rights bill be passed?	63	28	9
Without amendment?	22	42	36
Or should public accommodations section be cut as invasion of private property rights?	49	17	34
7. Favor President's new welfare programs for war on poverty?	61	28	11

[1] Negligible.

Mr. GROSS. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. GROVER].

Mr. GROVER. Mr. Speaker, I rise in support of this legislation as a necessary first step in the long-range protection of our historic status as the world's leading maritime nation and a strategic move in enhancing the future security of our Nation.

The existing interoceanic canal in Panama will be obsolete in a few decades. In times of war it has served well our naval forces and military transport and in time of peace 60 percent of the extensive traffic traversing the Panama Canal has been carrying cargo to and from U.S. ports.

At a time when billions are being spent on great bridges, highways, and parkways within our country and other billions are being spent in exploration of the moon and outer space, we would be totally astigmatic not to look to our future security needs and our place tomorrow in international commerce as they are affected by an effective interoceanic canal.

As a member of the Panama Canal Subcommittee of the Merchant Marine and Fisheries Committee, I did, heretofore, introduce similar legislation. And having attended the hearings in connection with the bill before us I am convinced of its tremendous importance and urge my colleagues to vote favorably.

Mr. GROSS. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I want to emphasize again that we ought to put first things first.

We ought to find out whether those nations, signatory to the test-ban treaty, will accept an amendment to permit the digging of a canal with the use of nuclear explosives. Adm. Lewis Strauss warned we would be confronted with this situation, and Dr. Edward Teller, who is known as the father of the H-bomb, warned that the test-ban treaty "will stop canal builders everywhere from using atomic power to cut the costs of excavation."

Mr. TOLLEFSON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Washington.

Mr. TOLLEFSON. It has struck me and other members of the committee that it would be futile to try to negotiate some agreement with the various nations who have signed the test-ban treaty until we have some kind of definite proposition to lay before them. The only way we can get that proposal is to appoint a commission and have them make a recommendation.

Mr. GROSS. I do not know why you need a definite proposal. If you are going to use nuclear explosives you would first need permission to use them under the test-ban treaty to which we unwisely subscribed. It would seem to me if you are going to use bulldozers and excavators to dig a canal you would want to know your ability to obtain them anywhere in the world before you started digging a canal.

Mr. BONNER. Mr. Speaker, I yield myself 2 minutes.

Mr. TOLLEFSON. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Washington.

Mr. TOLLEFSON. I would like to propose a question to the gentleman from Iowa. Does the nuclear ban agreement apply to underground explosions, or nuclear energy?

Mr. GROSS. There would not be completely underground explosions in digging a canal.

Mr. TOLLEFSON. That is the point. There will be underground.

Mr. GROSS. They will not be contained, and the gentleman knows they will not be contained underground.

Mr. TOLLEFSON. I know nothing of the kind.

Mr. GROSS. Of course the gentleman does.

Mr. BONNER. Mr. Speaker, this is a resolution to set up a commission composed of five men appointed by the President of the United States to study the future development of a sea level canal through the area of the Isthmus of Panama. It will only be a matter of a few years before the present canal will be obsolete. It is true the existing canal has not been entirely paid for, but the canal operation pays to the Government of the United States each year the interest on that part of the cost of the canal that has not been paid for. All ships of the world are charged the same rate to transit the canal. The canal itself is self-sustaining, the operation is self-sustaining, and it is absolutely necessary that a period of time be provided in which a study can be made for the purpose of determining whether or not a sea level canal should be built.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Is not the purpose of this act first of all to determine the best location and the feasibility of the canal?

Mr. BONNER. That is exactly right. As the gentleman from Texas said, the figure is $17.5 million. The first year's request will be only $5 million. There will be other appropriations thereafter. Each year this commission will have to report back to the Congress its findings on this study and its recommendations. So if you want the country to keep on with progress, you should set up this commission. The purpose in establishing this commission is only to study the feasibility of this proposition.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 2701, as amended?

The question was taken, and the Speaker announced that two-thirds appeared to have voted in the affirmative.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 320, nays 23, not voting 87, as follows:

[Roll No. 247]

YEAS—320

Abbitt
Abele
Abernethy
Adair
Addabbo
Albert
Andrews, N. Dak.
Arends
Aspinall
Auchincloss
Ayres
Baker
Baldwin
Barrett
Barry
Bass
Bates
Battin
Beckworth
Belcher
Bennett, Fla.
Berry
Betts
Blatnik
Boggs
Boland
Bolling
Bolton, Frances P.
Bonner
Bow
Brademas
Bray
Brock
Bromwell
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cahill
Casey
Cederberg
Celler
Chamberlain
Chelf
Chenoweth
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Conte
Cooley
Corbett
Corman
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Derounian
Dole
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Fogarty
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gary
Gathings
Giaimo
Gibbons
Gilbert
Glenn
Gonzalez
Goodell
Goodling
Grabowski
Green, Oreg.
Green, Pa.
Griffin
Grover
Gubser
Gurney
Hagen, Calif.
Haley
Halleck
Halpern
Hanna
Harding
Hardy
Harris
Harrison
Harvey, Ind.
Hawkins
Hechler
Henderson
Herlong
Hoeven
Holifield
Holland
Horan
Horton
Hosmer
Hull
Hutchinson
Jarman
Jennings
Jensen
Joelson
Johnson, Calif.
Johnson, Pa.
Johnson, Wis.
Jonas
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kilburn
Kilgore
King, Calif.
Kirwan
Knox
Kornegay
Kunkel
Laird
Langen
Leggett
Lennon
Libonati
Lindsay
Lipscomb
Long, La.
Long, Md.
McClory
McCulloch
McDade
McDowell
McFall
Macdonald
MacGregor
Mahon
Mailliard
Marsh
Martin, Nebr.
Mathias
Matthews
May
Michel
Miller, Calif.
Milliken
Mills
Minish
Minshall
Monagan
Moore
Morgan
Morrison
Morse
Morton
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nelsen
Nix
Norblad
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pickle
Pillion
Pirnie
Poage
Poff
Pool
Powell
Price
Pucinski
Purcell
Quie
Randall
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Rivers, Alaska
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
Ryan, N.Y.
St. George
St Germain
St. Onge
Saylor
Schenck
Schneebeli
Schweiker
Secrest
Selden
Senner
Shriver
Sibal
Sickles
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Springer
Stafford
Staggers
Steed
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Thomas
Thompson, La.
Thompson, Tex.
Thomson, Wis.
Tollefson
Trimble
Tuck
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vinson
Waggonner
Watson
Watts
Weaver
Weltner
Westland
Whalley
Wharton
White
Whitener
Whitten
Wickersham
Widnall
Willis
Wilson, Bob
Wilson, Ind.
Wright
Wydler
Wyman
Young
Younger
Zablocki

NAYS—23

Ashmore
Becker
Beermann
Clancy
Devine
Flood
Foreman
Gross
Hall
Harsha
King, N.Y.
Kyl
Latta
McLoskey
McMillan
Quillen
Reid, Ill.
Rich
Schadeberg
Short
Siler
Snyder
Stinson

NOT VOTING—87

Alger
Anderson
Andrews, Ala.
Ashbrook
Ashley
Avery
Baring
Bell
Bolton, Oliver P.
Buckley
Burkhalter
Cameron
Carey
Collier
Colmer
Cramer
Derwinski
Diggs
Dingell
Donohue
Ellsworth
Finnegan
Fisher
Flynt
Ford
Forrester
Fraser
Gill
Grant
Gray
Griffiths
Hagan, Ga.
Hansen
Harvey, Mich.
Hays
Healey
Hébert
Hoffman
Huddleston
Ichord
Johansen
Jones, Ala.
Kee
Kelly
Keogh
Kluczynski
Landrum
Lankford
Lesinski
Lloyd
McIntire
Madden
Martin, Calif.
Martin, Mass.
Matsunaga
Meader
Miller, N.Y.
Montoya
Moorhead
Morris
Mosher
Nedzi
Philbin
Pike
Pilcher
Rains
Reid, N.Y.
Robison
Ryan, Mich.
Schwengel
Scott
Sheppard
Shipley
Sikes
Sisk
Staebler
Stephens

Stratton
Teague, Tex.
Thompson, N.J.
Toll
Utt
Van Pelt
Wallhauser
Williams
Wilson, Charles H.
Winstead

So (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended was passed.

The Clerk announced the following pairs:

Mr. Keogh with Mr. Bell.
Mr. Hébert with Mr. Schwengel.
Mr. Toll with Mr. Ford.
Mr. Matsunaga with Mr. Martin of Massachusetts.
Mr. Shipley with Mr. Reid of New York.
Mr. Gill with Mr. Harvey of Michigan.
Mr. Donohue with Mr. Anderson.
Mr. Philbin with Mr. Utt.
Mr. Charles H. Wilson with Mr. Ellsworth.
Mr. Jones of Alabama with Mr. Cramer.
Mr. Teague of Texas with Mr. Alger.
Mr. Gray with Mr. Oliver P. Bolton.
Mr. Hays with Mr. Martin of California.
Mr. Andrews of Alabama with Mr. Johansen.
Mr. Kluczynski with Mr. Ashbrook.
Mr. Cameron with Mr. Collier.
Mr. Lesinski with Mr. Derwinski.
Mr. Ryan of Michigan with Mr. Mosher.
Mr. Sisk with Mr. Robison.
Mr. Dingell with Mr. Meader.
Mr. Sikes with Mr. Van Pelt.
Mr. Madden with Mr. Weaver.
Mr. Thompson of New Jersey with Mr. McIntire.
Mr. Flynt with Mr. Hoffman.
Mr. Grant with Mr. Avery.
Mrs. Griffiths with Mr. Healey.
Mr. Scott with Mr. Staebler.
Mr. Morrison with Mrs. Kee.
Mr. Nedzi with Mr. Moorhead.
Mr. Colmer with Mr. Lankford.
Mr. Fisher with Mr. Finnegan.
Mr. Forrester with Mr. Sheppard.
Mr. Huddleston with Mrs. Hansen.
Mr. Ashley with Mr. Diggs.
Mr. Fraser with Mr. Buckley.
Mr. Baring with Mr. Burkhalter.
Mr. Ichord with Mr. Williams.
Mr. Pilcher with Mr. Winstead.
Mr. Stephens with Mr. Stratton.
Mr. Rains with Mr. Carey.
Mr. Hagan of Georgia with Mr. Pike.
Mr. Landrum with Mr. Montoya.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

NAMING OF VETERANS' ADMINISTRATION HOSPITALS

Mr. HALEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11461) to provide for the designation of certain Veterans' Administration facilities.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Veterans' Administration center at Bonham, Texas, shall hereafter be known and designated as the Sam Rayburn Memorial Veterans Center. Any reference to such center in any law, regulation, document, record, or other paper of the United States shall be deemed a reference to it as the Sam Rayburn Memorial Veterans Center.

SEC. 2. The Veterans' Administration hospital at Bedford, Massachusetts, shall hereafter be known and designated as the Edith Nourse Rogers Memorial Veterans' Hospital. Any reference to such hospital in any law, regulation, document, record, or other paper of the United States shall be deemed a reference to it as the Edith Nourse Rogers Memorial Veterans' Hospital.

SEC. 3. The Veterans' Administration hospital at Jackson, Mississippi, shall hereafter be known and designated as the John Elliott Rankin Memorial Veterans Hospital. Any reference to such hospital in any law, regulation, document, record, or other paper of the United States shall be deemed a reference to it as the John Elliott Rankin Memorial Veterans Hospital.

The SPEAKER pro tempore (Mr. ALBERT). Is a second demanded.

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. RYAN of New York. Mr. Speaker——

The SPEAKER pro tempore. The gentleman from Florida [Mr. HALEY] is recognized for 20 minutes and the gentleman from Pennsylvania [Mr. SAYLOR] is recognized for 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. HALEY].

Mr. RYAN of New York. Mr. Speaker——

The SPEAKER pro tempore. The gentleman from New York.

Mr. RYAN of New York. Mr. Speaker, is the gentleman from Pennsylvania opposed to the bill?

Mr. SAYLOR. I am not, Mr. Speaker.

Mr. RYAN of New York. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. The gentleman from New York demands a second. The gentleman qualifies.

Mr. SAYLOR. A point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Pennsylvania will state his point of order.

Mr. SAYLOR. Mr. Speaker, a second had been ordered.

The SPEAKER pro tempore. A second had been ordered, but the gentleman from New York was on his feet seeking recognition.

Mr. SAYLOR. Mr. Speaker, the gentleman's demand comes too late.

The SPEAKER pro tempore. The gentleman was on his feet seeking recognition. The Chair was not aware that the gentleman was seeking recognition for that purpose. The gentleman does qualify and the gentleman from Pennsylvania does not qualify.

Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Speaker, this is a very simple little bill. It proposes to name three veterans' hospitals, one for the late Speaker of the House of Representatives, the Honorable Sam Rayburn, one for the late gentlewoman from Massachusetts, Edith Nourse Rogers, and one for a long-time chairman of the Committee on Veterans' Affairs—for approximately 25 years I believe—the late Representative from the State of Mississippi, John Elliott Rankin.

Mr. Speaker, this bill came from the Committee on Veterans' Affairs by a unanimous vote. I know of no reason why there should be any opposition to the bill.

Certainly, Mr. Speaker, it is in order and proper that Members of the Congress should work their will here.

I think we will do a fine day's work to honor some of these people who have made such an outstanding record and have been friends of the veterans of this great Nation of ours.

This bill, which was reported unanimously by the committee, would name three hospitals in the Veterans' Administration medical system.

Section 1 of this bill would name the Veterans' Administration center—hospital and domiciliary—at Bonham, Tex., for the late Sam Rayburn, who served as Speaker of the House of Representatives longer than any other Member of the House in the history of the United States.

Prior to Mr. Rayburn's election as Speaker on September 16, 1940, Mr. Rayburn had served as majority leader in the 75th and 76th Congresses and as minority leader in the 80th and 83d Congresses.

During his long period of service which began on March 4, 1913, until his death on November 16, 1961, Speaker Rayburn had always shown a keen interest in the affairs and general welfare of the veterans of this Nation. The hospital and domiciliary at Bonham had a special place in his heart and it is indeed appropriate that this installation be named in honor of this great American.

Congresswoman Edith Nourse Rogers was elected to the 69th Congress to fill the vacancy caused by the death of her husband, John Jacob Rogers, and was reelected to the 70th and succeeding Congresses and was serving at the time of her death on September 10, 1960, a period of over 35 years.

Mrs. Rogers' first activity in the field of disabled veterans was when she served with the American Red Cross in the care of disabled soldiers in the First World War in 1917. Thereafter, President Harding appointed her a special representative in 1922; President Coolidge continued her appointment in 1923.

She served on the Committee on Veterans' Affairs, or its predecessor committee, the Committee on World War Veterans' Legislation, from the time of her election to Congress until her death and was chairman of the Committee on Veterans' Affairs in the 80th and 83d Congresses.

While Mrs. Rogers was interested in all of the affairs of veterans, she is mainly identified in the public mind with her special concern for paraplegics as evidenced by the two laws in which she was keenly interested, namely, housing for paraplegic veterans, and the so-called automobiles for amputees.

No hospital during her service received more attention from her than the one at Bedford, Mass., though she was keenly interested in the entire medical program. It seems indeed appropriate to the committee that the hospital at Bedford be named in her honor as section 2 provides.

Section 3 of the bill would name the 500-bed Veterans' Administration Hospital at Jackson, Miss., in honor of the late John Elliott Rankin, who was chairman of the Committee on Veterans' Affairs, House of Representatives, or its predecessor committee, the Committee on World War Veterans' Legislation, for nearly a quarter of a century.

Mr. Rankin was elected to the 67th Congress and 15 succeeding Congresses, thus serving as a Member of the Congress from March 4, 1921, to January 3, 1953. He succeeded the first chairman of the Committee on World War Veterans' Legislation, Royal C. Johnson, in whose honor the hospital at Sioux Falls, S. Dak., was named by Public Law 93 of the 79th Congress.

While it is not the general practice of the Veterans' Administration to name its hospitals for individuals, the exception noted above is pertinent and a precedent. The same may be cited for the Veterans' Administration Hospital at Montrose, N.Y., which is named for the late President Franklin Delano Roosevelt, pursuant to Public Law 189 of the 79th Congress.

Mr. Rankin gave long, devoted, and dedicated service to his country and no subject was closer to his heart than the veterans of this Nation. He was the author of literally hundreds of bills affecting the welfare and well-being of our veterans. It seems to the committee it is indeed understandable and quite appropriate that the Veterans' Administration Hospital nearest to his home of Tupelo should be named in his honor.

There would be no additional expense to the Treasury as the result of enactment of this legislation.

Mr. RYAN of New York. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, this bill, H.R. 11461, consolidates three separate bills which were placed on the Consent Calendar earlier in this session. One of those bills would have named the Veterans' Administration Center at Bonham, Tex., for the late Sam Rayburn, who served as our beloved Speaker for so many years. The second bill would have named the Veterans' Administration hospital at Bedford, Mass., for the late Congresswoman from Massachusetts, Edith Nourse Rogers. The third bill would have named the Veterans' Administration hospital at Jackson, Miss., for the late Congressman John Elliott Rankin.

When the third bill, the one naming a hospital for the late Congressman Rankin, was on the Consent Calendar, the chairman of the Committee on Veterans' Affairs, the distinguished gentleman from Texas [Mr. TEAGUE], was informed that I would object to the unanimous consent request that it be considered at that time.

Instead of calling up the other two bills, the one honoring the late Speaker, Sam Rayburn, and the other honoring the late Edith Nourse Rogers, from the Consent Calendar, the chairman elected to treat the three as a package and later withdrew them from the Consent Calendar and consolidated them into a single bill, which is now before us, H.R. 11461. The three combined in one were placed on the list of suspensions to be considered.

Mr. Speaker, as we know, a bill which is on the suspension calendar cannot be amended. Therefore we have to consider the bill as a whole, despite the three separate parts. The action of the chairman of the Committee on Veterans' Affairs has put me in a very unhappy position, and I suppose this action was not exactly unintentional. I am faced with the problem of having to vote on a bill with two parts I could wholeheartedly support and one part to which I am opposed. I think it is fitting and proper that we honor our late beloved Speaker, and this would be a fine way to honor him in his hometown. I think the same thing applies to the late Congresswoman from the State of Massachusetts. However, my objection which I expressed earlier to the naming of the hospital at Jackson, Miss., still remains. I do not believe for 1 minute that Congress should name an installation, which is built with Federal funds, for any person who was or is a diehard segregationist.

This year Congress enacted the most comprehensive civil rights law in history. This year the civil rights revolution is being fought by dedicated Americans, and it is being fought in the State of Mississippi. Three dedicated Americans, three young Americans, have sacrificed their lives this summer—foully murdered by racists and bigots.

I think it would be a travesty to name a Federal installation for a Mississippi segregationist, no matter what he may have done in the Congress on behalf of veterans. There are many veterans in the State of Mississippi who are very disturbed about the proposed bill. They served their country honorably and patriotically in time of war.

It would be a disservice to some 1½ million Negro veterans who have served their country to name this Federal veterans installation for a person who was a segregationist and a racist.

Since this bill has been brought before the House under a procedure which permits no opportunity to offer amendments, I am compelled in view of my strong feelings on section 3 to oppose the measure.

I repeat I would gladly support section 1, honoring Speaker Rayburn, and I would gladly support section 2, honoring Congresswoman ROGERS, but in good conscience I cannot support section 3, which in my judgment is a separate bill and should not be combined with two very meritorious bills which would otherwise be passed, I am sure, with the unanimous consent and wholehearted support of all Members of the House.

Mr. HALEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio [Mrs. FRANCES P. BOLTON].

Mrs. FRANCES P. BOLTON. Mr. Speaker, may I say that I am very glad the committee has reported this bill to name three of our veterans' hospitals for Members of Congress who worked long and hard in behalf of our veterans.

Just last week I attended the dedication of the new VA hospital building located in the Wade Park section of Cleveland in my own congressional district. The new building is to replace the sprawling old Crile Hospital in Parma, Ohio. Surely this carryover should not lose its name. This is not a new hospital—it is a new building for a hospital that has existed since the Army built it in 1942, and turned it over to the VA in 1946.

Many of the men in those great sprawling buildings in Parma, which the new facility replaces, have told me down the years, that somehow they felt an odd sense that somebody really cared—that they were not just "cases" because it was George Crile's hospital.

Dr. George W. Crile—Brigadier General Crile—organized and took the "Lakeside Hospital Unit" to France in World War I, the first ambulance unit to reach the frontlines in France in World War I. It was known as the Lakeside Base Hospital Unit. General Crile returned to Cleveland following the close of World War I.

His activities in the military medical field had already gained wide attention in Washington and when the U.S. Army General Hospital was established in Cleveland during World War II there was immediate agreement on the part of War Department officials, as well as Cleveland civic leaders, that the institution be named the "Crile General Hospital" in honor of the late Gen. George W. Crile. Later when the facility was taken over at war's end by the Veterans' Administration, there was unanimous agreement that the name continue and that it be known as the Crile Veterans' Administration Hospital of Cleveland. This name continued throughout the life of the hospital in its location in Parma, a suburb of Cleveland, until the completion of the present building. Why should the name be dropped?

A hospital is not the cement, the brick and mortar, the shingles of which its buildings are made. A real hospital is the invisible spirit that pervades its wards, its halls, its surgeries, laboratories, and so forth. That spirit comes from the men and women working there and especially from the chief. George Crile's spirit permeated every part of Crile Hospital, giving the patients a sense of security, of courage, and a faith in their own capacity to survive. That spirit is still there.

Mr. Speaker, Crile Hospital has been Crile Hospital for many, many years. Our veterans have the right to want his name and his dreams for them continued.

I present this to the House, hoping for understanding action.

Mr. HALEY. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker, the issue before the House in this bill is whether or not we shall honor three people who served in the Halls of Congress a large part of whose lives were dedicated to their work as members of Veterans' Affairs Committees.

The Veterans' Affairs Committee since it was established has had only four chairmen, Royal C. Johnson, John E. Rankin, Mrs. Edith Nourse Rogers, and the present chairman, Olin Teague.

We have already named a hospital for Royal Johnson and this bill will name three hospitals, one for John Rankin, one for Edith Nourse Rogers, and a third for our late beloved Speaker Sam Rayburn, the hospital that is nearest to his home.

These people are honored not because of their position in the Congress and not because of the position they took on any other piece of legislation or their beliefs but because a great portion of their lives was dedicated to the relief of those men and women who suffered injuries during war and who are being cared for in our veterans' hospitals. This House has never had three greater champions of the veterans than the people whose names are in this bill today. It would be a travesty on American justice if for any reason these three hospitals did not bear the names of these three people.

Mr. Speaker, I hope this bill is adopted.

The SPEAKER pro tempore (Mr. Albert). The time of the gentleman from Pennsylvania has expired.

Mr. RYAN of New York. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. Vanik].

Mr. VANIK. Mr. Speaker, I want to take this time to compliment the gentlewoman from Ohio, my distinguished colleague, in urging that the name of Crile be continued as the name of the new Wade Park veterans hospital in Cleveland which has recently been dedicated.

We in Cleveland are familiar with the great work of the late General Crile and this newly constructed institution should continue to bear his name.

I hope that the committee in its future deliberations will consider reporting out a bill to continue the name of the Crile Veterans' Hospital for the newly constructed facility in Cleveland. I commend my colleague for bringing this to the attention of the House.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

The SPEAKER pro tempore. Does the gentleman from New York [Mr. Ryan] desire to yield further time?

Mr. RYAN of New York. No, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Florida [Mr. Haley].

Mr. HALEY. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. Abernethy].

Mr. ABERNETHY. Mr. Speaker, the Supreme Being of this universe, in November 1960, permanently closed the eyes of John Elliott Rankin. At the age of 78 years his body was laid to rest with the assistance of six veterans as pallbearers. His body is in permanent lasting sleep and his soul has taken its position near the hand of the Lord.

John Rankin is dead.

In this day and time we hear a great deal about prejudice. No doubt all of us at some time or another exhibit a bit of prejudice for one reason or another—sometimes justifiable and sometimes not. But this is the first time in the 22 years I have been in this House, Mr. Speaker, that I have seen prejudice, and I say this reluctantly, carried to the depths of the grave.

John Rankin's body is cold. His lips are sealed. He is not here to speak for himself today. When he was here, he was fully capable of taking care of himself. He needed assistance from no one. Those who crossed swords with him seldom escaped without wounds.

His family is not here to speak for him. His aging widow is down home in Mississippi. His talented daughter, Annie Laurie, is with her husband, a distinguished member of the armed services of this country, a gallant American soldier.

John Rankin himself served in the Armed Forces of his country.

He offered his services to his fellow man, and those who liked him sent him here for 32 years. And I can tell you now that many admired and liked him.

He spent more time in the well of this House in behalf of those who wore the uniform of this country than any other Member ever to serve in this body. His name more than that of any other appeared on legislation for the benefit of our veterans, including the gentleman from New York. No doubt the gentleman from New York is now drawing veterans' benefits as a result of legislation authored by John Rankin, or has drawn such in the past. I am sure he has not rejected any such benefits simply because John Rankin's name appeared on the bills authorizing such. Yet, in spite of all John Rankin did in behalf of our veterans, and often in the face of much criticism and abuse, the gentleman from New York objects to one little hospital being named in the memory of the greatest friend the veteran ever had.

There are more widows and orphans of our servicemen drawing benefits today as a result of legislation offered by John Rankin than as a result of the work of any other member ever to serve in this body.

I sometimes disagreed with Mr. Rankin. He sometimes disagreed with me and with you. None of us ever see eye to eye on all subjects. But I cannot conceive of disagreement with one being so deep seated that I would carry my differences or prejudices under 4 feet of earth and green grass and say that even though the deceased did all these things for the veterans of this land I am not going to do him this posthumous honor and refuse to dedicate to his memory and his labors a little hospital. John Rankin himself worked for this hospital. He wanted to see it erected for the use, benefit, and the healing of our disabled and ailing veterans.

I introduced the bill to name this hospital for Mr. Rankin 2 or 3 years ago. The idea was not original with me. I wish it had been. A veteran of his hometown and members of the Disabled American Veterans of my State, for whom this hospital has been erected, suggested that I introduce it. I thought it was a good idea. Certainly it was justified by the great service which Mr. Rankin rendered the veterans of this land.

I am sorry my friend from New York feels as he does. He has a right to his feelings. I differ with him. I wish he did not feel as he does. I wish he had not made his speech. But that he had a right to do. If the people of his district feel he should have made the speech and that he should oppose the bill, then he has done his duty and represented his people. I am glad he is representing the views of his people, if that is what he is doing. But I doubt their views have been voiced by the gentleman. I just doubt it.

We have an opportunity here to honor three great former Members of this body—Sam Rayburn, Edith Rogers, and John Rankin—all of whom rendered great service to the veterans of this land. All of them have answered the last call. They are dead.

Do not vote against this bill.

Do not carry prejudice to the depths of the grave.

Mr. HALEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi [Mr. Whitten].

Mr. WHITTEN. Mr. Speaker, I join in and subscribe to the remarks of my colleague from Mississippi, Mr. Abernethy. Never in the history of Congress has there been a better, a more able friend of the veterans that the late John E. Rankin, a real personal friend and fine American. Truly he was an outstanding Member of Congress who contributed greatly in many fields, but to none more than to all American veterans. I cannot believe there is another veteran anywhere who would not wish to pay this honor to John E. Rankin, who ranks with the other two here honored, Hon. Sam Rayburn and Congresswoman Edith Rogers. Truly each had separate views on many issues, but each stood for the right for his or her beliefs.

I feel sure the House today will honor all three distinguished Americans, and none deserves more to have a veterans hospital named for him, than does the late John E. Rankin, of Mississippi.

Mr. HALEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. Roberts].

Mr. ROBERTS of Texas. Mr. Speaker, I rise in support of this bill. I believe there is nothing we could do which would more please the home folks of Sam Rayburn than to name the Bonham Center for Speaker Rayburn.

There is not a person here who has served with Speaker Rayburn who does not realize the devotion he had for the veterans' organizations.

I hope that no person here will vote against this bill.

GENERAL LEAVE TO EXTEND

Mr. HALEY. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have permission to revise and extend their remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BATES. Mr. Speaker, I am pleased to rise in support of H.R. 11461 which would have as one of its purposes the designation of the Veterans' Administration hospital at Bedford, Mass., as the Edith Nourse Rogers Memorial Veterans' Hospital.

Some time ago, together with my distinguished colleague from Massachusetts [Mr. Morse] who has so ably succeeded her in the Congress, I introduced H.R. 10926 to accomplish this end.

There is no need for me, Mr. Speaker, to recall to your mind the words and deeds of Mrs. Rogers whose presence graced this very Chamber for so many years. Through 35 years as a Member of Congress and prior to that time, as the wife of former Congressman John Jacob Rogers, practically all her living moments were dedicated to our veterans and, particularly, their rehabilitation from the ravages of war. Veterans' hospitals were as much her home as the house in which she lived. Never having had any children, she adopted all veterans as her own and they in turn reciprocated.

Many times I have heard her referred to as Edith "Nurse" Rogers. Her real middle name has long been associated with my hometown of Salem, Mass. Nevertheless, I have said of her that this name born of her benevolence is much more descriptive of her than the name of her ancestors.

While the history of her life has been completed, the mark she has made upon mankind will live on. It might well be, that her deeds shall long outlast the recollection of her person and the fruits of her labor will be enjoyed after her name has become more distant. Let us make certain that when the day comes when those who actually knew her have passed away that there is a memorial to her name. Let us remember one who did not forget. Let us name this hospital after her.

Mr. MORSE. Mr. Speaker, the passage of legislation by the House today designating the Bedford Veterans' Administration Hospital as the Edith Nourse Rogers Memorial Hospital is a tribute to a great lady and a measure of the esteem and affection with which she is held by all who knew of her good works.

Mrs. Rogers worked tirelessly to help individuals in their relations with the ever growing, increasingly complex Federal Government. Veterans became her special charge and patients at the Bedford Hospital still recall her frequent visits and her constant interest in the affairs of the hospital.

In large measure this legislation could not have been passed without the splendid cooperation of my distinguished colleague from Massachusetts, William H. Bates. Congressman Bates spared no effort to bring about this honor to the memory of Mrs. Rogers. The gentleman from Massachusetts, Congressman Bates, served here in the House with Mrs. Rogers as did his father before him. He knows at first hand the outstanding service that was given to the Fifth Congressional District by the woman I was honored to succeed in 1961.

On behalf of the fifth district, I would like to express my gratitude to the gentleman from Massachusetts, Congressman Bates, and to the members of the Veterans' Affairs Committee, for making this wonderful tribute possible.

Mr. HALEY. Mr. Speaker, I move the previous question.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Florida that the House suspend the rules and pass the bill H.R. 11461.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PREVENT INJURY TO FISH FROM USE OF PESTICIDES

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4487) to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act of August 1, 1958 (16 U.S.C. 742d–1), is amended by inserting "(a)" immediately after "chemicals that" and by adding at the end thereof the following new subsection:

"(b) On the basis of the studies carried on pursuant to subsection (a) of this section, the Secretary of the Interior shall transmit information to the Secretary of Agriculture as to how, in the use of insecticides, herbicides, fungicides, or other pesticides, injury to fish and wildlife can be prevented or minimized and the Secretary of Agriculture, in consultation with the Secretary of the Interior, shall require that such information or warning pertinent to any insecticide, herbicide, fungicide, or other pesticide shall appear on the label of each package of such insecticide, herbicide, fungicide, or other pesticide, as the case may be, which is required to be labeled under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135–135K)."

SEC. 2. The Act of August 1, 1958 (72 Stat. 479), as amended by the Act of September 16, 1959 (73 Stat. 563), is amended by deleting section 2 and by inserting new sections 2 and 3 as follows:

"SEC. 2. The Secretary of the Interior is authorized—

"(1) to conduct a program of evaluating chemicals proposed for use as insecticides, herbicides, fungicides, or other pesticides for the purposes of determining whether the chemicals are harmful or hazardous to the Nation's fish and wildlife resources;

"(2) to distribute to interested persons and agencies, both public and private, data collected under this Act showing the effects of insecticides, herbicides, fungicides, or other pesticides; and

"(3) to operate and maintain existing facilities, including laboratories, necessary to carry out the purposes of this Act.

"SEC. 3. There is authorized to be appropriated the sum of $3.2 million for fiscal year 1965 and thereafter annually a sum of not exceeding $5 million to carry out the purposes of this Act."

SEC. 3. The amendments made by this Act shall take effect on the one hundred and eightieth day after the date of enactment of this Act.

The SPEAKER pro tempore (Mr. Albert). Is a second demanded?

Mr. HALL. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BONNER. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. Hagen].

Mr. HAGEN of California. Mr. Speaker, this should be noncontroversial legislation. The bill we have before us is offered by the gentleman from Michigan [Mr. Dingell], a Democrat. However, a duplicate bill was introduced by the gentleman from Massachusetts [Mr. Conte], a Republican. It is my recollection that the bill was reported unanimously out of the Committee on Merchant Marine and Fisheries with the unanimous support of both the Democratic and the Republican members. This bill originates in the recent concern about the effects of pesticides, fungicides, and herbicides, and so forth, on fish and wildlife. Heretofore attention to the use of these sometimes deleterious substances have been largely confined to their effects on human beings, on plant life, and so forth. However, with the fish kills which have developed around the country and with the publication of Miss Rachel Carson's book, "The Silent Spring," there has been increasing attention devoted to the effect of these substances on fish and wildlife. So this bill would establish the policy of the Congress that we, too, are concerned with the effect of these substances on fish and wildlife and would authorize an expanded research program to be conducted by the Department of the Interior, which contains the Bureau of Sport Fisheries and Wildlife. This Bureau is the Government agency most concerned with the subject, and it has the know-how to best operate such a program. This bill would clothe them with the funds and the authority which promises elimination of damage to fish and wildlife from unwise use of pesticides, et cetera. In addition to authorizing this research program, the legislation would establish a labeling requirement governing pesticide, et cetera, usage in relation to fish and wildlife. These labeling decisions would actually be made by the Secretary of Agriculture, but the Secretary of the Interior would have a right of prior consultation where he would make available findings developed by this research program. It would establish by law a requirement for labeling with respect to dangerous chemicals.

I understand that this is presently being done under administrative policy, but I see nothing wrong with Congress adopting this policy through legislation.

The only witnesses who appeared on this legislation supported it. There were some letters submitted expressing some opposition, not violent, but opposition of the character that this legislation was not necessary or that it should wait for a while.

I think the problem is here. This would create a reasonable and modest program to deal with it. I believe it should have the support of this body.

Mr. HALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I demanded a second to this bill not because I am interested in a book that anyone has written; and I suppose I would be, as my predecessor, my colleague from California, has said, one of the nonviolent objectors to this bill, except for the expense involved therein; except for the inconsistency therein; except for the importance of this subject and the fact that it is now being investigated by over 22 namable agencies of the Federal Government.

Mr. Speaker, I call to your attention that only last week we had before us a conference report from the Department of Agriculture covering its appropriations, which was discussed in some detail as far as pesticides research was concerned. It also has been the responsibility of the Department of HEW specifically, and I think properly placed in the U.S. Public Health Service. In addition, the labeling thereof is adequately controlled under the Federal Food and Drug Act as passed by this body and which is the law of the land.

In addition, Mr. Speaker, the purpose of the bill is to afford some protection to fish and wildlife from the insecticides, herbicides, fungicides, and other pesticides. This is very vague. It is primarily a fish and wildlife conservation bill and I find no fault with that, having for some 25 years supported the Conservation Federation of Missouri. But as long ago as June 2 of this year when we were discussing the Department of HEW regional research laboratories on hydrology and the seven located in the United States plus the new master research laboratory of the Department of HEW, this question arose at that time and I was queried about my remarks as recorded in the CONGRESSIONAL RECORD at that time by one of the chemical corporations of the country. I was challenged—and later they admitted that I was right—on my questions to the distinguished gentleman from Texas [Mr. ROGERS] on that day.

The testimony of the great chemical corporations before the Senate was made available to me, and considerable correspondence has been carried on with which I shall not burden the CONGRESSIONAL RECORD.

But suffice it to say that the left hand knoweth not what the right hand is doing at this time, when there is so much difference between pollution of air and water, and the question of poisoning by insecticides or pesticides, whether it is under the Department of Agriculture or the Department of Interior.

Mr. HAGEN of California. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman.

Mr. HAGEN of California. Is it not a fact that although they had ample notice of the hearings on this House bill none of the chemical companies appeared in opposition to it?

Mr. HALL. I do not know about that.

Mr. HAGEN of California. That is a fact.

Mr. HALL. I accept the gentleman's statement and I heard him make it on the floor a while ago. I did not know the value of repetition. That is why I classified myself, as the gentleman did, a nonviolent objector to this bill.

Mr. HAGEN of California. It is a fact that none of the chemical companies ever submitted a statement or made an appearance with respect to this bill.

Mr. HALL. I would say to the gentleman from California that I am interested enough in this bill that had I known the hearings were going to be held on this particular bill rather than S. 1251 I certainly would have appeared, would have listened to the hearings, would have made a deposition before the committee, if indeed I had not given direct testimony on this particular matter.

Mr. Speaker, to continue with my line of thought, these chemical companies and certainly the USPHS labs, have finally admitted that there is a question as to whether Endrin was perhaps a cause of the major fish kills and the wildlife kills on the lower Missouri River and the lower Mississippi River. On the other hand, there is adequate research going ahead and I suppose I could summarize what I want to say by pointing out that as in all cases where we need a scientific breakthrough, simply adding more money and assigning more personnel to study the problem is not the answer. The question is, that what we always seek, is an end result.

Finally, Mr. Speaker, I would say that H.R. 4487 which we are considering today to amend the Federal Insecticides, Herbicides, Fungicides, and Pesticides Act if enacted would empower the Secretary of the Department of the Interior to exercise some important areas of research and authority now delegated under existing law to the Secretary of the Department of Agriculture. They are overlapping, duplicating, and quasi-scientific in concept.

Mr. Speaker, this represents another act of inconsistency. If our experience with bureaucratic Government is true it would indeed be that the left hand knoweth not what the right hand doeth.

Mr. Speaker, as one of the physicians in Congress I have been most interested in the Delaney amendment, the cholesterol scare, cranberries, lipstick and strontium-90 fallout, and in the additives situation. Also, we are going to consider another bill with reference to "additives" here today.

Certainly, Mr. Speaker, I am interested in establishing what might be poisoning our fish and wildlife, or what we might get secondarily that would affect the health of the individual. But the companion bill of the Senate, S. 1251, has been approved by the Senate in amended form. The amendment is a result of a letter from the Department of Interior requesting that this be done and directed to the other body, dated April 2, 1964, which states in part:

> The purposes of section 1 of S. 1251, entitled "Cautionary Labeling" are now being carried out administratively through an agreement among the Secretaries of Agriculture, Health, Education, and Welfare, and the Interior. Therefore, we believe that this section can be omitted from the bill. (S. Rept. No. 1053, 88th Cong., 2d sess., p. 2.)

Mr. Speaker, I suppose it was that which the gentleman from California referred to in his initial statement.

It is also being carried out in cooperation with the Secretary of Interior. Therefore, we believe that this section can be omitted from the bill.

Mr. Speaker, this is contained in Senate Report No. 1053, second session, on page 2.

This letter was not referred to the House committee reporting on H.R. 4487 and apparently was not before the committee nor considered by it.

Mr. HAGEN of California. Mr. Speaker, will the gentleman yield?

Mr. HALL. I shall be glad to yield to the gentleman from California in just a minute, but permit me to finish.

Approval of S. 1251 would encourage increased research by the Secretary of Interior, coordination and consultation with the Secretary of Agriculture on the program of pesticides on wildlife. Such research is to be encouraged, but approval of H.R. 4487 in its current form would impose an unreasonable responsibility on the Secretary of Interior which I certainly do not feel is necessary and which would hamper the efficient enforcement of the existing Federal insecticides, fungicides, and rodenticides law.

Therefore, I would strongly recommend to the Members of the House that we put aside this bill now being considered under a suspension of the rules, until such time as it can be further studied and S. 1251 or similar legislation brought back to the House for its consideration.

Mr. HAGEN of California. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from California.

Mr. HAGEN of California. As the gentleman from Missouri said, the Secretary of Agriculture presently, I believe, has a labeling requirement relating to effects on fish and wildlife.

Mr. HALL. So does the Secretary of the Department of Health, Education, and Welfare.

Mr. HAGEN of California. If the gentleman will yield further, to use the gentleman's same argument, why should we leave the continuance of this practice to the discretion of a bureaucrat? If we favor this kind of labeling, why do we not say so?

Mr. HALL. We have said so under the Federal food and drug laws, repeatedly.

Mr. HAGEN of California. There is no requirement imposed upon the Secretary of Agriculture. This has to do with this discretion. I say why let the bureaucrats decide on it?

Mr. HALL. Mr. Speaker, I refuse to yield further on that point, although I would agree with the gentleman that we should not yield any authority back to the bureaucracy downtown which is gargantuan, Frankensteinian, and certainly topheavy.

In summing up, Mr. Speaker, I would like to say that my objection to this is that, No. 1, it is not channeling research into the right area; No. 2, it creates even a greater Tower of Babel that will not fall of its own weight, and No. 3, it duplicates and takes from the normal resources of the Department of Health, Education, and Welfare and the U.S. Public Health Service which is charged with the protection of mankind from such evils as this.

Finally, No. 4, Mr. Speaker, we now have and are spending money on 22 known agencies, probably because of a scare on the basis of a book that was written, in which I am not interested, but public reaction to which we certainly have to take into consideration.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Iowa.

Mr. GROSS. With 22 departments and agencies of our Government already in this field—they are not at all modest, the sponsors of this bill, in asking for $3.2 million in the first year and $5 million thereafter, and I suppose in perpetuity and forever for this purpose.

Neither do I find in the report any indication as to how this money is going to be spent, how many more people are going to be put on the payroll of the Government. This bill is unnecessary and ought to be defeated.

Mr. HALL. The gentleman, the House's "watchdog of the Treasury," has made his usual good point. This has no termination date, or ways or means in it. If you read the bill carefully, the $5 million for the first year is a minimum.

Mr. HAGEN of California. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia [Mr. ABBITT].

Mr. ABBITT. Mr. Speaker, I am somewhat in sympathy with the gentleman who has just spoken. This bill, H.R. 4487, in its present form tends to confuse the issue rather than clarify it.

There is a very informative letter from the Secretary of Agriculture in the report. There is also a very informative letter from the Secretary of Health, Education, and Welfare. I hope the Members will read these letters before voting on this important matter.

The Secretary of Agriculture says:

> The provisions of that part of the proposed amendment dealing with the labeling of products registered under the Federal Insecticide, Fungicide, and Rodenticide Act would appear to create the possibility of a conflict of authority between the Secretary of the Interior and the Secretary of Agriculture in the administration of the act.
>
> Difficult problems in the registration of pesticides involve the Department of Health, Education, and Welfare, as well as the Departments of Interior and Agriculture. In the report of the President's Science Advisory Committee on "Use of Pesticides," recommendation No. 4 states:

This is from the letter of the Secretary of Agriculture:

> "The Secretaries of Agriculture, Interior, and Health, Education, and Welfare review and define their roles in the registration of pesticides that are not present on food, but that may impinge on fish and wildlife or come into intimate contact with the public."

This is from the letter of the Secretary of Agriculture:

> "The Department is in entire agreement with this recommendation and will cooperate fully with the Departments of the Interior, and Health, Education, and Welfare to put it into effect. Accordingly, until this review recommended by the Science Advisory Committee is completed, this Department recommends that no legislative action be taken."

The same recommendation is made in a letter from the Secretary of Health, Education, and Welfare. I quote from the Secretary's letter:

> "We, therefore, recommend that consideration of H.R. 4487 be deferred pending development of the administration's program in this field.
>
> "The Bureau of the Budget advises that while there is no objection to the presentation of this report from the standpoint of the administration's program and it endorses the principles and objectives of this bill, the question of the specific relationship among the Departments of Agriculture, Interior, and Health, Education, and Welfare in this area is under study and recommendations for procedures different from those proposed in the bill may result."

I submit before we go ahead with this legislation, we should understand that it is in direct conflict with the wishes of the Departments of this administration. We should be entitled to a longer time to debate the issue and to go into it fully.

I have several amendments I would like to offer, but under this procedure we are unable to do so. You will notice in the authorization under the present law it is $2.5 million. The bill raises it to $3.2 for this year 1965, and from there on out it is $5 million.

These matters involve conflict between the different agencies of Government and they should be gone into fully. We should proceed very carefully and very cautiously. Wtihout saying what we might do in the future, I hope on this particular issue today we will not suspend the rules, and will vote down the bill.

Mr. BONNER. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I discussed this matter with the gentleman from Virginia prior to bringing this bill to the floor of the House. This is the second or third time the Committee on Merchant Marine and Fisheries has voted out a bill of this type dealing with insecticides and other agents of that nature that are damaging to fishlife and other shellfish in our rivers, bays, and estuaries up and down the coasts of America.

This bill does not affect the Department of Agriculture in any way whatsoever. As I informed the gentleman this morning, the Secretary of Agriculture sent his representative to my office. I had the committee staff in my office and we went over the bill and its effect. He said, "I am satisfied with the bill," and phoned the Secretary of Agriculture, and came back to us and said, "It's all right. We will clear it."

If the Congress would fail after what has happened from time to time because of poisonous fish, and the Food and Drug Administration having to go to the shelves and take them off the shelves because of the poison they got from insecticides, and the people eating fish bought in the fish markets, if you are not concerned with it, do not pass this bill, because it is about the third time we have had a bill out here that touches on this subject.

All in the world this bill does is allow the Department of the Interior to analyze these insecticides, herbicides, and so forth, and inform the Secretary of Agriculture as to the harmful effects these chemicals would have on fish and wildlife.

In Chesapeake Bay, in Mr. ABBITT's State of Virginia, and in Maryland in the James River, you have ruined the oysterbeds. There is quite an article in this week's Time magazine about this. You have also had kills of fish out in the Mississippi River.

I know what you are going to say; you might say it might be due to sewage disposals or industrial disposals. It has not been determined what actually is causing the fish kills. But this is an agency in the Department of the Interior that is specifically set up for the purpose of determining the injury that may come from these chemicals to fish and wildlife. These studies are going on in other places. But the Department of the Interior is not set up in this bill to say, "You have to brand this product or take it off the market." They merely report to the Secretary of Agriculture what they find. They then can brand it or do what they see fit to do with it.

This is one step to correct a difficulty that is going on in this area of fish and wildlife. I realize that you have to have these insecticides, but if you are going to dump them into the streams of this country, you are going to injure not only the fish and wildlife but the health of men and women in cities, throughout the countryside, and everywhere else. So it is not for the purpose of taking anything from the Department of Agriculture because I can tell you that they cleared this bill this morning in my office.

The SPEAKER. The time of the gentleman has expired.

Mr. HALL. Mr. Speaker, I yield 3 minutes to the gentleman from Washington [Mr. TOLLEFSON].

Mr. TOLLEFSON. Mr. Speaker, as the chairman of our committee has indicated, a proposal of this general type has been before the last three Congresses. In each instance there was opposition to the proposal from the members of the Committee on Agriculture and from the Subcommittee on Appropriations for the Department of Agriculture and from the Department of Agriculture itself. I could understand their opposition to the previous proposals. They felt there would be a duplication of effort, and that if the Department of the Interior was authorized to do the thing that is authorized to do here, then there might be some confusion resulting. However, the members of our committee and the fish and wildlife people in the Department of the Interior have come to the conclusion over a period of several years that there is no agency of Government amongst the 22 agencies that have been mentioned—and I did not know that there were that many—as I say, they have come to the conclusion that there is no department or agency of Government that looks into the effects of insecticides and pesticides on fish and wildlife as we would like and as the fish and wildlife people would like to see done.

Now the chairman of the committee has indicated the bill has been cleared with the Department of Agriculture and the Department is satisfied. If you will look at the report, you will note that the letter from the Department of Agriculture and from the Department of Health, Education, and Welfare was dated June 1963, and in both cases the letters revealed the then position of the Department of Agriculture and the Department of HEW. But in the meantime amendments have been offered to the bill, as the gentleman said, and as of this morning the bill was cleared. The bill imposes no additional duties on the Department of Agriculture as I see it, and the bill simply makes it possible for the Department of the Interior now to investigate the effects of pesticides on fish and wildlife. There is no other agency of Government that is interested in that subject as is that Department.

I trust the House will approve the bill and I hope the members of the Committee on Agriculture and of the Subcommittee on Appropriations for the Department of Agriculture will take the word of our chairman that this is now satisfactory to the Department of Agriculture.

Mr. Speaker, I yield back the balance of my time.

Mr. HALL. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Speaker, the Congress in recent weeks provided $25½ million for additional funds to study new and different ways to meet the problem of pests, insects, and diseases. This is not a new work. The Department has had millions of dollars heretofore and is doing everything it can in an effort to come up with biological and sterilization methods and various other means which with pesticides may help us to meet this problem of insects and pests which does more than $13 billion damage each year.

Now here is the problem you have here: After studying this bill, I hope we will turn it down and let us go along with the Senate bill which provides for further study of this problem, where all agree that we must provide for the public health, protect fish and wildlife and provide the essential tools of agriculture, so our people will have time and money to fish and hunt. The bill before us says that the Department of the Interior shall make these determinations and send them to the Department of Agriculture. I believe that this course is being followed now. I believe it to be far better that this be done through cooperation, by agreement, rather than by specific grants of authority to the various departments.

Further, I have been greatly disturbed at news releases which have been misleading and destructive of business. You will remember we had to appropriate $10 million a few years ago to help the cranberry industry which had been destroyed needlessly because somebody went to the press.

I have now on my desk a request for $8.8 million to pay dairy operators in and around the District of Columbia for milk recently destroyed, where there is no evidence whatsoever that the public health was endangered. The milk was condemned by the local health department, based on more finite tests by the Food and Drug Administration. Again there is no claim that public health was endangered. This and other cases make me believe we must work out some method whereby tolerance is set, geared to a particular test or standard. Unless that is done we may have to pay out untold millions of dollars needlessly, and our supply of food jeopardized.

I want to say now, we must protect the wildlife and fish. I believe we need the full cooperation of the Departments of the Interior, Health, Education and Welfare, and of Agriculture. With regard to the Mississippi River fish kill, I have read the record of the hearings, and there is no evidence that chemicals had anything to do with the deaths, though there was evidence of some chemical content in the fat. They did find in each fish examined, two unidentified elements, which were called X and Y.

Not only that but we were advised by telephone that with reference to the Missouri fish kill, there was so much sewage flowing into the river that the fish very likely died because of lack of oxygen.

The dead fish in the Mississippi River occurred just below a city that dumps 17 million gallons of sewage into the river every day.

The deaths occurred 500 miles from where it was said there was some manufacturer who might have permitted chemical wastes to get into the river. Not only that, but these were practically all salt water fish in the Mississippi River, where the content of the water is at least "complex" as one witness described it.

We wish to protect the public health. We wish to do everything possible in that regard. We want to protect fish and wildlife.

But I do not want you to make the American people go hungry because we started giving specific authorities to various departments, where, with time each could veto, in effect, necessary action by the other.

Let us give the new working agreement a chance to work. I believe the various Secretaries can and will work together.

Mr. HAGEN of California. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from California.

Mr. HAGEN of California. If I heard the gentleman's remarks correctly, he said he approved of the Senate version of this bill?

Mr. WHITTEN. As I understand it, it would provide for a study, and after the study some determination will be made.

Mr. HAGEN of California. I point out to the gentleman that the Senate version of the bill will cost exactly the same amount as the House version.

Mr. WHITTEN. The point I am making is that if we give this department specific authority and that department specific authority and this other department specific authority, the first thing we know we will not have the necessary agricultural tools which enables 8 percent of our people on the farm to provide for the 92 percent in town. Should chemicals and pesticides be taken away from agriculture, probably 50 percent of our people would have to return to the farm.

Again I want the departments to work together.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the distinguished gentleman from North Carolina.

Mr. BONNER. I should like to call to the attention of the gentleman and to the attention of the House the fact that the Department of the Interior has this authority now under section 2 of Public Law 85-582 in the amount of $2,565,000. They merely make the study, as it is now, and have no authority further than that.

This bill would increase the amount authorized to make the study and would direct them to report this to the Department of Agriculture. That is the difference.

Mr. WHITTEN. Which in turn could give them control. Public opinion could result in withdrawing essential materials, though not dangerous to the public health.

Mr. BONNER. Really, that is the difference.

Mr. HALL. Mr. Speaker, may I inquire whether the gentleman from North Carolina has other speakers to whom he wishes to yield at this time?

Mr. BONNER. Mr. Speaker, I yield 1 minute to the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Speaker, it is pretty hard to express yourself in 1 minute.

I concur with what the gentleman from Mississippi has said. I believe, as a matter of practical politics, we might as well accept this situation we are in now. I believe there is evidence that it will not be possible to get a two-thirds vote to pass the House bill, and there is agreement among most everyone who has some question about the House bill as to acceptance of the Senate version of the bill.

I believe that if you want to use some good judgment around here, we can have some agreement from the chairman of the committee that we can accept the Senate bill, after action is taken on this bill, and then we can get somewhere. The Senate proposal at least will provide for some progress, without the fear that some of us have about what is in the House bill.

That is all I have to say, as a matter of practicality.

Mr. BONNER. Mr. Speaker, I yield the gentleman an additional minute. I should like to ask a question.

Does the gentleman realize that all the Senate version of the bill would do is to increase the appropriation for the investigation, for which the Department of the Interior already has authority? They are not doing anything at all.

Mr. JONES of Missouri. The point is that we need more investigation.

Despite what the chairman has said about clearing this with the Department of Agriculture this morning, the letter from the Secretary says that the Department recommends that no legislative action be taken at this time. The only legislative action we should take would be to adopt the Senate version of the bill.

Mr. BONNER. I tell the gentleman of the understanding I had this morning with the office of the Secretary of Agriculture, which was after the letter was printed. They said that at the time they did not understand the bill. That is practically what was said in my office this morning.

We would not be doing anything by accepting the bill to damage anyone.

Go ahead and defeat the bill, if you want to defeat it. If you want no progress in this area, defeat the bill.

Mr. JONES of Missouri. We will get progress, if we adopt the Senate version of the bill.

What I fear is the provision which would give to the Secretary of the Interior the authority to distribute the information to all interested persons and agencies, both public and private, as to data collected under the act, showing the effects and so forth. That might bring about the very thing the gentleman from Mississippi spoke about—all this "scare stuff" which costs the Government money.

Mr. BONNER. There is now in my area the Roanoke River which goes into Pamlico Sound. One chemical company turned loose enough chemicals to kill all the fish that had been produced there for 2 years.

Mr. HALL. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. FUQUA].

Mr. FUQUA. Mr. Speaker, I want to thank the gentleman from Missouri [Mr. HALL] for yielding this time to me and also to say I do not think anyone who opposes this bill in its present form is necessarily supporting the efforts to further poison fish or wildlife. We all hope that something can be done to accomplish some good in this field. I think it is being accomplished administratively. I hate to see this Congress today confuse this issue more by passing this statute when we are already doing this administratively.

On page 1 of the bill—and it is rather confusing to me—it says:

> The Secretary of the Interior shall transmit information to the Secretary of Agriculture as to how, in the use of insecticides, herbicides, fungicides, or other pesticides, injury to fish and wildlife can be prevented or minimized and the Secretary of Agriculture, in consultation with the Secretary of the Interior, shall require that such information or warning pertinent to any insecticide, herbicide, fungicide, or other pesticide shall appear on the label, etc.

It seems to me that is very confusing as to which one has the final authority in this. We have two Cabinet officials, both highly respected individuals, with large departments. One of these departments has been doing extensive research in this field, I am speaking of the Department of Agriculture. We are really confusing the issue, I think, by passing a statute making law something which is already being done and with more flexibility through administrative regulations.

I had a telegram this morning from the commissioner of agriculture of the State of Florida who felt that he has done tremendous work in the field of trying to make insecticides safe and to prevent the scare that we have had and the killing of fish and wildlife. He says that we should proceed with caution and not tie our hands by the fact that we will be doing something that we will regret later on.

The SPEAKER. The time of the gentleman has expired.

Mr. HALL. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Speaker, I, too, am confused as to what department will make the final decision if there is a dispute between departments. I would like to call on my friend, the gentleman from Virginia [Mr. ABBITT], to respond.

Mr. ABBITT. I think undoubtedly the bill is not clear on this. From a casual glance at the language, it would appear that the Secretary of Agriculture must put on whatever he is directed to, by the Secretary of the Interior, but it is almost impossible to say which one is predominant. If you look at the letter from the Secretary of Agriculture on page 8 of the report, in the third paragraph from the bottom, it says:

> The provisions of that part of the proposed amendment dealing with the labeling of products registered under the Federal Insecticide, Fungicide, and Rodenticide Act would appear to create the possibility of a conflict of authority between the Secretary of the Interior and the Secretary of Agriculture in the administration of the act.

Certainly, if the Secretary feels that way, the language must not be clear and it certainly would not be proper for us to pass this bill in its present form.

The SPEAKER. The time of the gentleman from Missouri [Mr. HALL] has expired.

Mr. BONNER. Mr. Speaker, I yield the remaining time to the gentleman from California [Mr. HAGEN].

Mr. HAGEN of California. Mr. Speaker, in answer to the last inquiry propounded, the ultimate authority with respect to labeling still lies with the Secretary of Agriculture, but he can only accomplish it after consultation with the Secretary of the Interior with respect to possible toxic effects on fish and wildlife.

When the late great President Kennedy was still alive he created a blue ribbon panel to make recommendations on this subject. Here is their recommendation in a report dated May 15, 1963.

> The panel recommends expanded research and evaluation by the Department of the Interior of the toxic effects of pesticides on wild vertebrates and invertebrates.

This is the recommendation of this blue ribbon committee of scientists. That is essentially what this bill does. It provides this kind of program, not a greatly expanded program, but a program sufficiently expanded to deal with some of these situations that have arisen. If you develop information and evaluate it you certainly want to make it operative. So we have provided that the Secretary of the Interior shall communicate his findings to the Secretary of Agriculture, and in fact, that the Secretary of Agriculture shall consult with him with respect to the effect of pesticides, fungicides, et cetera, on fish and wildlife.

Now, fish and wildlife are a peculiar responsibility of the Department of the Interior. The Department of Agriculture has a responsibility to the extent of residues and the effect on humans, and so forth, and the effect on animal feeds. But we are placing the responsibility for the effects on fish and wildlife with the agency which is concerned with fish and wildlife, and there is no duplication that occurs whatsoever.

Mr. HALL. Mr. Speaker, will the gentleman yield at that point?

Mr. HAGEN of California. I yield.

Mr. HALL. Mr. Speaker, I think the gentleman would agree that the effect on human consumption as far as canned goods are concerned and as far as the consumption of food and fiber stuffs from animal carcasses are concerned, that is also a proper consideration for the U.S. Public Health Service. Indeed this Congress has repeatedly put this function with them. We have endowed the National Institutes of Health copiously. They go into this regularly. They are in charge of the quarantining of all imported beef articles from overseas under the impact of the beef imports and otherwise and they even have photographic processes, if one wants to know what the U.S. Public Health Service is doing in the matter of quarantine.

I say to the gentleman that an additional amount of $5 million per year as a political boondoggle is a poor answer as a sign of progress. I urge that this bill be voted down.

Mr. HAGEN of California. Mr. Speaker, my answer to the gentleman's question is this: I understand the gentleman's concern with economy. Some of the gentlemen who have spoken do not object on the ground of economy, because the Senate bill provides the same amount of money and they approve of the Senate bill.

There is a conflict of authority presently between the Food and Drug Administration and the Department of Agriculture, but this does not add to that confusion. This allocation of authority which goes to the Fish and Wildlife Service is in relation of pesticides to wildlife and is with the agency which now is most concerned with the viability of our fish and wildlife. We do not add any confusion whatsoever. If there is a present confusion between Food and Drug and Department of Agriculture, that has nothing to do with this bill.

The SPEAKER. All time has expired.

Mr. BONNER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill (H.R. 4487) with amendments?

The question was taken; and on a division (demanded by Mr. HALL) there were—ayes 30, noes 29.

Mr. HAGEN of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 235, nays 111, not voting 84, as follows:

[Roll No. 248]

YEAS—235

Addabbo
Albert
Ashley
Ashmore
Aspinall
Baldwin
Barrett
Barry
Bates
Battin
Becker
Beckworth
Bennett, Fla.
Blatnik
Boggs
Boland
Bolling
Bonner
Brademas
Brock
Bromwell
Brooks
Broomfield
Brown, Calif.
Broyhill, Va.
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cahill
Cameron
Casey
Celler
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Cooley
Corbett
Corman
Curtin
Daddario
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Denton
Derounian
Dorn
Dowdy
Duncan
Dwyer
Edmondson
Edwards
Elliott
Ellsworth
Fallon
Farbstein
Fascell
Feighan
Fino
Fisher
Flood
Fogarty
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Grabowski
Green, Oreg.
Green, Pa.
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Halpern
Hanna
Harding
Harrison
Harsha
Hawkins
Hechler
Holifield
Horton
Hosmer
Ichord
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Johnson, Wis.
Jonas
Karsten
Karth
Kastenmeier
Keith
King, Calif.
Kirwan
Knox
Kunkel
Laird
Latta
Leggett
Lennon
Libonati
Lindsay
Long, La.
Long, Md.
McClory
McCulloch
McDade
McDowell
McFall
Macdonald
Madden
Mailliard
Mathias
Minish
Minshall
Monagan
Moore
Morgan
Morrison
Morse
Morton
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Nelsen
Nix
Norblad
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pickle
Pillion
Pirnie
Powell
Price
Pucinski
Quie
Randall
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Rivers, Alaska
Roberts, Ala.
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
Ryan, N.Y.
St. Onge
Saylor
Schweiker
Secrest
Shriver
Sibal
Sickles
Skubitz
Slack
Smith, Iowa
Snyder
Stafford
Staggers
Steed
Stinson
Sullivan
Taft
Talcott
Taylor
Thomas
Thompson, La.
Thompson, Tex.
Thomson, Wis.
Tollefson
Trimble
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Van Pelt
Vinson
Watts
Weaver
Weltner
White
Whitener
Wickersham
Widnall
Willis
Wilson, Bob
Wright
Wydler
Wyman
Young
Zablocki

NAYS—111

Abbitt
Abele
Abernethy
Adair
Andrews, N. Dak.
Arends
Ayres
Baker
Beermann
Belcher
Berry
Betts
Bolton, Frances P.
Bow
Bray
Brotzman
Brown, Ohio
Broyhill, N.C.
Bruce
Cederberg
Chamberlain
Chelf
Chenoweth
Conte
Cunningham
Curtis
Dague
Derwinski
Devine
Dole
Downing
Dulski
Everett
Findley
Foreman
Fuqua
Gary
Gathings
Griffin
Gross
Haley
Hall
Halleck
Hardy
Harris
Harvey, Ind.
Henderson
Herlong
Hoeven
Horan
Hull
Hutchinson
Jennings
Jensen
Jones, Mo.
Kilburn
Kilgore
King, N.Y.
Kornegay
Kyl
Langen
Lipscomb
McLoskey
McMillan
MacGregor
Mahon
Marsh
Martin, Nebr.
Matthews
May
Michel
Milliken
Mills
Murray
Natcher
Ostertag
Poage
Poff
Pool
Purcell
Quillen
Reid, Ill.
Reifel
Rich
Rivers, S.C.
Roberts, Tex.
Rooney, N.Y.
Rooney, Pa.
St. George
Schadeberg
Schenck
Schneebeli
Schwengel
Selden
Senner
Short
Siler
Smith, Calif.
Smith, Va.
Springer
Stubblefield
Teague, Calif.
Tuck
Waggonner
Watson
Westland
Whalley
Wharton
Whitten
Wilson, Ind.
Younger

NOT VOTING—84

Alger
Anderson
Andrews, Ala.
Ashbrook
Auchincloss
Avery
Baring
Bass
Bell
Bolton, Oliver P.
Buckley
Burkhalter
Carey
Colmer
Cramer
Davis, Tenn.
Diggs
Dingell
Donohue
Evins
Finnegan
Flynt
Ford
Forrester
Fraser
Gill
Glenn
Grant
Gray
Griffiths
Hansen
Harvey, Mich.
Hays
Healey
Hébert
Hoffman
Holland
Huddleston
Johansen
Jones, Ala.
Kee
Kelly
Keogh
Kluczynski
Landrum
Lankford
Lesinski
Lloyd
McIntire
Martin, Calif.
Martin, Mass.
Matsunaga
Meader
Miller, Calif.
Miller, N.Y.
Montoya
Moorhead
Morris
Mosher
Nedzi
Philbin
Pike
Pilcher
Rains
Reid, N.Y.
Robison
Ryan, Mich.
St Germain
Scott
Sheppard
Shipley
Sikes
Sisk
Staebler
Stephens
Stratton
Teague, Tex.
Thompson, N.J.
Toll
Utt
Wallhauser
Williams
Wilson, Charles H.
Winstead

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Scott with Mr. Staebler.
Mr. Finnegan with Mr. Winstead.
Mr. Morris with Mr. Williams.
Mr. Bass with Mr. Davis of Tennessee.
Mr. Keogh with Mr. Reid of New York.
Mr. Hébert with Mr. Auchincloss.
Mr. Toll with Mr. Martin of California.
Mr. Philbin with Mr. Johansen.
Mr. Donohue with Mr. Bell.
Mr. Matsunaga with Mr. Cramer.
Mr. Teague of Texas with Mr. Alger.
Mr. Evins with Mr. Martin of Massachusetts.
Mr. Thompson of New Jersey with Mr. Harvey of Michigan.
Mr. Shipley with Mr. Anderson.
Mr. Sikes with Mr. Robison.
Mr. Charles H. Wilson with Mr. Ford.
Mr. Gill with Mr. Oliver P. Bolton.
Mrs. Griffiths with Mr. Mosher.
Mr. Sisk with Mr. Utt.
Mr. Flynt with Mr. Ashbrook.
Mr. Gray with Mr. Meader.
Mrs. Hansen with Mr. McIntire.
Mr. Fraser with Mr. Wallhauser.
Mr. Pilcher with Mr. Hoffman.
Mr. Rains with Mr. Avery.
Mr. Miller of California with Mr. Buckley.
Mr. Kluczynski with Mr. Carey.
Mr. Andrews of Alabama with Mr. Stratton.
Mr. Grant with Mr. Healey.
Mr. Hays with Mr. Pike.
Mr. Forrester with Mr. Dingell.
Mr. Colmer with Mr. Nedzi.
Mr. Sheppard with Mr. Lesinski.
Mr. Landrum with Mrs. Kelly.
Mr. Jones of Alabama with Mrs. Kee.
Mr. Diggs with Mr. Lankford.
Mr. Stephens with Mr. Ryan of Michigan.
Mr. St Germain with Mr. Holland.
Mr. Huddleston with Mr. Moorhead.
Mr. Montoya with Mr. Baring.

Messrs. MAHON and ROONEY of New York changed their votes from "yea" to "nay."

Messrs. DANIELS, GUBSER, BROYHILL of Virginia, KEITH, and JOELSON changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PESTICIDE RESEARCH

Mr. HAGEN of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1251) to amend the act of August 1, 1958, as amended, to increase the authorization for pesticide research by the Secretary of the Interior.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California.

Mr. ABBITT. Mr. Speaker, I object.

EXPANSION OF FEDERAL CROP INSURANCE COVERAGE

Mr. POAGE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 277) to amend the Federal Crop Insurance Act, as amended, in order to increase the number of new counties in which crop insurance may be offered each year.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth sentence of section 508(a) of the Federal Crop Insurance Act, as amended (7 U.S.C. 1508(a)), is amended by striking out "in not to exceed one hundred counties", and inserting in lieu thereof "in not to exceed one hundred and fifty counties".

The SPEAKER. Is a second demanded?

Mr. HOEVEN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. POAGE. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill is so simple that I am afraid some of the Members may decide that there is some hidden motive behind it. The bill makes only one change in existing law, and that is to change one figure from 100 to 150. The present law in regard to crop insurance provides that not more than 100 counties may be added each year to the list of counties in which crop insurance is sold. This bill would change that to 150 counties per year.

The reason for doing that is that the crop insurance program which has now been functioning rather soundly since 1948 is expanding and there are demands for crop insurance in additional counties—more than the 100 each year. It is felt that if we can safely expand it at a more rapid rate we can hope to reduce the cost and we can hope to put the program on a sounder basis.

To review for just a moment, we all recognize that insurance is a sound proposition only to the extent that you can spread the risk and that basically is all you do with insurance. When you have insurance over a larger area with more people involved you have a better program than when it is confined to a small area and a small number who are insured. On the other hand, we have long recognized that we should not move too rapidly. So for some 15 years we have been moving along rather slowly.

This proposed change will not accelerate the pace very much, but it will enable us to provide insurance to a great many counties where there is a demand for it and where we probably will be able to serve both the farmers and provide a sounder and less expensive program for the country as a whole.

Mr. Speaker, the committee believes that it is a sound program and that it is one which should be enlarged.

Mr. Speaker, this crop insurance program is not the issue. It is an established program, but I feel that the House should understand that crop insurance program now takes in more money in premiums each year than it pays out in losses.

The premiums since 1948 through 1962 have exceeded the indemnities by $13.7 million.

Mr. Speaker, I do not wish for anyone to understand that there has not been some cost to the Government as a result of the program. The Government pays the administrative expenses through the operations of the Department of Agriculture.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. POAGE. Yes, certainly.

Mr. COOLEY. The surplus or the profit now is more than sufficient to pay the administrative costs in the entire lifetime of the program as I understand it in my State of North Carolina.

Mr. POAGE. Doubtless that is correct for the gentleman's State, but I do not understand that to be true for the Nation as a whole. I wish it were.

Mr. COOLEY. If the gentleman will yield further, the administrative cost is an expensive item.

Mr. POAGE. I do not mean to disagree with the gentleman, but I feel that the membership should clearly understand that North Carolina has an especially good record. It is my understanding that the administrative cost over the entire country amounts to about $5 million a year. That represents a profit of about $1 million a year over the last 13 years.

Mr. COOLEY. I shall check that figure. However, I have seen just recently information to the effect that it was more than sufficient to pay the administrative costs in my State.

Mr. POAGE. I think it is clear that the gentleman is clearly right, that we are fast approaching the time when the premiums will pay all of the administrative costs. It is believed if we can widen this spread enough and do enough business, we can pay all of the administrative costs from the premiums. However, up until the present time I feel that we have to recognize the fact that we have not quite done this.

Mr. COOLEY. Mr. Speaker, if the gentleman will yield further, the very purpose of this amendment is to increase participation in the program?

Mr. POAGE. That is right, which is certainly the very thing that every private insurance company tries to do, increase their coverage, because through increasing thier coverage they decrease their costs. It is just that simple, I will say to the Members of the House.

Mr. Speaker, I feel that we have a good, sound business proposition here.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. POAGE. Mr. Speaker, I yield myself 1 additional minute.

Mr. PIRNIE. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from New York.

Mr. PIRNIE. Will the gentleman please inform the House as to the pending applications from counties which desire to have crop insurance?

Mr. POAGE. I do not know that I can tell the gentleman exactly how many counties desire to have it. There were last year 1,066 counties that did have it.

The reason we cannot say exactly how many are asking for it is because there is no official way to ask for it in any county except the counties that do have it. All you can do is talk if you want insurance in one of these counties which has no program. So, there is never any application that gets in from a county that does not have it.

Mr. PIRNIE. If the gentleman will yield further, it is the position of the gentleman from Texas that a limitation will prevent a desire for participation in this insurance program?

Mr. POAGE. Unquestionably it has and unquestionably it will in the future, unless we increase this from 100 to 150 a year.

Mr. PIRNIE. I thank the gentleman.

A TRIBUTE TO JULIAN E. MANN—HE MADE CROP INSURANCE WORK FOR NORTH CAROLINA FARMERS

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. COOLEY. Mr. Speaker, the House today, by an overwhelming vote, finally passed and sent to the White House for the President's signature a bill greatly expanding the Federal crop insurance program. This legislation increases from 100 to 150 the number of new counties which may be brought into the program each year. The program now is operating in 1,187 counties.

I think this action of the House—I did not hear a single negative vote—is a tribute to those dedicated people, like Julian E. Mann, of North Carolina, who have made crop insurance work for the benefit of the farmers of America in their constant struggle against the hazards of nature.

It is a matter of great pride to me that I served as chairman of the subcommittee which prepared the first bill authorizing the crop insurance program many years ago.

The program had its difficulties in its formative years, for it explored areas where private insurance coverage hitherto had not been successful; but men like Julian E. Mann now have established this special service to agriculture on a sound and solid footing. The Crop Insurance Corporation showed an 83-percent increase in the protection for farmers in 1963 as compared with 1961. The operation now is showing a profit. The idea of crop insurance is accepted not only by farmers but by the public generally.

Mr. Speaker, the success story of crop insurance, and how one man—Julian E. Mann—has contributed to this achievement, is nowhere set forth so clearly as in a recent article by Bill Humphries, farm editor of the Raleigh, N.C., News & Observer.

I think that the Members of this body who today have voted so overwhelmingly for expansion of the crop insurance program will be interested in this success story. Therefore, with the permission of the House, I am inserting this News & Observer article at this point in the RECORD.

The article follows:

J. E. MANN: DIRECTOR, CROP INSURANCE PROGRAM

(By Bill Humphries)

In addition to its other agricultural firsts, North Carolina leads the Nation in the amount of financial protection provided its farmers under the Federal crop insurance program.

Last year, 37,490 farmers in 60 Tar Heel counties were provided protection totaling almost $69½ million. No other State even came close to that record.

State director of this highly successful program is 59-year-old Julian E. Mann of Raleigh, who has held the post since the State office was established in 1945.

To those who might be tempted to think of Federal crop insurance as "just another Government subsidy program for farmers," Mann has a quick reply.

NO SUBSIDY

First, he points out, other than administrative costs there is no subsidy involved. Insured farmers pay premiums just as they would for insurance with a private firm. In North Carolina, during the 19-year period from 1945 through 1963, premiums collected totaled $15,139,639, while indemnity payments to farmers for crop losses amounted to $8,840,508.

The surplus on hand at the end of 1963 was $6,299,130, enough to pay the administrative costs of the program from its beginning to the present time.

There have been, in fact, only 3 years in which indemnity payments exceeded premium income. They were 1950, when the cotton crop in the Cleveland-Rutherford-Polk area was hit by excessive rains and by rampaging boll weevils; 1953, when drought took a $2 million bite out of the tobacco crop in several northern Piedmont counties; and 1962, when extremely heavy rains dealt a severe blow to tobacco and other crops in Beaufort and other eastern counties.

WHAT'S OFFERED

Federal crop insurance offers the grower protection against natural disasters over which he has no control. Nationally, indemnities have been paid for more than 20 different types of losses. Drought has accounted for 39 percent of claims paid out; excessive moisture, 14 percent; insects, 11 percent; hail, 10 percent; frost or freeze, 10 percent.

Protection is limited by law to the amount of the farmer's investment in his crop, including labor and other production costs, or to the value of three-fourths of his average yield, whichever is less.

Federal insurance on crops does not compete with any type of protection offered by commercial companies, Mann says.

"We recommend that all our insureds take hail, or hail with wind, insurance on their growing crops, and on other risks after crops are harvested, through their local insurance agent. We believe that most of our tobacco insureds take such other insurance. By doing so, they diversify their insurance program in the same way that they diversify their farm operations."

PROTECTION ON TOBACCO

Over 90 percent of the protection in North Carolina is on tobacco, with insurance on this crop available in 56 counties. Cotton insurance is offered in 27 counties, peanuts in 8, peaches in 6, soybeans in 4, and corn in 2.

"Protection on one or more crops is available this year in 63 counties," Mann says. "Even though the program is extensive, our staff includes only 36 full-time people and about 100 part-time employees, including clerks in our 46 county offices."

Cost of Federal crop insurance varies by counties according to the amount of claims paid out. A farmer in a county with a low record of losses pays a relatively small premium. Also, discounts are offered to individuals with low loss records.

To protect the investment in his tobacco crop, a typical Tar Heel farmer pays from $20 to almost $30 per acre for Federal insurance. But in Wilson County, which has had very few losses on tobacco since 1945, many growers pay only $6 to $7 an acre. Wilson has the lowest rate of any U.S. county offering tobacco insurance.

EXPERIMENTAL PROGRAM

All-risk Federal crop insurance, now in its 26th year, began as an experimental program and is still operated on that basis.

Wise old Benjamin Franklin advocated crop insurance as early as 1788, but it was not until well over a century later, in 1899, that a private firm in Minnesota tried the idea. The experiment ended in failure, as did several similar ones about the time of World War I and later.

The destructive potential of Mother Nature is very great. Drought, excessive rain, diseases, insects, heat, freeze, and similar disasters can ravage a wide area in a single year. The forces of disaster seem to lurk just offstage every year.

High production costs put a higher price tag on crop failure today than in the 1930's when Federal crop insurance was started. The capital required in modern farming, and the narrow profit margins involved, mean that many farmers cannot survive even one severe crop catastrophe unless they have insurance.

The high risks involved in crop insurance have dimmed the profit lure for private firms. Today there is no private company which offers the farmer crop insurance against all natural hazards. This is true even though the Federal Crop Insurance Corporation offers reinsurance within certain limits to any firm wishing to begin such a program.

Realizing the inherent risks in crop insurance, the U.S. Congress has purposely limited the scope of the Federal program. At first it was offered in only a few counties, and expansion from year to year has been on a very gradual basis.

Distress caused by crop losses affects the entire community. Indemnity dollars paid out under the Federal program have saved many businessmen as well as farmers.

The president of a Henderson farm supply business wrote Director Mann in 1958:

"If the weather was unfavorable or disease took its toll then the farmer was in bad shape through no fault of his own and many times we had to carry over balances for several years before he could pay out.

"Federal crop insurance has changed that situation a lot. The farmer can now make his arrangements much easier and the bankers and the credit merchants can feel assured that they will get their money if they do not extend credit above the amount of the crop insurance. We also might mention that this insurance creates a much better feeling between the farmer and the people he owes and he can go about his business of farming with confidence."

NECESSARY FOR LOAN

Today, says Mann, banks and other private credit organizations, and some public agencies like production credit associations, "almost make it a requirement that a farmer have all-risk Federal crop insurance before he can obtain a loan."

He also observes that over 90 percent of the people in eastern North Carolina "are borrowing or lending, or both—in other words, credit is involved."

Most indemnity payments are relatively small. In 1962, however, one man in Beaufort County received over $50,000 for tobacco losses. Many claims checks have been written in the $10,000 range.

Julian Edward Mann was born February 26, 1905, "in the middle of the State penitentiary" in Raleigh. That was while his father, Julian S. Mann, was head of the State prison system under Governor William B. Aycock. The elder Julian, a classmate of Josephus Daniels at Chapel Hill, served as prison director for 12 years. Earlier he had represented Hyde County in the State house of representatives. He died in 1946.

Director Mann's mother, who died in 1947, was Emma Bonner Mann, also from Hyde County. Julian Edward was next to the youngest among three daughters and two sons. Misses Edith and Edna Mann, twins, live in Raleigh. So does brother Edward Bonner Mann, who is in the fertilizer business here. The third sister, Mrs. Harvey B. Mann, lives in Hyde County.

RALEIGH BOYHOOD

Young Julian spent part of his boyhood in Raleigh and part on the family's general farm in Hyde. He attended the old Wiley School in Raleigh through the sixth grade, went to Lake Landing High School in Hyde for 2 years, and then entered Augusta Military Academy in Virginia, where he graduated in 1922.

Hyde was so isolated in those days that the military academy allotted Mann just as much travel time for Christmas holidays as students from California received. He made the trip partly by train, partly by boat.

Mann attended the University of North Carolina at Chapel Hill, where he received a B.S. degree in commerce (now business administration) in 1926. He majored in risk and risk-bearing—the fundamentals of insurance.

When he went to Chapel Hill, his father told him: "When you stop taking Latin I will stop sending checks." So Julian took all the Latin he could get. At UNC, he was a member of KA and AKP fraternities.

Mann worked with Jefferson Standard Life Insurance Co., at Greensboro for about a year and then returned to Hyde to teach at Engelhard High School. Later he attended North Carolina State in Raleigh and earned a master's degree in agricultural economics, working under Dr. Joseph Knapp, who helped organize the Farmers Cooperative Exchange. Mann wrote his thesis on the North Carolina Cotton Growers Cooperative Association.

MARRIED IN 1934

During the depression years he worked with the North Carolina Tax Commission. About this time he met Carrie Mae Griffin, of Concord, who had attended Woman's College at Greensboro and was working in Raleigh. They were married November 24, 1934.

The Manns have three children: Mrs. Robert B. McBurney, Jr., Temple, Tex.; Katherine, 19, who will be a junior at Chapel Hill this fall; and Julian III, known as Jule, an officer in the rising senior class at Broughton High School. Katherine is making her debut here next month.

In 1934 Mann joined the staff of the old Bureau of Agricultural Economics to assist with the agricultural adjustment administration programs organized by Secretary of Agriculture Henry Wallace. A year later he went with the North Carolina Agricultural Extension Service as extension economist and aid to John W. Goodman, assistant director. His major assignment was to compile and disseminate statistical information about North Carolina agriculture.

Mann was with the extension service for 10 years, until he was appointed to his present post. Earlier this year he received a 30-year service pin from the U.S. Department of Agriculture.

His hobbies are feeding and watching birds, amateur photography, and studying North Carolina biography. A member of both grange and farm bureau, he is on the State council of the American Society of Public Administration and is secretary of the State administrative council, composed of the heads of all USDA agencies in North Carolina.

The family lives at 2608 Clark Avenue in Raleigh.

Mr. HOEVEN. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, I want to thank the gentleman from Iowa for yielding this time to me.

There is one question which I want to ask as a result of listening to the gentleman from Texas, and that is this: Have any of the private insurance companies gone into this kind of insurance?

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from North Carolina.

Mr. COOLEY. No private company in recent years has undertaken to write this crop insurance as far as we have been able to ascertain such as is written by the Federal Crop Insurance Company.

Long years ago some companies tried it, but very unsuccessfully.

The gentleman knows that this program was expensive in the early days. However, now it is operating on a profit-making basis. No private company complains about it.

Mr. CURTIS. I am thinking also along this line: If it has reached the point where it is profitable then, indeed, we might be thinking of moving the Government out, and I hope we would.

I was very interested in the discussion and I certainly want to find out what its status is now.

Obviously, this represents an area where the Government can eventually get out, and I would hope so. However, I am not opposing the bill in any way.

Mr. COOLEY. We are making progress. It is something that might be taken up, but at the moment I do not think private companies will take it over.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. I want to direct a question. Would this cover tidal wave problems?

Mr. POAGE. It covers all losses, according to my understanding. There are different policies written in this program. A comprehensive loss insurance policy would cover tidal waves, volcanoes or anything else that might affect crops. It insures the production of crops against all hazards except those where the insured himself could have prevented the loss.

Mr. DON H. CLAUSEN. I thank the gentleman.

Mr. HOEVEN. Mr. Speaker, I yield 1 minute to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, I thank the gentleman for yielding to me. I am strongly in favor of extending this Federal crop insurance program. Three of the original counties in the then pilot programs were in the district I am privileged to represent in southwest Missouri. It has given many of those who were insured a return up to 91 cents for each dollar that has been paid in premiums for the various crop loans. The Federal Crop Insurance Act, as specified, carried the hope of Congress that the premiums paid by the insured would equal the indemnities over a long period of time. I join my colleagues in the hope of its eventually being returned to free and private enterprise of America when they can and will carry it. It has resulted in some heavy payments in losses in the years from all causes, when farmer crops failed to produce or were destroyed by natural or other disaster.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The SPEAKER. In connection with the passage of H.R. 4497, without objection, the title will be amended.

There was no objection.

REPORT OF CHANGES IN CONTROL OF FEDERALLY INSURED BANKS

Mr. PATMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12267) to provide for notice of change in control of management of insured banks, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Deposit Insurance Act (12 U.S.C. 1811–1831), as amended, be amended by adding the following new subsection (j) at the end of section 7 thereof:

"(j)(1) Whenever a change occurs in the outstanding voting stock of any insured bank which will result in control or in a change in the control of the bank, the president or other chief executive officer of such bank shall promptly report such facts to the appropriate Federal banking agency upon obtaining knowledge of such change. As used in this subsection, the term 'control' means the power to directly or indirectly direct or cause the direction of the management or policies of the bank. A change in ownership of voting stock which would result in direct or indirect ownership by a stockholder or an affiliated group of stockholders of less than 10 percent of the outstanding voting stock shall not be considered a change of control. If there is any doubt as to whether a change in the outstanding voting stock is sufficient to result in control thereof or to effect a change in the control thereof, such doubt shall be resolved in favor of reporting the facts to the appropriate Federal banking agency.

"(2) Whenever an insured bank makes a loan or loans, secured, or to be secured, by 25 per centum or more of the outstanding voting stock of an insured bank, the president or other chief executive officer of the lending bank shall promptly report such fact to the appropriate Federal banking agency of the bank whose stock secures the loan or loans upon obtaining knowledge of such loan or loans, except that no report need be made in those cases where the borrower has been the owner of record of the stock for a period of one year or more, or the stock is that of a newly organized bank prior to its opening.

"(3) The reports required by paragraphs (1) and (2) of this subsection shall contain the following information to the extent that it is known by the person making the report: (a) the number of shares involved, (b) the names of the sellers (or transferors), (c) the names of the purchasers (or transferees), (d) the names of the beneficial owners if the shares are registered in another name, (e) the purchase price, (f) the total number of shares owned by the sellers (or transferors), the purchasers (or transferees) and the beneficial owners both immediately before and after the transaction, and in the case of a loan, (g) the name of the borrower, (h) the amount of the loan, and (i) the name of the bank issuing the stock securing the loan and the number of shares securing the loan. In addition to the foregoing, such reports shall contain such other information as may be available to inform the appropriate Federal banking agency of the effect of the transaction upon control of the bank whose stock is involved.

"(4) Whenever such a change as described in paragraph (1) of this subsection occurs, each insured bank shall report promptly to the appropriate Federal banking agency any changes or replacement of its chief executive officer or of any director occurring in the next twelve-month period, including in its report a statement of the past and current business and professional affiliations of the new chief executive officer or directors.

"(5) The Comptroller of the Currency shall immediately furnish to the Board of Governors of the Federal Reserve System and to the Federal Deposit Insurance Corporation a copy of any such report required in this subsection and received by him, and the Board of Governors of the Federal Reserve System shall immediately furnish to the Federal Deposit Insurance Corporation a copy of any such report required in this subsection and received by it.

"(6) As used in this section, the term 'appropriate Federal banking agency' shall mean (a) the Comptroller of the Currency in the case of a national banking association or a district bank, (b) the Board of Governors of the Federal Reserve System in the case of a State member insured bank (except a district bank), and (c) the Federal Deposit Insurance Corporation in the case of a State nonmember insured bank (except a district bank)."

The SPEAKER. Is a second demanded?

Mr. KILBURN. Mr. Speaker, I demand a second.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I yield myself such time as I may use.

H.R. 12267 would provide for notice to the appropriate Federal agency of changes in control of insured banks. Specifically it would amend the Federal Deposit Insurance Act to require the chief executive of banking institutions to report changes in control. It would also require banks to report loans secured by 25 percent or more of the stock of any insured bank. In addition, changes of the chief executive officers or directors occurring after changes in control would have to be reported.

Under the bill national banks would report to the Comptroller of the Currency, and State banks which are members of the Federal Reserve System would report to the Federal Reserve Board. The third category of banks, insured State banks that are not members of the Federal Reserve System, would report to the Federal Deposit Insurance Corporation.

The fact is that a very thorough investigation is made in the case of newly chartered banks that apply for deposit insurance. However, after a bank has obtained its insurance there is no statutory provision relating to changes in control and management.

There have been several recent bank failures where it was discovered that new groups have seized control of insured banks and then proceeded to exchange substandard or even fraudulent assets for cash in the banks. The resulting impairment in the capital structure of the banks caused them to become insolvent and this in turn required payment of insured deposits by the FDIC. Since March of this year there have been five insured bank failures. All of them were preceded by a recent change in control or management and a rather sudden deterioration in the character of the banks' assets.

By requiring notice to the Federal banking authorities the bill will make it possible for them to promptly investigate changes in control and determine the effect on the bank and the need for any corrective action. Without this kind of notice in change of management, harm may be done during the periods between regular examinations. Thus the bill will provide Federal banking agencies with a useful aid in meeting their obligations and responsibilities to individual depositors as well as the American commercial banking system.

The bill was proposed by the FDIC and endorsed by the administration.

The Independent Bankers Association advises that these measures will enhance the effectiveness of the supervisory agencies. They express concern with the "isolated but significant instances of looting that follow changes in control of banks this year," and they went on to say that these instances point up a weakness that should be corrected by this bill. Likewise the American Bankers Association favors enactment of the bill. It was approved by the Banking and Currency Committee without a dissenting vote.

Mr. KILBURN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the chairman of our committee has described this bill very well. The main thing we have to keep in mind is the safety of the depositors' money in the banks. This bill was suggested by the Chairman of the Federal Deposit Insurance Corporation, a former colleague, Mr. Joseph W. Barr, when he found that changes in the financial condition of banks brought about by changes in management make the reporting of such changes necessary. The reports of the changes in management of the banks are not difficult to make nor voluminous.

Mr. Speaker, I support the bill, and know of no opposition to the bill.

Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Speaker, if this bill will stop the fast operators in the banking business, a condition that apparently needs some changes, I am for it.

I wonder if this will have anything to do with the bank in Texas that failed not so long ago and left as one of its assets a bawdy house. From what I hear lately, the publicity that accrued to this bank failure and the acquisition by the Federal Deposit Insurance Corporation of that particular brothel slowed down business to the extent it is not now considered one of the better assets of that particular bank.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman.

Mr. PATMAN. I personally do not know about the assets of the Marlin Bank. The gentleman may be mistaken.

Mr. GROSS. This is the Marlin Bank—not the Dell City Bank.

Mr. PATMAN. It is the Marlin Bank, of Marlin, Tex. I understood they had an asset or a mortgage on a place in Houston. But I do not know—the gentleman referred to business decreasing—does he refer to the bank or to the other place?

Mr. GROSS. Well, I assume it would have its effect both ways. But it was the other place, I will say to the gentleman.

Mr. PATMAN. I do not know anything about that. I do not know about the other place or the bank either. I just know the bank has been satisfactorily liquidated and all of the depositors have been paid.

Mr. GROSS. I supposed, from what I heard coming out of the Democratic Convention, that everything is lovely and the goose is hanging high in Texas, and I just wondered if this bill would have any effect on that situation.

Mr. PATMAN. This is not a political proposal. Of course, politically we feel that we are doing all right.

Mr. GROSS. I was just curious.

The SPEAKER pro tempore (Mr. Thompson of Texas). The time of the gentleman has expired.

Mr. PATMAN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. Barrett].

Mr. BARRETT. Mr. Speaker, I ask unanimous consent to proceed out of the regular order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

STATESMANSHIP IN PHILADELPHIA

Mr. BARRETT. Mr. Speaker, during this past weekend in the city of Philadelphia our courageous mayor, the Honorable James H. J. Tate, and his various departments were confronted with a very serious riot situation.

Through Mayor Tate's wise leadership and with the efficient help extended him by Police Commissioner Howard R. Leary, the condition was brought under control within 24 hours.

The members of the Philadelphia congressional delegation are justly proud of Mayor Tate and those who assisted him. We respectfully call the following commendation to the attention of the membership of the House:

> Unfortunately, during the past weekend, Philadelphia has experienced 24 hours of the type of vandalism and hoodlumism which has visited so many cities throughout the country in the past 6 months.
>
> We join in our highest compliments to Mayor Tate, the Philadelphia Police Department, and the Fairmount Park guards for the effective way in which this condition was localized and brought under control within 24 hours.
>
> The firm and positive police action in breaking up and apprehending roving gangs and imported hoodlums without the loss of human life—without the use of methods which have brought national and international criticism to other areas—calls for the appreciation and commendation of all of our citizens.
>
> We, the members of the Philadelphia delegation to the Congress, join in saluting Mayor Tate, Police Commissioner Leary, and all of the city departments involved and assure them of our full support.
>
> William A. Barrett,
> Robert N. C. Nix,
> James A. Byrne,
> Herman Toll,
> William J. Green,
> *Members of Congress.*

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FASCELL. Mr. Speaker, I am pleased to give my support to H.R. 12267, which requires the reporting to the appropriate Federal banking supervisory agencies of changes in the control of management of banks insured by the Federal Deposit Insurance Corporation.

Last October the Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations held hearings into the marked rises in crimes against banking institutions. The subcommittee, of which I am chairman, has the obligation of evaluating the efficiency and economy with which the operations of certain departments and agencies of the Government are conducted—among them the Federal agencies which supervise and examine the banks and savings and loan institutions within their jurisdictions. In the performance of that responsibility, and against the rise in bank crimes, the subcommittee sought to learn whether there was anything the Federal supervisory agencies could do to deal more effectively with the problem.

The report which resulted from the subcommittee's hearings, House Report No. 1147, 88th Congress, 2d session, discussed the advisability of the supervisory agencies having power to compel changes in bank ownership and management to be reported to the agencies. Our report noted that the Federal supervisory agencies were agreed that the general character of the management of a proposed bank is very important to its success and should receive the careful attention of the supervisory agencies which pass upon applications for bank charters and insurance of deposits; and that the general character of management continues its vital role in the operation of a bank throughout its existence, for it is management which installs and maintains the internal routines and controls, and the physical security systems of the bank.

We further noted that it seemed appropriate to the FDIC that supervisory agencies should have the proper authority to approve or disapprove major changes in bank management, and that legislative action in the area would strengthen the means of preventing and disclosing bank crimes, and afford a worthwhile deterrent to those persons who might otherwise be tempted to commit crimes against banks. We also pointed out that there had been indications in the public press that mobsters and racketeers increasingly had been investing in legitimate businesses, including the banking business.

At the conclusion of our investigation the committee recommended as follows:

> That consideration be given to legislation which would permit the supervisory agencies to approve or disapprove major changes in management arising from changes in control or ownership of institutions they supervise, and to exclude underworld elements from becoming directors, officers, or employees of banking institutions.

It is unfortunate that events have proven the advisability of legislation such as H.R. 12267. There have been five bank failures since our hearings which have been marked by recent changes in management of the banks, followed by a deterioration in the assets of those banks. Clearly the control of some of those banks was made with the deliberate intent of raiding their assets. These changes might be noted in the course of regular bank examinations; however, these raiders move fast, and the damage can be done in the intervals between examinations. Under the legislation, the bank supervisory agencies will be alerted to changes in management control whenever it occurs, and can investigate and determine whether any remedial action is necessary.

The need for the legislation is clear. It should go a long way toward destroying the evil at which it is aimed. It is gratifying to see such action being taken to lessen the bank crimes which gave our committee such concern.

The **SPEAKER** pro tempore. The question is, Will the House suspend the rules and pass the bill, H.R. 12267, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ALASKA CENTENNIAL COMMISSION

Mr. CORMAN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 49) to provide for the establishment of the Alaska Centennial Commission, to cooperate with the State of Alaska to study and report on the manner and extent to which the United States shall participate in the celebration in 1967 of the centennial anniversary of the purchase of the Territory of Alaska, and for other purposes, as amended.

The Clerk read as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress hereby recognizes the Alaska Centennial Celebration (hereinafter referred to as the "celebration") to be held at various locations in the State of Alaska during 1967, not only as an observance by the people of the forty-ninth State, but as an event of national significance.
>
> Sec. 2. (a) To implement the recognition declared in the first section of this Act, the President, through the Secretary of Commerce, may, in his discretion, cooperate with the Alaska Centennial Commission in the planning of the celebration and may, in his discretion, conduct a study to determine the manner in which and the extent, if any, to which the United States shall be a participant in and exhibitor at the celebration.
>
> (b) The study authorized in subsection (a) may be made, in the discretion of the Secretary of Commerce, by personnel of the Department of Commerce or under contract by one or more recognized professional experts in the fields of historical observances and industrial showmanship; and the findings derived from such study, together with such recommendations as the Secretary may deem appropriate (including detailed recommendations with respect to the manner and extent of United States participation in the celebration and the estimated itemized cost of such participation), shall be submitted to the Congress not later than March 15, 1965.
>
> Sec. 3. There is authorized to be appropriated the sum of $15,000 to carry out this Act.

The **SPEAKER** pro tempore. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. CORMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the year 1967 marks the 100th anniversary of the purchase of Alaska. The State of Alaska has established a centennial commission "to fashion a statewide centennial for Alaskans and others that will appropriately commemorate the purchase of Alaska by the United States from Russia, to celebrate Alaska's rich historical heritage, and demonstrate to the people of the world Alaska's promise of the future." To achieve these ends the commission will need the cooperation and assistance of the Federal Government which has been such a vital force in Alaskan affairs for nearly a century.

This bill, as amended, does not set up a new Federal commission. Instead, it authorizes the Secretary of Commerce to cooperate with the Alaska Centennial Commission in the planning of the celebration and further authorizes him to conduct a study to determine the manner in which and the extent to which the United States shall participate in the celebration.

The committee is informed that the Department of Commerce has indicated that it is willing to make the necessary study provided that $15,000 is authorized and appropriated for that purpose.

It is believed that this legislation is meritorious and the committee commends it to the House for its favorable consideration.

I would point out, Mr. Speaker, there is precedent for the action taken by the committee in this bill in the West Virginia centennial where an identical action was taken some 2 years ago.

Mr. GROSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I wonder if someone could tell me how much was expended on the celebration of the Louisiana Purchase?

Mr. RIVERS of Alaska. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Alaska.

Mr. RIVERS of Alaska. In what will be my extension of remarks I have listed the amounts involved in connection with numerous observances.

Mr. CORMAN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. CORMAN. I believe there is only one Member who was here at the centennial of the Louisiana Purchase, and I do not see him on the floor. I have to confess I have not checked the record to ascertain what we did at that time.

Mr. GROSS. The gentleman from Alaska [Mr. Rivers] has given us a rundown on the expenditures for the purpose of commemorating certain centennials, fairs, and so on and so forth, but I do not see the Louisiana Purchase in the list anywhere.

I was wondering, since we are now getting down to the point where we are called upon to appropriate money to observe anniversaries of purchases of territories, if there was such a thing as an appropriation on the part of the Congress for the observance of the centennial of the Louisiana Purchase, which was, of course, a most important land purchase.

Mr. RIVERS of Alaska. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Iowa happened to be involved in the Louisiana Purchase.

I yield to the gentleman from Alaska.

Mr. RIVERS of Alaska. I would say that the list of observances noted in the document I have given to the gentleman was obtained from the Library of Congress, Legislative Reference Service. I have neither added to nor detracted from what the Legislative Reference Service set down. I do not see anything for the centennial of the Louisiana Purchase, but I see such things as the observance of certain years of progress in Texas and the Arkansas Centennial.

There is listed the Northwest Territory Sesquicentennial. That is an instance of a territory being involved.

The New York World's Fair is listed.

There is also the Galipolis, Ohio, Sesquicentennial celebrating the settlement of the French in that part of Ohio.

I believe the acquisition of Alaska for the Union, 97 years ago, is of equal historical significance, as well as of great national defense significance. It was fortunate that Secretary Seward had the foresight to purchase that large piece of territory, one-fifth as big as the contiguous 48 States, which is a buffer between North America and the Iron Curtain.

Mr. GROSS. I should think that the State of Alaska would be in a position to take care of its own observance of commemoration of the purchase by the United States.

I believe you are in the petty cash drawer here, and it is time to end this business of States and former territories dipping into the petty cash drawer.

I wonder if the gentleman can tell me whether this is the forerunner to asking for a considerably larger appropriation.

Mr. RIVERS of Alaska. I would judge that the State of Alaska would, through its report, recommend a very modest participation. There will be observances in numerous communities throughout the State. We are trying to establish the restoration of the tourist industry which was rather badly shattered because of the earthquake. We are trying to focus attention on Alaska. This bill would give Federal recognition to our observance, which is perhaps as important as the amount of participation the Federal Government might indulge in.

I would expect it would be a very modest report.

Mr. GROSS. A very modest what?

Mr. RIVERS of Alaska. A very modest recommendation for participation.

Mr. GROSS. What would be the gentleman's conception of "modest" in that respect?

Mr. RIVERS of Alaska. I would hate to foreclose upon any amount the Department of Commerce might otherwise report. The Department representative will consult with the Alaska commission. Alaska has appropriated $50,000 for the purpose, we might say, of studying and promoting this particular enterprise.

I believe this will stimulate tourism to Alaska. Perhaps the Federal Government will get its money back through the extra transportation taxes it will collect because of the stimulus of this effort, while at the same time helping Alaska regain its tourist industry which was practically lost as the result of the earthquake.

Mr. GROSS. I regret that I must deduce that the gentleman is preparing me and the other Members of the House for another asking for money, and I predict it will be for more than $15,000. I would wager it will be, if it comes in at all. It will be more than $15,000 the next trip in.

Mr. RIVERS of Alaska. I would wager, if the report does favor the United States entering into some historical interpretation or a few exhibits or something like that, it would cost more than $15,000, but I cannot speak for those who will be making the study and rendering the report.

Mr. GROSS. If you have real tourist attractions in Alaska, I do not think you need this $15,000.

Mr. RIVERS of Alaska. We need recognition for this observance, Mr. GROSS, and to have the Department of Commerce make the study. This is much more economical than an endeavor to create an expensive commission. It is a modest approach trying to have an expression from the Federal Government. The people in Alaska want it, and that is why I urge it.

Mr. GROSS. I am sure they do, and I am sure they want the $15,000 or the gentleman would not be so vigorous in pushing this bill.

Mr. Speaker, I will not prolong this argument. I am opposed to this kind of appropriation. I hope in view of the huge debt of this country that Congress will eventually come to its senses and put a stop to this kind of business.

The SPEAKER. The question is on the motion of the gentleman from California [Mr. CORMAN] that the House suspend the rules and pass the bill S. 49.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title of the bill was amended so as to read: "To provide for the recognition by the United States of Alaska's 100th anniversary under the American flag, and for other purposes."

A motion to reconsider was laid on the table.

COMMITMENT OF VESSEL CONSTRUCTION RESERVE FUNDS

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2995) to amend section 511(h) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso at the end of section 511(h) of the Merchant Marine Act, 1936, as amended, is amended to read as follows: "*Provided,* That until January 1, 1965, in addition to the extensions hereinbefore permitted, further extensions may be granted ending not later than December 31, 1965."

SEC. 2. The amendment made by the first section of this Act shall take effect December 31, 1964, or on the date of enactment of this Act, whichever date first occurs.

Passed the Senate August 1, 1964.

The SPEAKER. Is a second demanded?

Mr. TOLLEFSON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BONNER. Mr. Speaker, I yield to the gentleman from Washington such time as he may desire.

Mr. TOLLEFSON. Mr. Speaker, the bill pending before the House extends for 1 other year the time within which certain construction reserve funds of the American-Hawaiian Steamship Co. may be committed to the construction of new vessels. We have extended this particular item I think two or three other times.

What is involved here is that the American-Hawaiian Steamship Co., which lost its vessels during World War II, wanted to get back into the coastwise and intercoastal ship operations. During the time of their operations before they lost their vessels they placed into a construction reserve fund some $11 million for the construction of new vessels. The time within which the company must build or construct new ships is limited by law. Under the extensions we have heretofore provided, the present time limit is at the end of this year. The company has made application to the Maritime Administration for Government insured loans.

May I say at this point there is no subsidy involved here whatsoever, but it merely is a matter of receiving Government insured loans to be granted by private financial institutions. Applications made for loans have been timely, but the Maritime Administration asked the company to renew its application or to submit a revised application. The Department has not yet had sufficient time this year to act on it. They estimate they will act on the application some time early next year, which will give the company time enough to ask for bids on its ships and have the money for the construction of them before the end of this following year. The Department favors the legislation and the Maritime Administration favors it. There is no opposition to this particular legislation and there never has been when we have had the bill before the House on previous occasions. This is a bill which we ought to pass to provide that the $11 million now on deposit may be committed to new ship construction.

Mr. BONNER. Mr. Speaker, I yield myself such time as may be necessary.

The Merchant Marine Act, for the purpose of encouraging construction of vessels for our commerce, authorizes operators to establish a construction reserve fund for the replacement of vessels. The moneys in such fund shall be tax exempt so long as they are used for such construction.

This provision has proven to be invaluable in the replacement of the American merchant marine during the past two decades. However, it has been less effective in restoring our intercoastal commerce than it has been in building up our ocean trades.

One of the foremost companies before World War II in the intercoastal trade was the American-Hawaiian Steamship Co. It suffered very substantial war losses and has now a fund of some $11 million available for the construction of new vessels. For the past several years, it has been attempting to proceed with such construction but has been thwarted by a number of circumstances beyond its control.

Some years ago, the company designed three modern vessels for the trade but the cost of their construction proved to be prohibitive. During the past 4 years it has redesigned the vessels and has been engaged in furthering its application to the Federal Maritime Administration for mortgage insurance. The time consumed in these pursuits has necessitated extensions of time to preserve the fund intact for the construction of vessels. At the moment, the company has filed an application for mortgage insurance to the extent of 50 percent of the cost of the ships, and such application is now pending before the Maritime Administration.

In addition, the company has sought new bids for the construction of vessels.

The present bill, which is similar to those previously passed on the subject, would enable the company to maintain its funds without the payment of taxes for an additional year, to enable it to secure approval of the Maritime Administration application, and to commit its funds for the construction of vessels.

While the tax liability faced by the company is in the neighborhood of $2½ million, ultimately the Government would collect not only this amount, but considerably more through the operation of the new vessels.

Inasmuch as the benefit sought by this company is the same as that availed of by most other American companies since World War II, it is clear that the welfare of the American merchant marine will be promoted by the approval of this legislation.

The SPEAKER. The question is on the motion of the gentleman from North Carolina that the House suspend the rules and pass the bill S. 2995.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

THE CROOKED RIVER FEDERAL RECLAMATION PROJECT

Mr. ROGERS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1712) to amend the act authorizing the Crooked River Federal reclamation project to provide for the irrigation of additional lands, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to authorize construction by the Secretary of the Interior of the Crooked River Federal reclamation project, Oregon", approved August 6, 1956 (70 Stat. 1058), as amended, is amended by inserting immediately before the period at the end of the first sentence of such section the following: "and the Crooked River project extension, together referred to hereafter as the project. The principal new works for the project extension shall include six pumping plants, canals, and related distribution and drainage facilities".

SEC. 2. There are hereby authorized to be appropriated for construction of the new works involved in the Crooked River project extension $1,132,000, plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction work of the types involved therein as shown by engineering cost indexes and, in addition thereto, such sums as may be required to operate and maintain said extension.

SEC. 3. Supplemental power and energy required for irrigation water pumping for the project shall be made available by the Secretary of the Interior from the Federal Columbia River power system at charges determined by him.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ROGERS of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. ASPINALL. Mr. Speaker, will the gentleman from Texas yield to me?

Mr. ROGERS of Texas. I should be glad to yield to my distinguished chairman.

Mr. ASPINALL. Is it not correct that this same bill that was passed by the House in the last session of the Congress during the closing days got caught in the last days of the session and was not accepted in the other body?

Mr. ROGERS of Texas. That is exactly right.

Mr. ASPINALL. The only difference is that there is some added cost because of the removal of facilities for the construction of reclamation projects from that area.

Mr. ROGERS of Texas. That is exactly correct. Mr. Speaker, I thank the chairman for that point because I think it is very important.

Mr. Speaker, H.R. 1712 would authorize construction of works to extend service from the Crooked River reclamation project in Oregon to an additional 2,890 acres of irrigable land. The Committee on Interior and Insular Affairs held hearings on this legislation and found this small extension to be meritorious and justified. There is sufficient capacity in the existing reservoir and canal to serve these additional lands. Authority for the excess capacity was provided in the act of August 6, 1956, as amended, which authorized the Crooked River project.

The lands which would be served by the new works are in small blocks adjacent to the existing project. Much of this acreage was irrigated in former years but has reverted to dryland status because of the lack of an adequate water supply. The irrigation of these lands will contribute materially to the economic stability of the Crooked River project area. At the present time these lands are used for range with some dryland grain. Under irrigation, it is expected that the farmers will grow feed crops to support the prevailing livestock economy and, in addition, potatoes, mint, and small seeds will be grown.

The Crooked River project extension would be constructed and operated as a part of the existing system of the Ochoco Irrigation District. The new works would include pumping plants and distribution and drainage facilities. The cost of the new works is estimated at $1,132,000 of which over 99.8 percent would be allocated to irrigation and would be reimbursable. The financial studies indicate that the irrigators could pay about $347,000 during the 50-year repayment period provided for the Crooked River project. The remainder would be returned from the disposition of power marketed from The Dalles project, as provided in the Crooked River Project Act. The economic justification for the Crooked River project extension is demonstrated by a benefit-cost ratio of 2.6 to 1.

The committee concluded that H.R. 1712 would authorize a meritorious and much-needed extension of the Crooked River project. While this project is small, it is extremely important to the economy of the local area, and I hope that H.R. 1712 will be approved by the House.

Mr. GROSS. Mr. Speaker, I yield myself such time as I may consume.

What is the $1,132,000 to be expended for—power or irrigation?

Mr. ROGERS of Texas. It is for irrigation I will say to the gentleman from Iowa.

Mr. GROSS. And this is to put another 3,000 acres into production; is that correct?

Mr. ROGERS of Texas. 2,898; yes.

Mr. GROSS. So we are going to add 3,000 acres to production that we do not need in this country; is that correct?

Mr. ROGERS of Texas. That is not exactly correct. We are going to add 3,000 acres, but not for production that we cannot use. I call the attention of the gentleman to the fact that this area is more or less devoted to the growing of feed crops and potatoes and mint and small seeds. Of course, these are not in surplus at this time. It is not a question of adding burdens to the surplus.

Mr. GROSS. Well, the gentleman knows that we have plenty of feed to sell them down there, wherever this area is. In Iowa we have plenty of feed to sell.

Mr. ROGERS of Texas. Yes; we have plenty in my district too, may I say, but in order to make an area more or less self-sustaining, as the gentleman from Iowa knows, the type of operation that we have on these small farms in these areas does not make it commercially feasible for them to go to Iowa and ship that corn out.

Mr. GROSS. Make them less sustaining in Iowa than elsewhere? Would this be the story that by this bill the Government is going to put 3,000 acres into production that is not now in production and at the same time pay farmers to take it out of production somewhere else?

I do not understand this kind of contradiction, I will say to my friend the gentleman from Texas [Mr. ROGERS].

Mr. ROGERS of Texas. I believe, unless you do develop these projects to their full potential, then you are not doing what we should do in the first instance.

Mr. GROSS. Well, of course, we have developed production in Iowa to near its full potential. Now you come along and put some more land into production, and we get hurt.

I hope the gentleman from Texas saw in the paper either yesterday or today that farm income is off 4 percent as compared with a year ago in July, and parity is now down to 74 percent, while wages and salaries to Members of Congress are increasing and costs to farmers are increasing. Yet farm income goes down to those who are in production now.

Mr. Speaker, this cannot help but make a contribution toward hurting existing farmers still further.

Mr. ROGERS of Texas. I would not agree with that part of the gentleman's statement. I believe the gentleman is exactly right as to his great concern about farm income going down. I certainly join with him in trying to support and help the farm income situation. I feel too that it is in a disastrous state. I believe we should do something about it. However, I do not think this bill will have any effect on that.

As a matter of fact, if this type operation is not continued and if the full potential is not developed, we will have some people who are farmers who will be forced off the farms in these areas and forced into the labor pool in the cities which will damage the situation still more.

Mr. GROSS. The gentleman knows if you can make feed grain and other raw materials scarce enough the price of food products and farm income will go up.

Mr. ROGERS of Texas. Yes.

Mr. GROSS. But, you cannot make them scarce by continuing to bring land into production, when we are already producing a surplus of the ingredients of the ultimate food that goes on the consumer's table.

You cannot have it both ways, I will say to the gentleman.

Mr. ULLMAN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes, I am glad to yield to the gentleman from Oregon.

Mr. ULLMAN. The gentleman from Iowa I know is for economy and I commend him for that. I feel he is rendering a great service.

However, I would call the gentleman's attention to the fact that we have already built the reservoir, the Prineville Reservoir, and have impounded the water. We have expended the money. The water is stored ready to go on the land.

Last year, I would also call the gentleman's attention to the fact that we passed another bill to enlarge the canals, specifically for the purpose of putting the water on this particular extension that is coming up.

We have already expended the money to impound the water. We have expended the money to enlarge the canals in order to take care of this project.

Now we are asking for the extension to the additional lands.

This will be a wealth-producing dam. This is a livestock area. I know the gentleman from Iowa realizes the fact that he is about 2,000 miles away from us.

Mr. GROSS. We still operate railroad trains and trucks.

Mr. ULLMAN. But our problem is that we need more feed for our livestock and we will be able to use this land.

Mr. GROSS. We have got the feed for you.

Mr. ULLMAN. We will use this land primarily for alfalfa and this kind of feed that we have to use to tide our cattle over in the wintertime.

Mr. GROSS. We will ship you all the alfalfa and corn you need.

Mr. ULLMAN. If the gentleman owned a railroad and could give us the kind of rate we could afford to pay, that would be one thing, but it is simply not economically possible.

Mr. GROSS. We will probably get some of the production off this new land back in Iowa. The freight rate business works both ways.

Mr. ULLMAN. I assure the gentleman that we have done all we can.

Mr. GROSS. I have no quarrel with impounding and conserving water, but why do you not just pile up the water back of that dam and keep it there for the time when the population of this country will demand farm increased production?

We are glad to see you have this water and the ability to conserve it. However, it does not make sense to go out and bring more land into production at this time.

Mr. ULLMAN. I appreciate the gentleman's concern, but I do want to say again that we have built the dam, we have already enlarged the canal. This is a very worthwhile project with a high feasibility rate, one that will not add to any of our surplus commodities. I know the gentleman is making a record—he always does—but when you analyze this one you will find this is one of the better ones.

Mr. GROSS. It cannot be good when we have agricultural surpluses running out of our ears to spend more money to bring land into production. This does not make sense, and I am opposed to the bill.

The SPEAKER pro tempore (Mr. Smith of Virginia). The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

Mr. ROGERS of Texas. Mr. Speaker, I asked unanimous consent for the immediate consideration of the bill (S. 1186) to amend the act authorizing the Crooked River Federal reclamation project to provide for the irrigation of additional lands, a similar bill to the one the House has just passed.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the Senate bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to authorize construction by the Secretary of the Interior of the Crooked River Federal reclamation project, Oregon", approved August 6, 1956 (70 Stat. 1058), as amended, is amended by inserting immediately before the period at the end of the first sentence of such section the following: "and the Crooked River project extension. The principal new works for the project extension shall include six pumping plants, canals, and related distribution and drainage facilities".

Sec. 2. There are hereby authorized to be appropriated for construction of the new works involved in the Crooked River project extension $1,132,000 (July 1963 prices), plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction work of the types involved therein as shown by engineering cost indexes and, in addition thereto, such sums as may be required to operate and maintain such extension.

Sec. 3. Power and energy required for irrigation pumping for the Crooked River project and the Crooked River project extension shall be made available by the Secretary of the Interior from the Dalles Dam powerplant and other Federal plants interconnected therewith at rates not to exceed the costs of such power and energy from the Dalles Dam, taking into account all costs of the dam, reservoir, and powerplant which are determined by the Secretary under provisions of the Federal reclamation laws to be properly allocable to such irrigation pumping power and energy.

Sec. 4. For a period of ten years from the date of enactment of the Crooked River Project Extension Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

Mr. ROGERS of Texas. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Rogers of Texas: Strike out all after the enacting clause of S. 1186 and insert the provisions of H.R. 1712 as just passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H.R. 1712) was laid on the table.

A motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF THE INTERIOR TO CONSTRUCT, OPERATE, AND MAINTAIN THE WHITESTONE COULEE UNIT OF THE OKANOGAN-SIMILKAMEEN DIVISION, CHIEF JOSEPH DAM PROJECT, WASHINGTON

Mr. ROGERS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5118) to authorize the Secretary of the Interior to construct, operate, and maintain the Whitestone Coulee unit of the Okanogan-Similkameen division, Chief Joseph Dam project, Washington, and for other purposes.

The Clerk read the bill, as follows:

[Omit the part in black brackets, and insert the part printed in italic]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of furnishing a new and a supplemental water supply for the irrigation of approximately two thousand five hundred and fifty acres of land in Okanogan County, Washington, for the purpose of undertaking the rehabilitation and betterment of existing works serving a major portion of these lands, and for conservation and development of fish and wildlife resources and improvement of public recreation facilities, the Secretary of the Interior is authorized to construct, operate, and maintain the Whitestone Coulee unit of the Okanogan-Similkameen division of the Chief Joseph Dam project, in accordance with the provisions of the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto). The principal works of the unit shall consist of: facilities to permit enlargement and utilization of Spectacle Lake storage; related canal and conduits, diversion dam, pumping plants, and distribution systems; and necessary works incidental to the rehabilitation and expansion of the existing irrigation system.

Sec. 2. The provisions of section 2 of the Act of July 27, 1954 (68 Stat. 568, 569), shall be applicable to the Whitestone Coulee unit of the Okanogan-Similkameen division of the Chief Joseph Dam project. The term "construction costs" used therein shall include any irrigation operation, maintenance, and replacement costs during the development period which the Secretary finds it proper to fund because they are beyond the ability of the water users to pay during that period.

[Sec. 3. (a) The Secretary is authorized as a part of the Whitestone Coulee unit to construct, operate, and maintain public recreation facilities including access roads, to acquire or to withdraw from entry or other disposition under the public land laws such adjacent lands or interests therein as are necessary for present and future public recreation use, and to provide for public use and enjoyment of the same and of the water areas of the project in a manner consistent with the other project purposes. The Secretary is authorized to enter into agreements with State or local public agencies or other public entities for the operation, maintenance or additional development of project lands or facilities or to dispose of project lands or facilities to State or local agencies or other public entities by lease, transfer, exchange, or conveyance, upon such terms and conditions as will best promote their development and operation in the public interest for recreation purposes. The costs of the undertakings described in this section, including costs of investigation, planning, Federal operation and maintenance and an appropriate share of the joint costs of the Whitestone Coulee unit, shall be nonreimbursable.

[(b) The Secretary may make such reasonable provision in connection with the Whitestone Coulee unit as, upon further study in accordance with section 2 of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661, 662), he finds to be required for the conservation and development of fish and wildlife. An appropriate portion of the cost of the development shall be allocated as provided in said Act and it, together with the Federal operation and maintenance costs allocated to this function, shall be nonreimbursable.]

Sec. 3. (a) The Secretary is authorized as a part of the Whitestone Coulee unit to construct, operate, and maintain or otherwise provide for basic public outdoor recreation facilities, to acquire or otherwise to include within the unit area such adjacent lands or interests therein as are necessary for public recreation use, to allocate water and reservoir capacity to recreation, and to provide for public use and enjoyment of unit lands, facilities, and water areas in a manner coordinated with the other unit purposes. The Secretary is authorized to enter into agreements with Federal agencies or State or local public bodies for the operation, maintenance, and additional development of unit lands or facilities, or to dispose of unit lands or facilities to Federal agencies or State or local public bodies by lease, transfer, exchange, or conveyance, upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation purposes. The costs of the aforesaid undertakings, including costs of investigation, planning, Federal operation and maintenance, and an appropriate share of the joint costs of the unit, shall be nonreimbursable. Nothing herein shall limit the authority of the Secretary granted by existing provisions of law relating to recreation development of water resources projects or the disposition of public lands for recreational purposes.

(b) *The costs of means and measures to prevent loss of and damage to fish and wildlife resources shall be considered as project costs and allocated as may be appropriate among the project functions.*

SEC. 4. There are hereby authorized to be appropriated for construction of the new works involved in the Whitestone Coulee unit, of the Okanogan-Similkameen division of the Chief Joseph Dam project [$5,325,000 (April 1960 prices)] *$5,312,000,* plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction work of the types involved therein as shown by engineering cost indices and, in addition thereto, such sums as may be required to operate and maintain said division.

The SPEAKER pro tempore. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROGERS of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5118 would authorize the construction of a relatively small irrigation project in north-central Washington. The Whitestone Coulee unit of the Chief Joseph Dam project calls for the rehabilitation and enlargement of existing works to provide water service to 2,660 acres. The existing development is a non-Federal irrigation system operated by the Whitestone reclamation district.

The work authorized in this legislation must be accomplished if water service is to be continued to lands presently irrigated within the Whitestone reclamation district. The wooden flumes and syphons which are used to supply water to the presently irrigated lands are in extremely poor condition and crops are in constant jeopardy. Also, additional storage capacity is necessary to allow the district to make full use of its storage rights and to provide a dependable water supply. The 705 acres of new lands which would be irrigated under the proposed plan are not served at the present time due to a lack of storage facilities. Construction and operation of the proposed works would provide a firm water supply and would stabilize the agricultural economy in the area. The lands that would be served are devoted almost exclusively to apple production.

In addition to the irrigation water service, fishery and recreation benefits are provided. By the enlargement of Spectacle Lake, the fishery would be enhanced and by the construction of recreation facilities, extensive recreational opportunities would be provided.

Under the plan of development for the Whitestone Coulee unit, the existing works would be rehabilitated, the storage capacity in Spectacle Lake would be expanded and new facilities would be constructed to serve an additional 705 acres of lands that are now dryfarmed. The estimated cost of the Whitestone Coulee unit is $5,312,000 and all of this amount, except for $163,000, is allocated to irrigation and would be reimbursable. The $163,000 is allocated to fish and wildlife enhancement and recreation. The financial studies of the project indicate that the water users would be able to repay about $1,100,000 of the irrigation cost over a period of 50 years. The remainder of the cost allocated to irrigation, $4,049,000, would be returned from revenues derived from power marketed by the Bonneville Power Administration and attributable to the Chief Joseph powerplant.

The Whitestone Coulee unit is an excellent unit from an economic standpoint, as shown by the fact that the benefits exceed the costs in a ratio of 5.6 to 1. This reflects the important secondary effects of processing and marketing apples. Based on the direct benefits only, which reflect the increase in net farm income, the benefit-cost ratio would be 2.2 to 1.

The committee amended the bill to bring it into line with the policies we are presently following for all reclamation projects. We left out the authority requested by the Secretary to allocate a portion of the cost to "area redevelopment" on a nonreimbursable basis. We revised the language providing for recreation and fish and wildlife development.

When the committee approved H.R. 5118 on August 5, 1964, an amendment was adopted which substituted new language for section 2 and the committee's report on the bill explains this amendment. The amendment provided for financial assistance to the unit from the disposition of power marketed through the Bonneville Power Administration. Subsequent to the filing of the committee's report, this amendment was reconsidered by the committee, and the action by which it was adopted was rescinded. The language of the original section 2 which is now retained in the bill provides for financial assistance to the unit from the disposition of power attributable to the Chief Joseph powerplant alone. Information furnished the committee indicates that net revenues attributable to the Chief Joseph powerplant after the costs allocated to power have been repaid in full will be sufficient to provide the assistance to the Whitestone Coulee unit well within the repayment period provided for the unit.

The committee, on the basis of public hearings and its study of the project, found the Whitestone Coulee unit to be a sound development from both a physical and economic standpoint. The committee also concluded that the construction is urgently needed because of the extremely poor condition of existing works. The legislation is recommended to the House without any opposition in the committee, so far as I know, and I hope that H.R. 5118 will be approved.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Iowa.

Mr. GROSS. I hope the gentleman can straighten me out on this. You want $5,312,000 to do what, to provide water on land already being irrigated?

Mr. ROGERS of Texas. Yes. The Chief Joseph Dam was originally a non-Federal reclamation project. It involved about 2,660 acres. It is an old project, and the wooden flumes and the rest of the works have become worn out. They have to be rehabilitated. That is where the major cost is.

Mr. GROSS. Have they not been charging enough for this water to take care of the maintenance and upkeep of it?

Mr. ROGERS of Texas. Yes, I presume they have, but the situation we face is simply that once a project gets so old that it cannot be operated feasibly, then you have to step in and do something. At the time this project was built wooden flumes were used. They are not using those anymore.

Mr. GROSS. I understand that. Why could they not replace them from the money from the irrigation, the providing of the water?

Mr. ROGERS of Texas. I said the answer to that is that they just did not have the money. There probably was not interest in the sinking fund set up, or a fund set up to replace the works.

Mr. GROSS. Does not this Chief Joseph Dam provide power and sell power?

Mr. ROGERS of Texas. That is right.

Mr. GROSS. Could they not use some of the revenue from this dam to build these flumes?

Mr. ROGERS of Texas. That is what will be done. Of the money that is allocated for this, $1,100,000 will be paid directly by the irrigators, and the balance of the money will come out of the power revenues of the Chief Joseph Dam.

Mr. GROSS. As far as irrigation and power are concerned, when are you going to start charging rates to the power users and the irrigators sufficient to pay these costs, instead of using the taxpayers' money for this purpose?

Mr. ROGERS of Texas. They are charging enough to pay for them now.

Mr. GROSS. No, they are not. They are not because they are not able to, you say, and you are asking for $5 million plus here. They are not able to replace the flumes that were made of wood originally and have deteriorated. So they are not able to maintain them now.

Mr. ROGERS of Texas. The money that is to be used to replace this comes out of the Chief Joseph Dam revenues and the payments are provided by the irrigators. So actually the amount of money that the taxpayers would have in this project would be $163,000 which is nonreimbursable. This is a $5 million project.

Mr. GROSS. What is the $5,312,000 doing in this bill if you do not need the money—and if you only need $163,000?

Mr. ROGERS of Texas. The $5 million will be repaid.

Mr. GROSS. In the next 50 years?

Mr. ROGERS of Texas. Yes.

Mr. GROSS. I will be dead and gone and practically everybody else around here will be dead and gone by then.

Mr. ROGERS of Texas. I will miss the gentleman a great deal, if I am still here 50 years from now and I hope the gentleman will be here.

Mr. GROSS. You ought to be charging a rate now that will take care of these projects and various systems instead of loading it on to the taxpayers. This money will never be paid.

Mr. ROGERS of Texas. Let me say to the gentleman from Iowa, I agree with him wholeheartedly that there should be some efforts made to collect more money from some of these projects. But there are several factors involved in this and I will say this, that I hope next year when we get back in the Congress and if I am here to start some kind of move to get this adjusted, and I would hope the gentleman from Iowa would help in that respect.

Mr. GROSS. I will help you all the way if I am here. But you see, with these cheap power rates and cheap rates of all kinds growing out of this public power system, our industry in the State of Iowa leapfrogs out of the State of Iowa and goes out to the cheap power areas, and we do not like this very much in our State of Iowa, to be left in a rut with this kind of business with the taxpayers of Iowa and elsewhere putting up the money. That is what I am protesting here today.

Mr. ROGERS of Texas. I thank the gentleman.

Mr. SAYLOR. Mr. Speaker, I yield myself 8 minutes.

Mr. Speaker, our colleague from the State of Washington [Mr. HORAN] has given us a short bill for the authorization of a small reclamation project with a whopping big name—the Whitestone Coulee unit of the Okanogan-Similkameen division of the Chief Joseph Dam project.

It takes all of that to say at length what could be said in much more understandable form if our friend from the Appropriations Committee merely said he wants authorization for the appropriation of $5,312,000 for the irrigation of 2,660 acres of land or a cost of $2,000 an acre, which will be devoted largely to growing apples. Knowing the gentleman from Washington as I do, I have no doubt that he will get it, seeing that he has already gotten three other units of this same project.

If this were a brandnew project, there might be room for doubt about it, notwithstanding its benefit-cost ratio of 5.6 to 1. Actually what we have here is closer to being an emergency rehabilitation job than new construction.

Irrigation development in the area dates back some 40-odd years when construction of facilities was undertaken with the assistance of State financing. Water supply troubles and financial difficulties caused reduction of the planned area from 10,000 acres to 2,000. Now, 40 years later, the irrigation district has a system of works that are worn out, costly to maintain, and in imminent danger of failure. The district does not have the wherewithal to do what needs to be done. Hence this bill.

The engineers have assured us that the plans for rehabilitating and enlarging the existing works are feasible even though costly. The economists have looked into the benefits to be gained from saving the district and adding 700 acres of new land to its service area and have found, as I said before, a very high benefit-cost ratio. The finance people have estimated that the irrigators can repay about 22 percent of the capital cost plus operation and maintenance charges. And those who run the Federal powerplants in the Columbia River have looked at their books and told us that they can pick up the difference.

The result is that we have a small project which, expensive though it is when reduced to a per-acre basis, can still have its costs returned to the Treasury within the usual 50-year repayment period plus a development period for the new land. This being the case, I recommend enactment of H.R. 5118.

I might say that the bill, as it originally was reported by the committee, had my full support, but this morning we adopted an amendment which I believe is questionable. It is an amendment which should not have been adopted. The Interior and Insular Affairs Committee should have insisted upon its original position and if sustained by the House should have gone to conference and told the Members of the other body that they either had to face up to the situation, accept the proposition the House presented and create a basin account or do without a bill.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the chairman of the full committee.

Mr. ASPINALL. In stating that the amendment is questionable, the gentleman is not going into the argument for or against the project itself.

Mr. SAYLOR. That is correct. The project, on the basis of reclamation law, is justifiable.

Mr. ASPINALL. The gentleman is referring to the fact that in the great Northwest, where there are so many installations, both Army Engineers and Bureau of Reclamation, with projects producing power, we still have no basin fund, is that correct?

Mr. SAYLOR. That is correct. There is no basin fund in the Pacific Northwest—just a series of projects authorized—power revenue being produced from both high-cost and low-cost units and then other projects attached to these individual units.

Mr. ASPINALL. In the bill as formerly reported by the committee, we had it tied to a basin fund which more than likely would have brought a basin fund into being in the great Northwest without a complete, thorough study; is that correct?

Mr. SAYLOR. That is correct.

Mr. ASPINALL. I join with my colleague from Pennsylvania, as to this area of the United States, in the belief that there should be a basin fund and that we should know at all times exactly where that basin fund stands.

Nevertheless, what we are doing by this legislation is tying it, as my colleague said, to a unit of the Columbia River Basin which, although feasible, does not tie into the whole basin operation of power so far as the revenue of the basin totally is concerned.

Mr. SAYLOR. That is correct.

Mr. ASPINALL. My colleague from Pennsylvania has stated to his chairman that he would join with his chairman in trying to get the idea of basin fund legislation before Congress, provided our friends from the Northwest—Oregon, Idaho, Montana, and Washington—would introduce such legislation. We would be willing to have a complete study of this entire area and to place it upon a foundation such as exists in other areas; is that correct?

Mr. SAYLOR. That is correct. It seems to me that the people who live in the Pacific Northwest do not like the laws which are passed by Congress for the remainder of the country. Every time we get one of these projects handed to us from the Pacific Northwest we are told we have to make an exception to the rules and regulations. The people who live in the Pacific Northwest are Americans and should be willing to live under the same rules and regulations as the other people of America. If they do not believe in trying to live under the same rules and regulations they should not be part of this country.

Only a week or so ago we passed an act concerning the preference rule, of interest to people who come from the West, that the usual preference law does not apply to the Pacific Northwest. We made a special rule for them. I am saying to you folks in the Congress, that future Congresses will live to rue the day we ever passed that bill.

However, we have tied this onto the Chief Joseph Dam project. Therefore, on the basis of it complying with the laws of reclamation, it should be enacted.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield for one more question?

Mr. SAYLOR. I am happy to yield to my chairman.

Mr. ASPINALL. We are advised, are we not, that this is more or less a matter of bookkeeping and what it amounts to is one power unit does not assume the responsibility for carrying the project? In an area such as the Columbia River Basin all of the power units should carry all of the power and reclamation projects.

Mr. SAYLOR. That is right. We have a situation in the Pacific Northwest, particularly in one project I would like to point out in Idaho, where this Congress authorized an outstanding project known as the Palisades. This project is in being and is producing power. The farmers have been paying for that power at the rate which the Bureau of Reclamation pursuant to the authorizing legislation then established. Lo and behold, with no action of Congress whatsoever, but solely by the action of the Secretary of the Interior in extending the Bonneville marketing area down into that portion of Idaho, they took the rates which were then being charged at that project and wiped them out completely. Today the Bonneville Power Authority is selling that power not at what it costs but are selling it at the so-called postage stamp rate.

These are things that the Congress should insist be corrected, that the people who live in the Pacific Northwest should comply with the general rules which affect the rest of the country.

Mr. HORAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Speaker, as has been outlined here this is basically a rehabilitation bill—providing for the rebuilding of an old project organized and operating under the reclamation laws of the State of Washington. H.R. 5118 would add some 705 additional acres, now without water, to the system. Production on this project now exists. It is almost entirely apples.

The debate has brought out that there is not a basinwide account that can be used, basinwide, to assist in projects such as this. The bill, as passed, ties this assistance directly to revenues accruing to power sales from Chief Joseph Dam.

The gentleman from Pennsylvania [Mr. SAYLOR] insists that this procedure must end and that a basinwide account be set up through appropriate action. It is apparent, too, that this is the feeling of the able chairman of the full committee, the gentleman from Colorado [Mr. ASPINALL]. This I deduce from the questions he has asked the gentleman from Pennsylvania [Mr. SAYLOR]. I might say that other members of the House Committee on Interior and Insular Affairs have told me, privately, the same thing. These include the gentleman from Texas [Mr. ROGERS], chairman of the Subcommittee on Irrigation and Reclamation, and the gentleman from Idaho [Mr. WHITE].

Nevertheless I trust that the House will pass this measure and let this greatly needed rehabilitation work proceed.

I assure you I will make the position of the Interior and Insular Affairs Committee clear to all in the drainage basin of the Columbia River and its tributaries. I further assure you that I will work on appropriate legislation for introduction in the next Congress. Assuming, of course, as all of us in the House by our tenure must assume, that I am reelected.

Mr. ROGERS of Texas. Mr. Speaker, I move the previous question.

The SPEAKER pro tempore (Mr. SMITH of Virginia). The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill H.R. 5118 with amendments.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2447) to authorize the Secretary of the Interior to construct, operate, and maintain the Whitestone Coulee unit of the Okanogan-Similkameen division, Chief Joseph Dam project, Washington, and for other purposes, a similar bill to the one the House just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of furnishing a new and a supplemental water supply for the irrigation of approximately two thousand five hundred and fifty acres of land in Okanogan County, Washington, for the purpose of undertaking the rehabilitation and betterment of existing works serving a major portion of these lands, and for conservation and development of fish and wildlife resources and improvement of public recreation facilities, the Secretary of the Interior is authorized to construct, operate, and maintain the Whitestone Coulee unit of the Okanogan-Similkameen division of the Chief Joseph Dam project, in accordance with the provisions of the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto). The principal works of the unit shall consist of: facilities to permit enlargement and utilization of Spectacle Lake storage; related canal and conduits, diversion dam, pumping plants, and distribution systems; and necessary works incidental to the rehabilitation and expansion of the existing irrigation system.

SEC. 2. The provisions of section 2 of the Act of July 27, 1954 (68 Stat. 568, 569), shall be applicable to the Whitestone Coulee unit of the Okanogan-Similkameen division of the Chief Joseph Dam project. The term "construction costs" used therein shall include any irrigation operation, maintenance, and replacement costs during the development period which the Secretary finds it proper to fund because they are beyond the ability of the water users to pay during that period.

SEC. 3. The Secretary is authorized, as a part of the Whitestone Coulee unit, to construct, operate, and maintain basic public recreation facilities including access roads, to acquire or otherwise to include within the unit area such adjacent lands or interest therein as are necessary for present or future public recreation use, and to provide for public use and enjoyment of the same and of the water areas of the unit in a manner coordinated with the other project purposes. The Secretary is authorized to enter into agreements with State or local public agencies or other public entities for the operation, maintenance, or additional development of unit lands or facilities, or to dispose of unit lands or facilities to State or local agencies or other public entities by lease, transfer, exchange, or conveyance, upon such terms and conditions as will best promote their development and operation in the public interest for recreation purposes. The costs of the undertakings described in this section, including costs of investigation, planning, Federal operation and maintenance, and an appropriate share of the joint costs of the Whitestone Coulee unit, shall be nonreimbursable.

SEC. 4. There are hereby authorized to be appropriated for construction of the new works involved in the Whitestone Coulee unit, of the Okanogan-Similkameen division of the Chief Joseph Dam project $5,325,000 (April 1960 prices), plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction works of the types involved therein as shown by engineering cost indices and, in addition thereto, such sums as may be required to operate and maintain said division.

AMENDMENT OFFERED BY MR. ROGERS OF TEXAS

Mr. ROGERS of Texas. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Texas: Strike out all after the enacting clause of S. 2447 and insert the provisions of H.R. 5118 as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

CONSERVATION OF THE NATION'S ANADROMOUS FISH

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2392) to authorize the Secretary of the Interior to initiate a program for the consideration, development, and enhancement of the Nation's anadromous fish in cooperation with the several States, with amendments.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of conserving, developing, and enhancing the anadromous fishery resources of the Nation that are subject to depletion from water-resource developments and from other causes, or, with respect to which the United States has undertaken conservation commitments pursuant to international agreements, the Secretary of the Interior is authorized to cooperate with and provide assistance to the several States in conserving and developing the anadromous fishery resources within the several States.

SEC. 2. The Secretary of the Interior is further authorized (1) to conduct such investigations, engineering and biological surveys, and research as may be necessary to accomplish the purposes of this Act; (2) to construct, install, maintain, and operate devices and structures wherever necessary for the improvement of feeding and spawning conditions for anadromous fish, for the protection of such anadromous fish and for facilitating the free migration of such fish; (3) to construct, operate, and maintain fish hatcheries wherever necessary to accomplish the purposes of this Act; and (4) to purchase, lease, or accept donations of lands and any interest therein necessary to accomplish the purposes of this Act. The Secretary is also authorized to enter into cooperative agreements with Federal, State, public, or private agencies, or organizations and colleges and universities to conduct studies, research investigations, and for such other purposes as may be necessary to accomplish the provisions of this Act.

SEC. 3. Activities authorized by this Act to be performed on lands administered by other Federal departments or agencies shall be carried out only with the prior approval of such departments or agencies.

SEC. 4. There is authorized to be appropriated for the period ending on June 30, 1969, not to exceed $25,000,000 to carry out the purposes of this Act.

SEC. 5. (a) In carrying out the purposes of this Act, the Secretary shall enter into cooperative agreements with one or more States, and where he deems it appropriate, with other non-Federal interests, acting jointly or severally, that are primarily concerned with the development and conservation of anadromous fishery resources. Such agreements shall describe (1) the actions to be taken by the Secretary, in cooperation with these States, (2) the benefits that are expected to be derived by these States and other non-Federal interests, (3) the estimated cost of these actions, (4) the share of such costs to be borne by the Federal Government and by the States and other non-Federal interests: *Provided,* That the Federal share, including the operation and maintenance costs of any facilities constructed pursuant to this Act, shall not exceed 50 per centum of such costs exclusive of the value of any Federal land involved, and (5) such other terms and conditions as he deems necessary.

(b) Not to exceed 20 per centum of all funds expended or obligated under this Act in any fiscal year may be expended or obligated in any one State.

SEC. 6. Nothing in these sections shall be construed as affecting or modifying the provisions of the Act of May 11, 1938, as amended (16 U.S.C. 755–757).

SEC. 7. The Secretary of the Interior shall, based on studies carried out pursuant to this Act and section 5 of the Fish and Wildlife Coordination Act (48 Stat. 402), as amended (16 U.S.C. 665), make recommendations to the Secretary of Health, Education, and Welfare concerning the elimination or reduction of the detrimental effects of polluting substances on fish and wildlife in interstate waters or tributaries thereof. Such recommendations shall be designed to enhance the quality of such waters, and shall take into consideration all other legitimate uses of such waters.

The SPEAKER pro tempore. Is a second demanded?

Mr. TOLLEFSON. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BONNER. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. HAGEN].

Mr. HAGEN of California. Mr. Speaker, in a sense, this bill is a tribute to one of our departed colleagues, the Honorable Clem Miller of California, who was killed in a plane crash while serving as a Member of the House. He took a great deal of interest in preserving the anadromous fish hatchery and introduced legislation on this subject which related only to California and the California salmon and steelhead and striped bass. Our committee failed to act on his bill. It has acted favorably on this bill of the gentleman from Michigan [Mr. DINGELL]. It has made it a program available to every State of the Union which has an anadromous fish resource. If you are confused by that word "anadromous," it describes a fish which is born in fresh water and goes to sea and either stays there or returns to fresh water to die. It includes such varieties as salmon, steelhead, striped bass, shad, and sturgeon.

I believe eel fish is another variety; in other words, a very valuable fish resource. Both on the Atlantic coast, in the gulf, and on the Pacific coast there has been a vast depletion of this great fish resource. It has been determined by the Department of the Interior that with a program such as is presented in this bill a great deal could be done to restore that resource to the advantage not only of our sports fishermen but also to the advantage of the very valuable commercial fisheries which depend on the anadromous fish, which returns millions of dollars to our people and returns many taxes to the Federal Government.

This program would be a new program under the Department of the Interior to conduct research on the problems confronting this fish resource, to develop knowledge about it, to develop action programs to preserve this fish resource. This would be done primarily in cooperation with the various States which wanted to participate in the program with a requirement that the participating State put up at least 50 percent of the money and subject to a requirement that no more than 20 percent of the funds available could go to a single State.

There is a maximum expenditure of $25 million spelled out in the bill and it would extend over a 5-year period. In other words, it is a terminal program with a fixed amount of expenditure.

I feel that it is good legislation and hope my colleagues will agree with me.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from Iowa.

Mr. GROSS. How much money are we presently spending on salmon and other similar species of fish—anadromous fish?

Mr. HAGEN of California. I am sorry I cannot answer the question; perhaps some other member of the committee can, but there is no program of any great magnitude which is directed specifically at anadromous fish. I know there is research going on, as there is with respect to all types of fisheries, but it is felt that this particular fish resource is so valuable and has so many problems because of its very nature of being born in fresh water, going to sea and then returning, that this program is necessary and is not intended to duplicate any of the existing programs.

Mr. GROSS. Is any part of your trouble due to all the dams you are building that shut off these fish?

Mr. HAGEN of California. That is a part of the problem.

Mr. GROSS. How do you expect to overcome this, just keep spending $25 million every 5 years?

Mr. HAGEN of California. Unfortunately it is only recently that the Bureau of Sports Fisheries and Wildlife, has been brought into the picture in considering the authorization for building dams. It is a matter of locking the barn after the horse is stolen; but that is not to say that we should not act now to prevent further interference with our fisheries, and to repair some of the damage that has already been done.

Mr. GROSS. As with the construction of a sea level canal with the use of nuclear devices, and the existence of the test ban treaty, I should have thought somebody would have known that in the building of a dam they were throwing up obstacles.

Mr. HAGEN of California. I might say to the gentleman that at the time many of these dams were built we did not have the pressure on our fish and other wildlife that exists now. We are just now waking up to the fact that this is a very valuable resource with many more people dependent on it either for food or recreation or both.

The SPEAKER pro tempore (Mr. SMITH of Virginia). The time of the gentleman from California has expired.

Mr. TOLLEFSON. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DON H. CLAUSEN].

Mr. DON H. CLAUSEN. Mr. Speaker, I want to join my colleagues, the gentlemen from California [Mr. HAGEN and Mr. JOHNSON] in paying tribute to my predecessor, the Honorable Clem Miller for his leadership in the initial development of this legislation. As the Representative of the First Congressional District of California, I want to join in the support of this important measure that authorizes the Secretary of the Interior to enter into cooperative agreements with the States to develop and execute a comprehensive national program to restore and develop anadromous fishery resources.

Further, I want to compliment the committee for adding the amendment to the original bill establishing the cooperative State and Federal agreement provisions. It is a major improvement and greatly strengthens the bill.

Mr. Speaker, during my first term in the House of Representatives, I have noticed the word "responsible" is being used more and more during debate on this floor. I think this is a very good sign.

Sometimes the argument goes that the States have failed to meet their responsibilities in certain areas and, thus, the Federal Government must step in. I have maintained that broader independent tax sources should be made available to State governments and the Federal Government should more vigorously encourage the States to resolve more of their own problems.

On the other hand, there are those areas in which the Federal Government has a clear responsibility for action. Without any doubt, this includes the protection and enhancement of fish life in our many rivers, lakes, and oceans.

Commercial and recreational fisheries are a Federal problem for the simple reason that the oceans, lakes, and rivers, and the steelhead, salmon, and striped bass therein, cannot be bound by political boundaries on the adjacent lands. Further, the salmon and steelhead fishery problem as it affects my district is the direct result of Federal-State conservation and flood-control projects. California fish and game officials inform me that up to three-quarters of the salmon and steelhead spawning grounds in California have been blocked by dams. The salmon and steelhead runs have been cut by this same percentage.

Because of this continuing responsibility of the Federal Government, I urge my colleagues to join in a rapid acceptance and solution of these problems. The enactment of H.R. 2392, a bill to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of fish life which migrate between our fresh water rivers and the ocean, is a fast and vitally needed solution to the disappearance of our anadromous fishery.

The Secretary would be authorized to build fish ladders, fish hatcheries, and other devices to permit these migrating fish to return to the streams from which they came in order to spawn and reproduce their kind. The bill authorizes $25 million over a 5-year period to be matched with local contributions for these works. It should also be noted that the program has a terminal date.

The natural travel and migratory pattern of the previously mentioned species of anadromous fish trangresses the extension of State boundaries beyond the continental limits of the United States.

In summary, Mr. Speaker, it is my opinion that this bill is needed and that the Federal Government has good reason and a responsibility to lead, as well as participate, in the effort to protect and enhance this important natural resource.

Mr. RIVERS of Alaska. Mr. Speaker, will the gentleman yield?

Mr. DON H. CLAUSEN. I yield to the gentleman from Alaska.

Mr. RIVERS of Alaska. I wish to thank the gentleman for yielding and to say that I support this legislation and commend the committee for bringing it to the floor of the House.

Mr. Speaker, I associate myself with the remarks of the distinguished gentleman from California [Mr. Don H. Clausen].

Mr. DON H. CLAUSEN. I thank the gentleman.

Mr. TOLLEFSON. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Speaker, I assume that we are coming toward the end of a session and I look forward to the end but not as an unmixed blessing, because toward the end of every session we get a grist of bills about like this one and some of those that have come before us today.

Toward the end of every session we get this stuff. This calls for $25 million to correct the errors that somebody made when they built all those dams in the West and thus involved migratory fish, if you want to call them that. We learn from this bill that it will cost us $25 million to try to do something about the situation.

Can anybody tell me that with the expenditure of $25 million this problem will be solved? Or will you be picking the pockets of my taxpayers and the taxpayers elsewhere in the country who do not have these migratory fish to get more money for this purpose?

Will $25 million get the job done, or do we have to go on and on indefinitely into the future hiring experts to tell us how to solve this problem?

Mr. KEITH. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Massachusetts.

Mr. KEITH. This is one of the prices we pay for civilization and the industrialization of our country. Our population has expanded, our protein requirements are greater, yet the ability to catch fish gets less each year.

Mr. BONNER. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. Johnson].

Mr. JOHNSON of California. Mr. Speaker, as the author of one of the bills which was considered by the Merchant Marine and Fisheries Committee, in recommending enactment of this bill we have before us I rise to support enactment of this legislation. This bill extends on a nationwide basis, the provisions of somewhat similar bills introduced in the 87th Congress, relating to a development program for migratory fish in California only.

I want to point out many of us in California have recognized the need for a strong Federal program for anadromous fish for several years. The fact that California salmon enter national and international waters is reason enough for Federal participation. Also much past damage to these resources was the result of Federal water-use programs carried on when there were inadequate means, or desires to compensate for damage to the fishery when such compensation was feasible. With the threats to salmon and other migratory fish that can be foreseen in water developments now proposed by Federal and State water agencies in California, it is clear that there is strong justification for a comprehensive, statewide salmon program with Federal and State participation.

Every phase of the freshwater life of these fish should be accorded all possible improvements so as to increase the Nation's resources. Several means are available to improve these freshwater phases and to compensate for losses of spawning habitat and other detriments caused by man. All means should be used.

There are many things that can be done to assist the migratory fish in California; namely, the king and silver salmon, steelhead trout, striped bass or rockfish, shad, and sturgeon. We will need several fish hatcheries and other artificial production works, including spawning channels. Also, there are several major water diversions where fish screenings are badly needed. These are diversions of long standing for which no legal claim can be made on the water diverting agency. Stream clearance work, stream bed realinement and gravel restoration are other measures that will help to restore and enhance our fishery resources.

The anadromous fish resources of California, and of other States, have suffered greatly in past years as a result of accelerated and extensive water projects development and other manifestations of man's activities, including pollution, loss of spawning areas, erosion, siltation, and water diversion.

The king and silver salmon, the shad, striped bass, and steelhead are the chief species in California to suffer.

The striped bass, originally introduced to California from the Atlantic Coast in 1879, now supplies a major sport fishery and is threatened by water developments and pollution in our lower Sacramento River and Delta region. On the east coast, the same species has already been seriously affected by similar encroachments of man.

The American shad, another import from the east coast, supplies an increasing number of fishermen with fine sport. It has also suffered from changes in its environment on the east coast, and it is seriously threatened in California.

The primary problem facing salmon is the destruction of their habitat. In California, salmon fishing has not been a major contributor to our salmon population's decline. Yet, drastically reduced salmon stocks, and even the elimination of whole runs, are a sad contrast to the abundance of a hundred years ago. It is possible to bring them back but only by most energetic and immediate action.

The State conservation agencies, in most cases, find it impossible to finance sufficient remedial action. California now spends about 12 percent of its fish and game budget of $1,400,000 per year on anadromous fish. This money comes from the California angling license buyer and the commercial fisherman.

They cannot, in all fairness, be expected to pay more and more to maintain the fisheries which also benefit other States, and whose depletion, in many cases, is associated with Federal water projects or with other developments that may not make adequate provisions for fisheries maintenance or enhancement.

Sport fishing for salmon and steelhead in California is worth over $17.5 million yearly to the net economy of the area. The value of the commercial king salmon fishery is in excess of $8 million per year.

Historically, there were probably up to 2 million spawning salmon in the area capable of producing as much as 30 million pounds of fish. In 1963, we were down to about 300,000 spawning fish in the Central Valley. The spawning beds we have left could handle at least 750,000 spawners if the habitat could be managed properly.

Mr. Speaker, the impact of this program upon California would be tremendous. I feel that it is essential that this program be approved. I speak not only for myself, but for the California State Legislature which has adopted the following resolution:

CALIFORNIA STATE SENATE RESOLUTION RELATIVE TO ANADROMOUS FISH

Whereas the anadromous fish populations dependent upon those streams tributary to the oceans bounding the United States constitute a major national economic factor supporting our commercial and related sport fisheries; and

Whereas these fisheries provide a substantial portion of this essential food supply for the Nation's growing population; and

Whereas studies conducted by Federal and State agencies, by congressional and legislative committees and by public service organizations have concluded that inroads have been made upon the reproduction capacity of these fisheries through dams, major water diversions, gravel operations, pollution and other habitat destructive forces, necessitating action to preserve the required water clarity, to rehabilitate spawning areas and to construct facilities to compensate for those spawning areas which are forever lost for this purpose; and

Whereas the Senate Fact Finding Committee on Natural Resources of the State of California conducted one such series of studies, finding that the anadromous fishery dependent upon California streams is being seriously jeopardized by major water diversions which are not protected by fish screens, by certain industrial operations, and by dams constructed prior to the date when compensatory hatchery facilities were required; and

Whereas this committee succeeded in securing State legislation which protects to an extent the major spawning streams from industrial operations deleterious to spawning areas, but has found that the matter of large, efficient fish screens and hatchery facilities exceeds the resources of the State to cope with to the extent necessary; and

Whereas the protection and enhancement of the anadromous fisheries is one of national concern as well as concern of the several States: Now, therefore, be it

Resolved by the Senate of the State of California, That the members respectfully memorialize the Merchant Marine and Fisheries Committee of the House of Representatives and the Congress of the United States as a body to afford favorable consideration to the measure pending before Congress which provides for the construction of devices to improve the feeding and spawning conditions and to facilitate the free migration of anadromous fish; and be it further

Resolved, That the secretary of the senate is hereby directed to transmit copies of this resolution to the President of the United States, to the President pro tempore of the Senate, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Attest:

J. A. BEEK,
Secretary of the Senate.

Mr. TOLLEFSON. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Speaker, I would like to answer my colleague from Iowa with reference to the benefits that his taxpayers might get from this bill.

Anadromous fish, for the benefit of my landlocked colleague from Iowa, are those species which mature and live their adult lives in salt water, but invariably return to fresh water streams and ponds to spawn. With the many discussions we have had in the House in recent months on the effects of pollution and industrial waste in our rivers and streams, it is easy to understand why anadromous fish have suffered more from the impact of civilization than other species.

This bill, H.R. 2392, would initiate a program for the conservation, development and enhancement of this important natural resource in cooperation with the States.

The legislation would envision the development of plans which would include artificial spawning channels, improvement of natural spawning habitats, fish hatcheries, removal of natural and artificial barriers to the migration of these fish, and other such measures.

This program is needed to fill a gap that now exists in an important field, and I strongly support it, as amended by the Committee on Merchant Marine and Fisheries. It offers a practical solution to a rapidly deteriorating situation. If we fail to act now the anadromous fish resources of the Nation may soon be destroyed or depleted to a level that would be beyond our ability to restore.

My colleague from Iowa, in an aside, advised me that salmon are no longer popular in his State. He said they are too expensive. This is just the operation of the law of supply and demand, a principle of economics with which my colleague is very familiar. What we want to do through this legislation is restock the store, increase the supply, and to do this we must have a program that will overcome the adverse effects of industrialization and pollution and of flood control projects that failed to consider these fisheries.

Take, for example, the impact of civilization on the well-known striped bass, which is prevalent on the south Atlantic coast and also very popular with fishermen in my district. This fishery has been severely endangered by pollution in the past 20 years. The gentleman from Iowa mentioned salmon. The once great number of Atlantic salmon have been practically eliminated from our New England streams; the remaining exception is the State of Maine. It is reported that Maine had a catch in 1950 of less than a thousand pounds. But I would like to note that before civilization took its heavy toll, in the late 1800's, production of this delicious food fish was in excess of 150,000 pounds a year. This bill will help us eventually restore Atlantic salmon and bring us back to even greater levels of production. Then the gentleman from Iowa will be able to buy salmon at a price that even he would find reasonable.

Mr. Speaker, this problem exists on both shores of our continent. Various species of Pacific salmon in 1930, for example, produced a total catch of 526 million pounds for our west coast fisheries. In 1960, salmon production in the West was less than half that amount. American shad reached a peak abundance in 1890, when 43 million pounds were caught. Today, less than one-seventh of that amount is taken by American fishermen. These vitally important fisheries will be completely depleted if we fail to take immediate, positive steps to introduce effective conservation and development programs.

It is my privilege to serve as a member of the Subcommittee on Fisheries and Wildlife Conservation. Because of this, I know of the careful and thoughtful study that has been devoted to the preparation of this legislation before bringing it to the floor for consideration. I know of the effort to find the best approach to a difficult problem, and I think what has evolved is sound, economical and effective legislation. It is truly cooperative in spirit, in that the Federal Government and the various States will not only share the decisionmaking responsibilities under the bill, but they will share the costs under an amendment I offered and which was accepted by the committee.

A second amendment I had the privilege to propose and see adopted provides that no one State will be granted more than 20 percent of the Federal funds available. The original bill had no such provision and it would have been possible, therefore, for a disproportionate share of the aid to be given to a single area. This amendment is important because we have many coastal areas in need of assistance. The benefits under this legislation should be made as widespread as possible.

These amendments will mean more funds to devote to needed programs and better supervision of those programs. The result will be more and better fish protein for the diet of our ever-growing population. A relatively small investment now can pay tremendous benefits for the future and that is the essential importance of this legislation.

Mr. BONNER. Mr. Speaker, I yield myself such time as I might use.

Mr. Speaker, since the beginning of our country, one of our greatest assets has been the almost inexhaustible supply of fish in our streams and rivers and the oceans surrounding us. From the beginning there has been dependence upon our supplies of salmon, shad and striped bass for food. These fish have one thing in common—while they live in the ocean they enter our streams and rivers to spawn.

Unhappily, over the years there has been a great diminution of supplies of these fish by reason of man's activities in pollution of streams, of erection of artificial barriers such as dams, and the elimination of spawning grounds. The result is that many species are presently in danger of extinction. This will prove of very considerable danger, not only to the sportsmen, but also to those of our citizens engaged in the production and processing of an essential protein in our diet.

The economy of Alaska depends to a considerable degree upon the salmon and both shad and striped bass are important fish products on the east coast. In addition, a very considerable part of our recreational income is derived from fishing for these species. However, unless prompt steps are taken, from entire areas of the country these assets to our economy may disappear.

Unfortunately, the States by themselves are unable to expend the necessary funds and to take necessary steps to reverse this trend. Hence this legislation.

This bill would provide a fund to construct such facilities as are necessary to protect the fish. It is not a research bill. It is a practical bill designed to get out in the field and correct the conditions that have resulted in the destruction of the fish runs. It contains safeguards against abuse in that it provides that any project in this area must be supported to the extent of 50 percent of its cost by the particular State involved and that not more than 20 percent of the funds available for any given year shall be expended in or on behalf of any individual State.

In my opinion the bill is a necessary one to protect a very important resource of the Nation at a cost which is moderate considering the benefit to be derived from its enactment.

Mr. COHELAN. Mr. Speaker, I have joined in sponsoring this farsighted measure to conserve and develop our Nation's supply of anadromous fish and I take pleasure in rising in support of this bill today.

The committee's report makes clear that our anadromous fish represent both a significant economic and recreational resource. Yet it is a resource whose future is in jeopardy because of the construction of large, multipurpose dams and other Federal-State water resources projects; construction which has cut off essential spawning habitats in countless rivers and streams.

My own State of California, Mr. Speaker, is making major efforts to protect and develop its anadromous fish. In addition to an annual expenditure of $1.4 million out of the license fee fund, the State is committed to one of the Nation's most comprehensive pollution control programs. By law it must provide compensation for damage to fish in all new State water project facilities—a figure which amounts to several million dollars each year.

But the Federal Government has a role to play as well for the anadromous fish are a national resource.

The problem of preserving this resource is, of course, not new. But, if we are to prevent the piecemeal and eventual destruction of our anadromous fish supply we must take prompt action. We must plan now for the fishes as well as for the dams.

Fortunately, this planning is provided for in the bill we are considering today; a bill which calls for the first total program to preserve this vanishing wealth-producing resource.

It is a constructive measure. It calls for cooperation between the Federal Government and the States, and it has the support of all interested parties. It will pay rich dividends for the future and I urge its support and passage.

The **SPEAKER** pro tempore. The question is, Will the House suspend the rules and pass the bill H.R. 2392, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to extend their remarks on the bill just passed.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

ADDITION TO EVERGLADES NATIONAL PARK

Mr. POAGE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8290) to authorize the Secretary of the Interior to accept a transfer of certain lands within Everglades National Park, Dade County, Fla., for administration as a part of said park, and for other purposes, with amendments.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to accept a transfer from the Administrator of the Farmers Home Administration, United States Department of Agriculture, which transfer is hereby authorized, of a tract of land consisting of approximately four thousand four hundred and twenty acres, lying within the boundaries of Everglades National Park, in Dade County, Florida, and more particularly described in the masters deed dated December 21, 1962, in the proceeding entitled "The Connecticut Mutual Life Insurance Company against Toni Iori, a single man; Peter Iori and Helen Iori, his wife, d/b/a Iori Bros., et al.," No. 61C–3823, in the Circuit Court of the Eleventh Judicial Circuit of Florida, in and for Dade County, and recorded in the official records of said county in book 3494 at page 457, or in any modification of such masters deed, for administration as a part of the Everglades National Park. Such transfer will be made by the Farmers Home Administration, Department of Agriculture, to the Secretary of Interior, only after the Farmers Home Administration's emergency credit revolving fund has been fully reimbursed for all cost incurred by it in connection with the aforesaid land. Such transfer may be accepted when title to the property is vested in the United States.

SEC. 2. There is hereby authorized to be appropriated to the emergency credit revolving fund, upon the transfer authorized in section 1, such sum as may be necessary but not in excess of $452,000 to reimburse the fund for costs incurred by the Farmers Home Administration in connection with the aforesaid property.

The **SPEAKER** pro tempore. Is a second demanded?

Mr. HOEVEN. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. POAGE. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill simply allows the transfer of certain lands in the State of Florida from the Department of Agriculture to the Department of the Interior. These lands are lands which are presently within the boundaries of the Everglades National Park. They came into the possession of the Department of Agriculture as the result of the foreclosure of certain liens which the Department held through the Farmers Home Administration on a substantial acreage of land within the park boundary.

The land was formerly owned and operated by Iori Bros. as a partnership. It is known as the hole in the doughnut because of its location within Everglades National Park. It now consists of approximately 4,000 acres. This is not swampland. At the time the cited loans were made the property included 1,781 acres of cultivable land valued at $300 per acre or a total of $525,300 and 320 acres which could be developed for cultivation at reasonable cost, valued at $150 per acre or a total of $48,000. The remaining acreage is of lower elevation and development for cultivation would probably be too expensive. It was valued at $135,975. Buildings on the property were valued at $69,300. Therefore, the total appraised current market value of the property as of October 1959 was $778,575. With prior lien debts of approximately $330,000 at the time, the equity in the property was well in excess of the amount of the emergency loans made in 1959 and 1960. Even though the appraised value of real estate may not be received at forced sales, it is obvious that the loans were secured safely.

Section 2 of this bill would authorize an appropriation to the emergency credit revolving fund, upon the transfer of real estate as authorized in section 1, such sum as may be necessary but not in excess of $452,000 to reimburse the fund for costs incurred by the Farmers Home Administration in connection with the aforesaid property. As of September 20, 1964, the costs which had been incurred out of the emergency credit revolving fund in connection with this property were:

The sum of $59,578.90, consisting of $52,247.35 principal and $7,331.55 interest owed on an emergency loan of $106,264 made to Iori Brothers on October 12, 1959, for the production of approximately 400 acres of tomatoes. This loan was secured additionally by a junior lien on the real estate which would be transferred under H.R. 8290;

The sum of $71,396.85, consisting of $64,248.46 principal and $7,148.39 interest owed on an emergency loan of $107,000 made to Iori Brothers on November 1, 1960, for the production of tomatoes. This loan was secured additionally by a junior lien on the subject real estate;

The sum of $289,700, representing outstanding balance on amount paid to prior lien creditor pursuant to FHA's successful bid at the foreclosure sale held by that creditor. The bid was made in order to protect FHA's junior lien position;

The sum of $23,017.14, consisting of $22,042.16 paid in March of 1963 as taxes on the property for 1960, 1961, and 1962, and interest of $974.98 on this amount; and

The sum of $7,122.82, consisting of $7,027.24 paid in March of 1964 as taxes for 1963 and interest of $95.58 on this amount, for a total amount of $450,815.71 as of September 20, 1964. Interest will continue to accrue but the total amount will be within the ceiling of $452,000 if H.R. 8290 is enacted in 1964.

This is not a bill to bail the Department of Agriculture out of anything because admittedly the Department can sell this land now for more than the amount of the indebtedness. It is, however, an effort to fill a gap that has existed for sometime in the park. The Department of the Interior wanted to buy this land at the time they created the park, but it included some of the most productive land in that part of the State.

At that time the land was being farmed and it was felt inadvisable to buy it. The land is now in the hands of the Department of Agriculture. It is in the hands of the U.S. Government. We are proposing simply a transfer from one agency of the Government to another agency of the Government, and from the standpoint of sound bookkeeping we are requiring in this bill that the Department of the Interior should reimburse the Department of Agriculture because we have felt unless there is such reimbursement, there would certainly be a misunderstanding as to the expenditures of the Department of Agriculture. It is for that reason we bring the bill before you. We believe that the committee amendments provided here give complete protection to the financial integrity of both Departments by providing specifically that such transfer will be made by the Farmers Home Administration and the Department of Agriculture to the Secretary of the Interior only after the Farmers Home Administration emergency credit revolving fund has been fully reimbursed for all costs incurred by them in connection with the aforesaid land.

Certainly, it would be an unfair situation to require the Department of Agriculture to finance the purchase of these parklands. On the other hand, this Congress long ago adopted a policy of establishing and developing this park. It must be developed and the U.S. Government is going to pay for it in one way or another. It seems to us, it is far better that it be handled by a businesslike transfer.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HOEVEN. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I would like to ask the gentleman from Texas first of all, this bill was before the House on the Consent Calendar not long ago. At that time, as I remember, the gentleman said that this land might well be worth $500 an acre. Does the gentleman still think it could be worth $500 an acre.

Mr. POAGE. Yes; I certainly do think it is worth $500 an acre.

Mr. GROSS. Then why would you be selling it for $100 an acre?

Mr. POAGE. Because we are only asking the Department of Agriculture to get its costs out of the land. We do not feel the Department of Agriculture should make a profit out of the Department of the Interior any more than we feel that the Department of Agriculture should be required to give the lands to the Department of the Interior.

Mr. GROSS. What does the Government have in this now?

Mr. POAGE. The Government has in this land $450,815.71 as of the 20th day of September, 1964.

Mr. GROSS. If you can sell this land for $500 an acre, what would be wrong with the Federal Government making a profit?

Mr. POAGE. There would be nothing wrong with it, if you do not want to develop the park as we have committed ourselves to do.

Mr. GROSS. How many hundreds of thousands of acres are there in that park now? This 4,500 acres is not necessary to the Everglades Park is it?

That park covers about all of south Florida, the real southern part of Florida, does it not?

Mr. POAGE. I understand that probably it includes something in excess of a million acres, largely swampland. This is not swampland, of course. This land is in the park now. It is not a matter of our putting it there. The Lord put it there. Perhaps we put it there when we surrounded it with a park. It is the hole in the doughnut.

Mr. GROSS. The boundaries of the park put it in the park.

Mr. POAGE. That is correct.

Mr. GROSS. But that is scarcely an answer to the question as to why, if the land is worth $500 an acre, it cannot be sold for $500 an acre.

Mr. POAGE. Unquestionably you could sell the whole park, if you believed that to be desirable. It is only a question of whether you believe in the park or not.

Mr. GROSS. Nobody advocates selling the whole park. The gentleman knows that this is a piece of land which has been developed.

Mr. POAGE. I hope that no one advocates selling this land from the park.

Mr. GROSS. These are acres which have been developed. They are beyond the wild state. The land has been cleared. It has been developed. The land is not a swamp. Why should the Federal Government not take a profit out of it?

Mr. POAGE. I do not believe the Federal Government should take a profit out of it. I do not believe the Department of Agriculture should take a profit out of it.

Mr. GROSS. I do.

Mr. POAGE. I believe the Department of Agriculture should get its money back, and I believe the Department of Interior should pay for the cost. That is what the bill provides.

Mr. GROSS. Is not the Connecticut Mutual Life Insurance Co. being made whole by this settlement?

Mr. POAGE. No, the Connecticut Mutual Life Insurance Co. has long since been paid off and has no interest in this whatsoever.

Mr. GROSS. It has been paid off by whom?

Mr. POAGE. By the Department of Agriculture.

Mr. GROSS. So the Federal Government made it whole in this deal?

Mr. POAGE. A long time ago. This has nothing to do with it.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. HOEVEN. Mr. Speaker, I yield the gentleman from Iowa 2 additional minutes.

Mr. GROSS. The fact remains that the life insurance company was made whole by the Federal Government or by one of its agencies. That is true, is it not?

Mr. POAGE. Let us get this straight. The life insurance company had a first lien on this land.

Mr. GROSS. I understand that.

Mr. POAGE. The Department of Agriculture made an operating loan, which is a loan which basically depends upon the security of the crop. They took an additional second lien on the land. To enforce the second lien upon foreclosure they had to pay off the first lien.

Mr. GROSS. Yes.

Mr. POAGE. They did pay it off. This bill does not have a thing in the world to do with the Connecticut Mutual Life Insurance Co., because they have been paid off long ago.

Mr. GROSS. It has this much to do with it: You are bailing out an agency of Government which made the life insurance company whole.

Mr. POAGE. We are not bailing them out.

Mr. GROSS. Of course you are.

Mr. POAGE. The Government has all of the land. The agency of the Government can get out all right.

We can have an honest difference of opinion as to whether we ought to sell this and try to get all the money we can out of it or whether we ought to use it for a park. That is all that is involved; whether we want to use this land for a park or sell it at the highest price we can get for it.

Mr. GROSS. I say to sell it.

Mr. POAGE. We can sell Yellowstone and get a high price for it.

Mr. GROSS. The gentleman knows that this is not on all fours with Yellowstone Park, or any part of it.

Mr. POAGE. Would the gentleman not agree that we could get a good price for Yellowstone?

Mr. GROSS. The gentleman knows that this is developed land. The gentleman knows the Government put up the money to provide for the development or to assist in the development of this land.

This is quite different from Yellowstone or Yosemite or any other park.

I say to the gentleman that we ought to sell this. If it is worth $500 an acre, it ought to be sold for $500 an acre, and thereby give the Government a profit. It would be one of the few profitable deals the Government ever made, along these lines.

Mr. Speaker, let the RECORD show that I am opposed to this deal and I cannot understand why the Farmers Home Administration ever got into this deal on the basis that it did.

Mr. POAGE. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, I rise in support of the bill. Two points need to be made with respect to this legislation.

The first is that by congressional act the land involved is already within the park boundaries.

Second, that the money has already been expended by the Government. Therefore, this does not authorize any additional funds. However, it does require that the Department of the Interior, which will be acquiring this land for park purposes as originally contemplated, would reimburse the Farmers Home Administration revolving fund. Therefore, it becomes to that extent an appropriation matter, and this would be an authorization for that purpose. To sell the land now that it is no longer in agricultural use would be to reverse the whole effort of the Congress in establishing the park in the first instance and would be extremely incompatible with the orderly development of the Everglades National Park.

Mr. Speaker, I hope that the bill will be passed unanimously.

The SPEAKER pro tempore (Mr. SMITH of Virginia). The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill H.R. 8290, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. POAGE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2082) to authorize the Secretary of the Interior to accept a transfer of certain lands within Everglades National Park, Dade County, Fla., for administration as a said park, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to accept a transfer from the administrator of the Farmers Home Administration, United States Department of Agriculture, which transfer is hereby authorized, of a tract of land consisting of approximately four thousand, four hundred and twenty acres, lying within the boundaries of Everglades National Park, in Dade County, Florida, and more particularly described in the masters deed dated December 21, 1962, in the proceeding entitled The Connecticut Mutual Life Insurance Company against Toni Iori, a single man; Peter Iori and Helen Iori, his wife d/b/a Iori Bros., et al., No. 61C–3823, in the Circuit Court of the Eleventh Judicial Circuit of Florida, in and for Dade County, and recorded in the official records of said county in book 3494 at page 457, or in any modification of such masters deed, for administration as a part of the Everglades National Park. Such transfer may be accepted when title to the property is vested in the United States.

SEC. 2. There is hereby authorized to be appropriated to the emergency credit revolving fund, upon the transfer authorized in section 1, such sum as may be necessary but not in excess of $452,000 to reimburse the fund for costs incurred by the Farmers Home Administration in connection with the aforesaid property.

AMENDMENT OFFERED BY MR. POAGE

Mr. POAGE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: Strike out all after the enacting clause of S. 2082 and insert the provisions of H.R. 8290 as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 8290) was laid on the table.

AMENDING THE JOINT RESOLUTION ESTABLISHING THE BATTLE OF NEW ORLEANS SESQUICENTENNIAL CELEBRATION COMMISSION TO AUTHORIZE AN APPROPRIATION TO ENABLE THE COMMISSION TO CARRY OUT ITS FUNCTIONS UNDER SUCH JOINT RESOLUTION

Mr. CELLER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1909).

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SMITH of Virginia). Is there objection to the request of the gentleman from New York?

Mr. McCULLOCH. Mr. Speaker, reserving the right to object, and I shall not object, I just want to say that I am very pleased that in these times when we are rushing to adjournment that we can take the time to think a bit about the glorious history of this country.

Mr. Speaker, I withdraw my objection.

Mr. GROSS. Mr. Speaker, reserving the right to object, is this bill being passed in the House for the first time? What is the status of this bill?

Mr. CELLER. This bill has been passed by the Senate unanimously. It has not been reported by the Committee on the Judiciary.

Mr. GROSS. Do you mean you are calling up a bill here now that has never been before the House, or before the committee?

Mr. CELLER. It has been before the Committee on the Judiciary, but has not been reported out by a subcommittee or by the full committee. It is a bill which authorizes the appropriation of funds for the New Orleans Sesquicentennial Commission.

Mr. BOGGS. Mr. Speaker, will the gentleman yield to me?

Mr. CELLER. I yield to the gentleman from Louisiana.

Mr. BOGGS. This matter has been before the House. The House passed a resolution creating this Commission. This is a bipartisan Commission made up of Members from all the States which constituted the Louisiana Territory. Some of the most distinguished Members of the other body of both parties constitute this Commission. We took a similar action recently in connection with the Lake Erie matter. This has been before the Committee on the Judiciary. This is simply an authorization so that the Committee on Appropriations can take a look at the matter. The total amount which would be authorized would not exceed $25,000.

Mr. GROSS. Do I understand that you are acquiring land in connection with this?

Mr. BOGGS. No land whatsoever.

Mr. CELLER. There are no funds for that purpose whatsoever. The land has already been acquired.

Mr. BOGGS. No land whatsoever is involved. There is no purchase of anything. This simply supplements the work of the Commission which was created by the Congress.

Mr. GROSS. $25,000 for a Commission to set the stage for this celebration, or whatever it is——

Mr. BOGGS. It is not to exceed $25,000. It follows a precedent which has been established by the Congress in many of these celebrations.

Mr. GROSS. Yes, we had one here earlier this afternoon. I am surprised that the city of New Orleans and the State of Louisiana cannot take care of this situation.

Mr. BOGGS. Mr. Speaker, I might say to the gentleman that this is a matter that, as much as I would like to claim it for the city of New Orleans and the State of Louisiana, involves 17 of the American States, and I would say that in essence it involves our whole country.

Mr. GROSS. Has anybody made an effort to get the 17 States to chip in about $1,200 apiece and take this off the backs of all the taxpayers?

Mr. BOGGS. I might say in answer to the distinguished gentleman that it is my information that something in excess of a quarter of a million dollars has been raised from private sources, from the city of New Orleans, from the State of Louisiana, and from other States in the territory.

Mr. GROSS. Then to save my soul I cannot understand what you are doing in here asking for $25,000. If you have raised that much money, what are you doing here in the petty cash drawer?

Mr. BOGGS. I would suggest to the distinguished gentleman that this would permit us adequately to mark this very significant event in the history of our great country. I do not think the amount is excessive, and I do not believe that he does, either.

Mr. GROSS. This $25,000 is less than chicken feed around here but it is still a sizable chunk of money in Iowa these days.

Mr. BOGGS. It is not $25,000. It is not in excess of $25,000. We have in this session recognized the historic significance of the Lake Erie event, and I think this is a fair and a just request. I should hope the gentleman would withdraw his reservation of objection.

Mr. GROSS. Mr. Speaker, reluctantly I withdraw my reservation of objection, knowing that in the end I could not stop this spending.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the joint resolution entitled "Joint resolution to establish the Sesquicentennial Commission for the Celebration of the Battle of New Orleans, to authorize the Secretary of the Interior to acquire certain property within Chalmette National Historical Park, and for other purposes", approved October 9, 1962 (76 Stat. 755), is amended—

(1) in subsection (a) thereof by striking out the colon and the following: "*Provided, however,* That all expenditures of the Commission shall be made from donated funds only", and

(2) by adding the following new subsection at the end thereof:

"(d) There are hereby authorized to be appropriated such sums as may be necessary to enable the Commission to carry out its functions under the foregoing provisions of this joint resolution, but in no event shall the sums hereby authorized to be appropriated exceed a total of $25,000."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEGISLATIVE REFERENCE SERVICE

Mr. MILLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, I noticed with much interest and considerable pleasure an announcement on Monday that the Library of Congress is about to strengthen its machinery for assisting the Congress in the field of scientific information and advice.

I am also more than pleased that the Librarian has taken this action and also prevailed upon Dr. Edward Wenk, Jr., to serve as the new special adviser to the Librarian in Science and Engineering as well as chief of a new Science Policy Research Division in the Legislative Reference Service. Dr. Wenk, who is now serving as technical assistant to the Director of Science and Technology in the executive branch, is well known to us here on the Hill. As a former Library official, he has worked closely with our committee and many others, and he has had broad training and practical experience in science and engineering. He knows science, he knows industry and the universities, and he knows government.

We in the Science and Astronautics Committee are most appreciative of the decision of the Appropriations Committees and of the Congress in appropriating money for fiscal 1965 which permits the strengthening of the Library of Congress staff in the field of science and technology. It will be an extremely useful organization for us to work with, and I can assure you that we will be placing a good many demands on this group. I am equally certain that the same will be true of other committees whose activities involve either science or engineering research problems.

Mr. Speaker, I believe that all Members of the House are aware of the greatly increased interest the Government has had in the field of science and technology in the past decade. We are all aware of the great increase in Federal funds which are going into scientific research, engineering, development, tests and evaluation, and the like. I think most of us are keenly conscious of the fact that something like 15 percent of the total Federal budget is now expended for this purpose.

As a consequence it behooves those of us in Congress, in order to assure that this money is wisely spent, to obtain the best possible advice and assistance in our consideration of these matters. A number of my colleagues, both in the House and in the Senate, have introduced legislation looking toward varying types of mechanisms which would help to provide such assistance.

Certainly, the new division in the Library and the appointment of Dr. Wenk as its head will be a big forward step in satisfying the foregoing needs.

Mr. Speaker, I would like to emphasize two important points.

First, the House provided funds which would permit the acquisition of eight new personnel in the new Library division. Those of us who have studied the needs believe that this was a modest enough beginning. The Senate, however, saw fit to reduce funds for this purpose, its position being that the Library might find it difficult to fill all eight new positions immediately. In conference, the House partly acquiesced to the Senate's views in this regard. The overall effect is that personnel for the new division will be about half of what the House had intended originally. It is my further understanding, though, that the action was taken with the expectation that additional funds and additional personnel would be provided in following years.

Second, I would like to point out that the strengthening of the Library in science and technology is a step which I and other members of the Committee on Science and Astronautics have been recommending for some time. We have stated our belief in such a step individually and have suggested it in various reports. As recently as August 10, 1964, Representative EMILIO Q. DADDARIO, chairman of the Subcommittee on Science, Research, and Development, submitted a staff study to me on "Scientific-Technical Advice for Congress—Needs and Sources." That report specifically recommended that the Legislative Reference Service be provided with more scientific and technical personnel in order to facilitate the handling of congressional needs.

THE OASDI TRUST FUNDS AND THE PRAGMATIC POLITICAL PROCESS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, one of the witnesses appearing before the Senate Finance Committee during its recent hearings on the proposed amendments to the Social Security Act referred to a paper by R. M. Peterson, vice president and associate actuary of the Equitable Life Assurance Society, on "The OASDI Trust Funds and the Pragmatic Political Process."

This paper moves the debate on this most important issue forward. It needs to be read by all persons interested in preserving the social security system. A failure to read and evaluate the criticisms contained in this paper is the surest way to bring about the destruction of the social security system.

Politics can destroy the social security system. At this very moment we are witnessing a destructive attack on it by those who profess to be perfecting the system. The test of the intentions of these innovators lies in their acceptance or avoidance of the debate which perforce must ensue if we are to move forward on the basis of knowledge and wisdom, not ignorance and demagogery. To date the innovators have avoided the debate. I hope that they will change their tactics. Surely they have sufficient faith in their theories to put them to test. Or are they hiding the weakness of their case behind the ad hominem fallacy of claiming for themselves the motivation of humanitarianism and denying this motive to those whom they find in disagreement?

Hereafter follows the article referred to:

THE OASDI TRUST FUNDS AND THE PRAGMATIC POLITICAL PROCESS

The social security financing method has been described as developed by a "pragmatic political process."[1] No truer words have been written as will be evident from the following analysis.

A key indicator of one of the sources of the financial strength of social security financing is the ratio of the amount of the trust funds to the current rate of benefit payment. In other words, how many years' payments will the trust funds cover at any time? An official publication, "Financing Your Social Security Benefits," OASI–36, May, 1964, states:

"The trust funds serve two important purposes: (1) The interest income on the invested assets of the funds helps to keep the social security taxes lower than they would have to be if the money in the trust funds were not invested; (2) they are assets to draw on in temporary situations when current income is less than current outgo."

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[1] Actuarial Study No. 49, App. I, Social Security Administration.

The degree to which the trust funds are able to fulfill these purposes is indicated by the relation of the trust funds to the rate of benefit payments.

As to the benefit of interest income, we may first note that under a fully funded private retirement plan, investment income provides from 40 percent to 50 percent of the amount required to pay benefits. In the report to the Committee on Ways and Means for the proposed social security amendments of 1964 (H.R. 11865), interest on the existing trust fund is estimated to reduce the "level-cost" (constant tax rate requirement) of 9.80 percent of payrolls by 0.19 percent or only 2 percent. This 0.19 percent is of the same magnitude as the estimated actuarial deficit under the bill of 0.20 percent which is considered so insignificant that the actuarial balance is "well within acceptable limits."

The capacity of the trust funds to meet "temporary situations when current income is less than current outgo" is indicated by the following exhibit of actual and projected ratios of the respective trust funds to yearly rate of benefit payments:

Ratio of trust funds to benefit payments of the year

OASI TRUST FUND

Trustees report	19th (1959)	20th (1960)	21st (1961)	22d (1962)	23d (1963)	24th (1964)	H.R. 11865 report
	Short-term projections						
1958	2.6	2.6	2.6	2.6	2.6	2.6	2.6
1959	2.2	2.1	2.1	2.1	2.1	2.1	2.1
1960	2.1	1.9	1.9	1.9	1.9	1.9	1.9
1961	2.0	1.8	1.7	1.7	1.7	1.7	1.7
1962	2.0	1.7	1.6	1.4	1.4	1.4	1.4
1963	2.1	1.7	1.6	1.4	1.3	1.3	1.3
1964		1.8	1.7	1.4	1.2	1.2	1.2
1965			1.7	1.5	1.2	1.2	1.0
1966				1.7	1.2	1.2	1.0
1967					1.3	1.3	1.0
1968						1.4	1.1
1969							1.2
	Long-term projections (intermediate cost estimates)						
1970	3.4	2.9	2.6	2.4	2.6	1.9	1.3
1980	4.7	4.1	3.7	3.5	4.1	3.0	2.4
1990	4.9	4.3	3.9	3.7	4.4	3.3	2.7
2000	5.5	5.1	4.6	4.4	5.2	4.1	3.3

DI TRUST FUND

	19th (1959)	20th (1960)	21st (1961)	22d (1962)	23d (1963)	24th (1964)	H.R. 11865 report
	Short-term projections						
1958	4.7	7.0	7.0	7.0	7.0	7.0	7.0
1950	3.8	3.6	3.6	3.6	3.6	3.6	3.6
1960	4.8	3.8	3.8	3.8	3.8	3.8	3.8
1961	5.8	4.7	2.8	2.7	2.7	2.7	2.7
1962	5.8	5.3	2.6	2.5	2.2	2.2	2.2
1963	6.7	5.3	2.5	2.3	1.8	1.8	1.8
1964		6.0	2.5	2.1	1.6	1.5	1.4
1965			2.3	2.1	1.5	1.3	1.3
1966				2.1	1.3	1.1	1.3
1967					1.1	.8	1.3
1968						.6	1.2
1969							1.3
	Long-term projections[1] (intermediate cost estimates)						
1970	5.2	10.8	2.8	2.8	0.2	0.1	1.4
1980	4.9	15.9	1.5	1.5	(2)	(2)	1.1
1990	6.3	26.4	.4	.4	(2)	(2)	1.2
2000	8.3	35.3	(3)	(3)	(2)	(2)	1.4

[1] Benefits extended below age 50.
[2] Exhausted in 1971.
[3] Exhausted in 1993.

These ratios are not published, as such, in the trustees' reports but are computed from actual figures in the reports.

Upon analysis, the most significant feature of this array of ratios is that the successive projected figures steadily decrease. For example, in 1959 the projected OASI ratio for 1963 was 2.1 and the actual was 1.3. Also, in 1959 the projected OASI ratio for 1970 was 3.4 and the projected ratio currently (H.R. 11865) drops to 1.3. An extrapolation of the trend of the figures from successive reports to future reports leads one to the conclusion that future actual experience will be materially less than that projected. In other words, one would be justified in being very skeptical as to the validity of all projections and would reasonably expect that the ratios will be less than indicated at any given time. Has the actuary done a poor job? Not necessarily at all. He has taken the benefit and tax provisions as they are at the time of projection with no allowances for future changes. An actuary cannot anticipate what future political actions will be. An excellent professional job has been done. The real culprit is the "pragmatic political process." As periodic amendments are made, the taxes required for added benefits are spread into the future by the very nature of the financing method. On such occasions, the value of additional taxes payable as to present members is usually only a modest fraction of the value of benefits they will receive. In addition to this feature, current benefits may be increased with a deferred tax provision. For example, in 1961, the retirement or work test was liberalized with a resulting substantial increase in current benefit outlays. But the cost of this change was covered by shifting the tax rate effective in 1969 to 1968. Then, under, H.R. 11865, the tax rate for the 5 years 1966 through 1970 is decreased from 9¼ to 9 percent (although applicable to a higher wage base) and the year for the ultimate level is shifted from 1968 to 1971 with the rate changed from 9¼ to 9.6 percent. Deferments of this kind, which are typical of the political process, account in good part for the lower and lower projections of trust fund growth.

It is evident from the trend of the figures displayed that it is very unlikely that the trust funds will ever become much more than equal to 1 year's benefit payments. Does this provide ample provision to serve the second purpose cited above?

Projections of the dollar amount of the OASI Trust Fund have some interesting characteristics. Here are the figures for 1970 and 1980 taken from trustees' successive reports:

[In billions]

Report	1970	1980
19th (1959)	$50.3	$98.7
20th (1960)	45.5	88.8
21st (1961)	41.3	81.6
22d (1962)	40.1	79.3
23d (1963)	44.8	96.1
24th (1964)	36.0	75.5
H.R. 11865	27.6	64.6

In the 22d annual report, certain so-called medium-term projections were included based on the assumption that the benefit and tax formulas remain unchanged but that wages would rise. Although the report warned that it was unlikely that the assumptions would be realized, the Social Security Administration put out a booklet "Financing Your Social Security Benefits" (OASI-36 March 1962) that included a chart (with money bags) indicating that, using these medium-term projections, the OASI trust fund would amount to $53.7 billion in 1970 and $153 billion in 1980. After some criticism of this publication as grossly misleading, the next issue of the booklet OASI-36 (November 1962) omitted the $153 billion figure and its associated money bag but kept the charted line, now dotted, extending to the same $153 billion point. The latest issue of the booklet for May 1964 omits the chart entirely but with no explanation. Will the Social Security Administration take positive steps to correct the grossly erroneous 1962 booklets? Enactment of H.R. 11865 will require substantial downward adjustment of the figures that appear in this paragraph from the current booklet:

"Income to the program as a whole is expected to exceed outgo over the 5 fiscal years 1964 through 1968 and the combined assets of the funds are estimated to increase by about $5 billion by the end of June 1968. There will be an estimated $6.2 billion increase in the old-age and survivors insurance trust fund and a $1.2 billion decrease in the disability insurance trust fund."

The actual increase will be only about one-half of that indicated. This assumes, of course, no further amendments before 1968.

In summary, the pragmatic political process has produced an essentially pay-as-you-go financing method. The trust funds' interest earning role is so minor that it hardly deserves mention—its value has been greatly exaggerated. The present and prospective magnitude of about 1 year's benefit payments constitutes a modest provision to absorb temporary fluctuations and any substantial economic recession would melt it away very rapidly.

PERSECUTION OF THE JEWS IN THE SOVIET UNION

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, freemen throughout the world have been deeply disturbed for some time over reports of severe discrimination against certain religious groups, especially the Jewish citizens of the Soviet Union. As duly elected representatives of the people of the United States, the bastion of freedom in a troubled world, it is incumbent upon us to carefully weigh these reports and to seriously consider appropriate action.

At the outset, it must be noted that the information which is available about the present subject is at best unsatisfactory, whether the occasional news releases from the Soviet press, secondary studies done by Western writers who sympathize with the plight of the Russian Jews, or the verbal accounts smuggled out of the Soviet Union. These limitations are to be expected when we are dealing with a totalitarian country whose consistent practice has been to publish only its own brand of the truth. In view of past experience with Russia and other dictatorships, the lack of information made available about the persecution of Jews in Russia would lead this observer to believe that the actual facts are probably worse than the information which is available and presented here might indicate.

Although it has been the policy of the Soviet Union to discourage all religious observances for the past 47 years, despite the lip-service which it has paid to constitutional guarantees of freedom of religion, new evidence indicates a renewed program designed to undermine the spiritual faith of Russia, to encourage a cult of "scientific atheism" subordinated to the state and to the goals of international communism, and, more specifically, to systematically eradicate the vestiges of a once flourishing Jewish culture for its nearly 3 million adherents.

In subtle ways, the official policy of the Soviet Government toward its Jewish minority appears to have reached new depths of inhumanity and prejudice. In 1962 the Soviets instituted a ban on matzoth, the unleavened bread indispensable for the celebration of the Passover. Jews have been long forbidden to produce other articles required for worship, such as prayer shawls and phylacteries. The record indicates that only once in the past 40 years have prayer books been made available, and then only a token edition of 3,000 copies in 1958.

In overt ways the Soviet regime has restricted opportunities for religious worship, education, and burial. Whereas there were, according to Soviet sources, some 450 synagogues in Russia in 1956, there are today, according to their own admission, less than 100—and, shockingly, only 3 in Moscow, and 1 apiece in Leningrad and Kiev. Seminaries have been closed throughout the country. Only one Yeshiva, or school for rabbis, is in operation today. Jewish cemeteries have been first desecrated, then shut down.

Unlike similarly constituted national and religious minorities, Jewish congregations are, to some extent, deprived of free contact with Jewish groups abroad or even with fellow Russian groups, and thus refused the minimal rights granted to other faiths.

To complement its program of religious harassment, the Soviets appear to have embarked on a new plan of anti-Semitism which has carried into secular life. This new area of persecution has been based on the deprivation of educational and economic opportunities for its Jewish population through subtle laws and unabashed propaganda.

The high degree of urbanization of Russian Jews—over 93 percent live in cities and towns compared with the national average of 44 percent—seems to make them eminently qualified for educational opportunities and advancement in Russia. Yet, only 3.22 percent of the student population is Jewish, while in 1918 over 8.7 percent were Jewish. According to a recent study by Prof. Nicholas DeWitt, of the University of Indiana, there is evidence that a quota system is being maintained to limit the ambitions of Jewish students.

One of the most recent additions to the history of Jewish persecution in Russia has been the so-called economic crimes. Beginning in May 1961, the Soviet Union enacted decrees extending the death penalty to economic offenses, like pilfering public or state property, counterfeiting, and currency speculation. Since that time, 190 persons have been convicted, over 50 percent of whom were Jewish. In the Soviet Ukraine 80 percent of the victims of this law were Jews. The discrepancy between the percentage of Jews convicted and the Jewish proportion of the population, approximately 1.5 percent, unveils the malicious intent of the law.

A third area of secular persecution has been developed through anti-Semitic propaganda. A flood of cheap pamphlets and books, including the notorious "Judaism Unadorned," have contributed to the Soviet Union's plot to discredit and discourage Jews from active public lives.

Mr. Speaker, I would suggest that this three-pronged attack against Jewish life in Russia is unsurpassed in its intensity, save the horrible examples of Nazi Germany.

Although the free exercise of religion presents difficulties for everyone in the Soviet Union, since the policy of the Government is to eradicate religion, citizens of the Jewish faith are uniquely persecuted and discriminated against. Soviet law makes anti-Semitism a crime, but unofficially the citizen of Jewish faith is branded and denied many of the rights accorded other nationalities and cultural groups. Officials of the Soviet Union have denied that anti-Jewish activity is prevalent in their land, yet there is an abundance of evidence to refute their denial.

Can it be denied that at least 100 of a total of 190 people condemned for alleged economic offenses have been Jews? Can it be denied that numerous arrests, trials, and executions have been patently anti-Jewish? Can it be denied that Kosher butcher shops are closed and that Jews are imprisoned for baking unleavened bread and selling it for the Passover holidays? Can it be denied that the Jewish people in the Soviet Union have few Jewish books or periodicals and that the Jew is featured in the controlled Soviet press in such ways as to bring upon him the contempt of his fellow citizens? Can it be denied that the Jewish people in the Soviet Union are isolated from the rest of the world and that they cannot leave to find freedom elsewhere?

The reports of persecution are deeply disturbing and the portents are frightening. Have we, has the world, so quickly forgotten the similar work of Adolf Hitler? Such outrageous injustice must be condemned—the entire civilized world is offended by such immoral and inhuman conduct. How can we in good conscience deal with officials of a government that sanctions such offensive and calculated deeds without voicing our protest? How can we trust the word of the Communist leaders of the Soviet Union who willfully abrogate the religious freedom guaranteed by their constitution? How can we justify assistance, such as the recent wheat sales, to a nation that deprives a group of its citizens of basic human rights? How can many prominent Americans accommodate the Russians in so many areas of strategic importance, such as trade, national defense, and technology, when their Hitler-like deeds denigrate the very values we seek to promote by such exchange? How can our Government, which represents a people dedicated to the principles of freedom and human dignity for all, stand silent in the face of such deeds?

The President, the Congress, and the people of the United States, along with the free peoples of the world represented at the United Nations, must join in a chorus of protest against the denial of religious freedom in Russia. The U.S. Ambassador to the United Nations, the Honorable Adlai Stevenson, must press for action within that body whose purpose is to promote peace and freedom throughout the world.

In pursuit of this end, I add my protest by introducing this House resolution in the hope that the House will condemn religious persecution in the Soviet Union and will call upon the leaders of that nation to demonstrate to the world that the Soviet Constitution, which purports to guarantee religious freedom to its citizens, is not a totally meaningless scrap of paper.

GUARANTEEING TAX EXEMPTION OF ADVERTISING INCOME FOR PUBLICATIONS OF CERTAIN ORGANIZATIONS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, the effective administration of our tax system makes it necessary for the Internal Revenue Code to be implemented by detailed regulations which serve as a vehicle for carrying out the legislative objectives and intent of the Congress. In general, the record of the Internal Revenue Service in preparing and promulgating regulations within the purview of the revenue laws enacted by Congress is commendable. However, because of the vast complexities of our tax system and its adminstration and, from time to time, an overzealous attitude on the part of certain of its officials, the Internal Revenue Service has sometimes exceeeded legislative authority in its attempts to exact revenue.

When an executive branch of Government invades the exclusive power of Congress in an effort to legislate by regulation, redress may be had in the courts through a long, tedious, and expensive procedure which may result in irreparable damage even if the litigant is successful; or Congress of its own initiative may speak through the legislative process to thwart the attempted invasion of its prerogatives.

My remarks today are directed toward statements made by officials of the Internal Revenue Service that a regulation will be proposed which will have the effect of taxing the income of publications of tax-exempt organizations even though such publications may be substantially related to the tax-exempt purposes of such organizations.

The statute under which the Internal Revenue Service intends to propose a regulation is the Revenue Act of 1950. This law was enacted for the purpose of curbing a growing abuse on the part of certain tax-exempt educational institutions that were acquiring regular commercial businesses not substantially related to their tax-exempt purposes aside from the need for income. The focal point of attention at the legislative hearings and in the congressional committee reports preceding passage of the Revenue Act of 1950 was the acquisition by New York University of a macaroni factory.

In his testimony before the Senate Committee on Finance, the then Secretary of the Treasury Snyder said:

> Our tax laws have long recognized the principle that organizations operated for worthy public purposes should be encouraged by tax exemption.

About the provisions of the bill which would subject to tax the income of a substantially unrelated trade or business he said:

> These provisions preserve the tax-free status of the legitimate activities of educational and charitable organizations and, at the same time, correct the abuses which properly have received so much general condemnation. Business operations of charitable and educational institutions clearly unrelated to their exempt functions generally would be subjected to the regular corporation income tax. This would apply to organizations now engaging in such unrelated business activities as the manufacture of food products, leather goods, vegetable oils, and the distribution of petroleum products. The bill would not tax their income from related activities.

It is clear from Secretary Snyder's presentation and from the congressional committee reports that the statute was intended to subject to taxation only the income of a trade or business that is substantially unrelated to the primary purposes of a tax-exempt organization. In applying the statute, the operation of a publication such as a trade or professional journal may be regarded as a "business" but its income is properly subject to tax only if the publication is a business "substantially unrelated" to an organization's tax-exempt purposes.

Nevertheless, despite the legislative history and the clear meaning of the law, the Internal Revenue Service now proposes by regulation to tax the advertising revenue of publications of tax-exempt organizations, irrespective of whether the publication is substantially related or unrelated to its exempt purposes.

Since the intent of this law is unmistakable, it is clear that the Internal Revenue Service would, by the adoption of this proposal, usurp the legislative functions and prerogatives of Congress by going beyond the purpose of the statute.

The first bill which I am introducing today will assure to labor, agricultural, trade, professional, educational, charitable, religious and similar organizations the tax-free status of their legitimate activities which Secretary Snyder promised and Congress intended in the enactment of the Revenue Act of 1950.

The sole purpose of the second bill that I am introducing is to accommodate the situation where a publication is incorporated separate from the parent organization as is the case with the "Journal of Nursing"—the publication of the American Nursing Association.

The need for this legislation runs the gamut of our worthwhile organizations, such as the Boy Scouts, the Girl Scouts, churches, labor unions, professional and business organizations, and the National Education Association, among other educational groups.

LAW AND ORDER VERSUS VIOLENCE

Mr. BRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, I arise to pay tribute to the policemen, the sheriffs, and other law enforcement officers in this country.

A few nights ago I looked out from the window of my Washington apartment, just two blocks from the Capitol, and saw a Washington policeman and his police dog walking their lonely rounds. I say "lonely" rounds, for I am sure that the officer covering the night beat has many lonely hours even though he may have the company of a trained, alert dog.

Across the street from the building in which I live is a Catholic church. Just a few months ago a secretary from one of the congressional offices was ruthlessly and maliciously attacked while she knelt in prayer in that church. This is all the more startling when it is realized that the attack occurred in midday, while the secretary was on her lunch hour.

A few houses away the wife of a former Congressman was attacked and robbed. In fact, within a radius of 1 mile around the Nation's Capitol, street crimes of all sorts—muggings, stickups, assaults, and rapes—occur with terrifying frequency.

Is Washington some special city of crime and dereliction? The figures do not support such a conclusion.

It is true that Washington, D.C., has crime rates higher than average, but it is also true that the average itself is rising. In America's cities the number of crimes committed has increased 22 percent in the last 5 years.

What has caused this increase?

A host of answers is given. Crime is blamed on poverty, on school dropouts, on working mothers and on nonworking mothers. It is said that those committing these crimes need jobs, education, rehabilitation, psychological counseling, equality, love, compassion, and understanding.

Some, or perhaps all, of these claims have merit. But it also is true that except for a competent police force the criminal element would take over and no one would be safe.

I was shocked recently when mobs robbed and destroyed hundreds of stores and threw stones and "Molotov cocktails" at policemen. Many policemen were seriously injured. I also was shocked that many of our "bleeding hearts" condoned this action by saying that the police are "unkind" to these "misguided" youths.

There seems to be a concentrated effort to change the basic thinking of the American people. For many years the youth of America, even in their games, have considered the criminals the "bad guys" and the law enforcement officers the "good guys." Now too often the cops are the bad guys and the criminals the heroes. A maudlin cult has been growing—as yet still small but vocal—which would have us class the criminals as the good guys and the policemen as the bad guys.

Organized mobs are becoming more and more immune to punishment by law. This is not a civil rights matter. It is not confined to Negro or Caucasian; it is organized violence against law and order. Allowing violence to go unpunished, be it organized mob violence or individual violence, has destroyed more countries than have invading armies.

Of course the corrupt and brutal policeman must be removed. But let us spend more time protecting the interest of the citizen and encouraging respect for the honest policemen and less time crying over unkindnesses to the rapist, the robber, the murderer or the rioter. The American citizen obeying the law seldom meets with police brutality.

Last year there were more than 1,600 assaults on police officers. There were 88 officers killed in the line of duty.

So I, for one, salute that lonely patrolman who has the job of keeping our streets safe to the best of his ability. I am glad also that the policeman has with him the force to protect us, including his well trained police dog.

We all want our streets made safer, our homes more secure. The first step should be to respect law and order and to respect our law enforcement officers.

THE 25TH ANNIVERSARY OF GERMAN INVASION OF POLAND

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, today is the 25th anniversary of the Nazi invasion of Poland, the tragic attack which produced World War II.

The freedom which should have come with victory was denied the people of Poland, primarily by the conduct of foreign policy of Presidents Roosevelt and Truman, yet the brave Polish nation continued to work for the restoration of its political liberties.

Mr. Speaker, it is most appropriate that we take note of this 25th anniversary, and I include as part of my remarks the message of the President of the Polish government-in-exile, Mr. August Zaleski to the Polish nation on the occasion of this 25th anniversary of the German invasion of Poland:

THE 25TH ANNIVERSARY OF THE GERMAN INVASION OF POLAND

(Message of the President of Poland in exile to the Polish Nation)

LONDON.—The 25th anniversary of the German invasion of Poland which started the

Second World War falls on September 1, 1964. On this occasion Mr. August Zaleski, President of Poland in exile, issued the following message:

"Citizens of Poland and Poles in the whole world: a quarter of a century has passed since the Germans, having concluded yet another agreement with Russia for a new dismemberment of Poland, marched across the frontier of the Polish Republic, thus commencing a war conducted by them in a manner before which the crimes of Attila and Jenghiz-Khan pale into insignificance.

"Owing to the inactivity of Poland's Western allies who, contrary to solemn treaty obligations, extended no help and despite the heroic defense put up by the Polish armed forces and the whole nation, the President of the Republic and the supreme authorities of state were obliged to leave the territory of Poland in order to continue the struggle from allied countries.

"As President Moscicki was leaving Poland, he issued a message to the nation which included the following passage:

" 'Not for the first time in our history are we faced by a deluge of invasion from east and west. Allied with France and Great Britain, Poland is fighting for the rule of justice against lawlessness, for faith and civilization against soul-less barbarism, for good against the rule of evil in the world. From this fight, it is my firm conviction, victory must and will be achieved. Citizens: we must preserve the personification of the Republic and the source of constitutional authority from this passing deluge.'

"Recalling these words after 25 years, we must state with heavy hearts that these splendid aims have not been attained. On the contrary, our allies have accepted compromise with Russian imperialism. Not only the Polish Republic has fallen victim but also nine other European countries have become the prey of Moscow.

"But let us not lose hope that those now at the helm of world politics will ultimately realize they are proceeding on a course which does not lead to the triumph of faith, justice, and good. For these ideals are incompatible with compromise.

"We Poles have salvaged the source of constitutional authority from the conflagration of war, as President Moscicki planned. It is the firm support of our onerous though bloodless fight for the freedom, integrity, and independence of our country. Thus, today as in 1939 we put our trust in divine help that we shall finally emerge from this struggle victoriously.

THE LATE HONORABLE JOHN B. BENNETT OF MICHIGAN

Mr. SIBAL. Mr. Speaker, I ask unanimous consent that he gentleman from Michigan [Mr. CHAMBERLAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, it is one of the curious facts of human life that we can never say with certainty who a person is, until he has ceased to act, until his life story is at an end and can be told. The passing of a colleague is consequently by custom and reason the occasion for us, his survivors, to speak our knowledge and appreciation of him, to attempt to say something of who he was. And so the passing of our colleague, John B. Bennett, of Michigan, has elicited a number of tributes and appraisals of the man and his contribution to the welfare of his colleagues, constituents and the Nation as a whole. One who has had a particularly advantageous position for observing and chronicling the deeds and acts of John Bennett has been Paul A. Miltich of the Booth newspapers who, among his duties, covers the Michigan congressional delegation. Mr. Miltich's assessment is therefore, I believe worthy and deserving of being recorded in the pages of the CONGRESSIONAL RECORD, and under leave to extend my remarks I insert Mr. Miltich's article appearing in the Flint (Mich.) Journal of Sunday, August 16, 1964. The article follows.

UPPER PENINSULA POLITICAL ERA ENDS

(By Paul A. Miltich)

WASHINGTON.—An era in upper Michigan politics died with Long John Bennett, the Republican Congressman who represented a Democratic district for 20 years.

There was nobody quite like Bennett in Washington. Once he disposed of his political nemesis, Democrat Frank Hook of Ironwood, Bennett was considered well-nigh unbeatable in his iron and copper country district.

What made Bennett's victories at the polls seem so remarkable was that in parts of his district the Democrats practically owned the courthouse—even held their meetings there.

The secret of Bennett's success is that he was close to the people. They trusted him, and he served them well.

Although Bennett personally was wealthy, iron ore miners scratching for a living in the pits near Ironwood and Bessemer looked upon him as a friend.

Construction workers in the Marquette-Ishpeming area felt the same way about Bennett—and with good reason.

One winter a big construction project near Marquette shut down because there were no salamanders (stoves) on the job to provide heat for the men.

Union officials complained to Bennett and to Senator PAT MCNAMARA, himself a onetime union leader.

Bennett attacked the problem, got to the root of it and phoned the union officials immediately to say it would be straightened out.

Several days later the union got a letter from MCNAMARA saying he was looking into the situation.

Bennett was a great guy for using the telephone—maybe because the Upper Peninsula seems as far away from Washington as Alaska, and the Postmaster General's promises don't get the mail there any faster.

Bennett reportedly ran up a higher phone bill than Congressmen with districts four times as big as his.

In population, Bennett's district was the smallest in the country. He always said it was the "most important" in the Nation.

Bennett was bitter this year when the Michigan Legislature merged his eight-county district in the western half of the Upper Peninsula with 14 of the 16 counties in Representative VICTOR A. KNOX's district.

The campaign for the Republican nomination in the new 22-county district would have been a tough one for Bennett.

He was not a curbstone-type campaigner, although he claimed to know three out of four of his 12th District constituents by name.

He made the rounds of the courthouses and the fairs and picnics but didn't go in too much for handshaking his way into office.

Friends love to tell the story of John and the tree.

During one of Bennett's campaigns he went to a picnic accompanied by supporters who wanted him to get around and meet people.

Bennett's friends wandered around the grounds rounding up folks for a Bennett handshake.

When they looked back they saw Bennett standing near a large tree, looking up at it.

They never did find out whether it was a robin's nest or some other attraction that had Bennett looking up at the sky.

Bennett was a creature of contradictions.

He was a warm person and yet almost painfully shy.

At times he found it difficult to express himself. In other situations he was a sharp interrogator, as when he asked probing questions during the House investigation of influence peddling in government.

He was an attorney with a keen respect for the law, but with him people always came first.

He was tough and unyielding where principle was at stake. Yet he was so sensitive you could see the hurt in his eyes when he felt he had been wronged by someone.

Upper Peninsula politics may return to normal now that Bennett is gone. Democrats may again become Democrats. The Bennett era is ended.

There was nobody else quite like John in Congress and there probably never will be again.

Perhaps the most fitting tribute that anyone can pay him adds up to just five words: He was a good man.

REPEAL THE 14TH AMENDMENT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I have, on a number of occasions, addressed the House on a subject and a proposition which I consider paramount if a semblance of democracy is to be retained in this land; the curbing of the rampaging Supreme Court and the restoration of that vital body to the perspective and orbit in which it rightfully belongs.

A learned jurist, Judge Robert N. Wilkin, U.S. district judge, retired, Northern District of Ohio, has recently published an excellent article on the subject of repealing the 14th amendment of the Constitution which I would like to bring to the attention of the Members. It appeared in the August 24 issue of U.S. News & World Report.

Because I share his feelings of alarm and regret over the trend to despotism and anarchy now being fostered by the Court, I urge every Member to study what Judge Wilkin is here saying:

A NOTED JURIST SAYS, "REPEAL THE 14TH AMENDMENT"

(NOTE.—Once again the United States is embroiled in controversy involving the 14th amendment—and how it is interpreted by the U.S. Supreme Court. Here, a former Federal judge looks at the history of this amendment and finds it responsible for some dangerous trends)

(By Robert N. Wilkin, U.S. district judge, retired, Northern District of Ohio)

Our country is confused and distressed by two prevalent but opposed tendencies. One is a trend to centralization of all political power in the National Government. The other is a trend toward control of all government by mass emotion and public demonstrations. People generally are divided into factions that support one or the other tendency; and some people, without awareness of the inconsistency, support both tendencies.

Both movements, however, are willful rather than lawful. They lead therefore to irrational and violent conduct. Centralization of power leads to tyranny, and mass emotion produces anarchy.

If these two evil tendencies are not corrected, the American Republic will go the way of the Roman Republic. The symptoms of disintegration today are the same as they were during the last century before the advent of the Roman Empire.

The only way in which these evil trends can be arrested is by a return to and restoration of constitutional government. That can be accomplished lawfully only by a constitutional amendment.

The U.S. Supreme Court has been the spearhead of the centralization of power in Washington. It has assumed final jurisdiction over such controversial problems as prayers in public schools, integration in State schools, apportionment of representatives in State legislatures, and determination of what is or is not obscene and immoral in public pictures and printed publications—problems which the Constitution and first 10 amendments "reserved to the States respectively, or to the people."

Many proposals for constitutional amendments have been made with the purpose of nullifying the objectionable decisions of the Court, but such procedure would not be satisfactory. It would be useless to cancel separate decisions if the statements on which the Court based its decisions were left in the Constitution. Such procedure would produce a crazy quilt of constitutional law. Since the Court has based its assumption of authority on the 14th amendment, that article should be repealed or its pertinent language deleted.

First, it is necessary to analyze and understand what the Supreme Court has done, and how it was accomplished. The analysis is somewhat technical and tedious, but no good can be accomplished until the conditions and their cause are clearly understood.

The first amendment, adopted at the time of the ratification of the Constitution, states: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

The second sentence of the 14th amendment, which was proclaimed as a part of the aftermath of the War Between the States, says: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States," etc.

Although the 14th amendment did not expressly amend or repeal the 1st amendment, the Supreme Court's interpretation has the effect of inserting the words "or a State," so that the 1st amendment is made to read, "Congress or a State shall make no law," etc.

The sole intent and purpose of the 14th amendment was to protect the colored population and secure suffrage to the freedmen. The effect, however, of the Supreme Court's decisions is to extend Federal jurisdiction into the fields of religion and education and impose restrictions on States rights.

Although the Court admitted that voluntary prayer in public schools was not "an establishment of religion," it held that authorized prayer was unconstitutional because it might lead to establishment of a religion. The Supreme Court then completely ignored the following phrase in the first amendment which inhibits a law "prohibiting the free exercise" of religion.

THE SUPREME COURT HAS ASSUMED AUTHORITY

The Court also disregarded section 1 of article I, which says: "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives." It is clear that a provision of law which extends Federal jurisdiction into a field where formerly it did not exist is a legislative act.

The peace and civil order of the Nation has been disturbed and life kept in turmoil by controversy and strife that surges over and around such questions as:

What is the propriety or benefit of prayer in public schools?

What is the possibility or use of efforts to integrate different races by law?

What is the proper method of apportioning representatives in State legislatures?

What is obscene and immoral?

Consideration of the problems raised by these questions impels the inevitable conclusion that they involve personal, local, social and State conditions which are different at different times and places. A just solution therefore cannot be made by a decree or command issued out of the National Capital. Specific questions require specific answers. The effort for overall control is prompted by the arrogance of ignorance, is unjust and, in the end, futile.

Current events are revealing to open and fairminded citizens that the real, basic question is: What authority has the Supreme Court or the National Government to interfere in such matters?

ERROR OF FEDERAL INTERVENTION

A cursory analysis of the specific problems reveals the error of Federal intervention. It is impossible to separate religion and public action. Religion is an inherent condition of human life. Religious feeling and practice exist wherever humanity is found . Religious feeling and discipline distinguish humanity from the rest of creation.

When the lawful authorities of a State or a local community offer a plan for some voluntary religious expression in public schools, and that plan is acceptable to an overwhelming majority of citizens and is approved by the trial and appellate courts of the State, why should a majority of the judges of the U.S. Supreme Court overrule the action of the State and local authorities and hold at naught the desire of the people of the community at the request of one or two atheists or zealots?

At a time when our technological and materialistic age needs so urgently spiritual enlightenment and the moral discipline of religion, why should the Court issue a decree "prohibiting the free exercise thereof?"

There may be a community where secularism is so strong and religious bigotry so rife that it would be inexpedient to try to establish any form of prayer or other religious exercise for public schools. In such a community, public authorities should not favor any religious ceremony. On the other hand, there are many communities where religious feeling is so strong and religious tolerance so general that some form of religious exercise could be established without any substantial dissent.

In any event, therefore, the problem should be solved in the local community, and national controversy and strife would be avoided.

Segregation en masse and integration en masse are both wrong for the same reason. They are efforts to settle the controversial problems as a whole on a racial basis. The position and treatment of a citizen of any race should be, and is generally, controlled by his personal worth and merit, and local conditions. When Government grants citizenship and maintains courts of law to which citizens can appeal for protection of their political rights, it has done about all that should be expected. If it attempts more, it becomes paternalistic and socialistic.

Experience warns against governmental interference in social relationships. Government can, at times of need, improve economic conditions by maintaining a public-works program in fields where private industry cannot enter, but, if it goes beyond that, it develops into state capitalism or communism, and free enterprise is then suppressed.

The Negroes were brought to this continent against their will, but their presence here has not been without blessings. Some individuals have made great progress and have been respected and honored. As a race, however, they could hardly attain a development in 300 years which it took other races 3,000 years to attain. As a race they have citizenship and should be given political equality and fair economic opportunity, but they should not expect to be coddled or pampered. Misguided reformers, burdened by messianic and martyr complexes, should cease their emotional drives and insurrections.

The Supreme Court has assumed authority to determine for all the country what is not lewd or lascivious, and to restrain State and local authorities from efforts to protect their communities from what State courts had designated as "filth for profit." The Supreme Court evidently ignores the element of truth in the ancient, but somewhat cynical and paradoxical, saying that "morality is a matter of geography." It is apparent that what might be a proper exposition or publication for an association devoted to the science of psychology or criminology or art would not be proper for a boys' or girls' preparatory school. It is also apparent that standards of morality and esthetics differ in different communities.

Now, that the Supreme Court has assumed control of apportionment of representatives in State legislatures and also the administration of criminal law by State courts, it becomes doubtful whether there are now any powers "reserved to the States respectively, or to the people." By what the late Judge Learned Hand referred to as the Court's tendency to become "a third legislative chamber," and what Prof. Edward Corwin (late professor of jurisprudence at Princeton University) designated as "the aggressions of the Court," the status of the States in the Union becomes about the same as the status of counties in the States.

A TREND CONTRARY TO THE CONSTITUTION

Careful analysis and detached deliberation reveal that the trend of recent events is contrary to the spirit and letter of the original Constitution and universal principles of natural law. Public opinion is aroused and there is grave apprehension that the dual nature of government by the Nation and the States, and the balance of powers among legislative, executive, and judicial departments are being undermined. There is wide fear that the Constitution and government of law are being eroded.

Those who champion the Court's usurpation by interpretation argue that such power is necessary in order to effect needed reforms. A prominent columnist recently advocated that such power is absolutely required when reform is needed and other government agencies fail to act. It was, of course, implied that the Court would determine when reform was needed and other branches had failed. Such political sophistry was emphatically rejected by the Founding Fathers. Washington said, "The spirit of encroachment tends to consolidate the powers of all departments in one, and thus to create, whatever the form of government, a real despotism." Adams, Jefferson, and Madison expressed the same opinion in almost the same terms.

Currently the daily newspapers are reporting public demonstrations that create counterdemonstrations and violence, riots that destroy life and property, bomb-throwing, secret murders and insurrections by sit-down, lie-down, and defiance of law and resistance against law-enforcement officers. Conditions today recall the statement made by a perceptive and courageous statesman 2,000 years ago, during the disintegration of the Roman republic. He said:

"Laws are made to be men's defenses not only against others but against their own emotions. They are man's safeguards against man's passions.

"Whenever in the past the great bulwark of the law has been weakened, the consequences have been invariably calamitous. If by any act it should now be seriously impaired, the danger is that it may be ultimately completely overthrown, to the disaster of all within the state."

That pronouncement was abundantly confirmed by subsequent events. Unfortunately, however, history reveals that one generation seldom heeds or profits by the experience of preceding generations.

THE SPECIFIC REMEDY: REPEAL

The prevalent trends to despotism and to anarchy are causing general expressions of alarm and regret, but there is little agreement as to a remedy. Since the Supreme Court has decided that it has authority to make the controversial decisions, there is no other court to which an appeal can be made for a reversal. To indulge in denunciation and disobedience only adds to the general lawlessness. The champions of civil order must proceed by lawful means, and the Constitution specifies the only method available. Article V provides that a movement for amendment may be initiated by two-thirds of both houses of Congress or by the legislatures of two-thirds of the several States.

Three former Presidents—Hoover, Truman, and Eisenhower—many Congressmen, editors, and commentators have suggested constitutional amendment as the proper and necessary remedy. There has been no specification of the exact terms or purpose of such an amendment. Since the Court has based its assumption of authority on the 14th amendment, the specific remedy would seem to be the repeal of that amendment.

Such a movement would require time, effort, and education. If the issue is clearly defined, its purpose can be accomplished just as the 18th amendment was repealed by the 21st amendment.

The proposal to repeal the 14th amendment would be favored and supported by many citizens. That amendment has never had the respect and reverence accorded to the original Constitution and its Bill of Rights. The 14th amendment was prompted in great part by vindictiveness toward the vanquished Southern States. It was part of the same policy that motivated the carpetbaggers and their deplorable conduct in the South. The repeal would in a way be an act of belated justice.

Furthermore, respected historians have maintained that the 14th amendment never was adopted in accordance with the requirements of the Constitution. When Congress passed the resolution declaring it adopted, the legality of proceedings in some States was questioned, and some States had repealed their resolutions of approval before the action by Congress. The country should welcome another opportunity to act on the amendment. Repeal would naturally be favored in the Southern States, and it would be approved in many Northern States, where there is strong opposition to further centralization of power in Washington.

RESTORING GOVERNMENT OF LAW

The repeal of the 14th amendment would restore constitutional government, "government not of men but of law," and local self-government—and national disrupting controversies would subside.

The National Government, however, could still render great public service by maintaining and expanding public works programs, devoted mainly to conservation and development of natural resources, but not competing with private industry or suppressing individual initiative. Such programs would improve the economic conditions of all races. They would tend to place idle men on idle land and, by training dependent citizens in the crafts of science and arts of husbandry, they would create independent citizens of respectability. The "popular vortex," which the Founding Fathers feared and which now threatens civil order, would be converted to a spiral of improvement that would support a law-abiding community.

Such developments as the Muskingum Conservancy District [in Ohio] have proved that National, State, and local agencies, private corporations and individuals can work together harmoniously for the public welfare, national economy and individual security without loss of political freedom. They have demonstrated that scientific capitalism, with its regard for the dynamic spiritual power of religion, can be much more beneficial than can atheistic communism.

People who have lived in both the South and the North know that there are communities in Virginia, Tennessee, the Carolinas, Florida, and other States that have much better race relations than the northern cities have been able to establish since the great influx of Negroes to the industrial centers.

The further industrialization in the South, development of natural resources and technical education will extend the better racial relations of the advanced and enlightened communities to the retarded and undeveloped localities, if the self-appointed reformers cease their intrusion and imposition and direct their efforts to improvement in their home communities.

It is a hopeful sign that people of intelligence and character, who make and express public opinion, are beginning to understand that lawful and constructive programs and work will do more good and less harm than factional demonstrations, racial drives, insurrections and riots. "The Federalist," which John Fiske [the historian] said "is the greatest treatise on government that has ever been written," proclaimed that "it is the reason, alone, of the public, that ought to control and regulate the government. The passions ought to be controlled and regulated by the government."

Whoever breaks away from the law is a runaway; whoever defies the law is an outlaw; whoever resists or attacks a law-enforcement officer is an enemy of society—he abandons all right to protection by the law; he is still, however, subject to the punishment which the law imposes for the protection of society.

IMMIGRATION

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, the American Federation of Labor and the Congress of Industrial Organizations had this to say to the platform committees of the recent Republican and Democratic National Conventions on the subject of immigration.

IMMIGRATION

The present U.S. immigration policy is based on the myth that people from northern Europe make desirable citizens and that others are undesirable. This discriminatory, unscientific and basically un-American concept is embodied in our policy of arbitrary quotas favoring one portion of Europe over the rest of the world.

The policy is a violation of the traditional American view of judging persons by what they are rather than by their origin. It has seriously damaged the image of the United States, particularly among the many nations insulted gratuitously by existing immigration legislation.

The immigration policy of the United States should be aimed straight at ultimate abolition of the national quota system. An intelligent and balanced policy ought to rest on practical considerations of desired skills, on humanitarian considerations of need, and on a consideration of a rapidly changing world situation.

The existing McCarran-Walter Act should be reformed as rapidly as possible to reflect democratic and humanitarian traditions and provide an immigration policy attuned to the requirements of our Nation and of the free world.

We should reach out for desirable talent by a preference for immigrants capable of performing specified functions for which a shortage of employable persons exists in the United States. We should also reiterate the traditional policy of the United States of offering asylum and refuge to persons oppressed or persecuted politically, to persons persecuted for adherence to democratic beliefs or their opposition to totalitarianism or dictatorship, and to those uprooted by natural calamity or military operations.

THE 25TH ANNIVERSARY OF THE INVASION OF POLAND AND THE BEGINNING OF WORLD WAR II

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. PUCINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, it was 25 years ago early this morning that Nazi troops stormed into Poland and launched World War II.

On this 25th anniversary of the worst conflict that civilization has ever suffered, it is important, in my judgment, to remind the world that World War II most probably could have been averted if not for the deceit of the Soviet Union.

The world must never be permitted to forget the indescribable brutality of the Nazis who, in less than 5 years, took the harrowing toll of 20 million lives in World War II.

The world must never be permitted to forget the barbaric treatment the Nazis inflicted upon their victims; the mass executions of Jews; the brutal destruction of everything that stood in the way of the Nazis' determination for total victory; the tragedy and grief which started 25 years ago today with the invasion of Poland.

But the world also must never be permitted to forget that Hitler most probably would have changed his course if he did not have in his pocket on September 1, 1939, the infamous Ribbentrop-

Molotov nonaggression pact secretly signed 5 days earlier between the Nazis and the Communists.

The horrors of World War II must be shared by the Communists as well as the Nazis.

This point is most significant as we meet today to pay tribute to the millions of victims of World War II.

There are those who naively believe that somehow the Communists have changed, and that today, unlike 1939, they can be trusted to live in a spirit of coexistence.

It is indeed tragic that those who would suggest that this world can exist half free and half slave, under Communist rule, apparently have learned nothing from the infamy of 1939.

On this day, when we observe the 25th anniversary of the beginning of World War II, let us as free Americans rededicate ourselves to the proposition that there cannot be any coexistence with communism. Let us rededicate our efforts toward total victory over communism so that man may live in freedom all over the world.

Let us rededicate ourselves to the undisputable pledge that the millions of people who died in World War II fighting for freedom shall not have died in vain.

Let us dedicate ourselves to the firm proposition that Poland, the first heroic victim of Nazi aggression, and all the other captive nations of Europe must again be free if there is to be lasting peace.

And finally, Mr. Speaker, let us pledge, as free people, eternal vigilance against the false doctrine of those who would have us believe that somehow freedom and communism can exist.

On this 25th anniversary let us recall the treachery of the Communists and let that treachery serve as an eternal reminder to us that unless we firmly dedicate ourselves to the ultimate destruction of communism, freedom shall remain ever endangered.

We cannot turn back the clock. The tragedy of World War II must be a constant reminder for the future. Unless we learn a lesson from Nazi and Communist treachery in World War II, those gallant victims who fought so heroically shall have died in vain.

We must rededicate ourselves to the firm conviction that there cannot be any lasting peace so long as millions of our World War II allies continue to live under Communist bondage in the captive nations of Europe.

We must rededicate ourselves, on this 25th anniversary, that these millions of victims in the captive nations must again be free.

Only then, Mr. Speaker, can the conscience of the free world rest, secure in the knowledge that the tyranny we fought in World War II has been totally destroyed.

REPRESENTATIVE E. Y. BERRY EVALUATES 88TH CONGRESS

The SPEAKER pro tempore (Mr. SMITH of Virginia). Under previous order of the House the gentleman from South Dakota [Mr. BERRY] is recognized for 15 minutes.

Mr. BERRY. Mr. Speaker, with the hope that this 88th Congress will be adjourning shortly, I am looking forward to returning to South Dakota to fulfill my responsibility of reporting on its achievements and failures to the people it has been my great honor to represent.

The leadership in both Houses has been unable to move legislation through fast enough for Congress to adjourn at a reasonable date. Last year it was December 24; this year the date is still questionable. The problem is that the demands of the administration are such it takes a great deal of "horse trading" to push them through, and "horse trading" takes time.

In evaluating the work of this Congress, I shall endeavor to set forth my views on the more important issues so that you may judge whether or not I should continue to merit your confidence for another 2-year term in the U.S. House of Representatives.

Generally, I have cast my vote based on the philosophy I have followed throughout my seven terms in Congress. I have steadfastly opposed the steady drift toward a bigger, more powerful centralized Government in Washington. During the past 30 years, the trend toward more Federal employees, new agencies that expand and exercise more control, bigger budgets and deficits, more handouts to more people, and increased Government competition with private enterprise are all evidences of the fact that the private individual is losing many of his liberties to the increasingly powerful, paternalistic Federal Government. It is this trend which I have vigorously opposed.

I have favored those programs which would result in less Federal interference in local affairs because I feel local governments controlled by the people themselves best understand the special needs of the community and how best to serve these needs at far less cost than if administered by some bureaucrat in Washington.

I have supported those programs designed to aid those in real need, but at the same time have voted against handouts to those able to help themselves but willing to accept doles and become more and more dependent on Federal aid, thus destroying the initiative and incentive to try to help themselves.

Where fiscal matters are concerned, I have fought for balanced budgets and reduction in the national debt, opposing the philosophy now in vogue of "planned deficits" during a time of relative peace and normal economic conditions.

FOREIGN AFFAIRS

It has been my privilege during the 88th Congress to serve on the Foreign Affairs Committee. It has afforded me an opportunity to appraise the foreign policy of the present administration. One area in particular which I feel needs revision is our foreign aid program. Actually, it is the keystone of our entire current foreign policy.

Through our foreign aid program, we have rewarded our friends, placated our enemies, sustained new nations who have then voted against us at the U.N., and added over $100 billion to the national debt. Our national debt of $313 billion is $105 billion higher than the combined debt of all the other nations of the free world, almost all of whom receive aid from the United States.

I am particularly opposed to foreign aid give-aways to anti-American governments. For example, we have given $880 million to Indonesia, but it has not bought the friendship of Sukarno who said last May, "To hell with U.S. aid." Pakistan has received almost $2 billion of U.S. taxpayers' money, but is showing signs of alining itself with Red China. Communist Yugoslavia has accepted $2.4 billion while Tito and Khrushchev work hand in hand.

While it is, of course, necessary that we extend limited financial assistance to certain newly developing nations, the program needs drastic revision. Had our aid program been dispensed in a hardnosed fashion in earlier years, this country would not be faced with many of the international problems it faces today. Even the past 4 years have seen serious changes. In 1960 no Americans were dying in combat in Vietnam. No Soviet military base had been established 90 miles off our shores. No Berlin wall sealed East Germans from freedom. No fears of a NATO breakup threatened us. No wheat and equipment were being shipped to the Communists under the false hope that if we lessened tensions, the Communists would somehow be willing to put a thaw on the cold war.

Our leaders overlook the fact that if the Communists had any inclination of doing anything to bring about relaxation of tension, other than a few sweet words, they could prove good faith by any one of a dozen acts which would indicate their desire to live as a neighbor in peace and harmony. They could tear down the Berlin wall, let the people of East Europe vote, stop using Cuba as a subversive base, or they could agree to disarmament with inspection, but not one of these things have they done or will they do, regardless of how much food, credit, and equipment we throw their way, hoping to buy a lessening of tension.

The administration appears to have ignored the lesson we have dearly learned through the loss of many American lives that peace can only be achieved by strength, and not by weakness, by firmness and not by vacillation. Our failure to adequately plan for new weapons and arms superiority is increasing the risk of war. Only by following a policy of firmness and strength can this Nation regain the respect of our enemies and the support of our friends.

DOMESTIC AFFAIRS

There was little doubt that this is an election year with an administration in control of the executive and legislative branches determined to win votes by enacting legislation based on the theory of spend and spend, elect and elect.

These heavy doses of deficit spending have increased Federal checks to millions of recipients. They have missed few potential categories for increases. Among the beneficiaries of the taxpayers' generosity are 1.8 million members of the Armed Forces, 1.7 million Federal employees, 21 million social security recipients, 1.2 million veterans who may receive liberalized pensions; and hundreds of thousands who will receive aid under the $1 billion antipoverty program.

DEBT CEILING

In reviewing the action of this Congress, the national debt ceiling is a good barometer of what has taken place. For the 11th time in 9 years, Congress raised the temporary debt ceiling, this time from $315 billion to $324 billion as President Johnson requested. I voted against these increases as a protest against this fiscal irresponsibility.

Today interest on the debt alone amounts to $11 billion a year, and continued deficit spending adding to the national debt is postponing the burden of payment to future generations.

TAX BILL

I refused to sign your name to the $11.5 billion promissory note, which was the estimated cost of the tax cut President Johnson forced through Congress in February.

This reduction in revenue means in effect that we will be borrowing that much more money from future generations by adding much of this amount to the national debt. Everyone wants relief from this terrific tax burden, but they want a comparable reduction in spending because Government business like private business must live within its income or go bankrupt. An individual wipes off his debts by going into bankruptcy court: a government accomplishes the same purpose through inflation, or in other words, destroying the value of the dollar until it is worthless.

WHEAT BILL

A 2-year program for wheat and cotton was adopted in April. It, in effect, lowered the price of wheat for 1964 from $2 to $1.72 per bushel when the diversion payment is included. A further reduction to $1.67 per bushel for 1965 has become a certainty by Secretary Freeman's regulations. South Dakota wheat farmers can expect a cut in income of $16 million below 1963 as a result of this new wheat law.

With the parity ratio at 74, the lowest point in 25 years, farmers are understandably concerned. When Secretary Freeman took office, the parity ratio was 81. There has been a constant and steady decline since then. For wheat farmers, the situation is even more desperate, with wheat prices at 56 percent of parity.

Another factor to be kept in mind is that farmers this year will receive about $2.25 billion, or 17 percent of their net income, in direct Government payments, according to the Department of Agriculture. This represents an increase of 25 percent above the amounts received in 1962 and 1963. In 1960, the last year of the Eisenhower administration, direct payments totaled $693 million, or only 5.9 percent of net income. The situation is anything but healthy when such a large segment of our economy is dependent upon the Government for such a substantial portion of its income.

MEAT IMPORTS

Stockmen of the Nation won a hollow victory. Legislation restricting meat imports was passed, but unfortunately the measure was greatly watered down in conference and is only a short step in the long drive for greater protection to our domestic industry. The bill, which covers only fresh, frozen, and chilled meat, establishes a quota system based on the 5-year average of the 1959–63 period or 725.4 million pounds. To this base, however, a growth factor in imports of 16 percent is added, raising the allowed total to 845 million pounds. However, the legislation is not effective and the quota system is not triggered until imports reach a level of 110 percent of this permissible amount. In other words, the quota will not be imposed until 929.6 million pounds of meat are imported. Had the bill been in effect this year, it would have meant only a 119-million-pound reduction in the record high import of 1.04 billion pounds of this type of meat. Because of reduced beef prices South Dakota cattlemen took a $23 million loss in income in 1963 as compared to 1959. In fact, South Dakota farmers lost $38 million in the same 4-year period. This is reflected in every business in the State.

SUGAR

Although the Sugar Act is scheduled to expire December 31, 1964, action to extend it may be held off until the closing moments of the session. This has been the procedure in the past on the theory that Members desperately seeking adjournment will go along with an extension that robs the domestic producers of over half of the domestic market, even though American farmers are desperately fighting for some marketable crop to raise on their idled acres. If the act is not extended, the Agriculture Department will be free to follow whatever course they wish next January, and if they continue to be influenced by the State Department sugar imports will be reflected in reduced sugarbeet acreage in South Dakota.

CIVIL RIGHTS

Undoubtedly the one measure which received the greatest attention and aroused the bitterest controversy was the civil rights bill. After months of prolonged debate in the Senate, a compromise measure was agreed upon which I still could not support because of several provisions in the bill which I feel are certainly unconstitutional.

Basically the law strengthens voting rights protection, bars discrimination in public accommodations, establishes an Equal Employment Opportunity Commission to prevent job discrimination, and strengthens the role of the Federal Government in enforcing desegregation.

My efforts to amend the bill in the House to add the provisions of my "Operation Bootstrap" bill to provide a tax inducement for industrial development on Indian reservations was defeated. It did offer a forum for discussion of my proposal which has been delayed in committee because of opposition to the bill by the Department of the Interior which many times seems not to be interested in promoting a program which will provide opportunity to the individual Indian and a solution to their problem.

ANTIPOVERTY

While on the one hand we are being told that business has never been more prosperous, corporate profits are growing, and the Nation is enjoying a healthy economy, President Johnson early this year declared a "war on poverty," which as a political issue dates as far back as 1589 when King Henry IV of France promised every French peasant "a fowl in his pot every Sunday."

While we already have countless Federal, State, local, and private programs designed to relieve poverty and human want, a new Federal agency has been created, without my support, under a 3-year program which will initially spend $1 billion annually, duplicating 28 existing programs and adding layer upon layer of Federal administrators.

Basically, the new law sets up these main programs: three separate plans for aiding needy young people of high school and college age, including a Job Corps similar to the shopworn CCC camps of the 1930's; loans to low-income farmers and small businessmen—a field already covered by the Farmers Home Administration and the Small Business Administration—educational and job training for needy people and those on relief; a domestic Peace Corps; and provisions for helping cities and towns set up educational and work-relief programs.

APPALACHIA REGIONAL DEVELOPMENT

Expected to come before the House in September is a measure demanded by President Johnson proposing to aid the chronically depressed Appalachia region of the east coast. Among its provisions is one to increase livestock production through Federal grants. It is typical of the inconsistencies of much of this "welfare" legislation. We are now spending taxpayers' funds to buy surplus beef to bolster depressed prices brought on by increased imports. If more beef is needed, South Dakota can provide it without tax funds. As it now stands, I would be inclined to disapprove it.

AREA REDEVELOPMENT

Although defeated in the House last year by a five-vote margin, President Johnson was determined to renew his efforts in the closing days of this session to enact a measure to provide $355 million in additional funds for the area redevelopment program. When the ARA was orginally authorized, $400 million was appropriated for the intended purpose of aiding depressed areas. The administration of ARA, however, has been typical of most of these so-called "poverty relief" programs.

The Comptroller General himself recently reported that $7.4 million was loaned to businesses in nine counties in Hawaii, New Hampshire, Vermont, and Delaware where the median family income exceeded $4,000, whereas he pointed out that, under the law, the median family income must be less than $1,887 to qualify for ARA assistance. He also pointed out that areas in Virginia with a very low income but which were not politically friendly to the administration could get nothing.

He also reported that 28 percent fewer jobs were created on ARA projects than were claimed by that agency. He also said that frequently projects established under the program actually competed with similar taxpaying businesses in the same area with the result that many were forced out of business.

FOOD STAMP PLAN

What began as a pilot program, followed the usual bureaucratic pattern into full bloom as a permanent, expanded plan under which eligible families get $10 worth of food stamps for $6 in cash. The plan is expected to cost $25 million the first year, $75 million the next, $100 million the third year, and $200 million in the fiscal year ending June 30, 1967. Where it may end is anyone's guess and for this reason I opposed it.

HOUSING

I supported a 1-year extension of the housing and urban development program after efforts to recommit the bill failed. It provides for grants and loans for urban renewal and planning, special housing for the elderly, college housing, community public buildings, and farm housing. Also included was authority for 37,500 housing units.

MASS TRANSIT

A new Federal program demanded by President Johnson authorizing $375 million over a 3-year period to build or improve transportation systems in the large cities of the Nation was enacted. Because it extended Federal power into another area which can and should be handled locally and by private enterprise, and because of its potentially enormous cost, I could not support it.

EDUCATION

I have worked hard to help resolve the differences between the House and Senate versions of legislation to extend the National Defense Education Act and aid to elementary and high schools under the impacted aid programs known as Public Law 815 and Public Law 874. Extensions of both programs seem assured, with some modifications.

WILDERNESS BILL

Preservation of 9 million acres of land in its primitive state in federally owned parks, forests, and refuge systems has been provided for in the Wilderness Act which I supported. Ultimately 61 million acres may be included. Hunting, grazing, mining and fishing will be permitted under certain conditions.

HOSPITALS AND HEALTH FACILITIES

A 5-year extension of the Hill-Burton Act under which States receive Federal grants and provide matching funds was enacted, with a price tag of $1.4 billion. The largest share of the money, $680 million will be used for new hospitals and health centers. One hundred and sixty million dollars is earmarked for modernization of existing hospitals, and $350 million for construction of chronic diseases hospitals. While there are features I did not like, I felt the overall good outweighs the bad.

SOCIAL SECURITY

Although the Senate has not yet completed its action on the social security amendments, it is certain that both benefits and taxes will be increased.

An across-the-board increase of 5 percent in payments to all social security recipients is anticipated. Widows would be permitted to receive reduced benefits at age 60. Children remaining in school would continue to draw benefits until age 22, rather than the present limit of 18.

To pay for these higher benefits, the payroll tax rates will be levied on earnings up to $5,400, rather than the present limit of $4,800. The present tax rate of 3.6 percent for employer and employee would be increased to 3.8 percent in 1965. With already scheduled increases, each employer and employee will be paying about $260 per year, and a self-employed individual will pay $388 annually.

If a successful attempt is made in the Senate to add compulsory medical care for the aged to the measure, the tax rate would, of necessity, be greatly increased. Although I supported the bill as it passed the House because I feel our older citizens have suffered most severely from inflation, I could not go along with adding a health care program to the social security system. It would weaken the entire social security fund, would not adequately meet the medical needs of all our elderly, and would again bring Federal control into an area now handled far better at the local level.

FEDERAL PAY RAISE

The 1.7 million Federal employees received salary increases averaging 5.5 percent, with the largest increases going to top-level personnel, as demanded by President Johnson. Cabinet members received increases of $10,000 yearly, bringing their annual income to $35,000. Members of Congress will receive an increase of $7,500 effective next January.

Two attempts were made to enact this legislation, the first in March when those of us opposing it were able to defeat it. However, after much White House armtwisting, a second attempt in June passed the House and it was eventually signed into law in August. I opposed both bills because I felt the principal increase should go to those in the lower brackets instead of the poltical appointees in the higher wage levels. I also opposed it for the reason that I cannot see how Congress can fail to effectively protect the price of beef from ruinous imports and legislate the price of wheat down from $2 to $1.67 per bushel and at the same time increase their own salaries by more than one-third. This just does not make sense to me.

MILITARY PAY RAISE

Not to be overlooked in this election year were the 1.8 million servicemen with 2 years or more service. Although they had received a substantial raise in October 1963, an additional $207 million was voted for the Armed Forces.

WEST RIVER LEGISLATION

Of special interest are a number of appropriations earmarked for the West River district.

The School of Mines and Technology is expected to receive $300,000 of a recently approved expanded weather modification program. Ten thousand dollars was provided for a study to determine flood control measures on the Cheyenne River tributaries in the Sturgis area. The Missouri River projects received adequate appropriations, including $14.5 million for Big Bend Dam and Lake Sharpe; $4 million for Oahe; and $1.27 million for Fort Randall and Lake Francis Case.

A new road will be constructed from the new townsite of Lower Brule to the Counsellor Creek at Big Bend Reservoir. Prospects appear to be good for the location of a pilot plant for converting lignite into pipeline gas in western South Dakota. An additional $100,000 for law enforcement activities on the Pine Ridge Indian Reservation was approved; $255,500 was appropriated for development of Jewel Cave. Funds for training of Indian girls as nurses, many of whom are from South Dakota, were increase by $20,000. The contract for construction of a $4 million junior and senior high school at Mission was awarded by the Indian Bureau. Two new health stations on the Cheyenne River Reservation at Cherry Creek and White Horse, costing $41,200 were provided.

I hope this résumé will provide some insight into the actions of this past session. Each year I have distributed a questionnaire to all residents of the district in order to know what your views are on these vital issues, and I hope my vote has generally reflected the will of the majority.

Again I want to express my gratitude to the people of western South Dakota who have honored me by sending me to Washington for seven terms. I hope the experience and seniority I have gained, so vital to the legislative process and reflected in influence and prestige in committees and the Halls of Congress, have benefited our area.

As long as I continue as a Member of Congress, I shall fight to preserve constitutional government, the strengthening of the free enterprise system, more business in Government and less Government in business, stabilization of the dollar through balanced budgets, and return of Government into the hands of the people instead of the hands of the Washington politicians where it has been drifting for the past 30 years.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MATSUNAGA, for 3 weeks, commencing September 1, 1964, on account of congressional business necessitating his personal attention in his own district in Hawaii.

Mr. RIVERS of South Carolina, for the week of September 7, 1964, on account of official business.

Mr. ANDERSON (at the request of Mr. ARENDS), on account of his appointment as congressional adviser to the U.S. delegation to the Third Atoms for Peace Conference at Geneva, Switzerland.

Mr. BELL (at the request of Mr. ARENDS), for today through September 17, 1964, on account of official business as a member of the Committee on Science and Astronautics.

Mr. THOMPSON of New Jersey (at the request of Mr. PATTEN), for Tuesday, September 1, 1964, on account of illness in family.

Mr. CHARLES H. WILSON (at the request of Mr. ALBERT), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WATSON, for 10 minutes, on tomorrow, September 2.

Mr. BERRY, for 15 minutes, today; and to revise and extend his remarks.

Mr. GROSS, for 10 minutes, tomorrow.

Mr. MATHIAS (at the request of Mr. SIBAL), for 30 minutes, on September 2; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. RUMSFELD and to include extraneous matter.

Mr. O'HARA of Illinois and to include extraneous matter.

(The following Members (at the request of Mr. SIBAL) and to include extraneous matter:)

Mr. BROYHILL of Virginia.

Mr. WHARTON.

ADJOURNMENT

Mr. RIVERS of Alaska. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 16 minutes p.m.) the House adjourned until tomorrow, Wednesday, September 2, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2491. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting a semiannual report covering the period January 1, 1964, to June 30, 1964, covering military construction contracts awarded on other than a competitive bid basis to the lowest responsible bidder, pursuant to provisions of section 605, Public Law 88–174; to the Committee on Armed Services.

2492. A letter from the Attorney General, transmitting a report of the results of continuing review of the outstanding voluntary agreements and programs established, pursuant to section 708(e) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

2493. A letter from the Comptroller General of the United States, transmitting a report on unnecessary cost to the Government through the leasing of electronic data processing systems by Lincoln Laboratory, Massachusetts Institute of Technology, Lexington, Mass., Department of the Air Force, pursuant to the Budget and Accounting Act of 1921 (31 U.S.C. 53), the Accounting and Auditing Act of 1950 (31 U.S.C. 67) and the authority of the Comptroller General to examine contractors' records, as set forth in 10 U.S.C. 2313(b); to the Committee on Government Operations.

2494. A letter from the Comptroller General of the United States, transmitting a followup review of Government production compared to procurement of weapons and related parts, Department of the Army, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

2495. A letter from the Comptroller General of the United States, transmitting a report on cost of welding equipment improperly included in price redetermination proposal under contract with Ford Motor Co., Dearborn, Mich., Department of the Army; to the Committee on Government Operations.

2496. A letter from the Assistant Secretary of the Interior, transmitting a report of determinations relating to deferment of the March 1 and September 1, 1965, construction payments due the United States from the El Paso County Water Improvement District No. 1, Rio Grande project, New Mexico-Texas, pursuant to the act of September 21, 1959 (Public Law 86–308, 86th Cong.); to the Committee on Interior and Insular Affairs.

2497. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a letter requesting the withdrawal of certain cases involving suspension of deportation under the provisions of section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended, from those now before Congress and return to the jurisdiction of Immigration and Naturalization Service; to the Committee on the Judiciary.

2498. A letter from the Executive Director, U.S. Olympic Committee, New York, N.Y., transmitting its financial report covering the year 1963, pursuant to the provisions of section 12 of Public Law 805; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. Report pursuant to 57 Stat. 380; without amendment (Rept. No. 1848). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. S. 584. An act for the relief of Yih-Ho Pao and his wife, Joanne T. Pao; without amendment (Rept. No. 1849). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1737. An act for the relief of Arthur Wendell Bolta; without amendment (Rept. No. 1850). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1966. An act for the relief of Glenda Williams; without amendment (Rept. No. 1851). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1986. An act for the relief of Hattie Lu; without amendment (Rept. No. 1852). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1999. An act for the relief of Francisco Navarro-Paz; without amendment (Rept. No. 1853). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2163. An act for the relief of Alexa Daniel; without amendment (Rept. No. 1854). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2205. An act for the relief of Giuseppe DiCenso; without amendment (Rept. No. 1855). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2599. An act for the relief of Denise Hojebane Barrood; without amendment (Rept. No. 1856). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2629. An act for the relief of Czeslaw (Chester) Kaluzny; without amendment (Rept. No. 1857). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2673. An act for the relief of Debra Lynne Sanders; without amendment (Rept. No. 1858). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 2812. An act for the relief of Joanne Irene Taylor; without amendment (Rept. No. 1859). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. S. 1640. An act for the relief of certain employees of the Alaska Railroad; with amendment (Rept. No. 1860). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. S. 2063. An act for the relief of Honorata A. Vda de Narra; without amendment (Rept. No. 1861). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. Senate Concurrent Resolution 66. Concurrent resolution withdrawing suspension of deportation of Joe Quong; without amendment (Rept. No. 1862). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 2306. A bill for the relief of Uichi Kayahara; with amendment (Rept. No. 1863). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 4758. A bill for the relief of George A. Grabert; with amendment (Rept. No. 1864). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 5853. A bill for the relief of Robert J. Beas; without amendment (Rept. No. 1865). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 5978. A bill for the relief of Mrs. Maria Eduvigis Aran Heffernan; without amendment (Rept. No. 1866). Referred to the Committee of the Whole House.

Mr. SHRIVER: Committee on the Judiciary. H.R. 6008. A bill for the relief of the widow and minor children of Rev. Donald Aksel Olsen; without amendment (Rept. No. 1867). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 8967. A bill for the relief of Lynette Margaret Warrilow; with amendment (Rept. No. 1868). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 9029. A bill for the relief of Staiman Brothers-Simon Wrecking Co.; without amendment (Rept. No. 1869). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 9647. A bill for the relief of C. R. Sheaffer & Sons; with amendment (Rept. No. 1870). Referred to the Committee of the Whole House.

Mr. MARTIN of California: Committee on the Judiciary. H.R. 10198. A bill for the relief of Sgt. Donald E. Hurrie, U.S. Marine Corps; with amendment (Rept. No. 1871). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 10242. A bill for the relief of Gerald St. John; with amendment (Rept. No. 1872). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 10725. A bill for the relief of Joseph B. Stevens; with amendment (Rept. No. 1873). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 10879. A bill for the relief of John Henry Taylor; without amendment (Rept. No. 1874). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. House Joint Resolution 1157. Joint resolution for the relief of certain aliens; without amendment (Rept. No. 1875). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 6184. A bill for the relief of Louis St. Laurent; with amendment (Rept. No. 1876). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CURTIS:

H.R. 12505. A bill to amend subsection (b) of section 512 of the Internal Revenue Code of 1954 by making it clear that the income, including subscription and advertising income, derived by an organization in carrying on any publication, such as a trade or professional journal, shall not be deemed to be unrelated business taxable income if the publication is substantially related to the purpose or function constituting the organization's basis for its tax exemption; to the Committee on Ways and Means.

H.R. 12506. A bill to amend subsection (c) of section 501 of the Internal Revenue Code by making it clear that the tax exemption of a civic league or organization exclusively for the promotion of social welfare shall not be affected because of income, including subscription and advertising income, derived from carrying on any publication, such as a journal, which is substantially related to the purpose or function constituting the organization's basis for its tax exemption; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 12507. A bill to amend title 18 of the United States Code to prohibit the solicitation of strikebreakers in interstate or foreign commerce; to the Committee on the Judiciary.

By Mr. WATSON:

H.R. 12508. A bill to require that postage stamps and postage stamp printings or impressions issued or furnished by the Postmaster General shall bear the words "United States Postage" or "U.S. Postage," and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WHALLEY:

H.R. 12509. A bill to provide for the establishment of the Admiral Henry Forry Picking National Monument; to the Committee on Interior and Insular Affairs.

H.R. 12510. A bill to prohibit the importation into the United States of flags of the United States manufactured in foreign countries; to the Committee on Ways and Means.

By Mr. BECKWORTH:

H.R. 12511. A bill to amend the Railroad Retirement Act of 1937 to reduce from 65 to 62 the age at which a spouse's annuity becomes payable in cases where the employee is retired for disability, and to increase widow's annuities by 10 percent; to the Committee on Interstate and Foreign Commerce.

By Mr. COLLIER:

H.R. 12512. A bill to amend title II of the Social Security Act to increase widow's benefits thereunder; to the Committee on Ways and Means.

By Mr. MONTOYA:

H.R. 12513. A bill to provide for the issuance of a special postage stamp to commemorate the 20th anniversary of the death of Ernie Pyle; to the Committee on Post Office and Civil Service.

By Mr. MONTOYA:

H. Con. Res. 361. Concurrent resolution requesting the President of the United States to bring the Baltic States liberation question before the United Nations; to the Committee on Foreign Affairs.

By Mr. RUMSFELD:

H. Res. 872. Resolution condemning persecution of national and religious minorities in the Soviet Union; to the Committee on Foreign Affairs.

By Mr. MATHIAS:

H. Res. 873. Resolution to provide for a study of weather modification activities, and other purposes; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of California:

H.R. 12514. A bill for the relief of Benjamin Gonzalez Arriaga; to the Committee on the Judiciary.

H.R. 12515. A bill for the relief of Jose Antonio Chavez Carrillo; to the Committee on the Judiciary.

H.R. 12516. A bill for the relief of Andres Aguirre Cisneros; to the Committee on the Judiciary.

H.R. 12517. A bill for the relief of Jose Jesus Herrera Covarrubias; to the Committee on the Judiciary.

H.R. 12518. A bill for the relief of Jesus Becerra Estrada; to the Committee on the Judiciary.

H.R. 12519. A bill for the relief of Jose Rosario Becerra Estrada; to the Committee on the Judiciary.

H.R. 12520. A bill for the relief of Manuel Miranda Gomez; to the Committee on the Judiciary.

H.R. 12521. A bill for the relief of Salvador Salazar Hernandez; to the Committee on the Judiciary.

H.R. 12522. A bill for the relief of Brigido Montoya Iniguez; to the Committee on the Judiciary.

H.R. 12523. A bill for the relief of Loreto Castro Lares; to the Committee on the Judiciary.

H.R. 12524. A bill for the relief of Tomas Rodarte Mireles; to the Committee on the Judiciary.

H.R. 12525. A bill for the relief of Jaime Pena Pena; to the Committee on the Judiciary.

H.R. 12526. A bill for the relief of Arturo Varela Pesqueira; to the Committee on the Judiciary.

H.R. 12527. A bill for the relief of Roberto Anaya Pulido; to the Committee on the Judiciary.

H.R. 12528. A bill for the relief of Cirilo Gracia Tovar; to the Committee on the Judiciary.

H.R. 12529. A bill for the relief of Francisco Dominguez Valdez; to the Committee on the Judiciary.

H.R. 12530. A bill for the relief of Armando Castillo Valencia; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 12531. A bill for the relief of Magaini Anna Maria Bani; to the Committee on the Judiciary.

By Mr. CORBETT:

H.R. 12532. A bill for the relief of Mo Tseng Hsu and Cheng Hsing; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 12533. A bill for the relief of Dr. Bhagawandas P. Lathi; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 12534. A bill for the relief of Miss Valentini Pastris; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 12535. A bill for the relief of Seppo R. Saikkonen; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 12536. A bill for the relief of John H. L. Dye; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 12537. A bill for the relief of Kock Kong Fong; to the Committee on the Judiciary.

H.R. 12538. A bill for the relief of Mrs. Woo Shee Quon (also known as Chung Oi Woo and Chung Oy Quon); to the Committee on the Judiciary.

By Mr. SIBAL:

H.R. 12539. A bill for the relief of Emilia Colacurcio; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 12540. A bill for the relief of Elvira Cammisa-Viggiani; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1025. By Mrs. ST. GEORGE: Petition of the Board of Supervisors of the County of Sullivan, N.Y., on financial aid toward sewage and pollution elimination; to the Committee on Public Works.

1026. Also, petition of the Board of Supervisors of the County of Rockland, N.Y., on financial aid toward sewage and pollution elimination; to the Committee on Public Works.

SENATE

TUESDAY, SEPTEMBER 1, 1964

The Senate met at 10 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

The ACTING PRESIDENT pro tempore. In the absence of the Chaplain, we shall recite the Lord's Prayer together:

Our Father which art in heaven,
Hallowed be Thy name.
Thy kingdom come.
Thy will be done
In earth as it is in heaven.
Give us this day our daily bread.
And forgive us our debts,
As we forgive our debtors.
And lead us not into temptation,
But deliver us from evil.
For Thine is the kingdom
And the power and the glory, forever.
Amen.

THE JOURNAL

On request by Mr. Walters, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 31, 1964, was dispensed with.

LIMITATION OF DEBATE DURING MORNING HOUR

On request by Mr. Walters, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request by Mr. Walters, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate today.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Military Construction Contracts Awarded Without Competition

A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting, pursuant to law, a report on military construction contracts awarded on other than a competitive bid basis to the lowest responsible bidder, for the 6-month period ended June 30, 1964 (with an accompanying report); to the Committee on Armed Services.

Report on Review of Voluntary Agreements and Programs

A letter from the Attorney General, transmitting, pursuant to law, a report on review of voluntary agreements and programs, as of August 9, 1964 (with an accompanying report); to the Committee on Banking and Currency.

Report on Followup Review of Government Production Compared to Procurement of Weapons and Related Parts

A letter from the Comptroller General of the United States, reporting, pursuant to law, on a followup review of Government production compared to procurement of weapons and related parts, Department of the Army, dated August 1964; to the Committee on Government Operations.

Audit Report of American Symphony Orchestra League, Inc.

A letter from George H. Jones, Jr., certified public accountant, Vienna, Va., transmitting, pursuant to law, an audit report of the American Symphony Orchestra League, Inc., for the fiscal year ended May 31, 1964 (with an accompanying report); to the Committee on the Judiciary.

CLOSING OF FAA FLIGHT SERVICE STATION AT WATERTOWN, N.Y., MUNICIPAL AIRPORT

Mr. KEATING. Mr. President, I present, for appropriate reference, a resolution of the City Council of Watertown, N.Y., in opposition to plans of the Federal Aviation Agency to close its manned flight service station at Watertown Municipal Airport at the end of fiscal year 1965.

Mr. President, this is the fourth manned flight service station in New York State that the FAA has announced will be closed within the near future. These closings raise serious questions about flight safety. I am glad to see that, as with the other three, the citizens who are affected are not taking it lying down. I have written the FAA Administrator about the Watertown situation and hope that this latest adverse action can be reversed to remove any hazards which may be involved in such action. I ask unanimous consent, Mr. President, that the text of the resolution be printed in the Record.

There being no objection, the resolution was referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

Whereas it has been brought to the attention of the City Council of Watertown, N.Y., which on behalf of the people of Watertown owns and operates the Watertown Municipal Airport, that recent testimony of Mr. N. E. Halaby, Administrator of the Federal Aviation Agency, before the Senate Appropriations Subcommittee for Independent Offices, indicates the Federal Aviation Agency has plans to close the manned flight service station at the Watertown Municipal Airport at the end of the present fiscal year 1964–65; and

Whereas this move, if carried out, would materially damage the efficiency of operation of the Watertown Municipal Airport which is the largest and busiest airport north of Syracuse in New York State; and

Whereas the Federal Government and this city have spent large sums of money since the inception of the airport in the mid-1940's to build and improve the airport as a service facility to the public of the north country; and

Whereas with the loss of railroad passenger service in this area, the Watertown Municipal Airport has increased importance for the traveling public: Now, therefore, be it

Resolved, That the City Council of Watertown, N.Y., hereby expresses its opposition to the proposed shutdown of the FAA manned flight service station at Watertown, N.Y., and states that any such closing will undermine the benefits of three decades of expenditures and effort to build the Watertown Municipal Airport into a modern facility and will work toward economic hardship in an area which only recently was able to work itself out of the economically distressed classification of the Federal Government; and be it further

Resolved, That copies of this resolution be sent to the several legislators and officials of the Federal Government with the request that they actively oppose the closing of the manned flight service station of the Watertown Municipal Airport: U.S. Senators Jacob K. Javits and Kenneth B. Keating, Congressmen E. Kilburn, Emanuel Celler, Leo W. O'Brien, and Lawrence F. O'Brien, special assistant to the President, and Mr. N. E. Halaby.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, with an amendment:

H.R. 12342. An act to authorize certain retired and other personnel of the U.S. Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries (Rept. No. 1520).

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated August 18, 1964, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

EXECUTIVE REPORTS OF A COMMITTEE

Mr. FULBRIGHT. Mr. President, from the Committee on Foreign Relations, I report favorably sundry nominations in the diplomatic and Foreign Service. Since these names have previously appeared in the Congressional Record, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk, for the information of any Senator.

The ACTING PRESIDENT pro tempore. Without objection it is so ordered.

The nominations are as follows:

Byron B. Snyder, of California, and sundry other persons, for appointment and promotion in the Diplomatic and Foreign Service.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SYMINGTON:

S. 3164. A bill for the relief of Dr. Sedat M. Ayata; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 3165. A bill for the relief of Anna Mae Foster; to the Committee on the Judiciary.

By Mr. McINTYRE (for Mr. Hartke):

S. 3166. A bill for the relief of Sakelarios Pilatos; to the Committee on the Judiciary.

By Mr. ALLOTT:

S. 3167. A bill for the relief of Tiang H. Ong and Hian Mio Tan Ong; to the Committee on the Judiciary.

By Mr. THURMOND:

S.J. Res. 198. Joint resolution proposing an amendment to the Constitution with respect to the election or appointment of Members of the Senate; to the Committee on the Judiciary.

(See the remarks of Mr. THURMOND when he introduced the above joint resolution, which appear under a separate heading.)

PROPOSED AMENDMENT OF CONSTITUTION RELATING TO ELIGIBILITY OF PERSON TO BE A SENATOR

Mr. THURMOND. Mr. President, when the Constitution of the United States was adopted, it prescribed three requirements for eligibility to serve as a Senator from any State. These requirements appear in article I, section 3, clause 3, which states:

> No person shall be a Senator who shall not have attained to the age of 30 years, and been 9 years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

Quite obviously, the drafters of the Constitution could not have anticipated the transitory nature of our modern-day population, nor the existing means of communication by which persons can achieve fame and reputation throughout the Nation.

When the drafters of the Constitution included a requirement that a person to be eligible for Senator be an inhabitant of that State from which he shall be chosen, they undoubtedly contemplated that an inhabitant would at least be one who was entitled to vote in the State he sought to represent.

Recent occurrences have negated the clear intention of the Constitution. This circumstance should be remedied.

The Senate was conceived as a body where the States, as such, would be represented. In order to maintain that character of the Senate, it would seem to me that there should be some minimum identification of a Senator and the State which he represents. I, therefore, propose that the Constitution be amended to provide a fourth requirement of eligibility to be a Senator. The new requirement would be:

> No person shall be elected or appointed as a Senator from any State unless at the time of his election or appointment he shall have the qualifications requisite under the law of that State for electors of the most numerous branch of the legislature thereof.

I, therefore, send to the desk a joint resolution proposing that the Constitution be so amended, and ask that the joint resolution be appropriately referred.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 198) proposing an amendment to the Constitution with respect to the election or appointment of Members of the Senate, introduced by Mr. THURMOND, was received, read twice by its title, and referred to the Committee on the Judiciary.

SOCIAL SECURITY AMENDMENTS OF 1964—AMENDMENTS

AMENDMENT NO. 1257

Mr. SALINGER. Mr. President, I am submitting an amendment to H.R. 11865, the bill to increase and in other ways liberalize the Social Security Act.

This amendment is, I hope, noncontroversial and seeks to adjust a situation which denies many elderly persons the means to meet certain medical expenses and the other expenses of daily life such as food and rent in the same month.

Under my amendment, States would be offered Federal financial participation in both old-age assistance and medical assistance for the aged payments made in the same month to a patient who is entering or leaving a medical institution in that month. Federal law now prohibits a State from receiving Federal financial participation for both programs within the same month.

Thus, if a person over 65 were to receive his monthly benefits under OAA and later during the month had to enter a hospital, in California he would have only what his county allocated for this additional cost to the individual. The State would not be able to supplement his funds with matching State-Federal MAA funds if the man or woman had already received his OAA payment for that month.

If an individual had qualified for MAA in 1 month and was leaving the hospital, he would not be able to receive his OAA payment for that month and would have no funds to pay his rent, buy his groceries and attend to the other necessities of daily living.

This amendment will rectify this situation by making it possible for a State to make an MAA payment to a person who has already received his old-age assistance for that month. This MAA payment would be under the more favorable Federal matching funds program compared to what the county could provide. Similarly, if an individual who is receiving MAA as a patient in a medical institution leaves such an institution after a payment has been made in his behalf for cost of his care, the State could claim matching for an old-age assistance money payment to assist the person in taking care of his other needs such as rent and food for the month.

The enactment of this provision would provide some relief for the States in meeting the cost in certain situations where combined costs of medical care and maintenance are high.

California has about one-quarter of a million persons covered by OAA. There were 24,000 patients in California last month under MAA. About 8,000 of these patients were among those covered by old-age assistance so that for the period in which they were hospitalized they were either losing benefits under old-age assistance or under medical assistance for the aged. Surely for the period of 1 month for these persons we can guarantee them enough funds to cover these medical costs and their basic living costs too.

This provision is estimated to cost the Federal Government only $2 million a year—a small sum it would seem to improve the economic situation of these elderly people.

It is my hope that the distinguished Senator from Louisiana will study the amendment and my statement overnight, and agree to the noncontroversial character of the amendment.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and lie on the table.

AMENDMENT NO. 1258

Mr. KEATING (for himself and Mr. PROUTY) submitted amendments, intended to be proposed by them, jointly, to House bill 11865, supra, which were ordered to lie on the table and to be printed.

SOCIAL SECURITY AMENDMENTS OF 1964—ADDITIONAL COSPONSORS OF AMENDMENT

Under authority of the order of the Senate of August 31, 1964, the names of Mr. GORE, Mr. GRUENING, Mr. JACKSON, and Mr. MUSKIE were added as additional cosponsors of the amendment (No. 1250) submitted by Mr. DODD, intended to be proposed by them, jointly, to the bill (H.R. 11865) to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

Mr. JAVITS. Mr. President, I ask unanimous consent that my name be added as a cosponsor of the amendment (No. 1250) submitted by the Senator from Connecticut [Mr. DODD] on yesterday, to House bill 11865, the social security amendments of 1964.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Ziegel W. Neff, of Missouri, to be a member of the Board of Parole, for the term expiring September 30, 1970, and

Jon O. Newman, of Connecticut, to be U.S. attorney for the district of Connecticut for a term of 4 years, vice Robert C. Zampano, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, September 8, 1964, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3846) to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes.

The message also announced that the House insisted upon its amendment to the bill (S. 27) to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. MORRIS, Mr. TAYLOR, Mr. SAYLOR, and Mr. BURTON of Utah were appointed managers on the part of the House at the conference.

The message further announced that the House disagreed to the amendments of the Senate to the bill (H.R. 10809) making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1965, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FOGARTY, Mr. DENTON, Mr. MAHON, Mr. LAIRD, and Mr. MICHEL were appointed managers on the part of the House at the conference.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. THURMOND:

Remarks of Senator BENNETT before Senate Prayer Breakfast group on August 5, 1964.

Excerpts from address entitled "Supreme Court Dictatorship," delivered by Representative WILLIAM JENNINGS BRYAN DORN, of South Carolina, at Atlanta, Ga., on August 15, 1964.

THE 25TH ANNIVERSARY OF NAZI ATTACK ON POLAND

Mr. BOGGS. Mr. President, it was exactly a quarter of a century ago today that the nation of Poland was suddenly attacked by Nazi Germany's legions.

As we recall this shameful incident in the world's history, let us remember also that the past 25 years have been years of constant struggle by the valiant Polish people. Though held physically in check by force of arms, they have never lost the steadfast spirit which unites the Polish people today despite their tremendous burdens.

We can hope that in some not too distant time the Polish nation will again be one, free and independent.

I am sure that the United States will help bring about this day insofar as we are able.

My State has an active organization called the Council of the Polish Societies and Clubs in the State of Delaware, and I salute this group and its president, Adam J. Rosiak, for keeping alive the proud traditions of Poland.

IS PARENTAL GUIDANCE SLACKENING?

Mr. WALTERS. Mr. President, I ask unanimous consent to have printed in the RECORD the excellent editorial on delinquent parents recently published in the Knoxville News Sentinel.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DELINQUENT PARENTS

Events progressively are challenging the popular theory that poverty is a main cause of juvenile delinquency. The evidence points to child neglect which may occur in the mansions of the wealthy, as well as in the slums.

In Yonkers, N.Y., the public safety commissioner has reported that out of 900 young dope addicts apprehended over a period of time, 100 were from the fashionable northwest section. One girl from a well-to-do home had engaged in prostitution to finance her dope habit. Parents of these children, he said, "just wouldn't believe it." How could reasonably conscientious parents avoid knowing something was wrong?

Maryland's Montgomery County, in the suburbs of Washington, D.C., has the highest per capita income of any U.S. county. It also has a big juvenile problem.

At a drinking party in Bethesda, Md., juveniles from good addresses did $1,000 worth of damage to a luxury apartment while the owners were away. They smashed furniture and ruined carpets. The judge who sentenced three of the boys to a Maryland training school remarked that while parents showed up for the hearings, there were few fathers among them.

Bernard Russell, executive with the President's Committee on Juvenile Delinquency, notes a growing lack of identification with the community in the suburbs—which recently have been the goal practically of a mass migration among the economically well off.

Stable neighborhoods, he observes, generally have low crime rates—slums as well as middle-class and upper-class neighborhoods. When neighborhoods come apart, through urban renewal, building decay, rezoning, highway construction, etc., juvenile crime soars.

A report of two criminologists from Harvard Law School is interesting in this connection.

To the first International Congress on Social Psychiatry this husband-and-wife team, Sheldon and Eleanor Glueck, discussed results of research over a 40-year period. The mother, they said, plays a determining role in whether a child is to become delinquent.

They stressed as important the amount of supervision the mother is able to give the child, the amount of cohesion existing in the family.

"It is terribly important," they said, "that a mother should remain close to her children. That raises the whole question of working mothers. If mother goes out to work, there has got to be a substitute."

It makes little difference, we suppose, whether mother is away from home working or playing cards. Or whether the home is broken up through divorce. In any case, children may suffer from neglect. All these deal with strong modern trends whose social consequences are as yet little realized.

Mr. WALTERS. Mr. President, the message contained in this editorial, while it reflects the opinion of the writer, certainly provides much food for thought for many American mothers and fathers. Too often, as pointed out in the report, we hear of incidents involving the children of well-to-do parents who do not sufficiently supervise their activities.

It is time for us to do some sober reflecting as to the need for a return to some old fashioned but doubtless effective remedies, not the least of which should be a firm, well-directed hand.

Parental responsibility does not end with providing the material essentials of life. There must also be wise and mature guidance given, if the twigs of the "tree of life" are to grow to be the strong straight limbs we all wish them to be.

FOR THE WELFARE OF FAMILY FARMERS

Mr. YOUNG of Ohio. Mr. President, Ohio has just about everything. Ohio has great scenic beauty. We are also one of the foremost industrial States in the Nation. Ohio is also a leader in agriculture. One out of five Ohio citizens is directly or indirectly connected with farming. The family farmers of Ohio attained greater prosperity last year then in our entire history. Farmers and their wives who have over the years tilled the soil and engaged in backbreaking toil producing crops are thankful to Agriculture Secretary Orville Freeman for his policies. One of the first accomplishments of the Democratic administration was to reverse the downward trend of the farm economy experienced under the Eisenhower administration. No one expects that the farm problem, which has plagued the Nation for 30 years, can be solved overnight. However, great strides have been taken.

Total net income per farm is 18 percent higher in 1963 than in 1960. Grain surpluses are the lowest since 1953. Total farm exports have increased 70 percent. Available farm credit from the Farmers Home Administration has doubled since 1960.

Ohio farmers have shared in this prosperity. They earned $261 million more in gross income—the amount of money they have to spend—during the last 3 years. Realized net income per farm in Ohio was up 13 percent from $2,258 in 1960 to $2,556 in 1963.

These and many other statistics attest to the fact that Democratic farm policies which I have supported have created new hope for rural America. The family farmers of America deserve our highest admiration. We reject the Republican Party attitude of favoring big operators and gigantic farm corporations, and ignoring family farmers. I express my support of those who make their living from the land for themselves and their families. The Democratic Party will continue to seek solutions to enable our family farmers to enjoy a decent standard of living from their labor.

While farm income was being raised, consumers also benefited. Food prices were stabilized. Gigantic food surpluses stockpiled during the Eisenhower administration costing nearly $1 million a day in storage charges alone have been greatly reduced thereby saving millions of taxpayers' dollars.

This administration has encouraged commodity programs that will enable farmers to reach a goal of parity of income on a par with that of workers in other occupations. Family farmers are entitled to economic freedom and security. When this is attained, their youngsters will not leave the farms for uncertain futures in urban centers. The program of this administration is of basic importance. It recognizes the continuing and significant role of agriculture and rural life. The family-sized farms have received and will receive the recognition they deserve.

There should be an increase in constructive use of the abundant production of our farms through expansion of the food stamp program, school lunch program, food-for-peace program and others. We have used the bounty of American agriculture to feed 10 million hungry children in Latin America and to send more than $4.5 billion worth of surplus food to hungry people under the food-for-peace program. We doubled the quality and quantity of surplus food packages for needy Americans, and passed a food stamp plan to help provide better diets for millions of undernourished Americans.

There must be continuing support of the rural electrification administration, which has brought the blessings of electricity to our farm homes. It is a fact that the REA, more than any other agency of our Government, has done more to remove drudgery from the lives of women who live on our farms. I am glad to report to American farmers and their wives that as Ohio Congressman at Large, I voted to create the Rural Electrification Administration, and on every rollcall, I have voted in support of its activities and accomplishments.

Administrative leaders are studying new low-cost methods and techniques of food distribution. This will help maintain an adequate income for farmers and, at the same time, provide a market for food at reasonable prices to consumers.

This is not a gimmick of "something for everyone." It is a commonsense recognition of the mutual interests of farmers and city people and in keeping with the "covenant of unity" theme of the entire democratic platform.

DEATH OF EDWARD J. HICKEY, JOURNAL CLERK OF THE SENATE

Mr. PASTORE. Mr. President, peacefully, painlessly our Journal clerk, Edward J. Hickey, has passed to his eternal reward. The pen that might have been poised over these very words of mine has ceased its task—one of dedication as we know it—one of pride that Ed Hickey had in his responsibility for the Journal of the Senate.

Because he was from New England and because his sons are of Brown University, he and I seemed to have closer ties of friendship than mere associates in the daily history of the Senate. Gentle, meticulous, helpful, he could inspire in all of us a desire for the accurate, the correct, the enduring.

Ed Hickey's family was notable in Worcester, the place of his birth; and here, where three-fourths of his life has been spent, he founded a family to which he leaves a heritage of genuine patriotism, sometimes spelled in the long hours at his labor of love—that the Journal of our Senate might be prompt and perfect and precise.

Our tribute to our Journal clerk is, in a sense, an expression of our appreciation—too infrequently spoken—of the labors and loyalty of all the Senate staff. May they understand and accept our gratitude for their daily assistance, often beyond the call of duty.

Theirs is the teamwork which gives to the efforts of a hundred Senators the coordination and cooperation that makes ours a Senate history of responsibility in our common service to our country and mankind.

THE LIBRARY OF CONGRESS—10 YEARS OF PROGRESS UNDER DR. L. QUINCY MUMFORD

Mr. JORDAN of North Carolina. Mr. President, I wish to speak concerning 10 years of progress made by the Library of Congress under the direction of my good friend Dr. L. Quincy Mumford, who is a distinguished native of North Carolina.

> Welcome, and may good will, good fortune, and good cheer attend you ever.

Ten years ago, September 1, this message was received by the 11th Librarian of Congress to be appointed in the Library's 154-year history from Librarian of Congress Emeritus Herbert Putnam. The occasion, the day L. Quincy Mumford took the oath of office.

The past decade in the Library of Congress has indeed been attended by good will, good fortune, and good cheer. The "Fortress of Freedom," as our National Library has been described in the past, has emerged as a major force in this Nation's quest for peace and prosperity. The cold war is being fought on the battleground of knowledge and our survival has become dependent upon access to that knowledge through materials published all over the world. The monumental increase in book production which has resulted from the so-called information explosion, the publishing efforts of new and emerging nations, the greatly expanded research programs being carried on in the physical and natural sciences, and the increased emphasis on scholarship which has resulted from this country's reexaminations of its educational programs after Sputnik I was launched—all these have presented problems in the service and control of library materials. Coupled with experimentation in and application of technology to library problems, the demand is for vision and leadership. As the National Library, the Library of Congress has been a leader in the struggle to meet these needs.

The 10 millionth book was added to the permanent collections of the Library the same year Dr. Mumford assumed office and the collections then totaled 31 million items. Today there are 13 million books and a total of 44 million items housed in the two buildings occupied by the Library of Congress. This vast repository of knowledge would be useless, however, if there were not adequate staff or funds to make these materials accessible.

Congress, recognizing the role that its Library must undertake in order that this country remain in the forefront of the battle of the mind, has increased the direct appropriation to the Library from $9½ million in fiscal 1954 to over $23 million in fiscal 1965. This increase in funds has not only benefited the Library of Congress but has also allowed for the establishment of programs which have contributed to the overall improvement of the complex of libraries and research institutions in the United States. Gift and trust funds and funds transferred from other Government agencies have risen from $3,845,909 to $8,370,676 in the 10-year period, and a large portion of the transferred funds have been for research vital to the national defense. This has resulted in a 35-percent gain in number of positions on the staff.

Having served alternately as chairman of the Joint Committee on the Library since 1961, I have been fortunate to gain an insight into the problems faced and the progress made by Dr. Mumford and his staff during the past decade. To name only a few of the achievements:

The establishment of a program to microfilm and index the papers of the 23 Presidents of the United States that are in the Library. This program has made it possible for libraries throughout the country to purchase microfilm copies of this valuable original source material.

The establishment of the Public Law 480 book procurement program. Libraries in all 50 States are receiving publications procured from India, the United Arab Republic, Pakistan, Indonesia, and Israel with the use of excess foreign currencies. Since the program was commenced in fiscal 1962, over 2½ million items have been acquired.

The establishment of a program to preserve by converting to safety film rapidly deteriorating early motion pictures. Without this program, this portion of our cultural heritage would have been lost to future generations.

Expansion of services in the field of science and technology, including a greatly expanded staff in the Science and Technology Division to provide reference service and prepare bibliographies, the establishment of the National Referral

Center for Science and Technology, and the establishment of a Science Policy Research Division in the Legislative Reference Service.

The establishment of a Near Eastern and North African Law Division.

The establishment of an African section to aid in the acquisition of materials, and to provide reference and bibliographic service relating to this important geographic area.

The establishment of a children's book section for the preparation of bibliographies and checklists, as well as to provide reference service.

The establishment of the cards-with-books program, whereby publishers who sell to libraries have been enlisted to purchase sets of Library of Congress cards for all the current American trade books they stock in quantity. As a result, when a library orders a book, a set of cards is placed in or with it, and books and cards arrive together at the library, ready for a minimum of processing before the volume is placed in the reader's hands.

The publication of such national bibliographies as "The National Union Catalog," "The Guide to the Study of the United States of America," and "The National Union Catalog of Manuscript Collections."

The completion of an overall study of the feasibility of automating the Library of Congress in particular and research libraries in general, the implementation of which could augment and accelerate the services rendered by large research libraries and profoundly affect their responsiveness to the needs of library users. Also, a program to demonstrate that catalog cards and various other forms of bibliographic information can be reproduced automatically for many uses by means of an initial perforated paper tape from a tape-producing typewriter has been initiated.

A comprehensive bill to revise the U.S. copyright law, which has not been greatly changed since it was enacted in 1909, was introduced in Congress this session after 9 years of work by the Copyright Office.

During the past decade the Library's program of providing standardized catalog cards for a minimal fee to libraries in every township in your State and mine has nearly tripled and as a consequence countless dollars which would have been used for cataloging have been available for the purchase of books and other library materials. The program to provide books in braille, talking books, and tapes to the Nation's blind readers has been greatly extended to meet their growing needs. Exchange agreements with other countries to receive Government publications and other important documents have grown to over 25,000. The program to microfilm deteriorating materials, such as newspapers, as a means of preservation has been inaugurated, and the serious backlogs in the cataloging of items received in the Library which have existed since World War II are gradually diminishing. We are all aware, I am sure, of the excellent service provided by the Legislative Reference Service as well as the many improvements in this operation.

All of this and much more has been accomplished in the last 10 years by the Library administration despite the critical space situation which exists. It is my hope, and that of the Librarian, that Congress will act on legislation to obtain a third building during the next session.

Dr. Mumford, a modest man, would not want to take credit for these major achievements and he would insist that they were made possible because of the understanding and support of the Congress, a dedicated and creative staff, and the encouragement given the Library by its varied publics. It would, however, be remiss for this body not to take note of the anniversary and to congratulate him on his effective service as Librarian of Congress. Despite the growing multitude of responsibilities it bears, the Library of Congress has met the challenges facing it, and I feel confident it will continue to do so.

FUR SEALS OF ALASKA

Mr. BARTLETT. Mr. President, prior to the early part of this century pelagic sealing was widely practiced in the north Pacific by foreign nationals and even by Americans, to such a point that the fur seals in the Pribilof Islands breeding grounds shrank to 143,000 by 1909.

In 1911 the Governments of Canada, Japan, Russia, and the United States entered into a convention which was not broken until 1941 when the Japanese Government abrogated that treaty. Even though there was no formal agreement in effect from 1941 until 1957 the Soviet Union and the United States continued to abstain from killing seals at sea.

In 1957 a new convention was signed and renewed in January of this year. Through these protective actions the seal herd in the Pribilofs has grown tremendously.

The story of the sealskin harvest has been detailed in what I consider a most interesting article in the New York Times of August 27, 1964, written by Lawrence E. Davies.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SEALSKIN HARVEST DUE TO BEGIN SOON

(By Lawrence E. Davies)

ST. PAUL, ALASKA.—Several hundred million dollars worth of sleek fur coats, based on retail prices, have been on display this summer on the rocky beaches of this windswept Bering Sea island. Their wearers make noises like the snort of a bull, the moo of a cow, the quavering ba-a-a of a sheep and the yelp of a dog.

It may be several years before any of the 1964 models are sold to operagoing Fifth Avenue shoppers. Most of this year's models still encase their original owners, the largest herd of fur seals in the northern Pacific.

This is a herd that, until an international agreement was reached nearly a half-century ago, was threatened with extinction after the taking of millions of pelts by ocean seal hunters. Now, after fluctuating through the years, the herd stands at a figure estimated at 1.5 million. This is calculated by biologists to be an ideal number from the standpoint of productivity and food supply.

It means that on St. Paul and its neighboring island, St. George, here in the Pribilofs 300 miles north of the Aleutian chain, probably 386,000 seal pups were born in June and July. And by the end of the season 60,000 seals 3 and 4 years old will have been harvested for their fur skins.

The United States, the Soviet Union, Japan, and Canada have signed a new 6-year agreement, effective in 1965, for continued protection of the northern Pacific fur seal from indiscriminate killing.

This country looks after the annual seal harvest in the Pribilofs, the fur seals' favorite breeding ground. About 80 percent of all the fur seals in the northern Pacific breed here. The Soviet Union has the responsibility for keeping the herds on the Commander, Robben, and Kurile Islands on a sustained-yield basis. Canada and Japan, which, with Americans and Russians, agreed to abstain from taking fur seals at sea, receive 15 percent each of the seal skins taken commercially by the United States and the Soviet Union.

The Bureau of Commercial Fisheries of the Federal Fish and Wildlife Service, in the Department of the Interior, supervises the Pribilof operation. This year, for the first time, the Aleut villagers living on St. Paul and St. George Islands, 40 miles apart, have conducted the seal harvest virtually without direction from Bureau officials.

"Always before we have had a team of overseers and bosses to tell them what to do," said C. Howard Baltzo, director of the Bureau's marine mammal resources program, who has spent five summers on St. Paul directing the work. "This year is a milestone and the Aleuts are tremendously proud of their achievement."

Mr. Baltzo estimates that 1.25 million seals have appeared on the rookeries of St. Paul Island since the first bull seals began checking in by late April to select areas where they would establish harems of 20 to 100 female seals.

The cows in great numbers forage in distant waters for fish and squid for themselves and then return to their rookeries to nurse their pups, by now grown to 10 to 15 pounds each. The mothers weigh 95 to 100 pounds and the powerful, belligerent bull seals sometimes 600 pounds or more. Each female seal searches out her own pup among the tens or hundreds of thousands and refuses, biologists say, to adopt another. If the mother fails to return, the pup dies.

SOME FEMALES KILLED

By early August teams of Aleut sealers in the Pribilofs had killed and skinned 48,000 seals, mostly bachelors 3 and 4 years old. To prevent the herd from growing beyond 1.5 million, about 12,000 females are taken during the last two weeks of August. Of 50,000 females surviving the age of 4, the remaining 38,000 are left for breeding purposes.

"We had not realized until recently," Mr. Baltzo said, "that their fur is equal in quality to that of the bachelors."

Only about one-fourth of the 386,000 pups born annually survive the killer whale, the hookworm, and other dangers, and live until age 4.

In the sealing operation, selected groups within the herd are driven in the early morning to the sealing ground back from the sea. There skilled Aleuts differentiate between the sexes with split-second decisions based on head shape, color of whiskers, and shape of teeth. Then a seal is dispatched with one blow of a club on the skull. It is stripped of its coat in a few seconds.

This year, for the first time, fur seal carcasses are being ground, quick-frozen, and shipped to Oregon under a 5-year contract to be fed to mink, a rival of the seal in the fashion marts.

The Pribilof sealskins from both the 1963 and 1964 seasons are in cold storage. The Interior Department has canceled a long-time contract with a fur company and is negotiating with others about the future. If the herd's value were based on the price tag of a fur coat, which requires up to eight sealskins and costs as much as $3,000, the total, if it could be sold at retail, would take care of the national budget for 3 or 4 years.

As a matter of practical economics, Mr. Baltzo reported, "we gross about $5 million a year and have gone as high as $7 million."

"This figures out," he said, "to a profit of about $1 million a year, after 15 percent of the skins have been allocated each to Japan and Canada. Seventy percent of the profit goes to Alaska under the Statehood Act and 30 percent to the U.S. Treasury."

FOOD FOR PEACE ASSETS

Mr. McGOVERN. Mr. President, an editorial entitled "Beyond Food for Peace" was published today in the Washington Post. The editorial strongly recommends the constructive use of surplus foreign currencies which have accumulated as a result of sales of our farm commodities under the Food for Peace program.

I hope Congress and the administration will take steps to use the approximately $1 billion in idle currencies which have accumulated in India, and elsewhere, to underwrite noninflationary programs in such fields as education, health, and family planning.

With half the world suffering from malnutrition, we ought to use our food abundance with all the imagination and flexibility we can muster.

I ask unanimous consent that the Washington Post editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BEYOND FOOD FOR PEACE

The House of Representatives will have an opportunity today or tomorrow to take a constructive step in the development of U.S. relations to the emerging nations. For some years this country has been shipping surplus food to various countries with acute shortages, under the provisions of Public Law 480. In return the United States has received substantial sums in the currencies of those countries—funds which can be spent only in the country of origin. Now it is proposed that the excess of these funds not needed for other purposes be spent within the countries where they have accumulated for projects designed to improve the resourcefulness of the people.

It is estimated that nearly $1 billion in foreign currencies is now on deposit under Public Law 480 agreements in excess of any foreseeable need. Here is a substantial sum that can be tapped for constructive aid to people in dire poverty. Desirable though it is to use American surplus crops to feed hungry people abroad, the mere relief of hunger does not go far toward amelioration of their plight. The current thinking is that these surplus currencies can well be spent for tools, education, sanitary facilities, and other means of helping people to help themselves.

The House Agriculture Committee's report on the bill to extend and amend Public Law 480 contains this persuasive paragraph:

"These currencies are as truly a part of our surplus as were the commodities which generated them. Like commodity surpluses, they are a liability if we simply store them, but can be an asset if we use them. They are returning to the United States a low rate of interest which may be more than offset by inflation within the country. Like our commodity surpluses, there is no danger of not having enough for our own use, for there is always another crop in prospect."

It is sound policy to make constructive use of these assets where they can be spent and where they will do the most good. The food-for-peace idea has proved to be very popular because it converts an American surplus into good will and higher living standards among the people receiving it. But the end of fruitful utilization is incomplete if the local currencies paid for the food are allowed to accumulate in sterile surpluses of a different sort. We hope that the House will vote to put these "excess currencies" to work in keeping with the spirit of the food-for-peace program.

THE WILDERNESS BILL

Mr. McGOVERN. Mr. President, the Memphis Press-Scimitar published on August 22 an excellent editorial on one of the conservation achievements of the 88th Congress—passage of the wilderness bill.

I understand that the bill will be signed by the President tomorrow or Wednesday, thus completing 8 years of study and effort to bring to reality a Wilderness Preservation System.

The Press-Scimitar editorial appropriately extends thanks and congratulations on the passage of the bill to the Senator from New Mexico [Mr. ANDERSON] and to Representative SAYLOR, the principal authors of the measure, while recognizing that there are others who made great contributions to its success.

Also recognized is Howard Zahnizer, who died recently, when his years-long cause was near success. It is a matter of sorrow to all of us who have worked for the bill, and consequently knew of his zeal and sacrifices, that Mr. Zahnizer could not have lived until the fruition of his efforts, which were carried on for many years as a personal cause, before the formation of the Wilderness Society. It is pleasing to me that his contribution to the achievement of a National Wilderness Preservation System is widely known and recognized, along with the contributions of its legislative sponsors.

I ask unanimous consent that the Memphis Press-Scimitar editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CONGRESS PRESERVES OUR WILDERNESS

Congress has acted to make America's heritage of wilderness secure.

The Senate and House have reconciled their differences and sent the wilderness bill to President Johnson, sure that he would promptly approve it, for he had asked them to pass this legislation.

If it is not a perfect bill, certainly it is far better than conservationists had reason to hope for at the beginning of the session and they proudly regard it as a landmark achievement in conservation history.

It means that 9 million acres administered by the U.S. Forest Service and now classified as "wilderness, wild, and canoe" areas must remain such unless some future Congress should change their status, and that is not likely to happen. Until this wilderness act was passed, there was nothing to prevent some Secretary of Agriculture from giving away "with the stroke of a pen" the people's irreplaceable resources of unspoiled nature. It was the purpose of this legislation to make that impossible.

This is just the start of our wilderness preservation system. The law provides that, within the next 10 years, on recommendation of the Secretary of Agriculture and the President, Congress can add to it, tract by tract, national forest lands now classed as "primitive," up to a total of more than 5 million acres.

Similarly, many millions of wilderness acres in the national parks and monuments and wildlife refuges can be given permanence in the system on recommendation of the Secretary of the Interior and the President. Gifts of land from private sources also may be accepted.

When the system is completed we will be assured that 2 percent of the lands of the United States will remain as all of it was when the Indians roamed its vast spaces—a land of green forests, clear streams, blue lakes, and pure air—

Where plants and animals can reproduce themselves unfailingly and no species will be lost.

Unmarred by automobile roads and the litter that cars bring, but open to all to explore by foot trail and horseback.

For hunters of big and small game, for those who would fish in fast water or calm lake, for birders, for the myriads who shoot only with cameras.

As the outdoor laboratories for scientists who must have primitive nature to study if they are to find out how we must live in civilization.

For those who want to "get away from it all," from the neon, the smell of gas and chemicals, the noise and odors of cities, and hear only the sound of the wind, the songs of birds, and the cries of animals, smell only the fragrance of pine and cedar, and be alone with nature, and, as most would add, with nature's God.

The wilderness preserved means much to the stay-at-homes, just to know that it is there, and to see its refreshing scenes in pictures in newspapers and magazines, and in movies and on TV, both in travelog and the background of stirring or romantic drama.

To Senator CLINTON ANDERSON and Representative JOHN SAYLOR, the authors of the bill, and to all, in and out of Congress who had a part in this great conservation victory, our thanks and congratulations.

Like Moses, Howard Zahnizer, executive director of the Wilderness Society, who died fighting for the cause, was not here to enter the promised land of wilderness preserved. We wish he could have seen how we have answered his plea that we project the wild "that has come to use from the eternity of the past into the eternity of the future."

PRESIDENT LYNDON B. JOHNSON ADDRESSES TEXAS STATE AFL–CIO CONVENTION AT BROWNSVILLE, TEX., BY LONG-DISTANCE TELEPHONE

Mr. YARBOROUGH. Mr. President, the Texas State AFL–CIO held its annual convention in Brownsville, Tex., beginning on August 17, 1964. I was invited to address the convention on that day, and was present on the platform when President Lyndon B. Johnson spoke to the convention by long-distance telephone. Mr. H. S. "Hank" Brown, president of the Texas State AFL–CIO, and Mr. Roy R. Evans, secretary-treasurer of the Texas State AFL–CIO, were on the platform at the time of President Johnson's call.

I ask unanimous consent that the transcript of President Johnson's telephone address be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Text of President Lyndon B. Johnson's Telephone Address to the Texas State AFL–CIO Convention, Brownsville, Tex., August 17, 1964

Mr. H. S. Brown. Ladies and gentlemen, the President of the United States.

President Lyndon B. Johnson. President Brown, Secretary Evans, my good friends, my fellow Americans, Hank Brown doesn't have to listen just now. He's been here at the White House, and he knows exactly how I feel. But there are some things that I want to tell you for myself. And I want to say them to all of you. In Texas and in the Nation, you and I, in our lifetime, have seen more progress than any people anywhere have made at any time in all the history of man. America's progress and prosperity at home, America's position in the world, are all attainments of your lifetime and mine. There is one key to what we have wrought, that is, our unity. All of our kids can have more of what really does matter when we quarrel less about what really doesn't matter.

Here, in your White House, I work every day, nearly every hour, for that understanding, for that essential unity. We cannot know what history has in store for us, but I hope that my time here will be remembered as a time when the American people moved toward understanding each other better, moved toward greater unity and thus greater strength, North and South, East and West, labor and management, consumer and producer, without regard to ancestry, or religion, or race, or origin. Every foreign aggression, every adversary has expected to defeat us by dividing us. The same is true of those at home, those who have, through the years, tried to stop the people's progress or turn back the people's economic clock. Our future has never been brighter than it is today, and I don't believe that the American people would chance to risk that future by allowing anyone who specializes in hate or fear to divide us or to divide the people among themselves.

The labor movement in my home State of Texas has come far in a short time. Your position today is measured not by power, but by participation in Texas affairs at every level. You are more than leaders of your local unions; you're leaders of your local communities, leaders of local life, the schools, and the churches, and the business ventures. I want you to know that I look to you for leadership that serves your country and that serves our cause in days like these. So long as I occupy your White House, the doors here will be open to all the people without regard to their affiliations or their affluence, their aspirations or their ancestry. That door will be closed to none, except those who would demand that we shut the door in the face of any other American. We are going to continue working to get this country more prosperous for all.

I just finished a meeting a moment ago with the Secretary of Defense, discussing the increased capital investment that's being made since the tax bill was passed and that's provided additional jobs for additional millions. We're all so proud that we broke through the 5-percent unemployment figure this week for the first time since many, many years. We all want this world to be more peaceful for all human beings. Yes, there are great works to be done, and your generation will do them. We're right now rolling up our sleeves to go to work doing everything we can to eliminate poverty. We've brought down the unemployment rate among young people from 16 point plus to 13 point plus last week. I announced only Saturday that we were immediately opening 22 camps throughout the Nation to help take care of some of our idle young men and young women who are now registered as unemployed with their employment offices. I believe that you'll be leaders in that work just as your leaders helped us to pass this most difficult and farsighted piece of legislation.

Over the last 4 years, both President Kennedy and I have known one thing: When there was an issue for the people, we could count on the man who is on your platform now, Ralph Yarborough. [Applause.]

Senator Yarborough. I'm sitting right here, Mister President.

President Johnson. I don't think, Ralph, that you need any help on the platform there today, do you? I think a lot of other people are going to learn that you can give a good account of yourself anywhere, anytime, and that you're going to take care of yourself once again this year. [Applause.]

I do want to tell the delegates one thing about you, and I want to ask each delegate to listen carefully. The place for Ralph Yarborough is in the Senate of the United States. [Much applause.]

Let me say Hello to Senator Yarborough, if he is there.

Senator Yarborough. Mister President.

President Johnson. Yes.

Senator Yarborough. Hank Brown has just handed me the phone on this white Presidential line that all of these delegates can see here in this great AFL–CIO statewide convention. And you said I didn't need any help; but the last time you spoke in this hall at this civic center in Brownsville, I was badly in need of help. You and Secretary Stewart Udall came here in the summer of 1961 and spoke for the Padre Island National Seashore; and now it's written into the law, and it was with your help as Vice President of the United States. That was the same day that you had dedicated the great plant at Freeport to take the salt out of sea water. This magic, rich valley here now—if we had enough water—it'd be the richest spot on the face of the earth. And the scenes that are being shown of the poverty could be eradicated if there were water.

Mr. President, I'm proud that you called on me to be a coauthor of your antipoverty bill, that I had the privilege of being a coauthor, serving on the Special Committee in the Senate, and of helping get it passed. I believe in it. I think you have a great program. I'm supporting that program.

President Johnson. Thank you, Ralph, and I ——[applause].

Senator Yarborough. I'm supporting you for the Presidency of the United States [much applause] not just because you are my fellow Texan, not just because you're my Democratic nominee, but because you have a program for the people, as against a party that is looking backward, not forward. God bless you, Mr. President, for leading the people forward at this crucial time.

President Johnson. Thank you, so much, Ralph; and we're both going to support that program that you speak of, a program for all the people of all the country.

Senator Yarborough. Thank you, Mr. President, thank you.

President Johnson. Give my love to Opal.

Senator Yarborough. Well, thank you, Mr. President, and give our love to that wonderful family of yours.

President Johnson. Thank you, very much. [Applause.]

Hello, Hank.

Mr. Brown. Yes, sir; I'm here, sir.

President Johnson. Well, I enjoyed it very much. I wish I could be there in person to visit with you, but it's been kind of lonely here over the weekend. Lady Bird was in Utah and Wyoming, and Lynda was in Long Island, N.Y., and Lucy was at * * * out in Wisconsin, so I guess the family's traveling a little bit, and I'll be back in Texas before long.

Will all of you roll up your sleeves, take off your hats, and get out there and let's get busy and elect Ralph Yarborough to the Senate and let's have a good Democratic victory in November. [Applause.]

Mr. Brown. Thank you, Mr. President.

JOHN F. KENNEDY—A POEM

Mr. MUSKIE. Mr. President, it is rare that I have an opportunity to read poetry; but recently a bit of verse which came to my attention impressed me so favorably that I want to share it with my colleagues.

Much has been written, in both prose and poetry, concerning November 22, 1963, and the tragic weekend that followed. Yet only a man who knew our late beloved President as a fellow student at Harvard College could have penned these lines. The author is at present chairman of the Department of Philosophy, at Bowdoin College, in Brunswick, Maine. He is known in Maine for his authoritative articles in the field of philosophy and for his recently published work, "The Recognition of Reason." I ask unanimous consent that these poignant stanzas be printed in the Record.

There being no objection, the poem was ordered to be printed in the Record, as follows:

For John Kennedy, of Harvard

(By Edward Pols)

A tumult of images insist,
Repeat, repeat, traverse, and re-traverse,
Until the dreadful Sunday's counterpoint—
She with your children pacing to the drum,
While here the prisoner comes, and dies
Under the blind resurge of violent Dallas—
Is on the night screen one more time rehearsed
And we believe at last
What on the Friday we so feared to know.

That Friday night St. Patrick's bells
Came to me in an old Maine house
The while against them spoke—spoke
The banal words each of us finds when moved
And when a public voice exacts reply—
Spoke the various accents of the city.

Some nuance unmanned me yet again
(Or was it the passing of my youth that struck?)
So, lest the children see my tears,
I walked awhile between the arbor and the barn
And thought of you passing once in thirty-seven
In the spring of freshman year and of your life
On the Yard walk past Widener's steps and
Up the slope towards Palmer House that was.

There stood a Norway maple on that hill
Which every spring spread out a cope
Of greeny gold upon the ground, and there we passed,
Treading the bright minuscule blossom down,
In the slant light of morning and of our lives.

Your smile held then—how shall I say?—a thought
Too much assurance, and your walk a pride
To daunt a green and envious boy who'd wrought
A manner but no ease for all he tried
To be at home: you seemed to own the place
I loved but did not yet possess. But stay,
There comes to mind the man of forty-five:
A man who wore that humor in his face
Did not let youth or wealth or rank betray
Him to forget this truth: when we arrive
Who come here late, the place we meant to find
And win and love is altered out of mind.

So, much of worth in what we take is lost—
That Harvard gone of Eliot and of James,
That land of Arcady before the host
Of yours and mine sailed here to stake their claims.
Provincial places though (your smile confides)
And not perhaps as open to the world
As we with myriad ties of blood and faith
Have made them in your time; and this abides,
For all the poise that's vanished with your wraith,
For all that Camelot's banners need be furled:
They changed to take us in, but we
Transformed them out of all they could foresee.

The tree is gone that once bestrewed the ground
Each springtime with a green-gold grace:
Now buildings flank that place,
While, moved and turned around,
Cropped Palmer House looks strange—
So all things shift and change—
But though your life is gone and my youth
I see you now in truth
Transfigured, resplendent in our ruth.

They say you were still half symbol,
Being given so little time;
Come, let us take you so, but in this sense:
In that region of possibility you fill
There, still, your bright incontinent essence
Inclines to its own completion, still
Shapes almost its own actuality, still contrives
Some reason, measure, humor in our lives.

STUDENT FINANCIAL ASSISTANCE

Mr. MUSKIE. Mr. President, on February 4 this year the senior Senator from Indiana [Mr. HARTKE] introduced S. 2490, which provides a "multipurpose program for student financial assistance, flexible enough to meet the diverse requirements of the Nation's post-secondary institutions, and balanced between loans, fellowships, and student employment activities." Other Senators and I subsequently joined in cosponsoring this much-needed college assistance bill.

Like most Americans, I am deeply concerned about the estimated 150,000 young men and young women who each year graduate from our high schools, possessing both the ability and the desire to continue their education, but are unable to do so because they lack the necessary financial resources. This and other important problems are clearly met by Senator HARTKE's proposed legislation. I believe this bill is in the best interest of Maine and the Nation. But the bill's provisions are already being attacked in some mass-circulation newspapers and periodicals.

An editorial entitled "Where Federal Action Is Not Needed," published on June 6 in the Saturday Evening Post, for example, contained a distorted interpretation of the long-term student loan provision of S. 2490. In a commendable effort to set the record straight, Dr. Walter H. Boyce, dean of men at Bates College, at Lewiston, Maine, wrote a letter to the magazine's editorial board, in the hope that it would be included in their "Speaking Out" column. This the editors refused to do.

Dr. Boyce is an able official of my alma mater and has had considerable experience in administering the national defense student loan program. I ask unanimous consent that his reactions to the editorial be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LETTER BY WALTER H. BOYCE

A recent editorial in the Saturday Evening Post ("Where Federal Action Is Not Needed," June 6, 1964) combined with the editorial comment consistently appended to the "Speaking Out" column ("One measure of a democracy's strength is the freedom of its citizens to speak out—to dissent from the popular view. Although the editors often disagree with the opinions expressed in Speaking Out, they dedicate the series to that freedom") have inspired me to comment on the loan programs now available for students in our institutions of higher education.

This editorial, "Where Federal Action Is Not Needed," is, in my judgment, a classic example of a slanted, distorted, biased editorial of half-truths. In the event that the June 6th issue of the Saturday Evening Post is not easily available, let me quote rather liberally from this editorial. It begins: "When should the Federal Government enter an area where the public interest is involved? When private enterprise, State and local governments are unable to do the job, we believe. All too often the question is argued in a vacuum, because no agency except the Federal Government is prepared to act. But the converse of this principle is that when private enterprise or State and local government is doing an effective job, the Federal Government should stay out. Three years ago a private enterprise called United Student Aid Funds went into the business of guaranteeing low-cost loans to needy college students. A nonprofit, tax-exempt corporation, United Student Aid Funds, established a contributed fund to guarantee bank loans to students."

Let us pause for a moment. What facts have now been established by the writer of the editorial? As a starter, it seems that a private enterprise group has been active for 3 years in the field of low-cost loans to college students. There is also the implied conclusion that this is an organization which does not have profit in mind (note the "nonprofit, tax-exempt corporation"). Let's set the record straight on these two points. In the first place, it is quite true that the U.S.A.F. has been active with loans to college students for the past 3 years. It is also equally true that this organization was by no means the first to break into the field. Prior to 1961 several privately financed State loan plans were already in operation and others were being organized—Massachusetts and New York higher education loan plans, for example—and all of these plans operated with basically the same terms for loans as are advertised by the U.S.A.F. It should also be noted that a tremendous boost to the idea of loans for college students, and in this case the qualifying adjective, "low-cost," is appropriate, came from the passage of the National Defense Education Act, title II—national defense student loan program. The date of passage of this legislation is a matter of record in the full title of the act, National Defense Education Act, 1958. So it turns out that the national defense student loan program, with substantial annual increases in amounts available after an initial small allotment reached participating colleges in the spring term of the 1958–59 academic year, has been operating for 5 academic years, beginning in the fall of 1959. The U.S.A.F. is thus in the position of being the Johnny-come-lately, waiting until 1961 to hop on the bandwagon.

Let us next examine the statement "low-cost loans to college students." Although this is not specifically stated, the reader of this editorial is left with the feeling that the U.S.A.F. and the N.D.S.L.P. (the proposed Federal program, which, it turns out, has been a thriving operation since 1959) are basically the same kind of service for college students. Both, it is implied, are dealing with low-cost loans for college students.

Again, a little air clearing is in order. Interest rates on all U.S.A.F. loans are made on at least a 5-percent annual rate and of even more concern and cost to the borrower is the provision that interest is charged from the date of the loan. Compare this, if you will, with the N.D.S.L.P. provision that interest is to be charged at the rate of 3 percent (a true 3 percent), computed on the principal at the end of a payment year rather than being charged in advance—a common and strictly legitimate banking practice which virtually doubles the stated interest rate) and is charged only after the expiration of a number of possible deferment periods. For example, no interest, not even a true 3 percent, is charged on N.D.S.L.P. loans while the student borrower is maintaining normal progress as a full-time student (on either undergraduate or graduate level) in an accredited institution of higher education. The N.D.S.L.P. further provides for an interest-free, no-repayment period of a maximum 3-year period while the ex-student is in military service. The well advertised "year of grace" (12 consecutive months of interest-free, no repayments status following interruption of full-time studies) is a further advantage, in terms of cost cutting, to the student who borrows his funds from the national defense student loan program rather than the united student aid fund.

As a specific example, let us compute the interest costs for two hypothetical students, each borrowing $1,000 a year (the maximum per academic year in either program) in the 1961–62, 1962–63, and 1963–64 academic years. (We will assume that both students were sophomores in the fall of 1961 since the U.S.A.F. generally provides for loans only to those who have completed their first year in college while the N.D.S.L.P. permits the participating colleges to grant loans to needy first-year students.)

I shall simplify the computation by assuming that those computing the interest for the U.S.A.F. program (and they are profit-making bankers, for it is the private enterprise bankers who actually execute the loans under the U.S.A.F.—the U.S.A.F. simply serves as the guarantor in the case of defaults) do so on the basis of interest on the actual amount of principal rather than interest upon interest.

And so to student Roger Macielowicz of Kenmore University. He has borrowed $1,000 from the N.D.S.L.P. in the past 3 academic years and has maintained normal progress, two terms a year, toward his degree. This June he received his degree from Kenmore and at the time of his graduation had a total obligation of $3,000, with not a penny of interest charges. His twin brother, Ralph Macielowicz attended the State University during the same period and because of limitations on the amount of funds available in the N.D.S.L.P. he had to rely on the U.S.A.F. He too had a total obligation of $3,000 (in principal) on his graduation day, but note that his low-cost loan benefactors have already charged $50 in interest for 1961–62 (5 percent of $1,000), $100 in interest for 1962–63 (5 percent of $2,000) and $150 in interest for 1963–64 (5 percent of $3,000). The same amount ($3,000) has been borrowed in the same period (3 academic years) but Roger of the N.D.S.L.P. has no interest accumulated and Ralph is already $300 in the hole.

At this point I am willing to concede that it would indeed be a load off Ralph's back if he could manage to swing the whole repayment procedure within the 4-year post-graduation period provided by the U.S.A.F. Even without getting too exact about the arithmetic and assuming that he will reduce the amount of the outstanding balance ($3,300) in equal amounts during this period, he will still have substantial interest charges (5 percent of $3,300 for the first payment year, 5 percent of $2,475 for the second year, 5 percent of $1,650 for the third year, and 5 percent of $825 for the fourth year). This works out to $412.50 in additional interest charges, or a total of $712.50 from the date of the first loan in his sophomore year to that day 4 years after graduation when he receives a delightful "paid in full" notice from his banker. This repayment schedule assumes a minimum payment on principal of $825 per year, plus the interest charges, or a total of well over $70 a month, hardly a small, easy payment program for a student just out of college. And woe to the college graduate who wants to continue his program on a graduate level or who wants to take a low-paying but socially useful job, or who finds that his draft board has 2 years of Army service in mind for him. I am told that in such cases the low-cost bankers in this program are willing to defer the start of the payment period, but naturally the 5-percent interest rate goes right on adding to the total cost.

Now let us switch back to brother Roger who received his loan funds from the national defense student loan program. We already know that on his graduation date (June 1964) he still owed only the amount that he had borrowed while an undergraduate ($3,000). To keep things simple, let's assume that he does not enter service (he is 4–F—trick knee) and he does not wish to enter graduate school. He simply goes to work and lets his year of grace expire on June 1, 1965. At that point he still owes exactly $3,000 and if he is a frugal lad he may even have been able to make some payments on the principal in 1964–65 to reduce the amount on which he will actually have to pay interest.

I do not wish to load the dice so I will not make him out to be especially careful with his money. He waits until the repayment period begins in 1965–66. If he has elected the lowest cost repayment plan (there are five options available) his first annual payment on June 1, 1966 will be for $390 and this includes payment on principal as well as the interest for 1965–66. The next year it will be $381, then $372, then $363 and so on down the scale at a reduction of $9 a year until the 10th year payment is made for $309. Interestingly enough, even though poor Roger is saddled with repayments for 11 years after graduation (1 year of grace and 10 payment years) he still ends up paying a maximum of $495 in interest charges as compared to the very conservatively figured $712.50 for happy Ralph with the private enterprise U.S.A.F. Ralph also has a minimum of $825 in annual payments on principal (4 years) as compared to Roger's $300 a year for 10 years.

I have already agreed that it would be nice to be able to pay off this $3,000 debt in 4 years and if this can be managed without an impossible strain on the budget, the N.D.S.L.P. provides that the borrower may elect to pay up his loan in advance of the 10-year schedule. If he does so, he will receive a full proportionate reduction in the amount of his interest payments. To be specific, if Roger is able to pay his national defense loan off at the rate of $750 a year for 4 years following graduation, the financial aid officer of Roger's college will be delighted to have such payments since all payments on this fund go back into the participating college's account for reuse with students enrolled during the academic year when payments are made.

A quick computation reveals that in the first year Roger will pay $750. The entire amount is applied toward reduction of principal (this is the "year of grace"), the second year he pays $750 plus $67.50 in interest (3 percent on $2,250); the third year he pays $750 plus $45 interest, and the fourth year a final $750 plus $22.50 in interest. Add up these interest charges (and bear in mind that this is the equivalent in time—4 years after graduation—that is provided by the U.S.A.F. program) and we find that $0, $67.50, $45 and $22.50 add up to exactly $135. Compare this, if you will, with the absolute minimum figure of $712.50 in interest charges which U.S.A.F. Ralph Macielowicz paid during the life of his $3,000 note.

The conclusion is obvious. The Federal program is a low-cost program while the U.S.A.F. is simply a commercial banking loan program which isn't about to fold up and lose money because there is substantial backing in the U.S.A.F. to cover the small number of defaults anticipated. I will concede that the U.S.A.F. is preferable to borrowing from the local financial loan shark (get your money now, take months to pay) but it is not exactly a benevolent organization when compared to the terms offered under the N.D.S.L.P.

I can make things even more interesting, and I hope not too complicated, by going into the cancellation privileges extended to national defense loan recipients who enter the public school teaching profession at the high school level or below. Such recipients have an opportunity to cancel up to 50 percent of their total principal, at the rate of 10 percent of the principal canceled each year for up to 5 years of full time, full academic year teaching service. All interest charges during the cancellation year (both on the amount canceled and on the balance of the principal) are also canceled. It is at this point that the critics of the N.D.S.L.P.—and I have been in the college administrative end of this program long enough to know that there are many such opponents—throw up their collective hands and cry "giveaway." Certainly, the cancellation privileges do take on the color of a partial giveaway (50 percent of the loan must be repaid regardless of the length of teaching service) but an examination of the salary scales of many of our public school systems show that this program is giving it away in cases of many who have precious little to give back anyway. How, for example, would a public school teacher just starting out manage the "easy" $800 plus annual repayments of the U.S.A.F. which would be in effect if Ralph Macielowicz decided that his bent was for such service? On the other hand, if he were under the N.D.S.L.P. he would be cancelling his obligation at the rate of $300 a year and would have no interest charges to meet for the first 5 years of his teaching career. If he could manage to build up a savings account at the rate of $300 a year and thus have $1,500 ready for a single repayment at the end of his 5th and final cancellation year, he could then send that amount to his college loan officer and discharge his debt in full. He would have accomplished this objective at the manageable rate of $300 a year, without payment of any interest charges whatsoever.

I repeat, the N.D.S.L.P. does have some aspects of a giveaway, but it should be kept in mind that those who wrote this particular piece of legislation in 1958 (the student loan program is only one part of a comprehensive bill—the National Defense Education Act, an act frequently compared favorably in significance to higher education with the Land-Grant Act in the mid-19th century) intended to give encouragement to those who have limited means, who want to obtain a college education and who plan to enter teaching. I submit that the provisions of cancellation credits are certainly going to serve that purpose.

Let me now turn back to the editorial. It continues:

"The Senate Subcommittee on Education, however, is considering a bill (S. 2490) introduced by Senator VANCE HARTKE, of Indiana, that, among other things, would bring the Federal Government into the business of guaranteeing student loans. Under Senator HARTKE's bill, the Federal Government would underwrite loans of up to $2,000 a year with a maximum total of $10,000 a student. The Federal plan gives a student a year's grace after graduation, plus 10 years to repay the loan."

Unless I have missed something very significant about this bill, it is my understanding that this simply is an increase in th maximum amounts that a student may borrow under the existing 6-year-old national defense student loan program, an increase from the current limits of $1,000 per year and a total maximum of $5,000. I agree that it is debatable whether or not college costs and potential salaries (ability to repay is vital in any loan program) have risen since 1959–60 to the point where Congress should give favorable consideration to a doubling of the limits. Obviously, some increase is in order, but perhaps the 100-percent increase is going too far at this time.

This, however, is not the point. The editorial implies that this entire program ($2,000 a year, $10,000 total maximum) is an invasion of a private enterprise function already on the scene. Such, as has already been pointed out, is not the case. Incidentally, much was also made of the fact that under the U.S.A.F. student borrowers were not burying themselves in debt at the maximum annual rate. Any investigation of college figures on N.D.S.L.P. loans would reveal the same thing. By no means are all students in colleges participating in the Federal program applying for and receiving the maximum amount of $1,000 per academic year. In the first place, many are keeping their request at far more modest figures, and in the second place, each college has only a specific allotment of funds for each academic year and once these funds are exhausted, that is the end of the national defense loan activity on that campus for the year, unless additional accelerated payments arrive from students who wish to save something on their interest charges.

Much was also made of the success of the U.S.A.F. in its first years of operation in terms of the total amount of loans made. Figures given were $26,083,562 in endorsed notes. Shortly thereafter the comment is made that "if there were a demonstrable need for Federal activity in this area, we would favor it. But the experience of the U.S. student aid funds indicate that this need does not exist."

In my opinion, the preceding statement is the epitome of distortion. I believe we are entitled to ask what the $47,500,000 authorized for N.D.S.L.P. loans in 1959–60, $75 million in 1960–61, $82,500,000 in 1961–62, $90 million in 1962–63, and $90 million plus in 1963–64 represent? Are we to believe that all who have borrowed from this program, a minimum total of $385 million did not need such assistance? This conclusion implies a blanket condemnation of the competence of all financial aid officers, either titled or untitled, in the colleges and universities in the 50 States. I will return to the subject of the competence of college officers in administering this program, but before I do, I would like to comment briefly on the final paragraph of this editorial. It reads: "If the Federal Government moves into this area, the U.S.A.F people believe that they will not be able to compete with loans that are backed by the credit of the Government. Clearly, this is an area where private enterprise has shown its efficacy, and Federal action is unwarranted."

It is perhaps repetitious, but it still needs saying—just what is the complaint of the U.S.A.F. officials? Their growth in endorsed loans from 1961 to 1964 has been achieved at a time when the preexisting Federal program has also been growing rapidly. The growth of the U.S.A.F. has apparently not been impeded by coexistence with the N.D.S.L.P. in 1961–64. Why are we to think that this coexistence is now sounding the death knell of the U.S.A.F.? Is it perhaps that students as a group, along with their parents, are becoming more conscious of the rather significant differences in costs between the two programs and are doing their best to make sure that they exhaust the possibilities of obtaining N.D.S.L.P. funds before they turn to the U.S.A.F.? I cannot answer this question, nor do I feel that it would serve any purpose for me to attempt to do so. The point, I believe, is amply made. Both of these loan programs are serving a purpose and the complaint of the editorial that the Federal Government is moving into a field where private enterprise has "shown its efficacy" simply is not justified. The Federal Government was in this area 3 years before the U.S.A.F. began operations.

Although the editorial does not specifically say that loans under the national defense student loan program are showing a high delinquency rate (how could this point be made when there is no admission of the existence of a program prior to Senate bill 2490?) a bouquet was tossed in the direction of the U.S.A.F. in the statement "there have been very few defaults on loans under the private plan."

In this area—that of collection procedure on national defense student loans—I can speak from the experience of administering this part of the program for all graduates and nongraduates of a small liberal arts college in Maine. In the early years the total amount of loan activity on our campus was relatively small, but it has grown year by year and at this writing our total of original loan accounts comes to nearly $300,000. A substantial number of students have either graduated or completed their educational program and their accounts have moved into the collection phase. Many, of course, have had their payments deferred as a result of military service, Peace Corps service or full-time graduate study, and a number have had cancellations for teaching service, but the number of those having payments coming due, either on an annual, semiannual, quarterly, or monthly basis is growing rapidly, with big jumps occurring each June as another class graduates. Although I know that a number of colleges are having some difficulty in keeping up with their student accounts once the recipients have left college, and the college administrative officers in this program do not have the advantage of long developed and effective tracing means for those who, in banker's parlance, skip, or default on their notes, I also know that a number of colleges are maintaining an excellent record in their collection activities. Since this is a bit off the original subject of criticism of the points made in the "Where Federal Action Is Not Needed" editorial, I will not carry on with a lengthy analysis of the most effective way for a college to run a loan program. I know from experience, however, that it can be done, and it is being done. Two things seem to be involved wherever such success in loan administration is found—first, a systematic approach to all collection procedure, and second, a belief on the part of the financial aid officer involved in the fundamental honesty of the loan recipients. After all, this should come as no surprise to faithful readers of the Saturday Evening Post. It was not too long ago that we were informed that Lloyd's of London had managed to carry on a highly successful business operation for a number of years with the basic belief in the fundamental honesty of people, even though at times they may be a bit careless or even forgetful.

THE SCIENCE POLICY RESEARCH DIVISION, LIBRARY OF CONGRESS

Mr. ANDERSON. Mr. President, I should like to bring to the attention of my colleagues a development at the Library of Congress which I consider to be very significant.

Dr. L. Quincy Mumford, Librarian of Congress, has announced the appointment of Dr. Edward Wenk, Jr., as chief of a newly created Science Policy Research Division in the Legislative Reference Service. Dr. Wenk will also serve as special adviser to the Librarian in Science and Engineering.

The Science Policy Research Division has been created by adding four new positions, made possible by the recent Legislative Appropriations Act, to two previously available positions.

This new division will have an important effect on the efforts by the Members and committees of Congress to obtain better advice on scientific and technical matters. Many legislators, myself included, have become increasingly concerned in the last few years about the vastly increased sums of money being spent by the Federal Government in the area of research and development. Many of my colleagues have expressed apprehension corcerning these large expenditures, which at present come to about 15 percent of the entire Federal budget, and also concerning what they feel to be inadequate or insufficient sources of independent information upon which to make intelligent evaluations of budget requests. Consequently, both in the Senate and in the House there have been a number of proposals, to find better means for handling these problems. I shall not discuss these proposals today, since I have previously done so.

My good friend, the senior Senator from Missouri [Mr. SYMINGTON], was kind enough to have printed in the RECORD, last December 3, a speech entitled, "Congress and the Endless Frontier", that I made on November 20, 1963, before the annual conference of the Atomic Industrial Forum, in New York City. A slightly revised version, entitled "Scientific Advice for Congress," also was published in the April 3, 1964, issue of Science Magazine. I ask unanimous consent that the six recommendations I made, be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ANDERSON

1. We should strengthen the staffing of all committees which deal with science.

2. These committees should make intelligent use of ad hoc groups to give counsel on technical problems.

3. There should be an easier flow of information among the congressional committees themselves so that Congress avoids needless duplication in repetitious hearings and overburdening of witnesses.

4. Representatives of the executive agencies should improve their method of presentation to congressional committees. In discussing purely scientific problems, there is no coloration of executive or legislative science. It is science for the Nation as a whole. There are a limited number of people available with the broad knowledge necessary to give Congress advice on purely scientific questions. Although the Office of Science and Technology is an arm of the President, it would be most helpful if its staff could testify fully and adequately before congressional committees. The separation of legislative and executive powers in this regard can be carried to an extent that does damage to programs in which both branches have a mutual interest.

5. The channels for gathering information through the Legislative Reference Service of the Library of Congress should be expanded, and greater use should be made of such existing organizations as the National Academy of Sciences-National Research Council and the National Science Foundation.

6. Congress should receive an annual report on the state of science and technology. Each year we receive from the President a message on the state of the Union, a budget message, and various other reports. The President transmits to us through the National Aeronautics and Space Council a report on the year-long activities in space and aeronautics. Perhaps the National Academy of Sciences, through its various committees, could prepare a report by itself or in association with others such as the Office of Science and Technology. The report would briefly discuss the major programs in science and technology and would set forth what problems might be on the horizon which would require congressional attention. Separately, but more effectively, in conjunction with the National Academy, the National Society of Professional Engineers might report on the state of engineering since engineering is such a large part of Government research and development programs.

Mr. ANDERSON. I was happy to see a report released just 3 weeks ago by Representative EMILIO Q. DADDARIO, chairman of the Subcommittee on Science, Research, and Development of the House of Representatives Committee on Science and Astronautics. The conclusions set forth in the report are virtually identical to the recommendations I have just listed.

I believe that if it is properly utilized, the newly created division in the Library will go a long way toward implementing my fifth recommendation. Furthermore, it is my understanding that the staff of this new division will be expanded to a total of 10 positions next year. While this may not be enough to meet all the needs of Congress, I believe it is an excellent beginning. There is a very good possibility that the new division can work with groups such as the National Academy of Science, to provide additional talent on an ad hoc basis.

I also wish to add a word of praise of Dr. Wenk. The Committee on Aeronautical and Space Sciences, of which I am chairman, has had a long and mutually beneficial association with Dr. Wenk ever since his arrival at the Library in the fall of 1959. Some of the most important and widely read staff studies published by this committee were prepared under Dr. Wenk's direction in the period 1959–61. His subsequent experience, in the executive branch, with the President's Science Advisory Committee and the Office of Science and Technology makes him uniquely qualified for this important new Library position. I have every confidence that, under Dr. Wenk's knowledgeable guidance, Congress will receive an improved level of advice on matters of scientific and technical policy.

I ask unanimous consent that the Library release on this matter be printed in the Record.

There being no objection, the release was ordered to be printed in the Record, as follows:

Edward Wenk, Jr. To Head New Science Policy Research Staff in Legislative Reference Service at Library of Congress

Librarian of Congress L. Quincy Mumford has appointed Edward Wenk, Jr., to be Chief of a newly created Science Policy Research Division in the Legislative Reference Service at the Library of Congress and to serve as special adviser to the Librarian in science and engineering, effective September 28.

Dr. Wenk, a former Library of Congress staff member, is presently technical assistant to the Director of the Office of Science and Technology in the Executive Office of the President. He has also been serving as executive secretary of the Federal Council for Science and Technology.

In his new post, Dr. Wenk will serve in the Legislative Reference Service as a congressional consultant in scientific and technological developments that affect public policy, and he will also serve the Library as a whole, in his capacity as special adviser to the Librarian and as coordinator of science information services furnished to the Congress.

The Legislative Reference Service, one of six departments in the Library, is specifically charged with providing nonpartisan information bearing on legislation and with advising and assisting in the analysis and evaluation of legislative proposals, upon request from Members or committees of Congress. Until now, it has had two positions specifically assigned to science and technology, in addition to a number of specialists in various related fields. Research assistance to the Congress is also provided by another department of the Library—the Reference Department, which has a Science and Technology Division and a National Referral Center for Science and Technology.

The growing need of the Congress for increased research and consultative assistance in these fields, however, has led to the present strengthening of such service with the creation of the Science Policy Research Division and the appointment of Dr. Wenk in a dual capacity. Four new positions authorized by Congress in the recent Legislative Appropriations Act and two existing posts will be incorporated in the new division. Other specialists in both the Legislative Reference Service and the Reference Department will continue to serve as sources of scientific information and will work closely with the new division.

Dr. Wenk served in the Library's Legislative Reference Service from 1959 to 1961 as senior specialist in science and technology. He resigned in 1961 to join the White House staff as assistant to the President's Science Adviser and moved to the President's Office of Science and Technology when it was established in 1962. In addition to serving also as the Federal Council's executive officer, he served as staff specialist in scientific manpower, long-range planning, and oceanography.

A graduate of the Johns Hopkins University, where he received a bachelor of engineering degree in civil engineering in 1940, Dr. Wenk holds a master of science degree in applied mechanics from Harvard University (1947) and a doctor of engineering degree in civil engineering from Johns Hopkins (1950). He served in the U.S. Navy during World War II and was the recipient of a Navy Civilian Meritorious Service Award. From 1942 to 1956 he was a naval research scientist and research administrator for the David Taylor Model Basin in Washington, and from 1956 until his first appointment to the Library of Congress in 1959 he was chairman of the Department of Engineering Mechanics at the Southwest Research Institute in San Antonio, Tex. Theoretical and experimental research which he undertook during this period laid the groundwork for strength design of modern submarines and for development of deeper diving submarines.

Dr. Wenk has been a special lecturer at the University of Maryland, Harvard University, Massachusetts Institute of Technology, Virginia Polytechnic Institute, Purdue University, Yale University, and the University of Texas. He is the author of a large number of professional articles and government reports in the fields of engineering and science and public policy, holds several patents in the field of experimental stress analysis, and was the originator of concepts for deep-running submarines reflected in the design of the submarine *Aluminaut*. He has served as national president of the Society for Experimental Stress Analysis, as reviewing editor of the journal Experimental Mechanics, as a member of the executive committee of the American Society of Civil Engineers' Engineering Mechanics Division, and as reviewing editor of Engineering Mechanics Journal. A member of the honor societies Tau Beta Pi, Sigma Xi, and Chi Epsilon, he is also a member of the American Society of Mechanical Engineers, the American Association for the Advancement of Science, and the National Society of Professional Engineers. He is a registered professional engineer.

Dr. Wenk is married and has three sons. His home is in Garrett Park, Md.

TELEVISED PRESIDENTIAL CANDIDATE DEBATE

Mr. LONG of Missouri. Mr. President, in the current season of political debate we shall hear arguments of political principle and policy at many levels of government. Regardless of the outcome of this fall's election, we may be certain that the major issues involved will receive the searching attention of both candidates and commentators.

One suggested form of debate has been that of the contenders for the Presidency itself. A public confrontation between the candidates of the major political parties has been widely proposed. Just as widely discussed has been the wisdom of staging such a debate. In an age when a remark by the American President may make headlines not only in U.S. newspapers, but in foreign capitals as well, should the President take the risk of an unfortunate remark in a publicly televised debate?

One of the major metropolitan newspapers of my State recently focused its editorial attention on this question with excellent results. Mr. President, I ask unanimous consent that there be printed in the Record an editorial from the Kansas City Star concerning the possibility of a televised presidential candidate debate.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Debate That Won't—and Shouldn't—Be

The Senate vote that ended any possibility of a televised presidential candidate debate was, we believe, in the national interest. But the Senators should have been spared the nasty little task of making such a party-line decision. It seems to us that President Johnson himself ought to have ended the matter forthrightly with an emphatic no to the Republican candidate.

The Presidency is too big an office—and its responsibilities are too grave—for the incumbent to debate anyone at home or abroad. It is a flat rule to which, as we see it, there should be no exceptions.

It is in the nature of our political system that the occupant of the White House, at all times, wears three hats.

He is world leader.

He is national leader—and of all the people even during a campaign.

He is party leader.

It would be impossible for any President to separate these three fuctions simply for the purposes of a television confrontation with his opponent who would wear but one hat—party leader. It is not that we oppose political debate, on or off television. At other levels, the more the better. In every instance, it is a political decision for the candidate to make. To debate or not to debate, that is the question. Each man has to provide his own answer.

But if that man happens also to be the President of the United States, we see only one safe answer. Should he respond to the challenge, he would, on camera and live, be subjected to shotgun questions and for appearance's sake would be forced, in many cases, to give shotgun answers. We shudder to think of the possible worldwide repercussions in the wake of such a confrontation. Any man, in the heat of argument, can misspeak himself or offer a snap judgment. If that man happens to be the President of the United States, the reaction at home and abroad could be frightening.

Probably the best known political debates in history were between Abraham Lincoln and Stephen A. Douglas. But they were candidates for the Senate, not for the White House.

Four years ago, Candidate John F. Kennedy and Candidate Richard M. Nixon tangled on all networks. We were rather dubious about that one, too, and only because Nixon happened also to be the Vice President. Politically, it turned out to be a blunder for Nixon of major proportions, but that is another matter. At any rate, there was some risk in the spectacle of the Vice President—a member of the National Security Council, for example, and close to top-level decisionmaking—thus subjected to the public pressure tank of the debates.

It is of some significance we suggest, that Senator **Barry Goldwater** himself was critical of Vice President Nixon for taking on Senator Kennedy 4 years ago. The Senator is singing a different tune today, with his repeated challenges to Lyndon Johnson. Four years ago he branded the Nixon acceptance as foolish.

From the political point of view, it was. As Vice President and candidate, Nixon had everything to lose and nothing to gain. It is, after all, an axiom of the game of political debates that the challenger has every advantage over the man in office. The latter of necessity is constantly on the defensive.

More recently—and very properly, from a political point of view—Senator **Goldwater** refused to debate Gov. William Scranton, of Pennsylvania, in the closing days of the battle for the Republican nomination. The Senator, so obviously the front-runner, would have been foolish to have given the challenger any opportunity to gain ground.

The Arizonan's decision was a political decision and a correct one, as we see it. Here we are not concerned with the political strategy but rather with the national interest which could suffer should a President take on any challenge in rough-and-tumble debate. One ill-advised remark by the Chief Executive in such a situation could be heard around the world.

The President of the United States, as candidate or as President, has no business debating anyone. We wish Lyndon Johnson had said that but he didn't. So what Congress did was proper and necessary. We are glad that it was done and if there is the impression that L.B.J. was getting Congress to front for him, that is unfortunate. At least the decision has been made—and a very correct decision it was.

FARM PARITY DOWN TO 74 PERCENT

Mr. MUNDT. Mr. President, this morning throughout rural America, farmers are receiving from the Department of Agriculture the bad news that parity ratio has once again dropped to 74 percent. The report entitled "Agriculture Prices," released yesterday afternoon, brings the farmers the unhappy news that parity is now 4 percent below that of August 1963.

The report states that prices for motor vehicles and farm machinery were higher than in August, 1963; and the index of prices paid by farmers, including interest, taxes, and farm wage rates, rose 1 point during the month. With the prices the farmer paid averaging slightly higher and the farm product prices being lower, the combination has moved the parity ratio down—I repeat, down—to 74 percent.

Mr. President, the farmers of America are caught in a price-cost squeeze not of their own making. At a time when the farmers' parity is at this unconsciously low level, we find the most powerful labor union in the country, the United Auto Workers, led by Walter Reuther, negotiating for higher wages and higher and higher fringe benefits for union members—which, translated to farmers' parity, means higher prices paid and ever decreasing parity ratios for our farmers.

It is time for the administration to focus its attention on the overall economy of our great Nation, and to take the necessary action to bring all segments of the economy into balance, so that agriculture does not remain the whipping boy for the other segments. If the administration will not take action or does not want to take action, for reasons known only to itself, to stop the slide into poverty by the farmers of America, then it is incumbent on Congress to assume the responsibility and to do that which the administration seemingly will not do; namely, strengthen the economy of our farmers.

Just on the basis of the crops produced in my own State of South Dakota, we find the report issued yesterday by the Department of Agriculture most discouraging. It shows that prices for farm products in South Dakota are at parity ratios which are disastrously low, and this comes after 4 years of exhortations that the farmer would not be forgotten. For August 1964, the prices received for the following crops and their respective parity ratios are:

	Percent
Wheat	53
Corn	72
Barley	71
Flaxseed	71
Oats	69
Rye	71
Sorghum	75
Soybeans	78
Beef cattle	74
Calves	69
Chickens	62
Eggs	75
Hogs	72
Lambs	83
Sheep	70
Turkeys	64

These are discouraging figures for the farmers of South Dakota, Mr. President. Farmers need action, not discussion. Without action, their numbers will grow increasingly smaller and their economic status will become increasingly worse.

Mr. President, to demonstrate how steadily and seriously the farm situation in this country is deteriorating, let me call your attention to the following table of farm parity ratios during the past 4 years, including the month of August 1964:

Farm parity ratio (*December 1960: 81*)

	1961	1962	1963	1964
January	80	80	78	78
February	81	80	78	77
March	80	80	77	77
April	80	79	78	75
May	78	79	77	75
June	78	78	77	74
July	78	79	79	75
August	80	80	78	74
September	80	81	77	------
October	80	80	77	------
November	79	79	77	------
December	79	79	76	------
Annual average	80	79	77	------

Turning now to the yearly averages of our farm parity ratios, and taking June of each year as the testing point, I call attention, by means of the following table, to the fact we started with a farm parity ratio of 88 percent in the first full Republican year, on June 1, 1954; and I call attention to the steady decline under the present policies of our Department of Agriculture under Secretary Freeman:

Parity ratios of past decade

June 1954	88
June 1955	85
June 1956	85
June 1957	81
June 1958	85
June 1959	81
June 1960	78
June 1961	78
June 1962	78
June 1963	77
June 1964	74

Mr. President, there is only one way in which one can judge and compare the effectiveness of Presidential administrations in helping the American farmer: That is by the results they achieve. Politicians may get elected by means of big promises; but promises are of no value to the farmers of America, who thrive or fail on the basis of practical results, not political promises.

Consequently, for the farmer who realizes that he and his family cannot succeed by trying to harvest a political promise, but that they must depend upon the dividends they receive from the actual farm programs and the attitudes projected by a Presidential administration in Washington, the record of the past 4 years is discouraging and disillusioning, indeed. Parity ratios are now at the all-time low of 74 percent, the lowest they have been since the dark days of 1934, according to Wayne Darrow's Washington Farm Letter. Beef, pork, and mutton are caught in a price vice, with prices kept down by the continued importation of red meats. Even the Commodity Credit Corporation has gone into competition with our farmers, by selling its surplus commodities in the marketplace at prices which drive down the price farmers would otherwise receive.

During the Eisenhower era of 8 years, farmers received prices which averaged 84 percent of parity. Under the Kennedy-Johnson-Freeman administration, prices received by farmers have averaged 76 percent of parity. That, Mr. President tells its own sad and serious story. Under this Democratic administration farmers have received prices averaging 8 percent less than those they received under the 8 years of the Republican administration. The farmer must find his answer at the polling place; and a Republican vote in November has become the farmer's best bet to increase his income and his opportunity.

Mr. President, in my South Dakota newsletter for today, I discuss this continual decline in parity ratios since 1960 and the effect it is having on dollar income in South Dakota. My report to my constituents bears out the August 31 report of the Department of Agriculture; and I request that it be printed in the Record as a part of my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

For a Fair Chance for a Free People

(Report from Karl Mundt, Senator from South Dakota)

It shows in dollars, too. This summer, farm parity hit a 25-year low when it dropped to 74 percent. The parity ratio is the relationship between what the farmer pays for goods and services and what he receives for his products. A ratio of 100 percent means farmers are receiving equitable prices for their products in fair proportion to their costs of operation. The parity ratio has been steadily dropping since the decade of the 1950's when it ranged from 81 to 92 percent. While it is not yet possible to demonstrate on a State basis the impact of the new low in parity hit this summer, 1963 figures have been published by the Department of Agriculture. In 1963, the parity average was 78 percent. The 1963 price and cost figures, therefore, can give some indication of what effect the drop to a 74-percent low will have on farm operations this year.

Realized net farm income (the take-home pay for the farmer) was $204,400,000 in 1963. This marks a drop of $1,700,000 from the 1960 total of $206.1 million. Incidentally, the $204.4 million total realized net farm income in 1963 is $75.4 million less than the 1958 total of $279.8 million, the highest total achieved in the past 15 years. What's happened to farm income during these years in which supply-management was supposed to provide all the answers for agriculture? After all, didn't USDA in 1963 provide a record amount ($60.1 million) in Government payments to our South Dakota farmers, an increase of $31.2 million over 1960? Cash receipts were up, too, some $54.7 million over 1960 and realized gross farm income was up $88 million over 1960. The pitfall comes in the operating expenses for our farmers—the decrease in parity values.

It cost South Dakota farmers $548,600,000 to operate their farms in 1963, an increase of $89,700,000 over 1960 which more than wiped out the gain in gross farm income. Inflation, caused by deficit spending policies which shot our national debt well beyond the $300 billion mark, certainly has been a major factor in increasing costs, and as a result Government fiscal irresponsibility nullified the gains which supposedly were to accrue through other Government actions. For the farmer, 1963 and 1964 are becoming the years when the inflation chickens are coming home to roost. For in this administration's attempt, through excessive spending, to provide something for everyone, the farmer realizes, as he looks at his income report, that such policies end up without anything for anybody.

OBJECTIVES ARE RIGHT BUT THE WEAPONS WRONG IN POVERTY WAR

Administration discussion of the economy is proving to be puzzling to American citizens. In one breath, we are told the United States of America is enjoying great prosperity. In the next breath, however, we hear that more than 30 million persons live under such abject conditions that a war on poverty must be launched. Somewhere between these two extremes can be found the truth.

No one favors poverty. Why, then, opposition which found 34 Senators, including this one, voting against the $947,500,000 Economic Opportunity Act? It was conceived, sent to Congress and passed in such haste that it may be months before its full impact, both good and bad, is truly understood and felt. It has all the earmarks of being politically inspired precampaign legislation.

Another power packed office has been established in the creation of a Federal poverty czar with absolute authority to use public funds in a multitude of ways. Existing program efforts and State and local governments stand to be bypassed. Duplication of purpose and waste of effort are virtually certain to occur. How can one be so certain there will be waste and duplication? One merely has to check through the General Accounting Office reports of other hurryup programs of the past to learn the sorry prospects.

THE 25TH ANNIVERSARY OF THE INVASION OF POLAND BY GERMANY

Mr. WILLIAMS of Delaware. Mr. President, a quarter of a century ago today, the armies of Nazi Germany smashed across the Polish border and ignited a conflagration which was soon to engulf all of Europe and then most of the world. September 1, 1939, will no doubt be regarded by history as one of the blackest days in the long story of man's inhumanity to man.

For this day 25 years ago not only marked the brutal invasion of the peaceful Polish Nation by far superior and vastly stronger armies of neighboring Germany, but it also focused world attention on the cynically brutal and callous contempt which the dictatorships of both Nazi Germany and Soviet Russia had for the forces of decency. It must never be forgotten that the Nazi onslaught against virtually defenseless Poland was made possible, if not actually brought about, by the Nazi-Soviet treaty which had as its goal the dismemberment of Poland.

The Polish people fought valiantly against the overwhelming odds of the onrushing invaders from the west. On the 17th day of September, after half a month of struggle with the advancing Nazis, Poland was stabbed by the Soviet armies unleashed from the east. Despite the prompt assistance of her European neighbors, the entrapped Poles were unable to continue for long. The resistance lasted for 35 days, and then Poland was crushed.

Victims of two brutal dictatorships which sought to destroy their nation, the valiant Poles continued their struggle for freedom wherever the call to battle led them. But these first targets of the aggression which ushered in the Second World War were destined to be denied their freedom even after that war was won. The victims of aggression, they were no less the victims of a postwar appeasement which had its birth in the failure of the free world to recognize the deceit which would form the foundation of any postwar agreements with the Soviet Union.

We in the United States owe much to the courage of the patriots of Poland, both those who resisted Nazi and Communist aggression 25 years ago and those who continue to keep alive in the hearts of the Polish people the burning desire for the liberty and freedom which will one day be theirs again.

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which the clerk will state.

The LEGISLATIVE CLERK. A bill, H.R. 11380, to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The ACTING PRESIDENT pro tempore. Without objection, the bill will be temporarily laid aside and the Senate will proceed with the bill (H.R. 11865), the social security amendments of 1964.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the rule of germaneness be waived, in order that I may speak on a nongermane subject.

Mr. DIRKSEN. Mr. President, will the Senator from Delaware yield, without losing his right to the floor?

Mr. WILLIAMS of Delaware. I yield.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 556 Leg.]

Aiken
Anderson
Bartlett
Bayh
Beall
Boggs
Brewster
Burdick
Carlson
Case
Clark
Cotton
Dirksen
Dominick
Douglas
Ervin
Fulbright
Gore
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Long, Mo.
Long, La.
Mansfield
Mechem
Metcalf
Morse
Morton
Nelson
Pastore
Pell
Prouty
Proxmire
Ribicoff
Salinger
Simpson
Smathers
Symington
Walters
Williams, Del.
Yarborough
Young, Ohio
Young, N. Dak.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I also announce that the Senator from Alabama [Mr. HILL], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Washington [Mr. MAGNUSON] are absent because of illness.

I further announce that the Senator from Nevada [Mr. CANNON], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Washington [Mr. JACKSON], and the Senator from Utah [Mr. MOSS] are necessarily absent.

I also announce that the Senator from Indiana [Mr. HARTKE] is absent because of a death in the family.

Mr. KUCHEL. I announce that the Senator from Arizona [Mr. GOLDWATER], the Senators from New York [Mr. JAVITS and Mr. KEATING], the Senator from Iowa [Mr. MILLER], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The PRESIDING OFFICER (Mr. WALTERS in the chair). A quorum is not present.

Mr. PROXMIRE. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wisconsin.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ALLOTT, Mr. BENNETT, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. CHURCH, Mr. COOPER, Mr. CURTIS, Mr. DODD, Mr. EASTLAND, Mr. ELLENDER, Mr. FONG, Mr. GRUENING, Mr. HART, Mr. HAYDEN, Mr. HICKENLOOPER, Mr. HUMPHREY, Mr. INOUYE, Mr. JOHNSTON, Mr. KUCHEL, Mr. LAUSCHE, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MCGEE, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MCNAMARA, Mr. MONRONEY, Mr. MUNDT, Mr. MUSKIE, Mrs. NEUBERGER, Mr. PEARSON, Mr. RANDOLPH, Mr. RUSSELL, Mrs. SMITH, Mr. SPARKMAN, Mr. STENNIS, Mr. THURMOND, and Mr. WILLIAMS of New Jersey entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present. The Senator from Delaware [Mr. WILLIAMS] is recognized.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that I may yield to the Senator from Ohio [Mr. YOUNG] for a few minutes, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the rule of germaneness be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

OUR WATER RESOURCES SHOULD BE FULLY DEVELOPED

Mr. YOUNG of Ohio. Mr. President, the full development and wise use of the Nation's water resources is one of the most challenging and important problems confronting the American people. As a member of the Senate Committee on Public Works and as a Senator from Ohio with its rich natural endowment of water resources from Lake Erie to the Ohio River, this is a subject to which I have given most serious study and thought.

Our needs for water are expanding at an accelerated rate. Competent experts estimate that in only 20 years we shall be running out of water unless we intensify our endeavors for conservation. Lack of water is already a limiting factor in the growth and development of many American communities. It is imperative that our storage reservoir capacity in Ohio and in the Nation be greatly expanded by early completion of projects which are economically justified.

Although commendable progress has been made in recent years in improving our flood control facilities, we must also rapidly accelerate our flood control program. In Ohio 20 flood control reservoirs are in operation, together with seven local protection projects, which have combined to prevent more than $300 million in flood damages since their completion—a remarkable return on the public investment of $131 million in these facilities.

Progress in the past 3 years has been particularly encouraging. For fiscal year 1965 funds have been provided for the commencement of construction of three important reservoirs in Ohio and for continuation of advance engineering and design work on five more reservoirs. The importance of these projects, for which initial construction funds have been provided, is indicated by the fact that had Big Darby, Buck Creek and Deer Creek Reservoirs been in operation last spring, $2¾ million in flood damages would have been prevented. The Caesar Creek and East Fork Reservoir projects in the Little Miami Basin now in the planning stage, would have prevented almost $4 million in damages in the recent flood alone.

However, much remains to be done. Construction work should begin at the earliest possible moment on the Salt Creek, Alum Creek, Paint Creek, and Mill Creek Reservoirs and on the north branch of the Kokosing River, the Caesar Creek, and the East Fork Reservoirs, as well as on the local protection projects for Youngstown, Chillicothe, and Fremont. In my judgment, all of these projects, as elements in the Corps of Engineers' comprehensive flood control programs, are Federal responsibilities and should be constructed by the corps without undue burdens on the local communities. On numerous occasions, I have strongly urged officials of this administration and the previous one to expedite Federal action on these vitally important flood control projects. For the country as a whole a great task challenges us to action since few areas are adequately protected against recurrent and destructive floods such as the recent tragic flood that caused so much damage and human misery to the residents of the Ohio River Valley.

Encouraging progress has been made in recent years in the improvement of our rivers and harbors for navigation. Major work is underway to deepen and modernize the harbors at Cleveland, Conneaut, and Lorain. Other improvements in our Great Lakes harbors to provide greater depth needed to handle ocean traffic moving through the St. Lawrence Seaway have been completed or are underway.

The modernization of the Ohio River, now in progress, is one of the most significant public improvements of our time. This program will replace 46 obsolete and inadequate locks and dams with 19 modern structures. Three of the new facilities are completed; three more will be finished in 1965. Five more are under construction or will be soon started. Of these 11 new locks and dams, 5 have been funded for construction starts since 1961. Two additional replacement projects—Hannibal and Willow Island—should be funded for construction starts in fiscal 1966.

This program will greatly expand the capacity of the Ohio River to handle rapidly increasing traffic volumes. It will reduce the cost and improve the efficiency of transportation of bulk commodities and fuels vital to the production of electric power, steel, aluminum, chemicals, petroleum products, and many others. It will stimulate industrial expansion, increase job opportunities, and reduce the costs of fuels, food, and household appliances to millions of people of my State who live in this region. It is a national program of the highest priority and should be speeded to completion.

Since 1950, the prospects of river modernization and the urgent need for reduced transportation costs and increased supplies of processing water have resulted in the investment of more than $18 billion in new and expanded plant facilities in the counties bordering the Ohio River and its navigable tributaries. In the State of Ohio alone, this investment in the river counties has amounted to some $3.5 billion. This pattern is typical of the entire country. Everywhere low-cost water transportation and ample water supply attract industry and provide hundreds of thousands of new jobs and added opportunities for our people. Also, for their recreation, contentment, and happiness. Since 1952, more than 5,000 new plants have been built at inland waterway locations.

Low-cost water transportation and the national policies which make it possible have been fully justified by experience. We must continue as we have done since the earliest days of the Republic, when the Northwest Ordinance of 1787 was adopted, and the first settlers floated down the Ohio River to improve and maintain our lakes and rivers, harbors, bays, and sounds as common highways forever free to all our people without tolls or taxes or any imposition on their use. As Andrew Jackson said long ago:

> All improvements effected by the general funds of the Nation for general use should be open to the enjoyment of all our fellow citizens, exempt from the payment of tolls or any imposition of that character.

A reversal of that policy pursued without significant interruption since the earliest days of our national life, through the imposition of tolls or user taxes, would discourage waterway use and waste priceless public assets. Imposing such regressive taxes should not even be considered. It would severely dislocate established competitive and community relationships and discourage economic growth, inflicting serious hardships on communities in depressed areas whose future prospects depend directly on full development of their water resources. The use of the waterways of our States and the Nation should always be available and free for all our citizens.

Mr. President, excise or sales taxes are discriminatory. They are regressive and violate every sound principle of just taxation. Taxes should be levied, based on ability to pay. I have always opposed the continuation of obnoxious wartime excise taxes on telephone service, air travel, leather goods, inexpensive jewelry, and other wartime fiscal relics. It would be unconscionable to consider imposing a discriminatory excise tax or any sort of tariff, or tax, on the use of our waterways. To do so would be contrary to the public interest, against the public welfare, and would hamper our economy. It would mean the loss of their jobs for hundreds of thousands of worthy and industrious men and women and economic depression for many areas of the Nation.

Mr. President, I pledge my full support to a program of accelerated water resource development in accordance with sound principles of efficiency and economy for flood control, water supply, pollution abatement, navigation, recreation, fish and wildlife enhancement, and other beneficial public purposes. Let us expedite, not hamper, the use of our lakes, rivers, and all waterways by our people whether engaged in business or using these waterways for recreation and pleasure.

Ohio bordering on two of the greatest natural inland waterway systems in the world is richly endowed with water resources. Every interest of our State and Nation counsels their development and wise use. I further pledge my full support of our traditional American free waterways policy, as an effective instrument for achieving more rapid economic growth with associated improvement in employment and greater freedom of economic opportunity and recreation for all Americans.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that I may yield to the Senator from Colorado without losing my right to the floor.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

RIOTS AND LAWLESSNESS

Mr. DOMINICK. Mr. President, on August 6 of this year my distinguished colleague from Colorado [Mr. Allott] made an eloquent speech on the floor of the Senate condemning lawlessness, which is evident throughout the country.

From reading the newspapers this morning, it seems that the situation is as bad as or worse than it was before.

In the course of his speech, my colleague pointed out the difficult job the police have in trying to restrain rioters and prevent demonstrators from looting stores and harming people.

In connection with this subject, I saw a picture in the newspaper showing a man down on the street with policemen around him, the caption of the picture indicating that the police were thoroughly enjoying beating him up. However, there was nothing to indicate what the man had done to begin with, or anything to give an explanation for the picture itself.

Following the speech my colleague delivered on the floor of the Senate, the Police and Fire Committee of Denver, Colo., went into the subject at some length, and adopted a resolution extending well deserved honor and appreciation to my colleague for his recognition of the problems which policemen and firemen have in trying to handle this kind of demonstrations.

It is not only a pleasure but a privilege for me to ask unanimous consent to have printed in the Record at this point the resolution honoring my distinguished colleague.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution of the Police and Fire Committee, Denver, Colo.

Whereas there is becoming increasingly evident in various sections of this great Nation of ours an ill-concealed campaign to sneer at law and order and to belittle the efforts of those charged with preservation of our everyday freedoms; and

Whereas there appears among several of our citizens, a substantial number of whom are undoubtedly well-meaning, an inexplicable tendency to coddle delinquents—both young and old—while casting aspersions upon those whose duty it is to preserve safety and protect all good citizens from dangerous threats and onslaughts of hoodlums and similar lawbreakers; and

Whereas Colorado's senior U.S. Senator, the Honorable Gordon Allott, had the desire and courage to stand upon the floor of the U.S. Senate and have read into the Congressional Record of August 6, 1964, a deserved defense of those who daily risk their lives not in some faraway land, but right here in the United States of America, in defense of our God-given liberty and the law; and

Whereas the Honorable Gordon Allott caused to be published in the Congressional Record a Denver Post article in which Bob Whearley emphasized in "A Case for Policemen" that: "For our money, it takes guts to wade into a riot and attempt to break it up while bottles and rocks are raining down on you from rooftops. And it takes more than guts—it takes patience and understanding—to successfully keep the peace in the first place. We think the Denver Police Department has been doing a pretty fair job of just that"; and

Whereas the Congressional Record published an editorial from the Orlando (Fla.) Evening Star commending the senior Senator from Colorado, who looking at the increasing lawlessness in this country, said: "Let us start weeping for the innocent instead of the guilty * * *. It is about time for the average American citizen to begin to realize that the laws and the police are to protect us against the lawless, and that they are not a whipping post for every crackpot who happens to get a few ideas about the protection of the people"; and

Whereas, the senior Senator from our great State of Colorado emphasized that "it is time for the people of this country to realize that it is not for the law enforcement officials, district attorney, or the courts alone to carry the responsibility for peace, law and order. If our individual citizens do not accept their share of the responsibility for law and order in this country, our Constitution and all of our pretentions before the eyes of the world are completely meaningless"; and

Whereas Senator Allott courageously wrote into the Record that "it is time we started supporting our police officers. If we do not support them, if they do not have our confidence, if they do not know that the people are behind them in their efforts to sustain the law, what is left between us and anarchy?* * * What does a policeman do? He is confronted by people with switchblade knives. He is confronted by people with Molotov cocktails that can burn him to the extent that he is in danger of losing his life. He is confronted by a broken bottle which can kill him, or if he is lucky, be disfigured for the rest of his life so he will hardly be recognizable. He is confronted by mobs with chains and clubs with barbed wire wrapped around them. The policeman, whose duty it is to enforce the law, by some is expected to stand up and face a crowd like that and docilely lay his hand on somebody and say, "I arrest you." It does not make any commonsense. The sooner the people stop weeping for the bums and crooks and hoodlums who are rampaging on our streets and start looking upon their law enforcement officers as the people who stand between them and anarchy on our streets, the better off our country will be": Therefore, be it

Resolved, That we the members of the Policemen's Protective Association of Denver, Colo., unanimously go on record as expressing the heartfelt thanks of ourselves and our families to the Honorable Gordon Allott, of Colorado, for the dynamic emphasis he placed upon the patriotic obligation of every good citizen to cooperate with those whose duty it is to preserve a free society by enforcing the law against the senseless aggressions of hoodlums and all other criminals. We who have dedicated our lives to the dangerous task of society's protection ask no sympathy for ourselves. The task is ours by choice. We fully know all of its hazards and dangers. So do our loved ones. All that we ask is the understanding and cooperation of all good citizens, such as that espoused by the Honorable Gordon Allott who shall ever have our appreciation for his generous support. And we bespeak similar appreciation of our fellow officers everywhere.

Given under our hand this 28th day of August, A.D. 1964, in the city and county of Denver and the State of Colorado.

Eugene J. Cavello,
President,
Austin J. Gibbons,
Legislative Representative,
The Policemen's Protective Association.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that I may yield to the Senator from Montana without losing my right to the floor.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

INCREASED DEMAND FOR FREE GOVERNMENT LAND THROUGH UNSCRUPULOUS ADVERTISING

Mr. METCALF. Mr. President, unscrupulous advertising has increased the demand for free Government land to proportions equaled only by the great public-land rush in Oklahoma in the 1890's.

Playing on man's ageless quest for free land, while appearing to be official agencies of the Federal Government, land information offices have been announcing the opening of vast, fertile acres of public land at low, giveaway prices, or free. A rash of classified advertisements have appeared in newspapers and magazines across the country. The ads look official, because the words "United States," "Federal," or "public" are added to the company name, to lend a Government aura.

But these ads make fraudulent claims; and they are swindling the American public of small sums of money per victim, that total up to large sums.

The advertisers pretend that vast acres of Government land have just been opened to homesteading, not only in the West, but also in such States as Florida. They proclaim that land can be obtained almost for the asking, if you know whom to ask, where to ask, and what to ask for. For a small fee, they offer to provide this vital information.

Unknown thousands of people have responded with dollars and dreams, many confident they were dealing with a Federal agency.

But the ads are false and fraudulent. At the very least, people are misinformed. In some cases they do not even get replies for their cash.

But the advertising continues; and it may be spreading. Based on complaints I have received, it seems that the material being sent is often out of date, or simply false. Sometimes a reply will ask for more money for additional detailed maps, or some such thing. Sometimes there is no reply. In any case, all of the vital information about public lands can be obtained free of charge on request from the Bureau of Land Management, here in Washington.

Mr. President, many of my constituents ask what is being done to stop this false, deceptive operation. The Post Office Department advises me that the activities of several of these operations are being given close attention by a postal inspector, with a view to determining whether the postal fraud statute is being violated. But the Post Office Department has no authority to cause refunds or adjustments to be made between patrons of the postal service; so once these advertisers get the public's money, they keep it.

Legally, the company name can resemble the name of governmental agencies. Although reputable firms with such similarity in nomenclature make careful distinctions between their operations and those of the Government, they are under no legal obligation to do so.

Legally, anyone can reprint Government publications without giving credit to the original source. So these companies can obtain free information from the Bureau of Land Management, and then can reprint and sell it to the public. To save time, however, some companies merely make up the information, or send none at all.

The Bureau of Land Management is attempting to make the public more fully aware of today's public land situation; and this knowledge will go a long way toward halting the activities of such land companies that are advertising falsely and, incidentally, are giving legitimate title and land locators a black name.

The hopes and aspirations of thousands of Americans have been dealt harsh blows by these operators. Not only has the public been gyped, but the Federal Government has been given a bad name. The Post Office Department, the Interior Department, real estate associations, better business bureaus, and chambers of commerce must join to educate the public about these swindles, for only when the public is aware of this type of trickery will it be eliminated.

KICKBACK BY MATTHEW McCLOSKEY ON DISTRICT OF COLUMBIA STADIUM CONTRACT

Mr. WILLIAMS of Delaware. Mr. President, today I call the attention of the Senate to some new evidence which has been developed in the Bobby Baker case.

This new evidence involves an additional kickback of over $35,000 which was made by Mr. Matthew McCloskey on the Washington stadium contract.

Of this extra kickback, $25,000 was scheduled through Bobby Baker for the 1960 Democratic campaign fund. The rest represents payments to the individuals handling this transaction. In this conspiracy to channel this additional $35,000 payoff into Washington several laws were violated.

There are many who could not understand why the Democratic membership of the Senate Rules Committee was so determined not to call certain witnesses to testify in the Bobby Baker investigation.

Two of these key witnesses whom the Rules Committee, by a vote of 6 to 3, refused to allow to testify in a public session were Mr. Don B. Reynolds and Mr. Matthew H. McCloskey, Jr.

Mr. Reynolds did testify in executive session, but he was refused an opportunity to testify in public session even though he requested such an opportunity and even though the minority membership of the Rules Committee kept insisting that his testimony would be very important.

Mr. McCloskey was never asked to testify either in executive or in public session, and the Democrat majority of the Rules Committee by a strictly party vote rejected the request that he be called as a witness to explain his arrangements with Bobby Baker in the payoff on the Washington stadium contract.

Perhaps after today's report it can be more readily understood why someone in the high command ordered these hearings closed.

There was an additional $35,000 payoff that was made on the Washington stadium contract by Mr. Matthew McCloskey, of McCloskey & Co., Philadelphia, Pa., which heretofore has not been disclosed.

This $35,000 additional payoff on this stadium contract was arranged for the express purpose of channeling a $25,000 political contribution into the Democratic campaign fund and to charge this $25,000 contribution as a business expense item on a Government contract.

By so doing Mr. McCloskey could first, circumvent the law which prohibits political contributions in excess of $5,000; second, charge this item off on his books as an expense of doing business and thereby deduct it for income-tax purposes; and third, in effect charge it to the American taxpayers by adding this on a cost item of a Government contract.

The approximately $35,000 payoff was in addition to the kickbacks previously discussed in the testimony of Mr. Don Reynolds before the Senate Rules Committee. At that time Mr. Reynolds testified that out of his $10,031.56 commission he had paid Bobby Baker $4,000 and Mr. William McLeod, a clerk of the House District Committee, $1,500 for their services in helping him to get the insurance on the stadium contract. However, in addition to the above-mentioned payoffs developed in Mr. Reynolds' testimony before the Rules Committee, there was another kickback, approximately $35,000, on this contract.

Of this additional payoff, $10,000 went to Mr. Don Reynolds as compensation for his part in acting as the intermediary for the dispensing of the kickbacks. Mr. Reynolds said this $10,000 was also an offset against the commissions he could have earned had he written the bond direct. But, according to Mr. Reynolds, $25,000 of this $35,000 was turned over to Bobby Baker to be used mostly as a contribution to the Johnson-Kennedy campaign fund of 1960.

The method of arranging this payoff was found to be very simple once we located the original check from Mr. McCloskey to Mr. Reynolds.

Mr. McCloskey in paying Mr. Reynolds for the performance bond had simply made the check out for $109,205.60 instead of for the $73,631.28 actually owed.

This represented an overpayment of $35,574.32. According to Mr. Reynolds, this odd figure was used to confuse the auditors.

The question may be asked: Why did Mr. Reynolds not give this information to the Rules Committee during his earlier testimony? I, too, asked that same question, and I shall quote Mr. Reynolds' answer:

> There may be a question asked as to why I had not brought out this information before. The reason is that although I knew the story I was not in a position to prove it and I had to bide my time until others could help me obtain the necessary documentation.
>
> I had hoped that the Senate Rules Committee would have provided this cooperation and assistance. It had been my intention to call this to their attention and ask their assistance in getting certain documents; however, after my official interview with Major McLendon and the ex-FBI agent who tried to intimidate me in his questioning I decided otherwise. For example, when he asked me who discussed the purchase of television advertising space with me and I stated that Walter Jenkins and Walter Jenkins alone had, he, the interrogator, thereupon threw a book on the floor and in a boisterous manner informed me that I did not discuss this with Walter Jenkins, that I had discussed it with Bobby Baker. At this point I became somewhat reluctant to discuss openly anything further, knowing that his attitude was more toward defending certain people than toward ascertaining the real facts of the case. At two subsequent appearances before the Rules Committee I soon learned that the majority of that committee was more interested in discrediting me as a person and as a witness than it was in developing the actual facts of the case.
>
> Having established a personal contact with Senator WILLIAMS and having apprised the Senator of the general circumstances surrounding these irregularities I asked for his help in obtaining such documentation as we could to substantiate my statements regarding excess payment on the stadium bond. In order to do this it was necessary to get a copy of the check issued by Mr. McCloskey. In some manner Senator WILLIAMS was able to obtain a photostatic copy of the $109,205.60 check McCloskey & Co. had issued to me, and with this information I was able to put together the composite picture of this highly irregular transaction. Once I had evidence of this check I then felt free to furnish the

additional information which would show how the money had been distributed.

It was during the latter part of the week ending August 15, 1964, that Senator **Williams** called and informed me that he had obtained a photostatic copy of the check issued to me by McCloskey & Co., and an appointment was set for me to meet him in his office on Monday night, August 17. At that time he showed me a copy of the check, and I verified it as being the check and my endorsement on the back of the check.

I shall depart from Mr. Reynolds' statement at this point and confirm that he had advised me of this overpayment some time ago, but in the absence of a copy of the actual check I was unable to proceed. After a series of conferences with Mr. Reynolds, however, we were able to pinpoint more accurately the dates, and I now have a photostatic copy of the $109,205.60 check, dated October 17, 1960, payable to Don Reynolds Associates, Inc., 8485 Fenton Street, Suite 308, Silver Spring, Md. This check, No. 015971, was drawn on the account of McCloskey & Co., builders, 1620 West Thompson Street, Philadelphia, Pa., signed by Mr. T. D. McCloskey, and drawn on their account at the Chase Manhattan Bank, New York City.

To document this transaction more clearly, I shall start from the beginning to outline this highly irregular transaction.

First. I ask unanimous consent to have printed in the Record a copy of the letter dated September 13, 1960, signed by Hutchinson, Rivinus & Co., Philadelphia, and addressed to Mr. Don B. Reynolds, president, Don Reynolds Associates, Inc., 8485 Fenton Street, Silver Spring, Md. This letter establishes that the actual cost of the bond was $73,631.28 less a commission of $10,031.56.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Hutchinson, Rivinus & Co.,
Public Ledger Building, Independence Square, Philadelphia, September 13, 1960.

Re McCloskey & Co., bond No. 4S-40225, the Aetna Casualty & Surety Co., contract for construction of Columbia Stadium, Washington, D.C.

Mr. Don B. Reynolds,
President, Don Reynolds Associates, Inc., 8485 Fenton St., Silver Spring, Md.

Dear Mr. Reynolds: In accordance with instructions from Mr. J. B. McHale, Jr., of this office, we enclose herewith our invoice for the premium of $73,631.28 covering performance bond in connection with the above captioned contract, less commission of $10,031.56, or net owing us of $63,599.72.

Yours very truly,
Hutchinson, Rivinus & Co.,
By Atwood H. Bent.

Mr. **WILLIAMS** of Delaware. Mr. President, I read next into the Record a letter dated the following day, September 14, 1960, signed by Mr. Don B. Reynolds and addressed to Mr. Matthew H. McCloskey, 1621 Thompson Street, Philadelphia 21, Pa.:

Dear Matt: Enclosed is invoice as agreed. Please authorize payment at your earliest convenience.

Thank you very much.

Most sincerely,
Don B. Reynolds.

On October 17, 1960, Mr. McCloskey, instead of sending a check for the amount of this invoice, forwarded to Mr. Reynolds his check of $109,205.60, representing an overpayment of $35,574.32.

To establish further that the correct cost of this bond was only $73,631.28, I ask unanimous consent to have printed in the Record a copy of the performance and payment bond as submitted by Mr. McCloskey to the District of Columbia under date of June 18, 1960.

There being no objection, the performance and payment bond was ordered to be printed in the Record, as follows:

June 18, 1960.

Performance and Payment Bond

Know all men by these presents: That we, McCloskey & Co., a corporation organized and existing under the laws of the State of Delaware, as principal, and the Aetna Casualty & Surety Co., a Connecticut corporation, of Hartford, Conn. as surety are held and firmly bound unto the District of Columbia Armory Board, hereinafter called the Board, in the penal sum of $14,247,188, lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

The condition of this obligation is such, that whereas the principal entered into a certain contract, hereto attached, with the Board, dated July 7, 1960, for construction of the District of Columbia Stadium, 22d and East Capitol Streets, Washington, D.C. (invitation No. C-60159-B), as more fully set forth in said contract: Now, therefore,

If the principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term of said contract and any extensions thereof that may be granted by the Board, with or without notice to the surety, and during the life of any guaranty required under the contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, and shall save harmless and indemnify the Board from any and all claims, delays, suits, costs, charges, damages, counsel fees, judgments, and decrees to which said Board may be subjected at any time, on account of any infringement by said principal of letters patent or copyrights, unless otherwise specifically stipulated in said contract, or on account of any injuries to persons or damage to property or premises that occur as a result of any act or omission of the principal in connection with the prosecution of the work, and pay the same, and if said contract is for work, material, or supplies, within the meaning of the act of September 1, 1916 (39 Stat. 676, 688), or for the construction, alteration, or repair of a public building or public work, within the meaning of the act of July 7, 1932 (47 Stat. 608), shall promptly make payment to all persons supplying the principal with labor and materials in the prosecution of the work provided for in said contract and any such authorized extension or modification thereof, and shall keep the work so performed under said contract in repair for such period as said contract may provide, then this obligation to be void; otherwise to remain in full force and virtue.

In witness whereof, the above-bounden parties have executed this instrument under their several seals this seventh day of July 1960, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Signed and sealed in the presence of Chester H. Gray.

District of Columbia Armory Board,
Floyd D. Akers,
Chairman.
Robert E. McLaughlin,
Member.
W. H. Abendroth,
Member.

[Corporate seal]
Attest:

McCloskey & Co.,
T. D. McCloskey,
Vice President, Principal.
J. Dress Pannell,
Secretary.

[Corporate seal]
Attest:

The Aetna Casualty & Surety Co.,
Hartford, Conn.
W. J. Ryan,
Eugene Fields,
Attorney-in-fact.

The rate of premium on this bond is $10 per thousand, first $100,000; $6.50 per thousand, next $2,500,000; $5.25 per thousand, next $2,500,000; $5 per thousand, next $2,500,000; $4.90 per thousand, over $7,500,000.

Total amount of premium charged, $73,631.28.

Authority of attorney-in-fact on file:

Wilbur H. Lawyer,
Supervisor, Bid & Contract Division, Procurement Office, D.C.

Certificate as to Corporate Principal

I, J. Dress Pannell, certify that I am the secretary of the corporation named as principal in the within bond; that T. D. McCloskey, who signed the said bond on behalf of the principal, was then vice president of said corporation; that I know his signature, and his signature thereto is genuine; and that said bond was duly signed, sealed, and attested for and in behalf of said corporation by authority of its governing body.

J. Dress Pannell,
Secretary.

Mr. **WILLIAMS** of Delaware. Mr. President, this document, which was filed with the Government of the District of Columbia, clearly establishes the total amount of the premium charged on this bond as being only $73,631.28.

Since preparing the speech I have found a copy of the original invoice, which further shows that $73,631.28 was the total of the invoice on the stationery of Hutchinson, Rivinus & Co. less the commission $10,031.56.

I ask unanimous consent that a copy of the original invoice be printed at this point in the Record.

There being no objection, the invoice was ordered to be printed in the Record, as follows:

Statement of Hutchinson, Rivinus & Co., Insurance, Public Ledger Building, Independence Square

Philadelphia, Pa.,
September 13, 1960.

Account McCloskey & Co.

Mr. Don B. Reynolds,
President, Don Reynolds Associates, Inc., 8485 Fenton Street, Silver Spring, Md.

July 7, 1960, policy No. 4S40225, Aetna Casualty & Surety Co.; bond to District of Columbia in support of contract for construction of Columbia Stadium, Washington, D.C., $14,182,187.50; premium, $73,631.28; less commission, $10,031.56: $63,599.72.

Mr. **WILLIAMS** of Delaware. Mr. President, as evidence that Mr. McCloskey not only charged off this larger amount as a business expense item on this Government contract and that he actually collected this additional amount from the Government to cover the cost of this $73,000 bond, I ask unanimous consent to have printed in the RECORD an invoice submitted by McCloskey & Co., Philadelphia, to the government of the District of Columbia, in which he lists the cost of the performance bond as having been $100,000 and which was paid on that basis.

There being no objection, the invoice was ordered to be printed in the RECORD, as follows:

McCLOSKEY & CO.,
Philadelphia, August 9, 1960.

Re D.C. Stadium, C-403-60, requisition No. 1
Mr. J. A. BLASER,
D.C. Armory Section,
Washington, D.C.

DEAR SIR: We request payment for work performed at the above project for the period July 14, 1960 to July 31, 1960 inclusive, detailed as follows:

No. 1, bond, 100 percent complete; amount payable, $100,000; excavation 10 percent complete, amount payable, $57,500.

Material stored on site: H. beam piles, 15,094 L.F., at $3.75: $56,600; L.F. $214,100; less 10 percent, $21,410; total amount due this payment: $192,690.

I certify that all items of work and material shown in the requisition are correct to the best of my knowledge and belief.

Very truly yours,
McCLOSKEY & CO.,
F. K. COLBORN, Jr.,
Project Manager.

Approved for payment:
W. A. CURTIS,
Alternate Contracting Officer for D.C. Armory Board.

August 26, 1960.

Please address reply to F. K. Colborn, Jr., contract No. 403-60.

DAHL, EWIN, OSBORN,
ARCHITECTS AND ENGINEERS,
Washington, D.C., August 23, 1960.

Mr. J. A. BLASER,
Contracting Officer for D.C. Armory Board, Government of the District of Columbia, Washington, D.C.

DEAR MR. BLASER: I am returning a copy of request for payment from McCloskey & Co. as forwarded with your letter of August 12, 1960.

I have checked the items as listed and discussed them with Mr. Staker, project inspector, and recommend approval of this payment request.

Associated for D.C. Stadium. Refer reply to the Osborn Co., 7016 Euclid Avenue, Cleveland, Ohio.

Very truly yours,
NOBLE W. HERZBERG,
Project Manager.

AUGUST 26, 1960.

To: Manager, D.C. Armory Board.
Subject: Contract ABFC No. 1, construction of D.C. Stadium, partial payment No. 1.

Enclosed herewith is a request in triplicate for partial payment from McCloskey & Co., construction contractor, for services rendered in connection with the construction of the D.C. Stadium.

Payment in the amount of $192,690 is approved.

W. A. CURTIS,
Alternate Contracting Officer for D.C. Armory Board.

Mr. WILLIAMS of Delaware. Mr. President, these documents show that on August 9, 1960, McCloskey claimed to the District government that this bond had cost $100,000 and that he received an advance payment under his contract based on this amount.

As further evidence that McCloskey & Co. never made any correction on this overcharge in its subsequent invoices in this stadium contract I ask unanimous consent to have printed in the RECORD an invoice dated June 30, 1961, for work performed on the stadium. The first item appearing in this request submitted by McCloskey & Co. on June 30, 1961, shows $100,000 having been paid for the performance bond.

There being no objection, the invoice was ordered to be printed in the RECORD, as follows:

DISTRICT OF COLUMBIA ARMORY BOARD
2001 East Capitol Street, Washington 3, D.C.
Payment request for work performed

[Project name: D.C. Stadium. Period ending June 30, 1961. Contract No.: A.B.F.C. No. 1. Contractor: McCloskey & Co.]

Item	Contract amount	Percent		Value	Material on site
		Last report	This report		
1. Bond	$100,000.00	100.0	100.0	$100,000.00	--------
2. Excavation	575,000.00	89.0	90.0	517,500.00	--------
3. Formwork	1,740,000.00	84.0	90.0	1,566,000.00	$87,000
4. Reinforcing steel	1,398,000.00	83.0	89.0	1,244,220.00	128,000
5. Concrete work	900,000.00	78.0	86.0	774,000.00	--------
6. Structural steel and trackwork	3,400,000.00	57.6	77.2	2,624,800.00	171,550
7. Masonry	550,000.00	30.0	40.0	220,000.00	12,600
8. Precast concrete	500,000.00	10.0	30.0	150,000.00	--------
9. Cut granite	270,000.00	10.0	20.0	54,000.00	35,000
10. Precast mosaic facing	55,000.00	65.0	85.0	46,750.00	1,000
11. Miscellaneous iron and metalwork	283,000.00	40.0	45.0	127,350.00	24,800
12. Aluminum windows	75,000.00	0	10.0	7,500.00	39,000
13. Aluminum fins and grills	275,000.00	.5	.6	1,650.00	5,200
14. Ornamental metal and aluminum work	21,000.00	--------	--------	--------	2,000
15. Glass, glazing, and aluminum doors	52,000.00	--------	--------	--------	--------
16. Plastering and acoustical work	102,000.00	6.0	15.0	15,300.00	--------
17. Tile work	11,000.00	--------	--------	--------	--------
18. Hollow metal work	41,000.00	10.0	15.0	6,150.00	19,800
19. Rolling screens—Grills	65,000.00	5.0	5.0	3,250.00	9,000
20. Millwork and erection	95,000.00	0	1.0	950.00	--------
21. Overhead wood doors	1,000.00	--------	--------	--------	--------
22. Accordion doors	3,000.00	--------	--------	--------	--------
23. Metal toilet partitions	24,000.00	--------	--------	--------	20.000
24. Toilet accessories	4,000.00	--------	--------	--------	--------
25. Movable metal partitions	8,000.00	--------	--------	--------	--------
26. Turnstiles	21,000.00	--------	--------	--------	--------
27. Hardware	16,000.00	0	5.0	800.00	15,200
28. Roofing and insulation	120,000.00	3.0	11.0	13,200.00	8,100
29. Painting and wall covering	200,000.00	0	4.0	8,000.00	2,500
30. Elevators	93,000.00	15.0	25.0	23,250.00	--------
31. Temporary seating	120,000.00	--------	--------	--------	--------
32. Auto-Transitube system	75,000.00	58.0	65.0	48,750.00	16,000
33. Trash chute	2,000.00	75.0	75.0	1,500.00	400
35. Steel lockers	1,000.00	--------	--------	--------	--------
34. Metal roof deck	42,000.00	5.0	50.0	21,000.00	18,500
36. Signs	3,000.00	--------	--------	--------	--------
37. Bituminous paving	18,000.00	15.0	15.0	2,700.00	--------
38. Seeding	20,000.00	--------	--------	--------	--------
39. Chain link fence	11,000.00	--------	--------	--------	--------
40. Flag poles	6,000.00	--------	--------	--------	100
41. Composition flooring	9,000.00	--------	--------	--------	--------
42. Vault doors	1,000.00	--------	--------	--------	900
43. Mechanical work	1,080,600.00	45.2	50.7	547,560.00	221,800
44. Electrical work	800,000.00	25.5	33.3	266,400.00	304,400
45. H piling, 214,580 linear feet at $4.95	1,062,171.00	100.0	100.0	1,062,171.00	--------
46. AH. No. 1 floodlighting	65,000.00	--------	--------	--------	--------
Contract total	14,313,171.00	--------	--------	9,454,751.00	1,142,850
Change order total	578,248.50	--------	--------	251,678.13	48,975
Grand total	14,891,419.50	--------	--------	9,706,429.13	1,191,825

Mr. WILLIAMS of Delaware. According to Mr. Reynolds this scheme was devised to get a $25,000 contribution into the Democratic campaign fund and thereby circumvent, first, the law which prohibits political contributions in excess of $5,000; second, the law which prohibits corporations from making any political contributions; and third, the law which prohibits any corporation or individual from taking campaign contributions as business expenses, and also to charge the contribution as a cost item on a Government contract and thereby get his money back from the taxpayers.

At this point, I should like to read further from the statement which was given on August 18, 1964, by Mr. Don B. Reynolds. Mr. Reynolds was one of the participants in this conspiracy and in this statement outlines the arrangements:

> This is a statement regarding the bonding transaction on the District of Golumbia Stadium. The following information is furnished freely and without any fear of coercion or promise of any special consideration but in the hope of helping in some small way to point toward the irregular financial transactions that have taken place with my knowledge.
>
> The original agreement was for excess money to be paid to me which would be directed part toward the Democratic campaign fund, part toward Mr. Baker, part for Bill McLeod, and an additional part for me.
>
> It was at a breakfast meeting in the Mayflower Hotel in the late spring of 1959 to which Bobby Baker invited me, along with Mr. McCloskey that I had my first contact with Mr. McCloskey.
>
> After the breakfast Bobby called Matt McCloskey aside along with me and made

> a statement to the effect that he, Bobby, could insure passage of the stadium bill in the Senate and that I, Don, should be useful in working with Bill McLeod to insure its passing on the House side.
>
> In this conversation no specific amount was mentioned, but Bobby and Matt discussed the question of overpayment above that of the premium charged and the fact that by using me as a bonding agent the amounts could be directed to other persons or funds and could be made as a legitimate business expense to McCloskey & Co. It was discussed that, I believe, the sum of $5,000 was the maximum political contribution that any person could make and that any such contribution could not normally be taken as a business expense but by directing the overpayment through me it could be taken as a business expense by McCloskey & Co. and there would be no record indicating any excess payment above the $5,000 stipulated amount. In consideration for my being the media for passing these funds I was to receive the full amount of the normal commission on such a bond, including the contingency reserve loss, ratio earned premium return.
>
> Due to the fact that Mr. McCloskey had always placed his business through his own son-in-law, Mr. James B. McHale, Jr., I was informed that Mr. McHale would write the bond naming me as the broker of record for the transaction and the normal commissions would be permitted by the Hutchinson, Rivinus & Co. and that the additional funds that I would be permitted to keep would equal or be greater than the total earned commission which would have been received had the bond been placed through one of the surety companies my agency represented.
>
> Sometime subsequent to this breakfast meeting which Bobby had arranged with Mr. McCloskey, Bobby telephoned me and told me that I should personally bill Mr. McCloskey, and Bobby gave me instructions as to the amount. He said that I should direct the communication marked "personal and confidential" to Mr. Matthew McCloskey. The amount given to me by Bobby was $109,205.60. I complied with the instructions that Bobby gave me. Along with the statement submitted to Matt McCloskey I enclosed a note stating that I was enclosing invoice as agreed.
>
> Sometime during September 1960 I received an invoice from the Hutchinson, Rivinus & Co. indicating the gross cost of bond release commissions and a net due to the Hutchinson, Rivinus & Co. After receiving a check from McCloskey & Co. for the $109,205.60 I forwarded my check to the Hutchinson, Rivinus & Co. for the $63,599.72. In compliance with the previous agreement with Bobby I transferred $5,000 to Bobby Baker on three separate occasions, each time consisting of fifty $100 bills. Bobby had informed me that I could not issue checks for the campaign contribution. I was told that these funds were to be directed for use in Mr. Johnson's campaign, and they came from the excess funds submitted to me by McCloskey & Co.
>
> Bobby had advised me that this $15,000, which was turned over in cash, was to be directed to Mr. Johnson's campaign fund; however, I have no knowledge whatsoever as to what happened to these moneys subsequent to my transferring them to Mr. Baker. However, discussion of the direction of these to campaign funds was made in my presence by Mr. McCloskey and Mr. Baker. There were other discussions as to political candidates of whom I had heard, but the only person's name I remember is a Bill Green, of Philadelphia.
>
> The other $14,000-plus that has appeared in testimony regarding Robert G. Baker has nothing whatsoever to do with the foregoing $15,000 as those additional moneys are evidenced by checks to Mr. Baker and by notes given to me by Bobby Baker at his own insistence with full knowledge and understanding that they were worthless and that no effort at any time would be made or expected as far as collections were concerned on them. These moneys referred to in committee hearings were Bobby's payoff for having engineered the stadium bill and having negotiated with Mr. McCloskey a method which permitted Mr. McCloskey to siphon moneys toward the campaign fund of Mr. Johnson in excess of the amount permitted and permitting a deduction as a legitimate business expense for said political contribution.

Next, I quote from the Rules Committee report concerning Mr. McCloskey's version of the bond transaction. It should be noted that at that time we had not discovered this extra $35,000 payoff. I quote from pages 39 and 40 of Senate Report No. 1175:

> Mr. Matthew H. McCloskey, Jr., until recently Ambassador to Ireland, was interviewed by transatlantic telephone.
>
> He recalled that, on one occasion in late 1959 or early 1960, he was in Washington and called at Baker's office in the Capitol. He know Baker well in connection with his (McCloskey's) position as chairman of the finance committee of the Democratic National Committee. He frequently visited Baker at his Capitol office. He remembered that Don B. Reynolds was present because Baker introduced him and said that Reynolds was in the insurance business and that he, Baker, had an interest in the business. Baker said he knew McCloskey was going to bid on the job and that in the event he was the low bidder and obtained the contract, Baker asked that he consider Reynolds as the insurance broker when it came time to purchase the performance bond.
>
> After the contract was awarded to McCloskey as the low bidder, he recalled the conversation with Baker and did purchase the bond through Reynolds as broker. He said the purchase of the bond was his own exclusive responsibility as a private businessman and that he could purchase it from anyone he wished to, since the rates and commission were the same, no matter who the broker was. Thus, selection of the broker did not in any way affect the cost of the project.

Here we have a statement attributed to Mr. McCloskey confirming that the cost of this bond would have been $73,631.28 regardless of where it had been purchased. Yet we now find he paid Mr. Reynolds $109,205.60.

How can anyone refuse to call Mr. McCloskey as a witness before a congressional committee now?

As stated earlier, I asked Mr. Reynolds why this extra payment was not exactly $35,000 instead of $35,574.32, and his explanation was that the odd figures were used to confuse anyone who might later try to audit the transaction. It did delay us some, but we still got the answer.

As further evidence that this $35,000 was not to cover any other obligation owed to Mr. Reynolds I quote from Mr. Reynolds' statement in answer to that question:

> I can certify that this is the one and only transaction directly or indirectly which I have ever had with Mr. Matthew McCloskey or McCloskey & Co., and that the correct amount due on the insurance bond should have been $73,631.28. The difference between the $73,000 figure and the $109,000 figure represented the overpayments which were to be directed and diverted to other people as campaign contributions and payoffs.

Mr. President, at this point, I want to express my appreciation to Mr. Don Reynolds for his cooperation in developing these additional important facts surrounding the payoffs on the stadium contract. Mr. Reynolds frankly admits that his part in this transaction was wrong, but he now recognizes his error and is cooperating in helping to develop the necessary information and documents to establish what really happened. Mr. Reynolds has again asked that he be called to testify under oath before any congressional committee which is interested in developing all the facts.

In the light of this new evidence which is being presented here today of an additional $35,000 payoff, $10,000 of which was a payment to Mr. Reynolds and $25,000 representing an illegal method of making a political contribution and of charging it to the cost of a Government contract, I feel that the U.S. Senate has no alternative but to reopen the Bobby Baker investigation and call as its first three witnesses Mr. Matthew McCloskey, Mr. Bobby Baker, and Mr. Don Reynolds.

This could very appropriately be the first order of business of the select committee which was established by the Senate a few weeks ago, and I am again requesting that the leadership on both sides of the aisle promptly consult with the President pro tempore of the Senate and give him their recommendations for membership on this committee.

The U.S. Senate has no choice except to reopen the Baker investigation and show the American people that the U.S. Senate does have the courage and the integrity to expose any case of wrongdoing regardless of how close the culprit may be to the administration in power.

Mr. President, I repeat, the U.S. Senate has no choice now but to reopen the Baker investigation and call Mr. McCloskey, Mr. Baker, and Mr. Reynolds as its first witnesses.

I recognize that in presenting this charge here today I have relied on the testimony of only one of the participants in this conspiracy, and I fully recognize that a final decision as to exactly what happened should be reserved until both Mr. McCloskey and Mr. Baker have had an opportunity to testify under oath as to their versions of this transaction.

However, this case is not based entirely upon the testimony of any one witness. I have definitely established here today that Mr. McCloskey did give Mr. Reynolds his check for $109,205.60 as payment for a performance bond, the total cost of which was only $73,631.28. This definitely represents an overpayment of $35,574.32. Certainly a proper question is—who got the money?

Mr. Reynolds has stated his version as to what happened with this $35,000 and if anyone wishes to question his testimony it is time for them to start talking.

Another point which cannot be overlooked is this. Mr. McCloskey was the finance chairman of the Democratic National Committee; was this overpaying a subcontractor on a Government contract an isolated case or is this a pattern for siphoning money into the Democratic campaign fund and charging it off as a business expense for income tax purposes as well as collecting the overpayment from the taxpayers?

Mr. McCloskey is one of the largest contractors with the U.S. Government. His contracts run into the millions, many of which are negotiated, and in the light of what has happened in this particular case the American taxpayers are entitled to a complete investigation and explanation.

The Johnson administration in Atlantic City last week said that it believes in integrity in Government. Here is a chance to demonstrate whether they mean it.

I am hereby asking the President and the leadership of the U.S. Senate to join me in demanding that this investigation be reopened and pursued to its ultimate end regardless of who may be involved.

The choice lies between full disclosure or political whitewash, and the U.S. Senate and the Johnson administration will be judged by their decision.

Mr. President, I ask unanimous consent that sections 608 and 610 of title 18 of the United States Code, which limit political contributions and which prohibit political contributions by corporations, be printed at this point in the RECORD.

There being no objection, sections 608 and 610 of title 18 were ordered to be copied in the RECORD, as follows:

> § 608. Limitations on political contributions and purchases.
>
> (a) Whoever, directly or indirectly, makes contributions in an aggregate amount in excess of $5,000 during any calendar year, or in connection with any campaign for nomination or election, to or on behalf of any candidate for an elective Federal office, including the offices of President of the United States and Presidential and Vice Presidential electors, or to or on behalf of any committee or other organization engaged in furthering, advancing, or advocating the nomination or election of any candidate for any such office or the success of any national political party, shall be fined not more than $5,000 or imprisoned not more than five years, or both.
>
> This subsection shall not apply to contributions made to or by a State or local committee or other State or local organizations or to similar committees or organizations in the District of Columbia or in any Territory or Possession of the United States.
>
> § 610. Contributions or expenditures by national banks, corporations or labor organizations.
>
> It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization to make a contribution or expenditure in connection with any election at which Presidential and Vice Presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section.
>
> Every corporation or labor organization which makes any contribution or expenditure in violation of this section shall be fined not more than $5,000; and every officer or director of any corporation, or officer of any labor organization, who consents to any contribution or expenditure by the corporation or labor organization, as the case may be, and any person who accepts or receives any contribution, in violation of this section, shall be fined not more than $1,000 or imprisoned not more than one year, or both; and if the violation was willful, shall be fined not more than $10,000 or imprisoned not more than two years, or both.
>
> For the purposes of this section "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exist for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

Mr. **WILLIAMS** of Delaware. Mr. President, I shall read one of these sections to show that this is a rather serious penalty. I refer to section 608 of title 18 of the United States Code.

Section 608(a) reads as follows:

> § 608. Limitations on political contributions and purchases.
>
> (a) Whoever, directly or indirectly, makes contributions in an aggregate amount in excess of $5,000 during any calendar year, or in connection with any campaign for nomination or election, to or on behalf of any candidate for an elective Federal office, including the offices of President of the United States and Presidential and Vice Presidential electors, or to or on behalf of any committee or other organization engaged in furthering, advancing, or advocating the nomination or election of any candidate for any such office or the success of any national political party, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

I again call attention to the fact that the charge is that these contributions were made to a national political campaign and therefore they are covered by this Federal law.

Mr. **CASE**. Mr. President, will the Senator yield?

Mr. **WILLIAMS** of Delaware. I yield.

Mr. **CASE**. Mr. President, I know that every Member of this body and all other Americans are grateful to the Senator from Delaware [Mr. WILLIAMS] for his persistence in a very unpleasant task. He has brought before us something which we cannot push under the rug. He has proof that a contractor, on a contract with a public body, overbid a premium on a bond. He has placed upon the Senate and upon the Attorney General an immediate obligation to get to the bottom of this matter.

With his characteristic fairness, the Senator has made no final charges. But, with his characteristic persistence and hard work, he has brought matters to the point where we cannot ignore them.

I hope very much that instead of cries of "demagog," which we have heard before on somewhat similar occasions, we shall have a word or two of appreciation and a promise to get on with the job.

Mr. **WILLIAMS** of Delaware. Mr. President, I thank the Senator from New Jersey. I point out again that in previous discussions of this contract great emphasis was placed on the fact that this was a competitive bid contract and that Mr. McCloskey was the low bidder. That is true. According to committee records the bid of Mr. McCloskey on the stadium contract was $14,182,187.50. The next lowest bid was $14,427,937.50. This meant that Mr. McCloskey's bid was $245,750 lower than the next lowest bid. But that is not all of the story. There is another story connected with this operation. Immediately after the bid was awarded they began thinking of many changes to be made in the contract.

We find that the total amount of such changes and additions to the contract after the award of the contract came to $2,986,796.72. So, in effect, the ultimate cost of the contract, instead of being lower, was around $2.7 million higher than the second lowest bid.

Perhaps some of the changes could not have been avoided; however, I am not unmindful of the fact that some of them should have been in the original contract. I call particular attention to one addition. It was decided to add 14 toilets to the stadium. Let us assume that that item might have been overlooked in the beginning. But we find that the first addition is for the electrical changes for these 14 additional toilet rooms, and so forth. This change was in the amount of $31,477.86. On April 28, 1961, $7,027.74 was added for lathing and plastering the ceiling and $77,035.27 was added for electrical work on these rooms. About 3 months later it was discovered that some doors and hardware on the doors were needed for those 14 new toilet rooms, and there was an additional charge of $9,231.38.

Why they did not know they needed doors or hardware on the doors I do not understand. But that is only the beginning.

Some time later it was decided that they would have to paint the 14 additional toilet rooms plus ramp enclosures at level 2. This cost $18,118.79. They were still working on those same 14 toilets and rooms.

But they were not done then. Later they found that they needed additional masonry work for the additional 14 toilet rooms, and this time $58,521.29 was added to the contract.

Mr. President, I have not seen these toilet rooms, but someone has suggested that they may be gold plated. I do not understand why they did not know that the rooms were needed when the contract was awarded or why so many contract changes were necessary.

I cite that instance as only one example.

Certainly when they found that they needed the rooms they should have realized that doors would be needed.

And doors need hardware by which to hang. They should have known also that the painting and masonry work would all have to be taken care of.

Those are some of the items that go to make up the additional $2.7 million payment to which I have referred. While some of the items might be justified, the question still can be asked, "To what extent has there been favoritism, and to what extent has the extra expense come out of the taxpayers' pockets?"

I repeat—I have no evidence whatsoever that this is anything other than an isolated case. It may be the only instance in which an overpayment to a subcontractor was involved with the understanding that such overpayment would be channeled into political contributions. But we have to be sure, and we should not stop at that point. Having established that such an arrangement happened once it is necessary now to explore the question of whether or not there was a pattern of such overpayments. We can all see the real danger that such a procedure could be to our form of government.

As Senators we have an equal responsibility with the administration to make sure that the American people get all the facts surrounding not only this phase of the case but all other phases of Mr. Baker's operations. I hope that either a standing committee or the select committee will start pursuing this case and follow it to its ultimate end.

Let us get all of the facts. Thus far only the surface has been scratched.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. HRUSKA. The Senator from Nebraska has noticed that the partial payment request dated August 9 bears item No. 1 as a "bond, percentage complete, 100 percent; amount payable, $100,000." At that time, presumably, the performance and payment bond, which is insert No. 2 in the Senator's statement, indicates and itemizes the total amount of premium charged to be $73,631.28.

Turning to insert No. 4, I observe a letter addressed to the contracting officer for the District of Columbia Armory Board signed by Noble W. Herzberg, who is the project manager for the architects and engineers. Among other things he said:

> I have checked the items as listed and discussed them with Mr. Staker, project inspector, and recommend approval of this payment request.

On the face of things it would appear that a check was made, and, notwithstanding the fact that the amount of the premium was listed as $73,631.28, after careful check, the payment of $100,000 was approved. Did the Senator from Delaware make inquiry as to the discrepancy that seems to inhere in that situation?

Mr. WILLIAMS of Delaware. Yes; the payment was made on the basis of $100,000. In making these payments 90 percent was advanced and 10 percent was held back, until the final payment.

On August 9 Mr. McCloskey, or McCloskey & Co., submitted to Mr. J. A. Blaser, of the District of Columbia Armory section in Washington, an invoice. The No. 1 item on that invoice was for a bond, 100 percent complete, $100,000. The $90,000 was advanced on August 23. The 10 percent was paid at a later date. I have checked those items with the District government, and their report is in the RECORD.

Mr. Blaser was most cooperative in making this information available and I appreciate his assistance. Insertion No. 2 is a copy of the bond which was submitted by McCloskey & Co. dated June 18, 1960. It was submitted to the District of Columbia government and accepted on the date of July 7, 1960, by the Commissioners. McCloskey & Co., under date of August 9, submitted an invoice on which the first item was $100,000 for the bond, which had cost only $73,000. On August 26—insertion No. 5—a payment in the amount of $192,690 was approved and included in this item was $90,000, or 90 percent of the $100,000 claimed as the cost of the bond.

To determine whether or not the overpayment was subsequently corrected, I examined a later invoice dated June 30, 1961. At that time a total of around $9 million was billed as work having been performed on the contract. The first item on this invoice was still $100,000 for the bond. So no correction was made on that item. I checked the bond requirements with the District Commissioners. They too said that this was the only bond required, which confirmed what Mr. Reynolds said. That is the only bond which was necessary and the only bond which was submitted to the District Commissioners, which clearly shows $73,631.28 as the cost.

Mr. HRUSKA. Mr. President, will the Senator yield for another question?

Mr. WILLIAMS of Delaware. I yield.

Mr. HRUSKA. The Senator recommends that the subject be looked into thoroughly. I remind the Senator that we are in a practical parliamentary situation. We are debating a very important social security bill. The foreign aid bill and certain appropriation bills are to be considered. November 3 is approaching. Some of us are standing for election to public office and would like to go out and campaign. I ask the Senator from Delaware what he has in mind by way of having the select committee or some other committee convene for the purpose of making inquiry into the subject, and what timetable we might expect? Would the investigation occur before November 3, or should it be afterward, when there will be more time to go into the question? Has the Senator given any thought to that subject?

Mr. WILLIAMS of Delaware. Yes. I do not think there is any time like the present. Why should we postpone it? One reason the Senate is in this position at this late hour is that it paid no attention to its duty to investigate thoroughly the subject when it was called to the attention of the Senate nearly a year ago. The Senate has been negligent in not having seen that all the witnesses were called before the committee. Had they been called and put under oath I believe that the subject discussed here today could have been developed. At any rate, it has been developed today. I believe that in fairness to the participants involved, Mr. McCloskey and all others, they should be given an opportunity at a public session to explain under oath their versions. The explanation ought not to be merely some snap answer that might be made to the press. They should be given an opportunity to make their statements under oath. Mr. Reynolds, Mr. Baker, and Mr. McCloskey could be put under oath. We have a definite responsibility. The investigation could proceed simultaneously with discussions of the pending bills. It should be made at the present time by all means. To delay the inquiry until after the election will invite the charge of whitewash.

Mr. HRUSKA. The Senator from Nebraska joins the Senator from New Jersey in commending the Senator from Delaware on setting forth the information that he has made available. I admire very much the spirit in which it is done, in that no final conclusion has been drawn by the Senator from Delaware. He has said, "Here are certain facts that require and demand further explanation." Certainly that is true. When there is submitted to the Government a billing in the amount of $100,000 which, based on the files on record, should be in the amount of only $73,631.28, a prima facie case is made of a violation of law that would justify criminal prosecution. Any prosecutor in a district attorney's office or a U.S. attorney's office, on the basis of such evidence as is in the record, who could not get a conviction would not be very much of a prosecutor.

It may be that there is some explanation. There may be evidence that the $100,000 really means $73,000. But the burden would be on those involved insofar as prosecution is concerned.

Mr. WILLIAMS of Delaware. There is no question about it. I, as a candidate, would also like to get out of Washington and campaign. But how can any of us, no matter which side of the aisle we are on, campaign on the basis that we are for clean government and integrity in government, and at the same time let the American people think that we have a potato that is too hot to handle and that we are going to sweep it under the political rug?

I am in favor of a full and thorough investigation being conducted immediately. Let the chips fall where they may. Rather than merely make speeches about integrity in government we have an opportunity to show that we mean what we say. We are not trying to persecute anyone. Let us bring out all the facts, and let the facts speak for themselves. Let the American people know that we as Senators do not consider anyone above the law, no matter how high he may be in the administration.

Mr. MORTON. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. MORTON. I do not know whether the Senator has any information before him on this point. The Senator says that $109,000 was paid to the Reynolds firm?

Mr. WILLIAMS of Delaware. Yes.

Mr. MORTON. Then the District of Columbia government was billed for $100,000.

Mr. WILLIAMS of Delaware. Yes.

Mr. MORTON. Does the Senator have any explanation for the difference of $9,000?

Mr. WILLIAMS of Delaware. Yes. That matter is answered in insertion

No. 6. This was an overall bid by the contractor. On that basis he does not have to submit exact bids on each item. The amounts submitted as a breakdown must be reasonably accurate, however.

If the Senator will look at insertion No. 6, I will read a few of these items. The first item is bond in the amount of $100,000. Then there is an item for excavation, $575,000. This is a rough estimate, it would not be exactly that much. The figures are rounded out, but they are supposed to be reasonably close to the actual figures. The next item is formwork, $1,740,000. There is an item of $900,000 for concrete work.

These items are submitted on the basis of rounded figures and not as exact figures of the cost. However, they were supposed to be rounded reasonably accurately.

The same is true of the bond, but in this instance there was a variation of nearly 35 percent.

Mr. MORTON. Did the McCloskey firm in the end get the entire $109,000 from the District?

Mr. WILLIAMS of Delaware. It received payment for the amount of $14,182,187.50, which was the original bid, plus the extra payments of $2,986,796.72 for the changes. Included in these totals was the cost of the performance bond, contributions to the Democratic committee, the payoffs, and everything else.

Mr. MORTON. I thank the Senator for yielding, and commend him for his statement.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CLARK. Obviously the Senator has made grave charges which, quite clearly, must be carefully looked into. I rise only to ask a couple of questions to develop the facts more fully. May I ask whether the McCloskey Co. was paid on the basis of the bid it submitted plus the extras which were allowed?

Mr. WILLIAMS of Delaware. That is what I said.

Mr. CLARK. Included in the extras was there an amount of $9,205.60, which is the difference between the item of $100,000 and $109,205.60?

Mr. WILLIAMS of Delaware. Not that I know of, except as it may have been included in other items.

Mr. CLARK. So far as the Senator knows, the rounded-off figures which the Senator stated are the full explanation for the difference between the $109,205.60 and $100,000?

Mr. WILLIAMS of Delaware. They are the only explanation I know of.

Mr. CLARK. The Senator from Delaware was very helpful during the investigation of the Rules Committee in giving leads which, I say as a member of the full committee, we conscientiously followed through. May I ask the Senator when he obtained the statement from Mr. Reynolds which is the basis for this statement?

Mr. WILLIAMS of Delaware. I placed the date in the RECORD. It was about a couple of weeks ago. I think one of the dates was August 17. It was just prior to the Democratic National Convention. I know I was working on the case that week, trying to get it in shape so that I would not have to make more than one trip back to Washington during the week of the Democratic Convention.

Mr. CLARK. So the Senator did not have the information available at the time the Rules Committee determined to terminate the investigation of the Bobby Baker case?

Mr. WILLIAMS of Delaware. I said that.

Mr. CLARK. I was not on the floor at the time.

Mr. WILLIAMS of Delaware. I said I did not have it. I do not know what the committee had. I repeated Mr. Reynolds' statement as to why he had not called it to the attention of the Rules Committee when he was before the committee. I could understand his reasoning.

Mr. CLARK. That statement will be in the CONGRESSIONAL RECORD tomorrow.

Mr. WILLIAMS of Delaware. Yes.

Mr. CLARK. I realize that the Senator from Delaware is not a lawyer; but does it not seem to the Senator that Mr. Reynolds has been a participant in the conspiracy to violate criminal law, if the statement which he has given to the Senator from Delaware is correct?

Mr. WILLIAMS of Delaware. Mr. Reynolds frankly admitted that he was wrong, and he is trying to clear up the matter. There is no question about it.

Mr. CLARK. Would it not also be criminal?

Mr. WILLIAMS of Delaware. According to the statutes which I placed in the RECORD, in my opinion criminal charges could be brought against those involved, including Mr. McCloskey and Mr. Baker.

Mr. CLARK. Has the Senator any information that Mr. Reynolds would be willing not to invoke the fifth amendment if he were called before the committee?

Mr. WILLIAMS of Delaware. Yes; we have such information. He has never taken the fifth amendment. In fact, he pleaded for the opportunity to testify in public session. He is asking for it again. I am presenting his request here today that he be permitted to testify in public session. He has said he did not want to testify before any committee which had as its primary objective the purpose of discrediting him.

From his previous appearance, he felt some members of the Senate Rules Committee had that purpose. Mr. Reynolds conscientiously wants to try to develop the facts as they happened. Sure he would cooperate with the committee. He wants the opportunity to testify in public session, but he wants other witnesses called also. Mr. Reynolds has appealed for an opportunity to testify in public session under oath. He has never given any indication that he would take the fifth amendment, and I think the Senator's question was uncalled for. Mr. Baker took the fifth amendment, as the Senator recalls, and the committee refused to call Mr. McCloskey.

Mr. CLARK. So the Senator gives us assurance that if this investigation is conducted Mr. Reynolds will appear and will not take the fifth amendment?

Mr. WILLIAMS of Delaware. Yes, so far as his statement is concerned. Mr. Reynolds will be glad to appear.

Mr. CLARK. He has said that?

Mr. WILLIAMS of Delaware. Yes, and he has told the Senator from Pennsylvania that. He told the full Rules Committee he wanted to testify in public session. He is on record.

Mr. CLARK. If the Senator will yield for what I think he will agree is a fair correction, the matter which the Senator has brought to the attention of the Senate was not known until after the investigation ended.

Mr. WILLIAMS of Delaware. Mr. Reynolds said it was his intention, when he testified before the committee, to call this overpayment to the attention of the committee, but he got the impression that the committee was not too interested. He did not have the canceled checks to prove the exact amounts. He would have to testify to approximate figures. It was only after we were able to establish the exact amounts that he felt he could proceed.

Had the committee desired, however, it could have subpenaed the records.

I talked with Mr. Reynolds several weeks ago—I do not know how long ago it was or whether it was before the committee had closed its hearings, although I would say it was. I was not willing to proceed until I could definitely establish the amount of the payment so that if there were a contradiction, I could prove it.

I now have what I consider to be sufficient evidence to establish that more than $109,000 was paid for a bill which only amounted to $73,000.

That having been established I called Mr. Reynolds and told him that I had a copy of the check.

Mr. Reynolds came in to see me in my office on Monday night, August 17.

This was one of the points in which I have been very much interested.

Mr. CLARK. Mr. President, I thank the Senator from Delaware for yielding. I only regret that Mr. Reynolds, who was given ample opportunity by the Committee on Rules and Administration to state the whole story, did not see fit to do so until after the hearings had been closed.

I also regret that the Senator from Delaware, who I know would have brought this matter to the attention of the Rules Committee, had he known of it at the time, was not able to do so.

Mr. WILLIAMS of Delaware. Mr. President, I join the Senator from Pennsylvania in regretting that I did not know about it before, because I assure the Senator that had I known about it I would have brought it to the attention of the committee.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. HRUSKA. If the Senator from Pennsylvania had read the statement which the Senator from Delaware read with respect to why Mr. Reynolds did not make this disclosure earlier, perhaps his questions and his observations would not have been in the form in which they were made by him. I read from the statement of Mr. Reynolds, as it was read earlier today by the Senator from Delaware:

> I had hoped that the Senate Rules Committee would have provided this cooperation and assistance. It had been my intention to call this to their attention and ask their assistance in getting certain documents; however, after my official interview with Major McLendon and the ex-FBI agent who tried to intimidate me in his questioning I decided otherwise. For example, when he asked me who discussed the purchase of television advertising space with me and I stated that Walter Jenkins and Walter Jenkins alone had, he, the interrogator, thereupon threw a book on the floor and in a boisterous manner informed me that I did not discuss this with Walter Jenkins, that I had discussed it with Bobby Baker. At this point I became somewhat reluctant to discuss openly anything further, knowing that his attitude was more toward defending certain people than toward ascertaining the real facts of the case. At two subsequent appearances before the Rules Committee I soon learned that the majority of that committee was more interested in discrediting me as a person and as a witness than it was in developing the actual facts of the case.

In connection with Mr. Reynolds being asked whether he would appear and agree to waive the fifth amendment, there are enough lawyers on the Committee on Rules and Administration to know that a corporation cannot take refuge in the fifth amendment if it is asked to produce documents and records of the corporation.

That course was open. It is still open. I have an idea that if we got into the books and were able to find the $109,000 check, which is being charged to business expense, and if then inquiry were made as to why it was done, we might well find an explanation which would be totally satisfactory. No one would be more pleased than the Senator from Nebraska if that were found to be the case. However, as the record stands now, it taxes one's imagination beyond the point of toleration to believe that that is what would happen.

Mr. CASE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CASE. Is it not true that Mr. Reynolds was the subject of some information released from either Army or Defense Department files, in a way which was at least irregular, if not a violation of the law, and under circumstances which would suggest that he was being intimidated, or that an attempt was being made to intimidate him by the release, on the order of someone—perhaps on the order of someone in very high authority—of information which was supposed to be kept confidential?

Mr. WILLIAMS of Delaware. There is no question that an organized effort has been made to discredit Mr. Reynolds. There has never been any suggestion that he has not been willing to testify. He has always been perfectly willing to testify. The question of whether he would take the fifth amendment is nothing but a smokescreen. He has repeatedly asked for the opportunity to be heard and to be heard publicly before a committee. He is more than willing to be heard.

I have on many occasions expressed my appreciation to him for his cooperation.

I regret that some persons in the administration saw fit to leak what they alleged was some derogatory material as contained in confidential military files.

Whether such material is there or not, I do not know, but I do know that such material was leaked through a national columnist in what I consider to be an organized effort to discredit Mr. Reynolds.

I said before that I never knew Mr. Reynolds until the Bobby Baker case developed. I found that he knew something about it, and I began talking with him; and frankly I appreciate his cooperation. I respect the sacrifice he is making.

I have checked Mr. Reynolds' records as best I could. I found that he went into the military service during World War II as a buck private and came out as a captain. He served his country with honor. He was honorably discharged. After he was honorably discharged he went to work for the State Department. He worked there for 2 or 3 years. Then he resigned, voluntarily, with honors, and with a good record.

In addition, no question was ever raised as to his integrity until after he began to tell committees and some of us about some of the skulduggery that was going on in Washington. Those who are now trying to discredit him are the same ones who considered him honorable enough—and that includes a Member of the Senate who at that time was acting as the majority leader of the Senate—to accept from him the gift of a stereo; and Bobby Baker also accepted a stereo gift from him. They accepted those gifts; I did not. Having accepted these gifts I would not try to discredit Mr. Reynolds now. I do not think it speaks very well for those who are trying to discredit him, and in my mind their actions raise a question as to what they are trying to cover up.

Yes, there has been an apparent organized effort to discredit Mr. Reynolds. It was wholly uncalled for. I believe he should now be given an opportunity to testify in a public session, and I believe other witnesses should be called also.

With all due respect to Mr. Reynolds, this is only his version as one of the participants of what happened. We should reserve our decision until both Mr. McCloskey, with the McCloskey Co., and Mr. Baker have given their testimonies. They should be given an opportunity to testify under oath. It is time they started talking.

Mr. CASE. Mr. President, I do not know Mr. Reynolds. However, I do know the Senator from Delaware. I am glad many people know him well enough to trust him, because in this instance, as in many other cases, he has been the source of justice where justice could not be found otherwise.

Mr. WILLIAMS of Delaware. In conclusion, to the extent that it can be placed in the RECORD, I ask unanimous consent that the check be printed in the RECORD as a part of my remarks.

There being no objection, the excerpts from the check were ordered to be printed in the RECORD, as follows:

No. 015971

McCLOSKEY & Co. BUILDERS
1620 West Thompson St., Philadelphia 21, Pa.

October 17, 1960 13871 $109,205.60

Don Reynolds Associates, Inc.
6485 Fenton St.
Suite 200
Silver Spring, Md.

McCLOSKEY & Co.
T. D. McCLOSKEY.

Chase Manhattan Bank
New York

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. SIMPSON. I join the Senator from New Jersey in complimenting the Senator from Delaware on what he is doing for the American people and the Senate.

I say to the Senator from Delaware that had it not been for his bulldog tenacity and his willingness to submit himself to all types of criticism, he would not have been able to bring to the attention of the American people what the American people wish to know; namely, facts concerning Bobby Baker, who was the former secretary to the majority party in the Senate.

I should like to ask the Senator from Delaware a question or two. I am not so much interested in whether or not Mr. Reynolds will testify without taking the fifth amendment. I think he has evidenced a desire and a request that he be permitted to testify without taking the fifth amendment.

I am more concerned as to whether Mr. McCloskey would take the fifth amendment, in the light of evidence that has been adduced by the Senator from Delaware. Is this the Mr. McCloskey who has been sued by the U.S. Government for faulty construction of a veterans' facility in Boston, Mass.?

Mr. WILLIAMS of Delaware. That is correct.

Mr. SIMPSON. Does the Senator from Delaware know the present status of that particular suit?

Mr. WILLIAMS of Delaware. The case is still pending in the courts. The Government is asking for several million dollars damages in that suit. I do not have the figures before me.

Mr. SIMPSON. The Senator from Delaware promised to keep track of that suit. I was wondering whether he had received any further information about it.

Mr. WILLIAMS of Delaware. No; that case is pending in the courts.

Mr. SIMPSON. I compliment the Senator from Delaware for his service to the country.

Mr. WILLIAMS of Delaware. I thank the Senator from Wyoming.

Mr. MANSFIELD. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. First, I must apologize for not being in the Chamber during the course of the Senator's speech; and furthermore, for not reading his remarks, because I just obtained a copy of them.

Did I correctly understand the Senator from Delaware to say, in response to a question asked by the Senator from Pennsylvania [Mr. Clark] that this information came to his attention about August 17?

Mr. WILLIAMS of Delaware. That was when I had my principal interview with Mr. Reynolds. I called Mr. Reynolds. I am checking for the exact dates; I placed them in the Record earlier. I shall quote from the Reynold's statement, because I have no independent recollection:

> It was during the latter part of the week ending August 15, 1964, that Senator Williams called and informed me that he had obtained a photostatic copy of the check issued to me by McCloskey & Co., and an appointment was set for me to meet him in his office on Monday night, August 17.

I am quoting from Mr. Reynolds' statement.

Mr. MANSFIELD. Is this information which has recently become available to the Senator from Delaware?

Mr. WILLIAMS of Delaware. That is correct.

Mr. MANSFIELD. Has the Senator forwarded this information to the Department of Justice?

Mr. WILLIAMS of Delaware. No; but it will be available to the Department now.

Mr. MANSFIELD. I assume that the Senator intends to make it available.

Mr. WILLIAMS of Delaware. Oh, yes.

Mr. MANSFIELD. I would hope that he would.

Mr. WILLIAMS of Delaware. It will be forwarded to the Department of Justice, besides being called to the attention of the Senate.

In the light of this situation, we should call Mr. McCloskey as a witness. As Senators we have a responsibility to call Mr. McCloskey as well as Mr. Baker to get their versions of this transaction. While laws have been violated, the question goes beyond the amount of money involved. Is this a pattern? Is it an isolated case? I wish to make it clear that I have no evidence that this is other than an isolated case. I am not suggesting for a moment that it is not. But I feel that we should satisfy ourselves and be sure, so that if we are asked the question, "Is this an isolated case?" we can say, "We have checked, and to the best of our knowledge it is." A large sum of money has been paid through these Government contracts. We cannot allow such questions of propriety to remain unanswered. That is why I feel that the Senate has a responsibility to resume the inquiry as it has in many other investigations. We should bring this case before the American people, just as we expose other instances of wrongdoing. When we do so, it will serve as a warnings to others that they cannot get away with such practices.

I appreciate the cooperation which I have received from the present majority leader. He cooperated when we submitted the first resolution to start this investigation last October. As I said earlier, this is new evidence which must be further developed. A few days before I called Mr. Reynolds I obtained a copy of the check. Once I obtained a copy I was able to proceed.

Mr. MANSFIELD. I appreciate the fact that this is new evidence. I also appreciate the statement by the distinguished Senator from Delaware to the effect that all parties should be heard.

Has this information been brought to the attention of the Committee on Government Operations or to the Subcommittee on Privileges and Elections of the Committee on Rules and Administration?

Mr. WILLIAMS of Delaware. Only by my statement here today has it been called to the attention of any committee. We are in this position: The Committee on Rules and Administration has served notice that it has concluded its investigation. I made a suggestion—I am not trying to take over the leadership of the Senate—that consideration should be given by the majority leader and the minority leader to conferring with the President pro tempore to have the appointments to the select committee made as promptly as possible; then this information might be turned over to that committee. The Senate has already established this new committee; why not let it make the decision as to how it wants to handle this subject? This could be the appropriate instance in which to start to make use of such a committee.

Mr. MANSFIELD. Mr. President, will the Senator further yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. The reason why I mentioned the Committee on Government Operations is that its jurisdiction is all-inclusive. The reason why I mentioned the Subcommittee on Privileges and Elections of the Committee on Rules and Administration is that its jurisdiction extends to allegations such as those made on the floor of the Senate today.

So far as the suggestion of the Senator from Delaware is concerned, frankly I was under the impression, until a few moments ago, that the so-called Cooper amendment was incorporated in the proposal of the distinguished Senator from Illinois, the minority leader [Mr. Dirksen]. I find, upon reference, that such is not the case. So far as the Senate is concerned, the Cooper amendment has been adopted; and I would be delighted to take up with the minority leader at a very early time the suggestion made by the distinguished Senator from Delaware.

Mr. WILLIAMS of Delaware. I appreciate that statement. I say again that I have made the proposal as a suggestion. If the chairman of the Committee on Government Operations, the distinguished Senator from Arkansas [Mr. McClellan], wishes to go into this question, I am agreeable. There is no more able Member of the Senate. I am not trying to designate the committee that should conduct the investigation; I merely suggest that there is a task to be done and we should direct our attention to it. Whether it is to be considered by this or that committee is something that can be determined by the Senate. I have made my suggestion since the Senate has already established the Select Committee. The point I am emphasizing the most is that this is a job that needs to be done. The sooner we get to the job and clear it up, the better it will be for all concerned. I am sure the majority leader will cooperate in that respect.

Mr. MANSFIELD. Mr. President, will the Senator further yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. Are any Senators involved in the particular matter to which the distinguished Senator from Delaware has called the attention of the Senate today?

Mr. WILLIAMS of Delaware. I am sorry; I did not hear the question.

Mr. MANSFIELD. Are any Senators involved?

Mr. WILLIAMS of Delaware. Not to my knowledge. I have outlined all that I know about this case. There is no mention of any Member of the Senate.

In reading Mr. Reynolds' statement, one might observe the deletion of a few words. Someone may ask, "Why the deletion?" Mr. Reynolds mentioned someone else in the conversation but said that that person knew nothing about the case; he was not present during the actual discussion. So I thought it was improper to include his name in the record. He was not a Senator.

Mr. MANSFIELD. The reason why I have raised the question is, first, to make it very plain that no Senator is involved, to the best of the knowledge of the Senator from Delaware, on the basis of the statement he has made on the floor of the Senate today.

Mr. WILLIAMS of Delaware. None at all as far as this case is concerned.

Mr. MANSFIELD. Second—and I am delving back into memory now—if I correctly recall the Cooper amendment, which was adopted by this body, it has to do—and I am willing to stand corrected if I am in error—with the ethics of Senators. Is that correct?

Mr. CASE. And members of the staff, if I may be pardoned the interjection.

Mr. WILLIAMS of Delaware. And members of the staff. It was on that basis that I felt, since Mr. Baker was a member of the Senate staff, that the select committee would have jurisdiction. A staff member is involved because Bobby Baker is specificially mentioned.

Mr. MANSFIELD. I must apologize for being lax, so far as the Cooper amendment is concerned, because I was apparently under a misunderstanding. That misunderstanding has been cleared up.

Again, I assure the distinguished Senator from Delaware that I shall be most happy to meet with the distinguished minority leader [Mr. Dirksen] at an early time to see what can be done.

Mr. WILLIAMS of Delaware. I appreciate that statement. Again, I express appreciation to the majority leader for his cooperation beginning with the time, about a year ago, when I first submitted the resolution to authorize this investigation. I feel now that new evidence is available which we did not have before, evidence which certainly cannot be overlooked.

I concur completely in the Senator's viewpoint that it is not so important as to how the job shall be done as it is that it be done. I thank the Senator from Montana.

Mr. MANSFIELD. I thank the Senator from Delaware.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SALINGER in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On August 22, 1964:

S. 927. An act to amend title 12 of the Merchant Marine Act, 1936, in order to remove certain limitations with respect to war risk insurance issued under the provisions of such title; and

S. 1046. An act to provide hospital, domiciliary, and medical care for non-service-connected disabilities to recipients of the Medal of Honor.

On August 26, 1964:

S. 3075. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes; and

S. 1451. An act to amend section 41(a) of the Trading with the Enemy Act.

On August 27, 1964:

S. 16. An act to provide for the establishment of the Ozark National Scenic Riverways in the State of Missouri, and for other purposes;

S. 51. An act to authorize the Secretary of Agriculture to relinquish to the State of Wyoming jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District;

S. 502. An act to preserve the jurisdiction of the Congress over construction of hydroelectric projects on the Colorado River below Glen Canyon Dam;

S. 1917. An act to provide authority to protect heads of foreign states and other officials;

S. 2419. An act to authorize the Secretary of the Interior to condemn certain property in the city of Saint Augustine, Florida, with the boundary of the Castillo de San Marcos National Monument, and for other purposes; and

S.J. Res. 162. Joint resolution extending recognition to the International Exposition for Southern California in the year 1968 and authorizing the President to issue a proclamation calling upon the several States of the Union and foreign countries to take part in the exposition.

On August 30, 1964:

S. 284. An act for the relief of Ethel R. Loop, the widow of Carl R. Loop;

S. 1006. An act to amend the act of June 12, 1960, for the correction of inequities in the construction of fishing vessels, and for other purposes;

S. 1363. An act to increase the participation by counties in revenues from the National Wildlife Refuge System by amending the act of June 15, 1935, relating to such participation, and for other purposes;

S. 1664. An act to provide for continuous improvement of the administrative procedure of Federal agencies by creating an Administrative Conference of the United States, and for other purposes;

S. 2288. An act for the relief of John J. Feeney;

S. 2369. An act to retrocede to the State of Kansas exclusive jurisdiction over certain State highways bordering Fort Leavenworth Military Reservation and the U.S. penitentiary at Leavenworth; and

S. 2944. An act for the relief of the Greater Southeast Community Hospital Foundation, Inc.

On August 31, 1964:

S. 1007. An act to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority, and for other purposes; and

S. 1169. An act to authorize a per capita distribution of $350 from funds arising from judgments in favor of any of the Confederated Tribes of the Colville Reservation.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

Mr. GORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT TO THE MINERAL LEASING ACT REGARDING TIMELY PAYMENT OF RENTALS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar Order No. 1457, S. 1984.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1984) to amend the Mineral Leasing Act regarding the timely payment of rentals, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, line 5, after the word "lease,", to strike out "or such further period as the Secretary of the Interior may allow,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 31(b) of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 188(b)), is further amended by changing the final period therein to a colon and inserting thereafter the following: "*And provided further,* That the deposit with the Post Office Department on or before the anniversary date of the lease, as determined by the postmark on the envelope, of a correctly addressed and sealed envelope containing a check, money order, or bank draft in the correct amount of the rental and made payable to the proper payee shall, for the purposes of this section, constitute timely payment of rental to the United States if (1) the envelope is actually received by the proper office within ten official working days after the anniversary date of the lease, and (2) the check, money order, or bank draft is honored."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1984) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1518), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

Purpose of S. 1984, which is sponsored by Senator GRUENING, is to liberalize the requirements for timely payment of rentals on Federal oil and gas leases. The proposed legislation would be of especial benefit to small, independent lessees and operators who do not maintain office staffs.

The bill would accomplish this purpose by amending section 31(b) of the Mineral Leasing Act as amended (found in 30 U.S.C. 188 (b)). The Department of the Interior in administrative decisions has interpreted the provisions of this section to mean that in order for rental payments to be timely, such payments must be physically received in the land office during business hours (10 a.m. to 3 p.m.) on or before the anniversary date of the lease. (See Duncan Miller, A–28184, Mar. 21, 1960.)

S. 1984 would amend the section, and hence vitiate the above-described interpretation of it, to provide that mailing the rental payment in a sealed envelope on or before the anniversary date, as determined by the postmark on the envelope, shall constitute timely payment if the envelope is actually received within 10 days of the anniversary date.

The principle of such a procedure is generally accepted in payment of income tax, mortgage installments, insurance premiums, and the like. Thus, S. 1984 would place rental payments on Federal oil and gas leases in the same category.

NEED FOR LEGISLATION

Section 31(b) of the Mineral Leasing Act, as amended, cited above, provides in pertinent part: "* * * upon failure of a lessee to pay rental on or before the anniversary date of the lease, for any lease on which there is no well capable of producing oil or gas in paying quantities, the lease shall automatically terminate by operation of law * * *."

In 1962 an effort was made to soften this inflexible, automatic termination provision by authorizing the Secretary to reinstate, under certain conditions, leases which had terminated for nonpayment if, in his judgment, the failure to make timely payment was not the result of a lack of reasonable diligence. However, as the bill passed (Public Law 87-822; 30 U.S.C. 188) it limited the Secretary's discretionary authority to reinstate only those leases which had terminated prior to the effective date of the act, which was October 15, 1962.

In the first session of this Congress, the committee held hearings on a private relief bill, S. 1066, sponsored by Senator McGee, which authorized the Secretary of the Interior to receive a petition for reinstatement of a lease held by the E. L. K. Oil Co., a small independent, to consider it and act upon it subject to the provisions of the Mineral Leasing Act. Briefly stated, the E. L. K. Oil Co. posted in the Cheyenne, Wyo., post office on Thursday, January 31, its payment in full for rental of leased property. The anniversary date when payment was due was February 1. However, the payment was not delivered in the office of the Bureau of Land Management in the same city until Monday, February 4, 1963, although the envelope was properly addressed and sealed. In view of Interior's interpretation of what constitutes timely payment, as stated above, and consistent with previous departmental decisions, the Department held that the lease had been terminated automatically.

At the committee's hearings, it was established that the lessees had in fact acted in good faith, that they had invested all of the money they had in developing the lease, and had discovered oil. If the cancellation were allowed to stand, the lease would be put up for competitive bidding, since oil had been discovered on it, and the young veterans whose enterprise had resulted in the discovery would lose the lease.

Senator McGee's bill became law, and S. 1984 was introduced to prevent similar inequities. The E. L. K. Oil Co. case is by no means the first of its kind to come to the committee's attention.

COST

No additional expenditures of Federal funds are authorized nor contemplated under S. 1984.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOCIAL SECURITY AMENDMENTS OF 1964

The Senate resumed the consideration of the bill (H.R. 11865) to increase benefits under the Federal Old-Age Survivors, and Disability Insurance System, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

REQUEST FOR THE PRIVILEGE OF THE FLOOR

Mr. ANDERSON. Mr. President, I ask unanimous consent that Irvin Wolkstein, of the Social Security Adminstration, be permitted to be present on the floor of the Senate during the debate on the pending bill.

Mr. LONG of Louisiana. Mr. President, reserving the right to object, perhaps we would be willing to agree to the presence of someone from the executive branch to help those who are opposing the amendment. But I have not had an opportunity to discuss that subject with the distinguished chairman of the Finance Committee, the Senator from Virginia [Mr. Byrd]. He is not in the city at the present time. He will be in the Chamber some time later today. I may be able to agree after I have discussed the subject with the chairman of the committee. At the present time I feel I must object.

Mr. ANDERSON. This is an extremely unusual situation.

At the time the King-Anderson bill was previously considered, the Senator from Oklahoma was permitted to have with him three members of the social security staff, not merely one. Two additional members of the Social Security staff were permitted to sit with the Senator from New Mexico. I am willing to accept the verdict but it is an unusual procedure. I have seen with my own eyes, and so has the Senator from Louisiana, members of the staff of the Finance Committee and the Joint Economic Committee sitting over there beside the Senator.

Mr. LONG of Louisiana. I hope the Senator will remain long enough to get my response to his statement. I managed the most significant revenue bill that we have had in the history of this country. That was the Revenue Act of 1964. I had the help of the distinguished Senator from New Mexico at that time. We did not ask to have anyone from the Treasury sit with us in the Chamber at that time. They were available to us off the floor, but we did not ask that any of them be permitted to come to the floor of the Senate. I do not plan to object to the Senator bringing someone to the floor of the Senate after I have had an opportunity to discuss the subject with other members of the committee.

I know what it is to be pilloried before this body when someone supporting my side asked unanimous consent to bring an expert to the floor of the Senate to help him explain his bill or his amendment. Some of the sponsors of the amendment would stand up and pillory those of use who supported, for example, the tidelands bill because we brought someone to the floor who had some technical knowledge of some of the problems.

Furthermore, while I am on the subject, I should like to say that while those sponsoring amendments had every right to do so, on occasion they have objected to representatives of the executive branch even sitting inside the Finance Committee while we discussed technical subjects in connection with tax bills. Senators have a right to make such an objection. That is a problem with which we have had to deal. I am being no more difficult about this subject than other Senators, some of whom are sponsoring amendments to the pending bill. I have a regard for that position. The distinguished chairman of the Finance Committee has a right to object if he wishes to do so. The Senator from New Mexico is making his request prematurely. I do not plan to object if the distinguished chairman of the committee does not wish to object.

If the Senator wishes to have a record of having made the request and having the request objected to, that is his privilege.

Mr. ANDERSON. May I ask the Senator if he has anyone in the Chamber from the Library of Congress?

Mr. LONG of Louisiana. I believe so.

Mr. ANDERSON. I believe so, too. What is the difference between having personnel from the Library of Congress and personnel from the social security agency when the Senate is considering a social security matter?

Mr. LONG of Louisiana. They are available to the Senator.

Mr. ANDERSON. I do not want them. I want personnel from the social security agency.

Mr. LONG of Louisiana. I have permission to have present those who are here. The Senator from New Mexico can obtain permission in due course. I do not plan to object to his request, but I intend to discuss the decision with certain Senators who are not now present.

Mr. ANDERSON. This is a somewhat technical bill. I believe the Senator will find that this is the first time that a request for help on a social security bill has been refused.

Mr. LONG of Louisiana. I would be surprised if this were the first objection to having someone come on the floor to help as an adviser. I have brought persons on the floor, and objections have been entered. I have been as willing as any other Senator to have staff members present to assist Senators, and to hear what is going on and advise Senators, but I am not ready to agree to the request now. Perhaps I shall do so later.

I urge the Senator, who is an able parliamentarian, and who is one of the most honorable gentlemen I have ever known, to give us an opportunity to discuss this request with the chairman of the committee. I am not sure that I am even in charge of the bill. It depends on what the chairman of the committee wishes to do. The Senator knows that the Senator from Virginia [Mr. Byrd] suffered a tragic event this past week and has not been present. He will be here today. After I consult with him I shall give the Senator the answer. I am sure the answer will be to give permission. But I hope the Senator will not put pressure on me now.

Mr. ANDERSON. I do not intend to put any pressure on the Senator, but I will add one thing. When the Senator from Louisiana asked for help on the floor, he received it. Now, when a Senator who is proposing the Anderson-King measure requests help, he cannot get it.

Mr. President, we again are engaged in debate over how best to provide a way of paying the cost of health care for the aged. We debated this subject in this Chamber in 1960, and again in 1962. Over the years the studies and statistics and surveys have piled up showing that the elderly are the age group most desperately in need of an adequate means of paying for health and hospital services. And while the evidence has mounted that the need is urgent, the numbers of aged have increased, the cost of care has increased, and a variety of attempts—both public and private—to relieve the problem have met with, at best, quite narrow results.

There are no really new facts to substantiate our case for effectively coping with this national need by inaugurating a program of health insurance for the aged through social security. Statistics have been brought up to date. Surveys have been made current. Both the House Ways and Means Committee and the Senate Finance Committee have held hearings in this Congress on the matter. The Senate Select Committee on Aging has thoroughly examined the capacity, the willingness, and the performance of private insurance to provide adequate insurance protection at premiums the aged can afford.

The committee found that only a little over half of the elderly have any kind of health insurance protection despite intensive efforts during recent years to supply the needed protection. The number of older people without any protection today is nearly as large as it was 5 years ago; over 8 million aged persons have no health insurance at all. An additional 3 million aged have commercial health insurance policies that pay $10 a day or less toward hospital daily room charges which now average more than $20.

These policies, Mr. President, were inadequate to begin with; rising hospital charges compound their inadequacy.

Mr. President, six members of the Senate Finance Committee—Senators DOUGLAS, GORE, MCCARTHY, HARTKE, RIBICOFF, and the senior Senator from New Mexico—signed minority views in the committee report on H.R. 11865. We stated further on the subject of private insurance:

> The guarantee that a policy is renewable is not too meaningful if the policy does not meet current hospital charges and if the premiums are constantly being increased. Probably less than a million—5 to 6 percent of the aged—have health insurance protection covering as much as 40 percent of today's average medical costs. Such protection, when available, costs over $400 a year for a couple, and in some cases as much as $550 a year, one-fifth of the average aged couple's income.
>
> Private insurance by itself cannot meet the needs of the overwhelming majority of older people for a program providing adequate protection at acceptable costs. With a social security hospital insurance program in effect, private insurance would have a vital and major role to play. Relieved of the impossible strain of somehow having to pay for the most expensive insurance—hospital coverage—many older people would be in a position to purchase private insurance protection against other health costs. Many, for example, would be able to purchase major medical-expense policies now available, which could serve to compliment the basic social security protection.

In 1960 we enacted a program—Kerr-Mills—to provide medical assistance for the aged who were not necessarily impoverished. This assistance, largely with Federal funds matched by State contributions, was supposed to aid those persons 65 or over who were medically indigent; that is, persons who were not on relief rolls, but who did not have the resources to meet hospital and medical expenses.

I remember the late Senator Kerr's forecast that 10 million aged persons would be eligible for assistance under the Kerr-Mills law. The opponents of a social security health insurance program are the most vigorous ardent backers of Kerr-Mills. They claim a host of virtues for this program. It avoids Federal control. It does not burden the social security taxpayer because financing is through general Treasury funds and the States. It avoids the spectre of socialized medicine. It gives the aged the kind of medical and hospital care they need.

The 4 intervening years since the enactment of Kerr-Mills has not borne out any of these claims.

The protection under the Kerr-Mills programs is exceedingly spotty; it varies from State to State and seems to depend not on the needs of the elderly people in the State but on entirely unrelated factors—the resources of the States, the political views of its legislators, the pressures in the State to keep taxes as low or lower than elsewhere so as to attract industry.

There are, for example, 10 States that have no program at all as yet, and in 11 others the programs have been authorized but not implemented. In the States that have going programs, generally these programs are greatly limited in the scope of the benefits they provide and restrictive in their eligibility requirements. For example, in some States hospital care is limited to acute illness or injury or to conditions which are life endangering or which threaten sight. Under almost all States with Kerr-Mills laws, only persons who are substantially without resources are eligible. Usually, where the individual has assets amounting to more than stipulated amounts, he would either be disqualified or be forced to use the excess to meet the costs of the services furnished him. The asset limitations are as low as $500 in the District of Columbia. If assets are brought down to the specified levels, the small interest and dividends formerly expected are lost forever and the person may become a permanent charge on the community.

Let me illustrate with a fairly representative case—a single person with an annual income of $1,850 and with assets in addition to his house valued at $1,000 and life insurance with a cash surrender value of $500, who needs hospital care costing $375 and physicians' care costing $125. According to the most recent data available, his costs for these services would be paid in full under the Kerr-Mills programs in one one State in the United States—Idaho. In five other States—Louisiana, New York, New Jersey, Massachusetts, and Pennsylvania—he would be eligible to receive part but not all of these services. In only six States would he have received any aid at all.

Now, the case of an aged couple with an annual income amounting to $3,000, total liquid assets valued at $1,000 and life insurance with a cash surrender value of $500, who need hospital care costing $375 and physicians' services costing $125. They would be eligible to receive payment for these services in full under the Kerr-Mills programs in only four States—New Hampshire, New Jersey, Oklahoma, and West Virginia. In only five other States—Florida, Louisiana, Massachusetts, New York, and Pennsylvania—would part of their costs have been paid. In 41 States no aid would be provided.

The glaring inadequacies in the Kerr-Mills programs as they stand today, 4 years after the Federal legislation was passed, show beyond any doubt that these programs are not doing the job they were intended to do. Most of the States simply do not have the funds to put up in order to obtain money from the Federal Treasury to finance adequate programs.

But what would happen if we do not allow social security to deal with the problem of high health-care costs of the aged? Then the responsibility would go by default to the Kerr-Mills programs. And that is where lies the great danger.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I am happy to yield to the Senator from Tennessee.

Mr. GORE. Is it not a fact that the Kerr-Mills law is intended to cover those who are determined to be indigent?

Mr. ANDERSON. The expression "the medically indigent," has been used constantly. Apparently there is some pride in that classification. On the other hand, those who desire to retain their dignity and self-respect are barred from that program. Many of us discussed this point at the time. Among them were the Senator from Illinois [Mr. DOUGLAS], the Senator from Tennessee [Mr. GORE], and I. We were present when the bill was presented. We did not object to what the proponents were trying to do. We knew that they were trying to do something. We merely objected to the way it was being done. We thought it should be done more favorably. However, we refused to say to Senator Kerr that we objected to what he was trying to do.

Mr. GORE. The proposal before the Senate now would not take from any medically indigent person the benefits available to him under the Kerr-Mills law, would it?

Mr. ANDERSON. Not at all.

Mr. GORE. The current proposal seeks to provide a system of health insurance through the social security program to those who are neither medically indigent nor wish so to become. Is that correct?

Mr. ANDERSON. Yes. I believe that the most significant thing that has happended in a long time, so far as I am concerned, was what happened when the able Senator from New York [Mr. JAVITS] organized a group to study the social security program along with his health program. Senator JAVITS and some of us did not agree as to how the program should be administered. In general he supports health care for the aged, and did then, but he had not quite yet come to the point where he thought it should be handled only through social security.

However, he did do something for which I commend him, and which all Senators might well follow. He tried to obtain the best panel possible to study the problem. He put on that panel such distinguished people as Marion Folsom, of the Eastman Kodak Co., a former Secretary of Health, Education, and Welfare in the Eisenhower administration. He also placed on that panel Arthur Larson, a high official in that administration.

It was not a packed jury. It was a fair jury. It reported that the basic program should be conducted through the social security system. The great business genius who was guiding the Eastman Kodak Co. was smart enough to know that the basic program could be best administered and administered in the cheapest way by handling it through the social security system.

The group of doctors and statesmen whom the Senator from New York got together came to that conclusion. Of course, it is the only conclusion that could be reached by any person who looked at the subject carefully.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. ANDERSON. I am happy to yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, first I should like to state that I have a very high regard for the distinguished senior Senator from New Mexico in dealing in this field. Therefore I appreciate his statement. I have listened to the colloquy between the Senator from Tennessee [Mr. GORE] and the Senator from New Mexico. Do I correctly understand that the Senator from New Mexico would not repeal the Kerr-Mills law even if additional legislation were passed?

Mr. ANDERSON. Yes, indeed. We would not repeal the Kerr-Mills law. In 1960 the Kerr-Mills bill never had what really could be regarded as 1 minute of hearing by the Committee on Finance, when the committee was meeting in the Old Supreme Court Chamber, because a health care bill was to be presented, and other bills were before the committee. Three of those bills were before the committee when Senator Kerr, of Oklahoma, brought forward his proposal. Nothing was said before the committee in executive session. Nothing could be said. The Senator from Kansas knows that to be true, because he was present. We said it looked like a device to cut down the bill that was pending.

The Senator from Oklahoma said, "Oh, no. This is to take care of people who are indigent." All of us voted for it.

The Senator from Illinois and the Senator from New Mexico sat side by side, as they do now, in the Committee on Finance, and discussed what our attitude should be. We decided that we could not oppose that sort of program, but we did not believe it should be used as a substitute for what we all know to be a dignified way of handling the problem, and which so many people believe to be the only way to handle it; namely, the social security system, not only for the benefit of those who are medically indigent, but for all who are aged.

Recently I spent a few days in the hospital and, therefore, I speak from experience. I found that the charges were not running at $20 or $25 a day, but, on the contrary, my first 5 days in the hospital ran to something like $200 a day in all. I found that it was a great deal more costly than had been anticipated.

Fortunately I have insurance which covers the cost. Even if I did not have the insurance, I have reached the stage in life where I am past 65, and I can deduct the entire amount of my medical bills in my income tax return. However, what would happen to a person who did not have such insurance? I shall never be in favor of repealing the basic provisions for helping people who are indigent and who need help.

Mr. CARLSON. Mr. President, will the Senator yield further?

Mr. ANDERSON. Yes; I yield to the Senator, and I apologize for making my reply so long.

Mr. CARLSON. I believe that yesterday the distinguished Senator from Tennessee [Mr. GORE] offered a new proposal, so to speak, on medicare, to care for people under the social security program. I have not had time to study his proposal or to analyze it. I have tried to read through it. I do not wish to speak in a critical way, but here, too, is a proposal on which no hearings had been held. Is that not correct?

Mr. ANDERSON. With one exception. We have been trying to hold hearings on it. This proposal is largely the King-Anderson bill. In 1962 I made a motion in the Committee on Finance to have hearings on the bill. As the Senator from Kansas knows, that motion was voted down. Therefore we could not have hearings. The Senator from Kansas participated in voting down that motion. Other Senators in the committee also voted it down.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. GORE. Mr. President, during the illness of the distinguished Senator from New Mexico, I offered the King-Anderson bill in committee. I moved that the committee proceed to hold public hearings. That motion was agreed to without objection, and hearings were held on the whole program of social security and the King-Anderson bill. One witness after another appeared before the committee. A number of hearings were held on it, and 728 pages of testimony were taken on the subject.

Mr. ANDERSON. Not only on the King-Anderson bill, but on other matters that were before the Committee on Finance.

Mr. GORE. Yes; but much of it was on the King-Anderson bill.

Mr. ANDERSON. Yes. I say again to the Senator from Tennessee, as I said before, that I appreciate very much his energy and drive in trying to obtain hearings on the bill.

In 1962, when the social security health insurance proposal went to the floor of the Senate, and we were very close to passing it, the only argument that was raised over and over again was that no hearings had been held on the bill in the Committee on Finance.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. CARLSON. Am I to understand that the proposal which was offered as an amendment by the Senator from Tennessee is the King-Anderson bill?

Mr. ANDERSON. I hope I remember the changes that were made in it. I do not guarantee that I do. Two or three significant changes have been made in it. One is the addition of a cost-sharing provision, which was involved in the Ribicoff proposal. I go on the theory of the proverb that "A light is good in whatever lamp it is burning."

The Senator from Connecticut [Mr RIBICOFF], out of his experience, brought in a proposal which I thought was good. The Senator from Tennessee [Mr. GORE] thought it was good to add it to his proposal. Also, there was a change made in the nursing home provision, from 180 days down to 60 days.

But the basic features are the essential features involved originally in the King-Anderson bill. I therefore feel that it is perfectly fair to say to this group what while it is not letter and verse with the original quotation, page after page is merely the King-Anderson bill with some changes that were necessary because of the amendment offered by the Senator from Louisiana [Mr. LONG].

M. DOUGLAS. Mr. President, will the Senator yield, to permit me to reply to my good friend from Kansas?

Mr. ANDERSON. I yield.

Mr. DOUGLAS. My heart is really wrung by the squeamishness expressed by the Senator from Kansas toward the amendment proposed by the Senator from Tennessee. The Senator from Kansas alleges that no hearings were held on the Gore amendment, and appears to lament this, even though the Finance Committee held hearings on a nearly identical proposal. But the Senator from Kansas yesterday became a sponsor of the Long amendment, which was sprung upon us suddenly at the conclusion of the Senator's speech. It came as a bolt out of the blue. No hearings were held on the Senator's amendment, and it was not proposed in the Committee on Finance.

The Senator from Tennessee made some changes in the King-Anderson bill, when he proposed it as an amendment to the Long amendment, largely to meet questions raised by the amendment of the Senator from Louisiana, the Senator from Indiana, and the Senator from Kansas. It ill behooves my dear friend from Kansas to reproach us for submitting an amendment upon which he alleges no hearings have been held in the

Committee on Finance and, of course, the fact is that hearings were held.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. DOUGLAS. The Senator from New Mexico has the floor.

Mr. ANDERSON. I yield to the Senator from Kansas.

Mr. CARLSON. I merely wish to comment that I was not reproaching the Senator for not holding hearings on the bill. I said nothing about the amendment offered yesterday, of which I am a cosponsor, on which no hearings have been held. As a matter of fact, it was a new proposal.

Mr. DOUGLAS. I thought there was a slightly derogatory overtone or undertone to the comments of my good friend from Kansas.

Mr. CARLSON. The Senator from Illinois should not be so suspicious of them.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. GORE. I should like to read from a statement made by the able, lovable, beloved chairman of the Committee on Finance, the gentleman from Virginia [Mr. BYRD] at the beginning of the hearings on August 6, 1964:

> The CHAIRMAN. The committee will come to order.
>
> The hearing today is on the social security bill, H.R. 11865, and amendments proposed thereto relating to medical care for the aged. Two amendments on this subject have been introduced thus far. They are amendment 1163, by Senator JAVITS, which is a modified version of his bill, S. 2431, and amendment 1178, by Senator GORE, which is identical to the so-called King-Anderson proposal, S. 880, except as to rate schedules and maximum taxable wage base. I place in the record a copy of the bill, the amendments, and a committee print comparing the provisions in amendments 1163 and 1178. If additional medical care for the aged amendments are introduced in the Senate before the completion of these hearings, copies thereof will be inserted in the record also.

So it is quite clear that not only the specific subject matter of the amendment which I submitted yesterday was the subject of the hearings, but the general subject of health insurance also was the subject of hearings. I believe that this is a moot question in view of the 728 pages of printed hearings, during much of which time both the Senator from Kansas [Mr. CARLSON] and the senior Senator from Tennessee were present.

Mr. President, will the Senator from New Mexico yield for one further moment?

Mr. ANDERSON. I am glad to yield further.

Mr. GORE. With respect to the effect of the pending amendment on the Kerr-Mills program, I point out that the enactment of the pending amendment would relieve the States of a considerable burden that they now have of not only determining the medical indigency of many of their old people, but also providing the matching funds. The pending bill, as the Senator from New Mexico knows even better than I, provides an actuarial balanced program by which contributions will be made that will base such health care aid on an insurance principle and on a pay-as-you-go basis.

Mr. ANDERSON. The Senator from Tennessee is correct. One thing that this proposal would do would be to provide that those needing aid be not further investigated to prove that they are indigent. That would not be necessary if they had passed the age of 65. That would be as far as it would be necessary to go with the investigation.

Mr. GORE. It has been estimated by experts that the enactment of the King-Anderson proposal or the pending amendment would relieve the States of approximately 40 percent of the burden they now bear for health care for the indigent.

Mr. DOUGLAS. Mr. President, will the Senator from New Mexico yield, to permit me to amplify that statement?

Mr. ANDERSON. I yield.

Mr. DOUGLAS. It would relieve the States of 40 percent of their total costs under the Kerr-Mills Act which are costs now being expended for hospital and nursing care. It would release those funds, which could then be used by the indigent for doctors fees and surgical services. Thus, by enacting a health care plan financed under the social security system we would increase the protection which the States can provide through the public assistance phase of medical care.

Mr. ANDERSON. That is true. That is one of the strong, attractive features of the proposal. It would do exactly that and permit a wiser use of the money. That is what many of us have been seeking to accomplish.

What would happen if we allowed this responsibility to go by default under the Kerr-Mills program? Once it became clear that we had saddled the Kerr-Mills programs with this burden, the pressures for increasing the Federal share of Kerr-Mills expenditures would soon become irresistible. The amount we would have to write into the blank check that the Kerr-Mills program gave the States would be staggering and without any predictable limits.

There are other inadequacies in the Kerr-Mills Act. As of June of this year, five States—New York, California, Massachusetts, Michigan, and Pennsylvania—were making 73 percent of all payments under the Kerr-Mills programs for medical assistance to the aged. They received 70 percent of all Federal funds; they had more than half of all the recipients; but they had less than one-third of all the aged in the country. Yet even with this imbalance in their favor, those five States aided only 1.8 percent of their aged.

I have wondered why we have not spent more time discussing those States and how they got into this situation. New York is a rich State. New York is a progressive State when it comes to looking after the aged. New York had a great many patients who received old-age assistance in nursing homes. When the Kerr-Mills Act was passed, New York did the simple thing. It merely took advantage of the situation. I do not mean that it did so improperly, but it shifted all the patients it could directly under the Kerr-Mills Act. The result was that New York paid out substantially more Federal money than its own money. Thus the cost to New York was less. The Federal Treasury was used to supplement the situation in the State of New York.

The table I have before me extends only through June 1964. It shows that New York had paid out $10,732,462, 29.1 percent of all the money being paid out. That was not quite as bad as it had been a short time before.

For the calendar year 1963, which is a full year, one we can measure easily, the State of New York paid out $112 million to its people, which was 34.1 percent of all the money paid out in the Nation.

I have no quarrel with the State of New York; but I do not see why New York should transfer its welfare burden to the rest of the country and make it impossible for some other States to take advantage of the Federal money. We would like to see many other States receive the benefits of this program; but it has been found impossible to bring this about.

In the last full year, New York, California, Pennsylvania, Massachusetts, and Michigan received 80.5 percent of all the money paid out on this coverage. While I do not regret that they received this money, I think it would be fine if we had programs that did not benefit so greatly the States that are rich.

I know how easy it is to say that we ought to do something else besides what we are doing.

Why are some of the States so interested in this question? A report has been prepared by the Public Affairs Research Council of Louisiana which shows the situation in Louisiana. The State is making cash gains from Kerr-Mills from hospitalization in charity hospitals. Prior to Kerr-Mills, those 65 and over were given treatment in charity hospitals, and the cost was paid by the State. Under the medical assistance for the aged program, reimbursement is made to the charity hospitals for the treatment of Kerr-Mills patients. This reimbursement includes Federal assistance. In 1961 and 1962 the State gained approximately $914,878 in Federal money.

Mr. DOUGLAS. This is from the Louisiana report itself?

Mr. ANDERSON. Oh, yes.

Mr. DOUGLAS. Louisiana is thus boasting that Federal aid under Kerr-Mills has helped to cut down the amount which it directly gives the aged in the form of hospital and nursing care.

Mr. ANDERSON. The Senator is correct. This is an analysis published by the Public Affairs Research Council of Louisiana, No. 109, February 1963, which is an analysis of the Kerr-Mills Act in Louisiana. We can understand why that appeals to the people of Louisiana. They have more royalties and various other things that make it easier to get along than do other States. States which are normally poor and have been poor for a long time are not able to do this. In a State like my own, we should like to have a program under the Kerr-Mills Act, but we have other demands for State revenue. That is why many States do not have the program. Those States find it extremely difficult to adopt the program.

Mr. GORE. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I am happy to yield.

Mr. GORE. The Senator has illustrated in a provocative way one of the basic faults and shortcomings of the present Kerr-Mills program. It is operating to bring maximum benefits to the old people in the richest States, which have the best means to care for their own, and it operates to bring the least benefits to the old people in States which have the least resources upon which to depend to bring relief to their older people.

Mr. ANDERSON. I agree with the Senator from Tennessee. I do not object to the people in New York doing so well. I do not mind at all that people in any of the States are receiving special benefits from the help which the State is able to extend. They are fortunate in having such resources.

At one time a great library came on the market, and the question arose as to whether Yale, Harvard, or Princeton would get it. They did not have to worry because there was only one State that could bid for it and that was the State of Texas, which bought it. It could buy anything it wished. I do not regret that. I wish my State could have afforded it, or some other Senator's State could have had it. When it comes to dealing with the poor and sick people of this land, we should try to provide some program under which all will benefit.

Mr. DOUGLAS. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. DOUGLAS. In the interests of fairness, should we not say that the severance tax imposed on the oil yields in the State of Louisiana was the result of the efforts of the late Huey P. Long, who was abused in many ways, but who really did tax the oil companies for the first time. His distinguished son is now a Member of the Senate. I believe that in justice to the Long family, this point should be emphasized.

Mr. ANDERSON. I do not question that. I know that it is so. I am glad that it is so. I have previously stated that the Senator from Louisiana has tried hard in the welfare field. But I also point out that this is a situation which is rather tough on States that do not have such advantages. If we placed a severance tax on the State of Arizona, for example, we would receive little in the way of royalties.

Mr. GORE. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. GORE. I should like to emphasize that though the benefits from the present program flow unevenly, or flow not at all, to the old people in a great many States, we do not seek to take one single benefit away from any old person in any State.

Mr. ANDERSON. I am happy that the Senator from Tennessee has again stressed that point, because it is absolutely correct.

In 1962, when the battle was on, the Senator from Oklahoma tried to point out that the Senator from New Mexico had opposed enactment of the bill. Unfortunately, the record was against him. No one tried to cut down the Kerr-Mills program. We did not try to do so in the presentation made in 1962. We did not seek to eliminate the Kerr-Mills program. We are not trying to do so now. We left it strictly alone in States which were fortunate enough to be able to take advantage of it. However, the rest of the country has some rights.

Mr. GORE. To state it in a little different light, no matter how vigorously we seek to bring into being the insurance principle of health care, there are—and I am sorry to say, perhaps there always will be—a considerable number of people who have not been in so-called covered employment, people who do not qualify on a contributory basis and who, therefore, at least to some extent, may remain indigent. In cases in which charity is the only way to reach a needy old person, we do not condemn charity. What we condemn is depriving millions of our old people and millions of people who someday will be old, who are self-supporting and self-respecting, and who wish to participate in a sound, insurance-type program of health care, of the opportunity to do so.

Mr. ANDERSON. I believe that is the whole story. No one minds what the people of New York are trying to do. It is in a fine financial situation. We are very glad that that is so. But we do object to the fact that some old people have to say, "We are indigent."

Not long ago I heard an address by the president of the American Medical Association, who brought out certain facts, but did not bring out the fact that only 18 percent of the aged people of Kentucky hospitalized under Kerr-Mills medical assistance for the aged stayed longer than 10 days in the hospital because the Kerr-Mills law in that State covers only 10 days of hospital care. Yet nationally about half of the aged who go to the hospital stay longer than 10 days.

Mr. GORE. Mr. President, will the Senator from New Mexico yield further?

Mr. ANDERSON. I am happy to yield to the Senator from Tennessee.

Mr. GORE. I should like to point out one additional provision of the King-Anderson bill, namely, an extension of benefits to people who are already 65 or who, during the next 2 years, will reach the age of 65. This is not a cold-hearted proposal. We recognize the need for the U.S. Government to be compassionate and considerate, but in the long run we wish to place this program on a sound and fiscally responsible basis.

Mr. ANDERSON. The Senator is correct. That very question shows the direction in which we are moving. We recognize that if we left out all those people at the present time, a great hardship would be imposed upon them. In a few years from now, most of them would be in covered employment and would have no trouble. Therefore, temporarily, to bridge that gap, for a short time, the cost would be paid out of the Federal Treasury.

That does not violate any principle, because the Kerr-Mills program is operated on the same basis. Therefore, these costs should be paid from the Federal Treasury for those who become sick and need help.

In the long run, the goal is to get people to make their own contributions. As a result they would be able to receive benefits of their own election. There is a feeling of satisfaction and comfort involved in that sort of program. The people would be taking care of themselves. The average person does not want to be a drain on society. He wants to feel that he has a right to receive certain benefits as a result of his labor over the years.

I do not know how many people have written me and stated that the one thing they like best about the King-Anderson bill is that it would give them an opportunity to make their own contributions and to receive medical care after the age of 65. I was amazed at the number of people who said they wanted to make their own contribution. I thought that people might be happy to get something for a very modest amount or nothing at all. But the situation is quite the reverse. Very few people said, "I am happy to have the benefit of the Kerr-Mills program." The bulk of the mail that I received read to the effect that, "I would be glad to pay my way. I want to start contributing now. I do not want to be a burden on my children and friends when I reach the age of 65. Therefore, I favor what you are trying to do."

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. DOUGLAS. Is not that exactly the same experience as the Senator from New York [Mr. JAVITS] had when he proposed a governmental-support system? Under this plan he proposed and I think quite properly—that the revenues would be collected on an authentically progressive basis, and distributed on a need basis. But the Senator from New York discovered that this system was not what the people concerned wanted. They wanted a program which would allow them to contribute their own funds. Therefore, the Senator from New York withdrew his federally financed proposal and substituted one which provided for contributions by employers and employees.

Mr. ANDERSON. That is one thing that I appreciate about the position of the Senator from New York. He faced the situation and found out what the facts were. He then came forward with a program to meet the facts. In connection with the previous program, he surveyed the situation through a panel. It was found that the people wanted to be financed through social security. Able and skilled hospital administrators found that it could best be done through social security. He changed his program accordingly. In my opinion, that is the mark of a man who is willing to face facts and not theories.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. McNAMARA. It has been stressed in the colloquy that people must be indigent in order to receive any benefits under the Kerr-Mills law.

In a great many States, not only must the applicant prove that he is indigent, but he must also prove that his children, his son-in-law, and others are indigent. That requirement goes a long way toward removing any dignity that an older person might have. In most cases, the older person will not take anything from the children of their children. They will not take anything from their grandchildren for their benefit. This is the last thing that they would do. That is also a dignity destroyer. I believe that the maintenance of dignity is extremely important, as the Senator from New Mexico has stressed.

Mr. ANDERSON. Mr. President, I thank the Senator from Michigan for his observation. I also thank him for the work that his committee has done. The committee has worked most diligently and produced more significant information than any committee I have ever observed. I thank the Senator from Michigan for the work done by his committee. Nevertheless, I believe it might be useful to have printed at this point in the RECORD a list of the States with "relative responsibility" provisions in MAA as of June 1964.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

STATES WITH "RELATIVE RESPONSIBILITY" PROVISIONS IN MAA—JUNE 1964

Sixteen of the thirty-seven jurisdictions with MAA programs operating in June 1964 consider ability of relatives to pay for medical care needs in determining eligibility of applicants. These 16 made 63.2 percent of total MAA vendor payments in May 1964—$22.2 million out of the total of $35 million.

State	Provision	Vendor payments, May 1964		
		Rank among all States	Amount	Percent of total
New York	Spouse, parents, and children, required to pay for care to full extent of ability.	1	$10,704,049	30.5
Massachusetts	Adult children must contribute within their ability.	3	4,177,570	11.9
Michigan	Contributions, including those not made but assumed available, considered as applicant's income, except during first 30 days of hospitalization.	4	1,937,462	5.5
Pennsylvania	Legally liable relatives must contribute to costs of recipient's medical care.	5	1,889,240	5.4
Connecticut	Contributions from spouse and adult children, including those not made but assumed available, considered as applicant's income.	7	1,092,337	3.1
New Jersey	State may seek recovery of MAA payments from recipient's relatives.	8	1,044,112	3.0
Iowa	Spouse and adult children must contribute within their ability.	10	379,640	1.1
North Dakota	Adult children must contribute within their ability.	15	254,129	.7
Utah	Relatives must contribute toward costs of medical care.[1]	18	234,160	.7
Illinois	Spouse and adult children required to contribute	23	169,988	.5
Hawaii	Adult children generally required to contribute according to a schedule.	24	157,654	.4
Hew Hampshire	Spouse and adult children must contribute	30	72,497	.2
Vermont	Adult children are expected to contribute to extent they are able.[1]	32	30,245	.1
Wyoming	Adult children must contribute to costs of medical care within their ability.[1]	33	8,291	(2)
Nebraska	Spouse, parents, and adult children must pay for care to full extent of their ability.		(3)	
South Dakota	Adult children must contribute within their ability.[1]		(3)	

[1] However, failure of relatives to comply does not affect applicant's eligibility.

[2] Less than 0.05 percent.

[3] No payments yet reported as of May 1964.

Mr. BURDICK. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. BURDICK. It was stated that the proposed legislation would in no way affect the Kerr-Mills program in States in which it is in operation.

Mr. ANDERSON. That is correct.

Mr. BURDICK. Would it be possible for a recipient to receive benefits under both programs?

Mr. ANDERSON. Common practice would take care of that. Thus far, there has been no difficulty in the administration of the program. Even though a person who received Kerr-Mills funds might be indigent and completely in need of funds, he would not receive benefits from the case aid worker, and further benefits from the State. He would select the way in which to travel, and he would travel that way.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. DOUGLAS. The King-Anderson bill and the Gore amendment would provide for hospital and nursing care. It would not provide for medical services or surgical services. If an aged person is indigent, he can receive the benefits he is entitled to receive under the King-Anderson or Gore proposals. Thus, through the social security health care program he will receive payment for hospital and nursing services. In addition, however, an aged person who is indigent could also receive payments under Kerr-Mills for medical and surgical services. In other words, under certain circumstances, the two could be blended just as old-age assistance is blended with old age security. But the Senator from New Mexico is completely correct in saying that there would be no duplication of benefits. But if a person used up his eligibility for hospital and nursing care under the King-Anderson or Gore proposal and was still sick, supplementary care in hospital and nursing homes could be provided under the Kerr-Mills law.

Mr. BURDICK. Would it be a fair statement to say that there would be no conflict, and that one program might supplement the other?

Mr. DOUGLAS. That is correct.

Mr. ANDERSON. To emphasize the point made a while ago by the Senator from Tennessee [Mr. GORE], if this measure were to pass, it would relieve many States of some of the obligations they now have under the Kerr-Mills law. It would be possible to place that money where it was most needed. The real problem is how to eliminate a part of the load and spend the money more properly on other cases.

One thing that I learned when I tried to administer the relief program under Harry Hopkins was that we were always short of money. The only way to obviate the difficulty was adequately to take care of the people who were really in need, to the exclusion of the remainder of the people.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. CARLSON. It might be interesting to read for the RECORD, in view of the question asked by the Senator from North Dakota [Mr. BURDICK], from page 476 of the transcript of the hearings. It reads:

BENEFITS PROVIDED

> During the fiscal year ended June 30, 1962, according to the Department of Health, Education, and Welfare, $350.7 million in OAA funds and $194.8 million in MAA funds—over half a billion dollars—were spent in vendor payments for health care.
>
> About $210 million went for in-patient hospital care, $207 million for nursing home care, $49 million for physicians' services, $47 million for prescribed drugs, $6.3 million for dental care, $17 million for other services, and some $4 million was not identified as to type of service.

I believe that is an interesting statement to have printed at this point in the RECORD. Many people believe that under the King-Anderson bill, all services would be taken care of—drugs, hospital care, and nursing care. It is unfortunate, but it is true, that many people have been led to believe that they would receive such services under the bill.

Mr. ANDERSON. I recognize that people believe that. But we pointed out in the discussions in 1962, as we shall have to do again, that under the King-Anderson proposal recipients would not receive payments for physicians charges. Under Kerr-Mills, they can have dental work done and get eyeglasses. It is said that one could get a new toupee. But that could not be done under the King-Anderson bill. One could obtain nursing and hospital care, and things of that nature. That is why I want to get that much provided for.

I do not believe that anyone who lives in my home community thinks that I am hostile to the doctors of that community. I do not believe I am. The doctors in my home community asked me to discuss the issue of health insurance for the aged with them. They then took a secret ballot to see how many of them favored the proposal. I was surprised at how many of those who participated in that secret ballot favored the program.

There is nothing in the bill which would strike at the medical profession. The bill would make it possible for aged people to pay for hospital care. If people had hospital care on a basis for which they have previously arranged, they would then have sufficient funds available for other purposes.

I have tried to say to doctors all across the land that the greatest blessing that could come to them would be the passage of the King-Anderson bill, for hospital bills would be out of the way, and doctors would have an opportunity to collect their bills. I would hope that they would. When people leave hospitals, they are presented with bills. In most cases, the hospital requires payment in full or a substantial portion of such bills. When the aged patient is through with that payment, he may find it difficult to pay the doctor the following week.

While I do not know what the general practice is, I know that when I left the hospital I received a bill and paid it. I did not receive a medical bill, but I shall pay it when it comes. The average person might find it difficult to pay a hospital bill and then face the possibility of paying a substantial medical bill.

The doctors would be best served by having established a system for meeting the cost of hospital care for aged patients. That cost has become frightfully high.

Forty-six or forty-seven years ago I went into a tuberculosis sanitarium. I remained there for $60 a month—not a day or week—but a month. It was a hospital operated by the Methodist Church.

I suggest to Senators that they try to find hospital care anywhere in the United States at the present time for $60 a month. We can find it for $35 a day or $38 a day. The hospitals in many communities have had to change their whole scale of charges. The charges have reached fantastically high figures, but hospitals have had to make those charges because of increasing costs. The increasing costs are borne by people who go into hospitals. There is no grab bag out of which such costs can be taken. There is no magic fund into which hospitals can reach in order to meet their costs. The only way a hospital can meet its costs is by charging for the care given.

For that reason we have tried in the amendment to make sure that a person would not be bankrupted, if he should go to a hospital, because of higher costs. While there is a provision for sharing additional costs, I do not think such a provision would be necessary. I agree with the able economist who represents the State of Illinois, the senior Senator from Illinois [Mr. DOUGLAS], when he says that the level of wages also rises, and when that happens sufficient money comes into the fund. How right he has been.

Those people who cannot remember what it was like to get the social security program underway need but recall what the Senator from Illinois frequently has said. When the social security program was started, I was one of those who was present at its launching. There was grave doubt as to how it would work. Constant predictions were made about how the fund would be bankrupt in a short time.

We have lived to see all of that changed. We have lived to see the social security program removed as a cause of controversy in elections. It is only in this final effort to try to add some health care and hospital care that we get into difficulty.

What happened when the provision for disability payments came up in 1956? We had the same sort of testimony from the medical people. We were told that it would be horrible to put a disability provision into the law. We were told that it would be the wrong thing to do. The very able and distinguished chairman of the committee, Walter George, was extremely reluctant to look at it for a long time. I gave him great credit, for he reversed his position and decided that a provision for disability could safely be put into the law. But he did not make the statement for a long time. Those of us who were members of the Committee on Finance at the time were trying our very best to get through a provision for disability past the age of 50. We had a hard time persuading Walter George that that was a sound thing to do, because he thought that it might bankrupt the fund. It was only when a special provision to put the program in a special fund was made that Walter George could be induced to throw the influence of his long tenure and high standing in the Senate behind the bill on the floor of the Senate.

What has happened? Has any Senator heard recently of anyone suggesting that we must get rid of the disability provisions of the law? They have operated about as predicted. It is true that the Congress in a moment of generosity took off the 50-year limitation. I did not quite agree with that action then. I do not quite agree with it now. But unfortunately for me, I suppose, the work goes ahead and people forget that there was any objection to it. In a short time I forget it myself, because the general sentiment stays with that sort of program.

I say to the Senate today that if the amendment offered by the able Senator from Tennessee [Mr. GORE] and his associates is adopted as an amendment to the Long amendment, we shall find in the intervening years that we shall be proud of our handiwork. It will require some time. The program will not work well immediately. Many questions will arise, and we shall have to work at the problem steadily. We have even the problem of a conference with the House to arrive at a final bill. We do not know what will happen there. But the Senate will have an opportunity to act on the bill. I hope that the Gore amendment will be accepted by the Senate, will be accepted by the conferees, and will become law. But if it does not, I know that the Senate will have taken the right step if it votes for the amendment.

Mr. BEALL. Mr. President, when Congress enacted the Kerr-Mills program in 1960, we settled the question of whether the Federal Government should assist our elderly citizens in meeting the costs of health care. The question before us today, therefore, is not "Shall we provide medical care for the aged?", but rather, "How can we improve and build upon those programs already in existence?"

Instead we are being asked to abandon all that has been done thus far and embark on a totally different approach to the problem of helping elderly citizens obtain medical care. This different approach contemplates financing medical care under the social security system. In this way, we are told, every citizen upon reaching age 65 will be guaranteed access to necessary medical services. This is a noble goal and one to which I fully subscribe. But, I question the ability of the social security approach to achieve this goal.

This question of medical care for the aged has been before us for several years. Volumes have been compiled purporting to define the problem and devise a solution.

We know there are 17 million people over 65 years of age. Those over 65 account for 9 percent of our population and receive 8 percent of personal income. More than half of these people have some form of medical insurance. We know much more which we have included in our statistical description of the aged. But, in our haste, we have forgotten that the beneficiaries of our labors are not statistics, but people. We seem to have forgotten that each individual has separate and different needs demanding separate and different remedies. In brief, Mr. President, I believe we have lost sight of the human element.

This is especially true with respect to the proposals which would enlist the social security system as a means of providing medical care for the elderly. The King-Anderson bill would lump together into one mass every individual over 65 regardless of financial ability, medical needs, or the desire to participate in the program. This program requires compulsion for its existence and therein lies its greatest weakness. From American labor we will take increasing payroll taxes to finance the health needs of millions who are fully able to provide for themselves. At the same time, we must reduce the services available to those most in need so that we will not deplete the funds available.

A second proposal suggested by the distinguished Senator from Connecticut offers an option of higher cash benefits or a health care package. This would imply a voluntary program. But, I do not think any Senator here today believes for a minute that we will not be asked next year to complete the cycle and adopt the full package of a compulsory program.

Both King-Anderson and the Ribicoff amendment are advertised as solutions to the problem of assisting individuals who are not financially able to provide for their own needs. The fact is that both provide only a fraction of actual medical costs. To the individual in need, a 25-percent discount is hardly indicative of guaranteed health care. The medically indigent will find little solace in the fact that they will only have to pay 75 percent of the medical bill. Remember, these proposals do not cover doctor's bills, diagnostic examinations, drugs, and other basic costs.

Mr. President, I am prepared today to support measures which will truly meet the needs of our elderly citizens. I am not prepared to endorse a program which will place an undue financial burden on young workers in order to provide inadequate medical protection for those who need it and for those who do not.

An effective program must take into consideration three important factors.

First, we must guarantee that there will be sufficient doctors, nurses, and medical facilities to meet the needs of all citizens. We have already started by enacting the Health Professions Education Assistance Act and the hospital and medical facilities amendments. I supported these measures because I believe they represent a legitimate use of the taxpayers' funds to improve our Nation's medical services.

Second, an effective medical care program must meet as nearly as possible the total needs of the medically indigent while providing some assistance to those who can take care of normal health care, but cannot withstand a catastrophic illness. This is impossible under social security. It is possible through the Kerr-Mills program. If we really want to do the job right, let us adopt amendments to the Kerr-Mills program modifying the eligibility requirements with respect to income. Let us meet the problems facing our elderly citizens who are able to take care of their normal medical expenses, but who need assistance when serious long-term illness strikes. Under social security, we will meet only a fraction of the costs of medical care. Under Kerr-Mills we can provide greater coverage without distorting the time-tested structure of our Nation's medical services.

Third, an effective program must be financially sound. It must provide adequate funds to finance medical care without placing an undue burden on those who must pay the taxes to support such a program. The social security approach places the entire financial burden on our young workers who already are faced with the increasing expenses of raising a family, buying a home, and providing for the future. The medical needs of our elderly citizens reflect a national problem, and every citizen should be given a role in the efforts to reach a solution to that problem. Under any program, the costs will be high and should be spread across the broadest base. For this reason, Mr. President, I support the approach which asks all taxpayers to assist their less fortunate countrymen. I have no illusions about the future of health care programs in the United States. Costs will increase and coverage will be expanded. This will require tax increases, and I fear we will find ourselves killing the goose that lays the golden egg—the American laborer.

Finally, Mr. President, we ought to face up to the fact that we are making it increasingly difficult for even the upper middle income groups to provide for their own needs. As we add new taxes, we reduce the buying power of the wage earner. At the same time, we raise new risks of inflation, which is the most destructive thief of purchasing power.

Much has been said about the dignity of the individual, but little has been done to assure that these individuals will be able to approach the twilight of their lives with dignity. There is a demonstrated need for increasing social security benefits, and I shall support appropriate amendments to accomplish this end. But, we ought to go further. We ought to adopt amendments which will help our aged citizens meet their own needs in a dignified manner. Along these lines, I favor a further increase in the amount of outside income an individual can earn without losing social security benefits.

Finally, I believe consideration should be given to amending the Internal Revenue Code to permit greater deductions for medical expenses. We might also explore the feasibility of giving doctors the privilege of a charitable tax deduction for services performed free of charge. These are the means by which we can guarantee dignity to all individuals. These are the means by which we can preserve the system which has made us the world leader in medical services.

To the extent that we can make more individuals self-sufficient, we can better help those who cannot provide for themselves.

Mr. President, we must take action to improve the existing programs which assist our elderly citizens in obtaining adaquate medical care. I shall fully support those proposals which meet the criteria I have outlined. At the same time, I intend to support amendments designed to provide a significant increase in cash benefits to our social security beneficiaries.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. BEALL. I yield to the Senator from Kansas.

Mr. CARLSON. I commend the distinguished senior Senator from Maryland [Mr. BEALL] for an excellent analysis of the problem concerning our aged citizens who are in need of medical care and hospitalization. I know of no Member of the Senate who has been more concerned and interested in the welfare of that great group of American citizens than has the Senator from Maryland, as demonstrated by the very excellent speech he has just made.

Personally, I was pleased that the Senator mentioned the fact that under what is known as the King-Anderson bill our aged citizens would receive, principally, more hospital care and nursing home care, when, as everyone knows, our elderly people need not only hospital and nursing home care, but the services of physicians, drugs, attention from dentists, X-rays, and many other kinds of treatment.

I was pleased to hear the Senator from Maryland state that these are items which should be given consideration, and that amendments should be proposed to the Kerr-Mills law which would provide these additional benefits.

I assure the Senator that I shall cooperate in trying to bring about amendments to the Kerr-Mills bill which are necessary to greatly improve the program.

I thank the Senator for yielding.

Mr. BEALL. I thank the Senator for his kind remarks.

I am sorry the Senator from New Mexico has left the Chamber, but I can say for the RECORD that I have spent more than 2 years in hospitals. I was the third patient in America to receive the Pasteur treatment. When I was a little boy my mother took me to the Mercy Hospital in Baltimore. Then I spent 2 years in orthopedic hospitals. So I think I know something about medical care and the need for protection against long-term illness. Extended hospitalization depletes the financial resources of the patient and his family. This is what we must protect against. This is what we ought to be talking about.

Mr. McNAMARA. Mr. President, for the past 6 years the problems of our older citizens have been the subject of intensive and continuing study by the Congress.

Although my interest in this subject predates by many years my service in the Senate, it has been my privilege since 1959 to be deeply involved in this effort.

During the 87th Congress, I was privileged to serve as chairman of the Senate Special Committee on Aging. For 2 years prior to that, I was chairman of the Subcommittee on Problems of the Aged and Aging of the Labor and Public Welfare Committee. Currently I am chairman of the Subcommitee on Health of the Elderly of the Special Committee on Aging.

During the past 6 years, under a mandate from the Senate, we have investigated and evaluated the status of the 18 million Americans who are 65 years of age and over.

We have consulted with the acknowledged experts in the field of aging and have benefited from their extensive research.

We have held public hearings throughout the country to learn first-hand the difficulties and the unique problems facing our older citizens. A long list of committee reports attest to the scope and the depth of this fact-finding effort.

And from these years of work, Mr. President, two basic conclusions emerge:

First, the older people of this country have a deep and abiding desire to live their retirement years in independence and dignity.

Second, the greatest threat to this desire for an independent and dignified existence is the inability of our older citizens to cope with the high cost of hospital and related care.

Other problems, to be sure, trouble people in their retirement years. But overshadowing everything else is the haunting fear of financial catastrophe resulting from serious illness.

We cannot, of course, eliminate the likelihood of serious illness among the elderly.

But we can extend to them the hope that when illness does strike, it will not leave them financially destitute.

The legislation we are considering today, a program of hospital insurance through social security, would offer them that hope.

As the late President John F. Kennedy said in a message to the Congress on February 21, 1963:

> A proud and resourceful nation can no longer ask its older people to live in constant fear of a serious illness for which adequate funds are not available. We owe them the right of dignity in sickness as well as in health. We can achieve this by adding health insurance—primarily hospitalization insurance—to our successful social security system.

As recently as last week, President Johnson in accepting the Democratic nomination for President, reaffirmed his support of this program. He said:

> Most Americans want medical care for older citizens—and so do I.

Mr. President, the issue of hospital insurance for the elderly under social security is not new. It has been before the Congress for almost a generation.

It was recommended back in the 1940's by President Truman. It was the first bill introduced by the distinguished Senator from Minnesota, and our new vice presidential candidate, HUBERT HUMPHREY, when he first entered the Senate in 1949.

For far too long, we have debated, discussed, dissected, and analyzed this proposal, without acting upon it one way or another.

It should be a source of shame to all of us that the United States of America is the only industrial nation in the Western World that does not have a program of hospital insurance for its senior citizens.

I believe we owe it to the 18 million older Americans, whose numbers increase by 1,000 per day, to take positive action on this issue now. They have waited patiently for years. And they deserve an answer—now.

All too often, in our concern with statistics, charts and tables, and our legalistic arguments, we tend to lose sight of the fact that hospital care is an intensely personal problem with deep emotional significance to millions of people.

Because I am so prominently identified with this issue, I have received thousands of letters from older people in every part of the country telling about their desperate experiences with illness and describing the financial impact of hospital care upon their meager budgets.

Because I think it may help give us a more human perspective to this issue before us, I ask unanimous consent that a representative sampling of this mail that I have received on medicare be inserted in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

ANN ARBOR, MICH.,
March 13, 1964.

Senator PAT MCNAMARA,
Washington, D.C.

DEAR SENATOR MCNAMARA: I am writing to set forward my views on the King-Anderson bill (H.R. 3920).

In my opinion, as a physician concerned about the increasing inability of more and more of our patients to pay for adequate contemporary medical care with its constantly rising costs, this is valuable legislation and I strongly urge its passage. I agree with many of my professional colleagues who feel that this bill does not include many groups who most urgently need its assistance but it will reach many who are presently unable to financially meet the costs of adequate medical care. I envision this measure as the first of several needed to permit all Americans to receive the increasing benefits of modern medicine without fear of staggering financial loss.

The passage of H.R. 3920 will improve the availability and raise the standard of American medicine. I wish to give this measure my unequivocal professional support.

Yours truly,

——— ———.

GRAND RAPIDS, MICH.,
January 25, 1964.

Senator PATRICK MCNAMARA,
Washington, D.C.

DEAR SENATOR: Recently, both my father and mother had to go to the hospital. My mother had a stroke, and my father had pneumonia. My father is 78 years old, and my mother is 69 years old.

They were both in the hospital at the same time, and the total bill came to $1,115.04. They were there about 3 weeks.

I am writing to you to ask you to put forth every effort to help get a medical aid bill through, to help those people on social security.

The total amount of the doctors' bill was $181.46 (three doctors). The doctors were easy on them, but the hospitals seem to have no mercy.

My father was just a common factory worker, and as such did not have much of an opportunity to save much money. My parents raised four children, and did manage to get a modest home paid for.

If my parents had two more visits to the hosptial, that were as costly as the first one, they would be broke, with the exception of their social security checks, and a $29-per-month pension that my father gets from the factory where he used to work.

I know you are for medicare, and I hope that you will continue to push for it, and if there is anything that I can do, as an individual, please write and let me know, because I know from firsthand experience that a lot of our senior citizens are not getting the medical care that they need, because they are afraid of the exorbitant costs.

Yours truly,

——— ———.

BELLAIRE, MICH.,
March 5, 1964.

Senator PATRICK V. MCNAMARA,
Washington, D.C.

DEAR SENATOR MCNAMARA: In 1945 we paid about $65 for Blue Cross coverage for 1 year, then I was young enough to be on salary. Now I am 70 years old and get social security check of $136.50 per month for both wife and I. It takes 2¼ checks or $314 for a years' coverage of Blue Cross and Blue Shield.

In November 1963 I was in the hospital for 21 days. The cost to me for doctor, ambulance, X-rays, and drugs the day I came home was $93 and about $20 for drugs each month. These expenses are above what was covered through our insurance.

Blue Cross and Blue Shield are raising frequently until they can scarcely be met.

We feel there is an urgent need for insurance for senior citizens attached to social security.

Please support this measure.

Respectfully,

——— ———.

EAST CLEVELAND, OHIO,
April 7, 1964.

Senator PAT MCNAMARA,
Washington, D.C.

DEAR SENATOR: I am writing you on the subject of medicare. I am an average retired factory worker, raised 5 children during the depression and was 55 years of age before we could accumulate a few nickles for retirement. I had to work to age of 68 because we needed the money. After leaving the company our hospitalization was cut off and we were on our own, listed as nongroup and our Blue Cross rates doubled. I am 71 and my wife 62. Our combined social security check is $163 a month. This is our only income. Out of this we have to pay Blue Cross about $48 per every 2 months or $24 a month. This is over 50 percent of my wife's share of the social security check.

We had $2,000 in a small nest egg which is rapidly being depleted by hospital protection. We cannot afford any pleasures or vacations on account of this expense. The American Medical Association tries to show how many seniors are insured but they say nothing of the deprivations we go through to keep covered. This is the oldest bill before Congress and in all fairness the Congress should be given a chance to vote on it.

Cordially yours,

——— ———.

TRUMBULL, CONN.,
May 4, 1964.

Senator PAT MCNAMARA,
Washington, D.C.

DEAR SENATOR MCNAMARA: Because you seem to be giving so much of yourself to help the medicare bill I am writing to thank you for what you are trying to do.

My husband and I are almost 70 and we are paying all these health insurance bills yet if we need a doctor we find it so hard to pay him and then pay for the expensive medicine. These insurances are mostly because of the constant fear we have of ever having to go into a hospital. I was in five times in 4 years and know what has to be paid along with the insurance.

Please help us.

Sincerely,

——— ———.

ALGONAC, MICH.,
May 11, 1964.

Senator PAT MCNAMARA,
Washington, D.C.

DEAR SIR: As you are chairman of the health of the elderly I would like to write to you about my experience with a private company in which I carry hospital insurance.

I spent 32 days in Mount Clemens General Hospital and the total bill was $1,883.08. My insurance company paid $835.

My premium is $194.70. This covers the wife and myself. I can't do any better with any other company as when one gets past 65 years the premium really goes up and they just pay a part of the costs.

I was fortunate to have the money to pay the extra costs but I know a lot of elderly folks that don't have hardly enough to live from day to day.

I think something should be done to assist these elderly folks.

Sincerely yours,

——— ———.

St. Clair Shores, Mich.,
May 13, 1964.

Re medical care for the aged.
Senator Patrick McNamara,
Washington, D.C.

Dear Senator: My wife and I are retired and we find that we can live very well on our social security and some interest.

Our big worry is hospital care. If we would have to use some of our capital to pay high hospital bills it would cut down our living standards.

In the past 10 years we have had six hospital bills of about $1,000 each. The bills were mostly taken care of by covered employment. We do not have it now.

Yours truly,

——— ———.

Miami, Fla.,
April 27, 1964.

Senator Pat McNamara,
Washington, D.C.

Dear Sir: I am 100 percent behind you in your fight for medicare, or some plan for relieving the high cost of medical and hospital care for the senior citizens.

I am 71 years old and my wife and I live on a very small income from social security of $91.30 per month, plus $72 civil service pension, and very small savings.

If we would have a major sickness we would have to take a pauper oath under the Kerr-Mills bill or go broke.

For 45 years I carried policies of health and accident, cost me nearly $15,000. At 65 they canceled; now I have nothing.

The new hospital and medical insurance sold to the aged at present is too costly and if purchased at reasonable rates they are very inadequate. Something has to be done as there are millions besides myself that are in the same fix as I am.

Sincerely,

——— ———.

Lansing, Mich.,
February 3, 1964.

Hon. Patrick V. McNamara,
Washington, D.C.

Dear Senator McNamara: We are senior citizens from Lansing, Mich. I have been in and out of hospitals; Sparrow in Lansing and Butterworth in Grand Rapids for the past year from December 1962 to December 1963. I am not through yet. Have spent over $8,000 plus doctor bills for two operations and still go in for X-rays, blood tests, etc., every month or two.

We have spent all our savings and are at the end of the rope, so to speak. I am 72 years old in April. Have not been able to do any work for the past year. I took out Blue Cross, senior citizens plan, when it opened last summer, in July. Also took out "65 plus" plan with the Continental Casualty Co. Neither one have paid 1 cent to date. Continental Casualty Co. raised their premium February 1 from $6.50 per month to $8. Agree with you, something should be done to protect our senior citizens. We try to be independent, but how long can we go on? They claim "preexisting condition." Glad you are investigating for us. We sure need it.

Sincerely,

——— ———.

Greensburg, Pa.,
July 30, 1964.

Senator Pat McNamara,
Washington, D.C.

Dear Senator: I wrote you some time ago about my experience with Blue Cross and received a nice reply for same.

I am writing this in regards to a piece I read in the Pittsburgh Press about "Goldwater clashes about medicare need." I can say this, he is all wet in his statement. I have had the experience with my wife being ill for over 3 years, when she died March 30 this year.

I spent every cent I had saved and I had to sell my home. I am 70 years old and my wife was the same. I can tell you what it means with hospital, doctors, and nursing homes, plus housekeeper expenses before putting her in a nursing home. All this when you are on social security and a small pension.

Yours truly,

——— ———.

Santa Barbara, Calif.,
July 23, 1964.

Hon. Patrick V. McNamara,
Washington, D.C.

Dear Senator McNamara: We do thank you for your courageous stand, and we know that millions of others do the same. Our case (the same as many others) is that both my wife and myself had operations and hospital care about 2 years ago and spent most of our savings.

Now we need more and no more surplus to take care of us.

We have social security but will have to go on county welfare to keep going. We don't like it but there is no alternative at present.

Sincerely,

——— ———.

Ludington, Mich.,
March 10, 1964.

Senator Pat McNamara,
Washington, D.C.

Dear Senator McNamara: I wish to inform you that I am a practicing physician, a member of the Michigan State Medical Society, and the American Medical Association.

I am strongly in favor of the King-Anderson bill and wish to inform you that I am one of the members of the Michigan State Medical Society not opposed to legislation for medical care for the aged.

As you well know, the present system in Michigan is inadequate in meeting the needs of our older citizens.

I hope you will give the King-Anderson bill your support.

Sincerely,

——— ———.

Mr. McNAMARA. Mr. President, during the continuing debate over the proposals to add hospital insurance to the social security program, the opponents have argued that the Kerr-Mills MAA program, plus private health insurance, makes any new program unnecessary.

The Subcommittee on Health of the Elderly of the Special Committee on Aging has devoted a substantial amount of attention to both the Kerr-Mills program and the role of commercial health insurance.

The information we have developed makes it abundantly clear that Kerr-Mills and private health insurance, by themselves, simply are unable to do the job which must be done.

I believe that both Kerr-Mills and the commercial insurance companies have important roles to perform in meeting the health needs of the elderly.

I believe further that they will function much more effectively as a supplement to, rather than a substitute for, a program of hospital insurance financed through social security.

The deficiencies of Kerr-Mills as a principal Federal answer to meeting the health needs of the elderly have been thoroughly documented in three reports issued by the Special Committee on Aging. The basic shortcomings of Kerr-Mills are as follows:

First. Since it must be implemented by State action, it is not a national answer to what is obviously a national problem. After 4 years of operation, only 33 States have Kerr-Mills programs in operation, which means it is not available at all in 17 States.

And in those States that have acted there is a wide variation in eligibility requirements and the types and duration of benefits. Geography, not need, determines whether or not an ailing elderly person shall be helped.

Second. The most serious failing of the Kerr-Mills program is the fact that it employs a "means test" to determine eligibility. This is a fatal flaw because it only offers some help after the irreplaceable assets of an older person have been depleted to the point where he is dependent.

What we need is a program which offers help as soon as health costs are incurred, as a matter of earned right.

Third. Under Kerr-Mills, the wealthier States most able to raise the matching funds required have received the "lion's share" of the Federal money spent on the program. They have done this despite the fact that they are required to put up a higher percentage of matching funds than the poorer States.

The poorer States, where the need is the greatest, have been unable to offer much more than token programs, even with Kerr-Mills Federal money.

Fourth. Kerr-Mills MAA has, in large part, been used by the States as a vehicle to secure greater Federal matching funds for the cost of caring for persons previously eligible for other Federal programs in existence prior to Kerr-Mills.

Some 100,000 persons have been transferred from other programs to Kerr-Mills. Thus, to a great extent, Kerr-Mills MAA has not been a new program for a new group of people, the so-called medically indigent, as it was intended to be.

The inability of Blue Cross and the private health insurance industry to meet the health needs of the elderly has been convincingly documented in the recent report of the Subcommittee on Health of the Elderly.

Our subcommittee report is based on an extensive study over a period of many months—of Blue Cross and the private health insurance industry.

The summary of this report, which was issued in July 1964, details the findings of the subcommittee and I ask unanimous consent that it be inserted in the Record at this point in my remarks.

There being no objection, the summary was ordered to be printed in the Record, as follows:

SUMMARY

Private health insurance is unable to provide the large majority of our 18 million older Americans with adequate hospital protection at reasonable premium cost.

The Subcommittee on Health of the Elderly of the Special Committee on Aging has arrived at that conclusion following many months of intensive study of the health insurance needs and problems of the elderly.

The investigation by the subcommittee developed a substantial body of information heretofore not compiled or available. In large part, these new data (included in the body and appendix of this report) lead to the following findings concerning the inability of private health insurance to meet the needs of the aged:

1. Only 9 million of the Nation's elderly—one-half of the total—held hospital insurance policies at the end of 1962. The other half—predominately the very old, those in poor health, the unemployed, and those with the lowest incomes—were without hospital insurance coverage of any kind. They are the most difficult to insure—even in terms of acquiring the cheapest and most inadequate of policies, and, additionally, are the very ones who need the protection the most.

2. The health insurance industry has reported a substantially greater number as insured—10.3 million. The subcommittee is convinced that this is an inflated figure, concocted to creat an illusion of great strides by private health insurance in extending coverage to the aged. In reality, however, the "stride" was no more than a "limp." Based on our hearings and investigation we are convinced that facts were distorted and manipulated in an effort to create an impression that Congress need consider no further action to meet the hospital insurance needs of the elderly.

For example, the Health Insurance Association of America told the Ways and Means Committee of the House of Representatives in November 1963 that "more than 2 million" aged were covered by individual company mass enrollment programs. The source they cited was their own publication which upon inspection was revealed to state "well over 1 million"—not the same as "more than 2 million." But reports to this subcommittee from the companies concerned show that at most not more than 750,000 people are covered under the individual company mass enrollment programs.

The inaccurate data furnished by the health insurance industry was used to support the minority views included in our subcommittee report of Otcober 1963 on the Kerr-Mills program which contained the following statement:

"* * * there has been an intensive development and sale of new health insurance plans for older people. These have included mass enrollment plans requiring no physical examination. Several companies have sold over 1 million each of such plans."

Again, reports to the subcommittee from the companies involved, indicate that all of the individual company mass enrollment plans put together insure not "several million" but less than 750,000 different people.

3. Only one in four older people holds adequate hospital insurance under the definition of adequacy established by the American Hospital Association. Well over one-half of all commercial hospital insurance policies pay only $10 or less a day toward hospital room and board charges which now cost an average of $20. Commercial insurance coverage of hospital "extras"—drugs, laboratory fees, X-rays, etc.—is equally poor. This is significant because these services cost about as much as the room and board bill.

4. For many years Blue Cross has come closest to providing adequate hospital insurance for the aged. But now Blue Cross, under competitive and cost pressures, is employing a variety of devices—deductibles, coinsurance, and dollar limits on benefits—which reduce the extent of protection. Those aged who have been adequately covered in the past will find their hospital insurance covering smaller and smaller proportions of their bills in the future.

5. The older Blue Cross subscriber is being subjected to double barreled pressure. Not only are his benefits being cut, but his premium charges are being increased with painful regularity. The cost problem is further aggravated by another development to the point where the older Blue Cross member is virtually being priced out of the market. Blue Cross plans have or are seeking to abandon the concept of "community rating" in favor of "experience rating." "Experience rating" bases premium charges on the extent of use of insurance benefits. The aged, who use far more hospital services than other subscribers, will be particularly affected. As an example of the impact of "experience rating," the chairman of the New York State Joint Legislative Committee on Health Insurance Plans told the subcommittee that premium charges to the elderly might rise as much as 100 percent within 3 years under the "experience rating" system proposed by the New York City Blue Cross Plan—the largest in the country.

6. The best of the commercial health insurance plans—the so-called "blue ribbon" policies—are so expensive that they are beyond the economic reach of most elderly persons. Although they offer only partial protection, such policies now cost an elderly couple from $500 to $600 a year, with the strong probability that further premium increases will be forthcoming.

Since the median income of aged couples in 1962 was only $2,875, it is obvious that the vast majority of them cannot afford this kind of protection.

7. The so-called "State 65" programs, where several insurance companies combine to operate a pooled-risk plan, have made virtually no progress in meeting the needs of the aged. They are costly now and will cost even more in the future. They have built-in factors—such as lack of growth in numbers covered and the increasing age of participants—which raise serious questions concerning their long-term stability.

In summary, the extensive data and testimony presented to the subcommittee led us to the firm conclusion that private health insurance—with respect to the aged—is losing ground, not making progress. The elderly who now hold private health insurance are having great difficulty keeping even an inadequate level of protection. They find themselves squeezed between higher premiums and shrinking benefits, as hospital and medical costs continue to climb.

As a result, increasing numbers of our older people are confronted with financial castastrophe brought on by illness.

It is quite clear that the Congress has the responsibility and the obligation to act, and act quickly.

It is equally apparent that enactment of a program of hospital insurance financed through social security is the logical course for us to follow.

Mr. McNAMARA. Mr. President, I also ask unanimous consent that an editorial from the Fresno, Calif., Bee, discussing the report, be placed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Fresno (Calif.) Bee, Aug. 5, 1964]

HEALTH CARE FOR AGING SHOULD BE IMPROVED

A majority of the members of a special U.S. Senate subcommittee studying the health problems of America's 18 million elderly people filed a report recently which should leave no doubt as to the need for improved health care for those over 65.

Of these 18 million Americans, the subcommittee stated, only one-half have hospital insurance policies of any kind and only one-half of the policies meet the definition of adequacy established by the American Hospital Association.

The 9 million persons over 65 who are without insurance are predominantly very old, unemployed or with low incomes, the very people in fact who need protection the most. They are extremely poor prospects for private insurance and yet are reluctant to declare themselves indigents, which is necessary to get the Kerr-Mills aid.

These statistics make a mockery of the callous declaration of the Republican members of the subcommittee, including Senator BARRY GOLDWATER, of Arizona, that the report "appears to be aimed at discrediting and undermining confidence in Blue Cross and the health insurance industry."

If this is the best the Republican minority could come up with, it certainly offers little comfort to the 13 million or more Americans who have no health insurance at all or whose policies fall far short of covering their hospital expenses.

It is a case of missing the point entirely for GOLDWATER and the subcommittee minority to say the report aims to discredit legitimate private health insurance.

The report does not criticize the insurance companies for what they are doing, nor should it. As the subcommittee states, these companies are operating under increasing cost pressures and find it necessary in many cases to raise rates and reduce benefits.

Under social security people would pay through their working years for hospital care when they retire and then cannot finance health insurance out of their greatly reduced incomes. What is so wrong with that? And it is completely wrong to say those who are trying to meet the problem in this manner are trying to discredit private health insurance.

Nonsense. That is like trying to cure a headache by shooting the doctor.

Mr. McNAMARA. In conclusion, I point out that the American people want this program of hospital insurance through social security.

It is desired not only by the older people who are in immediate need, but by their children and grandchildren, as well.

Younger people see this program as a means of aiding their parents and grandparents without a catastrophic impact upon their family finances. They also see it as a means of providing for a good part of their own health needs when they reach retirement age.

In each of four Gallup polls on this question, a majority of all those expressing an opinion stated their support of a social security financed hospital insurance program.

Mr. President, the time for action on this program is now. We have studied and debated this issue for years. All the information needed for us to make up our minds is available.

Our older Americans have waited for years. The longer they wait, the worse their situation becomes.

Further delay is intolerable.

We must act—and act now.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 557 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd

Dominick
Douglas
Eastland
Ellender
Ervin
Fong
Fulbright
Gore
Gruening
Hart
Hayden
Hickenlooper
Holland
Hruska
Humphrey
Inouye
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kuchel
Lausche
Long, Mo.
Long, La.
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Monroney
Morse
Morton
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell
Salinger
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Thurmond
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER (Mr. Bayh in the chair). A quorum is present.

The question is on agreeing to the amendment of the Senator from Tennessee [Mr. Gore] to the amendment of the Senator from Louisiana [Mr. Long].

Mr. JAVITS. Mr. President, I should like to ask some questions of the Senator from Tennessee.

The Senator from Tennessee knows that, together with the Senator from New Jersey [Mr. Case], the Senator from California [Mr. Kuchel], the Senator from New York [Mr. Keating], the Senator from Kentucky [Mr. Cooper], and the Senator from Maine [Mrs. Smith], I sponsored a comprehensive bill dealing with the question of medical care for the aged. The bill that we have sponsored, and submitted as amendment No. 1240 to the pending bill, has two major sections. One section deals with hospitalization and other benefits very similar to those included in amendment No. 1256 of the Senator from Tennessee. The other section, which, for all practical purposes, is a separate title, occurs in our amendment at page No. 63. It is entitled, "Complementary Private Health Insurance for Individuals Aged 65, or Over."

Our bill provides an opportunity for both private enterprise insurance and minimum, basic, fundamental hospital coverage based on social security financing to the aged person.

The amendment which the Senator from Tennessee has already offered does, for most practical purposes, what the first part of our proposal would accomplish.

Mr. GORE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. GORE. The Senator speaks correctly. If he and other Senators who desire to compare the two will examine the committee print of August 21, 1964, they will see that the amendment which I have offered—which is, in essence, the King-Anderson bill—is compared with the amendment introduced by the distinguished senior Senator from New York and five of his colleagues. There are statistics and analyses on pages 1 and 2 which bear out the accuracy of the statement that the distinguished senior Senator from New York has made with respect to the health benefits through social security.

Mr. JAVITS. There are some variations between the health benefits under our amendment and the health benefits under what I think it would be fair to call the considerably revised King-Anderson bill which the Senator has introduced.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. JAVITS. I yield.

Mr. GORE. The bill which I originally introduced was revised only to the extent necessary to offer it as an amendment to the House passed bill, with some relatively minor exceptions.

After the introduction and presentation yesterday of the amendment by the able junior Senator from Louisiana [Mr. Long], it became necessary to offer my amendment as an amendment to the Long amendment, rather than as an amendment to the House bill.

Mr. JAVITS. I understand.

Mr. GORE. This required a good many parliamentary changes to make it fit as an amendment germane to the Long amendment.

Mr. JAVITS. I understand. I am now coming to the fundamental question which I should like to put to the Senator. The Senator may recall that in 1962 the King-Anderson bill underwent very considerable revision when the Senator from New Mexico [Mr. Anderson] and I agreed upon a bill which we sponsored jointly, together with others of my colleagues—including, I believe, all but one of the sponsors of the amendment which I have now proposed to the Senate, and which at that time was defeated by a narrow vote. The agreement between the Senator from New Mexico [Mr. Anderson], my colleagues, and myself resulted in a number of fundamental changes in the original administration concept. What I should like to do now, if the Senator will bear with me, is to check over those basic concepts for the Record—and I think it will be rather important in respect to what happens to the Senator's amendment—in order to see whether it is that version of the program which is before us rather than the version which antedated it; namely, the one that was voted on, the Senator will recall, in 1960, and was subsequently discussed.

Mr. GORE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. GORE. The able and distinguished senior Senator from New Mexico [Mr. Anderson] is present in the Chamber. I am sure that he will be able to provide answers from his knowledge of the teamwork and negotiations in which he and the senior Senator from New York were involved to a greater extent perhaps than I would be able to do.

Mr. JAVITS. That is true in terms of history, but it is not in terms of what is contained in the Senator's amendment, on which the Senator is the best authority.

I now pose to the Senator my questions. In 1962, we contended very strongly for four principles in respect of the revision of the administration's plan as it looked in 1960. One involved the question of a health insurance trust fund. The second related to the question of the use, for purposes of administration, of voluntary organizations and associations of voluntary organizations. The third dealt with the use of State agencies. The fourth was some approach—so far as it could be managed actuarially—to universal eligibility, bearing in mind that the social security system was growing, and that many of those over 65 might not be covered at present. We had in mind an estimate of something like two to four million, but as time went on, the social security system would catch up with practically all over 65.

I therefore would like to ask the Senator, if I may, upon that basis of fact, the following questions:

Does the Senator's amendment now include a provision for a health insurance trust fund—it does not have to be word for word the same—which was found in the bill known as the Anderson-Javits bill?

Mr. GORE. It does.

Mr. JAVITS. Next, does it also include in the same way the provisions for administration by contract with the Secretary by voluntary organizations on a regional basis?

Mr. GORE. More than a "yes" or "no" answer is required. Any group of hospitals—or group of other providers of covered services—could designate a private organization of their own choice, such as Blue Cross, to receive bills for services and to pay such bills for their members who prefer such an arrangement. The Secretary would be able to delegate certain administrative functions of the program to such designated organizations. Those administrative functions could include reviewing hospital fiscal records as a part of the determination of the cost of services and acting as a center for communicating and interpreting payment procedures to hospitals.

In a general way, this constitutes an affirmative answer to the question of the able Senator, although it is not exactly the same. In light of the fact that I do not have full knowledge of the background of the negotiations and agreements between the Senator from New York and the Senator from New Mexico, I thought it best to make this explanation.

Mr. JAVITS. I believe it is fair to say that it is a version of the same proposal that is contained in section 1815 of the Senator's amendment and in section 1845 of our amendment.

Mr. GORE. I agree.

Mr. JAVITS. Next—and I do not expect the Senator to say word for word; he could not, and neither could I.

Mr. GORE. Mr. President, will the Senator yield at that point?

Mr. JAVITS. I yield.

Mr. GORE. As the Senator knows, the question we are discussing is one of the extremely technical subjects with which the Senate is called upon to deal. The actuarial analyses constitute a problem a bit beyond the mental arithmetic ability of the senior Senator from

Tennessee. But we have had the aid of the Social Security Board, the Legislative Drafting Service, the Library of Congress, and experts from as many sources as we were able to draw from.

Mr. JAVITS. We, too, had the same aid, and therefore I think there is probably great similarity in the results.

Is it not a fact that almost anyone who attempts to deal responsibly and subjectively with this subject must turn to those technicians?

Mr. GORE. Without question; and, I must say, they have been honest in the way in which they have applied our respective instructions.

Mr. JAVITS. Completely professional and nonpartisan.

Mr. GORE. Exactly.

Mr. JAVITS. Also I gather that the Senator would make the same answer with respect to the utilization of State agencies, as provided in our amendment at page 25, section 1807, which provision is also included in the Senator's amendment.

Mr. GORE. Responsibility for administration of the program—except for railroad retirement annuitants and pensioners—would rest with the Secretary. Considerable reliance would be placed upon the States to assure that local conditions would be taken into account. The Secretary would consult with appropriate State agencies and recognized national accrediting bodies in formulating the conditions for participation by providers of service. Provision would be made for the establishment of an advisory council which would advise the Secretary on policy matters in connection with administration. In order to be eligible to participate in the program, providers of service would have to meet specified conditions to assure the health and safety of the beneficiaries, but the conditions for hospitals could not be more strict than those required for accreditation by the Joint Commission on Accreditation of Hospitals.

Accreditation by the Joint Commission would be accepted as meeting all requirements for hospital participation save the requirement that there be a utilization review plan.

Mr. JAVITS. I point out that the section numbers are the same in both measures—1807, and those that follow.

Finally may I ask the Senator—and at this point I refer the Senator to the blue sheet analysis—whether the arrangements for transitional universality of coverage in his amendment and in the amendment which my colleagues and I are sponsoring are the same with respect to people who are not now covered by social security?

Mr. GORE. I believe the terms of the amendment that I have offered and the amendment to which the Senator refers are identical in this regard.

Mr. JAVITS. Therefore, if the Senator will bear with me, I wish to lay a basis for what I am about to say.

Mr. GORE. It is not a question of bearing with the Senator. He has been one of the most astute laborers in this field, and his heart has been in the work. He has sought a genuine and equitable solution to the problem, which, I am sure he agrees with me, constitutes one of the gravest and most pressing unmet problems of our society.

Mr. JAVITS. I thoroughly agree with the Senator. Many times I have said that it is probably the greatest "sleeper" issue in the United States, which will be awakened as soon as we really get into it, as we are doing now.

I came to the conclusion that, for all practical purposes the Senator has presented a proposal which would in effect replace the amendment which my colleagues and I have presented up to the point where we reach the provision for complementary private insurance for individuals aged 65 and over, which is, for purposes of discussion here, the private enterprise aspect of our plan.

Mr. GORE. This provision is not included in the amendment I have offered, nor was it included in the King-Anderson bill.

Mr. JAVITS. I thank the Senator for his cooperation.

If I may, I should like to direct some parliamentary inquiries to the Chair. I ask the attention of the Senator from Tennessee, because they relate to the amendment of the Senator from Tennessee.

Mr. President, as a parliamentary inquiry, do I correctly understand that it would not be in order to offer amendment No. 1240, the amendment sponsored by myself and my colleagues, as a substitute for the Gore amendment?

The PRESIDING OFFICER. The Senator is correct. It would not be proper to do that at this time, because the Gore amendment is an amendment in the second degree.

Mr. JAVITS. It is already in the second degree?

The PRESIDING OFFICER. It is already in the second degree; that is correct.

Mr. JAVITS. If the Gore amendment were rejected, would it then be in order to offer amendment No. 1240 in the same way that the Senator from Tennessee has offered his amendment—as a perfecting amendment to the Long amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. JAVITS. If the Gore amendment were approved, would it be in order to offer a part of amendment No. 1240, which would be the part not covered by the Gore amendment, as a perfecting amendment to the Long amendment as amended by the Gore amendment?

The PRESIDING OFFICER. An amendment could be offered to the Long amendment.

Mr. JAVITS. The vote would have been taken on the Gore amendment. It would have been adopted, and the vote would come on our amendment to the Long amendment which would have had tacked on to it the Gore amendment already adopted. The final vote, unless there were intervening perfecting amendments, would come on the Long amendment as amended. Is that correct?

The PRESIDING OFFICER. On the Long amendment as amended.

Mr. JAVITS. All these actions would be affected by the rule of germaneness, should the rule of germaneness be made applicable. Is that correct? In other words, the rulings of the Chair would have to determine whether there was in fact germaneness if the rule of germaneness should be made applicable, as, for example, by unanimous consent. Is that correct?

The PRESIDING OFFICER. No rule of germaneness is applicable unless unanimous consent to that effect is reached by the Senate.

Mr. JAVITS. I thank the Chair.

I conclude my statement as follows:

The Senate faces a crucial and basic decision. It is very well known and very widely advertised that, no matter what we do here, the other body will not follow suit. I do not believe we should legislate in that way, especially on an issue of such great importance, and, from the point of view of this body, of first impression. We have not passed a medical care for the aged bill in this Congress. We did in the previous Congress, but not in this one.

I deeply believe—and I shall deal with the subject in great detail on another appropriate occasion during the course of this debate—that there is great need for this program. Just as I am convinced that the overhelming majority of our older citizens need medical care for the aged and that our society can afford to allow them to have it. I finally came to the conclusion that we should proceed under the social security system, though I consider it as regressive. I considered it just as regressive in 1960, when I argued against it, in the sense that, it is a welfare tax on those of lower income levels, rather than a tax on the capacity to pay, the basis on which the income tax is fixed. It would have been much more equitable to pay for the care out of general revenues.

However, I came to the conclusion that the very people who would bear the heaviest burden of the tax, the younger Americans, who would pay for the longest period of time, are in favor of it. It is a rather interesting sociological development in our society that the younger worker—the worker of 30 or 35, or even of 25—is happy to pay a social security tax that will provide medical care for his father or mother, uncle or aunt, and from which he himself will eventually benefit.

I came to the conclusion that if that were the case, and if we could not achieve a consensus on a medical aid program without social security financing, I had to favor social security financing.

There is one matter of importance which should be brought to the attention of my colleagues, who worked as hard on this subject as they have on anything else. If we followed the administration's line, we would be responsible for a process, with respect to which the opponents had made the point that could be built up as time went on, whether it was actuarially sound or not.

We came to the conclusion which was affirmed by one of the most distinguished groups that ever considered the matter; namely, the National Committee on Health Care for the Aged, that the built-in governor which should be established in respect of the whole program is the private enterprise sector, which would take the risks and provide the benefits above the minimum hospitalization which could be expected from the Federal Government.

That is the essence of our proposal, which is omitted in the proposal of the Senator from Tennessee [Mr. GORE].

For present purposes, I advise the Senate that I shall urge my colleagues—and we are a completely cooperative partnership in this respect—who were associated with me in this amendment, that if they consider it wise, as I do, we should attach part B, or at least offer that part of our plan as an amendment to the Long amendment, if the Gore amendment is agreed to.

I shall support the Gore amendment because I see it as the way in which the door can be opened to a really comprehensive plan of medical care for the aged.

Mr. GORE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Tennessee.

Mr. GORE. I am grateful to the Senator from New York. I am greatly encouraged by the position stated so eloquently by the senior Senator from New York. His support is a vital and necessary force, in my view, in bringing this bill to enactment. I thank him. I express gratitude for the study he has devoted to this subject. Because of that study, to which the distinguished senior Senator from New Mexico [Mr. ANDERSON] referred this morning in most praiseworthy terms in the absence of the Senator from New York, he has acknowledged that he has come to accept it as the only practical manner of achievement of a broadly based health insurance program—the social security approach. I was impressed by his reference to his finding that the youth of today would be happy to make contributions and thus participate in the program.

Is this not a praiseworthy social consciousness of which all of us can be extremely proud?

Mr. JAVITS. It is interesting. When the Senator says "praiseworthy," personally I think that these young people are taxing themselves more than they need to tax themselves and more than they should in fairness to themselves. However, I say to the Senator that in all my work on this subject—of course, one cannot speak on public question in any terms of 100 percent, because there are bound to be young persons who will be unhappy about it—based upon my own campaign in 1962, when I toured my State forward and backward, and in all my work since that time, in 1961 and 1962, and thereafter, I must say in all honesty and candor and conscience that I have come to the conclusion that if the young worker is perfectly willing to accept this burden and this policy, and is willing to take it on, then no one can say that a pay-as-you-go plan is not a good thing. It is a good thing. If the people who are going to pay for it, even though it is uneven as far as they are concerned, in terms of the burden put upon them, instead of having the burden put upon all members of society, if they wish to carry that burden, I do not believe a legislator can say "nay" to them. That is why I have felt that I had to make the intellectual and policy turn which I made.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. JAVITS. I yield.

Mr. GORE. The Senator has referred to one other point to which I should like to advert, and that is the defeatism which says that no matter how good or how sound the bill may be as it passes the Senate, one Member of the other body can prevent its becoming law. The able senior Senator from New York has served, as I have, in the other body for a number of years. Like me, he has retained the friendship and acquaintance of a great many Members of the other body. Does not the Senator believe that the American people, concerned with this pressing and unmet problem, deserve to have the other body vote on this subject?

Mr. JAVITS. In response to that statement, the particular Member of the other body to whom the Senator from Tennessee refers is a very important Member, and I count him as a friend.

Mr. GORE. Oh, yes.

Mr. JAVITS. So does the Senator from Tennessee, I am sure.

Mr. GORE. But I am referring to the votes of 435 Members of the other body.

Mr. JAVITS. I was about to add that. I believe there is a very sincere and deeply held view on this subject in the quarter we are discussing. It is not so much a question of taking one view, as compared with the view of the other 434. I am counting on the fact that often, when something is actually happening, and there is really an outstanding public reception for it, and a public demand for it, the climate becomes quite different; and a man might well—as I was convinced as to the social security approach—be convinced that perhaps this, rather than some future time, is the time to act.

That man can be just as sincere in his view today as he can be tomorrow in the then prevailing frame of reference of events.

Therefore, without in the remotest degree derogating the sincerity and conviction of our friend, I express the feeling that if we act affirmatively in the Senate—and affirmative action is long overdue—the practicalities will prevail in the light of public reception, over what may be today a sincerely held conviction.

Mr. GORE. Without making a personal reference, though we are very near to the point of personal reference, the distinguished Member of the other body, who is the chairman of a powerful committee there, is a man of enlightenment and good conscience. Just as the pressing needs of the people and the actuarial facts caused the senior Senator from New York to alter his view and accept the social security approach to this problem as the feasible and practical way, we have a right to hope that any Member of the other body may likewise view this problem now, after the Senate acts.

Mr. JAVITS. I thank the Senator. Before I yield the floor, I should like to address myself to my distinguished friend and colleague from Connecticut [Mr. RIBICOFF]. I believe the Senator from Connecticut has given the aspect of this situation considered attention, and has come forth with a provocative and very interesting plan.

I say to the Senator that probably my feeling about the basis for proceeding further with his plan, if his plan were before us rather than the plan of the Senator from Tennessee, would involve many similarities of relationship.

I know the plan is somewhat different, but, essentially, it goes to what I think is the first needed step in any really, comprehensive plan of medical help for the aging; namely, essential hospitalization under social security financing.

I say that, because I do not wish my friend from Connecticut to assume for a moment that in discussing the question with the Senator from Tennessee I was excluding the same deference to the proposal which the Senator from Connecticut has made, which at the moment is not before us, as I had extended to the proposal made by the Senator from Tennessee [Mr. GORE].

Mr. RIBICOFF. Mr. President, we are basically interested in proposals to help meet the medical costs of the aging under the social security system.

Without question, the Senator from New Mexico [Mr. ANDERSON] has been in the lead for many years on this subject. He has been joined by the senior Senator from New York and the senior Senator from Tennessee and myself. I am a junior in the Senate, but, by reason of my experience in the Department of Health, Education, and Welfare, I am deeply interested in this proposal as a basic "must."

I foresee great problems arising in the future in the enactment of health care for the aging should the amendment put forward by the distinguished and able junior Senator from Louisiana [Mr. LONG] be adopted.

Although I have a proposal which I believe eventually will be the proposal that will be adopted—and I would be less than candid if I did not recognize that if the measure went to conference, probably what would eventually come out of conference would be, the proposal that I have advanced—yet, I have great respect and admiration for the work which has been done by the senior Senator from Tennessee [Mr. GORE].

The senior Senator from Tennessee has put forward his amendment as a perfecting amendment to the amendment offered by the junior Senator from Louisiana [Mr. LONG]. I have joined as a cosponsor of the amendment, and so has the senior Senator from New Mexico [Mr. ANDERSON]. I shall vote for the perfecting amendment proposed by the senior Senator from Tennessee. I hope that his proposal will prevail.

If by any chance—and of course no one knows what the vote will be—the substitute being offered by the Senator from Tennessee is turned down, I shall offer the proposal that I have advanced, which is now at the desk.

I should like to see the Senate vote for the proposal advanced by the senior Senator from Tennessee, because all of us realize the basic necessity of establishing health care for the aging under social security. My great fear is that if we fail to pass such a measure in the Senate, and pass only an increase in social security cash benefits, without making any provision whatsoever for health insurance at this time, it will be many a winter before this Nation ever has a health care program for the aging under social security.

I have foreseen, as I said at the beginning, that once the other body passed its proposal for social security benefits, it practically spelled doom for any hope of providing health care for our aging citizens unless the Senate passed a program which included health care for the aging under social security and then went to conference with it.

Should the Senate come forward with a program encompassing health care for the aging under social security, I would hope that we would stand fast and insist that the health care program be retained in conference. If we fail to do so, we shall be breaking faith with 18 million people in America who are over 65, and whose great need is for a health care program

Mr. JAVITS. I am grateful to the Senator from Connecticut for his statement. I addressed myself to him, and, I am glad to say, to the position of the distinguished Senator from New Mexico [Mr. ANDERSON] on this subject, because, I, too, face something of a dilemma in this connection.

I have a deep conviction about what I call the need for a governor on the private enterprise system. Yet it would be easy to fall between two stools and vote against the Gore and Ribicoff proposals, because they do not include a private enterprise title; and then have Senators vote against my proposal for whatever reason they might feel they had to vote against it. So obviously, constructively, we ought to deal with that subject; and the parliamentary situation, as I have developed it with the Chair, would permit us to deal with the other aspect, the strictly private enterprise aspect. In that way, we may hopefully emerge, at least from this body, with a well considered plan; whereas if each of us takes the bit in his teeth and does nothing about the other, we might all fail and have nothing. It was for that reason that I said, speaking for myself, rather early in the debate, that I would do as I have suggested.

Mr. RIBICOFF. I may say to the distinguished Senator from New York that when the bill came from the other body, the distinguished Senator from New Mexico [Mr. ANDERSON] was indisposed and was not in Washington. I was most careful, before I advanced any proposal, to keep in touch with the administrative assistant of the Senator from New Mexico. At all times I deferred to the judgment of the Senator from New Mexico, because I had recognized, by reason of my duties as Secretary of Health, Education, and Welfare, that no person in this country had taken a firmer, more consistent, and more imaginative attitude in this whole field than did the distinguished Senator from New Mexico. I recognized him then, as I still recognize him, as the leader of this fight.

There have been many conferences between my staff and the staff of the Senator from New Mexico, and between the Senator from New Mexico and me.

All of us are most zealous—the senior Senator from New Mexico, the senior Senator from Tennessee, and I; and I am pleased to see the same attitude adopted by the senior Senator from New York, because I, too, recognize his leadership in the field—to make sure that none of us is so much concerned about credit, that none of us is so much concerned about kudos, that we involve ourselves in a situation which would result in none of our measures receiving a majority.

So far as I am concerned, I have said before, and I say again, that I shall cast my vote, and urge other Senators to cast their votes, for the proposal put forward by the senior Senator from Tennessee. I hope it will prevail. In the event the Senate decides otherwise, I shall advance my proposal and hope that it will prevail. But I would hope that one of the proposals would prevail, each of us helping the other to the end that a sound program may be devised.

Mr. JAVITS. I thank the Senator from Connecticut.

Before I yield to the Senator from New Mexico, I wish to say that I have done many things in Congress in 18 years, but I have never had as much personal gratification in developing a piece of legislation, even though it failed, than I did when, in company with the senior Senator from New Mexico, we developed the bill presented to the Senate in 1962.

Mr. ANDERSON. I thank the Senator from New York for his compliment. I regret that he was not in the Chamber earlier today, when I paid tribute to him for the work which he had done, and then went beyond that point and paid tribute to him for the panel he organized. I would have enjoyed being present with it more than I was. However, I had a representative there at all times. I know that the Senator from New York and his panel were interested in only one thing; namely, to try to ascertain the best way to solve the question of health care for the aged. I cannot compliment him too highly. The panel did a very fine piece of work.

Beyond that, I would say that when we were trying, in 1962, to pass a bill in the Senate, the Senator from New York was extremely helpful. At all times he was most cooperative.

I am glad to hear these exchanges, because they indicate that Senators are trying to work together, even though they may not agree in every detail. The parliamentary situation did not permit a determination as to whether everyone would agree. Therefore, we had to do the best we could.

I compliment the Senator from Tennessee for his energy, and the Senator from Connecticut for the fact that he has stood foursquare and said what he would do without any hesitation whatever, and without any concealment of his thoughts.

I was greatly encouraged to hear the Senator from New York express his concern for the people. It is typical of him.

Mr. JAVITS. I thank the Senator from New Mexico. His leadership is so much acknowledged that the Senator from Tennessee [Mr. GORE], who has just allowed me to make this personal reference, came to me before I introduced the bill and said that he felt, in view of the indisposition of the senior Senator from New Mexico, some Senator had to present what he fought for, for so long, that if no one else would do it, he would; and he did.

Mr. CARLSON. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. CARLSON. The colloquy that has just taken place indicates that further study of these proposals is needed before a definite conclusion is reached. I said in the Committee on Finance that this problem ought to be met. I firmly believe that. Something needs to be done in this field or area; but I do not believe we are ready to take action yet. The colloquy that has just taken place among the sponsors of three or four bills indicates that further time is needed to tie the proposals together and try to weave into one bill the features of all the bills. That cannot be done on the floor of the Senate. I suggested at that time that I would be willing to try to help to draft a satisfactory proposal. It ought to be done in the Committee on Finance or the Committee on Ways and Means; but, in my opinion, this type of legislation cannot be written on the floor of the Senate.

Mr. RIBICOFF. Mr. President, will the Senator from Kansas yield?

Mr. JAVITS. I have the floor. I shall yield in a moment.

I appreciate what the Senator from Kansas has said. I confirm his attitude. It has been of long standing. I know of no ally whom I welcome more on the floor of the Senate than the Senator from Kansas.

Notwithstanding the past efforts of other Senators and myself, the time has come for us to take action to provide health care benefits for the aged. I believe the Senator from Kansas will agree that we have tried for a long time to achieve some maturity in this field and to bring about some bipartisan unity. We came closest to achieving it when the Senator from New Mexico and I got together. Since that time we have literally gotten nowhere. So I hope that the Senator from Kansas will understand us, because some of us, at least, have the feeling that the way to resume is to resume. It is necessary to start some time; and the time is now.

Mr. RIBICOFF. I thank the Senator from New York. Let me reply to the able Senator from Kansas, for whose ability and sincerity in this field I have the highest respect. The fear that I have, in following the suggestion made by the Senator from Kansas, is that if we allow Congress to go home without having acted on health care for the aged, if Congress instead acts only upon the bill that came over from the other body, or if we adopt the amendment offered by the Senator from Louisiana, we shall have painted the aged into a corner from which there is no escape.

I recognize the cogency of what has been said by the Senator from Kansas. We should recognize that for many years—especially during the past 4 years—there has been exhaustive study and research, and many constructive proposals have been put forward by the Senator from New York, the Senator from New Mexico, and the Senator from Tennessee. The proposal that I have put forth as a workable substitute, seeks a way out of the dilemma posed to us by the House bill.

To delay another session means a delay of a decade. I believe that the 100 men and women who constitute this body have a sufficient awareness of the problem. The men and women who have worked on this problem have a sufficient awareness of very nuance, every in and out of the whole proposal. We have competence on the floor; we have competence through these debates; we have competence through various analyses, the results of which have been placed on the desks of every Senator, analyzing the differences between the various proposals. I believe that we have the necessary knowledge, skill, and ability to pass, in the next few days, a good social security bill that will take care of the money needs of our elderly citizens under social security; and at the same time, take care of their basic health needs. This can be done. I believe that the Senate, following discussions and votes, will work its will and send over to the other body a bill which will assert that now is the time—this year—to begin once and for all to provide, under social security, for the health care of the needy over 65 years of age.

I believe it would be tragic, because it would spell doom, if the Senate adopted the ingenuous proposal put forward by the Senator from Louisiana.

Mr. JAVITS. Mr. President, in conclusion——

Mr. LONG of Louisiana. Mr. President, will the Senator from New York yield, in order that I may reply to the Senator from Connecticut?

Mr. JAVITS. I yield.

Mr. LONG of Louisiana. As Senators well know, I do not plan to vote on health insurance, nor do I plan at this time to vote to put the Government in the business of insuring the health of anyone.

Nevertheless, I feel that I should respond to the Senator from Connecticut with regard to his statement that the simple provisions contained in my amendment—which I believe commands the support of the majority of the committee—precludes any possibility of a medical insurance program.

I believe the logic of the Senator from Connecticut comes from the days when he was Secretary of Health, Education, and Welfare. The distinguished chairman of the committee, the Senator from Virginia [Mr. BYRD] asked the Secretary at that time, "How much of an increase would you be willing to recommend in the social security tax?"

I believe that at that time the distinguished Secretary of Health, Education, and Welfare, who is now the able Senator from Connecticut [Mr. RIBICOFF], said, "10 percent."

As a practical matter, anyone who wishes to vote for a medical insurance program for the aged, whether it be the Gore amendment or any other, should in good conscience prepare himself not to delude the public, but to admit and concede that he would be voting for a social security program, the cost of which would go far beyond 10 percent. The cost would probably be 15 percent within 15 years.

The amendment itself has been arrived at by examining all sorts of proposals which would be desirable things against which to insure these people—putting some in and taking some out. The record shows that many ideas and concepts were considered, if one had enough money. Even while the amendment has been pending—unless I misunderstand what has been said in the Chamber so far—modifications have been made, even while the Senator has brought about the offering of the amendment—such as reducing the amount of nursing care from 180 days to 60 days, and juggling around other figures.

If the Gore amendment is to become law, it will mean that a man 65 years old, making $10,000 a year, who has not retired, can have his hospital bill taken care of by the Federal Government at the expense of a tax on someone who is blind and eking out a living selling pencils, soft drinks and candy, at the courthouse or at the expense of the workingman who cannot even provide sufficient protein on the table for his family, but who will have to provide health insurance for a man who has not even retired and is making $10,000 a year.

If we are to provide medical insurance benefits for people who have not retired, people who do not expect it, people who have taken out their own private insurance policies, or their own group insurance plans, people who are well secure and well protected, if we are to tax everyone in this country, rich and poor alike—and I put emphasis on the word "poor" in this connection—to provide this kind of benefit to those who do not need it, to those who do not expect it, to those who would be surprised if anyone should be so foolish as to do it, how are we going to turn down someone who is disabled, who needs some help? He is 65 years of age, but he cannot work, because he is disabled. We shall have to provide him with medical insurance, if we have any heart. We shall have to provide the same benefits to take care of a widow whose child has a catastrophic illness. If we have a heart and a sense of fairness, we shall have to do that as well.

Then we shall have to do something about doctors' bills.

What kind of sense does it make to go into my State, for example, where anyone who is needy, anyone who is poor or has a problem paying his medical bills, can go into our magnificent State hospitals and be treated entirely at State expense? What sense does it make to provide them with a situation in which they can go to a private hospital and climb into a hospital bed, with no doctor in attendance, when they cannot afford to pay for a doctor?

It will mean that we shall have to increase the tax to include doctors in the plan. We shall wind up with a program of insuring anyone who has any sentimental claim for aid. What we have done for Federal employees, as well as other people, we would be compelled to provide for everyone. So instead of 0.4 percent of the payroll the figure would be 4 percent of the payroll. We cannot honestly resist amendments which would put into the program the element of prime need after voting to include people who have no need for such benefits, who do not expect them, and who would be amazed if we provided them.

Some years ago, I cosponsored the amendment to pay social security benefits to the disabled. It carried by a yea-and-nay vote of 49 to 47. I was one of its sponsors. We wished to include disabled people at the age of 50, if they were fully insured. We had no sooner done that when the next question arose. If we can do that, would it not be appropriate to bring in an amendment to extend assistance to the disabled, regardless of age, if such persons were fully covered? That is the present situation. All we have to do, if we wish to sponsor an amendment that will be popular, is to offer an amendment to take care of disabled people who do not have full coverage today, but who have been working for 6 months or longer. My guess is that we would find a considerable appeal in the Senate for such a proposal, because it would make sense. But when we embark on this kind of program, we should recognize that it does require an increased cost.

The amendment, if I understand it correctly, offers a bill with benefits which would make the social security tax 10.4 percent in 1971. With respect to the 10-percent figure. Members of the Senate and House could vote a tax bill that would provide benefits which could require a 10.4-percent tax—and, of course, that is what the taxpayers will have to pay.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. JAVITS. Mr. President, I have the floor.

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. JAVITS. Mr. President, I hope the Senator will very carefully examine these proposals. After the transitional period for those not under social security is reached, which is 1968, one must be retired in order to receive benefits. That is point No. 1. The transitional period is merely intended to include the period not now covered. The social security system is catching up with this age level. Of course, some people who are earning $10,000 a year or more may receive benefits. But, this is inevitable in a system under which we try to devise some form of universal applicability with some measure of fairness. But what is more important about the argument of the Senator is that a retired person receives social security benefits whether he wants them or not. A retired person receives social security benefits even if he receives $1 million a year income from investments. He has paid for social security all his life; and he receives the benefits. It is the same with this measure, except that we would provide a few years in which to bridge over the gap in the coverage of the social security system.

I agree with the junior Senator from Louisiana on one point. That is the point that has always worried me, as to the political building up process of trying to keep the social security tax at "X" figure while the pressure is constantly on to widen the benefits.

I do not want to be a special pleader, but we have a built-in limiting system. We have a private enterprise system for 80 percent of the people who can afford it and who can undertake this plan of obtaining health insurance coverage for everything that is needed other than hospitalization. This takes the pressure off the Federal Government for the building up of benefits. For the remained 20 percent, we have the Kerr-Mills program. No one wants to repeal the Kerr-Mills program. We have a total medical care plan for the aged. And we avoid what I agree is a built-in danger; namely, the building up process.

Mr. LONG of Louisiana. The Senator from New York speaks of the social security program providing certain benefits. I believe it is important to point out that, under the social security program, people paid for retirement benefits while they were young. They earned the payments before they received them.

The Gore amendment, as I understand, assumes that the cost would be the same or about the same as the estimated cost for the Javits-Anderson amendment of approximately 2 years ago. That would impose on the young workers of today and their families an additional liability of $35 billion for medical care for people who have not contributed 1 cent toward that $35 billion of medical care. That is based on existing costs.

I have always contended that the costs would come nearer to $55 billion. Our experience in Louisiana, where 55 percent of all days spent in State hospitals is at the expense of the State, is that the length of hospitalization is about 50 percent greater when the public is paying for the hospitalization than when the individual is paying for it. It is natural, when a person sees the hospital bills accumulating, for him to ask the doctor, "Can I go home today?" However, if the individual does not have any expense involved, it is the human thing to say, "Doctor, do you not think I might be better if I were to stay a while longer?"

Our experience has been that it is a matter of human inertia. A person who is not paying for the cost prefers to stay longer. Thus, the cost is 50 percent higher.

The Senator is talking about adding a $35 billion liability for which nothing has yet been paid. It is proposed to impose this charge on one person to benefit another. With regard to these proposed beneficiaries, my understanding is that the Health, Education, and Welfare studies indicate that 54 percent of these people already have medical insurance at their own expense. They have entered into private plans covered by group insurance and other plans. So half of them have already provided for themselves. If this amendment is agreed to, it will become a big windfall to the State budget in Louisiana. In Louisiana, we spend a large amount of money to provide this kind of health benefit for those who need help. While I have not studied the Javits plan I shall study it when it is offered. I try to study the amendments as they are reached. I have studied the amendments that have been debated in the field in which the Government would undertake to provide this care.

The proposed legislation has a parallel in the kind of thing that I have worked for, advocated, and fought for, such as insurance disability, well knowing that when the movement started, we would move, in subsequent years, to place additional benefits in the bill. This would not benefit anyone in Louisiana who is now drawing welfare assistance. That includes 58 percent of the people in my State. Those people are automatically eligible to go to a hospital and have a doctor, as well as hospital care. Why should anyone who needs the care of a doctor and hospital go to a hospital where a doctor is not provided free, when he would otherwise have a doctor and hospital available at State expense?

That being the case, there might be some effort in Louisiana to attempt to change the State program around and thus try to attract the Federal money into the State till since the health care provided at Federal expense would overlap existing State services. That, in turn, could be used to help fulfill other commitments that the State government and the State legislators might have made, for which they have had difficulty in finding money, as every State does.

Senators should not vote for this measure. Even those who have been advocating a program that would cost the equivalent of $7 a month of medical insurance say that it would require at least $12 to provide an adequate policy. If one were to examine the Federal policy that the Federal Government buys for its own Federal employees, he would find that the cost of it is far more than $12. I think it is $19 for each individual. That does not cover everything. The companies that handle this insurance—Aetna or Blue Cross, whichever may be handling the program in this particular instance—works for about a 1-percent fee. I believe they provide the insurance as cheaply as the Government could provide it. Even so, the cost of a basic policy is about $7. A major medical policy is in addition to that. And when the two are combined, that does not include all the medical expense. But I believe the cost of the two programs totals about $19. That would provide a medical program to cover almost everything. But I am sure the Senator knows that a man can obtain treatment in the hospital if he cannot afford to pay the hospital bill.

Mr. JAVITS. I shall not argue with the Senator about the welfare concept. We shall reach that later. Will the Senator furnish now, or place in the RECORD later, the basis for his estimate of $35 billion cost to the younger workers today? That was in the testimony. But perhaps the Senator has the information fresh in his mind, or can obtain it from an analysis. I would like to see how the Senator arrives at that figure.

Mr. LONG of Louisiana. It is very simple. Look back to the debates of 2 years ago when the late Senator Kerr stood here as the committee spokesman and explained the Javits-Anderson amendment. The Senator was a cosponsor of that amendment. He did not argue with the figure that was given as the cost necessary to provide coverage for those who had paid nothing whatever for medical benefits, but who would be in a position to draw benefits. The cost was estimated to be approximately $35 billion at that point.

Mr. JAVITS. Mr. President, will the Senator from Nebraska allow me to yield to the Senator from Connecticut?

Mr. CURTIS. I yield for that purpose.

Mr. JAVITS. I yield to the Senator from Connecticut.

Mr. RIBICOFF. I believe it is important to put the question into proper perspective. I hope that the Senator from Louisiana will remain in the Chamber, because he was the one who raised the point. I should like to have his attention.

What concerns the distinguished Senator from Louisiana is that we would bring into the plan people who are now over 65, and who have not paid anything into the special health insurance trust fund. But under the proposal put forward by the Senator from Louisiana, he would bring the contribution rate up to 10 percent and increase the cash benefits to people now over 65, who have not put in the necessary money to pay for their increased benefits. So the Senator from Louisiana is in no different position than are those who are advancing the present health insurance proposal. All we are saying is that there should be a different allocation of the 10 percent. We say that when the cash benefit is increased from 5 percent to 7 percent, 10 percent is used up on the tax rate, and there is exactly the same tax as is being proposed, or practically proposed by the Senator from New York, the Senator from Tennessee, and myself. The difference is that we believe that those extra pennies can be better utilized. It would have much more meaning to have a health insurance policy than to give cash, as the Senator from Louisiana seeks to accomplish by his proposal.

Concerning the 10 percent, I agree that it is impractical at the present time to go above 10 percent. I am under no illusion that should the Senate adopt the Gore amendment, one of the leading conferees on the part of the Senate will be the same Senator from Louisiana; and I cannot see the Senator from Louisiana coming back from a conference with a tax rate above 10 percent. We would find that any program which would come out of such a conference would be whittled down so that it would not exceed 10 percent.

When it comes to the problem of taking care of the rich, I point out that I do not know a greater tax expert than the Senator from Louisiana. Under our present tax laws, the rich are being taken care of; their health care needs are paid for, because the Senator from Louisiana knows that if a person is over 65, he has a right to deduct all of his hospital and medical bills from his income tax. Therefore, if one is a millionaire, is in the 80-percent tax bracket, is over 65, and has a $1,000 hospital or medical bill, he merely puts that on his income tax return, deducts $1,000 and saves $800. So basically all the taxpayers are taking care of the wealthy now.

What we are trying to do is to take care of the other people who are not in the higher tax brackets and who are using up all their savings. They do not have the advantage of tax deductions. It is important to try to understand that what we are fighting for is the better utilization of the increased taxes that the distinguished Senator from Louisiana seeks to raise under his proposal. The basic difference is that the Senator from Louisiana seeks to do it by giving cash increases. We seek to do it by giving hospital benefit increases as well as cash.

Mr. JAVITS. Mr. President, will the Senator allow me to yield to the Senator from New Mexico [Mr. ANDERSON], who wishes to speak?

Mr. LONG of Louisiana. May I respond to what has been said by the Senator from Connecticut?

Mr. JAVITS. I should like you to yield first to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I wish only to point out to the Senator from New York that we do not have to read the discussion this afternoon. We can go back to 1935 and find that the same points were made. We were told, "You are going to pass a social security law; and many people will profit from it who never paid in a penny." We were told that nothing would be paid in by those people. The same argument is being made now that was made in 1935. Thank God, we lived to overcome that attitude, and we shall live to overcome the present opposition.

Mr. LONG of Louisiana. Mr. President, I regret to say that I observed in the Washington Post this morning one of the most biased and prejudiced pieces of newspaper reporting I have seen appear in any newspaper for some time. If the information appeared in an editorial, it would not have seemed so bad. Senators who have not been on the floor and who have not had better information than what they have read in the newspapers will read that story and be misled. The article described my amendment as one which would give only half of the benefits that it really provides, and set forth arguments for one side without considering arguments for the other side. The article was written by a newspaperman by the name of Richard L. Lyons. Perhaps I have met him, though I do not remember his face. He wrote the article, in which he said:

> You are going to pay for this in any event, but let us look at the difference.

What I am proposing is more than a cost-of-living increase to give a 7-percent increase to make good to those people who had a social security retirement benefit coming to them in 1958 the amount of money which is represented by the erosion of the purchasing power of their dollar by virtue of policies for which Senators voted when the Senate voted to reduce the purchasing power of their money by various fiscal and monetary measures which would fail to maintain a stable dollar, including Government deficits.

Purchasing power has been eroded, and the people covered must be given a 7-percent increase in order that the social security checks may have the same value as that for which they paid when they were paying those taxes. We have built up a fund of $22 billion, so the Federal Government manages at best a fund for the public good of this Government. The people have paid for those benefits.

We have heard Senators rise and state that they cannot vote for this or that proposal because to do so would erode the purchasing power of the dollar. If Congress does it anyway, the least it can do is to make good to those people who have paid into the fund what they have lost in their social security benefits, because of the failure of the Federal Government to maintain a balanced budget and a stable currency.

So the 1962 amendment provides a 7-percent increase in payments, but that is only half the benefit provided in the proposed amendment. The other half is the result of something for which the Senate voted by an overwhelming vote.

Some years ago the Senate voted to say to a man who was drawing social security benefits, for which he paid, that he could, with his own efforts, earn $1,800, and when he earned the $1,800, he could keep it instead of having the Government withhold his social security check. Most of that proposal was lost in conference.

My amendment provides that in addition to the cost-of-living increase, if that man wishes to work and earn something, he can keep $1,500 of it, and of the next $1,500 he can keep half of that which he earns by his own sweat and toil.

What does that mean for a man who is trying to supplement his social security income? If he is drawing the maximum benefit of $127, that is worth more than $800 to him.

My friend the Senator from Tennessee [Mr. GORE] found a situation in which, under my amendment, a person receiving the 2 percent—not counting the 5 percent which would be added—might receive only 90 cents. Consider the overall picture. If the amendment is agreed to, it will mean billions of dollars of additional help to those who need it. It would provide as much as $800 annually in additional earnings that a person could keep from his earnings.

While I do not believe that the costs of medical insurance prejudices those who wish the program, it tends to prejudice them in the following way: It is a part of a trend in which history is moving on and leaving them. Why? Because people are taking out their own medical insurance. They are subscribing to their own group hospitalization programs. They are arranging for their own medical care. States are having their own programs and providing for anyone who fails to provide for himself. When the Senate provides the kind of thing that I am asking it to provide, the people will have sufficient income so that they will be able to provide a decent retirement for themselves and, in addition to that retirement, they will be able to live comfortably and happily, and accumulate assets at the same time. They will not need Uncle Sam to run their lives for them. That is where history is walking off from those who favor the proposed compulsory Federal medical care plans.

People are providing for their own needs instead of looking to Uncle Sam to provide for them. Some people think that that is a good trend. I am inclined to think so.

In my State and others, some of the things which proponents are talking about providing would be illusory benefits. Who will get anyone to come to a hospital in his State if the services of a doctor are not also provided? We have hospitals and also doctors for those who cannot afford the service. A needy person is automatically eligible. He goes into a hospital and receives treatment from the doctor. If a man has a choice, will he go to a hospital with a doctor or one without a doctor? He chooses the one with the doctor. Under the proposed plan some States would have an incentive to withdraw people services which are now available to people. They will try to find some way to catch the big flow of Federal funds into a large funnel and save for State finances what States are providing presently to assist those who cannot pay. So that a tax is put on to raise $19 million in taxes to be hauled out of my State, and a State government is given a windfall if the officials can find a way to adjust the State expenditures to recoup the windfall resulting from overlapping services.

The Senator made the point that we already provide hospital care at the expense of the poor by allowing deductions of medical expenses. I am willing for people to deduct their medical expenses from their income tax payments. If a person has a heavy medical bill for the year, he can deduct those medical expenses and is entitled to an adjustment of his income tax as a result of the heavy medical expenses.

The argument is made that because we allow him to spend his own money to help provide his own medical care and allow him to deduct that expense from his income tax, it is a gratuity from the Government. I do not support that argument. If a taxpayer is making only $600 or $700 a year, he is not charged an income tax. If a man has a large family and is not making too large an income, he is not charged with an income tax. That is the idea of a tax on ability to pay. So, while a rich man is taxed, if he had heavy medical expenses, instead of having him pay his full tax, we let him deduct from his tax, perhaps dollar for dollar, the amount he actually paid in medical expenses. After all, it is his own income.

Mr. ANDERSON. Mr. President, if the Senator will yield, the Federal Government has withheld that money in the first place, so it is not always his money. A man who makes $125,000 a year owes $80,000 in taxes, so it is not his money. When it comes to deducting medical expenses, he has an opportunity to deduct some of the tax because of medical expenses. But the person making a huge salary does not own all that money. He owes a portion of it to the Government.

Mr. LONG of Louisiana. He may owe a part of it, but it is not the Senator's money; it is the other person's money. If we do not provide by law that he owes that tax, it is his money. In the absence of a law that provides that he owes it, it is his money.

Mr. ANDERSON. The penitentiaries are full of people who thought it was their money, who said that Uncle Sam would not get any part of it, because it belonged to them.

Mr. LONG of Louisiana. I hope the Senator is not making the argument I have heard others make, to the effect that when a man makes a certain income, it does not belong to him. If the law does not provide that he owes a tax, then his money belongs to him.

Mr. JAVITS. Mr. President, to complete my argument, I ask unanimous consent that the report of the National Committee on Health Care for the Aged, with a list of its members, the Chairman of which is Arthur Flemming, of the University of Oregon, and that part which deals with the problem, and a proposed solution with a dual public-private health insurance program, may be made a part of my remarks.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

NATIONAL COMMITTEE ON HEALTH CARE OF THE AGED

Arthur S. Flemming, Chairman, president, University of Oregon.

Russell Nelson, M.D., Vice Chairman, president, Johns Hopkins Hospital.

James Dixon, M.D., president, Antioch College.

Marion B. Folsom, director and former treasurer, Eastman Kodak Co.

Arthur Larson, Ph. D., director, World Rule of Law Center, Duke University.

Russel V. Lee, M.D., founder, Palo Alto Clinic.

John C. Leslie, chairman, committee on aging, Community Service Society of New York.

Winslow Carlton, secretary of the board, chairman, Group Health Insurance, Inc.

Vernon W. Lippard, M.D., dean, Yale Medical School.

Dickinson W. Richards, M.D., Lambert professor of medicine emeritus, College of Physicians and Surgeons, Columbia University.

Thomas M. Tierney, director, Colorado Hospital Service.

Hubert W. Yount, former executive vice president, Liberty Mutual Insurance Cos.

Howard L. Bost, Ph. D., study director.

Prof. Henry H. Foster, Jr., legal consultant.

PROPOSED SOLUTION: A DUAL PUBLIC-PRIVATE HEALTH INSURANCE PROGRAM—II

The central purpose of an American solution to the problem of financing the health care of present and future generations of the aged must be to encourage and protect the independence and dignity of the individual. In its basic approach to this problem, our Nation must aim at preventing dependency as a concomitant of the deterioration of health in the declining years of life.

This requires a shift in public policy from placing major reliance upon charity and welfare assistance measures to placing emphasis upon the development within the Nation of health insurance for the aged. Public assistance programs present the prospect of great increases in requirements for public funds without accomplishing the objective of preserving the independence of elderly people or of reducing the economic hazard of illness as a threat to their independence. By their nature, such programs, including the Kerr-Mills program, deal with dependency after it occurs; health insurance, by reducing the cost which must be met at the time of illness to a level that is manageable, can prevent dependency and encourage self-reliance.

Clearly, the solution required in America today and for the future lies in actions which will achieve the health insurance coverage called for by the risk of illness in old age.

To accomplish the necessary development of health insurance for the aged, the committee proposes a dual public-private program, consisting of separate and distinct plans in the respective sectors of the economy. These plans are equally essential and should be complementary. Together they should provide balanced and effective basic protection covering roughly two-thirds of the aggregate health care costs incurred by the aged, leaving the remaining costs to be met by the individual on an out-of-pocket basis or through supplementary private insurance.

The public plan, in the committee's view, should utilize the principle of contributory social insurance to cover all persons 65 years of age and over, with payments collected during the working years of all employed and self-employed persons. The most appropriate area of protection to be provided by the public plan is institutional care, which is the most frequent cause of financial shock-loss to the aged. The extent of this protection under the proposed plan would represent approximately one-third of the aggregate health care costs of the aged.

Another third of these costs, the committee believes, should be the subject of special private insurance covering the largest noninstitutional costs that occur most frequently among the aged. Special efforts are called for in order to bring the cost of such basic, complementary private coverage within reach of most of the aged, to whom the most economical and efficient forms of insurance are not ordinarily available. The committee sees a need for congressional action to permit insurance organizations to join together in concerted efforts to provide low-cost protection on a mass-enrollment basis.

These components of the proposed dual program for the aged are both mutualy reinforcing and mutually dependent. The committee urges that one aspect not be considered out of the context of the other; rather, they should be considered together. To this end, the committee recommends the establishment of a National Council on Health Care of the Aged, which would keep both the public and private components of the program under continuing review.

Under the proposed program, the health services that are to be financed will be obtained and rendered within the American system of medical care, the same system which serves the general population of the Nation. The financing of health care costs by the program will be supportive of the patient-physician relationship requisite for good medical care. The program will strengthen the economic base supporting the operation and improvement of the health care establishment throughout the Nation, helping to stimulate expansion of needed health care resources to serve all groups.

To provide guidelines for developing health insurance for the aged under broad national policy, the committee has formulated a number of principles. These are set forth below and are discussed in the sections of the report which follow. We believe that through combined public and private action embodying these principles, a solution to the problem of financing the health care of the aged will be attainable in a way that is compatible with, and in fact will strengthen and reinforce, American traditions and values.

GUIDING PRINCIPLES FOR PUBLIC INSURANCE

1. A long-range public plan should be established, based on the principle of contributory insurance and calling for all employed and self-employed persons to participate during their working years, so that upon reaching age 65 all will have the protection provided under the plan without further payment.

2. The long-range public plan should be self-financed by a separately designated payroll tax, collected as a part of the social security tax and equally shared by employees and their employers (or paid by the self-employed), with the benefit level under the plan tied to the proceeds from this source. Contributions should be placed in a special trust fund committed to provide stipulated benefits after age 65 to those under the plan.

3. The extent of health insurance protection provided by the public plan should be designed to offset substantially the abnormal burden resulting from greater use and higher cost of health services required in old age, so as to give the aged a fair chance of maintaining their independence and providing for themselves.

4. The public plan should be designed to encourage and facilitate coverage of the aged under private health insurance for additional protection. It is essential that health insurance coverage provided under the public and private plans be conplementary and that the roles of the public and private sectors in providing protection be mutually reinforcing.

5. The benefit structure of the public insurance plan should be focused upon health services, the cost of which tends to have the greatest and sharpest impact, rather than upon services involving routine costs or costs which tend to fall in a less concentrated fashion.

6. The public insurance plan for the aged should fit into the current system of health facilities and medical care in the Nation, with maximum free choice among providers of services, and it should contribute to the improvement and expansion of needed health resources in the communities of the Nation.

7. A fundamental long-range objective of the public insurance plan for the aged should be progressive improvement in the quality of the services financed through the plan.

8. Responsibility for the administration of the public insurance plan for the aged should be assigned to the Secretary of Health, Education, and Welfare, with the assistance of an Advisory Council on Health Insurance for the Aged. In administering the plan, the

Secretary should be authorized to contract for services of voluntary organizations and required to invite proposals from such organizations for consideration. Direct administration of benefits should be undertaken by the Federal agency only if proposals from voluntary agencies are not adequate.

GUIDING PRINCIPLES OF COMPLEMENTARY PRIVATE INSURANCE

1. As a corollary action to the establishment in the public sector of a plan for the aged limited to basic institutional services, national policy should assign to private insurance the complementary role of establishing protection to cover other health care requirements of aged persons.

2. Private health insurance should concentrate primarily on covering the major clusters of expense for physician care and other noninstitutional services, so that, together with the institutional care covered by the public plan, the aged will have a well-balanced package of basic protection.

3. Basic complementary protection under private insurance should be made available to all persons in the aged population without disqualifications, reductions in benefits, or increases in premiums because of advanced age or condition of health.

4. Private insurance organizations should devote intensive efforts to extending basic complementary protection to the aged population, with concentration on developing marketing methods designed to produce high volume, low-cost mass coverage.

5. Congress should take action which would make it possible for insurance companies and nonprofit health plans to join in concerted nationwide efforts to extend to the aged population basic protection, complementary to that established under the public insurance plan for the aged.

6. To increase the proportion of the aged covered in the future under complementary protection, private insurance organizations should develop methods for prepaying during the years of active employment the cost of health insurance in old age. Employed groups also should be encouraged to continue retirees under group insurance plans.

NATIONAL ADVISORY COUNCIL

A National Advisory Council on Health Insurance for the Aged should be created and charged with advising the Secretary in administering the public insurance plan for the aged and with making periodic reports to the Congress through the President on the status, in both the private and public sectors, of implementation of national policy for health care of the aged.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may yield to the Senator from Idaho to bring up a preferred matter, and that when consideration of the matter is completed, I may resume the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 277. An act to amend the Federal Crop Insurance Act, as amended, in order to increase the number of new counties in which crop insurance may be offered each year; and

S. 2995. An act to amend section 511(h) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds.

The message also announced that the House had passed the bill (S. 935) to protect the constitutional rights of certain individuals who are mentally ill, to provide for their care, treatment, and hospitalization, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

LAND AND WATER CONSERVATION FUND—CONFERENCE REPORT

Mr. CHURCH. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3846) to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For the conference report, see House proceedings of September 1, 1964, pp. 21165–21166, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

Mr. DOMINICK. Mr. President——

The PRESIDING OFFICER. The Chair advises the Senator that the question of proceeding to consider the conference report which has been submitted to the Senate is not debatable.

Mr. DOMINICK. I have no objection to taking it up.

The PRESIDING OFFICER. The Chair hears no objection to the present consideration of the report.

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The Senator from Idaho [Mr. CHURCH] has the floor.

Mr. CHURCH. Mr. President, I have some remarks to make in connection with the conference report, but I would be willing to defer at this time to the distinguished Senator from Colorado [Mr. DOMINICK], who has some objection to voice, in order that he may proceed with the presentation of his case.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. DOMINICK. Mr. President, I thank the Senator from Idaho. It is time to spread on the RECORD a little about this particular bill. It has been touted as a great bill in promotion of outdoor recreation. It has been said that it is perfectly wonderful for the States because it will help them provide facilities for the ever-growing population.

The truth is that it does not do anything of the kind. As it comes from conference, it is in far worse shape that it was when it went into conference. I shall detail my points.

I emphasize that this bill was promoted as a means and a mechanism for increasing outdoor recreational facilities.

The Outdoor Recreation Resources Review Commission, in its own report on the original administration bill, stated that it did not provide any mechanism for providing new outdoor recreation facilities.

The bill as it comes from the conference committee does two things.

First. It takes wholly unrelated Federal Treasury sums received from surplus property sales and earmarks such funds for this purpose. Those amounts varied from $12 million a year in one year to $80 million a year in another year. The amount varies greatly. As a result, we shall never know from one year to another how much money will be available for that purpose.

Second. It establishes the principle of robbing Peter to pay Paul, because it takes the money out of the General Treasury and earmarks it for a specific purpose, thereby increasing the deficit in the General Treasury.

The bill does not provide one bit of new authority for outdoor recreation facilities. It is a land acquisition bill. The undisputed testimony is that every bit of authority that is supposed to be provided for in the bill is already in existence in the Federal Government.

So all the bill does is supply money for the Executive to do certain things. What is the executive branch to do with it? It will take 60 percent, with a 15-percent variation, and distribute the money among the States equally for acquisition of land. The States must provide matching funds in order to develop lands to provide State parks.

To the extent that one can say that Treasury money comes floating out of the clouds like a mist and does not represent the taxpayers' money, I suppose one could say it aids the States. If we ever try to have a balanced budget—and we do not seem to be trying to have one—it will cost just as much in taxes as if the States did it for themselves.

The other 40 percent of the money goes into a Federal fund. What is done with that money? There are no means for developing existing lands for outdoor recreational facilities. It is a land acquisition bill purely and simply.

The West, and some portions of the East, have tremendous holdings of Federal lands already within State boundaries. For example, more than 35 percent of the total acreage of my State is owned by the Government. The percentage for California is over 46. In Alaska 98 percent of the total acreage is already owned by the Federal Government. Here we are authorizing $480 million in advance appropriations, plus surplus property funds, which would be put up for the purpose of acquiring additional property.

It will not do anything for outdoor recreation from the point of view of making recreational facilities available to the average person. It is merely putting more property under the control of the Department of the Interior.

The bill has some other facets, which I believe are important. I now refer to the fee situation. In the bill we are authorizing the Secretary of the Interior and the Secretary of Agriculture to go into our national forests and national parks and set fees which must be paid by the general public before it can use the facilities. Some of our national parks now charge entrance fees. Yellowstone National Park is one example. On the other hand, some of them do not charge fees. The bill authorizes the executive department to determine in what areas fees may be charged. It is prohibited only from charging fees for the use of water for fishing, water skiing, and for whatever other purposes it may determine. That it cannot do.

What does that mean? It means that we are imposing a form of taxation, in the form of fees, on the general public, by edict of the executive department and in the amount established by it.

The conference report eliminates one provision that I thought could have given us some protection in this regard. That was the requirement that a hearing would have to be held in the area before any fees could be imposed, so that the general public could set forth its opposition with regard to such fees. This provision has been completely eliminated from the bill, leaving us in the position where two people can go in and determine whatever fees they wish to charge. It is a difficult kind of bill to support in the interest of the general public.

We have a situation in which we are taking money from States which have drawn upon their tax resources to provide recreational areas and park areas for their people, and we are saying to them, "Tough luck. You have paid your money to do that, but you will have to assume a double burden now and take care of the States which have not bothered to do what you have done. You will have to assume that burden also."

How do I arrive at that conclusion? Consider the State of New Jersey, as an example. The State of New Jersey has a small amount of Federal lands, and has a very small park system. It does not impose an income tax. The State of Nebraska does not impose an income tax or a sales tax. If the people of those States want a State park system, there is no reason why they should not submit the matter to their own people to determine whether they want to increase their taxes in order to provide a State park system.

Under the conference report, those States would now be required not only to provide for their State park system, but also for some other States as well.

There is one other provision which now becomes of real significance so far as the West is concerned.

I have already said that one of the major purposes of the propaganda in favor of the bill was that it was to provide outdoor recreation for the citizens of this country. There was nothing of that kind in the bill when it came from the House. The Senate added a provision which would permit the Federal portion of the fund to be used for the development of existing Federal lands for outdoor recreation. This provision has been taken out of the bill, and what is left is a wholesale land acquisition program. What was left in was a prohibition against more than 15 percent of the funds being used for acquiring land in the national parks and national forests west of the 100th meridian. This means that 85 percent of the Federal funds would be used in the East, not in the West. Therefore, the money derived from fees paid by visitors to the national parks and national forests in the West would be taken out of that area and put into a fund, 85 percent of which would be used in the East. It involves a diversion of money, resources, and economy of the West for the benefit of the East. That is as plain as it can be.

I completely agree that we do not want additional land acquisition in our western area. There is too much of it already. We want some development of it. However, the very provision which would have authorized it, and which was sponsored by the Senator from Wyoming [Mr. Simpson] and me, and which had been agreed to by the majority of the committee, has been removed in conference, because the House, apparently, would not agree to it.

Again I wish to make it plain that in the bill as it now reads there is no provision for the development of outdoor recreational facilities of any kind. It cannot be done with Federal funds, and it cannot be done with any of the portion that is in the State fund. The State must provide its own fund so far as a State park system is concerned.

Unless one can say that the acquisition of additional property comprises outdoor recreation by itself, entirely apart from any other facilities, the bill would do nothing to solve the problem so emphatically pointed out by the Outdoor Recreation Resources Review Commission.

I have no illusion that there is any possibility of stopping the conference report from being adopted. I am not that idealistic, and I do not indulge in wishful thinking. However, I wish to make it clear for the Record that it will not be very long after the law is in operation before we shall hear a most horrible howl from the American people when they try to use this land and cannot do so without paying a fee.

The bill would initiate a new system with respect to the imposition of fees in national parks and national forests, without accomplishing the very thing which we originally set out to do; namely, the development of facilities for outdoor recreation.

We shall also hear a great howl from other groups which will want particular provisions to be inserted in the law. I refer now to the earmarking of funds for particular purposes. Now that we have added the proceeds from surplus property sales and the diesel fuel tax to the fund—they have been going into the highway fund, but we are taking them out of that fund and putting them into this new fund—it will not be very long before other groups will come along, as has happened in every State that I know of, and say, "There is some money going into the Treasury from a particular source. We want to change that, so that the money will not be subject to priority use by Congress, but put into a special fund, where we can use it for our own purposes."

If we adopt the conference report, we shall be setting a precedent for that sort of thing for the first time in a long time.

The only other earmarked fund that I can think of at the moment is the highway trust fund. In that case, taxes on gasoline go into a fund which provides money for the construction of highways.

It seems to me that we are jumping into something which will backfire on many Members of Congress. I emphatically protest against the fact that the bill is being shoved through without accomplishing the very purpose for which it was originally introduced; namely, the development of outdoor recreational facilities.

Mr. CHURCH. Mr. President, I have not learned to do the contemporary dance known as the twist, so I shall not undertake to answer each of the objections raised by the distinguished junior Senator from Colorado. Some of them seem to me to contradict one another. In any case, the merits of the bill have been fully examined by the Committees on Interior and Insular Affairs, and extensive hearings have been held in both Houses. The bill has been fully and completely debated on the floor of the Senate. The case for it has been made too clear for further argument now. However, the Senator from Colorado has made one or two statements which I think require an answer.

He has said, for example, that none of the money in the bill can be used for the development of outdoor recreational facilities, which is supposed to be the object of the bill. With that statement, I emphatically disagree. The bill is perfectly clear. The fund created is divided between the States and the Federal Government. Sixty percent of the money, in a typical year, is to be made available as matching money for the use of the various States, both for the purpose of acquiring land needed for recreational purposes and for financing the development of recreational facilities.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. CHURCH. It makes no sense at all to say that matching funds made available to the States for development cannot be used for this purpose. Surely, the fact that the State itself must contribute its share of the money is not a proper basis for saying that the money thus pooled cannot be used for the development of recreational facilities.

So I say that, on the facts, the Senator from Colorado is in error when he makes this charge.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. DOMINICK. Is it not a fact that Federal funds cannot be used in the States for development purposes?

Mr. CHURCH. It is not a fact.

Mr. DOMINICK. In what way?

Mr. CHURCH. Federal funds that are made available on a matching basis can be used by the States for development as well as for acquisition. The only ban in the bill relates to the use of Federal funds by Federal agencies; and in that regard, the use of this money for development is prohibited.

Mr. DOMINICK. Mr. President, will the Senator further yield?

Mr. CHURCH. I yield.

Mr. DOMINICK. I do not have the House report before me, but I am sure the staff has. I feel certain that the House report makes it specific and plain that the funds which are made available to the States for State purposes are for the acquisition of land, and that any development program must be carried out by the States, not by the Federal Government in any way.

Mr. CHURCH. This question can be settled by referring to the law itself. Section 5 is perfectly clear. It deals with the general authority and purposes of financial assistance to the States. The language reads:

> The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to provide financial assistance to the States from moneys available for State purposes. Payments may be made to the States by the Secretary as hereafter provided, subject to such terms and conditions as he considers appropriate and in the public interest to carry out the purposes of this Act, for outdoor recreation: (1) planning, (2) acquisition of land, waters, or interests in land or waters, or (3) development.

I do not know how language in a bill could make it any plainer that the matching funds made available to the States can be used for the development of recreation facilities, as well as for the acquisition of land.

It is true that the conferees were unable to agree on the amendment adopted in the Senate, which would have authorized the use of Federal funds by Federal agencies for development as well as for land acquisition purposes.

As the Senator from Colorado has said, one of the primary purposes of the legislation is to provide a fund to enable both the States and the Federal Government to acquire land needed for public recreation. We have taken steps to assure that most of the land will be acquired in the eastern half of the country, because here is the area of congested population, and here is the section of the country where land is most desperately needed for recreational purposes.

So the bill contains a formula which sets aside 85 percent of the money, which the Federal Government may use for land acquisition, and earmarks it for use in that part of the country east of the 100th meridian; whereas 15 percent is earmarked for use in the western areas, where there are already large landholdings of the Federal Government and of the various States. This formula was included in order that the bill might not become a vehicle for some kind of Federal land grab in the West. Still, we recognize that there are certain private inholdings in the Western States, in the wilderness areas, in the national parks, and elsewhere, which it may become necessary to acquire in order to promote or protect good public recreational use. So 15 percent of the money has been set aside for this purpose. This assures us that the recreational objective can go forward in the West as well as in the East, without the bill ever becoming a vehicle for some kind of land grab in those parts of the country where the Federal Government already owns large tracts of land.

But, rather than speaking at length this afternoon on this particular provision of the bill, I shall ask unanimous consent instead to have printed at this point in the RECORD a statement explaining why the conferees struck from the bill the Senate amendment which would have authorized the use of Federal money by Federal agencies for development purposes.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT IN SUPPORT OF CONFEREES' DECISION TO DELETE THE PROVISION FOR DEVELOPMENT ON FEDERAL LANDS

The question as to whether H.R. 3846 should provide for development of outdoor recreation facilities on Federal areas as well as for land acquisition was thoroughly considered during the various stages of the legislative process. It was considered first by the administration itself before it submitted the draft legislation to Congress, then by the House committee and by the whole House during debate on the bill, and again by the conference committee. Each time, it was decided, and on a number of occasions by a strong vote that, for the time being at least, development would be left to the States and the local communities.

This measure was designed with primary emphasis on acquisition. It provides for a land and water conservation fund, with the larger percentage available to the States in the form of matching grants and the smaller percentage available to the Federal agencies that have the bulk of the Federal recreation responsibilities.

Discretion should not be left to the administrators of this program as to whether moneys appropriated from the fund for Federal purposes should be used for acquisition or development. In the opinion of the conferees the Congress should determine, at least for the time being, that moneys available to the Federal agencies from the fund should be used for acquisition by making the language of the act applicable only to acquisition, rather than permissive for development as well as for acquisition.

Let us not forget that one of the basic principles underlying this legislation is that a substantial acreage of land and water areas needs to be acquired by public agencies in order to make it possible to meet future recreation needs, and that acquisition must take place promptly before such areas become either unavailable for recreation because of commitments to other uses or prohibitively expensive.

One of the most important findings of the Outdoor Recreation Resources Review Commission, following 3 years of study of the outdoor recreation needs of America, was that despite the large total Federal land holdings, most of such land available for outdoor recreation purposes is where people are not, and that we need to acquire lands for such purposes near centers of population. This is why the legislation requires that the great bulk (85 percent) of the areas to be acquired within the national forest system must be east of the 100th meridian.

The decision had to be made whether we have the foresight and the courage to plan for our grandchildren and those who will live in this country in the years to come or whether we are so narrow in our scope concerning the recreational needs of the people of this country that we can only look at those who are here today.

The decision has been made that we will take the long-range view. So, for the present, and particularly until experience has fully demonstrated how much money will actually be available to the Federal agencies under the provisions of the act and until such problems as those of inholdings are cleared up, it will be well to concentrate on land and water acquisition and to depend on the established procedure of appropriations from the general fund of the Treasury to meet the Federal development needs.

Let us keep in mind that we have had no questions raised for the development of the presently established areas as far as our Appropriations Committees are concerned. They have always been willing to recommend appropriations for development purposes. Moneys have been furnished for development purposes in the national parks—for Mission 66—and for areas in the national forests which have been set aside for recreation purposes.

The development provision, if left in, has the potential to gut the Federal acquisition part of the bill. It strikes at the very heart of the legislation. Adoption of that provision could have a very crippling effect upon the Federal agencies because it could in effect wipe out any moneys for acquisition that would otherwise be available.

Federal development moneys appropriated in the regular process now already exceed the estimate of Federal moneys that would be available from the land and water conservation fund for Federal purposes. For example, the Federal share of the estimated average annual revenue to the fund during the first 3 years is $70 million.

Appropriations for recreation development to the Forest Service and the National Park Service combined averaged during the past 3 years about $85 million annually. This amount alone exceeds the estimated total Federal share of moneys that would be available from the land and water conservation fund. It does not include any recreation development expenditures at fish and wildlife areas, nor does it include an amount as an offset to capital expenditures at water resource development projects for recreation and enhancement of fish and wildlife. Thus, total moneys available to the Federal agencies from the fund obviously will not be sufficient for both acquisition and development.

Just to make the record clear, the actual figures on appropriations for outdoor recreation purposes, other than for acquisition, for the National Park Service and the Forest Service separately during each of the past 3 fiscal years are as follows:

Fiscal years:	
1963:	
National Park Service	$61,110,500
Forest Service	26,373,000
Total	87,483,500
1964:	
National Park Service	56,527,000
Forest Service	25,016,000
Total	81,543,000
1965:	
National Park Service	60,893,600
Forest Service	26,105,000
Total	86,998,600

In contrast to this, the estimated share of the land and water conservation fund that will be available, if appropriated, for all Federal purposes (not just for the National Park Service and the Forest Service) will be as follows: fiscal year 1965, $50 million; fiscal year 1966, $80 million; and fiscal year 1967, $80 million.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. GORE. In view of the fact that there are so many lakes in our region, of which I and my fellow Tennesseans are justly proud, I wonder if the Senator from Idaho feels that the conference report adequately safeguards the right of a citizen to use, to fish from the bank, or to enter upon, a lake owned by the U.S. Government with a boat of his own.

Mr. CHURCH. First, I should say to the Senator that the bill is perfectly clear as to any body of water, whether it be a reservoir constructed by the Corps of Engineers or the Bureau of Reclamation, or a natural lake, or a river, or a canal, no charge may be made for the use of the water. Language was offered, as a matter of fact, by an amendment I proposed in the Committee on Interior and Insular Affairs, which was adopted by the committee, and confirmed by the Senate.

Mr. GORE. My colleague, the Senator from Tennessee [Mr. WALTERS] worked with the able Senator from Idaho in that regard.

Mr. CHURCH. He did, indeed. He was much concerned, as was the senior Senator from Tennessee, about the TVA reservoirs in his section of the country. The particular provision of the bill, as finally approved by the conferees, reads as follows:

> No entrance or admission fee shall be charged except at such areas or portions thereof administered by the Federal agency where recreational facilities or services are provided at Federal expense. No fee of any kind shall be charged under any provision of this act for the use of any waters.

Now, the obvious intent of the bill would be subverted if the administrators were to attempt to charge for ordinary access to the shoreline, for obviously this would be a device, the only purpose of which would be to obstruct the clear objective of the law, that the use of the waters should be free.

Of course, this is not meant to exclude certain kinds of user fees for facilities or services furnished at Federal expense.

Let us suppose a developed campground furnished at Federal expense where definite services were provided—parking lots for trailers, electric plugins, sanitary facilities, garbage disposal units—it would be quite within the purpose and intent of the bill that a reasonable fee be charged for the use of that campground. If the campground were located on a lake and embraced a certain part of the lakeshore, then those using the campground area, including its shoreline, might be expected to pay a reasonable fee.

But beyond the boundaries of that developed campground, any other ordinary access to the lake would remain free of charge, because it would not involve the use of a developed facility or special service furnished at Federal expense.

During the debate on the bill 2 weeks ago, the distinguished Senator from Oklahoma sought to add some additional language, and we accepted it on the floor.

His amendment would have added to the sentence I have just read; namely, "No fee of any kind shall be charged under any provisions of this act for the use of any waters"—the three words "or access thereto."

I say to the Senator that we sought in conference to retain that amendment, but there were difficulties with it. Take, for example, the case of the Yellowstone National Park where an admission fee has been traditionally charged for entry into the park—I believe that today the fee is $6.

With the language added by the Monroney amendment, a serious question arose as to whether that admission fee could be charged to a person who claimed that his purpose for entering the park was only to use the waters of Yellowstone Lake. Clearly an ambiguity was present, by virtue of the adoption of the Monroney amendment, which led the conferees to conclude that these three words should be stricken.

Mr. President, I believe that concludes all that I wish to say at this time in connection with the bill and the conference report. I conclude my statement by emphasizing that many of us might have preferred to have financed public recreation out of the General Treasury, without the need to earmark revenues and establish a special land and water conservation fund.

But, let us not fool ourselves. For years and years it has been open to succeeding administrations and succeeding sessions of Congress to appropriate adequate money from general revenues to keep up with the pressing need.

But for all these years we have failed to do it. This bill recognizes that failure, and the fact that we must have a fund of earmarked money if State programs are to be stimulated, and increased Federal activity in this vital area is to occur.

The bill is designed to do that job. It is based upon a well-calculated appraisal of what money will be required. The earmarked funds—the objection of the distinguished Senator from Colorado notwithstanding—have a definite relationship to the object and purpose of the bill. Some of the money will come from the users of the campgrounds, of the ski facilities, of the boating docks, wherever they might be, with the users paying directly for the services provided. Some of the money will come from the sale of surplus Government lands, from the net proceeds of land which the Federal Government owns and does not need, for the purchase of other lands which are needed for recreational use.

I cannot conceive of a more logical relationship than this; or, as to the money that will come from the present tax on motorboat fuels which now goes into the highway trust fund, but is derived from the use by so many hundreds of thousands of people of lakes and rivers for recreational purposes. As to the money in the fund to be advanced by appropriation, this will be repaid in due course from these sources that have a direct tie with the recreational purposes sought to be served by this proposed legislation.

I therefore disagree with what the distinguished Senator from Colorado has said. I believe that this is landmark legislation. It is urgently needed, if this country is to keep up with the requirements of the public for wholesome outdoor recreation. We have failed to do so up to now. That is why this bill is needed. That is why so large a majority on both sides of the aisle, in the Senate and in the House of Representatives, have given the bill their approval.

I commend it to the Senate; and I hope that the Senate will now approve the conference report.

Mr. DOMINICK. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I yield.

Mr. DOMINICK. I know how hard the Senator from Idaho has worked on the bill. I also know how hard the other members of the committee have worked on it. A great many amendments in the consideration of the original House bill have been adopted by the Senate which I believe are helpful. None of them restricts the amount of land which can be acquired into the fund in the Western States where already the Federal Government owns so much land. All this has been good, and I congratulate the Senator from Idaho and members of the committee for their work in this connection.

The point that bothers me, and bothers me very much, is that the testimony given to us by the Outdoor Recreation Review Committee from the very beginning was that the bill did not comply with the recommendations they had given for the development of outdoor recreation. It did not fulfill them.

The bill in its present form would eliminate the possible development of existing Federal lands under the Federal share of the fund. Having eliminated that, we have not done anything to provide facilities. All we have done is to provide more land for people to walk through, or for people to view, all of which is great in some ways, but it is not the specific problem pointed out by the committee.

Mr. CHURCH. The members of the Outdoor Recreational Review Committee, to my knowledge, are all strongly behind this proposed legislation. It has their endorsement and support, so far as I know.

I believe it is consistent with the recommendations that have been made. As I have previously pointed out, money from this fund will be available for financing the development of recreational facilities as well as the acquisition of more land.

Mr. MONRONEY. Mr. President, we are about to launch into a program that will rise up to haunt us. We are taking away from the people a privilege that has been theirs to enjoy for many years.

By tradition, by enactments of Congress, and by practice we have made the public water available to the people—the public—without charge either for the use of it or for access thereto. The Senate committee, when this bill was before it, amended the House bill, and when it reported the bill, added a provision which stated:

> No fee of any kind shall be charged under any provision of this Act for use of any water.

By an amendment offered by Senator MUNDT and myself, we added to that language "or access thereto." Thus it read:

No fee of any kind shall be charged under any provision of this Act for use of any water or access thereto.

The sole purpose of this amendment was to make it crystal clear that it was the intention of the Senate of the United States that no fee should be charged to the public for the use of any water or access to it. This did not change what the sponsors of the bill said they intended. The history made here on this floor is certainly clear on that point. I am certain that the unanimous vote by which the amended bill passed the Senate was influenced by those three words, "or access thereto."

In fact, if Senators will read the colloquy on the floor they will find more discussion on the three-word amendment and the need for it in order to clarify the committee text than on any other single feature of the bill. I am persuaded that the reading of the Record will convince anyone that it was the full intention of the Senate that the use of water by the public would be without charge and that they would have free access to it. It simply made the bill state that the use of any water and the access to it would be free to the public, to whom that water belongs. Mr. President, I ask that parts of that colloquy be reprinted at this point in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Mr. Mundt. I should like to interrogate the distinguished Senator from Washington, the Senator in charge of the bill, in connection with some questions brought up earlier in connection with recreational areas in the Missouri River development program. The Senator will recall that the Missouri River dams and reservoirs were created by special act of Congress.

I read the pertinent section of the act of 1944 dealing with this particular area: "The water areas of all such reservoirs"—meaning the Missouri River reservoirs now—"shall be open to public use generally without charge for boating, swimming, bathing, fishing, and other recreational purposes, ready access to and exit from.

"Such water areas along with the portions of such reservoirs shall be maintained for general public use, when such use is determined by the Secretary of War not to be contrary to the public interest, and all other such rules and regulations as the Secretary of War may deem necessary."

In the bill we are now considering, section 4, on page 7, line 17 through page 8, line 4 provides as follows:

"Section 4 of the act entitled 'An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes', approved December 24, 1944 (16 U.S.C. 460d), as amended by the Flood Control Act of 1962 (76 Stat. 1195) is further amended by deleting ', without charge,' in the third sentence from the end thereof. All other provisions of law that prohibit the collection of entrance, admission, or other recreation user fees or charges authorized by this Act or that restrict the expenditure of funds if such fees or charges are collected are hereby also repealed:".

I have taken up with the authorities involved, and have discussed with members of the committee, the meaning of the new language as it involves the people of South Dakota, Nebraska, North Dakota, Montana, and elsewhere, who have enjoyed the recreational benefits of the Missouri River reservoirs under the terms of the act of 1944.

I should like to ask the Senator from Washington some questions, so that we can establish the legislative history and button down what I deem to be the actual conditions which will prevail.

First, will the provisions of the 1944 act, guaranteeing ready access to these waters, remain in force?

Mr. Jackson. There will be the right to ready access to the waters the Senator has mentioned. The committee, at the instance of the Senator from Idaho [Mr. Church], amended the bill, starting on line 25, page 4, which stipulated that:

"Entrance and admission fees may be charged at areas administered primarily for scenic, scientific, historical, cultural, or recreational purposes."

Then it continues:

"No entrance or admission fee shall be charged at such areas or portions thereof administered by a Federal Agency where recreational facilities or services are provided at Federal expense. No fee of any kind shall be charged under any provision of this act for use of any water."

Mr. Mundt. That leads to the next question. "Waters" is a rather ambiguous term unless we define it more specifically.

Mr. Jackson. This includes the right of access.

Mr. Mundt. If it includes the right to boat and swim in the lake, I want to be sure it includes the right of a farm boy in South Dakota to take his boat down to the lake on his own trailer and scoot it into the water without the benefit of use of a Federal facility, and bring it back without charge.

Mr. Jackson. It does include that. What would not be included would be a request for Federal funds to build a boat ramp and a special facility for which a fee could be charged. Of course, money will be available under the State program, as the Senator is aware. And that would be up to the States. The Federal Government would not control any of the fees that a State might levy. But if it is merely a question of access to the water itself, under the amendment of the Senator from Idaho [Mr. Church], as I understand the position of the Senator from Idaho, no fee would be charged. The water would be avalaible for use by individuals, as the Senator has illustrated, without payment of a fee. There would be the right of access.

Mr. Church. Mr. President, I wish to add a further word of clarification to what the distinguished chairman has said. Earlier in the day, the senior Senator from Oklahoma [Mr. Monroney] raised the very point that the able Senator from South Dakota [Mr. Mundt] has postulated. Because there is possible ambiguity in the language of the bill, which we previously had not realized might exist, the senior Senator from Oklahoma has proposed that we add after "waters" the phrase "or access thereto." That pins it down beyond any shadow of a doubt. I believe we can accept that amendment. I believe it would eliminate this possible ambiguity. We would be happy to accept it.

Mr. Mundt. It would be an improvement. It would meet the particular problem which I am sure the committee intended to meet. It is language which is subject to various interpretations from different people.

We have established in the bill that the user who takes his boat with his family to the water's edge for a picnic or a fishing trip can have access to the lake, so far as the access from the roadway into the water is concerned, without charge so long as he is not using some special ramp facility which has been built with public funds.

Mr. Church. That is the object of the language that the committee has inserted in the bill.

* * * * *

Mr. Monroney. Mr. President, this is a corrective and clarifying amendment, which I am sure is needed further to strengthen the position of the Senate that we are not to charge admission fees, as such, to our publicly built bodies of water. We most certainly should not pass this bill without including this amendment. The Senate committee adopted a number of clarifying and declarative amendments to the House bill, all of which are major improvements. The committee, as it states in its report, made changes in the bill to prevent any charge for the use of waters for recreational purposes. On page 5, lines 6 and 7, the bill states:

"No fee of any kind shall be charged under any provision of this act for use of any waters."

My amendment adds but three words to line 7—"or access thereto."

This amendment reinforces the committee's very worthwhile language to make the sentence on lines 6 and 7 of page 5 read:

"No fee of any kind shall be charged under any provision of this act for use of any waters or access thereto."

It may be argued that these three words are unnecessary, that any court of appeals would say that in order for the use of any waters to be free, free access to the waters should be required. However, we cannot afford to rely carelessly on a court interpretation. We should make this technical correction here and now. It is simply obvious that if the use of waters is to be available to the people without fees, the people must have free access to the shoreline of any reservoir or other body of water.

This amendment will not interfere in any way with the collection of entrance or admission fees at areas that are adjacent to bodies of water and that are administered primarily for scenic, scientific, historical, cultural or recreational purposes. The bill provides for the collection of fees for the use of facilities such as boat ramps, moorings, boathouses, improved campsites, bathhouses, or other improvements which add safety and convenience for the user. Such fees already are charged in many of our State and Federal parks and recreational areas. Although I feel this bill delegates power in an undesirable fashion for the levying of additional fees of this kind, the Senate committee removed one of the most objectionable features when it added the provision that no fee of any kind shall be charged for the use of any waters.

The difficulty which my amendment is designed to avoid is an obvious possibility. Somewhere, somehow in years to come some bureaucrat might seek to circumvent our purpose by fencing off a body of water in such a way that even though the use of the water itself was free, no one could make use of the water without first paying a toll fee to reach the shoreline. My amendment, adding the words "or access thereto," rules out such a possibility. It will eliminate the need for some court to assume at some future date the responsibility of telling the people of this country what we meant when we said that no fee would be charged for the use of any water. I am sure that all of us would agree that any steps we can take here to make court interpretations of our actions unnecessary in the future will be warmly welcomed by the American people.

Mr. Mundt. Mr. President, will the Senator yield?

Mr. Monroney. I yield.

Mr. Mundt. Inasmuch as the Senator from Oklahoma and I have been concerned with the same problem, and in view of the fact that I had prepared a much more awkward and cumbersome amendment, I should like to be included as a cosponsor of his amendment, and then I shall not offer mine.

Mr. Monroney. I would very much appreciate having the distinguished Senator from South Dakota join me in the amendment.

The Presiding Officer. Without objection, it is so ordered.

Mr. Jackson. Mr. President, I believe the amendment offered by the Senator from Oklahoma and cosponsored by the Senator from South Dakota will be helpful in clarifying what the committee definitely intended to make very clear, namely, the right of accessibility to waters, without charge. Therefore, on behalf of the committee, I accept the amendment.

The Presiding Officer. The question is on agreeing to the amendment of the Senator from Oklahoma.

The amendment was agreed to.

Mr. MONRONEY. This body of legislators has on at least seven separate occasions stated the principle of free use of the public waters for the public. And as late as 1960, the Democratic Party, of which I am a proud member, enacted the same principle in its platform. We further have adopted the principle in the multiple-use development of forests, fish and wildlife refuges, and reservoirs.

Our present system of financing recreation facilities has worked well. It has provided excellent facilities throughout all parts of the country. The Congress has retained the control over financing which is its responsibility and prerogative. Of course, more could have been done if more money had been provided. In recent years the Congress has recognized the need for these facilities. Having recognized the need, I believe the Congress will provide the necessary funds.

I am advised by the Corps of Engineers that they have more than 300 completed projects with recreation facilities throughout the United States. In 1963 there were 130 million visitor-days attendance at these reservoir projects. There is no fee charged for the use of the impounded water or for access to it. The corps has contracts with 540 private concessionnaires who furnish such things as overnight and vacation accommodations, boat rental and service, snackbars and stores, fish tackle and bait, and other needed services for which fees are charged. But there is no entrance fee to any of these projects. There is no charge for the minimal service and facilities furnished by the corps, such as boat launching ramps, camp tables, drinking fountains, and things of that nature. There should be no fee charged for this type of facility or service, nor should any fee be imposed for access to the water areas. Certainly a citizen should be able to expect from his Government this nominal benefit from the expenditure of tax money to develop natural resources. Is there some fault with what we have been doing since the enactment of the Northwest Ordinance of 1787 or with what we have reenacted as late as the Rivers and Harbors and Flood Control Act of 1962?

Oklahoma has been a leader in developing recreational facilities. It has developed 18 State parks and recreational areas on and around the Federal reservoirs in Oklahoma. Seventy-five million dollars in State funds have been invested in our park system, $25 million of which is in revenue bonds. We have a total of 17 State parks and 15 State recreation areas. There were over 28 million visitor-days attendance last year at recreation areas in Oklahoma. About 16 million of these visitor-days were at Corps of Engineers projects. The system of financing in Oklahoma which is a combination of direct appropriations and revenue bonds has worked satisfactorily.

The State has never found it necessary to resort to entrance fees of any kind or a charge for the use of the water.

The policy of the Corps of Engineers in determining recreation benefits and development grew out of the efforts of the late Senator Robert S. Kerr to meet the recreational needs at corps projects and to assure the full development of the resources involved. It is the same theory that resulted in the Fish and Wildlife Coordination Act and the policy of multiple use of our national forest lands.

I for one do not believe that we need to or should charge fees to areas traditionally free. These resources belong to the people—why should we deprive any of them of their enjoyment?

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. McINTYRE. Mr. President, I move that the vote by which the conference report was agreed to be reconsidered.

Mr. CHURCH. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CHURCH. I thank the senior Senator from New York for yielding me the time in which to present the conference report.

HUBERT HUMPHREY—A GOOD CHOICE

Mr. CHURCH. Mr. President, there is a newspaper in my State, the Lewiston Morning Tribune, published in Lewiston, Idaho, which I believe can properly be referred to as the thinking man's newspaper.

Recently two editorials of such exceptional quality have appeared in the Tribune that I believe they deserve inclusion in the Congressional Record.

The first editorial appeared under date of Thursday, August 27, 1964. It is entitled, "Hubert Humphrey—A Good Choice." The last paragraph of the editorial reads:

> We should all hope that the practice of nominating a qualified man for the Vice-Presidency will be a continuing one in American politics. President Johnson and the Democratic Party are to be commended for selecting a vice-presidential candidate possessing proven statesmanship as well as voter appeal.—B.E.N.

I not only wholeheartedly agree with the concluding paragraph of the editorial, but I also agree with all other parts of this excellent editorial. I commend it to my colleagues.

I ask unanimous consent that the editorial may be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Lewiston (Idaho) Morning Tribune, Aug. 27, 1964]

Hubert Humphrey—A Good Choice

The nomination of Senator Hubert Humphrey as the Democratic vice presidential candidate should be welcomed by all Americans regardless of party. It means that President Johnson and the Democratic Party have seen fit to select a man who could fulfill the awesome responsibilities of the Presidency in the case of Presidential death or disability.

The longtime custom of selecting a vice-presidential candidate to add "balance" to the ticket or to pick up a few extra votes from a regional or ethnic minority is an archaic political practice which America can well do without. The American Vice President has had to assume the duties of the President on the death of the Head of State on eight different occasions. In recent years the selection of vice-presidential candidates of the quality of Alben Barkley, Earl Warren, Richard Nixon, Estes Kefauver, Henry Cabot Lodge, and Lyndon Johnson is especially commendable when one considers that the President literally possesses the power of life and death over the population of his own country and over much of the world. The presidential and vice-presidential candidates of both parties should be men of proven ability and prudence.

Humphrey has had a record of proven ability since his election to the Senate in 1948. The esteem of his fellow Democratic Senators is indicated by their election of the Minnesotan as Democratic "whip" in 1961, a position second in rank only to the majority leader. This year, President Johnson designated Humphrey to manage the highly controversial civil rights bill on the floor of the Senate and Humphrey brilliantly steered the bill to final passage this summer.

Although Humphrey expresses his convictions with firmness, he does so without alienating those who differ with him. During the civil rights struggle Humphrey would caution his aids, "Be nice to people." Humphrey's gregarious disposition has paid off handsomely for him; he has retained the friendship of southern politicians who vigorously opposed his civil rights stand. Indeed, since the first trial balloon was launched for the Humphrey candidacy earlier this year, almost no opposition has emerged, in the South or in any other section of the country. Many Democratic professionals approvingly remember how Humphrey swallowed his pride and worked for the Democratic presidential nominee after Kennedy defeated him for the nomination in 1960. And in the Senate, Humphrey was one of President Kennedy's strongest legislative backers.

Although Humphrey has great support among the liberal, urban, and intellectual elements in the Democratic Party, he is also popular with farmers and businessmen. Born the son of a smalltown South Dakota pharmacist, he learned the problems of the businessman and the farmer early in life. Humphrey was a pharmacist, college teacher, and mayor of Minneapolis before his election to the Senate.

Humphrey also is experienced in foreign affairs, a requisite for any prospective American President. A member of the Senate Foreign Relations Committee since 1953, he has written scholarly articles on foreign affairs and has worked hard for the United Nations, for foreign assistance, for arms control agreements, and for good relations with Latin America. The July issue of Foreign Affairs contains a thoughtful article by Humphrey urging increased American attention to the problem of promoting peaceful social change in Latin America to prevent the spread of Castroism.

We should all hope that the practice of nominating a qualified man for the Vice-Presidency will be a continuing one in American politics. President Johnson and the Democratic Party are to be commended for selecting a vice-presidential candidate possessing proven statesmanship as well as voter appeal.—B.E.N.

NEW HAND AT THE HELM IN VIETNAM

Mr. CHURCH. Mr. President, an editorial appeared in the Lewiston Morning Tribune under date of Sunday, August 30, 1964, entitled, "New Hand at the Helm in Vietnam."

The editorial contains an excellent summary of the distressing situation which is facing us in that unhappy country. I concur completely in the summary and the factual presentation made in the editorial. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Lewiston (Idaho) Morning Tribune, Aug. 30, 1964]

NEW HAND AT THE HELM IN VIETNAM

Dr. Nguyen Xuan Oanh's ascension to the premiership of South Vietnam is the latest symptom of the disturbing political situation in that country. The sad fact is that no South Vietnamese Government for the last few years has been able to command the loyalty of the majority of the population.

Those who advocate an expansion of the war to North Vietnam or China fail to perceive this aspect of the conflict. The Vietcong guerrillas are primarily South Vietnamese, and arm themselves largely with American weapons captured from the South Vietnamese Army. Any guerrilla force is dependent on the support of the South Vietnamese peasantry for survival. As Henry Cabot Lodge, the 1960 Republican vice presidential candidate and recent Ambassador to South Vietnam, has pointed out: "The Vietcong campaign is, above all, a political affair * * *. When the Vietcong have had enough and decide to stop fighting, they simply melt in with the people. If the people were to deny the Vietcong, they would thus have no base; they would be through."

American political and military leaders have increasingly realized the importance of nonmilitary factors in winning the war against the Vietcong. Earlier this year, Secretary of Defense Robert McNamara noted that the large indigenous support the guerrillas received necessitated political and economic measures as well as military ones, and that there could be no purely military solution in South Vietnam.

U.S. assistance to South Vietnam originated in 1954 when President Eisenhower and Secretary Dulles made the decision to take over from the French, who had been defeated by the Communists on the battlefield. The Diem regime in South Vietnam had a promising beginning but steadily began to lose touch with the people of the country in the late 1950's; it finally fell in the wake of the Buddhist demonstrations last year. Since November, South Vietnam has had three political leaders, hardly a situation to encourage the people to fight the Vietcong.

Hopefully, Dr. Oanh will be able to help develop the political consensus necessary to stabilize his country. Dr. Oanh, who speaks fluent English, has a doctorate in economics from Harvard, and who served as an instructor in a Connecticut college for 5 years, will be able to establish close communication with his American allies. At the same time he must strive to maintain an appearance of independence so that he will not be branded an "American tool" by his own countrymen.

The main advantage in this conflict as compared to the French war against Ho Chi Minh's forces, is that now the Vietnamese are carrying the brunt of the battle against the Communists themselves. In the early 1950's, the Vietnamese supporters of the French were continually discredited by being labeled as agents of Western imperialism. Increased American military involvement would only make it more difficult to inspire the people to do battle against the Vietcong guerrilla force.

It is probably futile to expect that the present administration will make any major political or diplomatic move to help meet the South Vietnamese crisis before our own presidential election. But it would be beneficial to begin exploring possible political steps. Several Members of the U.S. Senate have advocated more effort in this area, including the suggestion to bring the United Nations into a greater role in the settlement of the dispute. Certainly, blind repetition of current military effort is not promising.

In any case, Americans must keep cool heads in this crisis. They must not be misled by campaign declarations that expansion of the war to the north will defeat the Vietcong in the south. In making his decisive air response to the attack on American destroyers in the Gulf of Tonkin, President Johnson wisely reiterated the long-term American policy of seeking no wider war in the Indochinese Peninsula.

Americans also should wish Dr. Oanh success; like his predecessors, he can count on ample American support. We should also hope that he, his fellow countrymen, and all politicians here at home fully realize the realities of the conflict. If the war in South Vietnam is to be won, the South Vietnamese themselves must win it. No real solution can be achieved by greater use of Western arms in the struggle for Vietnam.—B.E.N.

JEWISH NEW YEAR 5725

Mr. KEATING. Mr. President, with the advent of the Jewish year 5725, my family joins me in extending our warm wishes to the Jewish community for a year of happiness and fulfillment. May all, especially those abroad undergoing hardship and persecution, have a year of freedom, peace, and justice.

In this High Holy Day season especially, all Americans of good faith join in prayer that the Soviets will loosen the bonds confining some 3 million of her Jewish citizens so they might once again experience the enjoyment of their religious heritage and the faith that sustained their fathers.

May this year be a blessed and peaceful one in which all acknowledge the common brotherhood of man and the common fatherhood of God.

I deem it appropriate on this occasion to reiterate that I shall continue to protest against the religious and cultural discriminations which the Jews of the Soviet Union endure. It is my profound prayer that the Soviet Government will rectify, as quickly as possible, the evil persecutions of their Jewish citizens. What is required is not official denials of the existence of anti-Semitism, but rather official action to restore to Soviet Jewry religious and cultural freedom—the freedoms which all other peoples in Soviet Russia experience.

The singular sentiment of American Jews for peace between Israel and her Arab neighbors is well known. I join with them in the fervent hope that, during this coming year, decisive progress will be made toward peace with justice in the Middle East. To this end, Arab statesmen must realize that the State of Israel is a permanent polity internationally recognized as a fruitful member of the family of nations. Arab recognition of this international fact will not only remove the dangerous tensions which beset that region but will likewise be a wise and constructive contribution to the peace of the whole world. Again—a Happy New Year.

RESOLUTIONS OF THE ORDER OF AHEPA

Mr. KEATING. Mr. President, the Order of AHEPA, assembled at the 42d Annual Supreme Convention in Toronto, Canada, unanimously approved a number of important resolutions dealing with the present crisis in Cyprus. These meetings which have just concluded have increased U.S. awareness of the problem of Cyprus, where a minority of about 18 percent is constitutionally empowered to veto legislation affecting the entire nation. They have also called attention to misuse of U.S. foreign aid to assist in aggression and persecution of civilian men, women, and children.

Mr. President, I ask unanimous consent that the text of the resolutions passed by AHEPA at this August convention may be printed at this point in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

AHEPA RESOLUTIONS ON CYPRUS

Whereas the Order of AHEPA has traditionally raised its voice either through resolutions adopted by the national conventions or the supreme lodge or other constitutional bodies, on issues affecting the peace, the rendering of justice, the preservation or the attainment of freedom and the general welfare of the peoples of the world; and

Whereas the people of Cyprus are engaged in a death struggle to attain self-determination and free themselves of all remnants of colonialism imposed upon them in the guise of freely negotiated agreements commonly known as the London and Zurich treaties; and

Whereas the people and Government of the United States have been resolutely devoted to peace, the settlement of disputes through peace, the settlement of disputes through peaceful means, the self-determination for all peoples, and to the principle that all powers of government must be derived from the governed; and

Whereas the peoples of the United States, in pursuit of such objectives, have sacrificed untold labor and treasure and have generously granted economic and military aid through the Marshall plan, and the armies of many friendly Nations have been provided with various armaments and supplies only in serving the cause of peace and in harmony with the principles enunciated by the United Nations Charter; and

Whereas Turkey, a recipient of U.S. military and economic aid approximating $3 billion did, on August 8, 1964, embark upon acts of aggression against the defenseless people of Cyprus, using U.S.-made planes, rockets, air bombs, and military equipment and supplies of all types, in clear violation of sections

505 and 506 of the Foreign Assistance Act of 1961, as amended in 1962; and

Whereas such aggression caused the deaths of innocent civilians, women, and children, and the destruction of peaceful towns and villages, including churches, and the Government of Turkey has taken no action to redress and mitigate the suffering and repair the damage inflicted by such wrongful acts: Now, therefore, be it

Resolved by the 42d Annual Convention of the Order of Ahepa assembled in the city of Toronto, Canada, That the President of the United States be petitioned to suspend all economic and military aid to Turkey, in strict harmony with existing law; and be it further

Resolved, That the President of the United States be further petitioned to espouse, on behalf of the United States, the establishment of a branch of the International Court under the United Nations similar to the Court at Nuremburg which tried German war criminals, and cite the Government of Turkey and such persons who participated in the Cyprus aggression to said court for proper trial; and be it further

Resolved, That copies of these resolutions be forwarded to the President of the United States, the Prime Minister of Canada, the Secretary of State, the President pro tempore of the U.S. Senate, the Speaker of the House of Representatives, and the Secretary General of the United Nations.

Done in the city of Toronto this 21st day of August 1964.

Ahepa Resolution on Cyprus—No. 1

1. The members of the Order of Ahepa again reaffirm their oft-stated opposition to communism and all other forms of tyranny and subversion.

2. Immediately after World War I President Wilson gave hope and inspiration to the enslaved and downtrodden nations and peoples of the world by enunciating the principles and doctrine of self-determination. This doctrine was wholeheartedly supported and became a cornerstone of American foreign policy. As a result of this policy, great segments of the world were liberated and many peoples of the world have established their own democratic nations in Africa and Asia. It is a policy that continues to give hope and inspiration to those nations and peoples still enslaved behind the Iron Curtain. It is a policy that has given deserved credit to the United States. There is a struggle going on in the island of Cyprus. The people of Cyprus are entitled to self-determination for the purpose of establishing a democratic government where all the citizens will have equal suffrage, equal protection of the laws, religious freedom, and equal educational, economic, and social opportunities in accordance with American history and tradition.

The Order of Ahepa, in convention assembled in Toronto, Ontario, Canada, again endorses this basic principle of U.S. foreign policy, and urges the U.S. Government to wholeheartedly pursue and fully implement this policy of self-determination for the people of Cyprus.

3. The Christians of Constantinople and other parts of Turkey are being expelled and persecuted. Their properties are being confiscated without compensation. The Order of Ahepa condemns this arbitrary, unjust, and uncivilized treatment of these Christians by Turkey, and calls upon all men of good will everywhere to urge their respective governments to come to the aid of these unfortunate victims.

4. The Ecumenical Patriarchate of Constantinople and its hierarchy are being persecuted and exiled unjustly. The Order of Ahepa condemns such barbaric practices and appeals to all people of every faith to join in this condemnation so that religious freedom may be reaffirmed in Turkey.

COSTARS IN WAR DRAMA

Mr. KEATING. Mr. President, recent news stories reveal that the work performed at the Brooklyn Navy Yard is an important part of our national defense effort, and that many ships, built or remodeled at the Brooklyn Yard, are playing vital roles in defense of U.S. policies in all corners of the globe.

When the destroyer *Maddox* was attacked in the Gulf of Tonkin, it was the two carriers *Constellation* and *Ticonderoga* which were able to launch aircraft to the rescue. The *Constellation* was built and the *Ticonderoga* overhauled at the Brooklyn Navy Yard, where dedicated crews gave months of their lives to fine workmanship and effort on these vessels.

In the Cuban crisis, too, the timely and topnotch repair work performed by the Brooklyn Yard contributed to the Navy's ability to perform a key mission.

Mr. President, the message should be clear. The Brooklyn Navy Yard's contributions to the cause of freedom are without equal. No other yard, public or private, can beat this record.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of a recent editorial which appeared in the Shipworker, a publication of the New York Naval Shipyard, Brooklyn.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Costars Shine in War Drama

Whatever may ultimately result from our long and costly venture in Vietnam, recent events have seen two slightly tarnished stars shine again with their old accustomed brilliance:

(1) The aircraft carrier; and

(2) The New York Naval Shipyard.

When torpedo boat attacks on the destroyer *Maddox* called for instant retaliation, it was the aircraft carrier (two in fact) which supplied the punch. Jet aircraft from the carriers *Constellation* and *Ticonderoga* roared to the attack, striking swiftly and with devastating effect. A fighter facing Jack Dempsey and Joe Louis at the same time could not have been hit harder.

Temporarily, at least, the net result has been a lessening of tensions in that area. Thus we have once again witnessed the efficacy of the aircraft carrier in a situation demanding the application of power in a desired dose. And demonstrated forcibly, too, by events in the Gulf of Tonkin, is the carrier's unmatched mobility. Here today, gone tomorrow may be an oversimplification, but it does convey a mind's-eye picture of these huge floating air bases being deployed rapidly from one trouble scene to another.

Less directly, what has been happening in the Far East and other powder keg areas has been something like one long commercial for shipyard products. The *Constellation,* we hardly need be reminded, is one of ours. The *Ticonderoga,* while not built here, was so completely overhauled and modernized by us that she can be called a Brooklyn baby. Both acquitted themselves with glory in the Vietnam incident and stand ready for more action should the need arise.

In the Cuban crisis it was the Brooklyn built *Saratoga* on the spot in the boiling Caribbean. Joining her was the carrier *Lexington,* whose overhaul here was completed in record time so that she could lend her might to the sticky situation. Our first amphibious transport *Raleigh* (*LPD–1*), was prominent in that crisis, too, carrying a battalion of battle-ready Marines for landing purposes. And if memory serves us correctly, the first intercept of a Russian vessel after the quarantine was invoked was made by the destroyer *Kennedy,* which had just departed from the yard after a lengthy FRAM overhaul. Back to what is going on today, the one U.S. carrier dispatched to the Cyprus area is the *Franklin D. Roosevelt,* built at the New York Naval Shipyard, of course.

The message is clear. The shipyard's contributions to the defense of our freedom are without equal. No shipbuilding activity anywhere can match our record. Not 160 years ago, not 50 years ago, not 20 years ago, not today. And the powers-that-be willing, we will continue to build the best, so that our great Nation may continue to prosper and live in peace.

OLYMPIC PARTICIPATION

Mr. KEATING. Mr. President, the United States, once the most formidable contender for the Olympic Gold Medal, has failed in recent years to make a strong showing in international competition. We all certainly hope this trend will be reversed this fall in Japan.

One reason for the recent record of the United States is that our Olympic enthusiasts do not receive the public and governmental backing that they do in other countries. In Communist nations, and indeed in many countries of the free world, athletes are heavily subsidized, and no effort is spared in encouraging participation.

When the American Athletic Union last October asked U.S. industry to assist in the expansion of its Junior Olympic program, the response was initially disappointing. But last month, Old London Foods, Inc., took up the challenge by announcing a broad promotion plan to encourage Junior Olympics participation.

I commend Old London for its efforts and ask unanimous consent that the article appearing in the July 20 issue of Sports Illustrated, entitled "The AAU Giant," be printed in the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

The AAU Giant

Where is the giant of U.S. industry, the Amateur Athletic Union asked, to match the challenge of the Soviets? That was in October, but the invitation had no takers until last week, when the giant showed up. It turned out to be Old London Foods, Inc., a New York-based division of the Borden Co., and a maker of bite-size snacks.

What the AAU wanted—and will now get—is some capitalistic help in expanding its 15-year-old Junior Olympic program for amateur participation in Olympic sports. It wants to reach what it calls America's untapped pool of 60 million eligible kids, plus thousands of volunteer community sponsors. And dealing as it does with supermarkets and grocers across the country, Old London intends to push the program with posters and pamphlets in store displays, school and hometown billboards. The AAU figures Junior Olympics participation will climb from the present 1¼ million to more than 10 million youngsters in 5 or 10 years and has started gearing to handle more regional and national awards.

Olympic Decathlon Champion Rafer Johnson is a product of the Junior Olympics; the program also included such current Olympic

hopefuls as Distance Runner Gerry Lindgren, Pole Vaulter John Pennel and Swimmer Donna de Varona. And with all those yet-to-be-tapped kids out there, it looks like little Old London—and free enterprise, too—may have taken a giant step.

ANNIVERSARY OF THE DEATH OF NIKOLA PETKOV

Mr. KEATING. Mr. President, on September 23, 1947, Nikola Petkov, the great Bulgarian patriot, was hanged by the Communists for attempting to frustrate the Russian takeover of Bulgaria. His courage is legendary and he is remembered today by all the Bulgarian people as an example of courageous resistance to tyranny and oppression.

Nikola Petkov joined the coalition Government after the Nazis were driven out of Bulgaria and together with Dr. G. M. Dimitrov, Secretary-General of the Bulgarian National Agrarian Union, fought stubbornly against the Communist outrages, terror, and violence, thus incurring the hatred of both the Communist Party and the Soviet occupation authorities. When it became obvious to him that the so-called "election" that was part of the agreement between America and Russia was to be a sham in which only one slate of candidates was to be presented to the people, Petkov sent a memorandum to the Inter-Allied Control Commission demanding the postponement of the elections which the Communists had scheduled for the end of August 1945.

For this action he was removed from the Government. From August to November when the elections were finally held he fought long and hard against the Communists. On the day of election he won a clear-cut victory. The Communists, knowing that they were defeated, falsified the election returns and used violence and bloodshed in order to get the peasants to vote for their slate of candidates.

At this point Petkov performed the most daring feat in his exciting life. Along with the 101 representatives of the people who shared the ballot with him, he forced his way into the Grand National Assembly. Availing himself of his constitutional immunity, he unmasked the treacherous intentions of the Communists. He accused them of being Stalinist agents and said that their hands were stained with the blood of innocent Bulgarians.

The Communists were quick to act. Petkov was arrested and the Communists took over the Government and immobilized the Bulgarian resistance. Fearing that a public outburst would develop if this great patriot was hanged in public, the Communists after attempting to bribe Petkov, hanged him in secret. Before he was murdered Petkov stated: "I do not seek any mercy from you. I want to die so that my people may soon be free."

Those brave words summarize Petkov's life of action and patriotism. His love of country was the motivating force behind the Bulgarian resistance to a Communist takeover. Today the people of Bulgaria look to him as an example which lifts their spirits as they suffer under the Communist tyranny and oppression. The Bulgarian people want desperately to be free—and they will be free. History teaches that a freedom-loving people has never been oppressed for long. Lovers of liberty such as the great Bulgarian patriot, Nikola Petkov, will rise again and demand before all the world that Bulgaria regain her freedom and independence. The Bulgarian people have demonstrated great spirit as they have constantly resisted the communization of their country. The future will hold a free Bulgaria, for the tyranny of Russia cannot and will not endure.

Probably the most important thing we can do is to make it clear to the Bulgarian people that Americans support their drive for liberty and freedom. The Bulgarian National Committee is spearheading this effort to keep all Americans mindful of the desires and ideals of their Bulgarian friends.

On September 5 this committee is holding a memorial meeting at the Sheraton Park Hotel in Washington to honor the great work of Nikola Petkov. A requiem mass will be held on September 6 at 12:30 p.m. in the Russian Orthodox Church St. Nikola in honor of this patriot. I wish to extend my very best wishes to all those Americans who will be taking part in these observances. They are performing a great work by sponsoring such activities and I extend to them all my very best wishes.

Nikola Petkov was a great patriot and his life is an example for all lovers of liberty. I am proud today to be able to join my American friends of Bulgarian ancestry in honoring the memory of their great patriot, Nikola Petkov.

DEATH OF MISS RUTH HARTKE

Mr. KEATING. Mr. President, I was deeply saddened, as I am sure many of us were, to read on the ticker of the sudden and tragic death of Miss Ruth Hartke, Senator HARTKE's sister, who had been engaged in helping him in his campaign.

I want to express my deepest sympathy to Senator HARTKE and to all of his family in this tragic loss. He has had a great deal of trouble to date affecting members of his family. His daughter has had a serious illness. Fortunately, she is coming along nicely now. I express my deep sympathy to him in this tragic moment.

SOCIAL SECURITY AMENDMENTS OF 1964

The Senate resumed the consideration of the bill (H.R. 11865), to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may yield to the Senator from New Hampshire without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McINTYRE. Mr. President, I am the first member of my party to be elected to the Senate from New Hampshire in 29 years. The basic principle on which I campaigned was support for the subject matter which is now before the Senate—a Federal program of medical care for the aged, financed through the social security system, and available to all Americans who contributed to the program as a matter of right.

In my campaign I traveled to every city and town in New Hampshire, promising to support the medicare program if elected. Throughout my State—in the cities, in the mountains, along the seacoast, and in the lakes region—I found widespread approval of this program. I believe that this support is uniform throughout our Nation, and it is now time for us to follow the mandate of the people and enact a medicare program.

I have had an intimate acquaintance with the financial problems of providing medical care for elderly persons. For 9 years, from 1954 to 1963, I was the president of the board of trustees of the Taylor Home for the Aged, located in my home city of Laconia. In this position, I had the responsibility, among others, of finding money to pay for the medical expenses of the residents of the Taylor Home. This experience clearly brought home to me the vital importance of the sort of program which we are considering today. This experience revealed to me the tremendous burden under which many of our senior citizens are even now suffering.

Mr. President, I have examined the actuarial estimates upon which the Gore amendment is based. I believe that the contributions under this program will be fully adequate to provide for the scheduled benefits. And I believe that the scheduled benefits will represent a substantial help to the elderly citizens of America, now and in the future.

I became a cosponsor of the Gore amendment with the hope that this amendment would be enacted into law. Such an enactment will redeem the pledge which the Democratic Party made to the Nation last week in Atlantic City. Such enactment will, in part, redeem my pledge to the people of New Hampshire who are responsible for my presence here in the U.S. Senate. Mr. President, I urge the adoption of the Gore amendment.

Mr. JAVITS. Mr. President, I shall conclude in a very few minutes my presentation in our part of the debate, which calls for a program of medical care for the aged. I believe that as authoritative a study as has been made in this field—in my judgment the most authoritative study—was made by the National Committee on Health Care of the Aged, a voluntary committee financed with foundation funds. That committee, which performed a highly creditable public job, had represented on it two former Secretaries of Health, Education, and Welfare—Arthur S. Flemming, now president of the University of Oregon, and Marion B. Folsom, now director of the Eastman Kodak Co., of Rochester, N.Y.

It had on it representatives of medical schools like Dr. Vernon W. Lippard, dean of the Yale Medical School, and Dr. Dickinson W. Richards, Lambert professor of medicine at the College of Physicians and Surgeons, Columbia University. It had insurance company representatives, like Hubert W. Yount, former executive vice president of the Liberty Mutual Insurance Co. It had on it Dr. Russell Nelson, president of the Johns Hopkins Hospital in Baltimore, one of the most famous in the country. It had distinguished lawyers among its membership, including Arthur Larson, director of the Rule of Law Center at Duke University, and distinguished doctors like Russel V. Lee, founder of the Palo Alto Clinic.

It had academic leaders like Dr. James Dixon, president of Antioch College, and a business representative in John C. Leslie, who, in addition to being chairman of the Committee on Aging of the Community Service Society of New York, is vice president of Pan American Airways. It had on it also a distinguished New Yorker who has had great experience in group health insurance, Winslow Carlton, chairman of Group Health Insurance, Inc.

Mr. President, we could not have found a more balanced and finer panel, in my judgment. The conclusions to which that panel came are headed, "Guiding Principles for Public Insurance," which I have already put into the Record. Included is a basic, underlying hospital care program for the aged over 65, self-financed by a separately designated payroll tax collected as a part of social security.

As I said in our debate a while ago with some differences, but those which are not critically material to the present question, the proposal submitted by the Senator from Tennessee [Mr. Gore], like the proposal submitted by the Senator from Connecticut [Mr. Ribicoff], would, generally speaking, meet the tests laid down by the distinguished national committee to which I refer.

But what is missing in all of those proposals is the participation of private enterprise through a system of complementary private insurance utilizing the resources of the private enterprise system and bringing them within the actuarial means of 80 percent of those who are over 65 through the utilization of what is called the 65-plus plan on a national basis. This will provide the basic governmental plan carried in the Gore amendment and, in addition, doctor's care, diagnostic care, and similar care required for complete medical care for the aged at a price which 80 percent can afford to pay, and which we estimate at approximately $2 a week.

Mr. President, taking the two proposals together, this is the major program for medical care which will give the aging medical care and which will have a built-in regulating and governing effect upon that part of it which comes from contributions to the social security system, because we will not be bidding for an increase of benefits. Any increased benefits over and above the minimum would come in the private enterprise part of the package, as that expands and develops, gets more people in it, and develops much more actuarial experience and coverage.

In this way, there is built-in insurance against the governmental system, or the public system, running away.

For those 20 percent whose income—and the income of all these people is, generally speaking, low—who will not be able to afford complementary private insurance covered under the amendment which I have sponsored together with other colleagues, to whom I have referred in the Record, the Kerr-Mills law fills in completely, because it provides not only hospital, but medical and health coverage.

There is one other thing I should like to add. I brought about a symposium in March 1960 at the College of Physicians and Surgeons at Columbia University on the question of health care for the aging, quite apart from the report of the National Committee on Health Care for the Aged. I shall include in the Record that part of the symposium which is pertinent.

The symposium was composed of some of the most distinguished physicians and surgeons in the field of geriatrics, as the following summary of the conference shows:

MEMORANDUM

Summary

The problem of health care for those 65 years old and over is distinct from the problem of health care for those under that age; Federal assistance is necessary in handling any health care program for the aging; and any such health care program should be voluntary, with contributions by the beneficiary as well as by State and Federal Governments. These are the major conclusions that may be drawn from the papers and discussions of those who engaged in the conference.

Discussion—1

The first paper was delivered by Dr. Frederick D. Zeman, chief of the medical services of the Home for Aged & Infirm Hebrews, who spoke on medical preventive services for the aged. He said that the problem of caring for the aged so far as medicine is concerned starts on the day the individual is born, and stressed the need for retraining professionals so that they could handle the problems that older people present. He described the advantages of a geriatrics institution, the specialized equipment used by such an institution as contrasted with the hospitals. There were no operating rooms, no X-ray laboratories, etc., but the geriatric institution could provide better postoperative care than a general hospital and had many advantages in caring for those 65 and over.

Zeman emphasized that the problems of care for those 65 and over are quite different from those we usually anticipate. He pointed out that of the 100,000 or more who are institutionalized in New York State mental hospitals, many are over 65. At Central Islip, for example, more than 50 percent are 65 years old and over. However, he said, these 50 percent were not necessarily hopelessly insane; their mental illness is part of the whole process of aging, and with proper care they could be taken out of this kind of an institution.

Prevention of disease among the older people is part of the larger picture of preventive medicine, and begins long before the individual has reached the age of 65; a dynamic aggressive approach to the problems of preventive medicine with particular reference to the early detection of chronic illnesses before they become obvious in the aged is what is needed. These preventive services are extremely important.

Dr. Martin Cherkasky, director of the Montefiore Hospital in New York, pointed out that the older patients primarily suffer from chronic illnesses as contrasted with the acute character of the illnesses that strike younger people. He said it is impossible to provide adequately for the older people because there is a wide gap in the amount of knowledge that physicians have about treating them. One should start in preventive medicine long before the patient reaches the age of 65. General medical care must exist first if the program for the older patients is to be considered.

Dr. Cherkasky said that to prevent chronic illnesses, one must be able to detect them at a very early stage. Usually the onset of a chronic ailment is insidious, the patient doesn't even know that he has it. The patient, therefore, must have "easy" access to physicians if chronic illnesses are to be checked in their early stage. It must also be "easy" for the doctor to use all the tools of preventive medicine, and in this connection the economic obstacles must be overcome. The complexity of modern medicine means that the group treatment, the group setup, is important for proper diagnosis and treatment.

Dr. David Seegal, professor of medicine at the college of physicians and surgeons, pointed out that great progress has been made in the last 40 years in the treatment and knowledge of chronic diseases and that 38 diseases which then were fatal are now under control. He pointed out, however, that medical schools need considerable strengthening if specialized training for aging people is to be developed to any great extent. He suggested that in the accurate treatment of the aging, the word "appraisal" be substituted for "diagnosis," and "management" for "treatment."

An important point was made by Dr. Martin R. Steinberg, director of the Mount Sinai Hospital. He pointed out that younger physicians usually attempt to make a complete cure of the patient. Insofar as the aged are concerned, Dr. Steinberg pointed out, accurate diagnosis and complete cure are not as urgent as the need to keep these older people up and about. Being ambulant is probably the most important part of the treatment.

Another important suggestion was made in this early morning discussion by Dr. Martin Cherkasky. He said that older patients needed a variety of services and he outlined an ideal community situation in which the hospital was the centralized medical agency around which was linked the nursing home, home-care programs, and other measures designed to get the patient on his feet as fast as possible. Outpatient services would broaden the services of the hospital but custodial institutions were also needed, all of them linked with the central hospital. This was the way in which an effective community program could be organized. Dr. Cherkasky visualized a community setup in which the hospital with all its medical and diagnostic services would be the first to take the older persons, who would then be transferred as soon as possible either to nursing homes, to outpatient services, or to some other custodial institution as quickly as possible, thereby providing adequate service without placing too great a burden on the hospital itself.

Dr. Zeman stressed the need for "clinical humility," by which he meant that doctors should develop at an early stage a realization that they can achieve only limited goals. He strongly supported Dr. Cherkasky's suggestions.

Dr. Willard C. Rappleye, dean emeritus and vice president emeritus of the College of Physicians and Suregons, pointed out that one should not focus only on those 65 years old or over. He stressed that one had to consider the whole practice of general medicine, medical education, and the ways and means of financing this education. He enlarged upon this at a later stage in the discussion.

Dr. John E. Dietrick, dean of the Cornell University Medical College, also pointed out that where the aged were concerned, prevention calls for making people happy, and to see that they get proper nutrition. He stressed the fact that poor nutrition lay at the root of a great many of the problems faced by the aging. He cited the perils of isolation, inactivity, and depression as part of the problem that had to be overcome.

George Bugbee, president of the Health Information Foundation, seconded this observation. He stressed the need for the doctors to emphasize to their aging patients that they find ways and means to live with themselves.

Another suggestion came from McAllister Lloyd, chairman of the board of the Teachers Insurance & Annuity Association. Mr. Lloyd suggested regular medical examinations by business firms for their chief employees as one of the ways in which preventive medicine could be most effective in early diagnosis and prevention of chronic illnesses.

Dr. Aimes C. McGuinness, executive secretary of the New York Academy of Medicine, pointed out that the old and aging needed twice as much care as those under 65.

Dr. John Bourke, executive director of the New York State Hospital Survey and Planning Committee, delivered a paper on hospital trends and the needs of those who are chronically ill. He pointed to the development in recent years of fewer but better and larger hospitals, and emphasized that the gap between the apparent need and the number of hospital beds is not as large as the statistics would seem to indicate. The gaps that do develop are the result of chronic cases being placed in the hospital where they don't belong instead of using the hospital beds for acute cases with consequent much more rapid turnover.

Dr. Bourke's paper, which he summarized very briefly, provided statistics showing the differences between costs of 10 years ago and costs today. He said, however, that despite sizable increases, costs to the patient were not much higher because the average length of stay in the hospital has been shortened. This means that intensive treatment is provided over a much shorter period of time than 14 years ago. Dr. Bourke warned against overinstitutionalizing the population and emphasized that the development of nursing home units as part of the hospital complex can take care of many of the problems of the chronically ill.

Dr. Bourke called for the reexamination of ways and means to cut down or avoid hospital stay altogether. He praised the Hill-Burton program and said that it has changed completely the rural hospital system in upstate New York and vastly improved medical care in that region. The hospitals were better staffed and better equipped and he had only words of the highest praise for this program.

Dr. Bourke favors the large centralized hospital, and he pointed out that planning must include the full range of facilities and required services which will allow the hospital to serve as a central core for such needs as chronic disease care, the nursing home type of care, ambulatory, diagnostic, and treatment facilities and home-care programing. Sound community planning, he said, will tend to avoid unnecessary costly construction and duplication. He emphasized that it did not make good sense to keep the patient in a general hospital bed which cost $26 a day when the required care could be given in a nursing home unit for an approximate cost of $9 or $10 a day.

Dr. Bourke stressed that the prevention of disease should be our primary goal and that good quality medical care and hospital care should be available to all as needed. The cost of such care, he said, should be studied within the broad framework of the health of our community and with regard to our overall economy. More doctors should be trained and more services were needed. Satisfactory methods must be developed jointly by voluntary enterprise and government so that all ages of people and all economic groups can share equally in the rich benefits which the health, and medical and related sciences have provided toward a more healthful life.

Dr. McGuinness praised Dr. Bourke's presentation and went on to point out the need for more research in the administration of medical care. He pointed out that the Hill-Burton program provided only $1.2 billion for research, a ridiculously low level.

Dr. Rappleye cautioned that the problem of costs in taking care of the aging will change because those now covered under lower rates will get older and then continue to be covered by some form of insurance. Dr. Steinberg urged that we look into the quality of insurance coverage, not only the number of those who are covered.

Dr. Marcus D. Kogel called attention to the desperate shortage of registered nurses for round-the-clock care, and Senator Javits cited the amendment to the Hill-Burton Act which helps nursing homes. He said that we could do much more in that direction.

Dr. Rappleye said that at least one-third of those in the hospital need some other kind of care. He minimized the Forand bill; but said that some kind of subsidy would be necessary if insurance were to be made available to a much larger proportion of the population. He pointed out that you cannot sell a complete insurance program once the premium reaches the point of more than 40 percent of the total cost of the health coverage. In Canada, he said they had arbitrarily picked on 33⅔ percent as the limit.

The recurrent theme in the general discussion that followed on levels of care was that any broad program needed structuring lest the load on hospitals become staggering as it would under the Forand bill. There is need for an incentive to put the patient where he belongs, not just to dump him in the hospitals willy-nilly.

The question was raised by Dr. Martin Cherkasky as to whether the Federal Government could possibly require employers to carry a health insurance program which would meet minimum standards for their employees in a fashion analogous to workmen's compensation insurance. In reply State Senator Metcalf of New York said that bills had been introduced to require employers of more than three or four persons to provide basic insurance coverage on a 50–50 matching basis if the individual were single, and 35–65 matching if he had a family. Provision was also made for the payment of premiums during employment—there would be basic coverage only. Senator Metcalf pointed out that the Governor opposed this bill because New York State might be singled out and lose industrial business.

An extremely important point was made at this stage of the discussion by Dr. Martin Cherkasky. He stressed that the figure of 43 percent of those covered by health insurance was misleading because it did not indicate how much coverage they were carrying. He pointed out that the problem of health coverage was really two problems: (1) Involving those 65 and older and for them Federal support was absolutely essential; (2) however for those 55 and under some form of voluntary services or insurance plan with a noncancelable clause might prove more acceptable.

Superintendent Thatcher pointed out that the cost of health insurance would be more than double if it had to include those 65 and over in any long-range program. The State alone could not carry this kind of cost and therefore a Federal subsidy would be essential.

In his summary of the morning discussion, Senator Javits pointed out that there were alternatives to institutional care and that the need was primarily for intermediate care between the hospital and the home. He took note of the fact that the upstate (New York) hospital program had been accelerated by the Hill-Burton Act and also that its extension to cover nursing homes was inadequate. He reviewed Dr. Bourke's finding that at least one-third of those in the general hospital at present could really be taken care of at home or in nursing homes. At the same time he recognized the inadequate availabilities of present nursing homes. There was need for the Federal Government to get into the field of aid to the States and to help accelerate all medical programs. He pointed out the contribution of NIH and also the fact that there was pressure in Congress to help pay the beyond tuition cost of nongovernmental medical schools.

Mr. George Bugbee was opposed to Federal participation in any health insurance program. He said that employers can pay more of the cost of health care, and he was not ready to accept the statistics, cited by Dr. Rappleye which placed one-third of the cost of care as the limit of the premium which the worker could afford to pay.

Dr. Rappleye referred to the experiences in Europe with health insurance and pointed out that there was a decided shift in plans to cash indemnities rather than services. This is because cash indemnities resulted in relatively lower cost than services. He said that Blue Cross and Blue Shield were also shifting to the cash indemnity types of insurance. Dr. Steinberg, however, said that patients covered by Blue Cross still largely received services rather than indemnities.

The conference adjourned for lunch.

The afternoon session opened with delivery of Dr. Steinberg's paper on plans and proposals for health insurance for the aging. Dr. Steinberg first described the American Medical Association's insistence on a voluntary prepayment type of insurance.

Dr. Steinberg's point was that the voluntary approach alone without governmental help was not feasible. The cost for the aged cannot be borne entirely by younger persons paying increased social security taxes, nor will strengthening Blue Cross alone provide the answer. The aged themselves, of course, cannot afford the full cost.

An approach purely by the State and local governments based on need would call for a means test. Financing for the indigent by the Federal Government means that the cost would spiral anywhere up to $2 billion a year. It would be undesirable to attempt to get this fund out of the general revenue.

Dr. Steinberg then described a proposal made in Colorado for statewide care which would be limited primarily to hospitalization. It was based on the fact that the aged can participate to some extent in financing the program, and the remainder of the program would be paid for out of the general fund.

One of the cardinal conclusions to which they have come is not only that such a plan as we are discussing is essential, but, what is more important, that the patients must be kept ambulatory.

The important thing with the aged is to have them walk, and not put them to bed. Therefore, medical care must include physicians' care. Physicians' care, unless it is to run afoul of deeply held convictions as to relations between patient and physician, should be covered under private, not public, insurance.

Although it may be true that 54 percent of the aged are already covered by some form of private insurance, the emphasis is on some form of private insurance which cannot always be regarded as adequate coverage. With its deductibles, limitations in service, and in amount, it does not represent basic, needed medical care. That is the opinion of the National Committee on Health Care for the Aged and the symposium to which I have referred, as well as the great bulk of testimony before the committees that have held hearings on the subject.

For all those reasons, I think the way the Senate can best approach the matter is by way of the Gore or Ribicoff proposal, adding to it the title on complementary private insurance which is contained in the amendment sponsored by myself and Senators CASE, KEATING, KUCHEL, SMITH, and COOPER.

If we can do that, we can be very proud of our handiwork, for that is the approach taken by the Anderson-Javits bill of 1962, the most comprehensive bill that has faced the Senate, as now brought up to date, refined, developed, in the most considered way by the distinguished persons I have mentioned, in the amendment we have submitted.

If the Senate wants to be proud of what it does, then the thing to do is to adopt not only the basic health insurance plan, but the complementary private insurance title to which I have referred. As I have said, I shall offer it as a perfecting amendment to the Long amendment if the Gore amendment should carry. If not, my colleagues and I will consult with respect to a decision as to what further course shall be taken, whether to submit the whole plan at this time or to await perhaps a more propitious occasion, if the Gore or Ribicoff amendments are not adopted.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CARLSON. I do not want to let this opportunity pass without commending the distinguished Senator from New York for the splendid service he has rendered to the Senate and the country as a whole in the field of health care for our aged. The distinguished Senator from New York appeared before the Senate Finance Committee and made what was in my opinion one of the best statements the committee heard this year in behalf of health care for the aged. His experience in this field is something we should take advantage of. I sincerely hope that, before the Senate acts on the health care amendment, it will give consideration to the points made today.

I realize that there is great pressure for medical care for the aged. I fully realize the need for it. At the same time I hope the Senate will not try to write, on the floor of the Senate, a medicare bill for those who are expecting to receive benefits from it, but who will, at the same time, be disappointed after we have enacted the measure.

This is legislation that is difficult to write. We are completely new in this field. The Kerr-Mills bill is only 2 years old. It was our first step. We need to take time to look this subject over.

I want to commend the Senator from New York for what he has done. As one member of the Finance Committee, I want to assure the Senator from New York and other Senators interested in this field that the Senate can and should give consideration to the proposals made before we act in haste and to the regret of those who expect to get the benefits.

Mr. JAVITS. I am very grateful to the Senator from Kansas. I hope we can get something accomplished at this session of Congress. I have outlined some of my ideas. If that should be the will of the Senate, it would be a happy augury for the aged of the United States that such a distinguished Senator and such a fine member of the committee as the Senator from Kansas has given this problem such sympathetic understanding.

I yield the floor.

Mr. CURTIS. Mr. President, I rise to speak for the record concerning the matter of hospital care for the aged. There is before the Senate the amendment offered by the distinguished Senator from Tennessee [Mr. GORE]. I believe it is accurate to state that his amendment, in substance, is the King-Anderson bill. It calls for a system of hospital care under our social security system.

Perhaps later the Senate will consider the amendment of the distinguished Senator from Connecticut [Mr. RIBICOFF].

There are two important questions to be answered in connection with this legislation. Before I propound those questions, I should like to point out that when we legislate in the field of social security we are enacting a permanent program.

I have opposed many bills in the field of social legislation, but one thing I stand firm on. I want my Government to make good its commitments to our citizens. I want social security benefits paid, and paid in dollars that really count. It is therefore important that we consider how much it is proposed to add to our social security system.

It is therefore important that we know what a program will cost. There is considerable similarity between the Gore proposal and the Ribicoff proposal, notwithstanding the fact that they differ in many details. They are both under social security and both would start a program in motion totally inadequate, even if we favored such a program.

It is also apparent that we do not have adequate cost figures, particularly from the standpoint of the Government, to deal with this situation. For instance, the Ribicoff amendment would provide, in substance, "We will increase the social security benefits, and you can elect to have $5 a month taken out of your social security benefits to buy hospital insurance."

The fact is that no one, old or young, can buy adequate hospital insurance for $5 a month.

Someone may say, "The Government can do it cheaper." I do not know about that. The Federal Government cannot build a building cheaper than can private enterprise. The Federal Government cannot operate a restaurant cheaper than can private enterprise. The Federal Government cannot carry on a business transaction as cheap as private enterprise can do it.

However, let us assume, for the sake of the argument, that if everyone is forced into the program, and there is no expense for salesmen hire, it could be made a little cheaper. When we consider the overhead and the waste in Government, a part of the cheaper operating cost would be wiped out.

It has been pointed out by the Senator from Louisiana [Mr. LONG] that in providing adequate health insurance and medical care for our Government employees, the cost is $19 a month. There we are dealing with people in the prime of life, who are not likely to be ill.

Why are we kidding ourselves and talking about a program of hospitalization for the aged at a cost of $5 a month?

The record shows that the average hospital room, a semiprivate room, costs about $38 a day. It would take 7 or 8 months of payments at $5 a month to pay for 1 day in the hospital, even if no administrative costs were involved.

This brings to mind the statement of the distinguished Senator from Tennessee when the legislation was previously debated on the floor of the Senate. He recognized the defects in the proposal; and he said, "This is only a start." Of course, everyone knows it. If we are to impose a tax on everyone, on the people who make their living as domestic servants, upon the physically handicapped, upon the blind, upon individuals supporting a family of seven or eight, upon everyone who is working his way through school, upon everyone who is buying a home and educating his children, upon all who are buying life insurance and paying their own educational debts, in order to pay the hospital bills of another group because the members of that group are 65 years of age and over, what will happen when a Senator says, "This program is inadequate. If we are to pay the hospital bill of an individual because he is 65, we must do it for other people, because they are needy."

Everyone knows that this is only a beginning. The Gore amendment would be a great disappointment to older people. Many of the older people whom I have the privilege of knowing and who need help with their medical costs, want, first of all, help to stay out of the hospital. The Gore amendment provides nothing of the sort.

What does it offer? It offers some hospital services. It offers 90 days of hospital care, with certain deductibles. A person can elect a shorter period without any deductibles. It is possible to have a nurse come to one's home for up to 80 days. It does not pay any medical bill. It does not pay any surgical costs which arise in a hospital. It does not pay for a doctor's visit to a person's home. It does not pay any benefits for a patient's call at a doctor's office. It will not pay for prescriptions that the doctor writes and the patient has filled at the drugstore. None of these everyday expenses which enable people to stay out of the hospital are taken care of.

I mentioned before the great lack of information about this proposal. It is not uncommon to receive a letter from a constituent, a fine individual, who writes, "I am past 65. My husband is past 65. Our income is very small. I must go to the doctor twice a week. My husband must go to the doctor once a week. We must have our prescriptions filled, and that costs a great deal of money. My husband must buy insulin, and I need new glasses. Please vote for the President's medicare bill."

The only truthful answer one can make to such a person is that the President's medicare bill would not pay one dime in such a case.

That is why it is so true, as the distinguished Senator from Tennessee has said, that this is but the beginning. If we start to pay for items that are desired the least, the program will have to be extended to take care of all the other things.

Now we are faced with a basic question. The question is whether we shall tax all the people who are working and who are self-employed and the employers in order to pay the hospital bill of people who are 65 years and over and who do not need it at all. I am not talking about the millionaire. Someone has said that the millionaire is in the 80-percent bracket and that his medical bills would be a deduction from taxes anyway; therefore we would be taking care of him. I am not too sure that that reasoning is correct. However, I am not talking about the millionaire. Let us apply it to the neighborhood where we live. Let us talk about the lawyer, who has reached the top of his profession at 65. He is not retired. He has accumulated a little. Perhaps his practice is not large, in terms of great corporations. Perhaps he makes $15,000 or $20,000 a year.

He does not retire. But the bill proposes that the family that lives on $3,000 a year shall pay a social security tax on every dollar of it, and that the lawyer shall be given hospitalization free—absolutely free. That does not make sense. It is not just.

When one pays his income tax, he receives a personal exemption. It is not so large as we would like to have it, but it is $600. A man and his wife receive an exemption of $1,200 before the tax is applied. That is not very much, but it is something. If a family has five children, it has seven exemptions. Seven times $600 provides a total exemption of $4,200 before an income tax must be paid.

But does everyone know how the social security tax is applied? It is applied from the first dollar. The individual who does hard labor with his hands has the social security tax applied to the first dollar of his earnings.

I have mentioned the blind and the physically handicapped. If a blind person has mastered a trade and can work with his hands and make a few dollars each day, his earnings are subject to the social security tax from the first dollar up to the top limit of the wage base. Those are the people who will be taxed to pay the hospital bill of everybody over 65, whether retired or not, under the Gore amendment.

Why should that be done? The record shows that most people at age 65 have paid for their homes. Most people at age 65 have their insurance paid up. Most people at age 65 have finished educating their children. Yet it is proposed to take from families that are living on, perhaps, $2,000, $3,000, or $4,000, money from their paychecks to give everyone free hospitalization merely because age 65 has been reached.

That is the basic problem involved in this proposal.

This is not a question of politicians, of Senators and Representatives having compassion on the people and wanting to do something for them. Congress cannot give the people anything. All we can do is to set in motion a law that will enable the arm of the tax gatherer to tax the substance of some people and give it to someone else. In this instance, it is proposed to take money from the poor, because all the money of the poor is subject to the social security tax.

The income of millions of people in the United States is so low that they pay more in social security taxes than they do in income taxes. Millions of people pay large sums in social security taxes, although they do not earn enough to pay a single dollar of income tax. This is because the social security tax is assessed on a broad base with no personal exemption. The social security tax rests upon the people who labor. It rests upon every employer who wants to provide people with jobs. It is particularly heavy upon the self-employed. The self-employed person pays 1½ times the rate of an employee, and he pays on the first dollar he earns.

Traditionally, one of the things that has reduced unemployment in this country has been the desire of an employee to go into business for himself—to be a farmer or a shopkeeper, or to become engaged in some other self-employed activity. When he made that move, he left a place for some young person to become an employee. But under the regressive tax of social security, the minute a person becomes self-employed he is charged 1½ times the rate of an employee for his social security.

We should not embark on this program on the basis of the information we have, because such a program will be permanent. If Congress decides to enact a public works program and enacts a bill, and the program turns out to be too extravagant, the particular public works involved will be constructed in a year or two, and we can then stop or change the program, although I do not believe we have ever done so. If we become too enthusiastic in voting for veterans' benefits—I am not saying we have, but if that should happen—a time will come when the charges of those veterans' benefits will dwindle, so far as the Treasury is concerned, or will at least become very small.

But every time we add to the social security system, we set in motion something that will continue into the future. We cannot start a program that will pay benefits now, next year, and 10 years from now, and then say to the group that will be 65 years of age 11 years from now, 15 years from now, or 20 years from now, "You are not going to receive benefits under our present concept of social security and the way it operates." That simply cannot happen.

Therefore, we should not be, in what I hope are the closing days of this session of Congress, enacting a proposal that contains so many hazy ideas about what it will cost and so much misinformation as to what it will do for the people.

We are on the eve of a national election. I wish to read something that was developed in our hearings. A very fine individual, who said she appeared as vice president of the Chicago Area Senior Citizens Association, testified. She testified as a representative of the National Senior Citizens Council. I make no indictment of this fine woman. She was concerned about a problem. I think she advocated the wrong answer. But the Washington Evening Star, on May 1, 1964, had something to say about the National Senior Citizens Council. I read:

> Funds from the Democratic National Committee provide an important source of revenue for the National Senior Citizens Council which, according to its own literature, "has been the acknowledged leader in the national campaign to mobilize public support for a program to finance aged hospital insurance through social security."

Elsewhere in the article, we read:

> Records on file with the Clerk of the House, however, show that in the first 2 months of this year, the Democrats contributed $15,000 to the council. Last year, $40,000, or almost one-third of the council's reported budget, came from the Democratic National Committee.

That is not unlawful. I have no objection to it, but I believe that it should be disclosed. If some group appears with the idea that it is speaking in its own behalf to help out other citizens, that is one thing. If it is a campaign organization in disguise, that is another.

That is another reason why we should not embark upon a program with such permanence, on the eve of a national election, when the cost estimates and many other problems have not been carefully developed.

The Washington Evening Star was not the only newspaper which wrote about this activity. I read from the St. Louis Globe Democrat of April 30, 1964, under a Washington dateline:

> The National Council of Senior Citizens, which describes itself as the voice of 2 million elderly people who favor the medicare health proposal, is in reality receiving a sizable portion of its financial support from the Democratic National Committee.
>
> In the first 2 months of this year, the Democratic Party's national treasury contributed $15,000 to the council, according to a report filed with Congress by the Democratic committee.
>
> The contributions were in $5,000 checks January 3, 22, and February 14.
>
> The Senior Citizens Council's budget for the entire year for funds from all sources is $150,000, Information Director William Hutton said.
>
> In 1963, the Democratic National Committee's contributions to the Senior Citizens Council totaled $41,000, represented by checks February 1, June 4, and July 23.
>
> FIVE THOUSAND DOLLARS TO START
>
> In 1962, when the council was getting started, it received a check for $5,000 from the Democratic treasury. This was March 30.

The Senior Citizens Council had its founding convention in May 1962. It had been organized on a temporary basis in August 1961.

Before it was organized, the council received a check for $5,000 from the Democratic National Committee. As I say, it is no violation of law. But let us consider it in its proper light. It means that there is not so much concern for a sound program for old people as there is concern for the votes of old people.

Again I say that the costs of the program have not been adequately determined and developed. There seems to be some kinship between those promoting the proposal of the distinguished Senator from Tennessee [Mr. Gore] and the distinguished Senator from Connecticut [Mr. Ribicoff].

Again, I remind the Senate that the Ribicoff proposal indicates that it would be financed by $5 a month, because it says that we can cut down the increase in social security by $5 and qualify for the insurance.

We cannot buy any adequate insurance for $5 a month. We cannot buy it for twice that much.

So I ask Senators, Is this a political gimmick, or is it a sound program?

It certainly is not a sound program.

If we are to start something that I wish my Government—if it started—to make good on, 10, 40, or 100 years from now, let us make sure that it is soundly financed and that we know what the costs will be.

The projected costs, in this instance, are not accurate. They are deceptive. They are not in accordance with the best available information. The proposed benefits, if the Gore amendment should be adopted, will be most disappointing to our older people.

There is a philosophical question that we must determine, and that is: Is it the business of Government to tax all of these people on their earnings through the social security system in order to give hospital care to everyone over 65 years of age, even if he is better able to pay for it than the young and middle-aged who are paying their social security taxes?

I do not subscribe to that philosophy.

The other question is: Should the government at various levels, including the Federal Government, see to it that older citizens who do not have the means to provide for their hospital, medical, or surgical care are taken care of by the Government?

My answer to that is "Yes."

The platform of my party calls for complete coverage of all older people on the basis of need for all their medical expenses, instead of limiting a Government-operated, socialistic insurance gimmick to fine print benefits.

I say to the Senate that if there is an older person who does not have the means to pay for medical treatment, hospital care, prescriptions, glasses, calls at the doctor's office, or doctor's calls at home, or whatever it is, it should be paid.

It is the concern of government on the basis of need. Every person who cannot provide medical and hospital care for himself should have it anyway. That is the present law. That law was enlarged and improved upon a few years ago, under what is known as the Kerr-Mills law. In most of our States, for many years, the very poor received medical attention free of charge, whether it was an expensive operation, a hospital stay, or anything else. The very poor received that service at public expense. Then we have, of course, the more well-to-do, who should take care of these expenses themselves. But there was a gap between the needy and those able to take care of themselves. Lacking a better term, I choose to call them the "near needy."

The Kerr-Mills law provided in substance that if any State wishes to set up a program to give hospital and medical care to elder citizens who are near needy, it can do so, and the Federal Government will pick up a sizable portion of the check. Some 35 to 38 States have enacted such a program.

Those who started on it right away have improved their program, and it is getting better. It has not been in operation very long. However, it is based upon sound principles. It means that if older persons have some income, they do not have to be paupers. They may own their own homes, or be considered on any plan the State may establish; but if they have medical needs, they can be met, whatever they are, and met in full. The bill would be paid for by the general taxpayers. The taxpayer most able to pay will pay the most on that bill.

It is not added to the social security tax which taxes the people where it hurts the most.

The Department of Health, Education, and Welfare does not have a record in this field of which it can be proud. It has not promoted the Kerr-Mills law as it should. It has not advertised the benefits of the Kerr-Mills law. It has not lent its great power and influence to help make it better. It has taken tax dollars and used them to lobby and campaign for a system of hospital care under social security which would take care, in a small fashion, of everyone over 65, including those who ought to be paying for it themselves.

I have received a letter that I have permission to read into the Record. It is addressed to the distinguished chairman of the Committee on Finance, Hon. Harry F. Byrd. The letter is from the Governor of Michigan, George Romney, one of the fine public servants of our country. He is a man of great integrity, a man who takes his job seriously, a man of trust. The letter is dated August 24, 1964. It reads as follows:

> Dear Senator Byrd: It has come to my attention that Mr. Wilbur Cohen, Assistant Secretary of the Department of Health, Education, and Welfare, recently appeared before the Senate Finance Committee and testified as to the development and adequacy of Michigan's medical assistance for the aged program. I would like to comment on this testimony and present for the record this statement regarding the development, operation, and current status of the MAA program in Michigan.
>
> Mr. Cohen testified that he drafted the Michigan legislation. As a matter of fact, in 1960 Mr. Cohen was requested by Governor Williams to draft a proposal for implementing the Kerr-Mills legislation in Michigan. This proposal then became the basis for a bill drafted by Governor Williams and submitted to the legislature. The bill as drafted was unacceptable to a majority of the legislature and as a result the Governor's proposal was substantially modified in its final passage. In considering this legislation, the legislature was faced with a serious financial situation and in no position to adopt a law which called for an uncontrollable expenditure of a large sum of money. Thus, the legislature settled upon a program which would provide medical protection equivalent to the service under Blue-Cross Blue-Shield insurance.
>
> Mr. Cohen has testified that there are large elements of the Michigan population that are excluded from the MAA program because of income and property limitations along with responsible relative provisions. In 1964, the Michigan Legislature removed the responsible relative provision from the statute entirely. In addition, Michigan has twice liberalized its income provisions in order to provide for its elderly citizens who are unable to provide adequate medical care for themselves. Originally, the Michigan statute limited the annual income of a single person to $1,500 and a married couple to $2,000. After a few months experience it was found that the maximum social security payment for a husband and wife exceeded the $2,000 limitation and the legislature promptly raised that ceiling to $2,500 for a married couple. Again in 1964 the legislature increased the annual income ceiling of $1,500 for a single person to $1,900 and for the married couple to $2,700.
>
> Indications are that at least 80,000 persons would be eligible for the MAA program should they need to apply. Records provided by the Michigan Social Welfare Department indicate that to date 36,540 persons have been certified for MAA service. This certainly reflects the fact that those elder citizens needing service are being cared for under the program.
>
> Mr. Cohen has testified that Michigan is in a very difficult financial situation. As a matter of fact, Michigan's financial situation in 1960 was very desperate. However, since January 1, 1963, the picture has changed drastically and as a result our $85 million deficit has been wiped out and we are currently enjoying a substantial operating surplus.
>
> At the same session Secretary Celebrezze commented that five States are receiving approximately 74 percent of the Federal funds under the Kerr-Mills bill, and furthermore, these States (including Michigan) have a more liberalized program.
>
> In summary, I would like to point out that Michigan stands third among the States in maximum income limitations for individuals and fourth among the States in maximum income limitations for a married couple. Michigan's program is flexible as evidenced by the number of changes that have taken place since the inception of the program in 1960. The MAA program in Michigan is underwriting the very costly hospital expense for those elderly citizens who are least able to pay for their hospitalization. It should be noted that Michigan's program places no time limit on the receipt of service except for convalescent home care.
>
> Finally, after almost 4 years of administering this program, it has grown from an annual cost of $11 million to an estimated $32 million for the present fiscal year. During this same period of time there have been virtually no complaints received from applicants, recipients, physicians, or hospitals. As a matter of fact, Michigan has had less than 3 dozen administrative hearings on any issue involving the MAA program.
>
> I call these facts to your attention because Michigan is proud of its MAA program and of our efforts to provide better medical and hospital services for our senior citizens.
>
> Sincerely,
>
> George Romney.

Mr. President, I do not want the record to indicate that I have any notion whatever that Mr. Cohen did not intend to give a correct picture of the Michigan situation. But it shows that bureaucracy is behind the times. The bureaucratic processes do not record what is going on in America. They never have. They never will. That is the reason they cannot conduct business as efficiently as individual citizens can in their own right.

It was not that the gentleman wanted to deceive the committee—not at all. I would be the last person to indicate that. But it showed that the bureaucracy did not know what it was talking about. The bureaucracy does not know what it is talking about on many phases of this measure. It has been too busy promoting a larger and larger program instead of administering the law that was enacted, instead of adminstering the program that came about by a mandate of Congress.

The reason why politicians must pour tens of thousands of dollars into a propaganda group to advocate the program, and the reason why that proposal failed to pass in previous Congresses, is that the American people do not want it. I challenge anyone within my hearing to go out and inquire of the first 100 people he meets "Do you think that the young, the middle aged—which includes the poor, the people who are raising children, paying for homes, and paying their own medical bills—should be taxed on the very first dollar that they earn to pay the hospital bill of someone else who is better able to pay it?" If one does so, he will come back with the majority of answers, "No, we are not for such a program." That is the reason the proposal has floundered for years. The American people do not want it. It is because the bureaucratic mind is behind the times.

I call the attention of Senators to some testimony in the hearings that were conducted. I refer to page 670 of the hearings, the testimony of Mr. Paul D. Hill, past president of the Indiana State and Indianapolis Associations of Health Underwriters.

I shall not read all of his testimony, but referring to the cost of the program, Mr. Hill said:

> How about cost projections? In 1949, the estimate was made that social security benefits would reach $12 billion per year in 1999. They reached that amount in 1961, 38 years ahead of schedule.

In other words, it was stated that in 51 years they would reach a certain level. They reached that level in 13 years.

Then Mr. Hill asked the question:

> Are projections about the cost of a medicare program likely to be much better?
>
> The University of Michigan Survey Research Center completed a survey of the financial condition of older folks in 1962. It showed that people 65 and over are actually better off, financially, than any other age group in our Nation.

That is understandable. Their children have been educated. They may have saved a little. In all probability their homes are paid for. They are no longer paying for life insurance.

Continuing to read from Mr. Hill's testimony:

> Some time ago—I have not given you the exact year there, I am not sure whether it was 1961 or 1962—the Conference of Catholic Charities conducted a survey of the financial condition of older folks among what the conference itself described as "lower middle income" parishes, in St. Louis, Cleveland, and Buffalo.
>
> When asked who would pay for hospitalization if it were necessary, over 80 percent of all those surveyed said they had hospitalization insurance, savings, or potential help from children or other relatives.
>
> I have personally visited with a number of hospital administrators about this problem. And without exception, they report that the age group from which they have the most trouble collecting hospital bills is not older people—but young married people who are in debt for babies, houses, automobiles, TV sets, and so forth.

He could well have added educating their children and paying for their own education.

Continuing to read from Mr. Hill's testimony:

> Now let's talk for just a moment about the thinking of people around the country. First, I would like to mention the surveys taken by your colleagues in the House of Representatives.

We know that the bill has never gotten very far in the House of Representatives. Every Member of the House of Representatives must face his constituents every 2 years. A Representative must keep abreast of what the people desire, or someone else will be in the House of Representatives in his place. Is it not significant that the House has never passed the bill? Is it not significant that no committee in the House has ever recommended the proposed legislation? They know what the people want. The Senate, which is a little further removed from the people, has made the error of constantly bringing up something that the people do not desire; and at one time came within a vote or two of passing it.

Returning to Mr. Hill's testimony:

> We know you are already familiar with them, but anything that so closely reflects the thinking of the American people should certainly be included in these hearings.
>
> In 52 polls taken among their constituents by Congressmen in 1961 and 1962, a majority of those replying were against King-Anderson-type legislation in 33 instances; in only 19 instances out of 52 were they in favor.
>
> Through July 30, 1964, single choice, "yes or no" polls taken by Members of the 88th Congress totaled 51. In only 9 of the 51 did the largest percentage of those responding favor the social security approach.
>
> In addition, seven "multiple choice" polls, attempting to discover what method people preferred for paying hospital bills for the needy aged, were taken.
>
> In not one did a majority of those responding favor a social security approach. All of you on the Senate Finance Committee are, we recognize, already familiar with these figures.

Then he went on to say:

> Mr. Hill. We believe that one other statistic should be mentioned. The Kerr-Mills law is now in operation in 37 States, plus the District of Columbia, Guam, Puerto Rico, and the Virgin Islands. More States are passing laws to implement that program every legislative year.
>
> Just one more poll. When I learned I was coming here, I decided that it might be of benefit to this committee if I brought you the latest thinking of the people of Indiana. So I asked 1 of the 12 radio stations in Indianapolis to ask the following question on one of their public service programs, with answers to be sent to me.
>
> The question was used on an evening program on Thursday and Friday, August 6 and 7, and on Monday, August 10. To be tabulated, an opinion had to be in the mail on Tuesday, August 11, so that I would have it the next day.
>
> In so short a time, I believe you will agree the number of replies is amazing, particularly when you consider that the question was on radio 3 times on only 1 station out of 12, and that people had to compose their own letters, postcards, and telegrams after hearing the program, and that people acted purely on a voluntary basis. The question was worded in as unbiased a manner as it could be:
>
> Do you favor the present Kerr-Mills law, which is a Federal-State cooperative law which pays all medical bills for people 65 and over who cannot pay their own, or do you favor a compulsory approach under social security which would cover everyone over 65?
>
> People were asked to send their replies directly to me at my home.
>
> The results:

Total number expressing an opinion	325
Total number in favor of King-Anderson-type legislation	3
Total opposed to all social programs or in favor of Kerr-Mills legislation	322
Percent favoring King-Anderson	1
Percent favoring Kerr-Mills	99

It is quite understandable that these polls should be as they are. I am not an individual who believes that every complicated question can be accurately decided by a poll. It is hard to take a complicated issue and boil it down to a question that is easy to answer one way or the other. Nevertheless, I believe that polls have some value; and when polls are taken by the House of Representatives, when there is a poll by radio, and when all the others come forward, in a majority of cases, with the same answer, it indicates that the American people are not asking for an enlargement of the social security program and for an increase of social security taxes to pay hospital bills for people who do not need it.

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. CURTIS. I am very happy to yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, after consultation with the distinguished minority leader and other interested Senators, I should like to propound a unanimous-consent request, namely, that the vote on the pending amendment occur at 2 o'clock tomorrow afternoon.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. Mr. President, I withhhold my request.

Mr. CURTIS. Mr. President, I invite the attention of Senators to the fact that in the copy of the hearings on each Senator's desk is a looseleaf erratum sheet. For some reason or another, some part of the testimony did not appear in the printed hearings. The erratum sheet recites that on page 74, line

5, certain parts of Secretary Celebrezze's reply to the chairman were omitted from his answer.

The chairman asked if he was in favor of the Mills bill—that is, the bill sent over from the House—and the Gore or Ribicoff amendment in addition.

The stenographic record shows:

> I favor both, providing we can bring both within the reasonable limitations of the tax structure.

When the hearings were printed, in that place as well as another place, the words "providing we can bring both within the reasonable limitations of the tax structure" were omitted—which again shows the confusion about the cost of the program and how much the social security taxes would amount to, and indicates the need for further and deeper cost studies before we embark upon a program that is permanent. It is not a 5-year or a 1-year or a 10-year program. Congress will enact something that the American people will rely upon and for which they will pay taxes over the years to come.

Mr. President, in order to make the record abundantly clear, I ask unanimous consent that the sheet I have referred to as the erratum sheet be printed at this point in the RECORD.

There being no objection, the sheet was ordered to be printed in the RECORD, as follows:

ERRATUM SHEET—HEARINGS HELD BY SENATE COMMITTEE ON FINANCE ON SOCIAL SECURITY AMENDMENTS OF 1964, AUGUST 6, 7, 10, 11, 12, 13, AND 14, 1964

On page 74, line 5, part of Secretary Celebrezze's reply to the chairman was omitted in the printed hearings. The first sentence of his reply should read as follows:

"Secretary CELEBREZZE. I favor both, providing we can bring both within the reasonable limitations of the tax structure."

On page 74, line 10, another part of Secretary Celebrezze's reply to the chairman was omitted in the printed hearings. The second sentence in the paragraph should read as follows:

"Secretary CELEBREZZE. * * * I favor both the increase and the King-Anderson approach, providing we can keep it, provided this committee can keep it within a reasonable tax base."

On page 87, line 35, Secretary Celebrezze's reply is incorrectly recorded in the printed record of the hearings. The verbatim reply is shown below:

"Secretary CELEBREZZE. In my opinion, if you passed the Mills bill and still stayed within the barrier of not breaking the 10 percent, then you will never get medical care for the aged and stay within the 10 percent."

On page 98, after line 42, the following replies to Senator CARLSON's question were omitted in the printed record:

"Mr. BALL. Yes, about another million and a half.

"Mr. MYERS. No, a million and a half total."

Mr. CURTIS. Mr. President, I ask unanimous consent that I may yield the floor to the distinguished majority leader for such purposes as he may choose, including a quorum call, and that thereafter I may again have the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT LIMITING DEBATE ON THE PENDING GORE AMENDMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the pending amendment occur at 2 o'clock tomorrow afternoon.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time be divided equally between the majority and minority leaders.

The PRESIDING OFFICER. Without objection, it is so ordered.

The unanimous-consent request, later reduced to writing, is as follows:

Ordered, That the Senate proceed to vote at 2 p.m. on September 2, 1964, on the pending Amendment No. 1256, by the Senator from Tennessee [Mr. GORE], to the amendment by the Senator from Louisiana [Mr. LONG], with the time for debate between 12 noon and 2 p.m. to be equally divided and controlled by the majority and minority leaders, respectively.

ORDER FOR RECESS UNTIL 12 O'CLOCK NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish to announce that there will be no morning hour tomorrow.

Mr. KEATING. Mr. President, if there is to be no morning hour tomorrow, I hope there will be something in the nature of an evening hour, and that Members of the Senate will not be precluded from making insertions of important material in the RECORD by the imposition of any time limitation.

I would be happy to adjust myself to the convenience of the membership, but I have some morning hour business for tomorrow. It can be entered at a later time tomorrow.

Mr. MANSFIELD. There is no question that the Senator will be able to do that.

S. 1932—IMMIGRATION REFORM IN THE NATIONAL INTEREST

Mr. HART. Mr. President, as Senators know, there is currently pending in the appropriate committees of both Houses, immigration legislation recommended to Congress by President Kennedy and President Johnson. The reform measure is supported by Members of Congress on both sides of the aisle, and it represents a broadly based national consensus on the kind of reform that is needed.

The August 1964 issue of the Department of State Newsletter includes a brief summary of the proposed legislation, and a fine article by Abba P. Schwartz, Administrator of the Department's Bureau of Security and Consular Affairs. I commend this material to my colleagues, and ask unanimous consent it be made a part of my remarks at this point in the RECORD.

There being no objection, the article and the summary were ordered to be printed in the RECORD, as follows:

TO END DISCRIMINATION IN IMMIGRATION QUOTAS

(By Abba P. Schwartz)

It was entirely appropriate that on July 2, when the President signed the 1964 Civil Rights Act into law, Secretary Rusk testified as the principal witness on behalf of the administration's immigration proposal to expunge from our present statutes those discriminatory sections which impair the conduct of foreign relations.

Embodied in H.R. 7700 and in the identical S. 1932, the proposal would—principally—abolish the national origins quota system. In his opening statement before the Immigration and Nationality Subcommittee of the House Judiciary Committee, which is holding hearings on immigration legislation, the Secretary said that, "This system preserves preferences based on race and place of birth in the admission of quota immigrants to the United States. This results in discrimination in our hospitality to different nationalities * * *" and "* * * inasmuch as our immigration laws are regarded as the basis of how we evaluate others around the world, their effect on people abroad and consequently on our influence can readily be seen."

By tradition we judge our fellow American and his value in society on the basis of ability, industry, intelligence, and integrity. It is incompatible with this tradition that we should judge our fellow man outside the United States on grounds of national, ethnical, and geographical origin.

In authorizing the original legislation in July 1963, President Kennedy recognized that it would not solve all the problems inherent in our immigration laws but that it would "provide a sound basis upon which we can build in developing an immigration law that serves the national interest and reflects in every detail the principles of equality and human dignity to which our Nation subscribes."

The sound basis is provided for in the administration's proposal by replacing the national origins quota system (by gradual elimination over 5 years) with a commonsense procedure: immigration, without regard to nationality, on a first-come, first-served basis, within preference categories, subject to limitations designed to prevent inordinate benefits or harm to prospective emigrants from any one country.

First preference would be allotted to those whose skills are especially advantageous to the United States; second and third preferences would be allotted, as they are now, to close relatives of U.S. citizens or resident aliens; the remaining visas would be allocated to other relatives, immigrants who fill a particular labor shortage, and "new seed." Parents of U.S. citizens would be granted nonquota status instead of their present second-preference rating.

The present immigration statute authorizes approximately 156,000 annual quota numbers. The net increase above this level is not expected to be substantial (in the neighborhood of 14,000) within the framework of the administration's bill. This takes into account special legislation for the benefit of relatives which Congress has enacted over the years.

President Johnson said last January that the legislation "* * * applies new tests and new standards which we believe are reasonable and fair and right. I refer specifically to: What is the training and qualifiaction of the immigrant who seeks admission? What kind of a citizen would he make if he were admitted? What is his relationship to persons in the United States? And what is the time of his application? These are the rules that are full of commonsense, common decency, which operate for the common good."

By abolishing the onus and the superstructure of the national origins quota system, we would be able to apply the above standards fairly. Under the present law, for example, we allocate to Great Britain, 65,361 quota numbers; to Greece, 308; to Italy, 5,666. The Greek and Italian quotas are woefully oversubscribed by thousands of qualified applicants, while 51 percent of the British quota goes wanting. There is no way to transfer this unused portion to the Greek or Italian or other oversubscribed quotas.

Secretary Rusk informed the members of the subcommittee that last year more than a dozen foreign ministers had expressed to him their concern about our immigration laws' discrimination as it affects each of their countries.

He observed: "It is not the numbers I am worried about * * * it is the symbolic element of the national origins idea which is used against us in ways that we should seek to avoid * * *" and "* * * it would not bother me at all to say to anyone outside the United States, 'We are sorry that we cannot admit you because we have run out of numbers,' but it does make it difficult from a political and psychological point of view to say, 'I am sorry but we have run out of numbers for Greeks.' "

In this connection the Secretary expressed his hope that it would be possible for the Congress "* * * to devise an immigration policy which would be good from our own point of view, and welcomed and respected by countries all over the world, including those countries who do not even use the small quotas which are now given to them, but who resent the fact that the quotas are there as a discriminatory measure."

One provision of the current law is singularly discriminatory. That is the provision which requires persons of Asian stock born outside the so-called "Asia-Pacific Triangle" to be attributed to the quota area of their ancestry rather than to the quota of their birthplace. For instance: A person whose ancestry is Chinese and who is a national of Great Britain cannot be attributed to the British quota but must be placed under the Chinese quota. Secretary Rusk told the subcommittee that, "This feature of the present law is indefensible from a foreign policy point of view." The administration's measure would repeal this discriminatory formula.

Our traditional policies of friendship and solidarity have enjoined us not to apply the national origins quota system to independent countries in the Western Hemisphere. Yet, due to the language of the present law, the Caribbean island countries which have gained their independence since the Immigration and Nationality Act was passed in 1952 are required to operate under annual quotas of 100 each. An amendment in the proposed legislation would permit Jamaica and Trinidad-Tobago the same nonquota status as their Latin American neighbors.

In summary, the administration's legislation would eliminate the last vestiges of discrimination in our immigration laws by: (1) Removing racial ancestry as a factor in immigration policy; (2) granting nonquota status to all independent Western Hemisphere countries; (3) offering admission to immigrants—worldwide and without regard to nationality—on a first-come, first-served basis within preferences.

These steps are logical extensions of the progressive and enlightened immigration policies embodied in the legislation passed by the Congress since the end of World War II, including humane legislation for displaced persons, refugees, and escapees. It is incumbent upon us to improve upon our present immigration laws by removing those features which belie our principles of human worth and dignity.

MAJOR PROVISIONS OF ADMINISTRATION LEGISLATION ON IMMIGRATION

Here are the major provisions of the administration's immigration legislation (H.R. 7700 and S. 1932) as outlined by the Bureau of Security and Consular Affairs:

1. Abolish national origins quota system; immigration on first-come, first-served basis within preferences.

2. Transition over 5 years; each country's quota reduced by 20 percent in first year, 40 percent in second year, etc.

3. Raise minimum quotas from 100 to 200.[1]

4. During each of 5 years a pool created by annual 20 percent reductions; numbers from pool along with previous years' unused numbers allocated to oversubscribed areas.

5. End of 5 years all national quotas abolished; all quota numbers in pool; numbers then allocated on first-come, first-served basis with preferences:

(a) First to those whose skills especially advantageous to United States.

(b) Second and third to close relations of U.S. citizens and resident aliens.

(c) Remaining visas allocated: up to 50 percent among other relatives of U.S. citizens and resident aliens; up to one-half of rest to those filling labor shortage; remainder to "new seed."

6. Establish an Immigration Advisory Board.

7. During/after the 5 years and after consultation with Board, President may use up to 50 percent of pool to avoid undue hardship resulting from quota reductions in national security interest.

8. After consultation with Board, President may use up to 20 percent of pool for refugees.

9. No more than 10 percent of total authorized visas can be allocated to any qouta except under President's pool authority.

10. Elimination of "Asia-Pacific Triangle."

11. Eligible immigrants for nonquota status must apply as nonquota immigrants.

12. Nonquota status is extended to parents of U.S. citizens.

13. Nonquota status is extended to Jamaica and Trinidad-Tobago.

14. Simplified petition procedure established for first preference skilled workers.

AMERICA'S VOLUNTARY AGENCIES SUPPORT S. 1932—THE BILL TO ABOLISH THE NATIONAL ORIGINS QUOTA SYSTEM

Mr. HART. Mr. President, from time to time I have called to the Senate's attention the widespread support for S. 1932, the immigration bill introduced in July 1963, on behalf of myself and 26 other Senators from both sides of the aisle. This bill and its companion in the House, H.R. 7700, carry out the legislative recommendations of President Kennedy and President Johnson.

The American Council of Voluntary Agencies for Foreign Service, Inc., through its committee on migration and refugee problems, has gone on record in full support of these bills. The member agencies are to be commended for their forthright stand on immigration reform, and for their many activities to stimulate enlightened opinion in a significant area of public policy.

Bishop Edward E. Swanstrom, chairman of the committee on migration and refugee problems, recently made an excellent statement before a House subcommittee. Bishop Swanstrom, who is also executive director of Catholic Relief Services-National Catholic Welfare Conference, has long experience in immigration matters, where his happy combination of administrative skill and humane motivation have given extraordinary leadership.

Mr. President, I ask unanimous consent that Bishop Swanstrom's statement and a list of agencies belonging to the American Council be made a part of my remarks at this point in the RECORD.

There being no objection, the statement and the list were ordered to be printed in the RECORD, as follows:

STATEMENT FOR PRESENTATION TO SUBCOMMITTEE ON IMMIGRATION AND NATIONALITY OF THE HOUSE COMMITTEE ON THE JUDICIARY, BY COMMITTEE ON MIGRATION AND REFUGEE PROBLEMS, AMERICAN COUNCIL OF VOLUNTARY AGENCIES FOR FOREIGN SERVICE

Mr. Chairman, I am Bishop Edward E. Swanstrom, executive director of Catholic Relief Services of the National Catholic Welfare Conference; honorary chairman of the American Council of Voluntary Agencies for Foreign Service, and for a number of years was privileged to act as chairman of its committee on migration and refugee problems. I have been asked to present a statement on behalf of the 26 voluntary agencies which constitute the committee on migration and refugee problems, all of whom have been engaged for a great many years in assistance to immigrants, aliens, and refugees. Everyone is aware of their competence in this particular field and it is on the basis of their years of experience that I submit their views.

With me today are several of these agency executives. I know that some of them have already appeared before you, but you may still have some questions that you wish to direct to them as well as to myself. I should like to introduce:

Mr. Donald E. Anderson, director, Lutheran Immigration Service.

Mr. Henry S. Moyer, president, American Council for Judaism Philanthropic Fund, Inc.

Mr. Chester L. Rawski, executive director, Polish American Immigration and Relief Committee, Inc.

Mr. James P. Rice, executive director, United Hias Service, Inc.

Mr. Richard Salzmann, member of the board of directors, International Rescue Committee, Inc.

Rev. John W. Schauer, director of immigration services, Church World Services, Inc.

Mrs. Tatina Schaufuss, executive vice president and oversea director, Tolstoy Foundation, Inc.

Mr. Richard F. Smith, director of refugees and special services, American Friends Service Committee, Inc.

Mr. Chairman, it is not without significance that four Presidents of recent years, Presidents Truman, Eisenhower, Kennedy of happy memory, and Johnson, have over the years frequently publicly stated that the fundamental and outstanding inadequacy, indeed the lamentable injustice, in our present immigration and nationality law is the national origins quota system. They have frequently stated that such a concept is entirely without basis in either logic or reason.

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[1] To avoid undue hardship on these low quota areas during transition period.

Their forthright stand in this matter was well summarized by President Johnson in his plea for "lifting the bars of discrimination against those who seek entry into the United States by the enactment of new proposed legislation."

The Committee on Migration and Refugee Problems heartily endorses the basic principles and objectives contained in the immigration legislation now pending before the House. In particular, we strongly endorse those provisions which eliminate the national origins quota system as the basic formula for determining who shall enter the United States as an immigrant.

You, yourself, Mr. Chairman, before whose subcommittee we are privileged to appear today, pointed most dramatically to the inadequacy of our present immigration legislation when you said before the bar association at Greensburg, Pa., on May 24, 1957, that you consider our present immigration policy as reflected by the controlling laws outdated, inadequate, and certain to cause us not only embarrassment but the loss of respect and friendship of millions of people who look to us as the defenders of human freedom and the hope of a better world of tomorrow. You went on to say that the national origins formula applies to conditions prevailing in 1921 and 1922. It has no practical relationship to the political demands of the modern day. Events of the past 12 years leave no doubt that we must effect major changes in our basic immigration laws so that we may have an immigration policy to support our best national interests.

We are all happy to note in your statement on immigration policy on June 6, 1963, that you feel it vital that our immigration policy must, like all U.S. policy, serve the common good of our people and must reflect what is best for the interests of the United States both domestically and internationally. Our immigration laws must be flexible, in tune with the changing times. I understand that the Attorney General, Robert F. Kennedy, emphasized this same view before your subcommittee recently.

The voluntary agencies believe that the basic provisions in the proposed legislation will not only eliminate the discriminatory national origins quota system, but that they will constructively change our immigration laws so that they serve the common good of our people and reflect what is best for the interests of the United States both domestically and internationally. This proposed legislation will also, we believe, provide the necessary flexibility which is needed in a rapidly changing world.

It has become almost commonplace for Members of Congress, Government officials, agencies working with aliens, immigrants and refugees, as well as private citizens, to state that for too long a period America's immigration and nationality laws have conflicted with our traditional American ideals.

As the Honorable EMANUEL CELLER, chairman of the House Committee on the Judiciary, said in his statement before the May 1964 Geneva council session of the intergovernmental committee for European migration: "Until we write into our lawbooks an immigration statute which will be worthy of the traditions of the United States and of our considerable responsibility in the world today, until we do that we deny that famous phrase in our Declaration of Independence which says 'All men are created equal.' The national origins theory states all men are not created equal because it gives preference to some and metes out discrimination and proscription to others."

We fully endorse the granting of nonquota status for parents of U.S. citizens; the granting of fourth preference priorities to parents of lawfully resident aliens; the nonquota provisions for newly independent island countries in the Western Hemisphere, such as Jamaica, Trinidad, and Tobago; as well as the redefinition of the first preference category (persons of unusual skill) and the simplification of admission of such persons.

Especially important we believe is the provision authorizing the President to set aside a certain percentage of the pool numbers to take care of refugee emergencies. This will serve to further the traditional policy of the United States in offering asylum to persons oppressed or persecuted or threatened with oppression or persecution because of race, color, religion, or national origin, adherence to democratic beliefs, etc.

In singling out certain provisions, it is not the intention to make them all inclusive; other amendments or new provisions may come before the House for consideration. As a matter of fact, in his July 23, 1963, message, the late President Kennedy stated that the measures outlined in the proposed legislation "will not solve all the problems of immigration; many of them will require additional legislation."

It is the firm belief of the agencies working in the field of immigration and refugees that the goal of world peace and brotherhood in this or any other generation can be furthered only in a climate of increasing understanding and good will among nations; important in the area of international relations are immigration policies and procedures. Inevitably a nation's immigration laws reflect its basic attitude toward nations and races.

In conclusion, we might simply point to the remarks made by President Johnson on January 13, 1964, when he met at the White House with representatives of organizations interested in immigration and refugee matters. The President said:

"This is a nation that was really built by immigrants, immigrants from all lands, and that is why we should ask those who seek to immigrate now what can you do for our country? What we ought never to ask is: in what country were you born?"

The council committee on migration and refugee problems wholeheartedly endorses the principles of the proposed liberalized legislation.

MEMBER AGENCIES OF THE AMERICAN COUNCIL OF VOLUNTARY AGENCIES FOR FOREIGN SERVICE, INC.

American Baptist Relief.
American Council for Judaism Philanthropic Fund, Inc.
American Friends of Russian Freedom, Inc.
American Friends Service Committee, Inc.
American Fund for Czechoslovak Refugees, Inc.
American Jewish Joint Distribution Committee, Inc.
American Leprosy Missions, Inc.
American Middle East Rehabilitation, Inc.
American National Committee to Aid Homeless Armenians (ANCHA).
American ORT Federation, Inc.
American Relief for Poland, Inc.
Assemblies of God-Foreign Missions Department, General Council of the.
Brethren Service Commission.
CARE, Inc.
Catholic Relief Services—National Catholic Welfare Conference, Inc.
Church World Service, Inc., National Council of the Churches of Christ in the U.S.A.
Coordinated Hungarian Relief, Inc.
Hadassah, the Women's Zionist Organization of America, Inc.
Hadassah Medical Relief Association, Inc.
Heifer Project, Inc.
International Rescue Committee, Inc.
Iran Foundation, Inc.
Lutheran Immigration Service, National Lutheran Council—Lutheran Church—Missouri Synod.
Lutheran World Relief, Inc.
Mennonite Central Committee, Inc.
Near East Foundation.
Polish American Immigration and Relief Committee, Inc.
Salvation Army, The.
Seventh-Day Adventist Welfare Service, Inc.
Tolstoy Foundation, Inc.
Unitarian Universalist Service Committee, Inc.
United Friends of Needy and Displaced People of Yugoslavia, Inc.
United Hias Service, Inc.
United Lithuanian Relief Fund of America, Inc.
United Seamen's Service, Inc.
United Ukrainian American Relief Committee, Inc.
World Relief Commission of the National Association of Evangelicals.
World University Service.
Young Women's Christian Association of the U.S.A. (international division).

THE AREA REDEVELOPMENT ACT AND EMPLOYMENT IN DETROIT

Mr. HART. Mr. President, recently the Department of Commerce announced that the employment situation in the city of Detroit had improved to such an extent that Detroit would no longer be eligible for assistance under the Area Redevelopment Act. Earlier this year, and for the same encouraging reason, the eligibility of the three-county Detroit labor market area was terminated.

This is a significant national development. It is significant nationally, for the reason that employment in Detroit and in Michigan is more closely tied to the well-being of the national economy than that of any other major industrial center in the Nation. We are probably the first to sense a slump in the Nation's economic health, for when Americans slow down their purchase of cars we know it in a hurry. When the national economy swings up—as it has in the past 2 years—Michigan and Detroit workers and plants produce for the Nation.

But underlying the effects of our national economic recovery have been local efforts to broaden and diversify Detroit's economic base. Some of this has resulted from the rapid and significant growth of international shipping along the St. Lawrence Seaway.

Another significant development has come from projects resulting from cooperation between the Area Redevelopment Administration and local development groups.

Too often we have tended to think of ARA programs in connection with rural areas, and have missed the long-range importance of ARA financial and technical assistance to cities such as Detroit.

Last week, I received a letter signed by two of Detroit's outstanding community and business leaders, who, with others, have organized the Detroit Metropolitan Industrial Development Corporation. Their letter describes, far better than my words could, the importance of ARA programs and their impact on Detroit's economic recovery. They state as follows:

> We state that the Area Redevelopment Act has benefited this community. The Area Redevelopment Act should be continued until the economic status of each community proves such continuation is no longer justified.

I ask unanimous consent that this letter, signed by Walker L. Cisler and Oliver

D. Marcks, be printed at this point in my remarks, and that the list of the officers and members of the board of directors of the Detroit Metropolitan Industrial Development Corporation also be printed, following the text of the letter.

Mr. President, the ARA has been, and is, meaningful to Michigan. People who are working today would not have had jobs if it had not been for the passage of the Area Redevelopment Act in 1961.

In March 1961, Detroit's unemployment stood at 15.2 percent. In June 1964 it was down to 4.5 percent. Again, much of this is due to the national economic recovery and the growth that has occurred as a result of the tax cuts enacted by Congress. But the ARA and the community leaders who have worked with the tools provided by the ARA deserve their important share of the credit for this employment increase in Michigan and Detroit. The list of projects which have resulted from the cooperation of ARA and local leaders is impressive. I ask unanimous consent that a list of ARA programs in Michigan be printed at this point in my remarks.

There being no objection, the letter and the list were ordered to be printed in the RECORD, as follows:

DETROIT METROPOLITAN
INDUSTRIAL DEVELOPMENT CORP.,
Detroit, Mich., August 17, 1964.

Hon. PHILIP A. HART,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HART: We in the Detroit area, through this corporation, have now had 2 years' experience operating under the Area Redevelopment Act as enacted by Congress. We believe that our administration of the funds made available to us, and for which we assumed a responsibility, have had a definite impact on alleviating the unemployment situation which existed during this period.

The words "funds made available to us" embraces those obtained both by donations and private subscriptions. We are convinced that we committed these funds satisfactorily, even though they enjoy a security position subordinate to the Area Redevelopment loan. Although our period of operation embraces only 2 years, nevertheless we are gratified to report that no defaults exist with respect to any of the commitments made by us.

We state that the Area Redevelopment Act has benefited this community. The administration here has been under the direction of members within the community, who have served in the interest of the community. This is undoubtedly true in other areas with which we are familiar in Michigan, and while progress may have been slow in some areas it is worth trying wherever the unemployment situation justifies it. The Area Redevelopment Act should be continued until the economic status of each community proves such continuation is no longer justified.

With every good wish,
Sincerely,

WALKER L. CISLER.
OLIVER D. MARCKS.

Officers: Walker L. Cisler, chairman of the board; Oliver D. Marcks, president; Edward Cushman, vice president; Walter Reuther, vice president; W. Calvin Patterson, treasurer; Albert K. Jacoby, secretary.

Board of directors: Richard H. Austin, Richard H. Austin & Co.; Al Barbour, Wayne County AFL–CIO; Peter Bellanca, Detroit East Side Redevelopment Corp.; H. Glenn Bixby, Excello Corp.; Louis Blount, Great Lakes Mutual Life Insurance Co.; Irving Bluestone, UAW–AFL–CIO; Walker L. Cisler, Detroit Edison Co.; Edward L. Cushman, American Motors Corp.; E. H. Graham, Chrysler Corp.; James B. Grant, H. M. Seldon Co.; Willis Hall, Greater Detroit Board of Commerce; C. Allen Harlan, Harlan Electric Co.; Raymond J. Hodgson, Sr., National Bank of Detroit; Albert K. Jacoby, city of Detroit; Richard L. Johnson, Ford Motor Co.; Oscar A. Lundin, General Motors Corp.; Marion Macioci, Detroit Building Trades Council—AFL–CIO; Oliver D. Marcks, attorney and counselor; Ralph McElvenny, Michigan Consolidated Gas Co.; W. Calvin Patterson, Michigan Bell Telephone Co.; Walter Reuther, UAW–AFL–CIO; Craig Smith, Sullivan & Smith Realty Co.; Father Celestin Steiner, University of Detroit; Walter J. Williams, American Motors Corp.; Foster Winter, J. L. Hudson Co.

Michigan ARA projects

Industrial and commercial projects	ARA investment	New jobs
International Village, Inc., Detroit: Construction cultural and business complex	$6,000,000	1,176
Clinton Gables, Inc., Detroit area: Modernize and equip motor hotel	96,000	72
Ash Stevens Co., Detroit area: New organic chemistry research facility	182,000	35
Ponchartrain Hotel, Detroit area: Deluxe hotel	1,895,000	450
Woodward-Horton Development Co., Detroit area: Optical center	126,000	14
London Inn Motel, Detroit area: Motel and related facilities	336,000	77
Goodman Bros. & Co., Detroit area: Motor hotel	1,044,000	75
Marquette & Huron Railroad Co., Marquette: Renovate and activate scenic railroad	195,000	50
Motel Development Corp., Port Huron: Tourist and recreational development	1,000,000	163
Shanty-Creek Lodge Co., Antrim County: Year-round resort motel	891,000	91
Gogebic Range Ski Club, Gogebic County: Recreational facilities	400,000	380
City of Alma: Improve water and sewage system	265,000	100
Northboard, Inc., Iron County: New market for aspen	284,000	---
Crystal Falls Township, Iron County: Elevated water tank	83,000	12
Copper Harbor Corp., Keweenaw County: Ski facility and lodge	625,000	100
City of Howell: Water, sewage, and road improvement	240,000	94
Galiant Products, Inc., Ogemaw County: Manufacture tricycles and other wheeled goods	215,000	171
Caberfae, Inc., Wexford County: Expansion of recreational area	341,000	10

Technical assistance projects	ARA grant
Robert Nathan Associates: Preliminary work on task force, Upper Peninsula	$2,000
Michigan State Library: Develop central research materials for community development in Upper Peninsula	3,000
Robert Nathan Associates: Demonstration project for multicounty economic development	143,000
Department of the Interior, Bureau of Mines: Administer and evaluate R.N. process tests in Minnesota and Michigan	40,000
Department of Agriculture, Forest Service: Aerial photography program in Upper Peninsula	52,000
Robert Nathan Associates and Upper Peninsula Committee on Area Problems: Economic programing and implementation for multicounty organization	106,000
Michigan State University: Recreation program in Upper Peninsula	50,000
Bureau of Fisheries: Advisory service to Lake Superior region of Michigan, Minnesota, and Wisconsin	84,000
Michigan Technological University: Method to improve quality of Lake Superior iron ore	23,000
Booz-Allen & Hamilton, Detroit:	
Feasibility study of development of research park	60,000
Proposed industrial prototype study of Detroit	105,000
A. T. Kearney, Inc., Marquette: Technical assistance to OEDP followup analysis	2,000
Arthur D. Little, Monroe: Determine cost and location of deepwater sites	19,000
Management Systems Development Corp., Traverse City: Technical assistance to OEDP followup analysis	2,000

Michigan ARA projects—Continued

Technical assistance projects	ARA grant
Central Michigan University, Cheboygan County: Center for economic development	$90,000
Johnson & Johnson, Iron County: Specialized management assistance to ARA-financed firms	1,000

Training projects	ARA investment	Trainees
Statewide:		
Nurse aid	$48,000	84
Arc welder	38,000	30
Nurse aid, orderly	12,000	60
Adrian: Clerk-typist, clerk-stenographer	18,000	40
Bay City: Clerk-stenographer, ignition and carburation mechanic	29,000	35
Detroit:		
Sewing machine operator (auto manufacturing)	114,000	150
Clerk-stenographer	99,000	120
Grade school teacher	31,000	40
Medical assistant	16,000	25
Arc welder	100,000	300
Vocation adviser	18,000	20
Detroit area:		
Clerk-typist, stenographer	120,000	200
Clerk-typist, bookkeeper	30,000	50
Brake mechanic, motor adjuster, ignition and carburetor mechanic, transmission and differential repairmen	42,000	48
Nurse aid	22,000	200
Salesperson	16,000	25
Stenographer (refresher)	13,000	20
Floral designer	18,000	18
Ignition and carburetor mechanic	10,000	15
Nurse aid, orderly	56,000	270
Do	25,000	120
Do	24,000	120
Clerk-stenographer	17,000	25
Salesperson	17,000	25
Sewing machine operator	73,000	80
Motor adjuster	44,000	45
Do	223,000	200
Do	46,000	40
Floral designer	24,000	20
Salesperson	33,000	50
Marquette:		
Machine tool operator, stenographer, welder, clerk-typist	228,000	152
Stenographer	34,000	32
Stenographer, typist	69,000	60
General salesperson	17,000	30
Monroe:		
Clerk-typist, clerk-stenographer	32,000	50
Service station mechanic	13,000	20
Port Huron:		
Slide forming machine operator, torsion spring coiling machine operator	28,000	75
Waiter, waitress	6,000	40
Traverse City: Stenographer, typist	22,000	20
Antrim County:		
Waitress	4,000	27
Waiter, waitress	4,000	30
Benzie County: Clerk-typist, clerk-stenographer	9,000	20
Chippewa County:		
Cook	21,000	20
Cooks and bakers	23,000	25
Nurse aid, orderly	7,000	30
Emmet County:		
Cook	14,000	20
Stenographer-typist	7,000	30
Gogebic County:		
Woodworking assembler, machine tool operator, combination welder, clerk-typist, clerk-stenographer	67,000	82
Cook	25,000	25
Do	23,000	25
Houghton County: Nurse aid, orderly	7,000	30
Iron County: Particle board man	31,000	36
Lake County: Cook	16,000	20
Tuscola County: Arc welder	13.000	45

NIKOLA PETKOV—BULGARIAN NATIONAL HERO

Mr. HART. Mr. President, on September 5 and 6, the Bulgarian National Committee is sponsoring memorial meetings, here in Washington, to commemorate the 17th anniversary of the death of Nikola Petkov, Bulgarian patriot.

Petkov was executed by the Communists in 1947, because he fought stubbornly against the outrages, terror, and violence of the Bulgarian Communist Party and the Soviet occupation authorities. He stands in the line of martyrs for the cause of freedom and national independence.

There is no doubt that the spirit of liberty, as exemplified in the life of Nikola Petkov, lives today among the people of Bulgaria and throughout the captive nations of Eastern Europe. As I said in remarks in the Senate on July 9:

> Let us not permit this spirit to languish in a wasteland of inactivity by the United States. Hopefully, we have the good sense to exert the responsible leadership we claim is ours, and work with the captive peoples to make their hope for freedom an ever-increasing reality.

Mr. President, the memory of Nikola Petkov and the splendid work of the Bulgarian National Committee remind us of our task.

I ask unanimous consent that a brief article on the life of Petkov, prepared by the Bulgarian National Committee, be made a part of my remarks at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NIKOLA PETKOV, BULGARIAN NATIONAL HERO AND GREATEST MARTYR IN THE STRUGGLE FOR FREEDOM AND INDEPENDENCE

Nikola Dimitrov Petkov was born in Sofia in 1894. He was the son of Dimiter Petkov, a self-educated peasant from Dobrudja, who became Prime Minister of Bulgaria. Dimiter Petkov was assassinated in 1907 for opposing foreign intervention in the internal affairs of Bulgaria, especially on the part of czarist Russia.

Petko Petkov, Nikola's brother, was one of the greatest Bulgarian peasant leaders. He fought Alexander Tzankov's Fascist dictatorship of 1923 and as a result was shot down on a Sofia street on June 14, 1924—exactly 1 year after the merciless assassination of Alexander Stamboliiski.

Nikola Petkov received a law degree in Paris, where he spent most of his youth. During the Nazi occupation of Bulgaria he was an underground leader and was imprisoned several times.

When the Nazis were driven out of Bulgaria, Nikola Petkov and three other representatives of the Bulgarian National Agrarian Union—the largest political organization in Bulgaria—took part in the first coalition government, together with Communists, Socialists, representatives of the political group "Zveno," and the independent intellectuals. Together with Dr. G. M. Dimitrov, Secretary-General of the Bulgarian National Agrarian Union, Nikola Petkov fought stubbornly against Communist outrages, terror, and violence, and thus incurred the hatred of both the Communist Party and the Soviet occupation authorities. Despite these difficulties, he continued to defend the freedom and independence of his country.

When the Soviet occupation authorities demanded the removal of the "capitalist agent" Dr. G. M. Dimitrov from his post as Secretary-General, Nikola Petkov took his place.

In July 1945, Nikola Petkov sent a memorandum to the Inter-Allied Control Commission demanding the postponement of the elections which the Communists had scheduled for the end of August 1945. These elections were to involve only one list of candidates, headed by the Community Party. As a result of the memorandum, the Prime Minister declared that Petkov had resigned, although formally he never did so. In protest, Nikola Petkov and other cabinet ministers broke up the coalition government, and thenceforth openly opposed the Communist dictatorship. Upon intervention of the Control Commission, the elections were postponed until November 18, 1945.

During the winter of 1946, Stalin sent Vishinsky to Sofia for the purpose of getting Petkov to come back into the government. At their dramatic meeting, Petkov declared that it was not his custom to obey the orders of any foreigner, but to listen only to the will of the Bulgarian people.

That meeting decided Petkov's fate.

In October 1946, Petkov headed the opposition in its election campaign against the Communist-Soviet attempts to seize full control of the country. The enthusiastic people from the countryside and towns voted en masse for Petkov's list, but the election results were falsified and violence and bloodshed were commonplace. Nevertheless, 101 people's representatives, headed by Petkov, were acknowledged to have been elected and triumphantly entered the Grand National Assembly. It was there that Petkov's most courageous and heroic struggle culminated. Availing himself of his constitutional immunity, he unmasked in Parliament the treacherous intentions of the Communists and their leader, Georgi Dimitrov, former Secretary General of the Comitern. He accused them of being Stalinist agents, and said that their hands were stained with the blood of innocent Bulgarians and that they wanted to make Bulgaria a Soviet province.

As a result of his activity, Petkov was charged with conspiracy against the state and the Soviet Union. Like his predecessor, he was called "an agent of Anglo-American capitalism."

After dramatic and stormy debates in Parliament, Petkov was arrested inside the Parliament building in complete defiance of the constitution and the law. Petkov declared dauntlessly that he would share with pride the fate of his father and his brother.

On August 16 Petkov was sentenced to die on the gallows.

Early in the morning of September 23, only 15 minutes after midnight, he was executed in secret because the Communists feared the people's mass indignation. (At that time all executions took place about 5 o'clock in the morning.)

Prior to the execution a representative of the Bulgarian Communist Government appeared in Nikola Petkov's prison cell and offered him a pardon if he signed a petition in which he declared his repentance.

"You are even trying to desecrate my sacred memory," Petkov replied. "My sentence was passed by your Moscow masters and no one can revoke it. I do not seek any mercy from you. I want to die so that my people may be freed sooner."

The heroic example set by Nikola Petkov shook the free world and opened its eyes to the treacherous intentions and methods of the Bolshevist international conspiracy and the tragic fate which Soivet imperialism is preparing for all of humanity.

Petkov's career was a brilliant model of self-sacrifices for his people, principles, ideas, freedom and democracy. Thousands and thousands of Bulgarian patriots followed his great example.

That is the reason why the American Congressmen who, upon the occasion of a visit to Bulgaria, laid a wreath on his freshly-dug grave, called him "one of the greatest democrats of all time."

This is why government officals and statesmen from all over the world sent protest notes to his Sofia and Moscow executioners, and honored and still continue to honor, Nikola Petkov as one of the greatest martyrs of human freedom and the right to independence.

With each elapsing year, the memory of Nikola Petkov is becoming a greater danger for the Communist tyranny, shaking its yoke and leading the freedom fighters to their final victory.

THE 25TH ANNIVERSARY OF THE INVASION OF POLAND

Mr. DODD. Mr. President, September 1 marks the 25th anniversary of the invasion of Poland by the Nazis. Since that time, a new generation, to whom this event is only history, has been born and reached maturity. Even those of us who were alive at the time have let the passage of years dull our memories and deaden our once strong feelings of indignation; and the lessons we learned or should have learned, have, at least in part, been forgotten.

The first lesson we should have learned is that appeasement never pays off and that in the long run it makes war more likely, not less likely.

The second lesson we should have learned is that of the essentially moral identity of Nazi and Communist totalitarianism. In speaking of the Nazi invasion of Poland, let us not forget that it was the Nazi-Soviet pact which made this invasion possible.

Let us not forget that while the heroic Polish Army was desperately resisting the Nazi panzer divisions, the Red army, in one of the most inglorious military actions in history, struck the embattled Polish Army from the rear.

And let us not forget Molotov's boast over the prostrate body of Poland: "One blow from the German Army, and one blow from the mighty Red army—and this ugly duckling of Versailles ceased to exist."

Unfortunately, the Polish people, unlike some of the Western European countries occupied by the Nazis, were not to enjoy the freedom from oppression which was anticipated upon the defeat of the Germans. Agreements were reached between the Soviet Union and the Western powers that ostensibly guaranteed to the Polish people and to the other peoples of Central Europe the right to select governments of their own choosing. These agreements were from the first violated by the Soviet Union, which used the presence of the Red army in Poland and in the other countries of Central and Eastern Europe to impose regimes that were as completely Communist as they were without popular support.

I was particularly gratified to be present when President Johnson signed the proclamation for observing Warsaw uprising day. The President's own words on this occasion are most significant:

> Whereas the American people regard the action of the Polish patriots in the Warsaw uprising as a great manifestation of bravery and devotion to home and country, this historic effort should serve to inspire people everywhere to rededicate themselves to the cause of freedom and justice.

Mr. President, I hope that all Americans will reflect on the crime committed against the human race by the Nazis and by their Soviet accomplices 25 years ago.

I hope that all freedom-loving men and women will steel themselves to preclude a repetition of such aggression as the rape of Poland and its continued occupation.

I hope that we shall find it possible to dedicate ourselves to the task of bringing freedom to all enslaved peoples of the world.

And because of the particular bond of friendship which has always existed between ourselves and the people of Poland, I hope that we will not forget nor forsake our Polish friends and neighbors but that we will remember them in our prayers and by our deeds until they too are as free as we are.

THE SITUATION IN SOUTH VIETNAM

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article, written by Richard Starnes, and published in today's Washington Daily News, entitled "Groggy South Vietnam Runs Out of Gas; Could Strand United States."

I agree with that observation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GROGGY SOUTH VIETNAM RUNS OUT OF GAS; COULD STRAND UNITED STATES

(By Richard Starnes)

The death agony of South Vietnam has begun, and with it has come the harshest dilemma the administration has faced since President Johnson took office.

In the view of experts consulted for a reading of the meaning in the convulsions that have been shaking South Vietnam during the past week, that is what is happening, and what can be calculated to happen very soon:

Discount Catholic-Buddhist tensions as a real cause of the collapse of all meaningful government in Saigon.

The real cause is simply the terrible exhaustion of a people for whom the last 23 years have been an endless horror of war and terrorism. "It is a whole nation disabled by battle fatigue," is the way one top expert on southeast Asia puts it.

The future contains no hope that long-term stabilization can be achieved by yet another humpty-dumpty leader extracted from the CIA's dwindling file of reliable South Vietnamese.

What the United States is facing this day is the cruel choice of abandoning a nation that has already surrendered to despair, or dropping all the shabby pretense involved in war by proxy and undertaking firsthand war to deny Communist North Vietnam the wildly fertile rice fields in the south.

PREMISE GONE

Disappearance of effective government in Saigon erodes the whole base of American participation, for Washington from the beginning has maintained it was merely answering a plea for help from the legally constituted Government of South Vietnam.

It seems likely that no effective government can be formed in South Vietnam unless it promises the exhausted, bleeding, despairing little country peace—peace at whatever price—but peace.

If that happens, of course, the United States will have no choice but to pack up its advisers, its dependents, and its spooks and come ignominiously home.

ISSUE

Since that would present the Republicans and Senator BARRY M. GOLDWATER a succulent campaign issue, the White House must try to avoid it at all costs.

But, to use a word once much beloved in Washington, the administration has few options left in southeast Asia.

It must hang on—but it can do so only at the price of vastly stepped-up American participation, probably including combat units.

Most expert estimates conclude that the Red Chinese would themselves intervene if puppet North Vietnam were suddenly confronted with defeat at the hands of American troops.

That would be Korea all over again, and no administration in Washington could long survive an election if it accepted mass casualties without using every weapon in our arsenal.

It all boils down to as bleak a crisis as has confronted the United States since Soviet missiles were installed in Cuba.

STOPGAP?

The Johnson administration desperately needs to patch up some sort of pro tempore solution that will endure until election day.

This is not wholly political cynicism. The United States needs the elbow room to negotiate some sort of settlement that will fall between the equally unacceptable extremes of humiliating abandonment and nuclear war.

It can hardly do this when the Republican candidate seizes every opportunity to make political capital of the crisis.

The collapse of recognizable government in South Vietnam is clear proof that a new formula must be found—a formula that can no longer be rooted in the supposed will of the people to resist Communist aggression.

It will be a formula containing negotiation, or American combat troops. By making the former a dirty word, Senator GOLDWATER has immeasurably increased chances that the latter will come to pass.

REAPPORTIONMENT OF STATE LEGISLATURES

Mr. DOUGLAS. Mr. President, the tide of public opinion is rapidly rising against the Dirksen rotten borough amendment to the foreign aid bill. I shall ask unanimous consent to have published in the CONGRESSIONAL RECORD two editorials from two of the greatest newspapers in the country, the New York Times and the Washington Post.

The New York Times editorial points out that the Dirksen rider would, in effect, "suspend for the next 16 months the Supreme Court's decision requiring that State legislatures be apportioned on the basis of population alone."

It goes on to state:

> This rider is aimed at giving Congress and those same unreapportioned legislatures time to ratify a constitutional amendment reversing the Court.

It goes on to offer advice and an injunction to the President of the United States:

> To find a way to salvage the foreign aid authorization without accepting the Dirksen rider, the Democratic leadership intends to lay both aside temporarily.

I hope that that may be true.

> President Johnson, who wanted this time for maneuver and who also persuaded the Democratic convention to say nothing about reapportionment in its platform, will have an obligation—if his quiet tactics fail—to break his silence and fight this important issue on its merits.

Yesterday, on August 31, the Washington Post published an editorial in which it stated:

> It is reported that the Senate will temporarily lay aside the foreign aid bill to which Senator DIRKSEN is trying to attach a rider that would delay the effectiveness of the Supreme Court's decisions in the State apportionment cases. This is good news. If the controversy over this backward-looking measure were to be taken up now, Congress might fritter away the remainder of the session fruitlessly. It would be wise for the leaders to insist on clearing their calendars of must bills before the filibuster again gets underway. And the best course would be to drop the Dirksen rider and the Court-ripper bill passed by the House without further consideration.

Mr. President, I ask unanimous consent that the editorials may be printed in the RECORD at the conclusion of my remarks.

I have omitted from the editorials certain paragraphs and sentences which deal with subjects other than the reapportionment fight, but which do not alter the sense of the editorials on reapportionment.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. Mr. President, I also call attention to an editorial appearing in the current issue of the Machinist, the organ of the National Association of Machinists, which, as I remember, has a membership of more than a million members, and which is a highly honorable union, composed of highly intelligent members. It has always taken a public-spirited attitude on public issues. In its editorial entitled "One Man, One Vote," it states something that pleases a group of us very much. It states:

> Hats off to a little band of U.S. Senators dedicated to the principle of "one man, one vote" in giving the people fair representation in State legislatures. They are doing the Nation a real service.

The editorial continues:

> Obviously many State legislatures that have long resisted fair reapportionment would jump at the chance to ratify such a constitutional amendment. It would freeze in the inequities. It would perpetuate control of the legislatures by the coalition of big manufacturers and small town bankers and merchants that have dominated the State capitals for so long.

The editorial concludes with a sentence approving the fight which some of us are making to prevent the Dirksen rotten borough amendment from being included in the foreign aid bill.

Mr. President, I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Machinist, Sept. 3, 1964]

ONE MAN, ONE VOTE

Hats off to a little band of U.S. Senators dedicated to the principle of one man, one vote in giving the people fair representation in State legislatures. They are doing the Nation a real service.

The Senators are talking at long length against a rider to the foreign aid bill. This rider, with no relation whatsoever to foreign aid, would delay application of the U.S. Supreme Court's recent order. The High Court said that States unfairly apportioned must reapportion themselves, with representation in both houses of the legislature based on population—the only fair way.

As Senator PAUL DOUGLAS, of Illinois, pointed out, the rider's principal sponsor, Senator EVERETT DIRKSEN, also of Illinois, has frankly stated that he wants the delay to gain time to win another measure. That is a constitutional amendment that would nullify the Court order. It provides that State legislatures with two houses (Nebraska has but one) may apportion one house any way they want, with or without reference to population.

Obviously many State legislatures that have long resisted fair reapportionment would jump at the chance to ratify such a constitutional amendment. It would freeze in the inequities. It would perpetuate control of the legislatures by the coalition of big manufacturers and small-town bankers and merchants that have dominated the State capitals for so long.

That's who Senator DOUGLAS and his colleagues are fighting. They deserve a real hand.

EXHIBIT 1

[From the New York (N.Y.) Times, Aug. 30, 1964]

CONGRESS GOES BACK TO WORK

Vital measures demand final action as Congress returns to work this week after the Democratic convention. The reapportionment tangle, medicare, the foreign aid bill and the Appalachian program are all unfinished business in the Senate. Having squandered months on the anti-civil-rights filibuster, the Senate finds itself much further behind schedule this year than the usually more dilatory House.

The Senators have made matters worse by painting themselves into a parliamentary corner in their rage against the Supreme Court over reapportionment. Senator EVERETT DIRKSEN, the minority leader, has offered a rider to the foreign aid bill which would, in effect, suspend for the next 16 months the Supreme Court's decision requiring that State legislatures be apportioned on the basis of population alone. This rider is aimed at giving Congress and those same unreapportioned legislatures time to ratify a constitutional amendment reversing the Court.

Also pending is the House-passed Tuck bill—a measure far more sweeping in its threat to strip the Court of its protective power over constitutional rights. Congress already has given the judiciary adequate warning that it ought to allow more time for the normal political processes, to operate on reapportionment. Rushing through legislation that would unwisely invade the authority of the courts and frustrate corrective action in even the most flagrant cases of malapportionment is obviously a disservice to the Nation and to governmental balance.

To find a way to salvage the foreign aid authorization without accepting the Dirksen rider, the Democratic leadership intends to lay both aside temporarily. President Johnson, who wanted this time for maneuver and who also persuaded the Democratic convention to say nothing about reapportionment in its platform, will have an obligation—if his quiet tactics fail—to break his silence and fight this important issue on its merits.

[From the Washington (D.C.) Post, Aug. 31, 1964]

UNFINISHED JOB ON HILL

Congress returns to the legislative grind today, after its second political holiday in recent weeks, with a formidable pile of unfinished business awaiting attention. It may be taken for granted that nearly all Members of both the House and Senate are eager to wind up the session as soon as possible so that they may give their full time to the political campaigns. But their work is not yet done. Until the record of accomplishments is much more complete than it is now the best place for a legislator to be is at his regular post of duty.

It is reported that the Senate will temporarily lay aside the foreign aid bill to which Senator DIRKSEN is trying to attach a rider that would delay the effectiveness of the Supreme Court's decisions in the State apportionment cases. This is good news. If the controversy over this backward-looking measure were to be taken up now, Congress might fritter away the remainder of the session fruitlessly. It would be wise for the leaders to insist on clearing their calendars of must bills before the filibuster again gets underway. And the best course would be to drop the Dirksen rider and the Court-ripper bill passed by the House without further consideration.

THE ATTACK ON REAPPORTIONMENT

Mr. PROXMIRE. Mr. President, one of the most significant articles that has been written on the entire reapportionment controversy was published in the Washington Post on Sunday, August 30. The title of the article is "An Old Tool of Tyrants," and was written by two of the most distinguished law professors in America—two truly great constitutional experts. One is Mr. Eugene Y. Rostow; the other is Mr. Thomas I. Emerson. Mr. Rostow has been professor of law at Yale since 1938 and has been dean of the Yale Law School since 1955. Mr. Emerson has been a professor in the Yale Law School since 1946 and has served the Government in the legal departments of several agencies from 1933 to 1945.

These men are truly experts. They have devoted a lifetime to the law and have taught at one of the three or four outstanding law schools in the Nation—yes, in the world. In this article they have discussed the Dirksen amendment concisely.

I shall read briefly from the article today. Frankly, it is such an important article that I intend at a later time to discuss it in considerable detail, because it certainly merits detailed discussion.

The article takes up the arguments that have been mustered by those who favor the Dirksen amendment and answers them most effectively.

The article reads, in part:

> The attempt in Congress to turn back the tide of reapportionment is too serious to be enjoyed, and shrugged off, as a virtuoso performance in the great game of politics. It would be a catastrophe if Senator EVERETT M. DIRKSEN's bold tactic were allowed to succeed. In his last-ditch effort to save Old Sarum, he has mounted a fundamental attack on the independence of the courts.

Then these distinguished Yale professors go on to write:

> If DIRKSEN's plan is accepted, it will imperil the institution of judicial review, the lynchpin of the Constitution. And it will destroy the most basic of all the "privileges and immunities" of national citizenship, the assurance of equal suffrage.

I have been told by some Senators that they feel the Dirksen amendment is not really important; that it is far less damaging to our constitutional rights than the Tuck bill; that it is something quite modest, quite moderate, a compromise proposal. Indeed, some distinguished members of the administration have argued that the Dirksen amendment may be an acceptable compromise.

We who oppose the Dirksen amendment contend with all sincerity—and I say now on the basis of certainly as good constitutional authority as can be obtained in the whole Nation—that the Dirksen amendment would destroy the essence of the Constitution. Let me quote a little further from the article by Rostow and Emerson:

> The House bill, and the Dirksen amendment to the foreign aid bill, raise grave constitutional doubts. As a matter of constitutional right, enforceable in the courts, all citizens are now entitled to have their votes counted on a basis of equality with those of other voters. That constitutional right, as declared by the Court, can be taken away or abridged only by the process of constitutional amendment.
>
> But the Dirksen-Tuck proposals undertake to abrogate it altogether, or substantially to delay its realization, by simple legislative enactment. Beyond the legal subtleties, this is the heart of the matter.
>
> Both proposals—

Both the Dirksen and Tuck proposals—

> attempt to accomplish this end by withdrawing jurisdiction from the courts. This device is one of the oldest tools of tyrants. If successful here, it would mean the end of the American constitutional system of judicial review and therefore of the American Constitution.

Mr. President, this is such a grave charge and comes from such thoughtful, responsible, able men that I think the last sentence should be repeated:

> If successful here, it would mean the end of the American constitutional system of judicial review and therefore of the American Constitution.

Some Senators who are anxious to get home and campaign, as many of us are, feel that it is very wrong for us to delay the Senate and to keep talking about this amendment. Actually, as I can show a little later—not tonight, but at a later time—we have talked only briefly on this subject, because the Senate has had other subjects to consider.

But the fact is that this amendment is of the gravest importance. There has not been a measure before the Senate so damaging to our Constitution, to our form of government, since I became a Member of the Senate; and when two of the most distinguished law professors in America say, in writing, that the Dirksen and Tuck proposals would mean the end of the American constitutional system of judicial review and the American Constitution, Senators should think deeply about it.

The argument that there is precedent for the Dirksen amendment in the McCardle case is ably dealt with in this fine discussion, in which the implications of the McCardle case are detailed.

Mr. President, I ask unanimous consent that this superlative article, entitled "An Old Tool of Tyrants," written by Rostow and Emerson, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AN OLD TOOL OF TYRANTS—METHOD OF CONGRESS IN ATTACKING REAPPORTIONMENT SEEN AS BLOW AT THE CONSTITUTION ITSELF

(By Eugene Y. Rostow and
Thomas I. Emerson)

(NOTE.—Professor of law at Yale University since 1938, Rostow has been dean of the Yale Law School since 1955. Emerson has been a professor in the Yale Law School since 1946 and served the Government in the legal departments of several agencies from 1933 to 1945.)

The attempt in Congress to turn back the tide of reapportionment is too serious to be enjoyed, and shrugged off, as a virtuoso performance in the great game of politics. It would be a catastrophe if Senator EVERETT M. DIRKSEN's bold tactic were allowed to succeed. In his last-ditch effort to save Old Sarum, he has mounted a fundamental attack on the independence of the courts.

If DIRKSEN's plan is accepted, it will imperil the institution of judicial review, the lynchpin of the Constitution. And it will destroy the most basic of all the "privileges and immunities" of national citizenship, the assurance of equal suffrage. For the Homeric paradox of Senator DIRKSEN's plan is that it would allow the courts to continue to protect some voting rights of Negroes but would forbid them to act in almost the only situation in which they are now asked to protect the voting rights of white citizens.

THE UNDERPRIVILEGED CITY

In reviewing the controversy over reapportionment now before Congress, it is desirable to recall briefly the problem as it was presented to the Supreme Court.

Our traditional voting structure, reasonable enough when 75 percent of our people lived in towns and villages, had become intolerable when 75 percent lived in metropolitan areas. In Connecticut, for example, 11.9 percent of the population can elect a majority in the lower house of the State legislature and 33.9 percent a majority in the senate.

This situation was comparable in most States and was rapidly getting worse as urbanization proceeded faster than reapportionment. No one attempted to justify the system on grounds of equity and principle.

The key fact was that political processes could not remedy the situation for the simplest and most human of reasons. A legislator asked to vote the probable end of his own political career is in a difficult position no matter how deeply he believes in equality.

Here, as in other realms, the Constitution depends upon the Supreme Court, as the umpire of the Federal system, to declare and enforce fair rules. The declaration it made in the reapportionment cases was quite simple: it ruled that both houses of State legislatures must be based solely on population.

It is true that voting rights had rarely been litigated until recent years and that there was some feeling that such matters were too political a problem for the courts. But the rapid development of our constitutional law of personal liberty made the protection of voting rights inevitable, sooner or later.

If the courts protect freedom of speech, of religion, of the press, and of assembly; if they go to great lengths to assure that the individual not be deprived of his life, liberty, or property without due process of law, how could the right to vote rationally be considered an exception?

CIVIL RIGHTS A FACTOR

Two changes in the factual situation ripened the issue of voting rights for decision. The rapid urbanization of society put increasing strain on the political structure. And the vindication of the voting rights of the Negro as a matter of law provided an unanswerable precedent: it is, after all, just as much a denial of equality before the law to give a citizen of New York one-tenth of a vote, as compared with an upstate or a downstate farmer, as to give him no vote at all.

The Supreme Court's recent decisions are fully justified as stages in the growth of constitutional law.

Decisions of the Supreme Court should, of course, be subjected to public scrutiny. They are never the last word in constitutional law; the people have that last word through their slow and deliberately complex power to amend the Constitution.

It is vital, however, that the criticism of the Court's work be indeed a sober second look, as fully considered in the light of constitutional tradition as the opinions of the Supreme Court themselves. The Dirksen plan in the Senate does not meet such a test. There have been no committee hearings on it or on the bill proposed by Representative WILLIAM M. TUCK, Democrat, of Virginia, and passed by the House.

The House bill, and the Dirksen amendment to the foreign aid bill, raise grave constitutional doubts. As a matter of constitutional right, enforcible in the courts, all citizens are now entitled to have their votes counted on a basis of equality with those of other voters. That constitutional right, as declared by the Court, can be taken away or abridged only by the process of constitutional amendment.

But the Dirksen-Tuck proposals undertake to abrogate it altogether, or substantially to delay its realization, by simple legislative enactment. Beyond the legal subtleties, this is the heart of the matter.

TOO-EASY NULLIFICATION

Both proposals attempt to accomplish this end by withdrawing jurisdiction from the courts. This device is one of the oldest tools of tyrants. If successful here, it would mean the end of the American constitutional system of judicial review and therefore of the American Constitution.

It would make it irresistibly easy for a transitory and inflamed majority of Congress to remove one category of cases after another from the reach of the courts. The history of the Constitution makes it only too obvious how often public opinion becomes aroused against the Supreme Court for a short time and how dangerous such an easy procedure of nullification would be.

The House bill provides that the Supreme Court "shall not have the right to review the action of a Federal court or a State court" in any matter relating to the apportionment of a State legislature and that the Federal district courts shall not have jurisdiction "to entertain" a complaint on apportionment. It thereby would make impossible, at any time, the enforcement in the Federal courts of the constitutional right to equal voting power.

If Congress has the authority to do this, it has the power to prevent the Federal courts from entertaining suits to enforce other constitutional rights, including the rights to freedom of religion, to equal protection of the law and to trial by jury. It would, in short, have the power for all practical purposes to wipe out the Bill of Rights and all other constitutional guarantees by simple statute.

The Dirksen proposal does not, on its face, go so far. It would require the Federal courts, except in "highly unusual circumstances," to stay all reapportionment proceedings until January 1, 1966. But the implications are the same.

The National Legislature has no more constitutional power to suspend the enforcement of constitutional rights than it does to prescribe legislative punishment. Clearly, it could no withdraw the constitutional right to counsel until after conviction, or suspend the right to freedom of speech and assembly until after a particularly close election.

Nor is there any analogy between the Dirksen proposal and the court decrees in school desegregation cases allowing school boards time to make adjustments. In such cases, the postponement of the constitutional right is to accommodate administrative necessity and is geared to the specific needs of each case.

The Dirksen proposal is a blanket suspension, not related to the needs of a particular case. Its objective is to gain time for the passage of a constitutional amendment. Its analog would be a moratorium on all court proceedings to enforce the 14th amendment until an effort could be made to repeal it.

A PARAMOUNT POWER

The asserted justification for the Dirksen-Tuck proposals rests on article III of the Constitution. That article provides that the Supreme Court shall have appellate jurisdiction "with such exceptions, and under such regulations, as the Congress shall make"; and it authorizes Congress to "establish" inferior courts.

These provisions raise a familiar problem in construction. Like other documents, the Constitution must be read in context, and as a whole, not abstractly or in fragments. It must be read, too, as a Constitution, in the light of its abiding purpose and the changing circumstances of a nation's history.

The sentences on which both plans rely are subordinate to the basic affirmation grant of power in the first sentences of both sections 1 and 2 of the third article: that "the judicial power of the United States shall be vested in one Supreme Court and in such inferior courts" as Congress may establish; and that this judicial power "shall extend to all cases, in law or equity, arising under this Constitution," under the laws and treaties of the United States and in certain other categories of cases of national interest.

It is hard to see why the provisions about the powers of Congress to regulate the appellate jurisdiction of the Supreme Court should be interpreted to swallow up the whole of the judicial power declared with such sweep in the third article read as an entirety. The apparent generality of the proviso about appellate jurisdiction is hardly absolute. The proviso must be carefully weighed in relation to other grants of power and to the purposes and provisions of the Constitution as a whole.

In that perspective, what emerges as central for present purposes is the provision that the judicial power extends to all cases arising under the Constitution. This sentence, and the whole thrust of our constitutional history, indicate that Congress cannot remove one disfavored category of constitutional claim from the reach of the courts; that one of the main reasons for having an independent Federal judiciary was to uphold the Constitution in all cases where its construction is necessary to the decision of a case. Without that rule, Congress would soon conquer the Supreme Court.

SOME POWERS CONCEDED

The extent to which the Federal judicial power can be limited through the exercise of Congress' authority to make "exemptions" to the Supreme Court appellate jurisdiction, or its power to "establish" lower Federal courts, has never been clearly mapped.

Undoubtedly, such authority permits Congress, for example, to restrict jurisdiction over certain types of cases to particular courts. Or Congress could withdraw jurisdiction to enter orders on matters not involving constitutional rights. Or it could preclude the Federal courts from granting one remedy if another form of relief were available.

But the exception clause, and the power to establish lower Federal courts, cannot be used to abrogate all judicial power to protect any one basic constitutional right.

The case of *Ex Parte McCardle*, upon which great emphasis has been placed by proponents of the Dirksen proposal, does not support this radical departure from constitutional tradition. In that case, which arose during Reconstruction, McCardle was held for military trial by the Union general at Vicksburg, who objected to the critical views expressed by McCardle in his newspaper.

McCardle's application for habeas corpus in the circuit court was denied. He then appealed to the Supreme Court, but in 1868, while his appeal was pending, Congress passed an act withdrawing jurisdiction from the Supreme Court to hear appeals from circuit courts in habeas corpus cases. The Supreme Court upheld the law and dismissed McCardle's appeal.

The McCardle case has been widely misinterpreted as standing for the proposition that Congress has unlimited power to withdraw jurisdiction from the Federal courts in all cases involving constitutional rights. It does no such thing. Actually, McCardle's original right to appeal to the Supreme Court from the circuit court ruling was based on a statute passed by Congress in the year before he filed his appeal; before that, no such right of appeal existed.

More significant, the 1868 law withdrawing appellate jurisdiction did not prohibit all habeas corpus proceedings; such suits could still be brought in the circuit courts. And, most important of all, the 1868 law did not prevent another method of reviewing decisions of the circuit courts in habeas corpus cases: such review could be obtained by filing a habeas corpus proceeding directly in the Supreme Court itself.

Thus the McCardle law withdrew jurisdiction only as to one particular mode of relief, leaving another effective method still available.

The language of the Court's opinion in the McCardle case is indeed broad, but the question decided was much narrower. The dictum of the Court is of little authority today. Rendered in the period of turmoil following the Civil War, the opinion hardly conforms to the main lines of constitutional development over the last century. It is significant that no similar effort to curb the Supreme Court's jurisdiction over constitutional issues has been made between that time and the present day.

We thus conclude that the Dirksen-Tuck proposals are wrong in principle, wrong as constitutional law, and wrong as a procedure for considering changes in constitutional law. So grave a matter should not be pressed so hastily.

The House bill was unceremoniously wrenched from the Judiciary Committee. No opportunity for open discussion, or for proper expression of public opinion, has been afforded.

It is said that the Dirksen-Tuck measures are necessary in order to maintain the status quo until a constitutional amendment can be adopted. But this is scarcely a reason for abandoning constitutional principles or acting in panic. The issue will be much more fairly tested if normal procedures are allowed to develop public opinion on the basis of full debate. Nothing will be done by the courts now that cannot be undone later by constitutional amendment.

On the other hand, as Senator ABRAHAM RIBICOFF, Democrat, of Connecticut, has observed, it is hardly just "to have the rotten boroughs decide whether they should continue to be rotten." And Old Sarum was the rottenest borough of them all.

Ultimately, then, the issue raised by the congressional fight over reapportionment is whether the institution of judicial review is to be cast aside. There may be some who would welcome that eventuality, but we are confident that that view is shared by only a small sect.

Public opinion has resisted, and overcome, many modern attacks on the authority of the courts, from President Roosevelt's court-packing plan to the Jenner proposals of a few years ago. Every segment of the Nation gets angry at the Supreme Court occasionally. But our people know that the Court has served them well and that without it the Constitution would vanish, leaving "not a rack behind."

RECESS

Mr. PROXMIRE. Mr. President, if there is no further business to be transacted, I move that the Senate stand in recess, in accordance with the order previously entered, until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 56 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Wednesday, September 2, 1964, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 1, 1964:

U.S. MARSHAL

James F. Delaney, of Pennsylvania, to be U.S. marshal for the eastern district of Pennsylvania for the term of 4 years, vice James V. Ryan, resigned.

NATIONAL LIBRARY OF MEDICINE

The following-named persons to be members of the Board of Regents, National Library of Medicine, Public Health Service, for terms expiring August 3, 1968:

Dr. Walsh McDermott, of New York.
Dr. Morris Tager, of Georgia.
Dr. Barnes Woodhall, of North Carolina.

IN THE ARMY

Maj. Gen. George H. Walker, U.S. Army, to be a member of the Mississippi River Commission, under the provisions of section 2 of an act of Congress, approved 28 June 1879 (21 Stat. 37) (33 U.S.C. 642), vice Brig. Gen. Carroll H. Dunn, reassigned.

IN THE NAVY

The following-named officers of the U.S. Navy for temporary promotion to the grade of captain in the line, subject to qualification therefor as provided by law:

Adams, Paul A.
Adams, Will M., Jr.
Adrianse, Homer R.
Ajemian, Baret V.
Alden, Franklin H.
Alderton, Dickson W.
Aldrich, James H.
Alexander, Richard G.
Alldredge, Walter W.
Allen, Raymond W.
Anania, Vincent J.
Anglemyer, Robert E.
Anson, Henry O., Jr.
Ansorge, Albert C., Jr.
Atkinson, Wilton L.
Axene, Dean L.
Ayers, Arnold W.
Bach, Sverre O.
Bagby, Henry L.
Baker, Lawrence H., Jr.
Baldwin, Robert B.
Barbour, Henry S.
Barker, Arthur, Jr.
Barker, Jesse T.
Barkley, Paul H.
Barnes, Willis C.
Barnhart, Robt. C., Jr.
Barrett, Ernest R.
Bascom, Wade R.
Batten, Hugh N.
Baumgaertel, Lawrence F.
Beatle, Ralph H.
Beierl, Peter G.
Bergen, Franklin S.
Berkstresser, Charles G.
Berree, Norman R.
Berry, Benjamin H.
Berry, Fred T.
Blair, Carvel H.
Blalack, Russell E.
Bohan, Norman C.
Boldt, Charles H., Jr.
Bonds, Joseph E.
Boudinot, Edgar J., Jr.
Boutwell, Emmett B.
Bowen, Charles H., Jr.
Bradford, Charles R.
Bradley, James F., Jr.
Bratten, Toria J., Jr.
Brown, Laverne W., Jr.
Bryan, Clarence R.
Bucknell, Howard, III
Burnham, Fletcher H.
Callaway, Steven W., Jr.
Capozzalo, Daniel S.
Carrier, William, Jr.
Carrell, Charles H.
Carter, Harry E.
Cassanni, Vincent L., Jr.
Cauble, Lawrence M.
Chaires, William F.
Chambliss, Joe M.
Chandler, Alfred W., Jr.
Chapman, William C.
Chappell, John R.
Cheuvreat, Harlan R.
Christoffarson, Edward A., Jr.
Clack, Bryce L.
Clapp, Atloe F.
Clark, Richard M.
Clements, Daniel C.
Clifford, Frank F., Jr.
Clift, Frank W., III
Cochrane, Edward L., Jr.
Cockrill, James T.
Coe, Carl W.
Cogswell, George W.
Cole, Ben N.
Coleman, Joseph L.
Coleman, William J.
Collier, James R.
Constance, Walter E.
Cooke, Emmett M., Jr.
Cooley, Samuel M, Jr.
Cooper, Parker C.
Coulthard, Robert O.
Cousins, John E.
Creammer, John J.
Crosby, Derrill P.
Cunningham, Patrick F.
Davenport, John A.
Davidson, Edward A.
Davidson, Paul D.
Davis, Richard M.
Dedrick, Walter
Delaney, Charles E.
Delany, Walter S., Jr.
Delgado, Robert
Demaler, Charles F.
Derr, Phaon B., Jr.
Desel, Robert F. P.
Dewing, Lawrence A.
Dietzen, Walter N., Jr.
Dittler, Harry C., Jr.
Doak, Joseph J., Jr.
Donavan, Robert D.
Dooge, "B" R., Jr.
Doolin, Edward H., Jr.
Dorchester, Chester H.
Douglass, Dee W.
Dusek, Charles C.
Dwyer, Thomas L.
Dzikowski, Richard J.
Eason, William R.
Eaton, John D.
Ecker, William B.
Edge, Donald B.
Ellis, George F., Jr.
Ely, Charles S., Jr.
Emig, Alvin F.
English, Addison R.
Esmiol, Morris A., Jr.
Evans, Simpson, Jr.
Even, Glen M.
Everson, John K.
Ewing, Robert H.
Faddis, James M.
Fairbanks, John W.
Farmer, Roy E.
Farrell, Ted L.
Faulk, Joseph R.
Fay, Richard C.
Feaster, Joseph E.
Feely, William F.
Fick, Theodore R.
Fitton, Cyrus F.
Fitzwater, Harry E., Jr.
Flory, Edwin B.
Folsom, Riley T.
Forbes, Bernard B., Jr.
Ford, John E.
Forsberg, Francis C.
Fowler, Richard E., Jr.
Frame, Ralph W., Jr.
Franz, Edward D.
Furnas, Wendell J.
Gaiennie, George W.
Gallatin, Robert E.
Gallemore, James G.
Gambrill, Nelson J.
Garbow, Bernard L.
Geiger, Anson D.
Gillcrist, John A.
Gillespie, Donald R.
Gillooly, John F.
Godfrey, Earl F.
Gohr, Robert B.
Gore, Frederick S.
Gorsline, Samuel G., Jr.
Graham, Frank W.
Greene, William M. A.
Greenwell, Martin D.
Griffin, Mitchell C.
Gronemann, Carl W., Jr.
Groves, Albert R.
Hafner, David T.
Hale, Robert R.
Hamilton, Charles B., Jr.
Hammett, Wayne, E.
Hanecak, Richard G.
Hannifin, Patrick J.
Hansen, Jens B.
Harper, Wyatt E., Jr.
Harris, David D.
Harris, Richard A.
Hart, "J" V.
Hartung, William C.
Harward, Robert S.
Hastings, Edward E., II
Hayes, Robert S.
Hayler, William B.
Heg, James E.
Heiler, Frederick J.
Henderson, James C.
Henson, Josiah
Herman, John S.
Herrick, Harvey S.
Hertzig, Richard D.
Hill, Russell S.
Hills, Stetson P.
Hilson, Ralph A.
Hogsed, Robert A.
Holley, Horace C.
Homyak, James A.
Hoover, William H.
Hopwood, Gordon R.
Huestis, Gerald S.
Hunter, Clifford E.
Hurd, Ernest L., Jr.
Hussey, Patrick F.
Huxford, Richard W.
Iglesias, Edward
Ingram, James D.
Inman, Bryce D.
Irvin, Leroy E.
Jackson, Mercer L., Jr.
Jackson, Ralph F.
Jacques, Donald J.
Jay, Darrel H.
Jester, Richard H.
Jester, Walter H.
Johnson, Clarence R.
Johnson, David A.
Johnson, Gerald M.
Johnson, John R.
Johnson, Theodore L.
Johnson, William R.
Johnston, Philip D., Jr.
Johnston, Roy S.
Jones, George B.

Jortberg, Richard E.
Juarez, Robert
Julian, Alexander, Jr.
Kalina, John F.
Kalstad, Henry M.
Kane, John C., Jr.
Kasten, Robert I.
Kaye, Jack G.
Keevil, Arthur K.
Kelley, Edward G.
Kelley, Frederick J.
Kerr, Alex A.
King, Evans P. K.
King, James P.
Kirk, Robert
Kistler, William C.
Knoeckel, Richard C., Jr.
Knott, Zebulon V., Jr.
Knudson, Irving H., Jr.
Koch, Robert A.
Kodis, Anthony J.
Koen, George
Koon, Jackson L.
Koressel, William J.
Kruger, Ira K.
Kunberger, George A.
Lacava, John, Jr.
Lake, Julian S.
Lake, Kenneth B.
Lamar, Burris D.
Lamartin, Frederick H., Jr.
Lampman, Lester B.
Lawrence, Edward J.
Lebourgeois, Julien J.
Lee, Clyde J.
Legare, Rupert W., Jr.
Leslie, John K.
Lipfert, Ralph G.
Little, Charles E.
Longfield, John N.
Loveday, John C.
Lowman, Robert W.
Lundy, Robert T.
Lupia, Archy L.
Lyons, John T.
Lyons, Robert F.
Lyons, Thomas W.
Mackey, Clarence E.
MacKnight, Harding C.
Manherz, Jack M.
Marr, Robert I.
Masek, William, Jr.
Matheson, James C.
Matthews, Herbert S., Jr.
Mattus, Ralph J.
Maynard, Vincent D., Jr.
McCool, Richard M., Jr.
McCord, Stanley R.
McGhee, James H.
McLaughlin, William H., Jr.
Merrick, Robert H., Jr.
Merrill, Ralph F.
Midgett, Joe L.
Millar, Robert W.
Miller, David
Miller, Jack N.
Miller, William W. K. Jr.
Mitchell, Cleo N., Jr.
Mitchell, George A.
Mix, Leroy R.
Moffit, Lloyd W.
Monahan, Alfred E.
Montgomery, James W.
Moore, Charles K.
Moore, Horace N., Jr.
Moore, Richard S.
Moorer, Joe P.
Moreland, Milton B.
Morris, Lester
Morris, Robert E.
Motley, Arthur W., Jr.
Moul, Cornelius F.
Munson, Arthur H.
Murphree, Hugh D.
Murray, William B., Jr
Nance, James W.
Napier, Edward D.
Nearman, Leonard M.
Nelson, Wayne S.
Norman, Robert J.
Nuschke, Paul L.
O'Connor, Harry N.
Olsen, Alfred R., Jr.
O'Neil, Warren H.
O'Neill, John W.
O'Rourke, Gerald G.
O'Rourke, Vincent P.
O'Shea, George A., Jr.
Osterholm, Robert E.
Overall, Sidney R., Jr.
Padbury, Harry R.
Padgett, John B., Jr.
Parramore, Douglas G.
Pattillo, William H.
Pennington, Jack H.
Pepple, Donald J.
Perkins, "J" "W", Jr.
Peters, John V.
Petersen, Chester L.
Petersen, Forrest S.
Pierre, Emile E., Jr.
Pitcher, William A.
Poe, Donald T.
Polk, Thomas H.
Poorman, Herbert R.
Porter, James W., Jr.
Potter, John R.
Pressler, William J., Jr.
Priest, Charles, Jr.
Proctor, Erman O.
Prothro, Randell H.
Purkrabek, Paul V.
Quinn, Thomas D.
Rath, Elmer R.
Rawlings, Frank T., Jr.
Rawls, Julian E.
Rich, Clarence E.
Richey, Maurice H.
Ricks, Robert
Riley, Horace, Jr.
Riley, John F.
Rippey, William H.
Robb, Earl J.
Roberts, John W.
Roberts, Owen A.
Robinson, Frederick G.
Robinson, Rembrandt C.
Roth, Jerome S.
Roth, Paul
Rothermel, James L.
Rumble, Richard E.
Rush, Max R.
Rush, Philip J.
Rusk, Stephen L.
Rymal, George R.
Sackett, Albert M.
Saroch, Emil, Jr.
Saunders, David M.
Scholz, Walter E.
Schulz, Quinley R.
Schwartz, Walter W., Jr.
Searles, Philip N.
Seiberlich, Carl J.
Serrell, Andrew
Sette, Lyle H.
Shaw, William H.
Shelton, Doniphen B.
Shepard, Alan B., Jr.
Silliman, Henderson G.
Silverthorne, Frederick W.
Simcox, William A.
Sims, Coleman W.
Skon, Warren A.
Slaff, Allan P.
Slifer, Allen W.
Smith, Barclay W.
Smith, Bruce B.
Smith, Lawrence N.
Smith, Lewis O.
Smith, Nicholas J., III
Smith, Russell L.
Smyth, Robert P.
Snowden, Harold F.
Snyder, Joseph E., Jr.
Snyder, Joseph M., Jr.
Sparger, John
Sparks, Samuel A.
Spell, Billie C.
Spenser, Ray A.
Sperberg, Franklynn R.
Stafford, Carlos B.
Stansell, Herman J., Jr.
Stanton, Robert F.
Steele, George P., II
Steele, Robert D.
Steinbeck, Albert A.
Stephens, Franklin T.
Stewart, Clifford L.
Stewart, Marlar E.
Stewart, William S., III
Stinemates, Daniel H.
Stribling, John W., Jr.
Strong, William W.
Sulick, Tom E.
Sullivan, Patrick L.
Swallow, Chandler E., Jr.
Swinburne, Harry W., Jr.
Tanner, Carl B., Jr.
Tarleton, George L.
Taylor, Arnett B.
Taylor, Thaddeus M.
Taylor, Warren
Taylor, William D.
Thatcher, Roland C., Jr.
Tremaine, Mark G.
Turner, William W.
Tyler, Claude L.
Ursettie, Howard J.
Utegaard, Thomas F.
Van Orden, Merton D.
Vaughan, Vie J.
Wacker, William J.
Wade, Kenneth W.
Wagner, Theodore A., Jr.
Ward, Lyttleton T.
Ward, Marshall D.
Watkins, George C.
Watson, Fred C.
Watson, Robert H., Jr.
White, Edward C.
White, Willett E.
Whitlock, Duane L.
Wiemer, Leo G. D. Jr.
Wilder, Lawrence A.
Wilder, Tracey H. Jr.
Williams, Harlan D.
Williams, Joe, Jr.
Wilson, Dick G.
Wilson, Ernest E.
Wise, John P.
Working, John D.
Worley, Carson E.
Yeagle, Carl H.
York, Daniel A.
Youman, Harold R., Jr.
Zech, Lando W., Jr.
Zimdars, Ray W. R.

EXTENSIONS OF REMARKS

Supreme Court Dictatorship

EXTENSION OF REMARKS
OF
HON. STROM THURMOND
OF SOUTH CAROLINA
IN THE SENATE OF THE UNITED STATES
Tuesday, September 1, 1964

Mr. THURMOND. Mr. President, I am pleased to call to the attention of my colleagues a very eloquent and outstanding address which was delivered by the distinguished Representative from the Third District of South Carolina, the Honorable William Jennings Bryan Dorn, in Atlanta on August 15, 1964. The address was delivered by Representative Dorn to the Order of the Stars and Bars and the Sons of Confederate Veterans, at their annual convention in Atlanta.

Representative Dorn was introduced by the commander in chief of the convention, State Representative John A. May, of Aiken, S.C. Representative May is a respected and able member of the State legislature. He represents my home county in the South Carolina House of Representatives.

Mr. President, I find myself in full agreement with the comments made in the address, entitled "Supreme Court Dictatorship." I commend the address to all my colleagues in Congress, and therefore ask unanimous consent that excerpts from the address be printed in the Congressional Record, so they will be available for all Members of Congress to read and study.

There being no objection, the excerpts from the address were ordered to be printed in the Record, as follows:

SUPREME COURT DICTATORSHIP

(Excerpts from address by Representative William Jennings Bryan Dorn before Order of the Stars and Bars and Sons of Confederate Veterans in annual convention at Riviera Motor Hotel, Atlanta, Ga., Commander in Chief John A. May, Aiken, S.C., presiding)

It is good to visit the hospitable, progressive, and friendly city of Atlanta. It is a pleasure always to be a guest in the congressional district of my warm personal friend, the Honorable Charlie Weltner, and to bring you greetings from your outstanding Georgia delegation to the Congress. I congratulate the people of the great State of Georgia for sharing with the Nation the leadership, wisdom, and integrity of Richard B. Russell and Herman E. Talmadge. I supported Richard B. Russell with every ounce of energy when he was a candidate for the Presidency. There is no man in the United States today who would add more strength to the Democratic ticket as Vice President than Senator Russell. I wholeheartedly endorse Senator Russell for Vice President. I am proud and my people are proud that my voting record in the Congress is virtually identical to that of Senator Russell.

NO. 1 POLITICAL ISSUE

The greatest single political issue before the American people this fall will be a rampaging unbridled power-mad Supreme Court. In this country today we no longer enjoy constitutional Government, as written by the Founding Fathers and amended in the manner prescribed by the Constitution. We do not have a government of checks and balances. The legislative powers of Congress have been usurped by the Supreme Court and even the executive branch shoved aside for a virtual Supreme Court dictatorship over the American people.

Yes, it will be a political issue and the degree of assurance given the American people this fall by the two parties could well determine the outcome of the national election this fall.

In the next 4 to 8 years, the President of the United States, whoever he may be, will very likely appoint a Chief Justice and a majority of the Associate Justices of the Supreme Court. The American people are now well aware of this fact. The American people are going to demand of the presidential candidates before the November election that better men be appointed to the Supreme Court. They are going to demand Justices with much experience in the field of legal jurisprudence; men who are dedicated to the private enterprise system; men who are devoted to the Constitution, as written; and who are steeped in the traditions of our great American heritage.

We must bear in mind that the Chief Justice and the Justices of the Supreme Court are appointed by the President of the United States for life. They are not elected by the people. They are not responsible to the people. The only assurance the American people have that these Justices will be loyal Americans, men of integrity and character is the assurance that can be given by their candidates for President.

REAPPORTIONMENT OF STATE LEGISLATURES

The latest in a shocking series of unbelievable and incredible decisions of the Supreme Court is the reapportionment case of June 15. In this decision, the Supreme Court not only aimed a body blow at the Constitution, but at the very foundation stones of our form of government—the citizen, his local community, and the legislative body to whom they are closest, his State legislature. The Supreme Court, in that decision, ruled that the State senate in each State of this Union will henceforth have to be based solely upon population. This will destroy the legislatures of the several States as known under our Constitution for almost 200 years. The U.S. Government came into being as a result of the Constitutional Convention, duly assembled, representing the States and the people.

The Constitution of the United States provides for two Senators from each State—two from Rhode Island, two from Delaware, two from California, and two from New York, regardless of the population of the States, while the representation in the House of Representatives of the National Congress has been based upon population. The States largely wrote their constitutions and patterned them after the National Constitution, providing for a House of Representatives based on population, and for a Senate based upon geography. This system has worked well. It has been democratic. It has been and is constitutional. It has protected the rights of the people, the minority as well as the majority. It has promoted good government.

This decision of the Supreme Court, if allowed to stand, will make a mockery of the rights of the States and the constitutional rights of the people. I know of nothing more detrimental to the future of our Nation than for the Supreme Court to take from the States the right to apportion their own legislatures. As surely as night follows the day, if this decision is allowed to stand, the Supreme Court will reapportion city councils, county commissioners, school trustees and create confusion and chaos in every segment, however small, of local as well as State government. If this Machiavellian decision of the Court is permitted to stand, it will not only be the city councils, the county commissoners, the State legislatures, but then it will be the Senate of the United States which will be reapportioned by a rampaging Supreme Court. Representation of the small States in the Union will be wiped out and our Constitution will be completely destroyed. The small States of this Republic must be protected. The rights of the small States, the rights of the unorganized minority in the remote areas of our Republic must be preserved and protected.

The most determined effort in modern times by the Congress to protect the American people from unwarranted unconstitutional abuses of the Supreme Court is now underway. The House Rules Committee, under the leadership of that great dedicated American and distinguished attorney, HOWARD W. SMITH of Virginia, reported out a bill which will forbid the Supreme Court or any district Federal court from usurping the right of the States to apportion their legislatures. An overwhelming majority of the U.S. Senate is moving in the direction of curbing the Supreme Court in the reapportionment case. The House and Senate are determined to preserve the integrity of the States they represent and their legislatures. Every effort will be made at this session of Congress to pass the legislation which will prevent the chaotic conditions now existing in Colorado, Georgia, and Virginia, and other States which have been created by the Supreme Court. The majority of this Congress is perfectly willing to remain in session for as long as necessary to restore our system of checks and balances and to preserve the constitutional right of our States to apportion their own State legislatures.

I view the Supreme Court as the greatest single threat to freedom in this Nation today. In decision after decision, too numerous to enumerate, the Supreme Court has made a mockery of the Constitution, usurped the power of the legislative branch of the Government, trampled on the Executive and run roughshod over the American people. The Supreme Court put Communists in the same class with Democrats and Republicans by its decision of June 22, 1964. An atheist Communist, sworn to lie, to cheat, steal and commit murder and overthrow by violence the Government of this country can enjoy the same rights as any patriotic Democrat or Republican, according to the Supreme Court. One Justice of the Supreme Court said, "Being a Communist certainly is not a crime."

On the other hand Justices Clark, Harlan and White, in their dissenting opinion, quoted from a statute passed by Congress in 1954 which stated that "The Communist Party of the United States * * * is in fact an instrumentality of a conspiracy to overthrow the Government of the United States." The minority opinion continued: "The right to travel is not absolute. Congress had ample evidence that use of passports by Americans belonging to the world Communist movement is a threat to our national security."

The Supreme Court in another recent decision has turned loose murderers and criminals convicted in open court by a jury of their peers. By strange rulings regarding search and seizure, the Court has in essence applauded the lawlessness of dope peddlers and drug addicts. The Court has protected the sinister criminal who would pervert the youth of our Nation by selling and mailing lewd, obscene pornographic literature. The Supreme Court has ruled that criminals, embezzlers, perjurers, and housebreakers in any local and State court can plead the fifth amendment.

In the New York and Maryland prayer cases, the Supreme Court, to all intents and purposes, outlawed prayer and Bible reading in the public schools of our Nation. They amended the Constitution of the United States contrary to article IX which prescribes how the Constitution must be amended. In this decision the Supreme Court aimed a low blow at the very foundation and heart of this Republic—religious freedom as practiced for generations under the first amendment to the Constitution. Our people are fearful that unless the Court is curbed, chaplains will be eliminated from the Armed Forces; "In God We Trust" from our coins; and "Under God" from the Pledge of Allegiance to the Flag of the United States.

The Supreme Court has legalized mob violence and disrespect for law and order. In flagrant disregard for local and State laws, it has legalized the drafting of schoolchildren from the classroom by mob leaders. The Supreme Court has set the stage in these incredible decisions for anarchy, for lawlessness and for a complete change in our form of government. The Supreme Court would not permit the President some years ago to seize the steel mills, but they themselves seized the rights and powers of local governments, individual citizens, the States, and the Congress itself. The Supreme Court has been making its own rules and regulations and changing them at its own whim and fancy. Without the aid of any legislation under the sun, the Court has taken over the supervision of State court procedures and attendance in public schools.

The Supreme Court is legislating. It has issued executive decrees and has rewritten laws passed by the Congress. It has made new Federal regulations with the full force and intent of law. These sinister violations of our constitutional principles by the Court have been heralded the law of the land and enforced with the naked power of the Armed Forces of the Nation.

Of course it is important who will be elected President of the United States in the November elections. It is important who will be elected to the U.S. House and Senate. It is important who will be elected Governor in the sovereign States of the Union or who will represent the people in their legislatures, but the paramount question of major concern is who will be appointed to the Supreme Court of the United States in the years to follow November 3.

The people are going to elect a President who will appoint more responsible learned and patriotic men to the Supreme Court. The people are going to elect a Congress which can and will set the qualifications of the Justices of the Supreme Court. The new Congress will not sit idly by and watch that great institution—the Congress—completely destroyed by nine unelected men subverted to the philosophy of national socialism. We in the Congress must assume some responsibility for this Hitlerian Court. It has been our indifference and complacency to these unconstitutional decisions which have permitted this outrage upon our individual liberty and our Constitution. With your help we will correct our mistakes.

The American people are now in the frame of mind to take whatever action they deem necessary to preserve their freedom from dictators and power-mad zealots, whether they be foreign or domestic.

George Washington, President of the Constitutional Convention and our immortal first President said:

"The basis of our political system is the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists till changed by an explicit and authentic act of the whole people is sacredly obligatory upon all * * *.

"If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way the Constitution designates. But let there be no change by usurpation; for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed."

Welfare and Pension Funds

EXTENSION OF REMARKS

OF

HON. J. ERNEST WHARTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 1, 1964

Mr. WHARTON. Mr. Speaker, the recent conviction of labor leaders who misappropriated welfare and pension funds of their unions have prompted a number of my constituents to inquire as to the possibility of depleted welfare funds and Federal protection in this area.

These funds are established to provide death, disability, and retirement benefits for employees, and represent an incentive for increased production and continued employment. They are a part of the worker's compensation and he has a vested claim in them just as he does to his private savings account.

Regretfully, I find that existing Federal banking and labor statutes do not protect the worker against unscrupulous employers or trustees who may raid the fund. This is particularly true of small corporations which, in desperation and on the verge of bankruptcy, sometimes resort to "borrowing" from the employees retirement fund. When bankruptcy actually occurs in such a case, the welfare pension fund is lost and its purpose defeated along with what remains of the assets of the defunct business.

The U.S. Department of Labor informs me that while they are aware of these criminal acts they presently have no jurisdiction or legal means to prevent raids on pension funds. Unfortunately, their records disclose many cases of this nature.

Certainly this glaring deficiency must be corrected with appropriate penalties, including heavy fines and jail sentences.

These funds are trust funds and should be accorded the same careful protection as those of deceased persons held in trust for the benefit of widows and orphans. It can be accomplished by Government supervision, insurance, or investment standards to limit the range of trustee discretion.

I am well aware that it is too late in the present session to obtain constructive action on what is a highly controversial matter. However, I am today submitting a proposed bill for record purposes and study, and I urge its careful consideration by interested Members who may feel disposed to join me in pressing this matter at the opening of the next session of Congress.

American Bar Association Study of the Communist Meaning of Peaceful Coexistence

EXTENSION OF REMARKS

OF

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 1, 1964

Mr. RUMSFELD. Mr. Speaker, the American Bar Association, through its standing Committee on Education Against Communism, has recently undertaken the task of analyzing over 500 Communist documents and statements as they relate to and shed light on the Communist meaning of "peaceful coexistence." The association has performed a fine service to the country in issuing this study and making it available to students of foreign affairs, teachers, libraries, Government agencies, and the public.

I should like to take this opportunity to commend Mr. Morris I. Leibman, chairman of the ABA Committee on Education Against Communism, for commissioning this study and Dr. Richard V. Allen of the Center for Strategic Studies at Georgetown University in Washington, D.C., for undertaking the task of analyzing this new Communist technique for "waging a many-pronged offensive at and within the non-Communist world," as he states in his booklet, "Peaceful Coexistence—A Communist Blueprint for Victory."

At a recent press conference in New York City, Dr. Allen pointed out that "peaceful coexistence meant living peacefully as neighbors and not trespassing upon one another in a 'world safe for diversity.'" He went on to say that it was important for Americans to know and understand the different meaning that the Chinese and Russian Communists place upon the term. In his booklet, Dr. Allen wrote:

> It is clear that when Communists employ the language of peace, they do so to mask their true strategic purposes: the isolation, encirclement, weakening and destruction of the free world and its way of life. The cold war has not concluded, but has entered a new and still more complex phase in which the spectrum of psychological, political, economic, and class warfare will be radically expanded.

Mr. Speaker, the goal of the Communists is total victory over all non-Communist institutions and societies. The Soviet Union continues to train Communist agents throughout the world in the tactics of subversion, infiltration, propaganda, sabotage, and other techniques for their offensive against the free world, whereas our country and other countries of the free world have failed to undertake intensive research and training to counter this offensive, and to awaken the people to the dangers of communism. The ABA study can be an effective weapon in the free world's continuing struggle against the forces of communism. I urge interested Members to acquaint themselves with this report.

Constitutional Crisis

EXTENSION OF REMARKS

OF

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 1, 1964

Mr. BROYHILL of Virginia. Mr. Speaker, the Nation is presently faced with a grave constitutional crisis. This is not my opinion alone but the opinion of many of our greatest authorities on the Constitution. The question is one of usurpation of powers by the Supreme Court and there is deep and honest division on this matter even on the Court itself.

Although I fully subscribe to the need for and desirability of fair apportionment, particularly in the lower houses of our State legislatures, and would welcome our full share of representation in the Virginia General Assembly, after careful study of the constitutional principles involved I cannot countenance the achievement of this end by the means that have been employed, no matter how desirable and just that end might be.

Upon entering the House of Representatives of the United States at the beginning of the 83d Congress and at the beginning of each subsequent Congress to which I have been elected, I swore a solemn oath to defend the Constitution of the United States and that I would bear true faith and allegiance to that document. This oath, to me, is my highest duty in the execution of my office and all other duties and obligations are therefore subservient to this oath, no matter what the consequences may be of any decision I make predicated upon my understanding of this primary obligation. I cannot and will never prostitute my belief in this duty for reasons of expediency or to be on the popular side of an issue among some of those I may represent.

H.R. 11926, a bill introduced by Representative TUCK, of Virginia, to limit jurisdiction of Federal courts in reapportionment cases has passed the House of Representatives by a record vote of 218 to 175. I supported this measure that would in effect overturn recent Supreme Court rulings upholding lower Federal court decisions in which they assumed jurisdiction in reapportionment matters.

The confrontation thus resulting between the courts and the Congress has now raised this momentous constitutional question. This question is not whether northern Virginia and other areas will receive greater representation in the State legislature but whether the Supreme Court has improperly usurped powers reserved to the Congress and to the States.

It is my firm and honest belief if these decisions stand unchecked and unchallenged, the courts have then amended the Constitution by decree. The courts have assumed powers not given them by the Constitution nor intended for them to have in that document. The courts have usurped legislative power in declaring to the several States that they must either legislate or the courts would legislate for them. If this doctrine is allowed to stand, we pass from a constitutional Republic into a State of judicial autocracy.

Mr. Justice Frankfurter, one of three dissenting justices in the first of these historic cases, *Baker et al.* v. *Carr et al.*, 369 U.S. 186 (1962) stated:

> The Court today reverses a uniform course of decisions established by a dozen cases, including one by which the very claim now sustained was unanimously rejected only 5 years ago. The impressive body of rulings thus cast aside reflected the equally uniform course of our political history regarding the relationship between political and legislative representation—a wholly different matter from denial of the franchise to individuals because of race, color, religion, or sex. Such a massive repudiation of the experience of our whole past in asserting destructively novel judicial power demands a detailed analysis of the role of this Court in our constitutional scheme.

The Constitution, not the decisions of the courts, is the "supreme law of the land" and decisions conflicting with the Constitution, such as decisions seeking to exercise power never granted the courts by the people, are by definition null and void. For 175 years the Constitution, as upheld by the Supreme Court in at least 12 cases, has stood as a bulwark against the usurpation of powers in matters pertaining to the States, the people, and their legislatures. The Court possesses no power to change the meaning of the Constitution by "changing its mind" about its meaning, which is controlled by the original intent of the framers and adopters of each provision. Instead, the Supreme Court has been given power only to clarify (not make) law by interpreting the Constitution in keeping with the controlling intent of those who framed and adopted each provision.

In these words of a Supreme Justice, a framer of the Constitution, and a signer of the Declaration of Independence, James Wilson admonished all Americans that:

> Nothing is more to be dreaded than maxims of law and reasons of State blended together by judicial authority. Among all the terrible instruments of arbitrary power, decisions of courts, whetted and guided and impelled by considerations of policy, cut with the keenest edge, and inflict the deepest and most deadly of wounds.

The 50th Anniversary of SS. Peter and Paul Parish

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 1, 1964

Mr. O'HARA of Illinois. Mr. Speaker, in the early summer and in response to a request from Alexander G. Kapocius, public relations director of SS. Peter and Paul Parish on the far South Side of Chicago, I penciled my message of congratulation, appreciation, and good wishes to the parish on the occasion of its 50th anniversary celebration.

The Reverend Stanley R. Petrauskas is the present and the seventh pastor to be assigned to serve the needs of SS. Peter and Paul Parish in West Pullman.

Congratulations on Your Golden Anniversary

BIOGRAPHY OF PASTOR

He was appointed to the position on January 11, 1957, by His Eminence, the late Samuel Cardinal Stritch.

Reverend Petrauskas was born in Lithuania on November 25, 1906. He attended the St. Bartholomew Elementary School in Waukegon, and following his graduation from elementary school, attended the Quigley Preparatory Seminary in Chicago.

He entered the St. Mary of the Lake Seminary in Mundelein, Ill., and was ordained a priest by His Eminence, the late George Cardinal Mundelein in 1932.

His first appointment was to serve as an assistant at the St. George Parish in Bridgeport for an 8-year period.

He then was transferred to the Nativity BVM Parish in Marquette Park for another 8-year term.

His third appointment sent him to the St. Anthony Parish in Cicero, Ill., where he stayed for 8½ years.

He came to SS. Peter and Paul from St. Anthony.

Reverend Petrauskas celebrated his 25th anniversary of his ordination shortly after arriving at SS. Peter and Paul, on May 21, 1957.

His 30th year anniversary was celebrated in 1962 with a party in his honor.

Father Petrauskas has done an outstanding job at SS. Peter and Paul and through his untiring efforts, the parish has become one of the most progressive in the Archdiocese.

ASSISTANT PASTORS

Rev. Bruno M. Grinis was assigned to the parish in July 1960 to take the place of the Reverend Anthony Bendziunas, who was transferred to the Province of God Parish.

Reverend Grinis was born on January 27, 1916, the son of Walter and Mary Grinis. He attended the Nativity BVM parish elementary school.

Following his successful completion of the philosophy and theology courses at the St. Mary of the Lake Seminary, Reverend Grinis was ordained a priest on May 18, 1940.

Rev. Fabian Kireilis was invited to serve the parish by the pastor on July 26, 1958. Previous to this he was an assistant in Troy, N.Y., and from May 1951 through September 1957, he served as an assistant at Ilion, N.Y.

Reverend Kireilis was born in Lithuania on April 6, 1912.

On August 2, 1944, he took refuge into Germany along with the other Lithuanians to escape the threat of Communism.

In 1951, at the end of the immigration period, he came to the United States.

Rev. John Figlewski, s.P. was born in Scranton, Pa., on August 29, 1896. He attended the Sacred Heart parochial school and the St. Thomas high school and college in Scranton, Pa.

He received his philosophy and theology education at the St. Francis Seminary at Loretto, Pa.

He was ordained on June 14, 1919, and celebrated his 45th year as a priest this past June.

Mr. Speaker, here is the message of sincere congratulation that I penciled in my office on a Sunday in early June, leaving it for typing and mailing on the following Monday:

> To all the good men and women who have contributed of their means and effort to the 50 golden years of SS. Peter and Paul Church go my warmest thoughts.
>
> For half a century SS. Peter and Paul Church has been a bulwark of moral strength and of good neighborliness as well as a mighty force in the religious life of our community, to which SS. Peter and Paul has aided in giving a spiritual enrichment.
>
> My prayer is that God's blessing will continue to shine and to be reflected in the good works of SS. Peter and Paul in the half century ahead to complete its centennial.

But, Mr. Speaker, this message does not appear in the golden anniversary book just issued, and I am in the unhappy position, I am afraid, of being thought not interested in the work of service for half a century of the pastors and the flock in this fine parish. The reason is that the message I penciled that Sunday in early June was never typed. Apparently it had got misplaced and overlooked in the process of typing. I found it after a search when I learned that it never had been received by Mr. Kapocius. I am sending my penciled copy to the pastor of SS. Peter and Paul as a bit of proof of my good intentions, perhaps also a bit of proof, if such were necessary, that the human frailty against which our Constitution warns us do creep up on us even in a congressional office.

Remarks of Senator Bennett at Senate Prayer Breakfast Group

EXTENSION OF REMARKS

OF

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, September 1, 1964

Mr. THURMOND. Mr. President, one of the greatest benefits I have derived from being a Member of the U.S. Senate has come from my membership in the Senate Prayer Breakfast Group, which meets each Wednesday morning. I have had the opportunity to listen to many eloquent and inspiring statements which have been presented before this group by Members of the Senate and others who meet with us in these important gatherings. One of the most impressive talks ever presented to our group was made on August 5, 1964, by the distinguished senior Senator from Utah [Mr. Bennett]. His remarks dealt with the gradual erosion of moral precepts and principles in our Nation and some of the reasons therefor.

I ask unanimous consent, Mr. President, to have this most inspiring and interesting talk printed in the Congressional Record, so it will be available to all other Members of Congress.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks of Senator Wallace F. Bennett, at the Meeting of the Senate Prayer Breakfast Group, August 5, 1964

The famous—or infamous—prayer decision of the Supreme Court has had at least one potential beneficial effect. It has focused national attention upon the proper relationship of the church and the state; and out of this concern, benefits may come to both of these important institutions. Naturally, up to date, the chief concern has been with possible interference by the state in matters properly within the province of the church. But in our system, the church, as the source of spiritual strength, has great responsibility for the preservation of our traditional system of government. And I should like to reverse the usual emphasis given to this problem and talk about the need for greater acceptance of responsibility by the church for the benefit of the state.

Religion and its organized expression, the church, have many unique and irreplaceable functions to perform in our lives. Only it can give them meaning and direction. Only through it can we know God and His plans for us. Only through it can we fit our mortal experiences into their eternal frame. And only through it can we acquire the scale of values by the use of which we can command the great powers of the spirit. And only when our citizens have an adequate scale of spiritual values can they be prepared to accept their responsibilities as citizens.

While these values are eternal and absolute, human acceptance of them is always changing; and history records the high tides and the low—the golden and the dark ages—the periods of progress and the tragic eras of decline.

Our system of government came into being at a time when men in what was then an obscure corner of the world held these spiritual values which their church had taught high in their hearts, and it is based upon them. In the years since, we have moved through cycles of weakness and recovery. Where are we today, and what can we do about it? What can the church do about it?

On the surface, we are in a golden age, and materially we are at the zenith of prosperity by every method of comparison. Militarily, we command the world's greatest power. Church membership is at an alltime high. And yet our basic system is in danger, and our society is sick. Why? Because our standard of values seems to be deteriorating. This means only one thing: the church is failing in its spiritual responsibility.

The most obvious evidence of lowered values is in the field of morals. Sin is justified as "sickness" and love is exploited as sex. No wonder family stability is undermined by divorce, which is increasing. Let's look at the record.

Since 1950, divorces in the United States have increased 2 percent, while in the same timespan, the number of marriages has decreased by 8 percent. In 1950, there was 1 divorce per every 4.3 marriages; in 1960, the ratio climbed to 1 divorce per every 3.9 marriages. Utah reflected the Nation's increase in divorce rate on a lesser scale.

Our national crime statistics give us another means of measuring our spiritual deterioration. Crime is increasing both totally and among juveniles.

Police arrest data issued by the FBI and court statistics collected by the U.S. Children's Bureau indicate that close to a million young people in the 10-through-17 age group came in contact with law enforcement agencies during the past year. In 1963, over 1962, there was an 11-percent increase in arrests of persons under 18 years of age. Actually, 17.5 percent of the total number of arrests made in 1963 were juveniles under the age of 18.

These demonstrations of deterioration are easy to see because they can be measured statistically. Behind them are others that are visible only through their effects. Self-discipline is out; self-indulgence is in. Work, sacrifice, and responsibility are suspect; State-supported welfare, selfishness, and escape are becoming worthy goals. Ambition is considered an evil; getting by, without rocking the boat, until retirement is becoming the smart thing to do.

Philosophically, we tend to reject absolutes in value and prefer consensuses. We trade the long-range goal for today's benefit. We shun the clear challenge of simplicity by taking refuge in the obscure and the sophisticated—even in religion.

What are the effects of this shift in values upon our concept of government? To me, they are many—dangerous and sad. In total, and in the ultimate, they may some day add up to a reversal of the American revolution and a return to the tyranny of government imposed from above. The Founding Fathers, translating the great spiritual values of our Christian heritage into a political institution, reversed the ancient pattern and built on the assumption that divine power lodged with the people, not the king. In our present retreat from spiritual responsibility, we are returning to the old flesh pots of central power, and it frightens me.

At the risk of sounding sacrilegious, I often wonder if there are not some people in this country for whom the Federal Government is becoming a substitute for God. Increasingly, we are asked to accept the idea that the Government is our greatest repository of wisdom to the extent that its decisions are all-wise and should not be challenged and that it would be well to endow it with all power. To many people, the Federal Government is looked upon as the source of all blessings.

Of course, this is a materialistic concept, barren of spiritual values. But can't the same thing be said, more or less, of other false gods that have arisen in our time. Are we in danger of violating the first commandment, which says, "Thou shalt have no other gods before me," as easily as we seem to have violated the seventh commandment, "Thou shalt not commit adultery," and the eighth commandment, "Thou shalt not steal"?

In the field of government, our sense of values seems to be slipping. Instead of simple interpretations of the Constitution, we have tortured rationalizations. Instead of patriotism, we talk of world opinion. Men seeking office seek power instead of opportunity for service and appeal for votes on the seductive promise of material benefit rather than devotion to basic American principles. In some cases—fortunately, few—but, unfortunately, effective, blatant atheism, godlessness, has been given frightening weight in judicial decisions.

Are the American people disturbed? Not too much, apparently, because any government which draws power from the people must be only a reflection of their own scale of values. And while we claim to be shocked by revelations of wrongdoing in high places in the present spiritual atmosphere, we tend to shrug them off.

How can we change this trend? Where can we find inspiration and leadership to regain our greater sense of spiritual values? Where else but in religion and the church? And where can we start but with our own churches—and ourselves.

The recent civil rights debate revealed, or exposed, a dangerous shift in direction in some churches. We have a Mormon saying that in the church we teach the people correct principles, and they govern themselves. Abandoning this vital function of indirect support to government, many ministers—in the name of the church—have attempted to influence the decision of Congress directly. And a few have openly advocated what they call "civil disobedience," forgetting God's statement, through Samuel to Saul, after he had destroyed the Amalekites and saved their cattle for sacrifice in violation of God's command. Said Samuel:

"Behold, to obey is better than sacrifice and to hearken than the fat of rams.

"For rebellion is as the sin of witchcraft, and stubbornness is as iniquity and idolatory. Because thou hast rejected the word of the Lord, he hath also rejected thee from being king." (I Samuel 15: 22–23).

I hope we, as a government, will not be found wanting for our failure to live up to the values God has set for our guidance and be rejected, as was Saul. To protect us from that fate, the church must resume its proper role as guardian and prophet and be effective in the teaching of those principles.

Is this putting an impossible burden on churches and their members? Not in my book. To illustrate my faith in them, let me turn back to the question of divorce. A survey was made recently among 451 Mormon college students who revealed these interesting facts about their parents in terms of the relationship between church membership and participation and the incidence of divorce. The following statistics show the percentage of parents in all of these categories who have been divorced:

	Percent
Both nonchurch members	20.4
Mixed marriages	13.8
Both church members	5.2
Civil marriage	12.3
Temple marriage	2.2
Husbands who regularly went to church	1.9
Wives who regularly went to church	2.3
Husbands who never went to church	18.2
Wives who never went to church	25.0

In closing, may I quote again a few lines from the Book of Mormon, to which my mind always returns when I worry about this problem.

"Behold, this is a choice land, and whatsoever nation shall possess it shall be free from bondage, and from captivity, and from all other nations under Heaven, if they will but serve the God of the land, who is Jesus Christ." (Esther 2: 12.)

SENATE

WEDNESDAY, SEPTEMBER 2, 1964

(Legislative day of Tuesday, September 1, 1964)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Reverend Clair M. Cook, Th. D., of the Methodist Church, Washington, D.C., offered the following prayer:

Our God, our Father, our Creator, and our Sustainer, at this high noon we pause for a moment as we turn toward the making of decisions which may touch the lives of millions of our countrymen. We pause, lifting voice and heart to Thee.

As we stand silent, let us listen for Thy guidance within, for the still, small voice we do not dare ignore. Let us hear it echo the cries of need lifting the universal prayer, "Give us this day our daily bread." Let us hear in it the plea of all men, of the cultured and of the illiterate, of the white and of the black, of the young, and, especially this day, of the old. Let us hear their tired voices, the voices of those whose toil for daily bread has left them no more years or strength for toil. Let us hear the words given to Moses, "Honor your father and your mother, that your days may be long in the land which the Lord, your God, gives you."

To these, Thy servants, give the wisdom of the generations, that they may deal faithfully with this generation. Grant unto them, in the exercise of their power, discretion; but fill them likewise with compassion. Let them place above selfish personal or political advantage the strength of conscience and the social good. Thus may the awesome responsibilities entrusted to them by the people of this land be fulfilled as they join the power of social creativity to Thy overarching power as creator of all things, even of ourselves. Humbly we do ask these things in the name of the compassionate Christ. Amen.

THE JOURNAL

On request by Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, September 1, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On September 1, 1964:

S. 2961. An act to provide for the disposition of the judgment funds on deposit to the credit of the Northern Cheyenne Tribe of the Tongue River Indian Reservation, Mont.

On September 2, 1964:

S. 3049. An act to extend and amend laws relating to housing, urban renewal, and community facilities, and for other purposes.

REPORT ON U.S. POLICY AND INTERNATIONAL COOPERATION IN ANTARCTICA—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 358)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am pleased to transmit to the Congress this special report on U.S. Policy and International Cooperation in Antarctica.

Men and nations alike tend to concentrate their energies on unsolved problems. In foreign affairs, disagreements all too often distract public attention from accords and agreements.

But preoccupation with world problems should not obscure situations like Antarctica where this country and others work together harmoniously to construct the prototypes of peace.

The treaty provides for freedom of scientific investigation in Antarctica and for carrying on undiminished the cooperation started during the International Geophysical Year. It prohibits nuclear explosions in Antarctica and the disposal there of radioactive waste.

To see that the treaty is complied with, national observers may be sent at any time to any part of Antarctica to inspect various national installations. In late 1963, the United States sent two such inspection teams to examine facilities of six other countries. In January 1964 they reported that no treaty violations were observed in any of the installations visited.

Since the treaty came into force in 1961, the parties have held periodic meetings in a rare spirit of frankness and cooperation to find acceptable ways to carry out various provisions of the treaty.

On Antarctica's icy wastes, scientists visit freely between their various national installations, sometimes spending an entire year working with their counterparts from other countries. Many important expeditions have been completed and lives saved in time of danger because of timely assistance from other national stations.

Thus the Antarctic Treaty to which the Senate of the United States gave its advice and consent to ratification on August 10, 1960, serves not only as a pact guaranteeing freedom of scientific inquiry in the continent of Antarctica but, more importantly, as an outstanding example of practical cooperation between nations and a positive step toward a peaceful world.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *September 2, 1964.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1909) to amend the joint resolution establishing the Battle of New Orleans Sesquicentennial Celebration Commission to authorize an appropriation to enable the Commission to carry out its functions under such joint resolution.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 1186. An act to amend the act authorizing the Crooked River Federal reclamation project to provide for the irrigation of additional lands;

S. 2082. An act to authorize the Secretary of the Interior to accept a transfer of certain lands within Everglades National Park, Dade County, Fla., for administration as a part of said park, and for other purposes; and

S. 2447. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Whitestone Coulee unit of the Okanogan-Similkameen division, Chief Joseph Dam project, Washington, and for other purposes.

The message further announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 49. An act to provide for the establishment of the Alaska Centennial Commission, to cooperate with the State of Alaska to study and report on the manner and extent to which the United States shall participate in the celebration in 1967 of the centennial anniversary of the purchase of the territory of Alaska, and for other purposes; and

S. 2701. An act to provide for an investigation and study to determine a site for the construction of a sea level canal connecting the Atlantic and Pacific Oceans.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 2392. An act to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the Nation's anadromous fish in cooperation with the several States;

H.R. 4487. An act to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and other pesticides;

H.R. 11461. An act to provide for the designation of certain Veterans' Administration facilities; and

H.R. 12267. An act to provide for notice of change in control of management of insured banks, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H.R. 2392. An act to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the Nation's anadromous fish in cooperation with the several States; to the Committee on Commerce.

H.R. 11461. An act to provide for the designation of certain Veterans' Administration facilities; to the Committee on Labor and Public Welfare.

SOCIAL SECURITY AMENDMENTS OF 1964

The Senate resumed the consideration of the bill (H.R. 11865) to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment (No. 1256) proposed by the Senator from Tennessee [Mr. GORE] to the amendment (No. 1254) proposed by the Senator from Louisiana [Mr. LONG], for himself and other Senators, upon which there is a limitation of debate and control of time.

Does the Senator from Montana desire to yield time?

Mr. MANSFIELD. Mr. President, I yield myself 1 minute in order to suggest the absence of a quorum.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the call for the quorum be charged against the time of the Senator from Montana.

Mr. MANSFIELD. Mr. President, I have yielded myself I minute to suggest the absence of a quorum on my own time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, in dividing the 2 hours before 2 o'clock p.m., I believe the request was that it be divided equally between the two leaders.

The distinguished majority leader will turn his time over to the distinguished Senator from Tennessee [Mr. Gore].

The distinguished Senator from Louisiana [Mr. Long] is not only the ranking member on the committee but he is also the Senator in charge of the bill, and I therefore believe that it is only appropriate that I turn the time over to him. He will honor the requests which have been made.

Mr. LONG of Louisiana. I thank the Senator from Illinois.

Mr. President, I yield 15 minutes to the Senator from Colorado [Mr. Allott].

The ACTING PRESIDENT pro tempore. The Senator from Colorado is recognized for 15 minutes.

Mr. ALLOTT. Mr. President, 4 years ago, the conference report of the Kerr-Mills Medical Assistance for the Aged Act was adopted by this body. Our President was among those supporting the measure. The vast majority of Senators who presently make up this body supported this measure. We are now asked to believe, as indeed we were 2 years ago, that the action we took on that day in 1960 was ill considered, not worthy of implementation and trial. It should not be too surprising, I suppose, that we are again asked to repudiate our action of 1960, when we consider the singular lack of enthusiasm with which the Department of Health, Education, and Welfare has promoted the implementation of the program by the States. It will be recalled that under the terms of the Kerr-Mills Act, the Secretary was instructed to file an implementation report with the Congress not later than March 15, 1962. Senators may recall an exchange between Representative John E. Fogarty and representatives of the Department, which portrays the lack of enthusiasm I mentioned.

At this point, I ask unanimous consent to have an excerpt from the House hearings before the subcommittee on HEW appropriations, January 30, 1962, just 44 days before the report was due, printed in the Record.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Reference to Appropriate House Hearings Before the Subcommittee on HEW Appropriations, January 30, 1962—Part I

Pages 104 and 105:

"Mr. Fogarty. What did Mr. Kent [works for the Secretary, studying the Conference recommendation and developing legislation to carry them out] originally ask of the Bureau of the Budget?

"Mr. Kelly. In his supplemental request?

"Mr. Fogarty. Yes.

"Mr. Kelly. I am going to have to act from memory, Mr. Chairman. My memory is we went over there with a request for 21 additional positions, and we came up to the Congress with a request for 18 positions. And we have an operating plan for utilizing 14 of those jobs that the Congress gave us, and we are requesting 3 additional positions in 1963.

"Mr. Fogarty. How much did you get; how much did the Congress give in that supplemental last year?

"Mr. Kelly. They gave us the whole 18 positions as requested.

"Mr. Cohen. Yes. I think $145,000, if I recall correctly.

"Mr. Fogarty. And how much of it was put in reserve, if any?

"Mr. Kelly. Well, I know it was four positions. I do not recall the amount. But out of the 18 positions, 4 were withheld.

"Mr. Fogarty. Percentagewise, that is a pretty good clip.

"Mr. Kelly. Yes, sir. We had to save eight jobs in the Office of the Secretary. Four of them were in the special staff on aging.

"Mr. Fogarty. Four out of eighteen?

"Mr. Cohen. I think, while there is a tremendous need there, Mr. Chairman, I might say I worked with Mr. Kent on trying to recruit some of these people——

"Mr. Fogarty. I understand he has had problems. But I think I am going to find the same fault I found with everybody over the past 10 or 12 years. I do not think you are going fast enough or far enough."

Pages 105 and 106:

"Mr. Fogarty. You gave me a breakdown but I have forgotten. About how many people have been added to the special staff on aging, and when were they added?

"Mr. Cohen. I have here the two additional people in the information branch reporting to duty on January 29. One person has been recruited to the field operations branch, reporting to duty in February. A fourth person on research and training branch has been recruited and reporting to duty in March.

"Those are the four professional positions in the increase.

"Mr. Fogarty. What year are you talking about?

"Mr. Cohen. This year, sir. Right now.

"Mr. Fogarty. January 29, you mean yesterday?

"Mr. Cohen. Yes, sir. Reported to duty yesterday. That is January 29—two of them.

"Mr. Fogarty. Well, I would not brag about that kind of action, would you?

"Secretary Ribicoff. Well, it is pretty hard to find people sometimes."

Pages 106 and 107:

"Mr. Fogarty. What are you going to do, give up?

"Mr. Cohen. No, sir.

"Secretary Ribicoff. We are keeping on trying.

"Mr. Cohen. We are keeping on trying. Mr. Kent is going ahead. I talked to him several times.

"And we have now prepared a position description for each of these positions and we are advertising them and circularizing so we can see if we cannot get some more people interested in them. I think there is a great need in this area, and I would hope we could expand it.

"Mr. Fogarty. That is what I was hoping for, too, when Mr. Kent was named. I do not see that he is doing much better than those before him. There is, and has been, a lot of talk about this for years as you well know.

"You have been talking about it, but as of today, January 30, nothing much has been accomplished with that supplementary appropriation. That is a fair statement, is it not?

"But the White House Conference came up with about 600 recommendations, and how many of those recommendations have been put into effect?

"There was a lot of talk at that conference about a blueprint for action.

"Mr. Cohen. What we have done, of course, has been a continual exploration of this problem. Over on the Senate side, in connection with the Senate hearings, we have moved wherever there were some legislative recommendations.

"Mr. Fogarty. Was there ever an advisory committee appointed?

"Secretary Ribicoff. No. An advisory committee has not yet been officially appointed, but——

"Mr. Fogarty. I think last August was the last time I talked with you.

"Mr. Cohen. Yes.

"Mr. Fogarty. And you told me it was right around the corner.

"Mr. Cohen. We have been clearing the people and discussing them. I would hope that we can formally appoint them very shortly.

"Mr. Fogarty. What do you call 'shortly'; a month from now or next year?

"Mr. Cohen. Before the end of this year.

"Mr. Fogarty. The fiscal year or the calendar year?

"Mr. Cohen. Fiscal year."

Page 107:

"Mr. Fogarty. What happened to the Federal Council on Aging?

"Mr. Cohen. The Federal Council on Aging has been more or less inactive, and I think it is Mr. Kent's intent to reactivate the Federal Council.

"Mr. Fogarty. There is nothing being done now, is there? They have not met in a long time?

"Mr. Cohen. I think we have had one meeting. I think there has been one preparatory or one planning meeting to see what they worked out."

Pages 108 and 109:

"Mr. Fogarty. Well, the thing I am after and have been after for 10 or 12 years is action.

"I was just amazed to find that the first man hired under last year's supplemental appropriation was put on yesterday."

Page 109:

"Mr. Laird. You have been passing that money around, though. You have been looking for anybody who would like to do a little consulting work, have you not?

"Secretary Ribicoff. I have not. I know Mr. Kent is sincere and hard working and a self-starter; and I have the utmost faith in him. If you give Kent a reasonable period of time, he will have a staff that you will be proud of, Mr. Chairman. And I would like to see where Mr. Kent stands next September, frankly.

"Mr. Fogarty. You call a reasonable length of time——

"Secretary Ribicoff. Well, I would say that the moneys available in October, I would like to see the results next September 1.

"Mr. Fogarty. How long has Mr. Kent been on the job? How long has he been in office?

"Mr. Cohen. I think he came something like July 1. * * * As the Secretary stated, I hope you will wait until he has an opportunity to appear before you, Mr. Chairman.

"Mr. Fogarty. Oh, I will. He will be given every opportunity, of course. He will not be shut off. He can talk as long as he wants to.

"But from what I already know, I am still afraid I am going to be disappointed in the action so far."

Pages 1084 and 1085:

"Mr. Fogarty. We thought this was a real important program last summer. When you asked for a supplemental appropriation we were led to believe it was necessary and needed. In fact, I thought more was needed.

"Now tell us what you have done with these funds.

"Dr. Kent. At present, on our supplemental, we have 14 positions—7 professional, and 7 clerical. The 7 clerical were easy to fill and we filled 5. We have not filled the other 2 because we will wait until we have the complement of professionals. In terms of professionals, we have filled 4; for 2 more we have tentative acceptances and 2 that we are negotiating for, which includes 1 vacancy on the regular staff.

"Mr. Fogarty. You think you have done as well as you could but I think a better job could have been done. I think if I were in your position, when you came down here last summer, that I would have known that these jobs were hard to come by. There is a general impression around from the groups that I have talked to, and I have talked to a great number of them, that there is no real program in aging. Every group that I have talked to has been disappointed in the lack of action to initiate one."

Mr. ALLOTT. Mr. President, I invite the attention of Senators to the very fine statement made by the Senator from South Dakota [Mr. Mundt] before the House Ways and Means Committee, November 19, 1963, regarding what he termed "foot dragging" in the Department's efforts to implement Kerr-Mills, and ask unanimous consent to have the statement printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

My primary purpose in testifying today is to call to the attention of the Ways and Means Committee barriers and obstacles which have placed in the path of implementing the Kerr-Mills program, Public Law 86–778, in my State of South Dakota and in other areas as well. I think your contemplation of this situation is vital because of the testimony that will likely be presented during these hearings that Kerr-Mills has not met the problem of providing medical assistance to the older citizens of this country who have need for such assistance. I am convinced that when full implementation of Kerr-Mills is completed and each of the several States has had the experience of several years of administering and improving their programs with the full and vigorous assistance of the Department of Health, Education, and Welfare, which agency is charged with the execution of the act, then and only then can the final determination of success or failure be applied. Any such judgment before that time, is highly premature.

South Dakota's legislature began studying the possibility of implementing the Federal law in its 1961 session only a few months after the enactment of the Federal act. The legislature initiated a study through its Legislative Research Council to determine the need and scope for the program in the State. This cautious approach approved particularly valid because of experiences in other predominantly rural States which initiated extensive programs only to face difficulty later in working out scope and financial support.

I was pleased to cooperate with the South Dakota Legislature in 1963 when they decided to adopt their rather unique approach in solving the problem of providing medical assistance to our elder citizens. The implementing legislation provided for a "pilot" program to determine within a short time, the number of needy persons, the extent of their need, and a more accurate determination of the cost of the full program. The State department of public welfare was empowered to enter into a contract for the purchase of prepaid health coverage for eligible individuals. The law includes a provision that their insurance carrier must operate without profit or loss. The prepayment aspect of the plan and the "pilot" program will curtail high administrative costs of this medical assistance plan. The State legislature acted on the belief that it is conforming with the Kerr-Mills Act, Public Law 87–778 as amended by section 122 of Public Law 87–543.

The high regard I have for the Kerr-Mills approach in solving the problem brings me to the recent report of the Subcommitee on Health of the Elderly to the Senate Special Committee on Aging. Frankly, gentlemen, I am disturbed at what I consider the erroneous conclusions drawn by the majority in that report. For just a few minutes, I should like to dwell on several points in that report.

The Senate special committee report acknowledges and admits that the Department of HEW should attempt to help the successful implementation of Kerr-Mills program at the State level. In fact, on page 17, section 3, it is stated, "The Department clearly has responsibility to assist the States in implementing the enabling legislation." It goes on to state, "All evidence available indicates that the Department has accepted and fulfilled that responsibility to the extent possible."

Gentlemen, it is my contention that this last statement is inaccurate. It is my intention to point out that while the Congress clearly obligated the Department of HEW in administering this public law, to provide constructive assistance to the States, the exact opposite was attempted in many instances by various members of Department staff.

The Senate committee report accuses the States of "distortion of congressional intent" in some of the medical aid for the aged programs which have been implemented. I say the Department is guilty of failing to carry out congressional intent by a program of deliberate sabotage of an act passed by this Congress and signed by the President.

First, instead of disseminating helpful and constructive information to the public about this law, staff members of the Department have, on many occasions, made public statements and written articles in which the Kerr-Mills law was maligned, ridiculed, and described in half-truths and false generalities.

For instance, Donald Kent, Ph. D., of the Department staff made the following statements in a meeting in Springfield, Ill., on April 7, 1962: "Kerr-Mills is just the same old relief program * * * . Relief is too expensive. * * * I believe we are facing the same tired old proposition that some people are more important than others and that we shouldn't worry too much about the less important ones."

On April 17, 1962, Mr. Ivan Nestingen, Under Secretary of the Department, told the Nashville, Tenn., Sertoma Club that the Kerr-Mills program was not working; it could not do the job, but could only supplement the King bill. He said "90 percent of the funds being spent are being spent in the three States with smallest population."

In Madison, Wis., on March 31, 1962, Mr. Wilbur Cohen stated at a meeting of the Wisconsin Committee on Health Insurance for the Aged Through Social Security "There is a great deal more to fear from the Kerr-Mills bill because by definition it is socialized medicine with a vengeance."

Mr. Phillip H. DesMarais, Deputy Assistant Secretary of HEW addressed a group in Hartford, Conn., on March 26, 1962, and passed out literature which stated, "Kerr-Mills does not adequately take care of the near needy or even many of the very needy.

"Means-test medicine in many cases does not let you choose your own hospital and doctor.

"Means-test medicine can mean danger to health and safety."

Mr. DesMarais also spoke to at least one other group on the same subject. That was in Chapel Hill, N.C., on April 13, 1962.

On March 19, in Houston, Tex., Mr. Nicholas Zumas, Assistant Under Secretary, held a similar meeting.

In my own State, in Sioux Falls, S. Dak., a workshop conference was held on April 6, 1962, at which Mr. Dean Coston, Special Assistant to the Assistant Secretary, was the featured speaker. The important feature of this meeting, which drew only about 30 people, was that it was open only to persons who opposed Kerr-Mills and supported King-Anderson. Although Mr. Coston was appearing at taxpayers' expense, the chairman of the conference stated in a letter dated April 2, 1962, that no organization could send a representative unless the organization supported King-Anderson.

And on April 25, 1963, Mr. Ivan Nestingen spent approximately 6 or 8 minutes of a 20- to 25-minute talk before the Chattanooga, Tenn., Rotary Club deriding Kerr-Mills, using such phrases as "administrative monstrosity," "optical illusions," and "not a program which a great nation like ours can be proud of."

Gentlemen, in these stated instances, we have public servants, paid with public funds, traveling at public expense, going about the country trying to destroy public confidence in a law enacted by this committee and the Congress. Not only do I question the legality of such use of Government funds, but I believe they have deliberately distorted the intent of this committee and this Congress.

Now let me turn to more specific attempts by HEW personnel to sabotage Kerr-Mills. This is at the State legislative level and one instance occurred in my neighboring State of Iowa.

Iowa has had enabling legislation for medical aid for the aged since 1961, but at the time the bill passed, no funds were appropriated. In 1963, a new bill was introduced in the legislature providing that those eligible for old-age assistance benefits would not be eligible for medical aid for the aged. Before this bill could be acted upon, HEW wired the Governor's office saying the provision to exclude old-age assistance recipients "is not acceptable."

Gentlemen, I call your attention again to the section of the Senate special committee report which accuses the States of "distortion of congressional intent" by transferring old-age assistance recipients to medical aid for the aged. How can the majority report of the Senate committee condemn this practice and HEW at the same time uphold it by refusing to accept a medical aid for the aged program which seeks to prevent the action? In fact, HEW in a later telegram to the Iowa legislature again stated that approval could not be given to a program which denied assistance to persons because they had received old-age assistance benefits.

The story of HEW's contradictory statements to Iowa is a long one and many other examples such as the ones just mentioned wishes. Suffice it to say that HEW has not can be documented for this committee if it carried out its responsibility of assisting in the implementation of Kerr-Mills in Iowa.

This brings me to a similar set of circumstances in my own State.

The story of HEW delay in South Dakota's case is most distressing. The plan submitted by the South Dakota Department of Public Welfare provided that the State would purchase insurance contracts for persons over age 65 who were eligible under the standards established by State law. The purpose of the insurance approach is to provide for eligible recipients a program most similar to what persons with greater income would secure for themselves. Public Law 86–778 provides for the insurance mechanism but it becomes obvious that the Department of Health, Education, and Welfare has been most reluctant to see it used.

Chronologically, the South Dakota story goes like this:

During both the 1961 and the 1963 legislative sessions, Mr. Alfred Poe, Kansas City Regional Office, HEW, met with State welfare department officials, legislators, and representatives of the vendors of health services. He was appraised of every draft of the bill, its amendments, and its final wording. On February 11, he sat in on a joint meeting of the State senate and house committees on health and welfare, the welfare commission, and the Governor, and made statements to the effect that major changes would have to be made in the program before Federal approval would be forthcoming.[1] Under questioning by Governor Gubbrud, he admitted that there was actually nothing in the South Dakota law that would cause it to be turned down but there were questionable areas that would require elaboration.

The bill was signed into law March 11, 1963, and a plan submitted by the State welfare department to the regional HEW office on June 10. According to a statement made by the State director of public welfare at a welfare commission meeting in Yankton, S. Dak., on August 29, the plan was mailed from Kansas City to Washington on June 17. On June 28, a representative of the South Dakota State Medical Association was told at a meeting of HEW personnel that the plan had not as yet been seen in Washington.

In August, a letter was transmitted from the Washington office of HEW to Kansas City, indicating that the questions posed by Mr. Poe in his letter of transmittal of the plan to Washington should be answered before the plan was approved. The questions put to the South Dakota department were basically the same points already discussed on the previous occasion. After the questions were answered by the State department of public welfare in early September, no further word of plan approval or disapproval was evidenced by HEW.

On October 18, a representative of the South Dakota State Medical Association, and the State director of public welfare met with HEW officials in Washington at which time they were told that one more statement was needed from the South Dakota attorney general before approval could be given. This information was secured and relayed to proper personnel in the Bureau of Family Affairs, HEW, on October 24, at which time the medical association representative was told that the plan would go to the Commissioner for decision without delay. It seemed that this timetable would be followed when information was given to Congressman Ben Reifel, on October 25 that the plan would receive a decision "this week."[2] On November 6, Mr. Reifel's office was told that the material was in the hands of general counsel and would go to the Commissioner soon for a decision. To date, no decision has been made.

To the elderly in South Dakota who may have need of such a program, the Department of HEW has withheld care for a period of 6 months which, in fact, will mean a longer delay because of the time involved in setting up the mechanics of the program after approval.

Can any other conclusion be reached than that the Department has been deliberately delaying approval because the program might well prove a workable design for the rest of the Nation to emulate thereby weakening the argument for H.R. 3920?

ADMINISTRATIVE COSTS

I would also like to refer to a portion of the report of the subcommittee that charges excessive administrative costs in the operation of some of the Kerr-Mills programs.

The point may be well taken that Government administrative costs are high. This does not exclude Federal Government administrative costs as contemplated in the social security approach. This is precisely the reason that the South Dakota Legislature wanted the claims paying function, the statistical function, and liaison with the vendors of care maintained by nongovernmental agencies trained and equipped to do such administration. The State welfare department's contract with Blue Cross and Blue Shield obtains the services of two organizations which have combined administrative costs in acting as fiscal agents for South Dakota's old-age assistance program of less than 3 percent.

It is my understanding that Kansas Blue Cross and Blue Shield offered to administer that State's OAA and MAA programs at one-half of 1 percent. This is a striking illustration of the need to give the South Dakota plan an opportunity to prove itself.

CONCLUSION

It has been said before this committee and in countless other places that Kerr-Mills is not a perfect program for providing the Nation's elderly with health care. I have attempted to show why. It is the victim of a planned program of interference on the part of the Department of HEW, King-Anderson supporters in the Congress, and welfare workers and officials at the State and county level. These people, many in places of immense power, have used every means at their disposal to discredit Kerr-Mills in the eyes of the public, to confuse State legislatures in their attempts to enact proper programs, and to demean potential recipients of MAA benefits with meaningless redtape used under the guise of the means test. How could any program work perfectly with this kind of hamstringing at every turn?

Given a reasonable chance Kerr-Mills can and will develop into a mechanism which will answer the health care problem for every needy aged person in this country. But time must be allowed. Since the act was passed in 1960, only 3 years ago, 28 States and 3 other jurisdictions have implemented the act and have it in operation. Ten other States have enacted laws which will become effective shortly or which are awaiting approval of the Department of Health, Education, and Welfare. Of the 12 States which have not passed cooperating legislation, 5 will meet in regular session early next year with the opportunity of acting. In the State of Texas, the electorate voted on the ninth of this month to remove constitutional barriers so the legislature can act in its next session to implement Kerr-Mills in that State. As a matter of record, only 3 of the 50 States have done nothing at all. This is a highly enviable record when it is realized that since 1960 Congress has always had legislation pending which would establish the social-security-oriented program and the possibility has thus existed that any State medical assistance program with its committed State funds might quickly be superseded.

I urge the Committee to consider this problem carefully before enacting a compulsory program of compulsory health insurance attached to the social security program. "Medicare" is a gross misnomer for this approach because it provides no medical care at all. It is simply a very inadequate and partial program of hospital insurance and certain other limited services and does not give the aged or the needy the kind of care that they require. The Kerr-Mills Act, on the other hand, recognizes that after retirement one may have a variety of ailments and so it provides for doctors and surgeons, and hospitalization, and nursing and drugs, and dental benefits.

The reason Kerr-Mills can give a more adequate protection against a compulsory universal program is simple. This medicare program, being compulsory, requires that it be available to everybody so it is available to the wealthy as well as to those who don't need it at all instead of limiting it to those people who require assistance at the time of an ailment in old age.

Another reason the compulsory medicare concept is wrong is that it does nothing whatsoever to protect the young family during its working years. It requires them to pay a tax sometimes as long as 45 years on the gamble that maybe after age 65 they will need some health benefits and on the improbable hope that nothing will happen to the family until that time.

In addition, past history assures us that social security taxes will continue to rise sharply. No one can foretell with any degree of accuracy the upper limits of that increase.

Originally, the social security tax was set at 1 percent each on the employer and the employee on the first $3,000 of annual wages. Now it is 3⅝ percent each on income up to $4,800. The tax on the self-employed has risen during the same period from 2¼ percent of the first $3,600 of income to 5.4 percent on the first $4,800. For many taxpayers, the social security tax already takes a bigger bite out of income than the Federal income tax. Even without the enactment of medicare, the tax rate must be increased to provide for an actuarially sound trust account. By 1968, the employee-employer total tax will be 9.25 percent. Estimates based on actual claim experience of insurance companies indicate that within 6 years the estimated cost of the program will require a joint tax on a $5,000 income of 11 percent. This estimate is based on present benefits provided by the pending legislation. Once enacted there is little question that pressures would be engendered to expand the scope of the program, increase the benefits, provide for longer period of time, and to lower the age limit. All this would of course substantially increase the wage tax and the employers tax for all American workers.

There is another feature of the compulsory wage tax and the corresponding tax upon employers for the limited health services proposed by the King-Anderson bill which I strongly dislike. That is the fact that this would be a system of regressive taxation for health purposes entirely violating the concepts of progressive taxation which have so long served us so well in the field of income taxes. In short, the health tax would entirely ignore and violate the ability-to-pay concept of taxation. It would in fact tax the very poor and the very rich at precisely the same tax rates on that first important segment of their annual income which serves as the tax base. For some Americans, for example, their entire income would be subject to this new tax grab while for the wealthy and the well-to-do, by far the larger percentage of their income would be exempt from any health-tax assessments or payments. In many ways this proposed Federal health tax is far more unjust to those with marginal incomes than would be a Federal sales tax which some are now proposing in lieu of Federal income taxes.

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[1] Associated Press dispatch, Feb. 12, 1963.

[2] Associated Press story dated Oct. 29, 1963.

> Another important consideration which seems to me to argue against the compulsory social security approach is that in establishing such a program we are taking an irreversible step. I say irreversible because we will be requiring people to pay taxes to a program from which they cannot benefit until age 65 so, once started, it would be exceedingly difficult to discontinue. To take such a step at this stage strikes me as very unwise. We are venturing into an entirely new area so far as the Government is concerned. We cannot predict with accuracy at this point what problems and difficulties will be encountered. This being the case it seems to me that any program established should be highly flexible so that it can be easily modified to meet unexpected problems which are bound to arise. From this standpoint the pending proposal would be most unsatisfactory.
>
> I urge the committee to ponder well this extremely important and far-reaching and irreversible decision and I strongly urge sufficient time for the Kerr-Mills Act to be tested in the laboratory of life so that its true worth can be examined and evaluated. Until that is done, I strongly urge this committee and the Congress not to take the irreversible step of meeting the King-Anderson bill.

Mr. ALLOTT. Mr. President, in spite of all the "foot dragging" and roadblocks, a report of the Department of Health, Education, and Welfare for the period June 1 to 30, 1964, indicates that of the 54 jurisdictions eligible under Kerr-Mills, 37 now have the program in operation, and 46 jurisdictions have enacted authorizing legislation. Only eight jurisdictions still require legislation to put Kerr-Mills in operation.

I ask unanimous consent to have the report to which I have referred printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT FOR PERIOD JUNE 1 TO JUNE 30, 1964, ACTIVITIES OF THE 54 JURISDICTIONS TO PUT INTO EFFECT THE PROGRAM OF MEDICAL ASSISTANCE FOR THE AGED

A. Program in effect, 37 jurisdictions: Alabama, Arkansas, California, Connecticut, District of Columbia, Florida, Guam, Hawaii, Idaho, Illinois, Iowa, Kansas,[1] Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Oklahoma, Oregon, Pennsylvania, Puerto Rico, South Carolinia, South Dakota, Tennessee, Utah, Vermont, Virgin Islands, Virginia, Washington, West Virginia, Wyoming.

B. Plan submitted (not in effect), two jurisdictions: Minnesota, Wisconsin.

C. Plan material in preparation, two jurisdictions: North Carolina, Rhode Island.[2]

D. Legislation enacted 1963 or 1964; plan not yet submitted,[3] two jurisdictions: Colorado (effective July 1, 1964), Indiana (effective Jan. 1, 1965).[4]

E. Legislation in process to give basis for program or to provide appropriation (1964), one jurisdiction: Delaware.

F. Need legislation, seven jurisdictions: Alaska,[5] Arizona,[5] Missouri,[6] Montana,[7] Nevada,[8] Ohio,[7] Texas.[9]

G. Have authority for MAA; implementation indefinite, three jurisdictions: Georgia (enacted 1961; no funds available), Mississippi (enacted 1964; no appropriation), New Mexico (has legal authority; 1964 appropriation request denied).

Mr. ALLOTT. Mr. President, since this report covers only up through June 30, 1964, I am sure that other jurisdictions could now be added to the list of those having the program in effect. For example, item D of the report indicates that Colorado has not yet submitted its plan. Yet, I am informed by the director of the Colorado Department of Public Welfare that Colorado's plan was submitted to the regional office on July 21, 1964, for approval "after extensive consultation with Federal officials." In the event that the Department's Washington office is unaware of the submission of the Colorado plan, I have a copy of that plan which I will be glad to make available upon request. I would particularly be pleased to make my copy of this plan available to the Department if, by so doing, it would expedite Departmental approval in order that Colorado oldsters would not be denied its benefits by further delay.

It has been said time and time again that considerable confusion exists concerning the implementation and effectiveness of the Kerr-Mills medical assistance to the aged program. In fact, the Senate Special Committee on Aging devoted an entire chapter of its June 15, 1962, report to "Persistent Areas of Confusion." I certainly do not intend to take issue with the fact that considerable confusion has existed and presently exists concerning the Kerr-Mills Act. Little has been done to allay this confusion, and much has been done to increase it. Most of this confusion has revolved around the so-called means test. In the October 1963 report of the Subcommittee on Health of the Elderly on the Kerr-Mills program, the majority report points to the following excerpt from a Pennsylvania public welfare informational leaflet entitled "If You Need Medical Assistance for the Aged," as being so degrading as to effectively deny medical assistance to needy aged:

> So that the county board of assistance can decide as fast as possible whether you are eligible for MAA, be ready when you apply to give them facts on your age, residence, amount of income and value of property. It may help if you bring papers that give this information. Also, have with you the names and addresses of your husband or wife, your sons and daughters.

On page 277 of the House hearings on H.R. 3920 before the Committee on Ways and Means, the witness seems to take the position that the giving of such information is equivalent to the giving up of one's citizenship, with these words:

> Certainly we can understand the reason why these people refuse to give up their rights as citizens, as dignified people, in refusing to accept the benefits of the Kerr-Mills bill as such.

This will come as a great shock to millions of our citizens who furnish similar detailed information annually to the Treasury Department in the income tax returns. All those who have applied for Government loans under FHA, VA, SBA, or many other similar programs have by this criterion forfeited their citizenship, or at least a part of it. In fact, I have known of cases where a veteran applying for a VA home loan has had to furnish detailed information concerning his family plans. I do not know how you could get much more personal than this. The person of whom I am speaking did not feel he had forfeited his citizenship in furnishing such information.

The objections raised to the means test have also included statements to the effect that the means tests applied were too stringent and have therefore denied aid to those the Kerr-Mills Act was intended to help. Perhaps this is true, but no efforts have been made to soften the means tests. The objectors have merely condemned all means tests as bad, and suggest their complete elimination. The theory being that if social security is extended, then these people will be entitled to medical coverage as a matter of right. This would mean that the 15 million aged now receiving payments under the social security system would also by right have their medical bills paid. I realize that the Ribicoff amendment attempts to establish the payment of a premium by granting a $7 monthly increase in benefits and then deduct $5 if the beneficiary elects to receive medical benefits, but this is an obvious sham. A $60 annual premium simply will not pay for the annual medical expenditure of the average retirant, and experience teaches us that such expenditures will continue to skyrocket in years to come. In 1957 Colorado inaugurated its old age pension medical plan. It required a constitutional amendment. When the proposition was put to the people, the experts assured us that the cost would not exceed $10 million in the foreseeable future. Consequently, a ceiling of $10 million was put on the program. In the fourth year expenditures exceeded $10 million, and since that time some of the services have had to be curtailed to keep the cost below $13 million. I ask unanimous consent that a table prepared by the Colorado State Department of Public Welfare entitled "Old Age Pension Medical Expenditures, July, 1957, to June, 1964," be printed at this point in the RECORD.

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[1] Plan not yet approved; new program.

[2] Will become operative upon approval.

[3] Effective dates refer to legislation only.

[4] Legislation enacted 1963; vetoed by Governor; became law by 1964 decision of Indiana Supreme Court on grounds of invalid date of veto.

[5] Considered by 1964 legislature; not enacted.

[6] Passed by 1963 legislature; vetoed by Governor.

[7] Considered by 1963 legislature; not enacted.

[8] Enabling legislation of 1963 was contingent upon amendment of sales and use tax act, which was defeated by majority of voters in June 1963.

[9] Passed resolution for constitutional amendment which, when ratified by popular vote, may be followed by enabling legislation.

There being no objection, the table was ordered to be printed in the Record as follows:

Colorado State Department of Public Welfare—Old-age pension medical expenditures, July 1957 to June 1964

	1957-58	1958-59	1959-60	1960-61	1961-62	1962-63	1963-64	Total
Hospitalization	$1,577,693.34	$4,953,568.37	$5,943,601.67	$5,008,726.37	$4,938,988.88	$6,836,051.24	$5,803,790.92	$35,062,420.79
Nursing home	418,340.62	1,624,116.58	1,965,924.74	2,454,817.88	2,835,668.36	3,376,662.74	3,916,760.80	16,592,291.72
Physicians' services:								
In hospital	261,577.30	1,182,499.23	1,345,482.23	1,644,616.76	1,319,541.49	1,725,466.88	1,505,518.79	8,984,702.68
In nursing home		23,017.25	90,637.50	105,093.00	114,395.95	122,659.25	84,974.25	540,777.20
Home and office			344,635.00	421,268.45	442,098.41	482,764.50	238,932.54	1,929,698.90
Drugs		77,664.30	241,275.51	323,335.21	388,050.83	451,183.91	463,907.35	1,945,417.11
Transportation	15,678.30	54,635.70	62,931.16	56,993.27				190,238.43
Administration	27,246.00	98,704.00						125,950.00
Total	2,300,535.56	8,014,205.43	9,994,487.81	10,014,850.94	10,038,743.92	12,994,788.52	12,013,884.65	65,371,496.83

Mr. ALLOTT. Mr. President, in spite of the fact that the individual would be much more inclined to seek more medical service when such costs are covered by insurance, let us assume that the cost of medical services to the aged will remain at what the average expenditure now is—$345 annually. Both the Gore proposal and the Ribicoff proposal contain large deductibles, and it has been estimated that these proposals will cover only about 40 percent of the retirant's medical costs. Nevertheless, under this assumption, the social security system would have an additional burden in the neighborhood of $3 billion in the first year. And, if I understand correctly the statement of Mr. Robert J. Myers, Chief Actuary of the Social Security Administration, this burden would be loaded onto a program that is already badly overextended. On pages 160 and 161 of the House hearings on H.R. 3920, Mr. Myers said:

> The assumption is that there will be no more new entrants into the system. In other words, people who are now covered and who are now contributing, or who have contributed in the past, would be the only ones who would contribute in the future, they and their employers.
>
> For all other people who enter the labor force, there would be no contributions from either themselves or their employers. I think this is a wholly artificial assumption.
>
> However, it is an assumption that can be stated. If this assumption is made, the figure for the additional amount that would have to be in the two trust funds to meet the future benefit obligations, according to some figures of mine that were inserted in the Congressional Record last July is estimated more in the neighborhood of $330 billion.

I take this to mean that the present program is not only not self-sustaining, but is already $330 billion in the hole, which is more than the national debt. We are now being asked to jeopardize the present program by putting it further in the hole. It seems to me that every workingman who is already contributing heavily to the Social Security program would deeply resent assuming a greater load for the benefit of those who have not contributed to the program. Make no mistake about this, it is the workingman who will be paying for this program. And, with the elimination of the means test the retired corporation executive, who may be worth millions, could be entitled to such coverage. This is Robin Hood in reverse.

Under the terms of the bill as reported from the committee, the total social security taxes on wages and salaries will be 9.6 percent in 1971, which will apply to all wages and salaries up to $5,400 per annum. This tax rate does not contemplate medical programs. Under the Gore proposal, total social security taxes on wages and salaries would be raised to 10.4 percent, which would apply to all wages and salaries up to $5,600 per year. No income tax credit or deduction is allowed on the employee's portion of this tax. Therefore, a great portion of the tax burden is being carried by those least able to bear it, and without any income tax relief. Any medical care program financed through the social security system instead of using general revenues will simply add to an already onerous tax load. Taxing an employee at a rate of 5.2 percent on his gross income will in many cases cause him to pay more social security taxes than income taxes.

Further, the 15 million retirants presently receiving social security will not contribute 1 cent to the cost of such a program. All of us would agree that our oldsters, who have done so much to help make this country what it is today, should not be forced to live out their sunset years in abject poverty and suffer the lack of adequate medical care. But why should the brunt of the burden be borne by the wage earner, particularly when his share of the load is completely out of proportion with his ability to pay? The workingman is not the only one who has benefited by the sacrifices and pioneering of our older citizens; all of us have reaped the bounty of this country. Obviously some have benefited more than others, and they should be willing to carry a proportion of the load commensurate with the benefits received. A means test should be applied to the taxpayer.

The Senate Special Committee on Aging has indicated that the poorer States have been slow to initiate legislation because of their inability to raise the necessary matching funds. In its June 15, 1962, report, the committee said, speaking specifically of Florida, which later did implement Kerr-Mills:

> The principal reason for not having a Kerr-Mills program in Florida is that the State cannot afford the expenditures required to provide medical care to all of its elderly people.

The formula under which Federal grants are made to the States was intended by Congress to favor those States with low per capita income. This is not an unusual provision since Federal grants made to States for public assistance under titles I, IV, X, XIV, and XVI of the Social Security Act also favor the poorer States. In the Federal Register for August 21, 1964, a chart appears on pages 12405 and 12406 indicating the percentage of Federal participation in State assistance expenditures under the titles of the Social Security Act I just mentioned. On this chart I have placed a reference next to the name of each State that has Kerr-Mills authorizing legislation in force. It is interesting to note that not one single State that is receiving a 65-percent grant (which indicates it is one of the poorest States) from the Federal Government for its public assistance program has failed to enact Kerr-Mills authorizing legislation. I ask unanimous consent that the aforementioned table as annotated by me be printed at this point in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

State assistance expenditures

State:	Federal percentage
Alabama [1]	65.00
Alaska	50.00
Arizona	60.10
Arkansas [1]	65.00
California [1]	50.00
Colorado [1]	50.00
Connecticut [1]	50.00
Delaware	50.00
District of Columbia [1]	50.00
Florida [1]	62.41
Georgia [1]	65.00
Hawaii [1]	50.00
Idaho [1]	65.00
Illinois [1]	50.00
Indiana [1]	50.13
Iowa [1]	56.90
Kansas [1]	56.47
Kentucky [1]	65.00
Louisiana [1]	65.00
Maine [1]	65.00
Maryland [1]	50.00
Massachusetts [1]	50.00
Michigan [1]	50.00
Minnesota [1]	55.15
Mississippi [1]	65.00
Missouri	50.00
Montana	59.76
Nebraska [1]	54.93
Nevada	50.00
New Hampshire [1]	55.11
New Jersey [1]	50.00
New Mexico [1]	65.00
New York [1]	50.00
North Carolina [1]	65.00
North Dakota [1]	65.00
Ohio	50.00
Oklahoma [1]	65.00
Oregon [1]	50.00
Pennsylvania [1]	50.00
Rhode Island [1]	50.30
South Carolina [1]	65.00
South Dakota [1]	65.00
Tennessee [1]	65.00
Texas	63.43

State assistance expenditures—Continued

State:	Federal percentage
Utah [1]	62.19
Vermont [1]	62.70
Virginia [1]	65.00
Washington [1]	50.00
West Virginia [1]	65.00
Wisconsin [1]	52.55
Wyoming [1]	50.00

[1] Authorizing legislation in force.

Source: Federal Register, Aug. 21, 1964, pp. 12405–12406.

Mr. ALLOTT. Mr. President, from this table, it would appear that the poorer States are attempting to take advantage of Kerr-Mills for the benefit of their elderly. It is also interesting to note that according to the 1960 census the eight States that do not now have authorizing legislation in force account for only about 14 percent of the Nation's population over 65. If the proponents of medicare under social security would give Kerr-Mills an opportunity to operate, and direct some of their energies toward improving the program, we might all be surprised at how effectively it can meet the needs of our medically indigent elderly. This remark applies particularly to the Department of Health, Education, and Welfare.

Our Finance Committee, after due deliberation, rejected, by a large majority, each of the three proposals to finance medical care for the aged under the Social Security Act. I am sure that the learned gentlemen of the committee found many good and convincing reasons in addition to those I have touched upon here today, which led them to take such action. I have heard no arguments that would persuade me to believe that the considered judgment of the Finance Committee should be overruled by this body.

Mr. President, if I have any time remaining, I yield it back.

The PRESIDING OFFICER (Mr. NELSON in the chair). The time of the Senator has expired.

Mr. YARBOROUGH. Mr. President——

The PRESIDING OFFICER. Who yields time to the Senator from Texas?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the time which the Senator from Texas might require be charged against the sponsors of the Gore amendment.

The PRESIDING OFFICER. How much time does the Senator from Texas desire?

Mr. YARBOROUGH. Mr. President, a parliamentary inquiry. I thought that the Senate was still in the morning hour.

The PRESIDING OFFICER. The Senate is proceeding under controlled time. There is no morning hour.

Mr. YARBOROUGH. Then I shall request 3 minutes.

Mr. LONG of Louisiana. The Senator from Tennessee [Mr. GORE] agreed to yield time. I ask unanimous consent on his behalf, since he is not present in the Chamber, that the Senator from Texas be yielded time from the time allotted to the sponsors of the Gore amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Texas is recognized for 3 minutes.

THE GORE AMENDMENT SHOULD BE ADOPTED

Mr. YARBOROUGH. Mr. President, the principal need of America's 18 million senior citizens is a comprehensive, prepaid hospitalization insurance program to meet the ever growing cost of hospitalization and other major medical services.

Our citizens 65 years and older are the people who are most often burdened with high medical care costs, and yet they are the ones who are least financially able to meet these expenses.

The social security bill now under consideration must meet the high priority need of relieving the grave threat to the financial security of our aged. The proposed increased percent in social security benefits is desirable, but a program of hospitalization expense protection is a much more critical requirement for peace of mind and financial security in old age.

Catastrophic illness and frequent hospitalization haunt our older people. Yet the average income of our senior citizens is only half that of the younger people in this country.

It is ironic and disheartening that this group with its low-income average must suffer the heaviest share of radically rising hospitalization expenses. Medical care costs have risen 36 percent and hospitalization expenses have risen 65 percent in the last decade.

It is evident, Mr. President, that this burden frequently exhausts the economic resources of our older citizens. There is absolutely no reason to allow aged families to be reduced to indigency before assistance in meeting medical expenses is provided.

The distinguished Senator from Tennessee [Mr. GORE], by employing the proven, time tested social security system, offers a practical method of protecting the vulnerable older citizens against the overwhelming burden of hospitalization and nursing home care. This plan allows the individual to provide for his medical needs in old age by contributing to a health insurance program during the most productive and economically convenient period of his life.

The proposal grants the extremely vital protection against the cost of inpatient hospitalization, outpatient hospital diagnostic service, skilled nursing home care and home health services. The hospitalization insurance benefit permits the beneficiary to select according to his needs either 45 days of coverage with no deductible, 90 days of coverage with a slight deductible, or 180 days of coverage with a reasonable deductible.

The Gore amendment also includes 60 days of skilled nursing home services, outpatient hospital diagnostic care, and 240 days of home health services, all of which have been urged for years by senior citizens councils.

Mr. President, this is a most encouraging arrangement, because protection against the largest single expense of a serious illness will permit the individual to use his other resources in securing the less costly medical services.

The private health insurance companies have done a commendable job in their efforts to provide adequate medical and hospitalization insurance for the aged. But they cannot do the entire job.

The economics of the profit system and the high risk classification of most of our older citizens precludes the provision of adequate and extensive private coverage for this group. In fact, group insurance rates have risen, in some instances, as high as 83 percent in the last 4 years. The vast majority of our retired people with a per capita income of only $2,000 cannot afford the luxury of private health insurance.

Only one-half of our country's 18 million elder citizens have any kind of health insurance protection, and, more important, only one in four of the insured 9 million citizens 65 or older have private protection which meets the minimum definition of adequacy of the American Hospital Association. This definition calls for a policy whose benefits pay at least 75 percent of hospital costs.

Yet the older citizens with the most urgent need for adequate protection, that is the very old, the poor in health, the unemployed, and those with lowest incomes, are the older citizens who predominantly comprise the 9 million elderly without any private health insurance protection whatsoever.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that I be granted an additional one-half minute.

The PRESIDING OFFICER. Will the Senator from Tennessee yield an additional one-half minute?

Mr. GORE. Mr. President, I yield a half minute to the Senator from Texas.

Mr. YARBOROUGH. As a member of the Special Committee on Aging, Mr. President, I have seen, through our deliberations, that the peace of mind and the economic security of our senior citizens demands, at the very least, adequate and extensive hospitalization insurance coverage.

Mr. President, we cannot ignore the situation which causes a constituent to tell me that the financial exhaustion of a serious illness "is hardly worth the effort to get well."

The implementation of hospitalization coverage through the time-tested social security system with an option for increased benefits or health cost coverage is a practical plan and is consistent with the American tradition of independence, privacy, and freedom of choice.

I heartily endorse the Gore proposal as a progressive step toward better health and security for our senior citizens.

Mr. GRUENING. Mr. President——

The PRESIDING OFFICER. Who yields time to the Senator from Alaska?

Mr. GORE. Mr. President, I yield 1 minute to the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 1 minute.

HOSPITAL CARE FOR THE AGED IS NEEDED

Mr. GRUENING. Mr. President, the proposed amendments to the Social

Security Act contained in the bill approved by the House of Representatives as further modified by the Senate Finance Committee ignore the most pressing problem confronting the millions of Americans receiving social security, for H.R. 11865 fails to provide hospital or nursing home care for those who are ill.

The bill as reported to the floor of the Senate makes a mockery of the Democratic platform adopted August 25, 1964, in Atlantic City, N.J. According to the platform promise of the Democratic Party:

> The health of the people is important to the strength and purpose of our country and is a proper part of our common concern.
>
> In a nation that lacks neither compassion nor resources, the needless suffering of people who cannot afford adequate medical care is intolerable: We will continue to fight until we have succeeded in including hospital care for older Americans in the social security program, and have insured adequate assistance to those elderly people suffering from mental illness and mental retardation.

The Democratic platform is specific. So is our President. In his acceptance speech of August 27, following his nomination as the Democratic candidate for President of the United States, President Johnson said:

> Most Americans want medical care for older citizens, and so do I.

So do I.

If we are one nation, one people, if we truly want to build toward the great society, we had better start now—not tomorrow.

The social security system works. For three decades it has proved to its friends and critics that today's worker can pay now for later. The system makes good sense.

Long ago Thomas Jefferson wrote that "the care of human life and happiness is the first and only legitimate object of good government."

Is it good government to fail to provide hospital insurance protection under social security? Of course not.

Is it good government to continue to condone conditions which make it financially impossible for the great majority of men and women over 65 to take out private health insurance? Of course not.

Is it good government to expect the average American to have savings which will make it possible for him to pay $40 a day for a hospital bed for 30 days or 60 days or longer while the facts demonstrate that those savings of 40 years will dwindle and often disappear in 40 days or less? Of course not.

Is it good government to expand the existing Kerr-Mills Act which makes the aged who need medical aid submit to the indignity of a means test? Of course not.

Is it good government to attempt to fight the war on poverty by creating poverty? Of course not.

Is it good government to increase minimum monthly social security benefits by perhaps $2 per month when the real need is for protection, prepaid, which, when needed, could pay for hospital and nursing home care?

I compliment Secretary Celebrezze for stating that in his opinion the Kerr-Mills Act is "no substitute for hospital insurance for the aged" when he testified before the Senate Finance Committee last month.

The Senate Finance Committee hearings provide educational reading. I was impressed by the observation of the junior Senator from Connecticut [Mr. RIBICOFF] which was that H.R. 11865 is "a mess of pottage—a snare and a delusion." And I share the thinking of the former Secretary of Health, Education, and Welfare [Mr. RIBICOFF] as to the long-range effect of an expanded Kerr-Mills bill which is that if H.R. 11865 is not amended the Congress shall have postponed hospital care for a decade·

We read and hear a great deal about the proposals we are considering, and we should, for they are important.

If we are to move across the New Frontier and build the great society—and we can—we must correct the inequities which place 40 million Americans in poverty or semipoverty even as our Nation is presumably enjoying the largest and longest peacetime prosperity in its history.

Something is wrong.

We can make certain hospital, nursing home, and outpatient care available to nearly 17 million Americans if we adopt amendment No. 1253 offered by the senior Senator from Tennessee [Mr. GORE] for himself and others. The amendment is a compromise. I would prefer that it offer longer care periods in the hospital and in nursing homes, but I am realistic and will be pleased if we can take this step forward. No great society ever arose overnight.

The high cost of day-by-day hospital care is hard to realize. Most people prefer not to think about the time they may be hospitalized. The patient is always the other fellow.

We know that $40 per day is the approximate cost of hospital care. Under the Gore compromise amendment, the individual has three choices:

First. He may elect to take inpatient hospital services for up to 45 days with no deductible; or

Second. He may elect to take inpatient hospital services for up to 90 days with a deductible amount of $10 a day for the first 9 days—with a minimum of $20; or

Third. He may elect to take inpatient hospital services for up to 180 days with a deductible amount equal to the average cost of two and a half days of hospital care.

In any of the three options, he would receive the hospital services customarily furnished for inpatients.

If he takes the first option, 45 days of hospital care, his hospital bill would be $1,800. The complete cost would be covered under social security.

If he takes the second option, 90 days, deductible, his hospital bill would be $3,600, and all but $90 would be covered under social security.

If he takes the third option, 180 days, deductible, his hospital bill would be $7,100 and all but $100 would be covered under social security.

To facilitate my illustrations, I have assumed that the patient stayed in the hospital for the complete coverage period, and I have further assumed that the cost of his hospital care was $40 per day.

Few people I know have the means to pay hospital bills such as I have described more than one or two times. Additionally, the amount could be increased substantially for the hospital services of a physician.

I remember well the real life story of one Alaskan lawyer and his wife who had retired and elected to stay in Alaska. Neither he nor she were careless about money matters, and they had set aside funds for their retirement. All went well for a while, then both became ill. Their joint hospital bills mounted and averaged $80 a day. Within a year this wonderful, hard-working couple saw their dreams of independence in old age vanish through no fault of their own.

In Alaska we are fortunate in that we do have a Pioneers Home in Sitka which is a retirement center for State residents. The residence requirements are modest. As stated in section 47, chapter 25 of the Alaska statutes:

> Every worthy person residing in the State who has been a resident of the State continuously for more than 15 years immediately preceding his application for admission, and who is destitute and in need of the aid or benefit of the home because of physical disability or other cause, is entitled to admission to the home under the conditions, limitations and penalties prescribed by the regulations of the office of the Governor.

But the Pioneers Home is unique and its space is limited, as are the finances of the State of Alaska.

In truth, the ever-present danger of hospitalized illness is the gravest threat to the economic security of the elderly. That peril should be removed. Present private insurance plans available to the elderly are generally too expensive. Some simply do not provide adequate, minimal coverage.

Opponents of hospital care insurance continue to cry "wolf" and refer to it as "medicare." I doubt if any single word in our English language can arouse the passions unfairly wrapped up in the word "medicare" used improperly or correctly. The myth of medicare has caused irreparable damage and must for all times be dispelled.

According to the Bureau of Census,

> In 1961, 45 percent of the single persons over age 65 had less than $1,000 a year cash income from all sources, two-thirds had less than $1,500 a year, three-fourths had less than $2,000 a year, and only 1.2 percent had more than $10,000 a year cash income from all sources.
>
> In 1961, in the families whose head was over age 65, one-third had income of less than $900 per person in the family, 40 percent had less than $1,000 per person, two-thirds had $1,750 or less, and only 1.2 percent had more than $2,800 per person per year.

A single hospital bill could bankrupt any one of these individuals or families.

In July 1960 Donald B. Straus wrote an article entitled "Can We Afford To Be Healthy" which appeared in Harpers magazine. Mr. Straus, in a variety of illustrations, called attention to the cost involved when one is sick. He wrote:

> We cannot avoid the fact that we are finding ways to prevent and cure disease faster than we can find dollars to pay for them. Since what we want seems to be beyond our present means, we have become a nation of medical window shoppers—the goods are on display, our motivation to buy has been stimulated, but our pocketbooks won't meet the price tag. Even if we trim away at other items in our budget—a painful bit of surgery that no anesthesia can deaden—we still won't be able to keep up with the rising cost of health as long as the present inefficiencies in our medical plant persist.

The author points out, 4 years ago remember, that:

> The truth is that the very triumphs of medicine are raising medical costs * * * and the more demands we make on our medical talent and facilities—both in short supply—the more expensive they become.

Regrettably, the situation has not changed a great deal in 4 years.

We have reached a time of truth. That truth, simply stated, is that the sharing of responsibilities falls on the shoulders of all—not a few. The men and women who would benefit immediately from the health care amendment are the same men and women who have helped build the foundation of our great society.

I support proposed legislation which would provide hospital and nursing home care for citizens age 65 and over. I desire to support proposed legislation which would increase social security payments. We can do both. In any event I favor and shall support the Gore amendment presented by the distinguished senior Senator from Tennessee.

Mr. GORE. Mr. President, I yield 2 minutes to the distinguished junior Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 2 minutes.

Mr. YOUNG of Ohio. Mr. President, I am happy to report that for many years I have been a supporter of the administration program for providing hospital and nursing home care for the elderly under social security coverage, commonly called medicare. Despite the claims of the political doctors who control the House of Delegates of the American Medical Association, medicare, so-called, is not a step toward socialized medicine. It is a needed legislative proposal for some 18 million elderly men and women in this Nation, most of whom cannot afford the exorbitant rates of private health insurance companies. I fervently hope that we in the Senate will today approve the proposal for the benefit of all Americans.

Mr. President, an amendment is pending to the social security bill to include physicians and surgeons under its coverage. It is a happy personal recollection that back in March of 1946, as the then president of the Cuyahoga County Bar Association, I was the very first bar association president in the United States to appear before a congressional committee advocating the inclusion of self-employed lawyers under the beneficent provisions of our social security law. In the course of my testimony before the Senate Committee on Finance, the distinguished Senator from Louisiana [Mr. LONG] complimented me upon being the first bar association president to so advocate inclusion of lawyers under the social security program, and said that doubtless self-employed attorneys would have been included long ago had representatives of the bar come before the committee advocating it.

The political doctors controlling the House of Delegates of the American Medical Association have consistently opposed the inclusion of doctors under social security. They have even resisted strong sentiment within the ranks of the AMA itself to give coverage to doctors. Yet, wherever they have been polled, physicians and surgeons have overwhelmingly expressed their desire to be included under social security. In my own State of Ohio, in a vote taken among approximately 8,000 doctors, almost two-thirds voted for inclusion under social security. The medical profession, as a result of the activities of a small minority of political doctors, is the only profession now excluded.

It has been proposed by some that coverage under the Social Security Act for self-employed physicians be on a voluntary or optional basis.

Were self-employed physicians and surgeons to be granted this special privilege, obviously young professional men might not be interested. If they choose not to join the social security system and have that coverage, which gives full retirement payments in event of disability, or at the age of 65 or thereafter, the social security fund would not have the premiums paid in as paid by other professional men at the time of payment of their income taxes. Those physicians and surgeons in their sixties naturally would join the social security system and have the benefit of social security coverage.

Mr. President, obviously, no insurance and survivors system would long continue to be actuarially sound if coverage were granted to certain favored professionals on an optional basis.

We are determined that our old-age, survivors, and insurance system become universal applying to all employed and all self-employed and that our elderly upon retirement may live in dignity and comfort. Something deep inside a person following a lifetime of work is offended if upon retirement he or she is granted a mere handout and denied necessary hospital and nursing home care.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GORE. Mr. President, I yield 2 minutes to the distinguished Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 2 minutes.

PROGRAM TO REDUCE NONBENEFICIAL CONSUMPTIVE USE OF WATER IN PECOS RIVER BASIN, IN NEW MEXICO AND TEXAS

Mr. ANDERSON. Mr. President, I ask the Chair to lay before the Senate the amendments of the House of Representatives to Senate Joint Resolution 49.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the joint resolution (S.J. Res. 49) authorizing the Secretary of the Interior to carry out a continuing program to reduce nonbeneficial consumptive use of water in the Pecos River Basin, in New Mexico and Texas, which were, on page 5, to strike out lines 6 through 8, inclusive, and insert:

> SEC. 5. There is hereby authorized to be appropriated not more than $2,500,000 for the initial eradication or suppression of salt cedar and other undesirable phreatophytes on lands within the area to which this joint resolution applies and, in addition thereto, such further sums as may be necessary to maintain continued control over this land to prevent its reinfestation.

And to strike out the preamble.

Mr. ANDERSON. All the amendments would do would be to limit the amount of money that could be spent. I have cleared the question with the leaders on both sides of the aisle. I move that the Senate concur in the amendments of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico.

The motion was agreed to.

SOCIAL SECURITY AMENDMENTS OF 1964

The Senate resumed the consideration of the bill (H.R. 11865) to increase benefits under the Federal old-age, survivors, and disability insurance system to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

Mr. LONG of Louisiana. Mr. President, since we have used more of the time available to us than the proponents have used of their time, I hope that the proponents are ready to proceed.

Mr. GORE. Mr. President, I suggest the absence of a quorum.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the time necessary for the quorum call be charged equally against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER. Who yields time to the Senator from Illinois?

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays on the Gore amendment.

The yeas and nays were ordered.

Mr. GORE. Mr. President, the pending amendment is, with some relatively minor changes, the original King-Anderson bill. It becomes necessary, in the view of the strong proponents of the King-Anderson bill, to offer it as an amendment to the Long amendment. This was necessary in our view because the Long amendment, if adopted, would raise the social security tax to a total of 10 percent and increase social security benefits correspondingly, without the inclusion of any form of health insurance through social security.

It was our view that, whether intended or not, the adoption of the Long amendment would kill health insurance through social security. This, briefly, is why the amendment is offered to the Long amendment. We wish to have a clear-cut choice.

The parliamentary situation was such, and is such, that the total proposal is offered in 2 amendments, the principal one being the pending amendment.

Upon adoption of the pending amendment, the second amendment will follow in due course. I will ask for recognition immediately following the yea and nay vote on the pending amendment for the purpose of offering the second amendment.

The Parliamentarian has advised me the second amendment will then be in order as an amendment to the Long amendment as amended by the Gore amendment.

At that time it is my understanding that the able senior Senator from New York [Mr. JAVITS] will have an amendment to offer.

Would the distinguished senior Senator from New York like to state, now as briefly as possible, the amendment which he proposes to offer?

Mr. JAVITS. Yes, if the Senator will yield for that purpose.

Mr. GORE. I yield for that purpose.

Mr. JAVITS. Mr. President, for a long time a number of my colleagues on this side of the aisle and I have contended for a private enterprise aspect to any medical care plan. Such a plan satisfactory to us was included in the bill which was voted on in 1962, and which the Senator from New Mexico [Mr. ANDERSON] and I sponsored. We are all grateful that the Senator from New Mexico is desirous that the Senator from Tennessee [Mr. GORE] sponsor the amendment; and we hope that it will be carried. I have done my utmost to make it possible to have the private enterprise aspect included with the Gore amendment.

I am pleased to say that, under the parliamentary situation, we expect to attach the private enterprise aspect of the Gore amendment to the Long amendment before it is submitted as amended for a final vote.

The provisions of the amendment which I have described are as follows:

It proposes a dual public-private program with the public part being the Gore amendment which the Senator from Tennessee has described and the private part, a national private health insurance plan, covering expenses for physicians' and surgeons' care, diagnostic and surgical services, and drugs and appliances.

It calls for a nationwide federally chartered nonprofit corporation with subsidiary regional corporations in which private insurance and group service companies can participate. Private insurers would develop a plan providing uniform basic coverage nationally at uniform low rates but with regional variations.

This standard insurance policy would be available to everyone over 65 who wanted to buy it on a voluntary basis.

The estimated cost would be about $2 per person per week covered, and should, therefore be within the financial reach of 80 percent of our aging citizens.

To make this nationwide complementary insurance possible, under conditions that would permit pooling of losses made necessary by accepting all applicants without selection, and removal of legal and other obstacles to very low-cost insurance, the proposal provides for limited exemption for participating companies from provisions of the antitrust laws and for a symbol to be issued by the Department of Health, Education, and Welfare signifying official public endorsement of the basic complementary insurance plan.

I refer Senators who may wish specifications as to what would be the coverage involved in amendment No. 1240 sponsored by myself and some of my colleagues, on page 64, beginning at line 15, which sets forth in detail the kind of physician and surgical coverage, diagnostic, and other services, which would be covered by such an insurance policy.

In summary—and I shall be brief—this is a national 65-plus plan, without selection of risks, organized on a regional basis, and bringing within the means of the overwhelming majority of our older citizens private health insurance, over and above the basic hospital coverage provided for in the Gore amendment. It is derived from the fundamental plan which the Senator from New Mexico [Mr. ANDERSON] and I laid before the Senate, and for which we have contended so long.

The reason why we believe in it so strongly, and the reason why we are pleased that our colleagues in the Senate under Senator GORE and his associates, have now joined with us, as did Senator ANDERSON previously, is that the plan has a built-in guarantee against expansion of the governmental system, because over and above the minimal provisions of the governmental system, which would be put into effect by the Gore amendment, everything else is capable of being handled by private enterprise.

When we add to this program the Kerr-Mills Act for the indigent, we have a complete system of health coverage for our older people without constantly increasing the Federal role.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. GORE. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I have listened with great interest to the Senator from New York. Is his plan to be financed through social security, or is the proposal of the Senator from New York beyond the Gore amendment, and to be financed through private enterprise?

Mr. JAVITS. It is entirely private. By cooperative means, and with the help of the Federal Government and the State governments, it would bring the cost down to about half of what it is today.

If the Senator from Tennessee will indulge me further, the real problem of the aged today was well stated by the Senator from Louisiana [Mr. LONG]. It is true that half of the aged, 9 million, have private insurance policies. It is also true, however, that nearly one-fourth of that one-half—in other words, about 2 or 3 million—have adequate private insurance to meet 75 percent of their medical expenses. That is what the American Hospital Association defines as adequate. The reason is that the premium is out of their range. What we are trying to do is create a system by which the premium can be cut in half. It can be done in the way proposed. It would be an entirely private operation. The only thing the Federal Government would do would be to facilitate the cooperative means by which the program would be carried on.

Mr. SALTONSTALL. The social security end would be entirely eliminated if the suggestion of the Senator from New York were adopted. Is that correct?

Mr. JAVITS. As to everything over and above the basic hospitalization provisions contained in the Gore amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. GORE. Mr. President, before I yield to the Senator from Ohio, I should like to make a brief statement. The able Senator from New York and those associated with him in advancing this proposal have, in my view, accomplished a great deal more than can be read in the black and white of the amendment.

At first I was not persuaded as to the soundness of his proposal. Other members of our group—and this has been a rather large group, and we have worked intensively day and night—were not persuaded either. However, I am now convinced that if we can bring about encouragement and stimulation—even a sponsorship by the Federal Government of private insurance in this field under proper safeguards, we shall have completed, insofar as we can do it at this time, provisions for the health protection opportunities of the American people of 65 years of age and over.

Let me emphasize that the King-Anderson bill does not provide for payment of physicians' fees. There are areas in which insurance can be purchased to complement and supplement the prepaid health insurance under social security.

The able Senator from New York, the able senior Senator from California, and others convinced our group that his proposal in its modified form is a necessary and a helpful part of the package.

I take 1 additional minute, before I yield to the Senator from Ohio, to discuss the points on which we were at first in disagreement and upon which we finally have reached agreement.

The amendment as originally submitted by the Senator from New York included two major provisions, neither of which will now be in the amendment. One was complete tax exemption, Federal and State.

The other provided for Federal regulation of the participating insurance companies.

We were unable to agree to the provision for tax exemption. We thought that would be a dangerous precedent. Federal regulation could be justified only if tax exemption were granted. The compromise was reached to eliminate both provisions.

There has never been Federal regulation of insurance companies. To so provide would be to set a precedent. It would be unwise to authorize complete tax exemption.

Therefore, with those two provisions taken out of the amendment, we will accept it, at the proper time.

I now yield 2 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I wish to follow up the thought developed by the Senator from Massachusetts [Mr. SALTONSTALL]. Am I correct in my understanding that if the proposal of the Senator from New York were adopted, it would impose no financial obligation, either on the general fund of the Federal Government or upon the social security fund, but would merely authorize the creation of regional health insurance corporations, limited by governmental regulations, to sell insurance, paid for by the beneficiary, to provide for him medical services and drug services?

Mr. JAVITS. That is exactly correct.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. GORE. I yield to the Senator from New Mexico.

Mr. ANDERSON. That is the part I like best in the Javits proposal. He tries to make it possible to build a structure of private insurance on the basic structure which is covered by social security. He wants to guarantee for all time that that part of the superstructure shall be private insurance. I agree with him. I believe that the business of insurance, when it comes to the insurance of surgical bills, and things of that nature, is fundamentally something which the private enterprise sector can well handle. That is why, in the bill we introduced some time ago, we accepted most of the proposals of the Senator from New York. He has made a fine contribution again by seeking to guarantee, as I want to guarantee, that over and above the social security approach for people who are working and want to be protected, the private enterprise sector will be allowed to operate. We know that if the private sector is to operate in the program, it will be necessary to have meetings to discuss rates. That might be called collusion. But that is a factor that must be considered when we are trying to protect the old people of the country, which is what the Senator from New York is seeking to do.

Mr. JAVITS. The Senator from New Mexico has correctly stated my views.

Mr. KUCHEL. Mr. President, will the Senator from Tennessee yield for 2 minutes to me?

Mr. GORE. I yield 2 minutes to the distinguished Senator from California.

Mr. KUCHEL. I am elated by this development which, in my view, is completely in the public interest. I have been glad to participate with Senators on this side of the aisle as a cosponsor, in an attempt to offer to this Congress a realistic constructive solution to a pressing and growing national problem for the elderly people of our Nation. What we have tried to do—and it has been iterated and reiterated today, on the floor of the Senate—has been to utilize not solely the Government of the United States, not solely the public sector of our economy, but the private economic system of enterprise as well.

In the second title of the bill which some of us on this side of the aisle sponsored, we endeavored to provide an incentive, as the able Senator from Tennessee has suggested, to the private insurance business of America, by which the risks involved would be pooled, and under which the cost to the beneficiary would be lowered; and then, on a complete basis of option—buying it or refusing to buy it—offering to Americans, over the age of 65, a private insurance policy for medical and surgical costs, which, as my able friend from New York has suggested, are not a part, and never have been a part, of the social security approach which covers hospitalization and nursing home care.

I am more than grateful—I am truly delighted—as an American, that Senators on the other side of the aisle, including the distinguished Senator from Tennessee [Mr. GORE] and our able friend from New Mexico [Mr. ANDERSON], who first brought this problem before the Senate several years ago, and others, have now agreed, as a result of consultation, to use what I may describe as title 2 of our bill. We demonstrate today, that on the floor of the Senate we are making progress in an attempt to use both the public and the private sectors to give to the American people, as they approach old age, an opportunity to have in their latter years substantial protection from the hazards of serious illness and the prodigious costs which are involved in modern day health care.

I am glad to have joined the Senator from New York [Mr. JAVITS] and other Senators over here on this approach. Now I am equally glad that our colleagues representing the majority party have accepted what we have sponsored.

Mr. JAVITS. Mr. President, will the Senator from Tennessee yield briefly to me?

Mr. GORE. I yield 2 minutes to the distinguished Senator from New York.

Mr. JAVITS. It would not have been possible to come as far as we have come in respect of this amendment without the assistance of the distinguished Senator from California [Mr. KUCHEL], who has been extremely active in the negotiations which have brought us to this present stage of agreement. I am deeply grateful to him, as I feel certain the whole Nation, and especially its older people, will be deeply grateful to him, for his assistance in making the proposal become a reality.

Mr. KUCHEL. I thank the Senator from New York.

Mr. JAVITS. To the Senator from Tennessee [Mr. GORE], I say it is most important that the Senate understands that this is not a brainchild of mine. It started many years ago, in 1949, as a bill in the other body; and, interestingly, with the extraordinary sponsorship of persons like Christian Herter and Richard Nixon. It has required many years, and it has been necessary to go through many stages to reach this point of development.

Even so, I should say that it would not have been as authoritative as it is now had it not been supported within the immediate present—that is, within the past year, 1963-64—by a most distinguished panel called the National Committee on Health Care of the Aged, headed by two former Republican Secretaries of Health, Education, and Welfare, Arthur Flemming and Marion Folsom. The committee also had among its members the president of Johns Hopkins Hospital, the dean of the Yale Medical School, insurance representatives, and representatives of big business. I do not believe there could have been a more representative panel. The names are in the RECORD. This is their plan, after a year's study, research, and investigation. It is said that this is the answer. If we pride ourselves on the fact that we seek to use the brains of our Nation, we certainly ought to pride ourselves upon what is happening here today.

Neither the Senator from Tennessee nor I can guarantee what the Senate will do; but it is important that the Senate understand that this proposal is the creation of some of the most thoughtful men in the Nation, rather than the idea of some individual Senator.

I thank the Senator from Tennessee.

Mr. GORE. Mr. President, I reserve the remainder of my time.

Mr. COOPER. Mr. President, will some Senator yield time to me?

Mr. GORE. I yield 2 minutes to the distinguished Senator from Kentucky.

Mr. COOPER. The Senator from Tennessee does not know what I am about to say.

Mr. GORE. That is all right.

Mr. LONG of Louisiana. If the Senator from Kentucky is about to speak against the amendment, I shall yield time to him. How much time does the Senator wish?

Mr. COOPER. Four minutes.

Mr. LONG of Louisiana. I yield 4 minutes to the distinguished Senator from Kentucky.

Mr. COOPER. Mr. President, I shall vote against the Gore amendment with reluctance. In 1962 I voted for the Anderson-Javits proposal, of which I was a cosponsor, and I have believed from my study of medical care over a period of years that it will not be possible to provide a program for hospital care for 16 million people 65 years of age and over, unless it is provided, at least chiefly, under the social security system. Nevertheless, I cannot vote for the Gore proposal, because I cannot believe that it is sound.

In 1962, before the Senate voted upon the Anderson-Javits proposal for hospital care, there was ample opportunity, for many months, to discuss its provisions with the Senator from New Mexico and with his cosponsors, and also with representatives of the Department of Health, Education, and Welfare. Upon every occasion we received categorical assurance that the Anderson-Javits proposal could be financed by the taxes provided, and that the program was actuarially sound. In addition, Senator ANDERSON agreed to accept certain amendments offered by six Members on this side of the aisle—of which I was one—in order to assure that a separate trust fund would be established and that local responsibility would be provided through State participation in administration.

Now we are asked to vote upon the Gore amendment, which was not considered by the House Committee on Ways and Means or by the Senate Committee on Finance.

The Gore amendment includes the level of increases provided by the Committee on Finance for the regular beneficiaries of the social security system—an average of 5 percent—in fact, it would increase the payments; it also provides, as does the House bill, a means of enlarging the number of persons who would be entitled to regular social security benefits. I favor these improvements in the regular social security system. But, in addition, the Gore amendment adds a program of hospitalization with increased taxes on employees and employers, and increases the yearly pay that would be subject to tax from the present $4,800 to $5,600.

I respect the ability of the Senator from Tennessee and the sincerity of his purpose in offering the amendment. But there is no proof before us from the committees of the House or Senate, or from any other source, that provides me, or the Senate, with any facts or proof that the program he proposes is financially sound, and that it could assure the hospital and other medical care it promises.

Believing as I do that people, when they reach the age of 65, ought to have assured provision for illnesses that require hospital care, and for nursing and day care outside the hospital, the least we can do is to assure that any system adopted is sound, so that it will actually be able to provide such services. To do otherwise would be to hold out false hope to the very people we propose to insure.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. COOPER. I yield.

Mr. SALTONSTALL. Do I correctly understand the Senator's argument to be that if the Gore amendment were adopted, it would imperil the financial soundness of the whole social security system and would upset the benefit payments that might be available for all citizens?

Mr. COOPER. I do not know; and I do not believe any of us really know. But without any conclusive proof, we are asked to accept the Gore amendment—a broad change in the social security system. If it should be actuarially unsound, it would, of course, affect the regular beneficiaries of the social security system; and it would possibly deny needed increases in payments. If it is unsound, it could fail to provide for 16 million people 65 years of age and over—the great percentage of whom have very low incomes, and who are unable either to pay large hospital bills, or to purchase private insurance—the hospitalization, nursing services, and day-care benefits it proposes.

The second reason I shall vote against the amendment—it may not be an argument upon the merits—is that I believe that it is inevitable, after political conventions have been held and after the political nominees have been selected, that unsound proposals for hospital care will be made. This was done in 1960—when I voted against a similar medical plan, for it was not a good plan as presented.

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. LONG of Louisiana. Mr. President, I yield 2 additional minutes to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 2 additional minutes.

Mr. COOPER. I do not agree with the position of my own nominee who is against using the social security program for providing hospital benefits, but that has nothing to do with my reasons. I question these proposals in a campaign year, after political conventions have been held.

The amendment of the Senator from Connecticut [Mr. RIBICOFF] illustrates the point that I am making. Upon its face it seems reasonable that a person can make a choice between increased regular social security payments or certain medical care benefits. But all of us who know anything about the problems of needy people know that most of the people receiving social security payments will choose increases in their payments, rather than benefits for hospital care which may or may not occur in the near future.

The people least able to pay for hospital care need this assurance the most, and they would be the most likely to make the irrevocable choice of increased social security payments rather than future hospital care. If this should occur, then we can ask what about the soundness of the trust fund for hospital care.

I doubt very much that the Gore proposal, if it is adopted by the Senate, will be accepted by the House, for the very reason that it has not had thorough consideration. It is important for the people whom it would benefit, that a hospital care bill for persons 65 years of age and over be considered as carefully as the tax bill was considered, for we are dealing with their future health and their life, as well as with a major change in the social security system.

Let us remember, and let all of the people of our country remember, whatever our personal financial condition and our ability to provide for our future health needs, that many are not in the kind of fortunate circumstances that would enable them to make provision for all of their present and future needs.

This bill ought to be brought up early in the new session of the Congress, when it can be thoroughly considered. I regret that it has become the practice to advance this important measure after the political conventions have been held, and when it must inevitably become a political issue rather than a careful effort to insure that the future needs of our older citizens are best met.

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. SALTONSTALL. Mr. President, will the Senator from Kentucky yield for a question?

The PRESIDING OFFICER. Who yields time to the Senator from Massachusetts?

Mr. LONG of Louisiana. I yield 1 minute to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 1 additional minute.

Mr. SALTONSTALL. I thank the Senator from Louisiana.

What the Senator from Kentucky is saying is that if this amendment should be added to the bill, it would involve two very important human problems.

First. It would increase social security benefits to the point where they might be helpful.

Second. There is the question of care for the aged. If we tie those two together in the bill now pending, we shall ruin the benefits of both programs; is that not correct?

Mr. COOPER. That is my fear; but we do not know, because the proposal is brought up at this time as a part of a political contest.

Mr. SALTONSTALL. I thank the Senator from Kentucky.

Mr. MILLER. Mr. President——

Mr. LONG of Louisiana. Mr. President, I yield such time to the Senator from Iowa [Mr. MILLER] as he may require.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLER. Mr. President, we now have before us an amendment to add to the social security system, a program to provide to all people over 65, regardless of their financial condition, 90 days' hospital care, with the patient paying part of the initial cost, or 45 days with the patient paying none of the costs; 60 days' nursing home care and up to 240 visits by a nurse to the patient's home. No doctor bills or costs of medicine would be provided. This proposal is backed by President Johnson and his administration.

It is one of the most unfair proposals ever presented to the Congress, and it should be defeated.

It is unfair on three counts.

First. It is unfair to the millions of people in the social security program who are rightly alarmed over the serious financial condition of the social security program. Down through the years, the Congress has been expanding the coverage and benefits of the program faster than it has been providing for the tax money needed to pay for them. Roughly about $3 in benefits have been legislated with only $2 in tax money to pay for them. The result is that the program today has an unfunded liability or deficit of some $320 billion. In other words, if we take what is left in the Social Security Trust Fund and add to that all of the tax money that will come in—both from the employer and the employee, as well as from the self-employed—and match this against the value of the pensions and benefits that all people now in the program—both those who are retired and those who are working—can expect to receive, we find that the social security program is $320 billion short.

This shortage can be made up only by the younger workers and the future generations who will—between them and their employers—pay into the program around $167 in taxes for every $100 they can ever hope to receive in benefits.

The pending amendment will add an estimated $25 to $60 billion to the unfunded liability of the social security program, because some 16 million people will automatically become eligible for benefits, even though they have never paid any tax money to finance them; and millions of others in the middle-age bracket will pay only a fraction in taxes of the value of the benefits they will receive. This would be so whether any of these people can afford to pay for their own hospitalization and nursing home care out of their own resources.

On May 29, 1963, Representative WILBUR MILLS, chairman of the House Ways and Means Committee, introduced a bill (H.R. 6688) which would increase the earnings base from $4,800 to $5,400. His action followed a report covering the social security trust funds which indicated that the social security disability trust fund would go broke if increased financing was not provided for by Congress.

This amendment goes in just the opposite direction—adding to the financial plight of the social security program. I believe that most people do not wish to have the social security program threatened by any unsound financial tinkering such as this amendment represents.

What they wish is assurance that when they receive their pensions they will be worth something. That is really what the main bill is all about. It would increase the dollars in the pensions, and it is necessary to do so in order that social security recipients will have some of their purchasing power restored—purchasing power which has been steadily eaten away by the inflation which the Democratic Congresses, with their multibillion deficit spending, have produced. The bill provides for tax increases and an increase in the earnings base which will finance these pension increases, and therefore the bill can be conscientiously supported. But if this amendment is added to the bill, one could not in good conscience support the bill.

The second count on which this amendment is unfair is that it does not provide adequate benefits to those who really need them. By giving benefits to everyone—regardless of financial condition—the benefits to each person are naturally less. All of us know that many people need more than 45 to 90 days' hospitalization; and many more need more than 60 days' nursing home care. People who cannot afford it should receive all of the hospitalization and nursing home care they need. This amendment says, in effect, to these people that they must be deprived of adequate care in order to provide some care to people who can afford to pay for it anyhow. This is grossly unfair.

The final count on which this amendment is unfair is the method of financing that is used; namely, the increase in the social security tax. The high-income-bracket taxpayer will pay just as much and at the same rate as the low-income-bracket taxpayer. This is regressive taxation—just the same as a sales tax. Indeed, I wonder why the proponents of the amendment have not proposed to finance these benefits by a national sales tax. It would be no more unfair than what they propose.

The fair way to handle any program covering hospitalization and nursing home care is to finance it out of the general fund of the Treasury into which tax money is generally paid on the basis of relative ability to pay.

For these reasons, Mr. President, this administration-backed amendment should be defeated.

Mr. President, I ask unanimous consent that a series of tables and some examples covering the points to which I have referred in my speech may be printed in the RECORD.

There being no objection, the tables and examples were ordered to be printed in the RECORD, as follows:

TABLES AND EXAMPLES

TABLE 1.—*Showing increases in social security pensions legislated by Congress in order to enable pensioners to maintain their purchasing power in view of decline in value of the dollar*

[NOTE.—The example is a worker having a $3,000 annual income base, single at retirement, and "fully covered." The 1940 year figure is for a worker retired under the 1935 act. Other figures are for a worker retired under successive acts for years indicated]

Year	Annual pension	Purchasing power of dollar compared to 1939 dollar worth 100 cents	Real value of pension
		Cents	
1940	$499.20	99.2	$495.20
1950	870.00	57.8	502.86
1952	930.00	52.3	486.39
1954	1,062.00	51.7	549.05
1958	1,140.00	48.1	548.34
1964	(1)	44.7	509.58

[1] No change as of Sept. 1, 1964.

TABLE 2.—*Showing payments made by worker and his employer, commencing in 1937, compared with pension for just 1 year following retirement under the 1935 act and successive acts ($3,000 base)*

Year	Total payments	Annual pension (single)	Annual pension (married couple)
1940	$240.00	$499.20	$748.80
1950	870.00	870.00	1,305.60
1952	1,050.00	930.00	1,395.60
1954	1,260.00	1,062.00	1,593.60
1958	1,770.00	1,140.00	1,713.60
1962	2,467.50	1,140.00	1,713.60

NOTE.—Multiplying annual pension by life expectancies of pensioners would reveal the true disproportion between the taxes paid and the benefits received.

TABLE 3.—*Showing relation between value of taxes to be paid by present members of social security system plus what is left in trust fund and value of benefits expected to be paid to present members under recent acts*

[In billions of dollars]

	Taxes plus trust funds	Value of benefits	Unfunded liability
1956 act	217	486	269
1958 act	254	543	289
1960 act	276	587	311
1961 act	304	625	321

NOTE.—Acts of 1956, 1960, and 1961 did not increase pensions, but liberalized coverage (e.g., brought in members of Armed Forces, professional self-employed, permitted optional retirement at age 62, etc.).

TABLE 4.—*Showing relation between value of taxes to be paid by new workers coming into the Social Security system and their employers, and value of benefits to be paid to them upon retirement*

	Taxes	Benefits	Ratio of taxes to benefits
	Billions	*Billions*	*Percent*
1956 act	$563	$335	168
1958 act	641	377	170
1960 act	682	404	169
1961 act	719	431	167

TABLE 5.—*Showing how social security taxes and earnings base have grown*

Period	Maximum earnings base	Combined tax rate employer and employee	Employer tax	Employee tax	Self-employed rate	Self-employed tax
		Percent			*Percent*	
1937–49	$3,000	2	$30.00	$30.00	(1)	(1)
1950	3,000	3	45.00	45.00	(1)	(1)
1951–53	3,600	3	54.00	54.00	2¼	$81.00
1954	3,600	4	72.00	72.00	3	108.00
1955–56	4,200	4	84.00	84.00	3	126.00
1957–58	4.200	4½	94.50	94.50	3⅜	141.75
1959	4,800	5	120.00	120.00	3¾	180.00
1960–61	4,800	6	144.00	144.00	4½	216.00
1962	4,800	6¼	150.00	150.00	4.7	225.60
1963–65	4,800	7¼	174.00	174.00	5.4	259.20
1966–67	4,800	8¼	198.00	198.00	6.2	297.60
1968 and after	4,800	9¼	222.00	222.00	6.9	331.20

[1] Not covered.

TABLE 6.—*Showing how, even in recent years, taxpayments are falling short of funding benefit payments (by fiscal year)*

[In millions of dollars]

Year	Tax payments	Benefit payments	Deficit
1958	7,267	7,875	608
1959	7,565	9,049	1,484
1960	9,843	10,270	427
1961	11,293	11,185	(+108)
1962	11,455	12,658	1,203
1963	13,328	13,845	517

EXAMPLES OF TAXPAYMENTS VERSUS RETIREMENT BENEFITS

1. Worker retired in 1940, wife same age. Before retirement, worker and employer had paid social security taxes for 3 years. Total tax combined—$180. Since retirement, this man and wife have been drawing benefits for 22½ years, totaling $24,973.

2. Worker who retired last January 1 after paying maximum social security tax since 1937, total combined with his employer—$2,868. Add interest at 3 percent and this contribution to the trust fund would come to $3,714. Pension from now on will bring him and his wife (same age) $32,074.

3. College graduate started working in 1962, paying maximum social security tax until retirement in year 2005. Total combined tax with employer—$18,564. Add interest at 3 percent and this contribution to the fund would come to $36,226. Pension for him and his wife (same age) would bring total of $33,664.

4. Young man gets job in 1968 and pays maximum tax from then until retirement in year 2011. Total combined tax with employer—$19,092. Add interest at 3 percent and this contribution to the trust fund would come to $37,954. Assuming this man is widower, with no dependents, and lives only 2 years after retirement, benefits would total $3,048.

Mr. DOMINICK. Mr. President, will the Senator from Iowa yield?

Mr. MILLER. I do not have the floor, but——

Mr. LONG of Louisiana. Mr. President, I yield 30 seconds to the Senator from Colorado [Mr. DOMINICK].

The PRESIDING OFFICER. The Senator from Colorado is recognized for 30 seconds.

Mr. DOMINICK. I endorse what the Senator from Iowa has just said. I believe that his analysis of the defects in the bill is about as good as any we have heard. It is succinct, clear, and well-thought out.

I thoroughly endorse it.

Mr. MILLER. I thank my friend the Senator from Colorado for his gracious remarks.

KICKBACK BY MATTHEW McCLOSKEY ON DISTRICT OF COLUMBIA STADIUM CONTRACT

Mr. LONG of Louisiana. Mr. President, I yield 30 seconds to the Senator from Delaware [Mr. WILLIAMS].

The PRESIDING OFFICER. The Senator from Delaware is recognized for 30 seconds.

Mr. WILLIAMS of Delaware. Mr. President, I am glad that the administration has given recognition to the seriousness of yesterday's charges and that it is now having the Department of Justice check them. I have already forwarded my information to them and have an appointment later in the day to talk with their representatives.

This does not mean, however, that the U.S. Senate does not have a responsibility to pursue this investigation as well since this does involve one of our former employees. I do not want the administration's action taken as an excuse that the Senate can sit back now and say that someone else is handling it.

Mr. Baker was an employee of the Senate. This involves the propriety of the manner in which a Government contract was handled, and we have a responsibility to pursue it.

I ask unanimous consent to have printed at this point in the RECORD a memorandum, together with an enclosure, which I have just received from Mr. Pinion, of the Senate Legislative Council. In this memorandum he calls attention to another law that has been violated in this highly irregular procedure. This involves the payment of any political contribution by any contractor doing business with the U.S. Government.

There being no objection, the memorandum and enclosure were ordered to be printed in the RECORD, as follows:

MEMORANDUM

SEPTEMBER 2, 1964.

SENATOR WILLIAMS: In connection with your request for copies of the provisions of law containing the $5,000 limit on political contributions by individuals and prohibiting political contributions by corporations, your attention is also called to section 611 of title 18, which prohibits political contributions by Government contractors, whether or not they are corporations and without regard to the amount of the contribution. A copy of the provision is attached.

Respectfully,

DWIGHT J. PINION.

SECTION 611, TITLE 18, UNITED STATES CODE

SEC. 611. Whoever, entering into any contract with the United States or any department or agency thereof, either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof, or selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, during the period of negotiation for, or performance under such contract or furnishing of material, supplies, equipment, land, or buildings, directly or indirectly makes any contribution of money or any other thing of value, or promises expressly or impliedly to make any such contribution, to any political party, committee, or candidate for public office or to any person for any political purpose or use; or

Whoever knowingly solicits any such contribution from any such person or firm, for any such purpose during any such period—

Shall be fined not more than $5,000 or imprisoned not more than five years, or both.

SOCIAL SECURITY AMENDMENTS OF 1964

The Senate resumed the consideration of the bill (H.R. 11865) to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

Mr. LONG of Louisiana. Mr. President, I yield 3 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 3 minutes.

Mr. LAUSCHE. Mr. President, I cannot support the Gore amendment. I cannot do so for two reasons. It contemplates increasing the benefits to be received by those covered under the social security system, and, it contemplates providing medicare protection that is somewhat reduced from the medicare protection contained in the King-Anderson bill.

I would favor either one or the other. I cannot favor both. I cannot do so at this time because of the pointed dispute that exists between the proponents of the Long program and the proponents of the Gore program concerning what the actuarial impact would be.

I point to the tragic experience in connection with the foreign service retirement fund. That fund was created about 40 years ago. During its life, approximately 15 liberalizations were made. Liberalizations were made without giving adequate concern as to whether the fund would continue to be actuarially sound. Now, 40 years later, the Federal Government owes $284 million to the fund. To keep the fund sound would require a contribution of 30 percent—15 percent by the Government, and 15 percent by the worker—based upon the salaries now being earned by the workers.

That fund is now bankrupt. To revive it, the taxpayers would probably have to pay 23.5 percent of the annual salary of the Foreign Service workers, some of whom are earning as much as $25,000 a year. Manifestly, Congress will never adopt a bill that would require the Foreign Service workers to pay 15 percent of their salaries to be matched by a 15-percent contribution by the Government.

To summarize, I cannot subscribe to both an increase in the benefits and the setting up of a medicare provision in the bill.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **LAUSCHE**. Mr. President, may I have an additional 2 minutes?

The **PRESIDING OFFICER**. Without objection, the Senator from Ohio is recognized for an additional 2 minutes.

Mr. **LAUSCHE**. Mr. President, I cannot subscribe both to an increase in the benefits and also the setting up of a medicare provision in the bill because of the very obvious conflict over what the cost to the fund would be, and the additional taxes that would have to be imposed in order to sustain the increased cost. It is said that if the Gore amendment is agreed to, the present deficit of $500 million a year will be increased to $2 billion.

I voted for the King-Anderson bill when it was before us. I want to provide medicare service. But I cannot support both proposals. I would favor one or the other. I believe that a sound approach requires that we insist that the fund be kept sound.

If we continue to grant increases, eventually the fund will be ruined. What good would it be then to either the country or to the citizenry? Until there is a clear demonstration of what the financial impact will be, I cannot support this proposal.

I yield the floor.

Mr. **LONG** of Louisiana. Mr. President, I yield 5 minutes to my colleague from Louisiana.

Mr. **ELLENDER**. Mr. President, I regret that I cannot support the pending amendment. The State of Louisiana pioneered in giving assistance to the aged, in constructing hospitals, and taxing the people for these benefits.

Long before the Old Age Assistance Act was placed on the statute books, Louisiana had old-age assistance. This was made available under the leadership of my colleague's father, the late Huey P. Long, as I shall show more fully in a moment.

I would like to present to the Senate what the State of Louisiana is doing for the aged. It is doing much more than would be provided in this bill. And, as I have said, since we have taxed ourselves for that purpose, I cannot see my way clear to vote for additional taxes to be placed on my people who have, through taxation, taken care of the citizens in the State of Louisiana.

When the Kerr-Mills bill was enacted into law by the 86th Congress in 1960, many Members of the Congress expressed the view that while the Kerr-Mills approach to provide health care for the needy aged might prove unworkable, it was best to give the legislation a chance and see what would be accomplished by the States under its provisions. I was one of those who expressed this view and I also gave voice to the hope that Kerr-Mills would meet our need. I foresaw in its enactment many advantages for the needy, for the rights of the States and for the American medical profession. It seemed to me that this legislation held much hope for protecting the interests of all concerned.

In my opinion, the passage of 4 years has proved the correctness of this view. In the majority of those States which have chosen to implement the provisions of Kerr-Mills, the unbiased view will make it evident that the legislation is working well, as I and others had hoped. In those States which have dragged their heels, so to speak, in providing the necessary services for the needy aged, this, of course, is not the case. I shall have more to say on this point in a moment. I am proud that Louisiana has been in the forefront of providing this type of care and, indeed, was far ahead of other States in this field many years before Kerr-Mills, or any type of so-called medicare legislation was ever presented for consideration by the Congress.

At this point, I think it is well that we understand the differences between the two programs which are in effect in most of the States and particularly in Louisiana. Both of these programs; namely, old-age assistance and medical assistance for the aged, have as their aim the easing of the burdens of passing years. Old-age assistance aids needy men and women who are 65 years of age or older. It provides financial help for living expenses such as food, shelter, clothing, medical care, and other necessities. Payments for medical needs can be made to the individual, or on his behalf directly to the supplier of services such as the doctor, the hospital, or the druggist. If the payments are made to persons other than the needy individual, they are known as vendor payments.

I pause now to point out that here is one of the areas in which Louisiana can display a proud record of accomplishment. Under the governorship of the late Huey P. Long, the State administration moved to provide liberal pensions for its old people, and the payment of such pensions today amounts to $82 monthly. The original Louisiana pension plan for the protection of our aged people laid the groundwork for the full participation of our citizens in the jointly Federal-State financed old age assistance program enacted by the Congress.

Because of our long-standing tradition of providing benefits to our aged, a total of 130,250 recipients drew old age assistance in Louisiana in the month of June 1964. It is gratifying for me to note from figures supplied by the Department of Health, Education, and Welfare that this number is third highest on the list of States. We fall below only those large and well-populated States of California and Texas. We are substantially above every other State in the Union.

I wish to emphasize here that this good record of humanitarian concern comes about because the citizens of Louisiana were willing to tax themselves and the resources which nature made available to us in order to provide these benefits long before the Federal Government stepped into the field. While it is true that the program is now a joint State-Federal venture, we have continued with those taxes so that not only the individuals, but the State as a whole, receives the benefits from this policy.

Louisiana old age assistance payments for the month of June 1964 amounted to $11,088,816. Of the total amount, the State supplied approximately 26.2 percent and the Federal Government supplied 73.8 percent. For the year 1963, a total of $127,433,000 was dispensed in the form of old age assistance payments in Louisiana. Of this amount, $94 million was supplied by the Federal Government and $33 million by the State treasury. Also of this total amount for 1963, $21,191,000 was dispensed in the form of vendor payments for medical care to the aged; that sum amounted to 16.6 percent of the total disbursement under old age assistance.

I point out that the program I have been discussing so far is divorced from the so-called Kerr-Mills or medical assistance for the aged legislation enacted in 1960, but all the same, it represents a substantial effort on our part to insure that medical care is available to all the needy aged. It also indicates the extent to which Louisiana has acted on its own to provide these resources to our old people.

The extent of the participation in these benefits is also indicated by the relatively small use of the Kerr-Mills program in Louisiana. Although Louisiana acted to join the Kerr-Mills program after its congressional enactment, in 1963 only $955,000 was expended for this program in the State. Of this amount $697,000, or 72.9 percent, was supplied from Federal funds and $258,000, or 27.1 percent, was supplied from the State treasury. I point out that this relatively low level of participation does not indicate that Louisiana is lagging in providing the needed care, but indicates instead that the coverage already provided is so comprehensive that only a small additional amount was necessary. This, of course, is not true in other States.

Turning to an examination of the Kerr-Mills legislation, or medical assistance to the aged, as it is known, we find that Federal grants are offered to the States to provide medical assistance in behalf of the aged persons who are not receiving old age assistance, but whose incomes and finances are too limited to pay for the necessary medical care. The necessary payments and assistance go only to needy persons according to the individual circumstances. In this way, the gaps in the social security and old age assistance programs are filled by reaching those needy aged persons who are not covered under other legislation. I point out once again that the old age assistance program operating in Louisiana is so complete that although the State is participating fully in the Kerr-Mills benefits, less than a million dollars was expended under Kerr-Mills in 1963 in Louisiana. In States which have dragged their heels over the years in providing necessary pension plans for the elderly the Kerr-Mills payments were, of course, a great deal higher, generally speaking.

In addition to these benefits which I have been speaking of, and which have been directed to the elderly, Louisiana also has a proud record of providing necessary care for all indigent persons, no matter what their age. This is another field in which we have pioneered and today there are several large State owned and operated general hospitals in operation throughout Louisiana, and I am informed that the groundbreaking for a new multimillion-dollar structure will soon take place in Baton Rouge. There are also three mental institutions operated at State expense and two tuberculosis sanitariums. These were all built and are today maintained with State funds at a cost of many millions of dollars for their construction and more millions of dollars each year for their operation and maintenance. They are open to all State residents who cannot pay, regardless of age or condition.

Mr. President, I am informed by Mr. R. B. Waldren, director of the Louisiana Department of Hospitals, that this year's budget for the State of Louisiana contains an appropriation of $44,607,181 to meet the recurring expenses of all the general, mental, and tuberculosis hospitals operated by the State. The total figure is broken down as follows:

For the seven general State hospitals maintained by the State department of hospitals______	$8, 911, 641
For the three hospitals for the mentally ill, exclusive of schools for the retarded____	13, 133, 498

In addition to these sums, the budget includes $4,978,919 for the operation of a general charity hospital in Shreveport and $16,301,499 for the operation of a charity hospital in New Orleans. The Shreveport and New Orleans charity hospitals also have tuberculosis units.

So, Mr. President, it is obvious to me that the principal effect of these so-called medicare schemes would be to penalize such States as Louisiana who have acted on their own in taxing their people to provide the necessary care; at the same time, those States which have been slow in acting would be benefited. To me, these proposals are inequitable.

Let us turn now to a discussion of who may qualify for assistance under the old-age assistance and Kerr-Mills programs as they are in operation in Louisiana. From there, we shall attempt to show how the benefits available under these two programs compare with the benefits envisioned in amendment 1178, the so-called Gore amendment.

Under the operation of the old-age assistance program, payments are made to anyone 65 or older who has not sufficient income to provide "reasonable subsistence compatible with decency and health". In other words, in Louisiana, an old person who does not receive at least $82 a month can qualify for old-age assistance. The payments will amount to $82 a month for one person or $76 each for every two or more eligible persons in the same household. In determining need, and in the case of those individuals still earning income, the first $10 of the earned income plus one-half of the remainder up to $50 per month is disregarded. Also, under old-age assistance, a recipient can receive $142 per month for medical or nursing home care; and if he and his wife both need such care, the maximum is raised to $190 per month for medical care and $210 per month for nursing care.

Under medical assistance for the aged, all general medical services are provided, including up to 30 days of hospital care and more if necessary. I am proud to point out that the property and income limitations for this service in Louisiana are very liberal. Louisiana recipients for hospital care are eligible if their monthly income does not exceed $250 for a single person or $325 for a couple. This amounts to $3,000 per year for one person and $3,900 for a couple. There are also many allowable deductions for those in need: $30 is deductible for each dependent minor child, spouse, or disabled adult listed as a dependent. In addition, the recipients may own their own homes or other real property, not exceeding $5,000 of the assessed value if income producing, or $1,000 assessed value if not income producing. One person may have liquid assets of up to $1,000—$1,500 for a couple—and still qualify. Excluded from this liquid asset limitation are insurance policies, an automobile, farm equipment, or business assets which are income producing. In my view, I find these requirements for qualifications for medical care very liberal. I emphasize that the benefits are made available without any cost at all to the individual in need.

Contrasting these features with amendment No. 1178, we find that the recipient is offered a choice of several proposals for hospital care. He may choose hospital care for up to 90 days, but subject to a deductible of $10 per day for the first 9 days, which means perhaps as much as $90 he must supply from his own pocket. Or he may choose 45 days' hospital care with no deductible. As a third choice, he may select the 180 days of hospital care with a deductible of $92.50 or a combination of certain hospital charges, whichever is the smaller amount.

But to finance these benefits for the old, the young people and businesses of the Nation will pay a high price. The Social Security Act would be amended so that the maximum taxable earnings for individual workers would move from $4,800 per year to $5,400 per year. More important, the rate of contribution for the employer and employee would be raised substantially. In 1965, the contribution rate would move from 3.8 percent of earnings, as called for by H.R. 11865, to 4.2 percent. In 1967, it would move to 4.4 percent as opposed to 4 percent, and by 1971, the rate would be up to 5.2 percent as opposed to 4.8 percent in H.R. 11865.

Thus, Mr. President, the young people of our Nation and those who are just starting out in life to earn their living would be taxed directly to support the old. They would be taxed for benefits which would not be enjoyed by them, if ever, for periods of 20, 30 or 40 years; and in addition, all young people earning as much as $5,400 a year would be taxed to provide medical care for old people as of January 1. 1965, no matter what the need. In other words, the small people, the workers, would be taxed to support the rich. To me, this represents another form of gross inequity, fully as undesirable as is the scheme to add another tax to our Louisiana workers to support those people in States which have not seen fit to tax themselves to provide this care.

In the light of these facts, I do not see how I can in all good conscience support this amendment. In the light of the record which Louisiana has made in providing free medical care for all who need it in our State hospitals and under the old-age assistance and the Kerr-Mills programs, I do not see that it would be in the best interests of my people.

Mr. LONG of Louisiana. Mr. President, I yield 5 minutes to the Senator from Nebraska.

Mr. CURTIS. Mr. President, every individual of good will wants our elder citizens to have the best obtainable in medical care. Many of these elder citizens are unable to provide it for themselves. We want them to have what they need. This might be a period of hospitalization or it might be costly surgery which would prevent them from becoming sightless. In some cases they will need the constant refilling of a costly medical prescription or the purchase of insulin. Some of them will need the continual attention of a physician who calls at their home or receives them in his office. Other types of surgery and medical attention will be needed, such as nursing care, whether it be round-the-clock service of a special nurse in a hospital, the occasional call of a visiting nurse, or the constant companionship of a practical nurse.

No individual or no group has a monopoly on the desire to meet this need. It is shared by Democrats and Republicans, liberals and conservatives alike.

We are faced with a real basic problem today in determining how this need shall be met. It must be admitted that a sizable percentage of our elder citizens can meet these needs from their own resources, whether it be from income, property, private insurance, or otherwise. It also must be admitted that there are some who cannot.

Today we are faced with two basic alternatives. A law enacted on this subject will set in motion a program which will run in perpetuity. It must be weighed as to its costs and its benefits 5, 10, 25, 50, yes, 100 years from now.

The basic choice that we must make in voting upon the Gore amendment is this: First, shall some hospital care, or a more economical substitute therefor, be extended to all our elder citizens regardless of need, resources, or ability to provide it for themselves; or second, shall we perfect and continue with a program that will meet all of the medical needs not only of our needy elder citizens but the near needy who cannot provide the medicines, surgery, the doctors care, or unlimited hospitalization for themselves?

The choice is just that simple. It is not complicated.

A good job in providing medical care will cost money. According to the American Hospital Association, a day in the hospital costs on the average of $38.91. This does not involve medicines, surgery, doctor's care, in or out of the hospital. If the resources of the Federal Government are to be extended to everyone over 65, including those who can provide medicare for themselves, then the costs of the program are going to be enormous—many, many times the cost we are now speaking of—or else the program will be spread so thin that the very urgent and necessary medical expenses of the needy and near needy cannot be met and the hospital stay will have limitations. Neither the Gore proposal nor the Ribicoff proposal will take care of but a fraction of the real costs of the elder citizens who need medical attention, nor would those proposals do anything significant for an individual who has a prolonged or catastrophic illness.

The Gore amendment as an amendment to the Long amendment provides neither an increase in the tax rate nor an increase in the taxable wage base. It simply accepts the tax rate increase provided in the Long amendment. It is unrealistic and deceptive, although not intentionally so.

The Ribicoff proposal carries the implication that it can be financed for $5 a month. This, too, is unrealistic and deceptive, although not so intended. The Government employees who work for the Congress are of an age where meaningful insurance can be provided for them as a group at a low cost, and they find it necessary to pay about $19 a month for such protection. In reality, both the Gore proposal and the Ribicoff proposal will provide nothing, or at least a very little, to meet the real needs that every individual of good will would like to meet. Consequently, their cost estimates must be totally disregarded. These cost estimates ignore the premise that the program will have to be enlarged and enlarged, and expanded and improved, over and over again. In our existing social security program, which has been in force less than 30 years, the tax costs have risen almost five times.

The point I am making is that neither the Gore nor the Ribicoff proposal, by providing hospital benefits, or a substitute therefor, to all of our aged, will do anything significant for anyone, but must lead to the creation of a much larger program that has not been studied or its costs appraised or its affects upon our medical system adequately determined.

The best description of the amendment now before us, offered by the distinguished Senator from Tennessee [Mr. GORE], can be made by considering what it will not do.

The Gore amendment, if enacted into law, will not take care of someone who must stay in the hospital a long time. The choice will be between a short period of hospitalization with a deduction or a much shorter one with no deductions. Under Kerr-Mills the needs of an individual can be met if they must be in the hospital the year-round.

The Gore proposal, if enacted, will not bring a physician's care to the beneficiaries at home, in the office or, beyond a very limited degree, in a hospital. Kerr-Mills provides a needed doctor at all times.

The Gore proposal, if enacted, will not enable elderly citizens to be provided with medical prescriptions and the renewal thereof, or high-cost drugs, or insulin, or needs of that type. Kerr-Mills does so provide.

The pending amendment will not provide surgery at all, whether the surgery be minor or major, with the need for much postoperative medical attention. Surgery is provided for under Kerr-Mills.

The Kerr-Mills law, if fully utilized, can do all of these things for the elderly citizens who are beneficiaries, not for 45 days or 180 days, but for as long as necessary. Furthermore, it is geared to the needs of the beneficiary. It enables many beneficiaries to stay well so that they do not have to go to the hospital. Does anyone doubt that that is their desire?

Let us consider who will pay the costs of a program set up under either the Gore proposal or the Ribicoff proposal and who will receive the benefits. These should be compared to the situation under Kerr-Mills.

The Gore and Ribicoff proposals will be paid for by the people who pay social security taxes. Social security taxes are levied on earned income. This means the heaviest cost falls on the lower income, unskilled or skilled people who work with their hands. The coupon-clipper pays no part of the social security costs. In applying the social security tax, there is no $600 personal exemption for each member of the family. The man and wife who are supporting five children on modest earnings pay on the first dollar that either or both of them earn. As has been said, the blind, the physically handicapped, and even the aged themselves who work, pay the social security tax and the tax is applied on their first earnings without any personal exemption. Under the Kerr-Mills law those who are most able are carrying a greater share of the load.

Now, as to who benefits. For the moment let us disregard the so-called millionaire and the individual who is very destitute. Society has always taken care of the latter. The former can take care of himself. But let us consider the impact of hospital care through social security upon the great group in between.

A professional man, a businessman, or countless other individuals, may at age 65 be in their prime and have the highest income of their life. They have already paid for their life insurance, their home, their own education, and the education of their children. Their income may be $15,000 a year or it may be $50,000, or it may only be $9,000, yet under the pending proposals their hospital bills would be paid for by workers with children and other dependents, the crippled and the blind, through the social security tax on their earnings.

Again I say, if the Congress takes this step of enacting the proposal offered by the distinguished Senator from Tennessee [Mr. GORE], or the other one offered by the distinguished Senator [Mr. RIBICOFF], it will be but a beginning of a gigantic program. The inadequate benefits now proposed will never meet the needs. They will have to be enlarged and expanded. Medicines, doctor's care and surgery needs will have to be met. You cannot tax people to take care of the medical needs of those over 65 who are able to take care of their own needs without ultimately expanding the program to take care of the medical needs of all people regardless of age.

This is a program which cannot be tried out for a few years. The commitments will be with us 10, 20, 50, or a 100 years from now, or the irresponsible will load up our social security system so that it falls of its own weight.

Mr. President, many States have a good Kerr-Mills program. Other States are getting started. You do not have to be a pauper to qualify. It is intended to take care of elderly people even if they own their own homes, have significant income, or have relatives with property or income. It is a means test but a reasonable one and it is working well. The record shows our people do not resent this limited means test. The Kerr-Mills law can and will continue to do the job, to meet all of the medical needs of those elderly citizens who cannot meet those needs themselves.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. CURTIS. Mr. President, will the Senator yield me an additional 2 minutes?

Mr. LONG of Louisiana. Mr. President, I yield 1 additional minute to the Senator from Nebraska.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska is recognized for 1 additional minute.

Mr. CURTIS. Mr. President, before we enact far-reaching legislation, giving hospital care to all elderly, including the well-to-do and the wealthy, and a program whose benefits will be so scanty and whose costs will mount to figures beyond what we can estimate at this time, I suggest the following: first, a broad congressional study of the Kerr-Mills law that will encourage the States to fully utilize it and will improve the Federal Government's participation therein; and second, a realistic study and ascertainment of what kind of a program our elder citizens want; and third, a complete and exhaustive study of the costs and expected future costs of a medical program attached to social security that is available to all, giving weight to all factors which will affect future costs, including the predictable expansion of the program by Congress.

The **ACTING PRESIDENT** pro tempore. The time of the Senator has expired.

Mr. **GORE**. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a memorandum from Robert J. Myers, of the Social Security Administration, which sets forth statistical data and a statement with respect to the pending amendment.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

AUGUST 31, 1964.

Memorandum
From: Robert J. Myers.
Subject: Short-range cost estimate for the Gore amendment of August 31 if added to H.R. 11865 as reported by Senate Finance Committee.

This memorandum will present short-range cost estimates for this amendment, which is described hereafter.

In brief, this proposal would change the 5-percent benefit increase in the Mills bill to a flat $7 increase in the PIA on which the beneficiary's benefits are based. This increase would be applicable to all beneficiaries—old-age, survivor, and disability—and would be effective for the second month after enactment. Beneficiaries aged 65 and over would have the same hospitalization benefits as in the King-Anderson bill, effective for July 1965, except that the skilled-nursing facility benefits (in hospital-affiliated facilities) would have a maximum of 60 days (instead of 180 days) and except that a dynamic cost-sharing provision would be included which would operate—beginning in 1969—only if hospital costs rise faster in the future than do wages. The other benefit provisions of the Mills bill would remain unchanged; these "other benefits" would be effective for the last few months of 1964.

The proposal would be financed, in the aggregate, by increasing the $5,400 earnings base in the Mills bill to $5,600 and by increasing the contribution schedule therein by 0.9 percent as to the combined employer-employee rate in 1965, by 1 percent in 1966–70, and by 0.8 percent in 1971 and thereafter, as shown by the following schedule:

[In percent]

Calendar year	Employee rate[1]		Self-employed rate	
	Mills bill	Proposal	Mills bill	Proposal
1965	3.8	4.25	5.7	6.4
1966–67	4.0	4.50	6.0	6.8
1968–70	4.5	5.00	6.8	7.5
1971 and after	4.8	5.20	7.2	7.8

[1] Same rate for employer.

The DI trust fund would be financed by an allocation, with respect to the combined employer-employee contribution rate, of 0.67 percent of taxable payroll, beginning in 1965. A larger allocation than the 0.65 percent of taxable payroll in the Mills bill is necessary because the benefit increase of $7 in the PIA according to the proposal is larger than the 5 percent increase in all benefits in the Mills bill. The HI trust fund would be financed by an allocation, with respect to the combined employer-employee contribution rate, of 0.60 percent of taxable payroll for 1965 and 0.76 percent of taxable payroll for subsequent years.

Table 1 traces through the change in the change in the actuarial balance of the system under the Gore amendment from its situation under present law, according to the latest cost estimate (which was based on the calendar 1963 earnings level), modified by using fiscal year 1964 earnings assumptions, to that under the proposal, by type of major changes involved. The estimated actuarial balance for the entire program is shown to be −0.30 percent of taxable payroll, which is 0.08 percent higher than for the Senate Finance Committee version of the Mills bill under the assumption of calendar year 1963 earnings levels, but is just at the generally accepted "allowable upper limit".

Table 2 similarly traces through the long-range cost effects of the Gore amendment from what it was under the Senate Finance Committee version of the Mills bill.

Tables 3 and 4 show the net increases in the several trust funds under present law, under the Mills bill as reported by the Senate Finance Committee, and under the Gore amendment, respectively, by fiscal years and calendar years.

ROBERT J. MYERS.

TABLE 1.—*Changes in actuarial balance, expressed in terms of estimated level cost as percentage of taxable payroll, for Gore amendment of Aug. 31 as contrasted with present law*

Item	OASI	DI	HI	Total
Actuarial balance of present system:				
Calendar year 1963 earnings assumption	−0.10	−0.14	(1)	−0.24
Fiscal year 1964 earnings assumption	−.06	−.14	(1)	−.20
Earnings base of $5,600	+.28	+.03		+.31
Revised contribution schedule	+.18	+.17	+0.76	+1.11
Benefit increase	−.60	−.05		−.65
Child's benefits to age 22 if in school	−.09	−.01		−.10
Actuarially reduced widow's benefits at age 60				
Transitional insured status[2]	−.01			−.01
Hospital benefits			−.76	−.76
Total effect of changes in proposal	−.24	+.14		−.10
Actuarial balance under proposal	−.30			−.30

[1] No present system.
[2] For certain persons now near or over age 72.

TABLE 2.—*Changes in actuarial balance, expressed in terms of estimated level cost as percentage of taxable payroll, for Gore amendment of Aug. 31 as contrasted with bill reported by Senate Finance Committee*

Item	Increase in level cost
Change to $5,600 earnings base	−0.06
Increased contribution rates	−.81
Use of "fiscal year 1964" earnings assumption	−.04
$7 increase in primary insurance amount, instead of 5-percent increase	+.23
Hospitalization and related benefits	[1] +.76
Net balance for changes	+.08

[1] The cost of the hospitalization and related benefits provided by the King-Anderson bill would have a level cost of 0.85 percent of taxable payroll under a $5,400 earnings base. This is reduced to 0.76 percent of taxable payroll by the following factors:

	Percent
(1) Addition of potential cost sharing	−0.07
(2) Effect of $5,600 earnings base	−.01
(3) Reduction of maximum nursing facility days	−.01

TABLE 3.—*Excess of income over outgo for various proposals, by trust fund, fiscal years*

PRESENT LAW

[In millions]

Fiscal year	Trust fund			
	OASI	DI	HI	Total
1965	$181	−$200		−$19
1966	766	−252		524
MILLS BILL AS AMENDED BY SENATE FINANCE COMMITTEE				
1965	−$416	−$175		−$591
1966	196	60		256
GORE AMENDMENT OF AUG. 31				
1965	−$596	−$195	$600	−$191
1966	116	50	160	326

TABLE 4.—*Excess of income over outgo for various proposals, by trust fund, calendar years*

PRESENT LAW

[In millions]

Calendar year	Trust fund			
	OASI	DI	HI	Total
1965	−$75	−$234		−$309
1966	1,610	−280		1,330
MILLS BILL AS AMENDED BY SENATE FINANCE COMMITTEE				
1965	−$319	−$14		−$333
1966	523	38		561
GORE AMENDMENT OF AUG. 31				
1965	−$519	−$34	$680	$127
1966	413	28	290	731

SEPTEMBER 2, 1964.

Memorandum
From: Robert J. Myers
Subject: Cost analysis for Long amendment to H.R. 11865 as amended by Gore amendment.

This memorandum will present a cost analysis for the Long amendment to H.R. 11865 (amendment No. 1254) as this amendment would be amended by the Gore amendment (amendment No. 1256). A cost analysis for the Long amendment by itself was presented in my memorandum of August 31, entitled "Short-Range Cost Estimate for the Long Amendment of August 31 if Added to H.R. 11865 as Reported by the Senate Finance Committee".

In brief, the combined result of the several amendments would be to change the 5 percent benefit increase in the committee bill to a 7 percent increase in the primary insurance amount on which the beneficiary's benefits are based, with a minimum PIA of $45. Also, hospitalization and related benefits would be provided for beneficiaries aged 65 and over, in the same manner as in the Anderson bill (S. 880), effective for July 1965, except that the skilled-nursing-facility benefits (in hospital-affiliated facilities) would have a maximum of 60 days (instead of 180 days) and except that a cost-sharing provision would be included which would be operative (beginning in 1969) only if hospitalization costs rise faster in the future than does the general level of wages. The other benefit provisions of the Committee bill would remain unchanged.

The proposal would be financed by increasing the contribution schedule in the Committee bill by 0.4 percent as to the combined employer-employee rate in 1965–67 and in 1971 and thereafter (with no change for 1968-70), as shown by the following schedule:

[In percent]

Calendar year	Employee rate [1]		Self-employed rate	
	Committee bill	Proposed	Committee bill	Proposed
1965	3.8	4.0	5.7	6.0
1966-67	4.0	4.2	6.0	6.3
1968-70	4.5	4.5	6.8	6.8
1971 and after	4.8	5.0	7.2	7.5

[1] Same rate for employer.

Table 1 traces through the change in the actuarial balance of the system as it would be if H.R. 11865 were enacted with the Long amendment as amended by the Gore amendment, from its situation under present law, to that under the proposal, by type of major changes involved. The estimated actuarial balance for the entire program is shown to be −0.82 percent of taxable payroll; this is well in excess of the generally accepted limit of −0.30 percent of taxable payroll, but in this respect it should be noted that the "separate" Gore amendment to H.R. 11865 (amendment No. 1253) results in the actuarial balance of the system just meeting this criterion if "fiscal year 1964" earnings assumptions are used in the cost estimates. The latter amendment, whose cost is analyzed in my memorandum of August 31, entitled "Short-Range Cost Estimate for Gore Amendment of August 31 if Added to H.R. 11865 as Reported by Senate Finance Committee," would produce the same results as the Long amendment when amended by the Gore amendment (No. 1256) except that the increase in the PIA's would be $7 instead of 7 percent, the earnings base would be $5,600 instead of $5,400, and the tax schedule would be higher, as shown below:

[In percent]

Calendar year	Employee rate [1]		Self-employed rate	
	Long amendment [2]	Gore amendment [3]	Long amendment [2]	Gore amendment [3]
1965	4.0	4.25	6.0	6.4
1966-67	4.2	4.50	6.3	6.8
1968-70	4.5	5.00	6.8	7.5
1971 and after	5.0	5.20	7.5	7.8

[1] Same rate for employer.

[2] Amendment No. 1254 (tax rates not affected by Gore amendment, No. 1256).

[3] Amendment No. 1253.

Table 2 similarly traces through the long-range cost effects of the Long amendment as amended by the Gore amendment from what it was under the committee bill.

ROBERT J. MYERS.

TABLE 1.—*Changes in actuarial balance, expressed in terms of estimated level cost as percentage of taxable payroll, for Gore amendment to Long amendment, as contrasted with present law*

Item	OASI	DI	HI	Total
Actuarial balance of present system calendar year 1963 earnings assumption	−0.10	−0.14	------	−0.24
Earnings base of $5,400	+.23	+.02	------	+.25
Revised contribution schedule	−.23	+.15	+0.76	+.68
Benefit increase	−.59	−.04	------	−.63
Child's benefits to age 22 if in school	−.09	−.01	------	−.10
Actuarially reduced widow's benefits at age 60	------	------	------	------
Transitional insured status [1]	−.01	------	------	−.01
Hospitalization and related benefits	------	------	−.77	−.77
Total effect of changes in proposal	−.69	+.12	−.01	−.58
Actuarial balance under proposal	−.79	−.02	−.01	−.82

[1] For certain persons now near or over age 72.

TABLE 2.—*Changes in actuarial balance, expressed in terms of estimated level cost as percentage of taxable payroll, for Long amendment as amended by Gore amendment as contrasted with bill reported by Senate Finance Committee*

Item	Increase in level cost
Increased contribution rates	−0.38
7-percent increase in primary insurance amount, instead of 5-percent increase	+.17
$45 minimum primary insurance amount	+.04
Hospitalization and related benefits	+.77
Net balance for changes	+.60

Mr. GORE. Mr. President, I yield as much time as he may desire to the distinguished senior Senator from New Mexico [Mr. ANDERSON].

Mr. ANDERSON. Mr. President, I have been greatly interested in the discussion about financing. One would think from the debate today that there was not a particle of financial integrity in HARRY BYRD's system, in Douglas Dillon's system, or in Walter George's system, and that money is being thrown out the window.

The statement has been made that the fund is $330 billion out of balance. That statement might be accepted by someone who did not know anything about the insurance business. The only trouble with it is that if every claim on every policy possessed by an insurance company became due, that company would be insolvent. In other words, if Aetna Insurance Co. had to pay a death claim on every policy it has outstanding now, it could not do so. But the insurance companies do not operate in that way. They remain in business over a long period of years. They pay year by year the claims that arise, but they do not have to pay a death claim on every policy issued by the company every year. If they were required to do so, there would not be any insurance companies. Those who talk about the social security system in that vein ought to stop and go back to the fundamentals of insurance.

As the result of Senate and House deliberations in past years, imbalances have been produced. I do not believe that that would happen this year. If the Senate adopts the Gore amendment with the increases proposed by the Senator from Louisiana, the measure will go to a conference between the House and the Senate. I somewhat suspect that a man named WILBUR MILLS will sit with the fine conferees that will be named as conferees on the part of the Senate. That conference will decide that some things may have to give, and the conferees will end with a modified version which will not cost too much.

But if we assume that all provisions now in the Gore amendment would become effective, there would be a lack of balance of 0.30.

Does any Senator suggest that that is a very serious figure? It is not at all.

In 1954 the Congress passed a bill which was signed by the then President of the United States, which resulted in an imbalance of 0.38. That is more than the Gore amendment would result in if adopted with all the language contained in the amendment. We got along all right. The Treasury Building is still in its usual place. It did not collapse. The Federal Government did not go to pieces. The banks did not close. The rise in the wage level and various other things took care of that situation very nicely.

In 1961, under a different President, the Congress passed another bill, which resulted in an imbalance of 0.31. So in both 1954 and 1961 we passed and put upon the statute books by the vote of nearly every Senator, bills that called for a greater imbalance than would the amendment which we are now considering, even with the increase proposed by the House added to the increase proposed by the Senator from Louisiana and the amendment proposed by the Senator from Tennessee [Mr. GORE].

I hope, when time permits, Senators will read carefully the memorandum which I believe the Senator from Tennessee [Mr. GORE] has placed in the RECORD. That was the memorandum of August 31, 1964. I have gone to meetings of the Finance Committee when representatives of the Social Security Administration have been present. I have done so for a good many years. Robert Myers, who signed the memorandum, is highly regarded. If Senators who have been quoting the imbalance figures so freely do not trust him, let them rise on the floor of the Senate and say so, and see what sort of response they get from those of us who have watched him work. He is accurate, and does good work. He has stated what the situation is.

Similar questions have arisen before. Even back in the days of 1935 people said that awful things would happen to this fund.

But when the social security bill was before the Senate in 1962, certain questions were raised about the stability and financial reliability of the insurance fund. At that time I produced the latest trustees' report. It was signed by some very interesting individuals. It was signed by a man named Robert Anderson, who was highly regarded by a previous President of the United States, who made him Secretary of the Treasury. He went to New York and assumed financial responsibilities there. He was one of those signing the report. We found then that the system was in good financial condition.

I refer now to the latest report of the board of trustees of the Federal old-age and survivors insurance trust fund and the Federal disability insurance trust fund for fiscal year 1963, House Document 263. Those who wish to read it may do so. I do not believe that after one reads it he will believe anyone who suggests that the fund is $300 billion out of balance, because in this document it is stated:

> Thus, on the basis of the present long-range cost estimates, not only the program as a whole, but also each of the two subdivisions, would be in close actuarial balance.

Frankly, I would rather have the opinion of those people than some who have been testifying about the situation today, because the report was written and signed by Douglas Dillon, Secretary of the Treasury, who is the managing trustee of the trust fund.

Secretary Dillon is not unknown on either side of the aisle. He served in positions of responsibility under Republican as well as Democratic administrations. If someone has a question about his ability, he should challenge him as Secretary of the Treasury; but if he does not challenge him, he should accept the statement of the Secretary. He is a man who inherited a large sum and who has increased it and has made shrewd financial transactions. He is considered a conservative by some Members of this body.

The letter of transmittal was also signed by W. Willard Wirtz, Secretary of Labor. It was also signed by Anthony J. Celebrezze, Secretary of Health, Education, and Welfare. It was also signed by Robert M. Ball, Commissioner of Social Security and Secretary of the Board of Trustees.

Those individuals have been studying the problem very carefully. They say that on the basis of present long-range estimates, not only the program as a whole, but also each of the two subdivisions, would be in close actuarial balance.

It is further stated:

> It may be noted that under conditions of actuarial balance, the system will have sufficient income from contributions and from interest earned on investments to meet benefit payments and administrative expenses indefinitely into the long-range future.

That is one opinion I hope Members of the Senate will not overlook. It is easy to rise and say that things are terribly wrong, and that the fund is torn to pieces, but it would be a different thing to say in the Finance Committee, which discussed this matter, that the fund was several hundred billion dollars out of balance, because someone would answer that statement, and anyone who would make that accusation had better be prepared with facts. It is only on the floor of the Senate, where we can talk freely, that we hear statements of that kind.

I hope that Senators will recognize that the bill will have to go to conference. I was a member of the Ways and Means Committee of the House, and I am now a member of the Finance Committee of the Senate. When the conferees meet, the conference committee will be staffed by excellent personnel. I have no feeling whatever that, if the bill is passed with the Gore amendment and it goes to conference, WILBUR MILLS will suddenly become foolish after all these years of being careful. I believe I know who some of the members of the conference on the House side will be. I know who some of the conferees on the part of the Senate will be. One of them will be the Senator from Virginia [Mr. BYRD], who is highly regarded and who is known as being conservative in public affairs.

Another member of the conference will probably be the Senator from Louisiana [Mr. LONG]. Another will probably be the Senator from Florida [Mr. SMATHERS]. On the Republican side members of the conference probably will be the Senator from Delaware [Mr. WILLIAMS] and the Senator from Kansas [Mr. CARLSON].

Those are the ones who are going to sit down and settle this issue. Who believes that they are going to do something that would result in throwing the fund billions of dollars into imbalance? I do not believe it. I trust them. I believe they will produce something worthwhile.

This question should be handled on its own merits. Some Members of the Senate have said that they would vote for it if the bill had been reported in a proper fashion. I have tried to do it. We shall have an opportunity to vote on it. At one time the committee voted not to hold hearings on the measure. When it reached the floor, some Senators said that if hearings had been held on it, they might have voted for it. This time hearings were held. The Senator from Tennessee has seen that the measure has reached the floor of the Senate. So I do not believe the former contention can any longer be made. There have been exhaustive hearings, day after day and week after week, particularly on the Gore amendment.

Bear in mind that there were no hearings on the Long amendment in the committee. It was never presented in the committee. It was considered only when it was offered on the floor of the Senate.

One Member said he would like to have an opportunity to vote on the bill alone. Certain Senators I could name on this side of the aisle made efforts to see that that could not happen. Now that it is here, I believe we ought to vote favorably upon it.

Mr. GORE. Mr. President, I yield to the distinguished junior Senator from Connecticut [Mr. RIBICOFF] such time as he may desire.

Mr. RIBICOFF. Mr. President, as I sat at this desk and looked up at the galleries I saw the man who succeeded me as Secretary of Health, Education, and Welfare, the Honorable Anthony Celebrezze. My mind went back to 2 years ago, when I occupied a similar seat in the galleries. Looking down as the Senate voted on the King-Anderson bill, I recall my deep disappointment then when, by a close vote, the measure was defeated.

I realized then that, so far as I was concerned, legislation as vital as this would require much more than a seat in the gallery, or speeches by me across the country. I realized, as a member of the executive branch, that the decision to provide adequate health care for the aged would have to be made on the floors of the two Houses of Congress.

I am pleased now to be a Member of this great body, for instead of sitting in the gallery, as a Senator I can at least cast my vote for the Gore amendment; I can cast my vote for 18 million Americans who are over 65 years of age; I can cast my vote in favor of a proposal to solve what I consider to be the greatest need of our older citizens in the United States today.

I am convinced that there is nothing further that one can say in the debate that will change one vote. I am convinced that, in spite of the argument made for or against the bill, there is not a man or woman in this body who does not know the intricacies and the arguments for and against health care for the aging under social security. It is the most controversial domestic issue that has been before the Congress in many years. It has been debated. It has been discussed. It has been argued through the newspapers, over the radio and television, and on public platforms. I also believe that there is not a man or woman who has run for Congress who has not had to take a stand on this important issue.

Under the circumstances, there is nothing that anyone can add to what has been said which would influence even one vote in the Senate. In spite of the arguments that have been made by me and other Senators, for and against what is before us, the issue is clear. The vote which each Member of this body will cast today will say to the people of this country and to the people of his State, "I am for, or against, health care for the aging under social security."

In addition, he will be saying something else. Should the pending amendment fail today, should it be turned down by the Senate, and should the Long amendment be adopted, it is my prediction that it will be many a cold winter before there will be any hope for 18 million aging Americans that their basic health needs will ever be met under the social security system. When we use up the last precious pennies that are being used to finance the Long amendment as we go toward a tax vote of 10 percent and above, we make it economically infeasible, we make it practically infeasible, and we make it politically infeasible to achieve health care for the aging under social security.

Let us also realize that the Kerr-Mills program, which is advocated by those who are against our proposal, is not a real solution, because if the Kerr-Mills plan were carried to its logical conclusion, it would place a burden on the general revenues of the United States in a sum far exceeding what has been requested through fixed contributions under the social security system.

If this amendment is rejected our answer to the country today—to the 18 million older Americans and their children and grandchildren—and to the thousands of other Americans who will reach age 65 during the next decade, is that on this day in the Senate more than one-half of the Senators present and voting voted against taking care of the basic health needs of 18 million Americans. That will be the answer that will go out to the country. I am hopeful that it will not and the amendment will carry.

I have concluded my remarks. I do not assume that I have changed a vote, but I believe that we should face the issue clearly. The vote today will decide what we shall do to take care of one of the greatest needs of the people of our Nation.

I yield 2 minutes to the Senator from Oregon.

Mrs. NEUBERGER. Mr. President, it is with some humility and temerity that I find myself speaking on the floor of the

Senate following the two previous speakers, both of them former members of the Cabinet and both with long experience in the field of doing something to help our aging population anticipate and prepare for their declining years in the area of health care.

Mr. President, once again the Senate has an opportunity to distinguish itself. Our approval of the Gore amendment today would mark another milestone in the road toward the "great society."

I have been an active member of the Special Committee on Aging since its establishment. I have had an opportunity over the years to study the problems and potential of our older Americans at firsthand.

Clearly, the greatest single threat to the ability of the elderly to live in continued independence and dignity is the overriding and very real fear of the financial catastrophe resulting from the inevitable and recurrent costs of hospital and related care.

The program which would be established by the Gore amendment is not represented as the complete answer to the pervasive problem of the high costs of necessary health care. What would be established, however, is a basic floor of protection against those items of expense which have the greatest impact in the shortest period of time—those expenses associated with hospital care.

What we seek to accomplish with this program is to assure our millions of fine older Americans—and those future generations of elderly—that the hard-earned savings and effort of a lifetime will not be swept away overnight through circumstances over which they have no control.

There are public and private programs in existence which afford some help to some of our older people. I am speaking of Kerr-Mills MAA and private health insurance. But, as presently constituted, both Kerr-Mills and private health insurance are totally inadequate means of coping with a major problem. Perhaps, they could function more effectively as complemental or supplemental programs to a social security-financed hospital insurance program. I certainly hope so.

Simply stated, Kerr-Mills MAA is not a national solution to a national problem. Eligibility requirements and benefits vary from State to State depending upon whatever matching funds a given State is able to scrape up or is willing to appropriate. Where Kerr-Mills is in operation, the programs are not tailored to the health needs of the elderly but rather to the funds available. How else can one explain programs which provide only 10 or 15 days of hospital care during an illness? Or, authorize one or two physician visits a month, regardless of the type or degree of illness?

But there exists a basic failing in the Kerr-Mills approach which has always disturbed me. Kerr-Mills does not prevent indigency—it only functions after the older person has reached a dependency level. What we seek is to prevent dependency. The way to achieve that is by means of an insurance program which affords help as soon as illness strikes and thereby helps preserve and conserve the irreplaceable financial resources of our older people. Thus, after a period of illness, with their assets relatively intact—thanks to the insurance program—continued independent living is possible. And, of course, social security hospital insurance would not subject the elderly to the indignities which are part and parcel of welfare care.

Private health insurance has, in instances, made substantial strides in extending coverage to the aged. But, in most instances, the coverage is inadequate. The Subcommittee on Health of the Elderly found that only one in four of our older people hold hospital insurance policies which might be characterized as adequate under the definition established by the American Hospital Association.

The problem of covering the aged adequately is virtually insoluble for private insurance. The elderly use far more benefits than do younger people and thus higher rates must be charged if adequate coverage is to be provided. But, the sharply reduced income during the retirement years makes it virtually impossible for older people to purchase adequate insurance. And higher and higher hospital costs drive premium charges up and up ever further beyond the reach of the limited pocketbooks of our older Americans.

We must act affirmatively today. The need is recognized, the proposal is sound, our duty is clear.

Mr. GORE. I yield 1 minute to the Senator from New Jersey.

Mr. WILLIAMS of New Jersey. Mr. President, today we have an opportunity to honor the pledge of Presidents Kennedy and Johnson and the Democratic Party to 18 million older Americans and their families.

Today we have an opportunity to vote for the enactment of a program that will help meet the needs of all the generations—young and old—now and to come. Today we have an opportunity to preserve and strengthen the independence and dignity of our older people.

If we act today, grandparents and parents will no longer have to make tragic appeals to their families for financial help with the hospital bills which beset them.

If we act today, grandparents and parents will know that their children and their children's children will not have to deprive themselves of educational opportunity and of provision for their own futures, in order to pay the health expenses of their older relatives.

If we act today, grandparents and parents will know that their children and their children's children will no longer have to undergo extensive welfare department investigation before health benefits are made available.

If we act today as we should act, children and grandchildren will know that their parents and grandparents will receive hospital insurance benefits through a dignified and time-tested mechanism. They will know that the benefits will be made available as soon as needed, and without the indignity of means tests. Their children and their grandchildren will know that those they love and respect will not be forced to plead for family help. After a lifetime of hard work, older Americans want, and are entitled to, independence and dignity.

It is not that children and grandchildren do not want to help, or would not help to the limit of their ability. Most families now assist to some extent with the routine living expenses of their older members. But the high and unpredictable costs of necessary health care put an unusual strain on family finances; and the pending measure would ease it substantially.

The children and grandchildren of today's elderly know that they are not only helping to provide for their parents and grandparents; they are also providing for their own retirement years. They are helping to assure that during their latter years they will have the same measure of dignity and peace of mind which they seek now for their parents and their grandparents.

Mr. President, today we have an opportunity to help enact a program which will benefit all Americans of all ages.

Mr. GORE. I yield 1 minute to the Senator from Michigan.

Mr. HART. Mr. President, for several years I have supported the Kennedy-Johnson program of hospital insurance for the elderly. It is, I believe, the most effective available means of meeting the health needs of our senior citizens.

Nor is my opinion changed by the return trip the Republican presidential nominee has made in order to vote against the social security approach to hospital care of our senior citizens.

To cite just a few reasons why this medicare program is of particular importance to the citizens of Michigan, I call attention to a few, simple, undisputed facts.

First, we have today in Michigan some 685,000 people who are 65 and over. It surprises many that Michigan has more senior citizens than Florida, a State often considered to be the haven of the aged.

Second, the percentage of our elderly who already qualify for social security is high. Last December in Michigan, 803 persons out of every 1,000 aged 65 and over were drawing social security retirement payments. This is the second highest percentage in the Nation.

In 1963 alone, more than $425 million was paid under the old-age insurance program to elderly residents of Michigan. In 1963, a total of $705 million was paid out in Michigan under all social security programs. This figure in itself should be a sobering rebuttal to those who would make social security a "voluntary" program.

Third, even with these large social security payments, Michigan's older citizens are facing difficult financial problems. The latest U.S. census information shows 48 percent of the aged husbands and wives in Michigan with incomes of less than $3,000. This is below what is commonly accepted as the poverty level of subsistence.

And 83 percent of the aged who were single, and who had any income at all, received less than $2,000 a year. Sixty percent had less than $1,000 in annual income.

Objective observers agree that the record of the Congress now about to close its books is one of extraordinary achievement. It should not close its books, however, until we make good on our long-promised program of hospital care for older citizens within the social security system.

There are those who would argue that an elderly couple may enjoy a "reasonably adequate living" on $2,000 a year. I doubt this is true either in Michigan or elsewhere.

As a matter of fact, far too many elderly persons in Michigan have been forced to turn to the relief rolls. Some 50,000 older Michigan citizens receive an average of $85 a month under the old-age assistance program. This is, at best, a bargain-basement existence.

I have said many times in the past that the Kerr-Mills program in effect in Michigan, with its degrading means test, offers too little for too few people.

While it has been of value as a supplement to the social security program, it is not now and never will be a substitute for the King-Anderson program.

The stringent eligibility requirements of Kerr-Mills in Michigan excludes thousands of elderly people who desperately need help with their hospital bills. Thousands more, too proud to beg for relief, will not apply.

To qualify for Kerr-Mills assistance in Michigan, the annual income of an aged couple must be less than $2,700. Thus, an elderly couple with $2,701 income in 1 year would not be eligible for 1 penny of help even though faced with thousands of dollars in medical expenses.

But on the other hand, a couple with an income of $2,699 per year—$2 less—could get help even though their hospital bill was less than $100.

This demonstrates the injustice of an arbitrary cutoff point on income eligibility.

There should be a liberalization of these stringent eligibility laws for the Kerr-Mills program, but even such a liberalized Kerr-Mills law is not the final answer.

Call it by any name you want, the Kerr-Mills program still remains a relief program.

In my mind, "relief" programs should be a last-ditch recourse to be employed when no acceptable alternative is available. The older people of Michigan and all the States are entitled to a program under which their independence and dignity are respected.

That is why I have long supported efforts here in the Senate to adopt the social security approach to financing hospital and nursing home care. It enables broad provision while one is young and gainfully employed to make provision for the later years.

This approach is sound because it does not require that lifetime savings be virtually exhausted before help is forthcoming.

It is sound because it does not require that older people must spend large portions of their limited incomes for health care at the expense of food, clothing, and other household expenses.

This is a sound approach because it does not require the would-be beneficiary to give the State a claim on his home collectible after death.

It is sound because I believe that after a lifetime of prudent and independent living our older citizens should be spared the possibility—one might even say the probability—that they will be pauperized by a serious illness which they can neither predict nor against which defend themselves.

Mr. LONG of Louisana. Mr. President, I yield to the Senator from Hawaii such time as he may require.

Mr. FONG. Mr. President, 2 years ago the Senate engaged in a great debate over hospital insurance plans for the aged. All proposals were defeated, including the administration-backed Anderson-Javits plan, which lost on a very close vote of 52 to 48.

I did not believe then that the Anderson-Javits proposal was the proper answer to medical care for our aged population.

I do not believe now that the Gore amendment No. 1256, which is a direct descendant of the Anderson-Javits proposal and which is essentially the King-Anderson bill is the proper answer. It differs from the King-Anderson bill in that it provides for higher taxes, less nursing home care, and requires cost-sharing of hospital expenses under the long-term option. In addition, it is contemplated that a $7 across-the-board social security benefit increase will be offered if amendment No. 1256 is adopted. These two features make up Gore amendment No. 1256 offered in place of H.R. 11865 as reported by the Finance Committee.

All of the fundamental defects and all of the fundamental dangers of the Anderson-Javits proposal of 2 years ago remain in the Gore amendment. Events since then have only reinforced the arguments against this approach to aged medical care.

BETTER WAYS TO PROVIDE AGED MEDICAL CARE

I believe there are better ways to help those millions of persons past age 65 obtain protection against costly illness.

I believe an adequate medical care program for the aged who cannot finance such care should provide comprehensive coverage including doctor's care, should allow each person freedom of choice as to hospital, nursing home, and doctor, and should be financed out of general revenues so as to distribute the cost of the program as fairly as possible.

Over the years, I have sponsored proposals to accomplish this. I joined in an amendment to the pending bill, H.R. 11865, under which the Federal Government would contribute one-half up to $90 toward the premium of comprehensive health insurance for persons past 65.

Unfortunately because of the present parliamentary situation, this amendment cannot be brought up at this time for a vote before Gore amendment No. 1256 is voted on.

Under this plan, called health insurance 65, the Federal Government would pay up to $75 toward the cost of a short-term illness insurance policy. The policy would have to include at least the following benefits:

Up to 45 days of inpatient hospital services at up to $30 a day.

Nursing home care up to 90 days at up to $15 a day after transfer from a hospital stay of at least 72 hours.

Up to $200 in surgical services.

Up to three visits to doctors' offices at up to $5 per visit.

Up to $60 in outpatient hospital services, including diagnostic, X-ray, and laboratory services.

Outpatient surgical services.

Visiting nurse services of up to 10 days.

If a person desired protection against long-term illness, the Federal Government would pay up to $90 toward the premium of a policy which provided at least the following:

Up to 75 days of inpatient hospital services at up to $30 a day.

Up to 150 days of nursing home care at up to $15 a day upon transfer from a hospital stay of at least 72 hours.

Up to $300 in surgical services.

Up to five visits to a doctor's office up to $5 per visit.

Up to $90 of outpatient hospital services, including diagnostic, X-ray, and laboratory services.

Outpatient surgical services.

Visiting nurses services for up to 30 days.

COMPREHENSIVE CARE—FAIR COST DISTRIBUTION

When Congress decides to embark this Nation on another medical care program for aged persons, we should provide a program that does the job—not a fraction of the job—and distribute the cost as fairly as possible—not saddle one segment of our people with what inevitably will prove very costly.

EXISTING SITUATION

Before legislating on this important and far-reaching problem, Congress must take stock of the situation existing today. We legislate in the context of the present and in anticipation of the future.

First, let us consider the existing situation.

OLD-AGE ASSISTANCE

For older persons without resources, the program of old-age assistance provides medical care without cost to the aged individual. This program should be improved. More than 2 million aged persons receive medical care under old-age assistance each year. States have improved the old-age assistance program and should make even further improvements.

MEDICAL ASSISTANCE TO AGED (KERR-MILLS)

For elderly persons who are able to pay their normal living expenses but who cannot finance costs of medical care, Congress in 1960 enacted the program of medical assistance to the aged. Federal law permits very comprehensive coverage to be provided by States, if they desire, and does not impose any means test upon aged persons.

In order to take care of those aged persons most in need of assistance, the States in implementing the Federal law have imposed eligibility requirements. In some States, a means test has been approved by the State legislature and in some States relatives have some responsibility to help the aged with their medical bills.

I wish to emphasize that such requirements are not imposed by the Federal Kerr-Mills Act. They are imposed by the State legislature, and if the people of those States object to such requirements, they should urge their legislatures to repeal them.

The Kerr-Mills Act imposes very few limits on the kind and the extent of medical care States may provide. It is up to the States to determine who is eligible for Kerr-Mills aid for the act only requires that the aid go to recipients "whose income and resources are insufficient to meet the costs of necessary medical services."

Under such a broad definition, the States can make eligible all who need assistance and can furnish a very broad range of medical services.

The Federal Government will contribute from 50 to 80 percent of cost of States Kerr-Mills program. There is no dollar limit on the Federal share.

Under the Federal law, no durational residence requirement can be made by States and no liens can be placed against an aged person's property while he or his spouse is alive.

I believe the States should liberalize both benefits and eligibility requirements for Kerr-Mills assistance.

In spite of all the lack of enthusiasm by the Federal administration for the Kerr-Mills program, it is worth noting that in the hearings just held by the Senate Finance Committee the administration disclosed it does not recommend repeal of this act.

As of June 30 this year, 33 States and 4 jurisdictions had put Kerr-Mills programs into operation. In addition, two States had submitted plans to the Department of Health, Education, and Welfare although they were not in operation; two States were preparing their plans; two more States had enacted laws and one was in process; and three States have authority for Kerr-Mills but its implementation is indefinite.

In Hawaii, we have a very comprehensive Kerr-Mills program, termed "a wonderful program" last year by an official of the department of social services. The Department of Health, Education, and Welfare has listed Hawaii as one of four States providing "a comprehensive scope of medical services under MAA" which pay for "hospital care, nursing home care, practitioners' services, dental care, and pharmaceutical services with no significant limitations on conditions needing care or on extent of care."

In the year ending June 30, 1963, 338,200 persons had received Kerr-Mills—MAA—aid throughout the Nation at a cost of $239.2 million.

In May this year, 181,056 persons received MAA assistance at a total cost nationwide of $35,219,429. In Hawaii, 506 aged persons received MAA aid at a cost of $157,654.

For the entire fiscal year 1964, an estimated 452,600 persons throughout the Nation received MAA assistance at total estimated costs of $390.6 million.

In Hawaii, preliminary figures submitted to me show $1,750,000 were expended for MAA recipients in fiscal year 1964. There were an average of 508 persons a month helped under MAA for the last 6 months of the fiscal year.

For fiscal year 1965, total expenditures for MAA are estimated at $451.4 million, of which $235.2 million will be the Federal share. An estimated 532,100 persons would be aided.

There is no way of determining exactly how many older persons are eligible for MAA aid. At the time the act was passed some 10 million people were estimated to qualify.

PRIVATE INSURANCE

Last April hearings of the Senate Subcommittee on Health of the Elderly which I attended, disclosed that from 9 to 10 million of the 17 million noninstitutionalized Americans past 65 have Blue Cross or other private health insurance coverage.

Unfortunately, the majority report distorted the record of hearings by failing to cite the obvious progress made in health protection for older Americans. It lacks balance and objectivity by ignoring the substantial public service rendered by nonprofit Blue Cross and private insurance companies in behalf of the aged.

The evident bias of the majority report against voluntary health insurance is very disturbing, for the total impact seems designed to undermine confidence of existing policyholders and prospective policyholders—aged and young alike—in fine organizations like Blue Cross.

This is a great disservice to the people of America.

For the majority report to condemn the vast majority of voluntary aged health insurance as inadequate and then to recommend instead the administration's hospital insurance plan, which administration spokesmen admit will cover only 25 to 30 percent of aged health care costs, is inconsistent to say the least.

In individual views submitted on these hearings, I summarized the situation as follows:

> 1. Over the past 10 years, tremendous progress has been made in health insurance benefits and care for the aged and in numbers of persons past 65 having health insurance coverage.
>
> Broader, more comprehensive benefits, guaranteed renewable (nonrevocable) provisions, group insurance, mass enrollments, and other improvements described in the hearings are solid evidence of progress.
>
> Further improvement in aged health insurance is expected.
>
> 2. Some 54 to 60 percent of the Nation's approximately 17 million noninstitutionalized people age 65 or older have voluntary health insurance. Another 12 to 14 percent of this aged group have medical coverage through old-age assistance, and an indeterminate additional number are eligible for medical assistance for the aged.
>
> 3. Approximately one-half of those with voluntary health insurance are under nonprofit Blue Cross protection; the other half have insurance written by private companies, many of which are nonprofit.
>
> 4. A great variety of health insurance plans are presently available from which the elderly may choose policies best matching their needs and willingness and ability to pay.
>
> No accurate judgment is possible as to how many older persons have adequate coverage. What is adequate for one person may not be adequate for another. What is adequate in a low-cost area may not be adequate in a high-cost area. The hearing record did not develop sufficient information on adequacy.
>
> 5. Costs of health care are rising and this trend is expected to continue. Whether health care is financed through Government expenditures or individual insurance premiums, such financing must be adjusted from time to time to reflect these rising costs.
>
> * * * * *
>
> The hearings showed that there are presently available for older persons policies offering comprehensive hospital, surgical, and other major medical benefits on a guaranteed renewal basis. The premiums naturally reflect the comprehensive benefits.
>
> From the hearings it is clear that those who can afford and who are willing to pay the premiums for such coverage can obtain it.
>
> It is also clear from the hearing record that some—how many no one knows—of those 65 and older cannot afford to pay the premiums for the best policies available.
>
> The central problem in providing health insurance protection is financing.
>
> Available statistics on the financial status of our aged population are very sketchy, too incomplete to derive an accurate picture. It is reasonable to say, however, that a good many older persons lack the wherewithal to buy comprehensive health insurance.

THE JOB REMAINING

Old-age assistance takes care of those without any resources. Kerr-Mills takes care of those who cannot take care of big medical expenses although they are otherwise self-sufficient. The affluent elderly can buy their own insurance.

It is those people not in the above three categories who need financial assistance in protecting themselves against medical and doctor bills.

GORE AMENDMENT (KING-ANDERSON BILL) NOT THE ANSWER

But the Gore amendment—the administration plan—is not the answer.

Here is what the administration plan provides:

First. A choice of one of the three hospitalization plans—this is a once-in-a-lifetime choice; once made a person can never change it: (a) 90 days with a $10 deductible each day up to 9 days—$20 minimum deductible—or if he chooses, (b) 45 days with no deductible, or if he chooses, (c) 180 days with a deductible of whichever is smaller first, 2½ times the daily rate throughout the Nation, or, second, charges customarily made for such services by the hospital furnishing them.

Note: If hospital costs rise after 1965 and the earnings base is not changed proportionately, in 1969 beneficiaries of hospitalization will be charged a daily differential—national average per diem rates in 1964-65—$36—and the average per diem rate for the 2 years prior to 1969. This adjustment will take place every 2 years thereafter to take into account later hospital cost increases—hospital costs have been rising 7 to 8 percent a year.

Second. Up to 60 days in a skilled nursing facility, after the patient is transferred from a hospital to an institution under control of or affiliated with a hospital.

Out of some 23,000 nursing homes and related facilities in America, there are 9,700 well skilled nursing homes under Public Health Service definition. Two years ago, it was said about 1,000 nursing homes would qualify to participate under the King-Anderson bill. The American Medical Association estimates only 500 would qualify.

In Hawaii, there are 25 nursing homes, 11 of which are hospital-affiliated.

Third. Up to 240 home health service visits a year by a visiting nurse or other health worker on a part-time basis.

Fourth. Outpatient diagnostic services, subject to a $20 deductible per 30-day period.

Diagnosis could only be conducted by hospital interns or residents in the outpatient clinic of a participating hospital—not by a doctor or a clinic selected by a person.

These benefits, according to administration spokesmen, testifying before the House Ways and Means Committee, would cover 25 to 30 percent of the average medical costs of persons past age 65.

WHAT GORE (KING-ANDERSON) DOES NOT PROVIDE

Here is what a person could not receive under the administration plan:

First. No private accommodation in a hospital—unless medically necessary.

Second. No physicians' or surgeons' services—except hospital interns and residents in training or where customarily paid for as part of hospital service in the fields of pathology, radiology, physical medicine, rehabilitation, and anesthesiology.

Thus, it would not cover costs of surgery, doctors' calls at the hospital, doctors' calls at the home, or visits to doctors' offices.

Third. No private duty nursing care.

Fourth. No drugs and medicines not customarily furnished by a hospital or nursing home.

Fifth. No home health care drugs or outpatient drugs.

Sixth. No dental services, laboratory, and X-ray services except those customarily furnished by a hospital.

Seventh. No prescriptions—unless in a hospital or nursing home which customarily furnishes the drug.

Eighth. No eyeglasses.

Ninth. No supplies or appliances after a person is discharged from a hospital or after his home health care visits end.

Tenth. No physical therapy and related services except those customarily furnished in a hospital.

By these omissions, the average aged person would have to provide somehow to pay for 70 to 75 percent of his medical expenses.

ELIGIBILITY FOR GORE (KING-ANDERSON) PLAN

First. All persons age 65 or over who are eligible to receive social security or railroad retirement benefits. The cost of providing King-Anderson benefits to this group would be financed out of higher social security and railroad retirement taxes on workers and their employers.

Second. Also, all persons not insured under social security or railroad retirement who reach age 65 before 1967, or all those reaching 65 after 1966 who have three quarters of employment in a job covered by social security for each year after 1964 and before they reach age 65.

The cost of those ineligible for social security or railroad retirement would be paid out of general revenues of the U.S. Treasury.

COST OF GORE (KING-ANDERSON) AMENDMENT

The U.S. Department of Health, Education, and Welfare has estimated that the original Gore—King-Anderson—plan—amendment No. 1178—would cost $1½ billion in 1966 and $2,090,000,000 in 1969. Gore amendment 1256 which reduces the nursing home provisions and provides for patients to share hospital costs would, I suppose, reduce this estimate somewhat.

In this connection, it should be noted that the Department of Health, Education, and Welfare estimates, both as to cost and as to taxes needed to finance cost, have customarily been too low. Apparently, the assumptions used to calculate costs have been too conservative.

Obviously if costs are estimated too low, the taxes required are also estimated too low.

The Senate Finance Committee heard testimony from private insurance witnesses that their actuarial studies show costs would be much higher.

One study estimated costs for OASDI and non-OASDI eligible persons past 65 indicate cost in 1966 of $3,364,000,000 as against the administration's estimate of $1,530,000,000. Costs for railroad retirees which were not computed would be additional to the $3.364 billion.

Another witness before the Senate Finance Committee, Mr. Walter McNerney, president of the Blue Cross Association, furnished information stating that the Department of Health, Education, and Welfare's estimated costs for Gore amendment 1178 "are between 25 and 40 percent understated for the first year, and that there may be a continually rising degree of understatement during the next few years."

If the Department of Health, Education, and Welfare estimate for 1966 is 25 percent understated, the cost would be $2 billion and if it is 40 percent understated, the cost would be $2,550,000,000.

The assumptions on which cost estimates are made determine the estimated tax rates. If in the next 10 years hospital costs rise 3 percent more than earnings—as they did in the last 10 years—the tax would have to be 1.35 percent of payroll or 0.675 percent on workers and 0.675 percent on employers under a $5,400 wage base. This computation was made by the Department of Health, Education, and Welfare's chief actuary.

The administration assumes the wage base will be raised by Congress and therefore 0.85 percent of payroll is sufficient tax. According to the chief actuary, the taxable earnings would be raised up to $5,800 in 1965 with subsequent periodic increases until taxable earnings reach $10,000 in 1985.

If costs estimates are too low and the social security and railroad retirement taxes proposed under the Gore amendment are too low, the taxes levied on workers and their employers would not be sufficient to keep the health insurance fund actuarially sound.

TAXES FOR GORE AMENDMENT NO. 1256

The pending Gore amendment No. 1256 does not contain any provisions for financing the hospitalization, nursing home, and other benefits. These benefits are similar to the King-Anderson bill benefits of Gore amendment No. 1178, except that instead of 180 days nursing care, only 60 would be provided and patients would be subject to payment for higher per hospital day costs.

Some idea of the taxes required for Gore amendment No. 1256 can be obtained by looking at the proposed tax for the King-Anderson bill—amendment No. 1178. Under amendment No. 1178, earnings up to $5,400 would be taxed—$4,800 now—and the tax rate would be increased by 0.425 percent on employees and 0.425 percent on employers.

GORE (KING-ANDERSON) WILL COST MORE THAN $1 A MONTH

To sell the King-Anderson program as costing workers only $1 a month for their working lives is pure falsehood. It will cost more than that even to start—and there is no end in sight to the cost of this program.

Hospital costs have been rising at an average of 7 percent a year for the past 10 years, compared with about a 3-percent rise in earnings. There is nothing to indicate hospital costs will stop rising. In fact, in the first quarter of 1964 they rose 8 percent above the last quarter of 1963.

The money to pay for this program has to be raised, so if costs rise either social security taxes or the taxable earnings will have to be increased and this will shatter any dreams of a $1 a month contribution.

GORE (KING-ANDERSON) PLAN A PERMANENT PROGRAM

Once inaugurated, the King-Anderson program would be a permanent program—so we would be legislating for the endless future. We must consider not only those 15¾ million persons past 65 who would be given these benefits without having paid a penny into the social security fund. We must also consider the workers under 65, who will be paying taxes to pay for the benefits these 15¾ million persons would receive.

We must also consider that eventually workers will be paying taxes their entire working years—as much as 45 years and maybe longer, depending on when they first begin to work.

When we consider these things we will better comprehend and evaluate what burdens we would be imposing on them.

ANALYZING GORE (KING-ANDERSON) PROPOSAL

This is a plan that goes to the very heart of our system of medical care in America and to the relationship between the Federal Government and private citizens.

It is a step from which there is no turning back.

If we err in adopting this plan, we shall err irrevocably.

After studying the evidence to date, I have concluded that the compulsory Gore amendment with its social security approach is neither adequate nor desirable for the following reasons:

TOO LITTLE FOR AGED NEEDING HELP

First. It gives too little to those who need help. Administration spokesmen concede it will cover only 25 to 30 percent of average medical costs of persons past 65.

This leaves the elderly to find some means of paying 70 to 75 percent of their medical bills.

HELPS THOSE WHO DO NOT NEED IT

Second. It provides help for those who do not need it.

By providing coverage for those who can afford their own medical care, the Gore—King-Anderson—plan provides too little help for those who do need it.

There is no income limitation. Benefits would go to eligibles over 65 years, regardless of their financial status. A millionaire would be entitled to the same benefits as a person with $2,000 a year income. So what the Gore—King-Anderson—plan says is: "We will pay only 25 to 35 percent of medical expenses of you folks with low income so that we can help those with high incomes who could pay all of their own bills."

Why do we not give more assistance to those who really need it and let those who can afford it pay their own bills?

There is no retirement test. A person could still be working after age 65 drawing full salary and still receive as much in benefits as those who have retired and are living on shrunken incomes.

In the case of old-age and survivors' insurance, we tell people they must be retired or, if still working and earning more than $1,200, their social security benefits are reduced.

But under King-Anderson, people would not have to retire and they could earn any amount and still be entitled to full medical benefits under this plan. The Gore—King-Anderson—plan therefore departs from the social security approach which applies a work test, which calls for retirement and which is a wage-related benefit.

Regardless of whether a person is working or retired and regardless of his past earnings, persons past 65 with sufficient quarters in jobs covered by social security or railroad retirement could receive identical benefits under the Gore—King-Anderson—plan.

GORE (KING-ANDERSON) DEPARTS FROM TRADITIONAL SOCIAL SECURITY

Third. Providing service benefits as the Gore—King-Anderson—amendment proposes departs from the social security wage-related cash benefits programs.

When social security cash benefits are raised, it is easy to compute the taxes needed to finance them.

But when services are provided with no ceiling on costs, the program becomes one of limitless growth and limitless taxes.

Even now, we are fast approaching the time when workers will pay more in social security taxes than in income taxes to support their individual share of all Government programs. Under H.R. 11865, a married self-employed man, with wife and two children, earning $5,400 will in 1968 pay more social security taxes than Federal income tax. If the Gore—King-Anderson—plan is added to H.R. 11865, he will pay more social security tax than income tax in 1966.

GORE (KING-ANDERSON) FINANCING VERY UNFAIR TO WORKERS

Financing medical care for the aged out of social security taxes is very unfair to workers. It puts the burden of costs solely on wage earners and their employers, regardless of their income or ability to pay.

It is a very regressive tax. It would hurt most those in the lowest wage brackets.

About one-fifth of American families do not pay income taxes because their yearly wages are too low. Just this past February, Congress reduced income taxes, relieving 1,500,000 low-income people of Federal tax liability.

Now the administration asks us to raise social security taxes on all earnings up to $5,400 or even $5,600. Social security taxes begin on the first dollar of earnings—no personal exemptions and no deductions are allowed before computing social security tax.

So this Federal hospitalization program would mean a deeper cut for many millions of small income people—and to help many who can well afford to take care of their own bills.

EVEN BLIND AND HANDICAPPED WOULD BE TAXED

Fifth. Even those of the blind, the handicapped, and the farmworkers who pay social security taxes would be taxed to pay for health care of the well to do.

WORKERS PAY THREE WAYS FOR GORE (KING-ANDERSON) PLAN

Sixth. Actually, for the Gore—King-Anderson—bill, workers under social security and railroad retirement would pay three ways: First, through higher social security taxes; second, through their income taxes if any, that go to general revenues which will pay for some 2¼ million aged blanketed into the program with costs paid out of general revenue; and, third, through higher prices of products he buys from employers whose social security tax goes up under the bill.

This is a terrific wallop to the little wage earner.

In fact, all consumers would pay higher prices whenever producers have to raise prices of their products because higher social security taxes add to their costs.

FORTY PERCENT OF TAXABLE INCOME UNTOUCHED

Seventh. Social security financing would allow 40 percent of all taxable income in America, including income of 9 million workers not in social security-covered jobs, to escape responsibility for helping in this program—except general revenues are needed for the 2¼ million people past 65 not eligible for social security or railroad retirement.

Once the 2¼ million people are taken care of, benefits would go only to those with sufficient social security or railroad retirement work experience.

NO AID FOR 9 MILLION NOT ON SOCIAL SECURITY

Eighth. No assistance whatsoever would go to the 9 million workers not now on social security-covered jobs when they reach age 65.

GORE (KING-ANDERSON) FINANCING A DRAG ON ECONOMY

Ninth. Social security taxes on payrolls which hit low-income wage earners hardest are a drag on the national economy for they reduce disposable income of the very people most likely to spend their income.

Because they are levied on employers too, these taxes add to the cost of doing business and this adds to prices to consumers.

TOKEN DIAGNOSTIC AID

Tenth. Only token aid is included toward diagnostic and preventive care, which is the real need of our senior citizens in avoiding long illness. The average hospital stay of elderly persons is 15.1 days in short-term hospitals.

WILL OVERBURDEN HOSPITAL-NURSING HOME FACILITIES

Eleventh. By emphasizing hospital and nursing home care, it would further burden already overcrowded facilities.

NURSING HOME BENEFITS A MOCKERY

Twelfth. Its nursing home benefits requiring hospital affiliation are a mockery; only about 1,000 nursing homes in all 50 States would qualify.

WILL PROVE FAR MORE COSTLY THAN NOW CLAIMED

Thirteenth. It would prove far more costly than now estimated, requiring more and more social security taxes—either through tax rate increases or through increasing the amount of earnings taxable.

NO COST CEILING—NO TAX CEILING

Fourteenth. In fact, it is a program with no cost ceiling—and therefore no tax ceiling.

HEAVY BURDEN ON YOUNG AND MIDDLE AGED WORKERS

Fifteenth. It taxes heavily the young and the middle aged who are burdened with buying their homes, educating their children, paying their taxes, and paying their medical bills for themselves up to age 65 and for their children.

WOULD LEAD TO GOVERNMENT CONTROL OF MEDICINE

Sixteenth. It would eventually lead to Government control of medicine, doctors, hospitals, nursing homes, and patients.

In Britain, where the Government controls the medical system, patients are not allowed to choose their hospital doctors.

In Canada, hospitals cannot add more beds, buy major equipment, or hire additional personnel without first securing approval of Government officials. Decisions on hospital improvements and needs thus have shifted from hospital administrators and trustees to a Government agency far removed from operation of hospitals.

We would not want repeated in America the doctors' strikes as have happened in several countries, Belgium, Italy, Canada, where medical care is government controlled.

WOULD DISCOURAGE HOSPITAL CONSTRUCTION

Seventeenth. Government control would discourage building of hospitals. Since 1948, under Britain's socialized medicine there has been almost no construction of new facilities—only one new hospital, but more than 700 in America. People cannot get into British hospitals without waiting except in extreme emergencies.

WOULD DISCOURAGE STUDY OF MEDICINE

Eighteenth. Control by the Government would discourage young people from the study of medicine, as U.S. surveys have shown.

Nation's Business reported in June 1962 that its survey of students in 17 public and private medical schools throughout America revealed:

> Greater Federal activity in health care would cause many young Americans to abandon the study of medicine. Others would leave the United States after graduation to practice in countries where the physician has more freedom.

Nation's Business interviewers concluded:

> Medical students overwhelmingly oppose proposals for providing medical care for older citizens under the social security system.
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> Students by a margin of more than 5 to 1 say they would be less enthusiastic about entering the medical profession if health services were eventually nationalized as they are now in Great Britain.

In Britain, with Government control of medicine since 1948, there are fewer students of medicine in universities now than 10 years ago. Yet Britain's population is increasing at about 400,000 a year.

In Britain, there was 1 doctor for every 877 persons in 1947, the year before their Government medicare program went into effect. Britain now has only 1 doctor for every 2,300 persons—America 1 for every 800 persons—so the ratio in Britain will get worse unless more doctors are trained and remain in the country to practice.

This 88th Congress has recognized that even in America too few persons are being trained and therefore enacted the Health Professions Educational Facilities Act to aid in constructing medical schools and facilities and to provide loans to students of medicine, osteopathy, and dentistry. Just to maintain the present doctor-patient ratio, we must graduate 19,000 physicians and dentists a year as compared with 12,500 now.

This 88th Congress recently passed the Nurse Training Act to help increase the number of trained nurses in America. About 30,000 nurses graduate each year now. By 1969, this number should increase to 50,000 under the training act.

To enact the Gore (King-Anderson) plan, which would eventually lead to Government-controlled medicine would be at cross purposes with these two acts.

DOCTORS MIGHT LEAVE

Nineteenth. Government control of medicine might cause doctors to leave our country.

Britain, which since 1948 has financed medical care for all its citizens, has experienced a substantial flight of doctors from her shores, apparently leaving for lands with less redtape and greater opportunity to develop professional skills. It is interesting to note that a number of these emigrants from Britain settled in Canada, where having experienced government control of the practice of medicine in Britain, they have been protesting similar control in Saskatchewan Province.

In March 1962, a British consultant in medical economics and health services, Dr. John R. Seale, reported:

> Since 1948 unusually large numbers of graduates of the medical schools of Great Britain and Ireland have registered for practice abroad. It is apparent that the majority have remained overseas and should be regarded as medical emigrants from Britain.

I am informed some 500 to 600 British doctors seek careers abroad every year in the United States, Australia, Canada, New Zealand, and South Africa.

Dr. Seale found a rapidly rising number of doctors entering England from Spain, Yugoslavia, Syria, and many other countries. He noted that—

> In 1950 only 53 posts in hospitals were filled by foreign doctors; 1953, 498; and in 1960, 1,701. Increasingly, the medical staff of hospitals is a rapidly shifting labor force recruited from abroad, a characteristic symptom of an economically depressed occupation.

Many foreign doctors are in England only temporarily for training and so will not replace the hundreds of British doctors seeking to leave Britain each year.

Thus, there appears to be a very strong correlation between the advent of socialized medicine and the departure of British doctors.

The British Medical Journal in July this year had an editorial on British physicians who are leaving the country because they do not have the opportunity to practice the quality of medicine for which they are trained. New hospitals, laboratories, and research institutions are not available for them to work in.

These are all eventualities which Congress must consider before making a decision on the Gore—King-Anderson—amendment.

WOULD LOWER STANDARD OF MEDICINE

Twentieth. Government control of medicine would lower the standard of medicine.

For example, our private medical system has produced 60 new drugs since 1940. The United States has made more important drug discoveries in the past two decades than all the rest of the world combined.

In Great Britain, France, West Germany, and Switzerland, with a combined population approximating our own, but with government-controlled medical systems, only 29 new drugs were discovered since 1940.

In Italy, which also has government-controlled medicine, not one new drug was produced in these 20 years.

Inestimable numbers of Americans are alive today because of these life-saving drugs and antibiotics developed here over the past few years.

In America, we have the finest medical system in the world. I am sure every American wants to keep it that way. The Gore—King-Anderson—plan would jeopardize our medical system.

IT IS COMPULSORY

Twenty-first. It is a compulsory plan. The White House Conference on Aging said in its 1961 report, "Compulsory health care inevitably results in poor quality health care."

NOT A PAID-IN-ADVANCE PROGRAM

Twenty-second. It is not a paid-in-advance program. Those working today must pay for costs of those who have reached age 65.

When today's workers reach 65, their taxes will have been used up and will not be available to pay for their hospital benefits. Taxes of those workers under 65 at that time will have to pay the over-65 bills.

Under present law, workers earning $4,800 are scheduled to pay $222 in social security taxes beginning in 1971. The exact tax is not specified in the pending Gore amendment 1256, but if we look at the tax proposed under Gore amendment 1178 which proposes similiar King-Anderson benefits. we get some idea of what the tax would be.

Under amendment 1178, the taxable earnings would be raised to $5,400 from $4,800 and the tax rate would be raised by 0.425 percent on workers and 0.425 percent on employers. Beginning in 1971, a worker would pay $280.80, an increase of $58.50 over present law.

If instead of paying this increased tax a worker aged 20 deposited $58.80 each year for 45 years to age 65 in an insured savings and loan association at 4¾ percent interest compounded quarterly—a common rate in Hawaii and West Coast States—he would have a nest egg of $9,567.20.

If he continues to invest the $9,567.20 at 4¾ percent interest compounded quarterly he could buy an excellent medical care insurance policy with the $462.61 in interest on his savings each year and get better coverage than the administration's King-Anderson plan would provide.

Most startling of all, after he died, his nest egg of $9,567.20 would go to his family. Should he die before age 65 his family would inherit his accumulated savings plus compound interest amassed by time of death. Under the administration's plan he would build no nest egg.

CONCLUSION

The fundamental defects and inevitable dangers and consequences of the Gore—King-Anderson—amendment are to me fatal defects.

They constitute bad medicine, not only for senior citizens, but for all citizens.

Congress should not set in motion a program that will prove an intolerable burden on wage earners, that will reduce the quality of medical care in America, that will result in a shortage of doctors and nurses, or that will discourage medical research.

That would be a disservice to old and young alike.

The Gore—King-Anderson—hospital insurance plan falls very short of meeting the medical care needs of elderly citizens. I predict that, if this plan is enacted, many of our senior citizens will be shocked to learn they must pay the lion's share of their health bill.

Because expansion is without limit, costs are without limit, and the burden on wage earners to finance this program will become heavier and heavier as the years go by.

To tell workers that all this will cost them is $1 a month for their working years is just plain untruthful. It will start out at more than $1 a month for many workers, and the costs will continue to go up, up, and up.

Young workers buying homes, raising children, educating them, and providing all the necessities for day-to-day existence, including health insurance for themselves and their families, will face rough going to keep their heads above water.

By the time they pay social security taxes, including health insurance taxes for the aged, Federal and State income taxes, and sales taxes, there will be precious little for them to live on, much less to save for a rainy day. He would be better off to build his own nest egg instead of paying the proposed hospitalization tax and his family could inherit his nest egg of many thousands of dollars.

I believe the Gore—King-Anderson—plan will inevitably lead to compulsory Government health care for Americans of all ages.

I will agree that the plan itself in this amendment is not Government-controlled medicine, but I believe it is the first step toward it. Those who tried in the 1940's to persuade Congress to enact compulsory health insurance for all and failed are now working to accomplish this goal piecemeal, as through the Gore—King-Anderson—amendment.

I cannot believe the American people want the Congress to approve a program which will jeopardize medical progress, which will deter young men and women from entering the difficult and arduous medical profession, which will discourage construction of hospitals and other medical facilities, and which will put an intolerable burden on working men and women to pay for a national problem that ought to be paid for by all taxpayers according to ability to pay.

For these many reasons, I oppose the Gore—King-Anderson—amendment.

There are better ways to help older persons finance their medical costs.

Mr. LONG of Louisiana. I yield 1 minute to the Senator from Texas.

MEDICARE

Mr. TOWER. Mr. President, adoption of the pending compulsory medicare amendment would be an unwise choice, indeed, for this Nation and its citizenry, the old as well as the young.

Medicare under social security would be unwise for several major, basic reasons. Its adoption would ultimately affect the kind and quality of medical care we now receive; the private health sector of our economy would be substantially weakened; the ever-increasing expansion of the Federal bureaucracy would be given one of its biggest boosts.

Supporters of this medicare proposal are apparently of the mistaken opinion that the vast majority of Americans over 65 are in desperate medical straits. We are advised by proponents that only a multibillion-dollar compulsory medicare program, under social security, can save the day.

I find it most unusual that proponents of medicare apparently do not recognize the tremendous achievements that have taken place and are taking place in the health-care field. The majority of our elderly can meet, and do meet, their individual health-care needs privately and voluntarily; furthermore, the minority of aged who do need governmental assistance is growing ever smaller, not larger. Medicare proponents will not sufficiently recognize Government programs presently in existence—programs which right now are helping those who are in need of assistance.

And what of the consequences to our Nation as a whole when a medicare plan is designed primarily to benefit a particular age group, with individual need a minor consideration.

Such consequences of this initially limited program may be grave, indeed. The foot-in-the-door approach is well known, and should be of the utmost concern to both the proponents and the opponents of the medicare proposal.

Undoubtedly there will be political pressure to extend the medicare program even further into the field of private medicine—into the offices of doctors, into hospitals and nursing homes, and into convalescent homes and clinics.

Many feel—and justifiably so—that the precedent to be set in the medical field is dangerous enough. Consider the precedent which the enactment of medicare legislation may establish in connection with a number of other federally assisted welfare programs.

Those who attack the so-called means test as "degrading," completely overlook the fact that many welfare programs are based on the principle that Government aid should be limited—that it should be provided only to those in need of it.

Not a single one of our approximately 20 Federal welfare programs is based on a principle of helping everybody; nor is there pressure by responsible citizens for elimination from these programs of the so-called means test.

Certainly no responsible legislator would propose that low-rent housing through the Public Housing Administration be made available to everyone. It is essential that a means test be retained if this program is to continue.

Likewise, the farm housing program, under the Secretary of Agriculture, sets specific standards of eligibility for assistance to construct, improve, or repair farm dwellings. There are those who favor liberalization of the eligibility requirements, but no one has suggested the complete elimination of all standards.

The program for the provision of aid to dependent children has specific requirements for eligibility. Some favor broader coverage, with less stringent standards; but I have never heard of anyone who wants to eliminate all such criteria.

The program of aid to the blind sets up standards of eligibility.

The program of aid to the permanently and totally disabled requires that the income and resources of an individual who requests aid be taken into consideration. Certainly this is a just and necessary requirement for this program.

The school-lunch program provides free or reduced-cost lunches—not to every child in the Nation—but to children who are determined by local school authorities to be unable to pay the full cost of school lunches.

The program of pensions paid to veterans of World War I, World War II, and the Korean conflict has various means tests, to fit the variety of situations that exist. These means tests are basic to the very existence of the pension program, and should, of course, not be abandoned.

There are many more programs in which aid is limited by law: The surplus food program; the maternal and child health services; the services for crippled children; child welfare services.

The National Defense Education Act loan program does not attempt to aid all students. It is certainly logical, and essential, that this program have a so-called means test.

Those who contend that a means test relating to aid under the Kerr-Mills law is "degrading," and who advocate health-care assistance to all over age 65, without regard to need, seem to overlook the fact that there is a means test in our social security program. Retired persons over 65 do not draw full benefits if their income exceeds a certain annual amount.

Mr. President, the method preferred by the vast majority of Americans for meeting the major costs of medical care is one through voluntary health insurance. This preferred method is favored by young and old, alike.

The Federal Government should, in lieu of social security medicare, concentrate on improving the income situation of all Americans, through the free enterprise system, which has made this Nation the greatest on earth. Most assuredly, the Federal Government should follow paths designed to preserve the dollar's value, so that the earnings and savings of our elderly will be most beneficial to them.

Mr. GORE. I yield 2 minutes to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, the time is now. The Senate should respond to the issue of insurance for hospital and nursing care for our elderly citizens. How long can we continue to let them down? Eighteen million people are now over age 65, and this number will increase. We should provide a method whereby these people can spend their elderly years in dignity and respect. The answer is the Gore amendment which now stands before us.

How would the Gore proposal work? The Gore amendment substantially embodies the benefits of the King-Anderson plan. The basic three-pronged health care approach is preserved. Hospital services are needed by our elderly citizens more than any other age group. These are also the most expensive and burdensome expenses. The Gore amendment, by adopting the King-Anderson hospital options, adequately meets this most pressing need.

But we do not want our hospitals to become warehouses for the senile and semisenile elderly or even for those who are sick but who could adequately be cared for out of the hospital. The Gore amendment will allow our elderly to be cared for in skilled nursing homes after their transfer from the hospital, and after that they can receive practical nursing care in their homes.

By establishing a program which provides these three benefits of hospital care, nursing home care, and home health care, we will take a great step forward toward meeting the urgent problem which many of us have described on this floor. But it is not intended to solve all the problems. It is not intended to pay all the health bills of all our elderly citizens. Rather this plan fits into an overall approach embodying three important concepts.

First, the Kerr-Mills program would be able to supply assistance to the indigent at increased efficiency and with greater amounts channeled to those who are in the greatest need for services over and above what is provided for in the Gore amendment. Second, the Gore amendment itself would enable the great bulk of aged persons to enjoy the security of a prepaid health insurance program for their essential health care needs. Finally, this program would provide a floor of coverage upon which many of our elderly citizens could build. Private insurance programs for those services not provided in the Gore amendment could be made available at a low cost. Our experience with the social security system indicates that when the mass of our population have the basic coverage provided through this social security approach, they will provide additional benefits by purchasing private insurance. Private insurance will be a beneficiary of this program just as it was when the social security system was adopted 29 years ago.

Mr. President, I would like to briefly answer some of the charges which have been leveled at the concept of health care financed under the social security system.

NO GOVERNMENT INTERVENTION IN THE MEDICAL PROFESSION

This bill in no way results in any governmental intervention in the traditional doctor-patient relationship. Nor does the bill interfere with hospital management. The legislation would only provide the means of paying for hospital care and the other services which are covered, in much the same way as private insurance pays for one's health expenses. It pays no doctor's fees. Nothing in the bill permits the Government to interfere with an individual's present freedom to choose his doctor or a doctor's freedom to treat a patient according to his judgment. In fact, this basic health care insurance will give a doctor a better opportunity to aid his patients since he can send them to a hospital or nursing home best suited to their needs rather than to a charity ward or home for indigents. Patients will still choose their doctors; together they will choose the appropriate hospital or nursing home. There will be no Government interference.

NOT A GIVEAWAY

This bill is not a Federal Government giveaway. Opponents of the bill charge, on the one hand, that this bill is welfarism, or even socialism. On the other hand, they support the Kerr-Mills program of aid to the indigent as the proper way to meet this problem. Aside from the fact that it is ineffective and costly, the Kerr-Mills program is the one which is a pure giveaway. Under Kerr-Mills the benefits come from the general revenues of the State and Federal Governments. It is pure socialized medicine. But under this Gore amendment, workers will have paid during their working years for the insurance protection due them as a matter of right in their later years. Clearly, this is a self-paid program which all Americans can support.

A plan financed under the social security system is not only sound, it is also dignified. The vast majority of our citizens want to contribute to a health insurance program. They do not want charity. They do not want to subject themselves to the degrading provisions in the Kerr-Mills law. How many of our citizens need medical help but refuse to allow their lives, and I might add the lives of their children, to be scrutinized to determine if they are indigent? This is unnecessary. Let us now provide a program whereby all of our citizens, employees, employers, and the self-employed, can make small, and I emphasize that word because these payments for health insurance will be small, monthly payments into a separate social security trust fund in order that they may provide for medical needs when they reach age 65. This is the self-respecting approach. It is the dignified approach. We should now take the lead and pass this vital and necessary legislation.

Mr. LONG of Louisiana. I yield 2 minutes to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, the original purpose of H.R. 11865, the Social Security Amendments of 1964, is praiseworthy. The bill seeks to restore to the beneficiaries of the social security program a portion of the purchasing power which has been eroded from their checks since the last increase in 1958. As a result of Government fiscal policies which have produced an inflationary spiral in recent years, the cost-of-living index has risen 8.3 percent. The 5 percent across-the-board increase provided in H.R. 11865 will serve to replace some of the value which was lost.

The other areas in which this bill will extend the program also represent meaningful improvements in the system. The reduction in work requirements for those over age 72, the extension of children's benefits from age 18 to age 22 for those remaining in school, the lowering of the eligibility age for widows from age 62 to age 60, coupled with an actuarially reduced basis of payment, all are steps in keeping with the philosophy upon which the social security system is based, and they can be accomplished without substantially increasing the burden which the American taxpayer now bears.

None of us is insensitive to the needs of our aged. All of us endorse the social security system. I have supported every sound improvement of the system during my tenure in Congress. It is because of my belief in a strong system that I oppose any attempt to alter the basic concept underlying the program and to use it as a means through which government welfare programs would be force-fed to the American people.

If we find that the needed increases provided in H.R. 11865 can be enacted only in conjunction with one of the several unacceptable medicare amendments which have been offered, I shall be forced, reluctantly, to vote against the entire bill. It seems to me especially cruel to the recipients of social security to jeopardize these needed increases by maintaining a stubborn insistence on again reviving medicare.

The proponents of medicare have often blurred the facts about the current availability of health-care insurance for the elderly. One seldom hears them concede, for example, that three times as many people, age 65 and over, have private medical coverage as those who had it 10 years ago. And the number is continuing to rise.

In their zeal to force enactment of their medicare schemes, they ignore the 40 States which now have Kerr-Mills plans. That legislation was enacted in response to the requirement to provide care for those who needed it. None of our aged needs to be without adequate medical care. No Member of the Senate would want the situation to be otherwise.

The proponents appear to argue that the reaching of age 65 automatically makes a person an indigent. Those who have reached this age of wisdom will be the first to protest such a classification. They will also be the first to disclaim any right to the hard-earned income of those now working.

Rather than enact a program which would give small benefits to all over age 65, let us concentrate our efforts and resources on those who need such aid most. The existing plans, if properly arranged, will allow us to continue to offer increasing assistance to the needy aged. This could not be the case if we treated all our senior citizens as wards of the state, and spent without selectivity.

Existing Federal, State, local, and private programs, coupled with the many available private health insurance plans and an increasing number of private pension plans, offer the only workable solution of the problem. For those not adequately provided for through these various programs, modification of any defects in the existing Kerr-Mills plan is the proper step. The Kerr-Mills program is too valuable a tool to be written off, for in the States in which it has had a fair trial, it is working well. Many States, including my home State of Nebraska, have not had time to fully implement the program.

It can be tailored to localize the available assistance to those who show true need. If any shortcomings become apparent, Congress can, and should, remedy them. Since the system is now in existence and since sufficient data to indicate that it is working is available, it would be folly to substitute an experimental program of unknown cost and quality. Yet that is exactly what we would be voting for if we were to adopt one of these medicare plans.

An increase in the benefit payments which will provide basic protection for those who, through old age, disability, or death, suffer a loss or diminution of wages is in keeping with the purposes of social security. Recently, these purposes were concisely spelled out in a statement on the floor by Senator GOLDWATER, as follows:

> Social security was never intended to replace private voluntary efforts—nor should it. Benefits under the program are not a substitute for individual savings and private retirement and insurance plans. They are, instead, a base upon which the individual may build, through his own efforts.

The proposals in H.R. 11865, as reported by the Finance Committee, are in keeping with these fundamental concepts.

The attempt to engraft the concept of medicare into the system would not only be detrimental to the social security plan, but also would reduce the availability of funds which are needed to sustain other essential governmental functions. An examination of the medicare plans offered shows this.

Adoption of one of the various medicare proposals would result in an increase ranging from 10 percent to 10.16 percent by 1971 in the joint employee-employer withholding tax for social security. This increase would push up the tax rate to or over the 10 percent. Senator RIBICOFF, when he was Secretary of Health, Education, and Welfare, warned as he affirmed yesterday that 10 percent was the limit of taxpayer toleration. In addition to increasing the tax rate, the benefits included in H.R. 11865 require that the wage base be raised from $4,800 to $5,400. The tax could be held at this level and not increased further only if the actuarial cost estimates for medicare are accurate and only if there was no expansion in the program, once enacted. However, experience indicates that neither of these conditions is likely.

The nature of the social security system is such that, to be effective, it must be revised and expanded periodically. As the benefits are increased, the payments into the system must also increase. Adoption of a medicare system would push the tax rate so high that future improvements, such as those we are now considering, would be impossible.

In spite of the high tax rate which adoption of this plan would introduce into the system, none of us here is so naive as to believe that attempts would not be made in the future to liberalize and broaden the benefits offered under medicare. The proponents of medicare have acknowledged that enactment of the basic plan would provide "a foot in the door" for ultimate expansion of the program; this would be only the first step. If we take this first step, the long journey will have begun.

The cold, hard facts are that, under our system, we simply cannot afford this costly and basically unnecessary approach. At the recent hearings on this question before the Finance Committee, Senator BENNETT provided figures which indicate that in the case of the self-employed, the social security tax will exceed his income tax by 1968. If only the "modest," medicare provisions were added, this breakthrough would occur within 2 years.

Adoption of medicare would place Congress in the position of expressing concern for the overburdened taxpayer, while increasing his tax load.

We must not lose sight of the fact that the tax base for social security is the same paycheck that has to pay local, State, and Federal taxes. Classification of this tax as a social security contribution does not alter its nature. Its source is the same as that of all other funds collected to satisfy the demands for public revenue. If possible, it is more permanent than the income tax, for social security is programed to continue indefinitely. Once this obligation is placed on the taxpayer, he is saddled with it for the remainder of his working life.

A former member of this administration, ex-Postmaster General J. Edward Day, pointed to medicare as a luxury which we cannot afford:

> We have reached the point where we can no longer judge new programs purely on the basis of whether they are desirable. We have to judge them on the basis of whether they are feasible within the budget squeeze and the deficit spending pattern we are up against.
>
> It doesn't make sense to me to have a large Federal deficit in peacetime and in time of prosperity, and I think this type of new departure in social security commitments may bring on deficits in the future such as we have never even thought of in peacetime before.

His warning is clear: We cannot continue to make unlimited incursions into the restricted tax base without substantially altering our American system.

There are other telling arguments against the proposed adoption of a medicare plan. All these plans would throw the burden of paying for the benefits on those who can least afford it—the workers who are raising families and are attempting to provide for their own future and for that of their families. Their hard-earned, and often short, paychecks would be used, in part, to pay the medical expenses of others, who would not need to demonstrate need for the assistance. This is a broadax approach which is the antithesis of efficient government.

Proponents say that to require the beneficiary to demonstrate need is degrading. Those who make this argument overlook the fundamental relationship of the people and their government. The Federal Government is not a vast welfare agency. It is merely the custodian of the peoples' money; and it must justify the expenditures in the same way that any other fiduciary does. To make payments without justification would be indefensible.

Programs must be predicated on a basis of need, not the occurrence of a birthday. Any other approach would fly in the face of existing programs such as those providing low-cost housing and veterans' benefits, which require a showing of need before access to public money is given.

To adopt the approach now proposed, in our efforts to provide adequate medical care for the aged, would be to subject social security to the threat of insolvency. History indicates that countries which have implemented a socialized medical program have consistently underestimated the costs. The London Evening News of March 15, 1963, reported that the cost of England's medical program exceeded by five times the original estimates. In Ontario Province, in Canada, the cost of the hospital program has nearly doubled in 6 years' time. In France, the employer and the employee share of the social welfare tax amounts to 36 percent of the paycheck. If the costs of the proposed medicare through the social security program are similarly understood, or if the program were expanded to any degree, as it certainly would be, we would find ourselves faced with a similar dilemma. Furthermore, enactment of this program would weaken, or in some cases destroy, the State, local, and charitable medical assistance programs which have been expanding in all our States, for only so much money is available for these programs. Experience also indicates that with Federal funds comes Federal control. In the area of medical care, Federal interference presents frightening prospects.

Each of these facts justifies rejection of the proposed medicare plan; the cumulative weight of all of these factors demands that these proposals be defeated.

Those in the Congress who really are concerned with the problems faced by the aged are in a position to aid them materially, if they will. A return to a balanced budget and sensible spending on the Federal level must be the first step in any such effort. Continued inflationary practices, by stealing the purchasing power of retirement dollars would reduce to public wards those who have made efforts to provide for themselves in their old age. Spending policies reflecting responsible money management, in conjunction with an upgrading of existing programs, present the only workable solution to the problem.

Mr. GORE. Mr. President, I yield to the distinguished senior Senator from Montana such time as he may require.

The ACTING PRESIDENT pro tempore. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, to the best of my knowledge, the United States is the only industrial nation in the Western World which does not have a program of hospital insurance for its elder citizens. Our aged number 18 million at the moment and their ranks are increasing at the rate of 1,000 per day.

I, for one, believe that attention on a hospital-nursing home care basis should be accorded to our elder citizens, and I believe, further, that this should be done on a dignified basis through social security payments toward their care in the twilight of their lives.

The Gore-Anderson substitute now being considered by the Senate is not socialized medicine and would not be directed at the medical profession. This proposal would make it possible for aged people to pay for hospital and nursing home care. This, I believe, would prove to be a boon to doctors and, as I will indicate later, offers no threat to them in their profession. It would be well for us to keep in mind the fact that only a little over one-half of the elderly have any kind of health insurance protection and over 8 million older citizens have no health insurance at all. Some 3 million people have commercial health insurance policies that pay $10 a day or less for hospital room and charges.

The problem of taking care of our aged is not only one which affects our older citizens, but it also affects their children and their grandchildren as well. People who have worked hard all their lives, who have saved their money toward retirement find that their plans have been disrupted because of the increased cost of hospital and nursing care and, as they grow older, to their greater susceptibility to illnesses of longer duration.

This proposal would not displace the Kerr-Mills bill which, generally speaking, applies only to the medically indigent and varies in its application from State to State. It is my understanding that approximately 30 States at the present time have Kerr-Mills in operation or are preparing to make their contribution to become eligible and that approximately 20 States have made no plans whatsoever to become eligible under the Kerr-Mills Act.

In brief, the Gore-Anderson plan provides for hospital, nursing home, health home, and out-patient services to persons 65 or over eligible to receive—or receiving—social security or railroad retirement benefits financed by an increase in taxes for workers and employers under the social security and railroad retirement administrative mechanisms. Similar benefits are provided certain uninsured individuals 65 or over out of general Federal revenues. No benefits are provided for any doctor or physician expenses and physicians and private doctors are not covered in any way by this plan.

BENEFITS FURNISHED BY GORE PLAN

The benefits would consist of payments to health facilities and organizations for services rendered to covered individuals. Such payments may be made for the following kinds of services:

First. Inpatient hospital care for 90 days per benefit period subject to a deductible of $10 per day for the first 9 days, but not less than $20; or, upon election, 45 days per period with no deductible, or, upon election, 180 days with a deductible of the lesser of (a) 2½ times the average per diem rate for such services throughout the Nation under the program—until 1967 the bill sets the per diem rate at $37, thus the deductible initially will be $92.50—or (b) charges customarily made for such services by the hospital which furnished them. There may be only one election under this provision and it is irrevocable. The election must be made during the first 2 months in the 3-month period preceding the month in which the individual has both attained age 65 and is eligible for benefits.

Second. Skilled nursing facility services up to 60 days—in lieu of 180 days under King-Anderson—in a benefit period after transfer from a hospital in an institution which is affiliated or under common control with the hospital.

Third. Home health services up to 240 visits a year.

Fourth. Outpatient X-ray, laboratory and diagnostic services—there is no durational limit, but subject to a $20 deductible per 30-day period.

ELIGIBILITY FOR BENEFITS

First. All persons who (a) are age 65 or over; and (b) are eligible to receive—or receiving—social security or railroad retirement benefits.

Second. All persons not insured under social security or railroad retirement who either (a) have reached age 65 before 1967; or (b) have reached age 65 after 1966 if they have 3 quarters of coverage for each year elapsing after 1964 and before the year they reach age 65.

Excluded from No. 2 would be nonresidents or resident aliens with less than 10 years in the United States, members of certain subversive organizations, persons convicted of certain subversive crimes, employees of the Federal Government, and persons eligible for benefits under the Federal employee or retired Federal employee health plans.

FINANCING

First. In order to finance benefits for social security eligibles there would be an increase in the tax on employers and employees and the self-employed, as follows:

Contribution rates

	Employer and employee, each	
	Present law	Amendment 1178
1965	3.625	4.25
1966–67	4.125	4.5
1968–70	4.625	5.0
1971 and thereafter	4.625	5.2

Under the Railroad Retirement Tax Act an increase in social security tax results in comparable increase in railroad retirement tax.

There will be an increase in the maximum taxable earnings under social security from $4,800 to $5,600, effective January 1, 1965. A separate trust fund for the hospital insurance program would be established.

Second. For ineligibles under social security and railroad retirement there would be an authorization of appropriation out of general revenues.

In addition, the Gore-Anderson plan provides that if hospital costs rise after 1965 and the earnings base for taxes is not changed proportionally, then in 1969 beneficiaries of hospitalization will be charged a daily amount equal to the difference between the national average per diem rates in 1964–65—$36—and the average per diem rate for the 2 years prior to 1969.

GENERAL SOCIAL SECURITY COVERAGE IN ADDITION TO HEALTH PLAN BENEFITS

The pending Gore-Anderson amendment provides for a $7 increase in benefit payments for all primary beneficiaries in lieu of the 5-percent benefit increase in the committee bill.

The amendment to be proposed by Senator JAVITS and acceptable to Senators GORE and ANDERSON is designed to assure that insurance for physician's services will remain under private insurance auspices. Thus, there can be no question whatsoever that the proposal adequately safeguards private physicians from any interference by the Federal Government.

Mr. GORE. Mr. President, I suggest the absence of a quorum. I ask unanimous consent that the time for the quorum call not be charged to the time of the Senator from Louisiana.

The ACTING PRESIDENT pro tempore. The time for voting is set for 2 o'clock. Is the time for the quorum call to be charged to either side?

Mr. GORE. I suggest the absence of a quorum and ask that the time for the quorum call not be charged to the time of the Senator from Louisiana.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. I yield 1 minute to the distinguished Senator from Arizona.

Mr. GOLDWATER. Mr. President, consistent with the position I have taken ever since the proposal for medicare under the social security system was first advanced, I shall vote against the pending amendment.

Mr. President, my fundamental objection to this proposal is that it is based on the unspoken premise that American workers, whether in the $5,000 or $50,000 class, are incapable of deciding how to spend their money. It reveals a contempt for the intelligence and the judgment of our people, a contempt that has hitherto been a chief characteristic of ruling aristocracies in class-conscious societies.

Mr. President, ruling aristocracies from the beginnings of our western civilization, have always regarded the masses, as they contemptuously call the people, as no better than their livestock, deserving at best of humane but paternalistic treatment.

Mr. President, the beneficiaries of our social security and railroad retirement programs are not wards of the Government, they are not relief recipients, they are not objects of charity, and they are not the inmates of the poorhouse. They are self-respecting Americans who, in substantial part have paid for the benefits they will receive under these programs when they retire. They want the benefits in money—not in kind. They want to make the decision as to how their own money shall be spent; they do not want it made for them by government.

Mr. President, if we adopt this proposal we shall have taken the first and most significant step toward transforming our social security and railroad retirement systems into public relief or charity programs rather than the pension systems they were intended to be and still are.

Mr. President, if this amendment is adopted I see no obstacle to those who seek to accomplish this transformation. Having given our pensioners their medical care in kind, why not food baskets, why not public housing accommodations, why not vacation resorts, why not a ration of cigarettes for those who smoke and of beer for those who drink. Naturally, these benefits in kind will not be free. They would not even be paid for by taxpayers generally as are other public welfare and relief programs.

No, Mr. President, our pensioners will be paying for them, and getting in return goods and services prescribed by government rather than the command over all goods and services which it is the function of money to bestow. Mr. President, I face with deep foreboding the consequences of our embarking on this course.

Mr. LONG of Louisiana. Mr. President, the Committee on Finance had very little time in which to consider the bill now before the Senate. I believe only about 2 weeks were available from the time the bill was received from the House; and the Committee on Finance moved as expeditiously as possible.

From the time the committee reported the bill until the Senate returned following the adjournment for the Democratic Convention, the junior Senator from Louisiana had been steadily at work on the bill. He issued a statement prior to the time the Senate adjourned for the convention, stating that he had been trying to ascertain wherein the bill was defective. He stated that the most obvious defect in the Senate committee version arose from the fact that the cost of living had increased 7 percent since 1958, and that the bill failed even to provide a 7-percent cost-of-living increase for the people drawing social security income.

Those who advocate the Gore amendment say we cannot even afford to provide a cost-of-living increase for persons living on a $50 or a $70 social security check; that we cannot afford to let them keep a few additional dollars of what they earn, but must subtract that amount from their social security checks, because of the recurring deficits that result from policies that cause the purchasing power of the dollar to erode; that they cannot even take that amount back unless they will first agree to let the Government take the money and spend it for them. They would say that we cannot afford to make up that which the recipient had a right to expect in terms of purchasing power, which many of us feel we are morally committed to because of what we do in Washington, even though we vote ourselves a $7,500 increase.

We are told that the Government cannot afford to provide a cost-of-living increase for people living on social security, an increase to give back to them what they have lost through inflation, through policies adopted by the Government, although we have voted ourselves big increases in salary.

The proponents of the Gore amendment say: "You cannot have any of the needed improvements of social security unless you take our plan and let us spend your money for you."

That is not a sound proposal. There are many necessary things that must be done from time to time under the social security program. If we are to be asked to vote for a medical care plan, it should be realized that it will have to be in addition to those things that are necessary under the social security program.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. DIRKSEN. I have only one question. The original Gore bill was introduced on August 31 as an amendment to the proposal of the Senator from Louisiana. I cannot find in the Committee on Finance any record of the Gore proposal.

Mr. LONG of Louisiana. That is what I am coming to. The Gore amendment is offered as a perfecting amendment to the Long amendment. My amendment was prepared with the help of Government actuaries, to make it a sound plan, and to provide that for every dollar that was paid out, $1 was taken into the fund.

The Gore amendment, as it stands, would convert my amendment into a proposal to bankrupt the social security fund. It would deplete the fund at the rate of $2 billion a year.

The proponents of the Gore amendment say that they would further amend the Long amendment. They would not do that if I had the power to withdraw my amendment. If I could not do that, I would move to table the amendment. I am strongly opposed to having my name on something in which I do not believe.

Furthermore, even this amendment does not show the full force of what the Senator from Tennessee is proposing. He has another amendment. What will it cost? It will impose an additional tax on the workingman. This social security tax is a cruel, regressive tax. It would hit the poor the hardest. It can be justified only on the basis that all the money is supposed to be distributed in benefits, based on the amount a person has contributed. It would create a tax to such an extent that the increase would be $3,700 million, but it would be a regressive tax, one that would hit the poor man the hardest.

That is what the Gore amendment would do. We do not see all of the Senator's proposal now; we should see the rest of it when it is offered as an amendment to the bill.

If we vote that kind of tax, so far as the great number of working people are concerned, we shall have increased their taxes severalfold over the reduction they got in the tax reduction bill of 1964, which I managed in the Senate.

The proposal proceeds on an all-or-nothing basis. The amendment proceeds out of fear that we must adopt a plan in which the Government thinks it knows more about how a man should spend his money than the man himself knows about how to spend his money. We start with a 4-percent increase in the social security tax. We shall wind up to the extent that everyone will be paying a 15-percent social security tax.

The ACTING PRESIDENT pro tempore. The time of the Senator from Louisiana has expired.

The Senator from Tennessee has 2 minutes remaining.

Mr. DIRKSEN. Mr. President, the Senator from Tennessee has exhausted all his time and I ask unanimous consent that he be permitted to speak for 2 additional minutes.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee has 2 minutes remaining.

Mr. GORE. Mr. President, I am very grateful to the distinguished Senator from Illinois. I had undertaken to reserve 3 minutes for myself, but was unsuccessful. I thank the Senator very much.

Mr. President, this is a crucial battle, and I invite the attention of the Senate to the exact question on which we are voting.

The Long amendment would raise the tax on payrolls to 10 percent without providing for one iota of health care insurance through social security. It is proposed by the Long amendment to increase social security benefits.

It would raise the payroll tax to 10 percent to pay for these added benefits. The effect would be to kill forever health care through social security.

There is now a welfare program. There is now in effect the Kerr-Mills law, which provides medical care for the medically indigent. The proposal now offered, which is the King-Anderson bill, on which there has been a great deal of study, would not change in any way, would not repeal, would not substitute for the welfare program or the Kerr-Mills law. But, Mr. President, it would provide a system of prepaid health insurance for the great mass of our people who are self-respecting, self-supporting and proud, and who do not wish to be condemned in their old age to welfare and public charity.

This proposal would set up a special trust fund which has been certified by Robert Myers as actuarially sound, so that people in their working years could contribute a small amount, four-tenths of 1 percent of the first $5,600 of their annual wage, to lay up something for the rainy day to take care of themselves after they are 65 years old. They would have the right—not as a matter of charity, but as a matter of right—to have specified hospital and other medical costs paid from this special trust fund.

The ACTING PRESIDENT pro tempore. The time of the Senator from Tennessee has expired.

Mr. GORE. I thank the Senator from Illinois.

The ACTING PRESIDENT pro tempore. All time on the amendment under the unanimous-consent agreement has now expired.

The question is on agreeing to the amendment (No. 1256) of the Senator from Tennessee [Mr. Gore] to the amendment (No. 1254) of the Senator from Louisiana [Mr. Long]. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. EDMONDSON (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Massachusetts [Mr. Kennedy]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. RUSSELL (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Indiana [Mr. Hartke]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. HUMPHREY. I announce that the Senator from Tennessee [Mr. Walters] is absent on official business.

I also announce that the Senator from Alabama [Mr. Hill] and the Senator from Massachusetts [Mr. Kennedy] are absent because of illness.

I further announce that the Senator from Indiana [Mr. Hartke] is absent because of a death in the family.

I further announce that the Senator from Indiana [Mr. Bayh] was absent while undergoing necessary medical treatment.

On this vote, the Senator from Indiana [Mr. Bayh] is paired with the Senator from Tennessee [Mr. Walters]. If present and voting, the Senator from Indiana would vote "yea," and the Senator from Tennessee would vote "nay."

The result was announced—yeas 49, nays 44, as follows:

[No. 558 Leg.]

YEAS—49

Anderson
Bartlett
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Church
Clark
Dodd
Douglas
Gore
Gruening
Hart
Hayden
Humphrey
Inouye
Jackson
Javits
Johnston
Keating
Kuchel
Long, Mo.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Salinger
Smith
Symington
Williams, N.J.
Yarborough
Young, Ohio

NAYS—44

Aiken
Allott
Beall
Bennett
Boggs
Byrd, Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fong
Fulbright
Goldwater
Hickenlooper
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Lausche
Long, La.
McClellan
Mechem
Miller
Morton
Mundt
Pearson
Prouty
Robertson
Saltonstall
Scott
Simpson
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—7

Bayh
Edmondson
Hartke
Hill
Kennedy
Russell
Walters

So Mr. Gore's amendment to the amendment of Mr. Long of Louisiana was agreed to.

Mr. GORE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. RANDOLPH subsequently said: Mr. President, I have just prepared for release the following statement:

When the Senate voted 49 to 44 for the Gore health care amendment to the social security amendments of 1964 as passed by the House without such provisions, I voted for it in fulfillment of a pledge.

I have long been committed to support health care for the aged through the social security system if and when the proposition was before the Senate in a form and parliamentary position which would not endanger some other welfare or social security program.

In 1962, I voted to table a similar amendment because it would have endangered continuance and continuity of the program of aid for dependent children of unemployed parents, including approximately 50,000 West Virginians depending on ADCU work relief benefits.

Today, we voted for a health care amendment, which I cosponsored, without endangering any other program. I voted precisely as I have pledged to do on many occasions both before and since the 1962 ill-timed effort to tie a then so-called medicare provision to welfare amendments, instead of social security amendments, as we successfully accomplished today.

PERSONAL STATEMENT ON BEHALF OF SENATOR HARTKE IN EXPLANATION OF ABSENCE DURING VOTE

Mr. HUMPHREY subsequently said: Mr. President, due to the untimely death of his sister, the senior Senator from Indiana [Mr. Hartke] was in his home State yesterday.

Upon learning that the Gore health-care amendment was to be voted upon today he left by airplane to return to Washington. At the time the vote started, the Senator's plane was landing and due to heavy road traffic he missed the vote.

I draw attention to the live pair that the senior Senator from Georgia [Mr. Russell] so graciously gave to Senator Hartke, thereby allowing the Senator from Indiana to be recorded in favor of the Gore amendment.

AMENDMENT OFFERED BY MR. GORE

Mr. GORE. Mr. President, I send an amendment to the desk and ask that it be stated.

The ACTING PRESIDENT pro tempore. The clerk will state the amendment.

The Legislative Clerk. Beginning on page 1, line 1, of the Long amendment, as modified, it is proposed to strike out all through page 4, line 8, and insert in lieu thereof the following:

"TITLE I—SOCIAL SECURITY AMENDMENTS

"Sec. 101. This title may be cited as the 'Social Security Amendments of 1964'".

On page 2, line 1, strike out "5-PERCENT" and insert "$7".

Strike out the table appearing on pages 2 and 3 of the bill, and insert in lieu thereof of the following new table:

"Table for determining primary insurance amount and maximum family benefits

"I		II	III		IV	V
(Primary insurance benefit under 1939 act, as modified)		(Primary insurance amount under 1958 act, as modified)	(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—		At least—	But not more than—		
------	$13.48	$40	------	$67	$47	$70.50
$13.49	14.00	41	$68	69	48	72.00
14.01	14.48	42	70	70	49	73.50
14.49	15.00	43	71	72	50	75.00
15.01	15.60	44	73	74	51	76.50
15.61	16.20	45	75	76	52	78.00
16.21	16.84	46	77	78	53	79.50
16.85	17.60	47	79	80	54	81.00
17.61	18.40	48	81	81	55	82.50
18.41	19.24	49	82	83	56	84.00
$19.25	$20.00	$50	$84	$85	$57	$85.50
20.01	20.64	51	86	87	58	87.00
20.65	21.28	52	88	89	59	88.50
21.29	21.88	53	90	90	60	90.00
21.89	22.28	54	91	92	61	91.50
22.29	22.68	55	93	94	62	93.00
22.69	23.08	56	95	96	63	94.50
23.09	23.44	57	97	97	64	96.00
23.45	23.76	58	98	99	65	97.50
23.77	24.20	59	100	101	66	99.00

"Table for determining primary insurance amount and maximum family benefits—Continued

"I (Primary insurance benefit under 1939 act, as modified) If an individual's primary insurance benefit (as determined under subsec. (d)) is— At least—	But not more than—	II (Primary insurance amount under 1958 act, as modified) Or his primary insurance amount (as under subsec. (c)) is—	III (Average monthly wage) Or his average monthly wage (as determined under subsec. (b)) is— At least—	But not more than—	IV (Primary insurance amount) The amount referred to in the preceding paragraphs of this subsection shall be—	V (Maximum family benefits) And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
$24.21	$24.60	$60	$102	$102	$67	$100.50
24.61	25.00	61	103	104	68	102.00
25.01	25.48	62	105	106	69	103.50
25.49	25.92	63	107	107	70	105.00
25.93	26.40	64	108	109	71	106.50
26.41	26.94	65	110	113	72	108.00
26.95	27.46	66	114	118	73	109.50
27.47	28.00	67	119	122	74	111.00
28.01	28.68	68	123	127	75	112.50
28.69	29.25	69	128	132	76	114.00
29.26	29.68	70	133	136	77	115.50
29.69	30.36	71	137	141	78	117.00
30.37	30.92	72	142	146	79	118.50
30.93	31.36	73	147	150	80	120.00
31.37	32.00	74	151	155	81	124.00
32.01	32.60	75	156	160	82	128.00
32.61	33.20	76	161	164	83	131.20
33.21	33.88	77	165	169	84	135.20
33.89	34.50	78	170	174	85	139.20
34.51	35.00	79	175	178	86	142.40
35.01	35.80	80	179	183	87	146.40
35.81	36.40	81	184	188	88	150.40
36.41	37.08	82	189	193	89	154.40
37.09	37.60	83	194	197	90	157.60
37.61	38.20	84	198	202	91	161.60
38.21	39.12	85	203	207	92	165.60
39.13	39.68	86	208	211	93	168.80
39.69	40.33	87	212	216	94	172.80
40.34	41.12	88	217	221	95	176.80
41.13	41.76	89	222	225	96	180.00
41.77	42.44	90	226	230	97	184.00
42.45	43.20	91	231	235	98	188.00
43.21	43.76	92	236	239	99	191.20
43.77	44.44	93	240	244	100	195.20
44.45	44.88	94	245	249	101	199.20
44.89	45.60	95	250	253	102	202.40
		96	254	258	103	206.40
		97	259	263	104	210.40
		98	264	267	105	213.60
		99	268	272	106	217.60
		100	273	277	107	221.60
		$101	$278	$281	$108	$224.80
		102	282	286	109	228.80
		103	287	291	110	323.80
		104	292	295	111	236.00
		105	296	300	112	240.00
		106	301	305	113	244.90
		107	306	309	114	247.20
		108	310	314	115	251.20
		109	315	319	116	254.00
		110	320	323	117	254.80
		111	324	328	118	256.80
		112	329	333	119	258.80
		113	334	337	120	260.40
		114	338	342	121	262.40
		115	343	347	122	264.40
		116	348	351	123	266.00
		117	352	356	124	268.00
		118	357	361	125	270.00
		119	362	365	126	271.60
		120	366	370	127	273.60
		121	371	375	128	275.60
		122	376	379	129	277.20
		123	380	384	130	279.20
		124	385	389	131	281.20
		125	390	393	132	282.80
		126	394	398	133	284.80
		127	399	403	134	286.80
			404	407	135	288.40
			408	412	136	290.40
			413	417	137	292.40
			418	421	138	294.00
			422	426	139	296.00
			427	431	140	298.00
			432	436	141	300.00
			437	440	142	301.60
			441	445	143	303.60
			446	450	144	305.60
			451	454	145	307.20
			455	459	146	309.20
			460	464	147	311.20
			465	466	148	312.00"

On page 2, line 3, strike out "Sec. 2." and insert in lieu thereof "Sec. 102.".

On page 6, line 13, strike out "Sec. 3." and insert in lieu thereof "Sec. 103.".

On page 15, line 11, strike out "Sec. 4." and insert in lieu thereof "Sec. 104.".

On page 20, line 10, strike out "Sec. 5." and insert in lieu thereof "Sec. 105.".

On page 22, line 13, strike out "Sec. 6." and insert in lieu thereof "Sec. 106.".

On page 28, line 11, strike out "section 6" and insert in lieu thereof "section 106".

On page 28, line 22, strike out "Sec. 7." and insert in lieu thereof "Sec. 107.".

On page 29, line 1, strike out "0.65" and insert in lieu thereof "0.67".

On page 29, line 5, strike out "0.4875" and insert in lieu thereof "0.5025".

On page 37, line 20, strike out "Sec. 8." and insert in lieu thereof "Sec. 108.".

On page 38, line 3, strike out "Sec. 11." and insert in lieu thereof "Sec. 111.".

On page 39, line 12, strike out "Sec. 12." and insert in lieu thereof "Sec. 112.".

On page 39, line 19, strike out "Sec. 13." and insert in lieu thereof "Sec. 113.".

On page 39, line 24, strike out "Sec. 14." and insert in lieu thereof "Sec. 114.".

On page 40, line 23, strike out "Sec. 15." and insert in lieu thereof "Sec. 115.".

On page 41, line 18, strike out "$5,400" and insert in lieu thereof "$5,600".

On page 42, lines 5, 9, 13, and 19, strike out "$5,400" and insert in lieu thereof "$5,600".

On page 42, lines 4, 9, 12, 17, and 25, strike out "$5,400" and insert in lieu thereof "$5,600".

On page 44, lines 3 and 10, strike out "$5,400" and insert in lieu thereof "$5,600".

On page 44, line 8, strike out "Sec. 16." and insert in lieu thereof "Sec. 116.".

On page 45, line 7, strike out "5.7 percent" and insert in lieu thereof "6.4 percent".

On page 45, line 11, strike out "6 percent" and insert in lieu thereof "6.8 percent".

On page 45, line 15, strike out "6.8 percent" and insert in lieu thereof "7.5 percent".

On page 45, line 19, strike out "7.2 percent" and insert in lieu thereof "7.8 percent".

On page 46, line 8, strike out "3.8 percent" and insert in lieu thereof "4¼ percent".

On page 46, lines 10 and 11, strike out "4 percent" and insert in lieu thereof "4½ percent".

On page 46, line 14, strike out "4.5 percent" and insert in lieu thereof "5 percent".

On page 46, line 16, strike out "4.8 percent" and insert in lieu thereof "5.2 percent".

On page 47, line 4, strike out "3.8 percent" and insert in lieu thereof "4¼ percent".

On page 47, line 6, strike out "4 percent" and insert in lieu thereof "4½ percent".

On page 47, lines 8 and 9, strike out "4.5 percent" and insert in lieu thereof "5 percent".

On page 47, line 11, strike out "4.8 percent" and insert in lieu thereof "5.2 percent".

On page 48, line 11, strike out "Sec. 14." and insert in lieu thereof "Sec. 114.".

On page 50, line 5, strike out "Sec. 15." and insert in lieu thereof "Sec. 115.".

On page 51, line 13, strike out "Sec. 16." and insert in lieu thereof "Sec. 116.".

On page 52, line 16, strike out "Sec. 17." and insert in lieu thereof "Sec. 117.".

On page 55, line 3, strike out "Sec. 18." and insert in lieu thereof "Sec. 118.".

At the end of the bill add the following new part:

PART D—COMPLEMENTARY PRIVATE HEALTH INSURANCE FOR INDIVIDUALS AGED SIXTY-FIVE OR OVER

Purpose

Sec. 230. The Congress hereby declares that it is the purpose of this part to provide, for all individuals aged sixty-five or over, the opportunity to secure at reasonable cost private health insurance which will insure them against the cost of health services which are not covered under the program established by title XVIII of the Social Security Act.

Definitions

Sec. 231. For purposes of the succeeding provisions of this part—

(a) the term "health insurance policy" means the policy, contract, agreement, or other arrangement entered into between a carrier and another person whereby the carrier, in consideration of the payment to it of a periodic premium, undertakes to provide, pay for, or reimburse the cost of, health services for the individual (or group of individuals) who are the beneficiaries of such policy, contract, agreement, or other arrangement;

(b) the "standard policy" of insurance to be devised pursuant to the provisions of section 232(c) may include any of the "health insurance benefits" described in subsection (c), and shall include at least the following health insurance benefits—

(1) payment of part or all of most charges for or toward physician's services whether performed at the physician's office or any other place;

(2) payment, in accordance with a schedule, for or toward the costs of surgery performed in or out of a hospital;

(3) payment of not less than the first $15 of charge for consultation with a physician who is a specialist in any area of medicine or surgery; and

(4) payment, in accordance with a schedule of fees for or toward charges for diagnostic care, and laboratory and X-ray services;

(c) the term "health insurance benefits" or the term "benefits" when used in connection with health insurance, means insurance against all or any part of the costs of any or all of the following—

(1) services provided by physicians, surgeons, dentists, or any other medical care or remedial care recognized under State law;

(2) diagnostic care, and laboratory and X-ray services;

(3) prescribed drugs, eyeglasses, dentures, and prosthetic devices;

(4) private-duty nursing services;

(5) home health care services;

(6) inpatient hospital services;

(7) skilled nursing services;

but only to the extent that any such care, services, or benefits are not covered under the program established by title XVIII of the Social Security Act;

(d) the term "carrier" means a voluntary association, corporation, partnership, or other nongovernmental organization which is lawfully engaged in providing, paying for, or reimbursing the costs of, health services for individuals or groups under health insurance policies in consideration of premiums payable to the carrier and which meets reasonable standards prescribed by the Secretary;

(e) the term "premium" means the amount of the consideration charged by a carrier for coverage by a health insurance policy offered by the carrier; and

(f) the term "Secretary" means the Secretary of Health, Education, and Welfare.

Authorization of association

SEC. 232. (a) In order to carry out the purposes of this part, there is hereby authorized to be established, subject to the approval of the Secretary, an association to be known as the National Association of Carriers To Provide Health Insurance for Individuals Aged Sixty-five or Over (hereinafter referred to as the "association").

(b) The association shall be composed of carriers which shall have voluntarily joined together for the purpose of carrying out the purposes of this part, and membership therein shall be open to all responsible carriers which desire to participate in the activities of the association and agree to abide by the rules and regulations governing the association as set forth in, or promulgated pursuant to, the provisions of this part.

(c) (1) It shall be the function of the association to devise (in cooperation with and subject to the approval of the Secretary), and offer for sale through its members, a health insurance policy offering health insurance benefits for the aged designed to complement the health insurance benefits provided for eligible individuals under title XVIII of the Social Security Act. Such policy shall offer at least the health insurance benefits described in section 231(b). All the terms and conditions of such policy as well as the terms and conditions under which it is offered and sold shall be uniform, except that the association may provide that the amount of the premium to be paid for such a policy and the extent of the benefits provided thereunder shall vary in different areas of the United States as well as within different areas of any State, whenever necessary to reflect differences in the cost of securing health services of the type for which benefits are provided under such policy.

(2) The policy devised by the association pursuant to paragraph (1) shall in the succeeding provisions of this part be referred to as the "standard policy". In order to minimize the factor of adverse selection in the sale of the standard policy, the association shall establish appropriate limitations upon the period, during each year, when such policy may be offered to new subscribers.

(3) The association with the approval of the Secretary shall develop and circulate among its members minimum standards with respect to health insurance for the purpose of enabling its members, or any of them, to devise and offer for sale one or more health insurance policies each of which may serve as an alternative to the standard policy. Such standards shall require that any such policy shall fulfill the same purposes as does the standard policy and will represent to the subscriber thereof a dollar value which is not less than that represented by the standard policy. Any member of the association desiring to offer for sale any such policy shall first submit to the association and to the Secretary copies of the proposed policy, together with any information related thereto which the association shall deem pertinent. If the association and the Secretary after due consideration, find that such proposed policy fulfills the same purposes as does the standard policy and will represent to the subscriber thereof a dollar value which is not less than that represented by the standard policy, they shall approve such proposed policy. Upon the approval by the association and the Secretary of any such proposed policy, such policy may thereafter be offered for sale by any carrier which is a member of the association in the same manner and subject to the same conditions as obtain with respect to the standard policy. In this part any such policy shall be referred to as an "alternative policy".

(4) All premiums receivable on account of the standard policy or alternative policies sold by members of the association shall be covered into a common fund (hereinafter referred to as the "reserve fund") established by the association for the purpose of receiving such premiums, and all benefits payable on account of such policies as well as the reasonable administrative expenses incurred in connection with such policies shall be paid from the reserve fund. The association shall invest such portion of the reserve fund as is not, in their judgment, required to meet current withdrawals. Moneys in the reserve fund may be invested only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. The assets of the reserve fund shall be the property of the association and the expenses of the association shall be defrayed from moneys in such fund.

(5) In order to hold within proper limits the portion of the premiums paid for the standard policy or alternative policies which are attributable to expenses in connection with the sale and administration of such policies, appropriate limitations shall be placed upon the amounts which members of the association may claim from the reserve fund on account of such expenses. Such limitation shall be established by the association, subject to the approval of the Advisory Council (established pursuant to section 235) and of the Secretary.

(6) The association, in cooperation with the Advisory Council and with the approval of the Secretary, shall devise programs designed to enable persons who have not attained age sixty-five and are still employed to purchase the insurance provided by the standard policy or an alternative policy on a prepaid basis.

(d) The management of the reserve fund and the administration of the activities of the association shall be vested in an executive committee which shall consist of three individuals elected by the Advisory Council authorized to be established by section 235.

(e) Members of the association are authorized and encouraged to offer supplementary health insurance policies designed to provide to subscribers of the standard policy or an alternative policy coverage in addition to that provided by such policy. Such policies need not be uniform and may be offered at premiums which would permit a fair profit to the members offering them. Such policies may be offered for sale in conjunction with the standard policy or an alternative policy, but in such case, shall be offered in such a manner as to enable the prospective subscriber clearly to distinguish between the benefits and premiums provided by the standard policy or the alternative policy and the benefits and premiums provided by the supplementary policy.

(f) The association is authorized, with the approval of the Secretary and the Advisory Council, to adopt two separate and distinct symbols, one of which may be used in connection with the sale of the standard policy and which shall signify public endorsement of such policy and the other of which may be used in connection with the sale of alternative policies and which shall signify official public endorsement of such alternative policies.

(g) Nothing in this part shall be construed to authorize any control to be exercised over carriers who are members of the association with respect to any policy of insurance offered by them other than standard policies (as described in subsection (c) (2)) and alternative policies (as described in subsection (c) (3)); and the right of such carriers to offer other insurance policies shall be unaffected by their membership in the association.

Regional divisions of the association

SEC. 233. (a) Any one or more members of the association which desire to confine their business of offering for sale the standard policy or alternative policies, or both, to a particular geographical region may, pursuant to rules established by the association (with the approval of the Secretary), establish a regional division of the association for the purpose of offering such policies for sale in such region.

(b) Membership in any regional division of the association shall be open to all members of the association which desire to confine their sale of the standard policy or alternative policies, or both, to the geographical region with respect to which such division is established.

(c) Members of any such division shall, in lieu of depositing in the reserve fund provided for in section 232(c)(4) premiums received by them on account of any such policies sold by them, deposit such premiums in a common fund to be known as the regional reserve fund for such region. The regional reserve fund for any regional division of the association shall be managed by the members of such division, in accordance with regulations prescribed by the executive committee of the association with the approval of the Secretary and the Advisory Council. Any such regional reserve fund shall serve the same purposes and shall be subject to the same requirements as are prescribed with respect to the reserve fund provided for in section 232(c)(4). The assets of any such regional reserve fund shall be the property of the regional division of the association for which such fund is established, and the expenses of such division shall be defrayed from moneys in such fund.

(d) The executive committee of the association, with the approval of the Secretary and the Advisory Council, shall prescribe regulations governing the manner in which any regional division of the association shall be operated. Such regulations shall vest responsibility for the management and operation of the division in the membership thereof, but shall contain necessary safeguards to insure that the division will be managed and operated in such a manner as to carry out in the region with respect to which it is established purposes and functions which are the same as those of the association.

Establishment of association

SEC. 234. (a) Whenever five or more carriers shall have applied to the Secretary to form the association (provided for in section 232) the Secretary shall, as soon as he is satisfied that such carriers are ready, willing, and able to carry out the functions of the association (as set forth in section 232) in accordance with the requirements contained in such section, he shall declare the association (as so provided for) to be established by such carriers.

(b) The Secretary shall have the duty and the authority to make such rules and regulations as may be necessary or desirable to insure that the association, in carrying out its functions, complies with the requirements of section 232 and fulfills the purposes of this title.

Advisory Council

SEC. 235. (a) For the purpose of consulting with and advising the Secretary with respect to the administration of title XVIII of the Social Security Act, for the purpose of electing the executive committee of the association, and for the purpose of advising and assisting the association, the executive committee, and the Secretary in carrying out their respective functions under this part, there is hereby created an "Advisory Council on Health Insurance for the Aged" (hereinafter referred to as the "Advisory Council").

(b) The Advisory Council shall conduct a continuing study and investigation of the programs of insurance provided for in this part and in title XVIII of the Social Security Act with a view to assisting in the formulation and implementation of national policy in the field of health care for the aged. The Council shall from time to time make reports to the President (for transmittal by him to the Congress) of its findings and recommendations resulting from such study and investigation.

(c) In order to assist the Advisory Council in carrying out its duties the Council is authorized to employ, in accordance with the civil service laws and the Classification Act of 1949, as amended, such staff as may be necessary.

(d) The Advisory Council shall consist of twenty-four members who shall be appointed by the President. Members of the Advisory Council shall be selected by the President with a view to providing a broad representation, among the membership of the Council, of the insurance industry, labor, business, medical profession, consumers, and other interested elements of society. Not less than four members of the Council shall be persons whom the insurance industry shall have approved as having adequate insurance experience. The members of the Advisory Council shall elect a member of the Advisory Council as Chairman thereof.

(e) Each member shall hold office for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term, and except that the terms of office of the members first taking office shall expire, as designated by the President at the time of appointment, four at the end of the first year, four at the end of the second year, four at the end of the third year, and four at the end of the fourth year. A member shall not be eligible to serve continuously or more than two terms.

(f) Members of the Advisory Council, while attending meetings or conferences of the Council or otherwise serving on business of the Council shall receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently. The Advisory Council shall meet as frequently as it deems necessary, but not less often than two times per year. Upon request of thirteen or more of its members, it shall be the duty of the Chairman to call a meeting of the Advisory Council.

Exemption of association from certain laws

SEC. 236. (a) The association and each carrier which is a member of the association shall, with respect to so much of its business operations as is concerned exclusively with offering for sale, selling, and administering, the standard policy or alternative policies (as described in section 232(c)), operate on a nonprofit basis and be exempt from the provisions of the Act of July 2, 1890, as amended (known as the Sherman Act), other than so much thereof as relates to any agreement to boycott, coerce, or intimidate or any act of boycott, coercion, or intimidation; the Act of October 15, 1914, as amended (known as the Clayton Act); and the Federal Trade Commission Act.

(b) Any operation of a carrier which is the subject of an exemption provided in subsection (a) shall be subject to the exclusive regulation of the Secretary.

Compliance provisions

SEC. 237. (a) If, after reasonable opportunity for hearing extended to the carrier concerned, it is determined by the Secretary that a carrier has failed to comply with any requirement of this part, or with any regulation promulgated pursuant to this part, the Secretary may declare either that the membership of such carrier in the association is permanently terminated or that such membership is suspended until such time as the Secretary is satisfied that such carrier will no longer fail to comply with such requirement or such regulation.

(b) During any period that the membership of any carrier is inoperative by reason of action taken by the Secretary pursuant to subsection (a), such carrier shall not be entitled to any exemption provided by section 236(a), and shall not, for any purpose, represent itself as being a member of the association. Any carrier who, in offering for sale any health insurance policy, falsely represents itself to be a member of the association shall be fined not more than $10,000.

Hearings and judicial review

SEC. 238. (a) Prior to promulgating any regulation, issuing any order, making any finding of fact, or taking any other action under this part which affects the association or any member thereof, the Secretary shall hold an appropriate hearing on the matter and provide adequate opportunity to representatives of the association and to any interested member thereof to be present and present testimony at such hearing.

(b) If the association, or any member thereof, is dissatisfied with any action of the Secretary on which a hearing is required to be held under subsection (a), the association, or such member, as the case may be, may appeal to the United States District Court for the District of Columbia by filing with such court a notice of appeal. The jurisdiction of the court shall attach upon the filing of such notice. A copy of the notice of appeal shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary shall thereupon file in the court the record of the proceedings on which he based his action. The action of the Secretary shall be reviewed by the court (on the record) in accordance with the provisions of the Administrative Procedure Act."

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. GORE. Mr. President, may we have order?

The ACTING PRESIDENT pro tempore. The Senate will be in order. The Senate is not yet in order. Those in the rear of the Chamber will take their seats or retire to the cloakroom.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. JAVITS. Mr. President, before the vote on the Gore amendment, we discussed the fact that it was acceptable to the Senator from Tennessee [Mr. GORE] and his associates, who have now prevailed in this matter, to include a private enterprise provision in their amendment which would open the activity of supplying health care to the aged to the entire insurance and private enterprise industry in the United States. We discussed the subject. The parliamentary situation at that time did not permit the Senator to include it with his amendment, though it was clearly understood at the time and, with all respect, I believe Senators voted upon that theory.

The question I should like to address to the Senator and through him to our distinguished Senator from Louisiana is as follows——

Mr. GORE. Mr. President, without yielding further, it appears to the Senator from Tennessee that much of the noise is coming from the galleries.

The ACTING PRESIDENT pro tempore. The Senator is correct. The galleries will be in order. Our guests in the galleries must be in order so that Senators may hear the debate and colloquy on the floor of the Senate.

Mr. GORE. Mr. President, I yield to the Senator from New York for a question.

Mr. JAVITS. My question of the Senator from Tennessee is as follows: Would the Senator consider it appropriate at this time, if the Senator from Louisiana concurs, after an explanation which I shall be happy to make, to allow the Senate to act upon the amendment with respect to private enterprise, which, as I have said, was supposed to be in the amendment of the Senator from Tennessee [Mr. GORE] when it was submitted to the Senate? I know the Senator is willing to accept it as a modification to the amendment which he is now proposing, but I thought, in view of the fact that it would improve what has been voted upon—in the eyes of both those who are against the Gore amendment as it passed and those who are for it—that perhaps then we would have a better perspective of the whole proposal which is before the Senate, as we shall yet have to vote on the Long amendment, as amended, in whatever form it may be. So I address the question to the Senator from Tennessee as to whether it might be possible to do as suggested, with the concurrence of the Senator from Louisiana [Mr. Long], if he is so disposed.

Mr. GORE. Mr. President, before responding directly to the interrogation of the able senior Senator from New York, I should like to state briefly that the amendment submitted by the senior Senator from New York and several other Senators is an amendment, as offered, to the amendment on which both groups are now agreed. The senior Senator from New York and five of his colleagues offered an amendment to permit private insurance companies to enter into an agreement among themselves to provide health insurance for people past 65. The amendment included three very important parts: First, an exemption from the antitrust laws; second, complete exemption from taxes; third, Federal regulation of such insurance companies as may enter into the combined group.

The proposal was subjected to very careful study, not only by the Senator from New Mexico [Mr. Anderson], the Senator from Connecticut [Mr. Ribicoff], the Senator from Rhode Island [Mr. Pastore], and others of our colleagues on this side of the aisle, and Senators on the other side of the aisle, but also by the Social Security Board and other agencies of the Federal Government.

The Treasury Department interposed strenuous objection to the precedent of tax exemption. Certain people interested in the insurance business interposed strong objections to Federal regulation of insurance companies. Yesterday, through the night, and this morning, we discussed the question. The group, from both sides of the aisle, reached the conclusion that Federal regulation of insurance companies, which would be precedential if we so acted, would be justified only if tax exemption were granted. We agreed to drop both those provisions from the bill. So what remains is what may be termed as the keystone in the arch of our health care program for the aged.

Why do I say that it is the keystone in the arch? As I said earlier, we have the welfare programs. We have the Kerr-Mills Act, which provides for the medically indigent in States which qualify. Our tax laws provide tax deductions which are very generous.

The Senate has now adopted a social security approach to health care by way of hospitalization for a given period, nursing home care, and some outpatient care. But that measure does not provide for doctor's bills, surgical fees, and other fees.

So the group, including representatives of the Social Security Board, finally and unanimously concluded that if we strike from the amendment the exemption from taxes and Federal regulation and leave intact the sponsorship of an organized nonprofit group for the specific purpose of providing health insurance benefits for those past 65, under the supervision of the Department of Health, Education, and Welfare, instead of this being an unacceptable part of the bill, instead of agreeing to it reluctantly—I say to the sponsors of the amendment that those on this side of the aisle who worked most earnestly with this subject became enthusiastic about it. We think it has a part in the bill. We hope that it is written into the law, and that it will succeed.

Responding to the question, the amendment agreed to is a part of the amendment now pending. I offered it. Obviously, if the Senator from New York wishes a separate vote on his proposal—and that could be done by unanimous consent without displacing my amendment or prejudicing my rights any way—if agreeable to the Senator from Louisiana, I would be entirely agreeable.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield for a question.

Mr. LONG of Louisiana. The Senator from Louisiana would not be able to agree to a vote of that kind on the amendment which he has sponsored. He is not in favor of the medicare proposal of the Senator from Tennessee, as he has told the Senate. He does not feel that his name should appear on an amendment which he cannot support. I feel that it should bear the name of the Senator from Tennessee [Mr. Gore], who is the prime mover of the amendment.

I would urge the Senator to prepare his amendment in whatever form he would like to have it appear. In due course I shall ask consent to withdraw my amendment, in order that the substitute may be offered for it. The Record will then not show that I voted against the Long amendment, but that I voted against the Gore amendment when it was offered. The Senator would then have complete control of his amendment. He could accept whatever amendments he wanted to accept, and he could oppose whatever amendments he cared to oppose, and ask for a yea-and-nay vote on them. That, I believe, would be a much better way in which to handle the issue. Some of us would like to vote for what was in the Long amendment, but not for that which is in the Gore amendment. We would then have a clear-cut vote on each issue. A better decision would be reached in that fashion.

I hope that in due course the Senator will prepare his amendment so that he may have complete control of it and not have to ask my consent as to what he does with his amendment.

Mr. GORE. I appreciate the constructive suggestion of the able junior Senator from Louisiana. It is typical of the junior Senator from Louisiana. He accepts the decision of the Senate, though it was by a narrow margin.

After I have concluded these brief remarks, I shall be glad to work with the Senator to that end. If the Senate gives consent to such procedure, I shall be happy to be so guided.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. I do not believe any Senator would care to deny the Senator from Tennessee that opportunity. Upon reflection, I do not believe that any Member of the Senate would care to insist that the proposal of the Senator from Tennessee should bear the name of the Senator from Louisiana or that the Senator from Louisiana should be compelled to vote against his own amendment.

Mr. GORE. Far be it from me so to require.

Mr. LONG of Louisiana. I thank the Senator.

Mr. GORE. I appreciate the suggestion. It is typical of the Senator. I say to my beloved friend that there is no Member of the Senate beside whom I receive greater joy in battle. It is with the greatest reluctance that I come to disagreement with him. He is difficult to contest.

Mr. JAVITS. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield to the senior Senator from New York.

Mr. JAVITS. It seems to me the Senator from Louisiana has made an excellent suggestion. Another vote is due, but I believe any vote in that respect should be in the control of the Senator from Tennessee. So, with his consent, I shall bide my time until the Senate is willing to vote on it. Does the Senator feel the same way about my proposal?

Mr. GORE. I suggest to the distinguished senior Senator from New York that, since his amendment is now a part of the pending amendment, if the Senate will give him unanimous consent to become a cosponsor of the pending amendment, the Senator from Louisiana and the Senator from Tennessee can follow the procedure to which he has referred.

Mr. JAVITS. Let me discuss that question with the Senator.

Mr. LONG of Louisiana. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. LONG of Louisana. The Senator was discussing his amendment. I assume he may want to have a different tax proposal, or something different than an across-the-board increase. I suggest that the Senator offer the amendment in whatever form he wishes.

Mr. GORE. In view of the desire of the senior Senator from New York to have his amendment considered separately, I will modify my pending amendment by eliminating therefrom that portion of the amendment.

Mr. President, may we have a vote on the pending amendment?

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Tennessee [Mr. Gore].

Mr. DIRKSEN. Mr. President, in view of the modification of the amendment——

The ACTING PRESIDENT pro tempore. The Senator has withdrawn his amendment as it was modified.

Mr. LONG of Louisiana. Mr. President, I suggest—and if need be the Senate can recess subject to the call of the Chair or take up some other amendment—that the Senator from Tennessee consult with the Senator from New York and agree upon the amendment they would like to offer, and then offer their amendment in that fashion? When they do, they can explain what it is, what it provides and what it does not provide. That being the case, they would have the privilege that a sponsor of any amendment is entitled to have—to accept modifications of the amendment that any Senator cares to offer. I hope they will do that. So far as I am concerned, so long as my name remains on the amendment, I feel responsible for what goes into it.

Mr. GORE. Mr. President, upon further conference with the senior Senator from New York, he has concluded that, if the Senate will give its consent, he will add his name as a cosponsor of the pending amendment. When it is adopted, the Senate can proceed to other amendments temporarily, and the Senator from Louisiana and the Senator from Tennessee will undertake to agree upon the procedure which the Senator from Louisiana has suggested, in order that the Gore amendment may not bear the name of "LONG."

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous consent request of the Senator from New York to become a cosponsor?

Without objection, it is so ordered. The Senator's name will be added as a cosponsor of the amendment.

The question now arises on the Gore amendment.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. HOLLAND. Just what amendment is being considered?

Mr. GORE. Mr. President, this amendment relates to the financing for the amendment which the Senate has adopted, plus the Javits amendment, cosponsored by several other Senators, which I have just explained. This amendment necessarily follows the action of the Senate of a few moments ago.

Mr. SALTONSTALL. Mr. President, will the Senator from Louisiana yield?

Mr. GORE. I have the floor, but I will yield to the Senator from Louisiana.

Mr. SALTONSTALL. What will be left of the Long amendment if the amendment of the Senator from Tennessee is adopted?

Mr. LONG of Louisiana. So far as the Senator from Louisiana is concerned, he wishes to dissociate himself from the amendment and wishes the Senator from Tennessee to offer the amendment in whatever form he wishes. If he wishes to adopt some parts of my amendment, he may. I do not request that he do it. But, on the other hand, if he would like to accept modifications such as that proposed by the Senator from New York, he may do so. But the Senator from Louisiana would like to dissociate himself from an amendment which bears his name. He is reluctant to continually vote against it when all that has to be done is for the Senator from Tennessee to offer the amendment as he wants it and accept any amendments to it that he wishes to accept.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee has the floor.

Mr. GORE. Mr. President, the amendment is drafted in a form which not only the Senator from Tennessee desires but which many other Senators desire. If, after the amendment process is completed, we are left with the Long amendment, amended by the Gore amendment, then by consent, the junior Senator from Louisiana, I take it, could remove his name as a sponsor of the Long amendment as amended by the Senate. I am perfectly willing to do that, but I insist that there is no parliamentary irregularity involved. We are proceeding in an orderly way to amend the Long amendment. When we complete the amendment of the Long amendment, it seems to me it will then be the proper time for action such as that suggested by the junior Senator from Louisiana to be taken.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. GORE. I yield to the Senator from Vermont.

Mr. PROUTY. I am not familiar with the amendment which is now pending, or the substance of it. May I ask the Senator this question? Does it change the benefits in any way?

Mr. GORE. Yes; it does.

Mr. PROUTY. How does it affect them?

Mr. GORE. To begin with——

Mr. PROUTY. Does it strike the 7-percent increase which the Senator from Louisiana proposed?

Mr. GORE. It does. Perhaps I had better give——

May we have order?

The ACTING PRESIDENT pro tempore. The Senate will be in order.

Mr. HOLLAND. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. The Senate will be in order.

Mr. GORE. I am yielding first to the Senator from Vermont. Will the Senator state his question? Some Senators did not hear it.

Mr. PROUTY. Does the Senator's proposed amendment strike the 7-percent increase in the benefits provided by the amendment of the distinguished junior Senator from Louisiana [Mr. LONG]?

Mr. GORE. The amendment of the Senator from Louisiana provides a 7-percent increase, in place of the 5-percent increase in benefits provided by the pending bill. What the amendment would do is to strike the additional 2 percent contained in the Long amendment and the 5 percent contained in the House bill, and substitute therefor a $7 per month increase for all social security beneficiaries.

To be perfectly accurate about the amendment of the junior Senator from Louisiana, in addition to the 2-percent increase in benefits, it raises the minimum social security benefit from $40 to $45. The 2-percent increase would be in addition to that.

The $7 increase in the monthly benefit at the lowest end of the social security benefit scale would be roughly comparable to the Long proposal, but not comparable at the top.

The tax provisions are contained in the Long amendment, and in the pending bill. The financing provisions are necessary for all. The social security tax is raised by all three. Does that adequately explain the situation?

Mr. PROUTY. Not entirely. If a person is now receiving a benefit of $50 a month, am I correct in understanding that if the Senator's amendment is accepted that person will receive $57?

Mr. GORE. The Senator is correct.

Mr. PROUTY. If he is receiving $127, which is the top figure, will he receive $134?

Mr. GORE. The Senator is correct.

Mr. PROUTY. It is a $7 increase across the board. Is that correct?

Mr. GORE. The Senator is correct.

Mr. PROUTY. I thank the Senator.

Mr. GORE. To further clarify the situation, let me start with the House bill. A beneficiary who is receiving a social security benefit of $50 a month, under the House bill, would receive a 5-percent increase, which would bring his benefit to $52.50.

The Long amendment would add another 2 percent, which would bring the total benefit to $53.50.

The amendment which I have offered would raise his benefit to $57, as the Senator from Vermont has already pointed out.

Mr. PROUTY. In other words, a man getting $50 now would get $57. A man getting $100 would get $107. Is that correct?

Mr. GORE. The Senator is correct. I should point out, in all fairness to the Senate, that if this whole matter is to be in conference with the House, which is something that I believe is desirable, some change must be made by the Senate in the benefits, some change must be made in the tax rate, and some change must be made in the wage base to which the tax is applied, or else those matters will not be in conference.

For instance, if the Senate did not change the wage base, which in the House bill is $5,400, the conference committee would be without power to change it. It would have to agree to the $5,400 figure.

The pending bill makes a slight change in that figure. It makes it $5,600. Since the amounts are in disagreement, the conference committee, on which the senior members of both committees, on both sides of the aisle, I take it, will serve, will have sufficient flexibility to bring to the Senate and to the House a conference committee report which I hope will not involve a tax in excess of 10 percent, but which will provide the essentials of health insurance to the social security beneficiary.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. HOLLAND. Mr. President, the Senator has already answered in part what I had in mind. Do I correctly understand now that the amendment to the amendment, which the Senator now proposes, would change the pending bill in two particulars?

Mr. GORE. In three particulars.

Mr. HOLLAND. In three particulars?

Mr. GORE. Yes.

Mr. HOLLAND. First, it would raise the payroll tax.

Mr. GORE. As both the bill and the Long amendment would do also, but the Gore amendment would do it in a slightly different way.

Mr. HOLLAND. And to a slightly higher amount.

Mr. GORE. Yes; with $5,600, as a wage base, instead of $5,400.

Mr. HOLLAND. To what rate of payroll tax would the amendment change the pending measure?

Mr. GORE. I shall state the maximum in all three. Present law provides a total social security tax on wages, salaries, and self-employed earnings for both employer and employee of 9.25 percent as a maximum. The blue sheet, which is on the desk of every Senator, shows the amounts separately instead of combined. It would provide a tax upon the employee, upon his wage or salary, up to $5,400, at a rate of 4.625 percent, and a similar amount upon the employer. If we add these two together, we get the figure of 9.25 percent upon the payroll wage or salary.

Mr. HOLLAND. That is the House bill. Is that correct?

Mr. GORE. That is the present law. The House bill would increase that rate to 4.8 upon both employer and employee.

Mr. HOLLAND. Or 9.6 percent.

Mr. GORE. It is 9.6 percent combined. The Long amendment does not appear in the compilation because it was submitted after the Senate took up the bill. However, I understand that the Long amendment, which has now been displaced, would have provided an increase in the social security tax to 5 percent for both employee and employer, or a total of 10 percent.

Mr. HOLLAND. How much does the proposal of the distinguished Senator from Tennessee, now pending, raise that amount?

Mr. GORE. It would raise it upon the employer to 5.2 percent and upon the employee to 5.2 percent, a total of 10.4 percent.

Mr. HOLLAND. In addition, it would raise the maximum figure upon which taxes could be levied on the income of anyone, wage earner or salary earner.

Mr. GORE. It raises the base from $5,400 to $5,600.

Mr. HOLLAND. I thank the Senator from Tennessee. It seemed to me that we were being asked to vote on an amendment, a description of which was not in the RECORD and an understanding of which was not in the mind of the Senator from Florida. I surmise, from the way other Senators have chimed in, that they were in the same situation. I appreciate the Senator's answer.

Mr. GORE. I appreciate the diligence of the Senator from Florida. The explanation is in the RECORD. I am sure the senior Senator from Florida has not had the opportunity to refer to it. But a full explanation is in the RECORD. I am pleased with these questions, because they give me an opportunity to restate what I think the RECORD should show.

Mr. MILLER. Mr. President, will the Senator yield for a question?

Mr. GORE. I yield.

Mr. MILLER. I appreciate the Senator's going into some detail to clarify what the changes in rates, earnings base, and benefits are; but I should like to have a little further clarification.

I understand that under the Long amendment, the combined employer-employee tax would be 10 percent; and that under the pending amendment to the amendment, the combined tax would be 10.4 percent.

We have the tax differential of four-tenths of 1 percent straightened out.

Now I am interested in the benefits. As I understand, the Senator from Tennessee would provide a $7 across-the-board increase in pensions, in all brackets. The Senator from Louisiana would provide something comparable to that in the lowest areas, but in the highest areas the benefits would not be as much as the benefits the Senator from Tennessee would provide. Is that correct so far?

Mr. GORE. Each case would have to be examined; $7 a month might be a greater benefit than the sum that would be provided by the Long amendment.

Mr. MILLER. Perhaps I have not made myself clear. It is my understanding that there would be substantially greater increases over the lowest brackets.

Mr. GORE. An increase of 7 percent on a $100 benefit is $7. The pending amendment would pay $7. I do not know whether the Senator refers to the $100 benefit as being in the higher benefits class. That is why I say that each case would have to be examined. If the Senator will state an amount, we can examine it.

Mr. MILLER. Does the Senator from Tennessee have an estimate of the total dollar amount which the Gore amendment would cost for all the program, as against the total amount, dollarwise, for all the people who would be in the program under the Long amendment? How many million dollars are we talking about in benefits, as between the two approaches?

Mr. GORE. It is a little difficult to compare a rabbit with his chaser.

The amendment provides a higher tax rate by four-tenths of 1 percent, divided equally between the employer and employee. It levies that rate upon a slightly heavier base—$5,600 a year compared with $5,400 a year. The benefits of my amendment, according to actuarial estimates, to answer the Senator, would be approximately $3 billion.

Mr. MILLER. That is, for all benefits, including the increase in pensions?

Mr. GORE. That is correct.

Mr. MILLER. If the Senator will bear with me a little further, how much of the $3 billion is estimated to consist of the increase in pensions? I assume the balance would be the increase relating to medical benefits and hospital benefits.

Mr. GORE. If I may answer the Senator in round figures and general terms, about half of it, or $1,500 million.

Mr. MILLER. About $1,500 million represents the increase in pension benefits?

Mr. GORE. If the Senator will consider that not to be an exact amount.

Mr. MILLER. Yes. I appreciate that we cannot get down to too fine a point. Can the Senator from Tennessee state how much the increased benefit would be under the Long amendment?

Mr. GORE. I do not have that figure. As the Senator knows, the amendment was submitted after the bill was called up. If there is a report of the Social Security Board on that, I do not have it. My own assistant estimates that it would be something less than $1,500 million.

Mr. MILLER. In other words, the dollar amount of pension benefits under the Long proposal would be approximately the same as the dollar amount for pensions under the Gore proposal?

Mr. GORE. A little less, the difference being that those receiving less than $100 a month in benefits would receive a slightly larger increase in benefits under my amendment. Those now receiving more than $100 in benefits would receive slightly less under my amendment than under the Long amendment.

Mr. MILLER. I understand; but dollarwise, for all people under the whole program, the amounts are about the same?

Mr. GORE. Roughly the same, because minus the four-tenths of 1 percent the added taxes are within proximity, and minus the health insurance under social security, the increases in benefits, as I have described, are within proximity. But I cannot give the exact amounts, because I have no actuarial estimates with respect to the Long amendment. The Senator is asking me questions to which I cannot give estimates.

Mr. MILLER. As the Senator from Iowa sees it, the Long amendment provides for a combined tax of 10 percent. Coupled with that are pension benefit increases totaling about $1,500 million. Of course, along with that, there would be the increase in earnings from $5,400 to $5,600.

Mr. GORE. Plus the $5 increase in the minimum, from $40 to $45.

Mr. MILLER. That is what I mean when I speak about $1,500 million more in pensions throughout the program. I am talking quantitywise. By the time we take the increase for this individual and that individual, and go through the program, I believe the Senator from Tennessee said it was roughly $1,500 million under the Long amendment and $1,500 million under the Gore amendment.

Mr. GORE. That is correct. If I may give a further answer, to try to be as explicit as is within my capacity, the two amendments together, which I have offered, seek, first, to adopt the principle of health care insurance for those past 65 through the social security program.

Second, it seeks to increase cash benefits for recipients of social security payments. Third, it seeks to make sufficient changes in the bill so that the conference committee can, with the assistance of the social security board and other experts, prepare the most advisable type and combination of benefits to be written into law.

It is my personal hope that they will come back to the Senate with a conference report providing for the essentials of the King-Anderson bill, and a sufficient increase in tax to make it actuarially sound, plus such other benefits as are available within an approximately 10-percent tax ceiling. It may be necessary to move the base one way or the other. However, this is only my hope.

I am telling the Senator the three major purposes of the proposals which I have submitted, which are the result of a great deal of consultation.

Mr. MILLER. I thank the Senator. I understand those points. I should like to clear up one or two further points.

Getting back to the amount, so far as the pensions are concerned, my understanding is that the difference between the Gore approach and the Long approach, from the standpoint of getting tax money, is that under the Gore approach we go from $5,400 to $5,600 on the earnings base, and under the Long approach we go from only $4,800 to $5,400; is that not correct?

Mr. GORE. The House bill would lift the base from the legal base today of $4,800 to $5,400. The Long amendment would not change the House bill in that regard.

Mr. MILLER. I understand. With respect to the tax rates, or, in other words, between the Long and the Gore approaches, or between the House and the Gore approach, there is a $200 increase in the earnings base. With respect to the tax rates, there is a four-tenths of 1 percent difference between the Gore approach and the Long approach.

Mr. GORE. If we combine together both the employer and the employee.

Mr. MILLER. That is correct. What I am getting at is that the four-tenths of 1 percent, with the difference between $5,400 and $5,600, is what the Senator from Tennessee has arrived at as being tentatively necessary to be actuarially sound, in providing hospitalization benefits, to provide pensions which are about the same in amount as those under the Long approach; is that not correct?

Mr. GORE. If the Senator——

Mr. MILLER. I shall be happy to repeat my question. Mr. President, may we have order?

The ACTING PRESIDENT pro tempore. The Senate will be in order.

Mr. GORE. If the Senator would repeat his question, I shall appreciate it.

Mr. MILLER. What I am getting at is that we seem to arrive at this point, that the Senator from Tennessee has concluded, tentatively at least, that by merely increasing the earnings base from $5,400 to $5,600, and by increasing the tax rate combined on employer and employee by four-tenths of 1 percent, enough extra tax money will be provided to be actuarially sound and to take care of the medicare benefits and pensions which are about the same in quantity as those under the Long approach; is that not correct?

Mr. GORE. If the Senator will accept my own assessment of the Long amendment. As I have stated repeatedly to the Senator I do not have the actuarial tables with respect to the Long amendment.

Mr. MILLER. I appreciate that. The Senator was giving me the rough estimate of $1.5 billion under both approaches.

Mr. GORE. I know; and I have done that. I am happy to do so if it is so understood, but I cannot then go further on specific amounts and comparisons for which I do not have actuarial estimates. However, I shall do the best I can.

Mr. MILLER. I am not trying to have the Senator from Tennessee do the impossible, but I hope that he will follow me so that he will understand the exact point I am trying to bring out. If, under the Long approach, we are to have pensions totaling about $1.5 billion a year, and under the Gore approach we are to have pensions totaling $1.5 billion a year, there is no great difference in the total amount of the pensions we shall have to finance under either approach.

Mr. GORE. I agree.

Mr. MILLER. Very well. Then we reach the conclusion that the increase of four-tenths of 1 percent tax on the employer and employee combined, and the increase in the earnings base from $5,400 to $5,600, must be only for the purpose of providing actuarially sound financing of medicare benefits. I cannot understand how else we would be doing it except for those reasons. I hope that the Senator follows my conclusion. I should like to have him agree to it, if that is what it is.

Mr. GORE. That is a logical deduction.

Mr. MILLER. Very well.

Mr. GORE. The King-Anderson bill from the beginning—at least for the past few years—has involved a tax increase of four-tenths of 1 percent. The Senator has made a logical deduction, if he grants—as he so generously does—my own inadequacies in making exact estimates.

Mr. MILLER. The Senator recognizes what I and other Senators must arrive at—that if we vote for the pending amendment, we must be satisfied that the four-tenths of 1 percent tax on employer and employee combined, plus the increase in the earnings base up to $5,600, will be adequate to provide actuarially sound financing for medicare benefits. It is for that reason that I wished to pursue the point with the Senator from Tennessee.

I am not an actuary, but I recognize that there does not seem to be a great deal of difference between the Long amendment and the Gore amendment—four-tenths of 1 percent of tax money, and an increase in the earnings base from $5,400 to $5,600—and I am wondering whether, with this change, we shall have an actuarially sound arrangement.

In that connection, I have two further questions to ask the Senator.

The Senator from Tennessee suggests that this matter go to conference, where actuarial experts can devise a program; and we can do so because the third reason for his amendment is to afford a degree of flexibility, with the earnings base and the tax rates, to arrive at an actuarially sound approach; is that not correct?

Mr. GORE. To begin with, the Senator asks two questions. The Senate Finance Committee and the Senate now have had the benefit of the analyses and the estimates of the actuarial experts of the Social Security Board.

I have placed those figures in the RECORD. They are available to all Senators. The King-Anderson bill has been based upon an increase in the tax rate of 0.4 of 1 percent, equally against employer and employee, and an increase in the tax base.

Insofar as I can assure the Senator that it is actuarially sound, I assure him that, in my judgment, it is. But I must acknowledge that I am no more of an actuarial expert than the Senator from Iowa claims to be. But we do have actuarial estimates. They are available to me, and they are available to the Senator from Iowa.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. MILLER. Under the original King-Anderson bill, there was an increase in the earnings base from $4,800 to $5,200. There was a $400 earnings base increase, or an increase of 0.4 of 1 percent in the combined employer-employee tax thereon.

That is the difficulty that the Senator from Iowa is pointing to. The Senator from Tennessee proposes to go from $5,400 to $5,600, which is merely a $200 bracket increase on earnings. He proposes to use the same rate increase of 0.4 of 1 percent for approximately the same benefits. It appears to me that in order to be consistent with the original King-Anderson approach, we should go from $5,400 to $5,800. Does the Senator see my difficulty there?

Mr. GORE. I believe I see the difficulty of the Senator. If the Senator will refer to the report of the Committee on Finance, he will see that the actuarial balance has fluctuated slightly—not very much. This can be found on page 19. The proposal that is now before the Senate would not, according to the estimates we have, raise the actuarial imbalance to a greater extent than has prevailed in several years—in fact, not as much as it has been in any one of 5 previous years.

Mr. MILLER. Is the Senator referring to the minus 0.22 imbalance figure?

Mr. GORE. The minus 0.22 figure is an estimate for the Senate bill if enacted.

Mr. MILLER. Is that Senate bill, for all practical purposes, the same as the Gore amendment which was just agreed to by the Senate?

Mr. GORE. It is not. The House bill, unamended, would be minus 0.20. As amended by the committee—not by the Long amendment—the imbalance would be minus 0.22. I do not know exactly what the estimate of the imbalance would be if the Long amendment were agreed to and enacted into law. But if the Senator will again accept my inexact estimate, it would probably be approximately minus 0.21.

If the proposal which the Senate has now agreed to, plus the pending amendment, should become law, the imbalance would be only minus 0.30, which would be less than the imbalance in any 1 of 5 previous years.

Mr. MILLER. Did the Senator say "any one of the 5 previous years?"

Mr. GORE. In any 1 of 5 previous years. If the Senator wants to be exact, the years would be 1939, 1950, 1952, 1954, and 1956. It would be the same for 1956.

Mr. MILLER. The figure for 1956, as far as I can see, is minus 0.13. Did the Senator mean the year 1958?

Mr. GORE. Let me look a little closer. As the Senator knows, there is very fine print in the tables.

As I read it again, it is the imbalance after the 1956 act. The calendar year was 1958. Perhaps the Senator referred to the calendar year, and I referred to the date of the amendment.

Mr. MILLER. I believe that is the difficulty.

Mr. GORE. The imbalance would be minus 0.22.

As to more recent years, referring to the date of the estimate, the imbalance for 1960 was minus 0.30. In 1961, it was minus 0.30. Last year, it was minus 0.31. The estimate, if the proposal which I have advanced becomes law, is minus 0.30. If the conference committee should bring back a total of 10 percent and some reduction in benefits, or some increase in base, the actuarial figure would be perhaps something less than minus 0.30.

Mr. MILLER. I appreciate that information. That leads to further questions. I do not wish to delay action, but I wish to make an additional point. I do not know the implication of the minus 0.30, or the minus 0.31; but I recognize that there can be a comparison of conditions as between years.

I am not sure I am aware of what is meant by actuarial soundness. The actuarial soundness of the present social security system is such that it has been estimated that the average young man or woman in the labor market today will be paying $168 per year for every $100 of benefits that he or she would receive after retiring at age 65. That does not seem very sound when one can go to a private insurance company and start paying $30, $35, or $40 a year, instead of $168, for the same benefits. It seems to me that it is actuarially sound to pay less money.

Suppose a Senator is not satisfied in his own mind that the financing provisions under the Gore approach are adequate. Instead of increasing, as in the Long amendment, from $4,800 to $5,400, or instead of increasing only by $200, up to $5,600, perhaps we ought to increase it to $5,800. Perhaps, instead of a combined increased tax on employer and employee of 0.4 of 1 percent, it ought to be 0.6 of 1 percent.

The Senator from Tennessee suggests that we should not be too much concerned about that, but that the issue will go to the conference, and the conferees will be able to arrive at some kind of actuarially sound figure. Can the Senator tell me whether or not, if there is a top amount of $5,400 in earnings and a top tax rate of 10.4 percent, the conference committee could increase that amount? I understand that the conferees can decrease it down to the House level, but I am wondering whether they can increase it.

Mr. GORE. The Senator from Tennessee does not pose as a parliamentary expert——

Mr. MILLER. Perhaps the Senator from New Mexico [Mr. ANDERSON] could tell us.

Mr. GORE. I shall answer the question. From my long experience as a Member of both the House and the Senate and service on various conference committees, when a question is in disagreement, the conferees have wide latitude with respect to their action.

I defer to the senior Senator from New Mexico for further reply to the question.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. ANDERSON. I believe the answer to the question of the Senator from Iowa is that the conferees can go up to $5,600, but they cannot go beyond that. They have certain limitations. They must stay within them. The House figure is low and the Senate figure is high. They must arrive at a figure somewhere between those two points or at one of those points. Therefore, there would be no power in a conference to increase the amount beyond $5,600.

Mr. MILLER. The same would be true with respect to the tax rate, I suppose, of 10.4 percent in the Senate, which is the top amount.

Mr. ANDERSON. That is correct. I believe that the tax rate will finally be about 10.2 percent. I remind the Senator from Iowa of something, with which the Senator from Tennessee is very familiar, namely, that the conferees are usually very conservative in their approach to social security problems. They probably would pare down the figure. The Senator from Virginia, the Senator from Louisiana, the Senator from Florida, and others who may be conferees would try their very best to see that the result matched the cloth, whatever that might be, and they would try not to get the figure out of line. Therefore I think they would bring it down to a figure that is within the level provided in the bills.

Mr. MILLER. I appreciate that response. I hope what the Senator was referring to when he said "bring it down" was not the tax rate but the benefits, so that the benefits would match the tax revenues. Is that what the Senator was referring to?

Mr. ANDERSON. Yes. The Senator from Tennessee [Mr. GORE] pointed out that a short time ago—in 1954—the imbalance was 0.38.

The Senate conferees looked at that and the House conferees looked at it and decided to leave it alone, because they were sure that there was an element of committee consideration which would wipe out that imbalance. It did. If it had not, I know exactly what they would have done in a short time. The chairman of the committee would have called the committee together and they would have handled the matter by a new bill or a new version of the bill.

The Ways and Means Committee of the House of Representatives and the Senate Finance Committee are extremely responsible committees. They have very fine chairmen. They have good staffs. They would not permit a serious situation to develop. They would try to keep the situation solvent.

Mr. MILLER. If I may pursue the question a little further, I was wondering if the Senator from Tennessee and Senators who supported the amendment wished to have the full benefits for which the amendment provides. In my judgment, they are individually quite austere, and I would be surprised if Senators would wish to have them become even more austere. I am wondering if we should not provide the conferees with a little more flexibility insofar as the tax rates and the earnings base are concerned, so that instead of having the pending amendment confined to a 10.4-percent tax rate, perhaps it should be 10.6 percent and the earnings base, instead of being $5,600, perhaps should be $6,000, and then the conferees would be at liberty to work out the matter, or they would have the necessary flexibility to go up as well as down to insure that these rather austere benefits would be covered and at the same time see to it that the actuarial soundness is preserved.

That is the basic thrust of all the questions I have been asking my friend from Tennessee. I hope he understands that the only reason I am doing so is that Senators are conscience-bound to make sure that the integrity of the social security system is preserved and that the actuarial soundness to which the Senator referred is, indeed, actuarial soundness.

Has the Senator from Tennessee given any thought to providing the flexibility to which I referred by perhaps increasing the tax rate and the earnings base a little, not with the idea that it would necessarily stay there, but with the idea of providing flexibility to the conferees?

Mr. GORE. I have given a good deal of thought to it. Indeed, I spoke at some length upon it. I recall to the Senate that at the time the Social Security Act became law, 94 percent of the employed men earned no more than $3,000 a year. Today 94 percent of the employed men, I am informed, earn less than $12,500 a year. I went on to suggest that the Congress might wish to consider increasing the tax base to perhaps $6,600, but the amendment is the product of agreement upon the part of many Senators and upon the part of responsible agencies of the Government in this field. Therefore, I am not inclined to alter the amendment. If the Senator wishes to do so, of course, it is within his privilege to offer an amendment. I would hope that he would accept the proposal, which has been estimated to be within the bounds of actuarial soundness, and that we could look forward to the enactment of a program which would bring vast benefits to millions of people living and to a myriad of millions in the future.

Mr. MILLER. I thank my friend from Tennessee for devoting his time and his very careful responses to the questions I have asked. I share with him—and I am sure he is aware of the fact—the desire that people who are in need will have their need satisfied.

Mr. GORE. I should like to interrupt for a moment. The Senator from Iowa has one of the most incisive minds in the Senate. At times I might be hard pushed to respond with equal mental alacrity to his interrogation, but I know that his questions are prompted by the best of motives, and that he states them out of a precise and incisive mind, which I respect.

Mr. MILLER. I thank the Senator for his very gracious comments.

One further point. I should like to have the attention of my friend, the Senator from New Mexico [Mr. ANDERSON]. Between him and the Senator from Tennessee they might be able to clear up the point. Under the King-Anderson proposal an increase in the earnings base of $400 was proposed. There was an increase in the tax between employer and employee of 0.4 of 1 percent. Now we come along with a proposal which would result in an increase in the tax of 0.4 of 1 percent, so there is no change there. But there would be an increase in the earnings base of $200. That bothers the Senator from Iowa. If the increase in the earnings base was $400, as it had been under the original King-Anderson proposal, we would be perfectly consistent. But we are not. I must get back to the fact that the Long approach increases the earnings base from $4,800 to $5,400. That has nothing to do with the medicare benefits. Now we come to the pending amendment, in which we are going to take care of many benefits, and we increase the earnings base by $200.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. GORE. I yield to the Senator from New Mexico.

Mr. ANDERSON. First we must look at all the factors involved. There is the cost-sharing provision. Several Members of the Senate said that hospital care costs are going up; therefore, we must raise the rates and payments on what people earn in order to take care of these rates in authorizing hospitalization.

Mr. MILLER. Does the Senator mean in the 90-day program?

Mr. ANDERSON. Yes. We found out that as costs moved up, wages also rise. It is the view of the actuaries who presented the figures to us that we can take care of the extra costs in three ways. One is an increase in the cost sharing. Another involved reduction in nursing care.

Mr. MILLER. And there was no outpatient service.

Mr. ANDERSON. Yes. We reduced that. I have been listening to actuaries for years. They are right more often than I am. They are almost always right, and more often my guess is wrong. If the Senator will put his trust in the actuaries, who deal with these figures by the hour, I think he will get along better.

Mr. MILLER. The Senator from New Mexico has answered that point. I think it is true that it is literally impossible to nail down the exact costs in dollars and cents, but under the King-Anderson proposal there was a $400 base earnings difference, but now it is only a $200 base earnings difference, because we have a more austere program.

Mr. ANDERSON. What does the Senator mean by "more austere"?

Mr. MILLER. There is an increase in cost sharing, a reduction in nursing care, and no outpatient care.

Mr. ANDERSON. The Senator is correct. I had on my desk—although I do not have it before me now—a statement of what each factor contributed. We balanced the figures out and got almost exactly the same under the program including the Long amendment and the King-Anderson bill without the Long amendment.

Mr. MILLER. Are those figures in the RECORD?

Mr. ANDERSON. I am sure the Senator from Tennessee put them in the RECORD, because he thinks of more factors than I do.

Mr. MILLER. Perhaps he put them in, but not on basis of the same approach as the Senator from New Mexico has taken.

Mr. GORE. The approach of the Senator from New Mexico is superior.

Mr. MILLER. I think it would be helpful to have those figures in the RECORD. I am sure there are many persons, including the Senator from Iowa, who are concerned about the phrase "actuarial soundness." It is a nice phrase, but what is important is not only how the program is going to work with present participants, but how it is going to work with the young men and women who are starting work today, and with the college children who will be coming along tomorrow and those who will follow after that.

It shocked the Senator from Iowa to hear that under the present "actuarial soundness" of the social security program, without any added benefits of any kind, between the employer and employee, $168 in tax moneys will be paid for every $100 in benefits the young men or women can hope to receive. That is why the Senator from Iowa does not want to take action in the Senate—at least while he is a Member of it—which would add to that burden. I am sure the Senator from Tennessee understands that.

Mr. GORE. Mr. President, as I have pointed out to the Senator, the minuses and pluses, with balances and imbalances, have varied from year to year, changing from minus 0.13 in 1956 to minus 0.42 in 1958. There is a change in calendar year 1960, from a minus 0.05 in 1960 to a minus 0.30 in 1961.

If the conference committee should agree, and if the proposal which I and other Senators have advanced should become law, the actuarial estimate is that it would be minus 0.30, which is no greater imbalance than has been the case for about one-half the time of the existence of the social security program.

Mr. MILLER. That would be for this year.

Mr. GORE. That would be for next year.

Certain tolerances must be accepted. Not even an actuarial expert can be pluperfect.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. ANDERSON. May I say to the Senator from Iowa that had he been in the Finance Committee and heard the discussion, round after round, and had he written down what was said, and had he confronted the actuaries year after year, he would tend to have respect for them. When it comes to the size of the national debt, that has not been the experience of the Finance Committee. The Treasury Department generally has underestimated the size of the national debt.

To answer the Senator's question specifically, the increase in the earnings base adds 0.06 to the balance. The increased contribution rate takes care of 0.81. Using the fiscal 1964 earnings assumption, it adds 0.04. Those three added together come to 0.91.

That is the income side of the picture.

On the outgo basis, taking the $7 increase instead of the 5 percent, it would cost 0.23. Hospitalization benefits would cost 0.76. Therefore, the balance of change is plus 0.08.

There was a 0.22 figure a while back, 0.08 is added, and we get a 0.30 figure, which is what we are talking about. That is the best guess we can make.

I never quite understood why Robert Myers has been kept as long as he has on the Social Security Board, because I am surprised that some insurance company did not take him into its employment a long time ago. His figures are very accurate. His calculations are very satisfactory. While I cannot guarantee that everything he puts out is correct, I can guarantee that I have followed his figures a long time and I like the results, and I am sure the Senator from Kansas [Mr. CARLSON] also has followed him, and I believe he feels he has done a good job of estimating during the years.

Mr. MILLER. I thank the Senator.

I now ask the Senator from Tennessee if he has any projection of the figures. He said the 0.30 would relate to the first year. Does the Senator have any projections looking to the next few years?

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MILLER. I had a question pending.

Mr. GORE. I shall yield again, and then I shall yield to my colleague on the Committee on Finance, the Senator from Kansas.

Mr. MILLER. The last question I put to my friend the Senator from Tennessee was whether or not he is able to give any projections as to how the actuarial plans will look, not only with respect to a year after the bill goes into effect, but with respect to the next year and the year after that, for perhaps a 10-year period.

I hope the projections can be furnished, because I believe it to be quite important that we have some idea not only of how this program will look in the first year, but how it will look over the next several years, particularly with the increased number of beneficiaries coming into the system.

Mr. GORE. Mr. President, the actuarial estimate which I have given to the Senator, and to which I have referred is, in fact, a long-term estimate, but most conservatively based. It is based upon the 1963 level of wages. If wages increase obviously there will be a great deal more revenue from such taxes.

When I say the estimate is conservatively based, I say so with good reason, because the level of wages in 1964 is already greater than the level of 1963. If the course of economics of this country follows its usual pattern, there will be a further wage increase. Indeed, Congress may see fit to increase the minimum wage. That would have a great bearing. That is the best answer I can give.

Mr. MILLER. I thank the Senator from Tennessee for his patience and for his responsive comments.

Mr. GORE. I thank the Senator for his incisive inquiries.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. GORE. I yield to my distinguished colleague on the committee.

Mr. CARLSON. I appreciate very much the time the distinguished senior Senator from Tennessee has spent on this entire program and this entire study.

First I wish to concur in the remarks made by the distinguished Senator from New Mexico [Mr. ANDERSON] in regard to the actuarial services and ability of Dr. Myers. I am fully in accord. The figure of $5,800 has been mentioned as a base, instead of the present $5,600. I am not familiar with the changes which have been made in the original King-Anderson bill, which is now pending before the Senate.

However, on June 1, 1964, Dr. Richard J. Myers, our actuary, submitted to the House committee a table entitled "Required Earnings Base for King-Anderson Bill Assuming Wages and Hospital Costs Increase 3 Percent a Year." The table is found at page 175 of the Senate hearings. This is a rather interesting table, in view of the discussion which has taken place this afternoon.

I realize that some changes have been made in the proposal now before the Senate, and that the figure might be between $5,600 and $5,800.

The Senator from Iowa has requested some information in regard to projections. I ask unanimous consent that the table to which I have referred may be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Required earnings base for King-Anderson bill assuming wages and hospital costs increase 3 percent a year [1]

1965	$5,800
1970	6,700
1975	7,800
1980	9,000
1985	10,000

[1] Under the provisions of the King-Anderson bill, the wage base is increased from the present $4,800 a year to $5,200 a year.

Mr. CARLSON. I do not question in any way the figure which the Senator is using in the pending bill, but this table ought to be made a part of the RECORD because it was submitted to the House Ways and Means Committee.

Mr. GORE. I appreciate the action of the Senator. I wish to pay tribute to the distinguished senior Senator from Kansas. He has frankly said many times in executive sessions of the committee that there were areas in which Congress ought to act to make available greater security in old age. Indeed, he said it on the floor of the Senate yesterday. He is not entirely satisfied with the amendment which has been adopted, but I wish to say publicly that I am grateful to him for the sympathetic consideration which he has always given and the compassion he has always shown for the people of this country who approach the evening of their lives.

Mr. CARLSON. Mr. President, again I wish to state that I appreciate the time spent on this subject by the distinguished Senator from Tennessee [Mr. GORE], the distinguished Senator from New Mexico [Mr. ANDERSON], the distinguished Senator from New York [Mr. JAVITS], and the distinguished Senator from Connecticut [Mr. RIBICOFF]. All of them have worked unceasingly on this problem.

I said yesterday, and I say today, that there are features in all these bills which, if we could tie them together, might make it possible to arrive at something that would be in the best interest of our people who are aged and need this medical attention.

If I may be bold enough to make the suggestion now, I suggest that the distinguished Senator from Tennessee request the leadership to recess or adjourn the Senate until tomorrow in order to get a bill together which could be better presented to the Senate, instead of writing it on the floor of the Senate. That is my personal feeling.

Mr. SCOTT. Mr. President, will the Senator yield on that point?

Mr. GORE. Let me first reply to the Senator from Kansas. If the distinguished Senator from Kansas will examine the CONGRESSIONAL RECORD of August 31, he will find there the text of amendment No. 1253, together with an explanation, which is essentially the King-Anderson bill offered as an amendment to the bill reported by the committee. I am asking the page to take to the Senator a copy of amendment No. 1253.

After the offering of the Long amendment it became necessary to prepare our amendment in a slightly different form, to offer it as an amendment, not to the Senate Finance Committee-reported bill, but to the Long amendment to the Senate Finance Committee-reported bill.

That is a part of the basis for the difficulty we are now having.

I now yield to the able junior Senator from Pennsylvania.

Mr. SCOTT. I thank the Senator from Tennessee. I should like to make it clear that I find myself in general agreement with what the Senator from Kansas [Mr. CARLSON] has said; that is, that all these bills have some good features. I am about to offer as an amendment a bill which I have previously introduced, which I think has good features, and in which I solicit the interest of my colleagues.

I favor the increase in social security benefits. Had there been an opportunity for a separate vote, I would have so voted. I expect to support the bill as amended.

I hope the Senate will not take a recess now, because the Chair has agreed to recognize me following the action on the amendment of the Senator from Tennessee; and then I believe there is an agreement to recognize the distinguished junior Senator from California [Mr. SALINGER], who has an amendment. So I am sure we would like to complete action on our amendments before anything else happens.

Mr. GORE. I thank the Senator from Pennsylvania for his careful consideration of the amendment and his indication that he expects to vote for the bill as amended.

With respect to the procedural matter about a recess or an adjournment, that is a question for the leadership of the Senate—the majority leader and the minority leader. I am not empowered—at least, I think it would be inadvisable for me—to take such action, particularly since other Senators desire recognition.

I should like to proceed to have action taken on my amendment; then, if the junior Senator from Louisiana would prefer, to have the RECORD show that the amendment which was submitted on August 31, No. 1253, has been adopted, I would only ask that the amendment submitted by the senior Senator from New York [Mr. JAVITS] be made a part of it. I wish to accommodate Senators; but I should like to complete the consideration of the pending amendment. Then I shall take my seat and listen to the Senator from Pennsylvania.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. McCARTHY. I urge the Senator from Tennessee to insist upon that procedure. The complexity is not in substance but rather in the form in which the amendment has been offered in two parts. In my opinion, the best way to accomplish the procedure would be to adopt the second phase of the Gore amendment, which has been thoroughly studied in consultation with the Social Security Administration, with the staff members of the Joint Committee on Internal Revenue, with the Senator's own staff, and with the staff of the House Committee on Ways and Means in consultation with the staff of the Committee on Finance. For the sake of clarity, the best procedure would be to adopt the whole of the Senator's amendment.

Then if it is desired to have the Senate go over until tomorrow, to permit Senators to study the RECORD, the best purpose will have been served. Senators can then come to the conclusion that the amendment had been carefully prepared.

The procedure the Senator from Tennessee is recommending is the most orderly and the most understandable one.

Mr. GORE. I thank the distinguished Senator from Minnesota, who is a colleague of mine on the Committee on Finance. He joined me and other Senators in offering amendment No. 1253. Indeed, he was the first to suggest that he would like to cosponsor it. He cosponsored it in committee and on the floor of the Senate.

In submitting the Javits amendment as a part of the pending amendment, a glaring omission occurred. I shall read the language:

> (d) The management of the reserve fund and the administration of the activities of the association shall be vested in an executive committee which shall consist of three individuals elected by the Advisory Council authorized to be established by section 235.

I modify my amendment by including that language as a part of the amendment which the Senator from New York [Mr. JAVITS] and I have cosponsored.

The PRESIDING OFFICER (Mr. SALINGER in the chair). The amendment will be so modified.

The question is on agreeing to the amendment of the Senator from Tennessee [Mr. GORE] as modified.

Mr. GORE. Mr. President, I understand that the Senator from Louisiana asked that a quorum be called before the vote is taken on the amendment. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE FOR THE ELDERLY

Mr. KUCHEL. Mr. President, health care legislation which will truly meet the needs of our senior citizens is long overdue.

Today almost 18 million Americans are over 65 years of age. In my State of California, there are almost 1.5 million senior citizens. With the great increase which has taken place in consumer prices and in the cost of hospitalization, unless we act positively and vigorously, they face an uncertain future during their retirement years. Since 1950 and the Korean war, the Consumer Price Index maintained by the Bureau of Labor Statistics has generally grown by 29.1 percent through June 1964. Medical care items, however, generally rose by much more: by 62.8 percent. Yet, the cost of hospital daily room rates skyrocketed beyond all bounds: by 154.5 percent.

This cost is not due to a desire by the hospitals of the land to cash in on misery and suffering. The hospitals have their own grave financial problems: problems of financing increasingly expensive specialized equipment and funding a rising cost of construction in developing modernized facilities and also maintaining the staff to service them.

But beyond the rising cost of hospitalization, the senior citizen is confronted with another economic fact; namely, that his income is drastically reduced during his retirement years. Thus his capacity to meet these expenses is greatly reduced. The per capita costs of personal health services for those over 65 run about 2½ times as high as for the remainder of our population. In 1961, these costs were estimated to be $226 per aged person as compared to $103 for other persons. They are even higher now. Yet, almost one-half of our senior citizens who live alone have an annual income of $1,000 or less. Three-fourths have an income of less than $2,000 per year. This limited income will not go far in meeting today's catastrophic health-care costs.

What we seek in the present amendment is to enable a citizen to put away sufficient funds during his working years for possible use during his retirement years to pay these costs of hospitalization. The social insurance principle which is embodied in the social security system is the proper way, in my judgment, to do this. This is the fiscally conservative and sound way to finance this program. No one can charge that the rich are soaked to give to the poor or that the poor are objects of welfarism or public charity. In reality, we are attempting to provide for the middle-income citizens who are caught in the cost-price squeeze which has diminished the value of their savings. An individual receives social security benefits not because of the largess of a beneficent State, but because it is his money which has been in a trust fund and he is entitled to the benefits based on the actuarial soundness of the fund.

The so-called King-Anderson approach, changed and modified, which has now been introduced by the Senator from Tennessee [Mr. GORE] is in large part the result of discussions held during the summer of 1962 between Senator ANDERSON and Senator JAVITS, myself, and several other Republicans as we sought to fashion a workable program.

At that time, we proposed blanketing in all who were then over 65 and not merely those who had had the opportunity to secure the necessary social security credits. The difference would be made up from the general revenue. After a transition period, all senior citizens would have to have some social security credits, but at least those whose occupations had not been covered by law during their working years would not be discriminated against.

We also provided for a separate trust fund for the hospitalization program so that there would be no danger of affecting the actuarial soundness of the regular social security retirement program.

We authorized the Secretary to enter into agreements with private organizations designated by a group of providers to perform administrative functions in connection with the program.

We provided for the use of State agencies to determine eligibility and provide consultative services under the program.

We permitted the States to supplement the program if they desired.

We provided that any hospitals accredited by the Joint Commission on Accreditation of Hospitals—composed of representatives of the American Hospital Association and the American Medical Association—would automatically be eligible to participate provided they had an adequate utilization review plan.

Our seventh basic proposal concerned the provision of an appropriate role for private health insurance plans. During the intervening period, we have refined our views on this as a result of the recommendations of the National Committee on Health Care of the Aged chaired by Dr. Arthur S. Flemming, former Secretary of Health, Education, and Welfare under President Eisenhower and now president of the University of Oregon.

The Flemming Committee endorses the principles and approach which underlie the amendment now before the Senate. But they recognized, as we do, that the hospitalization program under social security will only cover approximately one-third of the senior citizens' health care costs; two-thirds of the job still remains to be done. Thus they advocated a complementary private program which would cover those services which the public portion of the program does not provide.

Mr. President, I ask consent that a description of the policy which might be issued under that program which I made earlier this year be printed at this point in my remarks.

There being no objection, the description was ordered to be printed in the RECORD, as follows:

> This policy would be designed to cover those services which the public portion of the program does not provide. The public portion of the program would only cover approximately one-third of the health care costs which are borne by an aged person. These are the highly expensive costs of institutional care. But the challenging task has long been to devise a complementary program which would go far toward meeting the two-thirds of the health care costs which remain. This is what we have tried to do in authorizing this national association. It is based, in part, on the experience of the "over 65 plans" which now exist in States such as New York and Connecticut and are beginning in California. The national association would be exempt from the

antitrust laws and also from Federal and State taxation. In this way, the premium could be reduced much more than at present where such health insurance policies are subject to taxation. The standard policy which this association would develop, subject to the approval of the Secretary of Health, Education, and Welfare, must include at least the following health insurance benefits:

First, payment of part or all of a physician's services whether performed in his office or elsewhere;

Second, payment, in accordance with a schedule, for or toward the costs of surgery performed in or out of a hospital;

Third, payment of not less than the first $15 charged for consultation with a specialist; and

Fourth, payment, in accordance with a schedule, for or toward charges for diagnostic care, laboratory, and X-ray services.

Such services available under the private standard policy devised by the national association could include payment for services provided by physicians, surgeons, or dentists as well as any other medical care practitioner recognized under State law, such as members of the optometric profession. Such services could include prescribed drugs, eyeglasses, dentures, and other devices, as well as private duty nursing services, home health care services, inpatient hospital services, and skilled nursing home services to the extent that they are not already provided under the public portion of the program.

Mr. **KUCHEL**. Mr. President, I am delighted that the Senator from Tennessee [Mr. **GORE**] has now accepted this proposal for a complementary private program. I regret that the provision for exemption from Federal and State taxation has not been agreed to. I believe this would aid greatly in reducing the cost of the private policy designed to cover two-thirds of the health care costs which confront our senior citizens. I can understand, however, the legitimate fear that this might change the historic position that the insurance industry is regulated at the State level.

Mr. President, I believe we should make a start on this tremendous problem. Nothing is so important to a nation as the health of its people unless it be the education of its people. The evidence is clear that despite valiant efforts, private health care plans simply cannot do the job of meeting the hospitalization costs of senior citizens.

Mr. President, I ask consent that an article from the Wall Street Journal of April 6, 1964, entitled "Insuring the Elderly," be included at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Apr. 6, 1964]

INSURING THE ELDERLY: PRIVATE HEALTH POLICIES FACE STEEP COST RISE, SCRUTINY OF CONGRESS—SOME RATES GO UP—INDUSTRY PARES ESTIMATE OF PEOPLE IN NEW GUARANTEED PLANS—MEDICARE FIGHT BEGINS AGAIN

(By Roger A. Simpson)

Health insurers are suffering some embarrassing financial and statistical pains with new medical care plans for the aged.

The industry, until recently, had pointed proudly to the fiscal soundness and widespread acceptance of a "guaranteed" type of health insurance issued to anyone age 65 or older who applied. But now they say such insurance is becoming increasingly unprofitable, and some companies have boosted rates sharply. At the same time, the insurance industry is paring previously publicized totals of those covered by the plans.

All this is causing discomfort among insurers at a time when they're trying to expand coverage of the aged. The companies are anxious to prove they can adequately protect those age 65 and over, and thus head off President Johnson's drive to enact medicare, a plan for financial hospital bills of the aged through social security. The House Ways and Means Committee this week will take up the medicare bill and alternative proposals. Even if the administration's bill is stalled or defeated in Congress this year, it seems certain to be an election issue that will further throw a spotlight on the insurance industry.

Meanwhile, insurers worry over the impact of Senate hearings, slated late this month, that will probe how well commercial insurers are meeting the needs of the elderly. A subcommittee headed by Senator MCNAMARA, Democrat, of Michigan, will look into charges that the industry is overstating by 1 million its claim to cover more than 10 million of those over 65, or roughly 60 percent of the aged population.

GROWTH OF COVERAGE

For years, insurers have been quite selective about issuing health policies to elderly persons, mainly because frequent ailments of those over 65 make them a risky group. In the past decade, though, the industry asserts it has expanded coverage of the aged from 30 percent to the present 60 percent. Such figures, of course, include people with any kind of insurance, even minimum policies.

In the past 5 years or so, "guaranteed" insurance has become available to the elderly. Such insurance is issued to anyone who applies, without physical examination or other qualifications. Three large insurers, Continental Casualty Co. in Chicago, Mutual of Omaha Insurance Co. and Fireman's Fund Insurance Co. of San Francisco, have led the way with such guaranteed insurance. Blue Cross and Blue Shield plans began using mass enrollments to offer such insurance in 1962. And since 1961, a large number of insurance firms have been banding together in State "pools" to sell the guaranteed plans. The pools are operating in Connecticut, New York, Massachusetts, Texas, and California and are forming in several other States.

Sellers of the guaranteed insurance for those 65 or older rely on heavily advertised mass enrollments during brief annual periods to make sure they get a good cross section of risks signed up. While companies like Continental and Mutual of Omaha aim to make a profit from the insurance, the State pools generally hope merely to break even. Their purpose is avowedly political—to undercut the arguments of those who say only the Government can meet the health insurance needs of the elderly. The State pool plans try to cut administrative costs to the bone and rely on indirect subsidies, such as donated executive time, to keep premiums down.

JUGGLING FIGURES

The guaranteed plans for the elderly are involved in some recent figure juggling. A year ago, top industry officials claimed that such policies covered more than 2 million persons, or about 20 percent of all health insurance for those 65 and over. But now, officials say, the figure is only about 1,525,000, up around 200,000 from a year ago. One big insurer explains that Senator MCNAMARA's attack on industry statistics caused the company to recheck its figures and it "may indeed have made an error." An official explains that previous estimates of those covered greatly underestimated the number who own more than one policy.

Estimates of profitability also turned out to be a bit rosy. In mid-1963, Continental Casualty said it was making a small profit on its guaranteed mass-enrollment policies. But Lee Farmer, vice president, says audits early this year showed the company lost money on the insurance last year. As a result, it boosted the combined monthly premium on its package of three policies to $25.50 from $21.

Other companies are making similar increases. Fireman's Fund last August lifted the monthly cost of its "plus $10,000" plan, which covers major hospital expenses, to $15.75 from $11. Connecticut 65, the first State pool plan, last year raised rates 9 percent. Mutual of Omaha, which with Continental Casualty issues about 80 percent of all such guaranteed insurance, plans no rate increases, according to a spokesman. But he adds the company is taking a hard look at its operating figures in light of other companies' rate boosts.

The rate increases reflect generally rising medical and hospital costs, as well as the high claim rate by the elderly. The daily cost of hospital stays has climbed more than 7 percent a year in the past decade. Last year it averaged $39.33, about double the level in 1953, says the American Hospital Association. And people over 65 use three times as much hospital care as do younger people, Government officials assert.

Policies covering these costs vary widely, and there is no good way to compare them. But a person generally can buy two types of coverage—a basic hospital and doctor bill policy paying some portion of room and board for a fairly brief period, and a policy, usually called major medical, that pays the high costs of long illnesses.

Typical are the policies that Western 65, a State pool, has begun selling in its initial mass enrollment in California. A basic policy that pays up to $20 a day for 31 days and up to $200 for extra hospital charges costs $11 a month. A major medical policy paying up to $5,000 a year, after a $500 deductible share is paid by the policyholder, and up to $10,000 during a lifetime, costs $14 a month. A third plan that combines hospital expense and major medical coverage costs $23 monthly.

The major medical policy has been a large factor in rising rates because policyholder claims have exceeded company calculations. Also, people sometimes buy two or more policies from different companies and make duplicate claims for the same expenses.

Fireman's Fund had to raise premiums on its major medical, or "plus $10,000" policy, because "our incurred losses on that policy alone was 160 percent of premium income," says Kenneth T. King, vice president. About 70 percent of the 50,000 elderly persons insured by Fireman's Fund through mass enrollments have the policy. The company's loss margin was substantially less on its total mass enrollment policies.

Connecticut 65, while increasing its rates last year, also curtailed one benefit under its major medical policy. Previously, the plan paid $18 a day indefinitely for registered nursing care in the home. It now limits this benefit for its 26,500 policyholders to an annual amount ranging up to $1,000.

CONGRESSIONAL ACTIVITY

For a small number of the aged, major medical policies are "an investment rather than insurance," says some officials. State laws or the high cost of enforcement have allowed people to buy several policies and make claims under all of them. Such duplicated claims usually are made under major medical policies. An elderly Fireman's Fund policyholder spent 40 days in a California hospital, using a private room and other extras that ran his bill up to $70 a day. He put in claims under three separate policies, paid his bill and wound up with a $4,000 profit. Fireman's Fund says there are no provisions in its policy that would allow it to prosecute its policyholder to recover its money.

Such cost problems, and the higher premiums that result, can only complicate the insurance industry's political problem. The House Ways and Means Committee begins this week closed-door consideration of the King-Anderson bill, which embodies the President's medicare plan. The committee has refused to okay a bill for the past 3 years. If it now does clear the bill for House action, it is likely to make substantial changes, probably curtailing some of the benefits and altering the financing details.

The committee also has before it a number of other health care proposals, including a plan to liberalize the Kerr-Mills Act. This act provides matching Federal funds for State welfare medical programs, designed to assist people age 65 and older who need special help in meeting the costs of medical care.

While the House committee ponders medicare, Senator McNAMARA's committee hearings are expected to scrutinize the State pools, the validity of industry statistics, and various proposals to aid the commercial insurers in providing coverage, possibly as a supplement to a social security hospital care program. The committee's liberal majority is expected to be looking for ammunition for administration forces in the King-Anderson bill debate.

MEDICARE PROS AND CONS

The King-Anderson bill would provide a choice of hospital benefits, ranging from 45 days at full cost to 180 days with a small amount paid by the patient. It also would pay benefits for nursing home care, home health care and outpatient diagnostic service. It would be financed by an increase in the social security tax rate of one-fourth of 1 percent for both workers and employers and an increase in the annual earnings subject to tax to $5,200 from the present $4,800.

Proponents of medicare claim that a large number of the elderly can't afford to pay about $200 a year, on the average, for private insurance coverage. They contend that the high cost of old-age illneses should be paid off over a productive lifetime rather than in a few large payments during old age. And they say millions of the elderly have little or no private health insurance at all now.

Insurance companies and other opponents of medicare point out that the administration plan would cover those who can afford to pay their own bills, as well as those who can't. And they note it wouldn't cover most doctor bills, as do some health insurance policies. They assert that most of the elderly now have insurance or the means to pay their own costs of illness and that the proportion of the aged who are insured is growing fast.

Mr. KUCHEL. Mr. President, American doctors do a magnificent job of donating their services in many parts of our land to help needy citizens. I have yet to meet, however, a doctor or anyone else who is willing to pay a senior citizen's hospital bill. Nor should they. The senior citizen does not want charity. He wants to be able to meet his own bills. He will be able to if we agree that he can provide during his working years, through the social security system, for the institutional care he might need in his retirement years. With that burden relieved, I am hopeful that the private health care groups throughout the country will then be able to meet the remainder of his needs.

KICKBACK BY MATTHEW McCLOSKEY ON DISTRICT OF COLUMBIA STADIUM CONTRACT

Mr. MILLER. Mr. President, today the White House issued a statement that President Johnson has ordered the Federal Bureau of Investigation to look into all aspects of the charges made by the able and distinguished Senator from Delaware [Mr. WILLIAMS] relating to the alleged kickback of $35,000 by the Matthew McCloskey Contracting Co. in connection with the construction of D.C. Stadium.

It has been stated that $25,000 of this amount went into the Kennedy-Johnson 1960 campaign.

All of us are pleased at the action which finally has been taken to follow up on some of the leads provided during the investigation of the Bobby Baker affair.

However, the average citizen must certainly ask why was not this investigation ordered long ago. Surely, enough leads were available as a result of the revelations before the investigating committee to warrant an FBI investigation being ordered.

Why did not the committee itself have its own investigating staff do so, also?

Finally, I hope that the President will also direct the Internal Revenue Service to make an investigation, because if this kickback was charged off as a business expense by the officers of the firm, particularly when most of it went into a campaign fund which Baker distributed, then there may well be a clear case of tax evasion.

The penalties for such activities are severe—both imprisonment and fine.

SOCIAL SECURITY AMENDMENTS OF 1964

The Senate resumed the consideration of the bill (H.R. 11865) to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

The PRESIDING OFFICER (Mr. EDMONDSON in the chair). The question is on agreeing to the amendment of the Senator from Tennessee [Mr. GORE], as modified.

Mr. SALTONSTALL. Mr. President, I should like to ask the Senator from Tennessee, or the Senator from New York, if the amendment of the Senator from New York which he described this morning is now attached to the second Gore amendment, or will it be attached by a voice vote or a yea-and-nay vote?

Mr. GORE. It is now a part of the pending amendment, and the Senator from New York is a cosponsor of the entire pending amendment.

Mr. SALTONSTALL. So when the Senate adopts the Gore amendment—and I assume that it will—the further suggestions of the Senator from New York will be included.

Mr. GORE. Indeed so. This question was discussed with several Senators, and they were agreeable to accepting it.

Mr. SALTONSTALL. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the Gore amendment, as modified.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the Gore amendment, as modified.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from Louisiana withhold his request?

Mr. LONG of Louisiana. I do for the moment.

Mr. President, an interesting article appeared on the news teletype machine during the debate on health care.

The article reads:

> Fifty-four percent of Americans over age 65 and 71.9 percent of those under 65 had hospital insurance coverage in 1962–63, the Public Health Service reported today. As the Senate reached the voting stage on a proposal to provide health care for the aged under social security, the Health Service distributed by mail a report on health insurance coverage from July 1962, through June 1963.

Mr. President, I ask unanimous consent that the article entitled "With Health Care" which appeared on the teletype be printed in full at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WITH HEALTH CARE

WASHINGTON.—Fifty-four percent of Americans over age 65 and 71.9 percent of those under 65 had hospital insurance coverage in 1962–63, the Public Health Service reported today.

As the Senate reached the voting stage on a proposal to provide health care for the aged under social security, the Health Service distributed by mail a report on health insurance coverage from July 1962 through June 1963.

The data were collected in household interviews in a national survey.

The report said the data indicate that 70.3 percent of the total civilian, noninstitutional population had hospital insurance and 65.2 percent had surgical insurance.

The percentage of noninstitutionalized persons covered by health insurance ranged from 34.1 for those with a family income less than $2,000 to 87.9 for persons with a family income of $10,000 or more.

The white population had a hospital insurance coverage rate of 73.6 percent and the nonwhite population a rate of 45.5 percent.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, as the sponsor of the initial amendment, which has been amended to the point where it is mine in name only—technically, I am in a position to accept the amendment. Inasmuch as the Senator from Tennessee, who is in fact the father of the amendment, desires to accept it, I accept the amendment that is pending before the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. GORE].

The amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, I now ask unanimous consent that my name and the names of Senators who joined me in cosponsoring my amendment be withdrawn from the amendment and that the name of the Senator from Tennessee [Mr. GORE] be substituted for my name as the sponsor.

The PRESIDING OFFICER. Is there objection? Without objection it is so ordered.

Mr. GORE. Mr. President, reserving the right to object, I should like to inquire of the Chair if this in any way affects the parliamentary situation. Would the next question before the Senate recur upon the Gore amendment, as amended, which would be the situation in any case, except that the question recurring would be on the Long amendment, as amended?

The PRESIDING OFFICER. By this unanimous-consent procedure the question can be presented to the Senate on the amendment of the Senator from Tennessee, as amended, since the Senator from Louisiana [Mr. LONG] has withdrawn his name by unanimous consent.

Mr. GORE. Mr. President, further reserving the right to object, does the Senator from Tennessee correctly understand that the proposed action, if entered into, would in no way change the parliamentary situation, but would merely alter the authorship of the amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. GORE. Further reserving the right to object, I have earlier indicated to the able junior Senator from Louisiana, who is my warm friend and a great legislator, that I would be willing to cooperate with him in any reasonable way. To this end, he is willing to accept the will of the Senate, and therefore, unless the majority leader, with whom I have worked on this matter, or the senior Senator from New Mexico [Mr. ANDERSON], interposes some objection, I have none.

Mr. PROUTY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PROUTY. Would it be in order, if the unanimous-consent request of the Senator from Louisiana were agreed to, to further amend the so-called Gore amendment?

The PRESIDING OFFICER. Is the question whether the amendment, if adopted by unanimous consent, can be amended further?

Mr. PROUTY. That is correct.

The PRESIDING OFFICER. It would require unanimous consent.

Mr. GORE. Mr. President, the unanimous-consent request is not that the amendment be adopted, but that the amendment be assumed to be sponsored by the senior Senator from Tennessee.

Mr. LONG of Louisiana. Not that it be assumed, but that it actually be sponsored by the Senator from Tennessee.

Mr. GORE. I am willing to have it adopted by unanimous consent, but I did not ask it.

Mr. LONG of Louisiana. I want the Senator from Tennessee to own up to his baby.

Mr. GORE. I am proud to do so. I will take it home and cuddle it for the rest of my life.

Mr. PROUTY. Mr. President, another parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PROUTY. Has a vote been taken on the Long or Gore amendment?

The PRESIDING OFFICER. Two amendments have been agreed to. There is a further question; that the amendment to the bill, as amended, be agreed to.

Mr. JAVITS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Vermont could offer an amendment at this time.

Mr. JAVITS. I move to reconsider the vote by which part 2 of the Gore amendment was adopted.

Mr. PROUTY. Mr. President, I suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, will the Senator withhold that suggestion?

Mr. PROUTY. I withhold it.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

Mr. MILLER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Iowa will state it.

Mr. MILLER. What is the pending question?

The PRESIDING OFFICER. The question before the Senate at this time is: Is there objection to the unanimous-consent request to consider the pending amendment to the bill to be the Gore amendment, as amended?

Mr. GORE. Reserving the right to object, is not the parliamentary situation now before the Senate that the question recurs upon the Long amendment, as amended?

The PRESIDING OFFICER. Until the unanimous-consent request is agreed to, the answer is "Yes."

Mr. GORE. If the unanimous-consent agreement is entered into, the question recurring before the Senate will be on the Gore amendment, as amended. Is that correct?

The PRESIDING OFFICER. The Senator is correct. Is there objection?

Mr. KEATING. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KEATING. Will the amendment be known as the Gore-Long amendment?

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, I move that the Senate reconsider the vote by which the second Gore amendment was agreed to.

Mr. KEATING. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the junior Senator from New York to lay on the table the motion of the senior Senator from New York.

Mr. MILLER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MILLER. Do I correctly understand that there has been a voice vote on an amendment since a yea-and-nay vote was had on the first Gore amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. MILLER. I understand that that is the one to which the present motion is directed. However, I wonder whether the Chair would advise us what the parliamentary situation would be if the pending motion were adopted and any further Gore amendments were offered.

The PRESIDING OFFICER. The question would recur on that amendment, as amended.

Mr. MILLER. Must the Senator from Vermont offer his amendment prior to that time, if he wishes to modify it?

The PRESIDING OFFICER. Unless he obtains unanimous consent, the answer is "Yes."

The question is on agreeing to the motion of the junior Senator from New York [Mr. KEATING] to lay on the table the motion of the senior Senator from New York [Mr. JAVITS].

The motion to lay on the table was agreed to.

Mr. PROUTY. Mr. President, I suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, will the Senator withhold that suggestion?

Mr. PROUTY. I withhold it.

Mr. LONG of Louisiana. Has unanimous consent been granted that my name be removed from the amendment?

The PRESIDING OFFICER. The answer is "Yes."

Mr. LONG of Louisiana. Is it the understanding of the Chair that the Record will show, in the event that the Gore amendment should carry, "So Mr. Gore's amendment was agreed to"?

The PRESIDING OFFICER. That was the unanimous-consent agreement that was entered into.

Mr. MANSFIELD. As one who has been an interested spectator of what has transpired, could the Chair tell the Senate where we stand on these motions, objections, and parliamentary inquiries?

The PRESIDING OFFICER. The question now pending before the Senate is on the Gore amendment to the bill, as amended, under the unanimous-consent agreement.

Mr. MANSFIELD. The bill is open to further amendment. Is that correct?

The PRESIDING OFFICER. The Gore amendment is open to amendment before it is agreed to.

Mr. MANSFIELD. There is no need to take a vote on the Gore-Anderson amendment. Is that correct?

The PRESIDING OFFICER. Yes. A vote must be had on that. That is the question.

Mr. MANSFIELD. I thank the Chair.

Mr. CARLSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Kansas will state it.

Mr. CARLSON. If the Gore amendment is adopted, will it be necessary to secure unanimous consent, following the vote, to offer an amendment to it?

The PRESIDING OFFICER. It would be as to that amendment, but not as to the bill itself.

Mr. ANDERSON. But the Senator from Vermont [Mr. Prouty] is fully able to offer his amendment to the Gore amendment, if he wishes to do so.

The PRESIDING OFFICER. Before the vote is taken.

Mr. PROUTY. Mr. President, I understand some other Senators expected to be recognized.

The PRESIDING OFFICER. The question is on agreeing to the Gore amendment, as modified.

The amendment was agreed to.

Mr. KUCHEL. Mr. President, is it in order to move that the Senate reconsider the vote by which the amendment was agreed to?

The PRESIDING OFFICER. It is.

Mr. KUCHEL. I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. GORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GORE. Mr. President, I ask unanimous consent that the amendment, which by action of the Senate has been so generously referred to as the Gore amendment, be known as the Gore-Anderson amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill is open to further amendment.

Mr. JAVITS. Mr. President, I ask unanimous consent that the amendment sponsored by myself, Senator Case, Senator Keating, Senator Kuchel, Senator Smith, and Senator Cooper, which was incorporated in the amendment just adopted by the Senate, may be separately printed for the Record, with the names of its cosponsors.

There being no objection, the amendment with names of cosponsors was ordered to be printed in the Record, as follows:

Amendment intended to be proposed by Mr. Javits (for himself, Mr. Case, Mr. Keating, Mr. Kuchel, Mrs. Smith, and Mr. Cooper) to the amendment (designated No. 1254) proposed by Mr. Long of Louisiana, to H.R. 11865, an act to increase benefits under the Federal Old-Age, Survivors, and Disabality Insurance System, to provide child's insurance benefits beyond age eighteen while in school, to provide widow's benefits at age sixty on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age seventy-two, to improve the actuarial status of the Trust Funds, to extend coverage, and for other purposes, viz.

At the end of the amendment add the following:

"PART D—COMPLEMENTARY PRIVATE HEALTH INSURANCE FOR INDIVIDUALS AGED SIXTY-FIVE OR OVER

"Purpose

"Sec. 230. The Congress hereby declares that it is the purpose of this part to provide, for all individuals aged sixty-five or over, the opportunity to secure at reasonable cost private health insurance which will insure them against the cost of health services which are not covered under the program established by title XVIII of the Social Security Act.

"Definitions

"Sec. 231. For purposes of the succeeding provisions of this part—

"(a) the term 'health insurance policy' means the policy, contract, agreement, or other arrangement entered into between a carrier and another person whereby the carrier, in consideration of the payment to it of a periodic premium, undertakes to provide, pay for, or reimburse the cost of, health services for the individual (or group of individuals) who are the beneficiaries of such policy, contract, agreement, or other arrangement;

"(b) the 'standard policy' of insurance to be devised pursuant to the provisions of section 232(c) may include any of the 'health insurance benefits' described in subsection (c), and shall include at least the following health insurance benefits—

"(1) payment of part or all of most charges for or toward physician's services whether performed at the physician's office or any other place;

"(2) payment, in accordance with a schedule, for or toward the costs of surgery performed in or out of a hospital;

"(3) payment of not less than the first $15 of charge for consultation with a physician who is a specialist in any area of medicine or surgery; and

"(4) payment, in accordance with a schedule of fees for or toward charges for diagnostic care, and laboratory and X-ray services;

"(c) the term 'health insurance benefits' or the term 'benefits' when used in connection with health insurance, means insurance against all or any part of the costs of any or all of the following—

"(1) services provided by physicians, surgeons, dentists, or any other medical care or remedial care recognized under State law;

"(2) diagnostic care, and laboratory and X-ray services;

"(3) prescribed drugs, eyeglasses, dentures, and prosthetic devices;

"(4) private-duty nursing services;

"(5) home health care services;

"(6) inpatient hospital services;

"(7) skilled nursing services;

but only to the extent that any such care, services, or benefits are not covered under the program established by title XVIII of the Social Security Act;

"(d) the term 'carrier' means a voluntary association, corporation, partnership, or other nongovernmental organization which is lawfully engaged in providing, paying for, or reimbursing the costs of, health services for individuals or groups under health insurance policies in consideration of premiums payable to the carrier and which meets reasonable standards prescribed by the Secretary;

"(e) the term 'premium' means the amount of the consideration charged by a carrier for coverage by a health insurance policy offered by the carrier; and

"(f) the term 'Secretary' means the Secretary of Health, Education, and Welfare.

"Authorization of association

"Sec. 232. (a) In order to carry out the purposes of this part, there is hereby authorized to be established, subject to the approval of the Secretary, an association to be known as the National Association of Carriers To Provide Health Insurance for Individuals Aged Sixty-five or Over (hereinafter referred to as the 'association').

"(b) The association shall be composed of carriers which shall have voluntarily joined together for the purpose of carrying out the purposes of this part, and membership therein shall be open to all responsible carriers which desire to participate in the activities of the association and agree to abide by the rules and regulations governing the association as set forth in, or promulgated pursuant to, the provisions of this part.

"(c)(1) It shall be the function of the association to devise (in cooperation with and subject to the approval of the Secretary), and offer for sale through its members, a health insurance policy offering health insurance benefits for the aged designed to complement the health insurance benefits provided for eligible individuals under title XVIII of the Social Security Act. Such policy shall offer at least the health insurance benefits described in section 231(b). All the terms and conditions of such policy as well as the terms and conditions under which it is offered and sold shall be uniform, except that the association may provide that the amount of the premium to be paid for such a policy and the extent of the benefits provided thereunder shall vary in different areas of the United States as well as within different areas of any State, whenever necessary to reflect differences in the cost of securing health services of the type for which benefits are provided under such policy.

"(2) The policy devised by the association pursuant to paragraph (1) shall in the succeeding provisions of this part be referred to as the 'standard policy'. In order to minimize the factor of adverse selection in the sale of the standard policy, the association shall establish appropriate limitations upon the period, during each year, when such policy may be offered to new subscribers.

"(3) The association with the approval of the Secretary shall develop and circulate among its members minimum standards with respect to health insurance for the purpose of enabling its members, or any of them, to devise and offer for sale one or more health insurance policies each of which may serve as an alternative to the standard policy. Such standards shall require that any such policy shall fulfill the same purposes as does the standard policy and will represent to the subscriber thereof a dollar value which is not less than that represented by the standard policy. Any member of the association desiring to offer for sale any such policy shall first submit to the association and to the Secretary copies of the proposed policy, together with any information related thereto which the association shall deem pertinent. If the association and the Secretary after due consideration, find that such proposed policy fulfills the same purposes as does the standard policy and will represent to the subscriber thereof a dollar value which is not less than that represented by the standard policy, they shall approve such proposed policy. Upon the approval by the association and the Secretary of any such proposed policy, such policy may thereafter be offered for sale by any carrier which is a member of the association in the same manner and subject to the same conditions as obtain with respect to the standard policy. In this part any such policy shall be referred to as an 'alternative policy'.

"(4) All premiums receivable on account of the standard policy or alternative policies sold by members of the association shall be covered into a common fund (hereinafter referred to as the 'reserve fund') established by the association for the purpose of receiving such premiums, and all benefits payable on account of such policies as well as the reasonable administrative expenses incurred in connection with such policies shall be paid from the reserve fund. The association shall invest such portion of the reserve fund as is not, in their judgment, required to meet current withdrawals. Moneys in the reserve fund may be invested only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. The assets of the reserve fund shall be the property of the association and the expenses of the association shall be defrayed from moneys in such fund.

"(5) In order to hold within proper limits the portion of the premiums paid for the standard policy or alternative policies which are attributable to expenses in connection with the sale and administration of such policies, appropriate limitations shall be placed upon the amounts which members of the association may claim from the reserve fund on account of such expenses. Such limitation shall be established by the association, subject to the approval of the Advisory Council (established pursuant to section 235) and of the Secretary.

"(6) The association, in cooperation with the Advisory Council and with the approval of the Secretary, shall devise programs designed to enable persons who have not attained age sixty-five and are still employed to purchase the insurance provided by the standard policy or an alternative policy on a prepaid basis.

"(d) The management of the reserve fund and the administration of the activities of the association shall be vested in an executive committee which shall consist of three individuals elected by the Advisory Council authorized to be established by section 235.

"(e) Members of the association are authorized and encouraged to offer supplementary health insurance policies designed to provide to subscribers of the standard policy or an alternative policy coverage in addition to that provided by such policy. Such policies need not be uniform and may be offered at premiums which would permit a fair profit to the members offering them. Such policies may be offered for sale in conjunction with the standard policy or an alternative policy, but in such case, shall be offered in such a manner as to enable the prospective subscriber clearly to distinguish between the benefits and premiums provided by the standard policy or the alternative policy and the benefits and premiums provided by the supplementary policy.

"(f) The association is authorized, with the approval of the Secretary and the Advisory Council, to adopt two separate and distinct symbols, one of which may be used in connection with the sale of the standard policy and which shall signify public endorsement of such policy and the other of which may be used in connection with the sale of alternative policies and which shall signify official public endorsement of such alternative policies.

"(g) Nothing in this part shall be construed to authorize any control to be exercised over carriers who are members of the association with respect to any policy of insurance offered by them other than standard policies (as described in subsection (c)(2)) and alternative policies (as described in subsection (c)(3)); and the right of such carriers to offer other insurance policies shall be unaffected by their membership in the association.

"Regional divisions of the association

"SEC. 233. (a) Any one or more members of the association which desire to confine their business of offering for sale the standard policy or alternative policies, or both, to a particular geographical region may, pursuant to rules established by the association (with the approval of the Secretary), establish a regional division of the association for the purpose of offering such policies for sale in such region.

"(b) Membership in any regional division of the association shall be open to all members of the association which desire to confine their sale of the standard policy or alternative policies, or both, to the geographical region with respect to which such division is established.

"(c) Members of any such division shall, in lieu of depositing in the reserve fund provided for inspection 232(c)(4) premiums received by them on account of any such policies sold by them, deposit such premiums in a common fund to be known as the regional reserve fund for such region. The regional reserve fund for any regional division of the association shall be managed by the members of such division, in accordance with regulations prescribed by the executive committee of the association with the approval of the Secretary and the Advisory Council. Any such regional reserve fund shall serve the same purposes and shall be subject to the same requirements as are prescribed with respect to the reserve fund provided for in section 232(c)(4). The assets of any such regional reserve fund shall be the property of the regional division of the association for which such fund is established, and the expenses of such division shall be defrayed from moneys in such fund.

"(d) The executive committee of the association, with the approval of the Secretary and the Advisory Council, shall prescribe regulations governing the manner in which any regional division of the association shall be operated. Such regulations shall vest responsibility for the management and operation of the division in the membership thereof, but shall contain necessary safeguards to insure that the division will be managed and operated in such a manner as to carry out in the region with respect to which it is established purposes and functions which are the same as those of the association.

"Establishment of association

"SEC. 234. (a) Whenever five or more carriers shall have applied to the Secretary to form the association (provided for in section 232) the Secretary shall, as soon as he is satisfied that such carriers are ready, willing, and able to carry out the functions of the association (as set forth in section 232) in accordance with the requirements contained in such section, he shall declare the association (as so provided for) to be established by such carriers.

"(b) The Secretary shall have the duty and the authority to make such rules and regulations as may be necessary or desirable to insure that the association, in carrying out its functions, complies with the requirements of section 232 and fulfills the purposes of this title.

"Advisory council

"SEC. 235. (a) For the purpose of consulting with and advising the Secretary with respect to the administration of title XVIII of the Social Security Act, for the purpose of electing the executive committee of the association, and for the purpose of advising and assisting the association, the executive committee, and the Secretary in carrying out their respective functions under this part, there is hereby created an 'Advisory Council on Health Insurance for the Aged' (hereinafter referred to as the 'Advisory Council').

"(b) The Advisory Council shall conduct a continuing study and investigation of the programs of insurance provided for in this part and in title XVIII of the Social Security Act with a view to assisting in the formulation and implementation of national policy in the field of health care for the aged. The Council shall from time to time make reports to the President (for transmittal by him to the Congress) of its findings and recommendations resulting from such study and investigation.

"(c) In order to assist the Advisory Council in carrying out its duties the Council is authorized to employ, in accordance with the civil service laws and the Classification Act of 1949, as amended, such staff as may be necessary.

"(d) The Advisory Council shall consist of twenty-four members who shall be appointed by the President. Members of the Advisory Council shall be selected by the President with a view to providing a broad representation, among the membership of the Council, of the insurance industry, labor, business, medical profession, consumers, and other interested elements of society. Not less than four members of the Council shall be persons whom the insurance industry shall have approved as having adequate insurance experience. The members of the Advisory Council shall elect a member of the Advisory Council as Chairman thereof.

"(e) Each member shall hold office for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term, and except that the terms of office of the members first taking office shall expire, as designated by the President at the time of appointment, four at the end of the first year, four at the end of the second year, four at the end of the third year, and four at the end of the fourth year. A member shall not be eligible to serve continuously or more than two terms.

"(f) Members of the Advisory Council, while attending meetings or conferences of the Council or otherwise serving on business of the Council shall receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently. The Advisory Council shall meet as frequently as it deems necessary, but not less often than two times per year. Upon request of thirteen or more of its members, it shall be the duty of the Chairman to call a meeting of the Advisory Council.

"Exemption of association from certain laws

"SEC. 236. (a) The association and each carrier which is a member of the association shall, with respect to so much of its business operations as is concerned exclusively with offering for sale, selling, and administering, the standard policy or alternative policies (as described in section 232(c)), operate on a non-profit basis and the provisions of the Act of July 2, 1890, as amended (known as the Sherman Act), other than so much thereof as relates to any agreement to boycott, coerce, or intimidate, or act of boycott, coercion, or intimidation; the Act of October 15, 1914, as amended (known as the Clayton Act); and the Federal Trade Commission Act.

"(b) Any operation of a carrier which is the subject of an exemption provided in subsection (a) shall be subject to the regulation of the Secretary.

"Compliance provisions

"SEC. 237. (a) If, after reasonable opportunity for hearing extended to the carrier concerned, it is determined by the Secretary that a carrier has failed to comply with any requirement of this part, or with any regulation promulgated pursuant to this part, the Secretary may declare either that the membership of such carrier in the association is permanently terminated or that such membership is suspended until such time as the Secretary is satisfied that such carrier will no longer fail to comply with such requirement or such regulation.

"(b) During any period that the membership of any carrier is inoperative by reason of action taken by the Secretary pursuant to subsection (a), such carrier shall not be entitled to any exemption provided by section 236(a), and shall not, for any purpose, represent itself as being a member of the association. Any carrier who, in offering for sale any health insurance policy, falsely represents itself to be a member of the association shall be fined not more than $10,000.

"Hearings and judicial review

"SEC. 238. (a) Prior to promulgating any regulation, issuing any order, making any finding of fact, or taking any other action under this part which affects the association or any member thereof, the Secretary shall hold an appropriate hearing on the matter and provide adequate opportunity to representatives of the association and to any interested member thereof to be present and present testimony at such hearing.

"(b) If the association, or any member thereof, is dissatisfied with any action of the Secretary on which a hearing is required to be held under subsection (a), the association, or such member, as the case may be, may appeal to the United States District Court for the District of Columbia by filing with such court a notice of appeal. The jurisdiction of the court shall attach upon the filing of such notice. A copy of the notice of appeal shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary shall thereupon file in the court the record of the proceedings on which he based his action. The action of the Secretary shall be reviewed by the court (on the record) in accordance with the provisions of the Administrative Procedure Act."

Mr. SALINGER. Mr. President, I call up my amendment No. 1257 and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill, it is proposed to add the following new section:

AMENDMENT TO DEFINITION OF MEDICAL ASSISTANCE FOR THE AGED

SEC. 19. (a) Section 6(b) of the Social Security Act is amended by striking out "who are not recipients of old-age assistance" and inserting in lieu thereof "who are not recipients of old-age assistance (except, for any month, for recipients of old-age assistance who are admitted to or discharged from a medical institution during such month)".

(b) Section 1605(b) of such Act is amended by striking out "who are not recipients of aid to the aged, blind, or disabled" and inserting in lieu thereof "who are not recipients of aid to the aged, blind, or disabled (except, for any month, for recipients of aid to the aged, blind, or disabled who are admitted to or discharged from a medical institution during such month)".

Mr. SALINGER. Mr. President, I understand the amendment is noncontroversial. It covers a matter which concerns particularly the State of California and any other States which are receiving benefits from the Federal Government under the Kerr-Mills Act.

Under the present situation, a person who receives social security benefits and goes into a hospital in the middle of the month cannot draw medical-assistance-for-the-aged payments for the rest of that month by virtue of present law.

On the other hand, if he is in a hospital, drawing MAA payments, and he comes out in the middle of the month, he cannot draw social security benefits for the rest of that month.

My amendment would make it possible for a person who enters or leaves a hospital in the same month to receive payments under both sections of the law.

I have discussed this amendment with the Senator from Louisiana. I believe he is willing to accept it as an amendment to the pending bill.

Mr. LONG of Louisiana. Mr. President, I have studied the amendment. I believe it is one that should be considered in conference. I shall be happy to accept it.

Mr. MILLER. Mr. President, will the Senator from California yield for a question?

Mr. SALINGER. I yield.

Mr. MILLER. Referring to page 2 of the amendment, do I correctly understand that if the amendment were adopted, a person would be eligible for these benefits as well as for aid to the aged, blind, or disabled for a part of a month?

Mr. SALINGER. The Senator is correct.

Mr. MILLER. I have not previously studied the amendment, so I would have to check this point, but I am wondering how the amendment would affect States which may have a provision of law prohibiting MAA payments to those who are receiving aid to the aged. Would not the amendment conflict with a State provision on that point?

Mr. SALINGER. I believe the amendment would make it possible for the Federal Government to make such payments although it is not possible for it to do so now. I do not believe it would conflict with any State laws, but would make it possible for the Federal Government to make payments which cannot now be made.

Mr. MILLER. Is the Senator referring to payments made by the Federal Government?

Mr. SALINGER. To the States.

Mr. MILLER. In which the States would share?

Mr. SALINGER. No; these are payments which are paid through the State.

Mr. MILLER. But are they payments which the Federal Government makes entirely or makes on a percentage or shared basis with the State?

Mr. SALINGER. I believe the Federal Government makes the payment on a percentage basis.

Mr. MILLER. I believe so, too. What concerns me is that this amendment might require a State to contribute its share in the face of a State law which prohibits its doing so. If that were the case, the Senator from California might understand the concern of the Senator from Iowa that we not deprive a State of assistance under this program merely because there is a conflict with State law.

Would the Senator from California be willing to have his amendment laid aside long enough to permit the Senator from Iowa to clarify this point? I understand the motives of the Senator from California. I am not interested in prejudicing those motives. I merely wish to make certain whether this proposal might have a conflicting result, which perhaps could be avoided by a modification of the amendment. I should like to have a little time to check that point.

Mr. SALINGER. Perhaps I could allay the fears of the Senator from Iowa if I read a statement to him.

> Under my amendment, States would be offered Federal financial participation in both old-age assistance and medical assistance for the aged payments made in the same month to a patient who is entering or leaving a medical institution in that month. Federal law now prohibits a State from receiving Federal financial participation for both programs within the same month.

Under this amendment, States would be offered Federal financial participation in both old-age assistance and medical assistance for the aged payments made in the same month to a patient who is entering or leaving a medical institution in that month. The law now provides that States may not receive Federal financial participation in such concurrent expenditures. That would make it rather clear that we are talking about Federal participation.

Mr. MILLER. I understand that thoroughly; but I do not believe it meets the problem I have. I do not believe we would be any further behind if the amendment were temporarily laid aside and the Senator from California gave me time to make a call to the State officials of Iowa. I should like to check this point with them.

Mr. SALINGER. I shall be happy to agree to lay the amendment aside at the request of the Senator from Iowa and to bring it up again after he has had an opportunity to make his inquiry.

Mr. MILLER. I thank the Senator.

Mr. SALINGER. Mr. President, I withdraw the amendment temporarily.

KICKBACK BY MATTHEW McCLOSKEY ON DISTRICT OF COLUMBIA STADIUM CONTRACT

Mr. WILLIAMS of Delaware. Mr. President, I noticed the following statement which has just appeared on the wire service news ticker:

> McCloskey, recently resigned Ambassador to Ireland, is a former finance chairman for the Democratic National Committee. In Philadelphia, his office issued this statement for him:
>
> "I do not intend to try these political aspersions in the newspapers. At this time, however, I cannot refrain from pointing out that Senator WILLIAMS made available a photostatic copy of a check of McCloskey & Co. in the sum of $109,205.60 which he said constituted an overpayment of a bond premium.
>
> "I have read Senator WILLIAMS' statement in which, after quoting a letter to me from Mr. Reynolds dated September 14, 1960, stating 'Enclosed is invoice as agreed.' The Senator then went on to say, 'On October 17, 1960, Mr. McCloskey, instead of sending a check for the amount of this invoice, forwarded to Mr. Reynolds his check for $109,205.60 representing an overpayment of $35,754.32.'
>
> "Senator WILLIAMS has tried to make it appear that McCloskey & Co. had received an invoice for only $73,631.26 and overpaid it. This simply is not so. McCloskey & Co. was billed $109,205.60 by Don Reynolds Associates, Inc., which stated that it covered the performance and completion bonds and general liability. A copy of that invoice is here. McCloskey & Co. paid the exact amount of the bill—no more and no less.
>
> "I was glad to learn just now that the matter has been referred to the Justice Department for investigation. Therefore, I shall have no further comment at this time."

Mr. President, I wish the RECORD to show that Mr. McCloskey has confirmed in its entirety, 100 percent, what I stated yesterday on the floor of the Senate.

Today I wish to review that statement.

I stated that on September 13, 1960, Mr. Don B. Reynolds—and I placed this in the RECORD yesterday—received a letter from the firm of Hutchinson, Rivinus & Co., of Philadelphia, addressed to him as president of Don Reynolds Associates, Inc., 8485 Fenton Street, Silver Spring, Md., which stated:

> In accordance with instructions from Mr. J. B. McHale, Jr., of this office, we enclose herewith our invoice for the premium of $73,631.28 covering performance bond in connection with the above captioned contract, less commission of $10,031.56, or net owing us of $63,599.72.
>
> Yours very truly, Hutchinson, Rivinus & Co., by A. H. Bent and Atwood H. Bent.

That letter was placed in the RECORD clearly establishing that $73,631.28 was the total cost of the premium bond.

On the following day, as Mr. McCloskey agrees Mr. Reynolds sent an invoice to Mr. McCloskey. This was addressed to Matthew H. McCloskey, 1621 Thompson Street, Philadelphia 21, Pa., a letter as follows:

> DEAR MATT: Enclosed is invoice as agreed. Please authorize payment at your earliest convenience.
>
> Thank you very much.
>
> Most sincerely,
>
> DON B. REYNOLDS.

Now there is no amount quoted in that letter. However, based upon Mr. Reynolds' statement and as is now confirmed by Mr. McCloskey this invoice was for $109,205.60. That is correct. We all agree on that point.

Now I should like to read from my prepared statement of yesterday, at the top of page 7, where Mr. Reynolds explained this discrepancy.

That is the whole argument I raised on the floor of the Senate yesterday; namely, that there was a conspiracy to raise this amount by around $35,000.

I quote again from Mr. Reynolds' statement:

> Sometime subsequent to this breakfast meeting which Bobby had arranged with Mr. McCloskey, Bobby telephoned me and told me that I should personally bill Mr. McCloskey, and Bobby gave me instructions as to the amount. He said that I should direct the communication marked "personal and confidential" to Mr. Matthew McCloskey. The amount given to me by Bobby was $109,205.60. I complied with the instructions that Bobby gave me. Along with the statement submitted to Matt McCloskey I enclosed a note stating that I was enclosing invoices as agreed.

I asked Mr. Reynolds this question:

> Did either Mr. McCloskey or his company owe you any other money for any other purpose?

Here is Mr. Reynolds' answer to that question:

> I can certify that this is the one and only transaction directly or indirectly which I have ever had with Mr. Matthew McCloskey or McCloskey & Co. and that the correct amount due on the insurance bond should have been $73,631.28. The difference between the $73,000 figure and the $109,000 figure represented the overpayments which were to be directed and diverted to other people as campaign contributions and payoffs.

Now we have both Mr. Reynolds and Mr. McCloskey agreeing that the check in payment of this performance bond was $109,205.60.

There is no contradiction in what Mr. McCloskey said today even though he tried to make it appear that he was denying something when he said he paid only what the invoice called for.

That is correct. He was invoiced for $109,205.60, or about $35,000 more than the actual amount of the bill.

Mr. Reynolds' statement is that this was done as a result of a conspiracy that they had entered into with Bobby Baker to send an extra $35,000 here to Washington and charge this off as a business expense. Of this amount $10,000 was to go to Mr. Reynolds and $25,000 to Bobby Baker. Whether the whole $25,000 went to the Democratic National Committee or whether Bobby Baker kept $10,000 and only $15,000 went to the Democratic National Committee is something which we can determine later.

It has been established that $73,631.28 was the total cost of the bond which was submitted by McCloskey & Co. to the District Commissioners in Washington. I have here an exact copy of this bond dated June 18, 1960. This is the only bond. It was submitted by Mr. McCloskey and accepted by the Commissioners on July 7, 1960. This clearly shows that the total amount of the premium charged is $73,631.28.

I ask unanimous consent to have this bond printed in the RECORD.

There being no objection, the bond was ordered to be printed in the RECORD, as follows:

PERFORMANCE AND PAYMENT BOND

Know all men by these presents: That we, McCloskey & Co., a corporation organized and existing under the laws of the State of Delaware, as principal, and the Aetna Casualty & Surety Co., a Connecticut corporation, of Hartford, Conn., as surety are held and firmly bound unto the District of Columbia Armory Board, hereinafter called the Board, in the penal sum of $14,247,188, lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

The condition of this obligation is such, that whereas the principal entered into a certain contract, hereto attached, with the Board, dated July 7, 1960, for construction of the District of Columbia Stadium, 22d and East Capitol Streets, Washington, D.C. (invitation No. C-60159-B), as more fully set forth in said contract: Now, therefore,

If the principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term of said contract and any extensions thereof that may be granted by the Board, with or without notice to the surety, and during the life of any guaranty required under the contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions and agreements of any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, and shall save harmless and indemnify the Board from any and all claims, delays, suits, costs, charges, damages, counsel fees, judgments, and decrees to which said Board may be subjected at any time, on account of any infringement by said principal of letters patent or copyrights, unless otherwise specifically stipulated in said contract, or on account of any injuries to persons or damage to property or premises that occur as a result of any act or omission of the principal in connection with the prosecution of the work, and pay the same, and if said contract is for work, material, or supplies, within the meaning of the act of September 1, 1916 (39 Stat. 676, 688), or for the construction, alteration or repair of a public building or public work, within the meaning of the act of July 7, 1932 (47 Stat. 608), shall promptly make payment to all persons supplying the principal with labor and materials in the prosecution of the work provided for in said contract and any such authorized extension or modification thereof, and shall keep the work so performed under said contract in repair for such period as said contract may provide, then this obligation to be void; otherwise to remain in full force and virtue.

In witness whereof, the above-bounden parties have executed this instrument under their several seals this seventh day of July 1960, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Signed and sealed in the presence of Chester H. Gray.

District of Columbia
Armory Board,
Floyd D. Akers,
Chairman.
Robert E. McLaughlin,
Member.
W. H. Abendroth,
Member.

[Corporate seal]
Attest:

McCloskey & Co.,
T. D. McCloskey,
Vice President, Principal.
J. Dress Pannell,
Secretary.

[Corporate seal]
Attest:

The Aetna Casualty
& Surety Co.,
Hartford, Conn.
Eugene Fields,
W. J. Ryan,
Attorney-in-fact.

The rate of premium on this bond is $10 per thousand, first $100,000; $6.50 per thousand, next $2,500,000; $5.25 per thousand, next $2,500,000; $5 per thousand, next $2,500,000; $4.90 per thousand, over $7,500,000.

Total amount of premium charged, $73,631.28.

Authority of attorney-in-fact on file:

Wilbur H. Lawyer,
Supervisor, Bid & Contract Division,
Procurement Office, D.C.

Mr. WILLIAMS of Delaware. Mr. President, here again we have no contradiction on the part of Mr. McCloskey on this point. He did send $109,205.60 to Washington to cover the cost of the bond, which, based upon documents in the District office and based upon an invoice which was approved by his own son-in-law, was only $73,631.28. I repeat, this is all the more reason why a committee of Congress should call Mr. McCloskey, Mr. Baker, and Mr. Reynolds before them and place them under oath and find out for what this $35,000 and some-odd dollars was sent to Washington.

Mr. Reynolds has said this $35,000 represented payoffs and political contributions.

I want to hear what Mr. McCloskey and Mr. Baker will say when they testify under oath before a congressional committee.

Mr. President, I have entirely too much respect for Mr. McCloskey's business ability to believe that he accidentally overpaid $35,000 on the performance bond. he is too good a businessman for that.

They knew this money was coming to Washington. It came out of their treasury. Apparently by his statement today he confirms that it is written off as a business expense because he says it is being charged on the books as having been paid for insurance.

That is exactly what I thought he had done. That makes it a violation of the Federal Internal Revenue Act, because one cannot deduct either political contributions or payoffs as a business deduction. This is also a violation of the Corrupt Practices Act.

Mr. President, earlier today I had printed in the Record, section 611, title 18 of the United States Code, which specifically prohibits any company or any individual who is operating or doing business with the U.S. Government or contracting with them from making contributions of any description to any political party or to any candidate.

This makes about four clear-cut violations of Federal laws in this transaction.

It is time that the Department of Justice got busy.

Mr. President, there is no question but that we have here a series of laws which have been violated. Here is a company doing business with the U.S. Government and, according to one of the individuals who participated in the transaction, making political contributions, and charging these to the cost of the Government contract. It is also a violation exceeding the $5,000 limitation, even assuming they had a right to make a contribution. We have a corporation here making political contributions and this is a violation of law. In addition to that we have them deducting these layoffs and political contributions as a normal expense item and thereby in effect charging it to the American taxpayer.

Yesterday I placed in the Record a statement showing that he had drawn from the District Commissioners $100,000 to pay for this bond which originally cost only $73,000.

Mr. President, these points cannot be overlooked by the Senate. I appreciate the fact that the White House has ordered the Federal Bureau of Investigation to investigate this case and to take what appropriate steps may be necessary.

I have conferred with the FBI this afternoon, at their request, and I shall continue to cooperate with them in developing the facts. But they have enough information now to start some action. What the Department of Justice needs is a little more enthusiasm in presenting the case to the grand jury. The Senate should get a committee of Congress organized and find out whether this is an isolated case or whether this is a pattern of operations by a company who is doing millions of dollars worth of business with the U.S. Government. Is this a pattern of his operations, or is it an isolated case?

The Senate cannot ignore the facts in this case. The Senate has a responsibility to pursue this matter diligently, and I ask again that the leadership on both sides of the aisle get busy and appoint the membership to the select committee. This select committee should immediately organize and call these witnesses before it so that they can testify under oath.

We must not overlook this instance here which clearly involves an overpayment on a Government contract in order to siphon some money into the Democratic campaign fund.

SOCIAL SECURITY AMENDMENTS OF 1964

The Senate resumed the consideration of the bill (H.R. 11865) to increase benefits under the Federal Old-Age, Survivors and Disability Insurance System, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

AMENDMENT NO. 1247

Mr. SCOTT. Mr. President, on behalf of myself, the Senator from Hawaii [Mr. Fong], and the Senator from Vermont [Mr. Prouty], I call up my amendment No. 1247 and request that it be stated.

The **PRESIDING OFFICER.** The amendment will be stated.

The **Legislative Clerk.** The Senator from Pennsylvania [Mr. Scott], for himself, the Senator from Hawaii [Mr. Fong], and the Senator from Vermont [Mr. Prouty] propose amendment No. 1247, as modified, as follows:

At the end of the bill add the following:

"TITLE II—HEALTH CARE INSURANCE FOR THE AGED

"Sec. 201. This title may be cited as the 'Health Insurance Sixty-five Act'.

"Entitlement to benefits

"Sec. 202. (a) Every individual who—

"(1) has attained age sixty-five;

"(2) makes application for benefits under this title; and

"(3) at the time such application is made is the beneficiary of a qualified private health insurance policy with respect to which premiums are payable by him (or on his behalf);

shall be entitled to the benefits provided under the Health Insurance Sixty-five Program (hereinafter referred to as the 'Program').

"(b) Benefits provided under the Program to an individual entitled thereto shall consist of one or more money payments, made with respect to any enrollment year, to assist such individual in defraying the premium costs for such year of a qualified private health insurance policy of which he is the beneficiary.

"(c) (1) The aggregate of the amounts payable to an individual as benefits under the Program for any enrollment year shall be equal to whichever of the following is the greater—

"(A) one-half of the premium costs of the qualified private health insurance policy of which he is the beneficiary, or

"(B) (i) $90, in case such policy, is a long-term illness policy, or (ii) $75, in case such policy is a short-term illness policy.

"(2) Any payment of benefits under the program to which an individual is entitled shall be made—

"(A) directly to such individual by way of reimbursement, in case there has been paid by or on behalf of such individual the insurance premium on the basis of which he becomes entitled to such payment; or

"(B) to the carrier offering the qualified private health insurance policy with respect to which such premium is payable, in case such individual has authorized (in the manner prescribed by regulations) such payment to be made to such carrier.

"Administration of program by Secretary of Health, Education, and Welfare

"Sec. 203. (a) This title shall be administered by the Secretary of Health, Education, and Welfare (hereinafter referred to as the 'Secretary').

"(b) The Secretary shall have authority to prescribe such rules and regulations as he may deem necessary or proper to carry out the provisions of this title.

"(c) Wherever, in this title, the term 'regulation', 'regulations', 'rule', or 'rules' is employed, such term shall, unless the context otherwise indicates, refer to one or more regulations, as the case may be, or one or more rules, as the case may be, prescribed by the Secretary in carrying out the provisions of this title.

"Qualified private health insurance policy

"Sec. 204. (a) The term 'qualified private health insurance policy' means a policy of health insurance which—

"(1) is provided by a carrier or carriers authorized to do business in the State wherein such policy is issued;

"(2) is authorized to be issued within such State under the laws and applicable regulations of such State;

"(3) is approved by the Secretary as either a 'long-term illness benefits' policy or a 'short-term illness benefits' policy;

"(4) is provided by a carrier which, in areas served by such carrier, offers such policy to all individuals residing therein who are aged sixty-five or over;

"(5) is offered to individuals aged sixty-five or over on a guaranteed renewable basis;

"(6) is provided by a carrier which, in the areas served by such carrier, offers individuals a choice of an approved 'long-term illness benefits' policy or an approved 'short-term illness benefits' policy, and permits an individual who has been a subscriber of one such policy for one year the option of changing to the other such policy;

"(7) contains provision under which the carrier offering such policy to any individual aged sixty-five or over agrees not to increase, with respect to such individual, the rate of premiums payable therefor for one year following the date such individual subscribes to such policy.

"(b)(1) As used in subsection (a)(5), the term 'guaranteed renewable basis' refers to an insurance policy which is renewable at the time it otherwise would expire at the option of the subscriber of such policy and which cannot be canceled by the carrier except for failure of payment of premiums thereon; except that the reservation by a carrier of the right to terminate an entire policy in a State in accordance with applicable laws and regulations of such State shall not be construed as grounds for disqualifying such policy as being offered on a guaranteed renewable basis.

"(2) No insurance policy for purposes of this title shall be considered to be offered on a guaranteed renewable basis unless increases or decreases in amounts of premiums payable therefor are applied to all subscribers aged sixty-five or over without regard to health condition, health services utilized or claimed, or other personal characteristics, of the policyholder.

"Long-term illness benefits

"Sec. 205. (a) The term 'long-term illness benefits' refers to a private health insurance policy under which an individual who is the beneficiary thereof for any enrollment year is entitled to have payment made by the carrier issuing such policy of all the costs incurred by him during such year by reason of his having received the following services which his physician has determined to be medically necessary—

"(1) inpatient hospital services (but not for more than seventy-five days unless such policy so provides);

"(2) nursing home care, but not for more than one hundred and fifty days unless such policy so provides (except that such policy may provide that the number of days for which he is entitled to have the costs of inpatient hospital services paid may be reduced by not more than one day for each two days he receives nursing home care the costs of which are paid under such policy);

"(3) surgical services (but not in excess of $300 unless such policy so provides);

"(4) physicians' services provided in a physician's office (but not for more than five visits, nor more than $5 per visit, unless such policy so provides);

"(5) outpatient hospital services, including diagnostic, X-ray and laboratory services (but not in excess of $90 unless such policy so provides);

"(6) outpatient surgical services; and

"(7) visiting nurses' services (but not for more than thirty days unless such policy so provides).

"(b) The Secretary shall approve, as providing 'long-term illness benefits,' any private health insurance policy which complies with the requirements of subsection (a).

"Short-term illness benefits

"Sec. 206. (a) The term 'short-term illness benefits' refers to a private health insurance policy under which an individual who is the beneficiary thereof for any enrollment year is entitled to have payment made by the carrier issuing such policy of all the costs incurred by him during such year by reason of his having received the following services which his physician has determined to be medically necessary—

"(1) inpatient hospital services (but not for more than forty-five days unless such policy so provides);

"(2) nursing home care, but not for more than ninety days unless such policy so provides (except that such policy may provide that the number of days for which he is entitled to have the costs of inpatient hospital services paid may be reduced by not more than one day for each two days he receives nursing home care the costs of which are paid under such policy);

"(3) surgical services (but not in excess of $200 unless such policy so provides);

"(4) physicians' service provided in a physician's office (but not for more than three visits, nor more than $5 per visit, unless such policy so provides);

"(5) outpatient hospital services, including diagnostic, X-ray, and laboratory services (but not in excess of $60 unless such policy so provides);

"(6) outpatient surgical services; and

"(7) visiting nurses' services (but not for more than ten days unless such policy so provides).

"(b) The Secretary shall approve, as providing 'short-term illness benefits', any private health insurance policy which complies with the requirements of subsection (a).

"Definitions of benefits

"Sec. 207. (a) The term 'inpatient hospital services' means the following items furnished to an inpatient by a hospital (but only, in the case of any individual, to the extent that the aggregate cost of such items does not exceed $30 multiplied by the number of days such individual is an inpatient in such hospital)—

"(1) bed and board (at a rate not in excess of the rate for semiprivate accommodations) and includes any special foods necessary to fulfill any diet requirements prescribed by the patient's physician;

"(2) general nursing services;

"(3) drugs, biologicals, supplies, appliances, and equipment, for use in the hospital, as are customarily furnished by such hospital for the care and treatment of inpatients;

"(4) use of operating, recovery, and other special rooms; and

"(5) use of laboratory, X-ray, electronic equipment, and other related services for diagnostic purposes.

"(b) The term 'nursing home care' means the following items and services furnished by a nursing home to an individual who is an inpatient thereof, after transfer, upon the recommendation of his physician, from a hospital in which he was an inpatient for not less than seventy-two hours immediately prior to such transfer (but only, in the case of any individual, to the extent that the aggregate cost of such items and services does not exceed $15 multiplied by the number of days such individual is an inpatient in such nursing home)—

"(1) nursing care provided by or under the supervision of a registered professional nurse;

"(2) bed and board in connection with the furnishing of such nursing care;

"(3) physical, occupational, or speech therapy furnished by such home or by others under arrangements with them made by such home;

"(4) such drugs, biologicals, supplies, appliances, and equipment furnished for use in the nursing home as are customarily furnished by such home for the care and treatment of inpatients; and

"(5) such other services necessary to the health of the patient as are generally provided by nursing homes.

"(c) The term 'physicians' services' means services provided in the exercise of his profession in any State by an individual legally authorized to practice surgery or medicine by such State.

"(d) The term 'hospital' means a hospital which is licensed as a hospital in the State in which it is located.

"(e) The term 'nursing home' means a nursing home which is licensed as such by the State in which it is located, and which (1) is operated in connection with a hospital, or (2) has medical policies established by one or more physicians (who are responsible for supervising the execution of such policies) to govern the nursing home care and related medical care and other services which it provides, and (3) provides nursing care by or under the supervision of one or more registered nurses.

"Miscellaneous definitions

"Sec. 208. For purposes of this title, the term—

"(a) 'carrier' means a voluntary association, corporation, partnership, or other nongovernmental organization which is lawfully engaged in providing, paying for, or reimbursing the costs of, health care or services for individuals under health insurance policies in consideration of premiums payable to the carrier;

"(b) 'health insurance policy' means the policy, contract, agreement, or other arrangement entered into between a carrier and another person whereby the carrier, in consideration of the payment to it of a periodic premium, undertakes to provide, pay for, or reimburse the cost of, health care or services for the individual who is the beneficiary of such policy, contract, agreement, or other arrangement; and

"(c) the term 'premium' means the amount of the consideration charged by a carrier for coverage by health insurance policy offered by the carrier.

"Payment of benefits by the Secretary

"Sec. 209. (a) The Secretary shall not make any money payment to or on behalf of any individual, as benefits provided by this title, until he is satisfied that—

"(1) such individual is entitled (under section 202 (a)) to benefits under this title;

"(2) such payment is in reimbursement of, or will be used for the purpose of paying, one or more premiums payable for a qualified private health insurance policy of which such individual is the beneficiary.

"(b) The Secretary shall establish such procedures as he deems appropriate under which interested parties may obtain a finding by the Secretary as to whether or not a particular private health insurance policy is a 'qualified' private health insurance policy for purposes of this title."

Mr. SCOTT. Mr. President, my amendment would establish a new program to assist aged individuals to purchase private health insurance policies which would enable them to provide adequate medical care for themselves. It is identical to S. 2771 which I introduced last April 24.

Under my amendment, any individual aged 65 or over may purchase a health insurance policy which contains at least the coverage specified in the amendment. The Government would provide cash payments to help defray the annual premium cost of the insurance policy.

Such payments would amount to whichever of the following is greater: First, one-half the annual premium of the policy, or second, $75 if the policy is a short-term illness benefits policy, or $90 if it is a long-term illness benefits policy.

These cash payments may be made directly to the individual beneficiary in reimbursement for the Government's share of the premium cost or, if the beneficiary prefers, directly to the insurance company issuing the policy. The Secretary of Health, Education, and Welfare would administer the program and would disburse the benefit payments provided thereunder.

Under the amendment, a short-term illness benefits policy must contain at least the following benefits during the year in which the policy is in operation: First, up to 45 days inpatient hospital services; second, 2 days of nursing home care—up to 90 days—for each unused day of inpatient hospital care; third, up to $200 worth of surgical treatment; fourth, up to three visits to a doctor's office for treatment; fifth, outpatient hospital services, including diagnostic, X-ray and laboratory services; sixth, outpatient surgical services; and seventh, up to 10 days of visiting nurse services prescribed by a physician.

The long-term illness benefits policy must contain at least the following benefits during the year in which the policy is in effect: First, up to 75 days inpatient hospital services; second, 2 days nursing home care—up to 150 days—for each unused day of inpatient hospital care; third, up to $300 worth of surgical treatment; fourth, up to five visits to a doctor's office; fifth, outpatient hospital services, including diagnostic, X-ray and laboratory services; sixth, outpatient surgical services; and seventh, up to 30 days of visiting nurse services prescribed by a doctor.

I have been assured that if such policies were issued by private insurance carriers, annual premiums of $150 for the short-term illness benefits package and $180 for the long-term illness benefits package, respectively, would be actuarially sound. And, Mr. President, I believe the enactment of the legislation I am proposing today would encourage private insurance companies to offer such policies to our aged citizens.

The health care for the aged program embodied in my proposal is a new program designed to supplement the program for medical assistance to the aged which was authorized in 1960 by the Kerr-Mills Act. My health care plan would assist those whose income and assets exceed the maximum limit allowable under Kerr-Mills but are still inadequate to pay the full cost of health care. I am, thus, seeking under my program to assist those individuals who fall between the Kerr-Mills beneficiaries and holders of comprehensive health insurance issued by private carriers.

In offering my proposal, I refuse to join those who deride and ridicule the Kerr-Mills program. Recognizing that Kerr-Mills is not perfect, I feel nevertheless that it is a useful and necessary program to assist our medically indigent older citizens. In this connection, I am proud to point to the implementation of the Kerr-Mills program in Pennsylvania by the administration of Gov. William W. Scranton. Pennsylvania's MAA program, as the result of improvements enacted into law last year, is one of the most soundly conceived and generous programs of its kind in the Nation today. I ask unanimous consent that a brief summary description of this program be printed at this point in the RECORD.

There being no objection, the summary description was ordered to be printed in the RECORD, as follows:

PENNSYLVANIA'S PROGRAM OF MEDICAL ASSISTANCE FOR THE AGED

The 1963 general assembly passed three important bills liberalizing benefits for persons over 65 eligible for Medical Assistance to the Aged (MAA) under provisions of the Kerr-Mills Act. The following is a summary of the new Pennsylvania program. This legislation, which implements the Federal Kerr-Mills Act, establishes the finest program in the Nation.

COVERAGES

1. The MAA program pays for 60 days hospital care in each benefit period. A person's benefit period starts on the first day of hospitalization and a new benefit period, with eligibility for 60 additional days of hospital care, begins after the person has been out of the hospital for 60 days.

2. Care will be provided in private nursing homes for 60 days following hospitalization. This should shorten hospital stays where medically possible.

3. Posthospital care in the home at actual cost up to $5 a day, when provided by a hospital and incidental to the purpose for which the patient was hospitalized. Payments are made to hospitals.

4. Nursing care in the home, at not more than $4 a visit, when ordered by a physician. Payments are made to the individual nurse or to public health nursing associations.

5. Public nursing home care, under which counties get 50 percent of cost in Federal funds, matched by county funds.

ELIGIBILITY

1. Income limitations for eligibility is $2,400 a year for single persons; $3,840 for couples.

2. Asset limitation for eligibility is $2,400 for single persons; $3,840 for couples. Personal residence, household furnishings, car and $500 cash value of insurance are excluded in computing assets.

3. An aged person can apply for MAA in advance of hospitalization. Identification cards will be issued by county boards of assistance to those eligible, to expedite payment of MAA when needed.

4. Determination of eligibility is the responsibility of the county board of assistance. The new advance application system permits the elderly to apply for MAA at their convenience and speeds payment of benefits when needed.

REPAYMENT

No recovery of MAA benefits from the estate of a patient or from his spouse.

2. Responsibility of relatives to pay hospital bills can be relieved, fully or to some degree, administratively.

Mr. SCOTT. Mr. President, Kerr-Mills alone cannot solve the problem confronting many of our older citizens who seek adequate health care for themselves. Something is needed to bridge the gap between our medically indigent aged citizens covered by Kerr-Mills and other existing programs; and those who can afford to meet medical and hospital costs with their own resources. My proposal would deal with this problem by assisting individuals in purchasing private health insurance. The program proposed by the Johnson administration and manifesting itself in various, albeit similar—and I must add, rapidly changing—forms during the present Senate debate represent, on the other hand, a new and questionable departure involving the social security system.

Under the administration's hospitalization program under social security, older citizens would be provided with hospital, nursing home, home health, and outpatient diagnostic services which, in the case of those eligible to receive, or already receiving, social security, would be financed through increases in employees' and employers' social security taxes and in the amount of employees' earnings to be taxed.

My principal objection to the administration's proposed program is in its method of financing. We must recognize that it introduces a wholly new concept in financing since it provides services benefits, which must reflect increases in the salaries of hospital employees as well as anticipated increases in other medical costs for the future. These costs, unlike those in our present cash benefits system, are today unrelated to the tax contribution paid into the fund.

I have always favored a strong and effective social security system; that is one reason for my support of the pending social security bill. But I am greatly concerned that the addition of various hospitalization and other health care services to the social security benefit structure for our senior citizens would dangerously overload the social security system with the resultant consequence of jeopardizing its actuarial soundness to the point that the cash-benefit structure may be threatened. My fear is heightened by the contradictory estimates of the costs of a health care program under social security that have been offered in recent years by administration spokesmen. The cost estimates on the original Forand bill, for example, are now about double the original estimates.

Let us examine, Mr. President, the method of financing that is proposed under the administration's program. In its latest edition, the Gore amendment, the benefits provided thereunder would be financed through an increase of four-tenths of 1 percent each in the employer and employee contributions to social security and an increase of six-tenths of 1 percent in the contribution of the self-employed. The proposal also provides for an increase in the maximum taxable wage base from $4,800 to $5,600. In addition, persons over 65 who are ineligible for social security or railroad retirement benefits would receive the benefits provided under the proposal by means of an appropriation out of general revenues.

Robert J. Myers, Chief Actuary of the Social Security Administration, declared last November in testimony before the House Ways and Means Committee that two basic assumptions were involved in official long-range cost estimates for the administration's program:

First, an assumption that earnings would remain at the level of 1961—or, if earnings rise above this level, the deductible and wage base of the program—then embodied in the King-Anderson bill—would have to be "kept up to date with their relative positions in 1961," a step that would require congressional action.

Second, an assumption that subsequent to 1961, hospital costs would, on the average, increase no more rapidly than the general earnings level.

According to Mr. Myers' testimony, hospital costs have for some time risen an average of 3 to 4 percent more rapidly than earnings levels. Indeed, this has been the source of the problem of the aged whom the bill sets out to help. It was difficult, therefore, to accept the administration's optimistic assumption that hospital costs would stop climbing faster than wages as soon as the administration's program were to go into effect.

Obviously—or at least hopefully—hospital costs will not climb more rapidly than earnings levels forever; if they did, they would ultimately equal 100 percent of earnings. But if hospital costs were to continue climbing at the present rate for about 20 years to come, Mr. Myers admitted, an actuarially sound program of the King-Anderson variety would, in fact, require a combined employer-employee contribution double that provided for—in the case of King-Anderson, 1 percent of payroll, rather than the proposed total of one-half of 1 percent.

Even if the earnings level and the hospital costs were to rise at approximately the same rate for a long period of time—retaining the gap between earnings and hospital costs—and if the earnings base remained the same, the contribution again would have to total 1 percent or more of payroll.

The significance of these facts, developed by the House Ways and Means Committee was simply that the financing features of the health care program under social security would have to be revised upward. Either the social security tax rate or the taxable wage base would have to be increased—doubled, in the case of the tax rate—or the scope of health care benefits to be provided would have to be sharply reduced. Otherwise, the program as constituted would throw the social security trust funds out of balance actuarially and thereby endanger the fiscal soundness of the social security system. All this, Mr. President, just because the assumptions enunciated as the basis for the administration's cost estimates were untenable, to say the least.

Now, with its latest revision of King-Anderson—which, incidentally, reduces the maximum period of time authorized for nursing home care from 180 days to 60 days—the administration has come up with some revised cost estimates for the proposed health care program under social security. Testifying before the Senate Finance Committee, Mr. Myers said that the administration's level cost estimate for the program is based on 1963 average earnings levels, and estimated 1965 hospital costs with projected increases in the hospital costs to 1971. This estimate relies on the questionable assumption that while increases in hospital costs will continue to outstrip increases in earnings levels until 1971, hospitalization costs will increase at the same rate as earnings levels. Given the trends of the past several years in earnings levels and hospital costs, I find this assumption equally difficult to accept.

And so, Mr. President, we come back to the dilemma inherent in the proposed financing mechanism through social security. Either the proposed financing will prove inadequate, in which case the actuarial soundness of the social security system is endangered, or the other alternatives I mentioned earlier will apply.

Combined employer-employee social security taxes now amount to 7¼ percent on the first $4,800 of wages. Under existing law, the combined employer-employee contribution to social security will be 9¼ percent in 1971. This rate would be raised to 9.6 percent in H.R. 11865, as reported to the Senate by the Finance Committee, and with the addition of the administration's hospitalization program it would go up to 10.4 percent, and very probably higher, if, as I believe, the assumptions underlying the cost estimate of the program proposed by the Gore amendment are correct.

All of these figures, of course, assume that the present schedule of social security benefits, as well as the hospitalization benefits proposed by the administration, would not be liberalized in the future. Such an assumption, however, is ridiculous unless we disregard the past record of Congress in periodically liberalizing social security benefits and coverage.

Now what does this mean, Mr. President? For one thing, it means that the social security tax rates in 1971 would exceed the 10 percent which the former Secretary of Health, Education, and Welfare, our distinguished colleague from Connecticut [Mr. RIBICOFF] flatly asserted is the maximum level for these taxes that employers and employees should be required to pay. This puts a real bite on those who each year of their working life would have to pay for a hospitalization program whose benefits could accrue to them only when they reached 65. Take a married man who is self-employed, has two children, earns $5,400, and files a joint income tax return. In 1971, Mr. President, his social security tax—assuming enactment of H.R. 11865 with the addition of such frills as the Gore amendment—would exceed his income tax. This interesting fact was revealed in the recent Senate Finance Committee hearings by my good friend from Utah [Mr. BENNETT]. Although it pertained to the administration's proposal then pending—providing for a maximum taxable wage base of $5,400—this fact appears to remain valid. Inevitably, and before many years go by, the deduction from a worker's paycheck would equal 1 day's pay.

Let me point out that my proposal does not rely on such a questionable financing mechanism. Funds for the payments to be provided under my proposed program are to come from general revenues. The tax burden in support of this program would fall most heavily on those most able to pay, not on our struggling low-income wage earners as under King-Anderson and similar proposals. Moreover, Mr. President, the program would cost less than that proposed by the administration. I estimate its cost for its initial year of operation to be about $1.25 billion, considerably less—perhaps by $2 billion—than the administration's program.

But that is not all, Mr. President. As one of its stanchest supporters, the senior Senator from Illinois [Mr. DOUGLAS] pointed out only Monday of this week, "medicare" is a misnomer for the administration's proposal. It will not pay for surgery, which can account for a tremendous portion of hospital bills. It will not pay doctors' bills. On the other hand, insurance policies qualifying under my proposal would have to include surgical and medical benefits as well as hospitalization and nursing home care.

Not only, then, is the administration's program fiscally unsound and unworkable, it is not all that it is cracked up to be by its "medicare" label. To paraphrase my good friend, the junior Senator from Kansas [Mr. PEARSON], like frontier medicine it promises much, but in the end it can leave only an empty purse and a bad taste.

Instead of the dangerously heavy burdens of medicare and in preference to the inadequate venture of medichoice, why not the full, fair, and adequate plan for health insurance protection?

My amendment does provide for health insurance protection. It proposes real solutions for real needs.

That is why I urge its adoption.

So that my health care plan can be more easily compared with that proposed by the administration, I ask unanimous consent to have printed at this point in the RECORD a comparative analysis of my amendment together with the Ribicoff amendment and an earlier but similar version of the Gore proposal, both of which embody the administration's proposed program.

There being no objection, the analysis was ordered to be printed in the RECORD,

ANALYSIS OF MEDICAL CARE FOR AGED AMENDMENTS TO H.R. 11865

GENERAL DESCRIPTION

Amendment 1178, introduced by Senator Gore and others (similar to S. 880)	Amendment 1233, introduced by Senator Ribicoff and others	Amendment 1247, introduced by Senators Scott and Fong
Under social security (old-age and survivors insurance) and railroad retirement administrative mechanisms, provides (1) hospital, nursing home, home health, and outpatient diagnostic services to persons 65 or over eligible to receive (or receiving) social security or railroad retirement benefits financed by an increase in taxes for workers and employers under these systems; (2) similar benefits out of Federal general revenue for certain uninsured individuals 65 or over. Benefits are in addition to those provided under House bill.	Contains similar provisions, under the Social Security and Railroad Retirement Acts, and for the uninsured, with major differences noted below. Removes the 5-percent benefit increase from the House bill. Provides a $7 a month increase in benefits for all primary beneficiaries, effective for months after June 1965. However, the increase for persons 65 or over is not effective unless irrevocably elected. If election of full cash benefit is not made, the bill provides health insurance benefits (hospital, nursing home, visiting nurse) with reduction of cash benefit by $5 for every beneficiary entitled. If hospital costs rise after 1965, and the earnings base is not changed proportionately, in 1969 beneficiaries of hospitalization will be charged a daily amount equal to the differential between the national average per diem rates in 1964–65 ($36) and the average per diem rate for the 2 years prior to 1969. This adjustment process will be followed every 2 years thereafter to take into account any later hospital cost increases. The Secretary of Health, Education, and Welfare is directed to enter into an agreement with a nationwide organization for it to carry out certain administrative functions of the health insurance program. Modifies House bill provision for payment of children's benefits beyond age 18 by reducing termination age from 22 to 21 and making the receipt of a high school diploma a terminating event.	A voluntary federally administered (sec. of HEW) health insurance program under which the Federal Government makes payments up to $90 a year to or on behalf of persons aged 65 or over toward purchase of a qualified private health insurance policy for which they are beneficiary. Participants have choice between a short-term illness and a long-term illness benefit policy. Benefits are in addition to those provided under House bill.
I. Benefits furnished under social security and railroad retirement		
Scope of Benefits		
Benefits would consist of payments to health facilities and organizations for services rendered to eligible individuals. Such payments may be made for the following kinds of services:	Same as the Gore amendment with the following differences:	Private companies must offer choice between— (a) Short-term illness benefits The Federal Government will pay one-half of the premium cost or $75, whichever is greater for a policy that pays beneficiary at least the following minimum benefits during an enrollment year:
(1) Inpatient hospital care for 90 days per benefit period[1] subject to deductible for $10 per day for the first 9 days, but not less than $20; or, upon election, 45 days per period with no deductible, or, upon election, 180 days with a deductible of the lesser of (a) 2½ times the average per diem rate for such services throughout the Nation under the program (until 1967 the bill sets the per diem rate at $37, thus the deductible initially will be $92.50) or (b) charges customarily made for such services by the hospital which furnished them. There may be only one election under this provision and it is irrevocable. The election must be made during the first 2 months in the 3-month period preceding the month in which the individual has both attained age 65 and is eligible for benefits.	(1) Inpatient hospital care for 90 days per benefit period[1] subject to deductible of the lesser of (a) 2½ times the average per diem rate for such services throughout the Nation under the program (until 1969 the bill sets the per diem rate at $36, thus the deductible initially would be $90) or (b) charges customarily made for such services by the hospital which furnished them; or, upon election, 45 days without a deductible. Subject to cost-sharing device previously noted which would begin in 1969.	(1) inpatient hospital services, up to 45 days at not more than $30 a day, (2) nursing home care upon transfer from a hospital stay of at least 72 hours, up to 90 days at not more than $15 daily (policy may provide for reducing hospital benefit by 1 day for each 2 days of nursing home care for which it pays), (3) surgical services, up to $200, (4) up to three visits to doctor's office, at no more than $5 per visit, (5) outpatient hospital services, including diagnostic, X-ray, and laboratory services, up to $60, (6) outpatient surgical services, (7) visiting nurses' services, up to 10 days. Additional health benefits could be provided.
(2) Skilled nursing facility services up to 180 days in a benefit period after transfer from a hospital in an institution which is affiliated or under common control with a hospital;[2]	(2) Skilled nursing facility services up to 30 days in a benefit period after transfer from a hospital. No requirement of hospital affiliation.	(b) Long-term illness benefits The Federal Government will pay one-half the premium cost or $90, whichever is greater, for a policy that pays beneficiary at least the following minimum benefits during an enrollment year: (1) inpatient hospital services, up to 75 days at not more than $30 a day, (2) nursing home care upon transfer from a hospital stay of at least 72 hours, up to 150 days at not more than $15 daily (policy may provide for reducing hospital benefit by 1 day for each 2 days of nursing home care for which it pays), (3) surgical services, up to $300, (4) up to five visits to doctor's office, at no more than $5 per visit, (5) outpatient hospital services, including diagnostic, X-ray, and laboratory services, up to $90, (6) outpatient surgical services, (7) visiting nurses' services, up to 30 days. Additional health benefits could be provided.
(3) Home health services up to 240 visits a year;	(3) Visiting nurse services up to 30 visits per year.	
(4) Outpatient diagnostic services—no durational limit but subject to a $20 deductible per 30-day period.	(4) No provision.	

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[1] A period of consecutive days beginning with the 1st day an individual is furnished with hospital or nursing home services and ending after he has been out of the hospital or nursing home for 90 days. The 90 days need not be consecutive but must occur within a period of not more than 180 consecutive days.

[2] On the basis of a study, the Secretary of Health, Education, and Welfare may authorize the participation of facilities which, though not affiliated with hospitals, operate under conditions assuring the provision of adequate care, providing this action will not create (or increase) an actuarial imbalance in the trust fund.

I. Benefits furnished under social security and railroad retirement—Continued

Eligibility for Benefits

Amendment 1178, introduced by Senator GORE and others (similar to S. 880)—Con.	Amendment 1233, introduced by Senator RIBICOFF and others—Continued	Amendment 1247, introduced by Senators SCOTT and FONG—Continued
(1) All persons who— (a) are age 65 or over; and (b) are eligible to receive (or receiving) social security or railroad retirement benefits. (2) All persons not insured under social security or railroad retirement who either— (a) have reached age 65 before 1967; or (b) have reached age 65 after 1966 if they have 3 quarters of coverage for each year elapsing after 1964 and before the year they reach age 65.	Same.	All persons who— (a) are 65 years of age or older and (b) are the beneficiary of a qualified private health insurance policy at the time they make application under program. Private health insurance policy. A qualified private health insurance policy is one that— (a) is approved by Secretary of Health, Education, and Welfare, (b) is offered by carrier which offers choice between approved long-term illness benefit policy and short-term illness benefit policy, (c) is offered to all individuals aged 65 or over residing in area which carrier serves, (d) is guaranteed renewable. Premium changes must apply to all subscribers aged 65 or over regardless of condition of health and cannot be made for 1 year following date individual subscribes to policy.
Excluded from (2) would be nonresidents or residents aliens with less than 10 years in the United States, members of certain subversive organizations, persons convicted of certain subversive crimes, employees of the Federal Government, and persons eligible for benefits under the Federal employee or retired Federal employee health plans.	Same.	

Financing

Amendment 1178	Amendment 1233	Amendment 1247
(1) In order to finance benefits for social security eligibles there would be an increase in the tax on employers and employees and the self-employed, as follows:		No provision for financing; therefore, financed from Federal general revenues.

Contribution rates

Year	Employer and employee, each			Self-employed		
	Present law	H.R. 11865	Amendment 1178	Present law	H.R. 11865	Amendment 1178
1965	3.625	3.8	4.2	5.4	5.7	6.3
1966–67	4.125	4.0	4.4	6.2	6.0	6.6
1968–70	4.625	4.5	4.9	6.9	6.8	7.4
1971	4.625	4.8	5.2	6.9	7.2	7.8

Contribution rates

Year	Employer and employee, each			Self-employed		
	Present law	H.R. 11865	Amendment 1233	Present law	H.R. 11865	Amendment 1233
1965	3.625	3.8	3.9	5.4	5.7	5.9
1966–67	4.125	4.0	4.3	6.2	6.0	6.5
1968–70	4.625	4.5	4.7	6.9	6.8	7.1
1971	4.625	4.8	5.0	6.9	7.2	7.5

Amendment 1178	Amendment 1233	Amendment 1247
Under Railroad Retirement Tax Act an increase in social security tax results in comparable increase in railroad retirement tax.		
There will be an increase in the maximum taxable earnings under social security from $4,800 to $5,400, effective January 1, 1965. A separate trust fund for the hospital insurance program would be established.	Same.	
(2) For ineligibles under social security and railroad retirement there would be an authorization of appropriation out of general revenues.	Same.	

Mr. SCOTT. Mr. President, I am very glad to yield to my distinguished friend the senior Senator from Hawaii [Mr. FONG].

Mr. FONG. Mr. President, I commend my colleague for a very fine presentation of his plan. It is a very comprehensive plan, and a much better plan than that which was offered by the administration.

As a cosponsor of amendment No. 1247, offered by my able and distinguished colleague, the junior Senator from Pennsylvania [Mr. SCOTT], and cosponsored by the junior Senator from Vermont [Mr. PROUTY], I rise to support the amendment.

As an alternative to the Gore amendment which would cover only about 25 to 30 percent of health care costs of average aged and which would saddle the entire burden of this costly program on working men and women, the health insurance 65 proposal is far preferable.

Last April the Senate Subcommittee on Health of the Elderly, of which I am a member, held hearings on Blue Cross and private health insurance for persons past 65.

The record developed during those hearings can be briefly summarized as follows:

First. Over the past 10 years, tremendous progress has been made in health insurance benefits and care for the aged and in numbers of persons past 65 having health insurance coverage.

Broader, more comprehensive benefits, guaranteed renewable—nonrevocable—provisions, group insurance, mass enrollments, and other improvements described in the hearings are solid evidence of progress.

Further improvement in aged health insurance is expected.

Second. Some 54 to 60 percent of the Nation's approximately 17 million noninstitutionalized people age 65 or older have voluntary health insurance. Another 12 to 14 percent of this aged group have medical coverage through old-age assistance, and an indeterminate additional number are eligible for medical assistance for the aged.

Third. Approximately one-half of those with voluntary health insurance are under nonprofit Blue Cross protection; the other half have insurance written by private companies, many of which are nonprofit.

Fourth. A great variety of health insurance plans are presently available from which the elderly may choose policies best matching their needs and willingness and ability to pay.

No accurate judgment is possible as to how many of older persons have adequate coverage. What is adequate for one person may not be adequate for another. What is adequate in a low-cost area may not be adequate in a high-cost area. The hearing record did not develop sufficient information on adequacy.

Fifth. Costs of health care are rising and this trend is expected to continue. Whether health care is financed through

Government expenditures or individual insurance premiums, such financing must be adjusted from time to time to reflect these rising costs.

The hearings showed that there are presently available for older persons policies offering comprehensive hospital, surgical, and other major medical benefits on a guaranteed renewable basis. The premiums naturally reflect the comprehensive benefits.

From the hearings it is clear that those who can afford and who are willing to pay the premiums for such coverage can obtain it.

It is also clear from the hearing record that some—how many no one knows—of those 65 and older cannot afford to pay the premiums for the best policies available.

The problem was stated very succinctly during Senate Finance Committee hearings on H.R. 11865 by a witness for the Blue Cross Association, Mr. Walter J. McNerney, president of that association. As we all know, Blue Cross is one of the oldest health insurance organizations in the country, a real pioneer in this field. Its representatives speak on the basis of these many years of Blue Cross experience.

Mr. McNerney told the Senate Finance Committee:

> The basic problem of the aged is not unavailability of programs providing protection against the cost of health care.
>
> On the contrary, Blue Cross and other segments of the voluntary system can and do provide many of the aged with adequate protection.
>
> The problem is that some of the aged with limited income cannot avail themselves of this protection.
>
> * * * * *
>
> It is worth repeating that the fundamental problem is lack of sufficient purchasing power, and the inability of the voluntary system to produce a financial subsidy sufficient to meet all aged adequately is often irrelevantly generalized to imply a universal weakness in the system, including its capacity to provide top quality care and adequate benefits.
>
> These benefits are there. The challenge of government is to bring them within the grasp of those who cannot afford them.

I agree.

The central problem in providing health insurance protection is financing.

Available statistics on the financial status of our aged population are very sketchy, too incomplete to derive an accurate picture.

It is reasonable to say, however, that a good many older persons lack the wherewithal to buy comprehensive health insurance.

The pending Health Insurance 65 amendment recognizes that the primary problem of health insurance for the aged is a financing problem. Health Insurance 65 offers Federal financial assistance to everyone age 65 who has a health insurance policy providing at least the coverage specified in the amendment.

Under this, the Federal Government would provide cash payments to help pay the premiums of such insurance.

The amount of cash payment would be whichever is larger—one-half the annual premium of the policy or $75 if the policy provides short-term illness benefits or $90 if the policy provides long-term illness benefits.

A policy providing short-term benefits must include up to 45 days of inpatient hospital services at up to $30 a day; nursing home care up to 90 days up to $15 a day after transfer from a hospital stay of at least 72 hours; up to $200 in surgical services; up to three visits to doctors' offices at up to $5 per visit; up to $60 in outpatient hospital services, including diagnostic, X-ray, and laboratory services; outpatient surgical services; visiting nurse services of up to 10 days.

Long-term illness benefits required would be up to 75 days of inpatient hospital services at up to $30 a day; up to 150 days of nursing home care at up to $15 a day upon transfer from a hospital stay of at least 72 hours; up to $300 in surgical services; up to five visits to a doctor's office up to $5 per visit; up to $90 of outpatient hospital services, including diagnostic, X-ray, and laboratory services; outpatient surgical services; visiting nurses services for up to 30 days.

Additional benefits could of course be provided by the insurer.

Among the protections provided in the bill for those past 65 are first, approval of policies as qualified by the Secretary of Health, Education, and Welfare; second, any insurance carrier must offer a choice between an approved short-term illness benefit policy and a long-term illness benefit policy; policies must be offered to everyone age 65 or over residing in the areas the carrier serves; third, must be guaranteed renewable; fourth, premium changes must apply to all subscribers past 65 regardless of their health; and fifth, no premium changes can be made for 1 year following the date a subscriber buys the policy.

To be actuarially sound, such policies issued by private carriers would, we have been advised, require annual premiums of $150 for the short-term illness benefits and $180 for the long-term illness benefits.

It is estimated that the maximum cost of this program during the first year of operation would be $1.1 billion to the Federal Treasury. This assumes that 80 percent of all aged citizens would participate. In Hawaii there will be about 31,000 persons past 65 by next year. With an 80-percent participation rate, this would mean about 25,000 of our elder citizens would benefit under health insurance 65.

The second assumption for purposes of obtaining the maximum cost estimate is that all would buy the long-term illness benefits policy—in other words, the more expensive policy. Probably this would not happen, but for purposes of estimating the outermost limit of cost, this assumption was used.

The advantages of health insurance 65 are numerous.

Persons past 65 who buy qualified short- or long-term illness health insurance are assured of financial assistance toward the premiums.

They have freedom of choice to buy policies offering more than the benefits prescribed under this bill, all according to their wishes and their pocketbooks. Freedom of choice is the American way.

By helping pay the premium charges, more aged persons will be able to buy at least the benefits prescribed in this bill. These benefit packages are balanced and related to needs and wants of people in this age bracket. More aged persons will be able to buy even more comprehensive insurance—up to $90 more.

Requiring policies to be guaranteed renewable could give policyholders a great sense of comfort and peace of mind.

Barring rate increases for 1 year after a subscriber obtains a policy also is added protection. Obviously, it is impossible to guarantee against rises in premiums for more than a year. If costs of providing medical care rise, premiums will have to rise. Any health insurance system, social security or otherwise, would have to adjust to increased costs of providing health care.

By operating through the mechanics of Blue Cross and other private health insurance, this vital industry, which provides many jobs, will be strengthened so as to serve better not only the aged but other groups as well. Already a highly competitive industry, this will remain so under this plan.

We know keen competition in insurance benefits consumers through improved coverage and by helping to keep premiums in line with costs.

There is no income test under this bill and no means test. Everyone past 65 who wants insurance can pay at least half the premium of the two basic insurance packages qualifies.

By financing health insurance 65 out of general revenues of the Treasury, the cost, $1.1 billion in the first year, is distributed as fairly as we know how—just as fairly as the income tax burden is distributed; for general revenues consist primarily of income taxes, and income taxes are based upon ability to pay.

Instead of saddling just wage earners with the cost, as any social security financed plan does, health insurance 65 would spread the cost among all those who have enough income from whatever source to pay income tax after personal exemptions and allowable deductions.

Social security taxes are levied only on wages and on first dollars of wages. No deductions or exemptions are allowed, so the little wage earner is really hit hard.

Social security financing of medical care for the aged is grossly unfair. The $5,200-a-year clerk would pay as much social security tax as the $50,000 corporation executive.

It would be especially unfair to young people, struggling to feed, clothe, house, and educate their children and protect them currently with medical insurance, to be forced to shoulder at the same time the tax for hospital insurance for the aged.

Through all their working years, America's working men and women would be compelled to pay a social security health insurance tax, yet receive none of the benefits for themselves until they reached age 65. Should they die before age 65, they would receive nothing for all their payments.

Under the social security financed insurance plan of the administration, even those of the blind, the handicapped, the domestic workers, and the farmworkers who pay social security taxes would be taxed to pay for health care of the well-to-do.

Meantime, 40 percent of all taxable income in the United States on which no social security tax is levied would escape any responsibility whatsoever to help in this problem, including the income of 9 million American workers not in the social security system.

Another advantage of the health insurance 65 plan is that it is entirely federally financed. States do not have to share the cost. Hopefully, this would allow States to liberalize Kerr-Mills and other Federal programs for those aged who cannot buy policies under health insurance 65.

Finally, administration of this program would be relatively uncomplicated. It would be simple for policyholders to understand.

This is probably the least revolutionary of all the pending proposals to help the aged meet the cost of medical care.

It comes close to meeting the kinds of medical care needed by citizens in this age group.

It is one of the least costly programs, and the cost burden is spread among our national community according to ability to pay.

In conclusion, this plan merits serious consideration. I urge my colleagues to support health insurance 65.

In conclusion, this plan merits serious consideration. I urge my colleagues to support "Health Insurance 65."

Mr. SCOTT. Mr. President, I ask unanimous consent that the name of the junior Senator from Vermont [Mr. PROUTY] be added as a cosponsor of my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCOTT. I now yield to the Senator from Vermont [Mr. PROUTY].

Mr. LONG of Louisiana. Mr. President——

The PRESIDING OFFICER. The Senator from Vermont has the floor.

Mr. LONG of Louisiana. Is the Senator from Vermont going to speak on this amendment?

Mr. SCOTT. He is.

Mr. PROUTY. Mr. President, I am very glad to join the distinguished Senator from Pennsylvania. This amendment is an excellent approach to provide health care for the aged. The Senator from Pennsylvania has always had the well-being of older Americans at heart, and retired people know he will always be their friend.

I also compliment the distinguished senior Senator from Hawaii [Mr. FONG], who is a true champion of the aged. His work on the Subcommittee on Health of the Special Committee on Aging and his dedicated efforts on behalf of retired people will never be forgotten.

Mr. President, I believe additional Federal legislation is needed to aid older people to finance comprehensive health protection. The Scott amendment, of which I am a cosponsor, would provide such a program with the Federal share paid out of general revenues of the Treasury. This is the fair way to distribute the cost of a health care program.

When medical care for the aged is financed through the social security system, the burden is placed very heavily on wage earners, regardless of their income or ability to pay. A young clerk would pay as much social security tax as a $50,000-a-year corporation executive.

Also, 40 percent of all taxable income in the United States on which there is no social security tax would escape any responsibility whatsoever to help out in providing medical care.

The Scott amendment, which I support, would permit the Federal Government to make payments toward the cost of a private health insurance policy for each older person—the policy of his choice—and one that could not be canceled.

The Scott proposal would permit Federal help to share the heavy burden of surgical benefits and the cost of visits to the doctor through a voluntary insurance program.

Medicare through social security does not cover the cost of surgery and other important items; and, furthermore, under the social security approach if one chooses the wrong type of health care plan, he is stuck with it and cannot change it.

Under the Scott freedom-of-choice plan, one can have a short term illness policy or a long term illness policy, and he can change back and forth from year to year as his health circumstances require.

Because I believe that the cost of a health care program for the aged should be paid for by all taxpayers, not just young workers on low incomes, I support the Scott amendment and oppose the tax-on-the-poor approach.

Because I believe that a health program for the aged should deal with surgical benefits as well as hospital benefits, I support the Scott amendment and I oppose the social security approach.

Because I believe that an older person should have the right to choose his health plan and change it from time to time, I supported the Scott amendment and I opposed the rigid, less flexible social security method.

Mr. FONG. Mr. President, I wish to say a few words of commendation for my colleagues from Pennsylvania and Vermont [Mr. SCOTT and Mr. PROUTY]. They have been in the forefront in efforts to help our aged citizens meet their medical needs.

Their cosponsorship of the "health insurance 65" plan is another example of their active interest in, and concern for, the 18 million Americans over age 65.

They deserve great credit for their efforts to meet what is a real need of millions of older Americans. In this amendment they seek to help those past 65 to obtain comprehensive health insurance coverage to protect them against costly illness.

They have both offered an amendment to raise the earnings limit on social security recipients from the present $1,200 limit to $2,400 before any of the recipients would lose any of their social security benefits.

I am happy to be a cosponsor of the amendment.

The people of Pennsylvania and of Vermont should know of the magnificent work being done by the Senator from Pennsylvania [Mr. SCOTT] and the Senator from Vermont [Mr. PROUTY].

Mr. SCOTT. Mr. President, I am most grateful for the cosponsorship of my proposal by the distinguished Senators from Hawaii and Vermont. Their interest in health care has been manifest during their entire service in the Congress. Their contributions to the development of this particular freedom-of-choice proposal, as I think it was very well called by the Senator from Vermont [Mr. PROUTY] have been invaluable.

I am most grateful for that and for their continued interest in seeking to find the best way to preserve the freedom of the individual and at the same time to meet the undeniable needs of our senior citizens, who may be confronted by the disastrous shadow of illness.

Summarizing, in conclusion, my proposal has these advantages, as I see them, over all the other proposals discussed.

First, I believe it is the only proposal which offers both short-term and long-term care.

Second, by virtue of the contributory aspect of the policy provisions contained therein between the Federal Government and the individual, it preserves intact the principle of free medicine and adds to that "readily available."

Finally, it would cost a great less than the proposal earlier considered today.

Therefore, with all these merits, I should think it logical that it should prevail. I hope it will.

Further, Mr. President, deponent saith not at this time. I ask for a vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. SCOTT].

Mr. LONG of Louisiana. Mr. President, I applaud the Senator from Pennsylvania on his purpose in trying to help those who are not covered under the social security program in the bill and to provide medical care for them.

However, this matter should receive much more study than the Senate could give it today. The estimate is that, if everyone took advantage of the program, the cost would be an additional $1,252,000,000. That would be in addition to what has been voted already today.

I believe the Senator will agree that, having voted for the far-reaching Gore-Anderson amendment today, we should not embark at this time on anything so large as this amendment, with the great cost that it would involve.

This is a matter that should be studied by the committee after we have an opportunity to bring back from conference the Gore-Anderson amendment, and to see what our experience will be under the Kerr-Mills program, as well as under the program the Senate has voted today.

At that time we shall be able to see in which direction the Senate should proceed in providing additional medical care. Therefore, reluctantly, I must ask that the Senate reject the amendment at this time.

Mr. SCOTT. Mr. President, I shall take only a minute. One of my purposes in offering the amendment is to permit the conferees to consider various opportunities available to them. If what we read about the mood of the other House is correct, it is most unlikely that any proposal involving this kind of additional burden under the social security system will be adopted at this session of Congress.

I do not believe in favoring something which I am convinced has no chance of passage. The conferees might find in my proposed program a way out of a series of dilemmas confronting them in an extremely serious problem.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. SCOTT].

The amendment was rejected.

Mr. LONG of Louisiana. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the amendment not be read, but be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, ordered to be printed in the RECORD, is as follows:

At the proper place in the bill add the following new section:

"INCREASE IN AMOUNT AN INDIVIDUAL IS PERMITTED TO EARN WITHOUT SUFFERING DEDUCTIONS FROM BENEFITS

"SEC. 1. (a)(1) Paragraphs (1), (3), and (4) (B) of subsection (f) of section 203 of the Social Security Act are each amended by striking out '$100' wherever it appears therein and inserting in lieu thereof '$125'.

"(2) The first sentence of paragraph (3) of such subsection (f) is amended by striking out '$500' each place it appears therein and inserting in lieu thereof '$1,500'.

"(b) Paragraph (1) (A) of subsection (h) of section 203 of such Act is amended by striking out '$100' and inserting in lieu thereof '$125'.

"(c) The amendments made by this section shall be effective, in the case of any individual, with respect to taxable years of such individual ending after 1964."

Mr. LONG of Louisiana. This amendment is a portion of the Long-Carlson-Smathers amendment which was stricken with the adoption of the Gore amendment.

It is my understanding that the sponsor of the amendment, the Senator from Tennessee, and his supporters had no real conviction about striking this portion of the amendment. They merely felt it necessary to do so in order properly to draft their amendment.

The pending amendment would provide that a person could earn $1,500 without suffering a reduction in his social security benefits, and that he could earn an additional $1,500, and have his social security benefit reduced by only 50 percent. Therefore he would get $750 of the second $1,500.

Some years ago the same principle was voted by the Senate, namely, to increase the earning limitation to $1,800. That would have cost substantially more than the amendment we are offering. The House would not accept that amendment, although a liberalization was made over the then existing law.

It is my hope that the House will accept the amendment, or a part of it. I know there is some sympathy for it in the House at this time. I do not believe there is any objection to it in the Senate.

Mr. CARLSON. Mr. President, I am proud to be a cosponsor of the amendment. If we wish to do something for people who are in the situation where the cost of living has greatly increased and retirement income and social security benefits have not increased, this is an opportunity to help such persons. I hope the amendment will be adopted.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. HOLLAND. I join the Senator in pressing his amendment. I hope he will allow me to join as a cosponsor of it.

Mr. LONG of Louisiana. I ask unanimous consent that the name of the Senator from Florida may be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. Mr. President, will the Senator let me share in this?

Mr. LONG of Louisiana. I wish to include the Senator from Tennessee [Mr. GORE] as a cosponsor. I am happy to include the Senator, because it was the Senator's amendment that struck this amendment in the first place.

I also ask unanimous consent to add the name of the Senator from North Carolina [Mr. ERVIN] as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. In adding to the argument in favor of the amendment I merely wish to say that I suspect that my State of Florida has as large a percentage of elderly people living within its borders as any other State in the Union, if not the largest.

I have received more complaints from retired people about this feature than I have about the medicare provision.

Mr. LONG of Louisiana. Mr. President, I thank the Senator. I read a very interesting article the other day which dealt with our having a new class of society. It is a class of retired people who live in Florida in the wintertime and in northern areas in the summertime. They find jobs that pay enough to supplement their social security income, and enough for them to be very happy in doing the kind of work that would appeal to a retired person, and the kind of work that a doctor would recommend to keep a retired person active. The amendment would help those individuals. The cost is something that is well within the means of the program. I believe it would be a great improvement. I only wish that without great cost we could make it possible for a person to earn any amount, but it is not feasible to do so at this time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. LONG].

The amendment was agreed to.

PROTECTION OF CONSTITUTIONAL RIGHTS OF CERTAIN MENTALLY ILL PERSONS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives the bill (S. 935) to protect the constitutional rights of certain individuals who are mentally ill, to provide for their care, treatment, and hospitalization, and for other purposes which were, on page 2, line 2, after "illness" insert ", but shall not include a person committed to a private or public hospital in the District of Columbia by order of the court in a criminal proceeding"; on page 4, line 5, after "shall" insert "have the same qualifications as the lawyer member of the Commission and who shall"; on page 8, lines 10 and 11, strike out "hospitalized," and insert "hospitalized;"; on page 16, strike out lines 13 through 15 inclusive, and insert "shall require the payment of such sums to the District of Columbia treasurer annually, semiannually, quarterly, or monthly as the court may direct. It shall be the duty of the treasurer to"; on page 21, line 13, after "relative" insert ", and the United States District Court for the District of Columbia, the Commission on Mental Health, and the Board of Commissioners of the District of Columbia"; on page 23, line 12, strike out "may" and insert "shall"; on page 23, line 20, after "year" insert "immediately"; on page 24, line 24, after "entered" insert "in a noncriminal proceeding"; on page 26, line 18, after "repealed." insert "Nothing in this subsection shall be construed to affect any action taken prior to the date of the enactment of this Act pursuant to any of the aforementioned subsections repealed by this subsection."; on page 26, line 24, strike out "and 2" and insert ", 2, and 3", and on page 27, after line 2 insert:

(i) The two provisos in the fifth paragraph under the heading "Public Welfare" in the District of Columbia Appropriations Act, 1949, are hereby repealed.

Mr. ERVIN. Mr. President, on August 21, 1964, the other body accorded unanimous approval to S. 935, a bill to protect the rights of the mentally ill in the District of Columbia. Several minor amendments were made by the House District Committee to clarify the scope and application of the measure and to perfect its language.

These amendments would:

First. Reaffirm the intent of the authors that the bill applies only to civil hospitalization procedures.

Second. Make clear, what the bill implies, that the alternate lawyer member of the Mental Health Commission shall have the same qualifications as the lawyer member.

Third. Allow payment for hospitalization of a patient to be made on a monthly basis, as well as annually, semiannually, or quarterly, as the bill provided.

Fourth. Provide that notice of a patient's inability to exercise his rights shall be given to the U.S. District Court for the District of Columbia, the Commission on Mental Health, and the Board of Commissioners of the District of Columbia. This would be in addition to the notice to the patient, his attorney, spouse, parents, or adult relative.

Fifth. Make it mandatory, rather than discretionary, that a nonresident patient committed by court order be transferred to his State of residence if an appropriate institution in that State is willing to accept him.

Sixth. Stipulate that the 1-year residency in the District of Columbia required of judicially committed patients must have been immediately prior to the filing of the petition.

Seventh. Make the new law applicable to patients previously hospitalized by court order only in noncriminal proceedings.

Eighth. Provide that the new act will not affect action previously taken under laws repealed by the bill, particularly the appointment of committees.

Ninth. Make certain technical corrections.

At the 11th hour, after 3 years of study and after Senate passage of the bill some people posed all sorts of hypothetical problems which might be caused by this bill. Much of their concern was related to the funding arrangements for hospitalization of mentally ill patients in the District of Columbia. At this point I should like to make it clear that in drafting S. 935 the Subcommittee on Constitutional Rights had no intention of disturbing the existing financial arrangements for individual or Government payment of hospitalization costs. These statutes remain untouched. It is my feeling that whatever problems they have posed should be amenable to administrative regulation or else should be the subject of other separate legislation. In any event it is not contemplated or intended that any financial responsibility of the District government or the Department of Health, Education, and Welfare should be changed.

Our mandate, the subcommittee felt, did not extend to such matters, and indeed we heard no representations regarding them. Rather, our concern has been with hospitalization procedures, with the protection of the rights of patients after, as well as before, they enter the hospital, and with the encouragement of voluntary admissions so that a problem of serious national scope may the sooner be eradicated. Our concern has been to assure that when an individual is deprived of his liberty because he is mentally ill, he will receive appropriate attention and the treatment necessary to restore him to his place in society.

Mr. President, the amendments which were placed upon the Senate-passed bill by the House of Representatives in essence are technical and clarifying amendments. They make no substantial change in the bill as it was passed by the Senate.

I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from North Carolina.

The motion was agreed to.

TRANSFER OF CERTAIN LANDS WITHIN EVERGLADES NATIONAL PARK, FLA.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2082) to authorize the Secretary of the Interior to accept a transfer of certain lands within Everglades National Park, Dade County, Fla., for administration as a part of said park, and for other purposes, which was, to strike out all after the enacting clause and insert:

> That the Secretary of the Interior is authorized to accept a transfer from the Administrator of the Farmers Home Administration, United States Department of Agriculture, which transfer is hereby authorized, of a tract of land consisting of approximately four thousand four hundred and twenty acres, lying within the boundaries of Everglades National Park, in Dade County, Florida, and more particularly described in the masters deed dated December 21, 1962, in the proceeding entitled "The Connecticut Mutual Life Insurance Company against Toni Iori, a single man; Peter Iori and Helen Iori, his wife, d/b/a Iori Bros., et al.," No. 61C–3823, in the Circuit Court of the Eleventh Judicial Circuit of Florida, in and for Dade County, and recorded in the official records of said county in book 3494 at page 457, or in any modification of such masters deed, for administration as a part of the Everglades National Park. Such transfer will be made by the Farmers Home Administration, Department of Agriculture, to the Secretary of Interior, only after the Farmers Home Administration's emergency credit revolving fund has been fully reimbursed for all cost incurred by it in connection with the aforesaid land. Such transfer may be accepted when title to the property is vested in the United States.
>
> Sec. 2. There is hereby authorized to be appropriated to the emergency credit revolving fund, upon the transfer authorized in section 1, such sum as may be necessary but not in excess of $452,000 to reimburse the fund for costs incurred by the Farmers Home Administration in connection with the aforesaid property.

Mr. HOLLAND. Mr. President, this bill which I introduced, passed the Senate on June 25 of this year. In the House of Representatives it was referred to their Agriculture Committee.

The purpose of this bill is to authorize the Secretary of the Interior to accept a transfer of certain lands within the Everglades National Park for administration as a part of said park. The transfer would take place between the Farmers Home Administration and the National Park Service. The Senate committee amended my original bill to place a limitation of $452,000, which was the amount necessary to make whole the emergency revolving fund of the Farmers Home Administration resulting from its involvement in the administration of the property under consideration. The Farmers Home Administration has acquired the above land through a mortgage foreclosure proceeding in the Florida courts.

The House Agriculture Committee inserted additional amending language, as follows:

> Such transfer will be made by the Farmers Home Administration, Department of Agriculture, to the Secretary of the Interior, only after the Farmers Home Administration's emergency credit revolving fund has been fully reimbursed for all cost incurred by it in connection with the aforesaid land.

Since this was merely in the nature of perfecting language, it is my strong hope that the Senate will concur in the House amendments. This will send the bill immediately to the President.

This authorizing legislation should then enable the Congress to insert in the pending supplemental appropriations bill the necessary amount to reimburse the Farmers Home Administration revolving fund.

The bill has been cleared with the chairman of the Committee on Interior and Insular Affairs, who handled this matter, and who has cleared it with the ranking Republican member. All are in agreement that the bill should be passed. I have also cleared it with the majority leader.

I hope that the Senate will now concur in the amendment of the House, so that the bill may be sent directly to the White House.

I move that the Senate concur in the amendment of the House.

The motion was agreed to.

SOCIAL SECURITY AMENDMENTS OF 1964

The Senate resumed the consideration of the bill (H.R. 11865) to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

Mr. LONG of Louisiana. Mr. President, I send an amendment to the desk. I ask unanimous consent that its reading be dispensed with and that it be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

At the proper place in the bill it is proposed to insert the following:

> REMOVAL OF LIMITATIONS ON FEDERAL PARTICIPATION IN ASSISTANCE TO AGED INDIVIDUALS WITH TUBERCULOSIS OR MENTAL DISEASE
>
> Sec. 17. (a)(1) Section 6(a) of the Social Security Act is amended to read as follows:
>
> "Sec. 6. (a) For the purposes of this title, the term 'old-age assistance' means money payments to, or (if provided in or after the third month before the month in which the

recipient makes application for assistance) medical care in behalf of or any type of remedial care recognized under State law in behalf of, needy individuals who are sixty-five years of age or older, but does not include any such payments to or care in behalf of any individual who is an inmate of a public institution (except as a patient in a medical institution). Such term also includes payments which are not included within the meaning of such term under the preceding sentence, but which would be so included except that they are made on behalf of such a needy individual to another individual who (as determined in accordance with standards prescribed by the Secretary) is interested in or concerned with the welfare of such needy individual, but only with respect to a State whose State plan approved under section 2 includes provision for—

"(A) determination by the State agency that such needy individual has, by reason of his physical or mental condition, such inability to manage funds that making payments to him would be contrary to his welfare and, therefore, it is necessary to provide such assistance through payments described in this sentence;

"(B) undertaking and continuing special efforts to protect the welfare of such individual and to improve, to the extent possible, his capacity for self-care and to manage funds;

"(C) periodic review by such State agency of the determination under clause (A) to ascertain whether conditions justifying such determination still exist, with provision for termination of such payments if they do not and for seeking judicial appointment of a guardian or other legal representative, as described in section 1111, if and when it appears that such action will best serve the interests of such needy individual; and

"(D) opportunity for a fair hearing before the State agency on the determination referred to in clause (A) for any individual with respect to whom it is made."

(2) Subsection (b) of such section 6 is amended by striking out all that follows clause (12) thereof, and inserting in lieu thereof the following: "except that such term does not include any such payments with respect to care or services for any individual who is an inmate of a public institution (except as a patient in a medical institution)."

(b)(1) Section 1605(a) of such Act is amended to read as follows:

"SEC. 1605. (a) For the purposes of this title, the term 'aid to the aged, blind, or disabled' means money payments to, or (if provided in or after the third month before the month in which the recipient makes application for aid) medical care in behalf of or any type of remedial care recognized under State law in behalf of, needy individuals who are 65 years of age or older, are blind, or are 18 years of age or over and permanently and totally disabled, but such term does not include—

"(1) in the case of any individual, any such payments to or care in behalf of any individual who is an inmate of a public institution (except as a patient in a medical institution); or

"(2) in the case of any individual who has not attained 65 years of age—

"(A) any such payments to or care in behalf of any individual who is a patient in an institution for tuberculosis or mental diseases, or

"(B) any such payments to any individual who has been diagnosed as having tuberculosis or psychosis and is a patient in a medical institution as a result thereof, or

"(C) any such care in behalf of any individual, who is a patient in a medical institution as a result of a diagnosis that he has tuberculosis or psychosis, with respect to any period after the individual has been a patient in such an institution, as a result of such diagnosis, for forty-two days.

Such term also includes payments which are not included within the meaning of such term under the preceding sentence, but which would be so included except that they are made on behalf of such a needy individual to another individual who (as determined in accordance with standards prescribed by the Secretary) is interested in or concerned with the welfare of such needy individual, but only with respect to a State whose State plan approved under section 1602 includes provision for—

"(A) determination by the State agency that such needy individual has, by reason of his physical or mental condition, such inability to manage funds that making payments to him would be contrary to his welfare and, therefore, it is necessary to provide such aid through payments described in this sentence;

"(B) undertaking and continuing special efforts to protect the welfare of such individual and to improve, to the extent possible, his capacity for self-care and to manage funds;

"(C) periodic review by such State agency of the determination under clause (A) to ascertain whether conditions justifying such determination still exist, with provision for termination of such payments if they do not and for seeking judicial appointment of a guardian or other legal representative, as described in section 1111, if and when it appears that such action will best serve the interests of such needy individual; and

"(D) opportunity for a fair hearing before the State agency on the determination referred to in clause (A) for any individual with respect to whom it is made."

(2) Subsection (b) of such section 1605 is amended by striking out all that follows clause (12) thereof, and inserting in lieu thereof the following: "except that such term does not include any such payments with respect to care or services for any individual who is an inmate of a public institution (except as a patient in a medical institution)."

(c)(1) Section 2(a) of such Act is amended (A) by striking out "and" at the end of paragraph (10); (B) by striking out the period at the end of paragraph (11) and inserting in lieu thereof a semicolon; and (C) by adding at the end thereof the following new paragraphs:

"(12) If the State plan includes assistance to or in behalf of patients in institutions for tuberculosis or mental diseases, or to patients who are in medical institutions as a result of a diagnosis of tuberculosis or psychosis—

"(A) provide for having in effect agreements or other arrangements with the State mental health authority or authorities, and, where appropriate, with such institutions, including arrangements for joint planning, development of alternate methods of care, assurance of immediate readmittance to institutions where needed for individuals under alternate plans of care, allowing access to patients and facilities, furnishing information, and making reports, as may be necessary to enable the State agency to carry out its responsibilities under the State plan.

"(B) provide for an individual plan for each such patient to assure that the institutional care provided to him is in his best interests, including, to that end, assurances that there will be initial and periodic review of his medical and other needs, that he will be given appropriate medical treatment within the institution, and that there will be a periodic determination of his needs for continued treatment in the institution;

"(C) provide for the development of alternate plans of care, making maximum utilization of available resources, for recipients who would otherwise need care in such institutions, including appropriate medical treatment and other assistance; for services referred to in section 3(a)(4)(A) (i) and (ii) which are appropriate for such recipients and for such patients; and for methods of administration necessary to assure that these provisions will be effectively carried out; and

"(D) provide methods of determining the reasonable cost of institutional care for such patients; and

"(13) If the State plan includes assistance to or on behalf of patients in public institutions for mental diseases, show that the State is making satisfactory progress toward developing and implementing a comprehensive mental health program, including provision for utilization of community mental health centers, nursing homes, and other alternatives to institutional care."

(2) Section 3 of such Act is amended by adding at the end thereof the following new subsection:

"(e) Notwithstanding the preceding provisions of this section, the amount determined under such provisions for any State for any quarter which is attributable to State or local expenditures with respect to patients in institutions for tuberculosis or mental diseases shall be paid only to the extent that the State makes a showing satisfactory to the Secretary that it has increased total Federal, State, and local expenditures for mental health services (including payments to or in behalf of individuals with mental health problems) under public health and public welfare programs in the State for such quarter over the average of the total Federal, State, and local expenditures in the State for such services under such programs for each quarter of the fiscal year ending June 30, 1964."

(d)(1) Section 1602(a) of such Act is amended (A) by striking out "and" at the end of paragraph (14); (B) by striking out the period at the end of paragraph (15) and inserting in lieu thereof a semicolon; and (C) by adding at the end thereof the following new paragraphs:

"(16) If the State plan includes assistance to or in behalf of individuals sixty-five years of age or older who are patients in institutions for tuberculosis or mental diseases, or to individuals sixty-five years of age or older who are patients in medical institutions as a result of a diagnosis of tuberculosis or psychosis—

"(A) provide for having in effect agreements or other arrangements with the State mental health authority or authorities, and, where appropriate, with such institutions, including arrangements for joint planning, development of alternate methods of care, assurance of immediate readmittance to institutions where needed for individuals under alternate plans of care, allowing access to patients, and facilities, furnishing information, and making reports, as may be necessary to enable the State agency to carry out its responsibilities under the State plan.

"(B) provide for an individual plan for each such patient to assure that the institutional care provided to him is in his best interests, including, to that end, assurances that there will be initial and periodic review of his medical and other needs, that he will be given appropriate medical treatment within the institution, and that there will be a periodic determination of his need for continued treatment in the institution;

"(C) provide for the development of alternate plans of care, making maximum utilization of available resources, for recipients who would otherwise need care in such institutions, including appropriate medical treatment and other assistance; for services referred to in section 1603(a)(4)(A) (i) and (ii) which are appropriate for such recipients and for such patients; and for methods of administration necessary to assure that these provisions will be effectively carried out; and

"(D) provide methods of determining the reasonable cost of institutional care for such patients; and

"(17) If the State plan includes assistance to or in behalf of individuals sixty-five years of age or older who are patients in public institutions for mental diseases, show that the State is making satisfactory progress toward developing and implementing a comprehensive mental health program, including provision for utilization of community mental health centers, nursing homes, and other alternatives to institutional care."

(2) Section 1603 of such Act is amended by adding at the end thereof the following new subsection:

"(e) Notwithstanding the preceding provisions of this section, the amount determined under such provisions for any State for any quarter which is attributable to State or local expenditures with respect to individuals sixty-five years of age or older who are patients in institutions for tuberculosis or mental diseases shall be paid only to the extent that the State makes a showing satisfactory to the Secretary that it has increased total Federal, State, and local expenditures for mental health services (including payments to or in behalf of individuals with mental health problems) under public health and public welfare programs in the State for such quarter over the average of the total Federal, State, and local expenditures in the State for such services under such programs for each quarter of the fiscal year ending June 30, 1964."

INCREASED FEDERAL PAYMENTS UNDER PUBLIC ASSISTANCE TITLES OF THE SOCIAL SECURITY ACT

SEC. 18. (a) Section 3(a)(1) of the Social Security Act is amended (1) by striking out, in clause (A), "29/35" and "$35" and inserting in lieu thereof "31/37" and "$37", respectively; and (2) by striking out clauses (B) and (C) and inserting in lieu thereof the following:

"(B) the larger of the following:

"(i)(I) the Federal percentage (as defined in section 1101(a)(8)) of the amount by which such expenditures exceed the amount which may be counted under clause (A), not counting so much of such excess with respect to any month as exceeds the product of $38 multiplied by the total number of recipients of old-age assistance for such month, plus (II) 15 per centum of the total of the sums expended during such quarter as old-age assistance under the State plan in the form of medical or any other type of remedial care, not counting so much of any such expenditure with respect to any month as exceeds the product of $15 multiplied by the total number of recipients of old-age assistance for such month, or

"(ii)(I) the Federal medical percentage (as defined in section 6(c)) of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditures with respect to any month as exceeds (a) the product of $52 multiplied by the total number of such recipients of old-age assistance for such month, or (b) if smaller, the total expended as old-age assistance in the form of medical or any other type of remedial care with respect to such month plus the product of $37 multiplied by such total number of such recipients, plus (II) the Federal percentage of the amount by which the total of the sums expended during such quarter as old-age assistance under the State plan exceed the amount which may be counted under clause (A) and the preceding provisions of this clause (B)(ii), not counting so much of such excess with respect to any month as exceeds the product of $38 multiplied by the total number of such recipients of old-age assistance for such month;".

(b) Section 1603(a)(1) of such Act is amended (1) by striking out, in clause (A), "29/35" and "$35" and inserting in lieu thereof "31/37" and "$37", respectively; and (2) by striking out clauses (B) and (C) and inserting in lieu thereof the following:

"(B) the larger of the following:

"(i)(I) the Federal percentage (as defined in section 1101(a)(8)) of the amount by which such expenditures exceed the amount which may be counted under clause (A), not counting so much of such excess with respect to any month as exceeds the product of $38 multiplied by the total number of recipients of aid to the aged, blind, or disabled for such months, plus (II) 15 per centum of the total of the sums expended during such quarter as aid to the aged, blind, or disabled under the State plan in the form of medical or any other type of remedial care, not counting so much of any such expenditure with respect to any month as exceeds the product of $15 multiplied by the total number of recipients of aid to the aged, blind, or disabled for such month, or

"(ii)(I) the Federal medical percentage (as defined in section 6(c) of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditures with respect to any month as exceeds (a) the product of $52 multiplied by the total number of such recipients of aid to the aged, blind, or disabled for such month, or (b) if smaller, the total expended as aid to the aged, blind, or disabled in the form of medical or any other type of remedial care with respect to such month plus the product of $37 multiplied by such total number of such recipients, plus (II) the Federal percentage of the amount by which the total sums expended during such quarter as aid to the aged, blind, or disabled under the State plan exceed the amount which may be counted under clause (A) and the preceding provisions of this clause (B)(ii), not counting so much of such excess with respect to any month as exceeds the product of $38 multiplied by the total number of recipients of aid to the aged, blind, or disabled for such month;"

(c) Section 403 (a)(1) of such Act is amended (1) by striking out "fourteen-seventeenths" and "$17" in clause (A) and inserting in lieu thereof "five-sixths" and "$18", respectively; and (2) by striking out "$30" in clause (B) and inserting in lieu thereof "$32".

(d) Section 1003(a)(1) of such Act is amended (1) by striking out, in clause (A), "29/35" and "$35" and inserting in lieu thereof "31/37" and "$35", respectively; and (2) by striking out, in clause (B), "$70" and inserting in lieu thereof "$75".

(e) Section 1403(a)(1) of such Act is amended (1) by striking out, in clause (A), "29/35" and "$35" and inserting in lieu thereof "31/37" and "$37", respectively; and (2) by striking out, in clause (B), "$70" and inserting in lieu thereof "$75".

(f) Sections 3, 403, 1003, 1403, and 1603 of such Act are each amended by inserting after subsection (c) the following new subsection:

"(d) The amount determined under this section for any State for any quarter shall be reduced to the extent that—

"(1) the excess of (A) the total determined for the State under the preceding provisions of this section for such quarter over (B) the average of the totals determined for the State under this section for each quarter of the fiscal year ending June 30, 1964, is greater than,

"(2) the excess of (A) the total expenditures for such quarter for which the determination is being made under the State plan approved under this title over (B) the average of the total expenditures under the State plan approved under this title for each quarter of the fiscal year ending June 30, 1964."

(g) The amendments made by this section shall apply in the case of expenditures made after September 30, 1964, under a State plan approved under title I, IV, X, XIV, or XVI of the Social Security Act.

Mr. LONG of Louisiana. Mr. President, the bill as reported by the Finance Committee would increase public welfare costs by about $190 million. One of the amendments added in committee would permit the Federal Government to match the States for an additional $5 million. Another amendment added in committee would provide Federal assistance to persons who are in mental and tuberculosis institutions, and who would qualify for Federal medical assistance under the Kerr-Mills Act or under the old-age assistance program, but for the fact that they are institutionalized in mental or tubercular institutions. As worthwhile as these amendments added by the committee are, it is now believed that they can be further improved upon here in the Senate and that is why I now offer an amendment which contains two major parts. This first part of this amendment upon which I have worked with the help of the Department of Health, Education, and Welfare was originally suggested by the distinguished Senator from Kansas [Mr. CARLSON] so as to guarantee that the increased financial assistance to persons in mental and tubercular institutions will result in increased treatment. It will mean more doctors and more treatment. The purpose and direction of the program for the mentally sick will be to cure the patients and release them from the institutions, instead of requiring them to spend the rest of their lives in them.

This first part of the pending amendment embodies the provisions of section 17 of the bill as reported by the committee. In addition, it provides that as conditions for Federal participation in payments on behalf of mental patients in institutions that the State plan under title I or title XVI of the Social Security Act include agreements or arrangements between the State welfare agency and the mental health agency to assure that there is an individual plan for the treatment and care of individual patients; that alternatives to institutional care such as community mental health centers, nursing homes, and so forth, are utilized to the extent appropriate; that the State is making satisfactory progress in developing and putting into effect a comprehensive mental health program, and similar requirements designed to assure that the additional Federal funds will be used to improve care of mental patients rather than replace existing State expenditures with Federal funds. There is also a provision that States will receive no more in Federal funds because of this section than they increase their expenditures for mental health purposes under public health and public welfare programs.

This section also makes provisions for protective payments to be made to third persons for a limited period of time in behalf of aged persons unable to manage money. This provision should make unnecessary or delay in many instances the need for formal guardianship or institutional care.

With these changes the 1965 cost of the section is estimated at approximately $50 million, a $100 million reduction in the cost of this provision as reported by the committee.

It is proposed by the Senator from Louisiana and other Senators who support the amendment that this $100 million savings should be applied to a modest increase in the public welfare benefits of the bill. Otherwise, many States would not receive any welfare benefit increase.

The second part of the amendment modifies the formulas contained in section 18 of the bill, increasing the Federal share from $29 for the first $6 of State funds to $31 for the first $6 of State funds. The $75 maximum on Federal participation for the aged, blind, and disabled and the special medical provisions are in effect treated the same way as in the bill reported by the Finance Committee.

In addition the bill increases participation from $14 for the first $3 of State funds to $15 (⅝) under the aid to families with dependent children program. This maximum amount per recipient (on an average basis) subject to Federal participation under the AFDC program is increased from $30 to 32.

A provision is included so that States will not receive additional Federal funds except to the extent they pass them on to individual recipients.

The estimated cost on a full year basis of the formula changes made by this section is approximately $155 million. The good done by such changes would be of infinitely greater value.

I have studied the proposal carefully with officials of the Department of Health, Education, and Welfare. They have convinced me that it would be a more effective and far better expenditure of money for the benefit of those who need assistance. I believe this is the best way to handle the program.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CARLSON. Mr. President, I believe that there is a great deal of merit in the amendment of the Senator from Louisiana which has been embodied in the Finance Committee's bill. This amendment would remove all prohibitions under the public assistance program on Federal participation in the cost of care of persons aged 65 or over who have mental diseases or tuberculosis. Since the passage of the original Social Security Act in 1935, mental disease and tuberculosis have been set apart from all types of illness. There has never been Federal financial participation in payments to public mental or tuberculosis hospitals. Since 1950 when we began participating directly in payments made to suppliers of medical care, there has been authority to pay for care of persons with any other illness but not for those with mental disease or tuberculosis whether in public or private institutions and whether those institutions are for these diseases or are general hospitals. In 1960 at the time the Kerr-Mills program was established the rules were relaxed just a little bit. Up to 42 days of care in a general hospital was made possible for mentally ill or tuberculosis patients under the old-age assistance and medical assistance for the aged programs but we still prohibit long-term care and/or care in institutions specializing in these two diseases.

We have made great strides in the field of mental disease and in the field of tuberculosis. I am proud of the role in which my great State of Kansas has played in the treatment and cure of the mentally ill. With the Menninger Clinic and other excellent facilities, I feel that we have done much not only for Kansas but for the country. I am convinced that the time has come that these diseases should no longer be set apart from others but should be made subject to the same laws that apply in any other type of illness.

The need for flexibility in care of persons who are aged is even greater than in other age groups. Whether an individual of advanced years is merely senile or has a mental disease is a fine line and it may be appropriate for him at one time to be in a mental institution and at another to be in a nursing home, his own home, or in some other arrangement. It is therefore particularly appropriate that the restrictions be withdrawn for the aged groups by the Senator's amendment.

However, we would be sure that any Federal funds the States receive by reason of this amendment are used to provide improved care and not simply to replace State dollars. I believe that there are a number of safeguards that can and should be placed around the amendment that will produce this result and that will secure better care for aged persons.

One step that would help materially is to authorize protective payments for aged persons who cannot manage money. These payments would be made to a third person concerned with the welfare of the aged individual and would in many instances prevent or postpone necessity for institutional care or formal guardianship.

It is important that the State welfare agency have agreements with the mental hospitals to permit joint planning so that persons may be moved in or out of the institutions according to their needs and to assure that there are alternatives available when institutional care is not needed.

There should be a plan fitted to the needs of each individual who is in an institution to assure that he will be given appropriate medical treatment and that his need for care in an institution is periodically reviewed and that the plan is modified as his own situation may dictate. There should be provision for maximum utilization of alternative plans of care and of available resources and for such medical and social services as are appropriate for the individual whether he is in an institution or under some other plan of care.

Provisions for administration of such a program also require attention. States that chose to use it should establish methods of determining the reasonable cost of institutional care for these aged patients and assure that they have administrative machinery which will effectively carry out the purposes of the amendment.

We have made great progress in alternatives to the traditional large State mental hospitals. Last year we authorized construction of community mental health centers to help treat and bring back to their own communities many mental patients. We have authorized funds for comprehensive community mental health planning. It is therefore reasonable that if States are to receive funds under the new program that the amendment would authorize that they show they are developing and implementing a comprehensive mental health plan.

Finally, I believe that the amendment should include language to assure that States will not receive more in Federal funds than their increases in expenditures for mental health purposes under their public health and public welfare programs.

I commend the Senator from Louisiana on his amendment which represents a constructive step forward in mental health and in public welfare.

In view of the fact that the amendment has been checked thoroughly, I shall not only support it, but shall support it enthusiastically. I hope it will be approved by the Senate.

Mr. LONG of Louisiana. Mr. President, since the Senator from Kansas did not state it himself, I should like to have the RECORD show that when he was Governor of Kansas, he made the medical and health program of his State one of the outstanding programs of the Nation. The improvements he made there have served as a model of how States should go about making more effective expenditures of State funds for the purpose of improving mental health. I salute the Senator from Kansas for those measures, which help the mentally ill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. LONG].

The amendment was agreed to.

Mr. PROUTY. Mr. President, on behalf of the Senator from Kentucky [Mr. MORTON] and myself, I send to the desk an amendment and ask that it be read.

The **PRESIDING OFFICER.** (Mr. Salinger in the chair). The amendment will be stated.

The Legislative Clerk. At the proper place in the bill it is proposed to insert the following:

> Section 16(a) of H.R. 11865, Social Security Amendments of 1964, is amended (1) by inserting immediately after "chapter," in line 23, page 51, the following: "or under the first sentence of section 9(b) of the Veterans' Pension Act of 1959,"; (2) by striking out "under this chapter, so much" in line 5, page 52, and inserting in lieu thereof ", 5 per centum"; and (3) by striking out all after "benefit" in line 6, and all of lines 7, 8, and 9, page 52, and inserting in lieu thereof "as increased by the Social Security Amendments of 1964."
>
> Section 16(b) of H.R. 11865, Social Security Amendments of 1964, is amended by striking out "first" in line 11, page 52, and inserting "second" in lieu thereof.

Mr. PROUTY. Mr. President, my remarks are based upon a statement submitted to me by the Veterans' Administration.

On August 17, 1964, the Senate Finance Committee ordered favorably reported with amendments the Social Security Amendments of 1964, H.R. 11865. Section 16 of the bill as reported is based on an amendment proposed by Senator Prouty and others, and is designed to protect persons who are receiving pension payments from the Veterans' Administration, along with social security benefits, from loss or reduction of pension as a result of the 5-percent across-the-board increases provided by H.R. 11865.

On August 19, 1964, during a hearing before the Senate Committee on Finance on H.R. 1927, involving certain liberalizations in the Veterans' Administration pension laws, there arose questions as to whether section 16 of H.R. 11865 would protect all Veterans' Administration pensioners, and whether it would create a difficult problem of administration.

The testimony developed facts which demonstrate that the purpose of the amendment submitted by me can be fully accomplished by the proposed amendments which I now submit. They would amend section 16 of H.R. 11865 to provide an exclusion of 5 percent of the social security benefit in the computation of income for Veterans' Administration pension purposes. This exclusion would be applicable to all those entitled to both VA pension and social security during the month preceding the month in which the social security increases provided by H.R. 11865 are effective. They would protect not only those receiving pension under the so-called new pension law—Public Law 86-211—but also those receiving under the "old law"—protected—and would assure that no one on the rolls would lose any VA pension by virtue of this increase in social security rates.

The percentage exclusion would be comparatively easy to administer since it would require only a simple mathematical computation on the income questionnaire submitted each year by the Veterans' Administration pension recipient. Manual recourse to claims folders would be obviated.

Mr. President, we found that approximately 30,000 veterans inadvertently would not have been protected under my original amendment. Certainly that was not my intention, nor was it the intention of the committee to exclude any veterans. This is a means to take care of that situation.

Furthermore, I point out that I am a cosponsor with the junior Senator from New York [Mr. Keating] of House bill 192, which provides for an increase in pensions for some veterans. I would go much further than this particular amendment, but we shall discuss that when the Senator from New York [Mr. Keating] offers it.

Mr. LONG of Louisiana. Mr. President, this amendment is similar to the one which was agreed to by the committee. It is a part of an amendment which the Senator from Vermont submitted to the committee. The Senator from Kentucky [Mr. Morton] moved a part of the amendment that we had in mind but, unfortunately, when we studied the language of the amendment, we found that it failed to achieve what we thought it would. So the Senator from Vermont is trying to see that the social security increases voted in the bill, in the event it should become law, will benefit the veterans instead of compelling them to lose their veterans benefits. I do not believe anyone intends that. Certainly the committee does not.

I believe that the amendment should be agreed to and taken to conference, and that we should try to deal with it in such a way as to give assurance that veterans will be benefited and not penalized by an increase in social security payments. I shall be happy to accept the amendment and take it to conference.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Vermont [Mr Prouty].

The amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, I send to the desk an additional amendment and ask that it be stated.

The **PRESIDING OFFICER.** The amendment will be stated for the information of the Senate.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The **PRESIDING OFFICER.** Without objection, it is so ordered; and the amendment will be printed in the Record at this point.

The amendment submitted by Mr. Long of Louisiana is as follows:

> At the end of the bill, add the following:
>
> "INTERRELATIONSHIP BETWEEN PUBLIC ASSISTANCE BENEFITS AND INCREASED SOCIAL SECURITY BENEFITS
>
> "Sec. 19. (a) Section 2(a)(10)(A) of the Social Security Act is amended by striking out 'except that, in making such determination, of the first $50 per month of earned income the State agency may disregard, after December 31, 1962, not more than the first $10 thereof plus one-half of the remainder' and inserting in lieu thereof 'except that, in making such determination (A) for months after the first month following the month in which the Social Security Amendments of 1964 is enacted and prior to July 1966, the State agency may, and for months after June 1966, the State agency shall, disregard, with respect to any monthly insurance benefit payable to an individual under title II of the Social Security Act, an amount equal to $——, or —— per centum of such monthly benefit, whichever is the greater, and (B) of the first $50 per month of earned income the State agency may disregard, after December 31, 1962, not more than the first $10 thereof plus one-half of the remainder'.
>
> "(b) Section 402(a)(7) of such Act is amended by striking out 'except that, in making such determination, the State agency may, subject to limitations prescribed by the Secretary, permit all or any portion of the earned or other income to be set aside for the future identifiable needs of a dependent child' and inserting in lieu thereof 'except that, in making such determination (A) for months after the first month following the month in which the Social Security Amendments of 1964 is enacted and prior to July 1966, the State agency may, and for months after June 1966, the State agency shall, disregard, with respect to any monthly insurance benefit payable to an individual under title II of the Social Security Act, and amount equal to $—— or —— per centum of such monthly benefit, whichever is the greater, and (B) the State agency may, subject to limitations prescribed by the Secretary, permit all or any portion of the earned or other income to be set aside for future identifiable needs of a dependent child'.
>
> "(c) Section 1402(a)(8) of such Act is amended by striking out 'except that, in making such determination, the State agency shall disregard (A) the first $85 per month of earned income, plus one-half of earned income in excess of $85 per month, and (B) for a period not in excess of twelve months, such additional amounts of other income and resources, in the case of an individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of such plan' and inserting in lieu thereof 'except that, in making such determination (A) for months after the first month following the month in which the Social Security Amendments of 1964 is enacted and prior to July 1966, the State agency may, and for months after June 1966, the State agency shall, disregard, with respect to any monthly insurance benefit payable to an individual under title II of the Social Security Act, an amount equal to $—— or —— per centum of such monthly benefit, whichever is the greater, and (B) the State agency shall disregard (i) the first $85 per month of earned income, plus one-half of earned income in excess of $85 per month, and (ii) for a period not in excess of twelve months, such additional amounts of other income and resources, in the case of an individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of such plan'.
>
> "(d) Section 1402(a)(8) of such Act is amended by inserting at the end thereof the following: 'except that, in making such determination, for months after the first month following the month in which the Social Security Amendments of 1964 is enacted and prior to July 1966, the State agency may, and for months after June 1966, the State agency shall, disregard, with respect to any monthly insurance benefit payable to an individual under title II of the Social Security Act, an amount equal to $—— or —— per centum of such monthly benefit, whichever is the greater;'.

"(e) Section 1602(a)(14) of such Act is amended by striking out 'except that, in making such determination with respect to any individual who is blind, the State agency shall disregard (A) the first $85 per month of earned income plus one-half of earned income in excess of $85 per month and (B) for a period not in excess of twelve months, such additional amounts of other income and resources, in the case of an individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of such plan, and in making such determination with respect to any other individual who has attained age 65 and is claiming aid to the aged, blind, or disabled, of the first $50 per month of earned income the State agency may, after December 31, 1962, disregard not more than the first $10 thereof plus one-half of the remainder' and inserting in lieu thereof 'except that, in making such determination (A) with respect to any individual, for months after the first month following the month in which the Social Security Amendments of 1964 is enacted and prior to July 1966, the State agency may, and for months after June 1966, the State agency shall, disregard, with respect to any monthly insurance benefit payable to an individual under title II of the Social Security Act, an amount equal to $——— or ——— per centum of such monthly benefit, whichever is the greater, (B) with respect to any individual who is blind, the State agency shall disregard (i) the first $85 per month of earned income plus one-half of earned income in excess of $85 per month and (ii) for a period not in excess of twelve months, such additional amounts of other income and resources, in the case of an individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of such plan, and (C) with respect to any individual (other than an individual referred to in clause (B)) who has attained age 65 and is claiming aid to the aged, blind, or disabled, of the first $50 per month of earned income the State agency may, after December 31, 1962, disregard not more than the first $10 thereof plus one-half of the remainder'."

Mr. LONG of Louisiana. Mr. President, this amendment would exclude increases made in OASDI benefits, as a result of this bill from consideration in determining the need for public assistance. This is intended to assure that for individuals who are receiving both public assistance and social security benefits this increase in social security benefits does not simply result in a corresponding decrease in the public assistance payments with no increase in income for the persons affected.

An amendment offered by the Senator from Vermont has just been accepted to provide that when veterans get their social security increases they will not lose their veterans benefits. The instant amendment applies the same principle to those individuals who draw public welfare assistance who would otherwise find their welfare assistance reduced because we had given them a cost-of-living increase in social security.

I hope very much that the Senate will agree to this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. LONG].

The amendment was agreed to.

Mr. PROUTY. Mr. President, in view of the action taken on the Gore amendment a while ago, it is necessary for me to ask unanimous consent to submit an amendment which I have discussed with the Senator from Tennessee, and also with the majority leader. They have assured me that they will not object to the unanimous-consent request.

Mr. MORSE. Mr. President, I did not hear what the Senator from Vermont said.

Mr. LONG of Louisiana. Let me explain what the Senator from Vermont had in mind. The Gore amendment having been agreed to, it was agreed, because of the number of amendments, the Senator's name be withdrawn from the amendment. It was explained to the Senator from Vermont that this would not prejudice his right to offer his amendment.

We find now that we were in error, and that while we so explained it to him when we adopted the Gore amendment and made that a part of the bill, we voted in a tax schedule and a schedule of benefits which then would no longer be subject to amendment except by unanimous consent. We had not intended to prejudice the Senator, but we did. In good conscience and in good faith we should like to have his amendment voted on.

I do not support his amendment, but I believe that in all fairness and equity he should have the right to offer his amendment.

Mr. MORSE. Mr. President, while I, too, do not support the amendment of the Senator from Vermont, I believe that is the only fair thing to do.

ORDER FOR RECESS UNTIL 10 O'CLOCK A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOCIAL SECURITY AMENDMENTS OF 1964

The Senate resumed the consideration of the bill (H.R. 11865) to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of morning business tomorrow, there be a time limitation of 2 hours on each amendment, 1 hour to a side, under the control of the Senator from Tennessee [Mr. GORE] and the Senator from Louisiana [Mr. LONG]; with 2 hours on the bill.

Mr. DOUGLAS. Mr. President, reserving the right to object—I believe it can be adjusted later, but for the moment I should like to reserve the right to object.

Mr. MANSFIELD. No, because——

Mr. DOUGLAS. Those of us who are interested in defeating the Dirksen amendment on reapportionment very frankly believe that time is on our side, and that opinion is rising throughout the country against it. If, as I understand, there is a gentleman's agreement that a motion for cloture which my colleague and friend the Senator from Illinois [Mr. DIRKSEN] plans will not be filed until next Tuesday, I shall not object.

Mr. DIRKSEN. That assumption is reasonably correct.

Mr. DOUGLAS. What?

Mr. DIRKSEN. That assumption is reasonably correct.

Mr. DOUGLAS. Reasonably correct. Now, Mr. President——

Mr. MANSFIELD. That assumption is correct.

Mr. DOUGLAS. I may have to renew my objection.

Mr. MANSFIELD. The Senator from Illinois [Mr. DIRKSEN] has given me assurance that he would make the announcement——

Mr. DOUGLAS. Can my good friend the Senator from Montana control his opposite number across the aisle?

Mr. MANSFIELD. No; but when the distinguished minority leader gives his word to me, that is his bond.

Mr. President, I renew my request.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Montana? The Chair hears none, and it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That effective on Thursday, September 3, 1964, at the conclusion of routine morning business, during the further consideration of the bill H.R. 11865, the Social Security Amendments of 1964, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 2 hours, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. DOUGLAS. That is with the understanding that a "reasonable" assurance is a real assurance.

Mr. MANSFIELD. It is a real assurance. The distinguished minority leader will present his motion for cloture not earlier than Tuesday, and on Tuesday.

Mr. PROUTY. Mr. President, I should like to make sure that I understand that my amendment will be the pending business tomorrow.

The PRESIDING OFFICER. The amendment will be received, printed, and without objection, the amendment will be printed in the Record.

The amendment (No. 1260) is as follows:

Strike out the table appearing on pages 2 and 3 of the bill, and insert in lieu thereof the following table:

"I		II		III		IV	V
(Primary insurance benefit under 1939 Act, as modified)		(Primary insurance amount under 1958 Act, as modified)		(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—		Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—	At least—	But not more than—	At least—	But not more than—		
------	$19.24	$40	$49	---	$83	$70.00	$105.00
$19.25	24.20	50	59	$84	101	77.00	115.50
24.21	29.25	60	69	102	132	84.00	126.00
29.26	35.00	70	79	133	178	91.00	142.40
35.01	41.76	80	89	179	225	98.00	180.00
41.77	-----	90	99	226	272	106.00	217.60
		100	109	273	319	116.00	254.00
		110	119	320	365	126.00	266.00
		120	127	366	412	134.00	284.80
				413	450	144.00	300.00"

Sec. 2. Add at the end of the bill the following new sections:

"Sec. —. In addition to amounts appropriated under other provisions of law to the Federal Old-Age and Survivors Insurance Trust Fund, there are hereby authorized to be appropriated to such fund, from time to time, such amounts as may be necessary to equal, with respect to each individual who becomes entitled to a benefit under title II of the Social Security Act by reason of the amendments made by this Act, payments to such individuals to the extent that they exceed additional contributions to such trust fund provided for by this Act.

"Sec. —. Notwithstanding any other provision of the Act no increase in any social security benefit provided for by this Act shall be counted in determining the annual income of an individual receiving benefits under chapter 15 of the Veterans Pension Act of 1959 or under the first sentence of section 9(b) of such Veterans Act."

NOTICE OF CHANGE IN CONTROL OF MANAGEMENT OF INSURED BANKS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Chair lay before the Senate H.R. 12267.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House, which will be stated by title.

The bill (H.R. 12267) to provide for notice of change in control of management of insured banks, and for other purposes, was read twice by its title.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 12267, a bill to require reports of changes in the control of federally insured banks.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, H.R. 12267 is an administration bill. It was reported, without dissent, from the House Banking and Currency Committee. It passed the House yesterday under suspension of rules with the support of the ranking members of the House Banking and Currency Committee and without any opposition.

The Senate Banking and Currency Committee has considered this bill informally. On August 14 the chairman of the Banking and Currency Committee, the Senator from Virginia [Mr. Robertson], wrote me advising that every member of that committee had advised him of their approval of the bill and their readiness to waive reference of the bill to that committee.

I ask unanimous consent that a statement prepared by Senator Robertson on H.R. 12267, together with excerpts from the House Banking and Currency Committee report on the bill, be printed at this point in the Record.

There being no objection, the statement and excerpts were ordered to be printed in the Record, as follows:

Statement by Senator Robertson

At the urgent request of the administration, the House Banking and Currency Committee has held a hearing on H.R. 12267 and, after making minor amendments, has reported it to the House. The House of Representatives in turn has passed the bill as reported.

In view of the fact that the administration considered that prompt enactment of this bill was urgent, I wrote to all the members of the Banking and Currency Committee on August 12 and asked for their views on the desirability of taking immediate action on it when it was received from the House, dispensing with reference to the Banking and Currency Committee. This proposal was discussed at a meeting of the Banking and Currency Committee on August 13, and all members of the committee have now advised me that they are in accord with my recommendation that this procedure be followed. Accordingly, on August 14, I wrote to the majority leader requesting him to have this bill held at the desk so that the Senate could consider it without reference to the Banking and Currency Committee.

The need for the bill arises from the fact that recently several small banks have been looted by irresponsible persons who have taken control of the banks, loaded them up with bad paper and have thereby made it necessary to close the banks and liquidate them.

The bill is designed to give the supervisory agencies notice of changes in management so that the Federal and State supervisory agencies will be put on notice and can take any steps which may be necessary and appropriate under the circumstances.

The bill is very simple. All it does is to require that when a change occurs in the voting stock of an insured bank which will result in a change in the control of the bank, the chief executive officer of the bank must promptly report to the appropriate Federal banking agency this fact and certain additional facts relating to loans on recently acquired bank stock and changes in executive officers and directors. In order to avoid questions, the House committee inserted a provision to the effect that a change in ownership of less than 10 percent of the outstanding voting stock should not be considered a change in control.

It is important to point out that the bill does not in itself give the Federal banking agencies any additional power or authority over the transfers of stock in insured banks or over the officers or directors of insured banks. All it requires is that notice of such changes and notice of loans which may be related to such changes be given to the banking agencies promptly after the changes have occurred.

The bill is not designed to prohibit or discourage changes in the control of banks. Changes in control or management of banks which will result in more effective and responsible ownership and management are highly desirable and should be encouraged, and the bill will do nothing to prevent such changes.

The bill has the strong support of the Federal Deposit Insurance Corporation, which sponsored it, and of the Secretary of the Treasury. The Budget Bureau has advised that enactment of the bill would be consistent with the administration's objectives.

The bill is also supported by the American Bankers Association, the Illinois Bankers Association, and the Independent Bankers Association.

During the hearings before the House Banking and Currency Committee, some opposition to the bill was expressed. This, I gather, was based on the feeling that H.R. 12267 represented a degree of control over State banks and a degree of regulation of State banks inconsistent with the dual banking system and the position of the FDIC as an insurance agency.

I am a strong supporter of the dual banking system, and I am opposed to unnecessary interference by the Federal Government with the State banking systems. But I do not consider that this bill, which requires only the giving of notice of certain important facts to the appropriate Federal agency, is in any way inconsistent with the dual banking system or the position of the FDIC. On the contrary, H.R. 12267 seems to me no more than a minor addition to the disclosure requirements for banks which the Congress has just adopted in the Securities Acts Amendments of 1964.

Under the bill, reports made by national banks to the Comptroller of the Currency must be furnished to the Federal Reserve Board and to the FDIC; and reports made by State member banks to the Federal Reserve Board must also be furnished to the FDIC. The Comptroller has suggested that this provision be amended so that copies of all reports received under the bill will be furnished to all three Federal banking agencies.

The suggestion that all three Federal agencies have access to all reports under the bill is a good one. However, it is not necessary to amend the bill to accomplish this result. The Comptroller, in his capacity as a member of the Board of the FDIC is, of course, in any event, entitled to copies of all reports in the hands of the FDIC. The Chairman of the FDIC has assured me that the Comptroller—and the Federal Reserve Board if they so desire—will be furnished with copies of all reports made under the bill, including both those of State member banks and those from insured State nonmember banks.

The Comptroller's purpose will, therefore, be accomplished without the need to amend the bill and send it back to the House for further action.

The attached excerpts from the report of the House Banking and Currency Committee on the bill will explain its purpose and effect more fully.

[Excerpts from H. Rept. No. 1792, 88th Cong.]

REPORT OF CHANGES IN CONTROL OF FEDERALLY INSURED BANKS

PURPOSE OF THE BILL

H.R. 12267 would amend the Federal Deposit Insurance Act to require insured banks, both State and national, to report changes in control to the appropriate Federal banking authorities. It will also require banks to report loans secured by 25 percent or more of the stock of any insured bank. In addition, changes of chief executive officers or directors occurring within 12 months after change in control would have to be reported.

The bill sets forth the information required in the reports; e.g., number of shares involved, names of transferors, purchase price. Reports received from national banks by the Comptroller of the Currency under the provisions of the bill would be furnished to the Board of Governors of the Federal Reserve System and to the Federal Deposit Insurance Corporation; reports received by the Board of Governors would be furnished to the Federal Deposit Insurance Corporation.

NEED FOR THE LEGISLATION

Deposit insurance is given to newly chartered banks only after thorough investigation. In the case of national banks, the Comptroller of the Currency makes these investigations; the Board of Governors of the Federal Reserve System makes similar investigations in the course of approving State banks for membership in that System. The Federal Deposit Insurance Corporation makes investigations before approving deposit insurance for State banks which are not members of the Federal Reserve System. In these investigations, particular emphasis is placed on the character and ability of the management, that is, of the board of directors and officers. A complete report is submitted on every director and every chief executive officer of each bank approved for insurance.

After the bank has obtained its insurance, however, there is no parallel Federal statutory provision relating to changes in management or shifts in control. In the case of national banks, the Comptroller of the Currency, since February 1, 1963, by regulation has required prompt reports of changes in control of voting stock of national banks. H.R. 12267 would fill this statutory gap by requiring the aforementioned reports from insured banks.

CHANGE OF CONTROL PRECEDED RECENT FAILURES

This proposal was stimulated in part by several recent bank failures. In a number of situations it was discovered that the controlling interest in the insured banks had been acquired by individuals or groups who had proceeded to exchange self-serving, substandard, or fraudulent assets for cash in the banks. The resulting impairment in the capital structure of the banks caused them to become insolvent, thus necessitating payment of insured deposits by the Federal Deposit Insurance Corporation. Since March of this year, there have been five insured bank failures. The first occurred in Marlin, Tex., the second in Minden City, Mich., the third in Dell City, Tex., the fourth in Belleview, Mo., and the fifth in Covelo, Calif. All of these failures were preceded by a recent change in control or management, and sometimes both, and a rather sudden deterioration in the character of the bank's assets.

It seems evident that some changes in control and management of insured banks are made with a deliberate intent to raid the bank. The principals in such cases move quickly and the ensuing damage is done before corrective action can be taken by the banking authorities. Fortunately there is no indication of any extensive occurrence of such raiding. Incidents to date have been isolated. At the same time, your committee is of the opinion that reasonable reporting requirements represent a desirable precautionary measure. The reports required under this bill will enable the appropriate Federal banking agency promptly to investigate changes in control and determine their effect on the bank and the need for any corrective action. Without this kind of notice of change in management, harm may be done during the periods between regular examinations. This bill will provide the Federal banking agencies with a useful aid in meeting their obligations and responsibilities to individual depositors, as well as the American commercial banking system.

INFORMATION IS NEEDED BY FDIC

Clearly, the Federal Deposit Insurance Corporation, as insuror of deposits in all insured banks, is entitled to information about its risks. It is for this reason that existing law gives the Corporation access to reports of examination and reports of condition of national banks and State banks which are members of the Federal Reserve System. The Corporation has important Federal banking functions in respect to the 7,500 insured State banks which are not members of the Federal Reserve System. Its role goes beyond insurance payment to depositors. It protects the medium of payment from disruption caused by bank failure and, along with other banking agencies, it helps to promote confidence in a safe and sound banking system. In carrying out this function, the Corporation may examine national banks and State banks of the Federal Reserve System. It may also take action to terminate the insured status of any bank, National or State, which continues unsafe or unsound practices or which violates law or regulation. Your committee has determined that the Corporation is entitled to notice of changes in management of all insured banks. This requirement would not add to the regulatory authority of the Federal Deposit Insurance Corporation but would assist it in carrying out its existing statutory responsibilities.

TREASURY AND BUDGET BUREAU APPROVE

The Bureau of the Budget advised, by letter printed below, that enactment of the bill would be consistent with the administration's objectives:

EXECUTIVE OFFICE OF THE PRESIDENT, BUREAU OF THE BUDGET,
Washington, D.C., August 10, 1964.

(Attention: William M. Moroney, 6052 FDIC Building).

Hon. JOSEPH W. BARR,
Chairman, Federal Deposit Insurance Corporation, Washington, D.C.

DEAR MR. CHAIRMAN: This will acknowledge your letter of July 31, 1964, transmitting a draft bill to provide for notice of change in control of management of insured banks, and for other purposes, which you desire to present to the Congress.

Confirming our previous informal advice, you are advised that there is no objection to the presentation of your proposed draft bill to the Congress and that its enactment would be consistent with the administration's objectives.

Sincerely yours,
PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

The Secretary of the Treasury favors the legislation. His letter of August 11, 1964, appears below:

THE SECRETARY OF THE TREASURY,
Washington, August 11, 1964.

Hon. WRIGHT PATMAN,
Chairman, Banking and Currency Committee, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in response to your request for the views of the Treasury Department concerning H.R. 12267 and H.R. 12268, identical bills to provide for notice of change in control of management of insured banks, and for other purposes.

These bills would require the president or other chief executive officer of any bank insured by the Federal Deposit Insurance Corporation to report promptly to the appropriate Federal banking agency facts concerning any changes which occur in the outstanding voting stock of the bank and which will result in a change in control of the bank. The term "control" is defined as "the power to directly or indirectly direct or cause the direction of the management or policies of the bank." Reports of changes in control would be made by national banks to the Comptroller of the Currency, by State banks which are members of the Federal Reserve System to the Federal Reserve Board, and by insured, nonmember State banks to the Federal Deposit Insurance Corporation.

The bills also require a prompt report in the event of a loan or loans by any insured bank which loan or loans are secured by 25 percent or more of the voting stock of the bank. These reports would be made by the lending bank to the appropriate Federal banking agency supervising the activities of the bank whose stock is pledged. No report is required where such a loan is secured by stock where the borrower has been the owner of record for 1 year or more or where the stock is that of a newly organized bank prior to its opening.

The bills require reports to the appropriate Federal banking agency of any changes in the chief executive officer or directors in the 12-month period following any change in control. The bills set forth the information to be included in all the required reports. Exchange of information among the Federal banking agencies is also required.

Present law does not require that Federal supervisory agencies be informed of changes in control of the banks which they supervise. It is therefore possible that a change of control could occur shortly after a bank had been examined, and in the period prior to the next examination of the bank, unprincipled or inexperienced new owners could drastically change the bank's assets and bring about its insolvency. Without notice of the change, no Federal agency would be on guard against such an eventuality, and the result could be grave damage to the community, the bank's depositors, its customers, and minority stockholders.

This Department has been informed by the Chairman of the Federal Deposit Insurance Corporation that in the last 4 months five banks have failed shortly after changes in control or management. It appears that at least in some of the cases, the new owners or management may have been responsible for the sudden deterioration of the bank's assets. This is a pattern which, if allowed to continue, could have serious consequences in the banking community.

It is possible that the various Federal banking agencies may be able by regulation to obtain reports containing some of the information which would be required by these bills. However, the question is not free from doubt. It is our view that the authority of the Federal banking agencies in this field should be by clear congressional mandate. We should not lose sight of the fact that these bills are designed to curb misuse of our banks. Those who would misuse our banks are likely to resolve any doubts which may exist against notification and in favor of a program of personal profit. They should not have this opportunity.

In order to make certain that our Federal banking agencies are in a position to prevent possible misuse of our banks, the Treasury Department supports the enactment of this proposed legislation.

I have been advised by the Bureau of the Budget that this proposed legislation is consistent with the administration's objectives.

I should also note that the Federal Home Loan Bank Board has also forwarded legislation to the Congress which would give it similar authority over savings and loan associations as these bills would provide over banking institutions. The same reasons which lead us to support enactment of these bills apply to such proposed legislation in the savings and loan field.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this report to your committee.

Sincerely yours,

Douglas Dillon.

TECHNICAL ANALYSIS

The bill is cast in the form of an amendment to the Federal Deposit Insurance Act. It adds to section 7 of that act a new subsection (j) consisting of six numbered paragraphs. In this analysis, references to paragraphs are references to those of the new subsection.

Paragraph (1) requires every federally insured bank to make a report when control of it changes hands. Only one such report need be made by any bank with respect to any one change of control. The report is to be made by the chief executive officer of the bank, and it is made only to the one Federal agency primarily responsible for the supervision of that bank. Paragraph (6), conforming with existing law, provides that in the case of national banks, this would be the Comptroller of the Currency; in the case of State member banks of the Federal Reserve System, the Federal Reserve Board; and for all other insured banks, the Federal Deposit Insurance Corporation. The bill would not require any bank to file duplicate reports to other agencies. "Control" is defined as the power to "directly or indirectly direct or cause the direction of the management and policies" of the bank.

A committee amendment provides that where a change in ownership of voting stock would result in ownership of less than 10 percent of voting stock by any one stockholder or affiliated group of stockholders, such a change shall not be considered a change of control. It is important to note, first, that a change in ownership of even a relatively small amount of stock, say 1 percent of the total outstanding, is not necessarily excluded from the reporting requirement by this amendment, and second, that under some circumstances a change in ownership of more than 10 percent of the stock of a given bank might not have to be reported. The following examples will make this clear:

Example 1: Stockholders A, B, and C of the Country National Bank each own 3 percent of the stock of that bank. Stockholder X owns 2 percent. Stockholder D, who is chairman of the board, owns or controls a total of 10 percent of the outstanding stock. Stockholders A, B, and C form an affiliated group and buy out X's 2 percent, a transaction which results in their ownership of 11 percent of the stock. Thus, although only 2 percent of the stock was involved in the transaction, it resulted in the ownership by an affiliated group of stockholders of more than 10 percent of the outstanding voting stock, and therefore the committee amendment does not exclude it from consideration as a possible change of control.

Example 2: Stockholder A is chairman and president of the County Crossroads Bank and owns 58 percent of its stock. Stockholder B, owner of 12 percent of the outstanding voting stock, sells out his holdings to C. Since it is obvious that no change has taken place in the control of the bank, the transaction need not be reported even though it involved more than 10 percent.

It has never been possible to devise a completely satisfactory definition of "control" nor to describe in precise yet general terms the circumstances which the law will presume to give rise to the power to control. Rather than attempt such a definition or description, paragraph (1) simply provides that those charged with the duty of reporting should, in doubtful cases, resolve the doubt in favor of making the report. It should be emphasized that this is not a criminal provision, that information only is called for, and that in reporting the facts in these doubtful cases, those making the reports need neither express nor imply any opinion as to whether the facts reported constitute evidence of a change of control.

If, within 12 months of a change of control required to be reported under the bill, the bank concerned changes its chief executive officer or any of its directors, paragraph (4) requires the bank to report this fact promptly to its Federal supervisory agency, and to include in the report a statement of the past and current business and professional affiliations of the new chief executive officer or directors.

Experience has shown that the purchase money for undesirable bank takeovers is sometimes raised by borrowing on the stock involved. The bill therefore requires that any bank which makes a loan or loans secured by 25 percent or more of the voting stock of an insured bank must report this fact to the Federal supervisory agency primarily concerned with the bank against whose stock the money is borrowed. Where the borrower has held the stock for a year or more prior to obtaining the loan, or the stock is that of a newly organized bank prior to its opening, no report need be made. In the former case, the presumption is that since the stock had already been held for a substantial period of time, the loan was not obtained for the purpose of gaining control. In the latter case, such close surveillance is maintained over a newly organized bank prior to its opening that there is no need to impose an additional reporting requirement.

Paragraph (3) sets forth the specific items of information which, if known to the persons making a report required by the bill, should be set forth in such a report. This paragraph requires further that "such reports shall contain such other information as may be available to inform the appropriate Federal banking agency of the effect of the transaction upon control of the bank whose stock is involved."

By committee amendment, there was stricken out a provision of the introduced bill that the reports required should be "in addition to any reports that may be required pursuant to other provisions of law." Under no circumstances should this amendment be construed in derogation of the substantive requirement of the bill that changes of control be reported promptly, and be reported as such, to the appropriate banking agency. If, however, the agencies are able to devise forms and procedures which may, for example, satisfy in some circumstances the requirements both of this bill and those of the recently enacted Securities Acts Amendments of 1964, they should certainly be encouraged to do so. The committee amendment is offered solely to avoid raising any legal question about the authority of the agencies to simplify paperwork wherever possible.

Paragraph (5) requires that whenever a report is made to a Federal banking agency other than the FDIC, the other agency will promptly forward to the FDIC a copy of the report.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

SOCIAL SECURITY AMENDMENTS OF 1964

The Senate resumed the consideration of the bill (H.R. 11865) to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the unfinished business, the Prouty amendment, be temporarily laid aside and that the Senate proceed to the consideration of the Clark amendment.

The reason I make that request is that the Prouty amendment will require a rollcall vote. The Senator from Rhode Island [Mr. Prouty] wants his amendment to be the pending business tomorrow. I do not believe that the Clark amendment will require a rollcall vote. Unless we find that it will, we can go ahead and dispose of it at this time and save the time of the Senate tomorrow.

The PRESIDING OFFICER. Is there objection? The Chair hearing none, it is so ordered.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Mr. President, the terms of reference of the consent agreement have not been precisely spelled out. But I understand that the distinguished senior Senator from New York [Mr. Javits] has an amendment. He wants to be sure that he will not be foreclosed from offering that amendment. Customarily we require that there be a germaneness clause in a consent agreement.

I hope, therefore, that we can agree that the germaneness clause will be deleted for that purpose. I do not believe that there are many, if any, amendments that would be ungermane, although there may be.

Mr. KEATING. Mr. President, I have an amendment that may not be germane, either. There was nothing said about it in the statement of the majority leader.

Mr. LONG of Louisiana. The bill has amendments that are of a public-welfare nature. Therefore, an amendment relating to foster care would be in order.

Mr. MANSFIELD. Mr. President, I shall support the Senator in charge of the bill. The amendments offered by the two Senators from New York [Mr. Javits and Mr. Keating] will be considered to be under the consent agreement.

Mr. LONG of Louisiana. I have proposed an amendment to the bill that would increase by $1 the cost of the care of dependent children. So the amendment would be germane to my amendment, which is already in the bill.

Mr. KEATING. That is the amendment of the senior Senator from New York. I have another amendment which relates to veterans' pensions. It is perfectly agreeable to me, as long as I have the assurance that the question of germaneness will not be raised.

Mr. LONG of Louisiana. So long as the Senator from New York is not trying to make a civil rights bill out of it, I assure him there will be no question raised concerning it.

Mr. KEATING. I assure the Senator that I shall not do that. Do I correctly understand that the amendment I propose to offer will be permitted, whether or not it is germane?

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the amendment proposed to be offered by the Senator from New York be considered germane when offered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CLARK. Mr. President, I send an amendment to the desk and ask that it be called up. I ask unanimous consent that it not be read. I believe I can explain it quickly.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the proper place in the bill, insert the following:

"Sec. 117. (a) Subsection (c) of section 1402 of the Internal Revenue Code of 1954 is amended by striking out 'or' at the end of paragraph (4), by striking out the period at the end of paragraph (5) and inserting in lieu thereof '; or', and by adding after paragraph (5) the following new paragraph:

"'(6) The performance of service by an individual during the period for which an exemption under subsection (h) is effective with respect to him.'

"(b) Subsection (c) of section 211 of the Social Security Act is amended by striking out 'or' at the end of paragraph (4), by striking out the period at the end of paragraph (5) and inserting in lieu thereof '; or', and by adding after paragraph (5) the following new paragraph:

"'(6) the performance of service by an individual during the period for which an exemption under section 1402(h) of the Internal Revenue Code of 1954 is effective with respect to him.'

"(c) Section 1402 of the Internal Revenue Code of 1954 is further amended by adding at the end thereof the following new subsection:

"'(h) Members of Certain Religious Faiths.—

"'(1) Exemption.—Any individual may file an application (in such form and manner, and with such official, as may be prescribed by regulations under this chapter) for an exemption from the taxes imposed by this chapter if he is a member of a recognized religious sect or division thereof and is an adherent of established tenets or teachings of such sect or division by reason of which he is conscientiously opposed to acceptance of the benefits of any private or public insurance, making payments in the event of death, disability, old-age, or retirement or making payments toward the cost of or providing services for medical care (including the benefits of the insurance system established by title II of the Social Security Act). Such exemption may be granted only if the application contains or is accompanied by

"'(A) such evidence of such individual's membership in, and adherence to the tenets or teachings of, the sect or division thereof as the Secretary or his delegate may require for purposes of determining such individual's compliance with the preceding sentence, and

"'(B) his waiver of all benefits and other payments under title II of the Social Security Act on the basis of his wages and self-employment income as well as all such benefits and other payments to him on the basis of the wages and self-employment income of any other person, and

only if the Secretary of Health, Education, and Welfare finds that

"'(C) such sect or division thereof has the established tenets or teachings referred to in the preceding sentence,

"'(D) it is the practice, and has been for a period of time which he deems to be substantial, for members of such sect or division thereof to make provision for their elderly or dependent members which in his judgment is reasonable in view of their general level of living, and

"'(E) such sect has been in existence and has had such tenets or teachings for not less than the 6 full calendar years preceding enactment of this subsection.

"'(2) Time for Filing Application.—For purposes of this subsection, an application must be filed:

"'(A) in the case of an individual who has self-employment income (determined without regard to this subsection and section 1402(c)(6)) for any taxable year beginning after December 31, 1957, and ending before January 1, 1964, in or before the fourth calendar month beginning after the date of the enactment of this subsection,

"'(B) in any other case, on or before the due date of the return (including any extension thereof) for the first taxable year beginning after December 31, 1963, for which he has self-employment income (so determined).

"'(3) Period for Which Exemption Effective.—A tax exemption pursuant to this subsection with respect to any individual shall be effective for all taxable years beginning after December 31, 1957, but not for any such year prior to the first year for which the requirements of paragraph (1) are met with respect to him; and shall cease to be effective for and after the first taxable year after the filing of such application in which he ceases to meet such requirements.'

"(d) Section 202 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"'WAIVER OF BENEFITS

"'(v) Notwithstanding any other provisions of this title, in the case of any individual who files a waiver of benefits and other payments under this title as required under section 1402(h) of the Internal Revenue Code of 1954 and is granted a tax exemption thereunder, no benefits or other payments shall be payable under this title to him, and no benefits or other payments under this title shall be payable on the basis of his wages and self-employment income to any other person, after the filing of such waiver; except that, if thereafter such individual's tax exemption under such section 1402(h) ceases to be effective, such waiver shall cease to be applicable in the case of benefits and other payments under this title to the extent based on his self-employment income for and after the first taxable year for which such tax exemption ceases to be effective and on his wages for and after the calendar year (if any) which begins in or with the beginning of such taxable year.'

"(e) If refund or credit of any overpayment resulting from an exemption under section 1402(h) of the Internal Revenue Code of 1954 is prevented on the date of the enactment of this Act, or at any time within one year from such date, by the operation of any law or rule of law, refund or credit of such overpayment may, nevertheless, be made or allowed if claim therefor is filed within one year after the date of the enactment of this section. No interest shall be allowed or paid on any overpayment resulting from the enactment of this subsection. In the case of any such refund, any self-employment income with respect to which such overpayment was made shall, notwithstanding the provisions of section 205 of the Social Security Act, not be included in determining entitlement to or amount of any payments under title II of such Act."

Mr. CLARK. Mr. President, this amendment, believe it or not, is cosponsored by the Senator from Arizona [Mr. Goldwater], the Senator from Ohio [Mr. Lausche], the Senator from Pennsylvania [Mr. Scott], and me. It is identical in substance, although not in form, with my bill, S. 294, which was passed in identical form by the Senate in the 87th Congress, but was rejected in conference.

When the bill reached the House, the criticism was made that the legislation was unconstitutional. This amendment would authorize the exemption from social security taxes and from the payment of social security benefits, of members of religious sects—of which the Amish are the leading ones—who conscientiously believe that insurance is against God's law.

The constitutional objection to the earlier amendment has now been met by three important changes. First, it makes more explicit the fact that the exempted person would waive all benefits. Second, the language of the amendment now insists that the faith or sect be in existence for 6 years preceding the enactment of the amendment. Third, if the person exempted leaves the religion, he must come back into the social security system.

I ask unanimous consent that a letter from Stanley S. Surrey, Assistant Secretary of the Treasury, and the enclosure referred to in his letter, which is a legal opinion from Mr. G. d'Andelot Belin, General Counsel of the Treasury Department regarding the constitutionality of this legislation, may be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Treasury Department,
Washington, August 7, 1964.

Hon. Joseph S. Clark,
U.S. Senate,
Washington, D.C.

Dear Senator Clark: I am enclosing herewith the opinion of Mr. Belin, the General

Counsel of the Treasury Department, relating to the constitutionality of optional exemption of members of a certain religious faith from the social security self-employment tax or optional recovery of the tax paid.

Sincerely yours,

STANLEY S. SURREY.

Enclosure.

Mr. KUCHEL. Mr. President, reserving the right to object, and I shall not object, permit me to ask the Senator from Pennsylvania, whether it is provided in the language which the Senator has alluded to that if a religion has been in existence for 6 years, the question of constitutionality does not arise? But if it is less than 6 years, there is a question?

Mr. CLARK. I quite understand why my inartistic explanation might have confused the Senator. The object is to prevent recently sprung up sects from attempting to achieve the benefits of this exemption. It is desired to confine it to relatively long-established religions, and those where it is perfectly clear that their precepts make it unconscionable for them to accept the insurance principles of the Social Security Act.

Mr. DIRKSEN. Why does the Senator not make it for 60 years?

Mr. CLARK. I would have no objection, except that my cosponsors are not present. The Senator from Arizona [Mr. GOLDWATER], the Senator from Ohio [Mr. LAUSCHE], and the Senator from Pennsylvania [Mr. SCOTT] would have to be consulted. I hope the Senator from Illinois will indulge me for that reason.

Mr. DIRKSEN. Is the Senator asking that it be considered?

Mr. CLARK. No. I am asking that the Senator in charge of the bill accept it. I hope very much that he will.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. MORSE. I understand that if the amendment is agreed to, the members of the sects would not pay social security taxes, but they would receive the benefit of the social security payments at age 65.

Mr. CLARK. No. They would not receive social security payments from the date they file the necessary certificate to claim the exemption. They would remain liable for social security payments until that time.

Mr. MORSE. At the age of 65, not having made any contribution during their working years for social security payments—which could help take care of them in their old age if they are penniless, the rest of the taxpayers would have to support them on welfare.

Mr. CLARK. It is a possibility, I say to the senior Senator from Oregon. But as a practical matter, such a situation is highly unlikely to arise. The individuals concerned, both in my State and in the State of Ohio, are prosperous Pennsylvania Dutch farmers who have as part of their religious precept the tenet that they should take care of themselves.

I believe the Senator would be hard pressed to find a member of the Amish sect who has ever been on public assistance.

Mr. MORSE. We have a social security system that is either sound public policy or it is not. If we enact the proposed legislation based upon the religious beliefs of members of a sect who do not think they ought to contribute to insurance, I point out that, after all, the payment of taxes is contributing to a form of insurance, too. It is insurance by the Government that we shall maintain a system of law and order in this country. We shall come to the assistance of our unfortunates.

I am a little at a loss to understand the wisdom of the social policy inherent in the amendment of the Senator from Pennsylvania. I do not know why we should start making exemptions for people because of religious belief in civil matters. I am a great defender of freedom of religion, but if a man's freedom of religion starts interfering with civil obligations as a citizen, his duty as a citizen should come first.

Mr. CLARK. Mr. President, may I respond to the Senator from Oregon?

Mr. MORSE. Yes, I am glad to have the Senator respond.

Mr. CLARK. The proposed exemption has been pending for action by the Congress during all 8 years since I came to the Senate. Two years ago the amendment was adopted by the Senate. The basis of it is as follows: As the Senator may recall, the sect of Amish people is a very devout and religious people. They firmly believe that the insurance principle is wicked and evil. This is a fundamental part of their religious tenets. Because they so firmly believe, many of them—hundreds of Pennsylvanians, people in Illinois, and perhaps even in Arizona—have refused to pay their social security taxes. Over the course of time the Federal Government has moved in and has levied on their horses, farm machinery, and farms, and has sold them out and sent them practically into bankruptcy. They have maintained the validity of their religious beliefs in spite of this drastic action on the part of the Federal Government. In certain areas in Lancaster County, Pa., and elsewhere in the Dutch country that action has aroused great resentment among the people who felt that the Amish people were being unfairly persecuted by the Federal Government.

At a later date, I undertook, with the cooperation of my colleague, to obtain legislative relief for them. For many years the proposal was opposed by the Treasury of the United States. Finally, and as a result of the importuning of those people—the bishops of their faith—wonderful American citizens—negotiations were instituted to see whether the Treasury could not be persuaded to come to some agreement which was consistent with the conscience of those fine American citizens and yet would not penalize the U.S. Treasury in any way. I am glad to say that after extensive negotiations, which have continued over several years, and only recently have been consummated, we now have an agreement with the Treasury that it will not oppose the amendment. The Treasury drafted the language.

I plead with my friend from Oregon to understand the compassionate situation which confronts those people. I tell him also that it is perfectly clear that before they can qualify for the exemption, they must satisfy the Treasury; they would be required to file paper after paper and certificates to the effect that they conscientiously and sincerely have a religious objection to the payment of a tax which is a part of an insurance program. In my judgment, the loopholes have been completely closed.

It would be impossible for anyone to defraud the Government on the basis that he belongs to some sect which does not conscientiously hold those beliefs. In my judgment, those fine people are entitled to have what I frankly consider their prejudice—nonetheless, there are prejudices in many religions—satisfied by the adoption of the amendment.

Mr. MORSE. If the Senator will hear me for a moment, he has not said anything about those people with which I do not agree so far as their fine human qualities are concerned. I have great respect for them. I know quite a number of them. They are entitled to their religious beliefs. But, after all, they are the recipients of many benefits, tangible and intangible, of our system of Federal and State Government.

I find a great deal of difficulty in accepting the argument of the Senator from Pennsylvania that we do not have to worry about other taxpayers assuming a greater burden as a result of the exemption that would be allowed those people under the proposed amendment. If I correctly understand the amendment, it would not provide that their church would undertake to assume any financial liability that might develop as a result of the Government, local, State, or Federal, coming to the assistance of any of these people in their old age, to the extent of the amount of money, at least, that they would be able to obtain themselves through social security based upon the contributions that they have made during their working years.

A precedential principle is in the amendment that could spread and be used as a basis for other people pleading for similar exemptions in regard to our tax structure on the basis of good-faith religious beliefs. But let us face the issue. Religious freedom does not carry with it any right on the part of the holder of any particular religious point of view to be exempt from his civil responsibilities. The nearest comparison is the question of the conscientious objector in regard to military service, but even a conscientious objector, as we know, is not released of all responsibility of service to his government. It becomes necessary for him to serve in other ways than in uniform.

I am worried about the amendment. I know how delicate the issue is. I know how delicate it is to seem to be opposed to it. But I am very much worried about the precedent of the amendment, and I seriously doubt if it is bottomed on sound law. I am not eager to see it adopted.

Mr. CLARK. Mr. President, I understand that there is pending a unanimous consent request. I wonder if it might be granted. The request was for the insertion of a legal opinion.

The **PRESIDING OFFICER.** Is there objection?

Mr. **KUCHEL.** Mr. President, again reserving the right to object, but I shall not object, I wish to say to my friend that among my 18 million constituents, there are some who have become envenomed over the Federal income tax amendment. They look upon the Federal income tax amendment as a very evil and vicious thing. I cannot say that they make a religion of their convictions, although some may.

At any rate, does my good friend see in the amendment that he has offered any precedent by which one who might find fault with the Federal constitutional provisions in respect to income tax might ask for an exemption? If so, we might find quite a lineup to accomplish that end.

Mr. **CLARK.** Mr. President, quite candidly I say to my dear friend from California that, with all due respect—and I know he will indulge me in a lighter vein—I have the feeling that his fears are "foolish fancy."

Mr. President, may we have a ruling on the request?

The **PRESIDING OFFICER.** Is there objection?

Mr. **MORSE.** Mr. President, what is the request?

The **PRESIDING OFFICER.** To print a memorandum from the general counsel of the Treasury.

Mr. **MORSE.** I have no objection to that.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

Constitutionality of Optional Exemption of Members of a Certain Religious Faith From the Social Security Self-Employment Tax or Optional Recovery of the Tax Paid

Legislation has been proposed in the present and the previous Congress to provide optional exemption from the social security self-employment tax for "a member or adherent of a recognized religious faith whose established tenets or teachings are such that he cannot in good conscience without violating his faith accept the benefits of insurance," upon a finding by the Secretary of Health, Education, and Welfare that his application for exemption was made in good faith and that the members of such religious faith make adequate provision for elderly members to prevent their becoming public wards.[1] Senators Clark and Scott, among the chief proponents of this legislation, have explained that the faith in question is that of those Amish Mennonites who are known as the "plain people" or "old order Amish" who live in relative independence and isolation in rural communities and adhere strictly to many literal biblical injunctions, including reliance on divine providence for their care. The consistency and sincerity of the sect is attested to by the refusal of most of their members to accept social security benefits or pay the self-employment tax.

In the consideration of these bills in Congress the question was raised as to whether the proposed exemption would be constitutional and the views of the Treasury Department were requested. This opinion is in response to that request. Since then, additional legislative proposals, including an alternative proposal or relief for the Amish in the form of tax recovery in place of tax exemption have been discussed in a joint statement by the Treasury Department and the Department of Health, Education, and Welfare, entitled "Request of the Old Order Amish for Exemption from the Social Security Self-Employment Tax," which was transmitted to interested Members of Congress by a joint letter dated July 20, 1964. In connection with the earlier request, it is also appropriate to consider the constitutionality of these proposals, as well as the constitutionality of the various limitations included, or suggested for inclusion, in the definition of the faith whose members or adherents would be eligible for exemption. The joint statement referred to above reviews the religious tenets and modes of life of these Amish and provides an extended analysis of the social security system and the possible effects of an exemption. I will not, therefore, in this opinion cover any of this factual material. A copy of this joint statement is attached hereto.

CONCLUSION ON TAX EXEMPTION AND TAX RECOVERY

My conclusion, based upon a review of the principles of constitutional law, is that there is no valid constitutional objection to the proposed exemption and that the question of exemption is one of public policy for Congress to determine. After discussion of the grounds for this conclusion I will review in the latter part of this opinion the constitutionality of various proposed additional limitations upon the exemption.

This conclusion concerning tax exemption comprehends any provision by Congress for tax recovery, since tax exemption is the most complete relief that could be given. In the subsequent discussion, therefore, the constitutional conclusions with respect to the requirements of uniformity, of the first amendment, and of due process should be read as also extending to a provision for tax recovery.

Congress and the States have provided for the recovery of taxes in various situations where for reasons of public policy the legislature has determined this to be appropriate. I have found no constitutional challenge of these provisions. For example, 26 United States Code 6420 provides for refund of the gasoline taxes paid for gasoline used for farming purposes. A similar provision in the Virginia Code, section 58–715 (supp. 1964), includes refunds for gasoline used for public or nonsectarian school buses. Title 26, United States Code, section 6418 provides for refund of the Federal tax on sugar manufactured in the United States to those who use such sugar as livestock feed or in the distillation of alcohol.

If members of the designated religious faith were permitted to choose to recover in monthly installments the amount, and only the amount, of the social security taxes they have paid, they would be under a limitation which operated to their disadvantage as compared with other social security taxpayers to whom an indefinite amount of social security recovery would be available in the form of insurance. Consequently, it would seem that no other social security taxpayer would be in a position to claim that the tax recovery allowed to the Amish in any way discriminated against him or added to his tax burden.

1. The requirement of uniformity

The Constitution provides in article I, section 8, clause 1: "The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; * * *." This canon of uniformity has been long established to be a requirement of geographical uniformity only. *Knowlton* v. *Moore*, 178 U.S. 41 (1900); *Brushaber* v. *Union P.R. Co.*, 240 U.S. 1 (1916); *Fernandez* v. *Wiener*, 326 U.S. 340 (1945). Insofar as uniformity may be required as an element of reasonableness under the due process clause, the problems are dealt with in my discussion of the application of that clause.

2. The first amendment

The proposed exemption, if allowed, would represent a determination by Congress that an accommodation of the self-employment tax law to prevent offense to religious scruples against insurance would not be contrary to public policy. The first amendment provides that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof * * *." The question is whether an exemption from the social security tax would be constitutional as an accommodation or mitigation of a general requirement in order to permit the free exercise of a religion or whether it would be an aid to the specified religion at the expense of other religions and therefore be an unconstitutional establishment of religion.

It is my conclusion that the proposed exemption would in all probability be held to be a valid accommodation of the general law to permit religious liberty under the free exercise clause. The subsidiary question whether the definition of the persons exempted may be a reasonable classification under the due process clause is discussed in a subsequent part of this opinion. I base my conclusion on the following decisions of Federal and State courts, particularly the Supreme Court, which interpret the first amendment to permit accommodations to religious beliefs. This discussion will be followed by an analysis of these cases which hold that certain governmental action is a violation of the establishment clause, in order to make clear that this exemption would not be an establishment of religion.

The classic example of the application of the free exercise clause is the series of cases which have upheld congressional exemption of conscientious objectors from military service. The validity of this exemption was first established by the *Selective Draft Law Cases*, 245 U.S. 366 (1918) upholding the exemption in the draft law of members of religious sects "whose tenets prohibited the moral right to engage in war." The Solicitor General had argued (p. 374) that this exemption did not establish such religions but simply aided their free exercise. The court considered that the congressional authority to provide such exemption was so obvious that it need not argue the point (pp. 389–390).

The present Universal Military Training and Service Act enacted June 24, 1948, c. 625, 62 Stat. 604, as amended, in section 6(j), 50 U.S.C. App. 456(j), exempts from combatant training and service in the Armed Forces a person "who by reason of religious training and belief, is conscientiously opposed to participation in war in any form." This exemption continues to be recognized as constitutional under the free exercise clause. *Clark* v. *United States*, 236 F. 2d 13 (9th Cir. 1956), cert. denied, 352 U.S. 882 (1956); *United States* v. *Jakobson*, 325 F. 2d 409 (2d Cir. 1963), cert. granted, 32 L.W. 3385, May 5, 1964. Certiorari was granted in the Jakobson case and in two other conscientious objector cases,[2] apparently in order to reconcile the conflict between the Second and Ninth Circuits as to whether the statutory definition of "religious training and belief" as being a

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[1] S. 294, 88th Cong.; H.R. 10606, 87th Cong., among others.

[2] *United States* v. *Seeger*, 326 F. 2d 846 (2d Cir. 1964), and the Jakobson case, compared with *Peter* v. *United States*, 324 F. 2d 173 (9th Cir. 1963). The Peter case followed *Etcheverry* v. *United States*, 320 F. 2d 873 (9th Cir. 1963) on which certiorari was denied, 375 U.S. 320 (1963). The influence of the Second Circuit against the definition is shown in *MacMurray* v. *United States*, 330 F. 2d 928 (9th Cir. 1964).

"belief in a relation to a Supreme Being" may constitutionally be applied to exclude a conscientious objector whose belief is based on humanistic principles. This conflict is one essentially concerned with reasonable classification of an exemption under the due process clause, discussed below. It does not concern the constitutional right of Congress to exempt conscientious objectors under the free exercise clause.

In the Jakobson case the Second Circuit faced the problem whether "making exemption from military service turn on religious training and belief as stated in section 6(j) aids religions, and more particularly religions based on a belief in the existence of God" (p. 414) and thereby conflicts with the holding in *Torcaso* v. *Watkins,* 367 U.S. 488 (1961). There it was determined that Maryland could not require an oath affirming a belief in God as a prerequisite to becoming a notary public. The Jakobson court concluded that "the important distinction seems to us to be that, in contrast to Maryland's notary public oath, Congress enacted this statute, in mitigation of what we assume to be the constitutionally permissible course of denying exemptions to all objectors, for the very purpose of protecting 'the free exercise' of religion by those whose religious beliefs were incompatible with military service which Congress had the right to require." (pp. 414–415.)

An exemption identical with that in the 1948 Military Training Act was specifically included in section 337(a) of the Immigration and Naturalization Act of June 27, 1952, c. 477, 66 Stat. 163, 258, 8 U.S.C. 1448(a). This statutory exemption followed the decision of the Supreme Court in *Girouard* v. *United States,* 328 U.S. 61 (1946) ruling that the naturalization law need not be, and should not be, interpreted to exclude an alien who would not promise to bear arms because of religious scruples. Justice Douglas, for the majority, reaffirming principles enunciated in earlier dissents by Justices Hughes and Holmes, said, "The struggle for religious liberty has through the centuries been an effort to accommodate the demands of the State to the conscience of the individual" (p. 68).

The general exemption from taxation of religious groups' activities and property is another example of the exercise by legislatures of the constitutional authority to make exemptions to aid in the free exercise of religion, which continues to be upheld against contentions that the exemption operates to establish the religions thus benefited.[3] Under this exemption a unique religious doctrine may make an activity of one religious group exempt as having a religious purpose which would not be exempt when carried on by other groups not holding to that doctrine.[4] The exemption from taxation of religious activities and occupations is incorporated into the Social Security Act itself which provides optional exemptions for ministers, Christian Science practitioners, employees of religious organizations and members of religious orders (26 U.S.C. 1402 (c) and (e) and 3121(b)(8)).

A further illustration of the principle that a legislature may accommodate particular religious beliefs without violating the first amendment is the case of *Zorach* v. *Clauson,* 343 U.S. 306 (1952). Here the Supreme Court held that the New York legislature did not violate the establishment clause by authorizing public schools to release children 1 hour early every week for religious instruction off the school grounds. It said:

"When the State encourages religious instruction or cooperates with religious authorities by adjusting the schedule of public events to sectarian needs, it follows the best of our traditions. For it then respects the religious nature of our people and accommodates the public service to their spiritual needs" (pp. 313–314).

The distinction between *Zorach* and *McCollum* v. *Board of Education,* 333 U.S. 203 (1948) well illustrates the distinction between the two first amendment clauses for in McCollum the released time plan was held unconstitutional as an establishment of religion as classrooms and the force of the school were used in that plan.

The most important case, for our purposes, is the recent Supreme Court decision in *Sherbert* v. *Verner*, 374 U.S. 398 (1963). In this case the Court required South Carolina to accommodate the requirements of its unemployment compensation law to the religious scruples of an adherent of a particular sect, the Seventh-Day Adventists. In three separate opinions the members of the Court balanced the demands of the free exercise clause against the prohibitions of the establishment clause. The opinion and the concurring opinion determined that the denial of unemployment benefits to a person unavailable for suitable work on Saturday because, being an Adventist she could not for religious beliefs work on Saturday, was a restriction on the free exercise of her religion and, therefore, unconstitutional. The dissenting opinion contended that the accommodation of Adventists was a question of policy for the legislature and that while the legislature could constitutionally exempt the Adventist from the requirements for eligibility placed upon all other persons the legislature was not required to do so. Consequently, the full Court apparently would agree that Congress could constitutionally make an exemption from the general requirements of taxation and compulsory insurance of persons who because of religious scruples are unwilling to accept social security insurance. It is solely the constitutional ability of Congress to make this exemption to which this opinion is addressed.

The reasoning in the Sherbert case needs to be examined as it bears upon the power of Congress in this area. The principle of accommodation of a general law to a particular religious scruple is the same in this situation as in Sherbert though the facts differ in that in the Sherbert case the accommodation was for the purpose of enabling the Adventist to receive welfare benefits and in the Amish situation the accommodation would be for the purpose of exempting the Amish from benefits as well as from taxation for these benefits.

First, the Court says that while "the consequences of such a disqualification to religious principles and practices may be only an indirect result of welfare legislation" and that no criminal sanctions compel work on Saturday, the indirect discrimination is nevertheless a burden on the free exercise of the Adventist's religion. It requires her to abandon her religious precept or forgo a welfare benefit generally available (pp. 403, 404). In the social security situation the employment tax is supported by civil and criminal sanctions of assessed penalties and fine, imprisonment and forfeiture, so that the justification for congressional relief is even clearer.

Second, the court points out that while the State may not discriminate invidiously between religions the accommodation required to be allowed to the Adventist would not be discriminatory but rather would remove a discrimination based upon her religion, since the law does not disqualify persons who do not work on Sundays (at 406). An exemption for those sects which cannot in good conscience accept the insurance for which they are taxed would not be an invidious discrimination against other religions which have no such scruple and whose members are therefore able to accept the insurance for which they are taxed.

Third, the court points out that the administrative problems concerned and the possibility of spurious claims do not justify a restriction on the free exercise of religion (at 407).

Then the court concludes (at 409) that its holding does not foster the "establishment" of the Seventh-day Adventist religion in South Carolina for the extension of unemployment benefits to Adventists is not like the involvement of religions with secular institutions which the establishment clause is designed to forestall as shown in its decision announced the same day, *School District of Abington Township* v. *Schempp,* 374 U.S. 203 (June 17, 1963). In fact the Sherbert ruling reversed the State court ruling that allowance for the religious obligation of the Adventist would be an unconstitutional discrimination in her favor. See *Sherbert* v. *Verner,* 240 S.C. 286, 125 S.E. 2d 737, 746 (1962).

In the Schempp and its companion case, *Murray* v. *Curlett,* decided with the same opinion, the court found that the States were establishing religion in their public schools by requiring Bible reading and the recitation of prayers therein. These decisions are developments of the prior term's opinion in *Engel* v. *Vitale,* 370 U.S. 421 (1962) holding that the requirement of recitation in the public schools of a State-authored prayer was a violation of the establishment clause which prohibits Government from placing its "power, prestige and financial suport * * * behind a particular religious belief" (p. 431). In the Schempp case the court develops the idea that Government must remain "neutral," a term derived from the 5 to 4 decision in *Everson* v. *Board of Education,* 330 U.S. 1 (1947). In its context in the several establishment cases this term means an inability of the State to use its powers to require religious observances or to use public funds for the support of religious institutions. None of the holdings applies the establishment clause to forbid the granting of an exemption from Government coercion of a secular action to accommodate religious scruples under the free exercise clause. The latter clause is predicated, says the Schempp court, on Government coercion which impinges on religious practice, 374 U.S. at 223. The distinction between these two historic lines of decisions has permitted the Schempp case to be decided consistently with the Sherbert case on the same day.

In sum, then, an exemption removes a handicap to the free exercise of a particular religion placed upon it by force of Government; it is not a requirement by the Government that the particular religion be practiced or observed or supported by nonadherents.

The meaning of the Sherbert case is made unmistakable in its application by the court in the recent case, *In Re Jenison,* 375 U.S. 14 (1963). Here the court "in the light of *Sherbert* v. *Verner*" vacated the judgment of the Minnesota Supreme Court in *In Re Jenison,* 265 Minn. 96, 120 N.W. 2d 515 (1963). The Minnesota court had held a person selected for jury duty in contempt of court for refusing to serve on the jury because of a religious belief based upon the Biblical injunction against judging other persons. The Minnesota court had reasoned that jury duty, being a primary duty of all citizens, was superior to a religious belief deemed by the court contrary to public order, citing *Reynolds* v. *United States,* 98 U.S. 145 (1878) which held that Congress could prohibit polygamy as a violation of the social order.

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[3] *Swallow* v. *United States,* 325 F. 2d 97 (10th Cir. 1963); *General Finance Corporation* v. *Archetto* (R.I. 1961) 176 A. 2d 73, appeal dismissed, 369 U.S. 423 (1962); *Fellowship of Humanity* v. *County of Alameda,* 315 P. 2d 394 (Cal. Dist. Ct. App. 1957); *Lundberg* v. *County of Alameda,* 298 P. 2d 1 (Cal. 1956), appeal dismissed, sub nom., *Heisey* v. *County of Alameda,* 352 U.S. 921 (1956).

[4] *Golden Rule Church Association,* 41 T.C. 719 (1964), Nonacq. May 19, 1964.

Since the Supreme Court has now held that Government must accommodate even the highest duties of citizens to sincere religious scruples, it is probable that it would hold that Congress may accommodate the religious scruple against insurance by allowing for such a scruple an optional exemption, or a lesser form of relief, from social security taxation and benefits.

3. The due process clause

Under the due process clause of the fifth amendment tax statutes must provide reasonable classifications of the subjects taxed or regulated and reasonable exemptions, if exemptions are provided. But, as has been firmly established by the Supreme Court, particularly in cases upholding the various exemptions provided in the Social Security Act and State unemployment compensation acts (*Carmichael* v. *Southern Coal Co.,* 301 U.S. 495 (1937); *Steward Machine Company* v. *Davis,* 301 U.S. 543 (1937); *Helvering* v. *Davis,* 301 U.S. 619 (1937)), the outer bounds of what is a reasonable tax or exemption classification allow a wider play of legislative judgment than many other areas of the law where the "reasonable" standard is applied. In these cases the Court assured legislatures that they had the widest powers of selection and classification in taxing some at one rate, others at another and exempting others altogether, where distinctions were based upon "considerations of policy and practical convenience."

Claims of discriminatory treatment under social security continue to be rejected as not "patently arbitrary." *Flemming* v. *Nestor,* 368 U.S. 603, 611 (1960). Recently, *Smart* v. *United States,* 222 F. Supp. 65 (S.D. N.Y. 1963), upheld a higher tax on (American) employees of the United Nations, as the means employed bore a substantial and logical relation to the objective; and *Leeson* v. *Celebrezze,* 225 F. Supp. 527 (E.D. N.Y. 1963), accepted differences in dependency determination for children of a deceased mother from that for children of a deceased father, based on family support experience. See also *Cape Shore Fish Co.* v. *United States,* 330 F. 2d 961 (Ct. Cl. 1964), and *Abney* v. *Campbell,* 206 F. 2d 836 (5th Cir. 1953) on fishing vessel empolyment differences and on domestic service differences respectively.

The requirement that exemptions have a reasonable basis applies as well to exemptions based upon religious scruples provided by Congress in conformity with the first amendment. In a nontax area this requirement has been recently reviewed in the Second Circuit decisions, pending review in the Supreme Court, on the reasonableness of the selective service definition of religious training and belief as being confined to belief in a Supreme Being. *United States* v. *Jakobson,* 325 F. 2d 409 (2d Cir. 1963) and *United States* v. *Seeger,* 326 F. 2d 846 (2d Cir. 1964); certiorari granted in both cases, 32 L.W. 3385, May 5, 1964. In these cases the court determined that an exemption from bearing arms based on religious belief was a constitutional accommodation of religion, but that a restriction of the definition of religion to a Supreme Being was too narrow in view of its conclusion that a conscience sincerely compelled to refrain from bearing arms because of a mystical force of Godness or a compulsion to follows the paths of goodness might be religious in nature (Seeger, p. 853). In other words, at least in the Second Circuit, the exemption on the grounds of religious objection must reach all who have sincere objections which could be interpreted as religious in nature.

In the social security situation, however, a classification may be as limited as circumstances require, as indicated in the Smart and other cases, supra.

In fact the Social Security Act and its amendments have characteristically carved out exemptions which are as narrow as required by the sociological facts, including differences among vocations and religious attitudes. Thus, for example, lawyers are covered by the self-employment tax, ministers, including Christian Science practitioners, are optionally covered, but doctors and persons who have taken the vow of poverty as a member of a religious order are completely exempted (26 U.S.C. 1402 (c) and (e), and 42 U.S.C. 411 (c) (4) and (5)). When the self-employment tax was passed in 1950 the act excluded the performance of service by a minister of a church or a member of a religious order or by a Christian Science practitioner in the exercise of their callings, in order to avoid impairment of religious liberty (Senate Finance Committee hearings on H.R. 6000, 81st Cong., Jan. 17, 1950, pt. 1, pp. 1 and 3). The exemption was made optional in the 1954 amendment of the act for these classes of persons except the mendicant orders. These exemptions have not been challenged.

The reason for the present proposal to exempt members of religious sects, as such, is solely that they have a religious objection to receiving insurance. Accordingly, a classification of such sects for exemption purposes, with appropriate safeguards, would reach all those whom Congress would have a reasonable ground to exempt and would, therefore, not be arbitrary nor violative of due process.

This conclusion is the basis of the opinion of the staff of the Joint Committee on Internal Revenue Taxation and that of the American Law Division of the Library of Congress provided to Senator CLARK under dates of November 9, 1962, and September 19, 1962, respectively. These opinions conclude that the proposed exemption would be constitutional as it would apply to all those who fall within the classification and that the classification is reasonable, CONGRESSIONAL RECORD, volume 109, part 1, pp. 463, 464.

Since, therefore, Congress may exempt those members of a religious faith who have scruples against receiving insurance, the next question is what practical safeguards Congress may designate to assure that only those who come within the policy of the exemption obtain the exemption, without imposing arbitrary limitations.

LIMITATIONS ON THE EXEMPTION

The joint statement by the Treasury Department and the Department of Health, Education, and Welfare reviewing the problems created by the proposed exemption for the Amish contains in section 3 suggested additional limitations upon the exemption. These limitations are proposed as possible means to protect the social security system from an unintended extension of exemptions from compulsory insurance which would weaken and dilute it. The extensions of the exemption might occur, according to this joint statement, either through the formation of additional faiths claiming opposition to acceptance of benefits as one of their tenets or through the redefinition by various existing separatist groups of their tenets to include such opposition.

I shall consider each of these proposed additional limitations, designated "a" through "e", to determine whether the limitation may be considered by the courts to be a reasonable classification and consistent with the due process clause. I shall also suggest a limitation, designated "f," which was not among those proposed but which may be found to limit the exemption reasonably and realistically to the groups which Congress intends to accommodate by this exemption.

(a) An explicit limitation of the exemption to the Old Order Amish.

This limitation would probably be considered arbitrary since the designation of one sect to the exclusion of other sects having the same scruple would be inconsistent with the congressional policy of removing the Government coercion of belief which constitutes the denial of the free exercise of religion. It would also probably constitute an invalid preference of one particular faith over those which were similarly situated. The facts presented to Congress indicate that there may be certain other sects of the Amish and possibly other religious groups who have the same religious scruple which is now being coerced. Furthermore, the exemption of a single named group will be held to be arbitrary[5] unless the relation to the public good is clearly demonstrable.[6]

(b) Limitation to members of a sect, excluding adherents who are not members.

(c) Limitation to members of sects who "take care of their own."

These limitations are being considered together since at least some of the bills before Congress provide that a necessary condition of exemption is a finding by the Secretary of Health, Education, and Welfare that the sect makes provision for its elderly "members." This condition would probably be considered a necessary and proper public policy consideration and, therefore, a reasonable condition upon which to base eligibility for exemption. The purpose of Congress in this legislation would be to assure the fulfillment of the welfare purpose of social security while relaxing that feature of social security which impinges on the free exercise of religion. Moreover, since individuals can seldom guarantee their own future against deprivation and need, it would be reasonable for Congress to provide that to qualify for an exemption a person must be a member of a sect which shares the religious commitment, both with respect to refusing State insurance and providing for that sect's welfare. Consequently, since the sect aspect is essential, it would seem reasonable to limit the qualification for exemption to persons who are members of a qualifying sect. As said by Justices Black and Douglas in *Board of Education* v. *Barnette,* 319 U.S. 624, 643 (1943): "No well ordered society can leave to the individuals an absolute right to make final decisions, unassailable by the State, as to everything they will or will not do."

(d) Limitation to sects which require members to follow the occupation of farming as a matter of religious principle.

This limitation, as phrased, would not be appropriate on the basis of the facts given in the joint statement. It is there stated that "most Old Order Amish communities permit members to make their living as self-employed carpenters or masons" (p. 9). The possibility of limiting the exemption to sects which are established in farming communities for religious reasons is suggested and discussed below.

(e) Limitation to religious groups which were established before 1935.

Any limitation which designates a cutoff date would generally be less reasonable than one which on its face shows some relationship to the public purpose of the statute.

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[5] *Eyers Woolen Co.* v. *Gilsum,* 84 N.H. 1, 146 Atl. 511 (1929); *Baltimore* v. *Starr Methodist Protestant Church,* 106 Md. 281, 67 Atl. 261 (1907). Cf. *United States* v. *Department of Revenue of Illinois,* 191 F. Supp. 723 (N.D. Ill. 1961) invalidating a retail tax on sales to the Federal but not to the State government.

[6] *Williams* v. *Mayor and City Council of Baltimore,* 289 U.S. 36 (1933).

For example, a requirement that the sect shall have demonstrated over a period of years its ability to take care of its own members would probably be more acceptable as a classification. The text of certain of the legislative proposals already contain this principle in that they refer to the sect to be exempted as one which is "established." I would see no reason why the extent or the test of establishment might not be specifically spelled out. There is some authority that a "classification which draws a line in favor of existing businesses as against those later entering the field will be upheld if any reasonable and substantial basis can be found to justify the classification." *Del Mar Canning Co.* v. *Payne,* 29 Cal. 2d 380, 175 P. 2d 231, 232 (1946). The circumstances justifying such a discrimination must provide substantial reason. *Mayflower Farms* v. *Ten Eyck,* 297 U.S. 266 (1936). It is probable that the unusual situation of the Amish with respect to social security would be considered a substantial reason for a limitation of the classification to established sects.

(f) Limitation to sects established in farming communities for religious reasons.

The faith, the members of which are to be exempted, might be described not only as one whose established tenets would be violated by the acceptance of insurance, and one which provides for elderly and dependent members, but as one which for religious reasons is established in farming communities. These limitations might be reasonable if Congress found after sufficient inquiry that they were necessary to assure that the exemption would be confined to sects which were religiously motivated and responsible, and to assure that the welfare purpose of social security would be fulfilled. Congress might reasonably find that the restriction of the exemption to those sects established in farming communities would be justified on the ground that such a sect could be more certainly relied upon to identify and provide for its dependent and elderly members than those in the mobile and transient urban environment. Conversely, the limitation would have the effect of excluding sects which subsequently organize for the purpose of exemption from social security, as it is unlikely that these would or could establish themselves in farming communities for religious or other reasons. The limitation would exclude other present separatist groups whose principles might, but do not specifically, include refusal of social security benefits. Legislation which distinguishes farming situations from others because of sociological and economic differences has taken many forms and has been accepted by the courts. See, *e.g* , *Tigner* v. *Texas,* 310 U.S. 141 (1940), rehearing denied, 310 U.S. 659 (1940).

Mr. CLARK. If the amendment were enacted into law, these people, the plain people, as they are known in my State, or the Amish, as they are known in many other localities, and who live in various States of the Union, would be relieved from the payment of social security taxes, but they would also be required to forgo any benefits under the social security law.

The purpose of the amendment is to right what we consider an injustice in terms of civil liberties to a very small group of people. They reside mostly in Pennsylvania, Ohio, and Iowa.

These plain people have strong religious scruples against receiving any insurance benefits, including social security benefits. In addition, they make generous and conscientious efforts to take care of their own elder citizens who may be disabled.

May I say to my friend from Oregon, who knows my State very well, that I am sure he would be heartened if he saw the strong and successful efforts of this particular sect always to take care of their poor, to always see that none of their poor ever go on the relief rolls. When a barn burns down, they all rally around and help rebuild the barn. When one of them is taken ill, they take care of hospital bills. So they take care of their own.

The U.S. Government should not have to remain in its present unenviable position of having to levy against horses, cattle, and other simple belongings of these honest and upright people in order to exact the dollars due for social security taxes.

Our bill would permit those having firm religious beliefs against insurance to file applications for exemption with the Secretary of Health, Education, and Welfare. If the Secretary found that the applications were filed in good faith, and that the religious group in question made ample provision for its older citizens, he would be authorized to approve the application.

Mr. President, I ask unanimous consent that a newspaper article from the Lancaster New Era of July 27 this year, entitled "Amish in Three States Facing Tax Liens—U.S. Acts in Western Pennsylvania, Ohio, and Missouri, But Not in Lancaster," may be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Amish in Three States Facing Tax Liens—United States Acts in Western Pennsylvania, Ohio, and Missouri, but Not in Lancaster

Tax liens have been filed against the farm properties of several hundred Amish in the western part of the State, Ohio, and Missouri by the Federal Government for the collection of delinquent social security taxes.

The actions, according to an Internal Revenue Service spokesman in Washington, are being taken because the delinquent social security tax accounts of the Amish were expiring under the Government's 6-year statute of limitations to take proceedings.

NO LIENS HERE

No liens have been filed in Lancaster County and none are currently planned, according to the District IRS Office in Philadelphia, apparently because of voluntary tax payments by county Amish.

Quite a few voluntary payments are received from local Amish on a regular basis, Howard A. Zeamer, acting collection manager at the county IRS office, confirmed.

These payments by local Amish apparently are preventing the 6-year statute of limitations from expiring in the county.

ONE HUNDRED FIFTY IN ONE COUNTY

Hiram Hershey, Jr., of Harleysville, Montgomery County, an Old Order Amish spokesman in the State, said that 150 liens alone had been filed in Holmes County, Ohio, and at least one-third were filed this year.

He said there was "an increasing trend toward liens" and "apparently considerable harassment against Amishmen."

Expiration of the 6-year statute of limitations on the accounts of some Amish, who refuse to sign waivers to extend the collection period, now is leaving the Government with the decision to take action to collect the delinquent taxes or let its collection rights lapse.

COMPROMISE OFFERED

Last week, the Government proposed a compromise tax recovery plan to attempt to solve the Amish objections to payment of social security taxes.

The plan called for the Amish to waive all benefits but still pay the tax. At retirement, the money a person paid as taxes would be refunded in monthly installments equal to the monthly social security benefits for which a person would ordinarily qualify.

Amish reception to the plan was generally unfavorable, considering it a compromise in their religious beliefs which oppose insurance of any sort.

Mr. CLARK. Mr. President, I hope my friend from Louisiana will be willing to accept the amendment.

Mr. LONG of Louisiana. Mr. President, the amendment deserves consideration. We have done something of this sort with regard to Catholic priests who take a vow of poverty. Inasmuch as they could not possibly benefit from the social security program in pursuance of their consciences and their religion, they are not taxed for the social security program. Something of that sort was done with regard to Baptist preachers, to let them decide whether or not their interpretation of Scripture required them to bypass social security benefits.

Mr. CLARK. If the Senator will yield, Senator Kerr accepted an amendment to this effect.

Mr. LONG of Louisiana. I am sure he would, because it involved the same principle as the Senator's amendment.

Mr. President, I would be willing to support the amendment and go to conference to see what the attitude of the House conferees will be. Recognizing that we have pursued this principle in certain other situations, I would be willing to take the amendment to conference. I believe most of the members of the committee would be willing to do so.

Mr. CLARK. I thank the Senator.

Mr. MORSE. Mr. President, the Senator in charge of the bill says he is willing to take the amendment to conference. I have been around here long enough to know what that means.

I shall vote against the amendment, because there are many facets to the amendment that might lead to unfortunate precedents that will have future application.

There is in existence a sect which follows a course of human behavior—I need say no more—that, if not checked by the criminal laws of the country, would lead to a rather bad state of public morality. We apply our laws to members of that sect. We do not give them an exemption on the ground of religious beliefs.

We are dealing with a sect here composed of very wonderful, gentle people who are not poverty stricken. The comment was made by the Senator from Louisiana that certain Catholic priests take an oath of complete poverty. As a result, they are not subject to taxation for the simple reason they have no income on which to pay taxes. I do not think that is an analogous situation. We are actually dealing with a group of people who believe, on religious grounds, that they should be exempt from American civil policy. I do not know where the end of that road would be. I have great sympathy for those people, but there is also, within their religion, a basis for recognition that temporal matters are for temporal government and that spiritual matters are for God. We have a right to expect them to adjust to their temporal obligations.

I shall vote against the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. CLARK], for himself and other Senators.

The amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, I send certain amendments to the desk.

The PRESIDING OFFICER. The amendments offered by the Senator from Louisiana will be stated.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to dispense with the reading of the amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments offered by Mr. LONG of Louisiana are as follows:

On page 45, line 7, strike out all beginning with the word "equal" through the word "percent" and insert in lieu thereof "equal to 6.5 percent".

On page 45, line 11, strike out all beginning with the word "equal" through "percent" and insert in lieu thereof "equal to 6.9 percent".

On page 45, line 15, strike out all beginning with the word "equal" through the word "percent" and insert in lieu thereof "equal to 7.7 percent".

On page 45, lines 18 and 19, beginning with the word "equal" strike out all through "percent" and insert in lieu thereof "equal to 8.0 percent".

On page 46, line 8, beginning with the word "shall" strike out all through the word "percent" and insert in lieu thereof "shall be 4.35 percent".

On page 46, lines 10 and 11, beginning with the word "shall" strike out all through "percent" and insert in lieu thereof "shall be 4.60 percent".

On page 46, lines 13 and 14, beginning with the word "shall" strike out all through "percent" and insert in lieu thereof "shall be 5.10 percent".

On page 46, line 16, beginning with the word "shall", strike out all through the word "percent" and insert in lieu thereof "shall be 5.30 percent".

On page 47, line 4, beginning with the word "shall" strike out all through "percent" and insert in lieu thereof "shall be 4.35 percent".

On page 47, line 6, beginning with the word "shall" strike out all through "percent" and insert in lieu thereof "shall be 4.60 percent".

On page 47, lines 8 and 9, beginning with the word "shall" strike out all through "percent" and insert in lieu thereof "shall be 5.10 percent".

On page 47, line 11, beginning with the word "shall" strike out all through "percent" and insert in lieu thereof "shall be 5.30 percent".

Mr. LONG of Louisiana. Mr. President, my offering of this amendment will require unanimous consent on the same basis that was required for the offering of the Prouty amendment. When the Gore amendment was adopted the schedule of taxes in the Gore amendment had the effect of precluding the offering of subsequent amendments to amend the tax schedules in order to make actuarially sound the benefits proposed to be put within the social security system.

The amendment I now offer would increase the taxes by the amount necessary to increase the earnings limitation so that a person could earn $1,500 and keep that amount and also keep half of the next $1,500 he earns. The earnings limitation amendment has already been voted today by the Senate.

I ask unanimous consent that the amendment may be offered.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, as I explained before, the amendment the Senate previously agreed to provided that the earnings limitation could be increased to $1,500 and that a person could keep half of $1,500 beyond that amount. It would require taxes of 1.6 percent on payroll. If the instant amendment were not agreed to, the conferees would automatically be instructed to drop some benefits so as to keep the program actuarially sound. The Senate should support the conferees in that regard. Yet the conferees should be prepared to insist on everything the Senate voted for.

Mr. ANDERSON. Mr. President, if the Senator will yield, what does this do to all the balance of money that was discussed previously? The extra amount as a result of the Gore amendment was 0.30.

Mr. LONG of Louisiana. If the Senator takes the whole Gore amendment——

Mr. ANDERSON. The extra amount was 0.30. The registration added 0.16.

Mr. LONG of Louisiana. The only thing I have offered that increases the cost of the social security program substantially is an amendment to permit a man to earn $1,500 annually and keep all of his social security benefits and to earn an additional $1,500 and keep $1 of every $2 in social security benefits.

The Senate agreed to that amendment. However, I did not offer a further amendment to increase the tax in order to pay for the amendment that I had offered, because to do so would have required unanimous consent. The Senate subsequently gave unanimous consent to the Senator from Vermont [Mr. PROUTY], to offer his amendment. If his amendment were adopted there would be both an increase in benefits and an increase in the tax to cover the additional benefits.

All I am doing is asking to increase the tax to pay the expense of the benefits which I offered in my amendment and to which the Senate agreed.

Mr. ANDERSON. It is hard to keep track of all these things. There is no opportunity to read the amendment.

Mr. LONG of Louisiana. All I am doing is exactly what was done when the Senate supported the amendment of the Senator from Tennessee [Mr. GORE]. All I am asking is that the Senate do what the Senate did for the Senator from Tennessee. He did not propose an increase in the tax at the time he offered his medicare amendment. He merely offered the amendment. The Senate voted for it. The amendment was agreed to. After it had been agreed to I permitted the unanimous consent to be obtained and the Gore amendment to increase the tax to cover the benefits for which the Senate had voted to be accepted.

We increased the tax to cover the Gore medicare benefits. That is what I am asking that the Senate do now. What I am asking the Senate to let me do now is what the Senate did by unanimous consent previously, when it accepted a Gore amendment, which increased the tax to cover the cost of another Gore amendment, the medicare amendment that the Senate had adopted.

I ask that the tax be increased to cover the cost of the earnings limitation amendment that I had offered and that the Senate had accepted.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. DOUGLAS. If the Gore amendment, added to the House bill, produced a cost of 10.4 percent, how much would be required to float the benefit provided by the amendment of the Senator from Louisiana?

Mr. LONG of Louisiana. My amendment would require 10.56 percent.

Mr. DOUGLAS. That is additional?

Mr. LONG of Louisiana. The addition is 0.16.

Mr. ANDERSON. 0.16.

Mr. DOUGLAS. It would be almost 10.6 percent. Approximately 10.6 percent.

Mr. LONG of Louisiana. 10.56 percent.

Mr. DOUGLAS. The cost of the Gore amendment was 8.4 percent.

Mr. LONG of Louisiana. It depends on what the Senator is talking about. The Gore amendment would cost 10.40 percent. My amendment would add 0.16 percent. In 1970, in other words, the tax would be 10.56 percent.

Mr. DIRKSEN. Frankly, I must say—and I believe my colleague from Illinois will agree—that at no time in the Finance Committee have we ever discussed a figure of 10.6 percent. We got up to 10.4 percent. There ought to be some further discussion. Perhaps the Senator from Tennessee ought to be in the Chamber. I hope my friend the Senator from Louisiana will not press the amendment tonight.

Mr. LONG of Louisiana. If a Senator wishes to oppose my amendment, of course it is his privilege to do so. I shall not press it. I hope the Senate will let me do the responsible thing, to increase the tax to cover the benefits that have been voted.

If we do not do it, we shall freeze it at 10.4 percent, but will have benefits that must be covered by 10.56 percent.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. DOUGLAS. This is one of the things that I fear. The Senator from Louisiana is putting some sugar in the bill, which will cost money. Then the conference committee will choose the sugar rather than the hospital and nursing care for the aged. That was one of the purposes of the original Long amendment, which was superseded by the Gore perfecting amendment.

Now my good friend—and he is my good friend, and we are very fond of him in the committee—is up to his old tricks. He produces something that is very attractive and which I personally favor. Whether it can be taken at this time, along with hospital and nursing care for the aged, is something that I am not certain about.

Mr. LONG of Louisiana. What I have put in the bill is just as much in the bill as the Gore amendment is in the bill. The problem is that there is not enough tax in the bill to pay for the benefits that have been voted by the Senate.

If we do not increase the tax, something must come out.

I should like to be able to urge that the House take everything in the Senate bill. In conference I want to fight for everything in the Senate bill. I intend to fight just as hard for what the Senator supported and that I voted against, as I shall vote for what I supported. I shall fight for what the Senate has done. That is the will of the Senate. We should be in the position of insisting on everything in the bill. But if the amendment I now offer to finance benefits the Senate has already voted is not agreed to, the Senate conferees are put in the position of surrendering on something that the Senate voted to adopt in order to make the bill an actuarially sound one. If the Senator wishes to leave this amendment out, of course, we can leave it out; but it is needed to finance the benefits that the Senate voted. I want to increase the tax so that the fund will remain actuarially sound.

The Senator from Tennessee was on the floor when my amendment was agreed to. He was on the floor when the Senate agreed to the Prouty amendment. That required unanimous consent. We permitted him to have his amendment voted into the bill, and to have certain amendments agreed to which prejudiced us. Having prejudiced ourselves, we must now ask the Senate to let us vote on this amendment.

Mr. ANDERSON. We had not promised to vote for the Prouty amendment.

Mr. LONG of Louisiana. But the Senator voted for my amendment. All I am asking is that the Senate let us increase the tax, so that the fund will be actuarially sound, and so that the benefits we voted when we adopted the amendment will not exceed the tax that we have voted.

Mr. ANDERSON. We voted on the Long amendment on the theory that it would not be a substitute proposal. The Senator is in an odd position. He is in charge of the bill. He offers an amendment. It is hard to say whether it is a committee amendment or his amendment.

Mr. LONG of Louisiana. It is a part of the amendment that the Gore amendment struck from the bill. It is an amendment that was sponsored by six members of the committee. I believe it has the support of the majority of the committee. It was not voted on by the committee. However, it is something that the Senate voted 2 years ago to include in the bill, by an overwhelming vote. In fact, the Senate voted to go a little further than that. It voted to raise the earnings limitation to $1,800. It voted to do so by a very lopsided vote. All I am asking is that the Senate, having voted to permit this improvement in the program, vote to increase the tax to pay the cost. It is a very modest increase.

Mr. ANDERSON. I wonder whether the Senator would be willing to let this amendment go over until tomorrow.

Mr. LONG of Louisiana. Mr. President, I withdraw the amendment.

RICKERT & LAAN, INC.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 1340, H.R. 1263.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (H.R. 1263) for the relief of Rickert & Laan, Inc.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1405), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve Rickert & Laan, Inc., of New Orleans, La., of liability for marking duties levied under section 304(c) of the Tariff Act of 1930 upon nails imported in three shipments in 1959 through the port of New Orleans. The bill would also authorize the repayment of any amounts paid or withheld because of the liability.

STATEMENT

The facts of the case are found in House Report 607, and are as follows:

An identical bill, H.R. 1616, was reported and passed during the 87th Congress, but was vetoed by the President.

The relief provided for in H.R. 1263 concerns duties assessed against Rickert & Laan, Inc., of New Orleans, La., on three shipments of nails made in Hungary which were imported at New Orleans in kegs marked to indicate Italy as the country of origin. Notwithstanding the fact that the importer was unaware of these facts it became liable for marking duties in the amount of $5,587 assessed under section 304(c) of the Tariff Act of 1930 as amended (19 U.S.C. 1304(c)).

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

RELIEF OF THE STATE OF NEW MEXICO

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1343, H.R. 4786.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (H.R. 4786) for the relief of the State of New Mexico.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1408), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

H.R. 4786 has as its purpose to relieve the State of New Mexico of liability to pay the sum of $46,981.32, the amount determined by the Department of the Army as due on account of certain Government property destroyed, damaged, or lost as the result of a fire which on May 30, 1954, destroyed a wooden building and contents being used by the New Mexico National Guard at Clayton, N. Mex.

STATEMENT

The facts of the case and the conclusions of the House Committee on the Judiciary are set forth as follows in House Report 620:

Testimony adduced at a hearing on July 24, 1963, before the subcommittee to which the bill was assigned, disclosed that the fire occurred while Battery D, 804th AAA Bn, New Mexico Army National Guard, was performing training functions as required by sections 502 and 503, title 32, United States Code. Shortly after the noon meal on May 30, 1954, members of the organization were attempting to clean the kitchen floor adjoining the messhall. When it was found that a greasy area on the floor could not be removed with water, it was decided to use gasoline. It was testified that all open flame heaters were extinguished, the hot water heater was turned off, and all men in the kitchen were ordered not to smoke. Nevertheless, when the gasoline was poured on the floor, it immediately broke into flames covering the room and igniting the clothing of the occupants. Several persons suffered injuries, and since it was impossible to reach the extinguisher and there was a wind of 30 to 35 miles per hour, the fire spread rapidly. By the time the Clayton Volunteer Fire Department arrived, the fire was out of control resulting in total destruction of the building and contents. An officer appointed to investigate the fire concluded that the gasoline fumes must have been ignited by the pilot light of the hot water heater or by some unknown source.

Section 710, title 32, United States Code, provides that the Secretary of the Army may relieve the State of further accountability and pecuniary liability when property is lost, damaged, or destroyed:

"However, if it was lost, damaged, or destroyed through negligence, the money value of the property or the damage thereto shall be charged (1) to the State or territory, Puerto Rico, the Canal Zone, or the District of Columbia, whichever is concerned, to be paid from its funds or from non-Federal funds; or (2) to the member to whom the loss, damage, or destruction is charged * * *."

The adverse report of the Department of the Army on H.R. 4786 indicates that the surveying officer appointed by the commanding general, 4th U.S. Army, found the loss occurred as the result of negligence and recommended that the State be held liable. The adjutant general of New Mexico urged that the State be relieved of liability on the grounds that firefighting equipment had been inspected by the Army and found to have been properly installed and maintained, and that the State could not have prevented the fire by the exercise of reasonable care.

The recommendation of the surveying officer was approved by Headquarters, 4th Army, and by the Office of the Secretary of the Army on June 21, 1956. The State appealed the finding to the Secretary of the Army in accordance with governing regulations but the appeal was denied on July 20, 1959. The State National Guard adjutant general's request in 1957 for funds from the New Mexico Legislature to pay the claim was rejected.

The total sum involved is $46,981.32; $46,706.32 represents the Army's evaluation of Army ordnance, quartermaster, engineer, signal, and chemical property issued to the New Mexico Army National Guard and $275 represents the value of the wood and tar paper building.

The Army evaluation of the damaged and destroyed equipment was the subject of considerable discussion at the hearing. It was testified that 25 percent was taken off the quartermaster equipment for depreciation, but that many of the high-cost items of ordnance equipment were obsolete items which the Active Army did not, at that time, issue or inventory. A representative for the Department of the Army stated that the machineguns, gun tubes, carriages, etc., were charged at catalog cost to the Army, but he was unable to provide information as to the age of the various items. The committee is not satisfied that the pricing used by the Army in calculating the loss and damage was entirely realistic and accurate. To list old items, some of them apparently completely obsolete, at original cost is obviously not fair and reasonable.

On the question of liability, the adjutant general of the State of New Mexico, appearing before the subcommittee, argued that the State of New Mexico was not negligent and that there was a joint responsibility for the protection of the property which was not fully met by the Department of the Army. On the latter point, he contended that the Army apparently considered as adequate to store and protect Federal property, which they now value at $46,706.32, a wood and tar paper building (furnished by the Army) worth only $275. Had the building been of block or metal or other type construction, the fire would not have spread as rapidly and the resultant loss would not have been so great. Accordingly, he argued, the Army should accept at least partial responsibility. The adjutant general also asserted that the members of the National Guard are held to a stricter standard, for purposes of personal liability, in the exercise of due care than are members of the Active Army.

In the light of the foregoing and particularly in consideration of the serious question as to the justice of the pricing criteria used by the Department of the Army in calculating the loss, it does not appear entirely proper to hold the State of New Mexico liable for the sum of $46,981.32.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be offered, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

WEARING OF DECORATIONS OFFERED BY FOREIGN GOVERNMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 12342.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (H.R. 12342) to authorize certain retired and other personnel of the U.S. Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment, on page 2, in the chart after line 2, headed "Members of Congress", after the line beginning with "Chavez, Dennis", to strike out:

[Keogh, Eugene J.		Spain	Order of Isabella the Catholic.	Do.]

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1520), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

H.R. 12342 authorizes a number of retired personnel of the U.S. Government to accept and make use of decorations, presents, and other things given to them by foreign governments. The persons covered by H.R. 12342 range from retired U.S. Senators, Theodore Francis Green, H. Alexander Smith, Homer E. Capehart, and William F. Knowland; former Congressmen; Secretaries or Under Secretaries of State; generals; admirals; and other military officers to enlisted men. The objects covered by the bill range from various medals of insignificant monetary value to rugs and gold watches.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read: "An act to authorize certain retired personnel of the United States Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries."

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 277. An act to amend the Federal Crop Insurance Act, as amended, in order to increase the number of new counties in which crop insurance may be offered each year;

S. 1909. An act to amend the joint resolution establishing the Battle of New Orleans Sesquicentennial Celebration Commission to authorize an appropriation to enable the Commission to carry out its functions under such joint resolution;

S. 2995. An act to amend section 511(b) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds; and

H.R. 3846. An act to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Reapportionment of an Appropriation

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Treasury Department for "Salaries and expenses, Bureau of the Mint," for the fiscal year 1965, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

Contribution to Certain Inhabitants of the Ryukyu Islands

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952 (with an accompanying paper); to the Committee on Foreign Relations.

Failure To Curtail Operation at Government Expense of Certain Military Commissary Stores

A letter from the Comptroller General of the United States, relating to a report submitted by him on April 16, 1964, concerning the failure to curtail operation at Government expense of military commissary stores in the continental United States where adequate commercial facilities are available, and transmitting copies of related correspondence (with accompanying papers); to the Committee on Government Operations.

Report on Excessive Payments of Living Quarters Allowances to Civilian Employees in Japan

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on excessive payments of living quarters allowances to civilian employees in Japan, Department of the Air Force, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

Proposed Concession Contract in Hot Springs National Park, Ark.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract in Hot Springs National Park, Ark. (with an accompanying paper); to the Committee on Interior and Insular Affairs.

TO PRINT ADDITIONAL COPIES OF A COMMITTEE PRINT ENTITLED "CATALOG OF FEDERAL AIDS TO STATE AND LOCAL GOVERNMENTS"—REPORT OF A COMMITTEE

Mr. MUSKIE, from the Committee on Government Operations, reported an original concurrent resolution (S. Con. Res. 96); which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Government Operations eighteen thousand additional copies of its committee print of the Eighty-eighth Congress, second session, entitled "Catalog of Federal Aids to State and Local Governments," a study prepared by the Legislative Reference Service of the Library of Congress for the Subcommittee on Intergovernmental Relations.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE:

S. 3168. A bill for the relief of Daroslava Martinovich Bulatovich; and

S. 3169. A bill for the relief of Cha Mi Hi; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 3170. A bill for the relief of Wing Kai Mak; to the Committee on the Judiciary.

By Mr. MANSFIELD:

S. 3171. A bill for the relief of Hallam E. Weed; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

TO PRINT ADDITIONAL COPIES OF A COMMITTEE PRINT ENTITLED "CATALOG OF FEDERAL AIDS TO STATE AND LOCAL GOVERNMENTS"

Mr. MUSKIE, from the Committee on Government Operations, reported an original concurrent resolution (S. Con. Res. 96) to print additional copies of a committee print entitled "Catalog of Federal Aids to State and Local Governments," which, under the rule, was referred to the Committee on Rules and Administration.

(See the above concurrent resolution printed in full when reported by Mr. Muskie, which appears under a separate heading.)

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961 (AMENDMENT NO. 1259)

Mr. THURMOND submitted an amendment, intended to be proposed by him, to the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, which was ordered to lie on the table and to be printed.

SOCIAL SECURITY AMENDMENTS OF 1964—AMENDMENTS

AMENDMENT NO. 1261

Mr. JAVITS (for himself and Mr. Keating) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 11865) to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 1262

Mr. LONG of Louisiana submitted amendments, intended to be proposed by him, to House bill 11865, supra, which were ordered to lie on the table and to be printed.

DEATH OF SGT. ALVIN YORK, OF TENNESSEE

Mr. GORE. Mr. President, it is my sad duty to announce to the Senate the death of a great hero of the United States, Sgt. Alvin York. Sergeant York was perhaps the most renowned citizen which the great State of Tennessee ever produced. His heroic deeds in World War I stirred the patriotism, the imagination, and love of country in the hearts of millions of people. He passed away today in a veterans' hospital in Nashville, Tenn.

I regret that it is necessary to make this report. I extend to all members of his family the deepest sympathy.

JOBS FOR EMPLOYEES OF CONTINENTAL CAN CO. IN CLARKSBURG AND WHEELING, W. VA., MUST BE PROTECTED

Mr. BYRD of West Virginia. Mr. President, there is serious concern in the cities of Wheeling and Clarksburg, W. Va., about future employment at the Continental Can manufacturing plants located there.

These plants are involved in an antitrust action brought by the U.S. Justice Department against the Continental Can Co. The company has been directed to divest itself of these and other Hazel-Atlas plants but the company wishes to retain them.

Over 2,000 employees at the two plants have grown more concerned about their future employment as the dispute continues between the company and the Justice Department.

Recently, I arranged a meeting here in Washington at which Mr. William H. Orrick, Jr., chief of the antitrust division of the Justice Department, and Mr. Helmer Johnson, counsel for the Continental Can Co., explained their respective positions on the matter to civic and labor leaders from Clarksburg and Wheeling. It was a fruitful meeting and certain misunderstandings were corrected.

I have written to the Attorney General of the United States to urge his assistance in seeing that this major source of employment in these cities is protected. I ask unanimous consent that my letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

September 1, 1964.

The Honorable Robert F. Kennedy,
The Attorney General of the United States,
Department of Justice,
Washington, D.C.

Dear Mr. Attorney General: I appreciate the cooperation of Assistant Attorney General William Orrick and his first assistant, Mr. Robert Wright, in attending a meeting with me; the Honorable William W. Barron, Governor of the State of West Virginia; Mr. Helmar Johnson, general counsel, Continental Can Co.; the Honorable Edward J. Forinash, mayor of the city of Clarksburg, W. Va.; Mr. George M. Parker, international president, American Flint Glassworkers Union of North America; Mr. James M. Jarvis, president, Clarksburg Chamber of Commerce; Mr. Fred Kloetzer, Jr., president, Local Union 152, Glass Bottle Blowers Association, Wheeling, W. Va.; and a number of others representing labor unions, local businesses, and the public interest generally.

This meeting was arranged by me for the purpose of discussing the case of *United States* v. *Continental Can Co.*, 84 S. Ct. 1738 (June 1964) in which the Supreme Court decided that the acquisition in 1956 of the assets of Hazel-Atlas Glass Co. by Continental violated section 7 of the Clayton Act. Our concern is not with the decision itself. It is with the possible effects of the district court's decree of relief to be formulated in carrying out the Supreme Court's decision.

It is my understanding that the acquired assets included nine glass manufacturing plants not located in West Virginia, and two others which are located in Clarksburg and Wheeling, W. Va. The plant in Clarksburg manufacturing printed or stamped glass products, such as ashtrays, does not make glass containers. The plant in Wheeling makes caps and does not make containers. This seems significant to me since the lines of commerce involved were metal and glass containers when considered separately and together. It also appeared in the meeting that there is a buyer for eight of the nine out-of-State plants manufacturing glass containers and a separate prospective purchaser for the ninth.

In this connection, I suggest the following for your consideration in connection with the relief the Department of Justice believes necessary to accomplish the purpose of removing the anticompetitive effects of the acquisition and meeting the "competition-preserving proscriptions" of section 7: Although the complaint of the Government extended to the entire acquisition and so did the Supreme Court's decision, is relief divesting the stamping and cap plants necessary to adequately serve the important purpose of the case?

These plants are now operating on three shifts, one 6 days per week and the other 7, employing approximately 3,300 people. I am informed that the profit from these operations is improving and Continental expects some expansions in Clarksburg. I am sure I need not bring to you the great need for this continued employment and, if possible, industrial expansion in our State and region. It is of the most urgent importance to the employees, the communities, and to the morale of the entire population which has been given encouragement and new hope by the administration's Appalachian program.

Our interest is in the continuing full operation of these plants. Expansion would be very helpful. They, however, are now a most important part of West Virginia's economy. There is a fear that unless the present ownership continues there will be a delay greatly damaging to, if not destructive of, future successful operations resulting in a loss of business and a slowdown or closing of the plants. Unless a change to a competent purchaser and one committed to continued operations can be made expeditiously, our people are of the opinion that the future of these plants would be seriously endangered. Mr. Orrick assured us that they in the division had not contemplated any closing of the plants and would do all proper on their part to prevent it. He believes such a purchaser is available. Mr. Johnson, counsel for Continental Can Co., does not think so. My concern is that this not become a sparring match and through delay or otherwise the plants are lost to the economy and workers of my State.

Another difficulty in obtaining a purchaser able and committed to full operations is the unfunded pension rights which have accrued. Many of the employees in these plants have continued for many years in this work. They should not lose these valuable rights. Any appropriate consideration and settlement of this problem should be made in any decree affecting the future operation of the plants under any new ownership. Mr. Orrick also agreed that this should be done.

Although this letter is lengthy, it does not in fact cover all which this problem means to the people involved and to regional confidence in the governmental programs to restore full employment and a healthy economy.

Again, I express my appreciation to Mr. Orrick, to Mr. Wright, and to you for your consideration.

With kind regards.

Sincerely yours,

ROBERT C. BYRD,
U.S. Senator.

HISTORIC SUPREME COURT DECISION ON RIGHTS OF NATURALIZED CITIZENS

Mr. FONG. Mr. President, according to an article appearing in a recent edition of the Honolulu Star-Bulletin, "An estimated 40,000 former Americans, stripped of their citizenship for 3 years of continuous residence in their foreign homelands, are eligible to recover U.S. citizenship."

The article goes on to say that this was made possible by a most significant and, in my opinion, a landmark decision handed down by the U.S. Supreme Court on May 18, 1964—a decision which goes a long way toward protecting the constitutional rights of naturalized American citizens.

The High Court, in Angelik L. Schneider against Dean Rusk, struck down as unconstitutional a provision of the Immigration and Nationality Act of 1952 that takes citizenship away from a naturalized person who returns to live in his native country for 3 years.

According to the Court's decision, such a provision—section 352(a)(2) of the act—unconstitutionally discriminates against naturalized citizens, since there are no similar restrictions on native born Americans who live abroad.

The facts of the case involve a suit by Angelik L. Schneider to regain her American citizenship. She had come from Germany at the age of 4, grew up in this country, and was naturalized while in college. Although deeply attached to the United States, she has been living in Germany since 1956 with her husband, a German national.

By living in her native land continuously for 3 years, under the Immigration and Nationality Act of 1952, she was deemed to have lost her American citizenship.

The only difference the framers of our Constitution drew between the native born and the naturalized citizen is that only the native American is eligible to be President. In all other respects, all citizens—native and naturalized alike—stand on equal footing.

As the Court pointed out:

> The rights of citizenship of the native born and of the naturalized person are of the same dignity and are coextensive.

The Constitution, the Court held, does not authorize Congress to abridge these rights.

Section 352(a)(2) of the Immigration Act providing for withdrawal of citizenship of naturalized persons is an extreme and drastic measure.

It deprives our naturalized citizens of their rights as Americans for merely living abroad for a few years.

It discriminates against our naturalized citizens whose rights to live and work abroad are drastically limited, as compared with the natural born citizens.

It creates a second-class citizenship for our naturalized citizens who are assumed to have less reliability and allegiance to this country than do the native born.

I am both pleased and deeply encouraged that this grave injustice has at last been wiped off our law books, and that henceforth, naturalized American citizens may in no way be treated differently under our laws.

State Department figures show that about 1,000 naturalized Americans have lost their citizenship each year under the 1952 Immigration Act.

As significant a milepost as the Schneider case is, we still have a very long way to go before the law on withdrawal of citizenship will be clear and satisfactory.

For example, section 352(a)(2) of the Immigration Act provides that a naturalized citizen living anywhere abroad—not only in his native country—for 5 years loses his citizenship. The Schneider ruling almost certainly means that this provision is also unenforceable. But this needs to be clarified.

The Immigration and Nationality Act of 1952 discriminates not only against our naturalized citizens. As I have repeatedly pointed out previously, it also is replete with racially discriminatory provisions—against persons of Pacific, Oriental, Negro, and Mediterranean background.

As a member of the Immigration and Naturalization Subcommittee of the Judiciary Committee, I will continue to push for elimination of these discriminatory and unwise policies, and for the enactment of a fair and just immigration law.

Mr. President, I ask unanimous consent that the Honolulu Star-Bulletin article of August 18, 1964, "40,000 Eligible To Recover Citizenship," be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Honolulu Star-Bulletin, Aug. 18, 1964]

FORTY THOUSAND ELIGIBLE TO RECOVER CITIZENSHIP

WASHINGTON.—An estimated 40,000 former Americans, stripped of their citizenship for 3 years of continuous residence in their foreign homelands, are eligible to recover U.S. citizenship.

Reports to the State Department from U.S. Embassies abroad indicate that several hundred expatriated naturalized U.S. citizens already have been reinstated as Americans since a Supreme Court decision May 18 invalidating a portion of the 1952 Immigration Act. The U.S. Embassy in Paris restored citizenship to 40 persons during the month of June.

In Tokyo, 10 persons have checked with the U.S. Embassy about regaining citizenship and 4 of these "have been documented," the Embassy reports.

DISCRIMINATORS

The Supreme Court held, on a 5-to-3 decision, that the law discriminated against naturalized American citizens by limiting their right to live and work abroad, while not so restricting native-born citizens of the United States.

Immigration and Naturalization Service records show that 14,610 notices of loss of citizenship were issued between 1954 and 1963 to naturalized American citizens "having a continuous residence for 3 years in the territory of a foreign state of which he was formerly a national or in which the place of his birth is situated."

The loss of nationality penalty was made applicable in the 1952 law to all naturalized citizens, whether their forbidden residence began before or after its enactment.

MAJORITY OPINION

The Court's majority opinion, written by Justice William O. Douglas, said this created a "second-class citizenship" for a naturalized American.

"Living abroad, whether the citizen be naturalized or native born, is no badge of lack of allegiance and in no way evidences a voluntary renunciation of nationality and allegiance." Douglas wrote, "It may indeed be compelled by family, business, or other legitimate reasons."

Chief Justice Earl Warren and Justices Hugo Black, Potter Stewart, and Arthur Goldberg concurred in the opinion.

Justice Tom Clark wrote a dissenting opinion in which he pointed out that 29 countries, including the United Kingdom, expatriate naturalized citizens residing abroad for various periods of time, and only four apply expatriation to both native born and naturalized citizens.

AGREED

Justices John Marshall Harlan and Byron White agreed with Clark. Justice William Brennan, Jr., took no part in the case.

Former naturalized American citizens and their children may now apply to U.S. consulates for passports and be returned to full citizenship.

State Department officials said each application is reviewed to determine whether the former American has committed any other act for which forfeiture of citizenship is still the penalty—such as service in a foreign military force, taking an oath of allegiance to another government, voting in a foreign state election.

Any of these prohibited acts will not be held to disqualify an application, however, if they occurred after he had been issued a notice of expatriation because of his residence alone.

POLAND

Mr. YOUNG of Ohio. Mr. President, yesterday marked the 25th anniversary of the infamous attack on Poland by the legions of Nazi Germany. This is the sort of anniversary that we must never forget. We must remember that aggression is always present. It will strike again at freedom and dignity at the first sign of weakness. Aggression is the child of appeasement. Today and every day we must never forget the tragic example set by the invasion of Poland.

Poland is not yet free of foreign domination. Following the Nazi occupation came the Communist regime. Both have rested upon the tanks and bayonets of an overwhelmingly powerful foreign army. Neither would have lasted for a moment if the true wishes of the Polish people were carried out. They provide a chilling example of the similarities of dictatorship, whether of the right or of the left.

Citizens of the United States of Polish extraction have good reason to be proud of their country and of their countrymen. Historically the Poles have been in the forefront of the fight for freedom wherever it has been fought. The great leadership of Polish military men such as Casimir Pulaski and Thaddeus Kosciuszko in our own revolution shall never be forgotten. The Polish citizens who fought with us and our allies in the last war added to this record of greatness. Poland has a great history and noble tradition. It should be free and it will be free.

Despite their dedication to the cause of freedom and their willingness to make any sacrifice in its pursuit, the Poles have enjoyed freedom for only fleeting moments in history. Russia, Austria-Hungary, and Germany repeatedly violated the sovereignty of Poland to satisfy their imperialist ambitions.

Poland has been the victim of many vicious attacks. The territorial integrity of Poland has been violated time after time, but the spirit of the Polish people has never been broken.

The example of Poland is both saddening and heartening. We should never forget the tragedy that has beset this courageous people. We should dedicate ourselves to continue our efforts unceasingly to help them regain their freedom. We shall always be deeply heartened by the unconquerable spirit of the Polish people.

SOVIET PERSECUTION OF RUSSIAN ORTHODOX CHURCH

Mr. SCOTT. Mr. President, I have just come upon an article which confirms the reports we have been receiving recently that the Kremlin is intensifying the antireligious activity in the Soviet Union.

My information comes from an article by Mr. Ivan Michaelson Czap in a recent issue of the Russian Orthodox Journal.

While not formally proclaiming that the worship of God is against the law, the Soviet Government is making it nearly impossible to practice religion.

Last year a Russian Orthodox priest baptized an infant. The child later died and the priest was sentenced to 8 years imprisonment with the claim that the water the priest used to baptize the infant probably hastened its death.

Persons under 18 are not considered persons, but state wards. If a ward is found in a church, the priest is held criminally responsible and subject to imprisonment. This prevents young people from receiving religious instruction.

It is a Soviet policy in some areas to give clergymen regular medical examinations. When a healthy priest will not admit to being sick he often is declared mentally ill and carted off to a mental institution.

A Russian Orthodox clergyman, while not persecuted per se, must be willing to endure tremendous hardships. His income is taxed 81 percent. A church member who does 1 day's work on church premises also must pay 81 percent tax on his salary of that month.

A group seeking permission to use a building for worship must register with the state. Immediately upon registration every registrant automatically has his vacation and pension rights suspended.

Mr. President, the heads of the Kremlin will not admit to these persecutions. But we in the free world must remind them that we know of their repressions and we must do everything in our power to protest.

I ask unanimous consent that the text of the article referred to be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ITINERANT BISHOPS

(By Ivan Michaelson Czap)

Those who have read the issues of the Journal of the Moscow Patriarchate for the past 2 years, have noted that hardly anyone in the Soviet Union can really know which bishop heads which diocese.

For example: a bishop consecrated May 13, 1963, as hierarch of Omsk, let us say, has, by the end of May, been transferred to Tversk.

These sudden transfers are not obliged by Soviet laws. They are the desperate acts of an almost helpless church in a bitter struggle for survival, vainly seeking to protect certain bishops by moving them from one diocese to another, even as often as three or four times a year. Orthodox bishops have become wanderers and itinerants.

WHAT IS A BISHOP?

With wry humor, it is reported that when the question is asked in the U.S.S.R., "What is a bishop?" the answer is, "An itinerant who stays temporarily in a bishop's residence."

"What can a bishop do?" "He does what the synod directs from Moscow."

"Why is the synod in Moscow?" "Because Khrushchev wants the bishops close to him."

"Does the Chief Comrade like them?"

"Oh, no. But it is so practical. Bishops can easily be watched in Moscow, and they are also handy for instructions for their travels to capitalist countries."

"Why does Khrushchev let some bishops travel abroad, while workers can't spend even a single day in America?"

"Don't be silly. You know that Khrushchev said to the Americans: 'We will bury you.' Can't you see that after all, bishops are useful to officiate at burials?"

Moreover, the activities of a number of bishops who freely move about outside the U.S.S.R. are regularly reported in the non-Soviet press. These bishops travel with "secretaries," to put it kindly, who never leave the bishop companionless.

While some bishops are traveling abroad, what's happening in the dioceses behind the Iron Curtain?

Every serious documentation and study proves that the parishes and their faithful, the monasteries and monastics, the seminaries and their students—are grievously repressed, and the properties and men are often abused and diverted to other uses.

But, let's return to the itinerant bishops; first, to those lacking exit visas who cannot travel beyond U.S.S.R. borders.

In 1961, to protect the priests who were persecuted by town and village Soviets when they recommended students to a seminary, the patriarch changed the regulations for seminary entry. Parochial approval is no longer required; instead, the recommendations are given by the diocesan bishop. Since this device was put into effect, many diocesans have been removed from the grasp of the local Soviets after only a few months' residence. Long before their activities can be chronicled, the bishops are reinstalled in dioceses a thousand miles away.

A LOSING BATTLE

Nonetheless, the battle for religion in the U.S.S.R. seems to be a losing one.

Because parish clergy can rarely, if ever, be assigned from one parish to another (Soviets simply refuse travel permits), this new approach of transferring bishops has protected the more numerous priests from becoming "sitting duck" targets. By the expedient of swiftly sending a bishop from a diocese in the south to a distant one in the east, let's say, separating him by thousands of versts from local police, the church can occasionally save from imprisonment a bishop who otherwise would be a sacrifice.

A transfer of a different kind (forced by atheists whose rights to government offices in the Soviet Union are exclusive), was recently brought to light. In middle Asia, Bishop Hermogen (Golubeff) dared write a letter to the local paper which had issued ink floods of abusive atheist propaganda and published shocking lies about church and religion. The editor refused to print the letter; the church's side was not available to the readers. Refashioned into a—Poslaniye—a Diocesan Epistle—the letter was read by courageous priests from their pulpits.

Within a day, everyone of them was "visited" by Soviet officials. The dreadful consequences which followed upon the "visited" priests does not appear anywhere. However, it was reported that as soon as high officials in Moscow requested the deposition of Bishop Hermogen, he was withdrawn instantly by the Patriarchate.

That was in 1961. Not a word has been learned of his fate since then.

TRUMPED-UP CHARGES

Recently, Bishop Job (of Kazan) and Bishop Andrei (of Chernigov) were tried and condemned in Soviet courts on trumped-up charges. About the same time, several government departments reaffirmed a generation-old decree which forbade persons under 18 to study religion or attend a church service. Kuroyedov, atheist chairman of the Council on Church Affairs of the Soviet Council of Ministers, ordered all children of school age who had been helping at church services as acolytes, or altar boys, removed. This was done, regardless of parental objections. The objections to the authorities in Moscow; to Brezhneyev; to Izvestia; even to Khrushchev and the Patriarch dragged along for almost a year, to early 1961. Then Kuroyedov (according to the words of a recent appeal) toured the cities and banned all children between 3 and 18 from attending church and receiving holy communion.

An earlier court decision about the constitutional "rights to religious worship" had determined that children under 18 were excluded because they were not persons, but wards of the government. What is striking about the decree's reissuance is, that it was not directed at those under 18 years of age, but was aimed at parish priests with accompanying threats of criminal responsibility and punishment should the degree be flouted. Proof enough would be found in the mere presence of children in any church. Thus, from the atheist minions of Chief Atheist Khrushchev, every parish priest has been traduced into becoming a policeman-prosecutor, with himself as victim.

It comes with no surprise, therefore, that last year a priest was sentenced to 8 years imprisonment for baptizing a child, who later died. It was claimed that the water used at baptism may have hastened the death.

INCOME TAXED 81 PERCENT

Every priest in the U.S.S.R. is taxed 81 percent of his income.

A workman who devotes even 1 day's work on any church premises is forced, by administrative order, to pay taxes at the rate of 81 percent of all his income for the entire month.

This unabashedly confiscatory legislation was openly denounced in Scotland last month by Archbishop Anthony (Bloom). Although he is a Patriarchal Exarch, Archbishop Anthony has been a long-time resident of Scotland. He has visited the Soviet Union a number of times in the past few years, meeting many clergymen and bishops. As one of the delegates to the Third Assembly of the World Council of Churches (in New Delhi), where I met him in November 1961, he surprised newsmen by his candid remarks concerning the true conditions of the church in the U.S.S.R. Living in London, where he was consecrated a bishop in 1959, Archbishop Anthony is subject only to British laws and does not risk the fate meted out to Bishops Job and Andrei, who were effectively silenced by penal sentences under Communist forms of trial.

Moreover, in an England not dominated by Communists, Archbishop Anthony was able to do, on January 30, 1964, what no Bishop in the U.S.S.R. could have done and survived. He presided at a public hierarchical Service of Intercession for the suffering and persecuted churches of the U.S.S.R.

LETTER PLEA TO U.N.

At that assembly of prayers in Trafalgar Square, in place of a sermon, Fr. V. Rodzianko read the plea on behalf of the dwindled group of 36 monks (reduced from 140 in 3 years) of the Pochaev Monastery, protesting the criminally repressive measures which closed that revered, holy place. The callous acts by Soviet officials (with names of both victims and oppressors given) were detailed in the pleas; Fr. Rodziankos comments were broadcast to the world over the BBC.

The "letter plea" had been secretly smuggled out of the U.S.S.R. It was addressed to the United Nations, to the President of the United States, and to N. Khrushchev.

The tragic letter has already been printed in the free world, and the names of police and militia, as well as the family and monastic names of the martyrs have been published in a number of periodicals. The letter describes the 3-year reign of terror at the Pochaev Monastery, ordered from police headquarters of the town of Pochaev, and by the military overseer of the district government at Ternopol.

To state the oppression briefly: "controls" of passports and identity cards were conducted daily, not only in the communal areas of the monastery but also in monastic cells, even though they disrupted religious services and prayers. "Examinations" were ordered for all hours, day and night. On holy days, identity papers were checked not once, but twice daily. Every day, under the pretext that it was a health measure, "medical teams" examined the monks. The results were remarkable: monastics faithfully discharging their work duties were found to be so weak as to require immobilization in distant hospitals. They were forthwith removed.

Other monks were denounced as potential "carriers of disease," and were committed to institutes for contagious diseases. The monks who protested the examinations were immediately "tested" and declared in need of psychiatric treatment. Staretz Joseph, for instance, a respected 70-year-old religious adviser, was examined on August 31, 1962, by the Mayor of Pochaev (Bochkanev), Colonel Ostupenko of the Ternopol militia, and Captain Maximov of the district security police, and declared in need of "psychiatric care." He was committed to a hospital for mental aberrations. All traces of him have disappeared.

The next week (continues the letter), emboldened by their success in removing the revered Staretz Joseph, the same team of "medical experts," assisted by Colonel Korotchenko (the official of the U.S.S.R. committee on relations with the Orthodox Church for the Ternopol district), together with Officer Kolomatsky, brought five ambulances, broke down the doors to the monks' quarters, seized, handcuffed, and removed 10 monks.

PILGRIMS SEARCHED AND REMOVED

Pilgrims, found on sacred grounds, were searched and their identities recorded; then they were packed into trucks and driven 300 kilometers to wooded areas where they were dumped with the warning that if they were ever again found near Pochaev, they would be locked up for 5 years on vagrancy charges.

A number of monks were declared to be "exhausted" and needing nursing care; others were declared to require "immobilization" and continuous "institutional attention." Hauled hundreds of miles away, they were committed to sanitoriums, their identity cards removed, and all travel permits canceled.

Younger monks, who possessed the "white cards" showing unfitness for military service, were reexamined by doctors chosen by the secret police. Every one of them was declared "fit for service," and assigned to distant training camps. When the army released them because they were indeed medically unfit for military service, the monks (Likitenko, Piletsky, Tsion, and others, all of whose names were given in the letter), learned that travel permits were denied them. They were forbidden ever to appear at the place of their reexamination in Pochaev.

Repeatedly, older monks were removed, for months at a time, "to hospitals, for care," especially if they had been faithful to their monastic obligations. Monks Golovoneff, Shvoruka, Nikitenko, Shevkenik, and Mirchukich, though completely healthy, were compelled to submit to a regimen of so-called "medication" which left them half-alive. Still other monks were declared to be suffering from dysentery. Locked into wards of city hospitals, they were not released until they promised never to return to the monastery.

Those monks who refused "medical" treatment were put into "sanitary work details" in Pochaev. On failing to carry out the impossible, burdensome tasks (as happened to Monk Vasily) they were tried and condemned to imprisonment. Similar trials were conducted over the hegumen (abbot) and nine others. All were condemned.

TWENTY-THREE PRONOUNCED ILL

The number of monks at Pochaev dropped from 140 in 1961 to 36 in 1962. But, the letter continues, "a new medical examination of the inhabitants of the Pochaev Monastery" was announced for August 24, 1962. At that time, 23 of the 36 were pronounced ill and in need of "strict care"—although, as the letterwriter pathetically assures, every one of the 23 was in full health, and able to carry on his monastic duty. Not a single one of those monks had complained that he needed or desired medical attention.

The letter goes on to explain that these detailed facts had been made known to the Patriarch in Moscow, as well as locally to Bishop Gregory of Ternopol, "but all the hierarchs are bound hand and foot and are powerless."

On the other hand, after the imprisonment of the hegumen of the monastery, the church authorities were forced to agree to the naming of Archimandrite Vladislav as head of the monastery, "even though he is unfit for the monastic way of life and is submissive to the illegal, oppressive measures of the authorities, whose aim is to drive all the monks out of the monastery."

The letter ends with the tragic appeal: "Help us. Give us the chance to save this holy place."

FORBIDS RELIGIOUS EDUCATION

The fundamental law of the Soviet Union forbids giving religious education or training to those under 18 years of age. They may not even "experience religion" by going to Liturgies or other church services. Until that 18th year, atheists have an exclusive right to teach the young. Section 124 of the 1936 constitution guarantees to the government, whose avowed aim is the obliteration of the church and all religions, rights of antireligious teachings and atheistic propaganda: this right is fully made use of, implemented strongly by all the agencies of government.

That very same section denies to the church and faithful any right to answer the propaganda. Denies, as in the case of Bishop Hermogen above cited, any opportunity to present either a printed or spoken defense to the calumnies against religion which regularly appear in the government-controlled press. Taxes from every person in the Soviet Union: bishops, priests, and churchworkers included, subsidize the press. Those who remain believers are thus forced to pay for cascades of maligning articles and the torrents of vicious untruths about themselves, their church, and their God.

FOUR SEMINARIES CLOSED

What of seminaries? In the past 3 years, four theological seminaries were closed by the atheists. But, the church cannot protest the closings to the press. It doesn't even report when or how a seminary has been shut down. It can only note the fact by indirection. For example, in the last (April 1964) issue of the Journal of the Moscow Patriarchate, only four seminaries were named and the addresses given. (The "reason" for printing them is so that would-be seminarians know where to apply.) But, eight seminaries were listed in 1961.

Inside the Soviet Union, the Journal of the Moscow Patriarchate has a limited circulation. Its readers are bishops, some of the clergy, and, of course, the government "guardians" of the press and censors. The Journal cannot be placed on magazine racks or at candle stands in any of the churches; nor is it displayed in book stores. Less than 2,000 copies of the Journal (issued 12 times a year) are available within the Soviet Union. Even those can be had only at diocesan headquarters. But, over 10 times that number is mailed to the United States, Europe, and other free world areas.

A naive reader abroad might well conclude that there is no religious persecution in that "worker's paradise"—only praise for the government and its leaders is printed. Not a single word against the government has been written in protest. Why not?

The clear answer is: that it was only in 1944, after outside pressures (including those from the United States) and certain internal propaganda considerations that the government allowed the presses to be used for the Journal at all. You can decide for yourself how quickly that monolith could cancel the permission. Can anyone doubt why at least half the pages are regularly devoted to the government-sponsored world peace and other movements?

FORTY MONASTERIES EXIST

For further statistics: when Patriarch Alexis applied for membership in the World Council of Churches, he submitted figures (required for application) on the number of dioceses, churches, and institutions. The release is revealing. Government records had already shown that, in 1951, there were 100 monasteries in the U.S.S.R. In 1959, remarking the failure of their atheistic propaganda, Soviet officials complained that there still were 69 monasteries. Two years later, the Patriarch (sadly, we must believe) listed only 40 monasteries and convents as still in existence.

Since those figures were compiled in 1961, there have been heavy additional losses. For example, the Convent in Riga has been turned into a planetarium; the Monastery of the Elevation of the Cross in Dubno has been destroyed; that of St. Nicholas in Malzi, of the Theotokos in Kremenetz, of the Presentation in Kiev, of St. George in Berestechko, of St. Nicholas in Ono, of St. John in Zataitz, of St. Mary Magdelene, and many, many others have been closed.

In all, since the fall of 1961, more than 2,500 churches have been closed or converted to secular uses.

TEN THOUSAND, FOUR HUNDRED AND FIFTY CHURCHES CLOSED

A broad compass of figures, reported by Prof. Olivier Clement, gives the number as 10,450 churches closed in the 5 years since 1959. Counting those in conquered satellites and those opened during the German occupation, he concluded that there were 22,000 churches and chapels functioning somehow or other in 1959, for a population of over 200 million.

Grievously, the church is forced to participate in concealing the facts. Metropolitan Nicodemus (the same whom I described in 1961 in my article entitled "Signs: 'Here I am, send me.' "), was indeed sent to France, and was available for the usual, pat statement that, "There is no religious repression in the U.S.S.R." The "interview" was printed in "L'Humanite" which, as every Frenchman knows is a Communist Party daily, consistently publishing Soviet propaganda.

On the other hand, everyone knows that the "Living Church" is a carefully edited church magazine (Protestant Episcopal) in America. The issue of March 12, 1964, carried an article by the Reverend Thomas Teitch in which the following facts appeared about the church of the U.S.S.R. (page 11):

"In many parishes the churches are refused fuel even when the temperature is 35 degrees below zero, centigrade; the people are bluntly told that if they do not like it they can stay at home.

"In one case, the state reserved for its own use the basement of a two-story church. One summer they filled the basement with fish and left them to rot, so that the congregation were fainting from the stench; but when the church complained, the reply was, 'You are free to use your part of the building as you like, and we are equally free to do what we like in our part.' "

So cynically do Communists interpret their constitution, which guarantees the "right of religious worship."

Just as cynically, for consumption abroad, do Soviets (echoed by wide-eyed, naive tourists) when it suits their purpose, point to "packed churches" in Moscow and Leningrad—without first explaining that for several millions of inhabitants there are scarcely 20 or 21 churches—so small a number that every American in a town of less than 100,000 inhabitants can find double that number of churches on almost any quiet street.

Just as cynically, Khrushchev permits certain bishops to travel abroad where the press feverishly describes their robes, discusses their personalities, and reports their statements about religious "nonoppression," as if the same sort of thing were going on in Soviet communities.

DEGRADATION HEAPED UPON FAITHFUL

In the meanwhile, all sorts of degradations are heaped upon the church people. Vacation, pension, and other privileges are removed from those who register as the "Committee of Twenty"—(the minimum number of persons needed to request use of a building for "the exercise of the cult"). The faithful work out among themselves which 20 will bear the risks. Not more than the law requires are subjected to exposure; usually, they are older persons with grown families, so repressions cannot strike at children. These committees together with the priest, are constantly subjected to all sorts of humiliations and oppressions.

In his recent book, "Christians in the U.S.S.R.," and in an earlier article published in the Messenger, Dr. Nikita Struve, the church scholar who makes his home in Paris, graphically described how churches are closed in the Soviet Union. As an example, he gives the account of what happened to the Cathedral of St. Andrew in Kiev.

Communist officials had first determined that St. Andrews was "useless." After all, a building used as a church is, by Soviet law, considered to be a "nonproductive" building. (That is the precise "legal" basis for taxing incomes of churches at 80 percent; and the reason why those who are attached to them, or who helpfully repair leaks in a roof, or replace broken windows, subject their entire income to the staggering tax rate of 81 percent.)

FAITHFUL NOT INTIMIDATED

The faithful of St. Andrew's refused to be intimidated by Kievan police who first tried to vacate the church unobtrusively; they came in groups of two's and four's, hoping to keep the situation from becoming known. But the police were no match for the firm resistance of the women. Then, with trucks and wagon, the militia and the secret police came by the scores. The women, who had barricaded themselves in the church, wrapped their arms around the pillars; they prayed and sang psalms, but steadfastly refused to budge. Hands clasped to hands, they formed a living chain in the attempt to save the altar and the iconostasis from desecration. The police first dispersed the sympathetic crowds which had gathered; then they forced the church doors and broke in, converging on the faithful, and finally severing the living chain. They arrested every one of the women. Then they closed the church.

The indescribable pathos of the tragedy in Kiev can be gathered from the next two sentences of Dr. Struve's article in the Messenger. They read: "The younger, healthy women were sent to break new ground in the east" (a euphemism for banishment to labor camps in Siberia). But, with "flexibility" characteristic under the Communist code of law, the older or sickly women were not pressed into forced labor. Oh, no. They were "committed to asylums and to other institutions for the insane."

And so the ancient Kievan Cathedral of St. Andrew which has survived almost 1,000 years of remarkable history, was closed forever.

How many tears. How many, many tears must have marked the event.

IS SILENCE JUSTIFIED?

Could one of those aged women have been your grandmother? If yes, then it is your grandmother who languishes in an insane asylum because of her faith. Could your own mother have been one of the "younger, healthy" sent to hard labor?

Reader, think on this and decide; are you justified in remaining silent because it was not your own mother, or grandmother?

Should not every heart be torn when a fellow Christian is shackled in a mental institution because she remained praying in a church? Shouldn't your concern be voiced, your protest be made, against the fiendish tactics which seek the annihilation of the Orthodox Church?

His eminence, our beloved primate, Metropolitan Leonty, with all the bishops of the Autonomous Russian Orthodox Church in America, announced days of universal prayer for the oppressed church and believers behind the Iron Curtain. These were marked by Orthodox parishes on the Sunday of the holy forefathers of the church (Dec. 20, 1962) and on the fifth Sunday of Lent, April 19, 1964. We quote from the 1962 Epistle of the Council of Bishops, where the hierarchs, having first verified the information about the oppressions in the U.S.S.R., as free representative of Orthodoxy declared:

"They have been suffering more and more from organized antireligious pressure. Under various pretexts, churches are being closed; hierarchs and priests are persecuted and humiliated, both publicly and in the press.

"Priests are not given necessary permits (without which they are not allowed to officiate); or, permits are being withdrawn from them. A retired or discharged priest is not allowed to conduct services. Priests have been deprived of the right to visit parishioners in order to console them or to strengthen their faith. They are not allowed to have any contact with children.

"The church is not allowed to exercise charity; the ancient right of the church to help the destitute is refused to her. The faithful cannot propagate the faith either in print or by word of mouth; they cannot follow their conscience by defending the faith from open attacks, attacks by implication, or even slander.

"The antireligious campaign has become more and more insolent. The faithful are deprived of that liberty of conscience promised by the constitution. This liberty of conscience is not only being limited, but, in every possible way, belittled.

"Attacking God and the holy faith has become the persistent policy of the state."

Have you at least prayed for the oppressed? Where and when have you made a contribution as a witness to Orthodoxy? Then decide: whom have you protected by silence and inaction?

THE ANTIPOVERTY BILL

Mr. PEARSON. Mr. President, although the so-called antipoverty bill has now become law, many in this country have not been blind to the fact that this program represents a duplication of effort, a further concentration of power in the Federal Government, and contains a large measure of pure politics for 1964.

In this regard, I note the very excellent editorial of Ken Powell, of the

Southwest Daily Times, of Liberal, Kans., entitled, "Poverty and Politics"; and I ask unanimous consent that it be incorporated in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Liberal (Kans.) Southwest Daily Times, Aug. 14, 1964]

POVERTY AND POLITICS

The Secretary of Health, Education, and Welfare has cast some light on the war against poverty. According to him, the Federal Government now has 42 individual programs costing some $42 billion in fiscal 1964, designed to combat poverty and to overcome its causes. In 1962, moreover, it is estimated that the total national effort for social welfare—by all levels of government and private organizations—came to the amazing figure of $100 billion.

Statistics such as these, of course, cover a very wide list of projects, some of which approach the poverty problem indirectly as well as directly. But they do show the very urgent need for a top-level review of all the programs before we start spending billions for new schemes to be administered by a vast new bureaucracy with a poverty czar at its head. And they show, too, that local government and private enterprise are doing very much more in this direction than is generally recognized. It will be a sad day for all the taxpayers of this country and for all those who honestly are in need of assistance if poverty and politics become synonymous. Think it over.

HUBERT HUMPHREY, VICE-PRESIDENTIAL NOMINEE

Mr. McGOVERN. Mr. President, the editor of the Sioux Falls Argus-Leader, Mr. Anson Yeager, has written a superb editorial on South Dakota's pride in the nomination of Senator HUBERT HUMPHREY as the Democratic vice-presidential candidate.

Senator HUMPHREY, who was born and reared in South Dakota, has risen to the highest rank ever achieved by any South Dakotan. As the Sioux Falls editor very understandably writes, "it is a tribute of the highest order to Senator HUMPHREY" and "a great honor for a native son of South Dakota."

I ask unanimous consent that the editorial of August 28, 1964, be printed in the RECORD.

Mr. President, last night, Mrs. McGovern and I had the privilege to serve as hosts for a neighborhood welcome-home party for Senator HUMPHREY and his lovely wife, Muriel. We have lived next door to the Humphreys, in Chevy Chase, since we arrived in the Nation's Capital in December 1956.

Like the other residents of our Coquelin Terrace neighborhood, we have developed, over the years, a special affection for the Humphreys. They are the kind of warm and friendly neighbors that people love and respect, without regard to political considerations.

The spirit of the welcome-home neighborhood party was well captured by Maxine Cheshire, of the Washington Post, in an article which was published in today's issue of the Post. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the editorial and the article were ordered to be printed in the RECORD, as follows:

[From the Sioux Falls Argus-Leader, Aug. 28, 1964]

A GREAT HONOR FOR HUBERT HUMPHREY, NATIVE SON OF SOUTH DAKOTA

The national campaign takes on even greater interest than usual for South Dakotans this year because of the nomination of U.S. Senator HUBERT HUMPHREY, of Minnesota for Vice President.

This is the first time a native South Dakotan has ever been at the top of a national ticket.

If President Lyndon B. Johnson and Senator HUMPHREY win in November, it will place the onetime Huron druggist in the highest Government post ever to come to a native of this State.

It will mean that Senator HUMPHREY will be a heartbeat away from the Presidency of the United States.

The Minnesota Senator is the personal choice of President Johnson, as the man he thinks is best qualified to succeed him, if anything should happen to the Nation's Chief Executive.

It is a tribute of the highest order to Senator HUMPHREY. We congratulate him upon his nomination by the Democratic Party, as their candidate, for Vice President.

We congratulate President Johnson upon his nomination—which was a foregone conclusion long ago.

IMPACT ON SOUTH DAKOTA

If Senator HUMPHREY should be elected, his expanded role as Vice President, as President Johnson sees it, would undoubtedly have considerable impact on South Dakota.

HUMPHREY was born at Wallace and grew up in this State. He lived in a small town, Doland, and in a small city, Huron. From Huron he went to Minneapolis. He understands this part of the Nation. And as Georgia's Governor, Carl E. Sanders, told a nationwide TV audience, HUMPHREY is a friend of the farmer.

HUMPHREY's friendship with U.S. Senator GEORGE McGOVERN, the State's junior Senator, would be bound to have an effect on South Dakota's voice in the Nation's Capital, where they are next-door neighbors.

HUMPHREY still has a share in the family drugstore in Huron. His mother, Mrs. Christine Humphrey, lives in Huron. This is a proud moment for her, too.

South Dakota's ties with Minnesota, our good neighbor to the east, are many.

All these things will give the Democratic cause in normally Republican South Dakota a better chance this presidential year.

THE LIBERAL IMAGE

Senator HUMPHREY has long been identified with the liberal wing of the Democratic Party. When he first went to the U.S. Senate 16 years ago, he was considered ultraliberal and highly controversial.

Today, he presents a more moderate appearance, and some of the controversy swirling around Senator HUMPHREY has disappeared.

In news stories of late, he has been identified as talking to business leaders of the Nation. In other years, the immediate association or identification of Senator HUMPHREY would be with civil rights, or other similar causes.

His association with civil rights matters will give the Democrats some concern in the South.

Public service tends to change and develop America's leaders. Certainly Senator HUMPHREY has grown and developed in the years since he was mayor of Minneapolis, and since he first went to the U.S. Senate.

And at the same time, the Nation has changed. Many of the ideas which were considered "liberal" a generation ago are now in the midstream of American political thought.

HUMPHREY has the distinction of having talked to, or with, Premier Nikita Khrushchev for 8½ hours in one sitting on a Moscow visit. HUMPHREY's contacts with world leaders are valuable and will be a campaign consideration.

UNANSWERED QUESTIONS

Republicans left some unanswered questions at San Francisco. They seemed to say that the Nation should get tough with the rest of the world, stop negotiating, and put the sizzle back in the cold war.

They left the inference that the administration should do more than it's doing in Vietnam, but they didn't say how. They talked about libertaing the people behind the Iron Curtain, but didn't say how.

Republicans should tell the Nation whether they plan to achieve these goals by force of ideas and diplomacy, or by force of arms. We believe in the world getting along together in this nuclear age.

Democrats will attempt to portray themselves as the party of peace. They will browbeat the Republicans for even putting foreign policy in the campaign. They will attempt to say all is well vis-a-vis our allies and the Red world.

The fact that conduct of foreign policy will be in the campaign is a healthy situation. Let the world wait, while America takes a look at foreign policy. President Johnson, Senator Goldwater, Representative Miller, and Senator Humphrey can get down to specifics in the campaign.

Democrats, too, have left some questions unanswered at Atlantic City. They are running on peace, prosperity, and poverty—all at the same time.

What is our goal in Vietnam? Is our new firmness politically inspired? If a negotiated settlement is in our best interests, can it be achieved before election day, despite both parties?

Other unanswered questions revolve around big government in Washington, continued deficit financing in a period of our greatest national prosperity and failure to investigate fully the Bobby Baker case.

No American who has compassion for his countrymen will question the objectives of combating poverty at home, but the means is open to debate. South Dakotans question the outpouring of our money for foreign aid projects of dubious or no value, which haven't eased poverty abroad despite good intentions.

The $7,500 raise which the administration and Congress handed to Members of Congress, Federal judges, and others, on top of their $22,500 yearly salaries, is unconscionable.

Many Americans, who are not poverty-stricken and who raise fine families and live useful lives, do it on a lot less than $7,500 a year.

Let the parties answer these questions in the 2 months of the campaign which lies ahead.

GOLDWATER TO CARRY SOUTH DAKOTA

Senator McGOVERN thinks that President Johnson will carry South Dakota by 5 or 6 percentage points.

Last week's South Dakota Poll showed President Johnson leading Senator BARRY GOLDWATER by 51 percent to 45 percent. This represented a drop of 9 points for President Johnson since early July.

The same poll also showed Republicans Nils Boe and Ben Reifel leading their Democratic counterparts, John F. Lindley, and George May, by margins typical of the normal GOP vote in this State.

Boe had 61 percent to 29 percent for Lindley, with 10 percent undecided. Reifel had 68 percent to 25 percent for May, with 7 percent undecided.

It's our impression as of now that Senator GOLDWATER will carry South Dakota, thanks to more effective work by the Republican organization, and the Arizonan's appeal to this State's traditional voting habits.

Today, it looks like President Johnson and Senator HUMPHREY will be the national winners in November. But no election is won until the votes are in—GOLDWATER and MILLER could win the election. This year's presidential campaign seems certain to be closer than the national polls indicate today.

[From the Washington Post, Sept. 2, 1964]

GOOD NEIGHBORS: YOUNG CHIPS OFF BLOCK VOTE FOR HUMPHREY

(By Maxine Cheshire)

To the neighborhood kids in Chevy Chase, Senator HUBERT HUMPHREY for years has been the man who buys them ice cream on hot summer afternoons, gives them each a dollar on birthdays and lets all 65 of them use his carport to wait in the wintry weather for their school bus.

Last night, they celebrated his triumphant return from Atlantic City, via Austin, Tex., at a community block party, ostensibly for the adults who are their parents.

Like the Pied Piper, the Democratic vice-presidential candidate has something magical in his rapport with the younger generation.

In age brackets from high school to kindergarten, they followed him wherever he went last night.

The party was being given by South Dakota Senator GEORGE MCGOVERN and his wife, Eleanor, who have lived next door to the Humphreys since 1956. They wanted all the other families who lived up and down the street to share in a very warm and sentimental homecoming for the couple who have lived among them for so many years.

The children, all on their own without any grownups suggesting the gesture, had painted signs of greeting which dotted the McGovern lawn. From the minute their hero arrived for the 7 to 9 p.m. reception, the youngsters followed his every footstep.

One group of little girls reminded him he had promised to take them to lunch at the Senate. He took out a pad and made a note of the date and quipped: "I guess I need a social secretary so I will not forget."

He emptied his pockets to find favors for them. He knew the names and exact ages of every single child.

One pretty little girl even coaxed him out of the LBJ Stetson pin he wore in his lapel.

"I will get another one," he said, when she hinted wistfully that she wished she had one.

Senator HUMPHREY was among friends and he enjoyed himself tremendously.

He encouraged a longtime neighbor, Mrs. Abe Harris, to find a piano in the den and sing a rendition of her own version of the official Democratic campaign song, "Hello, Lyndon."

She had written her own lyrics of "Hello, HUBERT," without realizing that she had pirated the President's own 1964 vocal salute.

HUMPHREY insisted on having a copy of the lyrics.

"I cannot wait to sing these at the White House," he said with amusement.

The Humphreys are obviously neighbors regarded with great affection by these people who have seen them for years when they are relaxing out of the limelight. The McGoverns decided to buy their house because, when they drove up to inspect it, the first person they saw was Senator HUMPHREY out in the middle of the street playing football with all the little boys who lived around him.

There is a very comfortable traffic pattern of years of coming and going and crisscrossing the lawns.

Someone long ago laid down three flagstone stepping stones connecting the Humphrey and McGovern lawns.

At one point during the party, Muriel Humphrey suddenly remembered that she had left her sons washing the dinner dishes and darted across to tell them that their father suggested they dry their hands and come and "meet all the pretty girls."

Mrs. Humphrey was glowing. She had managed one much-needed night of 12 hours sleep while she was visiting at the Johnson ranch.

Mrs. Humphrey has made stanch friends and admirers among the women who have lived closest to her so long. She is remembered as a woman so devoted to her children that "it was hard sometimes to remember that she was a very important Senator's wife."

She was always the mother who loaded her children's playmates into the station wagon for exciting excursions. And, in emergencies, she was the one who would scout out to bring home two tiny bicyclists who had pedaled beyond their endurance and had to be taxied home.

Just before the Atlantic City convention with all that she had on her mind, she heard that Eleanor McGovern was suffering from a miserable dental condition.

"She called and said she had made an appointment for me with her dentist," recalled Mrs. McGovern last night. "And she drove me down and waited while I kept the appointment. Then she brought me home."

HIGH PROTEIN FOODS FOR THE HUNGRY

Mr. McGOVERN. Mr. President, the National Catholic Rural Life Association, at its convention in St. Louis, Mo., on August 27, 1964, adopted a resolution urging that the United States begin to move the food for peace program, now conducted under Public Law 480, beyond a surplus disposal basis to a "more balanced and direct way to satisfy the real needs of the hungry" of the world.

The resolution added:

> We therefore welcome, as a first step in this direction, the adoption by the U.S. Senate of the McGovern amendment to the pending Foreign Assistance Act providing $50 million for the purchase of high protein, nonsurplus foods for donation to school lunch and similar programs in eligible nations. When the bill goes to the Senate-House conference we urge the managers for the Senate to insist upon and the House managers to accept this improving amendment to the act.

Mr. President, I ask unanimous consent that the full text of the resolution of the National Catholic Rural Life Association be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

IMPROVEMENTS FOR FOOD FOR PEACE PROGRAM

(Policy Statement Adopted by the National Catholic Rural Life Conference at its Annual Convention, August 27, 1964)

No program conducted by the U.S. Government has received more hearty approval from the NCRLC than that conducted under Public Law 480, the food for peace program. Some people, even some leaders, insist that this program is simply a surplus disposal by which the United States gets rid of an unwanted and embarrassing excess of farm production. The conference, however, has always considered the program rather as a practical and effective opportunity for us to share the abundance with which we have been blessed. We believe that the hungry, wherever they are, have a claim on us in justice and we have an obligation both of justice and charity to share according to their need and our ability to produce.

The conference, therefore, has never been satisfied that the products available for oversea distribution have been limited to those which are in gross surplus in this country. Many other food products, particularly those of high protein value, are needed by the hungry, as they are by ourselves, for a balanced and nutritious diet. Moreover, this country's capacity to produce these products is great enough to be able without any strain to meet much of this need of the hungry.

Limitation of oversea food distribution to surplus products does not make the program costless. It is paid for by the taxpayer through the budget of the U.S. Department of Agriculture. Purchase of nonsurplus, high protein foods would simply shift the cost to where it more properly belongs; namely, under the budget of the foreign aid program.

Moreover, to the extent that various Government programs succeed in eliminating surpluses, to that extent fewer and less products will be available for oversea distribution. Even today our wheat stores, on which the food for peace program has depended in large part, are approaching a nonsurplus level. The available supply of another important product, milk powder, may be insufficient to meet oversea commitments during this present year. Thus there must be a shift in emphasis from surplus disposal to a more balanced and direct way to satisfy the real needs of the hungry.

We therefore warmly welcome, as a first step in this direction, the adoption by the U.S. Senate of the McGovern amendment to the pending Foreign Assistance Act provided $50 million for the purchase of high protein nonsurplus foods for donation to school lunch and similar programs in eligible nations. When the bill goes to the Senate-House conference we urge managers for the Senate to insist upon and the House managers to accept this improving amendment to the act.

Further improvement could be made in the food for peace program by authorizing a similar use of the counterpart funds generated by title I sales for local currencies. In many countries great sums of such currencies are available for purposes designated by law. We see no reason why, in addition to financing development projects, these funds could not be used to purchase, where they are available, locally produced high protein foods to supplement school lunch and other food distribution programs.

Another extremely helpful use of these same funds would be to finance inland transportation and warehousing of food distributed under titles II and III projects. Although the costs of ocean transportation from seaport to seaport are now paid by the U.S. Government, the costs of moving and handling the food within the recipient country must be paid from funds of the administering private agencies and the local government. This requirement strains the budgets of these agencies and limits the size of the programs they can undertake. We recommend that the Foreign Assistance Act be further amended to allow counterpart funds to be used to pay for this essential inland transportation and warehousing.

SOUTH DAKOTA YOUNG REPUBLICAN CONVENTION RESOLUTIONS

Mr. MUNDT. Mr. President, last weekend it was my privilege to attend and address the convention of the Young Republicans of the State of South Dakota. The convention was held on Thursday, Friday, and Saturday, in the city of Aberdeen. It was the largest and most enthusiastic young GOP convention in the history of our State.

Under the able leadership of President Stan Adelstein, of Rapid City, S. Dak., the Young Republican League of our State has been steadily growing, both in size and in significance. Two of our present State candidates for the offices of secretary of state and attorney general are young Republicans, as is the executive secretary of the regular South Dakota State Central Committee of the Republican Party.

Instead of adopting a formal Republican Party platform for the Young Republican League, the convention endorsed and embraced the State and national platforms of the party, and then unanimously adopted a set of resolutions dealing with some of the subjects in which these Republicans, who are below age 36, are vitally interested.

I ask unanimous consent to have printed at this point in the body of the Record the resolutions adopted at last week's State convention of the Young Republican League of South Dakota.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

State Convention Resolutions, South Dakota Young Republican League, 1964, Aberdeen, S. Dak., August 27, 28, 29

South Dakota Young Republicans proudly endorse the State and National Republican platforms. We wholeheartedly support the national ticket of Barry Goldwater and William Miller. We also enthusiastically support Nils Boe and Lem Overpeck for the offices of Governor and Lieutenant Governor of the State of South Dakota, and the outstanding slate of constitutional officers selected at the State convention.

We commend the Archie Gubbrud administration for its progressive administration over the past 4 years and commend it for its sound fiscal policy. We also commend it for its aid to State education, an increase from $5.2 million to $10 million per biennium, and for the establishment of a teacher's retirement program on the college level. We urge the further supplementation of South Dakota education opportunity.

AGRICULTURE

We deplore the lack of concern of the Democratic Party for the continual decline of farm prices to 74 percent of parity, the lowest level since 1938. We particularly resent the displacement of millions of acres of our productive lands through importation of cheap foreign beef and other red meats, and for surrendering the State Department philosophies in forcing through Congress an ineffective beef import quota law as a substitute for the effective type of legislation which is so badly needed.

ASK REPLACEMENT FOR SECRETARY FREEMAN

We suggest that this administration replace Secretary of Agriculture Orville Freeman with Billie Sol Estes, who is apparently the only man who fully understands the farm program of this administration well enough to make it pay.

OPPOSE CARPETBAG CANDIDATES

We condemn the drive toward excessive power by the executive branch of our Federal Government and the manifestation of this attitude by the administration sending carpetbag candidates into strategic States to run for the office of U.S. Senator.

GOLDWATER BEST BET FOR PEACE

As young Americans we place our faith and confidence in the Republican Party with its policy of firmness supported by strength, which has always kept us out of war, rather than in a party whose policies of vacillation and indecision have repeatedly blundered America into foreign wars. We place our faith in the Republican Party and its leadership, which will regain the support and confidence of our friends and allies and restore the respect our enemies had for the determination and military might during the Republican years of Eisenhower and Dulles.

RECREATION

As young South Dakotans, interested in our unequaled recreational, fish and wildlife opportunities, we deplore and condemn the recent statements by the Democratic candidate for Governor, John Frank Lindley, revealing a desire to put the South Dakota Department of Game, Fish, and Parks back into partisan politics.

MORALITY IN GOVERNMENT

The YGOP feels that the people of the United States deserve the guarantee of morality, honesty, and integrity in government which the people of South Dakota have enjoyed with the Gubbrud administration and which will be continued by the Boe-Overpeck administration. All Americans can achieve this type of government only by election of the Goldwater-Miller ticket, "a team you can trust," which is in sharp and refreshing contrast to the scandalous, unethical, and immoral "fast deal" of the national Democrat ticket.

The South Dakota Young Republican League expresses its appreciation and thanks to the citizens of South Dakota and to the senior Republicans for their acceptance, support, and encouragement of the many young people who have entered into political activities of South Dakota.

The convention further thanks the host city of Aberdeen and the Brown County Young Republican Club, Steve Smith, convention chairman, and also those persons and businesses who have helped to make this convention a success.

PEACE AS SEEN FROM THE BERLIN WALL

Mr. ROBERTSON. Mr. President, as my Senate colleagues know, our country is one of 80 nations which belong to the oldest peace organization in the world, known as the Interparliamentary Union. Its last annual session was held in the delightful city of Copenhagen; and the United States was represented there by a delegation from both the House and Senate, under the very able leadership of Hon. Katharine St. George, of the House.

There were two significant developments at this meeting:

First. Universal support was given a resolution to promote the cause of public education throughout the world, as the best antidote for poverty, as well as for the promotion of democratic institutions and personal freedom. Some may recall that our greatest political philosopher, Thomas Jefferson, once said:

> Any nation that believes that it can be both ignorant and free believes what never has been and what never will be.

The second development was an effort on the part of the Communist bloc, aided and abetted by stooges from Africa, to use the Interparliamentary Union as a sounding board for Soviet propaganda. It was only because of the two-thirds majority rule under which resolutions can be proposed and considered that the free nations were able to defeat a resolution to condemn Belgium and other countries that had previously had holdings in Africa for failure to release from prison criminals who had committed rape, robbery, and almost every other type of felony, under the guise of a movement for independence.

At the close of the conference in Copenhagen, most of us went to West Berlin, for one day of briefing at our military headquarters there and for a personal inspection of the much publicized wall between East Berlin and West Berlin. We drove from one end of that wall to the other—a distance of 8½ miles. It bisects a once glorious capital of a proud nation. During World War II, about 80 percent of Berlin was destroyed by our bombs. Most of that damage on the West side of the Berlin wall has been repaired; and today West Berlin is not only once again a very beautiful city, but also, from the standpoint of prosperity, it is outstanding in Europe, and is really prosperous by any standard.

The sight on the eastern side of the wall is a depressing one. Immediately adjoining the wall, no repairs of war damages have been made; and along one sector of the wall, for a distance of perhaps 2 miles, where the buildings are in East Berlin and the sidewalk in front of them is in West Berlin, all the doors and windows of those buildings have been bricked up, and all the previous occupants have been expelled from them. We visited the section of the wall where a young German boy almost effectuated escape, only to become entangled in the rolls of barbed wire on the top of a high brick fence, where he was riddled with machinegun bullets, and was left to die in agony. A modest monument to his memory has been erected on the Western side of that spot.

As we drove from that point to other parts of the wall, we saw the simple monuments that had been erected to others who had attempted to escape, but had been killed just before they reached the land of personal freedom. Although the sight of that wall—with armed guards standing at every street intersection, and many on the rooftops of adjoining buildings, all heavily armed and all equipped with binoculars, standing watch 24 hours a day against any effort on the part of the oppressed people of Eastern Germany to escape to freedom—was depressing, it was for me and for all the other members of our delegation a vivid demonstration of the meaning of "Soviet peaceful coexistence." Translated in practical terms, "Soviet peaceful coexistence" means the peace of death or the existence of a slave. While looking at that barbed-wire entanglement and the Soviet troops, some 100 yards away, gazing at our delegation, and holding sub-machineguns at the "ready," Senator Stennis said to me, "This reminds me of the question by Virginia's Patrick Henry, who asked, 'Is life so dear or peace so sweet as to be purchased at the price of chains and slavery?' "

The correct interpretation of the Soviet program of "peaceful coexistence" was further emphasized by a statement made on a "Meet the Press" program in Copenhagen by the man who is slated to succeed Khrushchev as the Soviet dictator. A Danish newspaper reporter asked this official whether it was true that the people of the free world and the people of the Soviet Union were gradually getting closer together. Without hesitation, that top official replied:

> It is all right for the people of the Soviet Union and the people of the free world to be friendly with each other, but the leaders of the Politburo will never be able to accept any of the principles of capitalism.

In other words, the man who is slated eventually to succeed Khrushchev as the leader of the Soviet Union and of its 1 million captives in nations which it conquered with our help during World War II, and which, notwithstanding all pious promises for free elections, it still holds as captives and slaves, utterly and frankly denies that the leaders of the Soviet Union and the leaders of the free world are any closer together, from an ideological standpoint, than they were when, some years ago, Khrushchev said "We will bury you."

The vast expenditures made by the Soviet Union for the purpose of ultimately conquering and ruling the free world have strained the economy of that country almost to the breaking point. In order to induce the free world to lower its guard, the leaders of the Politburo have been making what many people in this country and other countries have construed as evidences of genuine peace and friendship. However, every member of the Interparliamentary Union delegation came from West Berlin with the definite impression that, as usual, the Soviets talk about peace is merely camouflage—first, to get the nations of the free world to furnish to the Soviet Union, and on credit, supplies of all kinds, especially food; second, to cut their current expenditures for armaments—in which the free world now has a definite superiority over the Soviet Union—in the hope that the Soviet Union can ultimately become so superior in military force that it can compel the free world to do its bidding, under the threat of total destruction by nuclear weapons.

The voters of our country are headed for an election in which the winning slogan probably will be "peace and prosperity." I have already stated my conception of the type of peace we have, which is the same as the one described years ago by Sir Winston Churchill, when he said:

> The possession by the United States of nuclear weapons is the sanction which preserves an uneasy peace.

While there can be no doubt about the prosperity we are now enjoying and the fact that probably it will continue throughout this calendar year, I have had a vivid illustration, during my recent visit to Europe, of what happens to prices when nations go heavily into the spending of borrowed money. Prices in the European countries I recently visited are at least 100 percent higher than they were when I was in Europe just a few years ago, and are 200 or 300 percent higher than they were in 1949, when I visited the 14 nations of Europe which we had included for help under the Marshall plan. Prosperity purchased at the price of spending borrowed money eventually will prove to be most costly, through the inflation that a program of deficit financing will inevitably generate.

COLD WAR VETERANS AS CASUALTIES

Mr. YARBOROUGH. Mr. President, despite all our efforts to halt and conquer the enemy of poverty, I fear that we have forsaken the opportunity for advancement of our lines, and have, instead, yielded to the impulse of digging in, in order to entrench ourselves in the comfort of the status quo. While trying to define our battlelines, we have forsaken the survival of our present cold war veterans, and have sacrificed their educational opportunities, while pledging ourselves to victory in the future. Hence, we have allowed these men to become the neglected casualties of the cold war.

Just as victory in the future cannot be predicated on losses in the present, neither can we expect the educational survival of the next generation to eradicate the casualties of the present veterans. While we have been bombarding the enemy on the next hill, we have failed to see the infiltration of neglect on our immediate flank; and our casualties mount steadily.

Mr. President, I ask unanimous consent that a letter which I recently received from one of these young veterans—it is dated August 19, 1964, and was written by Jose A. Burciaga—be printed in the RECORD, to illustrate the situation of the millions of cold war veterans whose opportunities for education are being allowed to wither in the field of oversight, while we pride ourselves on planting the seeds of a future educational renaissance.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EL PASO, TEX.,
August 19, 1964.

Hon. RALPH W. YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR YARBOROUGH: I am writing you in reference to the proposed cold war GI bill which you introduced. My deep interest in this bill is shared by thousands of other young men for the following reasons:

I am now 23 years of age and have just completed a 4-year tour of duty with the U.S. Air Force.

Since my return to civilian life I have found myself in a precarious situation. My future is not very bright without a college education. I consider myself young and ambitious but cannot afford to continue my education without help. I have not been able to find a suitable full-time or part-time job. Many ex-servicemen have returned home and found nothing awaiting them. Such is the position I find myself in. Unless this new GI bill is soon passed a lot of us will have to settle for second rate jobs and no education.

In the near future the draft will be eliminated. Thus a new generation of young men will not be obliged to serve in the cold war or will they have to live through years of uncertainty waiting to be drafted, not knowing what course to take. At such a young age our young men should be forming and shaping their lives.

The cold war has produced numberless tensions, anxieties, and hazards upon today's serviceman. He has played the greatest role in the development of what the United States is so rightly proud of—guarding the peace and maintaining the strongest power on earth. Vietnam, Guantanamo, Berlin, Korea, Panama, Turkey, and hundreds of other unheard of and isolated places are the homes of the servicemen. Some die in Vietnam, others suffer hardships, and quite a few are separated from their loved ones. The soldier, sailor, and airman are quite underrated in this country and sometimes taken for granted.

The last two military pay raises should not be considered as a benefit to the military. That is to say that such a raise was approved basically because of the previous low wages.

For these reasons I urge you to expedite this bill, not only for my personal benefit but for my former comrades in arms and the Nation. Further, I would deeply appreciate it if you could advise me of its present status, and future.

Sincerely yours,
JOSE A. BURCIAGA,
A1c U.S. Air Force, Inactive Reserve.

SITKA'S MUSEUM

Mr. BARTLETT. Mr. President, the Sheldon Jackson Museum, at Sitka, Alaska, is a fascinating and historic place. Built in 1895 by the Presbyterian missionary and educational pioneer, Sheldon Jackson, the museum is the first concrete structure to be erected in Alaska. When Jackson began mixing the cement, the Indians were amazed. "The man can make stone," they said.

Jackson built the museum to house his collection of Eskimo, Aleut, Athapascan, Tlingit, and Haida artifacts. Also in the collection are objects from the Russian colonial days in Alaska. These beautiful and interesting objects were collected by Sheldon Jackson on his many trips across the State in the days when such trips were not easy—from 1886 through the early 1900's.

Mr. President, the Sheldon Jackson Museum is unique. A most interesting article on it was published in the May 1964 issue of Museum News. The article was written by Prof. Erna Gunther, of the University of Washington. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SITKA'S MUSEUM

(By Erna Gunther)

(NOTE.—The problems of renovating and reinstalling a museum that has remained unchanged since 1895 would subdue the enthusiasm of many museum professionals. The author, however, found the time and talent despite a full schedule as professor and lecturer in the Anthropology Department of the University of Washington. She calls it, "love's labor.")

Museums, large and small, often date back to the devotion of a single person or a small group which collected and preserved objects of nature or the works of man. Whether this effort becomes part of a great institution or is buried in some remote spot where it receives dubious care and little attention is a matter of chance. As interest in the past spreads, and scholars seek new sources of information, the importance of these early collections increases and their value depends on the care they have received and the documentation which has been recorded as to their origins. The collection in the Sheldon Jackson Museum at Sitka, Alaska, has such a background, and, having gone through the typical doldrums of neglect, is now on the threshold of a new period of usefulness.

The man for whom the collection is named personally gathered a very large part of it during his activities as a Presbyterian missionary and as Commissioner of Education for the Territory of Alaska. He traveled almost constantly—and collected wherever he went. There is no reliable register of his collection, but on the majority of the objects he marked, "Presented by Sheldon Jackson" and the date. A smaller number note the location from which the piece was obtained. From these markings it seems that Sheldon Jackson's most active periods of collection were between 1886 and 1892 when he traveled from southeastern Alaska to Point Barrow, to Cape Navarin, Plover Bay, and the Gulf of Anadyr in Siberia, touching on every known point of habitation on the Arctic coast of Alaska. From 1897 to 1903 he traveled the valley of the Yukon to Dawson.

These trips were motivated not only by his endeavors as a missionary and educator but also by his effort to save the Eskimo from mass starvation by importing reindeer from Siberia. His transportation for these travels was largely on the U.S. Revenue *Cutter Bear*. In the biography, "Alaskan Apostle," by J. Arthur Lazell, there is a map showing these journeys but it is not accurate enough to be of immediate help in dating his presence in specific places.

The collections in the Sheldon Jackson Museum are all from Alaska and represent native groups, though unevenly. The Tlingit and Haida groups are poorly represented due to the fact that the larger part of Jackson's Indian collection was donated to the Princeton Theological Seminary and eventually went to Princeton University where it is now exhibited on the balcony of the museum in Guyot Hall. The collection left in Sitka has some very fine pieces, but it does not express the richness of Northwest Indian culture. Eskimo life is well represented in some phases by masks, tools, baskets, and other containers. The Aleut group fared poorly since only the traditional finely woven baskets are in greatest number. A few stone lamps and a few masks complete the list. The Athapascans of the interior have even less to represent their way of life, with only a large number of snowshoes in the collection.

Dr. Jackson not only collected the items but in 1895 he took time from his travels to construct, on the grounds of the Sheldon Jackson School, a museum building which attracted almost as much attention as the exhibits. It was the first concrete building in Alaska, octagonal in shape, with a wooden roof. He believed in student participation in the building of the school, so he had students help him mix and pour the cement much to the astonishment of both the whites and Indians who watched the operation. The startled Indians expressed their amazement by saying, "The man can make stone."

When the building was completed, the carpenter shop, with student help, made the cases which were designed to fill all the available floor space—with no thought of providing an area for the storage of reserve collections, no workroom, no office. Everything was crowded into these cases, and the installation remained unchanged until 1963. There was no heat or artificial light in the original building so that its use was restricted to the summer months. However, about 20 years ago utilities were added—but not before some deterioration of the specimens had occurred.

The building was open to visitors during the summer with members of the staff of the Sheldon Jackson Junior College as attendants and guides. There were not any specific staff-time assignments, and services were generally a matter of personal interest.

As an anthropologist studying the northwest coast I visited the collection many years ago when I had not yet become aware of the values in the small museum with no staff and overcrowded cases. Through the years I remembered the general richness of the material and decided to return. Weather prevented several attempts until 1962, when I spent a few days in Sitka and realized the potential of the collection. Out of sheer self-interest I offered to return in the summer of 1963 to catalog and reinstall as much of the exhibition as I could handle in the time I could give.

On my arrival in 1963 I realized that the building was a unit which could not be partially rearranged. It was also clear that neither the budget nor the time limit would permit new cases, so all efforts had to be confined to rebuilding the cases on the inside and the liberal use of paint.

When the cases were designed in 1895 by people with no museum experience they were probably regarded as little more than receptacles where the specimens could be laid out under glass to be seen by visitors. It was visible storage, without arrangement or interpretation. The cases were about 16 to 24 feet long, 4 feet wide, and 6 feet tall, some with a "second story." They had two to four shelves, with the top too high and the bottom too low for many visitors. In some instances sloping shelves were built with small pieces of moulding tacked down horizontally to keep the specimens in place. There was no geographical or cultural arrangement, the size of the specimen often being the determining factor in placing it.

In order to bring similar objects together, the cases were emptied and sorted. A list had been made in the 1930's of the contents of the cases, but there were not always identifying numbers on the pieces, so one still had to rely on Dr. Jackson's statements written on the pieces themselves. Realizing that I could not catalog the entire collection, I limited my work to the 600 pieces that were to go on exhibition. For this purpose I developed a cataloging system which I copied partly from the one used by the National Museum of Canada, reducing it to my local needs. The collections of the four cultural divisions of the native peoples represented were indicated by Roman numerals I to IV. When the Russian material is cataloged, V will be added. Within each of these divisions the tribes or villages were given a letter of the alphabet, followed by a number referring to the specimen from that particular place. For example, the first Tlingit piece in the catalog is numbered I.A.1, the first Haida piece is I.B.1. This scheme makes it possible to catalog the pieces as they are found. Because of the difficulties in assembling the material, such order seemed the only feasible solution. The cataloging was done on 8 by 5 cards which will be filed in the order of these catalog numbers, with the intention of then making crossfiles under tribal and object headings.

When a reasonable survey had been made, the installation plans and the cataloging went hand in hand. One limiting factor in the arrangement of the exhibit was the shape and location of the cases because they were much too cumbersome to move in my limited time. Since the display was in one large room it was not feasible to set up partitions, so I decided to separate the four native cultures by giving each a color scheme. The cases were painted white on the outside, so the insides of the cases were painted with the new colors. For the Indian collection I selected a soft blue which is sometimes seen in the applique on the woolen shirts of the Tlingit, together with a clear red which was nearer pink than scarlet. The fanciful names the paint manufacturer had for these colors are not important since they were used as a base and mixed with tubes of pigment until we found the shades that brought out the quality of the exhibits. The Eskimo pieces responded to a color scheme which I borrowed years ago from a poster at the San Francisco Fair, in pink, white, and gray, taken from the winter landscape where these pieces originated. The Aleut baskets showed up well on a white background accented with the blue of the sea. The Athapascan mooseskin costume and the snowshoes were put against a lively yellow.

The Eskimo masks were the most fascinating collection to install, and it was difficult to select from such riches. The case intended for them was cleared of its 3 shelves and panels of plywood were installed vertically to hold 48 masks on their 2 sides. The central panel was painted pink, while the sides of the case were painted gray. The masks were arranged by village, indicated by labels on each panel and by a general label hanging on the outside of the case. This label is typed in large letters, mounted on board and encased in plastic. It can be picked up by the visitor, adjusted to his reading height and then left to hang by the cord when he finishes reading. Greater detail on individual pieces can be obtained by the student on inquiry, if it is available. This type of labeling is used in many cases, some supplemented with individual labels as well.

Against one wall is a case divided into 12 sections, 24 inches wide, with 4 shelves in each section. This we used for a kind of synoptic exhibit showing many features of Eskimo life not represented elsewhere. This exhibit included a display of women's knives; a group of trap models; a wonderful display of flies created for fishing, which are made of pieces of varigated stone attached to bone and decorated with fine strips of baleen; seal whiskers; and blue and red trade beads and tiny yellow pebbles.

The problem of storing the reserves was as great as the reorganization of the exhibit space. It was first thought that they could be housed in the attics of other buildings, but the changes of temperature in such places make them very unsatisfactory storage areas. Many of the large cases had a second tier, so we decided to use that area for storage space since it was very poor for display. The cases have glass on all sides so we simply placed colored paper inside the glass. The colors matched the colors used in the case beneath. The stored pieces were well sprayed, wrapped, and put in large cartons. They had not been cataloged but were listed on slips attached to the outside of the carton and also entered in a storage book which carried the numbers of the boxes. These were placed, so far as possible, in the storage areas of cases that had similar material on display. This order makes it possible to find pieces easily when they might be wanted for study or use in the classrooms of the school. Some teachers have already begun using the objects as, for example, the science teacher who uses a selection of Eskimo tools to show the basic inventions of man as he discusses the history of civilization. The librarian has had some Eskimo masks in cases at the entrance to the library. These small beginnings mark a new era of usefulness for the museum which long had been regarded as merely a place the occasional tourist visited.

For the research student, the depth of the collection is significant. So far, 288 Eskimo masks have been cataloged—about two-thirds of the collection.

The fishing gear of the Eskimo is represented in such quantity that one feels certain that among the common pieces there must be some rare ones. A comprehensive study of this subject could well be undertaken, with this collection serving as a starting point.

In addition to these series of objects there are individual pieces that are unique and exceptionally fine in their class. A fine piece of slat and rod armor of the Tlingit with a design painted on the front and back is rare in American museums, but more common in the collections in Europe; there is armor from Cape Prince of Wales made of flat plates of bone laced together; some of the pieces of Haida carved argillite are very good—the best perhaps is a covered dish, not in the least native in shape, but in the form of a beaver.

Other small museums might benefit from what has been done at Sheldon Jackson. It can be done inexpensively, and the institution that has accepted objects for preservation, display, and interpretation has a debt to donors and to the public to display the material available in the most attractive and educational manner possible.

REAPPORTIONMENT—THE DIRKSEN AMENDMENT AND THE TUCK BILL

Mr. METCALF. Mr. President, newspaper editors all over America are becoming aware of the threat to American institutions, to the Constitution, and to the American doctrine of separation of powers that is posed by the Dirksen amendment and the Tuck bill. As the impact of this proposed legislation is brought home to the people of America, they, too, are becoming alarmed. The debate on reapportionment and the educational information as to the effect of the Dirksen amendment should be continued, so that this awareness of the constitutional crisis that is facing America will be even more widespread.

I have compiled 68 editorials from more than 40 newspapers throughout the Nation. They show overwhelming opposition—better than 2 to 1—to any move by Congress to either delay or prevent reapportionment of State legislatures in line with the Supreme Court decision. Furthermore, even many of those who disagree with the Supreme Court's ruling that State senates must also be apportioned on a straight population basis, express concern or opposition to congressional efforts to delay or thwart the ruling. In collecting these editorials, no effort was made to obtain only those supporting one side of the issue. All of the editorials I was able to collect are included.

I ask unanimous consent that they be printed at this point in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Charlotte Observer, Aug. 14, 1964]

Mansfield-Dirksen Plan Would Bury City Voters

When the U.S. Supreme Court ruled in June that both houses of State legislatures must be reapportioned on a one-person, one-vote formula, with each legislative district substantially equal in population, it set off a great hubbub in those legislatures long dominated by rural lawmakers.

The outcry quickly reached Washington and prompted a variety of proposals for a constitutional amendment to strip the courts of authority over State legislative apportionment.

Constitutional amendments take time. They have to be approved by two-thirds of both houses of Congress and ratified by 38 of the 50 States legislatures.

To buy that time, Majority Leader Mike Mansfield and Minority Leader Everett Dirksen have introduced a compromise measure that would be tied to the pending foreign aid bill as a rider. The proposal would delay court-ordered reapportionment from 2 to 4 years unless Federal courts found highly unusual circumstances requiring prompt action.

That escape clause was agreed to reluctantly by Dirksen, who has been under pressure from his rurally-dominated Illinois legislature to order a flat ban on further court reapportionment orders.

Dirksen was apparently persuaded by Senate colleagues and Justice Department spokesman that any outright prohibition of court action by Congress would, at worst, violate the constitutional separation of powers and, at best, seriously weaken it. Dirksen's original plan had been denounced by 15 eminent law school deans and professors who wired the Senator:

"It is to declare, by statute, without constitutional amendment, that for a period of time certain constitutional rights may not be vindicated in any court, State or Federal."

We find one other major fault with the Mansfield-Dirksen proposal. It should not be tied to the foreign aid measure in an effort to improve its chances of passage. It should be debated and approved or rejected on its own merits.

The issue now posed in Congress is of paramount interest to urban voters everywhere. State legislatures have long been dominated by rural legislators who refused to reapportion to reflect changes in population, thus denying urban residents an equal voice in the management of State affairs.

If a constitutional amendment were to be submitted to the legislatures as they are now constituted, approval would be almost automatic, thus shoring up for all time the disproportionate power of rural lawmakers over State affairs.

No, the Mansfield-Dirkensen propsal is not the answer to an admittedly difficult problem.

It would block forever all legal channels for urban residents to seek a redress for their grievances.

It would weaken State government, not strengthen it, thus inviting a further expansion of the power of the Federal Establishment.

It would not produce a better brand of democracy but rather an indefensible tyranny of the minority.

Urban dwellers in the Carolinas should make their opposition known immediately and emphatically to their Representatives in both Houses of Congress, lest their rights be bartered away permanently.

[From the Charlotte Observer, Aug. 15, 1964]

Tuck Bill Aims Death Blow at Cities' Representation

The lengths to which some rural legislators will go to maintain their stranglehold on the Nation's lawmaking processes has been amply demonstrated by the House Rules Committee.

Representative Howard W. Smith, and his committee jerked from the Judiciary Committee a bill which would gag the Federal courts on the reapportionment issue, assigned it a rule and hastened it to the floor for action.

The bill, drafted by Representative William M. Tuck, of Virginia, is even more pernicious than the high-handed, though theoretically legal, procedure which speeded it to the floor without due study.

It would remove all power to decide legislative apportionment suits from the Federal district courts and would prohibit the Supreme Court from hearing these cases on appeal.

In effect, the bill would slam shut the only door of appeal and the only hope of redress for the urban citizens of the Nation in their efforts to get a fair shake in State legislative representation.

It would open the door for rural legislators to destroy the progress that has already been made toward this goal in at least 26 States and would end all hope for similar progress in others. For the bill would nullify not only the recent one-man, one-vote decisions of the Supreme Court, but *Baker v. Carr* as well. And popular referendums, such as North Carolina's smashing defeat of the "Little Federal" plan, could be readily swept aside by State legislators intent on undoing with impunity what they have been forced to do.

In short, the unavowed purpose of the bill is to strike a political blow against the cities and the towns which are growing into cities, a blow from which they are not intended to recover.

In a narrow and immediate sense, the bill appears to be constitutional. So is a Senate "rider," attached to the foreign aid bill, which would delay State compliance with the court decisions and allow time for the passage of a constitutional amendment to strip the courts of the same power.

As Senator Sam Ervin, notes, Congress is authorized by the Constitution to define the jurisdiction of inferior Federal courts and to define the appellate jurisdictions of the Supreme Court. But if the Supreme Court found that malapportioned legislators robbed the citizens of their rights under the 14th amendment, it seems possible that the Court could also decide that the House bill, at least, was similarly unconstitutional.

Hopefully the House will consign the Tuck bill to the wastecan where it belongs and that the Senate will do the same to the Mansfield-Dirksen rider.

[From The Charlotte Observer, Aug. 21, 1964]

House Attempting To Curb Majority's Rights Forever

A letter in today's Forum from Henry G. Lovin, of Lancaster, S.C., objects to our editorial position on the current congressional reapportionment measures and says: "I wonder if you are really interested in fair representation for the urban population or do you wish to fix things so that the majority may take what it wants with utter disregard for the minority."

That should be turned around. We are interested in seeing that things are not fixed so that the minority may forever take what it wants with utter disregard for the majority.

That's what the whole controversy is about.

For decades, the courts took the position that representation in State legislatures was a political question over which they had no jurisdiction. During this period, State legislatures, dominated by small rural counties, arrogantly refused to reapportion themselves to give fair representation to growing urban areas, often flouting their own State constitutions in the process.

Urban residents had a just grievance but they had no redress for that grievance because there was no way they could force their State legislatures to act.

Finally, the Federal courts took jurisdiction. Either under court orders or the threat of court orders, legislatures began to reapportion themselves to give greater representation to urban areas.

The Mansfield-Dirksen rider to which reader Lovin refers would prevent Federal courts from ordering reapportionment for 2 to 4 years. During this time, an effort would presumably be made to amend the Constitution to limit or to take away entirely the jurisdiction of the court's over the State legislative apportionment.

The Tuck bill to which Lovin refers was passed by the House this week (with the support, incidentally, of Representatives Basil Whitener and Charles Raper Jonas from this area). It is much harsher than the Mansfield-Dirksen proposal. It would simply ban forever Federal court action "on a petition or complaint seeking to apportion or reapportion any legislature of any State of the Union or any branch thereof."

In January of 1964, the people of North Carolina voted on an amendment to their State constitution which was a good deal less harsh than the Tuck bill. It would have perpetuated rural control of just one branch of the North Carolina General Assembly, the House of Representatives.

The people of North Carolina ignored below-freezing temperatures and snow-covered roads to troop to the polls and reject the so-called Little Federal plan by a 224,000 to 127,000 margin.

Mecklenburg County voted against it by a 10,322 to 1,533 margin. Gaston County rejected it by a 11,654 to 546 margin.

It is interesting that Representatives Jonas and Whitener would now vote for the Tuck bill which would do an even greater injustice to the people of Mecklenburg and Gaston Counties than the "Little Federal" amendment would have done.

But more is involved in these two measures than equal voting rights for people who live in growing counties. They are also thinly disguised attacks on the independence of the Federal judiciary. If either should be enacted, it would establish a precedent whereby Congress could nullify any decision of the court that might be politically unpopular.

This is not the first time that an effort has been made to dilute the Supreme Court and its authority. The late President Franklin D. Roosevelt didn't like the high court's conservative decision in the thirties and sought to "pack" the Court by increasing its membership with additional appointees who shared his political philosophy.

The Congress, with widespread public support, refused to sacrifice the Court on the altar of political expediency. It is a strange twist that now the Congress is trying to strip the Court of some of its authority and independence and that the burden of defending the independence of the judiciary has fallen upon President Lyndon B. Johnson.

We do not rule out some kind of congressional action, a resolution or even a constitutional amendment, setting forth basic principles that States should follow in allocating legislative seats. So grave and complex a proposal, however, should not be rushed through in the closing days of this session. It merits the fullest debate over a period of time long enough for the American people to understand the issue.

Representatives Jonas and Whitener would not grant us even that.

[From the Charlotte Observer, Aug. 22, 1964]

Congress May Call an End Run

Most observers feel that the antireapportionment bill passed by the House last Wednesday will not be approved by the Senate. But the threat to democratic processes in our State governments will not end there.

Chances are good that the Senate will cut off a filibuster being staged by a group of Senators from urban States and will go on to pass a measure to delay reapportionment actions. House approval would probably follow.

This done, the stage will be cleared for the proposal next year of a constitutional amendment—an amendment which will set forth the manner for apportioning the legislatures, or one which would prohibit the Federal courts from hearing apportionment suits.

And there's the rub.

When Congress proposes a constitutional amendment, it also prescribes the manner in which the proposal is to be ratified.

The usual route taken is ratification by the approval of three-fourths of the State legislatures. Only once in history has Congress chosen the optional method, that of calling State conventions to approve or disapprove the proposed amendment.

Whatever its other import, the amendment probably will be worded so as to kill the Supreme Court's recent dictum that both houses of State legislatures must be apportioned on a strict population basis.

If Congress should choose the customary mode of ratification, the very same legislatures which for many years have refused to reapportion themselves in any significant way would have the power to decide the fate of the amendment. Who doubts that they would approve it eagerly?

In 1933 Congress proposed the 21st amendment (repealing the 18th, or prohibition, amendment) and submitted it to a vote of State conventions. State legislatures are authorized to set up these conventions in any way they wish, but in this case most of the States bowed to their people and submitted to them lists of delegates who favored or opposed the amendment. In effect, most of the States submitted the question to a popular referendum.

If the sense of Congress doesn't change and a 25th amendment is proposed to the States, the most rudimentary interests of democracy and simple justice demand that the people themselves decide on its ratification.

The convention system, though imperfect, provides the closest constitutional equivalent to a popular vote. It tends to put the legislatures on the spot, and in 1933 at least, they responded in favor of democracy.

The issue is critical. Will 63 percent of the people (all those who live in standard metropolitan statistical areas) be permitted to decide the makeup of their own State legislatures, or will they be bypassed in favor of a rural minority (37 percent) which now controls the legislatures.

The possibility exists that Congress will keep in mind the interests of the semienfranchised majority, but it is not too early to begin watching for the other event.

[From the Houston (Tex.) Chronicle, Aug. 5, 1964]

Senator Dirksen, There's Another Idea Whose Time Has Come

Inevitably, there was going to be an effort to nullify—or at least postpone—the effect of the U.S. Supreme Court's decisions holding that State legislatures must be apportioned equally.

The Court's decisions upset tradition, and we believe that tradition is useful and important. But to pass the test of usefulness or importance, a tradition should not be empty. Present apportionment in an overwhelming majority of State legislatures—including the Texas Legislature—is an empty tradition.

Senator Everett Dirksen, who is pushing legislation through the Senate that would postpone the effect of the Supreme Court's one-man, one-vote rule, can't fill an empty tradition by his last-ditch effort. The national pattern he and others of his mind are so anxious to preserve is gone. The time they yearn after and the sort of nation that in their minds still exists, doesn't.

In Texas, as a sample, nearly two-thirds of us live in cities. To have State and National Government that sees our needs and speaks for our thinking, representation must be based upon that fact. History is filled with examples of people who chose nostalgia, and thought to stop or turn back the clock. The examples teach a uniform lesson: Not to move with the times is to perish in them.

Able jurists disagree with the Supreme Court decisions, and plausible arguments can be made against them. But we would like Senator Dirksen, and those who think as he does, to state candidly their real case: They want to deprive substantial numbers of U.S. citizens of full representation in their legislatures and in Congress. And they want to give minorities more representation than they are entitled to.

To grasp the formidable problems of our urban society is to grasp a nettle. These pressing problems, and the urgent needs that cause them, are new, often distasteful, generally expensive, and always difficult.

But we expected more of Senator Dirksen, at least.

Some weeks ago, he argued movingly and effectively on behalf of the civil rights bill. Largely because of his effort, it passed in the Senate. When he urged a solution to the great racial crisis that confronts the Nation, he said there is no way to withstand the force of an idea whose time has come. We must meet it.

The time for equal representation; for recognition that ours is an urban society has come too, Senator. Can't you—and those who yearn with you for the comfort of a rural America which has vanished—see that?

[From the Houston (Tex.) Chronicle, Aug. 12, 1964]

Goldwater on Local Government

Senator Goldwater spoke to the National Association of Counties in Washington on Monday. We noted the parts of his speech dealing with local government and found much there that needed saying. With such a promising beginning, perhaps the pressing problem of the incidence of government can receive the thoughtful discussion it deserves during the campaign.

"Local governments, governments close to the people, can bear the primary governmental responsibility for meeting our Nation's domestic needs," he said. This is not only true, it is right. When we discuss the growth of the Federal Government, we often forget that the most pervasive government is still local—that States, counties, and cities provide far more services than the Federal Government.

Citing county governments specifically, Senator Goldwater said they are "areawide in scope yet very local in nature * * * two-thirds of our total population growth in the past decade has occurred in suburban areas which, in many instances, do not lie within the jurisdiction of any municipality." This is recognition of one of the most pressing local government problems—one we are familiar with, certainly, here in Texas and in Harris County.

Senator Goldwater went on: "Whenever and wherever local governments fail to respond (to pressing needs) then Washington's ever eager fingers of bureaucracy are right there, waiting to grab the defaulted local responsibility."

That is quite true (although we question "ever eager" and "grab") and to us is the nub of the problem. We think it important to stress which comes first. It is not generally Federal intrustion, but local default. In these days of crushing growth and rapid change, vacuums in government are intolerable and too frequent. Surely, the Federal Government, which is "ours" as much as any other, moves when some government must but no other does.

Senator Goldwater went on to outline many Federal functions and intrusions at the State and local level, and suggested they be curtailed. They must not and cannot be curtailed, of course, until local government assumes responsibility for them.

One promising way of bringing that responsibility faces opposition from a powerful part of Senator GOLDWATER's own Republican Party. Senator DIRKSEN seeks to postpone and eventually reverse the effect of the Supreme Court's one-man, one-vote decisions calling for fair apportionment of State legislatures. But local government will become enormously more effective when it accurately reflects the needs and the wishes of the public.

We hope Republicans will work for fair apportionment, as they have worked so hard for fair congressional districting here in Texas. Perhaps in a future statement, Senator GOLDWATER will outline his thinking about these vital matters.

[From the Courier-Journal, Aug. 11, 1964]

ATTACK ON THE DIRKSEN RIDER HAS COME NONE TOO SOON

The counterattack has begun against the effort to undermine the Supreme Court's ruling that every American should have an equal voice, or as nearly equal as possible, in State legislatures. Fifteen prominent law-school deans of professors have warned that a proposed congressional curb on Federal-court powers in reapportionment cases "dangerously threatens the integrity of our judicial process."

In a telegram to Senate leaders, the legal scholars said a bill sponsored by Senator EVERETT DIRKSEN, of Illinois, amounts to a "drastic interference" with the power of the courts to enforce the Constitution. Law-school deans signing the telegram ranged geographically from Erwin N. Griswold of Harvard to Page Keeton, of Texas.

Senator DIRKSEN's bill threatens more than the integrity of our judicial process. It also threatens the hard-won and just victory of those who have long contended that urban and suburban dwellers are entitled to fair representation in State legislatures.

Senator DIRKSEN's bill would stay further action by Federal courts in legislative reapportionment disputes for 2 to 4 years. The purpose of this legislative maneuver is to gain time for a constitutional amendment stripping the Federal judiciary of the power to order fair apportionment of State legislatures.

Time is important, because if enough legislatures are fairly apportioned, the chances of adoption of such a minority-rule amendment would be considerably reduced. Only so long as a majority of the legislatures are malapportioned, with rural areas overrepresented, would an amendment of this type sail through to adoption.

In order to preserve the status quo and gain time for favorable action on the constitutional amendment, Senator DIRKSEN is resorting to the worst sort of legislative trickery. He plans to submit his anticourt action bill as a rider to the foreign aid bill. The Dirksen bill has nothing to do with foreign aid and making it a rider to the aid bill would be a classic example of the abuse of legislative privilege.

Indeed, this move endangers the foreign aid bill itself. Those forces in Congress in favor of fair legislative reapportionment and those opposed to foreign aid might join together, for entirely different motives, and kill the aid bill. If, on the other hand, the bill passes with the Dirksen rider attached to it, then President Johnson would be faced with the sad choice of vetoing the entire bill, thus knocking out foreign aid, or signing it and thereby striking a blow at the Federal judiciary and at the principle of fair representation.

Let us hope that the spirit of enlightenment asserts itself in Congress, and the Dirksen bill is given the burial there it deserves.

[From the Courier-Journal, Aug. 15, 1964]

A REDISTRICTING COMPROMISE THAT IS FRAUGHT WITH DANGER

The fight over State legislative reapportionment that has erupted in Congress goes to the vitals of our political system. Two major principles are at stake. One is fair representation in State legislative halls for city and suburban dwellers, who are in the great majority in this country. Another is the constitutional authority of our judicial system.

Earlier this year the Supreme Court ruled that both branches of State legislatures must be apportioned according to population. Since many legislatures are not apportioned in this fashion and are, in fact, dominated by rural and small-town minorities, the decision foreshadowed a political upheaval of the first order. Those rural and small-town elements who are jealous of their political power at the expense of the urban majority reacted with frenzy to the court ruling. This reaction is now being duly reflected in Congress. The form it is taking is an effort to undo by legislative fiat what the Supreme Court has held to be the constitutional right of every American: to have his vote count as much as the next man's.

The strategy, devised by Senator DIRKSEN and other rural-oriented Members of Congress, is to pass a bill that would forbid the Federal courts to order further legislative reapportionments for from 2 to 4 years. Once this holding action succeeds, the next move is to push for ratification of a constitutional amendment that would prohibit the apportionment of both branches of a State legislature according to population. This would give the rural-minority control of one branch, either the house or senate, and thus provide it with a veto power in the legislative process.

Senator DIRKSEN and his allies chose to move in the closing stages of this session of Congress. They didn't want hearings. They didn't want full discussion. They wanted to ram their bill through as quickly and quietly as possible, by attaching it as a rider to the foreign aid bill.

The original bill—which simply would have tied the hands of the Federal courts in reapportionment cases for several years—has been softened in the Senate, although the House has in line for passage a bill with all of the harsh, and probably unconstitutional, features, of the original.

The Senate bill is now referred to as a "compromise." But Senator MANSFIELD, the Senate majority leader, and the administration, seem to have done most of the compromising. As it stands, it still would require a court to stay reapportionment proceedings for at least the next 16 months.

There is a provision that the courts can act before then under "highly unusual circumstances." Presumably this would be when repeated efforts to get a fair reapportionment have come to naught and when a State is clearly acting in bad faith. The Justice Department reportedly is pleased about one aspect of the compromise—a section that implicitly puts Congress on record as supporting the Supreme Court decision on reapportionment.

This strikes us as excessive straining to find a silver lining. No matter how you view the bill, its purpose, as the Washington Post observed, "is to put on the shelf constitutional rights that have been clearly defined by the Supreme Court."

In reality, the danger isn't that the courts will force reapportionment at unreasonable speed but that Congress will sabotage the whole concept of fair representation. And there is the companion danger that this move will set a precedent for congressional encroachment upon judicial authority. This could result in a confrontation that would subject our Federal system to severe stresses and strains.

[From the Courier-Journal, Aug. 21, 1964]

THE HOUSE ADOPTS A SPITEFUL AND IRRESPONSIBLE MEASURE

There are, in this country, rural counties where 1 vote is worth more than 600 times as much as a city vote when it comes to representation in the State legislature. In Vermont, a town with less than 100 residents has the same representation in the legislature as the State's largest city. There are inequities of various degrees throughout the Nation in representation at the State level. At least 44 States have legislatures malapportioned in favor of the rural and small-town minority, despite the fact that two-thirds of the population of the United States now lives in urban areas. (Kentucky, because of a recent reapportionment, is happily an exception to the general rule.)

This unbalance was such a flagrant mockery of representative government that the Supreme Court finally stepped in and ruled, first, that the victims of this inequity could appeal to the Federal courts for relief, and second, that both branches of State legislatures must be apportioned according to population.

It is perhaps regrettable that the Federal courts had no intervene. But the States asked for it. They have had years to take some corrective action and have done nothing in most instances. By doing nothing, many States violated their own constitutions. The people who were being deprived of fair representation had no alternative, once their petitions were rejected by State courts.

The Supreme Court ruling was quite simply a ruling in favor of fair representation for all of our citizens. However, fair representation would break the rural and small-town dominance of most of our legislatures and therefore shift the base of political power in the majority of our States. The rural minority in a desperate move to hold onto its power, is acting through its Representatives in Congress to strip the Federal courts of the power to force reapportionment. The House this week passed a bill that would do just that. It is probably unconstitutional and is expected to be buried in the Senate.

Why would the House pass such legislation? For several reasons. Some Members are sore at the Supreme Court because of other rulings and welcomed an opportunity to take a swipe at the Court. The chief reason, however, is that the House itself is malapportioned, and it is malapportioned because the State legislatures are. Legislatures draw House district lines, and with most legislatures in the hands of a rural small-town minority, it was inevitable that this bias would be reflected in the apportionment.

Couple this with partisan political gerrymandering of House seats and it is not surprising that the House, as now constituted, does not truly represent the interests of the urban majority. The Supreme Court, in another decision, has said that this has to change, too, and House districts must be based on population. This was another element in the House vote.

Meanwhile, the debate still rages in the Senate over a milder proposal that would delay the effect of the Supreme Court's decision on legislative reapportionment rather than void it. If that were all there were to it one might be persuaded to go along with a "breather" on reapportionment—although the Senate measure justifies withholding constitutional rights from citizens that the courts have held exist right now.

There is, unfortunately, more to it. The "breather" bill is only a device to delay further reapportionment until a constitutional amendment can be submitted to the States that would severely restrict the Federal judiciary's authority to act in reapportionment cases. And, of course, as long as the majority of the legislatures is stacked against the urban majority, they can be expected to adopt such an amendment.

All of this involves a great deal of complicated maneuvering, but the basic issue is simple and clear. At stake is fair representation for all of our citizens, regardless of where they live. Those behind the court-ripper legislation in Congress are against fair representation because it would diminish their political power. This is dramatic proof their power should be diminished.

[From the Kansas City (Mo.) Star, Aug. 15, 1964]

A CONGRESS GETTING OUT OF BOUNDS

Seldom in a single week has a Congress moved so far out of the field of proper and necessary legislation. We must assume that in part this is due to the weariness of the session and in part to the pressures of an election year. Whatever the motivation, we do not believe that certain actions taken or contemplated by our lawmakers are in the national interest.

Specifically, we refer to the vote in the Senate on the foreign aid bill, by which the President was specifically enjoined from providing any further aid to Indonesia under any possible circumstances. And to the strange procedural gymnastics in both Houses by which the lawmakers are attempting to do something about the Supreme Court's reapportionment decision.

The foreign aid action—and there is still time for the Senate to rethink its position—can only be regarded as an invasion of the executive branch by the legislative.

Similarly, the action—more properly, the reaction—on reapportionment seems rather blatantly to be an invasion of the judicial branch.

First, the foreign aid vote. There is and will continue to be a general resentment at all foreign aid. The pressures thus exerted on Members of Congress in an election year are powerful. Furthermore, we have no great liking for the President of Indonesia.

On the other hand, we regard foreign aid as still an essential national policy. And any such stricture on the President in foreign policy quite obviously limits his flexibility. His chief opponents—the masters of the Communist nations—suffer from no such limitations.

In theory, for example, there might, as of tomorrow, be a new government in Indonesia—a pro-Western government. It might conceivably be to our interest to support that government and support it immediately with foreign aid funds. Yet under the terms of the amendment voted by the Senate to the aid bill, the President could initiate no such program of support.

It is, to be sure, an unlikely development. But it is a possibility. And it is an apt example, we suggest, of the dangers that would exist should the Senate's amendment stand.

These are uneasy times and there can be sudden changes in the power struggle. Our President should be able to adjust to any development. The writers of the Constitution properly armed the Chief Executive when it granted him responsibility in the conduct of foreign policy. We see no justification for the Congress now to disarm the Executive even in part. The issue clearly is one of principle, not merely of aid to Indonesia. It is a most important principle.

The other situation involves the highly controversial issue of State legislative reapportionment and the recent decisions of the Supreme Court on that matter. Obviously, we are witnessing a gradual shift in the domestic political power structure of this country, from rural to urban-suburban areas. The Court probably recognized the inevitable. It nevertheless disturbed a lot of people and we can understand the depth of the resentment. We cannot, however, see how the remedies now proposed in the two Houses are in any way proper. Here, too, we have Congress stepping across the fine boundary line between the branches of government and thus endangering the separation of powers.

The intent of the lawmakers is clear. The Court ruled that both houses of State legislatures should represent population. Opponents of the decision are playing for time. They hope to stop Federal courts from considering further State redistricting cases or ordering reapportionments until the 89th Congress can submit an amendment to the States that would prohibit Federal courts from entering this field. Any move that would freeze the status quo of the legislatures would increase the chances of such an amendment.

The presumably deliberative Senate Judiciary Committee has forwarded a limiting resolution to the floor with virtually no deliberation. We hear that it is to be tacked onto the foreign aid bill as a rider, presumably in an effort to blackmail President Johnson into signing it. We hear also rather confusing reports on possible compromises in this rider, and we will say that if the lawmakers decide only to express the sentiment of Congress—not to impose its will on the judiciary—we could understand the case and would not be tempted to raise such a fuss. But even this much, we believe, should not be done in a foreign aid rider. It is bad legislative procedure.

Meanwhile, the House Rules Committee, so often the elephant's graveyard of legislation, suddenly came to life and pried from the Judiciary Committee a measure that would go even further than the Senate proposal. It would remove reapportionment jurisdiction from the Supreme Court. It is a proposal of doubtful constitutionality. About the best we can say for it is that the House plan may make the Senate's effort look mild and safe in comparison.

There are normal procedures for achieving what the House and Senate are attempting to do in the matter of legislative reapportionment. They are slow, and it may be said in all candor that perhaps the State legislatures and Federal courts themselves should not be too hasty in this matter. But whatever may be said for or against the Supreme Court's original decision, the methods currently being used by Congress to circumvent it are even more open to criticism. They are, in fact, indefensible.

In the case of Indonesian aid, there have been similar legislative ploys before as the anger at all aid and the frustrations of cold war have gained momentum. In most instances, after anger has been vented, cooler heads have prevailed and the restrictions on the President have in the end become more or less advisory.

Congress and particularly the Senate can properly advise in this field. It cannot properly supplant the President. By the same token, we do not believe that it can under any circumstances supplant the Supreme Court.

There are omnious developments on Capitol Hill these days.

[From the Kansas City Star, Aug. 18, 1964]

GOING-TO-PIECES ROUTINE ON CAPITOL HILL

It is difficult to see any excuse for a resumption of the second session of the 88th Congress after the Democratic convention. A reasonable effort and a few night sessions should have wrapped this all up by Saturday. Then came the deluge.

Now, liberals are engaging in a filibuster against the reapportionment rider to the foreign aid bill. We are opposed to the rider, both because of its intent and because it is a doubtful device for legislation. We could understand a mere expression of the sense of Congress, as Senator JAVITS, Republican, of New York, has proposed. But to go much further would, we believe, dangerously blur the lines between the legislative and judicial branches of government.

Nevertheless, we cannot defend the filibuster that the liberals have mounted. Some of the same Senators, we seem to recall, were thoroughly critical of the southerners use of the filibuster against the civil rights bill. The filibuster is either good or bad and never both. If it is available to one side, it must be available to the other. Little wonder that it has been so difficult to change the Senate's rule XXII which deals with filibusters.

In the House the Rules Committee has raided the Judiciary Committee to bring out an even stronger bill to take away court jurisdiction in reapportionment matters. Speaker MCCORMACK is sitting on that measure and apparently Representative SMITH, angered by this, is up to his old tactics of bottling up all other legislation until he gets his way.

It is a case of confusion turning into chaos. And all over an issue that Congress, in a hurry to close the books, should never consider in such haste. We have said some nice things about this Congress in the last several weeks. Right now, we're tempted to take them all back.

[From the Kansas City Star, Aug. 21, 1964]

DOWN A PERILOUS PATH ON CAPITOL HILL

The 88th Congress needs a few days off. It will get them during the Democratic convention next week. We trust that there will be, for Members of the House in particular, an opportunity for meditation on precisely what Congress has been doing these last few days. The House is definitely laying rough hands on an essential principle of U.S. democracy: The separation of powers. The Senate, while more restrained in its actions, is nevertheless similarly venting its anger on the Supreme Court. It is clearly an accumulative resentment brought to a climax by the reapportionment decision. In either case, we see only the elements of extremely bad legislative procedures.

We can understand the irritation and the depth of feeling that have prompted congressional reaction to judicial action. We appreciate the intense pressures that can be brought by people and groups back home—particularly in an election year. And, if we are to rely on history, there are precedents enough for this particular type of attack on the Supreme Court. But they always had an unhappy ending.

We recall 1912, for example, when the Bull-Moosing Theodore Roosevelt received some extremely bad advice and campaigned for the right of congressional recall of judicial decisions. That issue may have cost him the election. At least, it was a large factor.

Another Roosevelt—Franklin D.—sought to pack the Court and drew a total rebuff. The Court's defender was Congress, the body that now is on the attack.

Here, we are not concerned with the merits of the reapportionment decision. We do believe that it reflected an inevitable shift in the Nation's structure of political power. Our immediate concern is the manner in which the legislative branch of government proposes to change the decision, which held that both houses of each State legislature must be apportioned on a population basis.

The House would achieve the goal by removing from the Supreme Court and all

Federal courts the right to decide legislative reapportionment cases. We do not claim an expert knowledge of constitutional law. But if this proposal is not unconstitutional, we have never heard of one that was.

The Senate, which is looking good by comparison to the lower Chamber, proposes a delay in the effective date of the ruling. Unfortunately, the Dirksen resolution is a bit vague (as, fact, the Court decision was in regard to timing). Moreover, the plot is to attach it to the foreign aid bill as a rider, and that is a very dubious legislative strategy.

The bipartisan nature of this drive against reapportionment was evident in the House vote on the Tuck bill. This is, in short, no party line matter. It is a matter in which President Johnson might provide some leadership, but he has not. The other night, in properly praising the 88th Congress for what it has accomplished, he cited the arm-in-arm partnership of executive and legislative branches. There appears to be no such happy relationship between legislative and judicial.

Unquestionably the roots of anger go deeper than the single reapportionment decision. It is not necessary to trace the feeling to the school desegregation decision or to any other decision. It is necessary to recognize that resentment at judicial decisions is not necessarily confined to the far right.

Yet such resentment is most dangerous when it is expressed in so high a place as the U.S. Congress. There is, after all, an orderly way of accomplishing what the lawmakers are attempting to accomplish. Should Members of Congress go about the business of nullifying the Court decision through the submission of an amendment to the States, no one could quibble. We would not necessarily regard such a constitutional amendment as in the national interest. But properly submitted, it would be a procedure within the rules of government.

Instead, we see Congress acting in haste and, it seems, in anger. The pressure is on, both in terms of politics and in terms of time. As an institution, Congress does not always perform best under pressure. Let us hope that the few days away from Washington—presumably to be spent on the boardwalk by most Democrats, or back home by the Republicans—will clear the air. The 88th Congress has written a fine record thus far. It would be a tragedy to mar it in the closing days.

[From the Kansas City Times, Aug. 24, 1964]

Sad Words in the Senate

There is a distinction between spirited debate and name calling. The difference, it seems to us, is particularly important when the scene of debate (or of name calling) is the U.S. Senate. We refer to Senator Russell B. Long's characterization of the Supreme Court Justices as "those screwballs." The Senator was discussing the fight over the House bill to strip Federal courts of jurisdiction in State legislative apportionment cases.

We grant that any man, speaking in anger, can on occasion speak imprudently. We do recognize the depth of feeling over this particular issue. The Senator himself said later, that his words were "a little intemperate." Quite an understatement, that.

Nevertheless, we must protest such an attitude, publicly expressed, by any Member of the Congress of the United States. It is one thing to disagree with any decision of the Court and Senator Long is within his rights, both as lawmaker and citizen, in so disagreeing. It is another to angrily downgrade the dignity and status of another branch of Government. But come to think of it, perhaps it was the Senate, not the Court, that lost stature.

[From the Long Island (N.Y.) Newsday, Aug. 7, 1964]

The Dirksen Bill

Senator Everett Dirksen, Republican, of Illinois, has pending in Congress a bill that has the effect of taking jurisdiction over State legislative apportionment away from the Supreme Court until enough legislatures can vote upon a proposed constitutional amendment aimed at freezing apportionment virtually as it stands by leaving it up to the separate States.

This is a hasty and unjustified piece of legislation which seeks to disestablish the judiciary as one of the legs of the Federal tripod—the others being the executive and legislative branches. As such it is both mischievous and in the long run dangerous. The system of checks and balances cannot be thrown out of kilter, however much some of the Supreme Court's decisions may meet with disagreement.

While in many cases the lower courts, implementing the reapportionment decision, have unquestionably insisted upon more haste than is consistent with the legislative process, still the rule of law must prevail. The Dirksen amendment could be an unpleasant, even dangerous prelude to a whole series of congressional fiats that, in the end, endanger the whole constitutional system of government and for it substitute government by whim.

[From the Long Island (N.Y.) Newsday, Aug. 15, 1964]

Back to Reconstruction

The House of Representatives has before it a ripper bill stripping the Federal courts of any jurisdiction whatever over reapportionment of State legislatures, as decreed by the Supreme Court.

This measure was shoehorned out of the Judiciary Committee, which took a dim view of it, by some fancy footwork on the part of Howard W. Smith, Democrat, of Virginia, chairman of the Rules Committee. Smith, who ordinarily spends much of his time bottling up worthy measures, chose to unbottle, by some slick parliamentary maneuvers, a thoroughly unworthy one.

The author, Representative William M. Tuck, Democrat, of Virginia, had to go all the way back to Reconstruction times in order to produce a very weak justification. He cited the case of ex parte McCardle, involving a Mississippi newspaper editor imprisoned by a military tribunal under the 1867 Reconstruction Act. Congress, fearing that the Supreme Court would free him, hastily passed a law denying the Court jurisdiction in appellate cases involving the 1867 laws. The Court thereupon dismissed the appeal for lack of jurisdiction. It was a shabby performance by Congress, but these were wild days directly following the Civil War.

Since two wrongs do not make a right, it is obvious that if this bill passes the House, the way will be paved to strip the Supreme Court of its power as the judicial branch of the Government. Other measures can be expected to be proposed including one to nullify the application of the civil rights law. Eventual result: Legislative anarchy and judicial helplessness.

Therefore, it is up to the Senate to use its commonsense and to kill Mr. Tuck's handiwork. The Dirksen bill, in the Upper House, is a bad one, too—providing, as it does, time for a constitutional amendment that would take away redistricting power—but it is at least based upon proper procedures. The best thing for the country would be to have both bills killed, and that ought to be the end result.

[From the Toledo (Ohio) Blade, Aug. 22, 1964]

Unjustified Means

As the Senate continued to wrestle over Senator Everett Dirksen's effort to postpone application of the Supreme Court's State reapportionment rulings, some commentators began to look beyond his tactics to find merit in his goal.

Columnist Walter Lippmann, for instance, declared in last Tuesday's Blade that there is a great deal to be said in favor of taking a breather in the reapportionment battles. In brief, his argument was: So drastic a change in our political structure as the realinement of representative power is a proper subject for deliberation and debate. Congress and the people should be brought into the decision through, say, a proposed constitutional amendment to modify the rules laid down by the Court.

Consequently, Mr. Lippmann found these advantages in delay of such overriding importance as to excuse Senator Dirksen's technique, which the columnist conceded is "a bit awkward and rather inconvenient."

We, too, can see the value in carefully weighing the full potential impact of the Court's mandate, especially the order that both houses of a legislature should represent population to the exclusion of all other interests and factors.

This is why we have expressed the hope that lower courts would allow time for study of all the problems involved in each State's specific situation. And this is why we have granted the need in some States to take account of geographic peculiarities or unusual population concentrations, even while allocating seats within the general one-man, one-vote framework.

Yet just because of this concern, we think the question raised by Senator Dirksen's strategy is not whether it is justified by the need for caution, but whether it really serves that goal.

Is attention properly focused on the problems of reapportionment by attaching the delay proposal as a rider to a bill as irrelevant as the foreign aid authorization? Is full-scale deliberation encouraged by throwing a last-minute monkey wrench into the legislative works?

Experience with this kind of tactic—and it is a familiar one in legislative halls—compels a negative answer to both questions. The result of such maneuvers, in fact, is usually just the opposite of calm, reasoned, wise action.

It is for that very reason that the device is most often used to block rather than to promote constructive movement. And that is why Senator Dirksen's aim seems to be protection of vested political interests rather than correction of the imbalance of power in legislative chambers.

[From the Newark Evening News, Aug. 18, 1964]

Wrong Issue

The determination of the politicians to do something about the Supreme Court's ruling that both houses of State legislatures must be apportioned according to population has precipitated another historic clash between legislative and judicial branches.

Two plans for thwarting the Court have been proposed in Congress. The Tuck bill approved by the House Rules Committee would deny the Federal courts jurisdiction on State apportionment cases. The Dirksen amendment would delay Court-ordered reapportionment until a constitutional amendment, permitting one legislative house to be apportioned on a nonpopulation basis, could be acted on by the States.

The Tuck bill, assuming its constitutionality, would create a dangerous precedent for legislative intervention whenever a Supreme Court decision offended congressional sensibilities. The Dirksen amendment, less objectionable because it does not deny judicial jurisdiction, would nevertheless create confusion and its ultimate purpose is to deny citizens a right which the Court says the Constitution gives them.

Congressional resentment is understandable. The apportionment decisions not only threaten powerful political interests, but embrace an area long held by the Court itself to be beyond its jurisdiction. And in the apportionment question has been focused congressional dissatisfaction with other recent rulings of the Court that seem to exceed the traditional bounds of its powers.

Congress, however, has picked the wrong issue for a showdown. The Supreme Court's idea is that all citizens, regardless of domicile, should be equally represented in State legislatures. Since that concept benefits the majority, most citizens can't find anything wrong with it. Many of them, on the other hand, are well aware that the moves against the Court are designed primarily to serve the interests not of voters, but of politicians and political parties.

[From the Newark Evening News, Aug. 28, 1964]

DEMOCRATIC SILENCE

The Republican platform attempts to meet the issue of State legislative reapportionment by running away from it. The Republicans take refuge in a proposed constitutional amendment to enable "States having bicameral legislatures to apportion one house on bases of their choosing, including factors other than population."

But the Democrats, in contrast, don't even attempt to meet the issue. They ignore it. Their platform committee had been urged by Mayor Wagner and the mayors of other cities to support the Supreme Court's one-man, one-vote principle. Committee members were sympathetic but, in deference to President Johnson and his determination to avoid controversy, they rejected the proposal.

The platform is voluble about democratic principles and human rights but on the vital issue of supporting the Supreme Court in an area that embraces a basic democratic principle, it maintains a timid silence.

It is silence the more noticeable because the platform was adopted in a State where legislative imbalance is so flagrant that it was cited as an example in one of the celebrated opinions of Supreme Court Justice Frankfurter.

The platform committee reportedly accepted President Johnson's assurance that the way to deal with the matter was not to talk about it but to sidetrack anti-Court measures in Congress.

There's only one thing wrong with this argument. The President must have forgotten to tell Congress.

Only 2 weeks ago, the House of Representatives adopted the Tuck bill, which forbids Federal courts to take jurisdiction of all future complaints on alleged legislative malapportionment and stops proceedings in all pending cases.

The Tuck bill was passed 218 to 175. Voting to curtail the jurisdiction of the Supreme Court were 96 Democrats. Had only 22 of them voted the other way the bill would have been defeated.

And had President Johnson intervened in this, as he has in so many other congressional and convention matters, he doubtless would have found it just as easy to get those 22 votes as it was to get votes in the platform committee.

[From the Newark (N.J.) News]

ATTACK ON THE PEOPLE

The debate that preceded adoption of the Tuck bill did not add much to public understanding of the issue raised by this proposal to deny the Federal courts jurisdiction in legislative apportionment cases.

Rules Committee Chairman SMITH argued the bill is necessary to bring to a halt the Supreme Court's "drastic assault on the Constitution" and to "save the country from judicial autocracy." Judiciary Committee Chairman CELLER denounced the bill as "a vicious attack on the Supreme Court."

All this vehemence obscured the truth about the bill, which is that it is a direct attack on the public. It would impair civil liberties by denying citizens the right to appeal to the Federal courts from the manifest injustice of malapportionment in State legislatures.

Undoubtedly there is some justification for impatience with the Supreme Court and the peremptory manner in which the district courts have implemented its apportionment decrees. Nevertheless, the Tuck bill should be seen clearly for what it is—a defense not of the Constitution, but of political privilege, an assault not on autocracy, but on democracy.

[From the St. Paul Dispatch, Aug. 12, 1964]

LET MAJORITY DECIDE ON REPRESENTATION

If the States choose, by constitutional amendment, to overturn the Supreme Court's ruling on State legislative apportionment, there would be no question as to either the legality or the intent of the action. It would simply be a rejection of the one-man, one-vote principle.

But if this nullification amendment were to be approved before redistricting takes place in many of the States, it will mean that perhaps a majority of citizens in this country will have no effective voice in the matter.

If apportionment in most States were to be ordered before the States vote on the constitutional amendment, however, the vote to overturn the Supreme Court decision would fairly accurately reflect the majority will.

Unfortunately, the bill proposed by Senator DIRKSEN, which would force the Federal courts to grant a stay of 2 years in any case involving the validity of a State's present apportionment system, would have exactly the other effect. It would insure that some minorities will remain in control of State legislatures until such time as they can vote on a constitutional amendment nullifying the Supreme Court ruling. They would then vote to maintain themselves in power indefinitely.

[From the St. Paul Dispatch, Aug. 18, 1964]

FINISH THE JOB

Plans for keeping Congress in session after the Democratic National Convention may be disappointing to some of the Members, but the legislative problems still to be disposed of are more important than the personal convenience of these Senators and Representatives.

Senator DIRKSEN's last minute attempt to prevent prompt reapportionment of State legislatures in line with Supreme Court decisions has disarranged plans and schedules of the leadership. The Dirksen move is of such significance that those who oppose it are justified in refusing to agree to a settlement without full debate and consideration.

Not only as to subject matter, but also as to procedure the Dirksen move is open to criticism. The minority leader is determined to tack his anti-Supreme Court rider onto the foreign aid bill, although the two measures have no connection whatsoever. Good legislative practice would call for consideration of foreign aid and apportionment separately.

The purpose of this maneuver is to make it impossible for President Johnson to veto the apportionment restriction without also killing the entire foreign aid program.

In the controversy that has arisen, time is being lost that is needed for consideration of social security and medicare proposals, the Appalachia program, and other matters that Congress should attend to before it quits for the fall elections.

Congress should come back to Washington after the Democratic convention prepared to stay as long as necessary to dispose of these matters in orderly fashion. What is done will be important to millions of Americans.

[From the St. Paul Dispatch, Aug. 14, 1964]

CONGRESS AND COURT

Congressional moves to undercut the authority of the Federal courts to deal with malapportionment of State legislatures are a harsh and dangerous break with normal procedures.

Immediate questions are raised as to the traditional separation of legislative, executive, and judicial powers in the Federal Government.

Senator EVERETT DIRKSEN's initial proposal to force a delay in enforcement of Court orders on apportionment was serious enough to draw the criticism of a group of prominent legal scholars who declared that acceptance of his restrictions "will dangerously threaten the integrity of our judicial processes." Far more radical is the House bill, supported by a coalition of southern Democrats and conservative Republicans in the Rules Committee, which would completely bar Federal courts from ruling on the makeup of State legislatures.

The Supreme Court has held that State legislatures must base their districts on population. The normal procedure for those disagreeing with the decision would be to advocate a constitutional amendment legalizing area considerations in apportionment.

The Dirksen proposal recognizes the validity of this course, but would seek to delay apportionment reforms in the legislatures for 2 to 4 years. The House bill, authored by Congressman WILLIAM TUCK, of Virginia, is an outright attempt to deny the Supreme Court's authority to interpret the Constitution insofar as apportionment is concerned.

Senator CLARK, of Pennsylvania, describes the anti-Court moves as means of perpetuating undemocratic control of our State legislatures by a minority of the voters. Chairman EMANUEL CELLER, of the House Judiciary Committee, warns: "If Congress can rob the Federal judiciary of jurisdiction over reapportionment cases today, it can deprive the courts of enforcement powers for the Bill of Rights or the civil rights law tomorrow."

A group of 15 legal scholars, members of various law school faculties, said of the Dirksen plan: "It is to declare by statute, without constitutional amendment, that for a period of time certain constitutional rights may not be vindicated in any court, State or Federal."

Precedents which will be established in the current controversy could have far-reaching results. The situation is made worse by efforts of Congress to adjourn next week, leaving little time for serious consideration of the problems involved.

[From the AFL–CIO News, Aug. 22, 1964]

A BASIC RIGHT AT STAKE

It is incredible but nonetheless true that Congress is seriously considering suspending the constitutional right of Americans to equal representation in State legislatures, where for too long rural minorities have been able to outvote urban and suburban majorities.

Yet unless there is an outpouring of public protest there is a very real possibility that Congress will, in effect, set aside the Supreme Court's one-man, one-vote mandate for election of legislators.

The immediate impact would be to halt the healthy trend toward fair reapportionment which has progressed under the impetus of court rulings. Some of the proposals now before Congress would even turn the clock back and restore minority rule in States which have already redistricted. The long-run significance is that if Congress overrules the Court in this instance it will have created a dangerous precedent for suspension of constitutional guarantees.

The Senators who have blocked a hasty, unconsidered vote until after the Democratic Convention have given the people an opportunity to make their voices heard. They must wire and write their Senators to vote against any legislation which would suspend or nullify court enforcement of fair reapportionment.

There is little time; there is great urgency.

[From the Akron Beacon Journal, Aug. 5, 1964]

STOPPING THE CLOCK

Amending the Constitution of the United States is not something which can be done overnight—or even within a year.

The usual process involves a favorable two-thirds vote by each House of Congress and then ratification by the legislatures of three-fourths (38) of the States. Since many legislatures meet only once in 2 years and all but one have two houses, ratification is a time-consuming process. Even in the case of a noncontroversial amendment, it usually takes 3 or 4 or more years.

It is understandable, therefore, that Representative WILLIAM M. McCULLOCH, of Ohio, is afraid that his proposed amendment nullifying the Supreme Court's "one-person, one-vote" decision will be too late—if, indeed, it ever should be adopted.

McCULLOCH and others in Congress want to write into the Constitution a provision that only one house in a State legislature must be apportioned on a population basis. This would mean that the other house, in the words of Chief Justice Warren, could represent trees, or cows, or acres.

Federal courts are already hewing to the new precedent set by the Supreme Court and, in some States, legislatures are moving to correct the imbalance without waiting for court orders.

Fearful that the reform in representation may soon be accomplished, Representative McCULLOCH has introduced an interim resolution which would abolish, for a period of 7 years, the power of either State or courts to decree the reapportionment of one house of a State legislature.

In a parallel move, Senator DIRKSEN yesterday pushed through the Senate Judiciary Committee a bill to halt Court orders for reapportionment until, in each case, a State legislature has held two regular sessions.

In other words, this would give 2 to 4 years for legislatures to act on the proposed constitutional amendment, while keeping the present apportionment in status quo.

It seems to us highly questionable whether the constitutional interpretations of the Supreme Court can be nullified or delayed by a mere act of Congress.

To be sure, the Constitution may be amended, but can Congress overrule the Court while the amendment process goes on?

McCULLOCH's resolution, which goes farther than DIRKSEN's bill, would even tell the State legislatures that they couldn't proceed with reapportionment.

Isn't that a direct contradiction of all that he and other States righters have been screaming about? They say they don't want any interference with the right of the States to set up their legislative apportionment in their own way. And now McCULLOCH would have Congress tell them they can't give fair representation.

The U.S. Supreme Court ruled on this subject only after it became apparent that citizens had no other recourse against legislatures which neglected or refused to apportion representation on a fair basis.

Under prodding, many of the legislatures, including Ohio's, are now facing their responsibilities.

Is the clock now to be turned back, so that all the inequities of unequal representation can be perpetuated? That's the purpose of DIRKSEN's and McCULLOCH's last-ditch fight to keep the status quo.

[From the Akron Beacon Journal, Aug. 16, 1964]

SENSE IN REAPPORTIONMENT

Having finally faced the necessity of reapportioning the Ohio House of Representatives, legislative leaders have devised a reasonably good plan.

Robert Kotzbauer, our Columbus correspondent, reports that Speaker Roger Cloud and Senate Majority Leader Stanley Mechem are contemplating an updating of the old apportionment plan along these lines:

Instead of dividing the State's population by 100, divide it by 150 to get the prime ratio for apportionment.

With the ratio at 64,709, on the basis of the 1960 census, each county with a larger popuation would get 1 representative for each 64,709 persons, while smaller counties would be combined so that there would be a representative for approximately that number of persons in 2 or more counties.

The State's unique fractional system would be retained so that population imbalances are rectified by granting the counties or groups of counties an extra representative for one or more of the five sessions in a decade.

Reapportionment would occur automatically every 10 years, handled under the formula by the Reapportionment Board, consisting of the Governor, auditor, and secretary of state.

Such a plan would preserve that which is good in Ohio's longstanding system for apportionment, while conforming to the Supreme Court's ruling that each person must have approximately the same representation in each house of the legislature.

With approximately 150 members of the house, as compared to the present number which ranges around 135, there will not be a wholesale elimination of some of the valuable members who represent the smaller counties.

Necessarily, some of these counties will be bunched by twos, threes, or fours and some present members will have to compete against each other for seats. And the larger counties will get the additional representation to which they are entitled.

But a house of this size will have a far better balance than one of, say, 100 members, where rural and small town representation would be cut to the bone.

The legislative leaders are on the right track, we believe.

We trust they will have the good sense to insist on action within the year, regardless of what opportunities for stalling and delay may be opened up by the iniquitous measures now being pushed in Congress by Senator DIRKSEN and Representative McCULLOCH.

[From the Minneapolis Morning Tribune, Aug. 17, 1964]

NOW EXTREMISM ON REAPPORTIONMENT

Congress is engaged in a reapportionment squabble which could delay adjournment for weeks. It may mean some clipping of the powers of the U.S. Supreme Court and Federal courts.

Many Congressmen feel that the Supreme Court invaded the legislative field this year with its edict that every State legislature must base membership in both houses on districts substantially equal in population. About 40 States would have to redistrict under this ruling, some in violation of their own constitutions.

There is no question that in most legislatures the rural areas are overrepresented. Yet the situation had been improving in some places, as witness the Minnesota Reapportionment Act of 1959. Also, many Americans feel that a reasonable area factor is desirable in one chamber of a legislature. Otherwise, why have two chambers?

Whether or not the Supreme Court overstepped its own constitutional bounds in the reapportionment decision, there is no appeal. But Congress can get around many court rulings by new legislation. That is what it is trying to do now.

Since the courts could find the new action unconstitutional, Congressmen obviously seek to borrow time to put through a constitutional amendment on reapportionment. Thus they would counter an extreme Supreme Court decision with an extreme move of their own.

[From the Seattle Times, Aug. 18, 1964]

BILLS CONGRESS SHOULD REJECT

Disputes over the U.S. Supreme Court and the issue of reapportioning State legislatures appear to have fouled up the congressional timetable for adjournment this week—in advance of Monday's opening of the Democratic National Convention.

Congress has been unable to act on a number of key legislative proposals because of belated attempts in the Senate and House to block or delay enforcement of the Supreme Court's decision that legislatures should redistrict themselves for equality in voting and representation.

We believe that these moves are ill advised and should be defeated.

Many legislatures, including our own, have been willfully negligent in fulfilling constitutional mandates to reapportion in conformance with population growths and shifts to metropolitan areas.

If the Federal courts are stripped of their powers to enforce apportionment orders for 2 years (as is proposed by Senator DIRKSEN) it will mean that legislatures such as Washington's will be encouraged to defer redistricting into the distant future.

If the Federal courts are stripped of enforcement powers permanently (as proposed by Congressman TUCK) equality in legislative representation may not ever be achieved in Washington and many other States.

The politicians concerned with preserving the status quo (in this State among others) have demonstrated their determination to defy their constitutional obligations on this score by utilizing every loophole available.

Congress should end this hypocrisy by rejecting the Dirksen and Tuck proposals and getting on with legislation which is not against the public interest.

[From the Seattle Times, Aug. 21, 1964]

PARTY LINE VERSUS VOTERS' RIGHTS

Four Washington State Republican Congressmen put party policy above the figures of their underrepresented metropolitan-area constitutents this week in voting for the Tuck bill in the House of Representatives.

The Tuck bill would forbid the U.S. Supreme Court and lesser Federal courts to rule on cases involving the apportionment of State legislatures.

The four Washington Republicans who voted for the measure were Representatives PELLY, WESTLAND, and STINSON, whose districts include Seattle suburban areas in King and Snohomish Counties, and HORAN, who represents some similarly underrepresented areas in Spokane County.

The interests of these and similarly burgeoning suburban communities across the country are subordinated to those of thinly populated rural areas under present legislative apportionment systems.

(Representative HANSEN voted against the Tuck bill. Representatives TOLLEFSON and MAY did not vote but were recorded as favoring it.)

In a joint statement signed by all the State's Republican Congressmen except TOLLEFSON, who was absent, support of the Tuck measure was defended as "a way of registering a protest against Federal intervention in State affairs."

"In the State of Washington, we feel reapportionment is long overdue and should not be delayed," the statement said. "But the theory that only the Federal courts know what is best for the individual must be rejected."

In theory there is much to support this line of reasoning. But the harsh fact is that without the prodding of outside agencies—the courts or, as happened 7 years ago in this State, a successful initiative campaign—State legislatures repeatedly duck their responsibilities to redistrict in accord with population changes.

The Republican Congressmen were entirely correct, however, in pointing out that "Republicans in the State house of representatives have on two occasions succeeded in passing reapportionment legislation, only to have it killed in the Democrat-controlled State senate."

In the 1963 legislature the senate in effect reneged on a bipartisan redistricting agreement after the house had passed a measure in accord with that agreement.

While Capitol Hill observers believe the Tuck bill is unlikely to pass the Senate, they do think it may serve to improve chances for passage of the reapportionment delay measure that Senator DIRKSEN is sponsoring as a rider to the foreign-aid bill.

Our own view is that the 88th Congress has far more constructive matters to occupy its attention in the closing days of its existence than the varied legislative maneuvers aimed at undoing the just requirement of the courts that citizens be given equal representation in their State legislatures—promptly.

[From the Baltimore Evening Sun, Aug. 15, 1964]

A BAD FIGHT

The fight that has been taking shape first in the Senate and now in the House over the Supreme Court's decision on the apportionment of State legislatures is a most unfortunate one.

The Senate is trying to reach agreement on an amendment to the foreign aid measure proposed by Senator DIRKSEN that would have the effect of staying Federal court orders on reapportionment until 1966 "except in highly unusual circumstances." In the House a much more drastic proposal would simply deny the Federal courts jurisdiction in reapportionment cases. The purpose is the same in both instances—to prevent the carrying out of reapportionment in accordance with the Supreme Court's decision of June 15 requiring equal representation in both the upper and lower chambers of State legislatures on the basis of population. However, in the Senate those who are working to nullify application of the "one-man, one-vote" principle seek to gain time for eventual action on a constitutional amendment that would permit the now malapportioned legislatures to vote for continuing the pattern of their present composition. The measure the House is being asked to pass would anticipate the result of the amendment by taking away from the Federal judicial system the power to rule on such matters.

Although the Tuck bill is much the worse of the two there is less chance that it will be accepted. Some of its supporters are said already to be having second thoughts about it and it is believed it could never win approval in the Senate. But both measures are bad for the same reasons. Both are intended to continue a system by which, in the Court's words, "a citizen's right to vote is debased" by inequality. Both would constitute an interference with the courts' authority to protect what most voters regard as one of their most important and fundamental rights—the right of each person's vote to weigh no more and no less than any other. Neither proposal is worthy of the time and consideration Congress is giving them.

[From the St. Louis (Mo.) Post-Dispatch, June 30, 1964]

RIGHTS DO NOT MEAN RULE

A repeated theme of criticism of the Supreme Court's State apportionment decision is that it imperils democracy and the Constitution itself by depriving rural minorities of proper protection. The argument amounts to a gross exaggeration of minority rights.

As Chief Justice Warren said, in demanding that State legislatures be based on considerations of equal population, "Our constitutional system amply provides for the protection of minorities by means other than giving them majority control of State legislatures." The Constitution gives rights to all that no legislative majority can take away.

The Warren Court has often been attacked by the same critics for its decisions protecting minorities. Now the shoe is on the other foot. What political conservatives seem to be saying is that the rights of the rural minority in an urban nation can only be protected by preserving their control of legislatures—in short, by minority rule. That is a direct contradiction of representative government. There is no good reason for so favoring farmers over city residents or small counties over large ones, or trees over people, as the Chief Justice put it.

Rural residents should be assured that they are not losing fair representation in losing unfair representation. Reapportionment on a popular basis, properly devised, should give adequate voting power to rural as well as urban residents, to diverse economic and political interests and to the parties. Who would argue that the Missouri Senate is inferior as a representative body to the Missouri House simply because the senate is based on population? The senate is, in fact, the superior body.

The courts are unlikely to permit discrimination against rural voters in new apportionment plans any more than the courts have permitted discrimination against city dwellers, or Negroes, or other groups in past and present plans. But the courts have left the initiation of the new plans to the legislatures. It is up to them to provide fairness for all.

[From the St. Louis (Mo.) Post-Dispatch, July 5, 1964]

REFORM AND REPRESENTATION

An editorial in the Shelbina Democrat, reprinted today on this page, complains that Chief Justice Warren's one-vote, one-person theory ignores the intangible fact that city voters are more subject than rural people to machine voting.

This is indeed intangible. Granting the evils of boss-dictated voting, it should be noted that there have been cases of rural voters being brought to the polls in trucks in Missouri. There appear to be delivery townships in the country just as there are some delivery wards in the cities. We sometimes wonder whether critics of deliverable city votes do not criticize partly because these votes are not delivered as they would wish.

Be that as it may, the argument over machine voting is irrelevant to the case for one-person, one-vote representation in the legislatures. It is as irrelevant as the companion argument that rural voters should pick better legislators than do city voters. For it is the business of representative government, and of representative legislatures, to represent people, and that right of representation cannot be denied because of imperfections in its results. Reform, in terms of independent voting or selection of the best representatives, cannot be imposed by deliberate misrepresentation.

Nevertheless, reform can be encouraged through good representation. The Missouri Senate, as compared with the unrepresentative Missouri House, is a case in point. A unicameral legislature, reinforced with higher pay for its fewer legislators, should mean both better representation and better representatives.

The unicameral system has one other advantage. Because its members necessarily represent fewer and therefore larger districts, those members ought to be less subject to pressure from any particular interest. They will have to consider many competing interests. Unicameral legislators thus should not be dominated by a labor union, for example, or a farm bureau, or a bank, or a business.

Missouri can follow the one-vote, one-person principle toward more effective as well as fairer representation. In no way can it now follow any other principle.

[From the St. Louis Post-Dispatch, July 29, 1964]

AMENDING THE COURT

The more vigorously the Supreme Court acts in behalf of individual justice, the more energetically its critics seek to rewrite, amend, or repeal its decisions. Such an effort is now underway before a House Judiciary Subcommittee.

Representative McCULLOCH, of Ohio, ranking Republican on the Judiciary Committee, proposes a constitutional amendment to overturn the recent Court decision that both houses of State legislatures should be apportioned by population. The idea was incorporated in the Republican platform. The same Goldwater platform also recommended another amendment to allow voluntary religious exercises in schools and other public places. This, too, was aimed at the Court.

Last year, rural conservatives promoted three other constitutional amendments, often called the disunity amendments, which would have enhanced State power at the expense of the Nation in several ways. This campaign seemed to be losing steam, however, until recently. Then the Supreme Court offered its redistricting opinion, reaffirmed its prayer decision, continued to strike down segregation laws and applied new fair trial procedures to the States.

In each case the Court affronted States rights supporters. They, in turn, have marshaled their forces behind the McCulloch proposal. It would allow the States to apportion one legislative house on factors other than population, if the voters approved.

The Supreme Court has already disposed, in a Colorado case, of the notion that voters have the privilege of throwing away fundamental constitutional rights, such as the right to equal votes. Moreover, the McCulloch plan represents an obvious attempt to perpetuate rural and largely conservative control of State legislatures. For that is what apportioning a house on factors other than population has long meant in most States. The concept of weighted democracy means weighted against democracy.

Speaker Thomas Graham, of the Missouri House of Representatives, made this clear enough. He told the judiciary group that electing a Missouri house on a popular basis would allow labor-controlled delegations from the cities to wreck Missouri's good business climate.

The charge is nonsense; the Missouri senate is fairly apportioned and if anything is more responsible than the house. Apart from that, representative government cannot be tailored to suit the results favored by Speaker Graham or anyone else and still remain representative government.

Why do the States righters consider the apportionment amendment the key to their attack on the Supreme Court and Federal authority? They know that time is running out for their old order. The Supreme Court has built a potential defense for itself in ordering reapportionment, and as reapportionment proceeds, the conservatives will lose whatever power they can now muster to change the Constitution and to defend their privileged status.

If Congress should somehow approve the amendment, the present legislatures would likely snap it up for ratification. The place to defeat the States rights plan is in Congress. Americans who support the Supreme Court's defense of equal citizenship in every State ought to advise their Congressmen that the Constitution is no place for the philosophy of inequality.

[From the St. Louis Post-Dispatch, Aug. 17, 1964]

A Diminution of Liberty

The remarkable gyrations in both Houses of Congress, aimed at overturning the Supreme Court's great apportionment decisions, should not be allowed to detract from the main issue. That issue is whether Congress should initiate the first retreat from constitutional freedoms in the Nation's history.

In the Senate, the effort of conservatives has been directed toward a bill to delay Court-ordered reapportionment, in order to allow some time for present malapportioned legislatures to ratify a proposed constitutional amendment. In the House, a bill is proposed which would have the effect of the amendment.

Forms of the amendment differ. One would allow the States, upon a vote of the people, to base one house of their legislatures on something other than population. Others would completely abolish Federal court jurisdiction over State apportionment cases. But every proposal represents an effort to protect the rural conservative domination of State legislatures against the Supreme Court's order that these should be based on people, not trees.

We wonder if even some of the supporters of these proposals can foresee the consequences. Much more is involved than legal jurisdiction or rural favoritism or conservative advantage. What is proposed is in direct conflict with the Constitution as it now stands. Indeed, it is questionable that the proposed bills are constitutional. But what of an amendment to the Constitution?

At one level, the suggested amendments would allow the States to use something beyond geography in apportioning a legislative house. As Arthur Freund, of St. Louis, has pointed out, they might use apportionment in behalf of racial, economic, or other forms of discrimination. At another level, the Federal courts would be left largely powerless to protect citizens under the 14th amendment, which provides for equal treatment in State laws, or under the 15th amendment, which says the right to vote shall not be abridged because of race.

Suppose a State should deliberately apportion a house to deny meaningful representation to Negro areas, or slum areas. This would violate the present Constitution as defended by the Supreme Court, yet might be permissible under one of the new amendments. The legal tangles that could ensue are obvious, but are not the worst of it. The worst of it would be that Congress would have established a precedent for limiting, reducing, or withdrawing liberties always a part of the Constitution. It is time the Members of Congress heard a resounding protest from the people that the Constitution protects.

[From the St. Louis Post-Dispatch, Aug. 20, 1964]

Foes of Equal Votes

Congressional opponents of State reapportionment claim that time is needed for deliberation on the matter. Yet quick passage by the House of the Tuck bill shows that the last thing really desired is deliberation.

The drastic bill by Representative **Tuck**, of Virginia, would eliminate Federal court jurisdiction over State apportionment matters. This measure was ripped away from the House Judiciary Committee by the powerful Rules Committee led by Representative **Smith**, of Virginia. In a most unusual move, the latter group sent the bill directly to the floor. With a minimum of debate, the House passed it by 218 votes to 175.

In the Senate, only a filibuster by some northern liberals has prevented Senator **Dirksen**, of Illinois, from attaching his antiapportionment rider to the foreign aid bill, where it does not belong. As revised in a so-called compromise, the Dirksen rider would stay Court action on reapportionment for approximately 2 years.

Though Senator **Dirksen** has argued for time for the States to act, he gave Congress itself little time to act. He introduced his bill in the hectic closing moments of the session, it was rushed out of committee without public hearings, and it was then proposed for an attachment to the foreign aid bill on the theory that President Johnson could not afford to veto it.

Nothing in this record suggests that the opponents of reapportionment want time for deliberation. What they want is the hastiest, most ill-considered possible action in defense of the political status quo in State legislatures.

Even so eminent an observer as Walter Lippmann has concluded that a stay of court action as proposed by the Dirksen rider would give the country a worthwhile opportunity to consider and adapt itself to apportionment reforms. That is not the real purpose of the Dirksen rider. The purpose is to maintain the present malapportioned legislatures long enough so that they could ratify a proposed constitutional amendment freezing the malapportionment. Even Mr. **Dirksen** has made no secret of that.

Various constitutional amendments are proposed. One would let a State apportion one legislative chamber on a basis other than population, contrary to the Supreme Court's recent directive. Another would destroy Federal court jurisdiction in the manner of the Tuck bill. These amendments to the Constitution would represent the first subtraction from our basic liberties in our national history. They would destroy the guarantee of equal protection of the laws as expressed through equal representation in legislatures.

The Dirksen rider, calling for a stay rather than a prohibition of court action, may or may not be less vulnerable to constitutional attack than the Tuck bill. But as Senator **Douglas**, of Illinois, says in an address partially reprinted on this page:

"What we are asked to do is suspend for an undetermined time the constitutional guarantee of the equal protection of the law."

Americans must wonder at so many Congressmen so determined to deny them equal voting rights, temporarily or forever. The explanation is that these Members have a political stake in malapportionment in their home States, and are making a desperate defense of it.

If deliberation were the goal, they would see the utter folly of invading the realm of the judiciary, diminishing the Constitution and perpetuating and worsening misrepresentative government. Since deliberation has little place in this Congress on this issue, it is up to the people to demand that their rights be left alone.

[From the Nashville Tennessean, Aug. 18, 1964]

Supreme Court, People Are in a Time of Testing

The Supreme Court of the United States is once again up to its neck in political controversy. It is not a new thing and the attacks against the Court today are hardly less virulent than they were in the days of Franklin Roosevelt.

There is a difference. In the Roosevelt era the attacks came from the left. Today they come from the right. In 1937, when the Justices were throwing out New Deal legislation every Monday morning, they were the voices of the past, dead set against change. Today, the Court majority is made up of innovators who believe, and rule, in behalf of a new freedom for the individual man.

The commotion in Congress today over the reapportionment rulings of the Court is a symptom of the fevers that grow more and more heated over the Court, and come, in the main, from conservative politicians and conservative citizens, and those who misunderstand the Court's function.

In the last decade, a good many far-reaching decisions have been handed down, many of them in the most passionately emotional areas of American domestic life—segregation, subversion, censorship, school prayer, civil rights, and representative government.

In almost every case, the Court's tendency has been to reemphasize personal freedoms.

But these things have cut across the status quo. The Court's ruling on reapportionment of legislatures, for instance, seeks to make the vote of each citizen equal to that of any other, no matter where each may live. As a democratic ideal, the theory of "one man, one vote," is inherently just. And it has hardly upset the man in the street.

It has, however, upset the politicians. And so far, it is a politicians' rebellion. For if the old districting is to be changed, a good many of the politicians are in danger of losing their seats. Behind this, a good many of the old centers of political control will be radically changed.

If Congress does not halt reapportionment, said Representative **William McCulloch**, Republican, of Ohio, "this is the end of an era in America." The era in question is a half century of political dominance of legislatures by rural voters—an era marked by complete indifference to the urban dweller's problems.

The irony is that change toward equal districts and equal votes would first and foremost increase the power of the suburbs, which are traditionally Republican. As a matter of fact, when the Court first ruled on the question, Representative **William E. Miller**, the now Vice Presidential nominee, hailed it as good for the GOP.

Nevertheless, hostility in Congress toward the Court is strong and at the moment there is a major challenge between the legislative and judicial branches. It is a disturbing challenge which affects every American. Every day that the reapportionment implementation is delayed the Nation chains itself to a past process which has become outmoded, unwieldy and unjust.

[From the Raleigh (N.C.) News and Observer, Aug. 20, 1964]

For Minority Rule

If the Supreme Court's decision that every man regardless of his residence must have an equal vote in American representative government stands, says Senator CARL CURTIS, of Nebraska, it will extend the efforts of big city bosses and gangsters to control the country. There may be that danger in our democracy. Certainly, however, the alternative cannot be putting the control of the country into the hands of a minority of the people.

None of those opposing the equal vote decision have come up with any sensible substitute. They contend, as did the advocates of the so-called little Federal plan defeated in North Carolina, that areas should be represented as well as people. But what areas? Who would determine them? If it were done by State legislatures now overweighed with the representatives of low population counties and districts, unequal representation would be perpetuated. And if areas are to be represented, how big? Counties in America are as big as vast Aroostook in Maine and as small as New Hanover in North Carolina. And counties are only the creatures of legislatures long outdated in terms of population represented.

If representation is not on the basis of some principle, it will be determined only in the interest of the politicians in power at the time of the decision about it. And it has clearly been demonstrated that in some States those now in power are ridiculously unrepresentative of the people where the people are.

Of course, there are dangers in the rule of the majority. Certainly, however, minority rule has never served all the people best anywhere. And there should be no doubt about the fact that the one purpose of those opposing the equal vote decision of the Supreme Court is the perpetuation of voting inequalities and minority rule.

There is no question of States rights here. What is at stake is the equal voting right of all men in all the States.

[From the Philadelphia Inquirer, Aug. 18, 1964]

SETTING ASIDE THE HIGH COURT

Senator EVERETT M. DIRKSEN has spurned as meaningless the proposal that it is the sense of Congress that the Federal courts provide adequate time for the States to reapportion their legislatures.

Yet his own suggestion, for legislation requiring the courts to stay all reapportionment proceedings until January 1, 1966, and requiring the courts to give the various legislatures a reasonable time to redistrict according to the Supreme Court's one-man, one-vote standard, could also prove meaningless, should it be passed by Congress and then invalidated by the High Court.

The essence of the controversy concerns the authority of Congress to set aside a decision of the Supreme Court. Whether Congress can suspend enforcement of a Supreme Court ruling by the kind of legislation offered by Senator DIRKSEN is highly questionable. Even more questionable is the legality, and the propriety, of a broader proposal cleared by the House Rules Committee last week prohibiting Federal court action in all matters of legislative apportionment.

Reasonable delay in compliance with the court orders on State redistricting is one thing; brushing aside the Supreme Court because its ruling does not suit some politicians and legislators is another. Where it will serve the public interest to delay reapportionment, to prevent confusion and to permit more orderly procedure, such delay should, and no doubt would, be permitted by the courts.

The compromise proposal which Senator DIRKSEN criticizes would provide a gentle nudge in the direction of a slowdown in the reapportionment process. The more drastic alternatives would supply not a nudge but a severe whack, which the Supreme Court would hardly appreciate, or submit to.

[From the Washington (D.C.) Post, Aug. 31, 1964]

UNFINISHED JOB ON HILL

Congress returns to the legislative grind today, after its second political holiday in recent weeks, with a formidable pile of unfinished business awaiting attention. It may be taken for granted that nearly all Members of both the House and Senate are eager to wind up the session as soon as possible so that they may give their full time to the political campaigns. But their work is not yet done. Until the record of accomplishments is much more complete than it is now the best place for a legislator to be is at his regular post of duty.

It is reported that the Senate will temporarily lay aside the foreign-aid bill to which Senator DIRKSEN is trying to attach a rider that would delay the effectiveness of the Supreme Court's decisions in the State apportionment cases. This is good news. If the controversy over this backward-looking measure were to be taken up now, Congress might fritter away the remainder of the session fruitlessly. It would be wise for the leaders to insist on clearing their calendars of must bills before the filibuster again gets underway. And the best course would be to drop the Dirksen rider and the Court-ripper bill passed by the House without further consideration.

[From the Washington Post, Aug. 12, 1964]

CASE FOR EUTHANASIA

It is just as well that the pursuit of a compromise on the Dirksen bill to delay reapportionment has come a cropper. No compromise which would have accomplished the Senate minority leader's purpose would have been acceptable to the supporters of orderly constitutional government. The only hope that lay in Mr. Dirksen's discussions with Majority Leader Mansfield and Solicitor General Cox was that they might hit upon an innocuous formula that would permit Mr. DIRKSEN to back down with a minimum loss of face. But he has rejected that line of retreat and prefers to fight for his original proposition or something close to it.

New compromise ventures may be expected from other quarters, but it would be a mistake to place much reliance upon them. There is no satisfactory way in which Congress can tell judges what to decide as a matter of law or influence the outcome of judicial cases by congressional pressure. Any action by Congress, short of a constitutional amendment which has as its purpose the nullification of a Supreme Court ruling based on constitutional principles must be regarded as a flagrant intermeddling in the judicial process.

The drastic nature of Senator DIRKSEN's proposal has been reemphasized by 15 eminent law school deans and professors in wires to the Senate majority and minority leaders. The effect of the bill would be, these experts point out (as this newspaper had previously done), to suspend the operation of constitutional rights by statute. Not only would this threaten "the integrity of our judicial process," as the experts say; it would also set a precedent that might be used to scuttle the Bill of Rights on a much broader scale.

Senator DIRKSEN has sought to excuse resort to this dangerous expedient by saying that it is designed merely to give Congress time to consider a proposed constitutional amendment. That motive, however, accentuates the offensiveness of the proposal. At present most of the State legislatures are scandalously unrepresentative of the people. In many instances majorities in both houses are elected by rural counties with only a small fraction of the State's population. In numerous cases the Supreme Court has found the distribution of legislative seats to be flagrantly unconstitutional.

It is bad enough when Senator DIRKSEN and his colleagues seek to perpetuate this denial of representative government for 2 or more years. But even more outrageous is the fact that these illegal legislatures, kept in being by a congressional stay of judicial authority, would be asked to ratify a constitutional amendment authorizing the States to continue denying voter equality so far as one house of their legislatures is concerned.

If a constitutional amendment is to be submitted to the States, permitting them to distribute State senate seats in accord with geography rather than population, surely it ought to be passed upon by legislatures truly representative of the people in at least one house. But the Dirksen bill, which he intends to attach as a rider to the foreign aid bill, would doubtless halt all reapportionment movements in their tracks. It is reactionary in the worst sense of the word. The best course is not to devise a substitute but to administer euthanasia.

[From the Washington Post, Aug. 5, 1964]

PANIC IN THE SENATE?

A group of Senators yesterday launched a reckless action designed not only to upset a decision of the Supreme Court but also to jeopardize the democratization of the State legislatures. The movement began with Senator DIRKSEN, but it quickly enlisted the support of the Senate Judiciary Committee. Together they are threatening to stampede the Congress into a hasty action that would have damaging repercussions throughout the country.

What Mr. DIRKSEN is really aiming at is a constitutional amendment that would reverse the Supreme Court's ruling to the effect that both houses of the State legislatures must be apportioned on the basis of population. But there is no time to put a constitutional change through the present session of Congress. So he induced the Senate Judiciary Committee hastily to approve a bill forbidding the courts to give effect to the Supreme Court ruling until two more regular sessions of the legislatures have been held. The Senator has also indicated that he will try to attach his judicial mandate as a rider on the Senate foreign-aid bill now before the Senate.

There is no emergency to justify any such drastic action. If Congress ultimately wishes to propose a constitutional amendment allowing the States to relate representation in one house to geography rather than population, it will be free to do so next year. But it should not presume the acceptance of such an amendment by two-thirds of both Houses of Congress and three-fourths of the States by delaying the operation of the Constitution as it now stands. If difficulties or hardships arise in any of the States in regard to reapportionments, they can be readily adjusted by judicial action. A blanket delay in all efforts to bring the State legislatures into compliance with the law would be inexcusable.

Some States are admittedly undergoing sharp transitions in the distribution of legislative seats. For this, however, the whole country ought to rejoice. For decades most of the State legislatures have been scandalously malapportioned. Their neglect has resulted in a crass denial of representative government to the vast majorities now living in urban areas. Correction of this evil ought to be regarded as an urgent undertaking for every State in which it exists. Congress cannot delay the process without throwing its weight on the side of favoritism, discrimination and a denial of equal standing among citizens of this free land.

It is true that some Members of Congress sincerely believe that the Supreme Court has made an unfortunate ruling. That, however, is beside the point now at issue. The question is whether Congress will be stampeded into an irrational assault on that ruling without time to debate and deliberate upon the momentous consequences.

We cannot believe that such a rash attempt to interrupt the normal processes of government will succeed. Indications are that the House would not tolerate such a potentially disastrous rider to remain attached to the foreign aid bill. Yet a serious risk remains, and the Senate will have to decide whether its reputation would survive a panic as well as a filibuster in a single session.

[From the Baltimore Sun, Aug. 21, 1964]

Emotional Outburst

The premise that all citizens should be represented equally in their State legislative bodies is not one that stirs ordinary Americans into an outburst of opposition. On the contrary, the Supreme Court's enunciation of the one man one vote concept appears to have struck ordinary Americans as an expression of basic American principle, a part of what this country has believed all along.

Among many politicians, though, the Supreme Court's call for an equal distribution of State legislative seats on the basis of population was a highly charged matter of personal political concern. It injected the U.S. Constitution into the internal political affairs of the affected States, upset the longstanding rural domination of legislative chambers in many States and threatened to disarrange the voting blocs on which political lives and fortunes depend. For those who had one or more points of sharp disagreement with the Supreme Court already, the reapportionment decisions were a springboard to revolt.

The House of Representatives now has had its emotional outburst of opposition to the Supreme Court in the form of the Tuck bill to force the Federal courts to stay away from the subject of State legislative apportionment. The bill is a bad one, solving nothing, disregarding the principle of equality on which the Supreme Court acted and putting the lower Chamber of the Federal legislative body in the position of condoning the way in which many State legislative bodies have withheld equal representation from urban dwellers.

The heated debate leading to the 218-to-175 vote gave the impression that the representatives of the Nation's small towns and rural areas felt that somehow the issue of equal representation would blow away, if only the Federal courts could be taken out of the picture. Their votes added up to an unrealistic, not to mention irresponsible rebellion against the political equality that has to come. But with the House's outburst out of the way, the Senate is expected to view the Tuck bill with cool and critical detachment as a misguided attempt to delay justice by curbing the courts. The Senate has an only less mischievous bill before it, but if it were to let the Tuck bill go any further, its reputation for considered judgment would be sadly blighted.

[From the New York (N.Y.) Times, Aug. 30, 1964]

Congress Goes Back to Work

Vital measures demand final action as Congress returns to work this week after the Democratic convention. The reapportionment tangle, medicare, the foreign aid bill, and the Appalachian program are all unfinished business in the Senate. Having squandered months on the anti-civil-rights filibuster, the Senate finds itself much further behind schedule this year than the usually more dilatory House.

The Senators have made matters worse by painting themselves into a parliamentary corner in their rage against the Supreme Court over reapportionment. Senator Everett Dirksen, the minority leader, has offered a rider to the foreign aid bill which would, in effect, suspend for the next 16 months the Supreme Court's decision requiring that State legislatures be apportioned on the basis of population alone. This rider is aimed at giving Congress and those same unreapportioned legislatures time to ratify a constitutional amendment reversing the Court.

Also pending is the House-passed Tuck bill—a measure far more sweeping in its threat to strip the Court of its protective power over constitutional rights. Congress already has given the judiciary adequate warning that it ought to allow more time for the normal political processes, to operate on reapportionment. Rushing through legislation that would unwisely invade the authority of the courts and frustrate corrective action in even the most flagrant cases of malapportionment is obviously a disservice to the Nation and to governmental balance.

To find a way to salvage the foreign aid authorization without accepting the Dirksen rider, the Democratic leadership intends to lay both aside temporarily. President Johnson, who wanted this time for maneuver and who also persuaded the Democratic convention to say nothing about reapportionment in its platform, will have an obligation—if his quiet tactics fail—to break his silence and fight this important issue on its merits.

[From the New York Times, Aug. 21, 1964]

Hobbling the Courts

Any expectation that the House of Representatives might deal constructively with the problems raised by the Supreme Court's redistricting decision has been erased by its reckless approval of a bill stripping Federal judges of all authority to rule on complaints that State legislatures are apportioned unconstitutionally.

The vote was doubly unfortunate because this blanket restraint on the judiciary's right to protect voters against unfairness in representation was itself an expression of precisely the kind of legislative irresponsibility that convinced the Supreme Court equity would never be restored if corrective action was left to the normal political processes of the States.

Even though the revised Senate proposal for forcing a delay in Court reapportionment orders is a good deal less destructive than the House measure, the whole muddled course of the discussion on Capitol Hill makes it increasingly apparent that the subject is too involved for frenzied political decision at the end of a session. If the real purpose of the Court's critics is to guard against overhasty implementation of the one-man, one-vote ruling and to give Congress an opportunity to consider the desirability of a constitutional amendment on reapportionment, there is good reason to believe that every Federal judge from Maine to Hawaii already has got the message: Go slow.

Indeed, the Supreme Court itself in the Texas congressional districting case last winter cautioned a lower court to be wary of disrupting the political process. No evidence has yet presented itself that the voters are clamoring for a swift legislative curb on the courts; on the contrary, one national poll shows a substantial majority backing the High Court's decision. The proper course now would be to table the proposed Senate rider and let the obnoxious House bill die stillborn.

Making foreign aid a prisoner of congressional rancor against the Court is inexcusable on any basis. So is any move that would establish a precedent for depriving the judiciary of its power to protect basic constitutional freedoms.

President Johnson, who has stood aloof from the whole issue thus far, could make a contribution to sane procedure by lending his influence to a postponement of the whole problem until next year. A President who has shown so much past awareness of the need for guarding the courts against arbitrary legislative assault ought not stay silent now.

[From the New York Times, Aug. 6, 1964]

Congress Versus the Courts

Whatever may be said in favor of Senator Dirksen's move for a congressional mandate delaying application of the Supreme Court order to reapportion State legislative districts on a "one man, one vote" basis, there can be no question that he is wrong in seeking to stampede it through Congress without full consideration of its damaging potentialities.

Time for national contemplation of the sweeping implications of the Court's decision, which is the Dirksen bill's immediate aim, has much to commend it. But haste on Capitol Hill is a perilous corrective for the perils the Court's critics see in too hasty effectuation of its reapportionment ruling. Certainly a bill raising such grave questions of the division of authority between the legislative and judicial branches ought not be railroaded through as an irrelevant rider to foreign aid appropriations. This is legislative blackmail, not deliberation.

The Court's view that both houses, not just one, of a bicameral State legislature must be based on population does fly in the face of the pattern governing the Federal Legislature. It rules out a host of considerations involving geography, history, and economic or political groupings that have played a part in the evolution of the American democratic system. Against this is the depressing record of refusal of rural-dominated and other unrepresentative legislatures to take any voluntary action to insure equity for all citizens in line with the constitutional principles relied on by the Supreme Court.

The Dirksen bill, frankly intended as forerunner for an attempt to overrule the Court by amending the Constitution, would excuse any State from reapportioning for 2 years and, in the case of States with biennial legislative sessions, for 4 years. The proposal has been approved, without hearings, by the Senate Judiciary Committee by a 10 to 2 vote. Chairman Celler, of the House Judiciary Committee, declares the bill unconstitutional and warns "it could wind up rendering the Court a nullity, destroying our republican form of government."

The malapportionment now characterizing many legislatures is so gross that a 4-year ban on judicial remedies would mean a congressional freeze on injustice that makes a mockery of democracy. If the apportionment standard set by the Court is too rigid, the answer is not to perpetuate conditions under which one vote in one section of a State has as much weight as a hundred in another. The difficulty is that the timetables for change fixed by Federal judges in many States are so immediate that it may be hard to persuade hostile Congressmen they have any choice except to act with indecent speed before adjournment.

[From the Miami Herald, Aug. 15, 1964]

Look at Florida, Senators

Florida's two Senators in Washington are working hard to wreck the chances of a fair reapportionment of our State legislature. Spessard Holland is telling folks back home that he thinks the matter of reapportionment is a State function and George Smathers is saying that as a result of the Supreme Court decision calling for fair apportionment, Floridians do not know where they stand.

But the majority of the people in Florida do know where they stand. They stand behind an 8-ball controlled by 22 north Florida senators who run this State for their own benefit and for the benefit of the rural counties that have 14.5 percent of the population.

Florida is operating on a constitution written in 1885 when there were 350,000 people in the State. Today with more than 5 million, Florida is suffering from a horse-and-buggy government.

It is a government that makes impossible the development of a two-party system that could produce statewide political leaders. It is a government that still meets in legislative session every 2 years despite the problems created by the State's rapid growth. It is a government run by 22 senators from counties that contribute 14 percent of the State's taxes and get 27 percent of the State's benefits. It is a government that starts each legislative session without a program and winds up in a frenzied whirlwind of 4,000 bills. And most of the ones that are passed are those pushed through by lobbyists for special interests.

It is a government that created 31 State parks in 27 counties, but not 1 in Dade where 20 percent of the people live. It is a government that built 172 boat ramps and put one of them in Dade. It is a government that built 18 fishing piers, but not 1 in Dade. It is a government that divides the revenue from pari-mutuel betting to give each person in Dade County 20 cents, and as much as $61 per person in the smaller counties.

It is a government that divides the gasoline taxes according to a 1931 formula and is now trying to extend that formula into the 21st century.

It is a government that spends as much welfare money in Jacksonville as in Greater Miami, which has twice the population.

It is a government that does not provide any means for a referendum to change the State constitution, leaving only the Federal courts as the course of relief from taxation without representation.

It is a government that has been so unconcerned with higher education that 35 percent of Florida students failed to graduate from high school in 1962 and only 15 percent of the students in Florida junior and senior high schools go on to college. Compare that with the national average of 29 percent and the California average of 40 percent and you have an answer for **Spessard Holland** and **George Smathers**.

[From the Washington Star, Aug. 6, 1964]

Senator Dirksen's End Run

The Supreme Court's historic decisions on State reapportionment have provided an effective means of righting a grievous wrong. To our thinking, they are the only effective means. Now, however, Senator **Dirksen** has moved to thwart this desirable reform by a hastily conceived legislative end run which ought to be rejected out of hand by the Senate.

His bill is a model of brevity. Its effect, however, would be to invoke a total, ironclad moratorium on the reapportionment decisions—for as long as 2 years in some States and 4 years in others. No hearings have been held on the grave consequences of this proposal. Indeed, only a handful of Senators and Representatives have expressed an opinion about it. At least two members of the Senate Judiciary Committee doubt its constitutionality. Yet Senator **Dirksen**, abetted by a majority of the Judiciary Committee, apparently intends to attach the measure as a rider to the Senate version of the foreign aid bill, which is certain to pass within the next several days. Traveling in this company, the rider would be virtually immune to the threat of a veto.

Senator **Dirksen** says his motive is not to kill reapportionment, but merely to gain time for Congress to consider a constitutional amendment giving the people of each State the right to determine by referendum whether both houses of their State assemblies should be constituted primarily on the basis of population.

The Supreme Court requirement that State senates must be organized on a population basis is, to be sure, an arguable issue. And of course it would be appropriate for Congress to propose such an amendment—provided it can muster the necessary two-thirds vote in both houses. But the right of Congress to move in that direction at a subsequent session, if it chooses, in no way justifies the action proposed now by the Senator from Illinois. What's the rush?

The obvious fact is that significant progress is being made in a number of States toward equitable State representation at the present time through normal democratic processes. Maryland is one example. The Dirksen bill would halt that useful activity in its tracks and prolong, possibly for an indefinite period, the abuses which flow from rural domination of the legislatures and other inequitable representation practices.

[From the Washington Star, Aug. 21, 1964]

Protest in the House

As we see it, Representative **Tuck**'s reapportionment bill, approved in the House by a vote of 218 to 175, has something in common with Thomas Gray's flower that was born to blush unseen and waste its sweetness on the desert air.

There is almost no chance that the Senate will accept this misconceived measure, which would strip the Federal courts of all authority to act on the ruling last June by the Supreme Court that both houses of State legislatures are subject to reapportionment exclusively on a population basis. Should the Senate do the unexpected, the President surely would veto the bill.

The real struggle on this question presumably will come when Congress returns after the Democratic convention and gets down to work on the Dirksen-Mansfield compromise proposal. This is being offered as a rider to the foreign aid bill, which probably would be immune to a veto. Its effect would be to delay Federal court action, in the absence of highly unusual circumstances, on legislative reapportionment until Congress has a chance to propose a constitutional amendment modifying the Supreme Court's decision.

The scope and wisdom of the Court's June decision have been questioned by respectable authorities. And of course it is also supported by respectable authorities. On the basic question, however, there can be no room for dispute; If the Court's ruling is to be overturned or modified, the proper procedure is through constitutional amendment—not through the method to which an angry House has given its blessing.

[From the Scripps-Howard Newspaper Alliance, Aug. 25, 1964]

Mr. Albert's Argument

There are two aspects to the controversy arising from the Supreme Court's sweeping opinions wiping out the legislative apportionment systems in many States:

1. The Court offered relief to citizens who protested unfair districting of their States. In the first case, Tennessee, the legislature simply had refused to comply with the mandate laid down by its own State constitution. We think the voters were entitled to this relief, and the Court's judgment was soundly based.

Later, in a similar opinion, the Court ruled out a Georgia alinement of congressional districts as unduly inequitable—and the Georgia Legislature promptly did the job over, on a fairer basis. This was well founded.

2. But in June the Supreme Court went much further. It knocked out State legislative systems only recently approved by the voters. It even held that members of State senates, regardless of State constitutions, must be elected by districts evenly divided by population.

The U.S. Senate, by constitutional direction, is elected by States, the House on a population basis. Most States have copied this system, and found the balance it provides workable and effective. As Chief Justice Warren, author of the recent decisions, said when he was Governor of California, a similar balanced representation in that State had served us well and is strictly in accord with American tradition and the pattern of our National Government.

In these cases, which had the effect of saying the people themselves could not establish their own State systems, the Court outreached itself.

One answer to the confusion created by the June decisions of the Court is offered by the Democratic leader of the House, **Carl Albert**, of Oklahoma. He simply would bar the courts, by act of Congress, from acting on any apportionment cases. He says the judges are not fit for this task—which should be left to the political authorities.

But the political authorities (legislators) in many States for years reneged on this responsibility. Which is why these cases got to court in the first place. Mr. **Albert**'s plan would deprive unfairly treated voters of any relief at all.

A simpler and more effective solution is the constitutional amendment, already pending in Congress, which would permit the voters of any State to choose a senate on geographical or other apportionment, while retaining a lower house elected on a population basis. This restores to the people of the States the option of selecting their own system, without depriving them of the right to contest obviously unreasonable apportionment of their legislative representatives.

[From the San Jose News, Aug. 21, 1964]

House Wrong on This Issue

The House of Representatives is shockingly wrong in attempting to build a legislative fence around the Supreme Court and the rest of the Federal judiciary.

It won't work. It's probably unconstitutional.

This latter objection would seem to apply with particular force to the bill approved 218 to 175 by the House this week to remove all legislative reapportionment cases from the jurisdiction of the Federal bench.

It does little good to argue that the Supreme Court precipitated this fight with Congress by its extension of the one-man-one-vote doctrine to include both houses of bicameral State legislatures, though this is probably true.

The important thing is not who started the fight, but how it's going to end.

We believe the so-called Federal system of legislative apportionment, with one house chosen on population and the other on geography and related factors, has worked well in California. It has forced majority and minority interests to compromise their differences in the common good. Over the years the system has facilitated California's growth into the Nation's most populous and one of the most prosperous States.

There is great danger to California, and presumably to other States as well, in destroying this balance of legislative power.

But there is equally great danger to all Americans in congressional assaults upon the judiciary.

The House should have known better. The Senate must give this ill-conceived legislation the burial it so richly merits.

[From San Jose News, Aug. 17, 1964]

Congress and Court in Serious Battle

An all-out scrap between Congress and the U.S. Supreme Court can do considerable damage to the Nation's governmental structure.

That is why the battle that is shaping up in Washington now is serious.

The reapportionment decisions are the latest in a long series of controversial rulings that set the stage for the fight. They are of unusual importance, because they broaden the base of the attack against the Court.

It is easy enough to say the Supreme Court asked for a fight by poking into areas that once were congressional preserves. But this is a shallow view that does not take into consideration the need to have a court that is strong enough to act as a check on the legislative and administrative branches of government.

When the Court set out some months ago to require that States give the city dweller an even break in the lower houses of their legislatures, the justices were on sound ground. There were serious injustices to be righted.

But then the Court went a step farther. It ruled that not only did the lower houses have to be apportioned strictly on a population basis, but the upper houses, or State senates, as well. If enforced, this would deny the States the right to follow the Federal model in which one house is apportioned according to population and the other according to geography and other factors.

This was an unfortunate development. A perfectly legitimate effort is being made in Congress now to overcome that line of reasoning through a constitutional amendment.

Unfortunately, however, a powerful faction in the House Rules Committee seeks to go much farther than this and prevent the Court from acting at all in the field of apportionment.

Long time foes of the Court are going to try to take advantage of the dissatisfaction with the State senate ruling to clip the wings of the justices.

If allowed to get out of hand, this fight can injure the American system.

[From the Montana Standard-Post, Aug. 18, 1964]

REAPPORTIONMENT—WHAT'S BEHIND LEGISLATION?

The judicial and legislative branches of our Government are joined in battle over authority. The outcome will effect all citizens, yet the public is showing unfortunately casual interest.

Legislation which would strip the Federal courts of jurisdiction over State reapportionment cases has been cleared for action by the House.

Briefly, the bill would take from Federal district courts jurisdiction "to entertain any petition or complaint seeking to apportion or reapportion the legislature of any State * * *" and would take from the Supreme Court of the United States the right to review the action of any Federal district court or State supreme court dealing with State reapportionment.

The Supreme Court ruled June 15 that both houses of State legislatures must be apportioned on a one-person, one-vote basis, with each legislative district substantially equal in population.

The aim was to eliminate inequities which give sparsely populated districts equal representation with more populous ones.

A likely result of the decision is reduction of the legislative strength of rural districts and increases in that of urban areas.

It touched off demands in Congress for a constitutional amendment to limit the Court's authority in the reapportionment field. Previous to the House action, Senator EVERETT DIRKSEN sponsored a rider to the foreign aid bill which if adopted would delay the effect of the Court's ruling for 2 years in some States, 4 years in others.

Opponents to DIRKSEN's move argue that his bill violates the constitutional prerogative of the courts under our doctrine of separation of governmental powers.

It is possible that some sort of brake on the Court's action will come out of Congress. This would pose a serious problem for President Johnson. The liberals of his party demand he veto the bill.

In the legislative action our Representatives and Senators, who speak out strongly for truly representative government and boast of it to foreigners, will take a reverse position. They will deny the people their constitutional rights as interpreted by the Court.

Important, too, is the precedent that may be set. If Congress can alter jurisdiction over the reapportionment matter, what is to stop it from taking away jurisdiction over civil rights and other issues.

It is apparent that some resentment over recent Court decisions is evident in the actions of Congress, where vindictiveness should be entirely absent.

[From the Times-Picayune, Aug. 20, 1964]

"HIGHLY UNUSUAL" IS THE "WORD"

Those who are banking on congressional action to stave off or negate court decisions on State legislative reapportionment would seem to be banking, as things now are going, on acceptance of the Dirksen-Mansfield proposal for a holdup, rather than the Tuck proposal for taking such cases out of the domain, real or otherwise, of the Federal judiciary.

If they are banking on the former, or Senate version, it also would seem they would do well to study the exception therein implanted to delay in adjudication. The proposal calls for delay only in absence of highly unusual circumstances. This modification is omitted from some of the texts now being circulated.

In Louisiana, for example, it might seem highly unusual that with an indicated 1960 population ratio of 83,500 per senator, Jefferson, St. Charles, and St. John the Baptist Parishes, with an aggregate of 249,000 have only one senator; that Jefferson, with 209,000, has figuratively only about four-fifths of a senator; that East Baton Rouge, with 230,000, has only one senator.

It might be considered highly unusual that 24 parishes in north Louisiana, excluding Caddo, with an aggregate of 19 percent of the State population, have a senatorial representation exceeding 25 percent; that they seemingly not only would not be satisfied with a proposed representation of 22 percent, but have a plan to increase it to 27 percent. Perhaps this last might be considered a highly unusual bonus for area, in conjunction with allowances made in the house reapportionment.

The highly unusual in apportionments seems to have had a way of mushrooming in this matter: The action of the U.S. Supreme Court in nullifying any area bonus; the proposed actions in Congress for regulating the judicial functions; the attachment of one of these proposals to the nongermane subject of foreign aid; the filibustering against said proposal by a group of dedicated "antifilibusters." Perhaps the sane thing is to go back to the beginning, and work out something that will convert the highly unusual to what, at the maximum, could be considered merely unusual.

[From the Philadelphia Evening Bulletin, Aug. 12, 1964]

PERIOD OF ADJUSTMENT NEEDED

Legislation that would permit—but not require—Federal district courts to stay legislative reapportionment proceedings for periods up to 4 years is definitely needed to forestall the possibility of a breakdown in some State governments in the next several months.

Senator DIRKSEN has taken the initiative in pushing such legislation, and an agreement as to form may be worked out between congressional leaders of both parties, the Justice Department and the Solicitor General. It's too bad the legislation had to be tacked on as a rider to the foreign aid bill.

The need for this legislation stems from the U.S. Supreme Court's decision of last June which said that not only one but both houses of State legislatures must be apportioned strictly in accordance with population. The Court in this case, however, did not grant the deliberate speed flexibility it had permitted in its school desegregation decision of 1954.

The apportionment decision called for such basic changes in the whole theory of the legislature in so many States that hasty and literal enforcement by the lower courts might well create havoc.

The proposed measure to delay reapportionment in some cases might also give the Nation's voters an opportunity to express themselves—before a shakeup occurs—on a constitutional amendment to let the States apportion one house on a basis other than population, as in the case of Congress itself.

There are arguments on both sides concerning the application of the one-man, one-vote theory to State senators. Many questions arise. One of these is: Should a heavily populated area such as New York City and its nearby suburbs be granted such representation (solely on the basis of population) that it could dictate policy for the entire State without giving the upstate area some check on this power?

Some of the questions must be resolved. In any case, a period of adjustment certainly should be allowed for Supreme Court decisions which alter fundamental patterns and institutions, as this ruling does, and the legislation now being worked out for this purpose is desirable and necessary.

[From the Philadelphia Bulletin, Aug. 10, 1964]

RIDER ON THE WRONG HORSE

Whatever the merits of constitutional revision of the Supreme Court's rulings on legislative reapportionment—and there may be many—the device being used by Senator EVERETT M. DIRKSEN to hamstring the rulings seem indefensible.

The Senate Republican minority leader has attached a rider which would delay reapportionment to the totally unrelated and important foreign aid bill. This legislative trick has been used most often by legislators to get passage of special privilege bills, including most pork barrel legislation. Riders are inserted at the last minute to bills which seem sure of passage, and, if kept intact, sail through along with the important bill.

DIRKSEN knows that the foreign aid bill will be passed soon and sent to President Johnson, who is unlikely to veto it because he wants the bill as one of the keystones of administration policy. The President's signature would validate the Dirksen rider, which would put off the effectual date of reapportionment, under the one-man, one-vote theory, in some States for 2 or 4 years. The Court rulings knock down the control of many legislatures by the rural areas, which are overrepresented by population in the several States.

The debate on reapportionment, and any congressional effort to get a constitutional amendment which would take from the Supreme Court all reapportionment rulings, can and should stand on their own feet. DIRKSEN's effort, if one accepts the need for continued foreign aid, interrupts the orderly procedures of the Congress.

It has passed the House, 230 to 175, and is now in the Senate. Sixty-three House Members who supported it say they will not vote for the foreign aid bill if the rider is included, which means that the whole bill might fall. If Senator DIRKSEN wants to play for time to make an issue of the High Court rulings, and possibly prevent their implementation, he should choose some other horse on which to put his rider. His plan may be smart politics but that doesn't make it right.

[From the Philadelphia Bulletin, Aug. 18, 1964]

A VERY BASIC ISSUE

It seems clear, from the feverish activity of the past week, that majority opinion in both Houses of Congress favors applying some curb to the Supreme Court decision of June 15, which said that both Houses of State legislatures must be apportioned strictly according to population, on the basis of "one man, one vote." Congress apparently intends to do something about it, even if it has to go back into session after the Democratic National Convention.

But there is a right way to do something about it—and a wrong way.

The wrong way is the way of the Tuck bill, which was yanked out of the hands of the House Judiciary Committee for floor action by the House Rules Committee.

This would completely nullify the Court's ruling and remove the jurisdiction of all Federal courts over State legislative apportionment. Such legislation flies in the face of our basic system of the relationship between the three branches of government and the check that each exercises over the other. Congress has no right to overrule the Supreme Court on a constitutional issue by mere legislation. To allow this would be highly dangerous to our system of government.

The right way to try to counter the high Court's decision is through a constitutional amendment, which must be ratified by three-quarters of the States. Such a procedure would permit a true indication of the public's feeling on the question.

Although it is unfortunate that Senator DIRKSEN chose the foreign aid bill to carry his rider on the subject, there is much to be said in favor of the substance of the compromise rider, which would tend to stay enforcement of the Supreme Court decision to permit time for the complex constitutional amendment procedures to be followed.

A very basic issue is involved in all this, which could shape the Nation's future course considerably.

The issue is whether the large urban and metropolitan areas in some States are to be able to completely dominate their State governments without any check on their power to do so.

Popular majorities already choose the governors, and there seems little reason to dispute the feeling that the lower house of the State legislatures should be apportioned strictly according to population. The question at issue is whether less populated regions, or minority opinions, should be able to exercise some check on State government through an upper house of the legislature which is apportioned on some basis other than population. The issue is so important that all the people ought to have the opportunity to resolve it through the constitutional amendment process.

[From the San Francisco Chronicle, Aug. 21, 1964]

CONGRESS VERSUS SUPREME COURT

Through legitimate dismay over a Supreme Court decision that in effect requires retooling of the legislative machinery in 40 States—tinctured by frank and angry determination to teach the Court a lesson—the House of Representatives has passed a tough restrictive bill that would remove such matters entirely from the jurisdiction of the Court.

In the Senate, where emotions are restrained and vindictiveness less apparent, a more moderate bill has stirred up a filibuster, and its author, Minority Leader DIRKSEN, is prepared to invoke cloture if a vote is long delayed. The Dirksen bill would not challenge the Court's jurisdiction, but would give the States time—up to 2 years—to put their legislatures into conformity with the Court's ruling. This holds that a legislature chosen on any other basis than population violates the equality provisions of the Constitution.

The reapportionment ruling is hailed in some States—by all but directly affected politicians—as a too-long-delayed injunction to modernize legislatures that were designed to serve a preponderantly rural population. In some States, the existing system permits today's small local population to outvote and dominate an overwhelming urban majority. In Connecticut, for example, a majority of the lower house of the legislature could be elected by 12 percent of the population, and a majority of the upper house by 32 percent.

In California, on the other hand, a bicameral legislature operating on the so-called Federal plan, is well designed to fit a complex economy and diverse interests. It performs well. Its senate, elected on a geographical basis, is cherished by northern—and rural—California as a protection against the possible tyranny of the few southern California counties that control the assembly, and would, of course, control the senate if that body were likewise chosen on a basis of population.

This newspaper has vigorously opposed efforts to place the senate on a population basis and the people of the State have twice in recent years rejected proposals to that end. We believe with Senator KUCHEL that each State should have the right, by the vote of its people, to determine the basis upon which its legislature is elected. But we do not believe in upsetting the legislative-judicial balance that is traditional in our form of government, or in revoking or curtailing the Supreme Court's jurisdiction by congressional statute, especially in a clearly constitutional matter.

Senator KUCHEL favors an amendment to the Constitution that would especially permit a State to choose one house of a bicameral legislature on a basis other than population. We deem this a proper and logical solution to the current problem. Because the amendment procedure requires many months, we suggest that enforcement of the Supreme Court order be geared to some formula of deliberate speed.

[From the Des Moines Register, Aug. 12, 1964]

DELAYING REAPPORTIONMENT

Congressional opposition has slowed up Senator EVERETT DIRKSEN's fast shuffle on legislative reapportionment. Lacking time to get approval by this session of Congress of a proposed constitutional amendment to restrict the Federal court's powers over apportionment in State legislatures, he is trying to attach a rider to a foreign aid bill to stall court action on reapportionment for at least 2 years. (The Dirksen rider would stay reapportionment proceedings from the time of passage of the bill until the end of the second regular session of any State legislature.)

There are plenty of persons who think the Court went farther than it needed to in requiring both houses of a legislature to be based on population. It is to be hoped, however, that there are not many who think that Congress should try to overrule the Court whenever it makes a ruling Congress disagrees with. If this is to be done on reapportionment, it can also be done as to the constitutional rights to fair trial, freedom from search and seizure, and equality before the law.

The proposed constitutional amendment would, in our opinion, leave the citizens of a State at the mercy of the legislature of the State. The constitutional amendment would require one house of a legislature to be on population but there is no limit on the veto power that could be given minorities in the other house. Supporters of the amendment say it would allow the voters of a State to pass on and set up the kind of a legislature they wanted but in most States, like Iowa, the voters cannot initiate a plan. They can only vote on a plan that comes to them through the legislature.

Legislators, including Iowa's, usually try to be fair but, like all men, they prefer the existing legislative system to the unknown and resist change. This is why there was virtually no reapportionment until the courts moved into the field. If two-thirds of Congress and three-fourths of the States are unwise enough to put legislative inertia back in the saddle it at least should be done by constitutional amendment. DIRKSEN's rider tries to override the Court by congressional power alone for a 2- to 4-year period. If that can be done how long can the period be extended?

Certainly the Federal courts should be patient and avoid creating confusion and disturbance in an election year. In Iowa the Federal court should be commended for having given its decisions early enough and the legislature for having acted on them soon enough so that the 1964 election schedule was not affected. In some States, Oklahoma, Washington, and New York, Federal district courts have upset or threatened to upset election schedules. Interference and stalling by the States may explain such abrupt court action but the courts should remember that innocent voters bear part of the punishment.

DIRKSEN's rider apparently ran into threats of filibuster, a sort of filibuster against a filibuster against reapportionment. The proposed Mansfield compromise would authorize, but not compel as would the Dirksen proposal, the district courts to grant a stay of reapportionment proceedings whenever the courts believed there were good grounds for giving States more time to comply with reapportionment orders. This would be a much more reasonable proposal.

[From the Washington Daily News]

THE REAPPORTIONMENT ISSUE

An argument that rings the bell with us in the heated debate over the Supreme Court's equal-population-basis decision for apportionment of State legislatures is:

Why should it be unconstitutional for a State legislature to be set up along lines regarded as strictly constitutional for the Federal legislature? To wit, one house on a population basis and the other on a basis including geography.

The Supreme Court gave short shrift to this line of argument in its controversial 6-to-3 decision on June 15, holding that under the 14th Amendment it is unconstitutional for either house of a State legislature to be apportioned on other than a population basis. The Court majority said the Federal-State situations were not analogous.

This decision now, of course, is the law of the land.

But there is great disagreement as shown by the strength of the Dirksen-Mansfield breather amendment in the Senate and by the 218-to-175 House vote last week for the Tuck bill to deprive the Supreme Court of jurisdiction over apportionment of State legislatures.

And just how important is the Court's decision was stated best by Justice Potter Stewart in his vigorous dissent:

"The Court's draconian pronouncement, which makes unconstitutional the legislatures of most of the 50 States, finds no support in the words of the Constitution, in any prior decision of this Court, or in the 175-year political history of our Federal Union."

With the situation as chaotic as it is in many States and with the issue of such overriding importance, it seems mandatory for Congress upon its return after the Democratic convention to pass something such as the Dirksen-Mansfield amendment. This would give Congress time at its next session to decide whether to submit to the States the proposed constitutional amendment to allow a State, if its voters approve, to set up a legislature along Federal lines—one house on a strict population basis and the other taking geography and other factors into account.

Such a constitutional amendment seems highly desirable. The States should be given some latitude on how they want to set up their legislatures.

Under the highly regarded Federal system, for example, New York with 16.5 million people has two U.S. Senators and Nevada with only 285,000 citizens also has two U.S. Senators. That's constitutional and, so far, hasn't ruined the country.

Why shouldn't it be made constitutional for the voters of California, for instance, if they so choose, to set up one house of its legislature on an other-than-population basis to keep Los Angeles County from dominating its legislature?

[From the Omaha World-Herald, Aug. 15, 1964]

The Showdown

In a dramatic turn of events the Congress is swiftly moving toward a showdown with the Supreme Court of the United States over the Court's ruling on State legislative reapportionment.

Ostensibly, the sole issue is the High Court's usurpation of a State's right to run its legislature as it sees fit.

In reality, the issue is the right of legislative bodies, including the Congress, to pass the Nation's laws—and the removal of the Supreme Court's interference in the purely political affairs of the country.

It's Congress versus the Court, and what a showdown it is. The House showed the measure of its wrath by short-circuiting committee procedures to bring to the floor a bill which strips the Federal Court of jurisdiction over State reapportionment cases.

The Senate's course has been labeled milder because its bill would stay the Court's hand for 2 years. But the avowed purpose of the proposed delay is to buy time in which to pass a constitutional amendment canceling the Supreme Court's decision.

By passage of either bill the Congress will have trimmed the powers of the Supreme Court and established more clearly the limits of the Court's authority.

That has needed doing ever since the Warren majority on the Court began to usurp the legislative authority in its zeal to reform the country.

Congress has threatened, but it has never acted. Now it seems about to act, and the tortured cries of the Court's extremist defenders are something to hear. 'Tis the end of civil rights and antitrust cases, to hear one such defender, and another says the Court is being reduced to a cipher.

If there were, in fact, a real threat to the constitutional powers of the Court, we surmise the country would be aflame with controversy.

But such is not the case. Most Americans seem quite well aware that the Court has been encroaching on the legislative branch of the Government, and believe the time has come to draw a line.

[From the New York Daily News]

Dirksen: Not So Fast

Senator Everett M. Dirksen, Republican, of Illinois, is pushing a bill to give State legislatures at least 2 years in which to rejigger their apportionments on equal-population bases, as recently ordered by the U.S. Supreme Court.

That in turn would give Congress and the States time to adopt a constitutional amendment reversing the Earl Warren Supreme Court on this matter of reapportionment.

JUDGES AS DICTATORS

We earnestly hope that the Dirksen bill may pass at this session of Congress, and that thereafter the fight for the Dirksen amendment—or something much like it—will be pressed by all believers in republican (small r) government to a victorious conclusion.

The Warren court is grabbing more and more power all the time, over the White House, Congress, the State governments, and the American people in general. The reapportionment decision makes the legislatures second-class lawmaking bodies as compared with Congress.

It is time for all of us to start fighting in earnest to ward off the setting up of a judicial dictatorship in this country.

[From the New York Herald Tribune, Aug. 14, 1964]

The Court and Congress

There are times when law and public policy collide, and the way to a reasonable accommodation is somewhat murky, but necessary. The current congressional brouhaha over State legislative redistricting is a case in point.

The Supreme Court relied on a strained interpretation of the equal protection clause when it held June 15 that both houses of each State legislature must be apportioned on a population basis, the fact that the Federal Legislature is not so apportioned notwithstanding.

The decision affects virtually every State in the Union. It throws history to the winds, and shows scant regard for the complexities of devising a fair system of representation. It is true, as Chief Justice Warren wrote, that "legislators represent people, not trees or acres." But it is not true that, as he also argued, neither "economic or other sorts of group interests" are relevant. They most certainly are; and the central challenge of devising a fair structure of apportionment in a bicameral legislature is one of balancing individual representation with group and geographical representation. Indeed, there is little other justification for having a bicameral legislature (such as the U.S. Congress).

Thus the decision has been protested not only by those with a vested interest in the egregious malapportionment common to a number of States, but by many concerned simply with the integrity of the political process and the right of the people to establish reasonable political structures geared to the needs of their States.

But the Court's action now is both history and law, and the problem is what to do about it. Should the States be required to turn somersaults in an effort at immediate compliance, under the gun of an imminent election? Should there be a reasonable time limit, allowing orderly consideration of means of compliance under normal legislative procedures? And, in the face of a quite possibly successful effort to reverse the effect of the decision through constitutional amendment, should the States be required to restructure their legislatures now only to do so again in the next 2 or 3 years?

Questions of public policy here get tangled up with questions of constitutional procedure. Having declared segregated schools unconstitutional, the Supreme Court laid down its broad guideline of all deliberate speed for compliance—and after a decade, full compliance is still some way off. There was no such guideline in the present case. The compromise proposal hammered out between Senator Dirksen and the Justice Department would provide a guideline—and would have the effect, also, of delaying forced redistricting until it was clear whether the Court decision would stand against the amendment drive.

The danger in any such congressional initiative is that it might set a precedent for infringing the right of judicial review. But as long as it can be so drawn as not to undermine the Court's clear duty to interpret the Constitution and make its interpretation effective, it can perhaps replace threatened chaos with order.

The same cannot be said of the silly, destructive proposal advanced in the House, which would declare legislative apportionment questions off limits to the Supreme Court. As far as the Constitution's writ runs, that far must the Court's authority to interpret it run. If the Court slips, the remedy of amendment is always available.

[From the Buffalo Evening News, Aug. 5, 1964]

Reprieve for the States?

With an unerring sense of political reality, Senator Everett Dirksen, Republican, of Illinois, has called the only legislative power play that offers New York and many other States any timely hope of avoiding the State constitutional turmoil decreed for them by the Supreme Court's recent edicts on legislative apportionment.

Mr. Dirksen's proposal, backed yesterday by a 10-to-2 vote in the Senate Judiciary Committee, is to push through an immediate law requiring the Federal courts to respect any States request for a 2-year stay on any court-decreed reapportionment. The intent is frankly to buy time for action on a constitutional amendment to restrict the effect of the Supreme Court's arbitrary one-man, one-vote rule so that it would apply to only one house of any two-house legislature—leaving the citizens of a State free to adopt any plan they choose for apportioning the other house.

The new Republican platform flatly pledges support for "an amendment as well as legislation" to accomplish that reform—and an amendment along these lines was introduced by Senator Dirksen and a number of his colleagues promptly after they returned from San Francisco.

But an amendment takes time, and long before it could be adopted and ratified, many State legislatures would be forcibly reapportioned under pending hurry-hurry edicts of the Federal courts. So an immediate statutory holding operation is necessary if the legislatures as now constituted are to get any voice in determining their permanent fate.

The power under which the Dirksen bill would be enacted is a rarely used one, but it stems directly from the U.S. Constitution—the power granted Congress to make such exceptions and regulations concerning the appellate jurisdiction of the Federal courts as it may see fit.

A trickier problem is how, in the very closing days of a session, the Republican minority leader might hope to put through a law in which the Democratic administration has shown no interest whatever. As to this, Senator Dirksen is pretty sure he can count enough Democratic as well as Republican votes to get it attached, as a rider, to the foreign-aid bill which the President would find it difficult to veto.

Normally, we would join most political scientists in abhorring use of this rider device, on the grounds that every item of substantive legislation should stand on its own merits. But in this case, if a rider is the Dirksen bill's only hope of enactment, to oppose it on procedural grounds would be to ignore the far greater violence that will be done to orderly constitutional procedure and due process of law if the heavy hand of the Federal judiciary is not temporarily stayed.

Senator DIRKSEN's bill, in short, should be enacted before this Congress adjourns even if it has to be done as a rider. And it should be followed up by prompt adoption and ratification of the accompanying amendment. This last, it should be noted, would not relieve New York of the necessity of reapportioning one house of its legislature in strict accordance with population, but it would give this State's citizens the "exclusive power" to choose that or any other method for apportioning the other house.

There is simply no excuse for any branch of the Federal Government—courts, Congress, or President—to refuse to any State at least that much freedom to order its own affairs.

[From the Buffalo Evening News, Aug. 10, 1964]

MORATORIUM ON DISTRICTING

There seems to be needless confusion about the strong move in Congress to impose a moratorium on court-enforced State legislative apportionment long enough for Congress to consider whether to submit a constitutional amendment on the subject.

Even some who agree that the Supreme Court went much too far with its one-person, one-vote edict as applied to both houses of every State legislature, and who concede that a well-drawn corrective amendment may be needed, are seeing all sorts of mythical dangers in the effort led by Senator DIRKSEN to stay the Court's hand while such an amendment can be considered.

Thus the New York Times admits that the Supreme Court's reapportionment decision "does fly in the face of the pattern governing the Federal Legislature" and it "rules out a host of considerations involving geography, history, and economic or political groupings that have played a part in the evolution of the American democratic system." But then it complains that "whatever may be said in favor of Senator DIRKSEN's move * * * he is wrong in seeking to stampede it through Congress without full consideration of its damaging potentialities."

What this view completely ignores, however, is the fact that Congress must act at once to maintain the status quo while an amendment is under consideration, or it might as well just forget the amendment entirely.

The point is this: While Congress is on the verge of final adjournment, most States are under immediate court pressure to proceed forthwith to redistrict their legislatures. So, long before the next Congress could submit a proper amendment on the subject to the State legislatures for ratification, many of these legislatures would already have been reconstituted under the very edict the amendment would seek to correct.

They will have been packed, in other words, by members elected on the Court-decreed formula—and thus with an obvious vested interest in preserving that method of selection and therefore in refusing to ratify any proposed amendment to the contrary.

That's why, if an apportionment amendment is to have fair and proper consideration in the next Congress, it is necessary for this Congress to permit the status quo to be preserved in the meantime.

And the only way that could be done this late in the session is by adopting some procedure that would bypass any powerful committee chairman or other leader who is dedicated to the defeat of the whole amendment. Just such powerful opposition, for example, has been loudly declared by Chairman CELLER, Democrat, of New York, of the House Judiciary Committee.

So Senator DIRKSEN and those supporting him have concluded that their only recourse is to pass the moratorium bill as a rider to some other legislation—and then fight in Senate-House conference committee to have it retained by the House. They have chosen the foreign aid authorization bill as the vehicle for this effort—and the real question, other than procedural, is whether they will have the votes in both Houses to make the rider stick.

Normally, as we said the other day, we would join the Dirksen bill's critics in abhorring the use of this rider device. But just to oppose this procedure without offering any better one in its place is to ignore the far greater damage to due process and orderly procedure that will result if the Supreme Court is allowed to bend every legislature to its edict before Congress has time to consider a corrective amendment.

[From the Buffalo Evening News, Aug. 15, 1964]

CUE FOR THE SENATE

The Tuck bill, which passed the House 218 to 175 Wednesday, is not at all the right answer to the Supreme Court's untenable decree that every house of every State legislature must be apportioned on a population-only basis. But it certainly dramatizes the determination of this Congress not to adjourn without giving the States some kind of temporary reprieve from the effect of this judge-made law.

The Tuck bill is an extremist approach. It would strip the Federal courts of all jurisdiction over State legislative apportionment—not temporarily, but permanently. It would thus not only tend to perpetuate even the most outrageous malapportionments, but, if it were sustained as constitutional, it would create a most perilous precedent of stripping away whole sections of Supreme Court jurisdiction instead of dealing with the substance of specific decisions as they occur.

The far better answer, both on principle and in its practical chance of avoiding a Presidential veto and becoming law, is Senator DIRKSEN's rider to the foreign-aid bill. This would simply seek to stay the effect of the reapportionment decrees for 2 years except in highly unusual circumstances.

One purpose, as Senator DIRKSEN has stressed, is to buy time for orderly consideration of a constitutional amendment to modify the Court's edict, and in the meantime it will permit a greater use of the States' own constitutional procedures for voluntary compliance.

While this approach is by far the preferable one, its chance of becoming law seems, paradoxically, much enhanced by the House vote on the Tuck bill. For that action amounts to a notice in advance that whenever the Senate passes the Dirksen rider, the House will be ready to go at least that far if not a good deal farther in staying the Supreme Court's hand.

[From the Buffalo Evening News, Aug. 16, 1964]

WHO STIRRED THIS NEST?

Legislative reapportionment has turned out to be the greatest hornet's nest issue of the closing days of Congress—but while all the angry buzzing is coming from House and Senate, no one should forget who stirred it up in the first place. And if there is any threat here to orderly constitutional processes, there should be no doubt where the major responsibility rests.

It rests with the Supreme Court, thanks to its strained, arbitrary and wholly unprecedented June 15 decree that both houses of every State legislature must forthwith be apportioned strictly along population lines. The Court majority found this rule nowhere in any previous reading of the Constitution or in the history of this country's past experience. And yet, having decreed it, it has left the States with no legal recourse but to comply.

The States have no alternative, that is, unless Congress gives them one. And that is why, with no time left this session for mature consideration of a permanent solution, there is such a powerful drive in both Houses to stay the Court's hand temporarily.

This drive, as it now shapes up, has taken both moderate and extreme forms. The extreme solution, which could be grossly harmful to our constitutional structure in its procedure, is seen in a House bill sponsored by Representative WILLIAM M. TUCK, Democrat, of Virginia, and given swift and unusual clearance by the House Rules Committee. It would strip the Federal courts entirely of all jurisdiction over State legislative apportionment questions.

The more moderate and prudent approach is that which Senator EVERETT DIRKSEN, Republican, of Illinois, has shrewdly forced some administration leaders to accept as a Senate rider to the foreign aid bill. It would require the Federal courts to grant up to a 2-year delay before compelling any State to rush through a reapportionment law—except in the case of highly unusual circumstances. Presumably this would still permit forced correction of a particularly flagrant malapportionment—or a particularly flagrant State legislative thwarting of the will of that State's own electorate.

The purpose of the DIRKSEN approach is twofold: First, to give States a reasonable chance to act under their own statutory and constitutional procedures; but second, and mainly, to buy 2 years of time for proper but prompt consideration of a constitutional amendment to restrict the permanent effect of the Supreme Court's arbitrary ruling.

The amendment which he has in mind, and which has the emphatic endorsement of the Republican platform, would accept population as the sole determinant of a fair apportionment in one house of every bicameral legislature. But it would assert the right of each State to apportion the second house in any manner that its voters approved.

This, in principle, is so sensible and fair—and so much in keeping with this Nation's whole tradition of checks and balances as reflected in the structure of the U.S. Congress itself—that it would certainly be preferable to meek acceptance of the Supreme Court's untenable decree.

But to adopt an amendment takes time. And for this one to have a fair chance of winning ratification by three-fourths of the States, it would have to be submitted to the legislatures as now apportioned, not as involuntarily reapportioned to comply with the Supreme Court's wishes. That's why it is essential that the DIRKSEN delaying move be enacted before this Congress adjourns—and that consideration of the corrective amendment then be started immediately after the new Congress convenes next January.

[From the San Diego (Calif.) Union, Aug. 20, 1964]

CONGRESS ACTION NEEDED—REAPPORTIONMENT ISSUE VITAL

As the 2d session of the 88th Congress draws to a close, President Johnson has been granted about 23 percent of his 1964 legislative requests. Only one major item—the antipoverty bill—was initiated by him.

In the adjournment rush, administration pressure will be severe. The most important Johnson proposal still pending is the social security medical care bill.

Despite all pressures to keep the issue alive, it appears quite likely there will be no final approval of the measure. The Senate Finance Committee earlier this week turned down two administration medicare programs tied to social security.

The reasons are obvious: There never has been grassroots support for the plan in its present form; Congressmen are becoming increasingly aware that other, more realistic programs are necessary for medical care.

With medical care apparently relegated to another Congress, the most significant debate will be about various attempts to delay a Supreme Court order for reapportionment of State legislatures.

The Court ruling specifies that membership of each house of a State legislature must be based on population. Heavily populated areas, such as California's coast, thus would have absolute control over all legislation, at the expense of rural sectors, which are so important to the State's development, and which end up with not one voter, one vote—but many voters with no effective vote.

Senator **Everett M. Dirksen** has authored a rider on the foreign aid authorization bill that would postpone for at least one legislative session in each State, enforcement of the High Court's ruling to provide time for States to act on a proposed constitutional amendment overriding the Supreme Court. Such an amendment is asked in the Republican platform.

Various compromise measures have been introduced.

Representative **William M. Tuck**, Democrat, of Virginia, has introduced a measure that would ban Federal court action in any State legislative redistricting. Still another proposal has been offered by Senator **Jacob K. Javits**, Republican, of New York, and Senator **Eugene J. McCarthy**, Democrat, of Minnesota. It would put Congress on record as declaring that States should have adequate time to reapportion consistently with its electoral procedures.

The rash of proposals seeking to block the Court decision is evidence the Congress is deeply concerned in a matter that is creating governmental chaos, and electoral injustice, in nearly every State.

Unless the ruling is nullified by one means or another, the very nature of representative government as it is understood in this country will be changed.

The reapportionment subject is so important to every State in the Union that it cannot be ignored or shelved by the current session of Congress.

Measures to halt this further encroachment on States rights should be given priority over all other pending legislation. Other matters before the Congress pale as insignificant in comparison.

[From the Monroe (La.) News-Star, Aug. 28, 1964]

CURB FOR COURT?

Future history students will read of a great battle which is now taking place in the checks-and-balances system devised in the Constitution by our Founding Fathers.

At stake is the determination of whether the Supreme Court will be allowed to supersede the power of the Congress in making laws.

That it has been doing this, there is no doubt.

How much longer will it be tolerated, and how much further will it reach? Those are the questions.

Congress is justifiably alarmed, as shown in the 218-to-175 vote of the House of Representatives to strip the Federal courts of jurisdiction over reapportionment of State legislatures. The Senate is now considering a milder version of the same kind of bill.

It is high time that Congress did awaken from its slumber in this crucial struggle. While it has slept, the Supreme Court has virtually destroyed States rights, and unfortunately the States individually must accept much of the blame for this. Their own negation of responsibility has left a door open for intrusion by the courts.

It will be difficult now to push the Supreme Court back out the door and reserve for Congress and the States the domains they once held. Yet if this is not accomplished—and the present effort in Congress should be merely the beginning—the United States is on the threshold of Court dictatorship.

The various Supreme Court decisions affecting reapportionment in States are but a part of a larger parcel of usurpations of power by the Court. But it is upon this issue that the wheel now turns.

Baker v. *Carr* was the case that brought the first Supreme Court decision, and paved the way for further expansion of court power.

The "Baker" is Charles Baker, chairman of the Shelby County Court, and the "Carr" is Joe Carr, Tennessee secretary of state.

By a vote of 6 to 2, the Supreme Court ruled in March 1962, that the Federal courts had authority to review State legislature apportionments.

In *Gray* v. *Sanders* (March 1963) the Court ruled 8 to 1 that Georgia's county unit system of voting was illegal.

In *Wesberry* v. *Sanders* (February 1964) it again knocked down a Georgia effort to go slow on reapportionment by ruling that "as nearly as practicable * * * one man's vote in a congressional election must be worth as much as another's."

The most recent ruling, dated June 15 of this year, said that both houses of any State legislature must be apportioned on the basis of population, an opinion which ignores the traditional congressional concept of a lower house based on population and an upper house based on geographical units. The ruling destroys the framework on which most bicameral State assemblies have been formed.

We deplore the idea that the Supreme Court of the United States, and the lower Federal courts, should be the sole deciders of how the States function legislatively.

So does the House of Representatives, judging from the 218-to-175 vote that slapped the Supreme Court.

Justice John Marshall Harlan was the only member of the Court who dissented in all of the six sections of the most recent Court decision affecting apportionment. The majority held the dangerous opinion that it means nothing that the people of a State, through referendum or initiative, have approved an apportionment based on any other principle than population. Justice Harlan said the decision "in every accurate sense of the term * * * involves the court amending the Constitution."

In words which should go down in history, Justice Harlan added: "If the time comes when this Court is looked upon by well-meaning people—or worse yet by the Court itself, if that day ever comes—as the repository of all reforms, I think the seeds of trouble are being sown for this institution."

[From the Wilmington Morning News, Aug. 24, 1964]

SPANKING THE COURT

The effort in Congress to cancel out or modify the recent Supreme Court decisions on reapportionment is a good indication of legislative and public impatience with the expanded role of the courts in what have customarily been political decisions.

In a tripartite system, abuse or extension of power (whether real or imagined) by one branch will bring a reaction from the others. So it is in the present instance. It is reasonably certain that Congress will enact some legislation this year—possibly followed by a constitutional amendment—whose purpose is to resist the Court's dictum that both houses of the State legislatures must be apportioned strictly by population.

Yet, the sweeping curbs on the Federal judiciary which the House of Representatives passed in anger this week seem as abusive of its power and of the constitutional balance as that charged against the courts. The amendment, presented by Representative **William M. Tuck**, of Virginia, would permanently bar from judicial consideration any case involving State apportionment. A provision attached by the House would also prevent the courts from going forward with cases now pending.

There is serious question on the constitutionality of such a law. In any event, it is not merely an attempt to reform procedure that may need it, but rather an effort to spank the Court for what it has done.

By contrast, the proposal of Senator **Everett M. Dirksen** and others in the Senate is moderate and has merit. It would merely allow reapportionment proceedings to be suspended for 2 years, without wiping out the courts' decisions.

The courts have been somewhat precipitous in a number of cases in upsetting precedents or State constitutions that have existed for this country's entire history. In several States, there is great confusion over what the Court's decisions actually mean.

The confusion is particularly onerous in an election year. Courts have in reapportionment thrown out public referendums, legislative terms have been cancelled, and legislatures have been ordered into session and given headlines for action.

Presumably the Dirksen bill would clear the confusion, allow time for orderly procedures in compliance and, if Congress so desires, for a constitutional amendment specifying the nature of State apportionment. Chances are that such an amendment would require one house to be elected on a population basis, but permit the second house to consider other factors.

While the Dirksen solution seems the logical means of assuring both stability and protection of the right to equal representation, it ought to be thoroughly clarified in debate before its enactment.

It is especially important that the effect on Delaware be understood. Delaware has undergone two major court proceedings and is now in a third. The legislative enactments have been thrown out of court—the original apportionment and a subsequent corrective bill. The new bill is also being challenged and could be upset by the Court even before election.

The Delaware delegation in the Senate must explore with Senator **Dirksen** and others who advocate his bill these details. If any doubts exist or questions remain unanswered, these should be satisfied before the bill is made law.

PHENOMENAL SUCCESS OF U.S. CAPITOL HISTORICAL SOCIETY IS A TRIBUTE TO REPRESENTATIVE FRED SCHWENGEL

Mr. CARLSON. Mr. President, the U.S. Capitol Historical Society recently held its second annual meeting, to make an accounting to its board of trustees and to its members for a year of activity which measured beyond the fondest expectations of most of us—all of us, that is, except the president of the society, Representative **Fred Schwengel**, our distinguished colleague from Iowa.

There never seemed to be any doubt in the mind of **Fred Schwengel** about the success of the society and any of the ventures it undertook. He had the dream of an organization which would tell the wondrous story of the famous building and all it stands for. So he formed the society, and saw the idea catch, and the membership grow.

When the organization was safely launched, he turned his energies to a new and different guidebook, which came out last December, under the title "We, the People." Each day, as new sales figures on this volume are posted, it becomes its own success story.

With practically every visitor to the Capitol going away with his own copy and several gift copies of "We, the People," Representative FRED SCHWENGEL has realized another dream, and now can turn his attention to other ventures which will glorify the Capitol of the United States and the people who, in thought and deed, have helped write its story.

Representative SCHWENGEL has had much help and encouragement along the way. He will be the first to admit it, and to give credit, where credit is due, to a long list of people who shared the dream and were just as anxious as he to see it come true.

But Representative SCHWENGEL was the activist, the catalytic agent. He kept things moving. He saw the ideas through.

He gave up his hobbies, and devoted his spare time to carrying out the duties of a busy president of the United States Capitol Historical Society. He held breakfast meetings, luncheon meetings, dinner meetings. He did not let the demands of the society detract from his full-time schedule of being a hardworking Representative for the people of the First Congressional District of Iowa. He found extra time during the periods most of us reserve for ourselves. He gave them to the United States Capitol Historical Society and its projects.

You and I and our constituents are the beneficiaries of this selfless interest and dedication. This citadel of representative government is becoming better known to more citizens every day; and with knowledge come understanding and appreciation and a strong sense of pride in the Capitol and its history. This is the climate for good citizenship.

Although more than half of the Members of the Senate and House belong to the United States Capitol Historical Society, only a few of us were able to attend the annual meeting on August 11. Therefore, I deem it appropriate that a narrative of those proceedings appear here, in order that all may know what an important job has been done by the society, under the leadership of its president, Representative FRED SCHWENGEL.

Here, then, is a report of the second annual meeting of the United States Capitol Historical Society, which was held August 11, 1964, following an 8 o'clock breakfast for more than 100 members, in the new Senate conference room of the U.S. Capitol.

Rev. Frederick Brown Harris, Chaplain of the Senate, opened the meeting with an invocation.

After breakfast was served, Representative FRED SCHWENGEL, president of the United States Capitol Historical Society, opened the business meeting with greetings and words of welcome.

His remarks are as follows:

REPORT TO THE ANNUAL MEETING OF THE U.S. CAPITOL HISTORICAL SOCIETY

(By Representative FRED SCHWENGEL, president)

Colleagues, members of the board of trustees, and members of the U.S. Capitol Historical Society, good morning and welcome to the second annual meeting of the U.S. Capitol Historical Society.

Last year when we met here the morning of December 5, we, as you will remember, announced and made available to the people our book entitled, "We, the People." We in the official family of our organization who had worked so hard to bring forth this book were enormously pleased, exceedingly anxious, and cautiously hopeful.

We were pleased because we were convinced that our book on the Capitol with its historic and history-making pictures, its magnificent and varied collection of pictures which touched on the story of freedom in America was the best book ever done on this our Capitol Building—the building which I have often chosen to call the majestic symbol of a truly grand and great land.

We were anxious because we had no money except some $14,000 to pay the almost $300,000 in costs in connection with the production, publication, and printing of the first 250,000 copies of "We, the People."

We were cautiously hopeful because we fondly hoped that we would sell 250,000 copies during the first 12 months after its publication.

Soon we were to find out that what we had produced, published, and printed and made available to the people is a book that is outselling, without any promotion in the traditional sense, any book of its kind in the history of the book business.

You will understand the justified pride of the board and my own pride and satisfaction when I tell you that the second printing of 470,000 copies (or a total of over 700,000 copies) was made necessary by April 1, 1964.

This printing was calculated to last until February, 1965, so we could have time to work on some pictures of the next Congress. We now find this printing will run out before the first of the year making our third printing necessary. We will then have printed over a million copies before the end of the first 12 months of its publication.

This is a fantastic success story.

What was a dream when Steve Feely and I first talked about it 5 years ago was a dream that gave birth to the U.S. Capitol Historical Society. This organization that was pleased, anxious, and hopeful with no money 1 year ago has become a million dollar operation dedicated to the telling of a magnificent American story of freedom.

Our present bills will all be paid, we think, in the month of September and by the time the third printing is done we should be in a position to pay the bills in connection with the third printing.

My friends, this has been for me and for the board most gratifying. Speaking for myself, this has been the most satisfying, rewarding, and thrilling experience of my life.

Often when I think of the importance of history and when I speak of it, I refer to Sandburg and paraphrase one of his famous quotes. It is this, "Whenever a people or a nation forget their hard beginnings they are beginning to decay."

This book is doing something about the challenge of that admonition. I am thrilled and pleased when I go by Mrs. Murdock's desk occasionally to autograph books to note the reaction of foreigners who buy the book. Here they can see not only America and its history but something of themselves brought here by people of their kind—immigrants we call them.

But, the real thrill comes when you speak to a young American, maybe a fifth grader, who, when asked about the book, says, "This is the story of my Capitol."

Our records show, my friends, that we have received approximately 50,000 letters with orders and applications for membership in our society since we opened our first mail order for books on December 9. Ninety-five percent of these 50,000 letters have brought with them words of appreciation for our efforts in producing the book. Letters have come from over 20 nations—countries from the north, south, east, and west, Arabia to South America, India, Sweden, Norway, Belgium, Italy, and Israel to name a few.

They come from grade school boys and girls; from the President of the United States and from all living former Presidents of the United States.

We truly have made history with history.

Great satisfaction comes too, from the letters we have received from people who say they are buying this book to send to some foreign land. I know of one person who has sent out over 200 of these books to foreign friends. The USIA has distributed, I am told, over 3,000 copies worldwide. A new and we believe effective kind of foreign aid is given by "We, the People" to the people worldwide whose interest in freedom will be quickened and strengthened. The image of America will be improved. The clouds of misunderstanding will start to drift away and the prospects for peace will be better. What more noble purpose could be served.

This fantastic story of success was the result of teamwork—people with common interests and common goals working together. Very often we did things which have never been done and some said could not be done but with the inspiration of that poem entitled "Somebody Said It Couldn't Be Done," we did it.

The list of those who helped, who gave encouragement and who made possible the impossible is so long and time would not permit a recitation of all of them but credit, plaudits and thanks must go to that great Senator from Arizona, CARL HAYDEN; to that great Senator from Illinois, EVERETT DIRKSEN; to that Democrat Senator from Minnesota, HUBERT HUMPHREY; Senator JORDAN, chairman of the Rules Committee in the Senate and my own Senator, BOURKE B. HICKENLOOPER.

On the House side we were not without friends either. Leading the list is a pair—a Republican and a Democrat—Speaker McCormack and Congressman Halleck; also Carl Albert, Les Arends, Jerry Ford, Hale Boggs and Marguerite Stitt Church.

There was the help of the Architect of the Capitol and those in his office including Mrs. Lillian Kessel and Mario Campioli. The help of that great patriot, Joe Duke, was especially appreciated. Those on the Committee on Publications—Melvin M. Payne, Marguerite Stitt Church, Richard Howland, Senator Humphrey and David Mearns—did a wonderful job.

The National Geographic Society which came in with all of their talent, their knowhow, their equipment and with all of their patience, understanding and dedication plus their reputation and ability.

We must not forget that great printing organization, Judd & Detweiler and their talented, hardworking and dedicated account executive, Wayne Warner. The White House Historical Society, Nash Castro in particular whose counsel, encouragement, and advice was invaluable. To all of these we of the society shall be eternally grateful and the future citizens of America will become so.

Following his report, Representative SCHWENGEL introduced those at the head table and the junior and student members who attended the meeting, who were Cathie Brethereck, of Philadelphia; Charles Bornstein, of Flushing, N.Y.; Anthony Alessi, of New York; Glen L.

Bower, of Illinois; Andrea Thomas, of Washington, D.C.; and Barbara K. Hennessy, of California.

MUSIC BY SINGING SERGEANTS

The U.S. Air Force Singing Sergeants sang a group of inspiring patriotic songs, under the able direction of Lt. Theodore E. Wiltsie. The songs were particularly well received and appreciated. Selections from the Civil War period were included.

REPORT BY EXECUTIVE DIRECTOR

Mr. Paul Ertzinger, executive director of the society, announced that sales of "We, the People" have, to date, exceeded 450,000 copies, and that contracts are being negotiated for production and distribution of slides and filmstrips of Capitol photographs appearing in the book. Negotiations are also underway for sale of the book in the U.S. exhibit at the New York World's Fair. The society also is arranging for wider sales of the book in the Washington area. Grossett & Dunlap, the publishers, have made the book available throughout the country, through stores, schools, libraries, and so forth.

SPECIAL RECOGNITION AND PRESENTATION OF AWARD TO LACONIA HIGH SCHOOL, OF LACONIA, N.H.

Representative SCHWENGEL announced a special recognition to the Laconia High School, of Laconia, N.H., in connection with a recent history project undertaken by the classes of that school. This project, entitled "Columns of Coin for the U.S. Capitol," featured a study of the U.S. Capitol and the legislative processes of Congress. Enthusiasm was added to the project by the accumulation of 1 cent a day from the students and by large exhibits and displays in the classrooms. With the funds collected, three copies of "We, the People" were purchased for their school; and, also, Laconia High School was enrolled as a group member of the U.S. Historical Society, with a contribution of $25. The remaining funds were used for restoration of local historical sites.

There was prepared and displayed at the membership meeting, an attractive exhibit reflecting materials prepared by the classes, listing the students' names, and showing copies of newspaper publicity afforded the school by the local press.

Representative SCHWENGEL described this project as one of the unexpected, but worthwhile, dividends from the activities of the U.S. Capitol Historical Society. A white leather special edition of the book, "We, the People," was presented to Mr. Philip Ritterbush, a former student of Laconia High School, a Rhodes scholar, a teacher at Yale University, and now Special Assistant to the Secretary of the Smithsonian Institution, on behalf of the Laconia High School.

PRESENTATION OF THE HENRY CLAY ENGRAVING

A copy of the "Henry Clay Speaking Before the Senate" engraving was presented to the U.S. Capitol Historical Society by Representative J. D. WEAVER, of Pennsylvania, on behalf of the donors, Mr. and Mrs. Tudor Lewis, of Mitchell Drive, West Middlesex, Pa. The Lewis family acquired the engraving from the grandfather of Mrs. Lewis, who offered it to the first member of the family who could identify all the Senators in the picture. Mrs. Lewis' father began an extensive research project, and was the winner of the engraving when he was the first to identify all the Senators.

The U.S. Capitol Historical Society has placed the engraving in the custody of the Architect of the Capitol, who will arrange for a suitable place for exhibit in the Capitol.

TREASURER'S REPORT

Victor Birely, the treasurer, reported the total assets, as of July 31, 1964, to be $278,471.35, and liabilities of $102,241.59. The net gain for the period from August 8, 1962, to July 31, 1964, was $176,229.76.

VICE PRESIDENT'S REPORT

Melvin M. Payne, vice president of the society, announced the preliminary plans for the third printing of "We, the People," which will be necessary before the end of this year. He also stated that the National Geographic Society, of which he is executive vice president and secretary, has received great satisfaction in its close relationship with the U.S. Capitol Historical Society. He explained that the $50,000 which the society still owes the National Geographic Society is the balance of a $200,000 advance made by National Geographic Society to the U.S. Capitol Historical Society to pay printing and engraving costs on the first edition. The National Geographic Society has contributed its production services without cost, and is daily selling "We, the People," at cost, at its lobby sales desk, as a public service.

REMARKS OF MRS. MARGUERITE STITT CHURCH

Mrs. Marguerite Stitt Church, vice president of the society, indicated that she had come to Washington especially for this meeting, and that she continues to have a deep, personal interest in both the historical and the business activities of the society. She paid high tribute to Representative SCHWENGEL for his enormous contributions of time and energy, not only to the founding of the society, but also to its daily activities and progress. She cited the book, "We, the People," as a tribute to the days of toil he had expended on its creation and promotion.

THE WHOLE TRUTH AND PRESIDENT JOHNSON

Mr. HRUSKA. Mr. President, for some weeks now, President Johnson has been staging quickly called news conferences on Saturdays. Each one opens with several cheery pieces of news calculated to brighten the day of the American taxpayer when he is rummaging through the Sunday papers, while drinking a second cup of coffee.

These glad tidings might range from news about a newly developed airplane to a glowing report on the employment picture. It does not seem to matter that by the time the rest of the press comes back to work on Monday morning, it turns out that the airplane is not, after all, the new strategic weapon system this country desperately needs, and that—despite increased employment—3½ years of record Federal spending have made no dent in the 3.8 million unemployed in America.

After all, hardly anybody reads the Monday papers.

There is one special good-news category in which the President delights. It has to do with the picture of the economy in America. No matter how many square miles of this great country are shaded on the poverty map, such as the 18 counties recently so designated in Nebraska, the President seems always pleased to paint a rosy picture of the economy. I trust, Mr. President, that I may be pardoned for using the cliche "rosy picture," but those are the words the wire-service stories invariably use. "Tranquilizer" might be a better word.

And just as there is something less than the whole truth in the pronouncements about new airplanes and unemployment, so the President's figures on the rosy economy are misleading.

Mr. Johnson's most recent press conference before the Democratic convention serves to illustrate the point.

According to the United Press International, Mr. Johnson listed four great strides in the areas of Government thrift and the Nation's economy.

FEDERAL PAYROLL

First, "Federal civilian employment at the end of July was 25,400 below July 1963, and 19,600 below July 1962."

What the President did not say, and what the American people are entitled to know, is that in 4 of the past 5 months, there has been a substantial increase in Federal civilian employment in the executive branch.

The report of Senator BYRD's Joint Committee on the Reduction of Nonessential Expenditures, released on Monday of this week, shows that last month there was a net increase, over the June employment, of 10,303 workers on the Federal payroll. And the June employment represented a 2,626 increase over that in May. In May there was actually a decline in the number of new jobs. But, in April there was an increase of 10,314; and in March there was an increase of 1,705. In the past 5 months, then, there has been a net gain of 21,402 employees on the Federal payroll.

Mr. Johnson might have pointed out, Mr. President, that when President Eisenhower left office, he had trimmed 201,000 people from the payrolls, in 8 years. In less than 4 years of the Democratic administration, 140,000 of that reduction has been wiped out.

This week's report by Senator BYRD is especially interesting, because, in addition to the numbers on the Federal rolls, it lists the costs. In the fiscal year 1964, which ended on June 30 of this year, the cost of civilian employment in the executive branch totaled $16.2 billion, $858 million higher than the cost in the preceding fiscal year. These figures do not take into account the cost of the recently enacted Federal pay raise.

GOVERNMENT PUBLICATIONS

The next economy about which Mr. Johnson boasted was this: His "drive to eliminate unnecessary Government publications scored further successes, with latest figures showing 496 publications eliminated or marked for elimination, and 130 proposed publications canceled, for an overall annual savings of $2,792,000."

Mr. President, it is interesting to know that Mr. Johnson is eliminating Government publications. But one is moved to wonder why, if this is so, the Government Printing Office, which spent $11.7 million for printing and binding in 1960, will require $18.1 million for the same purpose in this fiscal year.

And if the GPO's workload is to be cut so drastically, why has the Johnson administration asked for $47 million with which to build a new printing plant?

NEW "SAVINGS"

The U.P.I. news story next says:

> Federal departments and agencies, reporting for the second quarter of the year, claimed new savings of $140 million annually—on top of $100 million reported for the first quarter of 1964.

But again, Mr. President, what are the facts, as reported by official publications of the Treasury Department? The facts are that in 7 of the 8 months he has been President, Mr. Johnson has outspent President Kennedy's record for the same months of the preceding year.

In the 8 months from December 1962 to July 1963, President Kennedy spent $60.8 billion. President Johnson, for the same period, spent $64.5 billion—an increase of $3.7 billion.

Mr. President, in the month of June alone, the last month of the fiscal year, Mr. Johnson managed to get rid of $1.8 billion more of your money and mine than did Mr. Kennedy, who never enjoyed Mr. Johnson's reputation for cutting down on the light bill.

A better appreciation of these figures can be had when we consider that in his first 8 months in office, President Johnson outspent President Kennedy at the rate of $15 million a day, Saturdays, Sundays, and holidays included. Compared with the figures for President Eisenhower's last year in office, President Johnson is spending $50 million more each day.

COST OF LIVING

Finally, Mr. President, there is the matter of "new Census Bureau figures on the rising standard of American living in the past 4 years which, the White House said, showed that 91 percent of households surveyed in July owned a television set, compared with 86 percent 4 years earlier; 16 percent owned air conditioners, compared with 11 percent; 24 percent owned a clothes drier, compared with 18 percent."

All this, mind you, Mr. President, is in a land where we are proposing to spend an additional billion dollars this year in a war on poverty.

But do these figures tell the real story? When we talk of the standard of living, the real test is the ability of the average man to buy necessities, and the real problem here is the constant increase in the price of everything. Figures released by the Government last weekend show that the cost-of-living index stands at an all-time high of 108.3.

Instead of citing some rather meaningless figures concerning television sets and clothes driers, the President would have done this country more of a favor had he warned against rising inflation, which most cruelly grips those who are struggling to pay the higher costs—not of TV sets, but of food and clothing and shelter.

Mr. Johnson might better have voiced his concern over the fact that a market basket of food or a pair of shoes or a cotton dress that cost $10 in 1958 now costs $10.83.

Obviously, the President did not choose to cite this figure, because it has increased steadily during the Democratic administrations. In 1960, it was 103.1, which is 5.1 percent below today's figure.

And the President might have, in candor, pointed to the fact that, according to the Wall Street Journal, the rate of homebuilding in America dropped 6 percent "and the decline is likely to continue in coming months."

Or he might have pointed to the number of foreclosures, which give the economic picture anything but a rosy glow. In the first quarter of this year, nonfarm real estate foreclosures totaled 25,338, more than double the rate of 4 years ago.

AGRICULTURE ECONOMY

Mr. President, as a Senator from Nebraska, where the basic industry is agriculture, I would be pleased were the President and his Secretary of Agriculture to show more concern about the well-being of this important sector of the national economy. It is seldom mentioned at the Saturday news conferences.

While Secretary Freeman dismisses the parity ratio as a mere statistic, there can be no ignoring the fact that the difference between what a farmer gets for his work and what it costs him to operate grows increasingly smaller. The latest report showed the parity ratio to be 75. In 1960, it was 80. On August 15 of this year it was 74, lower than the national average in any year since the depression year of 1933.

The President has noted that income per farm is up; but he carefully avoided the fact that since 1960 there has been a decline of nearly half a million in the number of farms in America. In Nebraska alone, the number of farms dropped from 93,000 in 1960 to 84,000 this year.

The hard facts are that farm income has declined and farm expenses continue to mount. Farmers' total net income, which had increased in 1962, fell from $13.2 billion in 1962 to $13 billion in 1963, a 2 percent decline, and during the first 6 months of 1964 was running at a rate 3 percent below that for the corresponding period of the previous year. This represents an annual rate of $12.6 billion for the first 6 months of 1964, compared with $13 billion for first 6 months of 1963.

Farmers' total net income during the first half of 1964 had already fallen below that for the corresponding period of 1961, and was headed downward. But farm production expenses continue to rise. In 1960, farm production expenses amounted to $26.2 billion; in 1963, to $29.2 billion. The farmers' share in the total national income has also declined. In 1960, farm income—that is, farmers' total net income—was 3 percent of the total national income; by the first half of 1964, it had declined a full one-sixth, to 2.5 percent.

Mr. President, there are many factors in a report of the state of the Nation's economic health. The President does the Nation and the office he holds a disservice by selecting only those which suit his political purposes.

The departments of this administration have already demonstrated their skill at managing the news. This administration has asserted the right of a government to lie, to save itself. Now, apparently, we are being told that it is all right to employ half-truths, to save a political administration. The people have a right to expect better of their President.

FEAR OR COURAGE

Mr. CHURCH. Mr. President, at the Democratic National Convention, I had the privilege of moderating the TV panel on "Peace." One of the panel members was the well-known author and speaker, Miss Marya Mannes.

Yesterday my wife called to my attention an article entitled "Fear or Courage?" It was written by Miss Mannes, and is published in Vogue magazine. The article so well describes what is basically at issue in the approaching campaign that I commend it to my colleagues. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FEAR OR COURAGE?—THE QUESTION THAT COMES BEFORE POLITICS

(By Marya Mannes)

One hundred years ago, I am told, the English writer and poet, Matthew Arnold, wrote: "The great mass of the people will never have any ardent zeal for seeing things as they really are."

The coming elections will show us whether now, a hundred years later, in this great democracy, this is still true. But we don't have to wait for November to wonder whether too many of us have refused to see things as they really are for quite a long time. And we don't have to go very far to find Americans—good, decent, patriotic citizens—who close their eyes to the realities of this world because they want to cling to the known past instead of move to the unknown future. On Long Island no less than the southwestern deserts of Arizona and Texas, and the mammoth Californian slurbs, frightened and frustrated people shriek for easy solutions, and for those who promise them, in a time that provides none. Send the marines. Cut off aid. Abolish taxes. Defy the Supreme Court.

Do something, they shout. Do anything. But don't think. Don't face the realities. This world is in revolution, but we're going to stay as we are. So say the good Americans who think that by waving the flag, preserving school prayers, and damning communism, they are not only saving our way of life but preserving the Constitution. What they are really doing, in fact, is embalming it; echoing, in shared ignorance of the Constitution itself, the views of their favored political leaders. These are the nonthinkers and know-nothings of our day—the reducers and diminishers of the large truths.

What is more, they are afraid. These are the timid people who see in anything new and different, in any growth and change, a threat to their single lives, to that pursuit of happiness which has now come to mean, to far too many, the pursuit of the extra buck.

It is to such people that Senator FULBRIGHT addressed himself some months ago when he pled with us to adapt ourselves to reality, to shed old myths, and to dare think unthinkable things.

"When our perceptions fail to keep pace with events," he said, "when we refuse to believe something because it displeases or frightens us, or is simply startlingly unfamiliar, then the gap between fact and perception becomes a chasm and actions become irrelevant and irrational * * *." "We must learn," he said later, "to explore all of the options and possibilities that confront us in a complex and rapidly changing world, we must learn to welcome rather than fear the voices of dissent."

The Senator was, of course, speaking about specific areas of our foreign policy, but what he says confirms what some of us have long felt: that Americans—the great revolutionaries, the bold explorers, the brilliant innovators—were becoming afraid of change and resisting change at their own * * * our own peril.

For these are not the true conservatives. The true conservatives want to preserve the revolutionary fire of the American spirit, the quest for a society constantly developing to meet each new demand and need as it arises, to renew itself for new conditions. They want to save this marvelous land from its exploiters and defacers. They insist on the rule of law and reason as against the rule of license and emotion. The true conservatives do not return to the past: they build on it for the future.

The frightened, angry people are not conservatives but reactionaries. They react against maturity as children react against adult responsibility. They are afraid of growing up.

Fear of change does strange things to people. It closes their eyes, it ties their hands, it stops them from thinking or questioning. Fear of change really is, in its largest aspect, fear of growth. We want to stay the way we are, and a great many—too many—of us stay adolescent, if not infantile. Maturity means responsibility and independence of mind—and we'd much rather stay swaddled in the comforters of safe and accepted values, because "Baby, It's Cold Outside."

I can well see why rich and easy-going people like ourselves don't particularly want to change. All we want is more of everything we've got—more cars, more houses, more cash, more leisure, more boats, and more fun. We also want more defense, more peace, and a man on the moon. And we think we can have all these things without changing the way we are. All we have to do is produce more and buy more.

I think the time has come not to buy more, but to be more—and that means sacrifice and it means discipline and it means courage to face, and not fear, change. President Kennedy said this in his inaugural address, but could not live to tell us how. I suspect he felt that people were not ready for change, or discipline, and he may have been right. If so, the fault lies with the leaders of our society—in Congress, in mass communications, in the pulpit, in the schools and colleges, in the labor unions and the business community. (The last two, ironically, both see change as a threat instead of a challenge.)

Eighty percent of television and radio and a majority of the Nation's press is dedicated to trivial entertainment or to the selling of goods to keep us from thinking. While the citizens of totalitarian states are subjected to political brainwashing, we are exposed continually to commercial brainwashing, and though the latter is certainly to be preferred, it is far from harmless.

For it gives us false images of ourselves, of society, and of the world. In making youth the only desirable condition in man or woman, it has made us not only fear age but refuse to plan for it spiritually, socially, or medically on a wide national scale. Nothing in our mass culture gives age dignity, security, or worth.

In resisting the continuing revolution of the sexes—a change in the roles of men and women as the inevitable result of the emerging identity of women—we are filling the couches of psychiatrists instead of building a free strong community of men and women who live up to their full potentialities.

In a compulsive fear of communism, we are incapable of examining it cooly out of reason, if only to find out the sources of its power for our own defenses against it.

In an equally obsessive fear of socialism, we deny ourselves certain social techniques and advantages which the free nations of Europe have managed to combine with their capitalist economies for the public good.

So we spend our time worrying about all these different social and political and biological revolutions rather than about the deep sicknesses in our society which are really sapping it, and which are the product not of change, but of inertia and atrophy. Let's worry about these first. All of them arise from a distortion of the word "freedom," into the word "license."

On the one hand, an illiterate police chief or a band of superpatriots can ban a textbook they think subversive or take a classic out of a public library because it contains certain words. On the other hand, a deluge of pornography floods the Nation through the mails and we do nothing about it because any action is an abridgment of freedom. We cry "censorship" because we fear to make a distinction between a salacious photograph and a Titian nude, between honest sex and commercial pornography. That adolescents are fed this filth is apparently less of a worry.

On the one hand, we proclaim our Christian morality as a society under God. On the other hand, corruption has spread to a prodigious degree in every sector of our life. It ranges from a two-dollar bet to a twenty-thousand bribe, from falsifiers of tax returns to dishonest city officials, from cheaters at examinations to misleading advertisers, from corrupt union leaders to price-fixing corporations. It would be comforting to say that these are the exceptions. The truth is that they have made the line between legal and illegal, moral and immoral so blurred that a majority of our people can no longer see it clearly anymore. Anything goes, so long as you don't get caught.

If this is the status quo we are so bent on preserving in the name of freedom, or free enterprise, then any change is preferable if we are not to succumb to complete anarchy.

For it is in the end anarchy we have to fear most; and it takes its shape in two great explosions that deny man his life and his dignity. The first is the population explosion, the second the nuclear explosion. It may surprise you that I put the one before the other, but I feel as of now that it is the greater danger, and may well be the fuse that will ignite the second.

Both stem from the refusal of men to face reality by changing their way of living and thinking. Both inherently are a refusal to put the good of all ahead of the good of self. Privatism dictates that you bear all the children you want regardless of what their future may be in a world without space for them. Nationalism dictates that you maintain sovereignty regardless of human survival.

We became leaders in the first place because, in our revolution, we initiated a new concept of society—the concept of federation under freedom. We changed the face of modern society, and for nearly 200 years our power in the world has been as a symbol of change.

We are not that now. We are richer and mightier. We are the greatest consumers in the world. We hold out to all the impoverished and emerging peoples in the world the marvelous bounty, the material blessings, of a capitalist economy. But is that enough to capture the soul of man? Is talk of freedom enough? I don't think so. I think we have got to be bold again, to advance new ideas, to demand brave leadership, to produce new visions that prove we are not only unafraid of change but determined to be its innovators. And we have to start right here at home.

The first thing to do is to stop being afraid of the wrong things. Don't let yourself be stampeded or brainwashed by accepted social attitudes, or commercial pressures, or the counsel of politicians who say no to everything new because they are fearful of change.

Examine the new and the different and the difficult with a cool and open eye and not with the heat of prejudice.

Ask yourself, when you see our ugly cities, our monotonous suburbs, our shoddy transit systems, our crowded schools, our delinquent young, our unstable old, whether we have indeed produced the highest standard of living, or whether we have put private pleasures above public need.

Open your mind by reading those books and magazines which are not afraid of the truth, however unpalatable, and which are immune from partisan or commercial pressures which distort fact.

Don't allow demagogs to obscure reasons by inflaming emotion. The demagog succeeds only with frightened people.

Whatever you think, speak up. The great and wonderful difference between us and the totalitarian state is that it speaks with only one voice while we speak with many. In a democracy silence is abdication.

All this is a counsel of courage, and courage is not easy. The temptation to stand by and do nothing is great. But because too many people are doing just that, we are becoming a spiritually flabby and morally shabby society, uncertain of our direction and confused about our growth.

We read of ordinary citizens standing by, doing nothing while fellow beings are savagely attacked. When your own future is in mortal danger of being strangled by fear and apathy and cowardice, it is your moral obligation not only to speak out but to act.

IDAHO'S CASE FOR THE NEZ PERCE NATIONAL HISTORICAL PARK

Mr. CHURCH. Mr. President, the National Park Service has increasingly become the caretaker not only of innumerable scenic wonders of our vast country, but also of the physical symbols and landmarks of our shining history.

A bill which my colleague and I have introduced in the Senate would designate the Park Service to administer a new type of historical park.

Named for the Nez Perce Indians, the Nez Perce National Historical Park would be located in north central Idaho, where this remarkable tribe made and makes its home.

The bill was introduced on November 21, 1963, and was referred to the Interior and Insular Affairs Committee. On August 18, hearings were held in Washington, before the Public Lands Subcommittee; and in October of this year, field hearings will be held in Lewiston, Idaho, under the chairmanship of the distinguished Senator from Nevada [Mr. BIBLE].

One thing will become quite clear from these hearings: Destiny literally "zeros in" on the small area that is the Nez Perce country. In this area, Lewis and Clark, the explorers, received the final impetus to complete their historic trek to the Pacific in 1805; the first Christian mission in Idaho was established in 1836; gold was discovered in 1860, and provided a great forward thrust of population into the Pacific Northwest; and here also the dramatic Nez Perce Indian war broke out, in 1877.

This is in contrast to much of the West, where our history is most diffuse, and there are few reminders of yesteryear—a monument, a restored fort, the weathered rut of a trail, or other memorabilia spread so thin as to present no synthesis at all.

The purpose of the proposal to create a Nez Perce National Historical Park is to synthesize these major Western historical events by perpetuating their sites in this unusually small geographic area.

As the National Park Service pointed out in its feasibility report, the scenic magnificence of the Nez Perce country and the appeal of the Nez Perce story in all its aspects—archeology, ethnology, explorers, and fur traders, missionaries, gold miners, settlers, soldiers, loggers, and Indian relations with these newcomers and with the Federal Government—are of outstanding interest.

The journey of the two Virginia captains, Meriwether Lewis and William Clark, through the wilderness to the Pacific Ocean, and return, has been called one of the greatest adventure stories of all time. They were sent by President Thomas Jefferson to explore these unknown lands, and their discoveries gave the United States a claim to the Oregon country.

When they crossed the snowy ramparts of the Bitterroots, and reached the Nez Perce country, many members of the expedition were ill and half starved. They were welcomed by the Nez Perces, and were fed and warmed by more hospitality than they had received from any tribe across more than half the continent. Indeed, the handsome and intelligent Nez Perces helped them build dugout canoes, and took good care of their horses, as they were enabled to continue their journey to Fort Clatsop and the sea.

Lewis and Clark planted the American flag at the mouth of the Columbia. Meanwhile, Jefferson had completed the Louisiana Purchase, which one historian observed "fell into place like a drawbridge across the continental moat." Returning in 1806, the explorers spent additional months with the Nez Perces, establishing a bond of friendship which would remain unbroken for nearly three-quarters of the century.

Drawn by the wealth of beaver pelts, the mountain men followed the explorers into the Intermountain Northwest, and behind them came the missionaries. Marcus Whitman, Henry Harmon Spalding, and their wives, in 1836 crossed the Continental Divide with a wagon, pioneering a road which would become known as the Oregon Trail. Whitman built his mission farther west near the lower Snake River; but Spalding built his on Lapwai Creek, in the Nez Perce country.

Here, the Presbyterian missionary obtained and used the first printing press; and printed the first books in the Pacific Northwest—including a songbook and parts of the New Testament in the Nez Perce tongue. He taught the Nez Perces the principles of irrigation, farming, stockraising, and homemaking.

In 1855, a treaty was signed with the Nez Perces. It turned their homeland into a reservation. But in 1860, gold was discovered on Orofino Creek, in the Nez Perce country; and the whites swarmed in. The gold became important to the survival of the Union, but its location brought demands for a smaller reservation. A new treaty was accomplished although not all signed it, and the tribe became divided into treaty Indians and nontreaty Indians. The threatened use of force to place the nontreaty Indians on the new reservation erupted in the Nez Perce war of 1877.

Under the leadership of Joseph Looking Glass and other chiefs, the Nez Perces consistently outgeneraled and outfought the troops thrown against them. After several engagements in the Nez Perce country, the tribe conducted a masterly retreat across sections of Montana, southern Idaho, Yellowstone Park, and Wyoming. They were headed for a rendezvous with Sitting Bull, camped across the Canadian border after the Custer massacre of 1876. The junction was not effected, and Joseph surrendered just short of the border at the Little Bear's Paw in north-central Montana.

Joseph said:

> From where the sun now stands I shall fight no more forever.

Because of the valiant stand of the Nez Perces on the heels of the disaster at the Little Big Horn, the Nation began to take a closer look at white and Indian relationships.

Part of the tribe was eventually returned to the Nez Perce country, there to join the Christian group on the reservation. The nontreaty Indians were reconciled to their fate, but resumed their pagan ways. Missionaries, both Protestant and Catholic, continued their work; at Kamiah and Spalding are houses in which the Presbyterians resided, and at Slickpoo still stands the church built by Father Cataldo.

Many other physical fragments of this valued historical area are still extant; but they suffer the continued erosion of time and progress, and with each passing year the untended sites become less subject to interpretation and preservation.

Along the recently completed Lewis and Clark Highway, down the westward slope of the Bitterroots, passes the Lolo Trail, a vanishing track along the high ridges. Once it was a heavily traveled Nez Perce pathway to the buffalo country, to the east, and was the avenue of approach for Lewis and Clark.

At Kamiah and Ahsahka are the campgrounds of Lewis and Clark; at White Bird, Cottonwood, and Stites are major battlegrounds of the Nez Perce war; along the Clearwater are locales of Indian legends; at Lapwai are the parade ground and three buildings of the old Fort Lapwai; near Craig Mountain is the land claim of Mountain Man Billy Craig, and near Cottonwood is the Weis rockshelter, occupied 7,500 years ago.

The Park Service feasibility report points out the importance of Idaho's contribution to the Nation's lumber industry. Large sawmills are found up and down the Clearwater and in almost every town. Near Lewiston is the huge Potlatch Forests mill—one of the largest sawmills in the world. On the north fork of the Clearwater, one of the last great log drives is still conducted. But time is running out, and a huge dam will soon soothe the waters.

I emphasize that—as the feasibility report eloquently points out—the Nez Perce country still possesses a high degree of historical integrity. I read from the report:

> Despite extensive farming in the uplands, intensive logging on the mountain slopes and canyon walls, and the growth of towns and cities, the overall effect as one drives through the former lands of the Nez Perces is the impression, "This is how it was." The prairies are still open; vast armies of pines and firs still climb the hills; the grass-covered slopes still rise above basalt cliffs; the rivers and streams largely run clear and free. The country is so vast, so magnificent, and so lightly settled that the eye tends to glance over such recent developments as roads, railroads, mills, fences, towns, and spreading residential sections. This is still, in essence, the Nez Perce country.

Inasmuch as these valuable and significant sites are so located and so related, it has been proposed, by means of this bill, that they be preserved under a single, responsible jurisdiction, properly identified, and correlated for public viewing and appreciation. Under such a program, only a small amount of land would be required for administrative use and site preservation.

The proposed legislation which I have introduced, on behalf of myself and my colleague, like the identical bills which have been introduced in the House by Representatives COMPTON I. WHITE and RALPH HARDING, would provide a coordinated series of historic sites and interpretive facilities, some in Federal ownership and some in non-Federal ownership. It has been suggested that these should consist of 3 federally owned sites administered by the National Park Service and 19 sites administered by other Federal agencies, by State agencies, or owned by private individuals and corporations. Through cooperative agreements with the administrators or owners of these 19 sites, the National Park Service would be responsible for interpreting the historical significance of these sites and for providing interpretive services to the public.

Three main centers, operated by the Park Service, would be located—one, each—at the key main visitor entrances to the heartland of the Nez Perce country, at Spalding, Kamiah, and White Bird. These visitor centers would also orient visitors to the remainder of the project. The principal headquarters of the project would be at Spalding.

Department of the Interior, National Park, and State of Idaho officials, including the Governor, historians, and other specialists, have personally visited the area, and have voiced approval of the project. With an unusual display of unanimity, chambers of commerce, civic organizations, and newspapers in the area have wholeheartedly endorsed it.

I know I speak for the entire congressional delegation when I say we are wholeheartedly in support of this proposal, which would provide a new type of national park, and would preserve for the future, in a fitting way, these valuable and graphic reminders of our people's westering march.

THE WAR IN SOUTH VIETNAM

Mr. MORSE. Mr. President, my brief speech today, in opposition to McNamara's war in South Vietnam, is taken from the magazine Business Week for August 29, 1964. Business Week is certainly one of the most stable, moderate periodicals published in this country. So far as I am concerned, their article is my speech, for I associate myself with every word of it. It reads:

NEW PROBLEM FOR UNITED STATES—HOPES FADE FOR SOUTH VIETNAM

(As rioters force strong man Khanh out of presidency, it becomes harder for administration to win war against Vietcong. Leaked CIA report hints at negotiations.)

The resignation this week of South Vietnamese strong man, Nguyen Khanh, from his newly acquired job as President strikes hard at U.S. hopes for a more vigorous prosecution of the war against the Communist Vietcong. In fact, at midweek, the big question in Washington no longer was whether the war could be won without carrying it to North Vietnam, but whether it could be won at all.

If the situation continues to deteriorate, U.S. policy in South Vietnam cannot help becoming a hot issue in the presidential campaign. And a political collapse in Saigon could hurt President Johnson at the polls in November.

NEWS LEAK

The upheaval in Vietnam—the third in less than a year—came as the administration was shaken by the leak of a confidential study by the Central Intelligence Agency, which suggested that victory was impossible and negotiation probably inevitable in South Vietnam.

In the past, the administration has insisted that negotiation would be tantamount to handing the southeast Asian nation over to the Communists, if undertaken before South Vietnam met the military threat posed by Vietcong. Washington has bitterly opposed French President Charles de Gaulle's proposal for negotiations aimed at neutralizing Vietnam.

The CIA report is bound to shake confidence, both in Saigon and here at home, in the steadfastness and realism of U.S. policy. Senator BARRY GOLDWATER was quick to note the CIA study, and to warn the American people to be prepared for an announcement in the very near future of a negotiated peace in Vietnam. He went on to say that neutralization was an open door to Communist infiltration.

President Johnson is hoping, of course, that the lid can be kept on Vietnam until the election is over. But then, whoever wins will be forced to take a new hard look at the U.S. involvement in southeast Asia—barring a seemingly miraculous improvement in the situation there.

MORE RUMORS

The political situation in Vietnam is confused and explosive. At midweek, Khanh apparently still was in control of the military forces that put him into power last January. But how much political control he would be able to maintain was not clear. He might be relegated to a strictly military role under a new government headed by someone else or, alternatively, forced to share political power with a civilian cabinet representing the Buddhist leadership and political factions that sparked the rioting.

Meanwhile, communal rioting between Buddhists and Catholics was continuing and, despite Khanh's political concessions, rumors of new military coups by supporters of former President Ngo Dinh Diem filled the air in Saigon. There were even more disturbing reports of an impending all-out offensive by the Vietcong aimed at wresting final victory from the confusion.

SUPPORT—OR CONTEMPT?

The political upset in Saigon, ironically, was touched off by Khanh's moves last week to strengthen his political position by promulgating a new constitution and assuming the Presidency under it. He put stern restrictions on personal and political liberties, including strict press censorship, curfews, and the banning of demonstrations.

Buddhist and student leaders, fearing a return to the repressive tactics of the Diem regime, called their followers into the streets. Khanh, unlike Diem, refused to use force against the rioters, fearing to open a second front of civil war. He capitulated to rioters' demands that he scrap the constitution and his Presidency. Khanh's worried U.S. advisers hope his moderation will win him support but concede that it is as likely to win him contempt in a country used to strong rule.

VULNERABLE POSITION

The U.S. role in the political disaster was not clear at midweek. Officials last week hailed the new constitution and Khanh's assumption of the Presidency as likely to stabilize the political situation. This week, however, they were claiming privately that Khanh had acted largely on his own, and were critical of his refusal to consult political leaders before the new constitution was proclaimed.

Khanh's troubles underline how vulnerable the U.S. position in southeast Asia is to events beyond Washington's control.

The United States must back Khanh, as it did his predecessors, if he is to have a chance of winning the war. It must insist that victory can and must be won. But in the process much U.S. prestige is invested in Khanh's fortunes, much more in the outcome of the war.

High U.S. officials this week are at pains to discount the significance of the CIA study, which was released to the press this week after having been leaked to the Chicago Tribune.

But some officials this week, despite these disclaimers, were beginning privately to look again at the possibilities of a negotiated settlement in Vietnam.

Mr. President, this article in Business Week clearly summarizes the situation in South Vietnam. The American people are beginning to recognize more and more that our position in South Vietnam is untenable morally, militarily, and legally. More and more the American people are beginning to appreciate the fact that we owe it to the history of our country and we owe it to the boys who will be killed unjustifiably in the months ahead in the uncalled for American participation in the war in South Vietnam, to get this issue back within the framework of international law, as the Senator from Alaska [Mr. GRUENING] and the Senator from Oregon have pleaded for at least 6 months on the floor of the Senate.

The ugly reality is that the United States, although it uses other semantic terms, is following a policy of colonialism in South Vietnam. We have set up a puppet protectorate in South Vietnam. We are seeking to operate it as colonial powers operated colonies in generations gone by. No white nation will ever be able to maintain a colony in the yellow part of the world. Let us face the issue.

Therefore, I close tonight by pleading again that the United States stop its unilateral military action in southeast Asia; that we stop supporting a military dictatorship; that we stop joining that military dictatorship in stamping out freedom in South Vietnam; and that we lay the whole issue before the United Nations or before a 14-nation conference, as recommended by President de Gaulle, for the application of international law for its settlement.

THE ATTACK ON REAPPORTIONMENT

Mr. DOUGLAS. Mr. President, I do not believe that many Members of the Senate are aware of the rising tide of disapproval of the Dirksen "rotten-borough" amendment; but some of us have been assembling from some of the great newspapers of the country editorials which show that some of the best newspapers are opposed to the Dirksen amendment and that they have solid grounds for their objection.

The Dirksen amendment is a part of this attack on the Supreme Court. The attack on the Supreme Court began after the great civil rights decision of 1954 and has intensified with its later decisions.

The reapportionment decisions of the Supreme Court have increased this opposition.

Mr. President, I ask unanimous consent that an editorial written by Irving Dilliard, entitled "A Great Supreme Court," which was originally published in Frontier, and which was reprinted in the St. Louis Post-Dispatch on August 16, 1964, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch, Aug. 16, 1964]

A GREAT SUPREME COURT—IT HAS AROUSED BITTER OPPOSITION BECAUSE OF ITS REPEATED STANDS FOR FREEDOM

(By Irving Dilliard)

(Irving Dilliard, former editor of the editorial page of the Post-Dispatch, holds the Ferris Professorship of Journalism at Princeton University.)

The anti-Supreme Court headhunters are rising to the full cry. Their shouts rend the jungles of special privilege. Too many times since the unanimous public school desegregation decision in 1954 has our highest tribunal taken its stand on the side of the people.

In the eyes of the advantage seekers, the 1962–63 term of the Supreme Court was bad enough. Now Chief Justice Warren and his eight colleagues have closed the 1963–64 term and it is even worse. That is why there is so much bellowing both in print and on the air waves. And it is why the raucous outcries can be expected not only to continue but unfortunately to grow even louder.

Now there are well-meaning people who sincerely believe that the Supreme Court is doing grievous damage to our Nation. For the most part these are misguided souls whose uninformed thinking frequently is shaped by misleaders who know better. Dr. Samuel Johnson spoke a grim but often misunderstood truth when he said that "patriotism is the last refuge of a scoundrel."

So it is with a large proportion of the critics who are now attempting to "save" the Constitution. When they cry out that the Justices are subverting the American Federal system by destroying the rights and functions of the States, few if any mean that at all. What they really mean is that they object to these decisions because the rulings upset their own long-established, usually well-hidden, schemes of special privilege and undue influence in local, State, and national affairs.

The decision which has gone farthest in stirring up the animus is that in cases from Alabama, Colorado, Delaware, Maryland, New York, and Virginia calling for redistricting of the State senates on a basis of population rather than geography. No one need be surprised in the slightest at the stuck-pig reaction. Not since its public school desegregation decision of 1954 has the Supreme Court struck so hard and sound a blow for the free way of life as well as free institutions.

Ralph McGill, writing in the Atlanta Constitution, reports that a Southern rural legislator, angry because of the reapportionment decision, attacked the Supreme Court as being composed of tyrants who reminded him of Hitler. Yet this very legislator comes from a county where one vote is worth approximately 30 times as much as a vote in his State's most populous county. Comments Ralph McGill:

"The tyranny of this inequity had not troubled the angry legislator. He liked it that way and wished to perpetuate it. So wishing, he damned as tyranny the Court's determination to uphold the Bill of Rights and to guarantee each citizen equal representation and protection of the law."

On the heels of the decision in Washington, Governor Love called a special session of the Colorado Legislature for July 1. The legislators took the job seriously and completed reapportionment of both chambers according to population in 8 days.

Some idea of the transformation that is coming in many States can be had from the change worked in Colorado where there had been no major reapportionment in 30 years. All that time the rural areas dominated the legislature although Colorado population had become centered largely in Denver, Pueblo, and a few other cities. The new apportionment gives the State's 10 largest counties 27 of the 35 senate seats and 49 of the 65 house seats. This greatly increased voice, based on population, Denver citizens owe entirely to the Supreme Court reapportionment decisions of 1962, 1963, and 1964. There is little danger that any of them will find the Supreme Court acting like a tyrant, bent on destroying representative self-government.

Yet Republican leaders in Congress are so far out of touch with the trend of the times that they have announced that they intend to "take the lead" in supporting a constitutional amendment if it proves necessary to nullify the Supreme Court's reapportionment decision.

Here are other recent decisions that have angered special-interest groups. The facts are that in every instance the Supreme Court took its stand on the side of freedom. Every one of these rulings ought to be applauded warmly:

Passports: By 6 to 3, invalidated as "unconstitutional on its face," a section of the 1950 Subversive Activities Control Act that denies passports to members of officially designated Communists organizations. For the majority Justice Goldberg rightly said that "freedom of travel is a constitutional liberty closely related to rights of free speech and association."

Communist registration: By order and without comment, let stand a Washington (D.C.) Appeals Court decision voiding a conviction of the Communist Party for failing to register. The order rejected a Justice Department request for review of the appellate court's reversal of a $120,000 fine levied against the Communist Party. The appeals court said the Government had failed to prove that there was anyone who could register for the party without incriminating himself in violation of the Constitution.

Loyalty oaths: by vote of 7 to 2, invalidated as offending due process the 1931 Washington State statutes setting up a loyalty oath machinery for teachers as a condition to employment. Justice White, for the majority, said that "where vagueness of the statute deters constitutionally protected conduct, 'the free dissemination of ideals may be the loser.'"

NAACP: Unanimously reversed the Alabama Supreme Court and held that Alabama's ouster of the NAACP violated the association's constitutional right to associate for the advocacy of ideas. Because this case has been kicked around one way and another for 8 years in the courts of Alabama, Justice Harlan concluded the Supreme Court's decision by saying: "Should we be unhappily mistaken in our belief that the Supreme Court of Alabama will promptly implement this disposition, leave is given the association to apply to this Court for further appropriate relief."

Virginia schools: By vote of 7 to 2, ordered Prince Edward County, Va., to reopen its public schools which were closed to avoid the effect of the 1954 desegregation decision. Funds which had been used for public white schools were diverted to private segregated white schools. Noting that the case began in 1951, Justice Black said for the Court: "The time for mere 'deliberate speed' has run out, and that phrase can no longer justify denying to these Prince Edward County schoolchildren their constitutional rights to an education equal to that afforded by the public schools in other parts of Virginia."

Fifth amendment: In a series of decisions, dealt with the self-incrimination clause of the fifth amendment, holding, 5 to 4 in the Malloy case from Connecticut, that the fifth amendment's protection against being compelled to give self-incriminating testimony now applies to the States as well as to Federal court proceedings.

Add decisions such as these to those holding unconstitutional daily prayers and devotional Bible reading in the schools, and the earlier rulings outlawing racial tests and requiring equitable representation for congressional and legislative seats, and it is easy to account for the wild charges of judicial dictatorship.

No wonder the howlers ignore the fundamental fact that every Supreme Court decision is in a case carried to the highest bench by one or more petitioners seeking justice. No wonder they ignore the fact that many of the decisions which they now rail against pinpoint the failure of legislative or executive leadership.

Political scientist Richard L. McAnaw put it in a nutshell in the Iowa Law Review: "The failure of our democratic institutions is not that the Supreme Court has assumed all of the powers and that it stands guilty as charged—but rather that the Court has had to assume such powers—that the Court has had to make such decisions."

Will State legislators and Members of Congress quit complaining about the Supreme Court and now begin to buckle down to their too-frequently defaulted responsibilities?

Mr. DOUGLAS. Mr. President, I point out that Mr. Dilliard was formerly editor of the editorial page of the St. Louis Post-Dispatch, and holds the Ferris professorship of journalism at Princeton University.

Mr. President, in my judgment, the present Supreme Court is a noble Supreme Court.

In my judgment, the Chief Justice of the Supreme Court, formerly a great Governor of California, and in 1948 the Republican candidate for Vice President, is, I would say, one of the handful of preeminent Americans.

Mr. President, I should also like to accompany the last editorial with another one, entitled "Congressional Attack on Courts" which was published in the Houston Post of August 20, 1964. Unless I am misinformed, the Houston Post is a conservative newspaper, yet it properly sees that this attack on the courts does violation to the basic stability of our form of government. I ask unanimous consent to have the editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Houston Post, Aug. 20, 1964]

CONGRESSIONAL ATTACK ON COURTS

Regardless of the outcome of the congressional effort to delay implementation of the Supreme Court's recent decision on State legislative apportionment, which would amount to a suspension of the Constitution by legislative fiat, some fundamental questions involving the nature of the country's governmental system are involved, the implications of which do not seem clear to a great many people.

One of the distinguishing features of the American system of government as it was devised after much debate and compromise by the Founding Fathers was that it provided for three equal and coordinate branches, each vested with the authority to make law within its rather narrow area of authority.

By intent or otherwise, some conflicts were built into the system, and some boundary lines of jurisdiction fuzzily defined, with the result that each branch exercises something of a check on the other. This tends to keep any branch from becoming so powerful that it can impose a parliamentary, executive, or judicial tyranny upon the country.

In order for the system to work, there must be considerable restraint by each branch in the use of its powers and, as a practical matter, a continuous search for formulas of reconciliation and accommodation.

To remove these conflicts and sharply define limits of authority where they are fuzzy requires the amendment or rewriting of the Constitution, the basic law that governs all three branches. This is something not to be done lightly or emotionally, and that is why the amendatory process was made as difficult as it was.

The right of the Supreme Court to interpret the Constitution, to say what it means in a given context, was asserted early in the life of the Republic and has been accepted ever since. Obviously, it is a job that someone must do. There must be some final authority on what the Constitution does and does not mean, and the Federal judiciary is the logical and best qualified agency to perform this chore.

Naturally, once an interpretation has been given, it must have the force of law until such time as the Court may change it or the Constitution is amended. Otherwise, orderly government would be impossible, and the country would devolve into chaos.

One thing that holds the Nation together is the fact that nobody can suspend the Constitution, either in whole or in part. Except for this, there quickly would be no Constitution and no Nation.

In the controversy over the legislative apportionment decision, there has been a great deal of talk to the effect that the judicial branch invaded the jurisdiction of Congress, the legislative branch. Actually, it is extremely doubtful if Congress has any authority to legislate with respect to State legislative apportionment.

If the Federal Constitution does not govern in this matter, then it is one of those left entirely to the States individually. But the Supreme Court has said that the Constitution does speak with respect to State legislative apportionment, and its finding has the force of law until it is changed or the Constitution is amended.

For Congress to attempt to order a "delay" in enforcement of the Court's ruling is actually a challenge to the asserted authority of the judicial branch to interpret the Constitution, and thus a flagrant attempt by Congress to invade the area over which the judicial branch by consent long has exercised jurisdiction.

Proponents of the legislation proposed in Congress are quite aware that anything they enact probably will be ruled unconstitutional by the Federal courts, but they do not much care. They admittedly are interested only in gaining time to try to push through a constitutional amendment. Efforts to amend the Constitution are legitimate and permissible, but to try to undermine the authority of the Federal courts, to discredit them and to castigate them is a very serious business.

It must always be remembered at all times that the Founding Fathers were as interested in preventing parliamentary tyranny as they were in preventing executive and judicial tyranny. Oddly, there are some "conservatives" who do not seem much interested in conserving our traditional form of government. They are more interested in perpetuating an existing power structure, whether it is constitutional or not. At the very least, they want to substitute their own interpretation of the Constitution for that of the Supreme Court.

Mr. DOUGLAS. Mr. President, a number of newspapers have criticized the specific nature of the Dirksen amendment. I ask unanimous consent to have an editorial from that great newspaper, the Nashville Tennessean, of August 16, 1964, entitled "Remap Game of Congress Holds Dangers for All," printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Nashville Tennessean, Aug. 16, 1964]

REMAP GAME OF CONGRESS HOLDS DANGERS FOR ALL

The Congress of the United States is engaged in a dangerous game over its proposals to suspend or nullify the Supreme Court's landmark "one person, one vote" decision on reapportionment.

The assault on the Court is two-edged. In the House, an amendment by Representative WILLIAM M. TUCK, of Virginia, would simply strip the Federal courts of any jurisdiction over State reapportionment cases.

If the Tuck amendment were to pass, it would open up the gate for Congress, by simple statute, to bar any area it chose from court jurisdiction. The end effect could be to deny all Americans the full benefit of their constitutional protections. The immediate effect would be to continue the virtual disfranchisement of many city and suburban residents in this Nation.

The Dirksen amendment in the Senate is a little less harsh in that it is less of a full-scale assault on judicial independence. It directs the courts to delay any redistricting orders so that elections may be held normally for 2 years. Only in "unusual circumstances" would the Court be permitted to intervene.

The Senate plan at least recognizes the authority of the Court to intervene in this area where vast inequities have existed over the years.

The real objective of Senator DIRKSEN, however, is to try to get a contitutional amendment adopted that would prohibit reapportionment of both branches of a State legislature according to population. And the effect of this would be to give one branch of State legislatures veto power over the other. A rurally dominated State senate could, of course, block all legislation.

In Tennessee, not only would urban areas continue to be denied fair representation, but Republican east Tennessee would be affected. It would also insure to a great degree that the legislature would continue to be dominated by one party as well as one area.

It is peculiar why Senator DIRKSEN is aiming such a punitive move at his own party's voters. Republican strength in many areas of the country comes chiefly from the suburbs of major cities, yet it is precisely these voters who would be most affected, both in the terms of voter equity and in their philosophical effort to buck the trend of greater centralization of government.

The Tuck amendment aims at the heart of the checks and balances of government.

Only once in the history of the country has the legislative branch denied judicial jurisdiction in a particular area to accomplish its own purposes. That was in 1868, when a Reconstruction Congress acted to prevent the Supreme Court from holding that the trial of a Mississippi editor by a military tribunal had violated the Constitution. The editor, Mr. William McCardle, was highly critical of the occupation forces of the South. But the Congress had its way and the Mississippian lost his constitutional rights.

The deviousness of waiting until the end of the session, of trying to prevent hearings and discussion on the measures and of tying the Senate measure to foreign aid should be plain enough to all. So should the danger. For if people are to be denied the protections of the Court in some areas, then they can be denied in all.

Mr. DOUGLAS. Mr. President, an editorial was published in the Washington Evening Star of August 6, 1964, entitled, "Senator DIRKSEN's End Run," and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, Aug. 6, 1964]

SENATOR DIRKSEN'S END RUN

The Supreme Court's historic decisions on State reapportionment have provided an effective means of righting a grievous wrong. To our thinking, they are the only effective means. Now, however, Senator DIRKSEN has moved to thwart his desirable reform by a hastily conceived legislative end-run which ought to be rejected out of hand by the Senate.

His bill is a model of brevity. Its effect, however, would be to invoke a total, ironclad moratorium on the reapportionment decisions—for as long as 2 years in some States and 4 years in others. No hearings have been held on the grave consequences of this proposal. Indeed, only a handful of Senators and Representatives have expressed an opinion about it. At least two members of the Senate Judiciary Committee doubt its constitutionality. Yet Senator DIRKSEN, abetted by a majority of the Judiciary Committee, apparently intends to attach the measure as a rider to the Senate version of the foreign aid bill, which is certain to pass within the next several days. Traveling in this company, the rider would be virtually immune to the threat of a veto.

Senator DIRKSEN says his motive is not to kill reapportionment, but merely to gain time for Congress to consider a constitutional amendment giving the people of each State the right to determine by referendum whether both houses of their State assemblies should be constituted primarily on the basis of population.

The Supreme Court requirement that State senates must be organized on a population basis is, to be sure, an arguable issue. And of course it would be appropriate for Congress to propose such an amendment—provided it can muster the necessary two-thirds vote in both Houses. But the right of Congress to move in that direction at a subsequent session, if it chooses, in no way justifies the action proposed now by the Senator from Illinois. What's the rush?

The obvious fact is that significant progress is being made in a number of States toward equitable State representation at the present time through normal democratic processes. Maryland is one example. The Dirksen bill would halt that useful activity in its tracks and prolong, possibly for an indefinite period, the abuses which flow from rural domination of the legislatures and other inequitable representation practices.

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have an editorial entitled "Senator DIRKSEN's Proposal Boils Down To Trying To Save Malapportionment," published on August 17, 1964, in the Atlanta Constitution, printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Atlanta Constitution, Aug. 17, 1964]

SENATOR DIRKSEN'S PROPOSAL BOILS DOWN TO TRYING TO SAVE MALAPPORTIONMENT

You would think it bad politics to go around saying, "I'm for minority rule." But a lot of Congressmen and Senators have been running around in the past few days saying something pretty much to that effect.

The milder way of saying it is to support Illinois Senator EVERETT DIRKSEN's proposal to delay the effect of the Supreme Court's reapportionment decision by 2 to 4 years, Representative WILLIAM TUCK, of Virginia, would go even further: He would remove the Court's jurisdiction in such cases.

Of the two, Mr. DIRKSEN's version is the least obnoxious because it is more unconstitutional.

For the Dirksen proposal would attempt by statute to change a constitutional decision. Its logic is about as valid as saying "Yes, the Constitution guarantees against unlawful search and seizure, but we'll pass a law suspending that right during the months of August, September, and October."

It is possible for Congress to overturn the effects of a Supreme Court ruling that deals with a simple statute. Congress in that case might pass a new statute.

But when the Court delivers an opinion involving constitutional issues, Congress may reverse such a ruling only by constitutional amendment. Senator HERMAN TALMADGE recognized that fact when he sought to block school integration by amendment. He knew no simple statute could alter the decision.

Senator DIRKSEN should be aware of this fact, too, and probably is. His activity now is mostly window-dressing to impress the right people.

The question naturally arises: Who benefits from the rotten borough system? And the answer obviously is: rotten borough politicians. It is interesting to see that all sections of the Nation have the problem.

It is true that the status quo in Congress is threatened by the Court's reapportionment decision. A large number of Members of the House—perhaps a majority—themselves come from malapportioned districts, which were in turn drawn by malapportioned State legislatures. And Members of both the House and Senate are used to dealing with the powers-that-be under the existing political patterns back home.

Perhaps those Congressmen fearing for their political lives believe a 2-year delay will give State legislatures long enough to freeze malapportionment into the Constitution. We suspect they are too late.

Mr. DOUGLAS. Mr. President, the editorial points out that the Dirksen amendment in effect is saying, "I am for minority rule."

Out in the great Midwest, in the neighboring State of Iowa, there is an independent newspaper known as the Des Moines Register operated by the Cowles Bros. In its issue of Wednesday, August 12, 1964, it criticized the Dirksen rider in an editorial entitled "Delaying Reapportionment." I ask unanimous consent to have this editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Des Moines Register, Aug. 12, 1964]

DELAYING REAPPORTIONMENT

Congressional opposition has slowed up Senator EVERETT DIRKSEN's fast shuffle on legislative reapportionment. Lacking time to get approval by this session of Congress of a proposed constitutional amendment to restrict the Federal court's powers over apportionment in State legislatures, he is trying to attach a rider to a foreign aid bill to stall court action on reapportionment for at least 2 years. (The Dirksen rider would stay reapportionment proceedings from the time of passage of the bill until the end of the second regular session of any State legislature.)

There are plenty of persons who think the Court went farther than it needed to in requiring both houses of a legislature to be based on population. It is to be hoped, however, that there are not many who think that Congress should try to overrule the Court whenever it makes a ruling Congress disagrees with. If this is to be done on reapportionment it can also be done as to the constitutional rights to fair trial, freedom from search and seizure, and equality before the law.

The proposed constitutional amendment would, in our opinion, leave the citizens of a State at the mercy of the legislature of the State. The constitutional amendment would require one house of a legislature to be on population but there is no limit on the veto power that could be given minorities in the other house. Supporters of the amendment say it would allow the voters of a State to pass on and set up the kind of a legislature they wanted but in most States, like Iowa, the voters cannot initiate a plan. They can only vote on a plan that comes to them through the legislature.

Legislators, including Iowa's, usually try to be fair but, like all men, they prefer the existing legislative system to the unknown and resist change. This is why there was virtually no reapportionment until the courts moved into the field. If two-thirds of Congress and three-fourths of the States are unwise enough to put legislative inertia back in the saddle it at least should be done by constitutional amendment. Dirksen's rider tries to override the court by congressional power alone for a 2- to 4-year period. If that can be done how long can the period be extended?

Certainly the Federal courts should be patient and avoid creating confusion and disturbance in an election year. In Iowa the Federal court should be commended for having given its decisions early enough and the legislature for having acted on them soon enough so that the 1964 election schedule was not affected. In some States, Oklahoma, Washington, and New York, Federal district courts have upset or threatened to upset election schedules. Interference and stalling by the States may explain such abrupt court action but the courts should remember that innocent voters bear part of the punishment.

DIRKSEN's rider apparently ran into threats of filibuster, a sort of filibuster against a filibuster against reapportionment. The proposed Mansfield compromise would authorize, but not compel as would the Dirksen proposal, the district courts to grant a stay of reapportionment proceedings whenever the courts believed there were good grounds for giving States more time to comply with reapportionment orders. This would be a much more reasonable proposal.

Mr. DOUGLAS. Mr. President, I have referred in properly glowing terms to the St. Louis Post-Dispatch. I ask unanimous consent that an editorial entitled "A Diminution of Liberty," published on August 17, 1964, stating in part, "the remarkable gyrations in both Houses of Congress, aimed at overturning the Supreme Court's great apportionment decisions, should not be allowed to detract from the main issue," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch, Aug. 17, 1964]

A DIMINUTION OF LIBERTY

The remarkable gyrations in both Houses of Congress, aimed at overturning the Supreme Court's great apportionment decisions, should not be allowed to detract from the main issue. That issue is whether Congress should initiate the first retreat from constitutional freedoms in the Nation's history.

In the Senate, the effort of conservatives has been directed toward a bill to delay court-ordered reapportionment, in order to allow some time for present malapportioned legislatures to ratify a proposed constitutional amendment. In the House, a bill is proposed which would have the effect of the amendment.

Forms of the amendment differ. One would allow the States, upon a vote of the people, to base one house of their legislatures on something other than population. Others would completely abolish Federal court jurisdiction over State apportionment cases. But every proposal represents an effort to protect the rural conservative domination of State legislatures against the Supreme Court's order that these should be based on "people, not trees."

We wonder if even some of the supporters of these proposals can foresee the consequences. Much more is involved than legal jurisdiction or rural favoritism or conservative advantage. What is proposed is in direct conflict with the Constitution as it now stands. Indeed, it is questionable that the proposed bills are constitutional. But what of an amendment to the Constitution?

At one level, the suggested amendments would allow the States to use something beyond geography in apportioning a legislative house. As Arthur Freund, of St. Louis, has pointed out, they might use apportionment in behalf of racial, economic or other forms of discrimination. At another level, the Federal courts would be left largely powerless to protect citizens under the 14th amendment, which provides for equal treatment in State laws, or under the 15th amendment, which says the right to vote shall not be abridged because of race.

Suppose a State should deliberately apportion a house to deny meaningful representation to Negro areas, or slum areas. This would violate the present Constitution as defended by the Supreme Court, yet might be permissible under one of the new amendments. The legal tangles that could ensue are obvious, but are not the worst of it. The worst of it would be that Congress would have established a precedent for limiting, reducing, or withdrawing liberties always a part of the Constitution. It is time the Members of Congress heard a resounding protest from the people that the Constitution protects.

Mr. DOUGLAS. Mr. President, in Washington we are fortunate to have a newspaper such as the Washington Post. I have inserted in the RECORD a number of editorials from this newspaper in the past. I ask unanimous consent to have two editorials, one published on August 5, 1964, entitled "Panic in the Senate?", and the other on August 12, 1964, entitled "Case for Euthanasia," printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 5, 1964]

PANIC IN THE SENATE?

A group of Senators yesterday launched a reckless action designed not only to upset a decision of the Supreme Court but also to jeopardize the democratization of the State legislatures. The movement began with Senator DIRKSEN, but it quickly enlisted the support of the Senate Judiciary Committee. Together they are threatening to stampede the Congress into a hasty action that would have damaging repercussions throughout the country.

What Mr. DIRKSEN is really aiming at is a constitutional amendment that would reverse the Supreme Court's ruling to the effect that both houses of the State legislatures must be apportioned on the basis of population. But there is no time to put a constitutional change through the present session of Congress. So he induced the Senate Judiciary Committee hastily to approve a bill forbidding the courts to give effect to the Supreme Court ruling until two more regular sessions of the legislatures have been held. The Senator has also indicated that he will try to attach his judicial mandate as a rider on the Senate foreign aid bill now before the Senate.

There is no emergency to justify any such drastic action. If Congress ultimately wishes to propose a constitutional amendment allowing the States to relate representation in one house to geography rather than population, it will be free to do so next year. But it should not presume the acceptance of such an amendment by two-thirds of both Houses of Congress and three-fourths of the States by delaying the operation of the Constitution as it now stands. If difficulties or hardships arise in any of the States in regard to reapportionments, they can be readily adjusted by judicial action. A blanket delay in all efforts to bring the State legislatures into compliance with the law would be inexcusable.

Some States are admittedly undergoing sharp transitions in the distribution of legislative seats. For this, however, the whole country ought to rejoice. For decades most of the State legislatures have been scandalously malapportioned. Their neglect has resulted in a crass denial of representative government to the vast majorities now living in urban areas. Correction of this evil ought to be regarded as an urgent undertaking for every State in which it exists. Congress cannot delay the process without throwing its weight on the side of favoritism, discrimination and a denial of equal standing among citizens of this free land.

It is true that some Members of Congress sincerely believe that the Supreme Court has made an unfortunate ruling. That, however, is beside the point now at issue. The question is whether Congress will be stampeded into an irrational assault on that ruling without time to debate and deliberate upon the momentous consequences.

We cannot believe that such a rash attempt to interrupt the normal processes of government will succeed. Indications are that the House would not tolerate such a potentially disastrous rider to remain attached to the foreign aid bill. Yet a serious risk remains, and the Senate will have to decide whether its reputation would survive a panic as well as a filibuster in a single session.

[From the Washington Post, Aug. 12, 1964]

CASE FOR EUTHANASIA

It is just as well that the pursuit of a compromise on the Dirksen bill to delay reapportionment has come a cropper. No compromise which would have accomplished the Senate minority leader's purpose would have been acceptable to the supporters of orderly constitutional government. The only hope that lay in Mr. Dirksen's discussions with Majority Leader Mansfield and Solicitor General Cox was that they might hit upon an innocuous formula that would permit Mr. Dirksen to back down with a minimum loss of face. But he has rejected that line of retreat and prefers to fight for his original proposition or something close to it.

New compromise ventures may be expected from other quarters, but it would be a mistake to place much reliance upon them. There is no satisfactory way in which Congress can tell judges what to decide as a matter of law or influence the outcome of judicial cases by congressional pressure. Any action by Congress, short of a constitutional amendment, which has as its purpose the nullification of a Supreme Court ruling based on constitutional principles must be regarded as a flagrant intermeddling in the judicial process.

The drastic nature of Senator Dirksen's proposal has been reemphasized by 15 eminent law school deans and professors in wires to the Senate majority and minority leaders. The effect of the bill would be, these experts point out (as this newspaper had previously done), to suspend the operation of constitutional rights by statute. Not only would this threaten "the integrity of our judicial process," as the experts say; it would also set a precedent that might be used to scuttle the Bill of Rights on a much broader scale.

Senator Dirksen has sought to excuse resort to this dangerous expedient by saying that it is designed merely to give Congress time to consider a proposed constitutional amendment. That motive, however, accentuates the offensiveness of the proposal. At present most of the State legislatures are scandalously unrepresentative of the people. In many instances majorities in both houses are elected by rural counties with only a small fraction of the State's population. In numerous cases the Supreme Court has found the distribution of legislative seats to be flagrantly unconstitutional.

It is bad enough when Senator Dirksen and his colleagues seek to perpetuate this denial of representative government for two or more years. But even more outrageous is the fact that these illegal legislatures, kept in being by a congressional stay of judicial authority, would be asked to ratify a constitutional amendment authorizing the States to continue denying voter equality so far as one house of their legislatures is concerned.

If a constitutional amendment is to be submitted to the States, permitting them to distribute State senate seats in accord with geography rather than population, surely it ought to be passed upon by legislatures truly representative of the people in at least one house. But the Dirksen bill, which he intends to attach as a rider to the foreign aid bill, would doubtless halt all reapportionment movements in their tracks. It is reactionary in the worst sense of the word. The best course is not to devise a substitute but to administer euthanasia.

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have an editorial published in the New York Times on August 21, 1964, entitled "Hobbling the Courts," printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New York Times, Aug. 21, 1964]

HOBBLING THE COURTS

Any expectation that the House of Representatives might deal constructively with the problems raised by the Supreme Court's redistricting decision has been erased by its reckless approval of a bill stripping Federal judges of all authority to rule on complaints that State legislatures are apportioned unconstitutionally.

The vote was doubly unfortunate because this blanket restraint on the judiciary's right to protect voters against unfairness in representation was itself an expression of precisely the kind of legislative irresponsibility that convinced the Supreme Court equity would never be restored if corrective action was left to the normal political processes of the States.

Even though the revised Senate proposal for forcing a delay in court reapportionment orders is a good deal less destructive than the House measure, the whole muddled course of the discussion on Capitol Hill makes it increasingly apparent that the subject is too involved for frenzied political decision at the end of a session. If the real purpose of the Court's critics is to guard against overhasty implementation of the "one man, one vote" ruling and to give Congress an opportunity to consider the desirability of a constitutional amendment on reapportionment, there is good reason to believe that every Federal judge from Maine to Hawaii already has got the message: Go slow.

Indeed, the Supreme Court itself in the Texas congressional districting case last winter cautioned a lower court to be wary of disrupting the political process. No evidence has yet presented itself that the voters are clamoring for a swift legislative curb on the courts; on the contrary, one national poll shows a substantial majority backing the high court's decision. The proper course now would be to table the proposed Senate rider and let the obnoxious House bill die stillborn.

Making foreign aid a prisoner of congressional rancor against the Court is inexcusable on any basis. So is any move that would establish a precedent for depriving the judiciary of its power to protect basic constitutional freedoms.

President Johnson, who stood aloof from the whole issue thus far, could make a contribution to sane procedure by lending his influence to a postponement of the whole problem until next year. A President who has shown so much past awareness of the need guarding the courts against arbitrary legislative assault ought not stay silent now.

Mr. DOUGLAS. Mr. President, in Florida there are two fine newspapers, the Miami Herald and the Miami News. The publisher of the Miami Herald is Mr. John S. Knight, an ardent Republican, and formerly editor and publisher of the Chicago Daily News.

On August 14, 1964, the Miami Herald published an editorial entitled "Bedfellows and Reapportionment," criticizing both the Dirksen and the Tuck amendments and asserting that what they are after is to attempt a constitutional amendment that would forever freeze the stranglehold that rural counties now have on most of the Nation's statehouses.

I ask unanimous consent to have this editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Miami Herald, Aug. 14, 1964]

BEDFELLOWS AND REAPPORTIONMENT

The amazing political agility of Senator Everett Dirksen is clearly demonstrated in his apparently successful move to stall off fair reapportionment of State legislatures for 16 months. His rider to the foreign aid bill would check the power of Federal courts to apportion until January 1, 1966.

What we are seeing is the U.S. Senate, the world's great democratic deliberative body, stepping in to keep American citizens from gaining their constitutional rights through the courts.

It was the failure of rural-dominated State legislatures to yield part of their power to growing metropolitan areas that forced the Federal courts to act under the 14th amendment.

Two months ago, the Supreme Court ruled that the Constitution provides one vote for one man. It said this was true in both houses of a State legislature. Immediately there was a cry from statehouses and from some U.S. Senators, including Miami's own George Smathers, that the Founding Fathers gave each State two Senators no matter how large or small the State and that this meant that one house of a State legislature did not have to be apportioned by population.

It is a faulty argument because the States are sovereign and counties are not.

But politics being an exercise of the possible, Dirksen, of Illinois, and Smathers, of Florida, now are leading the move to protect rural legislators from the votes of the majority.

The companionship of those supporting the Dirksen amendment is remarkable. In Illinois, it is the downstate Republican minority that will benefit. In Florida, it is the upstate Democratic bloc that is being protected from urban newcomers to the State who have Republican leanings. In Arizona, traditionally Democratic in the statehouse, two-thirds of the population lives in the Republican strongholds of

Phoenix and Tucson, but these two cities elect only 4 of the State's 28 senators.

Dirksen the politician may manage to extend the life of malapportioned legislatures for 16 more months, but Dirksen the lawyer is faced with the statement by 15 prominent law school deans and professors that his amendment "dangerously threatens the integrity of our judicial process" and that "it is to declare by statute, without constitutional amendment, that for a period of time certain constitutional rights may not be vindicated in any court, State or Federal."

We have been hearing a lot about States' rights and the rights of the individual this year. But we hear nothing about the responsibility of the States to obey their own constitutions that call for regular reapportionment to give the individual voter a fair shake in his own government.

It appears that what Senators Dirksen and Smathers are after is enough time to attempt a constitutional amendment that would forever freeze the stranglehold that rural counties now have on most of the Nation's statehouses.

Even more exterme is the action of Virginia's Representative Howard Smith in rushing through his Rules Committee a bill that would end Federal court jurisdiction over State reapportionment. Can such a desperate move succeed?

It would be a mockery of the democratic concept of government if our own elected officials pull it off.

Mr. DOUGLAS. Mr. President, the Miami Herald followed up the last editorial with one dealing specifically with Florida, entitled "Look at Florida, Senators," pointing out that 22 north Florida senators run the State of Florida for their own benefit, and for the benefit of the rural counties which have 14½ percent of the population.

The editorial reads in part as follows:

Florida is operating on a constitution written in 1885 when there were 350,000 people in the State. Today with more than 5 million, Florida is suffering from a horse-and-buggy government.

It goes on to criticize the work of its legislature.

I ask unanimous consent to have this editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Miami Herald, Aug. 15, 1964]

Look at Florida, Senators

Florida's two Senators in Washington are working hard to wreck the chances of a fair reapportionment of our State legislature. Spessard Holland is telling folks back home that he thinks the matter of reapportionment is a State function and George Smathers is saying that as a result of the Supreme Court decision calling for fair apportionment, Floridians do not know where they stand.

But the majority of the people in Florida do know where they stand. They stand behind an eight ball controlled by 22 north Florida senators who run this State for their own benefit and for the benefit of the rural counties that have 14.5 percent of the population.

Florida is operating on a constitution written in 1885 when there were 350,000 people in the State. Today with more than 5 million, Florida is suffering from a horse-and-buggy government.

It is a government that makes impossible the development of a two-party system that could produce statewide political leaders. It is a government that still meets in legislative session every 2 years despite the problems created by the State's rapid growth. It is a government run by 22 senators from counties that contribute 14 percent of the State's taxes and get 27 percent of the State's benefits. It is a government that starts each legislative session without a program and winds up in frenzied whirlwind of 4,000 bills. And most of the ones that are passed are those pushed through by lobbyists for special interests.

It is a government that created 31 State parks in 27 counties, but not one in Dade where 20 percent of the people live. It is a government that built 172 boat ramps and put one of them in Dade. It is a government that built 18 fishing piers, but not one in Dade. It is a government that divides the revenue from parimutual betting to give each person in Dade County 20 cents, and as much as $61 per person in the smaller counties.

It is a government that divides the gasoline taxes according to a 1931 formula and is now trying to extend that formula into the 21st century.

It is a government that spends as much welfare money in Jacksonville as in greater Miami which has twice the population.

It is a government that does not provide any means for a referendum to change the State constitution, leaving only the Federal courts as the course of relief from taxation without representation.

It is a government that has been so unconcerned with higher education that 35 percent of Florida students failed to graduate from high school in 1962 and only 15 percent of the students in Florida junior and senior high schools go on to college. Compare that with the national average of 29 percent and the California average of 40 percent and you have an answer for Spessard Holland and George Smathers.

Mr. DOUGLAS. Mr. President, a little farther north, in Charlotte, N.C., there is published the newspaper the Charlotte Observer, which is also owned by Mr. John S. Knight. It has published a series of splendid editorials. One of them was published on August 14, 1964, entitled "Mansfield-Dirksen Plan Would 'Bury' City Voters." I ask unanimous consent to have this editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Charlotte Observer, Aug. 14, 1964]

Mansfield-Dirksen Plan Would "Bury" City Voters

When the U.S. Supreme Court ruled in June that both houses of State legislatures must be reapportioned on a "one person, one vote" formula, with each legislative district "substantially equal" in population, it set off a great hubbub in those legislatures long dominated by rural lawmakers.

The outcry quickly reached Washington and prompted a variety of proposals for a constitutional amendment to strip the courts of authority over State legislative apportionment.

Constitutional amendments take time. They have to be approved by two-thirds of both Houses of Congress and ratified by 38 of the 50 State legislatures.

To buy that time, Majority Leader Mike Mansfield and Minority Leader Everett Dirksen have introduced a compromise measure that would be tied to the pending foreign aid bill as a "rider." The proposal would delay Court-ordered reapportionment from 2 to 4 years unless Federal courts found "highly unusual circumstances" requiring prompt action.

That escape clause was agreed to reluctantly by Dirksen, who has been under pressure from his rurally dominated Illinois Legislature to order a flat ban on further Court reapportionment orders.

Dirksen was apparently persuaded by Senate colleagues and Justice Department spokesmen that any outright prohibition of Court action by Congress would, at worst, violate the constitutional separation of powers and, at best, seriously weaken it. Dirksen's original plan had been denounced by 15 eminent law school deans and professors who wired the Senator:

"It is to declare, by statute, without constitutional amendment, that for a period of time certain constitutional rights may not be vindicated in any court, State or Federal."

We find one other major fault with the Mansfield-Dirksen proposal. It should not be tied to the foreign aid measure in an effort to improve its chances of passage. It should be debated and approved or rejected on its own merits.

The issue now posed in Congress is of paramount interest to urban voters everywhere. State legislatures have long been dominated by rural legislators who refused to reapportion to reflect changes in population, thus denying urban residents an equal voice in the management of State affairs.

If a constitutional amendment were to be submitted to the legislatures as they are now constituted, approval would be almost automatic, thus shoring up for all time the disproportionate power of rural lawmakers over State affairs.

No, the Mansfield-Dirksen proposal is not the answer to an admittedly difficult problem.

It would block forever all legal channels for urban residents to seek a redress for their grievances.

It would weaken State government, not strengthen it, thus inviting a further expansion of the power of the Federal establishment.

It would not produce a better brand of democracy but rather an indefensible tyranny of the minority.

Urban dwellers in the Carolinas should make their opposition known immediately and emphatically to their Representatives in both Houses of Congress, lest their rights be bartered away permanently.

Mr. DOUGLAS. Mr. President, on August 15, 1964, the Charlotte Observer, in an editorial entitled "Tuck Bill Aims Death Blow at Cities' Representation," pays its disrespects to the Tuck bill which has come over to us from the House, and states that the Tuck bill aims a death blow at the representation of the cities.

I ask unanimous consent to have this editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Charlotte Observer, Aug. 15, 1964]

Tuck Bill Aims Death Blow at Cities' Representation

The lengths to which some rural legislators will go to maintain their stranglehold on the Nation's lawmaking processes has been amply demonstrated by the House Rules Committee.

Representative Howard W. Smith and his committee jerked from the Judiciary Committee a bill which would gag the Federal courts on the reapportionment issue, assigned it a rule and hastened it to the floor for action.

The bill, drafted by Representative William M. Tuck, of Virginia, is even more pernicious than the high-handed, though theoretically legal, procedure which speeded it to the floor without due study.

It would remove all power to decide legislative apportionment suits from the Federal district courts and would prohibit the Supreme Court from hearing these cases on appeal.

In effect, the bill would slam shut the only door of appeal and the only hope of redress for the urban citizens of the Nation in their efforts to get a fair shake in State legislative representation.

It would open the door for rural legislators to destroy the progress that has already been made toward this goal in at least 26 States and would end all hope for similar progress in others. For the bill would nullify not only the recent one man, one vote decisions of the Supreme Court, but *Baker* v. *Carr* as well. And popular referendums, such as North Carolina's smashing defeat of the "Little Federal" plan, could be readily swept aside by State legislators intent on undoing with impunity what they have been forced to do.

In short, the unavowed purpose of the bill is to strike a political blow against the cities and the towns which are growing into cities, a blow from which they are not intended to recover.

In a narrow and immediate sense, the bill appears to be constitutional. So is a Senate rider, attached to the foreign aid bill, which would delay State compliance with the court decisions and allow time for the passage of a constitutional amendment to strip the courts of the same power.

As Senator SAM ERVIN notes, Congress is authorized by the Constitution to define the jurisdiction of inferior Federal courts and to define the appellate jurisdictions of the Supreme Court. But if the Supreme Court found that malapportioned legislatures robbed citizens of their rights under the 14th amendment, it seems possible that the Court could also decide that the House bill, at least, was similarly unconstitutional.

Hopefully the House will consign the Tuck bill to the wastecan where it belongs and that the Senate will do the same to the Mansfield-Dirksen rider.

If the Congress is in a mood to deprive a majority of Americans of an effective vote in their State governments, then it has come to a sad pass.

Mr. DOUGLAS. Mr. President, on August 21, 1964, the Charlotte Observer published an editorial entitled "House Attempting To Curb Majority's Rights Forever."

On August 22, 1964, the Charlotte Observer published another editorial entitled "Congress May Call an End Run." It states that they believe that something approaching the Dirksen amendment will be passed by the Senate. Then it goes on to say:

> This done, the stage will be cleared for the proposal next year of a constitutional amendment—an amendment which will set forth the manner for apportioning the legislatures, or one which would prohibit the Federal courts from hearing apportionment suits.
>
> And there's the rub.

The editorial further states—apparently speaking of the country—

> The issue is critical. Will 63 percent of the people (all those who live in standard metropolitan statistical areas) be permitted to decide the makeup of their own State legislatures, or will they be bypassed in favor of a rural minority (37 percent) which now controls the legislatures.

Mr. President, I ask unanimous consent to have these two editorials printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Charlotte Observer, Aug. 21, 1964]

HOUSE ATTEMPTING TO CURB MAJORITY'S RIGHTS FOREVER

A letter in today's Forum from Henry G. Lovin, of Lancaster, S.C., objects to our editorial position on the current congressional reapportionment measures and says:

"I wonder if you are really interested in fair representation for the urban population or do you wish to fix things so that the majority may take what it wants with utter disregard for the minority."

That should be turned around. We are interested in seeing that things are not fixed so that the minority may forever take what it wants with utter disregard for the majority.

That's what the whole controversy is about.

For decades, the courts took the position that representation in State legislatures was a political question over which they had no jurisdiction. During this period, State legislatures, dominated by small rural counties, arrogantly refused to reapportion themselves to give fair representation to growing urban areas, often flouting their own State constitutions in the process.

Urban residents had a just grievance but they had no redress for that grievance because there was no way they could force their State legislatures to act.

Finally, the Federal courts took jurisdiction. Either under court orders or the threat of court orders, legislatures began to reapportion themselves to give greater representation to urban areas.

The Mansfield-Dirksen "rider" to which reader Lovin refers would prevent Federal courts from ordering reapportionment for 2 to 4 years. During this time, an effort would presumably be made to amend the Constitution to limit or to take away entirely the jurisdiction of the courts over State legislative apportionment.

The Tuck bill to which Lovin refers was passed by the House this week (with the support, incidentally, of Representatives BASIL WHITENER and CHARLES RAPER JONAS from this area). It is much harsher than the Mansfield-Dirksen proposal. It would simply ban forever Federal court action "on a petition or complaint seeking to apportion or reapportion any legislature of any State of the Union or any branch thereof."

In January of 1964, the people of North Carolina voted on an amendment to their State constitution which was a good deal less harsh than the Tuck bill. It would have perpetuated rural control of just one branch of the North Carolina General Assembly, the house of representatives.

The people of North Carolina ignored below-freezing temperatures and snow-covered roads to troop to the polls and reject the so-called little Federal plan by a 224,000-to-127,000 margin.

Mecklenburg County voted against it by a 40,322-to-1,533 margin. Gaston County rejected it by a 11,654-to-546 margin.

It is interesting that Representatives JONAS and WHITENER would now vote for the Tuck bill which would do an even greater injustice to the people of Mecklenburg and Gaston Counties than the little Federal amendment would have done.

But more is involved in these two measures than equal voting rights for people who live in growing counties. They are also thinly disguised attacks on the independence of the Federal judiciary. If either should be enacted, it would establish a precedent whereby Congress could nullify any decision of the Court that might be politically unpopular.

This is not the first time that an effort has been made to dilute the Supreme Court and its authority. The late President Franklin D. Roosevelt didn't like the High Court's conservative decisions in the 1930's and sought to "pack" the Court by increasing its membership with additional appointees who shared his political philosophy.

The Congress, with widespread public support, refused to sacrifice the Court on the altar of political expediency. It is a strange twist that now the Congress is trying to strip the Court of some of its authority and independence and that the burden of defending the independence of the judiciary has fallen upon President Lyndon B. Johnson.

We do not rule out some kind of congressional action, a resolution or even a constitutional amendment, setting forth basic principles that States should follow in allocating legislative seats. So grave and complex a proposal, however, should not be rushed through in the closing days of this session. It merits the fullest debate over a period of time long enough for the American people to understand the issue.

Representatives JONAS and WHITENER would not grant us even that.

[From the Charlotte (N.C.) Observer, Aug. 22, 1964]

CONGRESS MAY CALL AN END RUN

Most observers feel that the antireapportionment bill passed by the House last Wednesday will not be approved by the Senate. But the threat to democratic processes in our State governments will not end there.

Chances are good that the Senate will cut off a filibuster being staged by a group of Senators from urban States and will go on to pass a measure to delay reapportionment actions. House approval would probably follow.

This done, the stage will be cleared for the proposal next year of a constitutional amendment—an amendment which will set forth the manner for apportioning the legislatures, or one which would prohibit the Federal courts from hearing apportionment suits.

And there's the rub.

When Congress proposes a constitutional amendment, it also prescribes the manner in which the proposal is to be ratified.

The usual route taken is ratification by the approval of three-fourths of the State legislatures. Only once in history has Congress chosen the optional method, that of calling State conventions to approve or disapprove the proposed amendment.

Whatever its other import, the amendment probably will be worded so as to kill the Supreme Court's recent dictum that both houses of State legislatures must be apportioned on a strict population basis.

If Congress should choose the customary mode of ratification, the very same legislatures which for many years have refused to reapportion themselves in any significant way would have the power to decide the fate of the amendment. Who doubts that they would approve it eagerly?

In 1933 Congress proposed the 21st amendment (repealing the 18th, or prohibition, amendment) and submitted it to a vote of State conventions. State legislatures are authorized to set up these conventions in any way they wish, but in this case most of the States bowed to their people and submitted to them lists of delegates who favored or opposed the amendment. In effect, most of the States submitted the question to a popular referendum.

If the sense of Congress doesn't change and a 25th amendment is proposed to the States, the most rudimentary interests of democracy and simple justice demand that the people themselves decide on its ratification.

The convention system, though imperfect, provides the closest constitutional equivalent to a popular vote. It tends to put the legislatures on the spot, and in 1933 at least, they responded in favor of democracy.

The issue is critical. Will 63 percent of the people (all those who live in standard metropolitan statistical areas) be permitted to decide the makeup of their own State legislatures, or will they be bypassed in favor of a rural minority (37 percent) which now controls the legislatures.

The possibility exists that Congress will keep in mind the interests of the semienfranchised majority, but it is not too early to begin watching for the other event.

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the RECORD a letter written to the Washington Evening Star on August 31, 1964, written by George H. Watson, chairman, of the Independent Voters of Illinois, on the subject "DIRKSEN on Reapportionment."

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the Washington Star, Aug. 31, 1964]

DIRKSEN ON REAPPORTIONMENT

SIR: Senator DIRKSEN's current position on State reapportionment conflicts with the traditions of the State he represents.

For 85 years Illinois chose State senators and State representatives from the same districts. Until 1955 our State constitution directed that these districts be formed on the sole basis of population and that they be reapportioned after every Federal census to conform with population changes.

This plan was followed until 1911 when the legislature refused to reapportion. Rural legislators, scheduled to lose seats, simply ignored the State constitution. In fact Illinois had no reapportionment of legislative districts until 1954. In that year a rurally dominated general assembly froze the senatorial districts into the constitution. This arrangement was far from being a "little Federal" system. Our present senatorial districts fulfill one requirement alone: to insure substantial downstate rural Republican control of the upper house.

This system is so alien to the spirit and practice of representative democracy in America that it failed in its first test of the reapportionment features, much as the human body will reject the transplant of something too foreign to it. This year Illinois will elect all 177 members of its lower house at large. The reason? A highly malapportioned legislature could not come up with a fair reapportionment of the house.

The Federal courts should be allowed to act in reapportionment cases.

GEORGE H. WATSON,
Chairman, Independent Voters of Illinois.

Mr. DOUGLAS. Mr. President, finally, I ask unanimous consent to have an editorial published in the Akron Beacon Journal, from Ohio, entitled, "Stopping the Clock," under date of August 5, 1964, printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Akron Beacon Journal, Aug. 5, 1964]

STOPPING THE CLOCK

Amending the Constitution of the United States is not something which can be done overnight—or even within a year.

The usual process involves a favorable two-thirds vote by each House of Congress and then ratification by the legislatures of three-fourths (38) of the States. Since many legislatures meet only once in 2 years and all but one have two houses, ratification is a time-consuming process. Even in the case of a noncontroversial amendment, it usually takes 3 or 4 or more years.

It is understandable, therefore, that Representative WILLIAM M. MCCULLOCH of Ohio is afraid that his proposed amendment nullifying the Supreme Court's "one person, one vote" decision will be too late—if, indeed, it ever should be adopted.

MCCULLOCH and others in Congress want to write into the Constitution a provision that only one house in a State legislature must be apportioned on a population basis. This would mean that the other house, in the words of Chief Justice Warren, could represent trees or cows, or acres.

Federal courts are already hewing to the new precedent set by the Supreme Court and, in some States, legislatures are moving to correct the imbalance without waiting for court orders.

Fearful that the reform in representation may soon be accomplished, Representative MCCULLOCH has introduced an interim resolution which would abolish, for a period of 7 years, the power of either State or courts to decree the reapportionment of one house of a State legislature.

In a parallel move, Senator DIRKSEN yesterday pushed through the Senate Judiciary Committee a bill to halt court orders for reapportionment until, in each case, a State legislature has held two regular sessions.

In other words, this would give 2 to 4 years for legislatures to act on the proposed constitutional amendment, while keeping the present apportionment in status quo.

It seems to us highly questionable whether the constitutional interpretations of the Supreme Court can be nullified or delayed by a mere act of Congress.

To be sure, the Constitution may be amended, but can Congress overrule the Court while the amendment process goes on?

MCCULLOCH's resolution, which goes further than DIRKSEN's bill, would even tell the State legislatures that they couldn't proceed with reapportionment.

Isn't that a direct contradiction of all that he and other States righters have been screaming about? They say they don't want any interference with the right of the States to set up their legislative apportionment in their own way. And now MCCULLOCH would have Congress tell them they can't give fair representation.

The U.S. Supreme Court ruled on this subject only after it became apparent that citizens had no other recourse against legislatures which neglected or refused to apportion representation on a fair basis.

Under prodding, many of the legislatures, including Ohio's, are now facing their responsibilities.

Is the clock now to be turned back, so that all the inequities of unequal representation can be perpetuated? That's the purpose of DIRKSEN's and MCCULLOCH's last-ditch fight to keep the status quo.

Mr. DOUGLAS. Mr. President, the editorial states, that—

> That's the purpose of DIRKSEN's and MCCULLOCH's last-ditch fight to keep the status quo.

Mr. President, I hope in succeeding days, and prior to the attempt of my colleague the Senator from Illinois [Mr. DIRKSEN] to close debate on this proposal to change our whole constitutional system, to insert in the RECORD further editorial opinions.

FEDERAL NURSING SERVICE AWARD

Mr. KEATING. Mr. President, I am delighted to learn that a New York nurse has received the Federal Nursing Service Award from the Association of Military Surgeons of the United States. Mary Starke Harper is associate chief of the nursing service for research, of the Franklin Delano Roosevelt VA Hospital in Montrose, N.Y. She was born in Fort Mitchell, Ala., and attended Tuskegee Institute where she graduated with an award as the best all-around nurse. Dr. Harper, who has a Ph. D. in sociology, has done outstanding work in group therapy for mental patients. She has played a continuing and constructive role in the rehabilitation of acutely ill, impulsively assaultive patients, and has done important work in the selection and training of nursing assistants.

My congratulations to Dr. Mary Harper. New York is fortunate to have such an outstanding member of the nursing profession in our Montrose VA hospital.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of an article from Outlook describing Dr. Harper's career.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BEST ALL AROUND

When Mary Starke Harper was graduated from the Tuskegee Institute School of Nursing she was chosen as the "Best All-Around Nurse." Her career since that day has demonstrated how well founded was this evaluation. The Federal Nursing Service Award referred to by Chairman Macy in the above letter is one of the more recent of many honors which have come to this remarkable woman. Mary S. Harper, R.N., B.S., M.Ed., Ph. D., wife, mother, and active participant in community and professional activities, is a veteran of 22 years in the Veterans' Administration Nursing Service. At present she is associate chief, Nursing Service for Research, Franklin Delano Roosevelt VA Hospital, Montrose, N.Y. Author of a number of articles in nursing and hospital publications, she has also been a consultant to State and regional boards, featured speaker at professional meetings, and a leader in the field of nursing education. The list of her awards and other honors, publications, chairmanships, speaking engagements, offices in professional groups and instances of workshop, institute, and convention participation, would fill a large part of the Outlook.

Dr. Harper was born in Fort Mitchell, Ala., on September 6, 1919. She attended Columbus, Ga., schools, and then Tuskegee Institute where she was a member of the Honor Society. Her B.S. and M.Ed. degrees were won at the University of Minnesota and her Ph. D. in sociology, with a minor in psychology, was awarded by St. Louis University, St. Louis, Mo.

In her Government career, Dr. Harper has been a staff nurse, head nurse, nurse supervisor, nurse instructor, and associate chief, Nursing Service, for Education, in addition to her present post. She has served in VA Hospitals in Battle Creek, Los, Angeles, and Jefferson Barracks, as well as at Montrose. Her career has been marked by trailblazing activities, some of which are described below.

As noted in Mr. Macy's letter, Dr. Harper is noted for outstanding work in family group therapy to assist mental patients in readjustment to the family and community. Another accomplishment was the devising and directing of a special interdisciplinary rehabilitation program for mentally disabled aged patients; this resulted in great improvement both in mental outlook and the ability of the patients to care for themselves. Another project designed and directed by Dr. Harper dealt with acutely ill, impulsively assaultive patients. It lead to a 60-percent reduction in injuries to patients and personnel, and greatly reduced destruction of furniture and Government property. Continued rehabilitation led to discharge of one-half of the group in 12 months. She conducted independent studies of selection, training, and variables related to Nursing Assistant Trainees which led to a 50-percent reduction in turnover in 1 year. She has experimented and piloted many methods of surveying, teaching, and evaluating training programs for nursing personnel, methods which have been discussed at local, State, and national professional meetings and adopted by private, State and Federal hospitals and health institutions.

The Outlook can only touch upon the highlights of Dr. Harper's inspiring career. Through her many contributions to the advancement of patient care and rehabilitation and to her profession, through her dedication and professional skill, and through the example she has set for those entering the nursing profession, Mary Starke Harper has earned a distinguished place in the annals of the Federal family.

SHIPWORKER PROVES IDEAS PAY

Mr. KEATING. Mr. President, we are all familiar with the excellent Federal program to encourage suggestions from Federal employees on time and money-saving devices. One of the champion moneysavers in the whole Federal Government is Mr. Albert J. Porcelli of the New York Naval Shipyard. Over the past 20 years, Mr. Porcelli, who has been working in the Planning and Estimating Division, has averaged two suggestions per year. He has saved the Federal Government to date the astonishing sum of $3,891,166, and received close to $4,000 himself for his imagination and initiative.

Mr. President, this remarkable record is an outstanding example of the kind of work that goes on at the Brooklyn Navy Yard all the time. Where skilled and loyal personnel put their best efforts to work to save money for Uncle Sam the result can only be an enhanced national defense at a reduced cost to the taxpayer.

Mr. President, my hearty congratulations to Mr. Porcelli, who is a vice president of local 191, American Federation of Technical Engineers—AFL–CIO—and I hope he will continue to contribute to the efficiency of the Brooklyn Navy Yard and the overall effectiveness of our defense program.

Mr. President, I ask unanimous consent to have printed at this point in the Record the text of an article about Mr. Porcelli, which appeared in the April 1964 issue of the New York Region Outlook.

There being no objection, the article was ordered to be printed in the Record, as follows:

Shipworker Proves Ideas Pay

One of the most prolific contributors of beneficial suggestions in the entire Federal service must certainly be Albert J. Porcelli of the New York Naval Shipyard, Brooklyn.

Mr. Porcelli, a planner and estimator at the Brooklyn yard, has submitted 40 suggestions in the past 20 years, a number far exceeding the average for employee participation.

Indicative of the quality of Mr. Porcelli's ideas is the fact that 18 have been adopted for use, while 2 are still pending with prospects of adoption reported as excellent.

What has Mr. Porcelli's propensity for putting his ideas into writing meant to the Navy and to himself? The shipyard's incentive awards branch reveals that first-year savings from Mr. Porcelli's suggestions total an incredible $800,000. The savings have not stopped there. Several of the adoptions have brought recurrent additional savings in subsequent years. As for personal benefits accrued, Mr. Porcelli has earned a total of $3,250 in awards through February 1964. In addition, he has $1,105 forthcoming before the end of the year for suggestions still being processed. This amount may be upped considerably if his proposals are applied at other Federal installations. Obviously, Mr. Porcelli's alert mind has had the dual effect of slashing shipbuilding costs and supplementing his annual income very handsomely.

Mr. Porcelli has no classified secrets about his uncanny ability to envision money-saving ideas. It has been simply a matter of application and hard work. He is a confirmed believer in the basic rule of all suggestion programs; namely, concentrate on what you know best. He feels the individual's own work area is the best place for developing worthwhile suggestions. The man on the job is the one who can see the things that need to be done, or that need to be changed to accomplish the work more economically and efficiently. Originally a painter, he has enhanced his knowledge of paint chemistry by taking after-hours courses on the subject at the Newark School of Engineering. In addition, he has devoured reams of printed material regarding the same subject, thus acquiring an education that has been mutually beneficial to the shipyard and to himself.

Mr. Porcelli's intense interest in the suggestions program is not something he has been content to confine to himself. As vice president of local 191, American Federation of Technical Engineers, he has been instrumental in encouraging members of that organization to contribute their own cost reduction ideas. Inspired by his example of practicing what he preaches, they have been submitting suggestions with gratifying regularity. Obviously, people of the Porcelli caliber contribute that little extra to their job not to be found in a position description.

Employed at the shipyard since December 1940, Mr. Porcelli was promoted in 1946 to supervisory status in the paint shop. After 6 years in the field he was transferred to the Planning and Estimating Division where his talents have been utilized ever since.

Born in Brooklyn 45 years ago, Mr. Porcelli still makes his home in the "Borough of Churches" with his wife, Loretta, and their three children, Francis Albert, 6, Cathy, 5, and John, 3. While he is a prolific suggester on the job, Mr. Porcelli finds little cause to make any at home. The reason for this, he avows, is that Mrs. Porcelli manages the household with unexcelled efficiency.

NEW YORK STATE TRAFFIC SAFETY COUNCIL CAMPAIGNS AGAINST DRINKING DRIVERS

Mr. KEATING. Mr. President, the State Traffic Safety Council of New York recently launched a campaign against drinking drivers in cooperation with the newspapers of my State. The council under the leadership of William S. Renchard, president of the Chemical Bank New York Trust Co., and Lawrence C. Marshall, vice chairman of the board, Chase Manhattan Bank, who serve respectively as council president and chairman of the Finance and Advisory Committee, provided New York newspapers with a series of articles on the drinking and driving problem. The articles were written by Dr. Walter A. Cutter, director of the Center for Safety Education, New York University, a nationally recognized authority in the field of traffic safety.

Scores of daily and weekly newspapers in New York State featured these articles in part or ran them in their entirety. Both the council and the newspapers share my concern over the mounting number of accidents caused by careless drivers who have imbibed too freely. This irresponsibility behind the wheel must be curbed.

I feel certain that with the leadership of the press in cooperation with the council, and a more vigorous enforcement of the law and prosecution of drunken driving cases throughout the State, an appreciable reduction could be made in the numbers of fatalities and injuries.

I would like to commend the following newspapers in New York for the important role they are playing in this crusade for greater safety on our highways and their effective campaign against the drinking driver:

Albany Times Union, Batavia News, Brentwood Bulletin, Brookfield Courier, Brooklyn Advertiser Digest, Brooklyn Chronicle, Brooklyn City Line Post, Brooklyn Daily, Brooklyn Record Advertiser, Catskill Mail, Chittenango Times, Clarence Press, Cortland Democrat, Dansville Breeze, Deposit Courier, Ellenville Press, Greenport Times, Greenville Times, Jamestown Post Journal, Keeseville News, Keeseville Republican, Kingston Kingstonian, Messena Observer, New York Record, Ogdensburg Advance News, Olean Times Herald, Oneida Democrat Union, Pine Plains Register, Plattsburgh Press Republican, Pleasantville Journal, Potsdam Courier Freeman, Queens County Post, Riverdale Press, Riverhead News Review, Saugerties Post, Scarsdale Inquirer, Sherman News, Silver Creek News, Smithtown Messenger, Springfield Journal, Stamford Mirror Recorder, Woodstock Press.

They have in their pages demonstrated that brand of leadership as well as wisdom which we normally associate with the finest traditions of newspaper work.

I have every reason to believe that the people of the various communities serviced by these newspapers can rejoice in the public service performed by their press.

Mr. President, I ask unanimous consent to have printed at this point in the Record the series of articles and editorials which have appeared in these newspapers.

There being no objection, the articles and editorials were ordered to be printed in the Record, as follows:

Drinking, Driving, and Death

The drinking driving problem is one of the most serious facing the Nation today. Alcohol is involved in at least 50 percent of all fatal accidents, according to the State Traffic Safety Council. The problem is vexing nationally. It is worse in New York. Council studies of 28 New York cities show our arrest and conviction rate for drunken driving is one of the poorest on record. In New York City the situation got so bad Commissioner Michael J. Murphy launched a vigorous campaign against drunken drivers. The 1963 arrests jumped 52 percent compared to 1962 for a record total of 4,508. January 1964 arrests jumped 87 percent. If more communities in the State followed this example, drunken driving problems would be drastically reduced.

It's not only a police problem as Dr. Walter A. Cutter's articles indicate. It's a community, social, public, and personal problem which involves courts and juries as well as neighbors. The churches also have a strong spiritual responsibility.

Despite distressing aspects of the problem, one fact emerges clearly. The police can and should crack down on drunken drivers. But they can do only as good a job as the public is willing to support. This newspaper therefore strongly endorses a police crackdown on drunken drivers. They're dangerous. They're a menace to all of us. Let's get them out from behind the wheel and off the road.

Every time you read of a fatal accident, chances are about 50–50 that alcohol has played a part in another needless highway tragedy. Even if the accident produced only crippling injuries, there is good reason to suspect a drinking driver or pedestrian was involved.

These conclusions are found repeatedly in documented studies made by medical researchers and traffic law enforcement agencies in New York State and elsewhere.

What is it about alcohol that makes a good driver a bad one and a bad driver worse? Dr. W. W. Bauer, said several years ago when he was director of health education for the American Medical Association that "alcohol is a narcotic, anesthetic drug whose principal effects are on the higher nerve centers of the brain." With even two or three drinks, there is a loss of judgment and of the capacity of self-criticism. A driver knows he has downed a few and often does his best to compensate—but frequently his best is not good enough. Worse still, those who feel good, do things sober judgment would never permit.

Drinking is involved in at least 50 percent of all State fatal accidents according to William S. Renchard, State traffic safety council president and president of the Chemical Bank New York Trust Co. The motor vehicle department reports 91 of 105 drivers in a Vermont survey were drinking before fatal crashes. In California 228 out of 254 drivers killed had imbibed before they crashed and died.

In New York during the past 7 years, "driving while intoxicated" has been the leading or second highest cause of driver license revocation with as many as 4,421 cases in a single year.

In the same period, an average of more than 1,200 drivers a year have refused to take the chemical test that would determine how much alcohol they had in their blood—and as a result had their licenses suspended or revoked. In 1961, the first year of a new law that defined the less serious charge of alcoholic impairment, more than 1,300 drivers had their licenses suspended.

Intensive efforts to correct the problem have been successful in other States. According to the State Traffic Safety Council, New York, there is every reason to believe that similar efforts in our State would improve the poor showing we now make.

Thousands of cases go undetected and drinking drivers go uncorrected each year in New York State because of official reluctance to prosecute in the face of an apathetic attitude on the part of much of the public; because of the skeptical reaction to chemical tests and the proof they provide and because of an attitude of pity for defendants by juries that seem to say "There but for the grace of God go I."

What leading researchers have discovered, and the revealing findings of unusual experiments in New Jersey and Florida will be included in the next article in this series.

In his office in Trenton, N.J., Motor Vehicles Director Ned J. Parsekian finished the ninth shot of whisky he had taken since he arrived 5 hours before. Then he was driven to his department's test track and given a chemical test for alcohol in his blood.

The chemical test according to the law indicated Mr. Parsekian was not under the influence of liquor. The "loaded" official was given the keys to a car. An inspector was waiting to give him the standard driver's test. He failed miserably.

The inspector said Mr. Parsekian's voice was "slurry," that he stalled four times, turned left when told to turn right, knocked over stanchions and drove at excessive speeds.

What did the experiment prove? Well, like many other officials who have studied the problem of drivers who drink, Mr. Parsekian believes present rules are far too liberal.

In New Jersey, as in New York and other States that have chemical test laws, a driver is not presumed to be under the influence unless the test shows he has fifteen-hundredths of 1 percent alcohol in his blood.

How much would you have to drink to reach that level? It varies, the State Traffic Safety Council points out, depending on such things as body weight, whether you eat before and while you are drinking, and whether you drink regularly or infrequently. But the average 150-pound person would have to down six shots of 100-proof whisky or six 12-ounce bottles of beer in a short time with very little eating to reach fifteen-hundredths of 1 percent alcohol in his blood.

The New Jersey official's test showed 12.5 one-hundredths, just under the legal danger limit. Had it been a court case, other factors—including observations made by the arresting officer at the scene, or in the police station, about the defendant's behavior, speech and appearance—would have played a part in the decision.

Similar experiments conducted on an off-highway track in Dade County, Fla., have convinced thousands of Miamians that even at the ten one-hundredths level they have no business behind the wheel. One woman, whose test showed 8.2 one-hundredths, was so frightened at the way she drove that she said, "I'll never drink again."

The Floridians have learned a lesson. Not so fortunate were more than 100 victims of fatal accidents in New York City and Westchester County. The circumstances were carefully studied by Dr. James R. McCarroll and Dr. William Haddon, Jr., two of the most highly respected researchers in the field. They concluded that heavy alcohol concentrations were associated with one-half or more of the highway deaths.

If the situation is so bad, why don't the police do something? What they do, why they don't do more, and some actual cases will be discussed in the next article.

In a little village near Rochester, a car containing a mother, father, and their six children halted at a stop sign. Another car smashed into it from the rear. When the police arrived, the father—thankful that no one had been killed—asked that the other driver be given a chemical test for drunkenness. The police declined but arrested the man for intoxicated driving. His case was dismissed "for lack of evidence."

A 39-year-old bachelor was crossing a Manhattan street when a car sent him flying through the air. He died 5 hours later, and the driver was given a test that showed he had twenty-one one-hundredths of 1 percent blood alcohol—almost one-and-a-half times the legal minimum for intoxication. His case also was dismissed "for lack of corroborating evidence."

Cases like these are the rule, not the exception. There is a curious public sympathy for the drunken driver that makes law enforcement difficult.

It is reflected in the "not guilty" decisions of juries who see themselves in the defendant's shoes and wonder what they would do if stigmatized by a drunken driving conviction, loss of driving license, and possible loss of job.

It is reflected in the flat refusal of doctors in many New York communities to administer chemical tests to suspected drunken drivers, despite legal safeguards against malpractice suits.

And it shows up on police blotters, or district attorneys' offices, where past experience teaches there is a better chance to obtain a conviction for dangerous or even reckless driving—so this becomes the charge against an intoxicated motorist.

Deep-seated suspicion about the accuracy of chemical tests is gradually ebbing as more and more responsible citizens see demonstrations at safety council meetings, sessions of the American Bar Association's Traffic Court Conference, conferences of police officials, and at other meetings concerned with traffic safety problems.

However, even when they are convinced that the tests of breath, blood, urine, or saliva do show the extent of intoxication many people think the penalty for drunken driving is too severe.

This led to a compromise several years ago in New York. A new category—"Impairment"—was established, with less heavy penalty than mandatory license revocation. Now, a person with a blood alcohol reading between 10-hundredths and 15-hundredths of 1 percent faces only suspension of his driving license for 60 days the first time and 120 days the second time he is convicted.

But this effort has not materially aided the solution of the problem, in the view of safety experts and law enforcement officials. In New York, compared to other States, fewer arrests are being made, fewer convictions obtained, and thus fewer licenses revoked for drunken driving. What can you do, as a responsible member of your community, to help? Some suggestions will be included in the final article in this series.

"As far as the social drinking portion of the problem is concerned, it will be necessary to convince both hosts and consumers (guests) that the reduction of both drinking before driving and driving after drinking is socially desirable, expected and morally and practically correct."

This is the considered opinion of Dr. William Haddon, Jr., of the New York State Department of Health and one of the recognized authorities on the effects of drunken driving.

In the earlier articles of this series we have summarized the findings of extensive research that alcohol is a factor in as many as one of every two fatal accidents on the highway, and that there is good reason to believe it is a contributing cause of most nonfatal accidents as well.

With the record number of 43,400 highway deaths in the United States last year and more than a million and a half disabling injuries—the price paid in human suffering, waste, and expense is not worth all the alcohol ever distilled or brewed.

We have also seen how alcohol insidiously weakens the ability to drive. The State traffic safety council notes that even small amounts can cause a motorist to lose his vitally needed sense of critical judgment—though there is no outward sign of intoxication. And larger amounts impair reaction time, vision, and coordination.

Enforcement efforts to combat the problem are being hampered by misplaced sympathy for those arrested for driving while intoxicated. The result is that the police, district attorneys, and the courts are unable to make lasting improvements.

What can you and I do about it? First, we can recognize how serious the problem is—that it is a threat to those we love and to ourselves every time one of us ventures on the highway.

Second, as Dr. Haddon suggests, we can determine to exercise self-control and never mix alcohol and gasoline—in other words never drive after drinking, and if we are planning to drive say a polite "No, thanks," if drinks are offered by our host.

By this example, and through active persuasion whenever the opportunity arises, we can help to create a climate of opinion in our communities that drinkless driving is the normal, proper behavior.

Last, we can make our views known to law enforcement officials by supporting their efforts to curb drunken driving. The laws on the books of New York and other States are reasonable—even excessively generous in the light of the latest findings. At very least, they should be enforced surely and impartially to serve notice on those who will not learn any other way that the community demands every driver strive to be at the peak of his ability every time he gets behind the wheel.

The progressive solution to the serious problems posed by the drinking driver depends upon how each of us answers this question: What right do I have to endanger my family, my friends, myself, other drivers, and pedestrians by knowingly engaging in practices that impair my driving ability?

It will only be through firm community support that measures to cut the highway tragedy that stems from drunken driving will have the desired effect.

THE RICH HERITAGE OF NEW YORK STATE

Mr. KEATING. Mr. President, New York is properly named the "Empire State," for up from the hills and valleys and rivers of New York came the settlers who inherited the commercial empire of the English and Dutch and who pushed on westward to create an American Empire of freedom and progress. Central New York, with its small cities and towns testifies to the order and dignity which the State inherited from its earliest settlers. Places such as Owego, Waverly, Canandaigua, and Geneva, reflect the conscious planning and the confidence of the new American Republic. Side by side, industry and agriculture have grown in the Empire State.

Mr. President, New York's history is rich in stories of achievement and accomplishments as settlers from other parts of the Nation and increasingly from other parts of the world came to New York to build their fortunes and raise their families. By 1819 New York had become the most populous State in the Union and during this period the towns and villages of central New York put down their deep taproots.

Mr. President, central New York is a land of history, of charm, of dignity and of progress.

I ask unanimous consent to have printed at this point in the RECORD the text of an article by Farnsworth Fowle, in the New York Times, tracing the rich heritage of New York State.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 23, 1964]

TRACING THE RICH HERITAGE OF NEW YORK STATE, "THE SEAT OF EMPIRE," "THE EMPIRE STATE"—CENTRAL NEW YORK HOLDS THE KEY AS TO HOW STATE ACQUIRED ITS TITLE

(By Farnsworth Fowle)

A Vermonter, even a displaced one comfortably at home on the Hudson River, may be forgiven some inherited suspicions as to why New York is called the Empire State.

"Imperialist" is a more fitting epithet, it seems to us Vermonters, for James "Swiveleye" Duane and the rest of those uppity pre-Revolutionary Yorkers who tried to grab the land around Bennington out from under its Yankee settlers. However, Ethan Allen and the Green Mountain Boys drove them off with carefully inaccurate musketry.

CONVINCING PROOF

A belated first visit this summer to the small cities and towns of central New York and the Finger Lakes, with subsequent excursions into the history books, was convincing proof that the title of "Empire State" was honorably earned and splendidly justified more than a century ago. It bespeaks not only the natural grandeur of the land, but also the broad vision and amazing energy of the men who transformed the wilderness early in the 19th century.

One had inevitably heard—and sung—of Cayuga's waters. The supplementary manmade waterways had lingered from school histories, along with a rhythmic refrain, "15 Miles on the Erie Canal." But I was not prepared for the splendid avenues of elms; the well-spaced, well-preserved Greek-revival and American-gothic architecture, and the order and dignity with which the founders had lain out their towns and county seats.

The human story of the Hudson Valley is told in the contrast between the magnificent rural palaces of the landed aristocracy and the distinctly second-rate towns and villages of their tenants, so lacking in the grace and coherence to be found only a few miles east across the Connecticut and Massachusetts lines.

CIVIC PRIDE

However the towns of central New York and the Finger Lakes region, essentially a 19th-century area, have inherited the civic pride of 18th-century New England, but on a more generous scale.

Places such as Oswego, Waverly, Canandaigua, and Geneva reflect the conscious planning of the confident early years of the new Republic. Their founders were not just independent colonies of subsistence farmers looking for a little more elbow room. From the beginning, agriculture and industry were to develop side by side.

Land speculators, including English and Dutch investors, as well as Hudson Valley patricians (to give the Morrises and Clintons their due), envisioned a great and prosperous future for the area. They saw it as the Nation's first grain belt, with attendant industries, linked by manmade routes to the coastal population centers. Their dream was fulfilled with astonishing speed.

Settlers poured in after the Revolutionary War, adding their own energy, imagination and diversity. They came up the Susquehanna from Pennsylvania or west from Vermont's marginal farmlands.

Thousands were war veterans who had received frontier land grants from the new nation. Germans from the Rhineland, who had settled west of the Hudson early in the century, were also moving farther west.

They turned the forests into rich plateau and valley farms. They provided the manpower for the turnpikes and canals, completing the natural chain of lakes and rivers.

George Washington had foreseen all this. A master of geopolitics long before the term was invented, he was apparently the first to call New York "the seat of empire," even before independence was fully won.

LARGEST IN UNION

By 1819, the population of the State had surged past Virginia's to become the largest in the Union. In 1822, the editor of the New York Spectator wrote: "The internal concerns of New York, extensive as it is in its territory, and with new resources unfolding themselves to public view, appear like those of a mighty and flourishing empire."

By 1825, when the Erie Canal completed the barge route from the Atlantic to the Great Lakes, New York was generally recognized as the Empire State. The rapid development of railroads and the telegraph network in the mid-19th century further strengthened its leadership in population, agriculture, industry and communications.

The new frontier brought culture with it. A Brazilian friend once noted the fine distinction between culture and civilization: "Culture is wine and cheese; civilization is the bathroom."

Which came first in central New York? The record shows that, in 1829, the Reverend William Bostwick, rector of St. James Episcopal Church in Hammondsport, planted wine grapes from Hudson Valley vineyards. He was so successful that his neighbors followed his example on the steep, sunny hillsides that rise above the lake, like the Johannisberg above the Rhine.

NEW INDUSTRY

A new industry was born. Barrels of wine went by barge down Lake Keuka to Penn Yan (a compromise name honoring both Pennsylvania and Yankee settlers). There, the barges were gently lowered by a since-vanished system of locks to Seneca Lake, at Dresden.

From Geneva, at the northern end of the lake, the barges continued east by connecting canal to the tip of Cayuga Lake and the main Erie Canal at Montezuma. From this point, the way to New York City was by a level water route that let the wine sleep.

Today, there are greater grain belts farther west. Most farmers have turned to large-scale dairying or given up, as the skeletons of many a dusty or dilapidated barn testify. However, under the leadership of local families, such as the Taylors, the wine industry continues to grow and flourish.

The imagination and ingenuity of a bicycle mechanic named Glenn Hammond Curtiss made Hammondsport one of the birthplaces of aviation. A recently opened museum in the Town Hall there displays planes, motors and equipment illustrating the adventurous first quarter-century of human flight.

They are explained pungently by the most knowledgeable of curators, a retired mechanic who worked with Curtiss 50 years ago. Hammondsport has its Mercury Aviation, Inc., still making parts for an industry that has far outgrown its origins.

CROWNING GLORY

Perhaps the most notable achievement of central New York, and physically one of its crowning glories, is Cornell University.

The development of Cornell is symbolic of the blend of vision and energy, of public-spirited private philanthropy and of enlightened Federal and State policy that brought the Empire State to greatness.

In 1863, Senator Justin Morrill of Vermont won passage of the Land-Grant Act to subsidize universities in each State and, specifically, to encourage the advancement of agricultural and mechanical science. Ezra Cornell, an Ithaca lad who had invented a plow, adapted it to plant Samuel F. B. Morse's telegraph wires and made a fortune in spinning the Nation's web of instant communications, saw the opportunity.

With Andrew D. White, an American historian who knew the German universities and the need for equally high standards of scholarship in this country, Cornell won authorization from the State legislature in 1865 to qualify for the Federal grant. He gave $500,000, a hilltop farm for the site and, with modest reluctance, his name.

The original grand design, unlike the domino-style expansion of the older universities in Cambridge, New Haven, and Princeton, provided the framework for a century of growth.

ABOVE CAYUGA'S WATERS

Its elms have reached full stature, its agricultural acres stretch back along the plateau away from the lake, and its deep gorges, with streams cascading to the lake below, provide a setting for the student of romance, as well as of hydroelectric power.

And at Cornell, agricultural scientists are searching for a way to prevent and cure Dutch elm disease, which destroys the elms, those living symbols in the Empire State of a society built on mighty foundations.

ANTIBOMBING LEGISLATION

Mr. **DOUGLAS**. Mr. President, last night witnessed the 74th restaurant bombing in the Chicago area in the last 31 months. The owner of this restaurant has had similar enterprises bombed at least three times. None of these bombings has been solved. There appears little likelihood that they will be solved under what I understand is the present policy of the Justice Department not to send the Federal Bureau of Investigation on these cases.

Mr. President, I believe that legislation is needed which will make it mandatory for the Federal Bureau of Investigation to investigate bombings of buildings that serve the public.

I again remind my colleagues that my bill S. 3103 is now before the Committee on the Judiciary awaiting action.

In view of this most recent bombing, I urge the committee to take action during the remaining days or weeks of this session of Congress. The bill should be enacted as soon as possible, so that whoever is responsible for these crimes will know that if they continue, the Federal Bureau of Investigation will promptly enter the scene and bring to bear all of the investigative resources at its disposal.

I do not know the cause or reason behind these crimes, but I do know that they are a threat to the public, and that local authorities cannot be expected to succeed against the tremendous power of interstate criminal organizations.

People ask me, "Who are the owners of these restaurants?" I do not know them, but I know that they are citizens of the United States, and that they live in Illinois, and further that they are entitled to the protection of our authorities. Let us look at this last case, which took place late last night. Richards Restaurant & Lounge was the place, and Joseph Wilkos was the owner. The time: 10 p.m., and there were approximately 60 persons in the restaurant when the bomb or bombs exploded. The Wilkos family has now been bombed four times, although this was the first time for the Richards Lounge, in Berwyn. Who is Joseph Wilkos, and why should he be involved?

In 1958, July 17 to be exact, Joseph Wilkos testified before the U.S. Senate Select Committee on Improper Activities in the Labor or Management Field. He testified about the labor relations he had with a local organization and his restaurant, this same Richards Restaurant & Lounge, which now stands in shambles. He bought it in October 1953, and soon thereafter was approached by some people who wanted some of his employees organized. His testimony is a matter of public record. Now I am not attempting to surmise what the causes were in this case. I want to make it clear that I am not indicting anyone. The case may even be stretched by guessing that there may be some connection between the fact that Mr. Wilkos volunteered testimony to the U.S. Senate and this crime. After all, more than 6 years have now elapsed between the two events. But the bombing took place last night, and Mr. Wilkos did testify, and I believe that he and other restaurant owners are entitled to the full protection of our laws. If our laws are not adequate to furnish this protection, then let us enact additional legislation that will protect them and the public they serve, not foreclosing or abrogating any civil liberties, but merely proposing that it be made mandatory upon the Federal Bureau of Investigation to investigate bombing crimes. This will have a wider application than the restaurant bombings in the Chicago metropolitan area.

I believe we have reached a point where the loose use of dynamite is becoming a national menace. I hope that the Committee on the Judiciary will see fit to act upon my bill.

RECESS TO TOMORROW

The **PRESIDING OFFICER**. Under the previous order, the Senate will stand in recess until 10 o'clock tomorrow morning.

Thereupon (at 7 o'clock and 17 minutes p.m.), the Senate, under the previous order took a recess until tomorrow, Thursday, September 3, 1964, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 2 (legislative day of September 1), 1964:

OFFICE OF ECONOMIC OPPORTUNITY

Robert Sargent Shriver, Jr., of Illinois, to be Director of the Office of Economic Opportunity.

INTERNATIONAL ATOMIC ENERGY AGENCY

Glenn T. Seaborg, of California, to be the representative of the United States of America to the eighth session of the general conference of the International Atomic Energy Agency.

The following-named persons to be alternate representatives of the United States of America to the eighth session of the general conference of the International Atomic Energy Agency:

Henry DeWolf Smyth, of New Jersey.
Frank K. Hefner, of Virginia.
John Gorham Palfrey, of New York.
James T. Ramey, of Illinois.
Gerald F. Tape, of Maryland.

HOUSE OF REPRESENTATIVES

WEDNESDAY, SEPTEMBER 2, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 119: 105: *Thy word is a lamp unto my feet, and a light unto my path.*

Almighty God, grant that in these times of tense and discordant international relationships and of tremendous economic and social upheavals, our moral and spiritual ideals may remain steadfast and unshaken, for if these foundations are destroyed, what can the righteous do?

May all that we are seeking to do to build a nobler civilization validate and bear testimony to the presence and reality of Thy spirit within our hearts.

Grant that the vast and marvelous amount of physical power and energy which now belong to modern man may be directed and channeled to safe and beneficent goals and be used for the welfare of mankind and Thy glory.

Help us daily to live and labor among our fellow men as the ambassadors of good will and the messengers and mediators of helpfulness and happiness.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On August 21, 1964:

H.R. 988. An act to authorize the Secretary of the Interior to acquire the Graff House site for inclusion in Independence National Historical Park, and for other purposes;

H.R. 5044. An act to amend the act entitled "An act to provide for a mutual-aid plan for fire protection by and for the District of Columbia and certain adjacent communities in Maryland and Virginia, and for other purposes";

H.R. 5337. An act to increase the partial pay of educational employees of the public schools of the District of Columbia who are on leave of absence for educational improvement, and for other purposes;

H.R. 9975. An act to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the Distrct of Columbia;

H.R. 9995. An act to amend the Policemen and Firemen's Retirement and Disability Act to allow credit to certain members of the U.S. Secret Service Division for periods of prior police service;

H.R. 10215. An act relating to sick leave benefits for officers and members of the Metropolitan Police force of the District of Columbia, the Fire Department of the District of Columbia, the U.S. Park Police force, and the White House Police force;

H.R. 10672. An act to provide for the disposition of judgment funds now on deposit to the credit of the Pawnee Tribe of Oklahoma; and

H.R. 11222. An act to amend the Horizontal Property Act of the District of Columbia to permit a condominium unit to be located on more than one floor of a building, and for other purposes.

On August 22, 1964:

H.R. 1174. An act for the relief of Elfriede Unterholzer Sharble;

H.R. 1451. An act for the relief of Frank Mramor;

H.R. 1839. An act to provide for the free importation of certain wild animals, and to provide for the imposition of quotas on certain meat and meat products;

H.R. 1988. An act to provide for the settlement of claims of certain residents of the Trust Territory of the Pacific Islands;

H.R. 3198. An act to promote the economic and social development of the Trust Territory of the Pacific Islands, and for other purposes;

H.R. 7301. An act to amend section 341 of the Internal Revenue Code of 1954, relating to collapsible corporations, and to amend section 543(a)(2) of such code, relating to the inclusion of rents in personal holding company income;

H.R. 7441. An act to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes," approved March 1, 1899, as amended;

H.R. 9653. An act to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes;

H.R. 10199. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1965, and for other purposes;

H.R. 11052. An act to declare that 80 acres of land acquired for the Flandreau Boarding School is held by the United States in trust for the Flandreau Santee Sioux Tribe;

H.R. 11652. An act to exempt from taxation certain property of the United Supreme Council, 33d Degree, Ancient and Accepted Scottish Rite of Freemasonry, Southern Jurisdiction—Prince Hall Affiliation; and

H.J. Res. 1160. Joint resolution making continuing appropriations for the fiscal year 1965, and for other purposes.

On August 27, 1964:

H.R. 11083. An act to amend the Public Health Service Act to extend the authorization for assistance in the provision of graduate or specialized public health training, and for other purposes.

On September 1, 1964:

H.R. 189. An act to authorize the conveyance of certain Federal land under the jurisdiction of the Naval Ordnance Test Station, China Lake, Calif., to the county of Kern, State of California;

H.R. 946. An act to authorize the establishment of the Fort Bowie National Historic Site in the State of Arizona, and for other purposes;

H.R. 1172. An act for the relief of Rolando de la Torre Arceo and John Anthony Arceo;

H.R. 1262. An act for the relief of Mrs. Maisie Magdalene Lim Ketchens;

H.R. 1341. An act to require passenger-carrying motor vehicles purchased for use by the Federal Government to meet certain passenger safety standards;

H.R. 2324. An act for the relief of Rosa Stefano Ratajczak;

H.R. 4223. An act to provide for audit of accounts of private corporations established under Federal law;

H.R. 4361. An act for the relief of the estate of Paul F. Ridge;

H.R. 5154. An act for the relief of Wilfredo Lacar de Leon;

H.R. 5155. An act for the relief of Mrs. Guiseppa D'Aquanno, Maria D'Aquanno, and Benedicto D'Aquanno;

H.R. 5543. An act to extend the provisions of the act of October 11, 1949 (63 Stat. 759, ch. 672; 32 D.C. Code 417), to authorize the commitment of persons of unsound mind found on Federal reservations in Loudoun County, Va., to St. Elizabeths Hospital in the District of Columbia;

H.R. 5738. An act for the relief of the county of Cuyahoga, Ohio;

H.R. 5964. An act to provide for the inclusion of Hopkins County, Tex., within the Paris division of the eastern district for the U.S. district courts in Texas;

H.R. 6034. An act for the relief of Robert L. Johnston;

H.R. 6040. An act for the relief of Chrisoula Baker;

H.R. 6353. An act to amend the District of Columbia Unemployment Compensation Act, as amended;

H.R. 6578. An act for the relief of Mrs. Cesira Doddy;

H.R. 7219. An act to amend sections 3288 and 3289 of title 18, United States Code, relating to reindictment after dismissal of a defective indictment;

H.R. 7508. An act to amend title 28, United States Code, to establish jurisdiction and venue for appeals from orders of the Interstate Commerce Commission in judicial reference cases;

H.R. 7617. An act for the relief of Vula Roed;

H.R. 7662. An act to amend the Federal Employees' Compensation Act, as amended, to provide appeal rights to employees of the Canal Zone Government and the Panama Canal Company;

H.R. 8201. An act for the relief of Maj. Jack J. Shea, U.S. Air Force;

H.R. 8399. An act for the relief of Mrs. Edeltraud English Franklin;

H.R. 9150. An act for the relief of Miss Leonor do Rozario de Medeiros (Leonor Medeiros);

H.R. 9290. An act for the relief of Danny Hiromi Oyama;

H.R. 9334. An act to amend the act of May 21, 1928, relating to standards of containers for fruits and vegetables, to permit the use of additional standard containers;

H.R. 9419. An act to provide for the regulation of the business of selling securities in the District of Columbia and for the licensing of persons engaged therein, and for other purposes;

H.R. 9436. An act to amend the act of September 2, 1958, to establish a Commission and Advisory Committee on International Rules of Judicial Procedure, as amended;

H.R. 9519. An act for the relief of Young Soon Kim and Tai Ung Choi;

H.R. 9561. An act for the relief of Moni Parvanoff Floroff;

H.R. 10216. An act for the relief of Dr. Miguel de Socarraz;

H.R. 10446. An act to permit the use of statistical sampling procedures in the examination of vouchers;

H.R. 10683. An act to amend the act of July 25, 1956, to remove certain residence restrictions upon officers and members of the Metropolitan Police Force and the Fire Department of the District of Columbia;

H.R. 10705. An act to amend the Government Corporation Control Act to change the General Accounting Office audit to a calendar year basis in the case of the Federal home loan banks and the Federal Savings and Loan Insurance Corporation;

H.R. 11118. An act to provide for the disposition of funds from judgments in favor of the Hahalem Band of the Tillamook Indians and the Tillamook Band of the Tillamook Indians;

H.R. 11296. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1965, and for other purposes;

H.R. 11466. An act to enact subtitle II, "Other Commercial Transactions," of title 28, "Commercial Instruments and Transactions," of the District of Columbia Code, and for other purposes;

H.R. 11520. An act to amend subsection (d) of section 1346 of title 28 of the United States Code relating to the jurisdiction of the United States district courts; and

H.R. 11579. An act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority and the Delaware River Basin Commission, for the fiscal year ending June 30, 1965, and for other purposes.

On August 31, 1964:

H.R. 98. An act to amend the Internal Revenue Code of 1954 with respect to exportation of imported distilled spirits, wines, and beer, and with respect to the total contract price of sales of personal property on the installment plan;

H.R. 439. An act to provide for the establishment of the John Muir National Historic Site in the State of California, and for other purposes;

H.R. 931. An act to provide for the establishment of the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial in the State of Pennsylvania, and for other purposes;

H.R. 1794. An act to authorize payment for certain interests in lands within the Allegany Indian Reservation in New York, required by the United States for the Allegheny River (Kinzua Dam) project, to provide for the relocation, rehabilitation, social and economic development of the members of the Seneca Nation, and for other purposes;

H.R. 3071. An act to provide for the establishment of Fort Larned as a national historic site, and for other purposes;

H.R. 3545. An act to amend section 131 of title 13, United States Code, so as to provide for taking of the economic censuses one year earlier starting in 1968;

H.R. 4018. An act to authorize establishment of the Saint-Gaudens National Historic Site, N.H., and for other purposes;

H.R. 4149. An act to provide for the satisfaction of claims arising out of scrip, lieu selection, and similar rights;

H.R. 4242. An act to provide for the release and transfer of all right, title, and interest of the United States of America in and to certain tracts of land in Pender County, N.C.;

H.R. 4364. An act to provide for the free entry of certain articles imported for the use of certain universities;

H.R. 4818. An act to amend section 25 of title 13, United States Code, relating to the duties of enumerators of the Bureau of the Census, Department of Commerce;

H.R. 5708. An act to bring certain U.S. commissioners within the purview of the Federal Employees Health Benefits Act of 1959 and the Federal Employees' Group Life Insurance Act of 1954;

H.R. 5837. An act to amend the act entitled "An act to authorize the purchase, sale, and exchange of certain Indian lands on the Yakima Indian Reservation, and for other purposes," approved July 28, 1955;

H.R. 5941. An act for the relief of Mrs. Julian A. Erskine;

H.R. 6910. An act to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes;

H.R. 7138. An act for the relief of St. Francis Levee District, Arkansas;

H.R. 7588. An act to provide for enforcement of rules and regulations for the protection, development, and administration of the national forests and national grasslands, and for other purposes;

H.R. 8135. An act to provide for the establishment and administration of public recreational facilities at the Sanford Reservoir area, Canadian River project, Texas, and for other purposes;

H.R. 8344. An act to amend the Railway Labor Act to provide that the terms of office of members of the National Mediation Board shall expire on July 1;

H.R. 8355. An act to amend the Life Insurance Company Act of the District of Columbia (48 Stat. 1145), approved June 19, 1934, as amended;

H.R. 8960. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain, and for other purposes;

H.R. 9178. An act to amend section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes;

H.R. 9425. An act to amend title 13, United States Code, to authorize reimbursement of census enumerators for certain telephone tolls and charges;

H.R. 9560, An act for the relief of Lim Sam Soon;

H.R. 9638. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of phosphate on the public domain;

H.R. 9747. An act to extend for 3 years the special milk programs for the Armed Forces and veterans' hospitals;

H.R. 10069. An act to authorize the exchange of lands adjacent to the Lassen National Forest in California, and for other purposes;

H.R. 10178. An act to authorize the Smithsonian Institution to employ aliens in a scientific or technical capacity;

H.R. 10222. An act to strengthen the agricultural economy; to help to achieve a fuller and more effective use of food abundances; to provide for improved levels of nutrition among low-income households through a cooperative Federal-State program of food assistance to be operated through normal channels of trade, and for other purposes;

H.R. 10419. An act to amend further the Farm Credit Act of 1933, as amended, to provide that part of the patronage refunds paid by a bank for cooperatives shall be in money instead of class C stock after the bank becomes subject to Federal income tax, and for other purposes;

H.R. 10467. An act to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay, and for other purposes;

H.R. 11134. An act making apropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1965, and for other purposes;

H.R. 11211. An act to provide authority for the payment of certain amounts to offset certain expenses of Federal employees assigned to duty on the California offshore islands, and for other purposes;

H.R. 11846. An act to amend the Act of August 19, 1958, to permit purchase of processed food grain products in addition to purchase of flour and cornmeal and donating the same for certain domestic and foreign purposes;

H.R. 11960. An act to authorize the exchange of public domain lands heretofore withdrawn and reserved for the use of the Hanford project of the Atomic Energy Commission, and for other purposes;

H.R. 12278. An act to authorize the Secretary of the Navy to convey to the city of Sunnyvale, State of California, certain lands in the county of Santa Clara, State of California, in exchange for certain other lands; and

H.J. Res. 733. Joint Resolution to designate the powerhouse on Clear Creek at the head of Whiskeytown Reservoir, in the State of California, as Judge Francis Carr Powerhouse.

On September 1, 1964:

H.R. 4766. An act for the relief of the Boren Clay Products Co.

ESTATE OF EILEEN G. FOSTER—POCKET VETO

I am withholding my approval of H.R. 6883, a bill "For the relief of the estate of Eileen G. Foster." This bill would waive the statute of limitations to permit a claim for refund of overpayment of income taxes for the years 1949 to 1953.

In filing her tax returns, Mrs. Foster did not check the appropriate box on the return indicating that she was 65 or over. She died on December 28, 1957. After her death, her daughter wrote the district director on January 16, 1958, stating that her mother became 65 years of age during the year 1949 and that she had, therefore, overpaid her income tax for the years 1949 through 1956. Subsequently, claims for refund for the years 1954 through 1956 were allowed in full, but claims for 1949 through 1953 were denied because barred by the three-year period of limitations.

The reports of the Judiciary Committees indicate that Mrs. Foster did make an overpayment of income tax for the years 1949 through 1953 and that the overpayment was the result of an oversight. The committees concluded that in these circumstances it would be inequitable to deny relief to the estate of the taxpayer.

I sympathize with the desire of the taxpayer's estate to obtain the overpayment resulting from these circumstances. But there are no special circumstances justifying the setting aside of the statutory period of limitations in this case. In every case in which the statutory period of limitations bars a tax refund, an overpayment of tax is involved. In virtually every such case the overpayment is the result of an oversight. If the statutory period of limitations is to be set aside in this case, it should also be set aside in every other case. This would lead to interminable litigation.

The statute of limitations, which Congress has included in our revenue system as a matter of sound policy, not only bars taxpayers from obtaining refunds of tax overpayments, but also bars the Government from assessing additional taxes. Such a provision is essential in order to achieve finality in tax administration. This is particularly true in our essentially self-assessing tax system under which more than 90 million returns of all classes are now filed annually. To grant relief in this case would discriminate against other taxpayers who are similarly situated and would create an undesirable precedent.

Under the circumstances, therefore, I am constrained to withhold my approval of the bill.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *August 24, 1964.*

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1984. An act to amend the Mineral Leasing Act regarding the timely payment of rentals, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3846) entitled "An act to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes."

CONFERENCE REPORT ON THE LABOR-HEW APPROPRIATION BILL, 1965

Mr. STEED. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill, H.R. 10809, the Labor-HEW appropriation bill for 1965.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I take this time to ask the majority leader to tell us what he can in the way of determining just what the program will be for the rest of the week, and, if possible, for next week.

Mr. Speaker, the whip notice did not include the so-called Appalachia bill for consideration this week, but on Monday it was announced it would be called up today. Now I understand, for reasons with which I am not quarreling, that it will not come up today. In view of that fact and in order that the membership may be apprised of the situation generally, it would seem to me, Mr. Speaker, it might be well for the majority leader to give us as best he can a projection for the rest of the week, and if he can for next week. I want to assure everyone that no explanation of what has transpired is needed as far as I am concrened, but I do know that many Members do have campaigns on back in their districts. They have commitments they would like to meet if they could have an opportunity to do so, and they would like to make advance arrangements, if possible.

Mr. ALBERT. Mr. Speaker, will the minority leader yield?

Mr. HALLECK. I yield.

Mr. ALBERT. The gentleman is correct that the Appalachia bill will not be called up today, as previously had been announced. Of course, we have had on the program a matter of great importance which we think ought to be disposed of this week, namely, the extension of Public Law 480, and we have other matters which have been previously announced for this week which we hope to dispose of; these have been printed on the whip notice.

I should like to advise the House, Mr. Speaker, that we have not been able to make a final determination as to the future program, but I would like also to remind the House that Monday is Labor Day. Of course we hope not to convene on Monday. We hope we might go over from Friday until Tuesday.

Mr. HALLECK. May I intervene?

Mr. ALBERT. Yes.

Mr. HALLECK. Might we not hope that tomorrow business on the whip notice could be disposed of, which would mean a more or less perfunctory session on Friday, after which we could adjourn until after Labor Day.

Mr. ALBERT. I share the gentleman's hope.

There are two religious holidays next week, one after Labor Day. We cannot make a commitment at this time as to the program, but with Labor Day coming on Monday and religious holidays on Monday and Tuesday, I will make an announcement as early as possible so Members may govern themselves accordingly.

Mr. HALLECK. May I say to the majority leader that this is all we could expect from him at the moment, and I thank him for it.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. BROWN of Ohio. I wonder if the gentleman from Oklahoma could tell us when the Appalachia bill may be scheduled. Some of us have engagements for the following week. I was notified that the rule would come up today on the Appalachia bill.

Mr. ALBERT. There is no determination as to the time when that bill will be scheduled. I might say to the distinguished gentleman from Ohio that we will give Members ample notice. His statement with respect to his personal problems, and I, too, have personal problems and so do other Members, extends completely across the House. There is no time between now and election day when we can expect all Members to be present.

Mr. BROWN of Ohio. I understand that, but the gentleman's statement is a little vague.

Mr. ALBERT. I am not trying to equivocate. I am not trying to tell the gentleman this bill will be scheduled the week after next. I cannot advise the House as to that.

Mr. GROSS. Probably it will be when you get the votes for it.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The **SPEAKER** laid before the House the following communication from the Clerk of the House of Representatives:

SEPTEMBER 2, 1964.

The Honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 8:15 p.m. on September 1, 1964, and said to contain a veto message on "H.R. 7132, an act for the relief of Wetsel-Oviatt Lumber Co., Inc., Omo Ranch, El Dorado County, Calif."

Respectfully yours,
RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.
By JOHN A. ROBERTS.

WETSEL-OVIATT LUMBER CO.—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 359)

The **SPEAKER** laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H.R. 7132, "For the relief of Wetsel-Oviatt Lumber Co., Inc., Omo Ranch, El Dorado County, Calif."

The bill would direct the Secretary of the Treasury to pay to the Wetsel-Oviatt Lumber Co. the sum of $21,299.24 in full satisfaction of the company's claim against the United States for reimbursement of losses sustained by the company under a timber sale contract between the Forest Service and the company.

The sale in question was a typical Forest Service "sale by area." The objective was to sell live and recently killed timber located in an area of about 800 acres. A preliminary estimate of the volume of timber involved was made by a sample cruise. This estimate is used only for distributing the estimated fixed area development costs. Payment, of course, is based on the timber actually cut by the contractor.

About 87 acres of timber in the sale were marked as a sample at the time of bidding, and all bidders were given full opportunity to thoroughly examine the tract and the sample to determine for themselves whether the estimated volume was realistic. The company was in as good a position as the Forest Service to determine before bidding the volume of timber offered for sale. In this instance, instead of the 12,800,000 board feet estimated by the Forest Service, only 6,493,000 board feet were cut. Such an underrun is not unprecedented. Nor are overruns of similar dimensions which accrue to the benefit of the purchaser. Wetsel-Oviatt Lumber Co. was thoroughly familiar with the risk involved in estimating volumes. It had been a party to other timber sales on the Eldorado National Forest, and on other national forests in California. Both overruns and underruns occurred on most of these sales.

After completion of the sale, a claim of the Wetsel-Oviatt Lumber Co. submitted to the Forest Service was disallowed. The claim was also disallowed twice by the Comptroller General, who found that the amount of timber to be cut was properly governed by the contract terms.

To the extent that the estimate of timber volume was a significant factor in performance of the contract, the company knew or should have known that responsibility for verification of the Government's estimate lay with it. I am, therefore, unable to perceive that the admittedly substantial difference between the estimated and actual volume of timber cut provides any justification for the award proposed in this bill.

To grant special relief in this case would be unfair to other contractors who have encountered underruns in the performance of similar contracts. In addition, it would be unfair to the Government and the taxpayers who would be forced to bear the losses in such cases but who receive no offsetting compensation when overruns benefiting a contractor occur.

For the foregoing reasons and because of the highly undesirable precedent which would be established, I am unable to approve H.R. 7132.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *September 1, 1964.*

The **SPEAKER.** The objections of the President will be spread at large upon the Journal.

Without objection, the message and bill will be referred to the Committee on the Judiciary and ordered to be printed.

There was no objection.

SPECIAL REPORT ON U.S. POLICY AND INTERNATIONAL COOPERATION IN ANTARCTICA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 358)

The **SPEAKER** laid before the House the following message from the President of the United States which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed with illustrations:

To the Congress of the United States:

I am pleased to transmit to the Congress this special report on U.S. Policy and International Cooperation in Antarctica.

Men and nations alike tend to concentrate their energies on unsolved problems. In foreign affairs, disagreements all too often distract public attention from accords and agreements.

But preoccupation with world problems should not obscure situations like Antarctica where this country and others work together harmoniously to construct the prototypes of peace.

The treaty provides for freedom of scientific investigation in Antarctica and for carrying on undiminished the cooperation started during the International Geophysical Year. It prohibits nuclear explosions in Antarctica and the disposal there of radioactive waste.

To see that the treaty is complied with, national observers may be sent at any time to any part of Antarctica to inspect various national installations. In late 1963, the United States sent two such inspection teams to examine facilities of six other countries. In January 1964 they reported that no treaty violations were observed in any of the installations visited.

Since the treaty came into force in 1961, the parties have held periodic meetings in a rare spirit of frankness and cooperation to find acceptable ways to carry out various provisions of the treaty.

On Antarctica's icy wastes, scientists visit freely between their various national installations, sometimes spending an entire year working with their counterparts from other countries. Many important expeditions have been completed and lives saved in time of danger because of timely assistance from other national stations.

Thus the Antarctic Treaty to which the Senate of the United States gave its advice and consent to ratification on August 10, 1960, serves not only as a pact guaranteeing freedom of scientific inquiry in the Continent of Antarctica but, more importantly, as an outstanding example of practical cooperation between nations and a positive step toward a peaceful world.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *September 2, 1964.*

Enclosure: Report on U.S. Policy and International Cooperation in Antarctica.

LITTLE LEAGUE WORLD SERIES

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, I want to take this opportunity to bring to the attention of my colleagues and to congratulate the Mid-Island Little League baseball team from Staten Island, N.Y., on winning the 1964 Little League world series. It is sports history that Dan Yaccarino, their outstanding pitcher, pitched a no-hit game and allowed only one man to reach base in the final game of the series.

It is significant to note that this team really played as a team throughout the entire season, particularly in the Little League world series. Their dedication to the game, their sportsmanship, their teamwork, and their willingness to play together is the mark of truly outstanding young Americans.

My congratulations go to their coach, Robert Klee, and to their managers and parents who supported the team throughout the season. I would further like to congratulate Mr. Eugene Hettler, the district administrator of District 24, Little League, for his outstanding administration of the entire Little League effort on Staten Island.

I expect to see many of the names of the boys included below as outstanding not only in baseball, but in their other careers in the future: William Rogers, manager; Michael Wicinski, Jeffrey Paul, John Currado, Francis Higgins, Garry Kresge, Michael Troiano, Edward Godnig, Gregory Klee, Dominick Quattrochi, David Intartaglio, John Torcell, Daniel Yaccarino, Stephen Schaeffer, William Ebner, Robert Nugent, Richard Smiechowski.

TIME TO INVESTIGATE RIOTS

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, it is high time that the FBI be directed to learn whether there is a pattern to the ugly racial riots that have taken place in New York, New Jersey, Illinois, and Pennsylvania. It is time to know whether the violence and looting are part of an organized conspiracy, whether racially inspired or Communist inspired, or whether local hoodlums are principally responsible. The FBI is the only agency which can determine if there is a planned pattern to racial violence and to suggest the best means for dealing with the extremists who are responsible. The current wave of racial disorder is too serious for the Government to ignore. The outbreaks which have taken place bring shame upon responsible people of both races.

LET US CLOSE THE CARPETBAGGER LOOPHOLE

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, today I introduced a bill calling for a constitutional amendment which would require that candidates for the U.S. Senate and House of Representatives be residents for 1 year, when elected, in their respective States.

I am proposing this kind of legislation to close the "carpetbagger" loophole in the Constitution.

The purpose of this amendment to the Constitution is to avoid the menace posed to the integrity of Congress as a true reflection of its many constituencies by the candidacy of self-serving opportunists like Robert Kennedy, of Massachusetts, and Pierre Salinger, of Virginia.

This proposed amendment would disable the future Bobbies and Pierres from seeking other launching pads for selfish private ambitions.

I firmly believe that Members of Congress should have a minimum familiarity with the States and districts whose interests they are elected to represent. If we do not take this remedial action, America may be saddled with more and more undeserving or unqualified persons trading on a famous name in local elections.

We cannot and must not encourage carpetbaggers to deprive a State of legitimate and concerned representation to further their own careers of self-aggrandizement. We must head off this type of selfish, ambitious, and disinterested representation not only because it is detrimental to our States but because it is injurious to America as well.

CRIME AND ITS HANDLING

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, recently J. Edgar Hoover again pointed out the increase in crime rates across these United States.

I read in the local newspapers some very disturbing news which I believe should be of concern to all Americans. It particularly relates to the Negro riots in the city of Philadelphia recently.

It was reported in the newspapers that the police officers who were assigned to this particular "mess" were given orders just to stand around and not to do anything. It seems to me, if that is a correct report of what the orders were to the police department, that each and every man on the Philadelphia Police Department should have submitted his resignation.

It must constantly be remembered that this is a government of laws and not a government of men.

Then today in the current issue of the Christian Science Monitor I read a bit about the image being created overseas by the pictures being sent across, some of which showed, I think, four policemen with billy clubs raised, and it said the expressions on the face of the police gave great concern to the foreigners. Some of them had a smile or some of them had an expression of "hate." I presume the recipients of foreign aid would like to have us introduce legislation covering the facial expressions of policemen when they are undertaking to perform the duties which they have been sworn to do in order to uphold the laws.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield for a statement?

Mr. DEVINE. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Mr. Speaker and Members of the House, I am very pleased with this statement of my distinguished colleague from Franklin County, Ohio. He was an able prosecuting attorney. He is a great lawyer, and these things need to be said over and over and over again.

Mr. DEVINE. I thank the gentleman.

THE BOBBY BAKER CASE

Mr. SIBAL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. SIBAL. Mr. Speaker, the entire country is indebted to the senior Senator from Delaware for his persistence and thoroughness in pursuing the Bobby Baker inquiry. This is a case that simply would not be put down, that cannot be shunted aside; that will not be forgotten.

We are all shocked and depressed by the continuing revelations in this case. They reflect deeply on the integrity of the entire Congress and all those who work for it.

The Baker case has established the existence of a deep conspiracy against the public trust at the very summit of our National Government.

The American people are demanding answers. The Democratic majority must now respond to these demands.

They must permit this investigation, which they have choked off heretofore, to be reopened and followed relentlessly wherever it leads and until all the answers are in.

Beyond that, Congress should act swiftly to remove the stain of the Baker case. I urge prompt consideration of my bill, by the Rules Committee, which would establish a code of ethics and create a joint committee to enforce it.

THE PHILADELPHIA POLICE DEPARTMENT

Mr. NIX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. NIX. Mr. Speaker, I think it is incumbent upon me to advise the House that the Police Department of the City of Philadelphia acquitted itself in an admirable manner on the occasion of the difficulties in Philadelphia last Friday night. There were no such orders issued to the police department that would restrain them from performing their duties in the city. I was on the scene from 10 o'clock at night until 7 o'clock the following morning, and I can give complete assurance that they did perform their duties, that they did under difficult circumstances control the situation, that they did protect the lives of the innocent, and that they did protect the property of the citizens of Philadelphia. They have my highest appreciation, and I here assert that they deserve the respect and the commendation of all Philadelphians. I think they established for the country at large a type of conduct that should be emulated in other cities under such trying circumstances.

THE ENGAGEMENT IN TONKIN GULF

Mr. HANNA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANNA. Mr. Speaker, on several occasions Members have come down to the well of the House to make observations concerning reports that were made of planes leaving the aircraft carrier in the engagement in the Gulf of Tonkin. I am not a military expert. I would certainly stipulate that those who have spoken know more about these things than I do. But I would say as a commonsense citizen that it did occur to me that of the many reported sampans and other watercraft that were available to the North Vietnamese, some quite possibly could have been equipped with radar, so that the actual reporting of the planes' leaving did not have to come from the mainland of North Vietnam. They could very well have come from watercraft within control of the North Vietnamese who then could have sent this information by radio.

So it has fallen on my ears as rather passing strange that this commonsense explanation had not occurred to those gentlemen who do not think that the North Vietnamese may have straight line radar that can go 800 miles or some such number of miles, when it does not seem to be necessary at all to explain what happened in this particular incident.

EXTENSION AND AMENDMENT OF PUBLIC LAW 480

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 865 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12298) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of the bill H.R. 12298, it shall be in order in the House to take from the Speaker's table the bill S. 2687 and to move to strike out all after the enacting clause of said Senate bill and to insert in lieu thereof the provisions contained in H.R. 12298 as passed by the House.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOLLING. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 249]

Alger
Anderson
Andrews, Ala.
Avery
Baring
Barrett
Bass
Bell
Buckley
Burkhalter
Colmer
Diggs
Dingell
Downing
Finnegan
Flynt
Forrester
Gill
Green, Oreg.
Hansen
Harsha
Harvey, Mich.
Hays
Healey
Hébert
Hoffman
Kee
Kluczynski
Landrum
Lesinski
McIntire
Martin, Calif.
Martin, Mass.
Matsunaga
Meader
Miller, N.Y.
Montoya
Moorhead
Morris
Morrison
Mosher
Nedzi
Pepper
Pilcher
Powell
Purcell
Rains
Rhodes, Ariz.
Ryan, Mich.
Scott
Senner
Sheppard
Shipley
Sibal
Stephens
Teague, Tex.
Thompson, N.J.
Toll
Tupper
Udall
Wallhauser
Williams
Wilson,
Charles H.

The SPEAKER. On this rollcall 366 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION AND AMENDMENT OF PUBLIC LAW 480

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, I know of no controversy over the rule making in order the extension of the Agricultural Trade Development and Assistance Act of 1954, commonly known as Public Law 480 or the Food-for-Peace Act.

The rule waives all points of order and provides for 2 hours of general debate. As I say, since there is no controversy I know of over the rule, I reserve the remainder of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Missouri has explained the rule thoroughly and well, and I need not discuss it further at this time.

However, I do want to call attention, if I may, to the fact that this bill, being made in order under this rule, H.R. 12298, is a very important measure which would extend Public Law 480 for a period of 3 years, instead of the usual 2 years.

I understand that under title I of the act the United States would get paid for the food and commodities shipped abroad in foreign currencies spendable only under severely limited circumstances. I have been informed that just recently we have made some transactions under Public Law 480 with certain foreign countries which are not at all friendly to the United States, or to our way of life. In fact, the information we have received is to the effect that some 120 different countries, I believe, are receiving largess at the hands of the U.S. taxpayers through Public Law 480. The cost of this bill would be somewhere around $5.5 billion over a 3-year period, which would mean an average cost of about $1.75 billion per year on the average, but it could all be spent in 2 years, which would cost about $2.5 billion a year.

Mr. Speaker, it is my understanding a number of important amendments will be offered to this measure, and that these amendments will set up some new procedures to be followed under this bill for the first time, or followed under Public Law 480. They would also change some of the procedures that have been followed in the past. I believe these amendments are very worthy of consideration. May I express the hope the House will give full attention and consideration to the general debate on this bill under the rule, and also on the amendments that may be offered under the 5-minute rule. It is an open rule, as the gentleman from Missouri [Mr. BOLLING] explained.

Mr. Speaker, I have no requests for time, and I yield back the balance of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. MATTHEWS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12298) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 12298, with Mr. Harris in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina [Mr. Cooley], will be recognized for 1 hour, and the gentleman from Iowa [Mr. Hoeven] will be recognized for 1 hour.

The Chair recognizes the gentleman from North Carolina [Mr. Cooley].

Mr. COOLEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am certain that Members will recall that we had quite a debate on the matter now pending before us just a few days ago when we attempted to pass the bill under suspension of the rules. I think I can safely say that this program has operated successfully and well through the years and has been remarkably free from criticism.

Under the program we have disposed of more than $11 billion worth of surplus agricultural commodities. I am certain the Members of the House are entirely familiar with the program as it has operated. We have given the Secretary of Agriculture just about every possible authority that could be conceived. He has the right to sell these commodities for dollars. He has the right to sell them for foreign currencies. He has the right to barter the commodities for strategic and other materials needed in our own economy. He has the right to sell the commodities on credit, long term and low interest rate credit; and even to give the commodities away wherever need can be shown anywhere in this world.

We have embarked upon this very magnanimous program and through the program have relieved suffering in many nations on the earth. We have shared our food and our fiber with less fortunate people. Some people regard this abundance which we have harvested from our fields through the years as some sort of a curse. I think it has been a blessing and a blessing it will be in years to come.

Because we have been so gracious and kind in dealing with less fortunate people I think we have made friendships around the world. We have impressed people even beyond the Iron Curtain with the generosity of our Nation and with our interest in the institutions of freedom.

We are living today in a divided world and we are living in a dangerous world. We are living in a hungry world.

I do not think anyone would vote against this bill merely because he was unwilling to share this abundant food supply that we have with starving people in other parts of the earth. I do not know of any real opposition to this bill. I hope it will pass and become a law and that the program will continue.

Mr. Chairman, the Committee on Agriculture has thoroughly studied the matter before us; it has worked diligently, and produced a good bill—a bill which has the full backing of the administration.

I am especially hopeful that the House will reject any hasty and damaging amendments.

Our agricultural abundance is a great American asset. It is not only a source of national strength but also one of the most effective instruments of our foreign policy. We should not weaken the program in any way, or burden it with unnecessary and damaging restrictions.

I am convinced that several proposals, particularly some adopted by the other body, would seriously restrict the effectiveness of the program.

Without question, Mr. Chairman, the most objectionable proposal heard would subject all grants under title I of Public Law 480 to the appropriations process, and dispense with the President's discretionary authority to make grants of local currency proceeds to strengthen U.S. interests throughout the world. For 10 years, Mr. Chairman, the President has had discretionary authority to make grants of Public Law 480 generated local currency for mutual defense purposes, without recourse to congressional appropriations. For 10 years, the President has had the authority to make grants of local currency for economic development purposes. And now there are some who would take away from President Johnson these same discretionary powers that were given to Presidents Eisenhower and Kennedy.

It is argued that by routing these grants through the Appropriations Committee, Congress would gain a greater control over U.S. funds and eliminate what is regarded as back-door spending. The fact is, Mr. Chairman, there is not a dollar that moves under the Public Law 480 program that has not already been appropriated by Congress. We are dealing with funds that have been authorized and appropriated for the Commodity Credit Corporation. Not one single dollar flows out through Public Law 480 that has not had the appropriations process applied to it.

By vesting the Appropriations Committee with the power to determine the type of use of portions of Public Law 480 local currency funds, we would in effect create a double appropriations process. The measure would not impose greater efficiency on the program. On the contrary, this unprecedented proposal would withdraw effective control over the program from the administration. It would diminish the effectiveness of the program as a highly successful tool of our foreign policy.

Indeed, this measure could well exert a crippling influence on the program. The foremost example of such a possibility lies in the use of Public Law 480 generated funds for grants for mutual defense purposes. This authority to make grants for military and counterinsurgency programs has proved to be indispensable in Vietnam, Korea, and Taiwan. Any provision requiring appropriation of grants of local currency for mutual defense purposes would seriously inhibit the President's capacity to aid our allies on these active fronts of the cold war.

Would we, for example, willingly impose any requirement which in effect tied the hands of the President in his effort to promote U.S. interests in Vietnam? For in South Vietnam, 90 percent of local currency generated under title I, Public Law 480 sales is granted to support the Vietnam war effort. These funds provide nearly 20 percent of U.S. support of the Vietnam military budget. Any requirement demanding appropriation of these funds would inject the dangerous elements of uncertainty and delay in a struggle where the United States can ill afford diminished efforts.

In Korea, U.S. grants of local currency provide a preponderant portion of the total Korean military budget. These funds would be of little use if they were subject to the delays and uncertainties awaiting any appropriations measure.

The proposal to subject grants of local currency to the appropriations process would not only impair the flexibility required by the President in carrying out his foreign policy, it would further inhibit the effective use of local currencies to hasten economic development in countries like India, where the United States has accumulated vast sums of local Indian currency. At present, U.S.-owned rupees available for U.S. uses in India total nearly $400 million. If grants of these funds should become subject to congressional control through the appropriations process, and grant use restricted, we can reasonably expect these funds to grow to ever increasing levels of unproductive and idle accumulations.

One other point concerning this proposal should be made perfectly clear: It would result in reduced Public Law 480 sales, and contribute to increased U.S. farm surpluses. As we all know, this program is vital to the health of our Nation's agriculture. To cite just one example of the enormous impact of this program on our domestic economy, in fiscal year 1964, wheat shipments abroad under Public Law 480 accounted for 43 out of 100 bushels of wheat harvested by U.S. farmers the preceding year. I, for one, would not wish to support any proposal which would harm so seriously our Nation's agricultural efforts.

In short, Mr. Chairman, I strongly urge the House to reject any measure subjecting the granting of local Public Law 480 funds to the appropriations process. On close analysis, this provision would not provide the intended benefits, but would, in various ways, cramp and diminish the effectiveness of the entire program, both at home and abroad.

I further hope that Congress will reject other measures and restrictions not provided for in the bill reported out by the Committee on Agriculture. None that I have examined withstand scrutiny.

Mr. Chairman, because the committee has reported a good bill, a bill which has the full backing of the administration—and because proposals to amend the bill would wreak serious damage to the success and effectiveness of this program, I wholeheartedly urge Members of this House to support it intact. This is no time to weaken such a valuable program.

Mr. HOEVEN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, H.R. 12298 is a bill which extends and amends Public Law 480 of the 83d Congress. I support the extension of this important program because it is of vital significance to American agriculture.

I have supported Public Law 480 since its enactment in 1954 and its designation by President Eisenhower as the food-for-peace program in 1959. Throughout the years this program has grown, and since 1954 approximately $20 billion worth of surplus farm commodities have been committed for delivery overseas under the program.

The Committee on Agriculture now presents a bill which extends both title I and title II of the act for 3 more years, through December 31, 1967.

Under title I a total of $4 billion worth of new money is authorized and together with the carryover of unused obligations and CCC repayments, a total of $5.5 billion is made available for title I soft currency sales during the next 3 years.

Under title II an annual expenditure rate of $450 million per year is authorized by the bill. This would make over $1.3 billion available for government-to-government food donations during the next 3 years under this title.

There are a number of provisions in this bill which are very constructive and will be beneficial as this program continues.

The first is a provision to allow foreign currencies to be used for internal security operations in friendly countries. This amendment will be particularly helpful, we hope, in the protection of the people of South Vietnam. As we all know, the Vietcong Communists now terrorize and murder those people in the native population who oppose them. The amendment in this bill will make foreign currencies available not only to the Vietnamese Army directly, but also to its internal police force to more effectively and efficiently protect the South Vietnamese population through the strategic hamlet program.

The bill also removes the limitation on loans to American businessmen overseas. I realize that some criticism has been levied against the administration of this program by the Department of Agriculture. I would point out that section 104(e) of Public Law 480 specifically bans the use of foreign currencies for the establishment of agricultural industries which would compete with American farmers. There is nothing wrong with the law itself. The committee has removed the 25-percent limitation in the present law in order to stimulate the further use of foreign currencies for loans to American business firms overseas, and in no way is it intended that these loans be made to firms which would process and promote foreign agricultural products for shipment to the United States.

Another provision in the bill is designed to encourage the maximum use of title I foreign currencies for meeting our U.S. Government obligations overseas. Under present law, at least 10 percent of the foreign currencies generated under title I might be earmarked for these U.S. uses. The committee bill would amend this provision of law to require that no less than 20 percent of these foreign currencies be used for U.S. uses.

The bill also contains a provision designed to encourage maximum beneficial exchange rates for the United States in negotiation of title I agreements. Under these title I foreign currency sales, the exchange rates at which foreign countries agree to purchase our surplus farm commodities is often unrealistic and less favorable than exchange rates given to other countries. The committee bill would amend section 101(f) in an effort to get the best possible bargain for the United States in these exchange rates in future negotiations.

While the bill has received generous support of the Committee on Agriculture, I realize that further improvements and modifications of this program can be made, and amendments will be offered. I hope that each of them will be examined in the context of making this valuable program more effective and beneficial to U.S. farmers and taxpayers.

Mr. COOLEY. Mr. Chairman, I yield 8 minutes to the gentleman from Florida [Mr. Matthews].

Mr. MATTHEWS. Mr. Chairman, I rise in support of H.R. 12298, the bill which provides for the extension of Public Law 480.

Mr. Chairman, I wish to take this opportunity to pay tribute first of all to several members of our Committee on Agriculture who are retiring this year.

Mr. Chairman, we have just heard the distinguished gentleman, the ranking minority member of our Committee on Agriculture, the gentleman from Iowa, the Honorable Charles Hoeven, who because of his own desires is retiring this year.

I know, Mr. Chairman, I speak for myself and for all the members of our committee when I express our regrets because this distinguished American is leaving us. I know that I extend on behalf of all of the majority members on our committee our best wishes for him in the future in whatever activity he undertakes.

He will be sorely missed, and we are grateful for his contributions.

Mr. Chairman, I particularly regret it is necessary for another distinguished member of the minority to leave us this year. Again it is because of his own choice. I refer to the gentleman from Maine [Mr. McIntire] who has served faithfully and effectively on this subcommittee, and who, along with the members of the subcommittee, has spent many hours in trying to check thoroughly all of the facets of this Public Law 480. I know that again I speak for the majority members of our committee when I say this great man will be missed by those of us who have served with him on the Committee on Agriculture for so many years.

As I recall, Mr. Chairman, from our side of the aisle we have the distinguished gentleman from Wisconsin who is leaving us. Since this is one of the last bills the Committee on Agriculture will report and have a chance to debate, I think it appropriate at this time to pay tribute to the gentleman from Wisconsin [Mr. Johnson]. Although he is not a member of this particular subcommittee he has been a valued member of the Committee on Agriculture for a number of years. We shall miss him greatly, and I wish for him success in whatever activity he undertakes in the future.

Mr. Chairman, the distinguished gentleman from Iowa has given an excellent explanation of some of the provisions that are contemplated in this bill. I commend to each of you the committee report that I think is cogent, and which points out in practical and complete detail the changes that are contemplated.

I should like particularly to call your attention to an amendment I presented to the committee, and I am honored that the committee decided to incorporate the amendment in the provisions of this bill.

This amendment I introduced is explained on page 35 under section (9). It would merely authorize the use of currencies acquired under title I sales programs in support of titles II and III food-for-work programs, for use in work projects. It will enable recipients of food in foreign nations to work for food rather than to get food as a handout. If I had my way, Mr. Chairman, I would make it possible for every person in America who is getting free food to have the opportunity for a job. I believe the overwhelming majority of the people throughout the world would rather work for their food than get it for nothing.

This particular amendment, which is incorporated in the bill, envisions the expenditure of not more than $10 million a year, possibly $5 to $10 million a year, and it will enable us to make available work. It will make available perhaps some construction materials. May I point out it will be carefully checked by our AID people to see that every program is doing the job it is supposed to do. We have provisions in here so it will not be used for religious or sectarian buildings so that there would not be any criticism of the program from that standpoint.

Mr. Chairman, in closing, I would like to point out that in my opinion in Public Law 480 we have a bill which represents the enlightened self-interest of the United States by enabling us to get rid of our agricultural surplus. It provides millions of people in America with work. The Library of Congress informed me that 40 percent of the labor force in America is dependent upon agriculture for their livelihood. If that might seem an unusually high figure because of the decreasing farm population, may I say we are talking about the millions of people in America who transport the food, who process the food, who sell the food, and who produce the raw supplies that the farmers need.

This bill is good because it keeps people in America working.

There is a provision in this bill which requires a certain percentage of American goods to be transported in American bottoms. This bill is good because it helps our great American merchant marine.

This bill is good because it helps friendly people and gives nations throughout the world an opportunity to become part of the free enterprise system.

American citizens, because of the Judeo-Christian tradition which we hold, believe in helping other friendly people to help themselves.

We must, of course, constantly keep reviewing this law. We have earnestly tried to review every facet to see how this bill could be strengthened to serve more efficiently the best interests of our beloved country. So I commend this bill to you, and I sincerely hope that it wins the overwhelming approval of the Members of the House.

Mr. HOEVEN. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Chairman, I wish to join my colleague from Florida in paying tribute to the senior Republican on the Committee on Agriculture, the gentleman from Iowa [Mr. HOEVEN], who is retiring from Congress this year. Quite possibly this will be the last major legislation he will handle on the House floor.

It is an especially sad occasion for me because of the fatherly interest which he took in me when I was a freshman Congressman 4 years ago, helping me get acquainted and aiding in my work here. Someone once observed that CHARLEY HOEVEN is a fine Christian gentleman. I believe that describes just right his character and bespeaks his long and great service to the United States.

The bill before us, H.R. 12298, the proposal to extend Public Law 480, of course will pass. A bill in some form extending Public Law 480 should pass, but we ought to realize the direction we are taking. This is a part of a massive feeding program. We should realize the worldwide character of this feeding program. Everyone, I am sure, wants to help feed the hungry to the greatest extent possible. I am sure also that we have the responsibility to keep this under control, within bounds, and properly directed if we possibly can do so.

Under the Public Law 480 agreements we actually donate a lot of food and U.S.-owned foreign currency but we conceal that fact by calling the transactions sales. The people fooled by this strange business are not only the American taxpayers who read about the sales and think they are commercial transactions, but the people in those countries where the food arrives and where it is sold in domestic channels—they do not know the food is theirs through the generosity of the American people.

The size and character of this program rivals that of the regular foreign aid program. Public Law 480 is essentially a foreign aid program. The committee report which accompanies this bill lists 49 countries that have benefited under title I agreements in 1964. The chart listing the countries that have received title II donations since 1954 when the program began includes 70 countries. Last year 112 countries benefited from title III donations. This includes friend and foe alike.

The bill before us would authorize $6.8 billion for a 3-year period which averages nearly $2.3 billion a year. This is nearly the level of spending for the regular foreign aid program. And under present law the appropriation process is almost entirely bypassed. For that reason amendments will be offered during the consideration of this bill which would bring this program under annual scrutiny by the Congress through the appropriation process.

The first amendment which will be offered would require congressional appropriation before any grants of U.S.-owned foreign currencies could be made under title I.

The language that I have in mind for this amendment is precisely the same language which the other body adopted in its bill to extend Public Law 480.

In another effort to bring this under better congressional control, a second amendment will be offered which would establish this as a 2-year extension of titles I and II and would also set the level of authorization at the same level as approved by the other body, and the dollar figures balance out pretty much the same as in the House.

The authorization under this amendment to title I would be $2.7 billion plus a carryover for the 2-year period. The authorization for title II would be at an annual level of $375 million for each of the 2 years.

Someone may suggest that this would unduly hamper or even wreck the administration of the title I program. Actually, it would do nothing of the kind. It would simply enable the Congress to have a closer look at regular intervals at what is going on. The Committee on Appropriations could still earmark funds for grants both in soft currencies and in hard currencies.

It would wreck the program only to the degree that Congress might choose to alter it, and it would have the great virtue of bringing the program under more careful and regular scrutiny.

It might also be suggested that this would eliminate the commission which would look into new uses for these U.S. currencies piled up abroad. But even though this new commission is not created, every one of us as Members of this body has a responsibility to advise and consult with the executive and offer suggestions on how to better utilize these U.S. currencies, and certainly a heavy burden falls upon the executive to find proper uses for these currencies. Indeed, I am sure the President on his own initiative could establish an advisory committee to study this problem.

I direct your attention to page 28 of the Senate report, Calendar No. 1402, to the section relating to congressional control over grants and loan payments. In that section are these words:

> Congressional control over grants and loan payments: Paragraph (8) amends section 104 of the act to require congressional appropriation authority to make outright grants of U.S.-owned foreign currencies which have been generated by title I sales of U.S. agricultural commodities and also to require appropriation authority for the use of foreign currencies derived from payment of interest or repayments of principal on loans made under this section.
>
> From the inception of the act through December 31, 1963, approximately the equivalent of $2.5 billion or 25.7 percent of the total foreign currency proceeds from title I sales have been granted away, all without congressional appropriation sanction.
>
> The purpose of this amendment is to provide the same degree of control over grants of U.S.-owned foreign currencies as is provided in the regular foreign assistance legislation over dollar grants; also to coordinate all foreign assistance grants and to assure that grants of foreign currencies are used in place of dollar grants rather than being supplementary thereto. Further the making of such grants subject to congressional appropriation control will not only require that such grants be justified before a congressional committee but will also have the effect of reimbursing the Department of Agriculture in part for the cost of the commodities, the sale of which generated the currencies in question.
>
> The requirement that foreign currencies derived from interest payments or repayments of principal on Public Law 480 loans be subject to congressional appropriation control, likewise, places the same requirement on such foreign currencies as are placed on dollar appropriations in the regular foreign assistance legislation. Once the interest or loan repayment is made the currencies no longer are restricted by the provisions of the original sale agreements and accordingly should be treated as any other U.S.-owned currency.

All this explains the amendment adopted by the other body and I hope those of you who are seriously interested in improving this bill will read page 28 of the Senate committee report accompanying their version of this legislation.

I should also like to call the attention of this body to the degree to which the taxpayers of the United States have benefited Communist governments under this program.

On page 12 of the House committee report, at the bottom of the page, is a table showing the uses of foreign currencies as provided in title I. Members will note that the Communist Government of Poland is listed, as well as that of Yugoslavia.

Of the total dollar value of the title I agreements with Yugoslavia—$637,753,000—$140,613,000, believe it or not, has been granted for economic development to the Communist Government of Yugoslavia. We have provided more than $140 million for the economic development of a Communist government.

In the next to last column of that table Members will note that most of the proceeds of the agreements—$391,177,000—has been loaned to foreign governments. This means loans of these currencies to the Yugoslav Communist Government. So, except for $105,335,000, which found some U.S. use, the balance of $637,753,000 made available to the Communist Government of Yugoslavia, amounted to foreign aid pure and simple.

When we look at the information about Poland, we find that more than a half billion dollars worth of title I agreements have been consummated, and almost all of that amount was set aside for U.S. uses.

This might sound good, but if Members will look on page 32 of the same report, they will see that in Poland we now have excess currency amounting to almost a half billion dollars. These funds have not been utilized because of the tight rules in the original agreements. Believe me when I say it will be awfully tough to find proper and appropriate additional U.S. uses for local currency in Poland. Under present circumstances virtually every bit of the half billion dollars amounts to a donation, an aid to the Communist government of Poland.

It is high time we act to bring this program under a more careful scrutiny, so that we will at least avert the folly of providing loans for the economic development of Communist countries.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Has anyone, to the gentleman's knowledge, ever found the thousands of tons of wheat which apparently disappeared in transit to Austria?

Mr. FINDLEY. I fear that remains a major mystery. I have no answer for it. So far as I know, no official report has provided the answer.

Mr. GROSS. Thousands of tons also disappeared presumably on the way to Vietnam. There were other countries as to which shipments in large quantities just simply disappeared.

Does the gentleman agree that the Secretary of Agriculture, Orville Freeman, could take a little time off from campaigning over the country to look into this and tell us where the wheat and grain went?

Mr. FINDLEY. It would probably be unreasonable to expect any such setaside of politics.

Mr. GROSS. In an election year.

Mr. FINDLEY. I will be glad to yield to anybody who will shed light on what happened to the wheat.

Mr. GROSS. Of course, if Ezra Benson was now the Secretary of Agriculture the roof would have caved in long ago for failure to act.

Mr. FINDLEY. I might say further the Secretary of Agriculture, Mr. Freeman, did find a use for some of the U.S.-owned local currencies in Yugoslavia last year or perhaps earlier this year. He turned over to the Yugoslav Government $50 million worth for rebuilding of Skoplje.

Mr. COOLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, I thought it might be worth while to lay at rest this talk about the Austrian grain deal. That was not one of the trades authorized by this bill. That transaction was a barter deal. The United States Government did receive the full consideration which it was entitled to receive as a result of the shipment of the feed grains. It was not wheat as the gentleman has suggested. It was feed grain. The grain was delivered to the Austrian official or the agencies representing that Government. We got paid in full when it was delivered. The Austrian dealers, it is perfectly true, did work a fraud on their own Government through the use of some false certificates, and they have been convicted. I understand they are in the penitentiary now as a result of their transaction. But this was a deal that did not involve a dime's loss to the U.S. Government and did not involve anything covered in this bill.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Iowa.

Mr. GROSS. What about the wheat and feed grains shipped to Vietnam? Will the gentleman tell us about that?

Mr. POAGE. Will the gentleman next ask us about the wheat and the feed grains that went to the moon? The gentleman was talking about the Austrian deal. The gentleman tried to suggest there was something in the Austrian deal which related to this particular bill. There was not a thing in the world relating to this bill in the Austrian deal and there was not a dollar's loss to the United States. Now if the gentleman wants to ask me about where something went to in New Guinea, he can, and it will probably have just as much relevancy as this Austrian grain has with Public Law 480.

Mr. GROSS. I do not recall that I even mentioned Public Law 480 when I asked the question.

Mr. POAGE. No, but we are talking about that law.

Mr. GROSS. You are.

Mr. POAGE. The plain implication is you tried to discredit Public Law 480 by referring to a transaction which you now admit had no relation to Public Law 480 whatsoever.

Now, as to what happened in Vietnam; there are a lot of things happening there, some of which I know about and some of which I do not, and I have not the slightest idea of what transaction the gentleman is talking about.

Mr. GROSS. I am sure you would not.

Mr. COOLEY. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, I certainly do appreciate the hard work and the attention that our colleagues have given to the overall agricultural problem, including Public Law 480.

I have frequently felt that under the influence of two World Wars we got our agricultural and other production built up to the point where we have not had ready foreign markets for dollars, and as a result of that fact we have had a greatly increased agricultural domestic surplus. Under the existing foreign policy, this extra food and extra production of our farms has played an instrumental and a great part.

There are a number of things I have seen in the operation of this law, though, which make me believe its administration certainly needs to be tightened up. I sincerely believe we are in a vicious circle, using our surpluses to increase production abroad and then letting that production come back here so as to make more surpluses, so that we can sell them for foreign currencies so they can be put into more foreign production, and so that such production can come back here so it can further increase our surpluses here, and so on ad infinitum. It is a vicious and destructive cycle.

Our appropriations subcommittee has had an investigation of this matter underway for some time. I am sorry it is not complete but I assure you it will be. You will see in the RECORD of August 17 of this year, on page 19935 and subsequent pages, a breakdown of what we have found out:

May I read you just a little of what our Appropriations Committee investigators have already reported with regard to our "foreign competition" by American companies abroad, including American grants, loans and foreign currencies, as would be permitted by this bill.

"U.S. INTERESTS IN FOREIGN AGRICULTURAL PRODUCTION

"A. ARGENTINA

"The principal U.S. firms engaged in the livestock and meat industry in Argentina are International Packers Limited (IPL), Chicago, Ill., and the King Ranch of Kingsville, Tex. IPL subsidiaries in Argentina are Swift, Armour, La Blanca, and Provita; IPL also has an interest in 3 ranching operations containing approximately 766,000 acres and 108,000 cattle. IPL has received a $5 million loan from the Export-Import Bank and has investment guaranties from AID of $12,990,000 convertibility and $12,300,000 for expropriation. King Ranch owns and operates 4 ranches totaling some 118,600 acres with about 30,000 cattle and 16,000 sheep.

"B. AUSTRALIA

"Cotton

"The Wee Wa district of New South Wales is the site of a rapidly expanding irrigated cotton growing area which has been financed largely by American capital supplied by cotton interests in California and Arizona. A report by the agricultural attaché in Australia states that the increased production of cotton in this area will undoubtedly have an adverse effect on U.S. exports of raw cotton to Australia, and could reduce such exports by 28,000 to 35,000 bales annually.

"Red meats

"U.S. interests in Australia are: Esperance Land and Development Co., Western Australia (owned by Chase International Investment Corp. of New York City, American Factors Associates, Ltd., of Honolulu, Hawaii, J. H. Whitney and Co. of New York City, and Elders-G.M. C., Ltd.) has an option on 1,450,000 acres and currently has about 8,500 sheep and 1,000 cattle. Intercontinental Meat Traders, Inc., Limited, Brisbane, is a subsidiary of Intercontinental Meat Traders, Inc., Chicago, Ill. IPL affiliated companies in Australia are Swift Australian Co., Ltd., Brisbane; Mayfair Hams, Ltd., Sydney; and Armour & Co., Ltd., Sydney. International Portion Foods, Ltd., Brisbane, is a branch of Henderson's Portion Pak, Inc., Coral Gables, Fla. King Ranch Australia, Ltd.. associate of the King Ranch in Texas, operates a number of large ranches over 1.7 million acres in Northern Territory, Queensland, and New South Wales. Mr. Art Linkletter owns 22,000 acres at Esperance on which he is raising sheep and cattle, and he recently purchased, in partnership with Mr. Allen T. Chase, a 650,000-acre cattle station in Northern Territory. The Peterborough Meat Export Co., Ltd., Peterborough, South Australia, is operated by Mr. Joseph Popp, a U.S. citizen connected with two packing companies in Detroit, Mich. Swift Australian and King Ranch formed a company in 1962 which purchased, for approximately $4.5 million, over 8,000 square miles of land in Queensland and Northern Territory. Wilson Meats Ltd., Brisbane, is a wholly owned subsidiary of Wilson and Co., Inc., Chicago.

"C. COLOMBIA

"Purina Limitada, Cartagena, Colombia, wholly owned subsidiary of Ralston Purina Co., St. Louis, Mo., received a 'Cooley' loan of 800,000 Colombia pesos (approximately $80,000) in 1959 from the Export-Import Bank for the purpose of financing facilities for the production of animal feeds.

"D. HONDURAS

"The major U.S. interest in the meat trade of Honduras is through International Foods Corp., S.A., a wholly owned subsidiary of Alberti Foods, Inc., Chicago, of which L. K. Alberti, Jr., a U.S. citizen, is president. Associated with Mr. Alberti in his Honduran interests is Adam Smith, also a U.S. citizen, who is president of Sanda Corp., Miami, Fla. International Foods owns ASTCO, a Honduran transport and warehousing company with a 700,000-pound capacity freezer in Puerto Cortes, and has financial interests in three Honduran packing plants which export boneless beef.

"Ganadera Industrial Hondurena, S.A., Tegucigalpa, exports commercial grade boneless beef. Mr. William Montiel, a U.S. citizen, own 25 percent of the stock of the company. Mr. Montiel also has a financial interest in one of the packing plants in which International Foods has an interest, and in a slaughterhouse in Nicaragua. Ganadera Industrial and the other plant in which International Foods and Mr. Montiel have an interest have contracts to sell boneless beef to Gurrentz International Corp., Miami, Fla., and Pittsburgh, Pa.

"Matadero de Puerto Arturo is part of the livestock division of the Tela Railroad Co., a wholly owned subsidiary of United Fruit Co., Boston. The livestock division has about 21,000 cattle, and the slaughterhouse produces boneless beef for export and local sales.

"Another boneless beef exporting company, Empacadora del Norte, S.A., Puerto Castilla, is not yet in operation. Its principal officers are Temis Ramirez de Arellano and Ruben Santiago, both United States (Puerto Rico) nationals.

"E. MEXICO

"Ralston Purina de Mexico, S.A., de C.V., a wholly owned subsidiary of Ralston Purina Co., St. Louis, received a 'Cooley' loan of 10 million Mexican pesos (approximately $800,000) in December 1958 from the Export-Import Bank for the purpose of financing facilities for the cultivation, manufacture, storage, and sale of animal feed and the construction of a sesame solvent plant. The Export-Import Bank had rejected the loan application in April 1950.

"The American Embassy in Mexico had advised the Export-Import Bank that any development of the animal feed business in Mexico would compete with U.S. exports. However, imports of U.S. animal feed are bound to be replaced by domestic production in the future, and it would be desirable to aid American enterprise to expand production in Mexico rather than leave the field open for others.

"USDA had advised the Export-Import Bank in April 1950 that the resulting increased production of feeds in Mexico would compete directly with mixed animal feeds then being exported from the United States to Mexico sufficiently to preclude approval of the application. In October 1958 USDA advised the Export-Import Bank that it had given further study to the competition involved and had concluded that it did not preclude favorable consideration of the application. USDA officials stated that they had concluded that feed grain exports from the United States could be expected to increase with expanded mixing facilities. Data furnished to the staff by USDA indicate that Mexican imports did not increase with expanded mixing facilities; average annual imports of corn for 1955–59 totaled 346,454 metric tons, whereas imports were 240,400 tons in 1958; 29,600 tons in 1959; 52,845 tons in 1960; and 42,551 tons in 1961.

"Industrial Pecuaria, S.A., a Mexican firm owned 50 percent by Archer-Daniels-Midland Co., of Minneapolis, Minn., and 50 percent by Mexican investors, received a "Cooley" loan of 10 million Mexican pesos (approximately $800,000) from the Export-Import Bank in February 1959 for the purpose of financing facilities for the production and storage of animal feeds. In April 1958 the Export-Import Bank had rejected the application; the American Embassy in Mexico had made a recommendation similar to that made in the Ralston Purina case, and USDA recommended against the loan. However, as in the Ralston Purina case, USDA reversed its prior recommendation in October 1958.

Textiles Morelos, S.A., owned not less than 50 percent by Burlington Industries, Inc., Greensboro, N.C., received a "Cooley" loan in February 1959 of 3,233,362 Mexican pesos (approximately $258,000) to be used to acquire textile production facilities.

"F. NEW ZEALAND

"IPL has a wholly owned subsidiary, Swift New Zealand Co., Ltd., Wellington, which dates back to the early 1930's when first an export agency and then a slaughter plant were acquired. Swift slaughter presently accounts for between 7 and 8 percent of all New Zealand lamb and mutton slaughter and approximately 8 percent of all cattle slaughter. Swift operates an experimental demonstration-type farm on leased property and is attempting to lease additional acreage for stockholding purposes to stabilize slaughter operations.

"G. PARAGUAY

"The principal U.S. firm engaged in the livestock and meat industry in Paraguay is International Products Corp.; canned corned beef is its major meat export.

"International Products Corp. received a loan not to exceed $2.6 million in 1958 from the Development Loan Fund for modernization and expansion. In 1960 the company was in financial difficulties and AID postponed payments due under the development loan. The corporation also entered into a credit agreement with private investors in December 1961, and in January 1962 AID agreed to subordinate its loan to the loan of the private investors. In January 1962 AID entered into guarantee agreements under which the private investors were protected against the risks of convertibility, expropriation, and confiscation.

"In March 1963 International Products Corp. made application for a 'Cooley' loan for a sum equivalent to $450,000 for improving its cattle and pasture operations; this application is now being considered by AID.

"Pan Western Enterprises, Inc., with a U.S. address at New Orleans, La., purchased 246,670 acres of land on the Upper Paraguay River in January 1962, and began operating a large cattle ranch in 1963. Pan Western Enterprises applied in October 1962 for a 'Cooley' loan for a sum equivalent to $821,400 to help meet the costs of a beef cattle production operation in the Chaco of Paraguay. AID approved the application in March 1963 subject to approval by Paraguay and the U.S. country team there. The country team registered strong objections. The objections of the country team were overruled and the loan was approved in April 1963.

"(6) MEXICO

"Mexico, an important producer of good quality staple, produced 2,425,000 bales of cotton in 1962, 19 percent more than the annual average production for 1955–59. Preliminary indications were for a considerably smaller crop in 1963 of about 2 million bales. Approximately three-fourths of the total crop entered world trade; exports of 1,897,000 bales in 1962 were 21 percent higher than the annual average exports of 1955–59. Sales were large to France, West Germany, Italy, and especially to Japan which took, in 1962, 775,000 bales, or 25 percent of the cotton imported by that country, against only 29 percent of the total from the United States.

"Mexico not only supplies a very substantial number of live cattle to the United States, but, additionally, produced in 1958–62 an annual average of 938 million pounds of beef and veal, 18 percent more than the average annual production of 1953–57. Preliminary data indicate a further increase in 1963 to a level 19 percent higher than the 1958–62 average. Pork production also increased by about 11 percent between the two 5-year periods and in 1963 was about 12 percent higher than average for the preceding 5 years. Mutton and lamb production in 1958–62 was 8 percent higher than in 1953–57. Beef and veal exports, largely to the United States, averaged 79 million pounds in 1958–62, 155 percent higher than in the preceding 5 years. Exports to the United States during the 5-year period 1958–62 averaged about 78 million pounds, up 370 percent as compared with the preceding 5 years. Preliminary data for 1963 indicate U.S. imports from that source of 103 million pounds, mostly of boneless beef, 33 percent more than average for the preceding 5 years.

"[Amounts in thousands]

Type of aid and purpose:	
AID dollar loans: supervised agricultural credit	$20,000
AID dollar grants:	
Completed projects: National University School of Veterinary	144
Social Progress Trust Fund: National Financiera, S.A., for improved use of farmlands	4,000
Food for peace (foreign currency):	
Title I, sec. 104(e) 'Cooley' loans:	
International Harvester Co. of Mexico, S.A., for farm implements and truck parts facilities	129
John Deere de Mexico, S.A., for agricultural tractors and implement facilities	400
Ralston Purina de Mexico, S.A., for animal feed and sesame solvent plant	801
Industrial Pecuaria, S.A., for animal feeds production facilities	801
Title I, sec. 104(e) grants:	
Modernization and construction of grain storage facilities	10,326
Project total	36,601
Undistributed activity costs	269
Total	36,870

"On June 30, 1962, a loan agreement was executed whereby AID agreed to loan $20 million to Nacional Financiera, S.A., an autonomous financial institution of the Government of Mexico.

"The loan provides for expanded short-, medium-, and long-term crop financing and farm improvement credit to small farmers, technical assistance, guidance, and control to insure that such credit results in needed improvements in agricultural resources and productivity, and such activities as may be required to provide the basis for granting of property titles to farmers prospectively eligible for such credit.

"About $2 million has been loaned from this fund, as of March 1964, to some 775 farmers with the average loan approximately $3,000.

"(7) PAKISTAN

"Cotton production in Pakistan in 1962 of 1,690,000 bales was 23 percent above the annual average for 1955–59. Preliminary data for 1963 indicate a larger crop of 1,725,000 bales. Exports in 1962 were 683,000 bales, 47 percent higher than the average for 1955–59. Japan in that year purchased 254,000 bales from Pakistan.

"[Amounts in thousands]

Type of aid and purpose:	
AID dollar loans:	
Land reclamation	$15,200
Indus water supply	70,000
Mechanical equipment organization	1,500
Operation and maintenance of Rechna Doab project	750
Salinity control and reclamation	10,000
Coastal embankment project	6,500
Karnafuli multipurpose dam	20,250
AID dollar grants:	
Completed projects:	
Locust control	59
Soil and water conservation	625
Soil mechanics hydraulic laboratory	163
Bolan Dam	75
Nakhi Dhand reclamation	820
Ground water explorations	$188
Taunsa barrage project	5,885
Water resources advisory	134
Animal husbandry	18
Plant protection	752
Fertilizer distribution	10,565
Agricultural workshop	1,026

"EXCERPTS FROM INTERIM REPORT ON U.S. IMPORTS (MAY REPORT)

"1. Total U.S. imports were $17.032 billion in 1963. $4.012 billion of agricultural commodities included $2.293 billion which competed with U.S. farm crops.

"2. Most recent tariff reductions for U.S. imports of meat, meat products, cattle, cotton, wheat, corn, barley, and oats were all made prior to 1955.

"3. There are 11 AID programs for loans, grants, and technical assistance to furnish agricultural assistance to foreign countries.

"ARGENTINA

"AID agricultural programs have totaled over $24 million for grain storage facilities and livestock improvements. Beef and veal production has increased with sales to United States 12 percent higher in 1958–62 than 1954–57. Cotton and corn exports also have increased substantially.

"BRAZIL

"AID agricultural programs have totaled over $34 million, including at least three projects to increase livestock production. Beef and veal production has increased with exports to United States up 470 percent in 1958–62 compared to 1954–57. Cotton exports have also increased sharply since 1960.

"MEXICO

"AID agricultural assistance has been about $37 million. Mexico is important cotton producer with three-fourths of crop entering world trade. Also imports large number of live cattle and beef and beef products into United States.

"PAKISTAN

"AID agricultural assistance nearly $279 million for irrigation, salinity control and land reclamation. Cotton exports in 1962 were 47 percent higher than 1955–59.

"INVESTMENT SURVEYS

"Since 1961 have spent $848,000 for 17 Americans to go to Argentina, Brazil, Central America, Colombia, Ecuador, India, Pakistan, Turkey, North Borneo, Nigeria and Thailand. Fourteen additional applications under consideration which will cost $196,300.

"INVESTMENT GUARANTEES

"Total of 778 political risk investment guarantees have been issued since 1948.

"TECHNICAL ASSISTANCE

"In 1963 there were 766 technicians employed overseas in food and agricultural fields. In 1963 about 400 foreigners received agricultural training in the United States under AID programs. In all, about 3,800 foreign nationals were trained in agriculture and home economics in 1963.

"U.S. INTERESTS IN FOREIGN AGRICULTURE PRODUCTION

"Argentina

"International Packers, Ltd. (IPL), Chicago, including subsidiaries: Swift, Armour, La Blanca, and Provita.

"King Ranch, Kingsville, Tex.

"Australia

"Chase International Investment Corp., New York City.

"American Factors Associates, Honolulu.

"J. H. Whitney & Co., New York City.

"Elders-G.M. Co., Ltd.

"Intercontinental Meat Traders, Inc., Chicago.

"International Packers, Ltd., Chicago.

"King Ranch Australia, Ltd.

"Art Linkletter and Allen T. Chase.

"Colombia

"Ralston Purina Co., St. Louis.

"Honduras

"Alberti Foods, Inc., Chicago.

"Adam Smith, Miami.

"William Montiel.

"United Fruit Co., Boston.

"Mexico

"Ralston Purina, St. Louis.

"Archer-Daniels-Midland Co., Minneapolis.

"Burlington Industries, Inc., Greensboro, N.C.

"New Zealand

"International Packers, Ltd., Chicago.

"Paraguay

"Pan Western Enterprises, New Orleans."

We refer to use of these foreign currencies—and they are foreign to us, but in Mexico the peso is a local currency and in various other countries it is the local currency which is used. So when we permit the use of funds that have been developed by our giving to these foreign countries commodities for which the American taxpayer pays, we pay out cash under the support program; and when we take these commodities and sell them for foreign currencies, for all practical purposes, we are giving them away. But we do develop or cause to be made available these foreign currencies in those countries. What we have been doing under this program in its overall is permitting in many instances those same currencies that came from our sale of surpluses to increase production of the very same commodity, which, in turn, is imported back into this country to create more surpluses.

I am aware that the law says you cannot finance the production of agricultural commodities in surplus supply. But what have we done here? Take Mexico, for instance. We went down to Mexico. We made a loan to Mexico, in Mexican money, to set up a distribution center for American agricultural machinery—John Deere and International Harvester. Having available American agricultural machinery has contributed greatly to increases in the production of cotton which, in turn, you either get back into this country or it takes our foreign market which makes us have more surplus cotton, which we sell for foreign currencies, and we put those currencies into those related activities which increase our competitive problems abroad and which make more surpluses here. Surplus produces surplus, and we pay the cost in American dollars.

It is true so far as I know, that under this law, we have not made any loans for the purpose of putting people in the cattle business. But what we have done is this. We have made loans to build elevators and to do other things to increase the feed in Mexico, for instance, and the imports of cattle from Mexico have increased 370 percent.

Mr. Chairman, what I am saying is that while this law is essential, it is being used to create a situation which the law was intended to prevent, or to help us overcome, situations in which, in trying to get rid of surpluses, we are increasing our competition abroad and thereby generating more surpluses.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Washington.

Mr. HORAN. Mr. Chairman, I think the point the gentleman is making now makes it all the more important that Congress have a review of these activities while they are going on and not merely when we sign the check to pay for them.

Mr. WHITTEN. Mr. Chairman, I certainly agree with the gentleman. May I say that I am glad to see in this bill that there is provision for an advisory committee which will be composed of distinguished Members of Congress, as well as the Director of the Bureau of the Budget.

The point I make is that in my opinion the intent of the law is not being carried out when they do those things that are either directly or indirectly related to increased foreign production, which is competitive with our production and which helps to increase our surpluses.

Mr. Chairman, just to go over this briefly, in our report which I shall see is included in the RECORD, we show that we have expended quite a bit of money through another program, let us say in Paraguay. In Paraguay the International Products Corp. received a loan of not to exceed $2.6 million from the development loan fund. That item is not in this bill. But in addition, they have made application for $450,000 to help with increased meat production. Everybody knows that our competitive situation in Paraguay, in that area, has been very strong back through the years.

In several other instances—in Mexico, for instance, we have the Ralston Purina de Mexico. These are American financial interests who have taken advantage of this law. These are not Mexicans. These are American nationals who go down and take advantage of the fact that they get half their expenses paid under another law, under another loan program, to see if they want to go in business.

Then, if they determine that they want to go in business, we will make certain allowances under a variety of laws.

This represents a situation of just adding insult to injury, when it is possible under law to generate foreign currencies because of our surpluses. In other words, we will lend them the money so as to increase their surplus. That has happened in the Mexican situation and in several of these countries.

Mr. Chairman, I do hope that in the event this bill passes, the Committee on Agriculture will ride herd on it. I further feel that Congress should review every operation under Public Law 480 each and every year to see that it is used for the purposes intended, and not to put us in a position of creating more surpluses.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Illinois.

Mr. FINDLEY. I want to compliment the gentleman from Mississippi on the comments which he has just made and to associate myself with them.

Mr. Chairman, I further express the hope that the gentleman or someone will make it possible for us to vote on changes in the legislation which will provide for a closer scrutiny of the operations of this program.

Mr. WHITTEN. I certainly shall give some attention toward trying to provide an amendment to see that this is done.

Mr. Chairman, I read further from our report here:

> Ralston Purina de Mexico, S.A. de C.V., a wholly owned subsidiary of Ralston Purina Co., St. Louis, received a "Cooley" loan of 10 million Mexican pesos (approximately $800,000) in December 1958 from the Export-Import Bank for the purpose of financing facilities for the cultivation, manufacture, storage, and sale of animal feed and the construction of a sesame solvent plant. The Export-Import Bank had rejected the loan application in April 1950.
>
> The American Embassy in Mexico had advised the Export-Import Bank that any development of the animal feed business in Mexico would compete with U.S. exports. However, imports of U.S. animal feed are bound to be replaced by domestic production in the future, and it would be desirable to aid American enterprise to expand production in Mexico rather than leave the field open for others.

Then, Mr. Chairman, there is the case of the Industrial Pecuaria, S.A., a Mexican firm owned 50 percent by Archer-Daniels-Midland Co., of Minneapolis, Minn., and 50 percent by Mexican investors, which received a "Cooley" loan of 10 million Mexican pesos—approximately $800,000—as a result of the operation of Public Law 480, for the purpose of financing facilities for the production and storage of animal feed.

Understand, these are American financial interests. They are borrowing money that we generated through exporting surpluses to bring about an increase in the production of feed. Feed goes into animals and the importation of meat. The importation of meat and animals from Mexico has increased 370 percent. Therefore, they come into this country through the increased imports.

Mr. Chairman, I am sure that we have not had the restrictions put into effect as authorized by law, but have been using section 32 funds with which to buy up meat and meat products in an effort to circumvent the law. I believe the way in which the law has been operating has defeated the very purpose for which it was created.

Mr. Chairman, I do hope to offer an amendment to correct this situation—and I hope the committee will look with favor upon it, because we should all recognize that with the level of production in this country at this time we must have some type of outlet or else greatly increase the price supports for the American farmer on fewer units in an effort to keep him in business.

In view of our present foreign policy I believe this surplus food and agricultural products are probably the greatest thing we have had, but we should not use our surplus to increase imports, and generate greater surpluses; we should not use our surplus in such ways to increase the production of feed abroad so they can send their cattle into this country and ruin our cattlemen; and likewise I do not feel that the same should be done with respect to cotton, for instance.

Mr. Chairman, I believe it is just as simple as that.

Mr. HOEVEN. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois [Mr. SPRINGER] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SPRINGER. Mr. Chairman, I am proud to have been a coauthor of Public Law 480 which was 10 years old in July of this year and which has served America well during those 10 years. The other coauthors of Public Law 480, the Agricultural Trade Development and Assistance Act of 1954—better known now as the "food for peace program"—were Congressmen Robert Harrison, of Nebraska; Walter Judd, of Minnesota; and W. R. Poage and Omar Burleson, of Texas. Regrettably, Congressmen Harrison and Judd have passed from the congressional scene, leaving just three of us, as coauthors, to watch the progress of this exceedingly worthwhile and beneficial legislation during its 10-year history.

Passed with overwhelming bipartisan support, I can think of no other Government policy or program during the 14 years I have been a Member of Congress which has contributed so much to so many people in so many countries, including our own.

It effectively serves our foreign policy—and it helps to expand our export trade. It contributes to domestic economic well-being for both agriculture and commerce while it has been a major factor in helping to end famine in the free world. It relieves hunger and suffering and promotes education among men, women, and children in underdeveloped parts of the world; and at the same time it helps those nations to an accelerated takeoff in economic growth that will speed the day when, having gained full maturity, they will participate with us in a full trade partnership.

Mr. Chairman, the American farmer is a wonder of the modern world. He is few in number compared with the farm population of any other country having a major agricultural industry, yet he is so efficient that he produces more, with fewer hands, than any farmer anywhere. His skills and competence make an immeasurable contribution to the image we present to the world. His productivity, the demonstrated workability of his privately owned farm, his technological and scientific leadership in farming—these are the factors that have led to the overflowing abundance of food and fiber which we share with those less fortunate than ourselves.

We have been sending this abundance abroad in ever-increasing amounts to feed an ever-increasing number of people. But, as was envisioned at the start of this wise and thoughtful legislation, the emphasis is shifting from straight relief to self-help programs. As an example, recipient countries are increasingly cooperating with their own financial support in the farflung feeding programs for children.

Also, in many countries, the family relief feeding programs are turning into food-for-wages programs and other bootstrap community development programs whereunder the head of the family makes a partial payment for the food he receives by participating in projects such as school construction, the building of roads, reclamation, irrigation, and reforestation projects. In some 22 countries these programs, carried out cooperatively with the host country—and often with voluntary U.S. agencies—give employment to over 700,000 workers and supplement the diets of more than 4 million persons.

I am very proud of the fact, Mr. Chairman, that my congressional district has participated extensively in food for peace—a phenomenal program. The 22d Congressional District of Illinois is the largest producer of corn of any congressional district in the United States, and is the world's largest producer of soybeans outside of Manchuria. And both commodities have figured prominently in the food for peace program.

Since July 1, 1954, the United States has sent abroad 494.3 million bushels of corn under the program with a market value of $926.2 million. Also, since July 1, 1954, we have exported 4.8 billion pounds of soybean oil under the program, with a market value of $747 million. Much of these exported commodities came from my congressional district.

During calendar year 1963—a year in which our farm exports hit a record high of $1.6 billion—40.4 million bushels of corn, with a market value of $71.2 million, were exported under Public Law 480. During the same period $77.6 worth of soybean oil—601 million pounds—were sold, bartered, or given to our hungry friends abroad under food for peace.

But this program is not a one-way street, Mr. Chairman, with everything flowing from the United States and no benefits returning. In addition to the benefits received by our economy in the disposal of some of our surplus commodities, food for peace sales programs encourage participating nations to shift from foreign currency purchases to U.S. dollar credit and cash sales. As an example, during 1963 we shipped overseas $1.6 billion worth of food for peace commodities. During the same period, U.S. commercial exports of agricultural commodities amounted to $4 billion.

Another salutory effect of Public Law 480 is the betterment of our balance-of-payments position. Wherever possible we are using local currencies obtained from sales of our agricultural commodities to pay our bills abroad. These local currencies are reserved for sale to U.S. agencies for dollars and are used to pay foreign operating expenses, thus stemming the outflow of dollars and consequently preserving our precious gold supply.

Mr. Chairman, Public Law 480 has worked well during the past 10 years. In my opinion it has far exceeded all expectations. It will continue to work well in the years to come. This extension must be passed today—as I am sure it will be with the same bipartisan support that has characterized the program in the past.

Mr. HOEVEN. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. THOMSON].

Mr. THOMSON of Wisconsin. Mr. Chairman and members of the Committee, I believe it is high time that the Congress and the American taxpayers have an opportunity to look over this program.

Mr. Chairman, with all of the laudable purposes that have been described here on the floor today and with all of the humanitarian objectives of this program with which few people could disagree, I believe that the American taxpayer still is entitled to an accounting of the money that he puts into this program. Such accounting has not occurred.

Mr. Chairman, I had not intended to bring this matter up today but I feel that someone in Government should know what is going on.

As a member of the Committee on Foreign Affairs I learned that we were operating a technical assistance program in Greece to teach the Greeks, among other things, how to operate a market. They had been engaged in that enterprise for about 2,000 years, but we were investing several hundred thousand dollars to teach the Greeks how to operate a market.

I made some inquiry, and much to my surprise I discovered that we were going to assist in building a market in Athens, Greece. So I called the AID agency and made a request for the details on the Athens market project. Much to my amazement there was not any report in the city of Washington, D.C., on the expenditure of several million dollars of American money in Athens. Why? The reason given was because the market in Athens would be financed through the moneys that are soft currencies. Drachmas were being used. But we do not keep track in Washington of American dollars converted to drachmas. So we had no record in the Nation's Capital of the expenditure of more than $3 million.

After several weeks we got by diplomatic pouch a summary of what had taken place in Athens in connection with the Athens market project. Those of you who may have some interest in the use of taxpayers' money will note it is project No. 99-180.

Our AID agency in Athens directed a letter to the Greek Government in which they observe that the building of a market in Athens was a desirable project; consequently we were releasing 100 million drachmas for this purpose. Did we have an agreement between our Government and the Greek Government? No; there was no project agreement, there was nothing in writing. We had merely released 100 million drachmas for that purpose. The rumor was heard around Washington that the project was never completed. I think it is a legitimate inquiry because it was anticipated the market would be completed in 3 years. It is now 7 years, and the market is not yet open.

Some of the incredible activities which would be shocking in America are as follows: A memorandum prepared after my inquiry said overpayments were made for the service of the architect, but they did not know whether a refund had been requested or whether a refund had been made. They did not know how much money was involved. They did know it started out to be a project costing $3 million, and has already cost more than $7 million. There were no project reports submitted to our Government, there was no interest by our Government in project reports because they received none.

There was very little competitive bidding in Athens for these contracts. In one instance I discovered that the contract was let to the high bidder rather than the low bidder. In another instance I noticed that a very important Greek official who was working on the contract for the market project for the Greek Government was also acting as a contractor on some of the jobs on the same project. But our Government had no interest in that, and did not even know how many dollars worth of contracts the Greek Government official had executed with himself as a contractor.

I also noticed in addition to the more than $3 million of soft currency in Greece involved was $250,000—these were dollars—to purchase some refrigeration equipment to go into the market. In one instance I noticed refrigeration plants and equipment were to house flowers in this vegetable market. I do not know how flowers can, per se, be of much assistance to the average Greek in Athens.

There were two participants in this program in Greece who came to the United States to study market management and procedures, and they were to have been respectively the manager and assistant manager of the Athens market, but I have not been able to find out and our Government in Washington does not know whether these people have been placed in the positions of manager and assistant manager of this project when it does open.

The record also indicates that some of the machinery we financed with these foreign aid funds appear to be still in the customhouse in Piraeus and some of it is in the marketplace, whether or not it is open or operating at this time.

So this situation is one of many, I am sure. There is a lack of supervision, a lack of management, a lack of interest on the part of our American officials in seeing how American money is spent. So I take this time to join the gentleman from Illinois in urging this Committee and the Congress to take an interest in the end use of the money that is created as a result of Public Law 480.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman from Illinois.

Mr. FINDLEY. I commend the gentleman on his comments. Does he feel it would be advisable to provide for an annual scrutiny of any grants of U.S.-owned local currencies acquired under this program?

Mr. THOMSON of Wisconsin. I certainly do, and I intend to support the gentleman's amendment to this bill. Everybody wants this bill and this program to be a success, but it is never going to be a success as long as the American public cannot have confidence that they are getting some degree of service or value for the dollars they put in it. If we can even get a periodic report sent to the Committee, to the Congress, or the Committee on Foreign Affairs, that would be a step forward in the proper use of the money.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman from Texas.

Mr. POAGE. A report is made every 6 months. I do not know whether or not the gentleman has read it, but there is one that comes up here every 6 months under existing law. We did not think that many Members read it, and therefore, suggested that these reports be limited to once per year.

Mr. THOMSON of Wisconsin. The gentleman, then, has overlooked the situation in Greece in the report that was sent up here.

Mr. POAGE. The situation in Greece the gentleman is describing should come to the attention of his own Committee on Foreign Affairs, as it is not under Public Law 480.

Mr. THOMSON of Wisconsin. The Committee on Foreign Affairs does not have authority to look into this because the money comes from Public Law 480. I am sure the Committee on Foreign Affairs would welcome an opportunity to look into this.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield further?

Mr. THOMSON of Wisconsin. I yield.

Mr. FINDLEY. This bill changes the provision for a semiannual report and substitutes an annual report. It would be better to keep the semiannual report, although it can and should on a less extravagant basis.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman from Iowa.

Mr. GROSS. It was the General Accounting Office that disclosed that the wheat shipments had disappeared.

Mr. COOLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. Reuss].

Mr. REUSS. Mr. Chairman, I congratulate the members of the Committee on Agriculture on bringing out this bill to continue and fortify one of our better programs and for their conscientious efforts to modify the sections relating to the use of the local currencies reserved for the United States.

I have a couple of questions I should like to address to the distinguished chairman of the committee, the gentleman from North Carolina [Mr. Cooley]. With reference to section 1, subsectiton 5 of the bill, there is a provision that 20 percent of the so-called local currencies in the aggregate—and I quote the words "in the aggregate"—be maintained for U.S. use under future agreements.

Now the studies of the so-called Moss subcommittee of the House Committee on Government Operations into this question of local currency in recent months have disclosed that in the past, with respect to some countries, our negotiators have apparently asked for too little to be put in the U.S. kitty; and with respect to others have asked for too much, with the result that in some countries we almost have an embarrassment of riches.

My question to the gentleman from North Carolina is this: Is it the intention of the bill, H.R. 12298, that our negotiators should try in each case to reserve for U.S. use as close as possible to the right amount, having in mind that 20 percent should be the average, but where the countries concerned have rather consistently been generating a very large amount of local currency, such as India, they should ask for somewhat less than the average; and in other countries, which have not given enough, they should ask for more? Is my understanding correct?

Mr. COOLEY. I think the gentleman's understanding is correct. We use the word "aggregate" on line 3, page 4. If you notice there, we use the words "not less than 20 per centum in the aggregate of the foreign currencies which accrue under such agreements." So there would be some leeway in the countries which the gentleman has in mind.

Mr. REUSS. I thank the gentleman.

My second and last question relates to section 1, subsection 4, which is the section setting up the new advisory committee on the use of local currencies. When the foreign aid bill this year came before the House, there was adopted to it the so-called Reid amendment bearing the name of the gentleman from New York [Mr. Reid] which encouraged and fostered the use of local currencies. I take it that the purpose of section 1, subsection 4, is that of the Reid amendment—to foster and encourage the use of local currencies in a manner which will secure to the United States the maximum benefit from those currencies.

Am I correct that that which we did under the foreign aid bill is now sought to be done under this bill? Would that be a proper understanding of the purpose here?

Mr. COOLEY. The gentleman is correct.

Mr. REUSS. I thank the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. Derwinski].

Mr. DERWINSKI. Mr. Chairman, my purpose in taking a moment of time is to discuss an amendment that I will offer shortly. It has to do with the spending and proper use of funds that are accumulated in Communist countries. In Poland and Yugoslavia we have almost $1 billion accumulated and, in effect, the Communist governments of those countries have a veto power over these funds. In Poland, for example, over 90 percent of the funds credited to us for disposal of surplus commodities still remain on credit. There has not been effective use of these funds permitted by the Communist governments.

I will propose the following amendment: "for farm improvement loans on reasonable terms and conditions to individuals who own and operate farms in countries having a Communist government where surplus agricultural commodities are sold." These funds would be provided only in such amounts as may be specified from time to time in the appropriation act.

In other words, this would not be backdoor spending or anything of that nature.

The purpose of the amendment could best be described as being in the area of the cold war psychological contest. What we would do, if we were to implement my proposal, would be to provide funds to expand free enterprise in the face of the collective farm system. In a practical manner, we would be fighting communism with the use of free enterprise funds.

On the other hand, I would assume that the Communist dictators of Poland and Yugoslavia would reject such a program. They would not permit us to implement it, in which case they would be demonstrating to the world they are far less interested in their own people than we are. This would be proof that communism is not interested in the welfare of people but is interested only in control of people.

Either way it develops, the U.S. taxpayer would gain. Either Red governments would be forced to reject something to help their own people or, from a more practical standpoint, we would be putting our funds to good use. In either case, the amendment merits study and support.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Illinois.

Mr. FINDLEY. Would the U.S. Government deal with the individual Polish farmer in such a transaction?

Mr. DERWINSKI. That is correct.

Mr. FINDLEY. It would bypass the Communist Government?

Mr. DERWINSKI. Yes. This would be necessary, because the Communist Government would not permit the practical use of the accumulated funds.

One of the reasons why they do not do so is that so long as they maintain a freeze on the funds they are not releasing any of their currency. In effect, they never wish to repay us for the commodities.

As an example, a year and a half ago in Yugoslavia, there was an earthquake in the city of Skopje, and we immediately offered, I believe, $60 million for emergency services toward earthquake damage rehabilitation, which we intended to make available from accumulated counterpart funds. The Yugoslav Government refused us permission to provide accumulated funds for this purpose. This was a humanitarian action which we were not permitted to perform for the benefit of people, with the Communist Government of Yugoslavia thus being a villain.

We would have to bypass Red governments. We want to bypass Red governments, if we are to promote free enterprise in Communist countries.

Mr. Chairman, I yield back the remainder of my time.

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. Oliver P. Bolton].

Mr. OLIVER P. BOLTON. Mr. Chairman, when we reach the amendment phase later on this afternoon, I shall introduce an amendment calling for a cutoff of all future aid to the United Arab Republic.

Public Law 480 is called the food-for-peace program, and since 1954—with strong bipartisan support—it has, for the most part, lived up to its name. However, with regard to our Public Law 480 assistance to Nasser, it unfortunately can be said that our food for peace has provided him with the means for war.

Since 1954 we have bailed out the economy of the United Arab Republic to the tune of $1.1 billion in American taxpayers' dollars. Since 1962, Egypt has received more than $700 million in Public Law 480 shipments—an amount exceeding combined Public Law 480 shipments to all the nations of Africa, Latin America, and the Far East.

Mr. ARENDS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-eight Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 250]

Alger
Anderson
Andrews, Ala.
Auchincloss
Avery
Baring
Barrett
Bass
Bell
Betts
Bonner
Buckley
Burkhalter
Colmer
Corman
Diggs
Dingell
Evins
Finnegan
Flynt
Forrester
Fulton, Tenn.
Gill
Green, Oreg.
Hanna
Hansen
Harvey, Mich.
Hays
Healey
Hébert
Hoffman
Kee
Kilburn
King, Calif.
Kluczynski
Landrum

Lesinski
McIntire
Martin, Calif.
Martin, Mass.
Matsunaga
Meader
Miller, N.Y.
Montoya
Moorhead
Morris
Morton
Mosher
Nedzi
Powell
Rains
Roberts, Ala.
Ryan, Mich.
Scott
Sheppard
Shipley
Sisk
Smith, Va.
Springer
Stephens
Thompson, N.J.
Toll
Wallhauser
Williams
Wilson,
Charles H.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. HARRIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill, H.R. 12298, and finding itself without a quorum, he had directed the roll to be called when 366 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Ohio [Mr. OLIVER P. BOLTON] has 4 minutes remaining.

Mr. OLIVER P. BOLTON. Mr. Chairman, when the quorum call began, I had just pointed out that Egypt had received more than $700 million in Public Law 480 shipments.

In the process, this program has enabled Nasser to commit approximately two-thirds of his export cotton crop to Communist bloc nations. This in turn, has been used to pay for the billion dollars worth of Soviet arms and weapons called for under the 1955 arms-for-cotton barter deal.

With these arms, Nasser has arrogantly risen above his former policies of external subversion and propaganda to outright aggression in Yemen. Our policy and that of the U.N. in attempting to placate Nasser with recognition of his puppet regime in Yemen in return for his promise of future withdrawal of troops, has proved to be an abominable failure.

According to several reliable reports in both European and our own press, Nasser's 40,000 troops in Yemen are this very week engaged in what may prove to be a crucial battle of that war. What with the Arab summit meeting scheduled to take place this coming Saturday, Nasser is reported to be in the position of having to go into the meeting with good military reports from Yemen. Such a situation would put Saudi Arabia—which has opposed Nasser's Yemen war, in the position of having to yield further to Nasser's pressures. Moreover, any strengthening of Nasser's position prior to this Saturday will undoubtedly have a telling effect on Jordan's decision whether or not to go to the Soviet Union for the latest model supersonic jet fighters and bombers.

Together with this, our extensive aid to Nasser has proved to be directly or indirectly the means whereby he has had sufficient foreign reserves to undertake a crash program aimed at acquiring both a ground-to-ground missile capability and a limited nuclear capability. His frantic efforts along these lines are a direct threat to the future of Israel as well as to the future independence of several Arab nations which have been traditionally friendly to the West.

In the past few days, under pressure from Nasser, the United States and Great Britain have agreed to evacuate two huge airbases in Libya.

As if this weren't enough, we now learn, through this morning's Washington Post, that Nasser has agreed to supply Archbishop Makarios of Cyprus with late model aircraft and weapons. This will only add fuel to the already explosive Cypriot crisis.

Mr. Chairman, I fully realize that there will be those in the State Department who will plead for defeat of this amendment on the basis that it restricts the President's ability to conduct foreign policy. However, much to my regret, even if the House adopts this amendment, there probably will be no effect whatsoever on shipments of wheat and other commodities to the United Arab Republic through all of calendar year 1965. In other words, if it is flexibility that is desired, they have plenty of it, because I am sure I speak for the entire House when I say that the appropriate committees would be only too glad to bring Egypt back into the Public Law 480 program if and when Nasser begins to keep his word not only to the United States but also to the United Nations.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. OLIVER P. BOLTON. Mr. Chairman, will the gentleman yield me 2 additional minutes?

Mr. HOEVEN. Mr. Chairman, I yield to the gentleman from Ohio 2 additional minutes.

Mr. OLIVER P. BOLTON. I thank the gentleman.

I would like to further remind the House that last year both the House and Senate acted favorably upon an anti-aggressor amendment to the foreign aid bill unmistakably aimed at cutting off aid to Nasser, if he continued his aggressive ways.

I remind my friends on this side of the aisle that during that debate Senator HUBERT HUMPHREY specifically said, "We intend this to apply to Public Law 480. We intend it to apply to Egypt. Why not name the countries?"

The United Arab Republic has continued its aggressive ways. There has been fighting constantly in the Yemen and other areas of that whole region of the world, and there has been no determination from the State Department or the administration that the strictures of this amendment should be invoked. Quite to the contrary, AID people advise me that within a few months our negotiators will sit down in Cairo and work out another Public Law 480 agreement through July of 1968 calling for even more assistance to Egypt.

As far as the question of naming countries by name in this bill, Public Law 480 already excludes any possible assistance to the Soviet Union—by name. And the State Department itself, in a written request, asked that the Senate adopt an amendment this year reading out of the act Red China. Clearly, there are ample precedents for stipulating unfriendly nations by name.

Finally, under the present warlike conditions, passage of this amendment is in complete accord with the Near East planks of both the Democratic and Republican platforms of 1964. With passage of this amendment we will serve notice to Nasser at this Saturday's Arab summit meeting, that we in the Congress are tired of shoveling our taxpayers' dollars into his hands for the purchase of tools of foreign aggression.

Mr. GILBERT. I heartily support H.R. 12298, the bill now under consideration, to extend the program provided in Public Law 480, the Agricultural Trade Development and Assistance Act.

Under the provisions of Public Law 480, the United States has been shipping surplus food and other farm commodities to various countries with acute shortages. The program has proved to be efficacious and of great help to all concerned; nations in dire need have been assisted; our American shipping companies, their employees; ship repair yards, their workers; suppliers, and all those engaged in the movement of farm surplus commodities abroad have benefited. Extension of the program will continue creating cargoes vitally needed for our ships and the economic stability of our U.S.-flag merchant marine.

I wish to state my strong opposition to the amendment of section 102 of the existing act, contained in S. 2687 recently passed by the other body. This would create dire hardships and would undermine the economy of our merchant marine to such an extent that it would, in effect, bar our ships from participation in much of the program. The amendment would compel our ships to accept somewhere between half and the entire freight rate in soft inconvertible foreign currencies. Our shipping companies cannot pay wages or taxes or purchase necessary supplies with these currencies. Our State Department has recorded its opposition to this provision as one which would "hamper sales." Under all the circumstances, the amendment is unfair and prejudicial. Assuredly, American ships should be given consideration and reasonable help also in carrying out a U.S. governmental assistance program.

I would point out that labor and management in the maritime industry are unanimously joined in support of H.R. 12298 and in opposition to the harmful amendment contained in S. 2687.

I urge passage of H.R. 12298 and I trust that no action will be taken to include the objectionable provision discussed, section (3) of S. 2687.

Mr. ALBERT. Mr. Chairman, H.R. 12298, to extend the Public Law 480 program, is a good bill. It is the result of many weeks of painstaking effort by the House Committee on Agriculture to renew and extend, on an improved basis, a successful program which is 10 years old this year.

The bill represents a bipartisan effort to deal fairly and objectively with a program which, from the beginning, has been of interest to all the people of the United States and many millions abroad. Seldom do legislative proposals come to the House as this bill has, with such an overwhelming support of the legislative committee concerned.

The food-for-peace program was conceived 10 years ago, with the basic purpose of providing constructive outlets for our efficient agriculture. It has achieved its purpose in a far larger measure than expected. At the same time it has strengthened our domestic economy, agriculturally and otherwise, and has become a principal means of advancing the interests of the United States abroad. These purposes have been attained largely with U.S. food. Our food has become a symbol of generosity and humanitarianism for which the people of the United States will reap benefits for generations to come.

American farmers have gained from Public Law 480. During this past year 45 bushels of wheat out of every 100 produced in 1963 found a use abroad through this program. Rice shipments under Public Law 480 are equivalent to 30 bags out of every 100 harvested by growers last year. Public Law 480 cotton exports over the years have added $1.5 billion to the incomes of farmers.

Under the program we have shipped large volumes of nonfat dry milk, vegetable oil, feed grains, and tobacco. Furthermore, urgent commodity problems have been solved for such commodities as beef, dried beans, fruit and poultry by having the authority to move food quickly and effectively into areas of need—and in a manner serving to establish a lasting interest in purchases from the United States.

The benefits to American agriculture are by no means confined to the number of commodities in surplus supply. One of the principal uses of the foreign currencies acquired by sales under the program has been establishment of a hard-hitting, widespread market development program—a program to encourage cash sales of all U.S. agricultural commodities. This effort, which is carried out primarily by private trade organizations, represents most major commodity groups. It is focused primarily in those countries of the world where sales for dollars are possible. This market development effort made a major contribution to the largest export year for agricultural commodities in U.S. history—a year in which products valued at over $6 billion were shipped. This represents a $2 billion balance in the United States favor.

Many nonagricultural groups in the United States have benefited from the Public Law 480 program. The preparation and movement of commodities under the food-for-peace program have provided business for many American enterprises and thousands of jobs for American labor. The activity provided by necessary storage, handling, processing, and transportation services has been an important factor in our national economy.

Over the past 10 years, and certainly in years to come, the food-for-peace program has been and will continue to be a major factor of our foreign policy. Not only has it performed the ultimate service of preventing starvation and the political upheaval which famine produces, but it has also strongly supported developing nations in creating viable economies. More stable allies are more dependable allies. And as we help nations to become economically stable, we increase their ability to purchase their food needs through commercial channels.

The means of accomplishing these many benefits at home and throughout the world, through food which our farmers have produced, has created a reputation for America and Americans which in the long run is priceless.

H.R. 12298 continues, in its broad aspect, the program as it has been carried out successfully over the last 10 years. The Committee on Agriculture was careful to examine closely any suggestions for improving the manner this program is to be conducted in the future.

One such suggestion arises out of the fact that in a few countries of the world large volumes of foreign currencies have been accumulated as a result of the programs under the program. These currencies, like the commodities from which they were generated, are useless unless put to work. The Congress had not previously made specific provision for their use and, while not now prohibited by law, the administration has not yet put this resource to work. Out of consideration of this problem, the committee has provided a mechanism whereby a carefully selected bipartisan committee, representing both the Congress and the administration, can be given the opportunity and the initiative to find useful purposes for these accumulated resources. The expenditure of these currencies should not be confused with the basic responsibility of this Congress to appropriate funds through its regular processes for the conduct of all U.S. programs. The accumulation of these currencies is a byproduct of the distribution of agricultural commodities for which funds have already been appropriated following the normal process of the Congress.

The Committee on Agriculture has also given close attention to the necessity of carrying out this large-scale program of maximizing benefits to the United States.

The Committee on Agriculture has felt that even more attention should be paid to returning benefits to the United States from the so-called Cooley amendment loans. The committee, therefore, has proposed stronger measures in negotiating agreements with foreign countries to provide commodities at favorable exchange rates, to maximize uses of currency for U.S. purposes, to improve our balance-of-payments position, to encourage through additional Cooley amendment loans the efforts of American businessmen in international trade, and to inspire more self-help in relief projects sponsored and conducted by American voluntary agencies abroad.

This is truly an important program, one which does immense credit to the United States in the way it orders its own affairs and participates in the world at large. Among its greatest strengths is the fact that it was formulated and, through the wisdom of succeeding Congresses, has been kept flexible enough to serve needs as they arise. Since the resources which are here being used arise out of agriculture in America, subject as agriculture always is to rapid changes resulting from natural conditions, maximum benefits from the program can be achieved only as the means for using these surpluses are kept free of cumbersome procedures. Similarly, the uses of these commodities abroad also result in many cases from unexpected failures in agricultural production, which are similarly unpredictable, and therefore our commodities must be made available quickly to be of maximum benefit to the peoples who need them.

Mr. SHRIVER. Mr. Chairman, I support the extension of Public Law 480, the Food for Peace Act. It is especially gratifying to note that this was a program inaugurated during the Eisenhower administration. It is a humanitarian program which has worked successfully. It has been good for the farmers of our Nation. It has been good for the recipient countries. It should be continued.

We recognize the importance to our economy in general, and agriculture in particular, of the value of the foreign trade. Public Law 480 has a tremendous economic impact on some agricultural commodities.

The United States has exported about 3½ billion bushels of wheat under the Food for Peace Act. This is equal to three average U.S. crops. Shipments under the program in the fiscal year 1964 were equivalent to 43 bushels out of every 100 bushels of wheat U.S. farmers harvested in 1963.

I particularly want to call to the attention of the Congress the tremendous humanitarian functions implemented by this act. U.S. voluntary relief agencies, many of them church-related, have conducted an effective people-to-people program with commodities made available under this act.

For example, from the passage of Public Law 480 in 1954 to July 1963, the CARE organization had been the medium for distributing over 3 billion pounds of U.S. Government-owned commodities to 55 countries in very serious need of nutritional support. The Christian rural overseas program (CROP) and other church-related agencies have contributed significantly to relief of hunger and malnutrition throughout the world.

As we consider the extension of this program, it would appear to be in the best interests of the American taxpayers to guard against the use of surplus currencies to further the aggressive policies of certain dictators, and other unfriendly nations which have benefited from American generosity.

Mr. COOLEY. Mr. Chairman, I have no further requests for time.

Mr. HOEVEN. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Trade Development and Assistance Act of 1954, as amended, is further amended as follows:

(1) Effective January 1, 1965, section 103 (b) of such Act is amended by striking out "1962" and substituting in lieu thereof

"1965", by striking out "1964" and substituting in lieu thereof "1967", by striking out "$4,500,000,000" and substituting in lieu thereof "$4,000,000,000", and by inserting prior to the colon the following: "plus any amount by which agreements entered into in prior years have called or will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than authorized for such prior years by this Act as in effect during such years".

(2) Section 104 of such Act is amended by striking out in subsection (c) the word "military" and inserting after the words "common defense" the words "including internal security".

(3) Section 104 of such Act is amended by striking from subsection (e) the words "not more than 25 per centum of the currencies received pursuant to each such agreement shall be available" and substituting "currencies shall also be available to the maximum usable extent".

(4) Section 104 of such Act is amended by adding the following new subsections:

"(u) To use foreign currencies which are in excess of the normal requirements of the United States as determined by the Secretary of the Treasury, to promote the development of the resources of less developed friendly foreign countries, their technical knowledge and skills in fields such as food production and distribution, education, health and medicine, and engineering, in a manner which will secure to the United States the maximum benefit from currencies accruing under this title: *Provided, however,* That no such use shall be made of such currencies which would have the effect of reducing the dollar reimbursement to the Commodity Credit Corporation for foreign currencies. There is hereby established an advisory committee composed of the Secretary of Agriculture, the Director of the Bureau of the Budget, the Administrator of the Agency for International Development, the chairman and the ranking minority member of the House Committee on Agriculture, and the chairman and the ranking minority member of the Senate Committee on Agriculture and Forestry. The functions of such Committee shall be to review from time to time the status of foreign currencies which accrue under this title and to make recommendations to the President with regard to (1) the use of excess currencies under the authority conferred upon him by this subsection and (2) grants under subsection (e) hereof.

"(v) For the use of the House Committee on Agriculture and the Senate Committee on Agriculture and Forestry to make investigations and studies deemed necessary by the chairman of the respective committees to carry out their statutory responsibility for legislative oversight of operations under the provisions of this Act."

(5) The first proviso at the end of section 104 of such Act is amended by striking out "to not less than 10 per centum of the foreign currencies which accrue under this title:" and substituting ", effective with respect to agreements entered into beginning January 1, 1965, to not less than 20 per centum in the aggregate of the foreign currencies which accrue under such agreements:".

(6) Section 108 of such Act is amended by striking out the words "six months" and inserting in lieu thereof the word "year".

(7) Sections 109 and 204 of such Act are amended by striking out "1964" and substituting in lieu thereof "1967".

(8) Section 203 of such Act is amended by striking out "1961" and substituting "1965"; by striking out "1964" and substituting "1967"; by striking out "$300,000,000", and substituting "$450,000,000"; and by inserting after "charges for general average contributions arising out of the ocean transport of commodities transferred pursuant hereto" the following: "or donated under said section 416, section 308 of this Act or section 9 of the Act of September 6, 1958."

(10) Section 203 of the Act is amended by inserting after the third sentence of said section the following new sentence: "In addition to other funds available for such purposes under any other Act, funds made available under this title may be used to purchase foreign currencies accruing under title I in order to meet costs (except the personnel and administrative costs of cooperating sponsors, distributing agencies, and recipient agencies) designed to assure that commodities made available under this title or under title III are used to carry out more effectively the purposes for which such commodities are made available or to promote community and other self-help activities designed to alleviate the causes of the need for such assistance: Provided, however, That such funds shall be used only to supplement and not substitute for, funds normally available for such purposes from other non-United States Government sources." and by inserting after the word "costs" in the last sentence the words "or for the purchase of foreign currencies".

(11) Section 101 of such Act is amended by striking out in subsection (f) the words "from the government or agencies thereof" and further by striking the period at the end of subsection (f) and adding the following: ", and which are not less favorable than the highest of exchange rates obtainable by any other nation.".

Sec. 2. Subsection (b) of section 612 of the Foreign Assistance Act of 1961, as amended, is amended (1) by redesignating it as subsection (t) of section 104 of the Agricultural Trade Development and Assistance Act of 1954, as amended.

(2) By striking "this Act" and substituting "the Foreign Assistance Act of 1961, as amended.".

(3) By changing the period at the end of the subsection to a comma and adding "except that in the case of any such foreign currencies acquired through operations under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, the United States dollars received from the sale of such foreign currencies shall be deposited to the account of the Commodity Credit Corporation and shall be treated as a reimbursement to Commodity Credit Corporation under section 105 of this Act."

Sec. 3. Section 416 of the Agricultural Act of 1949, as amended, is amended by adding the following at the end of such section: "The assistance to needy persons provided in (4) above shall, insofar as practicable, be directed toward community and other self-help activities designed to alleviate the causes of the need for such assistance.".

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that the bill be considered as having been read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 2, beginning on line 4, strike out "striking out in subsection (c) the word 'military' and inserting" and insert "inserting in subsection (c)".

Page 2, line 14, strike out "subsections" and insert "subsection".

Page 2, beginning on line 19, strike out "countries, their technical knowledge and skills in fields such as food production and distribution, education, health and medicine, and engineering," and insert "countries".

Page 3, beginning on line 15, strike out all of proposed new subsection (v).

Page 4, line 18, strike out "(10)" and insert "(9)".

The foregoing committee amendments were agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 4, line 25, strike out "agencies)" and insert "agencies, and the costs of construction or maintenance of any church owned or operated edifice to be used for sectarian purposes)".

AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to committee amendment to H.R. 12298 offered by Mr. Quie: Page 5, line 1, after the word "edifice" insert the words "or any other edifices".

Mr. MATTHEWS. Mr. Chairman, will the gentleman yield?

Mr. QUIE. Mr. Chairman, I will yield to the gentleman from Florida.

Mr. MATTHEWS. Mr. Chairman, on this side we have discussed this matter with the gentleman from Minnesota. We appreciate his bringing it to our attention, and we have no objection.

Mr. QUIE. I thank the gentleman from Florida, who is the author of the committee amendment.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the chairman of the committee.

Mr. COOLEY. As far as I am concerned, the amendment is acceptable, and we will accept it as a clarifying amendment.

Mr. QUIE. Thank you. That is what it is. We are clarifying what we have done in the committee.

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 5, line 11, strike out "(11)" and insert "(10)".

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment to H.R. 12298 offered by Mr. Findley: Page 2, line 13, strike lines 13 through 25 and page 3, line 1, strike lines 1 through 14 and insert in lieu thereof the following:

"(4) Section 104 of such Act is amended (i) by striking out in the first proviso following subsection (s), "subsections (d) and (e) and for payment of United States obligations involving grants under subsection (f)" and inserting in lieu thereof "this section, and to all foreign currencies derived from payments of interest or repayments of principal on loans made under this section,"; and (ii) by striking out the second proviso following subsection (s)."

Mr. FINDLEY. Mr. Chairman, subsequent to the action of the House Committee on Agriculture reporting the Public Law 480 extension bill which is now before us, the other body has taken action on a similar bill and, in my opinion, has made several worthwhile improvements. One of these improvements is embodied in the amendment which I now offer for your consideration.

The language in this amendment is precisely the language inserted by the other body; and thinking that many members may not have had the opportunity to examine Calendar No. 1402, which is the Senate committee report, I call attention to the report on page 28, the section headed "Congressional Control Over Grants and Loan Payments." It sets forth in very clear English exactly what this amendment would accomplish. I would like to have your indulgence to read this section.

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman yield?

Mr. FINDLEY. I would be glad to yield to the distinguished gentleman from New York.

Mr. ROONEY of New York. Mr. Chairman, the pending amendment of the gentleman from Illinois, which is exactly the same language as contained in the Senate bill, would do away with back-door spending in this program and bring such spending within the control of the Congress, would it not?

Mr. FINDLEY. It would do away with much of the back-door spending of this program so far as it dealt with the disposition of U.S.-owned foreign currencies. I thank the gentleman for his comment.

This section of the Senate report states:

> The purpose of this amendment is to provide the same degree of control over grants of U.S.-owned foreign currencies as is provided in the regular foreign assistance legislation over dollar grants; also to coordinate all foreign assistance grants and to assure that grants of foreign currencies are used in place of dollar grants rather than being supplementary thereto. Further the making of such grants subject to congressional appropriation control—

Which is what this amendment would do—

> will not only require that such grants be justified before a congressional committee but will also have the effect of reimbursing the Department of Agriculture in part for the cost of commodities, the sale of which generated the currencies in question.

It is important also that you give attention to the next paragraph:

> The requirement that foreign currencies derived from interest payments or repayments of principal on Public Law 480 loans be subject to congressional appropriation control, likewise, places the same requirement on such foreign currencies as are placed on dollar appropriations in the regular foreign assistance legislation. Once the interest or loan repayment is made the currencies no longer are restricted by the provisions of the original sale agreements and accordingly should be treated as any other U.S.-owned currency.

In brief, my amendment would require congressional appropriation before grants of any U.S.-owned foreign currency can be made under title I agreements. It is precisely the same language adopted by the other body, and in my opinion would do a lot toward bringing this vast but little-understood foreign aid program under congressional control.

Mr. ROONEY of New York. Mr. Chairman, would the distinguished gentleman from Illinois further yield?

Mr. FINDLEY. I am glad to yield further to the gentleman from New York.

Mr. ROONEY of New York. As I understand this, the gentleman's pending amendment seeks to correct the situation pointed out at page 28 of the Senate report, that:

> From the inception of the act through December 31, 1963, approximately the equivalent of $2.5 billion or 25.7 percent—1 out of ever 4 dollars' worth—of the total foreign currency proceeds from title I sales have been granted away, all without congressional appropriation sanction.

Mr. FINDLEY. The gentleman is correct.

I might add that an agreement was just announced with the Congo Government involving about $5 million under which 85 percent of the currency proceeds—85 percent would be granted back to the Congo Government. So it is 85 percent a foreign aid appropriation, but without congressional appropriations sanction. Perhaps a grant was needed, but why not use the same appropriations route that is used for regular foreign aid?

This represents the latest example in the long series of agreements of this sort. They are actually donations in great part but they are disguised as sales.

Mr. ALBERT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in my judgment this amendment to subject all grants under title I of Public Law 480 to the appropriations process, would not be in the best interests of the United States.

This program, the Public Law 480 program as we call it, was enacted about 10 years ago. Since that time the President of the United States has had discretionary authority to use accumulated foreign currencies in what he considered to be the best interests of the United States, ofttimes for mutual defense purposes, and for economic development purposes, and without recourse to congressional appropriations.

Mr. Chairman, I believe it should be pointed out that these currencies generally have been used for three main purposes: grants of local currencies for economic development purposes, grants or loans of local currencies received from prior loans of Public Law 480 local currency, and grants of local currencies for mutual defense purposes, an authority that has been used extensively to support the defense budgets of Vietnam, Taiwan, Korea, and many other countries. With respect to the mutual defense purpose, it should be noted that any provision requiring appropriation of grants of local currency would seriously inhibit the President's capacity to aid our allies on the active fronts of the cold war.

Would we, for example, willingly impose any requirement which in effect tied the hands of the President in his effort to promote U.S. interests in Vietnam? For in South Vietnam, 90 percent of local currency generated under title I, Public Law 480 sales, is granted to support the South Vietnam war effort. These funds provide nearly 20 percent of U.S. support of the South Vietnam military budget. Any requirement demanding appropriation of these funds would inject the dangerous elements of uncertainty and delay in a struggle where the United States can ill-afford diminished efforts.

In Korea, U.S. grants of local currency provided a preponderant portion of the total Korean military budget. These funds would be of little use if they were subject to the delays and uncertainties awaiting any appropriations measure.

The proposal to subject grants of local currency to the appropriations process would not only impair the flexibility required by the President in carrying out his foreign policy; it would further inhibit the effective use of local currencies to hasten economic development in countries like India, where the United States has accumulated vast sums of local Indian currency. At present, U.S.-owned rupees available for U.S. uses in India total nearly $400 million. If grants of these funds should become subject to congressional control through the appropriations process, and grant use restricted, we can reasonably expect these funds to grow to ever-increasing levels of unproductive and idle accumulations.

Mr. Chairman, I do not believe anyone in America, even those who support this amendment, feels that there is anything wrong with using these foreign currencies for these purposes.

Now, insofar as the congressional control of these currencies is concerned, I feel we should review briefly just how these currencies are accumulated.

First of all, the Commodity Credit Corporation through its support programs purchases American agricultural surplus commodities. Second, it sells those commodities to countries which cannot buy them is hard currencies. Third, these currencies accumulate.

Mr. Chairman, there is not a dollar that moves under the Public Law 480 program that has not already been appropriated by Congress. The Congress has control over the appropriations to the Commodity Credit Corporation. The Congress has control over all the support programs. Incidentally, if it had not been for this program there would have been an accumulation of wheat, cotton, rice, and dairy products in this country that would have made their management impossible.

One point concerning this proposal should be made perfectly clear: It would result in reduced Public Law 480 sales, and contribute to increased U.S. farm surpluses. As we all know, this program is vital to the health of our Nation's agriculture. To cite just one example of the enormous impact of this program on our domestic economy, in fiscal year 1964, wheat shipments abroad under

Public Law 480 accounted for 43 out of 100 bushels of wheat harvested by U.S. farmers the preceding year. I for one would not wish to support any proposal which would harm so seriously our Nation's agricultural efforts.

Mr. Chairman, once these commodities go into the control of the Commodity Credit Corporation and are sold, it seems to me that the appropriations process should end.

These commodities remain commodities until they are sold, and they are not sold for American dollars; they are sold for foreign currency which I think should not be subject to the appropriations process. This amendment would hamstring a program that has worked well for 10 years. It has given President Eisenhower, President Kennedy, and President Johnson the authority and the flexibility which they use in the interest of the United States.

May I say to those who are from farm States that it would be a serious mistake to say we are going to charge these funds and these appropriations, whatever you want to call these accumulated foreign currencies, up to the foreign aid program. If we ever do that then we are making this a foreign aid program primarily, and not an agricultural program.

What are we going to do with our support programs? Are we going to get rid of them? Are we going to get out of the business of supporting farm commodities? This program has worked well in the national interest; it has worked well in the interest of American agriculture. I hope my friends on the Committee on Appropriations will not try to create what amounts to a double appropriation.

This amendment should be voted down.

Mr. BOW. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Illinois. I particularly would like to address my remarks to the distinguished majority leader. May I say that which he has recited in history is correct, but he did not recite all of the history of the use of foreign currencies. What we are doing here is making an exception on the use of foreign currency. In most of the other programs where foreign currencies are used they are under the control of the Congress, this House, as to how they shall be used. It is true that we have control of the Commodity Credit Corporation and the appropriations there. That is as it should be. I for one would never disturb that. I am for Public Law 480. I introduced one of the original bills to feed hungry people. I do not think we should let food spoil in warehouses so long as there are hungry people in the world. However, there is a responsibility for this House to exercise this control over appropriations. I think it is true that you cannot separate foreign currencies from American cash because they are purchasing with our dollars, they are a part of the funds that we have to operate on. Whether we are operating on dollars or currencies, it is still an asset to the United States, and it is our responsibility as Members of Congress to have some control. Let us not get this into a question of whether the Appropriations Committee shall do it. I say it is a matter of whether or not the Congress of the United States, the House of Representatives, under the Constitution has that responsibility.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Oklahoma.

Mr. ALBERT. It is difficult to cover this subject in 5 minutes, and I hope the gentleman will be granted additional time. He is making a fine statement. The gentleman is correct, in cases when these funds are used for governmental functions. In that instance they should be appropriated and, in fact, they are. If the CCC has an account in foreign currencies in a foreign country, and our State Department buys such currencies for the performance of Governmental functions then of course the Commodity Credit Corporation will be reimbursed by the State Department with appropriated funds. We do not deny that this is a matter properly within the scope of the appropriation process.

Mr. BOW. To follow through on what the gentleman has said, up to that point I think we are in agreement. We lose control of the funds once the Commodity Credit Corporation turns them over without control on how they can be spent.

Here is the thing that concerns me. We used to hear the same thing, that these are just foreign currencies and they do not amount to much. They go all over the world. We have had them in England, France, Holland; we have had them every place. We have spent them as if they were paper money out of some kind of printing press. We have said, "We have so many of them, let us get rid of them." We have bought parks without much regard for how they were being used. The first thing we knew, the money was gone and we did not have any more to spend. Now we are taking hard dollars and having to pay expenses in many countries with hard dollars, whereas if we had not wasted these funds we would still be paying our expenses in these foreign countries with foreign currencies. I think the Congress has a responsibility to see that these foreign currencies are preserved and used for the best interests of our country. I do not see why there is any objection to permitting that to be done.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. ALBERT. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio [Mr. Bow] be allowed to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. The gentleman knows that this legislation, as proposed here, does carry a provision for the establishment of an advisory congressional-executive committee to review the status of foreign currencies.

Mr. BOW. That is right, and that is one of the things I object to in this bill, that it sets up a new system, delegating the power of the House of Representatives to the executive and ranking members of committees. It seems to me what we have done here is take away some of the responsibility of the House of Representatives.

Mr. ALBERT. The power of the Congress is absolute. It is absolute in control over the Commodity Credit Corporation. It is absolute in its control over price support programs.

Mr. BOW. My objection is that in this instance we are setting up a new commission to point out how we are going to superintend the use of these funds. I think this is wrong. I think the House of Representatives is the one that should have this responsibility. That is another objection.

Mr. ALBERT. Would the gentleman object to this bill if this commission were not created? Does the gentleman object to doing this the way it has been done during the past 10 years?

Mr. BOW. Yes. I feel we do not control that now with the appropriations process of the Congress, and I object to it. But I will say that if it should not be corrected, I am going to support the bill. I believe in the 480 program and in doing it this way. I believe in the House of Representatives. I believe in the legislative process. I believe we should control. That is why I think we should emphasize this.

I opposed this bill when it was under consideration under suspension of the rules simply to let the House work its will. If the House works its will I will bow to it. I hope the amendment offered by the gentleman from Illinois will be adopted.

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman from Ohio yield?

Mr. BOW. I yield.

Mr. ROONEY of New York. I am going to support the pending amendment offered by the gentleman from Illinois because I think that is the right thing to do. I think that the proper committees of the House and the Senate should have rigid control over the expenditure of Public Law 480 foreign currencies just as they do over our dollars in every instance. If the pending amendment does not prevail, I feel that the distinguished majority leader and I will find ourselves on the same ground, because I shall then offer an amendment which would keep the entire situation in status quo.

Mr. BOW. I appreciate the gentleman's suggestion. I am glad to hear him say he will support the gentleman's amendment and make clear that that is a proper amendment. I think that will clarify the whole question. The amendment has been adopted by the other body. They are in favor of it. I think it would be helpful if we adopt it here so it will not be in conference when we pass the bill.

I would suggest this is a good amendment. It leaves the control with the House of Representatives. We have delegated in the past too much of our authority from time to time to the executive. We now find the courts trying to interfere with our responsibilities, and it seems to me it is time the Congress of the United States asserted its authority, which authority it has under the Constitution to control the finances of our country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MATTHEWS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hope we all understand just what this amendment proposes to do to the bill. This amendment would strike out the provision which sets up an advisory committee composed of Members of Congress—composed of members from the Committee on Agriculture, the chairman and the ranking minority member in both Houses of the Congress. To do what? To take these currencies that are in surplus and for which now we seemingly have no use—to check on these currencies and to see if it may not be possible to make some use of these currencies that are accumulating at a rate that is not good for the country.

This is not back-door spending. As has been explained by the able gentleman from Oklahoma, every dime of money that represents foreign currency has been appropriated by the Committee on Appropriations. Every dime of it will be appropriated by the Appropriations Committee in the future as it has been in the past.

Whenever the Committee on Appropriations wants some of these foreign currencies to be used for U.S. uses for foreign embassies and for defense, they will appropriate that money as it is their authority to do. That has been done in the past and it will be done in the future.

The difference of opinion here, Mr. Chairman, is that we believe the currencies that have already been accumulated and that are not going to be used for foreign uses that have not come under the appropriation procedures should be carefully scrutinized in the future as they have been in the past, with even more congressional control, to see if we cannot make better use of those foreign currencies.

I deplore that this has gotten to be an argument seemingly between the distinguished gentleman from New York [Mr. Rooney] a great member of the Committee on Appropriations and the gentleman from Ohio [Mr. Bow]. I admire them. I want them to have the same authority in the future that they have had in the past. They have been good to me. I am going to go to them in the future to help me solve other problems. There is no question of unfriendliness here. They think this is back-door spending. But, Mr. Chairman, I submit to you, if their view prevails, they lock the front door on us and will not let us go through the front door. What I am afraid of is that they want double approval of appropriations. They tell me in law you cannot be held for double jeopardy. It would seem to me, we ought not to have these funds appropriated twice. I think that is what we would be doing.

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman yield?

Mr. MATTHEWS. I yield with humility to the distinguished gentleman from New York.

Mr. ROONEY of New York. It occurs to me that my distinguished friend from Florida should have used the words "more use" rather than "better use" when he spoke of these foreign currencies. The Agriculture Committee's plan is to have more liberal use of them and not better use of them. This program might be used to set up buildings all over Kingdom Come and which we cannot afford. I remember the time that we had French francs and Italian lire coming out of our ears. We are now using good hard American dollars to maintain and keep going many things that we bought with those foreign currencies years ago in Europe.

Mr. MATTHEWS. Mr. Chairman, the distinguished gentleman's words are, as usual, eloquent and articulate, but I would disagree with him.

I believe our purpose here is to follow the Biblical teaching,

> Lay not up for yourselves treasures upon earth, where moth and rust doth corrupt.

We have so many currencies that they are accumulating moth and they will corrupt if we do not do something about them.

I cannot envision any time when there will not be sufficient of these currencies to take care of all the needs of the Appropriations Committee. I would stake my future as a Congressman on that fact.

There are provisions to keep under this bill every lira and every rupee that the Appropriations Committee needs.

I say to my friend from Mississippi [Mr. Whitten] we have no desire to take away any authority from the Appropriations Committee.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the distinguished gentleman from Mississippi.

Mr. WHITTEN. Is the gentleman aware that we have been making loans in most of these countries to put people into the feed business, to increase the number of cattle raised, which products they send to this country? Is the gentleman aware, or was he before today, that we are making loans under Public Law 480 so that they can put in distributorships for American agricultural machinery, so as to increase the production of the very things we are selling in the first instance because of a surplus?

The CHAIRMAN. The time of the gentleman from Florida has expired.

(By unanimous consent, Mr. Matthews was given permission to proceed for an additional 5 minutes.)

Mr. MATTHEWS. Mr. Chairman, in answer to the gentleman, I will say that I always listen to his remarks. He made one of the finest talks this afternoon that I have heard in a long time about that problem. I have been informed.

We must balance that with the fact that we ship most of our wheat production in some years, much of our cotton production in some years, and much of our rice production in some years to these countries. From the standpoint of the overall good of the country we must weigh the bad, one might say, against the good.

I promise the gentleman that our committee will certainly look into that proposition.

Mr. WHITTEN. Will the gentleman do something about it? That is the point. I am going to offer an amendment before long. I hope the gentleman will support it.

Mr. MATTHEWS. I will listen, with attention.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the chairman of the Committee on Agriculture.

Mr. COOLEY. I wonder if the gentleman from Mississippi can tell us whether he is referring to Public Law 480 transactions or to some other Export-Import Bank transactions.

Mr. WHITTEN. I am referring to the Public Law 480 transactions. We made a Public Law 480 deal with International Harvester, with John Deere, and with Ralston Purina. We have made a Public Law 480 arrangement with Industrial Pecuaria, a Mexican firm, and also with a textile mill in Mexico. We have made a Public Law 480 arrangement with Purina Limitada, in Colombia. All to increase our domestic farm problems.

Mr. COOLEY. From what countries is meat coming into the United States?

Mr. WHITTEN. From practically all of them.

The gentleman was talking about live cattle, which is prohibited, but we are talking about canned meat.

Mr. COOLEY. There is no argument about canned meat.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the distinguished gentleman on the other side of the aisle.

Mr. COLLIER. I thank the gentleman from Florida.

Did I correctly understand the gentleman to say that if these foreign currencies were controlled again by the Congress, or reappropriated, it would result in fact in a sort of double jeopardy type of thing?

Mr. MATTHEWS. As I look at this proposition, as I said at the beginning, the equivalent of every dollar of these foreign currencies has been appropriated by the Appropriations Committee.

These currencies left for the uses of Public Law 480—which is to get rid of agricultural surpluses and to extend our markets—I believe ought not to come again under the appropriations procedures of the Appropriations Committee. I say that whenever there are other functions of Government, as there have been in the past, the jurisdiction of the Appropriations Committee should continue.

Actually, this proposition is nothing new. All we are trying to do in this bill is to try to make sure that these accumulated currencies are better used under better congressional control.

Mr. COLLIER. The gentleman would agree, however, that these accumulated foreign currencies are in fact U.S. assets as such?

Mr. MATTHEWS. I will agree to that.

Mr. COLLIER. Suppose the Federal Government, as a result of appropriations, purchased a Federal building and at some given time in the future wished to sell that particular asset—whether it be a building or something else—and the proceeds went into the Treasury. Would it not be necessary to reappropriate the funds derived from that sale of that asset? Is this not the same situation?

Mr. MATTHEWS. I do not believe that is the same thing. I think the funds would have to be appropriated, but I think there is a difference there.

Mr. COLLIER. If you reappropriate in sum and substance the accumulated assets of these foreign currencies, then it would be in fact doing the same thing if you were obliged to reappropriate the funds from the sale of an asset originally purchased by an appropriation, and I cannot see the difference.

Mr. MATTHEWS. It seems to me in the future as in the past any uses of these currencies for advance to the State Department and missions abroad should come under the appropriations procedure, but when these currencies are there and are going to be used for agricultural development and for the other facets of Public Law 480 and the money has already been appropriated one time, it should be continued in the future as it has in the past and not have to come under the appropriations procedure again.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I am delighted to yield to the majority leader.

Mr. ALBERT. Does it not come down to this: We make appropriations for the Commodity Credit Corporation and we authorize the Commodity Credit Corporation to sell surplus goods for foreign currencies. We authorize the use of those foreign currencies for certain purposes. Does it not come down to almost the same thing as the Marshall plan when we permitted foreign countries to sell their goods and use the proceeds of the sale with the United States having only a veto power? Does it not come down to almost the same thing we provide in other sections of this same law where we can donate surplus commodities? We have provided by law for the purchase of these commodities by the Commodity Credit Corporation and for their sale abroad and for their general use. Are we not going too far if we come back to the Appropriations Committee not with funds that are in the Treasury but which belong to the Commodity Credit Corporation and require an accounting in advance of every little project we might seek to engage in anywhere in the world?

Mr. MATTHEWS. In my opinion, the gentleman is absolutely correct.

Mr. Chairman, I hope this amendment is defeated.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BOW. Mr. Chairman, I ask unanimous consent that the gentleman from Florida [Mr. MATTHEWS] may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Chairman, will the gentleman yield to me?

Mr. MATTHEWS. I am delighted to yield to my good friend from Ohio.

Mr. BOW. The gentleman talked about double jeopardy. I just cannot let that pass. When the gentleman refers to the House of Representatives exercising its constitutional authority on appropriations and he calls that jeopardy, I do not think the people are in jeopardy when this great House acts. That would be the first jeopardy. I think the gentleman, by saying they should not have a chance to come back here again to the Congress for authority on how the funds should be used, is showing some possible fear that this Congress will not act properly or perhaps will act carelessly. Just what is wrong with the appropriations process? Why not come back and let us determine it here? It has been said some of these excess and surplus funds can be used to buy arms and they would go to Vietnam to help win the war. Is there any reason at all why if it should go to help buy arms and vehicles of war, that the great Congress, with the people we have here on the Committee on Armed Services and other committees of the House, should not take a look at it? Or are we going to let the people who are operating foreign aid programs begin to make the investments? These currencies are just as much dollars as the greenbacks that we have here. The gentleman really does not feel it is a jeopardy to have the Congress of the United States take a look at this, does he?

Mr. MATTHEWS. Mr. Chairman, I find it so disagreeable to disagree with my beloved friend. When I was first elected to the Congress he came to the city of Gainesville, my hometown, a beautiful area of ferns and palms and azaleas, and welcomed me to the Congress. I love him, but we just do not agree on this particular matter. In my opinion, what you are saying in effect is like when a man asks a beautiful lady to marry him and she says yes. It would seem rather unnecessary to ask her again and have her say yes a second time. In my opinion, what you are saying is you have to go to the Committee on Appropriations two times. I am perfectly willing to go once, but however much I love the gentleman I do not think you should make me go twice, although I am not above doing it if I have to do so.

Mr. THOMSON of Wisconsin. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, earlier in this discussion I brought to the attention of this committee a program that did not have any supervision from any level of Government, either executive or legislative. And I said then that it is high time that somebody looked after the money that the taxpayers put into this 480 program.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I cannot yield at this time.

Mr. COOLEY. I just intend to ask if the gentleman will identify the program he is talking about.

Mr. THOMSON of Wisconsin. The gentleman was here. We were talking about the Athens market project and the $3 million that had been squandered there. Mr. Chairman, I do not yield further; the gentleman heard this before.

Mr. Chairman, I am surprised that members of the committee have not heard about the wasteful conduct of many of the programs under the 480 program, and I intend to bring them to the attention of this Committee. I just want to make this one point: Eliminate the discrimination that is being practiced against the uses of this money by American citizens. It is true that we appropriate money for the CCC program for price supports. But when those commodities are converted to soft currencies, if our Government wants to use them, if our Embassy wants to use them, if our military wants to use them, they have to be appropriated for that purpose. And that accounts for only 20 percent of the moneys that go into this program. But the vast amount of 80 percent of the money that goes into this program is the money that is used for foreign country purposes, and that is not subject to a second appropriation. Why do you want to discriminate against American uses by turning over, lock, stock, and barrel, 80 percent of these billions of dollars for use by foreign countries without any check by the Congress?

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman from New York.

Mr. ROONEY of New York. Mr. Chairman, we have had a glaring example of the exact matter to which the distinguished gentleman from Wisconsin is referring in connection with the annual appropriation bill for the Departments of State, Justice, and Commerce recently in this very year. The State Department came to us and stated that they wanted $12 million in foreign currencies to save the Nubian monuments in the River Nile, at Abu-Simbel, which would be drowned by Khrushchev and Soviet money in digging the Aswan Dam. The House Committee on Appropriations turned it down. This House of Representatives unanimously approved that action. The bill then went to the other body. The appropriations committee of the other body appropriated nothing for such purpose and neither did the other body. Now what do you suppose is happening? They expect to use moneys under this very Public Law 480 program, without the appropriation process by Congress, and give it to Nasser to save these monuments which should have been saved by the private subscriptions of dilettantes in the first place, and not with American taxpayers' money.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman.

Mr. FINDLEY. Mr. Chairman, on page 12 of the committee report is perhaps the most glaring example of all. You will find there that $140,613,000 was granted under title I, foreign currencies, to the Communist Government of Yugoslavia, of all things, for economic development—$140 million.

Mr. THOMSON of Wisconsin. I agree, that is a very shocking revelation.

Mr. BECKER. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman from New York.

Mr. BECKER. Mr. Chairman, I thank the gentleman for yielding. I want to compliment my colleague, the gentleman from Wisconsin who is in the well. I think one of the most important points of information he brought out a moment ago was when he said that approximately 20 percent of these soft currencies have to be appropriated if used by the Department of State and the military, but as to the other 80 percent, they are able to give it away at will, anywhere they please. I believe this represents a most valid point for the adoption of this amendment.

Mr. THOMSON of Wisconsin. I thank the gentleman for that contribution.

Mr. Chairman, I hope that the members of this Committee will support the amendment.

Mr. DENT. Mr. Chairman, will the gentleman yield for one observation?

Mr. THOMSON of Wisconsin. I yield to the gentleman from Pennsylvania.

Mr. DENT. It might interest the members of the Committee to know that early in the session this Congress voted by a rather overwhelming majority to stop the travel of Members of Congress. It was done under the pretext at that time—and some of us did not enter into the fray because of the personalities that were involved—that a certain Member of Congress had traveled and had used the money unwisely we will say out of the so-called foreign currencies, soft currencies, or whatever you want to call it—counterpart funds—but actually the reason for the stopping of the travel of Members of Congress was that too many Members of Congress were finding out what was happening to American funds overseas.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. WHITTEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Chairman, it has always been my observation that when we do not want anyone going over the books that perhaps there is a little something to hide.

Much has been said here about the need to exercise discretion and judgment in these programs. But, let me make one or two things plain which I think have not been made clear up to this point.

Mr. Chairman, it has been my privilege to serve as chairman of the Subcommittee on Appropriations of Agriculture for a number of years. Our committee does not have control of the appropriations for the CCC and its various activities in advance.

Our Committee on Appropriations under the law picks up the tab after the money, after the commodities are gone.

May I say to my good friends that there is no one more interested in agriculture than those who might differ with me on this particular point. But the Commodity Credit Corporation is broke, b-r-o-k-e, and you are going to be asked for over $1 billion by February of next year, and there is no way around it.

Furthermore, some talk as if this foreign currency does not amount to anything. But what we are talking about here are farm commodities into which we have put $11 billion and given them away insofar as return in cash to our Treasury is concerned. What we have received, is currency of the recipient country, which stays there subject to agreement as to use.

Mr. Chairman, we refer to foreign currencies as though it is wastepaper; of course, you cannot go into a store and spend it here. Of course we know that it is a medium of exchange and whatnot. But in the country where we have used our hard-paid-for commodities to generate foreign currencies; that is, their local currency, that is real currency to them.

Now, Mr. Chairman, that is the reason why I say we need to review this program. This information was placed in the RECORD of August 17, 1964, and I am going to see that it is in the RECORD of today's debate on this legislation.

Our Committee on Appropriations through its investigating process had to conduct an investigation in order to obtain this information because it had been unable to obtain it from any other source. We have it here now.

Mr. Chairman, there has been a great deal of talk about these very, very poor people in these foreign countries that we are assisting. Let us see who some of them are. This is information that any committee handling this program annually should learn about. We have a great deal of problems with respect to beef and meat imports. Do the members of the committee know where these products come from in these foreign countries? Well, there is International Packers, Ltd., of Chicago, Ill., which is located in Argentina; Swift, Armour, La Blanca, and Provita, also located in Argentina; the King Ranch of Kingsville, Tex., which has a similar operation located in Argentina; the Chase International Investment Corp. of New York City; American Factors Associates, Ltd., of Honolulu, Hawaii; J. H. Whitney & Co. of New York City; Elders-G. M. Co., Ltd.; Intercontinental Meat Traders, Inc., Ltd., of Brisbane, Australia, which is a subsidiary of Intercontinental Meat Traders, Inc., Chicago, Ill.; the King Ranch Australia, Ltd., associate of the King Ranch in Texas; Mr. Art Linkletter and Mr. Allen T. Chase; the Ralston Purina Co.; the International Foods Corp., a wholly owned subsidiary of Alberti Foods, Inc., Chicago, of which L. K. Alberti, Jr., a U.S. citizen, is president; Mr. Adam Smith, of Miami, Fla.; the United Food Co. of Boston; the Ralston Purina Co. located in Honduras; and many others.

Mr. Chairman, our investigation discloses this. This does not come under this particular bill.

We are now providing 766 U.S. technicians employed overseas in many places including the area where these U.S. investment companies are operating to help them with agricultural programs. We have trained some 3,800 foreigners in this country.

The point I make is this: However you feel about these sundry other programs, in this instance you are dealing with Public Law 480 funds. We have gotten that currency by paying for those agricultural products to our producers, we have sold them in these foreign countries for their currency. In instance after instance in Mexico and several other countries we have made loans for feed production and for feed storage and their imports to the United States of meat and beef have increased greatly, about 370 percent in Mexico over a 5-year period. Yes, with all the problems we have in the textile industry, under Public Law 480 we have money coming from cotton, which we have in surplus, we go to Mexico and we are making Public Law 480 loans of $258,000 to put them in the textile business. Not only that, but we have decided all these Americans who are operating in Mexico cannot really compete with themselves in the United States with this Mexican machinery. It always breaks down, and it is hard to get. So we take Public Law 480 commodities paid for with American dollars, and sell them for Mexican currency. So we make foreign currency loans to John Deere and International Harvester so they can provide American machinery to U.S. competitors in Mexico. I am not going to call names here, but it is my information that many other people here in Washington are now seeking land in Mexico. We will have to appropriate more money to the Commodity Credit Corporation, and we will generate more surpluses, which we can use to further put ourselves in trouble.

The details are here under an investigation by our committee staff, headed by a man from the Federal Bureau of Investigation and the facts are as I have presented, whether you have followed me or not. I cannot give all the details in my limited time, but if this does not give you a belief that we need somebody to ride herd on these loans and grants I do not know what it would take. No one is saying we want to destroy 480, I say it is a must, but we are destroying it if it is not properly handled.

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman yield?

Mr. WHITTEN. I yield to my friend, the gentleman from New York.

Mr. ROONEY of New York. I would like to ask the gentleman if it is not the fact that the issue here is not whether the Appropriations Committee shall control this matter of expenditures. The issue is clear: Is the Congress going to control the issue of these valuable currencies that cost billions upon billions of dollars, or are you going to let the bureaucrats downtown do it?

Mr. WHITTEN. I agree with the gentleman absolutely. The subcommittee, of which I am a member, has all the work it wishes and possibly can take care of; but in this instance our investigation shows that we in the United States are putting ourselves out of business with our own programs. These 480 funds have not been used directly, but have been used "to help promote production."

We have other programs in Mexico where we have provided credit so they could farm, U.S. style. Now we have Mexico underselling us around the world in cotton, cattle, and in other things. It is in that area where they are making use of many of these Public Law 480 funds. Read the Record.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Iowa.

Mr. JENSEN. I want to commend the gentleman from Mississippi [Mr. Whitten] and the other Members of the House who have spoken in favor of the pending amendment.

Surely it is about time that this Congress start doing something about this problem which the gentleman from Mississippi has explained so thoroughly and expertly.

I had some experience in this field when I went through a number of years ago and discovered there that our Public Law 480 money had enriched the director who was handling this fund to the tune of a good many hundreds of thousands of dollars. He owned thousands of acres of land and he had business houses all over the place.

I got the lowdown on the gentleman. His name was Mr. Neal. He had been there 12 years, and what abuses that gentleman had carried on with this Public Law 480 money. I asked him if he was going to resign and he said no. I said, "All right, then, I will have you fired," and I got that job done.

That is a good example of what has been going on in too many places in this world. I support the gentleman and hope the amendment is adopted.

Mr. WHITTEN. May I say I have pointed out already examples of where we are putting ourselves in trouble by financing the development of competitive industries abroad. But this amendment is so the Congress can know what is happening. I know this bill provides for an advisory commission, but there should be a regular year-after-year detailed review of proposals and actions.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from North Carolina.

Mr. COOLEY. Has not the gentleman gone to the Department for an explanation of what he is discussing?

Mr. WHITTEN. We have called on the Department to cooperate with our investigators in getting an investigation. They are just halfway through with it. Goodness knows how much more we will have, when we finish.

Mr. COOLEY. If the gentleman is in sympathy with it, does he not think it is better to get it from an administrative agency?

Mr. WHITTEN. I have. In fact, they helped us to get up this information.

Mr. COOLEY. Has the gentleman made it public?

Mr. WHITTEN. We are right in the midst of it. I put that which we have, before the House on August 17. You will find the information in the Record.

I believe in this program. I believe the best way to keep it is to keep it clean, and the best way to keep it clean is to take a look at it regularly.

Mrs. KELLY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I completely oppose this amendment, for many reasons. While I reserve my opinion as far as certain features of Public Law 480 are concerned, I think it is apparent that many of those who oppose foreign aid usually support this Public Law 480 program. This makes the proposition before the House somewhat ridiculous. By proposing to saddle the burden of the Public Law 480 program upon the back of foreign aid, some Members apparently hope to kill both with one blow.

I should like to remind the House that the surpluses we are talking about are all owned and already paid for by the United States. This fact was brought out in the committee report. Consequently, I see no reason why we should have to appropriate dollars for each and every use that is to be made of the foreign currencies generated by these surpluses. The President of the United States needs—and currently has—some measure of flexibility in using those currencies pursuant to broad policies laid down by the Congress. We must allow him to keep this flexibility if the program is to be successful and achieve its goals.

I ask that the amendment be defeated.

Mr. POAGE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I believe we have completely lost sight of the issue before the House. It is not a question of whether you are for Public Law 480 or not. It is a question of whether you are in favor of changing the law so that all these agreements must be approved in detail before the expenditure is made.

Several speakers have already stated they were opposed to this extension, and they probably would be against any extension of the program. Most of them have historically opposed the entire 480 program.

Several of those who supported this amendment said they were in favor of the extension of the basic program and that they believed in the program as most of the House unquestionably does. Therefore, if we are to continue the program, then the question is—how do you continue it in a really effective manner?

What is involved in this program? Nobody seems to have recognized the fact that what we do in this program is to make agreements with foreign countries before any goods or currency are spent and before any agricultural products are shipped we must make an agreement with the recipient country and spell out the way in which we are going to use the proceeds from this sale.

If we are required to come here and get a specific appropriation of cruzeiros, pesos, rupees, or any other foreign currency for every item for which it can be spent before we can sign the agreement with that foreign nation, just how many agreements do you think would be signed and just how much of our agricultural products do you think would be moved?

The next to the last gentleman who spoke pointed out that we had to have this program to move agricultural products. We all recognize that. We have the surpluses. They are either going to cost us money for storing them at home, or we are going to move them where they can be used. Under our law we have a series of priorities. If we can use these products to get something that the United States needs, we have to use them that way first. If we cannot get anything we need in exchange for our commodities, then we must give them to certain preferred needy people in the United States. Indians and school lunches come in this second category. Then if we do not have any need for it for Indians, wards of the Government, or for school lunches and the like, then we can give them to any needy person in the United States who is properly certified by the local agencies. Then and only after we find that we do not have any need for them for any needy person in the United States, then, and only then, they can be used for needy people abroad. That is the way the priorities are set up on the use of these surplus agricultural commodities. Is it not better to use them that way than to let them be kept in storage and have to pay storage charges? That is what we do by Public Law 480—we use them in that manner. We then accumulate foreign currencies, many of which we cannot use unless we have some authority to do it. But we have approximately a billion dollars invested in these foreign currencies now.

Now simply to allow them to lie around in foreign banks—and they are not in the Treasury of the United States—they are in foreign banks and not a bit of this currency is here—not a bit of it is in dollars in the U.S. Treasury—and that is all the Committee on Appropriations can appropriate—dollars out of the U.S. Treasury; it cannot appropriate cattle nor wheat nor cornstarch. It can only appropriate dollars and it cannot appropriate them out of the Bank of India but must appropriate them out of the Treasury of the United States. None of these currencies are dollars and none of them are in the U.S. Treasury. They cannot be appropriated by the Appropriations Committee.

So we seek to have some kind of legislative control just as the gentleman from Mississippi suggested we should have. What we propose is that we have some kind of oversight committee in which this Congress is represented and which there will be legislative representation to make some decision as to how we can use these surplus currencies, which are surplus commodities They are commodities. They are not money, they are commodities. We propose to use these commodities in a way that will be mutually helpful to the United States and to the recipient country.

Under the existing law, as it stands, the President of the United States can use these surplus commodities.

We have suggested here that we have an advisory committee on which the Congress will be represented. Is there anything so wrong in that? Are we taking away from the Congress some rights? I would suggest to you that the congressional representation here comes from both the majority and the minority, and from the House and from the Senate.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that the gentleman from Texas may proceed for 5 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. POAGE. Mr. Chairman, I thank the gentleman.

Mr. Chairman, we provide that both Houses shall be represented on this advisory committee. Is that not bringing these activities under some kind of legislative scrutiny, a scrutiny that you can understand—because you can walk in through the door of the Committee on Agriculture and you can get any report that we have.

You can come to our meetings any time you want to. We hold no secret hearings and we publish our reports and findings. We sent our counsel to the Appropriations Committee, only yesterday, to try to see this report to which the gentleman from Mississippi referred. We have not seen it yet. You have not seen it. Unless you are a member of that committee you are not about to see it, my friends.

If the Congress wants to see these things, you had better put them under the control of a committee which opens its doors to the Congress and not somewhere where they will be clouded with a cloak of secrecy, administrative security of some kind.

Yes, the gentleman from Mississippi read from that report. He read 14 names of companies he said borrowed money under Public Law 480 in Australia. In Australia. There has never been one dime—not one dime—of Public Law 480 money in Australia. There have never been any Public Law 480 sales in Australia. There could not be a bit of Public Law 480 money in Australia.

He read 14 names of companies—I counted them—which he said borrowed money to go into business in competition with American firms in Australia.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Mississippi.

Mr. WHITTEN. I wish to correct the gentleman's statement. I did not say that they borrowed money. I listed those who benefited, and those in other channels. I carefully listed those who borrowed under Public Law 480. I did not make that statement.

Mr. POAGE. I am sorry, of course, I may have misunderstood the gentleman. But I counted the names. He named 14 which he said were from Australia.

Mr. WHITTEN. Let us correct the RECORD, then. I did not mean to say so. If I said so I was incorrect. I referred to them as being ones which benefited from various aspects of this program.

Mr. POAGE. That is fine. Let us say that we might name 140 firms in the United States which had borrowed from the Small Business Administration. They would not be helped by Public Law 480, but there would be some implication that they were.

We cannot get the report. We cannot read the report. We cannot identify how the Australian firms got Public Law 480 money, because there was never a dollar of Public Law 480 money in Australia, and the Appropriations Committee will not let you see, or let me see, the report from which the gentleman speaks.

The point I make is that there is too much misunderstanding about Public Law 480. All we have to spend are the foreign currencies that have been traded for surplus agricultural commodities. We have surpluses of these foreign currencies, exactly as we do of the commodities, and what we are now talking about are the surpluses.

We do not wish to have them dissipated by inflation. Inflation is taking place in most of these countries, and at the rate of 1,300 percent in the past 10 years in one of the largest countries in which we are spending this money. Rather than let these assets just disappear, it has been our thought that it would be better to engage in some kind of constructive program which the President and Congress could come into agreement on as a desirable program. That is what we ask you to do.

As a practical matter, you cannot appropriate these currencies. It is another impossibility. You simply cannot write these agreements on the floor of this House. These are agreements. They are negotiated, just like we negotiate treaties. In fact, they become treaties. We cannot sit here and negotiate these things. Even behind the closed doors of the Appropriations Committee it seems unlikely that such treaties could be intelligently negotiated. If that committee should negotiate these treaties you would not know about it, because you do not know what goes on behind those closed doors of the Appropriations Committee. You would not learn one thing.

You will learn more by having the use of these currencies brought up here before an advisory committee, where we will have an open-door policy such as we have in the Committee on Agriculture.

I must make one more point. The gentleman complained that we are trying to circumscribe the Appropriations Committee. The present law provides that at least 10 percent of these funds shall be used for U.S. Government purposes. They are all subject to the appropriations process now. We would exactly double that in this bill. We require that 20 percent be made available for such uses.

Did we have any animus against the Appropriations Committee? Were we trying to undercut the Appropriations Committee? Read the language. We would exactly double the amount which must be available for the use of the Appropriations Committee.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Would the gentleman be willing to have this group report to the full Committee on Agriculture? I certainly would prefer that to having an advisory committee. I make the point that somebody needs to review these actions and to know the whole story and, so help me, I have been unable to find anybody who has or does. I supplied our report on August 17 and again today.

Would the gentleman be willing to accept an amendment of this kind?

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the chairman of the committee.

Mr. COOLEY. I call your attention to the fact that we do have a very distinguished chairman of the Oversight Committee, the gentleman from Missouri [Mr. JONES]. Any such complaints as are sent to our committee have been given prompt attention. We have not received any such complaints, and I am surprised to hear of them today.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. POAGE. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Chairman, I would certainly find no objection, other than the very problem I suggested a moment ago, and that is you simply cannot write treaties, you simply cannot write treaties with a large body of people. I think probably the chairman and the ranking minority member of the committee will better express the view of the committee. They will certainly consult with the other members. Certainly on the committee on which I am privileged to serve I have confidence in the chairman consulting with me and with the other members of the committee. We do not hold any closed sessions but hold meetings where everybody knows what is going on. I am perfectly willing to let the chairman and the ranking minority member represent me, and if I do not like what they are doing, I know that I can express myself so that I think we have a much more efficient operation as we have provided in the bill. However, we do bring these uses under the scrutiny of the Congress. That is the point I want to make.

There is one other point I must make. The gentleman has suggested he was going to offer an amendment to cut down the authority for the Cooley loans. I want to read you what the law says now. It says:

> *Provided, however,* That no such loans shall be made for the manufacture of any products to be exported to the United States in competition with products produced in the United States or for the manufacture or production of any commodity to be marketed in competition with United States agricultural commodities or the products thereof.

If you can write any language that is more binding than that, I have not heard it. If in fact the law is being evaded, then the committee with all of these secret investigators ought to be calling it to the attention of the Department rather than simply saying "We are investigating it and we will report to you at some time in the very distant future." You should be calling it to their attention if you know the law is being violated, because the law is plain and there is no question about what it is.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. JONES of Missouri. Mr. Chairman, I move to strike out the necessary number of words.

Mr. Chairman, I think the thing we are overlooking here today in this bill is this: I think that the Committee on Agriculture has recognized the fact that there have been some things happening in the use of foreign currencies that are not good. I think we have recognized that, and in discussing it in the committee we have tried to approach it in a way that we thought would correct the things that were wrong. In the bill, beginning on pages 2 and 3, which the gentleman from Illinois proposes to strike out, he would undo everything that the committee has done after thorough deliberation. Again I say we recognize that Public Law 480 has not always been administered in the way that we would like to see it administered. We have attempted to correct that by setting up this advisory committee which would review and report to the President and make recommendations to the President on the way that these funds would be spent. I think we must do this. I think that the gentleman from Texas brought out one point particularly, that it is impossible for this Congress to anticipate—this Congress as a body sitting here in the House of Representatives—to anticipate every contingency that would arise at the time we make the agreements. At the time the agreements are signed we set up the conditions under which the funds will be used and we say we will make grants or loans, or we will sell surplus commodities for reduced amounts under the conditions under which the sale will be made.

I think it is impossible for us to operate the Public Law 480 program, which I think most of us recognize is necessary under the agricultural program that we have at the present time, without adopting this bill. We do know that we accumulate surpluses that the CCC has. As the gentleman from Texas has said, we have certain priorities as to how these surpluses shall be used. We try to use them in this country. Then we make them available, we try to sell them under the best terms possible, or at least it is the intention of the committee that we sell them under the best terms possible for the benefit of this country, as well as to make the commodities available to foreign countries.

Again I say, if you are going to try here on the floor of the House this afternoon to undo everything that your committee has done after long study, we will be in a bad way.

We had long hearings on this bill. We had many days of executive meetings of the committee to try to arrive at the wording setting up this Advisory Committee. Again I would call attention to the composition of this committee: the Secretary of Agriculture, the Director of the Bureau of the Budget, the Administrator of the Agency for International Development, which gets into the foreign aid program. Then we have the chairman and the ranking member of the House Committee on Agriculture as well as the corresponding members of the committee in the other body. This committee will have the opportunity to make recommendations to correct those things that have brought about the greatest amount of criticism.

I have not been satisfied with the way we have spent some of the money. I have not been satisfied with the lack of control we have had. But I think that this committee offers the most practical way to try to solve this matter. We cannot do it here in the House of Representatives. I do not want to take any power away from the House, but there should be a delegation of authority and I know of no better way to delegate the authority, to make a recommendation to the President as to the use of these excess currencies and whether grants shall be made, than this committee. So I think we would be wise to vote down the amendment offered by the gentleman from Illinois. We will make improvements. I think the wording we have here is a vast improvement over what we have had in the past.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Mr. Chairman, would not the gentleman agree that the chairman and the ranking member of the House Foreign Affairs Committee, as well as the chairman and the ranking member of the Senate Committee on Foreign Relations, should serve on this Advisory Committee?

Mr. JONES of Missouri. I would not say that they should not serve on it. I think we can get some committees too large. You have on this committee the Administrator of the Agency for International Development. To be perfectly frank with the gentleman, the greatest criticism that has come concerning the use of these funds that have accumulated in many of these countries has been the unrealistic attitude of the Department of State.

The CHAIRMAN. The time of the gentleman from Missouri [Mr. JONES] has expired.

(By unanimous consent (at the request of Mr. ZABLOCKI), Mr. JONES of Missouri was given 2 additional minutes.)

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield further?

Mr. JONES of Missouri. I yield.

Mr. ZABLOCKI. The purpose of this Advisory Committee, as stated in the report, is to advise the President how special programs will secure to the United States the maximum benefits for the currencies accruing under this program.

Mr. JONES of Missouri. That is right.

Mr. ZABLOCKI. Certainly the chairman and the ranking member of the House Committee on Foreign Affairs and the chairman and the ranking member of the Senate Committee on Foreign Relations would contribute to this Advisory Committee.

Mr. JONES of Missouri. I might reply to the gentleman this way: I would say that if you are going to have those Members on the committee we might take two Members from the House Committee on Appropriations and two from the Senate Committee on Appropriations; then someone will say that we are using part of these funds for defense, so we should take two representatives each from the House and Senate Committees on Defense. So you would get an unwieldy committee. I think we have set this up in a practical way. I think we have individuals on this committee who could make the recommendations that would be helpful in operating the program.

Mr. ZABLOCKI. Mr. Chairman, I would like to have the gentleman support the amendment that I intend to offer which will add to the advisory committee Members from the Foreign Affairs Committee of the House and the Foreign Relations Committee of the Senate.

Mr. JONES of Missouri. I will be glad to listen to the gentleman when he presents his amendment.

Mr. ADAIR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, reference has been made here repeatedly this afternoon to the fact that the operation of this law is in effect an aspect of our foreign aid program. Certainly this is true. We have pointed this out in previous debates relating to the foreign aid program in its broadest sense.

Mr. Chairman, the gentleman from Wisconsin has just posed a question which I believe underscores the fact that this is a part of foreign aid when he indicates that it is his desire to offer an amendment which would include on the supervisory committee representatives of the Committee on Foreign Affairs, a view which I support.

Since this is foreign aid, then it ought to be operated under rules, regulations, and laws similar to those that through the years we have been able to write into the foreign aid program.

This body and the other body have repeatedly written in regulations, guidelines, and restrictions with respect to the expenditure of our foreign aid moneys. Those restrictions and guidelines do not exist to any great degree with respect to Public Law 480 funds.

Mr. Chairman, I believe the adoption of this amendment would go far to assure that this law, which is generally desirable, would be more properly handled.

Therefore, I would urge the Committee to adopt the amendment offered by the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. Yes, I yield to the gentleman from Illinois.

Mr. FINDLEY. If I may—I sought recognition a little bit earlier for the purpose of asking the gentleman from Texas [Mr. POAGE] a question, and if I may at this point direct a question to him—he stated in his remarks that the foreign currencies are not in the U.S. Treasury and, of course, that is true. But they are on deposit in foreign banks credited to the Treasury of the United States. If that is so, why is it not proper that this money be subject to the appropriations route?

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. Yes, I yield to the gentleman from Texas.

Mr. POAGE. Because the Appropriations Committee has no authority to appropriate anything except "dollars in the U.S. Treasury." These are not "dollars." The currency is not "in the U.S. Treasury" and does not belong to the U.S. Treasury. It belongs to the Department of Agriculture.

Mr. FINDLEY. Mr. Chairman, if the gentleman from Indiana will yield further, apparently the Committee on Appropriations is way out of bounds in appropriating the money for U.S. uses with which to purchase the 20 percent of the local currency proceeds.

Mr. POAGE. No; because the Committee on Appropriations appropriates dollars with which to buy these foreign currencies, and that is perfectly proper. The Committee on Agriculture thinks it is perfectly proper for them to do this and we have never sought to interfere with their prerogative to control the expenditure of the regular agencies of our Government.

Mr. FINDLEY. If the gentleman from Indiana will yield further, what is wrong with the Committee on Appropriations appropriating funds for the purchase of the currencies that are on deposit to the credit of the U.S. Treasury? Is not this legal money?

Mr. POAGE. In the first place it is not "to the credit of the U.S. Treasury" but "to the credit of the Department of Agriculture." In the next place it is not dollars. There is no legal authority in the Appropriations Committee to appropriate anything except dollars. In the third place, if they could do that they could appropriate land or buildings or wheat or cotton or cattle or anything else that the United States might own. Is cotton and cattle dollars?

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Chairman, I want to say to the gentleman from Texas that I do not think he wants to leave his statement to the effect that there is no provision for appropriation of the foreign currencies. Under Public Law 1415 of which our former colleague from Michigan, Mr. Rabaut, was the author, there is provision and it requires such to be done at the present time. What you are now operating under is an exception. Actually, the law of the Congress is that they shall be and we do have the authority under the Rabaut amendment to that law to make those appropriations.

Mr. POAGE. I believe it is clear that the exception is exactly the other way. I think the gentleman is correct, that there is an exception specifically set out in the law providing for certain authority on the part of the Committee on Appropriations. In fact this last spring there was an amendment to the Foreign Assistance Act known as the Reid of New York amendment which came up and which was adopted by the House, and I took the floor at that time and pointed out how utterly inconsistent the policy was and that it was an unsound policy.

I think that there are one or two exceptions, such as the gentleman suggests, but the exceptions are the ones that give the Appropriations Committee authority and it is not the general rule.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FINDLEY].

The question was taken; and (on a division demanded by Mr. Bow) there were—ayes 79, noes 72.

Mr. COOLEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. FINDLEY and Mr. MATTHEWS.

The Committee again divided, and the tellers reported that there were—ayes 125, noes 96.

So the amendment was agreed to.

Mr. ROONEY of New York. Mr. Chairman, I have an amendment pending at the Clerk's desk which I am very happy to withdraw at this point.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: Page 1, line 8, strike "1967" and insert "1966".

Page 1, line 9, strike "$4,000,000,000" and insert "$2,700,000,000".

Page 4, line 7, strike "1967" and insert "1966".

Page 4, line 8, strike lines 8 through 16 and insert in lieu thereof the following:

"(8) Section 203 of such Act is amended (i) by striking out '1961' and substituting '1965'; (ii) by striking out '1964' and substituting '1966'; (iii) by striking out '$300,000,000', and substituting '$375,000,000'; and (iv) by inserting after 'charges for general average contributions arising out of the ocean transport of commodities transferred pursuant hereto' the following: 'or donated under said section 416, section 308 of this Act or section 9 of the Act of September 6, 1958 (72 Stat. 1790)'. Clauses (i), (ii), and (iii) hereof shall not become effective until January 1, 1965."

Mr. FINDLEY. Mr. Chairman, this is a very simple amendment although it is somewhat lengthy.

In effect, this amendment makes this a 2-year authorization instead of 3 years. It changes the dollar amounts for title I and title II to exactly the same levels as provided by the other body in the legislation already passed in that body. So it makes it in conformity with the language of the other body as to the length of the extension and as to the dollar amount. The total dollar amount on a yearly average provided in this amendment is almost exactly the same as the total dollar volume, figured on an annual basis, authorized for these two titles in the House version. So there is no substantial change in the amount of money available for purposes of title I and title II but it does reduce the authorization to a 2-year period. Congress will have a chance to look at an authorization bill again in 2 years, instead of 3.

Mr. POAGE. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, much can be said about the length of time for which it is most desirable to extend this act, and I think there is a good deal that can be said for a shorter period of time. This amendment like the preceding amendment is a very simple amendment. It is just simple enought that it is intended to destroy the bill and pretty well does so.

Now we have to face up to it here in the House of Representatives as to whether we want Public Law 480 or not. If we want a Public Law 480, we have to pass a bill that can be administered and which will carry out a program of disposing of agricultural products. I would call to the attention of those who are peculiarly interested in a foreign aid bill that if you put this under foreign aid and if you make foreign aid that much larger, I think then that the most ardent advocate of foreign aid knows that he is not going to pass any more foreign aid bills. The most ardent advocate of foreign aid cannot want this added to foreign aid because it will make your foreign aid bill so heavy that you cannot possibly pass it. Those who are primarily interested in this bill from an agricultural standpoint certainly must want a bill that continues a program to dispose of agricultural commodities rather than substitute a foreign aid program for it.

Of course, the amendment that was just adopted a moment ago substitutes a foreign aid program for an agricultural program. Besides, it is perfectly obvious that you can never achieve the disposal of agricultural commodities under the amendment recently adopted and you are making a 100-percent foreign aid bill out of this bill. I know that there is some foreign aid in this program, but it ought to be simply the ancillary results.

It should not be the basic objective of the program. The basic objective of this bill should be and has been to dispose of agricultural surpluses.

You have changed that already in this bill. If you want to go another step and make it more difficult of administration, you will go further and further toward placing this legislation purely in the category of foreign aid.

No matter what your thoughts may be on foreign aid, you must oppose this amendment, because if you are interested in agriculture, you must want to maintain an agricultural program. If you are interested in foreign aid per se, you simply do not dare attach it to foreign aid, for you know you will sink foreign aid.

All of you who want to sink this bill ought to support this amendment, because it is a good amendment for destroying the bill. It is almost as helpful in that regard as the one just passed.

The amendment just passed, of course, took out some 90 percent of the agricultural aspects of this bill, to make it per se a foreign aid bill.

This amendment will take it one step further toward placing it along with foreign aid each and every year. It will be for only 1 year the next time. This will be made a 1-year bill, and then it will come up along with the foreign aid bill and you will have them together. Just try passing them together. I do not believe you can do it. Therefore, in behalf of both agriculture and foreign aid, I urge you to reject this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FINDLEY].

The question was taken; and on a division (demanded by Mr. FINDLEY) there were—ayes 61, noes 84.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: On page 5, line 17, insert the following:

"(11) Section 107 of such act is amended by striking the phrase '(2) any nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement' and inserting in lieu thereof the phrase '(2) any nation or area dominated or controlled by a Communist government or by the world Communist movement'."

Mr. FINDLEY. Mr. Chairman, the purpose of this amendment is to tighten the definition of friendly governments so as to exclude from the benefits under title I alone—and this amendment applies only to title I transactions—Communist dominated governments like those of Yugoslavia and Poland.

The language in section 107 now reads:

> Any nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement.

Apparently it is so loosely worded that our Government has been able at times to interpret the Yugoslav and Polish Governments as not being under Communist domination. The new language which I recommend would state "any nation or area dominated or controlled by any Communist government or by the world Communist movement." My interpretation of this latter definition would definitely exclude Yugoslavia and Poland and perhaps in the future such countries as British Guinea, which is currently either under the domination of the Communists or likely to be.

I call the attention of this body to the committee report on pages 12 and 32. At the bottom of page 12 is a table showing the uses of foreign currency as provided in title I, Public Law 480. You will see there listed Poland for $534,651,000 in title I agreements during the years of Public Law 480, and Yugoslavia is down for an even larger amount of $637,753,000.

If you will examine the data about Yugoslavia in greater detail, you will find $140,613,000 was granted to this Communist government for economic development and $391,177,000 was loaned to this very same Communist government. It amounts, for practical purposes, to 83 percent grants aiding the Communist Government of Yugoslavia.

If you will examine what happened with Poland, you will find there that the aid to the Polish Government amounts to 91 percent of the total value of transactions.

This amendment, if accepted, would not stop the donation of food through titles II and III either on a government-to-government basis or through CARE and other charitable agencies to benefit the people of these two Communist governments. It would affect only title I transactions.

I hope this body will accept this amendment because very clearly the taxpayers of the United States have been financing an immense amount of foreign aid to the Communist Governments of Yugoslavia and Poland.

Mr. Chairman, I yield back the balance of my time.

Mr. COOLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I just want to say that my recollection is an official determination has been made by a representative of the Government to the effect that Poland was no longer dominated by the Communist international movement. Furthermore, a statement has been made to the effect that grants have been made to Poland of economic aid. I am not aware of any such grants being made. I would like to ask the gentleman from Illinois [Mr. FINDLEY] the source of his information that we have been making grants to Poland for economic development and aid.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman.

Mr. FINDLEY. If I said that, I did not mean to. I was referring at that point to Yugoslavia, and in the table at the bottom of page 12 it very clearly shows 104(e) grants for economic development for Yugoslavia amounting to $140,613,000.

Mr. COOLEY. All of the Polish money you mentioned is for U.S. usage. It is somewhat over $533 million. That is locked up in a vault. We will not use it and will not permit Poland to use it, and it will be a year or two before anything will be done with it. What do you seek to accomplish by this amendment, may I ask the gentleman?

Mr. FINDLEY. To stop further foolishness at this time. I know we cannot back down but perhaps we can at least restrain future administrations from handing foreign aid over to Communist governments.

Mr. COOLEY. I say this is not foreign aid. We have the foreign currencies now.

Mr. FINDLEY. But the gentleman will agree, I am sure, that it is tied up so tight in the rules and regulations accepted as part of title I agreements that the taxpayers have virtually no chance to get any utility out of these funds.

Mr. COOLEY. But we know there were no grants. This money was primarily by Public Law 480 sales. The money is there.

We have not yet directed the use of it. Mr. Chairman, I do not think we can accomplish anything by the amendment.

Mr. FINDLEY. It will stop the accumulation of new moneys at taxpayer expense in the capitals of Yugoslavia and Poland.

Mr. COOLEY. I think Mr. Dulles, your former distinguished Secretary of State, made the determination concerning Poland.

Mr. FINDLEY. If he did, it was a bad one.

Mr. COOLEY. Mr. Chairman, I do not think we ought to accept the amendment. I do not accept the amendment. I hope it will be defeated because I think it will bring about further complications and frustrations.

Mrs. KELLY. Mr. Chairman, will the gentleman yield.

Mr. COOLEY. I yield to the gentlewoman from New York.

Mrs. KELLY. Mr. Chairman, under the original law the use of the moneys and the restrictions of the sales to friendly nations were incorporated in my amendment. However, as has been stated, Secretary of State Dulles under a previous administration had to write a letter to the Committee on Foreign Affairs declaring Poland no longer under the domination of the Communist Internationale movement. Therefore, under that letter aid to Poland or sales to Poland were made. Further uses of this currency, as far as that is concerned, requires a letter from the Department.

Therefore I oppose this amendment and hope it is defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was rejected.

AMENDMENT OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITTEN: Strike out subsection (3) page 2, and substitute the following new subsection:

"(U) none of the foreign currencies generated under this Act shall be used to promote or to help promote, or to increase production or to assist in increasing production of any farm commodity units of which shall have been exported from such country in the preceding calendar year, in competition with production in the United States.

Change the letter "(U)" in line 17 to the letter "(V)".

Mr. WHITTEN. Mr. Chairman, the present act prohibits the use of any foreign currencies for the manufacture or production of commodities in competition with the United States. That is in the present law. Let me show you what they have done under that section; and I shall not belabor the Committee with all the information that I gave before. But in Mexico the Ralston Purina Co. of

St. Louis received a Public Law 480 loan in December 1958, for the purpose of financing facilities for the cultivation, manufacture, storage and sale of animal feed. Also for the construction of a sesame solvent plant. The American Embassy in Mexico had earlier advised against this loan, though there was a subsequent reversal.

Then Industrial Pecuaria, S. A., a Mexican firm, 50 percent of which is owned in Minneapolis, Minn., received a Public Law 480 loan of $800,000 for the purpose of financing facilities for the production and storage of animal feed.

The point I make is that while the law prohibits the use of these currencies to manufacture or produce commodities that are being used to do those things, they do lead to the manufacture or production of these commodities that make trouble in the United States. Not only is that true, but Textile Morelos in Mexico, which is 50 percent owned by Burlington Industries of North Carolina, received a Public Law 480 loan of some $258,000 to be used to acquire textile production facilities in Mexico.

I point these out to you to show that while the law prohibits the use of funds for manufacture and production, it is being used regularly to do those related things that result in an increase in production which creates problems for us, including adding to our surpluses.

Now, Mr. Chairman, in Mexico too may I say that under Public Law 480 funds generated here, notwithstanding the prohibition in the law, they have made one, two, three loans in addition to the ones I have already mentioned.

We have made loans so that these John Deere and International Harvester could open up Mexican branches for distribution of their products thus adding to the competitive position of Mexican production.

Mr. Chairman, the language contained in my proposed amendment in a few and simple words says that that is not the intent of the law and you are not permitted to do it.

I say that needs another prohibition. I say they shall not be used to help promote or to promote or increase production or to help increase production of any commodity, units of which they have been exporting in the preceding year, if it is in competition with U.S. production.

Mr. Chairman, I hope the members of the Committee will adopt the amendment.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Chairman, I would like to commend the gentleman from Mississippi for offering this amendment and I support it.

I would like to add that nothing would illustrate more dramatically the need for us to go the appropriations route, as we just did through the adoption of the amendment which I offered, for the purpose that a clarification of this language is needed.

Mr. WHITTEN. I thank the gentleman.

Mr. HOEVEN. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Iowa.

Mr. HOEVEN. I want to associate myself with comments of the gentleman from Mississippi and say that I shall support his amendment. I hope that the amendment will prevail.

Mr. WHITTEN. I thank the gentleman.

Mr. COOLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall be very brief. I only want to call attention to this provision of the law:

> No such loan shall be made for the manufacture of any products to be exported to the United States in competition with products produced in the United States, or for the manufacture or production of any commodity to be marketed in competition with U.S. agricultural commodities or the production thereof.

Mr. Chairman, how could the English language be written more clearly than that?

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. Is the gentleman from Mississippi aware of this language in the law?

Mr. WHITTEN. If the gentleman will yield, I am. But was the gentleman from North Carolina aware of the fact we have been making loans with which to put these people into the feed business so as to increase their cattle production?

Mr. COOLEY. I certainly——

Mr. WHITTEN. Does the gentleman know that we have been making loans with which to put them into the textile business?

Mr. COOLEY. Let me answer the question.

Mr. WHITTEN. That is, to put them into the textile business and to enable those products to come back into the United States?

Mr. COOLEY. If the Ralston Purina Co. to which the gentleman from Mississippi has referred built a plant in Mexico to produce feed, so what? It is providing a market for American machinery. However, the gentleman refers to cattle coming back into the United States from other countries.

Mr. WHITTEN. Yes, from Mexico.

Mr. COOLEY. When the gentleman says that, he is actually indicting the integrity of the people who are administering the program.

Mr. WHITTEN. Does the gentleman agree that these incidents I have mentioned, if done, were in violation of the law?

Mr. COOLEY. No; I do not agree with that. I think you have put your own interpretation on the purpose of it and have impugned the motives of the people who administer the program. I do not know whether all this is supposed to have happened under the Eisenhower administration or by whom, but I think it is unfair for you to come in at the very last minute when we are getting ready for the final vote on this bill and throw all of this stuff out here to smear this program and ruin the program.

Mr. WHITTEN. This information has been in the RECORD since August 17 in great detail.

Mr. COOLEY. You just said it was something new.

Mr. WHITTEN. No, I used it on the floor in the debate the other day. I cited it and put it in the RECORD.

May I say that I had not released it earlier because it is only an interim report and we are still conducting the investigation.

Mr. COOLEY. Why have you not sent it to the Department of Agriculture and asked them for an investigation of it?

Mr. WHITTEN. The Department is assisting us.

Mr. COOLEY. Why do you not give it to them?

Mr. WHITTEN. This is the first chance I have had to go into it except when it was initially offered.

Mr. COOLEY. This does not have anything to do with this program. I do not think you ought to try to undercut the program by putting this thing in here.

Mr. Chairman, I ask that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. WHITTEN].

The question was taken; and on a division (demanded by Mr. COOLEY) there were—ayes 80, noes 70.

Mr. COOLEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. WHITTEN and Mr. MATTHEWS.

The Committee again divided, and the tellers reported that there were—ayes 103, noes 83.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. ROGERS OF FLORIDA

Mr. ROGERS of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ROGERS of Florida: Page 4, immediately after line 2, insert the following:
>
> "(6) Section 107 of such Act is amended by adding at the end thereof the following: 'For the purposes of titles I and IV of this Act, the term "friendly nation" shall not include any country which—
>
> "'permits ships or aircraft under its registry to transport to or from Cuba (excluding United States installations in Cuba) any equipment, materials, or commodities;
>
> so long as Cuba is governed by the Castro regime'."

And renumber the following paragraphs accordingly.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I will be glad to yield to the gentleman from Texas.

Mr. POAGE. It seems to me this will not cost anything. I think the amendment should be accepted.

Mr. ROGERS of Florida. Mr. Chairman, this amendment is similar to one which Congressman DANTE FASCELL and I sponsored to the 1963 foreign aid bill. The House adopted that amendment, it was retained in conference, and became part of the law. That amendment prohibited U.S. aid going to any country which allows ships or aircraft of its registry to call in Cuba as long as Cuba is dominated by the Communist Castro regime.

The amendment which I offer today applies that same principle to the Public Law 480 program by prohibiting any U.S. surplus foodstuffs going to a foreign nation which does not agree with the stated policy of this country that Fidel Castro's Cuba must not be aided in any way.

My amendment states that for the purposes of the Public Law 480 program, "friendly nations" are not those which have ships or aircraft going to or from Cuba. The effect of my amendment would be to prohibit surplus Public Law 480 foodstuffs going to any country which allows its ships or airplanes to call in Cuba.

Castro's island is heavily dependent upon ocean transportation. Because this is the only practical means of keeping Cuba supplied, I am sure the House will agree that any effort which can be made to reduce the ship traffic to the island of Cuba will be a blow in favor of weakening the Communist regime there. Those nations which allow their ships to aid Cuba are doing Castro great service and doing great disservice to Uncle Sam and the free world. Consider the fact that during 1963, Greece received almost $10 million worth of Public Law 480 foods, yet 99 ships bearing the Greek flag called in Cuba last year. Yugoslavia allowed 12 ships to go to Cuba for Castro, yet Uncle Sam delivered $79.8 million worth of surplus U.S. food to Yugoslavia during the same period last year. Morocco also sent ships to Cuba in 1963, and of course received Public Law 480 benefits at the same time.

This amendment has already been accepted in principle by the Congress as a result of adoption into the 1963, foreign aid bill. In 1962, an amendment which I offered to the foreign aid bill was also adopted, prohibiting U.S. aid going to any country which aids Cuba. Thus another precedent stands for the adoption of this principle I offer today.

Finally, Mr. Chairman, this amendment will strengthen America's hand in dealing with other nations. This amendment can be another useful weapon in our cold war arsenal. I urge its adoption by the House for greater consistency in our foreign policy.

Mr. WELTNER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WELTNER. Mr. Chairman, I wish to commend the gentleman from Florida for offering this amendment, and for his continued efforts relating to the isolation of Cuba, and the eventual downfall of communism on that unhappy island.

Certainly, this amendment is in keeping with commonsense, and with our national commitment to rid the Western Hemisphere of the evils of Communist subversion.

I support this amendment wholeheartedly, and trust that it will be passed by this body.

Mr. HOEVEN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from Iowa.

Mr. HOEVEN. The gentleman's amendment is similar to an amendment to the foreign aid bill?

Mr. ROGERS of Florida. That is correct.

Mr. HOEVEN. As far as I am concerned, I will accept the amendment.

Mr. ROGERS of Florida. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. OLIVER P. BOLTON

Mr. OLIVER P. BOLTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OLIVER P. BOLTON: Page 5, immediately after line 17, insert the following:

"(11) Section 107 of such Act is amended by inserting immediately before the period at the end thereof the following: ', or (3) the United Arab Republic'."

Mr. OLIVER P. BOLTON. Mr. Chairman, very briefly, this amendment would define again the definition of what friendly nations can be given food under section 107. It would except the United Arab Republic from the definition of friendly nations.

I call attention to section 105 of the foreign aid bill. There is an amendment put in by the Senate, which reads as follows:

> No assistance shall be provided under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, to any country which the President determines is engaging in or preparing for aggressive military efforts.

At that time in the debate in the Senate, Senator HUBERT HUMPHREY said, and I quote:

> I am not opposed to the Senator's amendment. Why not name the countries? Egypt is the object of the amendment. Let us name Egypt in the bill. Let us do as we did in the case of Indonesia a while ago. There appears little doubt that Nasser was responsible for the attack on the Yemen, and I favor cutting out our aid to Egypt.

This was said in discussing the amendment in the foreign aid act which I just read. However, the President has not seen fit to determine that an aggression is going on and is being perpetrated by the United Arab Republic at a time when our negotiator went in and made a compact with the United Nations and with Egypt whereby we participated in a deal where we would recognize the new government of Yemen that was supported by the United Arab Republic and in return for that the United Arab Republic agreed that they would start pulling out their troops which at that time numbered around 12,000.

At the present time there are estimated as of today to be about 40,000 Egyptian troops in Yemen. They have been carrying on a constant war there.

In addition to that, they have threatened Saudi Arabia. They have threatened the peace of that whole area to the point where they have forced the United States and Great Britain to agree to withdraw from two of our largest bases in that whole area and they have been able to take the funds which are grants of grain to them in exchange for local currency and they have been able to conclude with the Soviet an exchange compact on cotton which has permitted them to receive arms and to receive other goods and at the same time are engaging in every way possible to develop missiles and other articles of war which will permit them to attack their neighbors and in particular the State of Israel.

We have declared it as a policy of the U.S. Government that we will not give food to those countries who are aggressors and who are disturbing the peace of the world. Yet, there has been no determination under the responsibility of the Department of State and the President to call the United Arab Republic aggressors. I think it is high time that we recognized the facts of life.

There will be the objection made to this amendment that this will tie the hands of the State Department. Contrarywise, this amendment will not take effect until fiscal year 1966 at the earliest. It will probably not take effect until the end of calendar year 1966 because the shipments are so far behind the authorizations and gives the State Department a year and a half to 2 years to say to Egypt—"Now look, this is what our Congress has said and unless you start living up to your word our hands are tied because of the policy set by the Representatives of our people and our country."

Therefore, they will be put in a stronger position to deal with the United Arab Republic.

In addition to that, complaint will be made that there is no precedent for this. In Public Law 480 today the U.S.S.R. is specifically exempted from those that are friendly nations. In addition to that, at the request of the State Department, recently in the other body the Red Chinese Government was specifically exempted.

So there is precedent for the Congress stating its policy in black and white terms. I urge the House to state specifically that we will not ship any Public Law 480 food to the United Arab Republic.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. OLIVER P. BOLTON. I yield gladly to the gentleman from Indiana.

Mr. ADAIR. In line with what the gentleman from Ohio has just been saying, it is interesting to note that press dispatches today indicate that Saudi Arabia is deeply concerned over the possibility of attack by Mr. Nasser and Egypt. We all know of the recent activity of the Egyptian troops in Yemen, and if that should be successful—the evidence indicates it has been only partially so up to now—then there is danger of extension of the war into Saudi Arabia. With those facts in mind, I strongly urge the Committee and the House to support the gentleman's amendment.

Mr. OLIVER P. BOLTON. I thank the gentleman from Indiana.

Mr. RUMSFELD. Mr. Chairman, will the gentleman yield?

Mr. OLIVER P. BOLTON. I yield to the gentleman from Illinois.

Mr. RUMSFELD. Mr. Chairman, I thank the gentleman for yielding. I rise in support of the Bolton amendment and strongly urge that it be adopted by the Committee.

I support Public Law 480 and the food-for-peace program and fully intend to support this bill. However, in view of the numerous instances of aggression by the United Arab Republic against other nations in the Near East and particularly Israel, as well as Colonel Nasser's continued anti-American statements and policies it would be folly to continue our assistance to the United Arab Republic under this program. By continuing our assistance we enable the United Arab Republic to accelerate its arms buildup rather than applying its resources to meeting the needs of its people.

Mr. Chairman, I want to commend the very able and diligent gentleman from Ohio [Mr. BOLTON] for the outstanding contribution he has made here today. I am pleased to join such an outstanding legislator in support of this amendment.

Mr. OLIVER P. BOLTON. Mr. Chairman, the matter to which I have referred is as follows:

REPORT BY THE SECRETARY GENERAL TO THE SECURITY COUNCIL ON THE FUNCTIONING OF THE UNITED NATIONS YEMEN OBSERVATION MISSION AND THE IMPLEMENTATION OF THE TERMS OF DISENGAGEMENT COVERING THE PERIOD FROM MAY 4 TO JULY 4, 1964

1. In my last report on the functioning of the United Nations Yemen Observation Mission, which was submitted to the Security Council on May 4, 1964 (S. 5681) I stated my intention to extend the mission for a further period of 2 months, that is, until July 4, 1964, and this has been done (S. 5681 Add. 1). The mission has continued to operate over this latest period under the direction of Mr. Pier P. Spinelli, my Special Representative for Yemen, and, during his absence from the area for health reasons, under that of the Chief of Staff of the Mission, Col. S. C. Sabharwal. There has been no significant change in the method of operation of the mission or in the deployment of its staff of 25 United Nations military observers. Caribou aircraft of the Royal Canadian Air Force continue to support the mission.

2. The formal mandate of the mission continues to be to observe the implementation of the disengagement agreement, under the main provisions of which a demilitarized zone was established on the northern frontier between Saudi Arabia and Yemen; Saudi Arabia undertook to cease providing aid and support to the royalists of Yemen and to prohibit the use of its territory by royalist leaders for the purpose of carrying on the struggle in Yemen; and the United Arab Republic agreed to carry out a phased disengagement of its troops from Yemen.

3. United Nations observers stationed on the northern frontier have continued to observe traffic crossing the border by the main routes. There has been a steady, though small, traffic in civilian supplies, but no military supplies have been noted. From time to time, however, armed royalists in small numbers have crossed the border in either direction.

4. As to the strength of the United Arab Republic troops in Yemen, the observers stationed at Hodeida have reported that some 2,800 troops arrived there by sea during the period of this report; about 1,000 of these, however, were thought to be troops of the Yemen Arab Republic returning to the country after undergoing training in Egypt.

During the same period, some 3,000 United Arab Republic troops were reported by observers to have left Hodeida. Taking into account movements by air, in which there is usually a net balance of troops leaving the country, it is estimated that there has been a reduction of some 3,000 troops in the total strength of the United Arab Republic force in Yemen.

5. The formation in Yemen, at the beginning of May, of a government of broader composition under Gen. Hammoud Jaifi, as Prime Minister, gave promise of an improvement in the political stability and independence of the country. The new government promptly assured me of its desire for good and peaceful relations with all of Yemen's neighbors. The formation of this government, however, has not resulted to date in any accommodation with the royalist leaders, who have continued to hold out in various mountainous areas in north Yemen.

6. On the whole, the military situation in Yemen has remained fairly quiet over the past 2 months. Royalist attacks on United Arab Republic positions in the Hajja and Sada area are reported to have been repulsed with a number of casualties in the latter half of May. United Arab Republic units are reported to have launched aerial bombing attacks on those and other occasions. The military stalemate appears to continue.

7. While no military aid by Saudi Arabia to the royalists of Yemen has been observed during the period of this report, and while some slight progress in United Arab Republic troop reduction appears to have occurred, the implementation of the disengagement agreement is still far from complete insofar as the United Arab Republic troops in Yemen are concerned. This, of course, is the primary concern of the two parties to the disengagement agreement. The terms of that agreement give the United Nations no role beyond observation and reporting with regard to its implementation. The United Nations, therefore, cannot insure that it will be carried out. In my previous reports I expressed the hope that further progress toward disengagement and toward an understanding to cooperate in promoting political progress and stability in Yemen would result from high-level talks between representatives of the Governments of Saudi Arabia and the United Arab Republic, noting that some preliminary discussions had taken place. I am now even more strongly of the view that real progress toward these ends can be hoped for only through such high-level discussions. This means, of course, talks between Crown Prince Feisal and President Nasser. There would appear to be continuing improvement in the general relations between Saudi Arabia and the United Arab Republic. However, there appears to be no indication that a high-level meeting between these two parties on the Yemen problem is imminent.

8. I believe that the Yemen Observation Mission, despite its unusually limited function and authority, has helped toward removing the threat to international peace and security implicit in the Yemen problem and toward keeping open the possibilities for a final settlement. With a view to providing a further opportunity for negotiations, I consider it advisable to extend the mission after July 4 for another 2 months. I take this position with some reluctance, however, in view of the fact that during its year of operation the mission in Yemen has been able to observe and report only a disappointing measure of disengagement, in particular as regards the withdrawal of United Arab Republic troops. I feel obliged, therefore, to appeal most urgently to the parties concerned to meet at the highest level in the near future with a view to achieving full and rapid implementation of the disengagement agreement. I also feel bound to advise the Council that if this new period of 2 months were to register no substantial progress toward fulfillment or the firm prospect of imminent fulfillment, I would find it difficult to envisage a further extension of the mission in its present form, and with its present terms of reference and purpose.

9. I have ascertained from the Permanent Representative of the Governments of Saudi Arabia and the United Arab Republic that their Governments concur in my suggestion that the United Nations Observation Mission in Yemen be extended for another 2 months as from July 4, 1964; that is, until September 4, 1964. In pursuance of the informal procedure that has been followed since last November (S/5447/Add. 2), and again believing that no meeting of the Council on the subject was required, I have consulted the Council members individually and informally in order to ascertain that in the light of the circumstances as reported there would be no objection to the extension. In the absence of any objection, I am therefore proposing to extend the mission until September 4, 1964.

[The Atlantic Monthly, August 1964]

BOMB SHOP IN THE NILE: TARGET ISRAEL

(By Terence Prittie)

(NOTE.—After 16 years of service as the Manchester Guardian correspondent in West Germany, Terence Prittie has now been recalled to Fleet Street to become the Guardian's diplomatic correspondent. The following news story is one of the most startling which he uncovered on his way home.)

At the end of April the British Foreign Secretary, R. A. Butler, made what appeared to be a gaffe when he said in Washington that President Nasser of Egypt was in possession of minor nuclear missiles. His statement was supposed at the time to have arisen out of some misunderstanding of Nasser's program for producing rockets with conventional warheads, which Nasser has assured the world he intends to fire off some day against Israel. In London the Foreign Office could not explain Mr. Butler's Washington statement, beyond the thought that he had misread one of his background briefs.

Mr. Butler certainly chose his words with less than his usual carefulness. But the meaning behind his words was plain: the British Government is increasingly concerned over Nasser's threats to Israel, which have included such sinister phrases as "burning the cancerous growth of Israel" out of the Middle East. The evidence that Nasser is planning to destroy Israel should be examined on the basis of his openly declared statements of intention. The truism is too often forgotten that if a man says something often enough, he will not only come to believe it but will feel obliged to implement it.

Nasser's campaign to compass the destruction of Israel has four main features. He is planning to secure the removal of the British from their present military bases in Aden, Cyprus, and Libya. He is building up his conventional armed strength. In addition, he has made considerable progress with a crash program to produce ground-to-ground rockets in sufficient numbers to be able to flatten Israel's few cities and decimate its closely concentrated population. Finally, he has been experimenting with the production of weapons of genocide of both a nuclear and "subnuclear" type.

It is easiest to leave the question of the ejection of the British from their military bases to the last. Nor need a great deal be said about the building up of Egyptian conventional armed strength. Egypt today has squadrons of Ilyushin 28 and Topolev 16 bombers, which are better than anything Israel has. Egypt has the Stalin heavy tank which, again, is much bigger than the British Centurion medium tank used by the Israel army. Egypt is building HA 300 jet fighters at the Heluan aircraft factory outside Cairo. The HA 300 has been designed by an Austrian engineer, Professor Brander, and has passed its flight tests. Egypt would, of course, aim at achieving overwhelming superiority in the air before attacking Israel. At sea, the Egyptians have 7 destroyers to Israel's 3, and 10 submarines to Israel's 2.

Two wars against Israel have convinced President Nasser that the Egyptians, man for man, are no match for the Israelis. Therefore, even an immense superiority in conventional weapons and in manpower (the population of Egypt is 10 times that of Israel) would not guarantee victory in a third war. This is why the Egyptians, with the vital help of German and other foreign scientists and technicians, have been working on a crash program for the production of long- and medium-range rockets at their factory No. 333 at Heliopolis, a few miles east of Cairo. Three main types of rocket are being developed there.

The first is a single-stage rocket, using fluid fuel and carrying a half-ton warhead. It has the code name Al Zafar ("the Victor"). Some dozens of this rocket, which has a range of 235 miles, have already been produced. It was first fired in public tests on July 23, 1963.

More powerful is Al Kahar ("the Conqueror"). This, too, is a single-stage rocket, using fluid fuel and carrying a warhead of up to 2 tons in weight. It has a range of about 375 miles. Finally, there is a two-stage rocket, Al Raid ("the Explorer"), which is still in process of development. Its first stage will be based on the Conqueror, and its second-stage rocket will be smaller than the Victor. The size of its warhead has still to be determined, but would presumably be about half a ton. Al Raid would have a range of more than 600 miles.

These three rockets supply the foundation for Nasser's assertion that he now has weapons which cover the whole distance from Cairo to Beirut. All three rockets are being adapted for use from mobile launching pads, which could if necessary be towed through the Sinai Peninsula and up to Israel's borders. But their range makes this unnecessary, and the chief attraction of the rockets for Nasser is that they could be fired off in safety 100 miles and more from the frontier. For the total length of Israel from north to south is barely 100 miles. Israel's width averages no more than 30 to 35 miles.

The Egyptians are also building light naval craft, somewhat smaller than frigates, which are to be equipped with launching pads for rockets in place of conventional apparatus for torpedoes. Although they would presumably carry only small rockets, naval craft could play an important part in a saturation attack on Israel's cities, which are nowhere more than 10 miles from the sea (the only exception is the Jewish half of Jerusalem).

It is believed that Nasser intends to build between 800 and 1,000 rockets for an assault on Israel. This will take him roughly 2 years at the present estimated rate of progress. The key to his success is the continued presence in Egypt, in his employ, of the 2 dozen German scientists and 500 to 600 German and other foreign technicians who have been there for the past 3 years.

The German rocket colony in Egypt, according to recent estimates, consists of approximately 500 technicians with more than 1,000 dependents. The senior scientists are paid from $3,000 to $5,000 a month, which is perhaps three times what they would earn in West Germany. They are generally given free houses and domestic staff, and few of them show the slightest desire to return home. The pay and living conditions of all the technicians are, in like manner, far better than what they would expect at home. The German colony has its own club on an island in the Nile and its own school, which is by far the biggest German school abroad. Perhaps the greatest attraction in working for Nasser lies in the power and responsibility involved. In Egypt these Germans are important people.

Nasser certainly wants to keep them there. Egypt is desperately short of scientists and high-class technicians. His rockets, his nuclear experiments, and the satellite which he claims he will fire into space are the work of his German hirelings.

The Egyptians, operating on their own, would probably have to scrap their rocket program. This is why the Israeli Government is so anxious that the German Federal Government should take active steps to recall Germans working on armaments in Egypt. So far, in spite of frequent Israeli representations during the last year and a half, the Bonn government has done nothing beyond preparing the draft of a law which would enable passports to be withdrawn from German citizens carrying out work of this kind. If such a law were passed, these Germans would have to be buried abroad.

West German hesitance over putting this legislation before the Bundestag deserves a note. There is a powerful pro-Arab lobby in Bonn, where a section of the Christian Democratic Party and virtually the whole Free Democratic Party are opposed to any action which could harm German trade interests in the Middle East. West German heavy industry provides the most powerful single pro-Arab pressure group, and a small group of firms has considerable influence with the Federal Government. The group includes the steel and heavy engineering firms of Krupp, Thyssen, Kloeckner, and Demag, which have major industrial interest in Egypt.

Nasser's rocket program, used with his other conventional weapons, would be of sufficient scope to cripple Israel and secure her total military defeat. This, of course, is Nasser's primary objective in a war with Israel. But it is not his only objective. He has sworn to blot out Israel completely and to incorporate the whole of Palestine in a unified Arab state or, if that cannot be organized, in Egypt. The most that he would contemplate leaving of Israel would be a Jewish ghetto in Palestine, but it is very doubtful whether he would be prepared to leave even that. For a Jewish ghetto would continue to attract more Jewish immigrants, and the claim and hope for a Jewish national state would be kept alive. This is why Nasser is contemplating using weapons of genocide against Israel.

I learned details of his experiments in this direction from a scientist who worked for more than a year for Nasser. This scientist was in close touch with a member of Nasser's inner circle of assistants, Mahmoud Khalil. Khalil and a dozen other comparatively young men who form the inner circle often work 18 to 20 hours a day and make no secret of their pride in "burning themselves out" in the service of their country. One of the tasks of this small group during the last 2 years has been to examine the possibilities of producing weapons of genocide.

Three particular possibilities have been explored. The first was to produce a nuclear bomb of the Hiroshima type, which ranks today as out-of-date to the great powers, but which would be amply sufficient to blot out Israel's centers of population. This project, which was given the name Operation Cleopatra, was held up because of the inability of the German scientists in Nasser's employ to produce an easily transportable bomb or a nuclear warhead light enough to be fitted onto a rocket. In addition, the Egyptians do not have a large atomic reactor for producing plutonium or a diffusion plant for producing fissile uranium. For a Hiroshima-type bomb, Nasser would have to procure uranium, a very difficult matter.

Yet he has undoubtedly examined the possibilities of doing this. One proposed method was to buy 20 percent enriched uranium (which is available for peaceful purposes) and to enrich it up to the 90 percent required for a bomb. Another was to buy numbers of laboratory reactors, which can produce up to 8 grams an hour of 90 percent enriched uranium. Yet another possibility was to build a nuclear power station "for peaceful purposes" in Egypt, and negotiations to this end have already taken place with a British firm, Kennedy & Donkin. Nasser has suggested that a British-built nuclear reactor could act as a partner to the Aswan Dam power stations. He has conducted his negotiations quite openly on that pretext.

Mahmoud Khalil is reported even to have discussed with Nasser the chance of bribing officers of the British Air Force to fly British-based planes to Cairo, and to bring as many as three nuclear bombs with them. This may sound like science fiction. Indeed, this possibility was never explored any further, but it is of interest that it was even considered.

The second possibility of producing weapons of genocide was explored under a different project, Operation Ibis. Its purpose was to produce small missiles with a limited radioactive fallout. These missiles, known as radioactive rubbish bombs by experts in this field, could be dropped from aircraft, fired as artillery shells, or used in the warheads of rockets. They would be difficult to handle, and for this reason Nasser has been employing gamma-ray experts from Germany and other European countries who have been working on protective casings, clothing, and other equipment. Such weapons would have a delayed effect, by poisoning food, water, and the atmosphere.

The third possibility examined in Egypt was that of causing heavy losses to an enemy population by exploding small packages of strontium 90, of 2 or 3 pounds. Strontium 90 in powder form could be exploded in small containers, which could be fired from weapons of a light mortar or even bazooka type. The packages and the weapons could be deposited beforehand in Israel, or even in countries friendly to Israel, and could be exploded by Egyptian agents. Strontium 90 has a life of about 20 years. Once again, this may sound like science fiction. Once again, it must suffice to say that this plan was carefully examined by Nasser's advisers.

The revelation that the Egyptians have been considering the possible use of weapons of genocide has given rise to some misconceptions. It has been argued, for instance, that names such as Cleopatra and Ibis would never be used by Egyptians, who would surely prefer Arabic code names. The answer is that these names were used by the foreign scientists working for Nasser. An Egyptian code name will doubtless be furnished if any one of the three projects gets underway. So far, there is no direct evidence that a production program for any of the three has begun.

A second misconception is that because the use of weapons of genocide would be militarily useless, Nasser must have abandoned projects like Operation Ibis. This is a highly ingenuous suggestion, for Nasser would clearly never use radioactive rubbish bombs alone but as supplementary to his rockets and other conventional weapons. The object of Operation Ibis would be quite simply to scare the Jews out of the Middle East.

There is nothing fanciful about this. The burning adoration of the Jews for Eretz-Israel, the national home and promised land, is such that they would not think of deserting it after military defeat and might even be prepared to go once again into bondage in the land of Egypt—if by so doing, they could keep their claims alive. But genocide, coming only 20 years after Hitler's "final solution," the extermination of 6 million European Jews, would pose a terrible threat. If

Israel's present population were destroyed, or prevented by radioactive fallout from propagating their species, could the remaining Jews of the world ever again mount a resettlement of Israel and another return to the promised land? It is highly doubtful, for Israel's present small population constitutes the kernel of Jewish idealism and faith.

One must revert to point one of Nasser's campaign to destroy Israel: The removal of the British from their Middle East bases. These were the bases used for the ill-fated and badly judged British intervention at Suez in 1956. These bases would be used again if Nasser were to launch an unprovoked and genocidal attack on Israel. This is why Nasser has asked the ruler of Libya, King Idris, to end the leases of air bases to Britain and the United States at El Adem and Wheelus Field. This is why Nasser has sent an army of 42,000 men to the Yemen, as a first step toward destroying the British-sponsored South Arabian Federation and liquidating the Aden base. This is why Egypt has, after the Soviet Union, been the principal supplier of arms to the Greek Cypriots. Nasser intends to close the Eastern Mediterranean and the Red Sea to the West.

Complementary to this intention is Nasser's desire to build a firm alliance with the Soviet Union, a desire which was plainly advertised during Khrushchev's visit to Cairo in May. The Soviet Union can be of immense use to Nasser in the economic and military fields. It is supplying Egypt with a $280 million loan, with increased technical aid for industrial developments and irrigation, and with secondhand armaments at cut prices. But of much more importance is the future diplomatic role of the Soviet Union in the Middle East, which will be designed to counter and finally to eradicate Western influence in the area. It is naive to imagine, as some Western commentators have done, that Nasser has much more to gain from an Egyptian-Soviet entente than Khrushchev has. The latter can now set to work to turn the Middle East into a bastion against Western imperialism (and, incidentally, against Chinese communism), to outflank the Central Treaty Organization, to open the road to peaceful penetration of India (bereft of Nehru) and Africa. A rejuvenated Islam could be a very useful ally for a Soviet Union which must want to take up a dominant middle position between Western Europe and Red China.

The State of Israel asks for nothing more than to be left in peace. Israel has offered to join in guarantees of all existing frontiers in the Middle East. It would willingly offer money and technical aid in solving the problems of the Palestinian-Arab refugees. It has offered to share in the utilization of the waters of the River Jordan for peaceful purposes, although it is going ahead with pumping its share from the Sea of Galilee to the deserts of the Negev. Israel threatens nobody, and even when forced to go to war with Arab neighbors has set out to keep its military victories within strict bounds, thereby giving Arab prestige the chance to recover. The essence of Israeli policy has been to develop good relations with its neighbors. In the long-term future, Israel could be of tremendous use to the Arab countries, by providing technical advice and a model of how to run a modern state.

The Israelis, naturally, are desperately worried by Nasser's arms buildup. The Prime Minister, Levi Eshkol, said on May 20: "With the aid of German and other scientists Egypt is developing missile armaments on a large scale and devoting incessant effort to their improvement and expansion. She is also engaged in developing destructive weapons which are not to be found today in the Middle East." This was an oblique reference to Nasser's experiments with weapons of genocide. The Israeli Government has appealed repeatedly for the recall of the German and other foreign scientists; the Knesset did this once again on May 4.

What should, or what can, the Western powers do about Nasser's plans to destroy Israel?

The United States and Britain can guarantee Israel's existing frontiers and offer a similar guarantee to the Arab nations. Steps should be taken in the United Nations to secure the withdrawal of the large Egyptian Army from the Yemen. The West German scientists should go back to their own country. It should be made plain to Nasser that Britain has no intention of giving up her Middle East bases until there is real stability in that area. Finally, the Arab nations should be encouraged to regard the State of Israel as a fact. In return, the Western Powers must offer to make a major contribution toward the resettlement of the Arab refugees in Arab countries and toward building up the economies of those countries. The Arab States should be made to understand that the desire to avert a war in the Middle East does not stem from anti-Arab feelings, and that nothing will be gained in the long run by trying to play off rival world blocs against one another.

Above all, there is a paramount need for close collaboration in the Middle East between the United States and Britain. Their immense joint stake in Middle East oil is reason enough for this, and there is no harm in saying so. But much more important is the very real threat of war breaking out, if not today or tomorrow, then in all probability in the near future. Nasser's arms buildup suggests that this could be.

[From the New York Times, Aug. 23, 1964]

United States Will Give Up Libyan Airbase—It Agrees to Evacuation in Principle, As Does Britain—Date To Be Set Later

Tripoli, Libya, August 22.—The United States has agreed in principle to evacuate its huge Wheelus Air Force Base in Libya, Premier Mahmud Muntasser announced today.

He said that Britain, which signed a 20-year treaty with Libya in 1933, had also agreed in principle to give up her military bases and air staging posts in the country.

[The State Department confirmed its agreement but said no definite date had been determined. A spokesman said in Washington that the move was under study and a date would be indicated in 1965.]

The American base, just outside Tripoli, was operated under a 17-year agreement with the Libyan Government signed in 1954. The base is an important center for U.S. Air Force training activities.

STATEMENT EARLIER IN YEAR

Earlier this year the Libyan Government said the treaties under which Libya granted military facilities to Britain and the United States would not be renewed when they expired.

It was reported in Benghazi in June that Britain and Libya had agreed in principle on the transfer of part of the British forces in Libya by the end of this year as the first stage of evacuation.

The three Governments have been in negotiation about their treaties for some months.

The Libyan Parliament decided in principle last March 16 to abrogate the bases agreements with Britain and the United States following a speech by President Gamal Abdel Nasser of the United Arab Republic calling for the liquidation of foreign bases in Libya and Cyprus on the ground that the bases were directed against Cairo.

President Nasser called for the liquidation of the bases in a speech in Cairo February 25. H said that following the Suez invasion of 1956 Egypt "cannot trust Britain in our neighborhood."

Britain has army district headquarters at Tripoli and Benghazi and the Royal Air Force has detachments at Idris Airport near Tripoli.

President Nasser also accused Britain of "supporting and spoiling" Israel and warned that anyone who supported Israel would find his interests being affected in Arab lands from the Persian Gulf to the Atlantic.

Libya is a country of about a million people, lying between Tunisia and Algeria on the west and Egypt on the east. It was the scene of heavy fighting during World War II.

[From the New York Times, Aug. 23, 1964]

Anti-British Push Expected in Cairo—Radio Assails Imperialism of Southern Arabian Rule

(By Jay Walz)

Cairo, August 21.—President Gamal Abdel Nasser's campaign to drive the British from southern Arabia is headed toward dramatic upsurge after the August political doldrums, in the opinion of experienced diplomatic observers here.

The campaign has already been stepped up in the press and radio of the United Arab Republic.

The consensus is that President Nasser may use the meeting of Arab leaders, scheduled to open in 2 weeks in Alexandria, as a signal for a new propaganda attack. It would aim at extending the Yemeni revolution to all of southern Arabia and at bringing the collapse of the Federation of South Arabia. The federation comprises 13 states, including Aden, under British protection.

Informed observers assert that such a drive could embroil southern Arabia in a reenactment of the Algerian revolution.

Egypt's goal in Yemen already extends far beyond a mere settlement of the civil war between the revolutionary republican Government at Sana and the outlying royalist forces that are still fighting for the dethroned Imam, Mohamad al-Badr.

This interest is evident from the attention Cairo is giving to the activities of the National Front for the Liberation of the Occupied South, an organization with headquarters here. Kahtan al-Shaabi, the front's political secretary, issues almost daily military communiques reporting advances by "the front's troops in all combat zones" against "imperialist forces" along the frontier of Yemen and South Arabia.

New propaganda programs have been produced by the Cairo radio since August 1. "The Voice of the Arabs places all its resources at the service of the triumphant, flaming revolution in South Arabia," the station's director said recently.

In contrast, a week-long visit of King Hussein of Jordan—directed at least partly toward reconciling President Nasser and Prince Feisal, the Premier of Saudi Arabia—ended yesterday with little notice except for the ceremonial trappings.

The visit took place in Alexandria, where President Nasser is on vacation, and the public here was shown news photographs of the President embracing the King at the airport as bands played the national anthems and riflemen offered a 21-gun salute, King Hussein was lodged in Ras Eltin, an old seaside palace that once housed King Farouk.

Nothing was said here, however, about any accomplishments of King Hussein's "private visit." It is known that the King wanted to bring President Nasser and Prince Feisal toward a reconciliation on the Yemen issue before a meeting of Arab leaders September 5. Whether Premier Feisal will join the talks remains doubtful, and if he does not attend, President Nasser's new effort to demonstrate Arab unity is expected to suffer a serious blemish.

Mohammed Hassanein Heikal, a columnist in the influential newspaper Al Ahram, wrote today, "Nothing has happened in Saudi Arabia since the first Arab summit." He referred to a meeting that took place here last January.

Mr. Heikal, whose writings are avidly read for an inkling of trends in President Nasser's policies, commented: "Saudi Arabia's royal family adopted a hostile stand toward the Yemeni revolution, and Saudi Arabia became a base for hostile military operations against the revolution."

Last May Prince Feisal failed to fulfill a promise to come here to settle the dispute, and if he has demonstrated a more amenable mood recently, Mr. Heikal's column did not report it.

Some observers suggest that President Nasser has in fact lost interest in talking with Prince Feisal about a settlement since Cairo now regards the revolution as an accomplished fact and is looking, as a next step, toward an Arab nationalist revolution in southern Arabia.

That would mean "the liberation of occupied Yemen" from British control and finally the withdrawal of Britain from her military base at Aden, which President Nasser began assailing in a speech at Port Said last December.

In this connection, Cairo diplomatic observers are watching with interest the rise of the National Front for the Liberation of Occupied Yemen, which is widely publishing and broadcasting inflammatory statements.

Today, in a communique that can be regarded as typical, the front "appealed" to the people of southern Arabia to rise against the British, who "have come to feel strangled because of blows dealt by the front's troops in all combat zones and because of the solidarity of the revolutionary masses supporting the front's troops."

The communique added: "These imperialist authorities have acted with complete rashness and savagery and mobilized all their forces and hirelings to persecute the revolutionary elements, who are struggling in Lahej, Abin Dathina, Dalein, and Heihan."

These communities are along the border of Yemen and the federation.

The aim of Mr. Shaabi, the front's political secretary, is apparently far more radically revolutionary than that of Abdullah al-Sanag, the Aden trade union leader who until recently led the liberation movement. Mr. Asnag, known as a moderate, seeks to win liberation by talks and negotiation. But his influence—at least in Cairo, where he has spent much time in recent years—is waning. Mr. Shaabi's is on the rise.

[From the New York Times, Aug. 28, 1964]

New Battle Raging in Yemen, Royalist Reports—Republicans Backed by Cairo Said To Suffer Big Losses—Traveler Tells of Resistance to Drive Against the Imam

(By Dana Adams Schmidt)

Beirut, Lebanon, August 27.—A major battle is reported to be underway in the northwestern corner of Yemen, in the triangle formed by Sada, Haradh, and the Imam's headquarters in the Qara Mountains.

Although the Cairo radio has reported that Imam Mohamad al-Badr has been put to flight and the border of Yemen and Saudi Arabia sealed, an authoritative Yemeni Royalist source said tonight that revolutionary forces had suffered serious reverses in the northwestern area.

In Yemen's long civil war, the United Arab Republic is supporting Arab Nationalist forces against the Royalist armies of Imam Mohamad, who is backed by Saudi Arabia.

The Royalist source, newly arrived from Yemen, via Qatar, said that since last Friday the Egyptian-led had waged "probably the biggest single military operation the Egyptians have conducted in nearly 2 years of campaigning."

He estimated that 5,000 Egyptians were involved in a two-pronged thrust aimed principally at killing or capturing the Imam.

COUNTERATTACKS BY ROYALISTS

According to this source, the Royalists met the Egyptian offensives with counterattacks, beginning Monday at dawn. Additional tribesmen moved in steadily to swell the Royalist forces, he added.

The counterattack included diversionary thrusts by Yemen forces stationed as far away as east of Sada and south of Sana, the capital, he said.

The source, who declined to be identified, told of having met the Imam in Yemen at a gathering of military commanders on Monday as the counteroffensive got underway.

The Royalist informant estimated that 600 men had been killed or seriously wounded on both sides between Friday at dawn and early Wednesday, when he left Yemen.

DESCRIPTION OF BATTLE

He described the tactical picture as follows:

The Republicans' first objective was a 30-mile-long track that winds southward through extremely rough mountain territory from the Saudi border near El Kuba to the Imam's headquarters in the Qara Mountains near Wash-Ha.

They attacked eastward from the town of Haradh through the Razih and Nadir Mountains toward the track.

From Haradh the Republicans moved through two ravines—Haradh and Tashar. On Saturday and Sunday afternoons heavy rain fell, and the Republican vehicles—numbering about 80, including 6 armored cars and minesweepers—began to sink axle deep into mud.

The defenders left them alone until Monday at dawn. Then, under Prince Abdulla Hussein, they counterattacked in the Haradh ravine. Another force, personally commanded by the Imam, met the Republicans in Tashar.

With heavy losses, the rebels began falling back toward Haradh.

The Royalists claimed to have destroyed six tanks by Wednesday morning.

TWO HUNDRED AND FIFTY CHUTISTS INVOLVED

Meanwhile, the rebels, after bribing sheiks in the area, moved other units westward from their base in Sada to Mount Nadir and dropped 250 parachutists on nearby Mount Razih.

From these two points they drove westward toward the track. Although the distance was only 10 miles, they had not covered it by the time the Royalist sources left the area. He reported that most of the paratroopers had been killed.

The source said the Royalists had been able to make a good showing thus far because they had seen the United Arab Republic's forces preparing this operation for 3 months. Although they could not tell when the attack would come, he said, they prepared countermeasures and accumulated weapons.

[From the New York Times, Aug. 30, 1964]

U.N. Decision Near for Yemen Team—Observers Largely Defied—Mandate Up for Renewal

(By Sam Pope Brewer)

United Nations, N.Y., August 29.—Reports of renewed fighting between royalists and republicans in Yemen have called attention to the fact that the Secretary General, U Thant, has only a week left in which to arrange for an extension of the United Nations observation mission there. If he does not, the mission must give up its work.

Informed sources maintain that Mr. Thant has yet to make a decision.

He has to make his recommendation to the Security Council before next Friday. The mission has been operating since July 4, 1963, to observe conditions under a disengagement agreement reached by Saudi Arabia and the United Arab Republic a few weeks before that.

The observation mission included 200 Yugoslav and Canadian soldiers and airmen from July 4 to November 4, 1963. Then it was cut to 25 military observers.

Every 2 months Mr. Thant has extended its life with the informal approval of the 11 Security Council members. At the beginning of last month, however, Mr. Thant told the Council that he "would find it difficult to envisage a further extension of the mission in its present form" if it achieved no results by September 4.

U.S. IN DELICATE POSITION

The failure of the mission would leave the United States in an awkward position, some Middle Eastern sources say. If the observers withdraw, Saudi Arabia is expected to resume overt military aid to royalist tribesmen supporting the deposed Imam, Mohamad al-Badr. This would put the Saudis into direct conflict with the United Arab Republic, whose troops are supporting the republican Government in Sana, the capital.

According to royalist reports, the Egyptian-backed republicans were suffering heavy casualties this week in a new drive against the Imam's men in northeastern Yemen. The republicans charged, on the other hand, that a royalist column had pushed into Yemen from Saudi Arabia.

The United States was influential in bringing about the disengagement agreement to prevent fighting between Saudi Arabia, an ally, and the United Arab Republic, a country with which it was trying to improve relations.

The main stumbling block now is that the United Arab Republic has not withdrawn its forces as stipulated in the agreement.

Mr. Thant's latest report, on July 2, said no royalist military supplies had been seen crossing the border from Saudi Arabia though "armed royalists in small numbers have crossed the border in either direction."

EGYPT'S FORCE PUT AT 28,000

Without estimating the total Egyptian strength, the report said, "It is estimated that there has been a reduction of some 3,000 troops in the total strength of the United Arab Republic force in Yemen." British estimates, which have never been publicly challenged, put the figure between 28,000 and 30,000.

The fighting in Yemen began September 1962, after the Palace Guard overthrew the hereditary ruler, Imam Mohamad, and established a republic under Col. Abdullah al-Sallal, now President.

Tribesmen rallied around the deposed Imam. Since then, Cairo has supplied troops to support the republican government but has been unable to crush the tribal forces.

The disengagement agreement was negotiated in the spring of 1963 by Ellsworth Bunker, of the United States. It provided that Saudi Arabia was to cease military aid to the tribesmen, that Cairo would progressively withdraw its troops and that there would be a neutralized buffer zone along the frontier.

The observation mission was established by a Security Council resolution of June 11, 1963, to observe the execution of the agreement. The costs have been shared by Saudi Arabia and the United Arab Republic.

[From the Washington (D.C.) Post, Aug. 30, 1964]

Egypt-Yemen Units Score Big Victory

Beirut, Lebanon, August 29.—After 2 weeks' savage fighting the Egyptian and Yemeni Republic forces have won what appears to be a decisive victory over the Royalist followers of Imam Mohamad al-Badr in northwest Yemen. The Imam, according to reports, has exacuated his mountain headquarters and fled to Saudi Arabia.

After a battlefield tour earlier this week, Egyptian Field Marshal Abdel Hakim Amer announced that the Egyptian-Yemeni forces were in complete control. He warned Saudi Arabia and the Amirate of Beihan (in the South Arabian Federation) not to aid the Royalists or allow their territory to be used as bases for operations against the Republic, threatening massive retaliations "regardless of the consequences."

Yemeni Royalist representatives in Beirut this week en route from the battle area admit they are hard pressed by the repeated Egyptian onslaughts, but deny that the Imam has fled. Their story is that he has moved his headquarters elsewhere in Yemen. They claim the Egyptian advance was halted by sudden unseasonal rainstorms last week.

This "miracle" they say, has revived the morale of the Royalist tribesmen, who are now regaining lost ground.

After sifting all the conflicting evidence it is nevertheless clear that the Republic has made important gains. It now holds a firm grip on the northern and southern border areas astride the potential supply routes from Saudi Arabia and the South Arabian Federation.

Faced with this blockade the Royalist eastern front cannot hold out indefinitely.

After nearly 2 years' continuous fighting the Egyptian troops are becoming more adept at mountain warfare.

Moreover, for the first time, Egyptian and Russian-trained Yemeni republican units have begun to play an appreciable frontline role. The Royalists, on the other hand, lack adequate military supplies and are beset by disease and famine.

The Yemen victories will undoubtedly bolster President Nasser's position at next week's Abab summit conference in Cairo, where all possible pressure will be exerted on Prince-regent Faisal, of Saudi Arabia—the only major Arab State which still backs Imam Badr—to recognize the Republic.

[From the Washington (D.C.) Post, Aug. 30, 1964]

SOVIET OFFER OF WEAPONS TO JORDAN STIRS WEST

(By Patrick Seale)

AMMAN, August 29.—Russia has offered to supply Jordan with supersonic aircraft and other modern weapons, and has started a first-class diplomatic flurry in this capital with possibly far-reaching consequences for Jordan's future alinement and independence.

It is recognized here as a challenge to Britain and the United States, which have so far been sole suppliers of arms to Jordan. It is also seen as an attempt to draw Jordan—one of the last pro-Western enclaves in the Arab world—into the nonalined camp and into a position of dependence on both Russia and Egypt.

The offer, confirmed by Prime Minister Bahjat Talhouni, follows a pattern made familiar in Egypt, Iraq, and Syria, where Russia made skillful use of arms deliveries on easy terms as the spearhead of a wide-ranging political offensive.

Urgent consultations are taking place between London and Washington about whether a Western counteroffer should be made. The main burden of decision lies with the United States, which already subsidizes Jordan's budget heavily, and which alone is able to match the Soviet offer.

A reaction from Washington on the offer is expected before the Arab heads of state assemble in Alexandria next Saturday.

It is thought that King Hussein may come under pressure at the meeting to accept Russia's arms as part of a unified plan to re-equip the Arab armed forces. He would be better able to resist such pressure if he could produce at the conference a Western promise to supply arms—and in particular the supersonic aircraft—which he is seeking.

Jordan's Prime Minister said he thought the West should meet Jordan's arms requirements.

If Jordan were to take the Soviet arms there would be pressure in Washington to cut the American aid which has been a major factor in Jordan's stability and prosperity in the past 6 years.

But official circles in Amman feel that President Nasser must be under considerable pressure from his Soviet patrons to induce Jordan to accept the offer.

[From the New York Times, Aug. 31, 1964]

RENEWED TENSION ON YEMEN FEARED—SAUDIS REPORTED PLANNING NEW AID TO ROYALISTS

CAIRO, August 30.—Diplomatic circles expect the United Nations mission in Yemen to end next week and some fear a revival of tensions over Yemen between the United Arab Republic and Saudi Arabia.

Both countries were understood tonight to be unwilling to continue the contributions that have financed the 200-man observer mission for the last 14 months. (At the United Nations, U Thant, the Secretary General, was reported by informed sources to have made no decision on extending the mission.)

According to diplomatic sources, the Saudis are threatening to resume large-scale assistance to royalist tribes once the United Nations group pulls out. The royalists are fighting Yemen's republican Government which has been heavily backed by President Gamal Abdel Nasser since it came to power by overthrowing the royalist regime of Imam Mohamad al-Badr in 1962.

Saudi representatives are reported to have told other diplomats that their Government cannot tolerate the presence of about 40,000 Egyptian troops in Yemen close to the Saudi Arabian border.

CAIRO MANEUVERING

With fighting in Yemen reported continuing even today, Cairo has been maneuvering by a combination of threats and appeals to Arab unity to put pressure on the Saudi Government to recognize the republican regime and end support for the Iman.

President Nasser's efforts are expected to reach a peak during the conference of Arab heads of state in Alexandria next weekend.

The United Nations mission was established to supervise a disengagement agreement in Yemen calling for the Saudis to cease aid to the Royalists and the Egyptians to withdraw troops supporting the government.

Since the agreement went into effect in July 1963, the United Nations has reported that most Saudi aid to the Royalists has stopped, but that Egyptian forces have increased from about 30,000 to 40,000 men. Cairo's position is that the troops were entitled to stay as long as the royalist threat continued.

On Friday, the Yemeni Government protested to the Arab League that an attack had been opened from Najran, a Saudi border town, against Marwi in northeast Yemen.

[From the New York Times, Aug. 31, 1964]

LEAGUE PREPARES FOR A PARLEY

CAIRO, August 30.—The foreign ministers of the 13 member states of the Arab League will meet here tomorrow to approve a 23-item agenda for the conference of Arab leaders opening Saturday in Alexandria.

Key topics are expected to include the situation within Yemen and on its borders with the South Arabian Federation.

Other discussions will cover a wide range of political and economic questions, including Israeli activity in the developing countries and a possible Arab common market.

[From the New York Times, Sept. 1, 1964]

YEMEN AN ISSUE FOR ARAB PARLEY—CAIRO'S MOVE SEEN AS EFFORT TO EMBARRASS SAUDIS

(By Dana Adams Schmidt)

BEIRUT, LEBANON, August 31.—Tension between the United Arab Republic and Saudi Arabia is building up in anticipation of a meeting of Arab leaders at the end of this week.

The President of the United Arab Republic, Gamal Abdel Nasser, appears determined to make the Yemen question the focus of the meeting.

But Crown Prince Faisal of Saudi Arabia is feigning uninterest in Yemen and is insisting that the meeting must devote its attention to the Palestine problems.

Each seems determined to embarrass the other politically. Realities and propaganda are drifting even further apart than usual.

Meanwhile, the foreign ministers of 13 Arab States open a meeting in Cairo to prepare for the main talks, which are scheduled to be held in Alexandria.

EFFORT IS COSTLY

The United Arab Republic is deeply mired militarily in Yemen, where it has concentrated an army of at least 40,000 men in a so far futile and costly effort over nearly 2 years to crush Royalist opposition.

Since early this year, these forces have made increasing use of their positions in Yemen to sponsor a guerrilla and subversion campaign against the British in the South Arabian Federation, which includes Aden.

The campaign is indirectly aimed against British oil interests in the Persian Gulf, the defense of which is anchored in Aden.

This enables President Nasser to assume the political posture of being in Yemen primarily to fight British imperialism. Cairo has proposed as an item on the agenda of the conference, "the British conspiracy and aggressive plans against the Yemen Arab Republic."

Meanwhile, Cairo's forces have started a drive in northwest Yemen in an apparent attempt to kill, capture, or drive out of Yemen the Imam al-Badr, the Royalist leader, who still holds out in the Qara Mountains.

CAIRO CLAIMS SUCCESS

The Cairo press has asserted that the drive was successful and that the Imam had fled on a donkey.

The aim of the Cairo regime appears to be to create, or at least seem to create, a fait accompli that would embarrass Crown Prince Faisal, the only Arab leader who insists on recognizing the Imam and demanding that the Yemeni people be accorded the right of self-determination.

Prince Faisal has said he would attend the Alexandria meeting but has insisted that he is not a party to the Yemen conflict and will not talk about it.

Contending that he has observed the disengagement agreement under which Saudi Arabia was to halt aid to the Royalists, he maintains the peace would be restored in Yemen if Cairo observed its part of the agreement and withdrew its troops.

The agreement was concluded last year under United Nations auspices and following U.S. initiative.

Prince Faisal argues that the Arab States would do better to talk about Israel. He or his spokesmen have proposed the establishment of a government in Gaza. They have criticized Cairo's occupation of the Gaza Strip and have proposed that the Egyptians leave as soon as a Palestine Government is established there.

The Saudis are expected to renew demands that Cairo take steps to close the Gulf of Aqaba to Israeli shipping.

This is the official Saudi Arabian position. But in fact Saudi Arabia is very much concerned with Yemen. Prince Faisal's government may have halted arms aid to the Yemeni Royalists, but there is little doubt that the Royalists continue to receive money from Saudi Arabia and that they use this money to buy arms. They also benefit from Saudi moral support and from the accessibility of Saudi territory.

What President Nasser will propose concerning Yemen, now that he has set the propaganda stage, is not clear. One possibility suggested is an inter-Arab force to supplement or replace his troops in Yemen. A corps of volunteers from the Arab world to fight the British in South Arabia as a means of disengaging his forces also has been mentioned.

[From the New York Times, Sept. 1, 1964]

MINISTERS URGE LIBERATION

Cairo, August 31.—A 13-nation Arab foreign ministers' meeting opened here today with calls for concerted Arab action to "liberate Arab lands from imperialism and Zionism."

Foreign ministers from all Arab League States attended the session to prepare for the second Arab chiefs of state meeting starting Saturday. After inaugural speeches, the foreign ministers met in closed session. A statement said they had arranged to draft an agenda for Saturday's meeting during the evening.

[From the New York Times, Aug. 28, 1964]

CONGO REPORTS KEY CITY SEIZED—SAYS MOST OF ALBERTVILLE IS RETAKEN FROM REBELS

(By J. Anthony Lukas)

Léopoldville, the Congo, August 27.—The Congolese Government said today that its troops had recaptured most of Albertville, the North Katanga capital, which has been held by the rebels since June.

A government spokesman said troops moving north from Baudouinville and Kabalo entered the city late yesterday and now controlled most of it.

Diplomatic sources confirmed that an attack was underway against Albertville, but they said they had no indication of a government victory.

It is believed that the forces now fighting at Albertville may include some of the foreign mercenaries who were recently assembled at the Kamina base in Katanga.

CHIEF REBEL STRONGHOLD

The recapture of Albertville would be an important victory for Premier Moise Tshombe's government. The city, on the western shore of Lake Tanganyika, has been the rebels' chief stronghold in the southeastern Congo.

Until recently, Gaston-Emile Soumialot, who calls himself "president of the Revolutionary Government of the Eastern Congo," made Albertville his headquarters.

Recent reports from Albertville said the situation there had become "catastrophic" following the departure of Mr. Soumialot and other rebel leaders about 10 days ago.

The reports said the city appeared to be in the hands of gangs of young Baluba tribesmen who were looting, raping, and killing. Two European priests were reported to have been killed there about a week ago.

FEARS FOR EUROPEANS

At last report there were about 130 Europeans in Albertville. Fears have been growing for their safety. A rescue operation that was said to have been planned to get the Europeans out of the city before it was attacked by government forces apparently never got underway.

A radio broadcast from Stanleyville, the northeasetrn city captured by the rebels early this month, said Mr. Soumialot was touring "liberated zones."

The broadcast said Mr. Soumialot was expected soon in Stanleyville, along with Christophe Gbenye, another leader of the Leftwing National Liberation Committee, which is backing the revolts throughout the Congo.

Mr. Gbenye, who has been based in Brazzaville, capital of the former French Congo, recently left there and is reported to be in Bujumbura, capital of Burundi.

The Stanleyville radio also announced that the government installed by the rebels there 2 weeks ago has been removed for "activities prejudicial to security," by Nicolas Olenga, commander of the "Popular Liberation Army" in Stanleyville, and had been replaced with a four-man "college of commissioners."

[From Newsweek magazine, Sept. 7, 1964]

LIBYA: STILL FRIENDLY?

Time was when the arid Kingdom of Libya was only too happy to play host to United States and British military bases. Between them, the United States huge Wheelus Air Force Base, the smaller RAF base at El Adem, and three British Army posts pumped more than $20 million each year into the anemic Libyan economy. But in the last 5 years, gushing oil royalties have put a new bloom on Libya's economic situation and even more recently Egypt's Gamal Abdel Nasser, the self-appointed conscience of the Arab world, has been pressuring Libya's King Idris to turn "the imperialists" out. At Nasser's prodding, the Libyan Parliament resolved last March that American and British base rights would not be renewed when the present agreements expire in 1971 (for the United States) and 1973 (for the British). And last week Libyan Premier Mahmud Muntasser unilaterally announced that the two Western powers had "agreed in principle" to evacuate their bases—though he did not say when.

NO QUIVER

From the standpoint of global strategy, Muntasser's announcement caused not a quiver in Washington, for in U.S. war plans Wheelus Field does not play an important role. Nonetheless, the Pentagon treasures Wheelus for its access to hundreds of square miles of wasteland where U.S. fighter squadrons from Europe and the Middle East come to sharpen their claws. In 5 years of bombing, rocket, and missile training in Libya, says one U.S. official, "I don't think we've ever even killed a camel." To find an equally safe training area in Europe, he adds, would probably be impossible.

For the British, the matter was more serious since El Adem is an essential fuel stop on Britain's lifeline to Singapore. Without it, the RAF would have to lift troops bound for the Far East all the way from England to Aden in one hop—which is too far for present British planes. The British also fear that loss of the base might endanger their right to fly across Libya, which would be a major blow since United Arab Republic, Israeli, and Saudi Arabian airspace is closed to RAF planes and the only practical way for them to get to Aden is down through Libya and across the Sudan.

For these reasons, both London and Washington have decided to play for all the time possible in Libya. U.S. officials, in fact, tend to view Premier Muntasser's statement as mere lip service to Nasser. Says one Pentagonian: "If it weren't for the oil boom and Nasser propagandists, we would be welcome in Libya. I think we can still manage to stay there or at least work out some amicable arrangement for use of the facilities. I believe the Libyan Government is still friendly to the United States."

[From the Reporter, Oct. 24, 1963]

OUR YEMEN POLICY: PURSUIT OF A MIRAGE

(By Philip Horton)

On the night of September 26, 1962, a palace coup took place in the remote city of Sana, the capital of the kingdom of Yemen. The royal government of Imam al-Badr was ousted in favor of a junta headed by Brigadier Abdullah Sallal, former chief of the palace guard. With the immediate arrival in Yemen of Egyptian troops and Soviet-provided equipment, the implications were clear enough to most of our friends and allies in the Middle East. The Iranian view, for instance, conveyed to the State Department as early as October 9, was that President Nasser's ultimate objective was to gain control of Saudi oil in order to establish his independence of the United States and be free to collaborate with the Soviet Union.

Yet on December 19, after 2½ months of hesitation and uncertainty, Washington recognized the Nasserite republican government. Since then, what had seemingly begun as a peripheral civil war has become a war by proxy between Egypt and Saudi Arabia, which in turn has threatened the security of the Arabian Peninsula and the West's strategic lifelines to the Indian Ocean, brought Soviet combat missions into play against our major Arab ally in the area, and, finally, raised serious doubts about the good faith of our Government.

In recent months sharp and angry questions about the failure of our policy have been raised on the floor of Congress, but the answers supplied by administration officials were more notable for muddled rationalization than for clear and persuasive reasoning. One Congressman who has tried to get some light on our Yemen policy in the course of the House hearings on foreign aid said, "I have never heard so much doubletalk in all my life."

The simple fact is that doubletalk has been the order of the day in Washington ever since the State Department recognized Sallal's republican regime. Why, then, was recognition granted when it was, and over the strong opposition of almost every U.S. ally in the Middle East and Europe? Why did the State Department feel that it was in the interests of the United States to support Nasser's Pan-Arab imperialism, particularly since this aspect of Nasser's policy has always been sedulously encouraged by the Soviet Union? Why—and this is the question most often asked by critics of our Yemen policy both within and without the administration—did the administration feel that it had to make a decision to recognize instead of watching and waiting to see just which way the struggle in Yemen was going?

Among the first answers given was that of course it was the fault of Chester Bowles. This accusation was given wide circulation, and a number of papers carried a report blaming Bowles (who was charged with similar mistakes in other appointments) for having named John Badeau, an eminent supporter of Nasser's Pan-Arabism, as U.S. Ambassador in Cairo.

There can be no question about Ambassador Badeau's sympathetic attitude toward Nasser and Arab nationalism. As former president of the American University in Cairo and later of the Near East Foundation, he had developed a deep attachment to the cause of Egypt's betterment. "Egypt," he wrote in 1959 in his introduction to Nasser's "The Philosophy of the Revolution," "has rapidly emerged as the dominant influence in the Arab world, and its revolution has spilled over the Nile Valley to become the 'wave of the future' in adjacent lands." Within a few days after the Yemen coup and before Washington had even had a chance to sort out just what was happening, Ambassador Badeau received the Foreign Minister of the new revolutionary government, Mohsin al-Aini, in Cairo. Thereafter, he continued to argue vigorously for recognition of the new regime, backed up throughout by the reports of Robert W. Stookey, the U.S. chargé d'affaires in Yemen.

In Washington, apart from the general support of the National Estimates Board of CIA and the Policy Planning Council at the State Department, the Yemen policy was thought to be largely the handiwork of Robert C. Strong, then Director of the Office of Near Eastern Affairs under Assistant Secretary of State Phillips Talbot, and of Robert Komer, a New Frontiersman of CIA background who handles Middle East problems on Presidential Assistant McGeorge Bundy's staff. In recent months, however, a kind of reverse competition has set in, with everyone remotely involved struggling for a lower place on the totem pole of responsibility. As Bundy put it, with a smile, to an inquiring critic: "When the news from the Yemen is good, it's Komer's war; when it's bad, it's Talbot's." From now on, however—war, peace, or stalemate—the troubles in Yemen are the responsibility of the U.N.; as has happened before with Washington policies that have misfired, the U.N. was persuaded to pick up the pieces.

BREAKING WITH BRITAIN

Most critics of the Yemen policy inside or outside the administration are convinced that the most basic mistake was the underlying assumption that the republican coup represented a revolution against "the notoriously despotic" rule of the Imams and a "yearning for Arab unity" and social reform. This in turn led the policymakers to overlook or at least badly underrate the most important single fact about Yemen—its physical location.

The map [not printed in the RECORD] tells much of the story. Situated near the southwestern corner of the Arabian Peninsula, Yemen to the north and east borders on the great desert reaches of Saudi Arabia. To the south it faces on the South Arab Federation and the Aden Protectorate, both British controlled, as well as Aden Colony, which, next to Singapore, is now the most important outpost of British power, sheltering both the world's greatest bunkering port and the headquarters of the British Middle East Command. Yemen, in short, is a natural back door to the Arabian Peninsula, itself a prize of incalculable value, which since 1945 has produced for the West 1,000 billion barrels of oil, contributed a billion dollars of revenue to Great Britain and the United States last year alone, and provides, via the Dhahran and Aden bases, indispensable defense links by air and sea to the Indian Ocean and southeast Asia.

To define the peninsula's strategic and economic value to the West is a fortiori to describe Nasser's ambition to take it over, not to mention Moscow's desire to help him do so. What makes Yemen a logical starting point for Nasser is the fact that of all the countries of the peninsula it is the only one not under some form of British or United States protection. Since the Second World War, in fact, Anglo-American hegemony has sealed the peninsula off from the disorders that have beset the rest of the Middle East and provided the one element of relative stability in the area. One would think it would be a cardinal objective of U.S. policy to keep it that way. "You will see," said one Middle East diplomat, "by parting ways with the British over your Yemen policy and backing Nasser's adventure there, you have pried the lid off Pandora's box. The big question now is—will you ever be able to clamp it back on again?"

The British, remembering Nasser's frequent promises to drive "the forces of reaction and imperialism" out of the Peninsula, stuck to their decision to withhold recognition of the Yemeni republicans, despite reportedly heavy pressure from Washington. Most of the Middle Eastern governments, fearful of any new Nasserite aggression, were also deeply troubled by the appearance in Yemen of Soviet combat personnel early last October and by evidence of close coordination between Moscow and Cairo in the stepped-up delivery of TU-16 bombers, which were immediately pressed into service in the fighting. The strongest opposition, however, came naturally enough from Saudi Arabia's Prince Faisal, who had been summoned home from New York, where as foreign minister he headed the Saudi U.N. delegation, to take over the reigns of government in Riyadh. In a series of meetings in Washington in the first weeks of October, including a private lunch with the President, Faisal agreed to initiate badly needed reforms in his own country. In return, he warned his listeners against the great dangers of Nasser's military adventures in Yemen and urged them to persuade Nasser to cease his aggressions against Saudi Arabia.

On his return to New York and on the eve of his departure, Faisal was dismayed to learn from an old American friend that the State Department had the impression from these talks that Faisal had agreed to seek a detente with Nasser in the interest of securing the safety of his country and his regime. This, he said, was impossible: "It would be like giving someone a sleeping pill when a murderer was after his life." Furthermore, he could not consider cutting off support of the Yemeni Royalists, who were the legitimate government in Yemen and with whom he had treaty ties.

The policymakers stuck stubbornly to their course. Their line of argument, however, seemed at times to suggest that they were taking their cue from Nasser himself, who in the January 1955 issue of Foreign Affairs had written: "There would not be any Communist infiltration in any part of the Middle East and Africa if the United States could develop a courageous policy—and the only morally correct one—of supporting those who are anxious to get rid of foreign domination and exploitation."

These ideas had won Nasser a limited hearing in the early years of the Eisenhower administration, but it was not until the arrival of the New Frontier that he had a real chance to sell his philosophy to Washington. According to reliable diplomatic sources in the capital, Nasser's ambassador to Washington, Mostafa Kamel, on one of his first visits to the White House suggested to President Kennedy that Nasser would greatly welcome a direct exchange of views, an initiative that led to an extensive personal correspondence between the two leaders. The first exchange took place in the early spring of 1961, before the President undertook, in a series of letters to the heads of all the Middle East governments, to convey the substance of the policies he intended to pursue in that part of the world. Though couched in the most general terms, the import of these letters seemed fairly clear to those on the receiving end: U.S. support for broad social reform, for movements toward Arab unity, and for the untrammeled independence of the Arab nations. As one senior Arab diplomat recently put it, perhaps with the benefit of hindsight, "The heart of Washington's Middle East policy to us seemed to be that in return for recognizing the absolute U.S. commitment to the security of Israel, Nasser was given more or less a free hand to pursue his ambitions in the Arab world."

Thereafter President Kennedy continued to take a direct personal interest in the problems of the area and, after last September, in the Yemen war in particular, which clearly threatened to expose his Middle East policy to an embarrasing test. Toward the end of November, after the Egyptians had already indicated an interest in reaching some kind of settlement in Yemen that would secure their interests, the President dispatched personal messages to the leaders involved—Prince Faisal, King Hussein of Jordan, Nasser, and Sallal. The texts of the messages were never released, but, according to the New York Times, they "proposed as a first step that Egyptian troops withdraw from the republican side in Yemen and that Saudi Arabia and Jordan halt material support of the royalist cause." The implication was that U.S. recognition of the republican regime would then be in order.

RECOGNIZING THE PUPPET

By mid-December the State Department had two further reasons to rush through recognition of the new Yemeni Government. One was to secure and increase the "American presence" in the country in order to counter the growing number of Soviet personnel, many of whom were already serving as crew members in the Egyption bombing raids against Saudi and royalist bases. The other consideration, more important by far, was the mounting evidence that the war in Yemen was not going well for Nasser. A long dispatch in the London Times of December 21, for instance, written by a British M.P. who had just returned from a fortnight in Yemen, noted a "universal hatred of the Egyptians" and concluded that without Egyptian aid, "Sallal would not survive more than a few days against the forces of the Imam."

The fear in Washington was that further progress by the royalists would bring a still heavier buildup of Egyptian forces in Yemen, with the possibility that if things continued to go badly, Nasser might, in a desperate effort to save face, plunge into an all-out war against Saudi Arabia and thus present the White House with a painful dilemma: To turn against Nasser or to betray our commitments to the Saudis. The solution put forward by Washington, as foreshadowed by the President's November letters, was U.S. mediation or, more accurately, a swap: U.S. recognition of Nasser's puppet regime in return not for an accomplished and verified withdrawal of Egyptian forces from Yemen, as Prince Faisal finally urged, but simply for Nasser's promise to withdraw under conditions he has been amending and reinterpreting ever since. This left the State Department with the sticky task of proving that the Sallal government qualified for recognition.

The "internationally accepted" criteria that had to be met before recognition could be granted to the new republican government were that it be in effective control of the country and the machinery of state; that it have the general support of the people; and that it demonstrate its willingness to honor its international obligations—most particularly to live at peace with its neighbors.

By mid-December, on the eve of recognition, there was ample reason to doubt that the republican government could meet any of these criteria. Most of the leaders of the new government had come out of the "Free Yemen" group that Nasser has supported in Cairo in recent years. One of the first to arrive, the very day after the coup, was Abdul Rahman al-Baidani, who on becoming vice president broadcast an announcement to the tribal leaders that if Sallal could be called the Naguib of the revolution, he himself, in effect, was its Nasser. Baidani, who was born in Cairo of an Egyptian mother and an Indian father and who has at various periods held both Egyptian and Yemeni citizenship, played his role to the hilt. Apart from persuading Sallal to reinforce key Yemeni garrisons with Egyptian forces in greatly superior numbers, he also succeeded in purging from the new cabinet the three or four officers known to be nationalists, including the defense minister, Mahmoud el-Jaifi, who was sent off to Cairo as ambassador. With Baidani running short of further targets, Sallal soon found it prudent to get rid of him, and in January 1963, he relieved him of his portfolios and sent him packing back to Cairo under military escort. By late summer Baidani showed up in Aden, where he seemed to be playing a different kind of game which led the Sallal government to revoke his Yemeni citizenship on August 29 and denounce him as "an imperialist stooge * * * an impostor * * * and a dangerous spy." By late September, according to the New York Times, he was back in Cairo, this time in jail for interrogation.

As for effective control of the country, the size of the Egyptian force provided a kind of answer. By mid-November these forces in Yemen reportedly numbered at least 6,000; by mid-December, on the eve of U.S. recognition, 12,000 to 14,000; and by late spring—and despite the Egyptian promise of withdrawal that recognition was supposed to secure—reached a peak strength of 28,000 men. Their Soviet-made armament was impressive, and included medium and heavy tanks, infantry carriers, some Ilyushin–28 bombers, two squadrons of Mig–21's, and two squadrons of TU–16 medium bombers. Altogether it was the largest military operation in the Middle East since Suez and, according to testimony by Senator JACOB JAVITS before the Senate Foreign Relations Committee, was costing Nasser upward of $500,000 a day.

Its sheer weight and size, in a small and sparsely settled country, made it look more like an army of occupation than an expeditionary force, especially since in the early weeks of the fighting there were no comparable enemy forces in sight. According to the best military intelligence available, neither Jordan nor Saudi Arabia ever had more than a hundred or so officers and advisers assigned to the Royalists, while the tribes under the Imam at that time were still scattered and badly organized. More significant, however, is the fact that at no time since the coup has the republican Yemeni Army numbered more than 3,500 combat soldiers.

Early in November the first open attacks on Saudi territory were launched, culminating on November 5 in a 14-hour bombardment by sea and air of the Saudi port of Muwassan on the Red Sea. From the Saudi capital of Riyadh, Prince Faisal, noting that the attacking units "were Egyptian because Yemen has neither aircraft nor a navy," broke off relations with Cairo.

Washington's response was the hasty dispatch to Riyadh of a number of F–100's described as a "good will" mission and the arrival of a U.S. destroyer in the port of Jiddah. As a reminder to Nasser of U.S. commitments to Saudi Arabia, the gesture fell short of the mark. In a letter of December 18 an oil executive, with excellent sources of information in the Middle East, summed up the situation on the eve of recognition, as follows. "The Egyptians apparently have decided to accept phased withdrawal of some kind. Yemen, however, has refused to give guarantees to respect its international obligations to stop attacking Saudi Arabia—and to stop threatening the position of Aden Colony and the protectorates. Just recently Sallal has even been throwing up roadblocks to the American plan for recognition. He has just made a speech giving the Americans 'one last chance' to extend the recognition he wants on his own terms."

In the same speech, Sallal declared: "We celebrate the birth of the greater Arab Republic which will inevitably be brought about and emerge and follow the Yemeni revolution. * * * We are celebrating the birth of the Republic which will sweep away his [Saud's] kingdom * * * and furthermore annihilate the royal Saudi family."

The speech was delivered on December 14 and broadcast over the Sana radio. Five days later the State Department announced that it had recognized the republican government, noting that Sallal had undertaken "to honor all treaties concluded by previous Yemeni governments." According to the New York Times of December 20, the Department said that "recognition had become possible because of two developments in the last 24 hours." The first was the declaration by the Sallal government that it would honor its international obligations—which as a matter of record included treaties of amity and nonaggression with the Aden protectorate and Saudi governments. The second was Nasser's last-minute assurance that he "would withdraw the 12,000 Egyptian troops now serving the republican cause in the Yemen."

SALLAL SHOWS HIS HAND

Through the winter months and on into the spring and summer, the State Department continued to argue that recognition of the Sallal regime had been a sound decision. In late July, in reply to an angry letter from Senator BOURKE HICKENLOOPER charging failure of the recognition policy, Assistant Secretary Talbot declared: "We realized that only by recognizing the regime could we play a useful role in preventing an escalation of the Yemen conflict causing even more foreign interference and placing in serious jeopardy major U.S. economic and security interests in the Arabian Peninsula."

Almost the very opposite was true. In the months following recognition the total Egyptian forces in Yemen rose from 16,000 to an estimated 28,000, while Soviet and Soviet bloc personnel increased from less than 100 just before the coup (under the old Imam, who died just a few days before the Sallal coup, their number had reached a peak of 500 to 600 and then declined) to something upward of 1,500 by latest estimates. The American presence, of such deep concern to the State Department as a counter to growing Soviet influence, has remained less than 100 persons.

The U.S. decision also sharply reduced the leverage Washington could have exercised on Nasser through its aid program, which provides a third of Egypt's food. It eliminated the possibility of any official U.S. negotiations with the Royalist government to seek a peaceful compromise between the two factions. Finally, on the international scale, recognition was widely interpreted in Middle Eastern countries, Arab and non-Arab alike, as a U.S. acknowledgment of Nasser's right to pursue his ambitions and his philosophy of revolution by sending a large expeditionary force into a neighboring country.

The most embarrassing evidence of just how bad a bargain Washington had made began to appear in the days immediately following recognition. On December 20 Sallal gave an interview in Sana to a correspondent of Pravda in which, far from expressing any gratitude for U.S. recognition, he attacked Washington for supporting Saudi and Jordanian attempts to put down his revolution. "I advise the American people," he declared, "to demand an account from their leaders * * * for their reckless policy, which is followed by the rest of the Western World on every point." On December 23, by way of counterpoint, Nasser delivered a speech at Port Saïd declaring that his troops were engaged in a "sacred battle" in Yemen and that "Saud and Hussein will have their Sallals just as the Imam did." For good measure he went on to denounce Great Britain and promised to liberate Aden and the Protectorate. Then it was Sallal's turn once more. On December 27 he boasted that he now had modern rockets which he was prepared to use against Saudi Arabia and Jordan. Addressing himself to the Arab monarchs, he went on to declare that his regime was "building an army strong enough to liberate the entire Arabian Peninsula."

These words were quickly followed by action. For 3 days, beginning December 30, Illyushin–28 bombers carried out heavy raids into Saudi territory directed against Najran, the major transit area for Saudi arms and supplies for the Yemeni royalist forces. Sharp protests from Riyadh and Washington had no effect, and a week later, on January 7, Najran suffered another bomber attack that lasted throughout the day.

This time Prince Faisal did not wait for Washington's reaction. Deeply angered not only by Egypt's latest aggression but also by Washington's failure to take a more vigorous stand, Faisal decided to release to the world the text of President Kennedy's letter to him of October 25 assuring him of "full U.S. support for the maintenance of Saudi Arabia's integrity," together with his own reply. The first broadcast of the letter went out over the Mecca radio in the late afternoon on January 7. There was little the White House could do but follow suit. The following day the President, without referring to Faisal's move, also made the letter public. The Washington Post headlined its report "Kennedy Reveals Support of Faisal."

Given the timing of the release, one passage of the letter in particular must have made curious reading to the Arab world. "I am fully aware," wrote the President, "that in order to accomplish your goals (of modernization and reform) you must have the requisite tranquillity—an atmosphere devoid of recriminations and instigations from within or without. I share your concern at the tensions which prevail in the area and which hamper your design to strengthen the fabric of government and society in Saudi Arabia. As I indicated to you in Washington, the United States desires to be helpful in finding means of reducing these tensions."

With its left hand, it seemed, Washington had committed itself to defending Saudi Arabia against aggression. With its right hand it had just endorsed a government and a program of conspiracy clearly directed against the stability and security of the Arabian Peninsula.

Just 1 day later, on January 9, in a major speech at Aswan, Nasser declared, "We had to back the Yemeni revolution from the first day and the first moment," and launched into his usual threats against the Saudi Government. But this time he also had some embarrassing and humiliating words for Washington. "Last December," he stated, "we said that we were willing to withdraw our forces from the Yemen under conditions * * * Of course some people now forget the conditions and say the United Arab Republic had said it would withdraw when the United States extends recognition. We said we were willing to withdraw our forces by stages when the Saudis and Jordanians withdraw from the border regions which they use as bases for aggression, when outside aggression has also ended and when aid is stopped to the deposed royal family and also when outside interference from Bayhan (in the British protectorate) stops." In short, he was demanding that the Saudis evacuate their own territory. The proposition was in the best Nasser style.

PASSING THE BUCK

The U.S. proposal for disengagement, as originally put forward in the President's letters of late November, clearly called for the U.N. to play a supporting role, if and when necessary. Although the U.N., which had recognized the republican government 1 day after the United States had, was not markedly eager to take over the burden, pressure from Washington prevailed. In the closing days of February, Dr. Ralph Bunche, Under Secretary for Special Political Affairs in the Secretariat, was dispatched to the Middle East on a factfinding mission.

At about the same time, Washington was mounting a parallel drive to expedite the U.N. intervention. In early March it assigned the task to Ellsworth Bunker, a former Ambassador to India who had also performed a similar service for the administration in maneuvering the Dutch New Guinea crisis into the hands of the U.N. As special Envoy of the President, Bunker, after 2 or 3 weeks of secret and separate talks with Nasser, Faisal, and Sallal but not with the Yemeni Royalists, obtained their agreement to a plan for phased Egyptian withdrawal tied to cessation of Saudi aid to the royalists. This set of proposals he quickly brought to U Thant at the U.N. According to Newsweek, in the course of his talks he told Faisal: "We have no policy to deal with Nasser or any other leader in the Near East as a chosen instrument of U.S. policy. We do not think Nasser is the wave of the future * * * I may say also that the President is aware of and intends to block Nasser's adventures." From Nasser he won a pledge to refrain from making further "inflammatory speeches" and from both parties a promise to cooperate with any effort the U.N. might make to check on the progress of disengagement.

On April 8, accordingly, a draft of the agreement was initialed at the U.N. by the contracting parties. On April 29, in a report to the Security Council, U Thant formally announced the disengagement agreement, carefully underlining the role of the Bunker mission, from which "emerged the agreed terms of disengagement." At the close of his report U Thant also declared his intention to send a U.N. observer team to Yemen to keep tabs on how well the contracting parties were keeping their promises.

Neither Washington nor the U.N. was particularly pleased by their joint handiwork. One high U.N. official, unwilling to criticize his own organization, nonetheless made his point by remarking that the Bunker agreement was completely "weasel-worded" and full of holes. Indeed, the heavy pressure Washington now brought on U Thant to get his observer mission into Yemen as quickly as possible was a tacit recognition of how little confidence the State Department had in the agreement.

In the earliest days of May, President Nasser started to withdraw his forces, it is true. But the ships and planes that ferried the battleworn troops back to Egypt invariably returned in systematic rotation to Yemen loaded with fresh replacements. He had not, it appeared, in any way changed his objective. On May 20, in a speech to honor some of the returning veterans, he declared that his troops would remain in Yemen until the hour of "victory." A few days later Gen. Anwar Qadi, commander of the Egyptian Expeditionary Force, declared that Egypt's task in Yemen might take 5 years and would consist "first, of securing the revolution completely and, second, of working on creating a sound Yemeni national army." Both the fact and the rationale of rotation were in clear violation of the spirit, if not the letter, of the U.N. agreement; but in the opinion of administration officials who were queried by the press there was nothing to be done about it—except, of course, to protest to Cairo and appeal to the U.N. to hasten the dispatch of its observer mission. Meanwhile they continued to hope for the best. On April 29, the very day U Thant announced the disengagement agreement, James Grant, Assistant Secretary Talbot's deputy, had assured the House Foreign Affairs Committee that "we expect the Egyptian Army to start its withdrawal in a matter of a relatively few days." A month later, Secretary Rusk declared he expected the disengagement to "become fully effected * * * in the very few next days." By the end of July, Talbot seemed less certain about the matter: "* * * we are satisfied that the Saudis have terminated their assistance * * * and are hopeful the United Arab Republic will fulfill its part of the agreement."

Of all those concerned, perhaps only Nasser was really pleased by the disengagement agreement. For one thing, it laid down no deadlines for withdrawal. This omission, coupled with the fact, as U Thant put it in a later report to the Security Council, "that fulfillment by one side is contingent on fulfillment by the other," provided a self-renewing invitation to delay and evasion. Another feature of the agreement that worked to Nasser's advantage, at least for a time, is that it was never agreed to or signed by the royalists. This omission, which reflected Washington's longstanding conviction that the royalist forces were of no account and that the real danger lay in all-out war between the United Arab Republic and Saudi Arabia, has had several important consequences. It meant that the second largest fighting force in Yemen remains free to do as it pleases. So long as Nasser wants to remain in Yemen, it provides him with an ideal excuse: the right of self-defense against attacking forces that are not bound by the disengagement agreement. In trying to deal with this sticky aspect of the problem in his reply to Senator HICKENLOOPER's angry letter, Talbot was once more forced to resort to dubious rationalization. "The United Arab Republic," he wrote, "is not prohibited by the disengagement agreement from fighting tribes who continue to operate against the Central Government. However, the agreement does prohibit punitive attacks against tribes on the basis of resistance mounted before the agreement went fully into effect." (He was referring, of course, to the forces which U.N. documents designate as "Royalists.") In a later passage, by way of clarification he added: "In other words, the United Arab Republic wants to withdraw its troops from Yemen. Its delay in doing so appears to result, therefore, not from any lack of desire. Rather it seems to flow from the continuance of tribal guerrilla warfare in the Yemen highlands and perhaps also from the multiplicity of problems facing the new government."

Neglect of the Royalists also posed embarrassing problems for the U.N. Important sectors of the proposed U.N. buffer zone along the Saudi-Yemeni border, from which all military forces and equipment were to be excluded, had been under royalist control from the earliest days of the fighting. How, then, could General Carl von Horn, the Swedish chief of the U.N. observer mission, send his men into these areas? He had no mandate to back him. Rather, it appeared, the contrary. In late August he resigned his U.N. post in anger and frustration, with sweeping charges of gross incompetence and moral cowardice against U.N. headquarters. At the same time, he also declared to a correspondent of the London Observer that he had been "expressly forbidden to make contact with the Royalists or even to acknowledge receipt of their letters."

In the report U Thant was obliged to make to the Security Council on September 4 at the end of the mission's first 2-month tour of duty, he freely admitted the failure of the mission: "It cannot be said at this stage that encouraging progress has been made toward effective implementation of the disengagement agreement. * * * No plan for phased withdrawal of United Arab Republic troops has been received." Nonetheless he asked for and received permission to continue the observer mission for another 2 months, i.e., until November 4, with the United Arab Republic and Saudi Arabia once more agreeing to pay the costs.

THE TRAINING-MISSION GAMBIT

By the end of September, with the disengagement agreement largely discredited, other solutions came up for speculation, including the possibility of extending the U.N. role to a peacemaking mission and even the chance that the two Yemeni factions will reach a compromise.

Although Washington policymakers are keeping an eye on these alternatives, publicly they still cling to their original scheme: in some way to salvage the republican government. It is hard to imagine just how this could be achieved unless some means could be found for getting Nasser out of Yemen while keeping him in. For some months there have been passing references in the press to plans for an Egyptian training mission which, after Nasser had fulfilled his pledge to withdraw his forces, would help create a strong republican army in Yemen. Although no such training mission is provided for by the U.N. agreement, it was, said a White House official, "part of the Bunker agreement. Bunker discussed it with both Nasser and Faisal. He made it clear that the United States naturally did not expect the United Arab Republic to cease all support to the republicans after its withdrawal. It was only reasonable that Nasser would want to give them a certain amount of financial and technical assistance—and of course a training mission to help build up their army." In private discussions, State Department estimates of the size of the training mission have ranged from 2,000 to at least one mention of 5,000 men. At the maximum figure, this would mean that Egyptian forces in Yemen would outnumber the present republican army by almost half.

In what is probably the only mention of the training mission in official documents of public record, the ill-starred Talbot letter to Senator HICKENLOOPER, there is this passing reference: "In view of the sustained Communist interest and activity in Yemen, the most probable alternative to a republican regime beset by tribal anarchy and without United Arab Republic help at least in the form of a military training mission would be one with a Communist coloration heavily dependent on Soviet support."

The State Department is, in effect, proposing for Yemen a kind of U.S. "presence" by proxy. The Egyptian proxy, however, is known to be wholly dependent in turn on Soviet arms, with all that means in terms of potential leverage from Moscow, and furthermore is itself being trained by the Russians. The important question would seem to be just who is training whom and for what purpose.

To be sure, the State Department and Pentagon are also considering a U.S. training mission for Yemen. If and when approved, it would consist of three to five republican Yemeni officers who would be brought to the United States for language courses, general orientation, and some military training. The total cost of the mission would not exceed $15,000.

The State Department has repeatedly declared that the United States has three "essential concerns" in Yemen: First, to protect Egypt's neighbors, in particular Saudi Arabia, from the dangers of a spreading conflict—which is to say from Egypt's ambitions beyond Yemen; second, to prevent the Soviet bloc from developing "a predominant position" in Yemen; and third, to encourage "a relatively stable and independent" Yemen. As the record shows, the administration's policy has gone a long way toward securing the reverse of these objectives.

In a dispatch from the Yemeni capital on September 12, Dana Adams Schmidt, Middle East correspondent for the New York Times, wrote: "Departure of the Egyptians from Yemen seems remote. Cairo's burden of maintaining soldiers and planes in Yemen is heavy, but it is not unbearable so long as Western and Soviet bloc aid to the United Arab Republic continues." Thus the fundamental question arises, as it does in other sectors of U.S. foreign policy, whether in Yemen and the United Arab Republic we are competing with the Soviet Union or working with it against ourselves.

Mr. GALLAGHER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I believe the gentleman from Ohio has pointed out that we ought to look at the facts, as to what is involved in this amendment. I believe that it is proper to put the facts into proper perspective.

The gentleman has indicated that Israel would be placed in jeopardy if we do not adopt this amendment. The fact of the matter is that there is no way in which we could cause greater harm to Israel than by adopting this amendment. I do not believe anyone in this House carries better credentials in supporting the great vital nation of Israel against her enemies, nor in supporting the people of Israel in their great fight for freedom than do I. Therefore this is not the issue. The issue is shall we be mature enough to rise above the level of demagoguery and consider what best serves the interest of the United States and her great sister democracy, Israel in the Near East. It is regrettable that some people wish to view this highly emotional matter through partisan political lights forgetting that it is our President who is entrusted with the carrying out of our foreign policy and not the Congress.

The action proposed by the gentleman from Ohio would be contrary to the national interest. It would result in deterioration of the U.S. position in the Near East.

Termination of sales of surplus U.S. foodstuffs to the United Arab Republic would not affect that country's capabilities. It could survive without our food for peace program by tightening its belt, reducing the living standards of its people, and increasing its reliance on the Soviets. Termination would not affect the United Arab Republic military program, but it would leave us with reduced influence in the United Arab Republic and throughout the area. By removing ourselves from the United Arab Republic scene, particularly at this critical juncture in Near Eastern affairs, we could help the Soviets recapture without a battle the favored position it held in the post-Suez period when we had no surplus food disposal program in the United Arab Republic. By deliberately sacrificing influence built up so painstakingly since 1958, we could destroy the position we now hold in the area, arouse widespread anti-American sentiment among the Arabs, and intensify the threat to the security of Israel.

Public Law 480 assistance has been provided to the United Arab Republic because it is a useful instrument to promote our relations with a key country in the region and to assist in vitally needed economic development. In providing it, we have taken into account all factors which affect our national interests in the area. Our policy is shaped in the light of the United Arab Republic's power and influence in the Near East and the fact that its population has outgrown available land resources. By supplying surplus agricultural commodities, which would otherwise be difficult to dispose of, we meet a basic food requirement of the Egyptian people, we afford them an alternative to complete dependence on the Soviet bloc, and we promote our influence for peace and stability in the Near East.

There are policy differences between ourselves and the United Arab Republic. However, cutting off food for peace programs—or deciding now to do so for next year—will not resolve these differences, will not bring the Near East any closer to peace, and will not serve our basic interests in the area.

Since the food for peace program was resumed in 1958 under the Eisenhower administration, it has permitted a more than three-fold increase in the United Arab Republic's economic development expenditures—proportionately far more than its military expenditures. This program which has enjoyed bipartisan support provides approximately 25 percent of the food grain requirements of the Egyptian people. It has been an important factor in raising per capita food consumption of the Egyptian people from 2,200 to 2,700 calories. And at the same time it helps the American grower and creates American employment.

The proceeds from sales of these surplus commodities have served to meet U.S. Government expenses both in the United Arab Republic and outside which otherwise would have cost us dollars. The balance has been allocated for loans and grants to the United Arab Republic for economic development.

Our policy is long term, directed at obtaining eventual peace in the area. Its success must be measured not in terms of day-to-day issues but in terms of our ability to prevent political deterioration in the Near East. Relative to 1958, our position in the area is vastly improved. The Soviet breakthrough has been contained and pushed back by the determination of the Near Eastern peoples that their independence will not be impaired—a determination supported by U.S. policy. The Yemen Civil War which had threatened to throw the entire Arabian Peninsula into chaos has been limited. The greater our success in preventing war or insurrection, the better our chance to achieve our fundamental objective of building a foundation for peace. To work toward this end, we must have meaningful relations with all the states in the area.

Congressman BOLTON's proposal would insure deterioration of our relations with the most powerful and influential Arab State whose voice is heard and heeded in the Afro-Asian and nonalined worlds. What then would be the fate of Israel if the United States had no leverage in this area, no means of deterring military adventurers intent on crushing out this young democracy? What then would be the future of Israel—our friend and ally?

This is not a pro-Israel amendment, nor is it a pro-United States amendment. This may well be a pro-royalist Yemen party amendment, which I believe is at the root of the matter. And if it is, then I do not believe—it is not sufficient justification to abandon the national interest of the United States and place in jeopardy the security of the Near East by planting the seeds of World War III.

The amendment should be defeated. If we are interested in maintaining the position of the United States in the Near East, if we are interested in seeing that the position of the United States does not deteriorate in the Near East, and if we are interested in maintaining stability and continuing this stability in the Near East—if we wish to protect our friends and deter aggression—then I believe we have a duty imposed upon us to vote against the amendment.

Mrs. FRANCES P. BOLTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise very much in support of this amendment.

Mr. Chairman, the Near East became of specific concern to me in 1945 when I was appointed to the Near East Subcommittee of the Foreign Affairs Committee. Some 9 years later the food-for-peace program was approved under President Eisenhower. During this time it has served America well and I have witnessed the great good of this program wherever hunger stalked the land.

But, however much our Christian heritage requires that we give of these surpluses, it makes no sense to continue to subsidize those whose activities only undermine American foreign policy. Such is the case today in Egypt.

Egyptian pressure is being placed upon Libya and other Arab nations to force our withdrawal from Wheelus Air Force Base and to force the British withdrawal. If that base is abandoned, the effectiveness of our Air Force in Europe will be impaired for there are no such training facilities in Western Europe or anywhere else.

Because of our food-for-peace aid, Egypt has diverted dollars to develop atomic weapons which will upset the precarious balance of power and jeopardize neighboring nations such as Israel.

There remain 40,000 Egyptian troops in Yemen contrary to the agreement made with the United Nations, April 19, 1963, to withdraw all foreign troops from that troubled land.

Cairo has become a transit point for Russian arms to Cyprus and to potential trouble spots on the African Continent itself.

There is sufficient precedent for congressional action in this matter. Last year the Congress amended the foreign aid bill with the "antiaggression amendment," to which no attention has been given. This was clearly directed at only one country, Egypt. In spite of overwhelming bipartisan support, the congressional directive has not been implemented. There should be no disagreement with this effort to terminate Public Law 480 to Egypt. Such action agrees entirely with the 1964 platforms of both political parties.

I sincerely hope this amendment will be passed.

Mr. MULTER. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I am sure that no one in or out of this House will accuse me of being a friend of Mr. Nasser. At the same time, when I am charged with being a friend of the State of Israel, I cheerfully plead guilty to the indictment. Nevertheless, I stand before you and urge you as earnestly as I can to defeat this amendment.

The amendment will not lead to peace in the Middle East. If anything, it will cause more turmoil and more difficulty. Bear in mind that this program provides for both sales and grants. There have been no grants under this program except to three countries in recent years. They are India, Pakistan, and Brazil. Egypt has been getting no grants in recent years under this program. There have been sales made to the United Arab Republic, and I hope they will continue. I say that not because of any friendliness to Nasser or his supporters but because of the humanitarian instinct that moves all of us. No matter where we may find the indigent, the needy, the ill, and the unfed, wherever we find them we should be ready and we have always been ready to feed them. When, under a program such as this, we deal with a belligerent country such as the United Arab Republic and we say we will sell you our surplus food that we do not need so you can feed your needy, we serve a double purpose. The hungry will not steal if you feed them. So if Nasser can feed his hungry, let us sell them this surplus food. The more we sell them, the less money he has available with which to buy the war materiel he uses in his aggressive conduct against his neighbors.

Mr. OLIVER P. BOLTON. Mr. Chairman, will the gentleman yield to me at that point?

Mr. MULTER. Yes. I yield to the gentleman.

Mr. OLIVER P. BOLTON. Can he buy anything outside of his country with Egyptian currency?

Mr. MULTER. I am sure he can. You do not believe for one minute Russia is selling armaments to him for anything except his soft currency or cotton? He has only soft currency and cotton, and even that is soft. And even his cotton is soft.

Mr. OLIVER P. BOLTON. And if his cotton were used he would have to use it to buy food.

Mr. MULTER. He cannot use it both ways.

Mr. OLIVER P. BOLTON. That is correct; he cannot.

Mr. MULTER. If he is using it to buy food he cannot use it to buy war materiel.

Mr. Chairman, I urge the Committee to defeat this amendment. It will do no good. It will tie the hands of the President. Although we have had many Presidents friendly to peaceful people all over the world and particularly to Israel, I say there is no better friend of the state of Israel than President Johnson. Under the law that has already been quoted to us, if it becomes necessary to stop these sales to the United Arab Republic I am sure President Johnson will be the first to step in and say, "Let us stop this, it is doing us no good; it is doing us harm."

As long as the program is operating in a manner that helps produce peace in the area and may lessen war and aggression, let us not tie the hands of the President. This is a good program as it is. You make it a bad program with this amendment.

I realize that many of my colleagues say this is the way we have got to act so far as Nasser is concerned. I condone none of his activities and I am sure very few, if any, will condone his activities, whether they be directed against Israel or Yemen or Saudi Arabia or any of the other parts of that war-beleaguered area. Let us not tie the hands of the President. Let us keep this program as it is. Let us defeat this amendment.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. GALLAGHER. I would like to point out to the gentleman that since President Eisenhower endorsed the food for peace program in 1958, Egyptian cotton has been at the disposal of the West. Only that cotton which the Western market does not use is sold to the Soviet Union. And that goes to reduce the debt that they owe the Soviet Union. I think this program is a good one. I agree entirely with the gentleman.

Mr. OLIVER P. BOLTON. Mr. Chairman, will the gentleman yield at that point for a statement of fact?

Mr. MULTER. I yield.

Mr. OLIVER P. BOLTON. It is my understanding that in the last year 85 percent of the cotton production of Egypt went to Russia; is that not correct?

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield to me to answer that statement?

Mr. MULTER. I yield.

Mr. GALLAGHER. The statement is not correct.

Mr. OLIVER P. BOLTON. I would appreciate the gentleman's clearing up the point.

Mr. GALLAGHER. I want to clear up the point. I think it is an important point. I believe approximately 25 percent of the surplus cotton of Egypt has been sold to the Soviet Union.

Mr. HALPERN. Mr. Chairman, I rise in support of the amendment. I rise to express my full and profound support for the amendment offered by the distinguished gentleman from Ohio.

I need not repeat the many efforts which have been made in both Houses of the Congress to terminate the flow of American aid to countries which, consciously, subvert and destroy the very basis and justification for assistance.

Only last year the Senate and House voted an amendment to the foreign aid bill. The record clearly indicates that this provision was aimed at the United Arab Republic. Despite Colonel Nasser's military preparations, despite his subversive activities, and despite his open intervention in the Yemen war, contrary to mutually arrived at international accords, the administration has not cut off economic assistance.

Mr. Chairman, it is important to point out an ironic, self-defeating fact. I refer to the reliable reports that the North Vietnamese torpedo boats which attacked the U.S.S. *Maddox* were supplied by Egypt from surplus Russian arms stores. And we can well assume that the original purchases of these boats by Nasser were from the Russians—purchased if you will with funds generated by our Public Law 480 program and our other assistance programs to the United Arab Republic. How ridiculous, Mr. Chairman, can this policy be?

This makes a mockery of our assistance programs and subverts the high goals of their objectives.

I would remind my colleagues that I am a stanch ally of American foreign aid. We are attempting to build stable societies among the underdeveloped countries, where growth and order can succeed, without the distress and want giving way to revolutionary Marxism and the defeat of all we cherish in the world. Foreign aid, although it cannot by its very nature bring short-term conclusive rewards, is an indispensable instrument in this movement. This is the great challenge of the century.

But we need not attempt to buy the good will of those who would openly flout every tenet of decent international behavior. I see no sense in supporting through material aid those who physically and insipidly disregard international law and those who work toward the destruction of peace and order in the world.

Our Government is supporting the struggle in South Vietnam because the North will not leave their neighbors alone. Our Government has bombed Pathet Lao positions in Laos because illegal infiltrations from the North have bolstered the Communist military presence and the North will not leave its neighbor alone. We have taken the lead in isolating Castro Cuba because the bearded one is engaging in an effort to sabotage regimes to the south. In a word, the United States has intervened with force when aggressor States have sought to upset regional power balance by subverting legal governments.

Colonel Nasser, since his assumption of power, has geared a network of subversion toward neighbor states which opposed his policies. We might term this indirect aggression. But it is precisely indirect aggression which we have labeled no different from armed and direct aggression, in that the dangers and effects are similar. Whether indirect or direct, aggression is an open maneuver to disrupt international legality and impose one's will by force.

I oppose economic assistance to the United Arab Republic because that country is not honestly using that aid in a reasoned and conscious effort to improve the lot of its impoverished masses. Our aid, to the contrary, is not helping to erect stability, peace, and order. Public Law 480 shipments to Egypt have helped that country divert its own scarce resources toward a military development program without justification. It is permitting an intervention in the Yemen costing approximately $500,000 per day and involving at present 40,000 troops.

Indeed, as I stated earlier, Nasser's excursions make a mockery of our much-heralded food-for-peace program. The $1.1 billion shipments of grain and food to Nasser since 1954, especially the step-up in 1962, supplied one-third of the nation's food consumption.

And the colonel is not finished with his fomentations. He is now engaging the South Arabian Federation, including Aden.

I trust that the amendment which has been offered by the gentleman from Ohio will receive overwhelming support.

Mr. FARBSTEIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. FARBSTEIN. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. I would like to point out for the RECORD that there was a statement made previously that the PT boats which attacked our ships in the Tonkin Gulf came directly or indirectly from Egypt.

Mr. Chairman, as of one-half hour ago, when I last checked this rumor, there was not one scintilla of intelligence that our country has accumulated which would support that statement to any degree whatsoever. There is no evidence at all at the present time as far as the State Department is concerned or any of our intelligence agencies that this statement is correct.

If the gentleman who made the statement has additional evidence to this effect or additional information which would be useful as an intelligence source I am sure the Executive Department would be glad to have it.

Mr. FARBSTEIN. I do not know anything about that question and I cannot answer it. I shall not attempt to do so. I think that there is sufficient evidence which can be used as a basis for denial of the sale of Public Law 480 foodstuffs to Nasser.

Mr. Chairman, basically, this is an anti-Nasser amendment. This is similar to an amendment that I offered in committee last year and which was overwhelmingly passed by the Committee on Foreign Affairs.

Mr. Chairman, there is no reason why we should not adopt this amendment now. This man Nasser is an adventurer; this man is another Hitler; this man has made statements which no one believes but, like Hitler, will come to pass if we are not careful.

He is an enemy of the United States and has made evident that fact on various occasions. He represents, in my opinion, an unfriendly country. He is friendly with the Soviet Union. He helps support the arms industry of the Soviet Union.

We feed about half of Egypt's people through Public Law 480. Without Public Law 480 he would have to buy food. If he did not do so they would starve and the people might revolt. Perhaps that is what should happen to him. We enable this man to save the money that he would have to spend to buy food with which to feed his people; we enable him to use his cotton in exchange with the Soviet Union for arms. These arms in turn are transferred to various countries in Asia and Africa, all in opposition to the interests of this Nation.

This is a mandatory amendment; I appreciate that, and I hesitate to tie the hands of the President. But what are we going to do? My amendment adopted over a year ago stated that the President shall have the right to deny aid to any country that engages in aggression or that prepares for aggression. There is evidence that Nasser is not only preparing to engage in aggression but he is engaging in it. Yet nothing has been done. The State Department has said nothing and done nothing. The President has said nothing and done nothing. My amendment has been disregarded. He is our President, and I support him, but under the circumstances, Mr. Chairman, the only way we can put into effect this denial of aid to Nasser is by passing this mandatory amendment.

We are in effect subsidizing the arms industry of the Soviet Union. He has become a conduit of the Soviet Union in sending arms to various countries. He has now started trouble against Ethiopia. He is stage managing a war between Somalia and Ethiopia. We are being forced out of an airbase in Libya. Does this man represent a friendly nation? Is this the type of man we should assist by giving his country food? I am in favor of feeding hungry people, but if by feeding those hungry people we permit that country to sell its cotton to the Soviet Union and supply arms to other countries for the purpose of making war, we would be defeating our humanitarian efforts. I think he should be stopped. The best way to stop Nasser is to agree to this amendment.

Mr. RYAN of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment to section 107 of Public Law 480 which would prohibit aid under this act from going to the United Arab Republic. This is not a new issue before the House; it is not a new issue with me. Ever since I have been in Congress I have urged that the United States take action to curtail aid to Egypt, which has continued to engage in aggression. However, aid has continued despite the Arab boycott against American firms, despite Arab discrimination against American citizens, and despite the fact this aid is being used to substantially help Egypt to develop its own armament capacity and to prepare for aggression against Israel, the only true democracy and true friend of the United States in the Middle East.

Congress has not stood idly by while United States aid has poured into Egypt. Since 1961 Congress has written language into the foreign aid bills aimed at the Arab policy of religious discrimination. I have consistently supported these efforts and have consistently demanded that these amendments to the foreign aid bill be implemented. I am sorry to say that they have not been implemented.

Finally in 1963 Congress confronted the fact that Egypt was using United States aid to further her determination to destroy the democracy of Isreal. The Foreign Assistance Act of 1963—Public Law 88–205—specifically prohibits aid:

> To any country which the President determines is engaging in or preparing for aggressive military efforts directed against any country receiving assistance under this or any other Act.

There is no doubt from the legislative history that this clause is aimed specifically at Egypt. During last year's debate several of us made it crystal clear that Egypt's aggressive actions and designs were the object of this prohibition. In spite of the clarity of congressional purpose, this policy has not been carried out. The United States is still aiding Egypt. This contributes substantially to Egypt's armaments capability.

United States aid to Egypt under Public Law 480 has been substantial. Since 1954 over $1.1 billion in Public Law 480 agricultural commodities have been shipped to that country. Under the 3-year agreement executed in 1962, Egypt will receive more than $700 million in Public Law 480 commodities. This exceeds the combined Public Law 480 shipments to Latin America, the Far East and Africa for the same period. This massive United States aid makes it possible for Nasser to exchange cotton with the Soviet bloc for arms. In 1955 Nasser negotiated an arms-for-cotton barter deal with the Soviet Union. Since that time Nasser has received from the Soviet Union and the bloc countries more than $1 billion worth of modern armaments. In addition, Nasser has spent large sums in the development of a medium-range-missile capability.

You may ask how Nasser has been able to afford such large expenditures for arms. Remember that our Public Law 480 aid supplies half the grain and one-third of the food consumed by Egypt. Had this aid not been available, Nasser would have been forced either to grow food instead of cotton or to use cotton exports to buy food. In either case less resources would have been available for the highly dangerous arms race in the Middle East.

Mr. Chairman, the United States must not be a silent partner to Egypt's arms buildup. The consequences of this buildup extend not only to Israel but to other nations which have suffered under Nasser's aggressive ambitions. In addition, in this age of thermonuclear weapons a war in the Middle East could embroil the entire world in a nuclear holocaust. For several years the Congress has expressed its concern over United States aid to Egypt. It is now time for Congress unequivocally to declare that the United States will no longer give aid to aggression. If we take this action, Nasser will have time to change his policy before the present program expires in late 1965. If Egypt's policy should change, then Congress can reevaluate the situation. I urge support of this amendment.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. RYAN of New York. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. Does the gentleman feel that the United States should withdraw from the Near East?

Mr. RYAN of New York. I think it is clear the United States has a responsibility to maintain stability in the Near East. I think we should continue to do that. We are not doing it by continuing this program, which has not reduced aggression but is encouraging aggression by Egypt, which is intending to destroy the State of Israel.

Mr. GALLAGHER. Does not the gentleman believe the United States is going to lose its leverage and prestige in the Near East if this amendment is adopted?

Mr. RYAN of New York. The United States is not going to withdraw from the Near East. It is trying to maintain peace in the Near East. The gentleman is just echoing the tired old argument we have heard from the State Department for 4 years. It is the argument which the State Department has advanced over the last 4 years. The fact is that it has not used the leverage it has in the law today. Since it has not, it is time the Congress did.

In any event, the present Public Law 480 agreement with Egypt does not expire until late 1965. If Nasser changes his policy, Congress can revaluate the situation. That would be more realistic leverage.

Mr. ROSENTHAL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to put in perspective some of the precedents in the use of this law. For that purpose, I should like to ask the gentleman from Texas or members of the committee precisely what aid we have given to the United Arab Republic under Public Law 480. I wonder if any of them could tell us in the first instance under how many titles of the law the United Arab Republic receives aid.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman from Texas.

Mr. POAGE. The United Arab Republic receives aid under title I. We have sold to the United Arab Republic in the last 10 years under title I $1,129,700,000 worth of commodities. Then we have given the United Arab Republic certain aid under title II which is, of course, the program where we give the aid rather than sell it and that comes to a total in the last 10 years of $25,348,000.

Mr. ROSENTHAL. Is that $25 billion?

Mr. POAGE. No, it is $25,348,000.

Mr. ROSENTHAL. Under title I is there any delineation as to the nature of the country we are giving aid to, as to whether it is a friendly country, a neutral country, or an unfriendly country, or any other status?

Mr. POAGE. The law says "to friendly countries."

Mr. ROSENTHAL. That is friendly countries? And all during this 10-year period we sold them over a billion dollars worth of commodities, they have qualified under this section as a friendly country?

Mr. POAGE. Yes.

Mr. ROSENTHAL. I wonder if the gentleman from New Jersey who is a member of the distinguished Committee on Foreign Affairs, and who has been a vigorous opponent of this amendment and a great proponent of foreign aid, will tell me how in any way, shape, or form the United Arab Republic can be defined as a "friendly" country?

Mr. GALLAGHER. I think the determination in the aid bill is one where the President must make the determination that they are involved in aggression. I believe one of the things the State Department is trying to do is to protect the status of Israel and one of the ways we can do that best is by having some leverage in the Near East and even though that is a worn out argument as the previous gentleman said, the fact of the matter is that warfare has not broken out between Israel and Egypt.

Mr. ROSENTHAL. The gentleman is going one step beyond the point I want to make. Are you prepared to state here and now that without the advocacy of the State Department and by your own definition of the word "friendly", you are prepared to define the United Arab Republic as a friendly country?

Mr. GALLAGHER. No, I do not think the United Arab Republic is a friendly country. I do not think Mr. Nasser is a very friendly person. I am interested, however, in the national interest of the United States and in our interest in the Near East and our interest in the State of Israel.

Mr. ROSENTHAL. We can come to that in a minute. But if I may continue, if you are prepared to say that the United Arab Republic is not a friendly country, then in no way can you justify aid to that country under the existing legislation.

Mr. GALLAGHER. If the gentleman will permit me, my definition of friendly and the definition of the State Department of the word "friendly" may be two different things. I am talking about some of the acts—some of the noise and some of the acts that Mr. Nasser has carried out against Israel and I am pointing out that they have not been very friendly. But I do not think we should at this point be in the position of casting Mr. Nasser and the rest of the Near East into the same role and say that they are all Communists.

Mr. ROSENTHAL. That is precisely the point I make. I am not willing to substitute the judgment of the Department of State for my own judgment. I am willing to stand with you in defining the word "friendly." Both of us agree that the United Arab Republic has not been a friendly country, notwithstanding any propaganda that the Department of State puts out.

Mr. GALLAGHER. But we are talking about our Nation.

Mr. ROSENTHAL. If you and I believe in our definition of the word "friendly," then we simply cannot continue giving aid to the United Arab Republic, regardless of what the State Department tells us. They are going to tell us about stability and maintaining a flexible hand. These are old, tired, and wornout cliches. It seems to me on the face of it we are continuing to violate the law by giving aid to a country that is most unfriendly to the interests of the United States.

Mr. GALLAGHER. If the gentleman will let me clear up our definitions here—a friendly nation could be considered as one that is not unfriendly to the United States or even a nation that is not at war with the United States. So there is a broad area of definition involved here. The gentleman is accepting his definition in one category.

Mr. ROSENTHAL. No, I am accepting your definition.

Mr. GALLAGHER. No, I think what we are trying to do is to accept the definition that is going to best serve the interest of the United States. That is what we are talking about.

Mr. ROSENTHAL. I think we are all reasonable men, and we know what the word "friendly" means, and we know what the word "neutral" means, and we know what the word "unfriendly" means. I think you join with me, regardless of what the Department of State says, that the United Arab Republic is not a friendly nation, and if they do not fit that definition, they cannot receive assistance under this law.

Mr. GALLAGHER. I must point out to the gentleman that he is speaking for himself on this point.

Mr. ROSENTHAL. Mr. Chairman, I urge the adoption of this amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MATTHEWS. Mr. Chairman, I move to strike the requisite number of words.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from New York [Mr. MULTER].

Mr. MULTER. I thank the gentleman for yielding. I should like to address a question to the gentleman from New York [Mr. ROSENTHAL] if I may.

Mr. MATTHEWS. I yield to the gentleman.

Mr. MULTER. I understand the gentleman's feelings about the State Department. I do not agree with him so far as Secretary Rusk is concerned. Nevertheless, respecting his opinion and feelings with regard to the State Department, I say to him—and I feel sure he will agree with me—we can rely on President Johnson to do the right thing. The law now vests in the President of the United States, who presently is President Johnson, the discretion to stop any sales to the United Arab Republic or to any other country. I believe we ought to let this rest with the President, without this amendment, which would tie his hands.

Mr. MATTHEWS. If the gentleman will forgive me, I do not believe that was a question.

Mr. ROSENTHAL. I am willing to respond.

Mr. MATTHEWS. The gentleman from California I believe is seeking recognition. First I will yield to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. I should like to ask the distinguished gentleman if it is correct that the present law requires the President to make a determination of an aggressor country.

Mr. MATTHEWS. That is true, in my opinion.

Mr. ROOSEVELT. In other words, it is not that he must make a determination a country is unfriendly, but he must find it is actually an aggressor. That is quite a different proposition, as it relates to the amendment of the gentleman from Ohio.

Mr. MATTHEWS. Mr. Chairman, I shall yield to other Members in a moment, if I have time remaining, but I wish very sincerely to present this point. It has been presented before.

This is not a question of whether one is pro-Israel or is against Israel. In my opinion, this is a fundamental question of the foreign policy of the United States of America.

When I came to this Congress we had a Republican President. I followed that Republican President in the shadowy areas of foreign relations. There are matters which are most difficult to decide. They are fraught with emotion.

In this particular instance I will say frankly, although I admire the gentleman from Ohio [Mr. Oliver P. Bolton] very much I put more credence in the judgment of the President of the United States in the direction of foreign policy, and I propose to follow his guidance. I will vote against the amendment.

Mr. OLIVER P. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I am delighted to yield to the gentlman from Ohio.

Mr. OLIVER P. BOLTON. I appreciate the gentleman's reliance upon the President. I, too, have the greatest respect for his judgment. I would say to the gentleman that we have had a condition in the world, a state of aggression which has been recognized by the United Nations, which created a special commission to go into the area to try to handle the aggression.

The Congress adopted a policy stating that we would not have Public Law 480 funds going into areas of aggression, and there has been no such determination. Therefore, with the greatest of respect for the administration and the difficulties in which they find themselves, I submit to the gentleman, going back to the comment of the gentleman from New Jersey, that this will give leverage to the program, because it will still have a year and a half to run.

Mr. MATTHEWS. Mr. Chairman, I cannot yield further at this time.

Some of my colleagues agree with the gentleman, and some I believe are more effective in their disagreement. This is a difficult area, where we would do well to follow the leadership of the President of the United States in the direction of foreign policy in this particular area.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield again to the gentleman from New York.

Mr. MULTER. I thank the gentleman.

I remember very well that I sat in this House with the gentleman from Florida when we tried to make the same point against an amendment directed against the State of Israel. I am happy to say that we were successful in keeping that provision from being written into law at that time, when people were claiming—without foundation, but they were claiming—that Israel was an aggressor. We kept that provision out then. I say now that we should keep this provision out, even though it is directed against Israel's enemies.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to my dear friend from Indiana.

Mr. ADAIR. I would say to my beloved friend, since he has referred to this bill as one which writes foreign policy, I find it indeed strange that a bill which repeatedly, this afternoon, has been referred to as one relating to U.S. agriculture we now find it a vehicle for writing foreign policy.

Mr. MATTHEWS. I would say that is another area of shadow and I would hope my dear friend would agree with me in my interpretation of this particular area.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. JOELSON. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, what I am about to say may be personally impolitic, but I do not intend to be one who plays politics with the empty bellies of hungry children, whether it be domestic or international politics. That is what we are dealing with here now—hungry people.

There is no doubt in my mind that Nasser is the Hitler of the Middle East. I certainly am 101 percent anti-Nasser. Nor is there any doubt in my mind that Israel is a great democracy and constitutes a model of democracy for the Middle East. I think certainly we must do everything within our power to see that arms and armaments of war and strategic materials are kept out of the hands of Nasser and his ilk. However, I think we are playing into the hands of a dictator when we create in his own country the conditions of poverty and hunger upon which dictators feed and grow strong.

We had a debate here about Russia and the sale of wheat to that country. Many people in this House voted to give the President the power to sell wheat to Russia. I did not hear them then talking about Russia being the implacable enemy, and that did not make them pro-Russian but made them intelligent people. In that case also, just as in the case of the Arab masses, we are dealing with subjugated hungry, deceived, and desperate people.

I say to you, do not penalize these people. Do not punish them because they have been betrayed by their own leaders. This is a bill having nothing to do with armaments of war. This is a bill having to do with compassion.

I think Israel is a humanitarian government and a strong government and can protect and defend itself. I doubt very much if the idealistic leaders of Israel want us to take any action whereby their neighbors in neighboring nations will starve of hunger.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. Yes. I will yield to my friend, the gentleman from New York [Mr. Farbstein].

Mr. FARBSTEIN. Do you suppose for a moment Mr. Nasser would have any difficulty with feeding his people if he were to sell his cotton for food? Could he not just as well feed his people that way instead of selling cotton for arms?

Mr. JOELSON. The gentleman is my friend. I heard him say before that the best way to create revolution in Egypt is by having the people starve. I am afraid I cannot go along with that point of view. I think we can beat Mr. Nasser without seeing to it that the kids of the world starve. You must remember that we have a United Nations and we have UNICEF, which is dedicated to the proposition that every kid should have a full belly. I do not want to be one to recommend that they should starve.

Mr. FARBSTEIN. Is the gentleman suggesting that Nasser should be permitted to sell his cotton for arms?

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. Yes. I yield to the gentleman from Iowa.

Mr. GROSS. How did the gentleman vote on the wheat for Russia bill?

Mr. JOELSON. The same way I am going to vote today. In the best interests of the United States of America.

Mr. GROSS. But how did you vote?

Mr. JOELSON. I voted for it. And I am going to vote against this amendment which would deny absolutely the right of our President to authorize the sale of food to Egypt.

Mr. GROSS. That is what I thought.

Mr. JOELSON. And I am being entirely consistent, just as the gentleman from Iowa is consistent in his opposition to everything.

Mr. DERWINSKI. Do I interpret the gentleman's position correctly to be that he feels dictators should be supported regardless?

Mr. JOELSON. Absolutely not. My position is we should not punish innocent people because cynical dictators have betrayed them.

Mr. DERWINSKI. In other words, you would rather subsidize a dictator than have his people permitted to change their government.

Mr. JOELSON. I do not believe in subsidizing dictators. I look upon giving missiles and arms as subsidizing them, but I do not believe that feeding weak children is subsidizing dictators.

Mr. OLIVER P. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman.

Mr. OLIVER P. BOLTON. The gentleman does not know, I am sure, under title II of this bill the President has authority to grant food to any country and their people that are in need regardless of whether they are defined as friendly or not.

Mr. JOELSON. I realize that.

Mr. OLIVER P. BOLTON. I thank the gentleman.

Mr. JOELSON. I yield back the balance of my time.

Mr. COOLEY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Harris, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 12298) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, had come to no resolution thereon.

TO AMEND AND EXTEND NATIONAL DEFENSE EDUCATION ACT OF 1958 AND TO EXTEND PUBLIC LAWS 815 AND 874

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3060) to amend and extend the National Defense Education Act of 1958 and to extend Public Laws 815 and 874, 81st Congress—federally affected areas—with House amendments thereto, insist upon the House amendments, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. BRUCE. Mr. Speaker, I object.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. ASPINALL. I ask unanimous consent that the Committee on Interior and Insular Affairs have until midnight to file a conference report on S. 1123 and on S. 27.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. POAGE. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks during the course of the debate today on H.R. 12298.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SUPREME COURT JUSTICE HARLAN'S DEDICATION OF BILL OF RIGHTS ROOM, FEDERAL HALL, NEW YORK

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a prayer by Rev. James A. Pike and an address by Associate Justice John M. Harlan.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, as the American Bar Association started its 87th annual meeting in New York City on August 9, 1964, I was privileged to sit on the platform with other invited guests at ceremonies dedicating the Bill of Rights Room of the Federal Hall Nation Memorial, Broad and Wall Streets, New York City. The renovation of this room and the placement of its historic exhibits were made possible through financial grants of the American Bar Association.

The ceremonies attendant upon the opening of the Bill of Rights Room to the public were very impressive. The commemorative prayer offered by the Right Reverend James A. Pike, bishop of the Episcopal Diocese of California, a member of the California State Bar and the American Bar Association, and the dedicatory remarks of Associate Justice John M. Harlan of the Supreme Court of the United States were outstanding for their thought-provoking content. I think it is particularly noteworthy at this time that a member of the Supreme Court has spoken out with clarity on the role of the Bill of Rights in our constitutional form of government with emphasis on the manner in which the Bill of Rights evolved as part of the Constitution.

Under leave previously granted, I include at this point in the RECORD Bishop Pike's prayer of dedication and Justice Harlan's address and commend them to all Members to read:

PRAYER OF DEDICATION BY RIGHT REVEREND JAMES A. PIKE, EPISCOPAL BISHOP OF THE EPISCOPAL DIOCESE OF CALIFORNIA, FEDERAL HALL NATIONAL HISTORIC SITE, AUGUST 9, 1964

In the name of the Father and of the Son and of the Holy Ghost. Almighty God, who has made us in Thine own image and who has charged us with responsibility and given us freedom within which and through which to exercise responsibility, we yield Thee praise and thanks, high praise and hearty thanks for our liberties as of old, especially for the Bill of Rights passed by our forefathers for each generation and generations yet to come. We thank Thee also for those throughout the decades, earnest and thoughtful members of the bar and of the judiciary, especially the Supreme Court of this land and its Justices in generation after generation who sought to make these rights alive and real under the circumstances of their own times. We thank Thee for the courage of those holding this high office and for their wisdom. We are grateful especially today that the board of governors of this distinguished association representing the highest ideals of the bar encouraging their implementation throughout our land has seen fit to affirm the duty of all citizens to obey the law of the land as it is interpreted by the courts of this land, affirming again our principles of federalism and separation of powers. Grant that we may be caught up we beseech Thee with a larger spirit behind this Bill of Rights, that we may wish equality of opportunity and freedom of thought and action and expression for all our fellow citizens as well as for ourselves. May we have the deep courage to oppose all forms of extremism, no matter how nobly supported, that this land may seek always fair confrontations of accusers; opportunity for independent support of one's own case and full hearing by legitimate process, rather than by smear and innuendo and by organized groups which would seek to destroy the courage of their fellow citizens as well as their rights. That the way of life we have known here through Thy guidance and blessing and grounded in our Judaeo-Christian heritage may be an open possibility for nations throughout the world; guide the leaders of this Nation and the United Nations concerned for freedom in the crises of our times, in southeast Asia, particularly, and in Cyprus at this hour. Especially do we ask that this building and the copy of the Bill of Rights contained therein may be an inspiration year after year to those who visit it, nourishing in them a desire to continue through their own witness and through responsible citizenship this way of life so dear to us and so productive of the best in human achievement and fulfillment. In the name of those sponsoring this project and in the measure of our whole Nation, to the glory of the author of liberty and of this Nation under God, I dedicate this room that it may be a holy place forever inspiring all who shall attend here and all who shall know about its presence, that each in his own place and time may be a witness to these things which are the foundation of our common might, all of which we ask in His name. Amen.

THE BILL OF RIGHTS AND THE CONSTITUTION

(Address by John M. Harlan, Associate Justice, Supreme Court of the United States, at the dedication of the Bill of Rights Room, U.S. Subtreasury Building, Federal Hall, New York City, August 9, 1964)

We stand on hallowed ground. It was at this spot—the site of Federal Hall which served as the first Capitol of our Nation—that among other things George Washington in 1789 was inaugurated as the first President of the United States, that the first Congress and Cabinet met, and that the Supreme Court of the United States was organized. And at this place, a little more than 175 years ago, occurred the event that brings us here today—the adoption by Congress of the first ten amendments to the Constitution of the United States, which upon ratification by the States became known as the Bill of Rights.

These exercises dedicate the Bill of Rights Room which will be a part of the memorial museum established by the National Parks Service of the Department of Interior in this U.S. Subtreasury building; that building succeeded Federal Hall and is also historic on its own account. The Room will house an important collection of materials having to do with the origins of the Bill of Rights. The project is under the sponsorship of the American Bar Association and has been made possible by the financial contributions of many individual lawyers throughout the United States. It marks another milestone in the continuing efforts of the American Bar Association to make our legal heritage a living force in the concerns of the American people. I am honored by the Association's invitation to play a part in these ceremonies.

We should surely begin by recalling the specific provisions of the Bill of Rights. They speak with such eloquent simplicity and clarity as to defy paraphrasing, and their words should be read in full.

Amendment I

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

Amendment II

"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

Amendment III

"No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law."

Amendment IV

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

Amendment V

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

Amendment VI

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which districts shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence."

Amendment VII

"In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law."

Amendment VIII

"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

Amendment IX

"The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

Amendment X

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

While these amendments symbolize the respect for the individual that is the cornerstone of American political concepts, it would be a grave mistake to regard them as the full measure of the bulwarks of our free society. Except for the first three amendments they are largely procedural protections against particular kinds of arbitrary governmental action and touch the activities of relatively few people; standing alone they do not account for the broad spectrum of freedoms which the people of this country enjoy. They were indeed not a part of the original handiwork of the framers of the Constitution.

The men who wrote the Constitution recognized, with unmatched political wisdom, that true liberty can rise no higher or be made more secure than the spirit of a people to achieve and maintain it. Their prime concern was to devise a form of government for the new Nation under which such a spirit might thrive and find the fullest opportunity for expression. The amendments comprising the Bill of Rights followed only after the structure of government had been established by the Constitution proper. They resulted not so much from what the framers considered to be new ideological imperatives as from fears among the States that the National Government might seek to tamper with individual rights already largely assured under the laws of the various States. The movement for a Bill of Rights was given added impetus by the passage of the Northwest Ordinance under which the Federal Government was to administer the western territories, all claims to sovereignty over which had been relinquished by the States. That instrument, passed by the Continental Congress sitting at Federal Hall in New York at the same time as the Constitutional Convention was meeting in Philadelphia, contained what amounted to a formal Bill of Rights of its own.

For the most part the rights assured by these first 10 amendments against Federal invasion were simply those enjoyed by Englishmen under the institutions of the mother country, having their origins in the provisions of Magna Carta, that famed fountainhead of individual liberty. There were, however, two notable extensions of those rights: freedom of religion and freedom of speech and press, the former stemming from what had been growing colonial practice, and the latter being spurred by the prosecution and acquittal of John Peter Zenger for seditious libel, which had taken place in New York in 1735.

In short, as the debates at the Constitutional Convention and the terms of the Constitution itself both reveal, the framers proceeded on a premise which many years later Judge Learned Hand was to state in the following words: "Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can save it; no constitution, no law, no court even can do much to help it." They staked their faith that liberty would prosper in the new Nation not primarily upon declarations of individual rights but upon the kind of government the Union was to have. And they determined that in a government of divided powers lay the best promise for realizing the free society it was their object to achieve.

The matter had a double aspect: first, the division of governmental authority between the States and the central government; second, the distribution of power within the Federal establishment itself. The former, doubtless born not so much of political principle as out of the necessity for achieving a more perfect Union than had proved possible under the Articles of Confederation, was solved by making the authority of the Federal Government supreme within the sphere of powers expressly or impliedly delegated to it and reserving to the States all other powers—a reservation which subsequently found express protection in the Bill of Rights through the provisions of the 10th amendment. The second aspect of the governmental structure was solved, purely as a matter of political theory, by distributing the totality of Federal power among the legislative, executive, and judicial branches of the Government, each having defined functions. Thus eventuated the two great constitutional doctrines of federalism—often inaccurately referred to as the doctrine of States rights—and separation of powers.

These doctrines lie at the root of our constitutional system. It is manifest that no view of the Bill of Rights or interpretation of any of its provisions which fails to take due account of them can be considered constitutionally sound. The same is true of the due process, equal protection, and privileges and immunities clauses of the 14th amendment, which, since their adoption following the Civil War, have afforded Federal protection against limitation by State action of various basic individual rights. It is an accurate generalization to say that the effect of these two doctrines in combination is to put within the range of Federal cognizance only those matters, whether or not denominated civil rights, for which a source of Federal executive, legislative, or judicial competence can fairly be found in the Constitution or its amendments. There is no such thing in our constitutional jurisprudence as a doctrine of civil rights at large, standing independent of other constitutional limitations or giving rise to rights born only out of the personal predilections of judges as to what is good. And it should further be observed that our federalism not only tolerates, but encourages, differences between Federal and State protection of individual rights, so long as the differing policies alike are founded in reason and do not run afoul of dictates of fundamental fairness.

It does not derogate from steadfastness to the concept of developing constitutionalism in the field of civil rights—even as we must solve by orderly constitutional processes alone the great question of racial equality before the law—to insist upon principled constitutionalism which does not proceed by eroding the true fundamentals of federalism and the separation of powers. To assert the contrary is in effect to urge that the Bill of Rights and cognate amendments to the Constitution be extended so as to become the masters, not the servants, of the principles of government that have served the cause of free society in this country so well.

We cannot take these things for granted in an age when the validity of established processes of our system is increasingly being called into question. No higher duty rests upon lawyers—by their training made "ready to aid in the shaping and application of those wise restraints that make men free"[1]—than to maintain unimpaired the firm foundations on which ordered liberty in this land has been built. The memorial we dedicate today will serve as a continuing reminder of that obligation.

CAPABILITY OF RADAR IN NORTH VIETNAM

Mr. STINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. STINSON. Mr. Speaker, there has been considerable controversy about the retaliatory attack by U.S. aircraft against the bases in North Vietnam. I believe it is essential that we determine what is to be our policy in the future.

Mr. McNamara has said that the enemy picked up our aircraft just as soon as they left our aircraft carriers. An admiral has said that this was not true.

I doubt very much if the North Vietnamese have the capability of picking up low-flying American aircraft at the range of several hundred miles. Therefore, I have written a letter to the Secretary of Defense requesting that the Secretary of Defense give a demonstration to me and to other interested Members of Congress to detemine if it is indeed possible for United States-manufactured radar to pick up aircraft flying at low levels at a range of several hundred miles.

I am going to include a copy of this letter in the Record. I shall be eagerly awaiting a reply from the Secretary of Defense.

The letter referred to is as follows:

Dear Mr. McNamara: In the last few weeks there has been considerable controversy over whether or not our airplanes which attacked North Vietnam were picked up by the North Vietnamese radar system before the President's TV announcement. Having been familiar with the operation of the Navy's radar while serving as an operations officer several years ago, I find it difficult to believe that a low-flying airplane could be detected at a range of several hundred miles. I would assume that if we wanted our airplanes to approach their target undetected, that they would fly at an altitude of less than a hundred feet.

The episode of a few months ago when a helicopter flew from Cuba to the United States undetected by our radar would indicate that it is not possible for us to pick up low-flying objects.

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[1] The quoted language is that used by Harvard University in the conferring of law degrees.

I would like to have a demonstration by the Department of Defense of the capability of U.S. radar. I would particularly like to see our radar pick up an aircraft flying at less than 100 feet over the water at a range of several hundred miles. I am sure that several other Members of Congress would also like to see such a demonstration.

Since our equipment should be superior to that of the North Vietnamese, the demonstration should serve the purpose of indicating whether or not this is possible.

Yours very truly,

Bill Stinson,
Representative to Congress.

THE CHURCHES AND MISSISSIPPI

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. Green] may extend her remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, the Christian Century carries in its July 15 issue an article by a young Presbyterian minister, Stephen C. Rose, entitled "The Churches and Mississippi." Reverend Rose writes lucidly and informatively about the orientation center activities at Oxford, Ohio, where students were prepared for the 1964 Mississippi summer project. I think one sentence in the article sums up the tenor of the summer project: "It is a concrete involvement in an age when too much is being said about the prevalence of apathy."

Mr. Speaker, I ask that the article follow at this point in my remarks:

The Churches and Mississippi

Oxford, Ohio.—My interviews with students and leaders of the Mississippi summer project at their orientation center here have left me with an impression very different from that conveyed to readers by the crisis-laden headlines in the press. First of all, it must be said that the students here, and the ones who have preceded them to Mississippi to help in registration of Negro voters, are neither irresponsible, fanatic nor immature. If any spirit could be said to dominate them, it is that of the Peace Corps—a sense of genuine purpose, of commitment to social ideals. But there is a difference. These young people—in all, 600 are engaged in the project—are aware of the potential danger they face. They recognize the irony in the fact that the swamps of Mississippi hold more danger for them than is faced by the Peace Corps volunteers in the jungles of Africa.

The students I talked with made no attempt to hide their fears, but neither did they flinch before them. In two weeklong sessions they had been told they could not expect the security, the comfort, even the three square meals a day to which they had been accustomed. Said one, "If I had only beatings to fear I could turn around and go home. But if it's so bad down there that people are getting killed, I must go."

There was no pose of the martyr in the students' comments. The majority described their motivation in political terms, considering the almost insurmountable difficulty Mississippi's Negroes encounter in trying to register at the polls ample reason for their involvement. However, among the volunteers a substantial number have found their motivation in religion. The Reverend Tom Wahman, of New York City, said he hopes to attend services in a white Mississippi church. He explained: "I would tell the congregation that I am afraid, afraid for Mississippi, afraid for the Nation, for myself. Perhaps through mutual recognition of common fears reconciliation could begin to take place."

I arrived in Oxford just as news came that three civil rights workers were missing in Mississippi. Immediately about half the students and staff workers joined in a voluntary service of worship. The strains of "We Are Climbing Jacob's Ladder" were followed by those of the freedom movement's anthem, "We Shall Overcome." Although I am one of those who have been critical of the failure of northerners to spell out their religious motivation for going to work for racial justice in the South, I could not help feeling that participation here in what Paul Tillich calls the kairos, the moment of God's activity in history, covers a multitude of theological illiteracies. There was something considerably more stirring in this assembly of the committed than in the language of those who sit in their offices bemoaning the absence of theological clarity.

One aspect of the Mississippi summer project and of the forthcoming delta ministry leads me to believe that we are witnessing today the church's most responsible involvement yet in the South's racial crisis. That is the role being played by the National Council of Churches' Commission on Religion and Race. In less than a year of operation the commission has achieved much. Robert Spike, its executive director, has assembled a number of bright younger ministers and laymen who seem uneasy unless they are in the thick of things. For the first time in my memory, I feel that the churches are exercising determinative leadership in the field of civil rights—in working for passage of the civil rights bill and in seeking to mobilize opinion and action within their own doors.

It is the national council commission that has made these orientation sessions at Oxford possible. The drive to enlist college students to work this summer in Mississippi was initiated late in 1963 by the Council of Federated Organizations (COFO), a coalition of Mississippi rights groups. The NCC commission did not recruit students for the project, but it recommended that those who were recruited should be given thorough training before going to Mississippi. The recommendation was accepted, and the commission found a site.

It is intended that the students' activities will be limited to setting up community centers and freedom schools and helping Negroes register. At Oxford the training is not carried out in anticipation of direct action demonstrations. The implication in a recent Chicago Tribune editorial that the students are being trained to fall off lunch counter stools is completely without basis in fact. They are, however, trained in the art of nonviolent self-protection in the face of unprovoked violence—something entirely different from provoking violence.

Without in any way denigrating the responsibility being exerted by the civil rights groups at work in Mississippi, I would suggest that participation by the national council's commission on religion and race has made a tangible difference in how one views the project. For although the NCC does not claim to represent all of Protestantism, it does represent enough of the Protestant community to demonstrate a tangible moral commitment in Mississippi.

In addition to setting up the orientation sessions at Oxford (in cooperation with COFO), the national council is committed to long-term involvement in the Mississippi situation through what is to be called the delta ministry, a project which will get underway this fall with active cooperation from the World Council of Churches. (See editorial in the May 20, Century, page 660.)

The delta region of Mississippi constitutes one of the Nation's worst pockets of poverty. Illiteracy and the general decline of rural life have left it a desolate wasteland occupied by impoverished sharecroppers among whom mutual racial suspicion runs high. The delta ministry will seek to aid the people of the area through direct relief, literacy classes, and self-help projects; through efforts to foster reconciliation between whites and Negroes; and through the mobilizing of technical skills, scientific knowledge, economic resources, and public opinion to provide an adequate base for livelihood.

The ministry is aimed at improving the condition of the poor white as well as that of the poor Negro. Since its fundamental aim is to help upgrade a region through private enterprise, it is hard to believe that the project will be entirely unacceptable to Mississippians. Involvement of the World Council of Churches in the program guarantees that participating on the staff will be veterans seasoned by experience in other situations of conflict—Algeria, for instance.

A foreshadowing of the attempt at reconciliation to be made by the delta ministry is the effort (so far given little publicity) by a group made up mostly of native southerners to interpret the racial revolution to the white community. The program demonstrates the fact that despite the numerous reasons COFO (and the NCC) have for distrusting Mississippi's white populace, they view the State's problems with a compassionate eye.

There are in Mississippi the silent moderates alongside the racial extremists. And between the two groups are both whites and Negroes who simply accept the status quo without question. Members of the white community—both the moderates and those who silently acquiesce in extremist terrorism—deserve the chance to speak out for the best in Mississippi without fear of intimidation. The task is to free both white Mississippi and black Mississippi.

Offensive though they may be to the southerner, the National Council of Churches and those northern clergymen who have gone independently to Mississippi have succeeded in adding a third dimension to the struggle within the State. For it is not just a struggle to upgrade opportunities and gain the vote for Negroes. It is an attempt to redeem and reconcile the entire populace of the State. At its best it is an effort to empathize with Mississippi moderates and, working with them, to seek to do what cannot be done without what one southern pastor has called "the resources and commitment that went into the New Deal."

Much more will be said about Mississippi in the days to come. But at this point it is helpful to understand that the present "entry" into the State is neither irresponsible nor fly-by-night in nature. It is a concrete involvement in an age when too much is being said about the prevalence of apathy. It is an undertaking in which any member of a Protestant church should be ashamed not to be involved.

TRIBUTE TO WALTER BESTERMAN

Mr. CHELF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CHELF. Mr. Speaker, it is with a sense of pride that I mention today the long association I have had with Walter Besterman, counsel to the House Immigration and Nationality Subcommittee, and call attention to the impressive record he has made in that capacity.

His work with the subcommittee has made us all proud of him as an American citizen. His imminent departure from this place gives cause for deep regret. However, our loss is the gain of the Intergovernmental Committee for European Migration in Geneva, where he will be its Deputy Director.

I met Walter first in 1945 and made my first trip with him to inspect displaced persons camps in 1947. After that time, I made a number of trips with him and have always found that his superb linguistic ability in the speaking and understanding of so many languages to be an invaluable asset in getting to the very essence of the griefs, the heartaches, and the problems of the displaced persons, escapees, and refugees. In this way, it has been possible to learn what was on the minds and in the hearts of these poor unfortunates in a much more real and meaningful way than would have been possible had we been solely dependent upon routine reports and interpretations. To travel with Walter through those areas was to get to know, in a very real sense, the people, and the plight of those who were deprived of their freedoms by totalitarian powers. This has been a tremendous help to me and has stood me in good stead in my work on this subcommittee.

Mr. Besterman was no stranger to the fate of these peoples, for he and his family had, earlier, literally escaped with their lives, just ahead of the gun squads at the border. It was through my early association with him and his fine family that I was able to appreciate and understand the situation facing all of those who were forced to flee from their homelands in order to be free.

His legal background and great knowledge in the field of immigration and nationality legislation has been of incalculable benefit to our subcommittee. Walter has the rare ability to grasp very quickly the full intent, purpose and significance of situations. In drafting legislation, his insight enables him to detect immediately any latent meaning of legislative phrasing which might conceivably be misconstrued or interpreted as being confusing or ambiguous.

He is an honorable, dedicated, sincere, perceptive man with the good fortune of possessing a keen mind and a splendid judicial temperament. He is a thoroughly capable servant of the American people whom he has served so long and so well through his devoted efforts on our subcommittee. I could not let him leave this place where he has made such a valuable contribution, where he has grown and matured as an American citizen, dedicated in purpose, and faithful and diligent in duty, without calling to your attention this remarkable record of Walter Besterman.

As he departs from us, he leaves behind him a huge reservoir of good will and highest esteem, a host of friends who have warm and wonderful memories of association with him, and an outstanding record of achievement in his specialized capacity which will redound to his everlasting credit. Our fervent best wishes go with him to his new field of endeavor where his particular talents and abilities and his wealth of experience will enable him to continue his useful and matchless service. In addition to his many and varied talents—he is one nice guy.

CONGRESS SHOULD FULLY BACK THE DISTRICT COMMISSIONERS IN THEIR STAND ON LOW- AND MODERATE-INCOME HOUSING IN THE SOUTHWEST URBAN RENEWAL PROJECT IN THE NATION'S CAPITAL, AND AMEND THE LAW TO INSURE SUCH HOUSING

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WIDNALL. Mr. Speaker, I have been deeply disturbed, as are other Members of the Congress on both sides of the aisle, with the emphasis on luxury housing in the Federal urban renewal program.

The Washington, D.C., Post, in an editorial on May 30, 1964, pointed out that a 560-acre urban renewal project in the Nation's Capital, which started out in 1953 to provide housing at $17 a room or less, ended up providing only luxury housing.

I include this very pointed and factual editorial at this point in my remarks:

> [From the Washington (D.C.) Post, May 30, 1964]
>
> THE LAST FOUR ACRES
>
> When slums are razed and new houses built, who is to live in them? Ought it be the families of small means, who are cruelly squeezed by the city's housing shortages? Or ought it be the rich, whose wealth and leadership the city needs to attract back from the suburbs?
>
> When the city first approached the massive Southwest project, the Redevelopment Land Agency commissioned two studies on the character of the new community there. In one of them the eminent Harland Bartholomew said that Southwest "should be redeveloped predominantly as a moderate- to low-income residence area"; he believed that the stylish and prosperous could be induced back to Southwest only with the greatest difficulty and in the smallest numbers. The other study was written by two local architects, Cloethiel Woodward Smith and Louis Justement, who urged an audacious and sweeping plan to change the whole atmosphere of Southwest radically, and to set such a brilliant standard of design that it might eventually influence the reconstruction of all central Washington. Mrs. Smith and Mr. Justement were right and, as the project evolved, it carried out their theory. Their victory has been rather too complete.
>
> In 1953, the question was whether there would be a place in Southwest for families of high income. Today the question is whether there will be any place for anyone else. In 1953, the plan required 40 percent of the new housing to be rented for $17 a room or less. Today, as it has worked out, the cheapest home is a one-room efficiency apartment for $99 a month, and the cheapest three-bedroom apartment costs $230 not including utility bills.
>
> Not one apartment in Southwest is within the reach of a family of average income. Symbolic of the city itself, there is nothing between the expensive housing in the redevelopment project and the concentration of public housing that adjoins it. When the Redevelopment Land Agency's first Director, Mr. Searles, resigned 3 years ago, he observed that its greatest error had been its emphasis on high land prices.
>
> Now the last 4 acres of residential land in the new Southwest are to be sold. Some of the earlier developers want the existing pattern of high prices to be continued, but the rule of homogeneity violates the very principle of urban renewal. Having devoted more than 100 acres to high-rent developments, the Redevelopment Land Agency has a clear duty to experiment with the possibilities for housing families of the middle-income range. In their study 12 years ago Mrs. Smith and Mr. Justement spoke of the city's "opportunity in the Southwest to develop a well-balanced central urban area." If it was necessary in the early 1950's to rescue this great redevelopment project from the dullness of unrelieved unprosperity, it is necessary in the 1960's to rescue it from the insensitivity of unrelieved wealth.

In the Nation's Capital, as shown by the House Committee on the District of Columbia, after hearings extending over a year's time—

> Not one unit of low-rent or public housing has been built in Washington under any urban renewal project plan, nor has the program provided any middle-income housing.
>
> The use of the powers in the present District of Columbia Redevelopment Act have been diverted to provide high-rent and luxury-type residential units at monthly rentals upward of $40 per room, to plush family units to be sold for as much as $75,000 per unit, which can be and are being furnished abundantly by private enterprise at no cost to the public.

The report of the House District Committee, filed on June 15, 1964, points out on page 6 that the financial statement of the District of Columbia Redevelopment Land Agency as of June 30, 1963, shows an expenditure of at least $100 million of public funds during the nearly 14 years of operation by the agency. It would certainly seem that an operation which has been underway for 14 years, and cost at least $100 million, and which has so signally failed to carry out the national housing policy should be drastically overhauled by the Johnson administration.

Mr. Speaker, I think it is high time that we stopped living in a dreamworld in Washington, D.C., and recognized the realities of life. We have just passed a billion-dollar housing bill for housing assistance. The bulk of these funds should be utilized for the hard pressed, not for the affluent in our society.

The Housing Act of 1949, as amended, and the Housing Act of 1964 were not intended at any time to be a vehicle mainly for providing housing for those who are perfectly capable of providing housing for themselves.

It is my hope that those in the administration who are charged with the responsibility for urban renewal projects in the Nation's Capital, and in other cities in our country have watchful care of the public purse. They are in charge of a program the foremost purpose of which should be the clearing of slum buildings, not structurally sound buildings, and the provision of residential housing within the means of the low- and moderate-income families.

It is shocking to realize that despite the $4 billion provided this program by the Congress it has been, in the words of a Harvard University conference in May 1964, a "complete failure" in providing low-income housing.

It is little wonder that some Members of Congress, seeing the rising tide of lawlessness and looting engulf first one city and then another, are worried, for they realize how much slum housing, and high rents for such slum housing, contribute to these new and frightening developments in our country.

At one point in the August 13 debate on the Housing Act of 1964 the gentleman from New York [Mr. Ryan] said:

> Time and again high-cost housing has been constructed, displacing site tenants who cannot afford the rents in the new apartments.
>
> In New York City, for instance, in the Washington Square Village development, apartments rent as high as $246 a room.
>
> It is ridiculous to be subsidizing luxury housing, when there are millions of people who need low-income housing and middle-income housing.

This colloquy also took place:

> Mr. Farbstein. Mr. Chairman, will the gentleman yield?
>
> Mr. Widnall. I yield to the gentleman from New York.
>
> Mr. Farbstein. Does not the gentleman feel that as a matter of policy any urban renewal building of any nature or description should be restricted to the lower-income housing? Those abuses the gentleman and I know have taken place in the past in this connection.
>
> Mr. Multer. Let me say to the gentleman from New York that is only by violating the clear intent that has been written into the housing laws all the years as part of the preamble from the beginning. It is a violation of that intent to encourage luxury housing as part of these plans. If it is a small part of it, it has a proper place, but there have been too many abuses, they have gotten too much help out of this program. To that extent, I think the agency should stop that from happening. The present intent of the report and the legislation itself is to create more housing for the masses, the middle-income housing and low-income housing.

Later in the debate I said:

> Mr. Widnall. The urban renewal funds in this bill do not go to builders to build the buildings. The funds do go to acquire property which is sold to the developers. In that way there can be a subsidy for luxury housing which should not be, and I think I agree with the purpose of the gentleman asking the question—I think we should get back to the original conception of the urban renewal effort on clearing slums and helping those who live in the slums to have a decent home environment and to have a decent home.

I wrote on June 1 to the District of Columbia Engineer Commissioner, Brig. Gen. Charles M. Duke, who is in direct charge of the District's urban renewal program, urging that the 100 acres of luxury housing in the southwest Washington urban renewal project be balanced by developing an equal or even larger portion of the area for low- and moderate-income families. I pointed out that suitable housing for families at this income level is being built at this very moment by the Kiwanis Foundation of the District of Columbia. This foundation is currently sponsoring a 283-unit apartment development at 51st Street and Benning Road NE., Washington, D.C., which, I am reliably informed, will provide one-bedroom apartments for $70, and three-bedroom apartments for $90, with the help of the Federal Housing Administration. This project is providing the kind of low-rent housing for which the southwest urban renewal project was originally launched. I include the text of my letter at this point in my remarks for the information of my colleagues.

Congress of the United States,
House of Representatives,
Washington, D.C., June 1, 1964.

Brig. Gen. C. M. Duke,
Engineer Commissioner,
Washington, D.C.

Dear General Duke: I was much impressed by the May 30, 1964, Washington Post editorial on the southwest urban renewal project which stated that the existing pattern of high-priced housing in the 500-acre project area "violates the very principle of urban renewal" and, therefore, "it is necessary in the 1960's to rescue it from the insensitivity of unrelieved wealth."

I couldn't agree more, for this editorial view is precisely in line with the national housing policy to rehouse slum dwellers by providing as soon as feasible decent, safe, and sanitary housing for every American family. This is also the often-forgotten purpose of the Federal urban renewal program.

When I drive through the southwest urban renewal project area I am deeply disturbed by the vast amount of acreage which remains today simply undeveloped after the passage of 11 years and the expenditure of nearly $100 million.

In view of the pressing needs of the District of Columbia for adequate housing for thousands of low- and middle-income families, needs which were greatly aggravated by the displacement of 23,000 people from the southwest urban renewal project area and the destruction of more than 5,500 homes (the Washington Star, Jan. 19, 1964), I do not see how the failure to develop a major portion of this area for their housing needs can be justified. Instead of doing something about this most urgent task, the District Commissioners, and the District's planning and urban renewal officials, keep making statements about how they will meet these housing needs in the Adams-Morgan urban renewal project, as well as other projects when they are approved. Yet the Washington Post of June 30, 1963, reported that one of the principal disappointments of the official Adams-Morgan urban renewal plan is that it will displace an estimated 1,585 families, including some 5,700 persons, or about one-third of the total population of the project area.

The Washington Post editorial of May 30 states that "In 1953, the plan required 40 percent of the new housing to be rented for $17 a room or less. Today, as it has worked out, the cheapest home is a one-room efficiency apartment for $99 a month, and the cheapest three-bedroom apartment costs $230 not including utility bills."

The original 1953 plan which required, as the Washington Post points out editorially, 40 percent of the new housing in the project area to be rented for $17 a room or less, is definitely far superior to the current plan under which the cheapest home costs $99 a month, and this is a one-room efficiency apartment.

If the 1953 plan can be scrapped as the result of a study by the District architects, then the current plan which, again according to the Washington Post editorial, "violates the very principle of urban renewal," must be scrapped in order to meet the current housing shortage in the District of Columbia, and in order to bring this urban renewal project in line with the principle of urban renewal.

President Johnson has said that slums are a major cause and attribute of poverty. I do not think that President Johnson, concerned as he is with poverty, or the District Commissioners, can go on promising to provide decent, safe, and sanitary housing for slum dwellers elsewhere while ignoring the fact that an estimated 160 acres in area C alone in the southwest urban renewal project remains undeveloped but committed to other than residential purposes.

The reservation of only 4 out of 500 acres for low-rent housing, as suggested by the Washington Post, can only be described as providing the "crumbs" for low- and middle-income families in a project which was originally fully intended to be a nationally significant low-rent housing development.

I fully agree with the following statement by the President of the Board of Commissioners, Walter N. Tobriner (as reported in the March 22, 1964, Evening Star), regarding the displacement of the families from their homes by the southwest urban renewal project:

"This, I think everyone acknowledges, was a mistake in the planning of the southwest redevelopment area. We should provide, as a bare minimum, that these families who are dispossessed by redevelopment schemes, should be properly, adequately, and sanitarily housed in the project itself, and not compelled to move out and create slums elsewhere."

If the District Commissioners decide, as they should decide, to bring the southwest urban renewal project into line at last with the principle of urban renewal by balancing the more than 100 acres devoted to "high-rent developments" with an equal amount of land devoted to housing for families in the low- and middle-income groups, a whole series of significant housing possibilities would open up. The development of such a balanced housing plan for the southwest urban renewal project area would meet the needs of the District's lower-income groups at least in part for it goes without saying that there are many more families in these categories than in the high-income category.

The Kiwanis Foundation of the District of Columbia, under the leadership of Raymond F. Garrity, and with an experienced real estate firm, the Goldsten Brothers, have shown by their sponsorship of a 283-unit apartment development on Benning Road that housing can be provided at a price range of $70 for a 1-bedroom apartment to $90 for a 3-bedroom unit. This private enterprise project should, and undoubtedly will, be a splendid challenge to the District Commissioners, and the District's planning and urban renewal officials, for they certainly ought to be able to do as well. If they can't, then the southwest urban renewal project area should be turned over to private enterprise lock, stock, and barrel. If this choice undeveloped acreage in the southwest urban renewal area were made available to nonprofit foundations, cooperatives, even individual families, etc., at the same price per square foot as it has been made available to William Zeckendorf and Webb & Knapp residential housing for low- and middle-income families would blossom there immediately. Steps to provide assistance to this kind of private enterprise is long overdue in the southwest urban renewal project area, and elsewhere in the District, and are just as much, if not more, in keeping with the spirit and intent and the provisions of the Housing Act, as amended, as the assistance and encouragement given by the Redevelopment Land Agency to its chosen-instrument developers.

The chairman of the Adams-Morgan Community Council, Mrs. Josephson, writing in the Washington Afro-American of May 30, 1964, stated that:

"The District Commissioners have already made the finding required by Federal law that decent, safe, and sanitary housing will be available, as it is needed, to rehouse all those to be relocated as the result of the Adams-Morgan urban renewal plan."

Since Mrs. Josephson did not say where this relocation housing will be located, or how definite the plans of the District Commissioners are to provide it, I would appreciate it if you would give me specific information on these vital points. If 5,700 persons are to be displaced by the Adams-Morgan urban renewal project, as the Washington Post reported, what becomes of Commissioner Tobriner's promise that "We should provide, as a bare minimum, that those families who are dispossessed by redevelopment schemes, should be properly, adequately, and sanitarily housed in the project itself, and not compelled to move out and create slums elsewhere?"

Some 15 Negro and white citizens from the Adams-Morgan project area, representing 13 District organizations and thousands of District residents, visited me in my office on May 21 for over an hour, and expressed grave alarm over many aspects of the Adams-Morgan urban renewal plan. They were concerned with what the plan will do to structurally sound homes and business buildings. They were disturbed greatly over the displacement of 5,700 persons, and they expressed lack of faith in the promises of District Government officials to adequately provide relocation housing for these 5,700 displacees in view of their past failure to provide adequate relocation housing for displacees from public construction projects including highways, urban renewal projects, and other projects.

The District citizens visiting me felt that their criticisms of the Adams-Morgan urban renewal plan had been brushed off by the District Commissioners, and the District's planning and urban renewal officials.

They suggested that the District Commissioners should, at the very least, require that housing be provided in the southwest urban renewal project to take care of the most pressing needs of the District's families in the low- and middle-income groups prior to approval of the Adams-Morgan urban renewal project by the District Commissioners. Your comments on this meritorious and seemingly justified suggestion would also be appreciated.

I am enclosing for your information and comment a document raising some fundamental objections to the present Adams-Morgan urban renewal plan which was left with me for transmittal to you by Dutton Ferguson, president of the Independent Citizens of Adams-Morgan, spokesmen for one of the groups with representatives at the May 21 meeting in my office.

With kind regards.

Sincerely,

WILLIAM B. WIDNALL,
Member of Congress.

I also wrote to Mr. Charles A. Horsky, Adviser for National Capital Affairs at the White House, and to Mr. Phil A. Doyle of the District of Columbia Redevelopment Land Agency, with what I believed were encouraging results. However, I failed to take into account how determined the officials of the District of Columbia Redevelopment Land Agency were to maintain the 560-acre southwest Washington urban renewal project as a luxury project. Time will soon tell whether these officials have the backing of the President in this matter.

The Federation of Civic Associations and the Federation of Citizens Associations, according to a televised interview Sunday evening, August 30, 1964, on the Washington Post-WTOP broadcasting station, are backing the Board of Commissioners of the District of Columbia in their position that low- and moderate-income housing should be provided in this 560-acre project area in order to balance the luxury housing made possible by the expenditure of $100 million of tax money.

The Washington Post of September 2, 1964, reported that John R. Immer, president of the Federation of Cititzens Associations, yesterday criticized a statement by Phil A. Doyle, Executive Director of the Redevelopment Land Agency, that RLA probably could not provide moderately priced housing on three Southwest renewal tracts. Mr. Immer charged the District of Columbia Redevelopment Land Agency with favoritism toward luxury housing in the urban renewal area and added:

> When Mr. Doyle is concerned with the interest of Webb & Knapp, he talks about getting additional extensions of time, ad infinitum.

But time extensions do not come up in RLA's dealings with the small businessmen in the southwest renewal area, he said.

The Washington Post reported that Mr. Immer called on Engineer Commissioner Charles M. Duke, to insist that the land be made available for moderate-income housing of not more than $130-a-month for a 3-bedroom apartment. Mr. Immer declared that Mr. Doyle's insistence on luxury housing in the Southwest Washington urban renewal project "flouted the will of Congress."

The Congress should fully back the District Commissioners in their demand that low- and moderate-income housing be provided in the southwest urban renewal project in the District of Columbia, and amend the law to insure that such housing is provided not only in that area, but in future urban renewal projects in the Nation's Capital.

I include the following items at this point in the RECORD:

THE WHITE HOUSE,
Washington, June 17, 1964.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: Permit me to acknowledge and thank you for sending to me the editorial in the Washington Post and your letter to the editor of that paper, both commending the idea of middle-income housing on a four-acre tract in Southwest Washington.

The proposal originated with the Redevelopment Land Agency, and has been actively pursued by Mr. Doyle, the Executive Director. I have been pleased to assist him in this effort, and at the moment I feel reasonably confident that the project will succeed.

Sincerely,

CHARLES A. HORSKY,
Adviser for National Capital Affairs.

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY,
Washington, D.C., June 23, 1964.

Hon. WILLIAM B. WIDNALL,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. WIDNALL: As requested in your letter dated June 15, 1964, on the subject of a Washington Post editorial entitled "The Last Four Acres," I brought to the attention of the Agency's Board of Directors at its meeting on June 18, 1964, your letter and the Post editorial.

The Agency's Board of Directors requested me to thank you for taking the time to write about a subject of great concern to them, and to say that the Washington Post was only concurring in a course of action the board had decided upon some time ago; namely, to solicit offers for the land on the basis that the land will be leased or sold to the person or organization which provides substantial evidence that it will provide for middle-income families the "most" housing at the lowest sales or rental prices. When offers are solicited, I will send you a copy of the solicitation.

The board hopes that the experience of marketing the last "four acres" of residential land in the southwest urban renewal area will be valuable in marketing the land in the northwest urban renewal project.

Yours very truly,

PHIL A. DOYLE,
Executive Director.

[From the Washington (D.C.) Post, Sept 2, 1964]

CITIZENS HEAD CRITICIZES DOYLE ON SOUTHWEST HOUSING

John R. Immer, president of the Federation of Citizens Associations, yesterday criticized a statement by Phil Doyle, Executive Director of the Redevelopment Land Agency, that RLA probably could not provide moderately priced housing on three southwest renewal tracts.

Doyle said RLA had a lease agreement that it expected the developers of the land to honor and build luxury row houses on the three large parcels of land along Sixth Street between G and I Streets SW.

Doyle responded after the District Comissioners wrote RLA last week asking them to provide moderate-income dwellings on the land.

Immer accused Doyle of favoritism toward luxury housing in the urban renewal area. His reference was to Doyle's statement that Developers Charles S. Bresler and Burton J. Rainer, who recently bought rights to the land originally leased by Webb & Knapp, probably would seek and be granted a time extension. The lease says they must start building by September 7.

"When Mr. Doyle is concerned with the interest of Webb & Knapp," Immer declared, "he talks about getting additional extensions of time, ad infinitum." But time extensions do not come up in RLA's dealings with the small businessmen in the southwest renewal area, he said.

Immer called on Engineer Commissioner Charles M. Duke to insist that the land be made available for moderate-income housing of not more than $130 a month for a three-bedroom apartment. He said Doyle's "insistence" on luxury housing in Southwest "flouted the will of Congress."

Some Members of Congress and other citizens' groups have said that too much land is earmarked for luxury housing in Southwest.

[From the Washington (D.C.) Post, Sept. 1, 1964]

HANDS TIED, RLA SAYS ON SOUTHWEST

(By Dorothy Gilliam)

The Redevelopment Land Agency's hands are tied on providing more moderate-income housing in the southwest renewal area, Phil A. Doyle, RLA Executive Director, said yesterday.

Doyle said he expected the developers to live up to terms of the lease agreement with RLA and begin construction of luxury apartments soon.

Engineer Commissioner Charles M. Duke sent a letter to the RLA directors last week urging that moderate-income housing, renting for no more than $175 a month for a three-bedroom unit, be provided on land along Sixth Street beween G and I Streets.

The land formerly was leased by Webb & Knapp. That organization recently sold its rights to Developers Charles S. Bresler and Burton J. Rainer.

Under its lease agreement with RLA, Webb & Knapp was due to begin construction of 41 luxury row houses by early June. The company did not meet the deadline and a 90-day grace period ends September 7. Duke's request was based on the possibility that the firm would not meet the second deadline.

RLA has authority to declare the developers in default and put the land to other use, but Doyle said he expects the new developers to be ready to begin construction shortly after September 7. The company probably will request a time extension and the RLA probably will grant it, Doyle indicated.

"A contract is a binding thing," Doyle said. "The developers applied for a building permit July 7 and it usually takes about 2 months for it to come through." He said it would be unfair to deny a time extension when the developers are trying to live up to the lease agreement.

He said the RLA directors formally would act on the matter when it meets September 9.

Moderate-income housing is currently planned for two other locations in the southwest renewal area.

Doyle said lease agreements in the past have not specified any level of rentals, but the policy for the renewal area has been to build "high-quality" housing that would be durable.

[From the Washington (D.C.) Post, Aug. 29, 1964]

City Heads Demand Low Southwest Rentals

(By Willard Clopton)

Construction of more moderate-income housing in the southwest renewal area "is clearly required in the public interest," the District Commissioners have told the Redevelopment Land Agency.

In a letter this week to the RLA director, Engineer Commissioner Charles M. Duke urged specifically that moderate-income dwellings, renting for no more than $175 a month for a three-bedroom unit, be provided in three large parcels of land along Sixth Street between G and I Streets Southwest.

The land formerly was leased by the firm of Webb & Knapp, which reportedly planned to use it as the site for 41 luxury row houses. Last month, Webb & Knapp sold its rights to developers Charles S. Bresler and Burton J. Rainer.

Under its lease agreement with RLA, Webb & Knapp was supposed to have its houses under construction by early June, an official of the District urban renewal office said.

When that deadline was missed, there began a 90-day grace period which ends September 7. If the land still is idle then, RLA will have authority to declare the developers in default and put the land to other use, the official explained.

Duke urged the RLA to "take appropriate legal action" to bring about construction of the moderate-income units the Commissioners recommend.

Phil A. Doyle, RLA executive director, pointed out that the lease agreement did not specify any level of rentals. When the agreement was negotiated several years ago, the land was considered an appropriate site for "high-quality" housing, Doyle said.

It is likely that the new developers may request a time extension, Doyle said.

At present moderate-income housing is planned for only two locations in the entire southwest renewal area. Criticism of the amount of land earmarked for luxury housing has been voiced by some Members of Congress, citizen groups and the Commissioners.

[From the Washington (D.C.) Evening Star, Aug. 29, 1964]

Lower Rent Units Asked on RLA Site

The District Commissioners have put the squeeze on the Redevelopment Land Agency to get additional moderate rental housing in the southwest urban renewal area.

Brig. Gen. Charles M. Duke said in a letter to the RLA that construction of moderate-income housing on a site along Sixth Street between I and G Streets "is clearly required in the public interest."

This land formerly was leased by the firm of Webb & Knapp, but, lease rights were sold last month to Charles S. Bresler and Burton J. Rainer. Under the lease RLA granted for this property, 41 luxury row houses were to be built on the land starting in June.

However, Webb & Knapp missed this deadline and the firm was given a 90-day grace period which expires September 7.

If Mr. Bresler and Mr. Rainer have not started construction by then, RLA will have the authority to declare the developers in default and require construction of moderate-rental housing.

Phil A. Doyle, RLA executive director, said yesterday that the new developers may request a time extension.

However, General Duke, in effect, asked RLA not to grant the extension and to make the land available to any developer who would build moderate-rental housing.

General Duke said in the letter that the Commissioners wanted to emphasize "our strong conviction that the public interest will best be served by the development of moderate-income housing" at this site.

The Engineer Commissioner said that "we define moderate-income housing as rental units having an upper limit of $175 per month, exclusive of utilities, for a three-bedroom unit, with smaller units graduated downward appropriately."

Mr. Doyle said that he "sees some very difficult problems" posed by General Duke's request. He said that if RLA does declare the lease in default and attempts to get a developer to build moderate-rental housing, this procedure would cause serious delays.

LACK OF SENSITIVITY TOWARD EVERY KIND OF POLITICAL SHENANIGANS

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bob Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, those of us who have been in Congress during the Kennedy-Johnson administration might well lay claim to having developed a total lack of sensitivity toward every kind of political shenanigans, from cynical political pressures on school youngsters to the vicious immorality of the Bobby Baker and Billie Sol Estes scandals.

But there has come to my desk a case which must represent some kind of new low. This is an instance of cold, deliberate violation of the Hatch Act. The fact is that Secretary of Defense McNamara is using Defense Department TWX facilities and personnel to disseminate Johnson administration propaganda to military bases across the country, from which it will be further broadcasted by information officers to U.S. servicemen and civilians in those areas.

I am placing in the Record a four-page telegram sent out at taxpayers' expense to information officers at a number of Army installations setting forth the merits of the President's antipoverty program. It is apparent that the information officers at these bases are expected to duly disseminate this propaganda to military personnel and the public in the areas of the bases.

The Economic Opportunity Act—the so-called antipovery program—has about as much to do with military matters as the Holland Tunnel does with the Netherlands.

Secretary of Defense McNamara's use of Government facilities and personnel to propagandize the American servicemen and the public is not only a blatant misuse of tax funds, it is a violation of law as well. Mr. McNamara, in short, is forcing Defense Department employees into political prostitution in violation of the Hatch Act.

Perhaps, Mr. Speaker, one of the reasons Mr. McNamara wants to publicize the administration's so-called antipoverty bill is because of a "guilt complex" over the low service pay which has forced military personnel to take outside jobs and to apply for public relief to make ends meet. A recent Air Force survey shows 5,000 enlisted men on relief rolls. And how did Mr. McNamara meet that poverty problem? The administration recommended a completely inadequate 2½-percent pay increase for the military, after pushing through raises amounting to thousands of dollars per year for upper bracket Government officials, including a $7,500 pay boost for Congressmen.

Mr. Speaker, I have called the Defense Department's violation of the Hatch Act to the attention of the Civil Service Commission. But if the Commission is as politically used as the rest of Government under the Johnson administration, I expect little in the way of action.

The text of the Defense Department TWX to information officers follows:

Subject: Potomac Cable No. 281: The Economic Opportunity Act of 1964.

1. The Economic Opportunity Act of 1964 reaffirms U.S. determination to help its less fortunate citizens cope with economic and technological changes. It is the latest in a series of Federal and State laws designed to assure social justice in a dynamic economy.

2. This session of Congress also passed the civil rights law and reduced the Federal tax on incomes. Thus the Economic Opportunity Act comes at a time when racial barriers to equal opportunity are falling and when the Nation's economic activity continues to be high.

3. The act is part of President Johnson's "War on Poverty." But it is not the only part. Others are the President's program to aid the depressed Appalachian area and the extension of the low-cost food program for the Nation's needy.

4. Poverty in the United States is measurable only by generally high U.S. economic standards. Congress and the President have set the U.S. "poverty line" at an annual income of $3,000 per family. About 20 percent

of America's families have incomes at or below that level. Poverty is neither solely a rural nor solely an urban problem—the poor are about equally divided between the city and the country. Nor is poverty a racial problem. About 75 percent of the U.S. poor are white, although the poverty rate is higher among Negroes and some recent immigrants.

5. A basic cause of poverty in the United States is the lack of occupational skills among uneducated or poorly educated people. The U.S. economy is vigorous, expanding, and increasingly technical. The scientific revolution of the past several decades has raised the standard of living of most Americans, but at the same time it has spotlighted the lack of job qualifications in others, including those whose traditional jobs have become technologically outmoded. Many of the provisions of the Economic Opportunity Act are designed to provide poor Americans with the skills required in a complex and highly technical economy.

6. The act provides for a job corps in which needy young people will be offered vocational training and basic education in rural and urban training centers. A work training program will provide others with paid-on-the-job training. Work-study programs will enable students from lower income homes to be self-supporting while receiving an education.

7. Another provision of the act is Federal financial and counseling support to aid local communities to use their own resources to fight poverty. State and local governments and private agencies and organizations will be enlisted to establish more social facilities and expanded services to assist the poor.

8. Other parts of the act will authorize loans for small farms and very small businesses and offer assistance to State programs for the employment and training of fathers of dependent children.

9. Finally, the act draws on the experience of the Peace Corps to create Volunteers in Service to America (VISTA) which will enroll Americans of all ages who wish to help their less fortunate fellow citizens.

10. The economic opportunity act was supported by civil rights leaders, churches, trade unions and much of the business community. Some of its advocates, and some critics, say that it concentrates too much on youth and training and not enough on creating immediate job opportunities. Others, while accepting the act's goals, contend that these could be attained by expanding existing programs and with less Federal participation in local projects.

11. But the President and the majority of Congress feel that it is important to provide a central point in Government, the office of economic opportunity, to which the poor and those seeking help can turn. Thus the National Government itself will become the spokesman for the often inarticulate poor.

TALK OF FREDERICK R. KAPPEL AT ANNUAL MEETING OF AMERICAN BAR ASSOCIATION IN NEW YORK

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Younger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. YOUNGER. Mr. Speaker, on August 11, Mr. Frederick R. Kappel, chairman of the board of the American Telephone & Telegraph Co., gave a most interesting talk at the annual meeting of the American Bar Association in New York on the subject of new improvements in communications.

It seems to me that Mr. Kappel explains the new techniques in communications so well that his talk should receive the widest possible circulation. For this reason, I am asking unanimous consent that Mr. Kappel's address be reproduced in full in the body of the Congressional Record:

New Developments in Communications

(A talk by Frederick R. Kappel, chairman, American Telephone & Telegraph Co., at the annual meeting of the American Bar Association, New York, August 11, 1964)

A few years ago, when they were excavating for this building, I used to peek down on where we are now meeting and wonder whether the foundation contractor was ever going to get that hole in the ground finished. Now here I am, deep in the hole myself and surrounded by lawyers. Who could have seen that coming?

Actually I am delighted to be here and flattered that you asked me. This is the very first use, I understand, of this fine new room. Looking around, I am reminded of a thought from the Old Testament that was quoted at me recently. This is from the Book of Proverbs, 11th chapter, the 14th verse:

"Where no counsel is, the people fall; but in the multitude of counsellors there is safety."

We in New York may hope, therefore, to be reasonably safe for the next few days.

Now I am going to talk for a few minutes about communications. I hope this is all right with you. Your committee said my assignment was to make a diversion before you get down to cases on commercial frauds, and if I wanted to talk a little shop they would not object—provided of course that I held you spellbound.

In our business we sometimes speak of the "art" of communications. This is a whole lot different, I might say, from the kind of art you will see if you take a tour of this building. Yet modern communications and modern painting are alike in one respect. In each of them there is a first-class revolution going on.

The revolution in communications has several elements. First is the tremendous increase in the amount of information that may need to be communicated. Somewhere I have read that human knowledge is doubling every 10 years or so. I don't know whether that is accurate or not. But there isn't much doubt that the information explosion is upon us—with more schools and more laboratories, more people learning, more paper, more books, more ink, more studies and findings, more journals and abstracts, more decisions, more appeals, more satellites pouring data down from space, more holes in more cards, more bits on more tape, and so on ad infinitum.

In short, we're loaded. We are so loaded that turning knowledge into know-how is now a major problem. We have to organize, store, catalog, and locate our information. We have to find the needle in the haystack and sometimes too we have to pick up the whole haystack and shoot it a thousand miles in the next 2 minutes.

Fortunately, however, the means for dealing with this situation have been coming along fast and well. If we have mountains of data, we also have data processors to dig their meaning. If we have complicated problems, we also have some remarkable tools and systems to help us solve them. If we have to move a dozen haystacks, we can do it in a flash over communications facilities that can handle information in any form—words, pictures, drawings, charts; symbols or subpenas, sight or sound, music or mathematics, cash accounts or cardiograms.

This very flexibility, I think emphasizes that distinctions between one form of communciation and another are artificial. There used to be a line drawn between "voice" or telephone communications and so-called record or telegraph communications—between sending information by talking and sending it in some form that could be read or seen at the distant end. But what happens to this distinction when you push a few buttons to ask a stock exchange computer the latest quotation on Consolidated Muffins, and a voice from a tape sends back the answer?

Or think of a deaf person looking at a picturephone—a "see while you talk" telephone—and reading the lips of the person at the other end of the line. Is this voice communication or record communication? Who could say? And why waste time trying to decide? The important fact is simply that information is being communicated.

Nowadays we can make pictures of sounds and reduce pictures to pulses that no one can see. We can slice up speech, take samples of it, translate the samples into binary digits, send these over a line, and reconstruct everything at the other end so that no one could possibly guess that ordinary words had taken such a pushing around. Suppose that by some magic you could get inside a telephone cable and watch the information rushing by. In one kind of transmission system, all you would be aware of would be a succession of pulses. Some of them might represent spoken words. Others might represent motion or still pictures. Still others might be words or data that had started life on a sheet of paper, then changed into holes on punched tape and were now on their way to a linotype machine in San Francisco. But you could never tell which pulses were which—which were carrying speech, and which were toting pictures or data.

A particular piece of information may in fact go through several changes in format.

By now we all know that a hole in a card can have the same import as a numerical or alphabetical character. Less familiar, perhaps, are the evolution of equations into animated drawings, by way of a computer, and the phrasing of intelligible speech by a computer-directed machine that manufactures and transmits voice sounds as per coded instructions fed into it from afar.

These latter examples I take from recent research and technical development—but one never knows when a new development will leave the laboratory for the marketplace. And I allude to the laboratory deliberately, because our scientific people tell me in the strongest terms that while information may undergo one transformation after another, it is only the discovery and application of basic principles that permits this. Only by knowing the unifying principles can we give communications the versatility that modern society requires.

As many of you know, there exists a fundamental theory of the nature of information, by which we can test the success of our efforts to communicate efficiently. Our scientists assure me that this heavily underscores the need to attack communications problems in the light of basic, unifying principles, as I have indicated; and it equally suggests the danger of trying to wrap up certain forms of communications in one package, and other forms in another package.

I say this much on this topic because some people tend to think of different kinds of communications as being different things that can be put into separate compartments. I believe this approach, if it is pursued, may seriously interfere with the effective development and use of modern communications. This would be a great disservice to the public.

It seems to me the communications revolution is really a mixture of two revolutions. One is the revolution in demand, the other is the revolution in supply. Of course, the demand has grown out of the supply to a large degree. Just as knowledge increased when movable type was invented and books could be printed, starting 500 years ago, so today our new techniques of communicating and informing have stimulated the information explosion. Parallel and contributing factors are the complexity of social and industrial organization, the needs of government, military requirements for worldwide communications, and so on.

On the supply side, the continuing drive in communications research and development has always been to develop systems that would do more work at lower unit cost. This has been going on for nearly a century. In the last two decades, however, it has moved progressively faster, with the development of new systems built around transistors and a whole array of devices growing out of research in solid-state physics.

An important part of the progress has been the creation of electrical pathways that can carry more and more information. This effort has been astoundingly successful and there is much, much more to come. Back in the early days telephone men learned how to handle three conversations over two pairs of wires. When I went to work in the Bell System, 40 years ago, certain techniques had been developed, and others were being worked on, to get a dozen conversations or more from a couple of pairs of wires. Then came coaxial cable and microwave radio systems that could handle thousands of conversations. Today we have new transmission systems, both cable and radio, of much greater capacity, and various types are available for long routes and short routes, for heavy traffic and light traffic, as the case may be. Today also we are developing new coaxial cable arrangements that will handle 30,000 or more conversations at a time, and we have done a lot of research work on a hollow-tube communication system, a "circular wave guide," as it is often called, with a potential capacity of several times 30,000. Looking way into the future, we can even see the possibility of vast amounts of information riding waves of light generated by lassers. These nicely organized, well behaved lightbeams would travel perhaps through hollow tubes, and skip around corners with the help of mirrors.

So the potentials reach out, one might say, almost to infinity. But building the highways is only part of the job. We have been hard at work also on entirely new electronic systems for routing or switching your communications wherever you want them to go. The era of electronic switching, in fact, is just now at hand. Early next year, in the town of Succasunna, N.J., the Bell system's first full-scale electronic central office will be placed in operation. Year by year thereafter, electronic switching will steadily expand until eventually—we expect around the year 2000—all connections will be established through electronic offices, and the present electromechanical switching apparatus (remarkable as it is) will nevertheless be a thing of the past.

Now the outstanding features of these new systems developed at Bell Laboratories are two.

First, they operate at very high speeds—in millionths of a second, which is thousands of times faster than present equipment operates. This great speed enables the electronic office to do more work for more people in less time.

Second, our electronic central offices will be programed in somewhat the same way that conventional electronic computers are programed. I say "somewhat" the same way because the job of programing a telephone system is unusually complex—the electronic exchange is in fact a unique special-purpose computer, and its program is "personalized" for each customer.

For example, if you have a list of people whom you call regularly, you can have your service programed so that you will be able to reach any one of them by pressing keys for two or three digits, instead of the whole telephone number. Or if you call a number and the line is busy, the electronic office will remember the number and, if you want it to, will ring both your phone and the one you want to reach as soon as the line is free.

Still another example of service convenience has often been stated like this: If you are going to a friend's house for an evening of bridge, and want your incoming calls transferred, you can press keys for a few digits before you leave and this will instruct the electronic office to send your calls on to your friend's telephone. When you come home, you can restore the status quo in the same manner.

I give these illustrations because they come readily to mind. However, I do not want you to think that the Bell system has spent more than a hundred million dollars to develop electronic switching just so you can have a telephone call track you down at the bridge table. The point of the example is simply that the electronic office will have a prodigious electronic memory; and with little difficulty this memory can be arranged so that the switching apparatus will operate in accordance with the widely varying needs and preferences of different individual customers at different times. This is a gigantic advance in communications and I believe will have greater impact than any of us can now foresee.

Incidentally, I have a few facts about this imminent changeover to electronic switching that may surprise you.

By the year 2000 we expect our investment in these electronic systems will exceed $12 billion. In a central office of average size, serving say 7,000 communication lines, there will be more than 500,000 components including 54,000 transistors.

But the quality requirements, or more precisely, the reliability requirements, are even more interesting. The most important single thing about a communication system is that it keep working without interruption. Our electronic central offices are being designed so that if some component fails to operate, an alternate unit can take over. Notwithstanding this, however, when so many parts are interrelated in function, and depend on each other, the reliability of each single element has to be very high. Thus, with 54,000 transistors at work, in order to keep failures in the whole array at a readily controllable level, we can tolerate no more than one failure in a billion hours for each transistor. This means a transistor life requirement equivalent to 10,000 years.

If this startles you, just consider what might happen if the average life expectancy were only, let us say, 10 years. In that case, with 54,000 transistors to worry about, we would have to anticipate replacing 5,400 of them a year, or 15 a day, or maybe 1 every 2 hours or less. And that would never do.

Just to make sure you get my point about quality, I'll add that for diodes the requirement is that there be no more than one failure per diode every 50,000 years, and for resistors, no more than one every 100,000 years. Now do you give up?

I said a moment ago that one of the two main features of electronic switching is its great speed. It is true that the average speed of connection today is measured in seconds, and is about twice as fast as it was 10 years ago. But there are important advantages in cutting down further the time required to make connections. For instance, think of a data communication system that handles maybe thousands of very short messages a day. If each message takes 10 seconds or so, it doesn't make much sense to have to spend, say, 20 seconds to make the connection. And if a computer system is involved, as it may well be, it is important to get as much information in and out of it as fast as possible, because the price is high. For such reasons, the feature of great speed is a very practical matter. Yet we can hardly wait until the year 2000 to get it. Nor will we. In the data field, work is going ahead rapidly to develop special-purpose electronic systems that will give large users of data communications the fastest, most versatile service conceivable. These will be available in the near future.

A few other points may be of interest before I close. One of the most useful new developments in communication service is what we call touch-tone calling—using a simple set of keys or buttons that take the place of the telephone dial. We are offering this in quite a few places this year and expect it will become generally available in the next 10 years or so. Touch-tone service greatly simplifies and speeds up the making of calls, and our customers' response has been wonderful to put it mildly. However that is all the sales talk I will give you. The point I want to bring out is that touch-tone has another very significant potential.

This is that it may well be used for various purposes after you have made your call and the connection is established. Do you remember, for example, that early in this talk I spoke of pushing a few keys and getting a stock quotation? It was this that I had in mind: You call the computer. Then you press the touch-tone buttons for the stock you want to know about—t for telephone, maybe. And back from the computer comes the answer in your receiver.

Or your wife may well use a touch-tone telephone to order groceries. Goods will be advertised by number, and touch-tone signals will tell the retailer's computer what items, and how many of each, are to be delivered to your home.

Or if your wife is away during the day, she may use someone else's touch-tone phone to turn the oven on before she gets home. Or a credit manager can check a computer for a customer's credit rating. Or perhaps—I am not sure about this—if legal libraries are automated, you lawyers may be touch-toning into computers to look up cases and references. I think a lot of ideas will be forthcoming on how touch-tone telephones may be used as personal data machines, within the next 10 years or less. And some of them, maybe quite a few of them, will turn out to be practical.

This leads to a more general point about data communications. You may tend to think of this as being the concern primarily of large corporations. But that is not the case. This country still has a lot of small businesses, thousands of them, and in the competition they face, the savings they can achieve by efficient use of data communications are extremely important.

The big business can afford a lot of paraphernalia that will cut unit costs. It may be able to prove in its own computer system as well as full-time communication channels for its own exclusive use. The smaller business, to achieve comparable efficiency, has to have access to communication systems it can share the use of with others, and it will often use these communication facilities to reach computer systems that it also shares with others. Thus the communications common carrier is vital to the smaller business, and the common carrier must be in a position to offer the small businessman the various communication services he needs if his business is to survive and grow.

We already have abundant evidence of the need of small business for common carrier data-phone services. These services are relatively new but they are increasingly used, and the variety of applications is remarkable. And they are practical and economical because, as I said, the complex and costly network of lines and switching equipment is in common usage, while the equipment that must be used and paid for exclusively by the individual customer is held to a minimum.

Now, all these things I have been saying emphasize the high rate of change in communication services. We have a new technology abuilding to meet fast-changing, fast-growing needs. We have new tools to use and new methods of operation to develop. And public regulation, too, like the communications companies themselves, will need to be on the alert. A couple of months ago Mr. Ben Wiggins, chairman of the telephone committee of the National Association of Railroad & Utilities Commissioners, emphasized this in terms I found encouraging. The commissions, he said, must sense what the public needs and wants. They must find practical answers through sensible, informal discussions and not rely exclusively on formal procedures of adjudication and rulemaking. In the light of changing technology and rapid obsolescence, they must allow depreciation rates that will sustain future progress. But their forward look, he added, should not be limited to depreciation studies—it should be the prevailing attitude in every phase of regulatory work.

I applaud these sentiments. To state the matter even more bluntly, the need is for more constructive action and less nitpicking.

To conclude now, please don't get the impression from what I have said about data services and other new things that we have forgotten about good old-fashioned telephone conversations. We like to handle them too, as well as cardiograms. Some time ago I made a remark to the general effect that in the future as much information might be communicated in the form of data as by conversation. This has sometimes been quoted as meaning that there would be more data calls than voice calls. But I didn't quite mean that. The amount of information is one thing, and the number of calls is another. You have to remember that many machines can spill out more information in a minute than you and I could produce if we talked all day.

So the telephone conversation is not going to be supplanted—not if we can help it. And with special reference to that, if you do not remember anything else I have said today, I hope some of you may remember one thing: This is that what we are after is to make your service always more personal, more closely suited to your individual needs, more simple and easy for you to use. That is the thrust, for instance, of this whole electronic switching development, as I have tried to indicate. We have had to mechanize, to automate, in the communications business, because there is simply no other way to make generally available to millions of people a reliable, fast, universal service at a price they can afford. But our goal in life is not to choke people with digits. Quite the contrary. Our goal is to meet your needs and wishes, and I promise you we shall make every effort to do this better in the future than we have ever done it before. Thank you.

MEDICAL CARE FOR THE AGED

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HARVEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, none will deny that medical care should be made available to all this Nation's citizens. As we all know, one current proposal on this subject is based on the idea of a publicly supported program. In evaluating legislation of this type, the following views of Dr. Robert P. Acher, of Greensburg, Ind., should be given close consideration. The article was published by the Indiana State Medical Association in its February 1964, Journal, an organ whose competence and responsibility editorially certainly reflect on the merits of the author's views.

In the mad rush to enact a Government-sponsored panacea for the medical problems of our citizens, the responsibility of the individual in this area has too long been overlooked. Dr. Acher states:

> It is never mentioned that many expensive, painful and disabling illnesses would be wholly unnecessary were the individual to assume his responsibility for having a yearly medical checkup, paying informed attention to early symptoms, seeking—and following—medical advice and attention before the illness develops into an expensive, disabling or prolonged affair.

Regarding the medical profession itself, it comes as a bit of a shock that, according to Dr. Acher, family doctors and/or general practitioners are no longer being trained. As suggested, it would seem advisable to reexamine medical training goals and requirements in this area if the family doctor is to fulfill his vitally necessary role in helping meet the medical needs of the American people.

I recommend the article, "The American Public and Medicine—A Doctor Speaks His Mind," for the consideration of the Members of the House:

THE AMERICAN PUBLIC AND MEDICINE: A DOCTOR SPEAKS HIS MIND

(By Robert P. Acher, M.D.)

There are several considerations of certain aspects of the practice of medicine that never seem to come to public appraisal or attention in the lay or professional press. The reasons for this may be that these considerations or facets of the practice of medicine are not flattering reading, or that they are qualifying and unpleasant parameters that detract from the newsworthiness of the subject. It may be that these considerations require the reader to think objectively and this may make him a little uncomfortable, or that they are contrary to popular prejudices.

But whatever the reasons, it is becoming increasingly necessary to the survival of good medical care and the health of the Nation that some of these considerations be publicized, thought about, acted upon and realistically appraised by many people—trained and untrained, educated and uneducated.

Here are some of the aspects that should be considered:

1. The scarcity of family doctor general practitioners.
2. Doctor usage.
3. High cost of medical care.
4. Health legislation and individual responsibility for health.

Has anyone ever stopped to consider that our medical schools are not training family doctor general practitioners of medicine any more? From the time a prospective doctor enters premedical and medical school, he is directed toward specialization. He is taught by specialists, and advised by specialists; specialists are the only people he has contact with during his training and apprentice period. It is little wonder therefore that there are no family doctor general practitioners being trained.

The medical schools, where future doctors train, have insufficient knowledge of what general practice—family doctoring—is; they cannot define or describe it. Let us face it—neither the AMA, the American Academy of General Practice, nor even the general practitioner himself can render a uniform, consistent appraisal of just what the general practice of medicine is. Until this is given a uniform, consistent, comprehensive definition and understanding by medical schools, medical societies, hospitals, hospital societies and the public, no one in his right mind will ever start out to be a general practitioner. (Apologies to those of us who are at present representing ourselves as general practitioners.)

THE PIECEMEAL PATIENT

By the time the specialist gets through his training, he is so satisfied with his very extensive knowledge of his specialty and so enamored with his little or big segment of medical knowledge that he is convinced that no one should ever undertake the slightest procedure involved in his specialty, except someone trained, like himself, to do the most complicated procedure; and thus, it becomes a closed field. It also becomes twice as expensive and difficult and perplexingly complicated to the patient.

Hospitals, medical societies, medical schools, other specialists, and even the public support him in this. But there is one question that the specialist cannot answer; that is, Who should decide when and what specialist the patient should see? Even the specialist himself is not quite willing to say that the patient should decide this. Many specialists may accept the patient's decision in this matter for practical or other reasons. He then may get so engrossed in his "special part" of the patient that he may completely overlook the "whole" good of the patient; or he may refer the patient to another specialist and thus the patient may go the rounds of the specialists—never having his whole medical story evaluated comprehensively. The total picture may never be put together for his benefit and his best medical management.

There is a place for the family doctor general practitioner, but until this ill-defined place in the total medical picture is defined in such a way that medical schools, hospitals, specialists, the general practitioner himself and the public understand it and give it meaning and stature, there will continue to be a shortage of general practitioners.

It should be noted that much of the antagonism toward the medical profession engendered by "not being able to get a doctor" is rooted in some very complicated human relationship problems. It may stem basically from immature wish fulfillment, unrealistic fears and guilts of which the American public and the doctors seem to have an undue share.

RIGHTS AND RESPONSIBILITIES

The public is beginning to feel that medical care is a right, not much different from such well-established services as education, fire protection, and public roads, never stopping to consider that whoever pays for it—no amount of legislation, provision of facilities, scientific equipment, highly trained specialists, etc.—will avail them one whit toward health and good medical care unless they assume their responsibilities in utilizing the medical care available. The public, both political parties, and even the President fail to recognize the difference between the right of medical care, the individual responsibility that right demands, and the individual responsibilities involved in the other public protections and services furnished for the public weal.

The politican and the public speak glibly of rights, never mentioning or facing up to the responsibilities that these rights imply. When it comes to the rights of medical care and health, it is impossible to separate the individual responsibilities from these rights.

I have never heard the proponents of government supplied medical care mention the tremendous individual responsibilities in their eulogies of their concept of the ideal publicly supported, medical care program.

It is never mentioned that many expensive, painful and disabling illnesses would be wholly unnecessary were the individual to assume his responsibility for having a yearly medical checkup, paying informed attention to early symptoms, seeking—and following—medical advice and attention before the illness develops into an expensive disabling or prolonged affair. The doctor and the present system of medical care absorbs much unjust criticism from this lack of thinking on the public's part and absorbs much of the guilt associated with it.

Can anyone think for a moment that legislation, taxes or any amount of facilities could change this? Only honest public assessment and realistic education can make any dent in this problem. Here is where the medical profession is, in some degree, responsible for this dilemma, by not taking time to carefully explain in a meaningful and sincerely thoughtful way the factors involved in the patient's usage of the doctor. The vast majority of doctors do wish to render the best medical care possible to their patients but, by not giving basic thought to wherein the patient's best interest lies, they permit patients to have wholly unrealistic expectations of them. They thus promote unrealistic and excessive usage of themselves, which, eventually, they cannot fulfill resulting in much criticism.

On the other hand, the public today is medically informed and misinformed by the lay press and is so willing to read meanings into the articles published on medical subjects—meanings and conclusions that were never intended by the authors or publishers—meanings that are motivated by immature wishful thinking, denials and unrealistic fear—that it becomes a real problem for the doctor to steer his patient through the maze of modern medicine and remain true to himself and the patient.

A little more effort and willingness on the part of the doctor to accept himself realistically and to rid himself of the unrealistic fears he may have of what the patient may think if he does this, combined with a little more effort and willingness on the part of the public to accept their doctors realistically and not have unrealistic expectations of them, could have very wholesome and useful benefits both for the individual and for the national problems of health and medical care.

THE COST FOR LIVING

As to costs of medical care, more realistic usage of doctors and facilities might properly reduce costs a great deal. Even so, more meaningful thinking and basic appraisal by the individual, the public, and by those concerned with medical care and health in general, of what is important to them individually and collectively, related to how they spend their money, makes even present costs seem rather unimportant in spite of all the hue and cry about these costs.

When one stops to consider that the American public spends approximately $9,600 million yearly on alcoholic beverages; $7,050 million yearly on tobacco products; $2,700 million yearly on toilet articles and preparations; $2,100 million yearly on jewelry and watches; $1,280 million yearly on admissions to motion pictures; $500 million yearly on parimutuel net receipts, and $250 million yearly on admissions to spectator sports.

All these items may be of some importance in daily living but, when compared to health, that basic commodity without which they become more or less meaningless, even the present costs of medical care become much less excessive.

Defensively, each individual may say: "Yes, but I don't spend excessively on alcoholic beverages, tobacco products, toilet articles and preparations, jewelry and watches, admissions to motion pictures, parimutuel net receipts or admissions to spectator sports," etc. All I can say to these individuals is that when amounts of this magnitude are spent on these things, it has to involve a great many people as just a few couldn't spend that much. Please think again and reappraise what is really important to you and what you spend your money for. And please don't transfer your resentment at being sick or having some unforeseen medical calamity befall you to the doctor or the other people or institutions involved in trying to help you restore yourself to health—maybe it is worth what you have to spend on it.

Obviously, everything said in this article, except the statements relating individual responsibilities and health, can be refuted, denied, and questioned with authoritative references by certain areas, groups, and individuals; but the appearance of such an article as "The American Doctor" in the Saturday Evening Post, July 15, 1963, and many other similar articles in other publications certainly would seem to indicate that there is a real problem in regard to medical care.

How it is dealt with depends on how we think about it. To think realistically about it, we need all the information, facts, and approaches we can muster. We also need to eliminate our personal prejudices (almost an impossible thing for a human being to do); but, most of all, we have to think—more people have to think, and think as clearly as possible. Interchange of ideas and friendly expression of thoughts are the only ways to effectively manage a problem in a democracy like ours.

In this article I have tried to express some thoughts—if they stimulate more realistic and useful thoughts, it will have accomplished its purpose. If it promotes more realistic and useful actions, it will have more than accomplished its purpose.

LEGISLATION TO CREATE A JOINT COMMITTEE ON THE BUDGET

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, today I am introducing a measure for the creation of a Joint Committee on the Budget. There is much talk of reducing expenditure and of balancing the budget, yet I fear the Congress is ill prepared to effectively do either. We are charged by the U.S. Constitution with controlling the Nation's purse strings, yet, Mr. Speaker, we do not even have our own budget machinery. If we are to intelligently discharge this responsibility it seems axiomatic that we secure better tools. This would enable us to assign priorities of expenditures based on the need for the appropriation in relation to what we as a nation can afford to spend.

Many of us have served in our own State legislatures and have worked with legislative budgets before. In Colorado we successfully employ a joint budget committee comprised of representatives and senators.

Research indicates that this is not a novel idea. The Legislative Reorganization Act of 1946 creates a Budget Committee, but it is not used because it is too large and unwieldy numbering nearly 100 members.

Accordingly my bill is an amendment to this act. It creates a Joint Committee on the Budget of only 14 members comprised as follows: 7 members from the Senate Appropriations Committee with 4 from the majority party and 3 from the minority party; 7 members from the Appropriations Committee from the House of Representatives with 4 from the majority party and 3 from the minority party. Members shall be chosen by the respective committees.

It is my hope that the legislative history on this bill will make it clear that the staff to serve this important committee shall properly represent the majority and minority in the same proportion as the formal membership. Past omissions in this regard speak for themselves, and the establishment of new committees should provide adequate minority staffing to assure proper representation for both sides.

The bill as constituted provides that the Joint Budget Committee shall inform itself on all Federal budgetary needs and revenue available. It shall provide the House and Senate Appropriations Committees with the information gained by making reports and recommending changes on all appropriations and authorizations. Furthermore, the committee shall analyze all long-term Federal programs and include them in the budget showing total estimated costs and actual expenditures in the ensuing fiscal years.

In conclusion, Mr. Speaker, there are those who believe that the permanent fiscal policy of the Government should be to operate with ever-increasing deficits. With this theory I disagree. Such a policy can only lead this Nation to the poorhouse, and saddle the citizenry with the heavy yoke of inflation. The climate has never been better for the establishment of such a committee dedicated to the purposes described in my bill.

DANGEROUS IMPLICATIONS IN POLITICAL CARPETBAGGING

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GROVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GROVER. Mr. Speaker, the class political power play staged by out-of-State Democrats in the New York State Democratic Convention at the 71st Armory in New York City yesterday, has dangerous and deep implications which go far beyond the mere political reaction to "carpetbagging" and attendant allegations of a Democratic Party in New York devoid of talent and bankrupt in principle.

The combination of an ambitious young man from Massachusetts with a lust for political power and a political party which lusts for a winner have further contributed to revolutionary influences which are rapidly changing the structure of our Government and our society. Certainly, many changes which are occurring are moral, just, and inevitable.

The gradual concentration of power in the executive department along with the usurpation of legislative prerogatives by the Supreme Court are part of these substantive structural changes in our Government which are eroding the representative process and upsetting the delicate constitutional balance of the separation of powers.

And now we have a new aspect. A delegate from Massachusetts who lives in Virginia will run for Senate in New York where he has never voted and cannot vote. How ludicrous. The New York voters whose support he seeks must reside in New York for 1 year in order to vote.

Perhaps the power players will send Sargent Shriver in against Senator Javits next time out; and why not Mennen Williams, of Michigan, against Senator Hugh Scott, of Pennsylvania, or perhaps they can groom some other pretty young images from California to run against Senator Norris Cotton, of New Hampshire, or Senator Williams, of Delaware.

All things considered, this is a dangerous precedent which lends itself to dynasty building and self-perpetuation by power hungry political overlords, and the citizens of New York will do a great service to our country and its historic experiment in Government of, by, and for the people, by soundly rebuffing the "would be" third Senator from Massachusetts in November.

HONORING OUR WORKING MEN AND WOMEN ON LABOR DAY

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. Tupper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TUPPER. Mr. Speaker, I would like to applaud the achievements and contributions of all our working men and women whom we honor on Labor Day, September 7, 1964.

From the celebration of the first unofficial Labor Day in 1882 to the present time, union membership has grown from a scant 200,000 to over 17 million members. This expanse of time has witnessed the emergence of the labor movement as an integral partner in American industry as well as an important factor in our country's social advancement.

The interest and efforts of labor have been instrumental in securing legislation which has enriched the lives of all Americans.

In addition, labor has demonstrated its loyalty and dedication time and time again during periods of national peril, cooperating fully to keep our Nation strong.

It is thus appropriate that we set aside a special day to honor the past accomplishments of the American working men and women, and to express our belief in their continued contribution to the progress of our economic system.

ANOTHER DISGRACEFUL EPISODE IN THE ARA OPERATION

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Talcott] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TALCOTT. Mr. Speaker, no Member of Congress, especially with the minority, has sufficient staff to make even the most perfunctory investigation into the activities of the Area Redevelopment Administration. Congressional investigation is strongly indicated. Congressional investigation might save a major disgrace from exploding into an embarrassing debacle.

Reader's Digest, a venerable, reputable magazine, has again performed an investigative feat and a reportorial service for Congress and the American public by its disclosure of another, in the growing list, of incompetent activities of ARA. The Houston County episode is from the September 1964 issue of Reader's Digest.

My personal investigation persuades me that there is much more to the Houston County-ARA story than is reported in the necessarily brief magazine article. I shall, at the appropriate time, add further "glory" to the Crocket-ARA example of Federal bureaucracy gone sour.

I urge all Members to consider carefully many of the improper practices and the arrogant attitudes which are becoming common and routine in the operation and conduct of ARA as now constituted.

WHEN THE BUBBLE BURST IN CROCKETT, TEX.

(The illuminating story of a small town that believed the promises of the Federal Government—and woke up both sadder and wiser)

(By Charles Stevenson)

Crockett is a town of some 5,350 people in Houston County, Tex. What happened there recently shows not only what can come about when Washington pours hundreds of millions of dollars into hastily contrived business ventures; it also illustrates how official secrecy is used to cloak official mistakes. The Crockett story is one of the most remarkable in the brief history of the Federal Government's Area Redevelopment Administration.[1]

ARA was set up in 1961 to help depressed areas create new industries and jobs. Since then it has ballooned into a free-wheeling arm of government, ladling out lavish gifts and loans, and establishing a new order of politically entangled businesses. Frequently these government-subsidized establishments make things very tough indeed for competing businesses which operate under our traditional free enterprise system. All this is done under ARA's broad authority, granted by Congress in an incredibly rubbery statute to boost employment and prosperity. Here's how the program worked in Crockett.

WONDROUS INVENTIONS

Late in 1962, ARA introduced to the leading citizens of the town the president of a firm called Audio Electronics, Inc. His name was J. Paul Dawson, and he—with ARA's sponsorship—proposed to build a plant to manufacture, among other things, a wondrous new tape-playing, picture-projecting invention. Not only would the new industry create jobs and aid the town's limping economy; also, the people were to be allowed to buy stock in Audio Electronics.

On the morning of March 1, 1963, some 35 persons assembled at Crockett's county telephone building to hear the official announcement that ARA had approved Dawson's proposal. Among those present were members of the county's Democratic executive committee, local officials, and Benton Musslewhite, a lawyer from nearby Lufkin, who, as a member of ARA's National Advisory Committee, was lending his prestige to the project.

Presently, out of a loudspeaker-telephone hook-up from Washington boomed the voice of Ralph W. Yarborough, senior U.S. Senator from Texas, who had been one of the sponsors of the legislation establishing ARA. After complimenting Musslewhite for his efforts and congratulating the Democratic committee members for their participation, he said, "It is highly pleasing to me to be authorized from the White House to announce to my friends in Houston County that you are going to gain a fine new industry—one that will provide new jobs for 180 people, add new strength to your area."

The Senator outlined the terms: ARA had approved a loan of $382,649 to Audio Electronics to build its factory—a loan that would run for 25 years at 4 percent (a better deal than businessmen can get commercially). The firm itself would put in $147,173 in equity. And, finally, the people of Crockett would raise a public purse of $58,869 to pay for the plant site and provide the required show of local interest.

Inspired by the Government ballyhoo and Senator Yarborough's loud-speakered assurances that the deal would help spark a whole industrial revolution, the residents of Crockett eagerly set to work. Quickly they raised their share of the Audio Electronics kitty—some $60,000 in cash. Drawings of Audio's proposed factory of aluminum and tinted glass were exhibited at both Crockett banks. A banker and officials of the local development organization inserted in the weekly Courier an announcement that "Audio Electronics, Inc., is offering 1,300,000 shares of stock to Houston Countians at 50 cents per share." A separate column urged prospective investors to hurry up, because there was a 5-day time limit.

DISAPPEARING SHOVELS

The construction contract for the plant was awarded, and Houston County Development Foundation Day was proclaimed for the groundbreaking on May 25, 1963. A crowd of 3,500 assembled. Senator Yarborough and Audio officials flew in. Everyone seemed impressed with two large signboards on the factory site, a 40-acre tract bought with part of Crockett's public contribution. One sign, which carried the signature of the President of the United States, proclaimed: "We're creating more jobs for America." On the other was a painting of a vast, shiny factory.

Dignitaries took turns breaking the earth with six goldplated shovels—four of which somehow disappeared after the ceremony. Then everyone adjourned to the city park for a free barbecue and speeches. Dawson feelingly gave credit to Senator Yarborough as "the individual who more than any other man made the day possible." And, in his address, Senator Yarborough said, "You have brought in a new industry, a new plant, new vision, new payrolls, new jobs and opportunities for youth. Under the wise and beneficent provisions of the Area Redevelopment Act you are building for the present and the future."

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[1] See "Is This the Way To Fight the War Against Poverty?" the Reader's Digest, May 1964.

Construction work was scheduled to begin two days after the groundbreaking. The day came—and nothing happened. At least 300 people who had been exhorted over the radio to come out for jobs milled around the site in disbelief. Next day, many returned. Still nothing happened. Days became weeks.

On June 28, State ARA Coordinator Ray Morrison got together with worried members of the county development organization at a meeting to which reporters were not invited. Afterward everybody was told that the project is still in a sound position and that there was only a temporary delay.

But nothing ever did happen. Although more than a year has elapsed since the ground breaking, the costly site provided by the people of Crockett is still bare of any ARA building. Up to now, nobody in Texas has been able to get a full explanation of the mysterious collapse of the much-heralded project.

STOCK FRAUD

The facts are that, even as the ground breaking ceremony was taking place, the U.S. Securities and Exchange Commission was conducting a stock-fraud investigation involving Visutronics Corporation of America and the arrangements whereby Audio Electronics was to manufacture Visutronics inventions. Two months later, the SEC asked a U.S. district court to restrain Visutronics and "all acting in concert" from fraudulently representing that its inventions and patents were worth $1,500,000 to $2 million—and also from representing that the Audio products would be sold to the Armed Forces.

Subsequently, Federal Judge Roger D. Foley issued an injunction to halt the whole scheme. Yet for months after this court order, and long after collapse of the whole bubble, ARA continued to list the Audio Electronics loan as one of its approved projects and to claim that it was bringing 180 jobs to Crockett. The project was dropped from the ARA directory only after I personally asked why it was still listed.

The most mysterious facet of the whole affair is how and why ARA permitted the full prestige of the U.S. Government—including the White House and a U.S. Senator—to be placed behind a man like J. Paul Dawson. The simplest investigation would have revealed that he had a long record of legal difficulties. Moreover, throughout the time that he was negotiating with ARA for the Audio loan, there was pending against him in the U.S. District Court of Montana a $21,000 suit for stock fraud under the Securities & Exchange Act. (Last May, a judgment was entered against Dawson and a salesman-colleague for the full amount plus interest—in favor of a group of Montana and Idaho physicians and dentists whose funds had been accepted for help in manufacture of an electronic painkilling device.)

At the time of the ARA announcement and the festivities in Crockett, Audio Electronics shared quarters with another company in a small, one-story building on an outlying side street of Houston. It could scarcely meet its day-to-day cash requirements. A principal asset was believed to be its licenses for the Visutronics inventions. Yet if ARA had checked, the agency would have learned that the Visutronics president, billed as a scientific genius, had never gone beyond grade school and had been involved in bogus security deals in California. Moreover, it turned out that Audio did not have the necessary legal right to manufacture the Visutronics inventions.

VANISHED DREAM

Not only has Crockett's dream of a fine Audio factory vanished like the morning mist, but a number of citizens have been hurt financially. Because people believed that their Senator's White House announcement of the ARA loan to Audio guaranteed the firm's soundness, several Texans invested in it and lost all. One man dropped $40,000. A retired Air Force officer plowed in $7,000. On the day that the Houston Post carried a report that Audio "has received" a $382,649 loan from ARA, Dawson was able to persuade a trusting employee, a former Salvation Army captain, to turn over his life savings of $4,000 to provide needed capital. He even induced a woman to lend $2,000 borrowed from a relative. "We assumed that our Government had investigated and everything was all right," the incensed woman says. "Wouldn't you?"

Which raises the obvious questions: Didn't ARA conduct any investigation at all? How was it possible for this Agency to announce that Audio Electronics would post $147,173 as its equity to justify the big Government loan?

When I asked ARA for the answers, Donald W. Stull, Special Assistant for Public Affairs, wrote me: "Our attorneys advise us that title 18, United States Code, makes it a crime to disclose confidential information on an applicant's financial status." How about information that isn't confidential? "Our legal department advises us that it would be mechanically impossible to separate the confidential material from these reports, and that this would have to be done in order for us to stay within the law and protect the privacy of the applicant's business," replied ARA Deputy Administrator Harold W. Williams.

Indeed, the only explanation that I could get from Williams for the collapse of the Crockett project was that the president of the applicant firm requested withdrawal of the application for his loan because he had been unable to obtain patent rights for products he intended to manufacture—a withdrawal which in truth was suggested by certain Federal officials after I had begun to ask them questions.

Apparently the official ARA philosophy is that we taxpayers, who supply the money for this phase of the administration's war against poverty, will be happier if we are not exposed to the full truth.

NIMBUS SATELLITE PRODUCT OF GENERAL ELECTRIC IN PENNSYLVANIA

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHWEIKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, in the early hours of last Friday, the United States launched to a highly successful mission the Nimbus weather satellite. I wish to call to the attention of my colleagues the outstanding contribution made to this undertaking by employees of the General Electric Space Technology Center at Valley Forge.

The hundreds of GE employees who worked so diligently on this important project have played an important part in an achievement of great significance to our Nation.

The Nimbus was the first satellite for which a Pennsylvania firm was the major contractor and our State takes pride in this demonstration of its excellent capabilities in the space and electronics field.

RETIREMENT FROM HOUSE OF COMMONS OF RIGHT HONORABLE SIR WINSTON CHURCHILL

Mr. CAMERON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PEPPER. Mr. Speaker, every freedom-loving person was deeply touched by the occasion of the retirement from the House of Commons after 64 years of service in that great Mother of the Parliaments of the Right Honorable Sir Winston Churchill.

Who living in the days of World War II can ever forget how his heart stirred and thrilled as the majestic, inspiring words of Winston Churchill, as His Majesty's First Minister, came over the air and leaped out of the printed page?

Son of England, son and citizen of the United Kingdom, leader of the United Kingdom, the British Empire, the British Commonwealth of nations, honorary citizen of the United States of America, and one of the greatest voices of freedom in the history of man—Winston Churchill.

How proud we are that he was of our time and we made common a heroic cause under him and Franklin D. Roosevelt for freedom now and forever.

Believing that it would be well to embody the history of Sir Winston Churchill's passing from the House of Commons in the printed RECORD of this House, which honored him with honorary citizenship in the United States, I submit herewith an article from Life magazine, an article from the New York Times, and an article from the Miami Herald of July 30, 1964:

[From Life magazine, Aug. 7, 1964]

THE GREAT OLD MAN'S LAST TRIP TO COMMONS

(By Alan Moorehead)

Almost all the contemporaries—famous and infamous, depending on how you looked at it—were gone: the Kaiser and Hindenburg, Woodrow Wilson and Lloyd George, Lenin and Stalin, Hitler and Mussolini, Nehru and Roosevelt and so many others. Even his oldest friend, Lord Beaverbrook, and young John Kennedy had died within the past year.

He had first been elected to Parliament 64 years ago when Victoria was still on the throne, and he was already a public figure then. And now the old man was still here, still just able to come down to Westminster and look around the familiar scene for the last time. You had to go back to the retirement of the Duke of Wellington after the Napoleonic Wars for anything comparable in British history.

And yet Winston Churchill's leavetaking in London this week had something of anticlimax about it—perhaps because the occasion was too loaded, perhaps because there happen to be no great speakers in the Commons just now, perhaps because, quite simply, after a lifetime of struggle and opposition, there was nowhere any opposition to him any more.

Having had that last glimpse of the Commons on Monday, a frail figure supported on the arms of his friends, he had chosen not to attend the speeches that were made in his honor on the following day. And that was another odd thing about the occasion: In a House that was as crowded as it had ever been there was only one vacant seat, and that was Churchill's.

Yet as a scene it had its moments: Randolph Churchill sitting up there in the Distinguished Strangers' Gallery looking startlingly like his father during the days of the great war speeches; Harold Macmillan also making a last appearance, since he will not stand in the coming election; and, among the crowd of spectators, a sort of rapt hunger for the right word, the adequate word, to be said about this man whom they certainly rated higher than anyone else living today.

The Commons never reveals itself very easily to a casual visitor. That wealth of green leather and carved oak has a massively sobering effect. The business rattles through very quickly under the schoolmasterish eye of the Speaker, and it is a little difficult to gage from the occasional chorus of groans and cries just what dissensions are agitating the legislators at their work.

On this, as on other days, Harold Wilson, the opposition leader, was resting comfortably with his feet up on the central table. Members strolled casually in and out, and for an hour of normal "question time" Tories and Socialists were quietly abusing one another.

Then, suddenly and smoothly and for no apparent reason, all were silent and the Prime Minister, Sir Alec Douglas-Home, was on his feet, putting forward a motion which meant in effect that for a moment they should forget their differences, that they should step back, as it were, into history and remember that, since the days before many of them were born, Churchill had served the Commons and his country as probably no man had ever done, that he was one of the great men of the age, that they were grateful to him and that presently a delegation of members should go up to the old man's house on the other side of the town and tell him so.

It was the opposition speakers, veteran Socialists like Manny Shinwell, who had been at Churchill tooth and nail these many years, and young Harold Wilson, who hopes to turn the Tory Party out of office next October, who were the ablest supporters of this proposition. What they most liked about Churchill, apparently—and it was very much a House of Commons thing—was his ability to make a joke, an apt and maybe ribald joke, in the midst of the most drastic crises, his armor of absolute courage worn lightheartedly. They remembered other orators—Lloyd George and Nye Bevan, Cecil and Balfour—but none so effective as he; others who had got things moving in wars and social upheavals, but none so determined and energetic.

We have heard this sort of complimentary speech many times, of course, but this was different, because for once this was not rhetoric, nor was it emotion or even loyalty. Everyone in the chamber absolutely believed that what they were saying and what they were hearing was true.

And so, bit by bit, a picture was built up, not of a legend but of a real man. One could envisage the slim, aggressive young soldier coming back from the Boer War to make his first parliamentary speech in 1901 (a typical Churchillian attack on the Government for its conduct of the war), and of how he had abandoned the Tories and joined the Liberals, thereby becoming the most hated man in the House, and of how, with the failure of the Dardenelles campaign in 1916, his political career seemed finished forever at the age of 42. But then, after a spell in the trenches in France, he was triumphantly back in office only to be thrown out again and left to wander in the political wilderness for 10 years until his great moment came in Hitler's war.

It was wonderfully reassuring for the members to recollect all this, for it proved that a really determined man is never beaten. And it was also generous of Harold Wilson to recall that it was Churchill, the arch-anti-Socialist, who had put through some of the first radical measures on behalf of the working man. Wilson might have added that it was Churchill again, the archimperialist, who had got a settlement of the long, embittered feud with Ireland.

Others present remembered how he had come to terms with Russia and had cemented the Grand Alliance in the last World War, only to warn the West when it was all over—notably in his Iron Curtain speech at Fulton, Mo.—that it had defeated Hitler only to be confronted with Stalin. Indeed, on this rather sad day (everyone was concerned about the frail figure waiting in his house 2 miles away) it was hardly possible for any speaker to mention any major crisis in the world in the last half century in which Churchill was not involved—wrongly sometimes, perhaps, over such issues as India, but never for the purpose of political gain or popularity. Churchill's popularity had come the hard way, and it had taken 50 years for the most hated man in the Commons to become the most loved.

No statesman in British history, not even Gladstone or Wellington, has had such an enormous range of careers as Churchill: as a speaker, a soldier, a historian, a politician, an administrator. He had taken part in the famous cavalry charge at the Battle of Omdurman at the end of the last century, and his grumpy slurred voice was still being heard in the Commons when the first atomic bomb fell in the middle of this one. All these things were remembered.

It came very well from Harold Macmillan, who now goes out of public life rather flatly and without any fanfare, to say: "The life of the man whom we are honoring is unique. The oldest among us can recall nothing to compare with him, and the younger ones among you, however long you live, will never see the like again."

It was a warm and sunny afternoon, and as the members came streaming out of the chamber it seemed that the events of this very English day were contriving to draw the threads of Churchill's life together. Across the road from the Houses of Parliament the bells of St. Margaret's were ringing out very prettily for just such a fashionable wedding as Churchill himself had there in 1908. The evening newspapers were full of the news that a 112-pound phosphorus bomb, which had lain dormant since the Battle of Britain, had been excavated by a mechanical shovel on a building site in the city. There was also a vital cricket match being played between England and Australia at Manchester.

Then, as Sir Alec Douglas-Home led the delegation up to Churchill's home in Hyde Park Gate, a tall, fair-haired young man stepped forward and shouted, "Winston Churchill is a traitor. The betrayer of the British people. The greatest war criminal unhung." No one took much notice of him, and he was quietly led away by the police.

The delegation went inside and handed over their tribute to Churchill, a document printed on vellum, stating that the House of Commons approved of his conduct and was proud of him. They stayed chatting for a few minutes and then hurried back to the chamber to denounce one another over the terms of a housing bill.

One fancies that the old man would have approved of all these things very warmly. Had the police not been there, the great war criminal might even have invited the fair-haired young man in to tea.

CHURCHILL PAYS LAST VISIT TO COMMONS—50-MINUTE STAY ENDS 64-YEAR SERVICE OF WARTIME LEADER

(By James Feron)

LONDON, July 27.—Sir Winston Churchill, looking fit, spent what was probably his final hour in the House of Commons today.

Tomorrow the Chamber he has served for 64 years will record, in an official tribute, its "unbounded admiration and gratitude for his services," but Sir Winston is not expected to be there.

The frail health of the 89-year-old former Prime Minister, his colleagues feel, would not permit the response he would feel obliged to give if he were present.

Instead, a written reply will be read to the House later in the week, Parliament will adjourn Friday and Sir Winston, who still represents the Woodford constituency, has said he intends to retire.

Today there was nothing to keep Sir Winston from a final visit to the House he has frequented for so long.

He entered the Chamber shortly after 3 p.m. supported by two fellow Conservative members, Capt. Lawrence P. S. Orr and Sir Dudley Williams, and leaning on a cane.

Foreign Secretary R. A. Butler was answering questions as Sir Winston's colleagues guided him to his usual place on a front bench at the foot of the gangway. There were no cheers, no interruption, at his arrival.

He wore a dark bow tie and a black jacket. Long white cuffs appeared below his sleeves. He hunched forward in the position that has become familiar to millions.

As he sat there, his cane protruding into the center aisle, he glanced at members as they strolled in, or occasionally asked Captain Orr something.

He spoke in a rumbling whisper that frequently carried to the gallery, but it was hard to make out what he was saying.

Sir Winston did not appear to be wearing his hearing aid, and Captain Orr's responses also were delivered in louder-than-usual tones.

After about 50 minutes, Sir Winston made a motion to rise. His colleagues quickly assisted him to his feet and they slowly walked down the center aisle to the doors.

Kenneth Robinson, a Labor spokesman, was addressing the House on the difficulties of the British family doctor. He took no notice of Sir Winston's departure.

Slowly the three men approached the bar of the House. There Sir Winston insisted on turning. With great difficulty he bowed to the Speaker's chair.

Traffic was stopped in Parliament Square as Sir Winston's car emerged. Several hundred people surged across the thoroughfare to cheer and applaud. Newspapers shouted Sir Winston's name. Their papers carried the text of the motion extolling his services, it read:

"That this House desires to take this opportunity of marking the forthcoming retirement of the right honorable gentleman, the Member for Woodford, by putting on record its unbounded admiration and gratitude for his services to Parliament, to the nation and to the world;

"Remembers above all his inspiration to the British people when they stood alone and his leadership until victory was won and offers its grateful thanks to the right honorable gentleman for these outstanding services to this House and to the nation."

The last national figure similarly honored was the Duke of Wellington upon his retirement from political life more than a century ago.

A deputation headed by Prime Minister Sir Alec Douglas-Home will convey the House's sentiments to Sir Winston at his home in Hyde Park Gate tomorrow.

[From the Miami Herald, July 30, 1964]

WINSTON SUMS IT UP: COMMONS IS HOME

LONDON.—Sir Winston Churchill, in a rare public statement on his retirement from Parliament, Wednesday said he was "deeply grateful" to the House of Commons for paying him a final tribute.

"It will always be remembered and cherished by myself and my descendants," the 89-year-old wartime Prime Minister said.

Commons paid a unique and heartfelt tribute to Sir Winston Tuesday, just 3 days before this session ends.

Churchill will not be running in the October general election. On Monday he made probably his last appearance in the House he first sat in 64 years ago.

His message of gratitude was read to the Commons by Prime Minister Sir Alec Douglas-Home.

Sir Winston took only four paragraphs to convey his feelings.

But in their stark simplicity there was a hint of the rolling cadences, the grandeur, and the vision that Sir Winston gave to the world in so many famous addresses when he was at the height of his power.

The text read:

"I am deeply grateful to the House that it should see fit to honor its servant in this outstanding way.

"Among the many different aspects and chapters of my public life it is my tenure as Member of Parliament that I value most highly.

"Now at the time of my departure this resolution has set the seal on the many kindnesses the House has done me.

"It will always be remembered and cherished by myself and my descendants."

It was all there:

The homage to the House he first entered in 1901 at the age of 26, and of which he always considered himself a true and devoted servant.

The recollection of his fantastic public life—he is perhaps weighed down with more honors and accolades than any living man.

The call to history in the thought that his descendants will cherish his fame and the honor rendered to him Tuesday by the House.

Only once before in its long history has the House done anything similar. That was in 1814 when they honored the first Duke of Wellington, the conqueror of Napoleon. But Wellington came to the House to receive his tribute.

Churchill, frail and bent with age, remained at home.

PERSONAL ATTACK ON A MEMBER OF CONGRESS

The SPEAKER. Under previous order of the House, the gentleman from South Carolina [Mr. WATSON] is recognized for 10 minutes.

Mr. WATSON. Mr. Speaker and fellow Members of the House, I will assure you that I shall be brief. I shall strip what I have to say of all frills and I shall come directly to the point. Before I do so, I want to underscore what I said yesterday. I am privileged to serve many wonderful Negro constituents and I am also privileged to serve with some splendid Members of Congress of that particular race. I am sure that you, as I, applauded the gentlemen from Pennsylvania, Congressman NIX, here as he stood in the well of the House and likewise commended the police of Philadelphia for their fine action. There is also the gentleman from Illinois, Congressman DAWSON, and others with whom we are privileged to serve.

I say that by way of background to underscore one thing, that what I have to say here is not a matter based upon race one iota. This is a matter in which I am trying to defend the honor and integrity not only of the Member of this body but I believe, indeed, of the Congress itself.

One thing further I want to say prefacing my remarks: Some have said I stand here in the well to try to hide behind any congressional immunity which may be afforded me. As a Member of this body I wish to state emphatically that whatever I have to say here this afternoon in the brief minutes I have, I waive any political, personal, or other immunity which may be afforded me for any remarks I say here on the floor of the House.

The third thing I should like to underscore is the fact that what I have to say has not been requested by the Congressman from Mississippi nor has it been authorized by him. Indeed, I have not discussed this matter with him personally.

Now, to the meat of the coconut. Last Sunday a week ago I heard a broadcast over NBC at which time it was said that a rally was held outdoors in a recreation yard of the West Side Memorial Building which was attended by more than 1,000 persons, at which time a Member of this body referred to two Members of the other body and one Member of this House as "the No. 1 hoodlums of the Nation."

I ask you, when is it time for us to pass judgment upon other Members of this body? As I stand here and speak to you, perhaps I am in violation of the Biblical injunction which says "He who is without sin, let him cast the first stone," or "Blessed are the peacemakers."

But since the man who made this charge chose to ignore or forget these Biblical injunctions, he will agree there is another admonition: "Judge not that ye be not judged."

When this man made the statement I believe he was casting an aspersion upon this body itself. Shame on any man who would stand up and refer, whether here or in his district, to another Member of this body as a "hoodlum," much less the "No. 1 hoodlum of the United States of America." I contend he is not deserving of the name "Congressman." Anyone who would resort to any such cowardly statement is not worthy of this body. Thrice shame on any man who would refer to a Member of this Congress as a hoodlum, a man who has lost an arm in the service of his country, who will be infirmed for the rest of his life, while the man who made the unwarranted charge was sitting back, living off the fat of the land.

I have been disturbed over the past few months at some statements which have been made by this man, not on the floor of the House, but in other areas of the United States, defaming and maligning the good name of the Members of this Congress, especially those from Southern States. Let our constituents judge us. Perhaps some of our constituents do not require of officeholders very high standards of qualifications, but let them be the judge rather than a Member of this particular body.

Let me say in conclusion—and I want you to bear this well—this is not a racial issue. I would defend any Member of this Congress, north or south, against such an unwarranted, dastardly, cowardly charge as was made against one of our fellow Members, and I say this in all sincerity, as I conclude that anyone who would do that is a discredit to his race, he is a disgrace to the clergy, and he is a dishonor to the Congress of the United States.

DISTRICT OF COLUMBIA STADIUM

The SPEAKER. Under previous order of the House, the gentleman from Iowa [Mr. GROSS] is recognized for 10 minutes.

Mr. GROSS. Mr. Speaker, the revelation by the distinguished senior Senator from Delaware, Mr. JOHN WILLIAMS, that the cost of the performance bond for the construction of the District of Columbia stadium was padded by at least $35,000, is but one more chapter in the sordid story of Bobby Baker, the protege and $19,600-a-year employee of the then Senate majority leader, now President Lyndon Johnson.

I know something about the legislative history in connection with the $20 million District of Columbia stadium, for I led the fight against the use of Federal funds for the construction of that project.

Let me say that the enabling legislation was pushed through Congress under highly unusual circumstances and maneuvering that displayed the fine hand of Bobby Baker and others. It was the kind of legislative manipulation that had to be known to the Democrat leadership, and Lyndon Johnson was the Senate majority leader at that time.

Let me recount the concluding chapters of this manipulation.

On September 12, 1959, as the session of Congress was drawing to a close, the request was made to take the stadium bill, H.R. 8392, from the Speaker's table and concur in the Senate amendment.

I said then:

> This (Washington) is a city with a population of some 800,000. It has a major league baseball team and a professional football team. If this city, in conjunction with the owners of the baseball and football teams, cannot finance the construction of an athletic stadium and necessary facilities without raiding the Federal Treasury; then we should know it now and stop any further consideration of the bill.
>
> All the evidence indicates, as I have previously noted, that the $2.6 million specified in the proposal is but a downpayment on the part of the Federal Government; that bigger appropriations for this purpose will follow. For that reason I must oppose any and every effort to consider the bill.

I objected to concurrence in the Senate amendment.

Then the high-handed manipulators really went into action.

In the bowels of the night of September 14, 1959, in the last hours of the session, the Speaker laid before the House a request from the Senate that the House of Representatives return the bill to the

Senate. He overrode my vigorous objections to that procedure and my demand for a rollcall, and declared the request of the Senate granted. The Senate then promptly passed the measure in the form originally approved by the House.

Mr. Speaker, I did not know at that time that the human vultures were collected at that moment in an office in the Capitol waiting to begin picking the bones of the stadium even before a shovelful of dirt had been turned.

Now it becomes more and more apparent why so many persons in high places have tried desperately to discredit Don B. Reynolds, the insurance broker, who can no longer stomach the rotten deals that have been perpetrated under a cloak of official congressional sanctity.

The carefully documented and corroborated evidence just revealed by Senator WILLIAMS demonstrates that this outrageous situation goes far beyond expensive stereo sets and what amounts to advertising kickbacks for the benefit of the LBJ Co. It is not alone a question of the number and identity of the millionaires and multimillionaires that have sprouted on the Federal payroll. It is a question of how these fortunes were accumulated in such a short space of time.

The Democrats must take the responsibility for having killed the investigation of Bobby Baker and his associates. Now it becomes obvious that the House of Representatives has an obligation to assume its responsibilities and launch an investigation, for it has been smeared in this deal.

In this election year, the public has every right to know the full and true story of any and all manipulations by Bobby Baker, McCloskey, William McLeod, Black, Walter Jenkins, and all others, in and out of Congress, who have been associated with them.

The hour for truth has arrived, and if the other body refuses to meet the challenge and remove this stigma upon Congress, the House of Representatives must act, and now.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding and I want to compliment him on his poignant and succinct treatise, casting the responsibility back on the Congress, and particularly this House. Also, he has praised Senator WILLIAMS as one of the most outstanding Members of Congress.

Mr. Speaker, it is reported that today the Attorney General of the United States plans to resign following his nomination for the Senate by New York Democrats. The sensational disclosures by the distinguished gentleman from Delaware in the other body yesterday raises a question that can no longer be ignored, either by the people of the United States or the people of New York. The conspiracy to whitewash the Bobby Baker investigation can no longer be attributed merely to the Democrat majority in the other body. Prudent analysis of the facts compels us to recognize that this conspiracy to shove the Bobby Baker scandal under the rug has been accompanied by a blanket of silence and coverup from the Attorney General of the United States whose investigative powers to uncover and discover corruption must certainly exceed that of a single Senator. Now the President publicly and almost casually—but under duress—asks the FBI to investigate—something they undoubtedly have been doing for a long time. But, Mr. Speaker, the FBI by law and direction of this Congress only investigates and reports, it neither recommends nor prosecutes.

The facts are that the campaign manager for the Kennedy-Johnson ticket in 1960 was Bobby Kennedy, whose political prowess and knowledge of campaign financing is unquestioned. Is it then any wonder that we have had during the broiling turmoil of the past few months a "conflict of interest" in the highest law office of the land? Could it be that this, among others, is why the resignation is submitted? The real question is, Will the Department of Justice do anything about the information at hand?

The Attorney General's silence compels me to believe there is such a conflict and that it may well have played a part in the Attorney General's decision to keep the skeleton buried in the closet by choosing discretion as the better part of valor, after first indicating he would not run for the Senate in New York.

The question then arises, how can the American people learn the full scope of the Bobby Baker case, not to mention Billie Sol Estes, Ballot Box No. 13, or the TFX inquiry—when it involves the very highest people in Government office. I make the positive suggestion that an impartial investigation is desperately needed, and that experience has shown that it cannot be expected from either the Democrat-controlled legislative branch or the Democrat-led administration. I believe a special assistant to the Attorney General should be appointed to carry out such an investigation with the power to impanel a Federal grand jury. And I believe such a special assistant should be named by an impartial organization such as the American Bar Association. I believe the American people will insist on getting to the bottom of the mess in Washington, and the course of action I have suggested is the best way to do this.

I thank the gentleman for yielding and again commend him for his comments.

Mr. GROSS. I thank the gentleman for his contribution. With respect to the use of the FBI in this instance, I would recall to the attention of the gentleman the way the hands of the FBI were tied when they tried to go in and root out the fraudulent voting in the Kansas City Pendergast machine not too many years ago and, as the gentleman well knows, what happened to the Federal judge—the honest Federal judge in Texas who attempted to do something about ballot box No. 13 in the 1948 elections in Texas.

Mr. HALL. The gentleman is right. I am pretty well versed on that situation in my home state of Missouri. I hope it nevers occurs again. Again I say their primary duty is to investigate and report but not to prosecute and indict. I think the FBI, as I said in my general statement, probably has done this work as indeed they have on some of the false commitments to Federal hospitals of the United States.

The SPEAKER. The time of the gentleman has expired.

RESOLUTION TO REVIEW AIRLINE SERVICE

Mr. QUIE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. QUIE. Mr. Speaker, today I have introduced the following resolution:

> Whereas it is recognized by the Federal Aviation Act that air transport is essential to economic progress and hundreds of communities, with or without aid under the Federal Airport Act, have financed airports to keep their place in a growing nation; and
>
> Whereas cases before the Civil Aeronautics Board threaten the discontinuance of air service at more than one hundred points and there is a narrow division within the Board between a policy of restriction and one of expanding service: Now, therefore, be it
>
> *Resolved*, That the House Committee on Interstate and Foreign Commerce shall make a thorough review of the needs for airline service with a view to setting a progressive national policy and recommending any necessary legislation; and
>
> SEC. 2. That it is the sense of the House that, pending the outcome of such review, the Civil Aeronautics Board shall maintain scheduled air service to all points now served, on a frequency not less than at present.

My actions in this regard are prompted by an increasing awareness of the imminent danger to the welfare of our American communities which is being effected by threatened action of the Civil Aeronautics Board to eliminate or downgrade air transport service to over 100 airline points throughout the country.

Moreover, it appears that congressional intent as spelled out in the Civil Aeronautics Act of 1938 and the Federal Aviation Act of 1958 is being voided by Federal regulatory agencies. I think it is time that we set the record straight in favor of air transport progress rather than regression to the days of community isolation.

I also feel that the advantages to be gained by an adequate network of airline services are obvious. The urgent needs of modern business and personal transportation demand sufficient airline service, and to eliminate service to small cities, the ones most affected, would be to slow national progress and permanently relegate these communities to the sidelines of national growth. We would lose in the development of new industry, new income, new employment, and access to important market areas. Our Nation's prosperity cannot afford to take this risk.

I am happy to join with responsible National, State, and local organizations who have petitioned for a congressional review of our present policies in this field and the future needs for local air service, and I believe that all my colleagues will see and recognize the need for this review and join in the enactment of this resolution.

CONFERENCE ON THE ANTITRUST LAWS

The SPEAKER. Under previous order of the House, the gentleman from Maryland [Mr. MATHIAS] is recognized for 30 minutes.

Mr. MATHIAS. Mr. Speaker, the antitrust laws, first enacted in 1890 with major additions and amendments in 1914, 1936, and 1950, are in need of intelligent, unprejudiced, and systematic reexamination. Over the last 70 years, a combination of legislative amendments, court decisions, and executive enforcement policy may have diverted these laws from the goal of maintaining a truly free and competitive economy.

New situations and new competitive factors never even contemplated when the Sherman Act, Clayton Act, Federal Trade Commission Act, and Robinson-Patman Act were enacted may have made our present antitrust laws obsolescent. The current well-publicized attempt by a relatively small Texas insurance company, the American General Insurance Co., to take over the Maryland Casualty Co. provides an example of such a new situation.

The management and directors of the Maryland Casualty Co. are opposed to this takeover, and thus far have successfully maintained control of the company. A large west coast mutual fund, Insurance Securities Inc., has, however, actively participated in the attempted takeover, and since it is a large holder of the Maryland Casualty Co. stock, the threat it poses raises serious problems, not only for a fine, old Maryland company, but also for our economy.

Insurance Securities, Inc., has over $1 billion invested in America's larger stock insurance companies. That it is using this tremendous wealth and power not only for investment purposes but also actively to interfere in management may be implied from the fact that it went so far as to sue the Maryland Casualty Co., unsuccessfully, in an apparent attempt to obtain for the American General Insurance Co., the list of all stockholders in the Maryland Casualty Co.

When our antitrust laws were passed, mutual funds with a billion dollars invested in one industry were not a problem. They may well be one today, as the example of Insurance Securities, Inc., and the Maryland Casualty Co. may indicate.

The question of mutual funds and their effect upon the economy, however, is but one facet of the question. Enormous union funds may be another. These matters are too serious to be decided or studied on an ad hoc basis. Congress must decide whether or not the Department of Justice and Federal Trade Commission have the necessary antitrust tools, whether these agencies are pursuing wise antitrust goals, and indeed, what those goals should be if our economy is to prosper and grow.

At the same time fear of mere size may be preventing the development in some industries of business organizations capable of competing effectively with giants already in existence.

The rapidly changing world economy of today containing as it does the Soviet Union's economic challenge and the establishment by that nation of a base in this hemisphere from which to carry forward its aim of world control, demands that a review be made of the effect of our antitrust laws on our economy and its capacity for sustaining this Nation and this Nation's share of the needs of the free world.

In addition to the antitrust laws themselves, the machinery for their enforcement has long needed a hard look. The concurrent jurisdiction existing between the Department of Justice and the Federal Trade Commission creates problems both for enforcement officials and for the business community. There may be other instances of overlapping which confuse the businessman and prevent the development of coordinated and consistent antitrust policy.

In the 1963 Joint Economic Report, the minority members of the Joint Economic Committee recommended the establishment of a "Commission on antitrust laws" to determine the impact of these laws upon "U.S. productivity, long range economic growth, trade, and on foreign investment and on foreign policy generally." They recommended further that the Commission should make "such recommendations for changes in the substance and procedures of the antitrust laws as seem necessary to promote our economic objectives."

Senator JAVITS, himself a minority member of the Joint Economic Committee, has introduced in the Senate a bill (S. 1255) to establish such a Commission. Today I offer a bill which varies in some particulars from that of Senator JAVITS but which represents my thinking on the best method of carrying out the objectives of the minority members of the Joint Economic Committee.

It is fitting that the call for thoughtful study of our antitrust laws should come from Republican Members of the Congress. The Sherman Act, the original antitrust law, while supported by both parties, was a Republican measure. The Republican Party has consistently supported the ideal of a free, competitive economy in the United States, often in the face of Democratic programs which would have adversely affected competition. The record of Republican administrations in enforcing the antitrust laws, particularly during the Eisenhower administration, stands out dramatically at this time. The present Democratic administration removed its first antitrust chief over a year ago, but the antitrust policies of the Department of Justice, and for that matter of the Federal Trade Commission, remain confusing to the honest businessman trying to obey the law.

While more intelligent enforcement of the antitrust laws is an absolute necessity, it may well be that the laws themselves need revision. That is why the Commission I propose is needed. We cannot look to this administration, guided as it is to a considerable degree by political expediency, to take the initiative with respect to this needed study of the existing antitrust statutory framework or to develop an enforcement policy appropriate to the Nation's current needs. We in the Congress must take this initiative.

It is my hope that responsible members of both parties will join in this effort. What I propose is a balanced group of scholars, lawyers, and other experts, both from within and without the Government, to study both the antitrust laws themselves and their enforcement and to report to the Congress with appropriate recommendations as soon as practicable. In view of the current state of antitrust law and some disturbing business practices such as I have mentioned, I believe this Commission should be established without delay. This Nation's antitrust policy must be a spur to our economy and a safeguard of its vitality, and I firmly believe that the bill I now offer is a necessary first step if this goal is to be achieved and maintained.

ISTHMIAN CANAL POLICY OF THE UNITED STATES—DOCUMENTATION, 1955–64

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Texas, Mr. THOMPSON, is recognized for 60 minutes.

Mr. THOMPSON of Texas. Mr. Speaker, in a statement to this body on March 23, 1955—CONGRESSIONAL RECORD, 84th Congress, 1st session, volume 101, part 3, page 3610—Included a comprehensive documentation on various aspects of the Isthmian Canal policy of the United States, with special reference to the history and problems of the Panama Canal.

Since that time much affecting the Panama Canal and the relations between the United States and the Republic of Panama has occurred. Among these events were: the ratification of the 1955 Eisenhower-Remon Treaty, an attempted abandonment of the Panama Railroad, the nationalization in 1956 by Egypt of the Suez Canal, and the flag-planting raids in 1958 by Panamanians into the Canal Zone; an attempted Panamanian mob assault on the zone on November 3, 1959, requiring the use of the U.S. Army to repel the invaders; the illegal display in September, 1960, and later, of the Panamanian flag in the Canal Zone in equal dignity with the flag of the United States; and a series of attempted piecemeal liquidations of U.S. rights, power, and authority over the Canal Zone and Panama Canal.

These incidents culminated on January 9 to 12, 1964, in Red-led and directed mob attacks on the Canal Zone, requiring the Armed Forces of the United States to defend the lives of our citizens in the zone and to protect the vital structures of the canal itself. The violence of the outbreak, featured by the killing of our soldiers and an enormous destruction of American-owned property in both Panama and the Canal Zone shocked our

Nation and made the Panama Canal a focus of world attention. To bring my 1955 documentation up to date, I have prepared a selected supplementary bibliography with only such duplications as will be helpful.

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Among the distinguished Members of the Congress whose contributions are cited in my two documentations—1955 and 1964—special attention is invited to the addresses and statements of Representatives Willis W. Bradley of California, and Daniel J. Flood of Pennsylvania, and Senator—formerly Representative—Thomas E. Martin of Iowa.

Representative Bradley, a retired professional naval line officer of great ability, ordnance engineering education, and extensive navigational and command assignments afloat, presented the canal problem from the viewpoint of an experienced navigator as well as the engineer and defense expert. Senator Martin, a retired Army officer and capable student of military problems, clarified the canal question primarily from the angles of security and national defense. In a remarkable series of statements quoting eminent authorities, he exposed the fallacies in the security and national defense assumptions on which the 1945–48 drive for the Panama sea-level project was predicated.

When Representative Flood emerged as an expert on the canal question in the Congress in 1955, he did so at a time of mounting crisis in the Caribbean, involving not only the problems of the Panama Canal and of interoceanic canals generally, but also Canal Zone sovereignty, Caribbean and hemispheric security, and the Monroe Doctrine. Building upon the solid foundations laid by Representatives Bradley and Martin, my most able and scholarly colleague, Representative Flood, has shown a mastery of the interoceanic canal problem that is unique in this history. His collected addresses form not only a vast reservoir of source material on significant angles of the canal question but, as well, their cogent eloquence has won for him the honor of being acclaimed as a modern Daniel Webster.

The list that follows, which supplements my 1955 documentation, and is arranged in a form convenient for reference, is supplied to aid those who seek more comprehensive information, especially editors and publicists, educators and librarians, navigation interests at home and abroad, officials of the executive departments, and the Congress, especially members of the cognizant appropriation, investigational, and legislative committees and their staffs:

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PANAMANIAN MOB ATTACKS ON CANAL ZONE, JANUARY 1964

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COMMITTEE HEARINGS ON TRAVEL TO CUBA IN VIOLATION OF PASSPORT RESTRICTIONS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. Ichord] is recognized for 10 minutes.

Mr. ICHORD. Mr. Speaker and Members of the House, the Committee on Un-American Activities has announced that a subcommittee consisting of Mr. George F. Senner, Jr., Democrat, of Arizona; Mr. August E. Johansen, Republican, of Michigan; with myself as chairman will hold public hearings tomorrow and Friday, September 3 and 4, 1964. These hearings are a continuation of a series the committee has been holding during this Congress on travel to Cuba in violation of passport restrictions. In addition, the subcommittee will inquire into the pro-Castro and other Communist agitation and propaganda activities of these travelers in order to determine whether they are in fact acting as agents of a foreign power.

The group of 58 traveled to Cuba in 1963, and the 84 who returned from Cuba last Friday were guests of the Cuban Government. Their expenses of travel to Havana by way of Paris and Prague, and their subsequent return to the United States were paid by the Cuban Government. Their expenses for lodging, food, and travel within Cuba were also paid by the Cuban Government. It estimated that these two trips cost the Castro government some $250,000.

The hearings last year revealed why Castro invested this money on American radicals rather than using the money for the benefit of the Cuban people. First, the money purchased pro-Castro and anti-American propaganda; and second, in my opinion, the most important of Castro's benefits was the breakdown of the effectiveness of U.S. passport restrictions.

Gerald Mazzola, director of the Cuban Institute for Friendship Among the Peoples, told the 1963 travelers just before they left Havana that the trip was important to Cuba and to Cuba's foreign policy because if the Americans could break the American travel ban, it would be very difficult for other countries to impose restrictions on travel to Cuba.

I have recited this background so that the Members of the House would have an understanding of the type of young people the committee will be dealing with during its hearings tomorrow and Friday. Knowing their willingness to serve a foreign power to the detriment of the United States permits us to understand their conduct before the committee last year.

You will recall that Chairman Willis, on the day before the hearings last year, advised the House that the committee had received information that the group planned demonstrations during the hearings. He urged that the plans be called off because the committee intended to do its job despite their planned demonstrations and disruptions, which, according to the chairman, were designed to discredit not only the committee but the Congress itself. Last year they did not take the chairman's advice and those responsible were ejected from the hearing each time they set off a demonstration. They then falsely claimed that they were attacked by the police and demonstrated in self-protection.

This year they are more bold. Philip Luce, a witness last year, participated in a press conference at Kennedy Airport shortly after the 84 returned from Cuba on August 14. Even before the committee subpenas had been served, he told the press what the committee could expect. To the wild cheers of the travelers, he referred to the committee as "the scum that holds forth in Congress." In typical Communist terms, he used phrases such as "goons" and "other scum" in an apparent reference to the Capitol Police. With obvious pride, he predicted and I quote, "This year there will be bloody heads, but the heads that will be bloody will not be ours."

As chairman of the subcommittee which will conduct these hearings, I wish to announce that we will not be deterred from our task by such threats. Hearings will be held. They will be orderly and conducted with the dignity that should mark all congressional proceedings.

The hearings are open to the public; however, they are not open to anyone who is not orderly or who publicly proclaims his agents will disrupt the dignity of a congressional hearing. This rule shall also be enforced against anyone who attempts to demonstrate or in any way disrupt the decorum of the hearings.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Reuss (at the request of Mr. Albert), from September 3 through September 14, on account of official business—IMF.

Mr. Thompson of New Jersey (at the request of Mr. Rodino), on account of illness in the family.

Mr. Miller of California, on account of attendance at the International Astronautical Federation meeting in Warsaw, Poland.

Mr. Bell (at the request of Mr. Miller of California), on account of official attendance at the International Astronautical Federation meeting in Warsaw, Poland.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Thompson of Texas, for 1 hour, today; and to revise and extend his remarks and include extraneous matter.

Mr. Halpern (at the request of Mr. Bow), for 15 minutes, Thursday, September 3, 1964.

Mr. Ichord, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Reuss in two instances and to include extraneous matter.

Mr. Zablocki and to include extraneous matter.

Mr. Oliver P. Bolton his remarks in Committee of the Whole and to include extraneous matter.

(The following Members (at the request of Mr. Bow) and to include extraneous matter:)

Mr. Brock.

Mr. Abele.

(The following Member (at the request of Mr. Cameron) and to include extraneous matter:)

Mr. Rogers of Florida.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1984. An act to amend the Mineral Leasing Act regarding the timely payment of rentals, and for other purposes; to the Committee on Interior and Insular Affairs.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3846. An act to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 277. An act to amend the Federal Crop Insurance Act, as amended, in order to increase the number of new counties in which crop insurance may be offered each year;

S. 1909. An act to amend the joint resolution establishing the Battle of New Orleans Sesquicentennial Celebration Commission to authorize an appropriation to enable the Commission to carry out its functions under such joint resolution; and

S. 2995. An act to amend section 511(b) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds.

ADJOURNMENT

Mr. ROONEY of New York. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 15 minutes p.m.) the House adjourned until tomorrow, Thursday, September 3, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

2499. Under clause 2 of rule XXIV, a letter from the Assistant Secretary of the Interior, transmitting determinations relating to partial deferment of the scheduled 1966, 1967, and 1968 installments payable by the Vermejo Conservancy District toward repayment of the reimbursable cost of the Vermejo project, New Mexico, pursuant to the act of September 21, 1959 (Public Law 86–308), was taken from the Speaker's table and referred to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. S. 1111. An act to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning; with amendment (Rept. No. 1877). Referred to the Committee of the Whole House on the State of the Union.

Mr. KYL: Committee on Interior and Insular Affairs. H.R. 12289. A bill to establish the Lewis and Clark Trail Commission, and for other purposes; with amendment (Rept. No. 1878). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOGARTY: Committee of conference. H.R. 10809. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1965, and for other purposes; without amendment (Rept. No. 1880). Ordered to be printed.

Mr. ASPINALL: Committee of conference. S. 27. A bill to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes; without amendment (Rept. No. 1881). Ordered to be printed.

Mr. ASPINALL: Committee of conference. S. 1123. A bill to provide for the construction of the lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes; without amendment (Rept. No. 1882). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MOORE: Committee on the Judiciary. House Joint Resolution 1159. Joint resolution for the relief of certain aliens; with amendment (Rept. No. 1879). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROTZMAN:

H.R. 12541. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. JOHNSON of California:

H.R. 12542. A bill to revitalize the mint at San Francisco so that more coin-producing capacity will be available; to the Committee on Banking and Currency.

By Mr. UTT:

H.R. 12543. A bill to provide for, phase out, and to extend the use of Mexican agricultural workers under title V of the Agricultural Act of 1949, as amended; to the Committee on Agriculture.

By Mr. MATHIAS:

H.R. 12544. A bill to establish a Conference on the Antitrust Laws; to the Committee on the Judiciary.

By Mr. MILLS:

H.R. 12545. A bill to amend the Internal Revenue Code of 1954 with respect to the priority and effect of Federal tax liens and levies, and for other purposes; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.R. 12546. A bill to amend the Internal Revenue Code of 1954 with respect to the priority and effect of Federal tax liens and levies, and for other purposes; to the Committee on Ways and Means.

By Mr. ARENDS:

H.J. Res. 1166. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. FINO:

H.J. Res. 1167. Joint resolution proposing an amendment to the Constitution of the United States to provide that no person may be a Member of Congress who has not, when elected or appointed, been an inhabitant for at least 1 year of the State from which he is chosen; to the Committee on the Judiciary.

By Mr. STUBBLEFIELD:

H. Res. 874. Resolution authorizing a review of the national needs for local airline service; to the Committee on Rules.

By Mr. QUIE:

H. Res. 875. Resolution to set national policies for local airline service; to the Committee on Rules.

By Mr. FEIGHAN:

H. Res. 876. Resolution authorizing the printing of additional copies of the hearings on immigration; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 12547. A bill for the relief of Mr. and Mrs. Joseph Browman and their children, Russel, Lesley, and Douglas; to the Committee on the Judiciary.

H.R. 12548. A bill for the relief of Aurora Aduviso; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H.R. 12549. A bill for the relief of Maria Pagano; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 12550. A bill for the relief of Gentilia Trotta Mazzeo; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 12551. A bill for the relief of Kam Wah Wong; to the Committee on the Judiciary.

By Mr. HARVEY of Indiana:

H.R. 12552. A bill for the relief of Martha B. and Omer B. Pea, and their minor child, James B. Pea; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 12553. A bill for the relief of Mrs. Kikue Nakashima; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 12554. A bill for the relief of Giuseppe Fusco; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 12555. A bill for the relief of Diego Perez-Stable; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 12556. A bill for the relief of Efstathia Papadoliopoulou; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 12557. A bill for the relief of Tomas Pereira de Medeiros; to the Committee on the Judiciary.

By Mr. OSMERS:

H.R. 12558. A bill for the relief of Moshe Khazzam; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 12559. A bill for the relief of Gilberto Caldera Martinez; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Civil Rights

EXTENSION OF REMARKS

OF

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 2, 1964

Mr. BROCK. Mr. Speaker, I rise today not to launch a quixotic flailing at a dead horse, for the civil rights bill is in truth an accomplished fact. Rather I seek the ears of my fellow citizens of the South.

Ours is a beloved and blessed land, one which evokes a greater sense of pride, a truer sense of self-respect. One hundred years ago when that land was ravaged almost beyond repair, its industry a smoking relic and its government a picture of chaos, the people of the South turned inward for their strength. This was her sole refuge, the true greatness of the people themselves, a people with pride, self-discipline, self-respect, a people with an innate love for their fellow man.

We began to grow anew. Virginia gave us stability and statesmanship, Georgia the vision of progress with her most dynamic city, South Carolina the mellowness and warmth of wisdom, Tennessee the pride of volunteers serving a reunited nation; and all the rest.

Yet in growth we maintained a loyalty for the system which nurtured us. Our leaders, liberal and conservative, Republican and Democrat, sought to preserve the system of checks and balances so dependent upon the preservation of States' responsibilities. They did so because they recognized the basic foundation of our society rests in each individual as a creature of his Maker. They realized our future lay in giving each individual the greatest possible personal freedom through self-government and the greatest possible economic opportunity through free enterprise so that he might earn his most priceless asset, self-respect.

Now it becomes incumbent upon us to practice what we have preached. Let us use this occasion as one in which to dignify and validate our principles and beliefs. Let us use the crucible of adversity to strengthen our sense of responsibility.

If we fear the intolerable burden of Federal domination and control, then let us join hands in reason and restraint to prove that ours is and shall remain a government of laws rather than of men.

If we fear the effect of adding uneducated or illiterate citizens to the voting roles then we must attack no longer the symptom of the disease, but the disease itself. We must lend every bone and sinew to the task of expanding ten and a hundredfold our educational opportunities.

If we fear the effect of adding low-income wage earners in industry then let us muster every resource, both human and material, to the task of expanding new industries and creating greater job opportunities.

In sum, if we fear for the future of States and individual rights, then let us in the South rise as one man to prove the value of these principles by exercising our responsibilities.

This is our task here and now. We as advocates of the new South must earn our rights and our self-respect through reason, responsibility, and understanding, the basic principles of our philosophy. If we succeed we shall continue to point the way to a meaningful freedom for all men. If we fail, all men are the poorer for it.

I say to those of you from the rest of this Nation, we need your help—not in the pretty baubles of an overindulgent uncle bent on buying love, but in the friendly hand of respect and understanding—offered by one who knows himself well enough to sincerely share in the problems of others.

Congressman Zablocki's Moving Address to Polish-American Congress

EXTENSION OF REMARKS

OF

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 2, 1964

Mr. REUSS. Mr. Speaker, on August 30, 1964, the 25th anniversary of the Nazi attack on Poland, my able colleague, the gentleman from Wisconsin [Mr. ZABLOCKI] made a memorable address to a meeting in Kosciusko Park in Milwaukee, sponsored by the Polish-American Congress and 25 cooperating veterans groups. Because of its arresting delineation of the fight of the people of Polish ancestry for human rights both at home and in this country, I commend Representative ZABLOCKI's remarks:

THE 25TH ANNIVERSARY OF THE NAZI ATTACK ON POLAND—REMARKS OF HON. CLEMENT J. ZABLOCKI, OF WISCONSIN, TO THE POLISH-AMERICAN CONGRESS, MILWAUKEE, WIS., AUGUST 30, 1964

Toastmaster Thomas Rozga, Very Rev. Father Wilktor Krzywonos, Mr. Edmund Banasikowski, Judge Robert W. Hansen, Senator Richard Zaborski, Col. J. A. Dries, distinguished guests, veterans organizations, veterans auxiliaries, Gold Star Mothers, fellow Americans, at the very outset, I want to express my own deep appreciation for your kind invitation to join you in this evening's commemoration. Secondly, to convey to you President Johnson's warmest greetings and best wishes.

Then, too, just the other day, Postmaster General John Gronouski asked me to extend his deep regrets that he was unable to be with us tonight. The Postmaster General asked that I tell you he sincerely appreciates your invitation and extends his kindest regards.

It is a sad occasion which brings us together today. We have assembled here to commemorate the 25th anniversary of the attack on Poland by the Nazi war machine—and the beginning of a conflict which brought devastation to three continents, caused the death of millions of men, women, and children, and visited untold suffering upon millions of others.

Twenty-five years ago—September 1, 1939—do you recollect how the shocking news was received? How you and others reacted? If you will permit me a personal note, I wish to state that I shall never forget that date—certainly not the spontaneous, sincere, prayerful supplication of the people gathered in the churches, responding to the intonation of the majestic hymn "Boze Cos Polskie":

"Oh God who has throughout the ages bestowed upon Poland power and glory—we implore Thy help and protection."

That day I could only join with you in the fervent prayers of hope. Today—thanks to your confidence in me I have been privileged to be in a position to be of some assistance to the beleaguered people of Poland, of other Communist-dominated nations, and to many of you directly.

I know that you too have vivid recollections of September 1, 1939. Many of you had friends or relatives who were victims of the attack. Some of you had been in the very midst, on the very scene of the rape of Poland.

All of us, therefore, are motivated today to rededicate ourselves to the effort to bring freedom and human dignity to all mankind—as we commemorate the 25th anniversary of the attack on Poland.

That date—September 1, 1939—marked the beginning of an especially tragic chapter in the history of the courageous Polish nation—a chapter, I may add, which continues to this very day.

Attacked by the Nazis from the west, and by the Soviet Union from the east, Poland succumbed to the overwhelming power of the aggressors' armies. But her people never stopped fighting. For almost 6 years, her home army, and the units which managed to escape to the north, to the west, and to the south, resisted the invaders and fought valiantly on the side of the Allies.

Narvik, Tobruk, the Battle of Britain, Monte Cassino, the Warsaw uprising—these are but a few names, few places, in which the Poles fought and died for the cause of freedom during the Second World War.

The tragedy of Poland was compounded when the war finally came to an end.

Her population decimated by the horrors of the occupation and the war—her cities and farms in ruin—Poland, almost alone in this condition, was not permitted to share in the fruits of the Allied victory.

Her lands were divided—an alien regime was imposed upon her people—an Iron Curtain dropped to separate her from the West—and her hopes for freedom and justice were dashed to the ground.

That tragic chapter in Poland's history continues today.

The Communist regime, and the system of oppression which it introduced in Poland, are still in existence. The ways of the regime may have changed somewhat during the last few years, but the effects of its rule remain the same: the people of Poland continue to be deprived of their right to self-determination and of other human rights.

It is fitting, therefore, that we commemorate this anniversary and reflect upon the plight of the Polish people, here, at the foot of the statue of Thaddeus Kosciusko. For he, more than anyone else I can think of, personifies the highest ideals of Poland's national tradition of respect for the rights of men—all men.

Kosciusko devoted his entire life to this cause.

He fought for the rights of the peasants in Poland.

He fought for the rights of the colonists in America.

He suffered wounds, discomfort, privation, and long imprisonment while waging a lifelong battle for the rights of other men. Nothing could diminish his devotion to this cause. And in the final act of a generous and humanitarian heart, he gave everything that he owned in the United States—all that this grateful Nation bestowed upon him—to be used for purchasing and freeing of American slaves and helping them become useful and respected members of our society.

What a noble example we find in the life of this man, what great inspiration for the job that still remains to be done. For in our age, as in Kosciusko's time, the struggle for the rights of man goes on.

It continues in Poland, where the suffering people of that tragic land daily fight the encroachments of totalitarian communism.

It continues in many other countries, where would-be dictators, or the privileged few, strive to move ahead by trampling upon the rights of the people.

It continues even in our own homeland. And the need for men and women who will stand up for the rights of others—who will not turn away when their neighbor is being killed, or oppressed, or abused—men and women who, by defending the rights of others, will ultimately secure their own right to live in freedom and democracy—the need for such men and women is as great today as it was 200 years ago.

Who, I ask you, is better equipped to meet this need, fight this battle, than the heirs of Kosciusko?

We share in the heritage which produced him.

We have the example of his life.

And over and above, we have one very special asset: the experience and the stamina gained by living as members of a minority group in the United States.

All of us—immigrants, children and grandchildren of immigrants—have been tested in the battle which every minority group has had to wage to secure social acceptance, economic advancement, and equal rights.

As members of a group with a distinct cultural background—and, at the start, with perhaps limited or too little education, too little skill, too little ability to use the English language—we had been exposed to humiliation, at times we were called greenhorns.

We have felt the sting of being rejected by those who considered themselves culturally and socially superior.

We have experienced discrimination in employment and political exploitation.

We have felt the burning shame of being denied the opportunity to be equal in the home of democracy, the land of the free.

It was a hard school—but the lesson it taught us is at times all too quickly forgotten.

Today, Americans of Polish ancestry need not take a back seat to any citizen of our Nation. Men with names like Gronouski, Cieplinski, Muskie, Kowalski, Gorski, Kluczynski, Grabowski, Brzezinski, and others, have won national recognition and national prominence. A legion of others, men and women of Polish ancestry and bearing Polish names, occupy positions of prestige and responsibility in industry, in labor, in the professional field as doctors, dentists, lawyers, in the academic, civic, and political life of our Nation—in almost every field of human endeavor. They are accepted, and respected, even though their names may be difficult to pronounce.

Yet the battle is not over—for us, or for anyone else. And we who have gone through the hard school of social, economic and political discrimination, should be the first to recognize this fact and to do something about it.

I say, then, let those among us who have not forgotten the bitter taste of second-class rights accorded to third-class citizens, look around and take note of the job that remains to be done.

Let us remember that so long as discrimination, oppression and third-class citizenship are allowed to exist, the cause for which Kosciusko fought and died, the cause which the Polish nation championed during the thousand years of its existence, the cause which was the very reason and the inspiration for the founding of our own great nation—that cause will not be victorious.

Therefore, let us resolve to join in the battle for the rights of men, to the end that all men and women of good will, who assume and meet their responsibilities to one society, may be secure in the enjoyment and the protection of their rights.

Mr. Chairman, I want to conclude my remarks by paying tribute to an organization unique in the history of our Polonia, one that came into existence as a consequence of the events which we are commemorating today.

I refer, of course, to the Polish-American Congress.

This organization was born out of the profound sympathy of Polonia for the tragic plight of Poland. It was designed to champion the rights of the Polish nation. In the past two and a half decades, the voice of the Polish-American Congress has been the voice of mankind's conscience, calling for justice and freedom for Poland.

That voice must continue to be heard. And so, while paying tribute to the men and women who have founded this organization—those who have worked for it and through it for some 20 years—I want to urge: Do not let the Polish-American Congress wither and die. For if it dies, a part of us, a part of our conscience, will die with it. It must survive. The Polish-American Congress must live. To assist in the struggle that Poland shall not die—and Poland will not die—as long as there is life in us. Under the protection of and with the intercession of Our Lady, Queen of Poland—there is no doubt that divine providence will help our cause.

Thank you.

Statement in Support of H.R. 8290, To Authorize the Secretary of the Interior To Accept Certain Lands for Everglades National Park, Fla.

EXTENSION OF REMARKS

OF

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 2, 1964

Mr. ROGERS of Florida. Mr. Speaker, under leave to extend my remarks in the RECORD, I am pleased to state my support for H.R. 8290, a bill to authorize the Secretary of the Interior to accept certain lands as part of the Everglades National Park, Fla. This legislation, which has now passed the House, will not only enhance one of Florida's major assets, but will be of benefit to Floridians as well as the many Americans who visit Florida each year.

And it is a particular pleasure to me to be among the supporters of this bill because a companion bill to it, S. 2082, was introduced and passed in the Senate by our distinguished senior Senator from Florida, Senator SPESSARD HOLLAND.

Senator HOLLAND has long been concerned with the growth and development of the Everglades National Park, and it is among the many tangible attractions in Florida which bear his touch.

Congressman Abele Reports on the Poverty Bill

EXTENSION OF REMARKS

OF

HON. HOMER E. ABELE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 2, 1964

Mr. ABELE. Mr. Speaker, I would like to take this opportunity to place in the RECORD my latest report to the people of the 10th Congressional District of Ohio, which discusses the recent poverty bill that was before the House. I would hope that this will serve to present my thinking on this matter.

The report follows:

On August 8, 1964, the House of Representatives passed the administration's so-called war on poverty bill. This bill was officially known as the Economic Opportunity Act of 1964. Since that time, much has been written as to what the act is and what it will or will not do. I feel that many, perhaps unknowingly, have made an unfair appraisal of the poverty bill. This program is not to be confused with the Appalachian program.

On this legislation, as on all legislation, I gave it thorough and undivided attention. The main reason I did not commit myself to a "yes" or "no" vote in advance of the bill is because any bill can be changed on the floor of the House as part of the amending process. As a matter of fact, on this very bill the Senate version of the bill was substituted for the House version, and finally another complete version was again substituted on the floor of the House. In my legislative experience, both here and in the Ohio Legislature, I have found it wise not to commit myself to a name or a number.

Let's examine the history of this particular bill and the bill itself. The poverty bill has been labeled as Johnson's only major contribution during his administration. The original bill was H.R. 10440, introduced by Representative LANDRUM, of Georgia, on March 16, 1964. The bill was then referred to the House Committee on Education and Labor, whose chairman is the Reverend ADAM CLAYTON POWELL. The committee held a tight schedule of hearings on this bill, hearing only those witnesses that were favorable to the bill. Republican members of the committee, including BOB TAFT and BILL AYRES, of Ohio, were unable to amend the bill or even offer constructive criticism. All opportunity for debate was cut off. After the public hearings were finished, the Democrat members met behind closed doors to change the bill. There were so many changes that the Democrats finally had to introduce an entirely new bill.

This was Johnson's bill, and he put it at the top of his "must legislation." This was also an election year bill, more concerned with buying votes than actually providing a solution to the problem. The bill, as passed, calls for a total expenditure of $947 million in its first year of operation alone. Nobody has any real idea what it will cost in future years. However, plans are already underway to increase the size of the so-called Job Corps from 40,000 to 100,000 persons. One hundred and ninety million dollars have been earmarked for this program during the first year of operation. This figures out to about $4,700 per person. More than the cost of attending college in any of our first-rate colleges or universities in the United States.

If you would listen to the administration, you would think that the United States has never done anything to combat poverty, and that our whole country is poverty stricken. The truth is, there are 42 Federal programs which spent $31.8 billion fighting poverty in fiscal year 1964. This, of course, does not include the many millions of dollars being spent by State, local, and private organizations in the war against poverty.

There is no doubt in my mind that the primary reason for this legislation is to gain votes for Johnson and the Democratic ticket in the November election. Now let us examine some of the provisions of the bill itself.

Title I of the bill authorizes youth programs, which are known as the Job Corps, work training programs, and work study programs. As I have already pointed out, the Job Corps would cost approximately $4,700 per person. This corps will consist of young people between the ages of 16 and 22, who are school dropouts and who are not employable. These youths will be trained in conservation and home employment, which will not permit them to obtain a usable skill once they reenter the labor market. In the meantime, the Federal Government will be paying them for attending these schools. This may encourage rather than discourage school dropouts.

Title II of the act provides for urban and rural community action programs. This part of the bill is a catchall that provides something for everyone. The provisions of the bill are not clearly spelled out and give wide discretionary powers to the Director of the Office of Economic Opportunity. In addition, this program would overlap other Federal programs. This portion of the bill would authorize the use of Federal funds to finance any private nonprofit organization (religious or nonreligious) in activities of the community without the approval of any public agency.

Title III of the act authorizes special programs to combat poverty in rural areas. As originally written, this part of the bill would have allowed direct grants of up to $1,500 to rural families, to buy land, etc., at the discretion of the Director. It also provided for loans of $2,500 to the same family, for nonagriculture purposes. The major requirement for the programs would be that they couldn't get the money elsewhere. The final version of the bill was that only loans of $2,500 could be made to buy land, etc. However, the Director still retained the power to compromise any part or all of the loans should the person default. This amounts to a gigantic Government giveaway. Farm loan programs are already available under the Department of Agriculture, rural area development program, and various credit production associations. This amounts to a socialistic attempt to redistribute farm property by using your tax dollars. Of course, this title only authorized $50 million of your money to be given away.

Title IV of the act provides for employment and investment incentives. This program would duplicate efforts already being made to aid small business and create employment through the Small Business Administration. The chief criterion for these loans would be that the money is unavailable elsewhere. Yet the interest rates on these loans would be lower than existing interest rates. In other words, if you can't qualify for a commercial loan, the chances are the Government will take you on, even if you are a bad risk.

But the crowning achievement of the entire program is the creation of the Office of Director of Economic Opportunity. This job has been variously described as being that of a "Poverty Czar" or the "General of the Poor Corps." In this one man is lodged the responsibility of carrying on the many programs under this act. He would be a superbureaucrat who would have authority over many members of the Cabinet. Never, in peacetime, has any man, other than the President, been given so much authority and responsibility.

He will have wide discretionary powers that can only be checked by the Governor of each State before certain programs can be started in that State. The Governor may exercise this veto right without giving any reasons. Afterward, the Director remains virtually a law unto himself.

I want you, the people of the 10th Congressional District, to know that as long as I am your Congressman I will not be pressured into voting for or against any matter, which is against my principles and against the principles of good government.

Very sincerely yours,

HOMER E. ABELE.

The 25th Anniversary of the Nazi Attack on Poland

EXTENSION OF REMARKS

OF

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 2, 1964

Mr. ZABLOCKI. Mr. Speaker, 25 years ago, on September 1, 1939, the military force of the Third Reich brutally attacked Poland. On that day, there began a tragic chapter in the history of that brave, freedom-loving nation—a chapter which has seen the people of Poland subjected to more hardship, privation, and tragedy than the people of any other nation.

Attacked from both sides by the forces of Nazi Germany from the west and by those of Communist Russia from the east—Poland was overcome and subjected to an occupation whose horrors even today—some 25 years later—revolt the sensibilities of every civilized person.

Throughout World War II, the courageous people of Poland fought on the side of the Allies—both in their homeland and on other fronts. Yet when the war ended, Poland, having lost 6 million of her people—some 22 percent of her entire population—was not permitted to share in the fruits of the Allied victory.

Almost one-half of her prewar territory was, in effect, handed over to the Soviet Union; an alien system of government was gradually imposed on her people; and an Iron Curtain rose to separate her from the free world.

In partial compensation for the loss of her eastern territories—and in recognition of the tremendous devastation visited upon her people—Poland was given administrative title to the territory located between her pre-World War II western boundary and the Oder-Neisse line. That area, together with some former German areas to the north which were also placed under Polish administration, includes some 40,000 square miles—or approximately one-third of what is known as today's Poland.

This happened almost 20 years ago.

Since that time, the character of those lands—known today as Poland's western territories—has changed completely.

The German nationals have long ago been resettled.

Polish citizens have moved in with their families and their possessions.

The destruction of the war period has been largely repaired.

Cities have been rebuilt—farms have been restored to operating condition—and Polish social, cultural, and ethnic institutions prevail.

By now, the second generation of Poles is living in those territories. They were born there. They know no other home. They belong there.

As of this day, however, their title to the lands they till, to the homes they live in, to the factories they have built and operate—in short, Poland's title to her western territories—has not been openly acknowledged by the United States.

Recalling the provisions of the Potsdam agreement—which, I may add, have been repeatedly and flagrantly violated by the Soviet Union—the Government of the United States adheres to the position that the final delimitation of the German-Polish border should await a peace settlement with Germany.

Our Government has maintained this position despite the fact that the agreement which emerged from the Crimea Conference of 1945 clearly and explicitly stated that because of the loss of her eastern lands to the Soviet Union, "Poland must receive substantial accessions of territory in the north and west."

This position of the executive branch, which probably is sound from a legalistic standpoint, has little to commend itself from the standpoints of justice, of present-day realities, or of commonsense.

It has generated apprehension of a still further partition of Poland in the hearts of her people, and it has given birth to, and sustained, a certain distrust of our intentions among some people in Poland.

To my mind, this official policy has not contributed materially to the attainment of the goals the United States seeks: The establishment of conditions conducive to peace, security, freedom, and justice in central Europe.

There is no doubt in my mind that the United States neither seeks, nor would condone, the taking away of Poland's territories. But we ought to make this even more clear than we have done in the past. I believe that our Government should take a forthright and realistic, rather than a legalistic, position on this issue.

Mr. Speaker, I believe that the bonds of friendship which have long existed between the people of the United States and the people of Poland, dictate this course.

These same bonds of friendship, as well as our national commitment to the rights of man, also require that we pledge ourselves anew to the task of aiding the people of Poland to secure justice and freedom. To this end, we must continue our best efforts.

Representative Long of Maryland Provides Insight Into Congressman-Constituent Relationship

EXTENSION OF REMARKS

OF

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 2, 1964

Mr. REUSS. Mr. Speaker, our distinguished colleague, the gentleman from Maryland [Mr. LONG], recently wrote a thoughtful and constructive article concerning the kind of help Congressmen give their constituents. The article appeared in the August 1964 issue of Coronet magazine. As I am sure it will be of great interest to the Members of this body, I include the text of the article:

DEAR CONGRESSMAN

(Everyone should realize that a Congressman's job is not a happy one. He spends most of his time helping constituents)

(By Representative CLARENCE D. LONG, of Maryland)

The elderly man held up a white hand towel, on which was woven, in red letters, "U.S. Army." He then handed me a letter from a well-known doctor, certifying that the towel had been removed from him at the Johns Hopkins Hospital. Years before, the man had been operated on in an Army hospital and the towel left in him. As a result, he had been nervous and unable to work. He was receiving a modest stipend as a disabled veteran, but wanted more adequate recompense. Possibly, the towel had affected more than his digestion, for he imparted his suspicion of a Communist plot among Army doctors.

This is one of the thousands of cases that have come to me in over a year as Democratic Congressman from the Second District of Maryland, which consists of Baltimore, Carroll, and Harford Counties.

When I ran for office, after a decade and a half as professor of economics at the Johns Hopkins University, I had the idea that a Congressman's job was to pass laws. Certainly, his vote on legislation is the source of his influence, which has never been greater than now. Not only does Congress spend over $100 billion a year, but—because of the close balance of division in Congress on questions of liberalism versus conservatism—much of its legislation passes or fails by a narrow margin.

Nevertheless, legislation is not what takes up most of a Congressman's time. The citizen has discovered that his Congressman can solve his own as well as the Nation's problems. As a result, two-thirds of my own time and three-fourths of my staff's have been spent not in considering the thousands of bills tossed annually into the hopper, but in bringing business to my district and helping my constituents with the problems they bring to me by phone, by mail, and by visit.

Bel Air, an old southern county seat, was the home of the Shakespearean actor, Junius Booth, who had many children, among them John Wilkes (who assassinated President Lincoln) and Edwin, a Shakespearean actor more famous even than his father. In the post office is a mural by William H. Calfee depicting a performance in 1850 by Edwin Booth at the Bel Air courthouse. The post office was being remodeled and plans were to eliminate the mural to make room for the new air-conditioning ducts. The community was up in arms. "The mural is dear to our hearts," Mayor Buchal wrote me. "We don't want to see it mutilated or destroyed."

"I do wish you could look into the matter and find out which of the architects down there in Washington has holes in his head," a minister wrote.

At my request, the Post Office Department in Washington stopped the work and took steps to see that art could live with air conditioning.

A man sought my help for his son. Ten years before, the son, then a marine, was having trouble with his wife. He went a.w.o.l. so often in order to reason with her that he finally got an undesirable discharge. He now has a new wife, but his bad conduct record keeps him from a decent job, claimed his father. Could I get his record changed?

Nothing is tougher. I had not previously been able to accomplish this. Nevertheless, I asked my secretary to get through to Marine liaison. While waiting, I asked whether the son had done anything outstanding in the intervening decade to justify changing Marine Corps records.

"Well," the father said, "he served 3 years." He hesitated.

"What for?" I asked.

"Statutory rape," he replied.

"Cancel the call," I said to my secretary.

Recently there arrived this irate letter:

"DEAR CONGRESSMAN: My husband brought me to this country 17 years ago. All he ever does is sleep and put his pay in the bank. Now, he says I'm such a lousy cook that he got the Congressman to send me a cookbook. Could you write me a letter so I can call him a liar?"

I replied that we had no letter from her husband in our files and that we send the cookbooks to all the girls—no reflection on anybody's cooking.

One day I received a letter from a young man who had a wooden arm. He had worked at a local military installation on a hamburger grinder which could chew up 54 pounds of meat a minute. The machine, improperly guarded, had taken off his arm up to his elbow. For this he was given an official reprimand. Without a hearing. The young man wanted the reprimand off his record, in order to get a promotion. After 2 years of appeals, he came to me. I wrote to the commanding general for a hearing, indicating my wish to be present. The official reprimand was removed by return mail. Some colonel may have had a guilty conscience about allowing, first, such a situation to develop; and, second, a reprimand to be administered without a hearing.

Another time, a call came in from a State Department official who lives in my district. On a visit to Panama during the crisis, he had purchased a small, green, Spanish-speaking parrot. Mattie May, quarantined for a health check, had been flown to Washington the previous day. Could someone bring her over to Baltimore? At the close of business, my press assistant delivered the bird to her owner. No service too large or too small.

Congress stayed in session all last year and did not adjourn until the day before Christmas. Since neither my staff nor I had had any vacation during 1963, I let my staff go for 10 days of Christmas recess. This, it turned out, prevented any vacation for me. The entire recess, my home telephone rang with requests for help; and, with my staff gone, I had to do the work myself. Here is the kind of request you cannot put off:

A man requested a military funeral for his brother, a decorated veteran. The local military authorities reported that the honor guard was off on Christmas furlough. This being Saturday afternoon and the veteran due to be buried on Monday, the matter could scarcely wait until my staff got back. I phoned all nearby military installations and insisted that men be summoned back to bury a man who had fought for his country when it needed him. After nine phone calls, I won him a full military funeral with honor guard, rifle salute, and taps.

A sergeant with 14 years in the Air Force gets orders for Vietnam. He welcomes his dangerous assignment, but—of all things for an airman—suffers from aeroneurosis, a fear of flying; he therefore requests help to get to Vietnam by ship instead of plane. Now they have heard everything.

A farm in my district bids to supply rabbits for medical research at the Walter Reed Hospital in Washington. It is low bidder, but the procurement officials lack confidence in the capacity of the farm—notwithstanding the rabbit's well-publicized talent for multiplication. At my request, the Army looks further into the farm's reproductivity and awards it a contract to supply 3,000 rabbits.

Many of the problems brought to me are trivial, except to those who bring them. In recent months, I have settled a complaint that the post office trucks wake up the neighborhood at 4:30 a.m.; obtained an explanation from the Food and Drug Administration to a firm's objections that fish flour had been ruled unacceptable for human consumption; persuaded the employees' association of the Social Security Administration to contribute $300 to a local volunteer fire department.

Some cases are exasperating:

When a Navy enlisted man, a popular square dance teacher, was ordered to sea, the community got up a petition to have him stay. The Navy felt there were more important matters to attend to elsewhere in the world. I agreed.

A father charges discrimination because his son, a high school graduate, had failed an Army screening test. I learned from the recruiting sergeant that with a passing grade of 31 percent, the boy got only 3 percent. I asked the recruiting sergeant to give him some books to study.

One case involved me in an unusual experience. Neighbors complained of generator noises at a Nike site. The following Sunday while out driving with my son, I went by the installation and decided to pay it a visit. I presented a card, indicating my membership in Congress and on the Armed Services Committee. By way of welcome, the sentry put a clip of bullets in his carbine, searched my car (which bore congressional license plates), then checked with his superiors all the way to brigade headquarters. I was denied admission to the site.

Later, I learned that Army counterintelligence agents attempt to enter missile sites, armed with forged credentials: if they get in, the admitting officers are in trouble. Thus, I was suspected of being—not a Communist spy—but an Army counterintelligence agent pretending to be a Congressman.

The accomplishment of which I am most proud resulted from a visit by a distinguished couple after I took office. Dr. Lomsky and his wife had fled the Communist takeover of Czechoslovakia in 1948, leaving behind—with Mrs. Lomsky's parents, as too young to carry through the hardships that lay ahead—a baby daughter named "Radmila." The Lomskys at length found their way here and became American citizens. In the years since, they have endeavored to get their daughter, now 17, released to join them. They had about given up hope when a friend persuaded them to see me.

The State Department could promise little, aside from offering to admit the girl, if I could get her released. I wrote the Czechoslovakian Ambassador. No answer. I wrote President Novotny. No answer. In the months that followed, I wrote again and again. Same silence.

Then I asked Khruschchev to intercede with his Communist ally. No response from him, either; but several weeks later I received a reply from the new Czechoslovakian Ambassador, Dr. Karel Duda, who said that because of my interest the case would be reopened. No word for another 6 weeks. Then President Kennedy was assassinated. The alleged assassin—though surely acting on his own—had a Communist background and the Communists were concerned over American public opinion. Seeking some small good out of this terrible misfortune, I wrote to the President of Czechoslovakia: "In view of the recent tragedy, releasing Radmila Lomsky might do much to reduce world tension."

A few days later, Dr. Duda phoned his wish to visit my office. I alerted the Lomskys. The Ambassador, a remarkably young-looking man, informed me that the Czech authorities had just called on Radmila to tell her that she could leave.

He then lingered, expressing his admiration for President Kennedy and his many favorable impressions of the United States. When he left I picked up the phone to carry out the pleasantest duty I have had to perform as Congressman. A month later, Radmila came down at Friendship Airport to the arms of her family.

I recently took her to Washington to meet President Johnson and to see the Speaker of the House, JOHN McCORMACK. Speaker McCORMACK exclaimed: "What a lovely young lady." And she certainly is—blonde, pretty, well adjusted, she gets high marks at Catonsville High School and was the first person to be awarded a new scholarship for the study of ballet at the Peabody Conservatory in Baltimore.

I shall always treasure the letter I got from her father: "Even though Radmila is now with us and has completely filled our house with gaiety and happiness, my wife and I still find it difficult to believe that our years of heartbreak and anxiety are ended. As one father to another, I offer you my undying gratitude for your humane efforts in rescuing us. Your action in behalf of my family in time of need is especially reassuring to us as new citizens. Where but in America could we have received such personal and persistent attention from a high elected official?"

Cases like this are rewarding, but there are those who deplore this kind of service as keeping a Congressman from his main job of legislation. Indeed, a Congressman could scarcely vote wisely on the thousands of bills introduced each year, even if he spent full time on legislation. With all this busy work, he is good to know the issues on the major bills.

Nevertheless, I have come to appreciate the value of this service work. For one thing, it keeps me close to the people. The hundreds of contacts with people make me a better Representative, for to represent my people I must know what they want.

More important, with the growing size and complexity of Government—the State Department Building alone has 5 miles of corridors—the ordinary person often does not know where to address his prayer for relief.

Here is where the Congressman comes in. He cannot safely close his desk at 5, or seal himself off from the people; for he must go back for reelection every 2 years. And his vote gives him the power needed to get the ear of a too-often indifferent bureaucracy. The Congressman is thus the fellow who humanizes big government. As government continues to grow, the need for the human intervention will unquestionably grow with it. More and more, it is safe to predict, people in need of help will recall the old American saying, "Write your Congressman."

SENATE

THURSDAY, SEPTEMBER 3, 1964

(Legislative day of Tuesday, September 1, 1964)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God, Eternal Love: Thou source of all life and light, we would yield our flickering torch to Thee.

Amid the whirlwind of national debate and decision, rocked by the earthquake of today's social dislocations, we bow in this hallowed shrine of our dear-bought liberties to listen for the still, small voice.

We are grateful for the Republic's inspiring witness, that her democratic processes run so deep in her very life that they are undisturbed even by inner lawlessness or outer assaults by those who have not Thee in awe, and that our America still stands, with lamp held aloft, a beacon of freedom for all the earth.

Make our bodies Thy temple, and our hearts Thine altar, where the sacred fire is ever burning.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request by Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, September 2, 1964, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on September 2, 1964, the President had approved and signed the following acts:

S. 26. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes; and

S. 793. An act to promote the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California and to aid in the administration of the Klamath reclamation project.

TRANSACTION OF ROUTINE BUSINESS—LIMITATION ON STATEMENTS

On request by Mr. MANSFIELD, and by unanimous consent, it was ordered that there be a morning hour for the transaction of routine business, with statements therein limited to 3 minutes.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Post Office and Civil Service.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. PASTORE, from the Joint Committee on Atomic Energy:

Glenn T. Seaborg, of California, to be the representative of the United States of America to the eighth session of the General Conference of the International Atomic Energy Agency; and

Henry DeWolf Smyth, of New Jersey, Frank K. Hefner, of Virginia, John Gorham Palfrey, of New York, James T. Ramey, of Illinois, and Gerald F. Tape, of Maryland, to be alternate representatives of the United States of America to the eighth session of the General Conference of the International Atomic Energy Agency.

EXECUTIVE REPORTS OF COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. JOHNSTON. Mr. President, I send to the desk the nominations of 102 postmasters reported favorably from the Committee on Post Office and Civil Service. All of them have been approved by both Senators from each of the States concerned.

The ACTING PRESIDENT pro tempore. The nominations will be placed on the Executive Calendar.

Mr. LAUSCHE. Mr. President, when the nomination of Nelson E. Sundermeier for the postmastership of Cleveland, Ohio, was submitted several years ago, I expressed my opposition to the nomination. I did so because I felt that the background of Mr. Sundermeier indicated a doubt whether he would place the interest of the Government and citizenry first or that of the Postal Workers Union. He was appointed acting postmaster. He has now served, as I recall, for a period of about 3 years. The reports which I have received about him indicate that he has in mind first his responsibility to the citizenry.

I have not spoken with him. I want him to understand that I have approved his appointment, but that I shall watch with the greatest of caution whether he will continue to act in behalf of the public as he has in the last 3 years, or whether he will revert to the business agent responsibilities which he had prior to the appointment.

I, of course, approve of the nomination of Mr. Joseph Scanlon.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk proceeded to read sundry nominations in the diplomatic and Foreign Service which had been placed on the Secretary's desk.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On motion by Mr. MANSFIELD, the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Reports of Secretaries of Defense, Army, Navy, and Air Force

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, reports of the Secretaries of Defense, Army, Navy, and Air Force, for the fiscal year 1963 (with accompanying reports); to the Committee on Armed Services.

Report on Revised Estimated Cost of Construction at McClellan Air Force Base, Calif.

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on a revised estimated cost of construction for the Air Force Reserve at McClellan Air Force Base, Calif.; to the Committee on Armed Services.

Report on Department of the Army Research and Development Contracts

A letter from the Assistant Secretary of the Army, transmitting, pursuant to law, a report on Department of the Army Research and Development contracts awarded during the fiscal year 1964 (with an accompanying report); to the Committee on Armed Services.

Report on Progress of Liquidation Activities of Reconstruction Finance Corporation

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on the progress of the liquidations activities of the national defense, war and reconversion activities of Reconstruction Finance Corporation, as of June 30, 1964 (with an accompanying report); to the Committee on Banking and Currency.

Improvement of Aids to Navigation Services of the Coast Guard

A letter from the Secretary of the Treasury, transmitting, a draft of proposed legislation to improve the aids to navigation services of the Coast Guard (with an accompanying paper); to the Committee on Commerce.

Report on Activities Under Merchant Ship Sales Act of 1946

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the Maritime Administration on the activities and transactions under the Merchant Ship Sales Act of 1946, for the quarterly period ended June 30, 1964 (with an accompanying report); to the Committee on Commerce.

Report on Gifts and Bequests Received and Accepted by the United States National Commission for the United Nations Educational, Scientific, and Cultural Organization

A letter from the Secretary of State, transmitting, pursuant to law, a report on gifts and bequests received and accepted by the United States National Commission for the United Nations Educational, Scientific, and Cultural Organization, for the fiscal year 1964 (with an accompanying report); to the Committee on Foreign Relations.

Reports of Comptroller General

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on unreasonable charges to government cost-type contracts for depreciation on buildings acquired from the government at no cost by Stanford Research Institute, Menlo Park, Calif., Department of the Army, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on uneconomical practices in management and utilization of government quarters at U.S. Naval Air Station, Barber's Point, Oahu, Hawaii, Department of the Navy, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on improper disposal of needed brake lining kits, Department of the Army, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on weaknesses in the administration of the program for direct distribtution of Federal surplus commodities in St. Louis County, Mo., Agricultural Marketing Service, Department of Agriculture, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on improper retention of dollar collections on loans made by Corporate Development Loan Fund, Agency for International Development, Department of State, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

Report on Deferment of Construction Payments Due From the El Paso County Water Improvement District No. 1, Rio Grande Project, New Mexico-Texas

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on his determinations relating to deferment of the March 1 and September 1, 1965, construction payments due the United States from the El Paso County Water Improvement District No. 1, Rio Grande project, New Mexico-Texas; to the Committee on Interior and Insular Affairs.

Report on Partial Deferment of Installments Payable by the Vermejo Conservancy District, New Mexico

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on his determinations relating to partial deferment of the scheduled 1966, 1967, and 1968 installments payable by the Vermejo Conservancy District toward repayment of the reimbursable cost of the Vermejo project, New Mexico; to the Committee on Interior and Insular Affairs.

Report on Tort Claims Paid by Atomic Energy Commission

A letter from the General Manager, U.S. Atomic Energy Commission, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Commission, for the period July 1, 1963, to June 30, 1964 (with an accompanying report); to the Committee on the Judiciary.

Suspension of Deportation of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

Interim Report on Investigation of Alleged Solicitation of Career Employees by Either Political Party

A letter from the Deputy Attorney General, reporting, pursuant to Senate Resolution 332, of June 24, 1964, on an investigation of the alleged solicitation of career employees by either political party to purchase tickets to political fundraising dinners; to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on Foreign Relations:

"House Concurrent Resolution 2

"Whereas ever changing world events have thrust world leadership upon the United States of America with the solemn responsibility of fostering brotherhood and humanity and maintaining world peace; and

"Whereas the United States has encountered threats to world peace in this cold war and has repeatedly demonstrated its diligence of its task with firmness measured with understanding for peace; and

"Whereas the United States again faces a challenge in the aggression by terror against South Vietnam followed by hostile action against U.S. ships on the high seas in the Gulf of Tonkin by the forces of North Vietnam; and

"Whereas Lyndon B. Johnson, President of the United States, and Commander in Chief of the Nation's Armed Forces, has ordered military forces of the United States to repel any armed attack upon the forces of the United States and to prevent further aggression; and

"Whereas the Congress of the United States by the Southeast Asia Resolution (S.J. Res. 189; H.J. Res. 1145) has authorized the President to take all necessary steps, including the use of armed force to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom: Now, therefore, be it

"*Resolved by the House of Representatives of the Second Legislature of the State of Hawaii, First Special Session of 1964 (the Senate concurring)*, That this legislature and the people of the State of Hawaii support the Congress of the United States and President Lyndon B. Johnson, President of the United States, in their effort to carry out our Nation's determination to take all necessary measures in support of freedom, and in defense of peace, in southeast Asia; and be it further

"*Resolved*, That certified copies of this concurrent resolution be transmitted to President Lyndon B. Johnson, President of the United States; Hon. Carl Hayden, President pro tempore of the Senate of the United States; Hon. John W. McCormack, Speaker of the House of Representatives of the United States; Senator Daniel K. Inouye; Senator Hiram L. Fong; Representative Thomas P. Gill, and Representative Spark M. Matsunaga.

"Adopted by the House of Representatives of the State of Hawaii August 24, 1964.

"ELMER F. CRAVALHO,
"*Speaker, House of Representatives.*
"SHIGETO KANEMOTO,
"*Clerk, House of Representatives.*

"Adopted by the Senate of the State of Hawaii August 18, 1964.

"NELSON K. DOI,
"*President of the Senate.*
"SEICHI HIRAI,
"*Clerk of the Senate.*"

The petition of Travis L. Brooks, of the Headquarters and Maintenance Squadron 16, Marine Aircraft Group 16, 1st Marine Aircraft Wing, Aircraft, FMF, Pacific, in care of the Fleet Post Office, San Francisco, Calif., praying for a redress of grievances; to the Committee on Armed Services.

The petition of Quirico Del Mar, of the city of Cebu, the Philippine Islands, relating to benefits received by Filipino veterans of World War II; to the Committee on Finance.

The petition of Mr. Pak, Yong Ji, of Taegu, Korea, praying for a redress of grievances; to the Committee on the Judiciary.

The memorial of Henry Stoner, of New York, N.Y., remonstrating against the enactment of the so-called Tuck bill, relating to reapportionment of State legislatures; ordered to lie on the table.

FAA FLIGHT STATION AT THE WATERTOWN, N.Y., MUNICIPAL AIRPORT—RESOLUTION AND PETITION

Mr. KEATING. Mr. President, I present, for appropriate reference, a resolution adopted by the board of supervisors of Jefferson County, N.Y., and a petition of the Greater Watertown, N.Y., Chamber of Commerce, protesting the proposals of the Federal Aviation Agency to reduce or eliminate the personnel manning the FAA flight service station at the Watertown Municipal Airport in the near future.

I have already received a similar protest from the city of Watertown itself, and have asked the Administrator of the Federal Aviation Agency for a full report on the safety ramifications of the plan to "remote" the flight service station in this community. In addition, just yesterday I called this matter to the attention of the New York steering committee, representing the entire New York congressional delegation, and it was agreed that the steering committee, too, would take this up with the FAA.

The Watertown Airport is only one of four community airports in New York State which have been slated for consolidation and remotion into flight service stations elsewhere. As a result of yesterday's discussions by the New York steering committee, that committee will look into the total impact of closing these four stations upon the industrial and business complex of our State and upon the all-important factor of safety in the skies.

I ask unanimous consent, Mr. President, that the resolution and petition referred to be printed at this point in the RECORD.

There being no objection, the resolution and petition were referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

RESOLUTION 142

Resolution requesting retention of FAA flight service station at the Watertown Municipal Airport

Whereas the FAA flight service station at the Watertown Municipal Airport has been a vital and growing service to the people since 1945 and contributes to the air travel safety of both Northeastern United States and lower Canada; and

Whereas it is an important safety factor in connection with military flights in this region including Air Force jet bombing practice runs on a 24-hour basis, 5 days a week; and

Whereas the unusual weather pattern off the east end of Lake Ontario precludes any safe flight operation at Watertown without experts in the field actually on the ground at all times, which service on occasions in the past has saved planes and lives when pilots have been lost or in trouble in vicinity of the airport; and

Whereas international flights and transient flights would be placed under severe handicap without the present full-time service and loss of this vital service would inevitably lead to depreciated use of this airport and a decline could adversely affect the economy of the entire region; and

Whereas this Watertown, N.Y., municipal airport is the largest in northern New York, is an international port of entry and handles more passengers and freight than any other similar installation in northern New York: Be it

Resolved, That this board of supervisors appeal to the Federal Aeronautic Administration and to its representatives and friends in the Congress of the United States and to the White House to use every possible effort to prevent implementation of any plan which would tend to eliminate this necessary and valuable service now provided by the Federal Aeronautics Administration's flight station, and be it further

Resolved, That the clerk of the board of supervisors be directed to mail copies of this resolution to the President of the United States, Lyndon B. Johnson, Senators Kenneth B. Keating and Jacob K. Javits, and Representative Clarence E. Kilburn.

Attest:

F. C. HAMLIN,
Clerk, Board of Supervisors, Jefferson County.

PETITION OF THE GREATER WATERTOWN, N.Y., CHAMBER OF COMMERCE TO THE FEDERAL AVIATION AGENCY, WASHINGTON, D.C., SEPTEMBER 1, 1964

The Greater Watertown Chamber of Commerce board of directors, acting upon recommendation of its transportation committee, hereby petitions the Federal Aviation Agency (in connection with the proposal, suggested for inclusion in the 1965 Federal budget), against carrying out any plan to directly, or indirectly, tend to lessen public confidence in air travel safety engendered since 1945 through installation in the Watertown Municipal Airport of the FAA flight service station.

The chamber, as your petitioner, as hereinafter referred to, is composed of a cross-section of people using air service and representing the civic and economic leaders of the community.

The chamber appeals to the FAA and to its representatives and friends in the Congress and the White House, to use every possible effort to prevent implementation of any plan which would tend to create any adverse consciousness affecting today's high degree of confidence in the ability of said FAA flight stations to make the airways safer for public use, commercially and privately.

The chamber submits for your consideration the following facts:

1. The FAA flight service station at the Watertown, N.Y., Municipal Airport has been a vital and growing service to the people since 1945.

2. Said FAA station contributes to the air travel safety of both Northeastern United States and lower Canada.

3. It is an important safety factor in connection with military flights in this region, including Air Force jet bombing practice runs on a 24-hour basis, 5 days a week.

4. On occasion, communicators of the Watertown, N.Y., station have saved planes and lives when pilots have been lost or in trouble in the vicinity of the airport. As a matter of fact, we have never had a serious accident at our airport, since 1945, and we attribute this, in no small part, to our having a full-time FAA flight service.

5. International flights and transient flyers would be placed under severe handicap without the present full-time service.

6. An unusual weather pattern off the east end of Lake Ontario precludes any safe flight operation at Watertown without experts in the field actually on the ground at all times. For example, the Watertown area averages in excess of 100 inches of snow per year.

7. Inevitably, loss of a vital service leads to depreciated use of an airport like Watertown's and a decline could adversely affect the economy of the entire region.

8. The city of Watertown originally contracted with the Federal Government guaranteeing to operate and maintain the port built largely with Government funds as an open airport. The contract would imply through "open airport" insistence that all necessary flight safety measures must be an integral part of the operation.

The chamber heartily commends the FAA for its achievements in the field of air flight safety and urges that instead of attempts toward economizing through automation and semi-automation, the Congress be induced to spend more money for integrating greater safety factors to further inspire the public confidence in public travel's fastest growing concept—aviation.

The chamber applauds the FAA's continuing good work and takes this petition to encourage continued expansion of the vital operation of flight stations throughout the United States, including Watertown.

The Watertown, N.Y., Municipal Airport is the largest in northern New York. It is well-served by Mohawk Airlines, Inc., is an international port of entry and handles more passengers and freight than any other similar installation in northern New York. At various times of the year, it is used without charge by the military, in connection with training programs at Camp Drum, 7 miles away.

The airport has all the basic features, including an excellent FAA flight station. It is a vital link in the daily weather map for airlines and private pilots on an international basis. In an expanding economy in northern New York, the future of expanded airport operations at Watertown seems bright, just so long as its essential factors, principally the FAA flight service station is continued and expanded as the need arises.

In conclusion, your petitioner prays that the present status of the FAA flight service at Watertown, N.Y., remains as is, so that it can continue to provide a much needed service to our area.

This petition is submitted this first day of September 1964 with the prayer that it receives full consideration in connection with the future planning of the FAA.

JOHN A. HELM, *President*.
F. RUFF, *Manager*.
WILLIAM A. BALLANTYNE,
Chairman, Transportation Committee.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, with amendments:

H.R. 12259. An act to amend the International Claims Settlement Act of 1949 to provide for the determination of the amounts of claims of nationals of the United States against the Government of Cuba (Rept. No. 1521).

BILLS INTRODUCED

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DODD:

S. 3172. A bill for the relief of Nora Isabella Samuelli; to the Committee on the Judiciary.

(See the remarks of Mr. DODD when he introduced the above bill, which appear under a separate heading.)

NORA ISABELLA SAMUELLI

Mr. DODD. Mr. President, I introduce for appropriate reference, a bill for the relief of Miss Nora Isabella Samuelli. Miss Samuelli, a former Rumanian national, was sentenced to prison as an American spy by the Rumanian Communists in 1949 and she served 12 years of her term under the greatest hardship. The bill for her relief is motivated by the belief that Miss Samuelli, by her loyalty to the United States and by her long suffering in prison, richly merits the special consideration which the measure calls for.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3172) for the relief of Nora Isabella Samuelli, introduced by Mr. DODD, was received, read twice by its title, and referred to the Committee on the Judiciary.

DESIGNATION OF CERTAIN VETERANS' ADMINISTRATION FACILITIES—AMENDMENT (AMENDMENT NO. 1263)

Mr. LAUSCHE submitted an amendment, intended to be proposed by him, to the bill (H.R. 11461) to provide for the designation of certain Veterans' Administration facilities, which was referred to the Committee on Labor and Public Welfare, and ordered to be printed.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 3, 1964, he presented to the President of the United States the following enrolled bills:

S. 277. An act to amend the Federal Crop Insurance Act, as amended, in order to increase the number of new counties in which crop insurance may be offered each year;

S. 1909. An act to amend the joint resolution establishing the Battle of New Orleans Sesquicentennial Celebration Commission to authorize an appropriation to enable the Commission to carry out its functions under such joint resolution; and

S. 2995. An act to amend section 511(b) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds.

HOW THE POLARIS NUCLEAR SUBMARINE U.S.S. "VON STEUBEN" GOT ITS NAME

Mr. AIKEN. Mr. President, on September 2, 1964, the 27th Polaris nuclear submarine, the U.S.S. *Von Steuben* successfully completed its first sea trials.

I am sure that it will be of interest to all Senators to learn how submarines are named and something about those for whom they are named.

In the case of Von Steuben, the great American hero who contributed so much to our cause during the Revolution, I hold in my hand a description of him, contained in a letter which I have just received from Vice Adm. H. G. Rickover.

I ask unanimous consent to have this letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S.S. "VON STEUBEN" (SSBN-632),
Care of Fleet Post Office,
New York, N.Y.

(*At sea, North Atlantic, September 2, 1964.*)

Hon. GEORGE D. AIKEN,
Joint Committee on Atomic Energy.

DEAR SENATOR AIKEN: We have just successfully completed the first sea trials of the U.S.S. *Von Steuben*, our 27th Polaris nuclear submarine. We also have in operation 20 attack-type nuclear submarines, making a total of 47. The *Von Steuben* was built by the Newport News Shipbuilding & Dry Dock Co., of Newport News, Va.

This ship is named for a Prussian-born soldier who served with distinction in the American Revolutionary Army. Frederick William Augustus von Steuben arrived in this country in 1777 and offered his services to Congress as a volunteer without military rank. He was accepted as such, but Congress soon recognized the value of his services and made him inspector general or drillmaster with the rank of major general. Von Steuben served until the end of the war, retiring to Steubenville in the State of New York where he died in 1794, much honored by the Congress and the American people.

He was one of the small band of foreign officers whose memory we honor because they made our cause their own, and this at a time when the odds ran heavily against us. It is difficult to remember today how unequal were the protagonists in that 7-year struggle: 13 loosely allied, often contentious little States pitted against the greatest empire in the world; a pitifully small, ill-equipped and badly supported force of citizen soldiers serving brief terms of duty, facing a substantial body of regular soldiers and professional officers backed by a navy that ruled the seas. Though many Americans were superb guerrilla fighters, neither officers nor men had knowledge and experience in the art of war. As Charles A. Beard wrote, "there was not available a single Army officer experienced in the stratagems of combat on a large scale, as distinguished from local fighting."

It was by supplying the missing professional knowledge and experience that Von Steuben made his great contribution to the war effort. He himself had been trained in the best military school of the time: Frederick the Great's army, which he entered at age 14, ultimately becoming the King's aide-de-camp. This veteran of many wars was astonishingly successful in applying European military principles and practices to the special needs of Washington's army. Discarding everything not strictly essential to winning battles, he was able to transform highly individualistic part-time volunteers into a disciplined army, and to do this in as many months as it normally took years abroad. Despite his insistence on strict discipline, he was well liked by the soldiers. The secret of his success was that he understood the American psyche and temperament, even though he did not know their language. As he wrote to a fellow Prussian, "the genius of this Nation is not in the least to be compared with that of the Prussians, Austrians, or French. You say to your soldier, 'Do this,' and he doeth it; but I am obliged to say, 'This is the reason why you ought to do that,' and he does it." No higher tribute could have been paid the American revolutionary soldier.

Von Steuben's view of the proper relationship between officers and men was surprisingly modern and democratic. In his instructions to company officers he warned that "a captain cannot be too careful of the company the state has committed to his charge. He must pay the greatest attention to the health of his men, their discipline, arms, accouterments, ammunition, clothes, and necessaries. His first object should be to gain the love of his men by treating them with every possible kindness and humanity, inquiring into their complaints and when well founded, seeing them redressed. He should know every man of his company by name and character."

Just before resigning his commission to Congress, Washington made it his last official act as Commander in Chief of the American armies to write a warm and highly appreciative letter to Von Steuben. As the historian George Bancroft wrote, Von Steuben "served under our flag with implicit fidelity, with indefatigable industry, and a courage that shrank from no danger. His presence was important both in the camp and in the field of battle, from the butts of Valley Forge to Yorktown, and he remained with us until his death."

Respectfully,

H. G. RICKOVER.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

PRESIDENTIAL ADVISER'S PROPOSAL TO SEND 35,000 DEPRESSED AREA KENTUCKIANS TO CALIFORNIA

Mr. MORTON. Mr. President, one of the most appalling proposals yet advanced as an attack on the depressed economic conditions in Appalachia has been set forth by an influential adviser to the President.

Since I have read nothing to the contrary, I must assume that the remarks of Dr. Stafford Warren, as reported in the Los Angeles Times of Thursday morning, August 20, were correct. Dr. Warren is President Johnson's special adviser on mental retardation.

According to the Times, Dr. Warren proposed that 35,000 eastern Kentuckians be transplanted en masse to California to replace bracero labor. Specifically, he indicated that the entire 35,000 men, women, and children could come from Harlan County, Ky. The newspaper quoted Dr. Warren as calling these people the "beaten" remnants of a former population of 80,000.

Apparently, Dr. Warren is serious, but to me even thinking of such a preposterous idea smacks of the ridiculous. Kentucky's economic problems, as well as those throughout Appalachia, cannot be solved by mass transportation of people to farm labor camps in California. Kentucky's problems will be solved in Kentucky.

Kentuckians' reaction to Dr. Warren's suggestion was contained in an article published in the Louisville Times of August 20, and I ask unanimous consent that it be printed in the Record; also an article published in the Los Angeles Times of August 20, and an amusing yet telling editorial published in the Times-Argus, Central City, Ky.

There being no objection, the material was ordered to be printed in the Record, as follows:

[Louisville (Ky.) Times, Aug. 20, 1964]

HARLAN LEADERS JEER RESETTLING PROPOSAL

Harlan County leaders laughed and jeered today at a suggestion by an expert on mental retardation that most of the county's population be moved to California to replace Mexican farm laborers.

"I'll be damned," said former State Senator Nick Johnson, of Harlan. "That's my reaction," he said with a laugh.

"It certainly makes me mad, and I think it's very funny that a man would make a suggestion like that," said Harlan County Judge Acey Cornett.

Dr. Stafford Warren, the expert, made the suggestion to President Johnson, according to the Los Angeles Times. Warren is the President's special adviser on mental retardation.

Warren said that the migration would produce these results:

"Break the stagnant culture pattern in Appalachia, where some families have been on relief for three generations.

"Ease California's labor shortage, created by a curtailment of Mexican farm labor."

Warren apparently made no suggestion about how the Harlan Countians would be induced to move.

"I never heard of anything so ridiculous," Nick Johnson said today. "It appears to me that if we could just be left alone, we could work our own solutions out, rather than be peon laborers." Johnson's term as State senator expired at the beginning of the year.

Harlan County's school superintendent for 30 years, James A. Cawood, suggested that the county's problems aren't much worse than those in urban areas.

"I hear these social workers say that people in Chicago and other urban areas have been on relief several generations," he said. "We may have more unemployment here than other places, but by and large we're average folks."

BREATHITT DISLIKES IDEA

Gov. Edward T. Breathitt said "I just cannot agree with him (Warren)." He said that the recently passed Federal antipoverty legislation would help improve opportunities for depressed areas in the State.

"My efforts are to keep every Kentuckian in Kentucky and to see that they have every opportunity," he added.

Warren, former dean of the medical school at the University of California at Los Angeles, said that cultural deprivation is a principal cause of mental retardation.

He said that the 35,000 residents of Harlan County were the "beaten" remnants of a former population of 80,000, most of whom have left the depressed mining area for other places.

(According to the 1960 census, the county's population was 50,765, a decline of 20,000 from 1950.)

(Nearly 25 percent of the county's adult population is illiterate and 49 percent of its families earn less than $3,000 a year, a 1960 survey showed. The per capita income that year was $1,424 as compared with a figure of $1,573 for the State.)

[From the Los Angeles (Calif.) Times, Aug. 20, 1964]

KENTUCKIAN BRACEROS SUGGESTED—PRESIDENT'S ADVISER WANTS TO MOVE 35,000 INTO STATE

(By Harry Nelson)

President Johnson's special adviser on mental retardation suggested Wednesday that the Federal Government move 35,000 depressed area Kentuckians to California to replace bracero labor.

Dr. Stafford Warren said such a move would not only help solve this State's farm labor problem but, more importantly, would break the stagnant culture pattern in Appalachia where some families have been on relief for three generations.

The physician, who was dean of the UCLA School of Medicine before becoming a White House special assistant in December 1962, pointed out that cultural deprivation is a principal cause of mental retardation.

A large percentage of the Nation's 5.5 million retarded have low IQ's simply because they never had any mental stimulation during the years their brains were developing, Dr. Warren said.

CAUSE OF PROBLEM

Approximately one-third of the nearly 5 million unemployed are mentally retarded, he declared in an interview here.

He described the 35,000 residents of Harlan County, Ky., as the "beaten" remnants of a former population of 80,000, most of whom left the depressed mining area for other places.

Many of the adults can neither read nor write and even youngsters with potential high IQ's will join the ranks of the retarded in such a climate of cultural deprivation, the physician predicted.

But medical and rehabilitation experience indicates that the adults can be trained to do productive labor and the youngsters can be prevented from repeating the cycle of their elders, according to Dr. Warren.

SUGGESTS MOVING

He suggested that entire families be moved to central areas, such as former Army bases, where they would be trained to read, write, and taught trades or skills. One such skill could be farm labor.

Dr. Warren said he has discussed with Secretary of Labor Willard Wirtz and Defense Department officials the relationship between unemployment, depressed areas and mental retardation.

The Defense Department is interested, he said, because it is worried about the large number of young men who are 4F because their IQ is too low.

While the national expenses resulting from mental retardation are unknown, this must run many billions of dollars annually, according to Warren.

He said Los Angeles County General Hospital will be one of five hospitals in the Nation asked to take part in a study this fall to see if better prenatal care reduces mental retardation due to physical brain damage.

Doctors already know that prematurity, a very prevalent condition among low-income families, increases the chance of mental retardation.

In the proposed study, expectant mothers at charity hospitals would receive attention calculated to cut down on prematurity, with a consequent reduction in mental retardation cases.

[From the Central City (Ky.) Times-Argus]

We see in the daily press that California egghead, Dr. Stafford Warren, who is the special adviser to President Johnson on the mentally retarded, has gone into a trance at his California office and come up with a solution to all the problems of one part of the Appalachia region. This is a territory that is greatly worrying Washington this election year.

All the way from California, President Johnson's mentally retarded adviser, has decided that the majority of the 35,000 people of Harlan County, Ky., are mentally retarded. He has decided that he, with the help of Washington bureaucrats, can solve all the problems of these poor backward hillbillies.

President Johnson's mentally retarded adviser has suggested that the Federal Government ship the whole caboodle of nitwits in Harlan County to California. All 35,000 of them. When they get there, he said, even they would be smart enough to replace 35,000 Mexican "wetbacks" doing farm labor in California. Presumably the 35,000 Mexicans would then be freed of their farm chores and could become California educators and additional mentally retarded advisers to the President.

We are amazed at the brilliance of this initial brainstorm by Dr. Warren, who is the mentally retarded adviser to President Johnson. But, we are likewise aghast at his failure to think big, big, and at his rank discrimination against other Kentuckians by making plans for only one Kentucky county.

So, we hereby declare ourselves as allies and cohorts of that noted California egghead, Dr. Stafford Warren, who is the mentally retarded adviser to President Johnson.

Henceforth we are going to devote ourselves to helping him take care of the exodus of additional Kentucky counties.

We have suspected for some time that our old newspaper friends on the Harlan Daily Enterprise have been losing their marbles. And we suspect that Dr. Warren, the mentally retarded adviser to President Johnson, is right in his long-distance diagnosis of the remainder of the Harlan Countians. Probably every blessed one of the 35,000 residents of Harlan County are barely smart enough to replace Mexican farmhands in California if they were transported to the land of milk and honey and given a Californian college education.

But, much as we admire Dr. Warren, the mentally retarded adviser to the President, he does need help. He and the President just don't have enough time to personally take care of all the people of Kentucky.

So, we are going to suggest, even insist, that this mass migration plan also include other Kentucky counties. We will have to give top priority to Prestonburg and Floyd County. Now there's a good mountain county where folks can be just as retarded as Harlan County. Why, they even have Bert Combs who has made a name for himself lecturing to backward subjects at Harvard. Although they aren't necessarily considered capable by Dr. Warren, who is the mentally retarded adviser to the President, of being good farmhands, they could be happy playing cowboys and Indians all day long on the L.B.J. Ranch. In time, perhaps, evolution and life on the Lone Star Prairie would enable these mountaineers to grow both legs the same length.

There must be no discrimination against the West and we must give next priority to our next-door neighbors in Christian County, whom we know to be just as backwards as the next place.

We are making plans with Dr. Warren, President Johnson's mentally retarded advisor, to have Ned Breathitt, who recently went off the deep end on physical fitness, lead his fellow countians afoot all the way to Alabama. There they can make their happy homes in the turpentine forest recreation center owned and operated by none other than Ladybird. Now that Ladybird has retired all her tenants to palatial homes there is a big opportunity and need for some good Christian Countians in her Alabama fiefdom.

This is as far as we have gotten at press time on the master plan for the mass exodus of the population of Kentucky. However, we are momentarily expecting a vision and a revelation on how to part the waters of Kentucky Lake. As soon as this comes through we will announce our plan for moving the people of Paducah and McCracken County. This will have to be a big move, however, as those characters have been way, way out ever since Alben Barkley first put them into orbit at Government expense.

All this is not to say that we do not have plans for all the other counties and people of Kentucky. As resident Kentucky agents for Dr. Stafford Warren, mentally retarded advisor to President Johnson, we will have something and somewhere for all Kentucky counties.

Except Muhlenberg, that is.

When we get everyone else moved, it is part of our master plan to declare the creation of the Republic of Muhlenberg. We will then apply for foreign aid from the United States, the U.N., Russia, China, Congo, Castro, and Moon Maid's father and live happily ever after.

Mr. CARLSON. Mr. President, there has been much debate on the social security program. But very little has been said about its effect on the self-employed, particularly as to the cost.

Today there are 70 million workers, ranging from professionals and scientists to farmers, who are paying self-employment social security taxes. This amounts to nearly 1 in 10 out of the entire working force of the Nation. It is interesting to know that they will be the hardest hit by the social security tax increases.

Under the present law, in 1965, the self-employed will be paying $259.20, but under the new law, it would be increased to $307.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article by Sylvia Porter entitled "Your Money's Worth: Social Security—On Self-Employed," and a table showing the contribution rates of the self-employed as analyzed by the staff.

There being no objection, the article and table were ordered to be printed in the RECORD, as follows:

Contribution rates

Year	Self-employed	
	Present law	H.R. 11865
1965	5.4	5.7
1966–67	6.2	6.0
1968–70	6.9	6.8
1971	6.9	7.2

YOUR MONEY'S WORTH: SOCIAL SECURITY—ON SELF-EMPLOYED

(By Sylvia Porter)

Today, 7 million workers, ranging from professional scientists to farmers, are paying self-employed social security taxes—nearly 1 in 10 of the entire work force covered by the social security system.

This group as a whole would be hit hardest by the social security tax increases provided in the amendments now before Congress and slated for passage soon. They would also, of course, be eligible for significant hikes in benefits.

As a self-employed person, you already pay a social security tax rate 1½ times the amount an employee pays and three-fourths of the combined employee-employer tax rate.

Just since 1960 your tax rate has climbed from 4.5 percent of the first $4,800 you earn to today's 5.4 percent—and assuming the amendments become law, your rate will jump to 5.7 percent in 1965 and continue rising until it reaches 7.2 percent in 1971.

INCREASED EARNINGS

What's more, the new rates would apply to an increased "earnings base" of $5,400—against today's $4,800. The earnings base is the maximum amount on which taxes and benefits are calculated.

If you now earn $5,400 or more, here is what you would pay under the new tax rates as compared with what you pay now.

Year	Present law	New law
1965	$259.20	$307.80
1966–67	297.60	324.00
1968–69	331.20	367.20
1971	331.20	388.80

If you now earn between $4,800 and $5,400, your tax boost would be less. At the $5,000 level, for instance, your tax increase next year would amount to $25.80.

If you now earn between $4,800 and $5,800, the increase in your tax would be insignificant. For 1965 you would pay an extra $14.40.

Let's assume you're self-employed, earn $5,400, have a wife and two children and take the standard deduction. Your 1965 social security tax hike would amount to $48.60.

There's no denying that this would eat into the $138 a year you're gaining from the Federal income tax reductions—$97 starting in 1964 and $41 more starting in 1965. Obviously, though, you still would be way ahead—$89.40 a year, to be precise.

Far more important, the social security benefits to which you would be entitled in the future would be sharply increased under the 1964 amendments.

Your monthly benefits would be raised across-the-board by a flat 5 percent.

BASE RAISED

They would be further increased by the fact that the earnings base on which your benefits are calculated would be raised from $4,800 to $5,400.

If you are to retire soon, your total benefits could be increased 10 percent by these two provisions in the legislation.

A significant segment of our self-employed—many of the 1.7 million self-employed farmers now reporting under the social security system—would be eligible for immediate benefit raises.

Under the amendments, farmers would be permitted to report either on the new standard $5,400 earnings base, or, if their gross earnings are $2,400 or more, on a new profit ceiling of $1,600. These figures compare with today's $4,800 earnings base and today's profit ceiling of $1,200.

As an illustration of what this could mean, a farmer who today earns $2,400 but nets less than $1,200 is entitled to a monthly social security benefit of only $59.

The new provisions would make this same farmer eligible for a monthly benefit of $70—and with the flat 5-percent increase, his new maximum monthly benefit would become $73.50.

DEATH OF SERGEANT YORK, WAR HERO

Mr. GRUENING. Mr. President, Sergeant York, who performed heroic feats in World War I, and thus rightfully became a legendary figure, has gone to his last reward.

I ask unanimous consent that the obituary article contained in the New York Times of today be printed at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. The Times likewise printed an excellent editorial which I will read.

"Alvin York made greatness out of simplicity and courage. His feat in the Argonne Forest in 1918 was a triumph of the individual soldier over the armies who went to be slaughtered and the generals who sent men to die by the hundreds of thousands in the most horrible of all wars. When the smoke of battle cleared, Americans did not want to remember the generals. They remembered the Unknown Soldier, and of all the soldiers, living and dead, who fought for the United States, they remembered Sergeant York.

"He was truly American in an old-fashioned sense. He was rooted, like a tree, to his Tennessee mountains, simple, unassuming, and so deeply religious that at first he was a conscientious objector. The same strength of character that gave him the courage to be a pacifist permitted him, when his convictions changed, to be a completely dedicated soldier. He was the amateur, not the professional soldier, a civilian briefly in uniform. He came from a farm and went back to one, no richer in worldly wealth though he had placed a Nation in his debt. He will remain a symbol and a legend so long as American history is recorded. One likes to think that the United States was built and protected by such men, simple and pure men who provided the solid foundations on which the more brilliant and imaginative could build."

Mr. President, I feel that I owe a personal debt to Sergeant York, as do the people of Alaska. During the 1940's and 1950's while we were trying to obtain statehood, I organized a nationwide committee of 100, that consisted of distinguished personages whose name and repute as endorsers of statehood would strengthen our cause. Among the military people who joined in this objective were Gen. Douglas MacArthur, Adm. Chester Nimitz, Gen. (Hap) H. H. Arnold, of the Air Force, Maj. Gen. "Wild Bill" Donovan, of the OSS, Admiral Hamlet, of the Coast Guard, and Sgt. Alvin York, who, without hesitation when I asked him whether he would join this group of supporters of Alaskan statehood, accepted cheerfully. There were others not of the military, such as Eleanor Roosevelt, Adlai Stevenson, Chief Justice Earl Warren, then the Governor of the State of California, distinguished writers, editors, political scientists, teachers, and business executives.

I believe this action of Alvin York's is an illustration of the fact that Alvin York, in addition to being a great soldier and a great patriot, had enlightened ideas beyond war service and realized how the extension of democracy to America's farthest West and North by the admission of Alaska to statehood and by establishing there the basic American principle of government by consent of the governed, was a benefit not only to Alaska but to our entire Nation, and was in keeping with the high ideals and purposes of the American people.

I desire to express my appreciation and gratitude to the memory of this gallant American. I might add that it was from his State of Tennessee that we Alaskans derived the idea and inspiration to elect our congressional delegation in advance of action by the Congress, and thereby to hasten the advent of statehood, as had Tennessee way back in 1796.

EXHIBIT 1

[From the New York (N.Y.) Times, Sept. 3, 1964]

SERGEANT YORK, WAR HERO, DIES—KILLED 25 GERMANS AND CAPTURED 132 IN ARGONNE BATTLE

NASHVILLE, September 2.—Sgt. Alvin C. York, the reluctant World War I infantryman who became an American legend, died this morning at Veterans' Administration Hospital after a long illness. He was 76 years old.

On October 8, 1918, during the final offensive of the war, the Tennessee mountain boy whose religious convictions at first kept him from fighting, single-handedly captured or killed an entire German machinegun battalion of 160 men.

Thereafter his life became a tangle of parades, political appearances and unpaid taxes. But the sergeant's modesty and devotion to his people in the steep Cumberland hills kept him clear of the hero's life and added to the legend.

The old soldier, winner of the Congressional Medal of Honor and nearly 50 other decorations, was brought to the hospital on Saturday from his home in Pall Mall, 120 miles northeast of Nashville. His illness, the 11th in the last 2 years, was described as an acute internal infection.

Sergeant York had been in a coma since Sunday. His death at 10:40 a.m. today was caused, a hospital statement said, by "general debility resultant of a combination of conditions incident to his age and complicating illnesses over the past 10 years."

This afternoon an American Legion Guard of Honor stood by as the doughboy's body was taken to a hearse for the trip back to Jamestown, the seat of his home county. Mrs. Gracie York, the girl he married when he came back a hero from the war, accompanied the body.

Sergeant York's death followed by 1 day the death of another hero of the Argonne Forest, Col. Sterling L. Morelock, who was awarded the Congressional Medal of Honor for wiping out a series of German machinegun nests.

In Washington, President Johnson issued a statement saluting the sergeant.

The statement said:

"Sgt. Alvin Cullum York has stood as a symbol of American courage and sacrifice for almost half a century. His valor above and beyond the call of duty, in World War I, was recognized with the Nation's highest award, the Medal of Honor. As the citizen-soldier hero of the American Expeditionary Forces, he epitomized the gallantry of American fighting men and their sacrifices in behalf of freedom.

"As Commander in Chief, I know that I express the deep and heartfelt sympathy of the American people to his wife and family."

The sergeant's family said that a funeral service would be held Friday or Saturday at York Chapel in Pall Mall, where Sergeant York taught Sunday school until his health failed. Burial is to be at Wolf Creek Cemetery nearby.

The White House said the President would designate a personal representative to attend the funeral.

FEAT CALLED "GREATEST"

Marshal Ferdinand Foch, the commander of Allied Forces in World War I, called Sergeant York's exploit in the Argonne Forest "the greatest thing accomplished by any private soldier of all the armies of Europe." General of the Armies John J. Pershing called him "the greatest civilian soldier of the war."

The red-haired, freckle-faced Tennessee mountainer would color and say it was "nuthin'."

"I wanted to do the best I could," was his usual explanation.

Sergeant York was the latter-day descendant of the American frontier, a plain-talking, no-nonsense sharpshooter who combined in his big, lanky frame the backwoods world of turkey shoots and corn liquor and the fundamentalist piety of his mountain home. For an America fighting its first war on foreign soil, he was the perfect hero.

Later, when he was surrounded but not taken by fame, he extended the legend beyond the limits set by such as Davy Crockett. He founded an agricultural and industrial school for the undereducated children of the mountains, and he issued statements that made sense to his rural countrymen—and some patriots in the big cities.

"Hitler and Mussolini jes' need a good whuppin'," he said in 1938, "and it looks like Uncle Sam's gonna have to do it." The phrase was widely quoted in the Nation's press.

IN A NEW TRADITION

Until this century military history had been dominated by the names of generals and great strategists. But with the rise of the popular press the common soldier was discovered and adulated. Sergeant York was the first in this line—a line continued by Audie Murphy, Roger Young, and a number of other World War II enlisted men.

On November 11, 1941, in an Armistice Day speech that preceded the second war by 26 days, President Roosevelt paid tribute to Sergeant York and the common soldier by quoting the sergeant's answer to the cynics and scoffers who sneered at World War I.

"The thing they forget," the sergeant had said, "is that liberty and freedom and democracy are so very precious that you do not fight to win them once and stop."

Alvin Cullum York was born in Pall Mall, Tenn., then a hamlet of a half-dozen cabins, on December 13, 1887. He was one of 11 children and the living was hard and rough in the almost inaccessible Wolf River country. He left school after the third grade to help bring in money for the family.

He once recalled that in his youth he was much a part of the hard-bitten mountain life. He went into town on Saturday night with his rifle to fight and gamble and drink white lightning. He shot squirrels and turkeys with his long-barreled rifle and avoided church.

In 1911 there came what he later called his "awakening." His father died, and he became the head of the family and its principal means of support. He joined a strictly pietistic sect called the Church of Christ and Christian Union and gave up drinking, gambling, and cussing. He also took the church's vow to obey the commandment "Thou shalt not kill."

SECOND ELDER OF CHURCH

Eventually young Alvin, by then a 6-foot, 200-pound giant, became the second elder of his church and met Miss Gracie Williams, who persuaded him to join the Possum Trot Church Choir.

In 1917, when he was earning $1.65 a day swinging a pick on a road gang, he received a notice of induction into the U.S. Army. He pleaded for exemption on the ground that he had religious scruples against war, but his appeal was denied twice.

He was inducted on November 14, and sent to Camp Gordon, Ga. He soon acquired a reputation for remarkable marksmanship with the Springfield 1903 rifle, but he was still reluctant to fight.

His company commander, Maj. George E. Buxton—for whom he later named one of his sons—was sympathetic and quoted Old Testament passages to the youth to convince him of the legitimacy of a just war. Private York was swayed, but not convinced.

The story is that during a furlough he spent 2 days on a mountain near his home working out the problem. When he came down he had an answer: "I'm going."

He was assigned to Company G of the 328th Infantry, part of the 82d Division, and shipped overseas on May 1, 1918. During the summer he participated in a number of campaigns and became a corporal.

LAST GREAT PUSH

The Meuse-Argonne offensive—the last great push of the war—began on October 2, 1918. The dawn of October 8 found Corporal York's company on Hill 223 near Chatel Chehery, France, with the assignment of advancing on a railway a half-mile in front.

As the company moved across a valley and a stream toward the objective 2 miles away they were met by withering machinegun fire. Most of the first wave was killed or injured and 17 men in the second wave who were still fit for battle made a detour along the valley to get behind the German guns.

The commander was Sgt. Bernard J. Early, of New Haven. Corporal York was the next ranking man left. The detail picked their way through heavy underbrush and came up on the side of the machinegun battalion.

"One of our men shot at them, and he sure started something," the corporal recalled later. "They fired on us from every direction." The burst killed or wounded 10 of the 17 men, including Sergeant Early.

Six of the seven men left to cover. Corporal York stayed put. "I sat right where I was, and it seemed to me that every machinegun the Germans had was shooting at me," he said. "All this time, though, I was using my rifle, and they was beginning to feel the effect of it, because I was shootin' pretty good."

The corporal picked off 18 Germans with 18 shots. "Every time one them raised his head, I jes' teched him off," was the way he put it. Seven more members of the German battalion, realized they faced only one man, charged with bayonets. The corporal shot them with his pistol.

At this point the commander of the German troops surrendered. Corporal York collected his own men and marched the column back to his own lines. Along the way, several more groups surrendered. By the time he reached American territory the corporal had 132 prisoners in tow, including 3 officers. He had killed 25—some said even more—and silenced 35 machineguns. The amazement of the German commander when he saw that his battalion had been taken by one man was matched only by the wonder with which Corporal York was met by his own commander.

FEATS DOUBTED

In later years, despite a thorough Army investigation, supporting the corporal's claim, some have sought to prove that Sergeant Early was responsible for Corporal York's exploits. Soon after the engagement some members of the 328th Infantry signed a protest against the awarding of medals to the corporal, and in 1935 the Connecticut Department of the American Legion made a similar protest.

Corporal York was promoted to sergeant on November 1, 1918, and the round of praise, medals, and world renown began.

"I was sorter feeling like a red fox circling when the hounds are after it," he wrote later. "They asked me that many questions that I kinder got tired inside of my head and wanted to get up and light out and do some hiking."

In addition to the Nation's Medal of Honor, highest decoration for bravery, Sergeant York received the Distinguished Service Cross, the Medaille Militaire, Croix de Guerre with palm, the Croce di Guerra of Italy, the French Legion of Honor, the War Medal of Montenegro, and others.

TURNED DOWN THEATER BIDS

Returning to the United States the popular hero of the war, he turned down theatrical offers totaling $500,000, saying, "Uncle Sam's uniform is not for sale." Unspoiled by the public welcome given him in New York, a series of dinners, and an ovation of Congress, he went back to the hills of Fentress County.

The former soldier settled on a farm bought for him by popular subscription and married his childhood sweetheart in a ceremony performed by the State's Governor.

With the aid of private endowments and State appropriations, he established the Alvin C. York Agricultural Institute, to give to the mountain people educational advantages that had been denied to him.

He raised a large family, was a leading figure in his community and a pillar of his church. When word of what Hitler was doing penetrated into the Cumberland Mountains, he raised his voice in favor of preparedness and went about the country attacking isolationists, although he hated war as much as ever.

PERMITTED FILM OF LIFE

Hollywood won his consent to make a film of his life by stressing the important part it would play in molding public opinion. The picture, "Sergeant York," starring the late Gary Cooper, had its premiere in 1941. Upon receiving his first payment for the movie, Sergeant York established the York Foundation, which started building a large, modern religious school.

When the United States entered World War II, Sergeant York, who was a member of the local draft board, made it a practice to visit as many training camps as possible—to encourage the soldiers and to do all he could to have them trained in "liquor-free, wholesome, and clean surroundings."

When one of his sons, Woodrow Wilson York, arrived at camp and was asked what advice his father had given him, he said: "He told me if I am sent across to get as many as I could."

Although the Army commissioned him a major and Tennessee made him a colonel in the National Guard, Alvin York still preferred his hard-won title of sergeant. And to anyone in Fentress or Pickett County there was only one sergeant—Sergeant York.

After the war he tilled his farm in Pall Mall, which included a herd of registered cattle and a gristmill, and directed work on nearby tracts, where he struck oil in 1946 and 1947. Sergeant York also did considerable lay preaching, fundraising for local schools and highways, supervised the Bible school named for him and was president of the York Agricultural Institute.

Retaining a deep interest in world affairs, the sergeant was free in giving his opinions to visitors. Once he remarked that if the United States should become entangled in a war with the Soviet Union, atom bombs ought be to used. "If they can't find anyone else to push the button, I will," he said.

The sergeant's health began failing in 1949, when he suffered two strokes. His finances began crumbling, too. In 1950 the Government lodged a claim of $85,442 against him for back taxes on the $150,000 income from his filmed biography. With interest, the bill later grew to $172,597.

Bedridden at his farm in Pall Mall, he asked for and received the $10 a month pension available to Medal of Honor winners and social security benefits of $38 a month. These were in addition to his $135 monthly veteran's pension.

Senators, Governors, Congressmen, and private citizens rallied to his side, pleading for tax leniency and establishing fund-raising drives. The tax bill, readjusted to $25,000, was settled in 1961 by $50,000 in private contributions. The remaining $25,000 was put in trust.

But the taxes were only part of his woes. On April 21, 1961, the Government reported that Sergeant York had only $2.20 in the bank and still was burdened with heavy debts.

Tax authorities said he owed $2,700 in doctor's bills, $5,300 through mortgages, $762 in back real estate taxes, and $600 in notes and small accounts.

Once more money came in from the public. S. Hallock du Pont, a financier of Wilmington, Del., established a trust fund to pay Sergeant York $300 a month for the rest of his life.

LAST APPEARANCE

The sergeant's last public appearance was in August 1957, when he went to Jamestown for ceremonies in which the 82d Airborne Division, the successor to his old unit, presented him with a new car equipped to carry his wheelchair.

In 1960 the American Legion gave him a circular push-button bed so that he could move around despite semiparalysis and almost complete blindness. "Seems like everything is pushbutton these days, including me," he remarked.

Despite his ill health, he maintained a lively interest in national and world affairs. In 1962 he lent his name to a drive to prevent a reduction in the national guard. "Nothing would please Khrushchev better," he said.

Sergeant York is survived by his widow, five sons, the Rev. George Edward Buxton York, of Nashville, a Church of the Nazarene minister, Alvin York, Jr., of Indianapolis, Woodrow Wilson York, Thomas Jefferson York, and Andrew Jackson York, of Pall Mall; and two daughters, Miss Betsy Ross Lowrey, and Mrs. Mary Alice Franklin, of Pall Mall.

ADDRESS BY GOVERNOR EGAN, OF ALASKA, TO SPECIAL LEGISLATIVE SESSION

Mr. GRUENING. Mr. President, the able Governor of Alaska, William A. Egan, has called a special session in order to implement the legislation enacted by Congress in regard to earthquake relief.

This action demonstrates the relationship between the activities of the State of Alaska as embodied by the Alaskan Legislature and the Governor, and the action by Congress and the executive departments here.

Mr. President, I ask unanimous consent that the message of Governor Egan to the special legislative session called on August 31 in Alaska be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Gov. William A. Egan, Special Legislative Session, August 31, 1964

Mr. President of the senate, Mr. Speaker of the house, members of the third Alaska State Legislature, fellow Alaskans, at the outset I want to say that I know many of you have been inconvenienced as a result of my scheduling this special session of the legislature at this time, and I regret that this is so. It was not legally possible to schedule it much sooner, and the communications I received from a number of you indicated there was no ideal time for the session. No good purpose would have been served by postponing it, because it is quite likely that delay would cause a slowdown in initiating the contemplated program.

The Congress of the United States and President Johnson have acted to assist Alaskans whose homes were smashed in the great disaster of March 27, and now it is incumbent upon us to take the steps necessary to implement the Federal assistance program.

As you know, few Alaskan homes were insured against the kind of catastrophe which struck our State last March.

For a time, it appeared there was no way for those whose homes were left beyond repair to rid themselves of an awful mortgage burden. The State administration, Alaska's congressional delegation, and others, made concerted efforts to induce congressional enactment of the retroactive earthquake insurance program to ease this burden. But almost from the beginning these efforts appeared futile.

In a speech at anchorage, Senator Clinton P. Anderson, of New Mexico, who heads the Alaska Reconstruction Commission, said he believed the program would draw little support in Congress. He was right.

In the end, the Congress provided a way for the owners of homes damaged to the extent of 60 percent or more, to reduce or retire their mortgages. Funds for the program would be provided on a 50–50 matching basis with the State of Alaska. Congress authorized an appropriation of $5½ million as the Federal Government's share of the fund that would be needed to grant mortgage relief to many Alaskans.

And the Congress did more than this. In amending the Alaska Omnibus Act to assist Alaska to recover from the effects of the disaster, it authorized use of emergency funds for the repair and reconstruction of highways on the Federal-aid highway systems of the State which were damaged or destroyed.

Congress added sections to the act which permit adjustments of existing Federal loans to farmers, rural electrification cooperatives, and homeowners. Grants are authorized up to $25 million for disaster-related urban renewal projects in Alaska. A very important feature of the act increases Federal participation in such urban renewal projects to 90 percent.

The act extends terms of Federal home disaster loans to 30 years. The U.S. Army Corps of Engineers is authorized to spend an additional $10 million to complete civil works projects adversely affected by the earthquake and sea waves. The act authorizes Federal loans to the State of up to $25 million, or Federal purchase of a similar amount of Alaska's bonds. The appropriation of $55,650,000 is authorized to implement these new sections of the Alaska Omnibus Act.

Now we must act to avail ourselves of this substantial assistance. Most of us recognized in the days following the disaster, when the enormity of the destruction became known, that we would have to look to the Federal Government for the bulk of the assistance that would be needed for the recovery effort.

It has been contended in some quarters that the proposed legislation I am transmitting to you today goes beyond the scope of my proclamation calling this special session of the legislature.

Let me make it clear that the legislation I am today recommending is either directly related to the disaster or designed to take advantage of the special provisions of the amended omnibus act to bring about financial savings for the State.

My purpose in issuing the proclamation was to bring you together so that continuing, critical problems with which Alaskans are confronted as a result of the earthquake could be considered in the light of the recently enacted omnibus act.

Before various of the programs provided in the act can be implemented, the State of Alaska must demonstrate its willingness to take advantage of them.

Events which resulted in solving the impasse between the House and Senate of the U.S. Congress with respect to the Alaska omnibus bill moved swiftly. Almost immediately following the submission of the 50–50 basis State-Federal mortgage relief amendment to the joint House and Senate conferees, the offices of Senators Henry Jackson, Ernest Gruening, Bob Bartlett, Congressman Ralph Rivers and George Hayes, my special Washington, D.C., legal counsel on reconstruction matters, made contact with me. I directed the State department of law to research the constitutionality of State participation in the suggested plan.

Following receipt of a favorable opinion from the State of Alaska's attorney general, Warren Colver, I immediately informed the members of Alaska's congressional delegation, Senator JACKSON, and Mr. Hayes. Shortly thereafter, the congressional conferees, including Senator GRUENING, Congressman RALPH RIVERS, and Senator JACKSON, agreed to the mortgage relief amendment. A few days later, S. 2881, the Alaska Omnibus Act, was approved by the Congress and sent to the White House for the President's signature.

Upon being informed by Mr. Hayes and all members of Alaska's congressional delegation that Presidential approval was certain, I entered into a number of conferences with the State's attorney general and members of his staff, my staff, and several State department heads. Following continual study and discussion it became obvious that legislation was needed in order to appropriate the previously authorized disaster funds which would be needed to carry out the State of Alaska's obligation of the 50–50 plan with the Federal Government.

In my earnest and sincere conviction that early action by the State in appropriating the previously authorized State disaster funds, together with the evolving of the required plan which must be submitted for the President's approval, would quite likely enable the State to process many of the qualified mortgages before winter sets in, I issued my proclamation calling this special session of the legislature to convene at 10 a.m. today.

Following adoption of the legislation I have submitted, the plan for the administration of the mortgage redemption or adjustment program will be sent to the President of the United States. In addition, legislation appropriating the Federal share of the funds will be introduced in Congress. Pending passage of the Federal legislation, steps will be taken by the State to implement the program up to the point of disbursement.

My concern is completely with leaving no stone unturned in attempting to enable as many of our tragedy stricken fellow Alaskans as is humanly possible under the law, to be placed in a position where they might arrange for the construction of new homes this year, or for reconstruction of severely damaged homes before winter sets in too heavily. Let me reemphasize that the proposed legislation presented to you today is intended to apply to one prime subject—that of providing a measure of relief to fellow Alaskans who suffered grievous losses in the disaster and availing ourselves of other provisions of the Omnibus Act as amended.

We have already begun to see how the act can assist Alaska. Last Wednesday, the Urban Renewal Administration approved grants in excess of $10 million for renewal projects at Kodiak, Seward, and Valdez. The grants were computed under the special 90–10 percent ratio authorized under the Omnibus Act. Before the act was approved, the State had entered into renewal agreements with these communities. They had drafted reconstruction plans and it was decided to go as far as we could with them, anticipating that Congress would approve 90-percent participation in the projects. Had the State not proceeded in this manner, with respect to urban renewal and highway reconstruction projects, reconstruction progress would be in a sad state today.

Total damage resulting from the earthquake and sea waves has fluctuated considerably since the first estimates were made in early April. At the present time, this figure stands at considerably in excess of $300 million. The various Federal assistance programs, including those authorized in the Omnibus Act, are expected to cover most of this estimated total damage.

Two-thirds of reconstruction work scheduled by the Office of Emergency Planning under Public Law 875 is expected to be under contract by the end of this year with one-third of it completed this year.

A 3-year highway reconstruction program is expected to be 26 percent complete by the end of 1964.

The Alaska Railroad will have a usable facility at Seward and its track reopened to that port city by the end of the year.

New buildings are going up throughout the devastated area, testifying to the courage and spirit of Alaskans.

The Valdez urban renewal project is a unique one—involving relocation of the entire community at a new site several miles away. The move is necessitated by findings that the present townsite is dangerously unstable.

Engineering has been completed for the access road to the new townsite and for a 600-foot dock.

The Army Corps of Engineers awarded a contract on July 30 for construction of harbor facilities. The bulk of work in connection with this project will not begin until next year, but it is hoped that sewer and water mains can be installed at the new townsite before winter.

At Seward, a contract for approximately $1⅓ million has been awarded for rehabilitation of utilities and sewers, bids for restoration of harbor facilities have been received, and planning is complete for the urban renewal project—which involves relocation of the Seward industrial area at the head of Resurrection Bay.

At Kodiak, the harbor breakwater has been restored and replacement of boat floats and other inner harbor facilities is expected to be completed by November 15.

Planning is complete for the Kodiak urban renewal project—which will involve reconstruction of the community's commercial center.

At Anchorage, all but three schools will be in full use when the next school year begins, and completion of repairs on one of these—Denali School—is scheduled for November 30. Restoration of water and sewerlines is proceeding ahead of schedule. Employment at Anchorage is at a higher level this year than last.

It should be emphasized that the task of rebuilding our shattered communities will not be completed this year. Work in conjunction with a number of reconstruction projects is expected to be spread out over a 3-year period.

We are making substantial progress down the reconstruction road, and we must not falter now. There is still much to be done.

Today you will receive nine proposed bills designed to take advantage of the Federal programs contained in the Omnibus Act and thereby ease the burden of mortgageholders. You, of course, will study them thoroughly, but I want to review them generally at this time.

The principal bill provides for the State's participation in the mortgage retirement or adjustment program authorized in the Alaska Omnibus Act and specifies how the program is to be administered. It embodies much of the language of the Federal act and cites the purpose of the program.

I would ask you to consider carefully the section dealing with purpose. Certain parts of this section go to the heart of the problem we must deal with.

To summarize them:

In many tragic cases no Federal or State programs now exist to relieve the double economic hardship of a substantial number of Alaskans whose homes carried mortgages and were severely damaged or destroyed in the March 27 disaster.

The absence of an effective program for relief of Alaskans whose homes were severely damaged or destroyed prevents home rebuilding and could thereby induce residents to leave the State. Such an exodus would hurt the economy by decreasing the tax base.

A program of relief for mortgagors will permit substantial rebuilding which otherwise would not be done and thereby stabilize the economy.

This enabling legislation incorporates in it the limitations and requirements of Federal law that a homeowner must meet to qualify for mortgage relief.

Two other bills provide for the bonding, borrowing, and appropriation of $5½ million, the State's share of the Omnibus Act program for mortgage relief retirement.

A fourth bill would amend existing disaster loan or bonding legislation to increase the State's present disaster borrowing authority from $12,300,000, to a total of $17,800,000 from the Federal Government. This increased authorization is necessary so that the State can borrow the $5½ million needed to match the Federal grant authorized under section 57 of the 1964 Alaska Omnibus Act and thereby create the fund needed for the mortgage program.

A fifth bill would permit the State to borrow $7,200,000 from the Federal Government to complete capital improvements begun prior to the earthquake. State bonds in this amount were to be placed on the bond market next January, but it is possible that a more favorable interest rate can be obtained by borrowing from the Federal Government instead. Federal authority to meet this need is provided in the omnibus bill.

A sixth bill would extend from 2 to 4 years the period of time in which the State bond committee can borrow in anticipation of the sale of State general obligation bonds or borrow from the Federal Government for disaster-related and capital improvement programs begun before the earthquake.

Interim financing will likely be cheaper, by about one and a half percent in interest. The earthquake may have temporarily diminished the State's ability to negotiate our bonds at the highly favorable net interest rates available to us prior to March 27, 1964.

There is no doubt that within 4 years the State will have completely recovered from the disaster and there will be the normal favorable interest rate demand for our bonds.

Two bills, companion measures, would amend existing law to permit payments of transitional funds to municipalities and school districts as well as the State for extraordinary expenses incurred as a result of the disaster and to offset losses of revenue. The appropriation of available transitional grant moneys to meet these needs is increased by the bill from $3,200,000 to $5 million.

A final bill would appropriate additional moneys of just under $400,000 for highway and ferry construction and Bush Airfield programs. The purpose of this appropriation is to bring the total to be spent for capital improvements begun prior to the earthquake up to the full $7,200,000 the State intends to borrow from the Federal Government under provisions of the Omnibus Act for these improvements.

Each of these proposed enactments is deemed necessary to enable the State to benefit from the Federal programs.

Of prime concern at this time, and the reason for this special session, is the plight of Alaskans whose homes were wrecked in the earthquake and who, nevertheless, still are obligated to pay off mortgages on these homes.

The mortgage retirement or adjustment provision of the Omnibus Act, while not a cure-all, will enable many people to reestablish homes and rid themselves of crushing mortgage obligations.

By assisting such persons, we will be preventing the bankruptcies and defaults which would tarnish our State's reputation in financial circles.

I will today make available to you, copies of the proposed State plan for implementing the mortgage relief program. It is based, of course, on provisions of the Omnibus Act. The plan must be submitted to the President for his approval.

It is the intent of Congress that only those properties on which the physical damage suffered amounted to 60 percent or more of their pre-earthquake value will be covered by the mortgage relief program.

It is true, as some have forcibly stated, that lenders holding mortgages of homeowners who qualify under the provisions of the Alaska Omnibus Act program will be paid the money due them under the provisions of the mortgages.

But we must never forget that our primary concern is with the benefit that will derive to each individual homeowner who was struck such a cruel blow as a result of the 1964 Good Friday disaster and who qualifies for relief under the provisions of section 57 of the Federal Alaska Omnibus Act.

The program will not make qualified homeowners whole again but will diminish or retire their outstanding mortgage obligations. There is no provision to reimburse them for their losses. They are required, under this program, to absorb the damage loss to the entire extent of their equity in the property and also agree to pay at least $1,000 of the mortgage balance.

The program, while not as broad as we had hoped for, nevertheless will afford a measure of relief that is forthcoming from no other source, and we must do what is necessary to make it work—not only for the benefit of our fellow Alaskans who have suffered severe losses but to maintain the financial integrity of the State.

In closing I should like to say that I know there are those who question the advisability of social and disaster programs.

I believe that a statement made by the late great Franklin D. Roosevelt in his second Presidential nomination speech adequately expresses the present situation and the need therefor.

"Governments can err, Presidents do make mistakes, but the immortal Dante tells us that divine justice weights the sins of the coldblooded and the warmhearted in a different scale. Better the occasional faults of a government living in the spirit of charity than the consistent omissions of a government frozen in the ice of its own indifference."

Thank you.

RESOLUTION OF THE BUFFALO AREA CHAMBER OF COMMERCE

Mr. KEATING. Mr. President, the Buffalo Area Chamber of Commerce recently passed a resolution pointing out the possibility of serious injury to a number of important western New York industries if there are further tariff reductions in certain specific products during the present round of trade negotiations.

In the Niagara frontier industrial area, for instance, further tariff cuts in cellophane, synthetic organic dyes, electro-chemical solvents, and peroxygen chemicals, could severly hurt a number of important firms and jeopardize several thousand jobs.

Mr. President, the Buffalo area is already classified as an area of substantial labor surplus. The loss of further jobs would have an extremely injurious effect on the entire economy of western New York. Naturally, this is a matter of serious concern and I am calling this resolution and table to the attention of Christian Herter, the President's representative for trade negotiations.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of the statement made by the Buffalo Area Chamber of Commerce, and a table showing the detailed breakdown of jobs that would be lost by further tariff reductions in these specific industries.

There being no objection, the statement and table were ordered to be printed in the RECORD, as follows:

BUFFALO AREA CHAMBER OF COMMERCE STATEMENT ON REDUCTIONS IN TARIFF RATES

Constructive and realistic tariff policies which encourage increased two-way trade and investment but which also afford reasonable protection for domestic industries and agriculture against destructive or unfair competition from abroad best would serve the interests of all concerned.

Where serious injury may occur as a result of cuts in tariff rates, in this or any other country, exceptions should be made to protect local industries and local employment.

In the Niagara frontier industrial area, there are several important companies who would be severely hurt and several thousand jobs would be in jeopardy if further tariff reductions were made on the following products: cellophane, synthetic organic dyes, electro-chemical solvents (trichlorethylene and perchlorethylene) and peroxygen chemicals (sodium perborate and certain peroxides).

It is earnestly requested that no further cuts in tariff rates on these items be granted.

Company	Product	Total employees	Employees to be affected by tariff cut	Plant investment in product	Payroll affected	Vendors affected	
						Number	Amount
Du Pont:							
Yerkes plant	Cellophane	1,500	1,000	$15,000,000	$8,000,000	1,000	$7,000,000
Niagara Falls plant	Solvents	1,750	450	(1)	3,000,000	750	1,700,000
Allied Chemical (National Aniline)	Dyes	1,790	1,460	(2)	10,000,000	500	17,600,000
F.M.C. Corp	Peroxide chemicals	250	28	1,000,000	160,000	(3)	200,000
Hooker Electro Chemicals	Trichlorethylene	2,500	50	(3)	360,000	(3)	600,000
Durez Plastics	Phenolic molding compound	1,089	500	(3)	5,000,000	(3)	600,000
Total (6 companies)		8,879	3,488	(3)	26,520,000	(3)	42,000,000

(1) Several millions.
(2) Multimillions.
(3) Not available.

PREVENTION OF INJURY TO FISH AND WILDLIFE FROM THE USE OF INSECTICIDES, AND SO FORTH

Mrs. NEUBERGER. Mr. President, I ask the Chair to lay before the Senate House bill 4487, to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and other pesticides.

The PRESIDING OFFICER laid before the Senate the bill (H.R. 4487) to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and other pesticides, which was read twice by its title.

Mrs. NEUBERGER. Mr. President, on June 22, 1964, the Senate passed an identical bill. I move to strike out all after the enacting clause in House bill 4487, and that the language of Senate bill 1251 be substituted therefor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on the engrossment of the amendment and the third reading and passage of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mrs. NEUBERGER. Mr. President, I move that the Senate insist on its amendment and request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to.

Mrs. NEUBERGER. I move that Senate bill 1251 be indefinitely postponed.

The motion was agreed to.

Mr. MANSFIELD subsequently said: Mr. President, earlier today the Senate passed the bill, H.R. 4487, dealing with pesticides. The language of a similar Senate bill, S. 1251, was substituted for that bill, and a conference was requested with the House. I ask unanimous consent that the order for the appointment of conferees be vacated.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESOLUTION OF CITY COUNCIL OF CITY OF PENSACOLA, FLA.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have inserted in the body of the RECORD a resolution adopted by the City Council of the City of Pensacola, in recognition of the outstanding public service rendered by my very able and distinguished colleague, Senator HOLLAND.

It gives me a great deal of pleasure to make such a request, because all of us here in this body are fully conscious of the dedicated service which he has rendered, not only to his State of Florida, but to the Nation, as well.

From time to time I have sought his guidance and advice on matters of extreme importance to our State and the Nation. His unselfish devotion to duty is in the highest traditions of public trust. I am confident that the people of Florida will again return SPESSARD HOLLAND to the U.S. Senate, to continue his outstanding public service. I personally am extremely proud to be associated with him in this body. His sense of fairness and decency has endeared him to all of his colleagues on both sides of the aisle.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF PENSACOLA IN RECOGNITION OF THE OUTSTANDING SERVICE BY SPESSARD L. HOLLAND AS U.S. SENATOR FROM THE STATE OF FLORIDA

Whereas SPESSARD L. HOLLAND, as a Member of the U.S. Senate from Florida, has worked diligently and given endlessly of his time and effort in aiding his fellow citizens in this community in the promotion of the interests of the port of Pensacola; and

Whereas SPESSARD L. HOLLAND contributed immeasurably to the welfare of Pensacola and its environs by successfully sponsoring and securing the passage of legislation appropriating funds for the deepening of the channel and the harbor and the improvement of the port; and

Whereas it is fitting that SPESSARD L. HOLLAND, U.S. Senator from Florida, should be honored by his fellow citizens through the City Council of the City of Pensacola for his great contributions to his home State and especially to the port of Pensacola, Fla.: Now, therefore, be it

Resolved by the City Council of the City of Pensacola, Fla., That the city of Pensacola by and through its city council does hereby pay honor to SPESSARD L. HOLLAND and gratefully recognizes Senator HOLLAND's generous contribution of time and effort for the benefit of his fellow citizens and the port of Pensacola in the city of Pensacola, Fla., and the city of Pensacola does hereby pay homage to SPESSARD L. HOLLAND for the accomplishments which his leadership has brought about; and be it further

Resolved, That a copy of this resolution and the appreciation of the city council be presented to SPESSARD L. HOLLAND, Senator from the State of Florida, and to the press of the city.

Adopted: August 27, 1964.

Approved:

C. P. MASON,
Mayor.

Attest:

CHAS. H. WALKER,
City Clerk.

SALUTE TO SOIL AND WATER CONSERVATION LEADERS IN NEBRASKA

Mr. HRUSKA. Mr. President, earlier this week it was my privilege to address the annual meeting of the Nebraska Association of Soil and Water Conservation Districts in Omaha.

Among the highlights of these yearly sessions is the presentation of awards to those who have made outstanding contributions to the cause of conservation.

The honorees this year, in addition to individuals, included 94 Nebraska farm families who made outstanding progress in their own conservation programs, the supervisors of six districts who were winners in the Omaha World-Herald's 20th annual conservation recognition program, and eight Future Farmers of America chapters.

The individuals saluted included Art Marquardt, assistant State conservationist of the Soil Conservation Service; Otto Liebers, longtime Lincoln conservation and watershed leader; Elmer Juracek, O'Neill rancher and past president of the association; and Dempsey McNeil, Holdrege farmer, who is also a past president of the group.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of my remarks, and the list of supervisors and Future Farmers of America winners honored by the Omaha World-Herald.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR ROMAN L. HRUSKA TO THE 24TH ANNUAL CONFERENCE OF NEBRASKA ASSOCIATION OF SOIL AND WATER CONSERVATION DISTRICTS

During the 86th Congress, the Senate Select Committee on National Water Resources was created. As you will recall, the 86th was the last Congress of the Eisenhower administration in which our fellow-Nebraskan, Fred Seaton, served as Secretary of the Interior. The select committee conducted an extensive and carefully executed inquiry into all aspects of water resource activities in the United States. Many public hearings were held across the land. When historians begin writing about the evolution of our national water policy, the work of the select committee will go into the books as a prominent landmark in the area of resource development.

In January of 1961, at the beginning of the 87th Congress, the committee report with its recommendations was submitted to the Senate.

The 88th Congress has contributed to the fulfillment of the conservation plan envisioned by the select committee by carefully considering two bills embodying the major policy recommendations set out in its report. These bills are S. 2 and S. 1111.

Those attending last year's meeting in Norfolk will perhaps recall that I discussed these measures with you on that occasion. Since then, S. 2, now known as the Water Resources Research Act of 1964, has become the law of the land. From the beginning it was clear this bill had great merit. It presented a sound and sensible program for filling one of the big gaps in the overall resources research program and I was pleased to join as a cosponsor and to give it my support as it proceeded along the various phases of enactment.

S. 1111

S. 1111 has passed the Senate and was recently reported favorably to the House Interior Committee by its Reclamation and Irrigation Subcommittee. It provides generally for planning and development of river basin water plans. Prospects that the bill will pass this session are bright.

Although in complete agreement with the general thinking behind S. 1111, I saw some red flags in the early legislative efforts to bring those concepts into being. We all realize that close cooperation between the States and the Federal Government is essential to workable conservation programs. But many of us in the Congress are insistent—I might say even adamant—that the integrity and identity of the States be preserved—particularly in this area. We want a genuine partnership in these matters and not some sort of master-servant relationship. We got our partnership in the form of the bill that passed the Senate and I hope the House doesn't do any tinkering with this.

S. 2

As most of you know S. 2 authorizes Federal financial assistance to land-grant colleges and universities and other competent institutions of higher learning to help establish water resources research institutes across the country along the lines of the well-proven Federal program dealing with agriculture research under the Hatch Act.

Implicit in the bill is a recognition by the Congress that each State, indeed each city, river basin and watershed within that State, has problems unique to that area. Commonsense dictates that these problems be met and solved where they prevail. Research on water pollution in Connecticut is not of much interest or use to water planners in Nebraska concerned with the technical and practical aspects of the use and conservation of underground water. S. 2 will help provide the knowledge and trained personnel so badly needed at the local level. It was this fact that made the bill very appealing to me.

As a land grant college, the University of Nebraska is eligible for participation in the S. 2 program. Chancellor Hardin of the University of Nebraska has assured me of its keen interest in cooperating in this effort and already has given a great deal of thought to the plans that will be submitted to the Department of Interior for approval. The care and thought that have gone into the university's preparations are characteristic not only of the conservation work that has been done on the campus in Lincoln and elsewhere but of the whole spectrum of soil and water research and development in Nebraska. Our programs in Nebraska are internationally recognized and admired and much of the credit for this belongs to you people here today.

The perimeters of the university's obligations and responsibilities are not the campuses in Lincoln or Omaha, but the State's boundary lines. Once the expected research institute is established and operating smoothly, no community, no watershed, no Nebraska will be without a place where information, assistance and counsel can be obtained.

Unfortunately, S. 2 did not become public law in time for funds to be made available to it through the regular appropriations process. However, a supplemental budget request has been sent to the Congress and funds for it are provided in this bill. Hearings on this additional appropriation request have been held. Action by both the House and Senate is expected within the next several days.

OTHER LEGISLATION

The Congress also has been working on other legislation related to soil and water conservation. It is my understanding that the Congress on H.R. 3846 have been able to reconcile the differences that exist in the House and Senate versions of this bill and will present their compromise to both bodies shortly. This is the measure creating a land and water conservation fund from which appropriations will be made to provide outdoor recreation areas.

Also passed and already signed into law is H.R. 9521 which increases the authorization for the Missouri basin for fiscal years 1965 and 1966 by $120 million. One of the provisions in this bill is that all funds appropriated pursuant to the authorization must be spent on projects presently under construction. All new starts must be specifically authorized by Congress or reauthorized as the case may be.

NEBRASKA PROJECTS

Of course, the bills to which I have referred are new legislation. While the programs provided in them certainly are welcome, the real work emphasis in this vital field will continue to be on the long-standing and time-tested programs of the Soil Conservation Service, the Corps of Engineers and the Bureau of Reclamation. As a member of both the Senate Agriculture Appropriations Subcommittee and the Public Works Appropriations Subcommittee, I have become well acquainted with the work of these agencies and of the importance of their efforts to the welfare of our Nation and its citizens.

The fiscal 1965 appropriations bills providing funds for the continued operation of the many programs administered by them have only recently cleared the Congress and are awaiting signature at the White House. In view of this, I thought you might be interested to know what provisions have been made for the projects affecting Nebraska.

SOIL CONSERVATION SERVICE

Reports on Soil Conservation Service come to you from authorized officials. I have only these observations:

The appropriation for the Soil Conservation Service was increased this year by Congress by $6.3 million over the 1964 bill. The total appropriation for the agency is $208,296,000. Of this $100.5 million will go for assistance to the districts; $65.8 million will be for watershed protection; $25.4 million for flood programing; $14.7 million for the Great Plains conservation program and $1.7 million for resource conservation and development projects. This year's action on the Great Plains conservation program is significant in that this is the first time the budget estimate for it has been maintained. Last year, Nebraska received $1.5 million under this program—third highest in the Nation.

CORPS OF ENGINEERS

The June 16 flood in the Papillion Basin was a tragic and heartbreaking reminder of what can happen in an uncontrolled and untreated watershed.

In Washington, soon after we heard of the disaster, Senator CURTIS and I obtained from the Senate Public Works Committee a resolution calling for a new flood control study of the entire basin. Later, funds in the amount of $50,000 were added to the corps budget to make this study.

Because of wise and timely action taken by the local governments of Douglas, Sarpy and Washington Counties, the Soil Conservation Service also will be able to put a survey team into the field. I am also advised that the State will contribute to this effort with aerial mapping and photographing. All this is wonderful and encouraging news and many are to be commended. The achievement of a sound and workable plan for bringing the Papio under control will require the energies and talents of many and a spirit of close cooperation and common dedication. None of these qualities seem to be in short supply which is to the great credit of all concerned.

The Corps of Engineers budget for 1965 also contains funds for construction of the Little Papio flood control plan. A design memorandum outlining the actual plans of construction is being prepared and is due to be completed by December 1. The Engineers are hoping to be able to start moving dirt by May 1 of next year. With over $50 million worth of property and countless lives at stake, work on this vital project must not be delayed. When the Engineers have completed all the planning and are ready to move forward with full construction, you may be sure that their request for funds to do the job as fast and as sound enginering principles allow will meet with active and energetic support in the Congress.

RECLAMATION EASEMENTS

Those of you representing constituencies west of the 100th meridian which runs through our State will be pleased to learn that on August 20 the Congress passed and sent to the White House a bill authorizing the payment of just compensation for all rights-of-way acquired in connection with irrigation projects. Those familiar with the Ainsworth project will remember that under an old law passed back in 1890, many landowners along the canal connecting the reservoir in Cherry County with the district in Brown County were required to give up their land without one cent of compensation. The new law contains a feature enabling the Bureau of Reclamation to go back and pay all these landowners for their loss.

The knowledge that our projects in Nebraska are able to measure up to the high standards of feasibility and desirability demanded by the Congress is reassuring. From a lawyer's point of view, supporting them and working for them is like going to court when you know the facts and the law are on your side.

ON THE MINUS SIDE

While I don't want to conclude this talk on an unhappy note, there have been some disappointing developments over the past 12 months. One is in the area of new reclamation starts. I don't have to tell you of the wide bipartisan support which our reclamation program has enjoyed since its inception many years ago.

To date, this session of Congress has passed only two bills authorizing four small reclamation projects. This is clear evidence, that despite its protests that it is interested in conservation and reclamation, this administration's commitments and interests lie elsewhere. Considering the leadtime needed to bring well-considered and proven projects into being, the present indifference could deal a crippling blow to the whole program. Certainly, as far as this Senator is concerned, if we can afford to spend billions abroad on military and economic assistance and billions at home on programs that are in the minds of many ill-advised and political gimmicks, we can afford to maintain the sound and effective reclamation program that has been the tradition over the past several decades.

FEDERAL PAYROLL

I am also disappointed by the cynical manipulations of the Federal payroll the past few months. well established and proven programs are being pruned of personnel to make room for new jobs in new agencies. While this allows the administration to maintain the election year fiction that it is cutting down on Government spending, it is not good government.

Those connected with the Soil Conservation Service need look no further than their own agency for an example of this political cynicism. This agency which all fairminded men agree needs more trained people to do its job and discharge its responsibility to the farmers of this Nation has had arbitrary job ceilings imposed on it. The Department of Agriculture similarly is being denied adequate numbers of meat inspectors endangering the orderly processing of all meat products. Yet, the so-called war on poverty proposes more than 4,000 new Federal jobs—and that is just a start. The so-called Appalachia program will have a like effect. How are these jobs going to be filled without skyrocketing Federal employment? I'll leave the answer to you.

OTHER PROGRAMS

Finally, I am disappointed by the failure of the administration to listen to the requests that are being made in the Halls of Congress to start applying some of the lessons learned in our conservation program to foreign aid.

You all know what it takes to get conservation projects authorized. There must be a full field investigation and survey. A detailed report with plans and specifications must be prepared. Public hearings must be held and criticism invited. Then you must look back to Congress and prove your plan is sound and your project financially feasible. Even after all this has been done, and the merits of your project fully tested and demonstrated, you must wait until the budget will bear your project.

How is foreign aid administered? For the most part the money—and it comes to billions—is doled out all over the world with few or no practical guidelines; few controls, no reported audits; few or no technical strings. Our foreign aid people haven't the foggiest notion of what is included in a benefit-to-cost ratio or even what the ratio is and what it means. There is $7 billion in the foreign aid pipeline and yet an effort to keep this year's program under $3 billion already has failed.

You may ask, and rightly so, what has this to do with soil and water conservation? My friends, it shows how far our Government is drifting from the moorings of commonsense and clear reasoning. In government we stand in danger of looseness and carelessness becoming the standard and not the exception. If these quantities are allowed to persist in one program they will spread and infect other programs, and I for one would hate to see our conservation program degenerate into the kind of mess we have in foreign aid. When we give and lend money for projects outside our country, why should we not expect some sort of advance planning? Why shouldn't we expect some sort of economic justification? Why shouldn't we demand a favorable benefit-to-cost ratio? What makes the rest of the world different from the United States?

FUTURE TENDENCIES

And be assured that the evils which I have recited are spreading. In the supplemental budget mentioned earlier, alongside the $1½ million request for funds to start the S. 2 program, is an item for the war on poverty. It's a "small" item—just $947 million.

Yet, the expenditure of that vast sum is governed by very few definite guidelines or restrictions almost universally found in government programs. The Federal Government already operates and finances some 42 programs in the area of relieving and reducing causes or effects of poverty at a cost in the range of more than $30 billion.

Yet an additional $947 million—almost another billion—are added in a program which duplicates existing efforts along proven, tried and already well-staffed standards. The new plan will compete with plans already in operation for dollars, for technical manpower, and for unfortunate persons who are within the definition of poverty.

And again I say, the activities of the new plan are free and clear of the requirement to follow the strict guidelines and requirements which are so necessary for expending public money wisely and without waste.

There is another reason why soil and water conservationists should be concerned with wasteful and unwise Government expenditures. All of us know that the total of all Government budget expenditures is limited. There are only so many dollars available at any given time.

The more used for uses which are not wise or of general and permanent value, the less there is left for those which have been proven good but whose program is still unfinished.

Certainly, the area in which you folks are interested is such a program. It may not appear glamorous. It may not be suitable for dramatic TV presentations for nationwide audiences; to many it does not seem "bold, daring, and romantic."

Yet your program is fundamental to our Nation's future. It is imperative to plans of our future population growth and greatness. It is a program which is deserving of steady, substantial, and intelligent pursuit.

The traditions of the water and soil program go back a long way in our Nation's history. It's ideals are just as live and shining now as they were 75 or 100 years ago.

Your group is to be commended for keeping the faith—and actively practicing it.

REGIONAL WINNERS, WORLD-HERALD'S CONSERVATION RECOGNITION PROGRAM

Garden County: Donald McCormick, Oshkosh; Howard Newkirk, Lewellen; Frank E. Robinson, Oshkosh; Van E. Fisher, Lewellen; and Howard Ardissono, Oshkosh.

Cherry County: Clint Hull, Valentine; Wesley Fox, Kilgore; W. Everett Brown, Valentine; Joe Hammond, Kennedy; and Raymond Andrews, Cody.

Kearney County: William B. Bang, Minden; Adrian C. Lynn, Minden; Stanley Peterson, Minden; Osee Newbold, Minden; and Herbert Swanson, Wilcox.

Thurston County: Claus O. Malmberg, Pender; Francis Allen, Walthill; John Kroger, Jr., Rosalie; Melvin Hanson, Emerson; and Howard Swanson, Walthill.

Clay County: Harold Lowe, Saronville; Ralph Godtel, Clay Center; Jack Hubbell, Deweese; Silas Gerlach, Harvard; and Vernon Yost, Edgar.

Otoe County: Vernon Niebuhr, Dunbar; Fred Griepenstroh, Syracuse; Paul Antes, Syracuse; E. Franklin Gee, Bennet; and Walter Reimer, Syracuse.

FUTURE FARMERS OF AMERICA CHAPTERS

Hooper, Nebr., chapter, sweepstakes winner.

Keya Paha Chapter, Springview, Nebr., second place honors.

Kimball, Nebr., chapter, third place honors.

Palmyra, Nebr., chapter, area winner.

Fullerton, Nebr., chapter, area winner.

Superior, Nebr., chapter, area winner.

Lexington, Nebr., chapter, area winner.

McCook, Nebr., chapter, area winner.

ALASKA AND THE FEDERAL HOUSING PROGRAM

Mr. BARTLETT. Mr. President, on September 2, President Johnson signed the Housing Act of 1964. Today, I wish to review some of this important measure's major provisions, relate them to my own State, and take a brief look into the future. Although the act contains no radical innovations or departures as regards our present housing program, it does provide for a 1-year extension of the program, and makes some significant improvements in it. Therefore, I think it important that we understand what the housing program has accomplished in the past and what the new bill's various provisions will mean as they are implemented.

Title I of the Housing Act continues the mortgage insurance programs of the Federal Housing Administration, and improves them in several respects. Thousands of Americans can testify to the helpfulness of FHA programs. Families are enabled to build homes and to avoid crushing expenses through obtaining long-term low-interest loans These programs have been important to Alaska. From their inception in 1935 through 1963, 6,819 home mortgages and 34 multifamily housing mortgages—involving 3,853 units— in Alaska have been FHA-insured. The dollar value of these mortgages totals $133,287,000 for the home mortgages and $45,765,000 for those covering multifamily projects.

The Housing Act of 1964 raises the mortgage ceilings for several FHA programs, including the regular section 203 program and programs for low-cost housing in outlying areas, for rental and multifamily housing, and for condominiums. Some of these programs already make exceptions, to compensate for Alaska's high costs. In other cases, this bill's revision of mortgage ceilings should prove very helpful to Alaska homebuilders.

Second, the bill amends present FHA legislation, to give additional relief to home mortgagors in default because of circumstances beyond their control. Mortgagees will be enabled to recast their mortgages and to extend their maturities more easily. It is anticipated that these provisions will give lenders an incentive to enter into forbearance agreements in cases of genuine need, by removing some of the risks to which lenders are now subject in such situations. The idea is not, of course, to encourage defaults, but is simply to liberalize terms of payment in exceptional hardship cases.

The 1964 Housing Act also enables the Federal Housing Commissioner to extend aid to homeowners who, after relying upon FHA construction standards and inspections, find major structural defects in their homes. Of course, FHA inspection is intended to preclude such difficulties, and defects are generally covered by the builder's warranty. But there are cases in which defects have slipped by, and the builder is no longer in existence, has no assets, or refuses to cooperate. In such cases, the Housing Act now permits the FHA to finance structural repairs.

Fourth, title I liberalizes the FHA's new home-improvement loan-insurance program for homes outside of urban renewal areas. This program was designed to enable homeowners to make substantial improvements in their homes, without refinancing mortgages, thus halting the decline of "gray area" neighborhoods, and avoiding the necessity of restoring them later, under the costly processes of urban renewal. However, the program has been slow in getting started in Alaska and across the Nation. Therefore, it is hoped that the bill will stimulate activity in declining urban areas where it is most needed, through liberalizing the rating criteria for eligible properties, and making the program more attractive to lenders, by allowing default insurance benefits to be paid in cash.

Fifth, title I amends the National Housing Act so as to permit the Federal Housing Commissioner to insure mortgages on nursing home facilities sponsored by private, nonprofit corporations or associations. This supplements the limited assistance which is now available for such purposes under the Hill-Burton Act.

Finally, title I makes certain additional revisions in FHA mortgage-insurance programs. Existing requirements that the FHA foreclose mortgages on multifamily projects within 1 year of default are liberalized, so as to allow alternative arrangements in exceptional cases. Nonprofit educational institutions are allowed to pay their mortgages before maturity, without premium charges. Other provisions increase the eligibility of servicemen for the low-income housing program, continue and expand the FHA's experimental housing program, alter slightly the FHA's insurance payment procedures, and improve the program of mortgage insurance for condominiums.

Title II of the Housing Act of 1964 deals with housing for the elderly and handicapped. It increases the eligibility of single, elderly individuals for the low-cost housing program. It continues present programs of housing for the elderly, with additional authorizations of $75 million. It revises a number of existent housing programs so as to give handicapped persons the preferred treatment now given to the elderly.

Title III of the bill deals with programs of urban renewal and growth. At the end of the fiscal year 1964, 777 cities, with 1,636 projects, were participating in these programs, across the Nation. A large backlog of applications has accumulated, and several new projects are expected to be ready for approval during the fiscal year 1965. The Housing Act effects continuation of the urban renewal program at present levels for approximately 1 year, with an authorization of $725 million.

Urban renewal in Alaska, through 1963, involved eight projects in the cities of Anchorage, Fairbanks, and Sitka. Grant reservations for these programs totaled $6,298,804. These figures, of course, do not include the special urban-renewal programs planned on or undertaken after the March 27 earthquake.

In addition to the 1-year extension, the Housing Act alters the present urban renewal program so as to guarantee and promote enforcement of housing codes by cities involved in the program. This change reflects the recognition that code enforcement is an important part of a community's efforts to rehabilitate blighted areas and prevent their spread. It anticipates that the HHFA Administrator will aid communities in planning and carrying out their code enforcement program.

A third provision is for increased development of air rights sites, under urban renewal programs. Such projects involve the construction of facilities over areas, consisting primarily of highways, railroads, bridge or tunnel entrances, and so forth. The projects have the dual purpose of screening the area so it will not detract from the value of surrounding property, and utilizing the space over the area for needed housing and other facilities.

Fourth, the bill will institute a new program of rehabilitation loans for home and property owners, in urban renewal areas. The HHFA Administrator is authorized to grant low-interest loans to finance improvements designed to make property conform to code requirements or to urban renewal plans for the area. This should reduce the need for the demolition of structures, lessen the disruption which renewal programs bring, and permit the saving of valuable properties and funds.

Title III will also authorize additional federally reimbursed relocation payments to low- or moderate-income families, to elderly individuals, and to small, independent businesses displaced from urban renewal areas.

Another provision of the bill increases the funds available for experimental urban renewal programs. These pilot projects not only aid the communities in which they are located, but also serve as testing grounds for new plans and techniques, which may then be applied throughout the country. They are locally developed and administered, but Federal funds cover up to two-thirds of their cost.

A seventh section of the title strengthens the program of urban-planning grants established by the Housing Act of 1954. Through 1963, 12 planning projects in Alaska, involving $278,132 in Federal grants, had been carried out under this program. The communities of Douglas, Fairbanks, Anchorage, Juneau, Ketchikan, Palmer, Seward, Sitka, Kenai, Kodiak, Cordova, Haines, Port Chilkoot, and Skagway participated. These figures do not include Anchorage's recent comprehensive planning grant, or the planning assistance rendered after the earthquake to Anchorage, Cordova, Valdez, and Kodiak.

The Housing Act authorizes an appropriation of $30 million, to carry forward the planning program for 1 year. It broadens the assistance available to Indian reservations and communities of less than 50,000 population. Three-fourth grants will be made available, without respect to any population limitations, to municipalities and regions in a designated redevelopment area—which includes all of Alaska—or to localities suffering from the shutdown of a Federal installation.

Title IV of the bill deals with housing for low-income families and individuals. In Alaska, low-rent projects in Anchorage, Fairbanks, Juneau, Ketchikan, and Sitka, involving 349 units, and development costs of $5,914,532, have been made possible by the Public Housing Administration's low-rent programs. These projects have involved $1,717,603 in PHA loan commitments, and $247,417 in debt-service contributions.

The Housing Act authorizes $30 million for the 1-year continuation of the low-rent public housing program, and $5 million for the low-income housing-demonstration program. It also amends in several minor respects existing public housing legislation.

The eligibility for low-rent housing of single persons displaced by urban renewal is increased. The bill establishes the development of relocation plans as a prerequisite to the approval of a community's low-rent housing project. Provision also is made for relocation payments to families, individuals, businesses, and nonprofit organizations displaced from low-rent public housing project sites, on the same basis as that on which relocation payments are now made to urban-renewal displacees.

The Housing Act's fifth title continues existing rural housing programs, increases to $300,000 the maximum insurable mortgage under the rural rental-housing program for the elderly, and authorizes grants to assist public or private nonprofit agencies to provide low-cost housing for domestic farm labor—a group which is at the very bottom of our poverty scale.

Title VI of the bill expands somewhat the program of the Community Facilities Administration. Eligibility requirements for public-facility loans—under which Alaska, as of last year, had borrowed $416,000 for projects in Seward and Dillingham, in addition to $4,306,000 in grants and $190,000 in loans received under the CFA's share of the accelerated public works program—are to be liberalized slightly. Increased consideration will particularly be given to small communities in redevelopment areas.

Additional advances for public works planning are also authorized by title VI, and repayment requirements are made more equitable. Alaska has a stake here also, for 16 of our State's communities have received $1,226,000 in planning advances for 44 projects. Through 1963, Anchorage, College—the University of Alaska, Cordova, Douglas, Fairbanks, Juneau, Kenai, Ketchikan, Kodiak, Nenana, Nome, Palmer, Petersburg, Seldovia, Seward, and Wrangell participated in the planning advance program.

Several other sections of the Housing Act are likewise of special interest and importance. Some involve the Federal National Mortgage Association. Since 1954, the FNMA has purchased 12 mortgages, totaling $218,000, under its regular secondary market operations program in Alaska, and has purchased 2,595 mortgages, totaling $60,121,000, under its special assistance functions. These figures, again, extend only through 1963, and do not take into account the FNMA's stepped-up activity following the earthquake. The bill would make no major changes in FNMA programs, but it would broaden the association's authority to finance its operations through public issuances, and would give the association the right to purchase and sell "participations"—fractional interests in mortgages—in its secondary market operations in the way it now does under the special assistance provisions.

The Housing Act continues, and makes minor improvements in, the Community Facility Administration's program of college housing loans. Here, too, is a provision under which Alaska has benefited. At the end of last year, the University of Alaska and Alaska Methodist University had received five loans, totaling $8,840,000, for construction of dormitory facilities to accommodate 644 students.

A few miscellaneous provisions of the Housing Act should be mentioned, in conclusion. It sets up a program of graduate scholarships in the vital fields of city planning and urban studies. It increases the lending authority of national banks and Federal savings and loan associations. It continues the program of grants to communities for the acquisition of open space land.

Mr. President, Alaska and Alaskans have benefited greatly from our various housing and urban renewal programs, coordinated under the Housing and Home Finance Agency. These programs have insured the loans of individual homebuilders and developers of multiunit projects. They have stimulated local and institutional activity, through loans and matching grants for college facilities, urban renewal, low income and rural housing and planning assistance. They have been integral to our earthquake recovery efforts. The Housing Act of 1964 guarantees that these programs will continue uninterrupted for 1 more year, and make appreciable improvements in some of them.

It is my hope that early in the next Congress we shall have an opportunity to review the entire housing program and to give further consideration to such substantial improvements and extensions as those suggested in the President's housing message of this year. Certainly, housing is an area which must, and will, occupy more and more of our attention in the years ahead, on the local, State, and Federal governmental levels. Charles Abrams world housing authority, and author of "Man's Struggle for Shelter in an Urbanizing World," estimates that "in the next 40 years, the population growth in the world's cities will probably be double the entire population growth that the world has experienced in the last 6,000 years."

Surely it is folly to suppose that anything less than a massive effort will alleviate the housing difficulties these figures portend. Housing programs are integral to any national assault on poverty. They are essential to orderly urban development. They are absolutely necessary if population growth and urban expansion, promising as they are for a richer and more diversified society, are not at the same time to result in a deprived and miserable existence for millions.

ART OF THE ARGENTINE

Mr. HUMPHREY. Mr. President, I am pleased to announce that "New Art of Argentina," the first U.S. exhibition to illustrate the rapid evolution of Argentine art during the last 3 years, will open at the Walker Art Center, in Minneapolis, on September 8. It will be the second in a series of exhibitions, organized by Walker, devoted to contemporary art in Latin America. The first, "New Art of Brazil," was premiered in 1962.

More than 70 works by 32 artists were selected for the exhibition by Jan van der Marck, Walker Art Center curator, in association with Prof. Jorge Romero Brest, former director of the Museo Nacional de Bellas Artes, and now head of the Instituto Torcuato de Tella's Centro de Arte, in Buenos Aires. The exhibition is sponsored by the Argentine Embassy in Washington, D.C.

The new Argentine art is now the strongest contributor to the field of contemporary art in Latin America. Its focal point is Buenos Aires, although 9 of the 32 artists in the exhibition currently live in Paris, 3 live in New York, and 1 lives in Rome. The development of Argentine art to its full capacity became apparent at the 31st Venice Biennale, in 1962. In December of 1963, an exhibition of recent art from Argentina opened at the Musee National d'Art Moderne, in Paris.

The various directions of Argentine painting are documented in five groupings in the exhibition:

Constructivism and the Argentine contribution to the "Recherches d'Art Visuel" will be represented in works by Luis Tomasello, Julio Le Parc, Hugo De Marco, Carlos Silva, Miguel Angel Vidal, and Eduardo Mac-Entyre.

Abstract painting and a growing interest in college will be represented in works by Jose Antonio Fernandez-Muro, Clorindo Testa, Marcio Pucciarelli, Miguel Ocampo, Kasuya Sakai, and Sarah Grilo.

The lyric abstraction of the group "Boa Phases" will be represented in canvases by Osvaldo Borda, Martha Peluffo, and Rogelio Polesello.

The New Figuration will be represented in the works of Romulo Maccio, Luis Felipe Noe, Jorge de la Vega, Ernesto Deira, and Antonio Segui.

The Argentine equivalent of American style "Pop-Art" and French "New Realism" can be found in the works of Antonio Berni, Ruben Santantonin, Marta Minujin, Carlos Squirru, Delia Puzzovio, and Delia Sara Cancela.

A concise selection of sculpture will include works by Alicia Penalba, Marino Di Teana, Gyula Kosice, Lebero Badii, Ennio Iommi, and Noemi Gerstein.

The exhibition catalog of 80 pages will be designed by Juan Carlos Distefano, Argentina's foremost graphic artist.

Following its appearance at the Walker Art Center from September 8 through October 11, "New Art of Argentina" will begin a year-long tour of the United States.

The opening of this exhibition will be attended by the Argentine Ambassador to the United States, Dr. Norberto M. Barrenechea, and Mrs. Barrenechea, and by the Director of Cultural Affairs of the Organization of American States, Dr. Rafael Squirru.

This exhibition will contribute to the development of knowledge for the teaching of the artistic and intellectual evolution of the countries of Latin America. Inasmuch as the exhibition will be on tour in the United States for 1 year, many U.S. citizens will be given an opportunity to view it, thus enriching their knowledge of the sister Republic of Argentina, and promoting closer relations between the two countries.

I am delighted to know that a leading Minnesota institution, the Walker Art Center, will be privileged to stage the opening of this exhibition.

CONCURRENT RESOLUTION OF HAWAIIAN LEGISLATURE

Mr. INOUYE. Mr. President, it gives me great pleasure to present a concurrent resolution adopted by the Legislature of the State of Hawaii during a special session just adjourned. I think the resolution reflects the views of a great majority of the people of Hawaii; and I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the concurrent resolution was ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION

Whereas ever changing world events have thrust world leadership upon the United States of America with the solemn responsibility of fostering brotherhood and humanity and maintaining world peace; and

Whereas the United States has encountered threats to world peace in this cold war and has repeatedly demonstrated its diligence of its task with firmness measured with understanding for peace; and

Whereas the United States again faces a challenge in the aggression by terror against South Vietnam followed by hostile action against U.S. ships on the high seas in the Gulf of Tonkin by the forces of North Vietnam; and

Whereas Lyndon B. Johnson, President of the United States, and Commander in Chief of the Nation's Armed Forces, has ordered military forces of the United States to repel any armed attack upon the forces of the United States and to prevent further aggression; and

Whereas the Congress of the United States by the southeast Asia resolution (S.J. Res. 189, H.J. Res. 1145) has authorized the President to take all necessary steps, including the use of armed force to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom: Now, therefore, be it

Resolved by the House of Representatives of the Second Legislature of the State of Hawaii, First Special Session of 1964, the Senate concurring, That this Legislature and the people of the State of Hawaii support the Congress of the United States and President Lyndon B. Johnson, President of the United States, in their effort to carry out our Nation's determination to take all necessary measures in support of freedom, and in defense of peace, in southeast Asia; and be it further

Resolved, That certified copies of this concurrent resolution be transmitted to President Lyndon B. Johnson, President of the United States; Hon. Carl Hayden, President pro tempore of the Senate of the United States; Hon. John W. McCormack, Speaker of the House of Representatives of the United States; Senator Daniel K. Inouye; Senator Hiram L. Fong; Representative Thomas P. Gill; and Representative Spark M. Matsunaga.

We hereby certify that the foregoing concurrent resolution was this day finally adopted by the House of Representatives of the Second Legislature of the State of Hawaii, First Special Session of 1964.

ELMER F. CRAVALHO,
Speaker, House of Representatives.
SHIGETO KANEMOTO,
Clerk, House of Representatives.

We hereby certify that the foregoing concurrent resolution was this day adopted by the Senate of the Second Legislature of the State of Hawaii, First Special Session of 1964.

NELSON K. DOI,
President of the Senate.
SEICHI HIRAI,
Clerk of the Senate.

RESETTLING EMIGRÉ SCHOLARS

Mr. JAVITS. Mr. President, Americans have a long and honored tradition of providing help under nongovernmental auspices to those who come to these shores in search of freedom. The American Council for Emigrés in the Professions is an organization in that tradition; and its founder, Dr. Else Staudinger, is now marking 30 years of dedicated, selfless service in salvaging the lives and talents of refugee scholars, scientists, and other professional people who have sought refuge in our country. Dr. Staudinger is to be commended for her efforts in founding the American Council for Emigrés in the Professions, Inc., in 1945; and since that time the organization has helped thousands of refugee professional and highly trained men and women to fill economic needs in our country. These men and women represent human resources that are of inestimable value to the strength of our Nation.

I ask unanimous consent to have printed in the Record a condensation of an article, written by Murray Teigh Bloom, entitled "Else Staudinger's $100 Million Gift to Uncle Sam", which was published in Reader's Digest for August 1964.

There being no objection, the condensation was ordered to be printed in the Record, as follows:

Else Staudinger's $100 Million Gift to Uncle Sam

For the past 19 years, Else Staudinger, a petite, energetic grandmother, has been assembling a marvelous $100 million gift for her adopted country, the United States.

Else Staudinger has only modest means. But with imagination and persistence she and her associates have converted more than 3,000 top grade but unemployed brains into a first-class human resource for the United States. The brains belong to penniless, friendless refugee professional people who have come here from Russia, Poland, Hungary, China, Czechoslovakia, East Germany, and Cuba. Without Else and her group, the American Council for Emigrés in the Professions, Inc. (ACEP), most of the newcomers would have remained in dead end jobs. Unable to speak English, lacking know-how and contracts, they would have been unable to convert their specialized educations into assets for themselves and their new country.

"A top education from grade school through college and graduate school costs about $45,000 in the United States today," Else told me recently. "By putting 3,000 trained people into our mainstream we've acquired an educational gift worth at least $100 million."

"We can't afford to have these people doing subsistence work, or becoming dependent on friends or private charity," says ACEP Consultant Wesley J. Hennessy, associate dean of the Columbia University School of Engineering. "When you can put a professional man back into his field, you shortcut all these problems. Every year ACEP places over 100 qualified scientists and engineers alone—an output comparable to that of a fair-sized university."

One of ACEP's classic successes is Dr. Ernest L. Parker, a Czech refugee who has a Ph. D. degree in agriculture from the University of Leipzig. He came here with his wife and daughter in 1941 and worked on chicken farms for 8 years. Then he supervised a waterfront warehouse crew in New York. In 1949 a loaded pallet fell on him, breaking several ribs.

"While I was recovering, someone told me about ACEP," he says. "I was very discouraged at the time. After 8 years of manual labor it was hard to think of myself as a teacher." Else Staudinger and her associates knew Ph. D.'s in agriculture were scarce, and they sent out resumes of Dr. Parker's European experience. Arizona State University was interested. ACEP paid for Dr. Parker's flight to Tempe, and he got a contract as assistant professor.

Within 6 years Dr. Parker rose to full professor. In the following years he was elected chairman of the faculty assembly and president of the Arizona College Association. A research project be began has led to the wiping out of a crippling poultry disease in the State. And the poultry farm he launched for teaching purposes on a $50 shoestring now brings the university an income of $25,000 a year.

Until recently, State rules made it impossible for Arizona State to hire citizens of other countries as teachers (Dr. Parker had become a U.S. citizen). The rule has now been dropped. Many faculty members are convinced that the excellent record of Dr. Ernest Parker, ex-chicken farmer, ex-dock walloper, led to the change.

ACEP charges no fees. Modest voluntary contributions are sent in by men and women who have been placed, but the organization's major support comes from private contributions and foundation grants.

ACEP has had 17,188 applications since 1945. In the average case it takes $600 and 7 months to place an emigré in a suitable job. Until then, ACEP finds them "bread and butter" jobs: night watchman, waiter and so on. One man had worked as a factory porter for 5 years before he was placed as an associate professor of modern languages in a New England college. On the other hand, it took only 2 weeks to find a position for another man, a physicist.

For Else Staudinger the continuing effort to place these educated refugees is repayment for the kindnesses she and her husband, Hans, received when they fled here from Nazi Germany. They arrived in 1934, and Hans was invited to teach at the New School for Social Research in New York. "We had such good luck here," Else recalls, "that I felt we must help other refugee scholars." For 5 years, Else worked for Alvin Johnson's refugee scholars project, which brought well-known refugee scholars to the United States. Then, in 1945, ACEP formally came into being in two tiny offices run by Else and a friend, Mrs. Henry Seidel Canby. Today it has a staff of 24 and is housed at the Carnegie Center, opposite the U.N.

"We kept thinking of ourselves as a temporary agency," she says. "But, since the Hungarian exodus in 1956, I've realized that ACEP is here to stay. We will always have refugees, and our country will always need their special talents. Now we're concentrating on the Cubans, and before long, I suspect, Chinese scientists, engineers, and scholars will be coming to us, too."

Occasionally ACEP is able to make wholesale placements. A few years ago the Army Language School in Monterey, Calif., asked the agency if it could furnish teachers for 28 different languages. (ACEP registrants command more than 100.) An Army major flew in and, after 5½ days of continuous interviewing, scooped up 77 men and women.

Some can't be placed in their old professions. For example, lawyers don't know American law, and many are too old to start studying again. But ACEP has discovered that there are more than 70,000 vacant librarian posts throughout the country. With ACEP funds and State and Federal educational loans, more than 60 foreign lawyers have been given a year's intensive work in library science at Columbia University and other schools. So far, 48 have been placed. One of them, who had been a hospital orderly, is now chief librarian of a New Jersey university.

Many of the emigrees have been trained in mathematics, physics, and chemistry—fields in which there is an enormous shortage of teachers. "But before we can retrain these men and women to teach," Else says, "we have to give them a working command of English." ACEP found a retired junior high school principal to administer the program of providing more than 900 emigrees a year with 3 to 4 hours of intensive private English tutoring a week.

"Most of our 55 volunteer tutors are former teachers, and in 3 or 4 months we can give the pupils fluency and understanding," Else told me. Once their English is in working order, selected scientists among the emigrés attend courses, paid for by the National Science Foundation, at Brooklyn Polytechnic Institute to become acquainted with American texts and teaching methods. After that they generally can be placed in college teaching posts.

To get trained Cuban refugees back into teaching, ACEP organized special orientation courses in English and in U.S. teaching methods in conjunction with the New York City board of education. Many of the Cuban teachers will be ideal for classes of Puerto Rican pupils who speak Spanish only.

For Cuban teachers whose educational qualifications do not meet U.S. standards, ACEP has found another outlet: social work. ACEP has placed 30 former Cuban teachers in daytime auxiliary social-work jobs; they go to school at night for graduate training. Dozens of others are being placed as New York City social investigators, to check out welfare applicants. The city has never been able to get enough Spanish-speaking investigators.

Encouraged by its great success with trained refugees, ACEP is now paying more attention to young men and women who left their oppressed lands before they could complete their university education. Dean Hennessy says, "We've worked out a special night course in drafting for engineering students. After a few months they will be able to get daytime jobs as draftsmen, and they can complete their engineering education at night. In this way, with an investment of $300 per student for the drafting course, ACEP salvages a $30,000 education."

Thus, Else Staudinger and her coworkers continue to find new ways to match emigree skills with American needs.

"Those of us of the free world," says Dr. Harry J. Carman, dean emeritus of Columbia College and president of ACEP, "know of the risks ordinary men and women take to escape to freedom. We must do our utmost to help them fulfill the promise of their potential for themselves and for our country."

"THE PUBLIC PAYS AND STILL PAYS"—ACTIVITIES OF THE PRIVATE POWER INDUSTRY

Mr. NELSON. Mr. President, in 1931, the Senator from Alaska [Mr. Gruening] published "The Public Pays," outlining the propaganda activities of the private power industry. His book has been revised and reissued under the title "The Public Pays and Still Pays."

The junior Senator from Montana [Mr. Metcalf] reviewed the book for the August 1964 issue of Progressive magazine. I ask unanimous consent that the review be printed in the Record.

There being no objection, the review was ordered to be printed in the Record, as follows:

The Public Still Pays

(The Public Pays, by Ernest Gruening. Vanguard Press. 273 pp. $2.25 paper.)

(Reviewed by Senator Lee Metcalf)

The reissue of Ernest Gruening's book, "The Public Pays," is an able, well-documented demonstration of the way private power, America's largest industry, seeks to discredit public power projects and Government direction of power facilities. In bringing his book up to date, Senator Gruening shows that private power companies have consistently sought since the 1920's to undermine confidence in public power projects and the ability of the Government to intervene constructively in the provision of power, though current techniques are far more sophisticated than those of the twenties he describes. Using virtually every method of persuasion short of skywriting, America's private light and power producers have "educated" the American public to the dangers and costs of public power. At the same time, the consumer has unknowingly paid his "tuition" for this "education" in the form of higher power bills.

The unique aspect of Senator GRUENING's book is that though most of it was written in 1931, it is still pertinent to the private-public power controversy. The major part of the book is a skillful synthesis of the lengthy hearings of the Federal Trade Commission's investigations of power companies. Completed in 1931, these investigations were the impetus for such regulatory measures as the Holding Company Act of 1935, the Securities and Exchange Act, and the Rural Electrification Act of 1936.

Senator GRUENING describes how private power companies never abandoned their propaganda activities, even after their collapse in the depression. Although not conducted on a national scale, "public relations" remained a major concern on the local level. The Federal Power Commission's investigations of five large northwestern utility companies from 1935 to 1940 found that these companies continued to expend large sums of money to further their political and legislative interests and to influence public opinion.

Since 1950, the growth rate of investor-owned electric utilities has risen to a point where "some utilities match or surpass the records of pace setters in other industries." With the highest profits in their history, investor-owned utilities have refined and extended their propaganda. They are now particularly concerned with the progress of REA cooperatives, "impeding their legitimate efforts to develop power generation and transmission * * * seeking to hamstring them legislatively and to prevent future essential river basin development, flood control, and power projects."

The techniques used by private utility companies to mold public opinion demand careful analysis. In the 40-odd years since Samuel Insull instigated the formation of the Illinois Committee on Public Utilities, private power has acquired formidable finesse in creating a favorable climate of opinion. Senator GRUENING includes nine examples of current private power propaganda. These "advertisements" associate public power with unnecessary tax spending, Government favoritism, socialism, and totalitarianism. One such advertisement, noted by the late President Kennedy as being "particularly ugly," equated public power with the Berlin wall, "with the clear implication that development of public power is communistic and the American people victims, like the East Germans seeking to escape."

The distinction between propaganda of this type and the public relations campaign of the 1920's is only one of degree. "All of the devices utilized in the dishonest campaign of the 1920's—books, motion pictures, canned editorials, circulars, newspapers, and magazine advertisements—are again being used." The implicit parallel between power propaganda in the twenties and contemporary private utility "advertising" leads to the startling conclusion that although many aspects of the private power propaganda campaign to subvert public opinion were exposed by the Federal Trade Commission Report of 1931, similar tactics are still in effective use today. What is more, contemporary power propaganda is far more costly than the relatively crude public relations projects of the twenties; hence the public is paying a higher price than ever before to learn the benefits of private power.

Senator GRUENING recaptures the spirit and purpose of private power propaganda in the twenties by relying extensively on the FTC's reports and exhibits, "so that the propaganda's purpose, as nearly as may be, is revealed 'out of the mouths' of its proponents." Educational institutions were a prime target of private power propaganda. Private utilities sponsored courses on utility-connected problems through universities and colleges, exerted pressure to revise unfavorable textbooks, and distributed large numbers of pamphlets, all directed toward "fixing the truth about utilities in the young person's mind before incorrect notions become fixed there."

While the infiltration of the American educational system by the proponents of private power is perhaps the most alarming aspect of private power's propaganda campaign in the twenties, this was only one aspect of a diverse program of action. Private utilities supplied the press with "canned editorials" favorable to private power and used their advertising business as a lever against reluctant editors. Even the Chautauqua platforms and the lecterns of local women's clubs were propaganda vehicles for private power. Obviously, the power companies did not directly reveal their sponsorship of the majority of these activities.

The most thought provoking aspect of GRUENING's book is that although the propaganda activities he described are remote from us both in time and in technique, they are the primitive antecedents of current power propaganda. Senator GRUENING warns that little has changed in the basic purpose behind private power propaganda. Mainly concerned with preserving their own highly profitable position, the private power companies' propaganda activities represent an attempt to forestall the increased competition and regulation that increased public power would bring.

Where public power projects can only be described as successful, as is the case with the TVA and the REA cooperatives, the private power companies choose to ignore the evidence. The vehemence with which they defend their position suggests the shakiness of their arguments. Their reliance on emotional appeals rather than well-reasoned arguments subverts the authority of the Government as a whole, not just the part which is concerned with public utilities. And then, the final paradox: The public pays and still pays for the propagation of such propaganda which can only undermine its best interests.

LABOR DAY MESSAGE

Mr. KEATING. Mr. President, as Labor Day 1964 approaches, I offer my congratulations to organized labor, to the men and women of the American labor movement who have sought to secure for all Americans the blessings of prosperous economy. The goals of labor are not confined to serving the interests of a few, but have been dedicated to improving the economic and social well-being of the vast population. In the words of Samuel Gompers:

> I do not value the labor movement only for its ability to give higher wages, better clothes, and better homes. Its ultimate goal is to be found in the progressively evolving life possibilities in the life of each man and woman. My inspiration comes in opening opportunities that all alike may be free to live the fullest.

The desire to serve the public interest is still the inspiration of American labor. The progressive steps which have been taken in the field of better housing, better education, and better medical services, have been supported by our labor organizations.

In the course of building a tradition of solid achievement, our unions have remained free and strong. The skill, the initiative, and the independence of American labor have no parallels in the world. The system of collective bargaining, through freely chosen labor organizations, has enabled American labor to achieve the highest standard of living in the world.

The system of free collective bargaining has served labor and the Nation together. Those who would limit the right of labor and management to bargain freely, or who would prevent the growth of unions, or who would cripple union organization, through the establishment of the "compulsory open shop," are unaware of the sources of this Nation's strength and prosperity, and would impede future progress.

We are a nation many times blessed. Science and technology promise to take us to unimagined heights, the far reaches of the universe. On this planet, they have been responsible for advances in medicine, manufacturing, agriculture, communications, and transportation.

While we have achieved great abundance, it is not shared by all Americans. Millions are unemployed; many are deprived of the smallest economic opportunity; many of our senior citizens live on fixed incomes which year by year shrink in purchasing power.

So long as these problems continue to plague our citizens, we must continue to seek their resolution. So long as the men and women of the American labor movement commit themselves to further advancement and future achievements, we can be assured that this Nation will create a general abundance unprecedented in human history.

I have always welcomed the counsel and support of American labor, and I hope to have them in the future. I serve no special interests. In serving the people of my State, I have served all the people, including the laboring men and women. Although we have achieved much in our Nation, there is still a lot to be done; and with organized labor taking the role of leadership that it has in the past, we will continue to meet the Nation's most urgent tasks.

DESIGNATION OF COLUMBUS DAY AS A NATIONAL LEGAL HOLIDAY

Mr. DODD. Mr. President, on August 12, we had a very interesting and informative hearing before the Subcommittee on Federal Charters, Holidays, and Celebrations concerning the bill to make Columbus Day a legal national holiday.

This bill, S. 108, was approved by the Senate a few days later and is now pending in the House Judiciary Committee which, I hope will report it in time for final approval before we adjourn this year.

One of the best statements made that day, and there were many outstanding witnesses among my colleagues and the private individuals who attended the hearing, was made by Mr. John Ottaviano, Jr., Supreme Venerable of the Order Sons of Italy in America.

John Ottaviano has done as much, indeed probably more than any other person to bring us closer this year than at any previous time to making Columbus Day a national legal holiday.

Because it will indicate some of the time and work he has put into this effort, I ask unanimous consent that Mr. Ottaviano's fine statement be printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT OF JOHN OTTAVIANO, JR., SUPREME VENERABLE, ORDER SONS OF ITALY IN AMERICA

Mr. Chairman, and members of this distinguished subcommittee, my name is John Ottaviano, Jr., and I have the honor and the privilege to appear before you as the supreme venerable chief executive officer of the Order Sons of Italy in America, a fraternal organization having been in continuous existence over a half century as the largest organization representing people of the United States and Canada of Italian descent or related thereto by marriage or adoption.

Also representing the national organization, I am happy to have with me the Honorable Samuel Culotta, from Baltimore, Md., the Honorable Anthony Calabrese, a State senator of Ohio, and our supreme trustee, Vito Marino.

Unfortunately, my statement indicates Joseph A. L. Errigo, Esq., of Delaware, the original introducer of the bill, but he could not be with us.

My associates and I are proud and happy to have this opportunity to appear before this honorable subcommittee of the Senate Judiciary Committee to urge your favorable consideration and report on S. 108, which would establish Columbus Day, October 12, as a permanent national holiday of these United States of America. It is our fervent hope and prayer that this leadership provided by this Nation will serve to influence our good neighbors in this Western Hemisphere, who have not already done so, to follow the example set and thereby provide another activity promoting a good neighbor policy and general hemisphere solidarity.

On October 12, 1964, the peoples of the Western Hemisphere will mark the 472d year since the discovery of the New World by the intrepid, courageous and God-fearing explorer and navigator, Christopher Columbus. Once again, this period will be marked with parades, banquets, and other forms of demonstration and celebration in which literally thousands of silver-tongued orators will thrill the countless millions of listeners, extolling the virtues of this man of the ages, and the tremendous and almost incalculable values and benefits that have flowed to all peoples regardless of race, color, or creed since that first memorable voyage.

With but a handful of exceptions, every State of our great Union will in some fashion commemorate this great man. In addition, some 15 or more other countries in this Western Hemisphere will join in commemorating Columbus Day. It does seem sad and most unjust that with such overwhelming demonstrations, this great day of the formal and never to be thereafter relinquished discovery of the Western Hemisphere should not make the grade of being listed among the days decreed by the Congress of the United States to be permanent national holidays. This Nation, recognized as the strongest and the most advanced and enlightened country in this hemisphere, should once again provide the leadership in establishing proper de jure recognition for the date of its discovery.

The Order Sons of Italy in America is strongly and sincerely dedicated to the task of achieving this recognition of Columbus Day which its membership has felt to be deserved through the years. Columbus Day is proclaimed by the general laws of our order as a national holiday and our lodges and grand lodges in these United States and Canada are urged to sponsor and cooperate in fitting observances of this day.

In the past 2 years, more than ever before, a great deal of attention and publicity has been given to the question of having Columbus Day declared a permanent national holiday by the Congress. Even as much publicity was given to the first postponed hearing of this subcommittee, so now again the eyes and the ears of our citizens are focused on this Congress and on this Committee of the Judiciary, waiting expectantly for a favorable vote.

We must report success or failure. We must point out those who have supported this measure and those who have failed their loyal constituents. The results will be recorded and reported forcefully because this legislation has been introduced too many times in the past and failed unnecessarily of passage.

I say failed unnecessarily of passage because it does not seem necessary to argue too long or strenuously for its passage. Are we to characterize all of our congressional speakers who gear their campaigns to the Columbus Day observances as not being as dedicated as they speak? Obviously, this cannot apply to those who openly and vigorously support this legislation. The others perhaps forget too quickly. They, unfortunately, are not very considerate of the personal feelings of their peoples in this matter whose hopes they have encouraged.

S. 103 does not present a world-shattering piece of legislation to the Congress, nor does it propose a panacea for all of the domestic ills that continuously beset our people. However, it is a matter of great pride to large segments of our people and I do not limit this reference to those of Italian ancestry alone. It may be argued and properly so, that those of Italian descent are more intensely concerned with and more fiercely proud of this great ancestor. However, they have never claimed exclusive jurisdiction over this great man nor over the greatest discovery in the history and civilization of mankind.

Ours is a common destiny as children of a single God, Savior and Protector. By virtue of this Supreme Being, this historic voyage was planned and consummated. The proof lies in the common good, the rich heritage and patrimony that lies befallen to all peoples of this Western Hemisphere. All of us in this room, without distinction of any sort, are beneficiaries of this discovery of the ages.

I have a quotation from the Honorable Congressman from my district, and I'd like to read his words, the Honorable Abner W. Sibal, submitted at the judiciary hearing of the House:

"Columbus' discovery of the New World really qualifies him as the first American. His life and work have been a part of all our lives from the time we were schoolchildren. He is one of those few, awe-inspiring figures in history in whose destiny is intertwined the destiny of all of us.

"He ranks with Washington and Lincoln as a man of world consequence and as a founder of all that we are today."

The Honorable Thomas J. Dodd, senior Senator from Connecticut, and a member of this Senate Judiciary Committee, has been a true friend and a loyal supporter and worker for this legislation. I wish to express to him the commendation and the gratitude of the membership of the order I have the honor to represent for his many courtesies and his steadfast support and great efforts in this undertaking.

We are especially grateful to him and to Senators Philip Hart of Michigan, Edward Kennedy of Massachusetts, Kenneth Keating of New York, and Hugh Scott of Pennsylvania for joining together and requesting of this committee the reestablishment of this hearing date.

I now would quote from the letter of these five Senators for the record:

"This is where the story of America begins."

I do so because you so eloquently set forth the case for this legislation, and I quote:

"This is where the story of America begins. We have come a long way since then, and can look back on the rise of a great nation, built by people of many different nationalities, races, religions and backgrounds.

"Many millions of Americans in all parts of the country observe Columbus Day, to pay homage to this historic figure and to the men who accompanied him across the sea, and to pay tribute to the many fine Americans of Italian origin or descent who have played such a great part in the growth of this Nation.

"A national holiday on October 12 would remind us of our debt to this courageous man and to the 12 million persons of Italian origin or descent who have consistently contributed so much to our country through the years."

This, I feel, is important from your letter: "And we are confident that there is enough support for S. 108, both in committee and in the Senate, so that the proposal would be approved, once the legislative process is started with hearings and subcommittee consideration."

Mr. Chairman, and members of the subcommittee, the membership of the Order Sons of Italy in America say "amen" to this fine letter. We sincerely hope and pray that this confidence of these outstanding public servants will be proven true. We know, and I go on here to indicate the number that are cosponsoring the bill.

I would also be remiss in my duty as supreme venerable and also unjust and unkind not to express the thanks and appreciation of the Order Sons of Italy in America to Senators J. Caleb Boggs and John Williams of the great State of Delaware who introduced S. 108.

There are several other testimonials that I should like to present at this time.

In June of this year, a joint committee of the Order Sons of Italy in America and the United Italian American Labor Council, Inc. was most graciously received by the President of the United States, the Honorable Lyndon Baines Johnson, in the Cabinet Room of the White House.

On this occasion, the President read to those assembled a prepared statement from which I should like to submit pertinent excerpts to this committee. The President stated, and I quote:

"No European nation has enriched us more than Italy.

"Italy is, in many respects, the mother of us all. Western culture, in Europe and in this country, is deeply indebted to the great minds and great men of Italy.

"When I think of Italy, I always think of Columbus, and I remember what Emerson said, 'Every ship that comes to America got its chart from Columbus.' "

And continuing with the President's quote: "As Senator and as Vice President, I have often participated in Columbus Day observances. Certainly, as President, I will do all I can to encourage the Nation to remember October 12 and what it stands for." And this, I believe, is important. The President concludes:

"You have done a fine job of getting Senators to support the legislation I know you endorse to make Columbus Day a legal public holiday. I can't do more about that observance unless Congress acts."

Mr. Chairman, we are further heartened by the cosponsorship of S. 108 by the outstanding and devoted hard-working majority leader of the U.S. Senate, the Honorable

Mike Mansfield, and yourself—in this case, I had said yourself, referring to Senator Dirksen.

I should like to enter into the Record a quote from your letter to our Mr. Errigo. This is from Senator Dirksen to Mr. Errigo of Wilmington, Del.:

"I can assure you that the moment the pending Senate filibuster has ended and we can proceed to organize Senate Committees that this bill will have immediate consideration. I will do my best to move it to the Senate Calendar for quick action so that it can then go to the House and then to the President for signature."

Mr. Chairman, we all recognize that the Congress has been hard at work on many serious and not uncomplicated problems in the domestic and foreign fields. Our first scheduled hearing had to be postponed. A terrifying and most sad catastrophe befell the American people in the tragic assassination of our sympathetic leader and President, the Honorable John Fitzgerald Kennedy. May his immortal soul rest in eternal peace.

However, I believe that we are indeed fortunate to be able to say that it is not too late because it is evident from the message I have previously read that our President Johnson also stands ready to affix his signature to this legislation upon passage by the Congress.

In other testimonials, the Honorable Senator Beall said this for the Congressional Record on October 10, 1963:

"We Americans take pride in the discoverer of America, Christopher Columbus, not only for his courageous journey into unchartered seas, against great odds, and his pressing on despite mutinous crew and other handicaps, but also for his bringing to these shores the Christian faith."

The following is taken from the proclamation by the Honorable Theodore McKeldin, mayor of Baltimore:

"We take pride in this great Italian navigator who brought to our shores the Christian faith and whose memory renews our dedication and purpose to meet the challenges we, as a nation, confront both here and abroad."

And then while I served as treasurer of the State of Connecticut, I had the pleasure of meeting the Honorable J. Millard Tawes, present Governor of the State of Maryland, and I have a short quote from his proclamation on Columbus Day in 1963:

"Whereas, Christopher Columbus stands today as an alltime outstanding exemplar of such courage, such faith, and such vision; and

"Whereas, courage, faith and vision, and the guiding hand of God, brought Christopher Columbus to this hemisphere of ours, and opened the sea lanes for those who came after him, eventually to establish the United States of America; and

"Whereas, because this great son of Italy contributed so much to those of us who are privileged to be Americans and, through the United States, to the world in general." And that closes that part of the proclamation.

From Prof. Gino Gallozzi, a member of our Boston Lodge of the Sons of Italy, he writes as follows, and I wish to submit his statement:

"One hundred and eighty-seven million people from all walks of life cannot ignore the fortitude and the courage of the man who defied the New World 472 years ago.

"Were it not for the discovery of this great continent, 187 million people in the United States would not be able to pay homage to Thanksgiving Day and to the Father of our Country.

"Were it not for the discovery by Columbus, the great shaft of the Statue of Liberty with the ever-glowing torch held aloft would not be enlightening the world from this Western Hemisphere."

The foregoing testimonials clearly indicate that Columbus Day is and should be important and dear to the minds and hearts of all Americans and cannot be regarded as being the care and concern of any single segment of this great melting pot of races.

Then there is a matter of a number of States that had this adopted and I will submit information collected from the Library of Congress.

Now, what is the record through the years with our Congress on this legislation? In every Congress, commencing with the 72d in 1931 and through and including this year, the 88th Congress, legislation seeking to add Columbus Day to the list of our permanent national holidays has been introduced. In 13 Congresses prior to the current one, I am very sorry to report, no action was taken on this legislation.

In my opinion, this is a sad report. This is an unfair and unjust report to this great hero, this great benefactor of all Americans to the present day who followed him and found their new destinies upon these hallowed shores.

Before closing this statement, I should like to submit one more opinion, which comes from one of our brothers in our order and of whom we are quite proud. He is Dr. Nocholas Petruzzelli, an economist with the Export-Import Bank.

On this question, Dr. Petruzzelli wrote in part as follows:

"It is the consensus of authoritative opinion that the discovery of the New World by Columbus marked the commencement of a great renewal of the human spirit. His success encouraged other discoveries and opened new windows to science and to all knowledge. The discovery of America changed the course of history, and to no man since the coming of Christ does the world owe so great a debt as to Columbus. It would be fitting, therefore, that the United States of America should claim the immortal name of Christopher Columbus as her very own by making the date of his discovery of the New World a national public holiday."

The challenge is presented now fairly and squarely to this Congress. It has, in my opinion, and I offer this opinion most humbly and respectfully, risen to great heights in resolving issues of great importance and most beneficial for the future welfare and prosperity of the American people.

I urgently submit to you that this Congress should not again permit this opportunity to pass. I ask for your favorable report of S. 108, and further to exert all of your energies to bring about its passage in both Houses and its transmittal to the President, where I am confident, it will finally be signed and proclaimed into law to the everlasting credit and endearment in the hearts of the overwhelming majority of the American people.

Speaking for myself, personally, and for the membership I have the honor to represent, I thank you for this opportunity to appear before your honorable committee.

Senator, I will submit copies of this statement, copies of the material gathered from the Library of Congress, and copies of our national publication, in which we indicate the interest of the order, the membership I represent, in this bill.

HOUSTON POST EDITORIAL PAYS TRIBUTE TO MRS. ANNE BYRD

Mr. YARBOROUGH. Mr. President, the sadness and heartfelt sympathy we share in the passing away of Mrs. Anne Byrd, wife of the distinguished senior Senator from Virginia, Harry Flood Byrd, have been expressed with tenderness and sorrow by a leading Texas newspaper, the Houston Post.

In tribute to the life of a great lady, who shared the work and the great responsibilities of our colleague, Senator Byrd of Virginia, I ask unanimous consent that the Houston Post editorial of Monday, August 31, 1964, captioned "Mrs. Anne Beverley Byrd," be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Houston Post, Aug. 31, 1964]

Mrs. Anne Beverley Byrd

Mrs. Anne Douglas Beverley Byrd, who died at her home in Virginia the other day, was a gracious wife and mother who could be—and was—at home and at ease in a Governor's mansion, at Washington social and political affairs, and amid the blossoms of a vast apple orchard.

During her half century of marriage to Senator Harry Flood Byrd of Virginia, she watched history unfurl as her husband served successively as State senator, Governor, and U.S. Senator. At Rosemount, the Byrd home near Berryville, she was hostess on frequent occasions to the Nation's leaders. She played an active role in the family apple growing business.

Her death brought sorrow to all who had the privilege of knowing her. Their sympathy goes out to Senator Byrd and to her sons and grandchildren.

FORBES MAGAZINE WRITES OF BUSINESS SUPPORT FOR HUBERT HUMPHREY

Mr. YARBOROUGH. Mr. President, the qualities of our colleague, the senior Senator from Minnesota [Mr. Humphrey] that have so endeared him to us will be made well known to the country during the coming weeks. We can predict that no voter will be immune to the intelligence and charm of this legislative dynamo. As an illustration of the impact his personality makes on all who come in contact with our friend, I ask unanimous consent to have printed in the Record an interesting appraisal of Senator Hubert Humphrey, under the title "Is It Senator Humphrey?", written by Malcolm S. Forbes, and published in Forbes magazine, a magazine of business, of August 1, 1964. This article demonstrates that Hubert H. Humphrey has widespread business support and is not the candidate alone of a limited segment of our economy.

There being no objection, the article was ordered to be printed in the Record, as follows:

Fact and Comment: Is It Senator Humphrey?

(By Malcolm S. Forbes)

Ever since President Johnson took the oath of office last November, Americans by the millions, have speculated about his choice of a running mate this November. Toward the end of this month the game will be over, the selection made.

Who will it be?

Your guess is as good as mine—and vice versa. I strongly doubt if the President himself has as yet made his final decision.

Increasingly often at the top of the most "informed" guess-lists is the name of Senator Hubert Humphrey, Democrat, of Minnesota. If not the speculators' first possibility, he is usually No. 2, almost never lower than third.

What sort of a man is this whom fate or the march of time could well make the next President of the United States?

I found him to be in fact considerably more than the man I thought he was. Articulate, not glib; principled, not preachy; determined, not dogmatic; a man with an ebullient, deep-down faith in the goodness of his fellows, a faith apparently untarnished by the cynicism that inevitably accompanies success in politics.

His liberalism is real but not wild-eyed or far-out. He obviously no longer believes, if he ever did, in push-button legislative solutions to complex problems.

Fascinatingly enough, he is at once a favorite of the Adlai Stevenson spectrum and increasingly one of the favorite Senators of informed businessmen. In talking with a Forbes reporter about HUMPHREY, New York Stock Exchange President Keith Funston said, "If I had to name one of a half-dozen people in Washington who would have been against us, HUBERT HUMPHREY would have been at the head of the list. But I found out a couple of years ago he was a real capitalist. The business community had the wrong picture of him."

About the improving climate between business and government, HUMPHREY says this: "I am not for monopolies or price fixing, everybody knows that. But that kind of stuff isn't good for business either. I think the day of harassment of business by government is over. * * * For years business has looked on government as a natural enemy, that's fading now. * * * I think you have to have a favorable political climate to have a good economic climate."

Last week I flew to the Chicago Club to be present when Senator HUMPHREY met and spoke off the record with 2 dozen of the country's topmost business leaders, gathered by Sears, Roebuck president, Crowdus Baker. I was amazed to see Gen. Robert Wood present and told him so. This venerable curmudgeon of the right, his eyes twinkling, quickly set me straight.

"I am just back from the San Francisco convention. It was the greatest I ever attended. We finally fixed you easterners. Why am I here? I'm thrilled with BARRY GOLDWATER, but if Johnson should be reelected, I'd feel safer with HUBERT HUMPHREY as Vice President."

This one-time chief of Sears went on: "I disagree with most of his ideas but if fate put him in the White House, I could go to sleep knowing we had on the job an honest man who truly loves his country."

The great difference between the HUBERT HUMPHREY who entered the Senate 16 years ago and the HUBERT HUMPHREY who, with a couple of others, runs the Senate today is simply summarized: While his liberal convictions have not melted, he himself has mellowed, matured.

"If I believe in something," he says, "I will fight for it with all I have. But I do not demand all or nothing.

"Professional liberals want the fiery debate," says he. "They glory in defeat. A sort of political masochism. The hardest job for a politician today is to have the courage to be a moderate. It is easy to take an extreme position."

After the Chicago confab, I flew to Washington with the Minnesotan and four of his young aids. They were a happy, bright, believing group. Obviously dedicated to their boss, they clearly felt his future and theirs indeed lay ahead—just ahead. Come August 24 and then November 3, they could turn out to be quite right.

At least that's the way it looks to this Republican.

THE WHEAT PROGRAM

Mr. LONG of Missouri. Mr. President, recently there have been many charges to the effect that the current wheat program authorized by this Congress has had the effect of lowering wheat prices below what might have obtained had the program not been enacted. The Department of Agriculture has come in for much criticism on the ground that its so-called meddling, or, on the other hand, so-called inaction on behalf of farmers, has helped to depress wheat prices below previous levels.

The number and frequency of such charges, and the fact that my State harvests a substantial acreage of wheat, led me to investigate the accuracy of the charges. A recent inquiry of mine to the Agriculture Department resulted in a very informative report on the situation, written by Mr. H. D. Godfrey, the Administrator of the Agricultural Stabilization and Conservation Service, of the Department of Agriculture.

The report indicates that those who allege that the Government has failed in its duty to maintain a higher level of wheat prices forget or overlook the fact that the adverse votes of the same wheat farmers, in the May 1963 wheat referendum, not only killed mandatory acreage controls on wheat, but also stripped the Department of Agriculture of authority to protect the incomes of wheat farmers at previous levels.

The report points out that opponents of the present program who blame alleged low prices on the Government continue to ignore these basic facts about the wheat program:

First. That as a result of the defeat of marketing quotas, in the wheat referendum of last year, price supports for the 1964 wheat crop would have established the price at $1.26 a bushel, had it not been for the action of Congress in placing the supports at the present $1.30 level, 4 cents a bushel higher than would otherwise have been the case.

Second. That market prices for wheat have historically followed closely the level of price supports, and that—contrary to some of the allegations made recently—only during and immediately following World War II, when wheat was in short supply, have market prices been as much as 10 cents a bushel above the support level.

Third. That there is a substantial surplus of wheat, with the Commodity Credit Corporation holding an inventory of approximately 900 million bushels—almost 2 years' domestic food consumption. The total supply of wheat available for the current marketing year—1964 crop, plus carryover—is approximately 2.2 million bushels—far in excess of the estimated domestic and export requirements of 1.3 billion bushels. These figures, when simply stated, mean that in the absence of the current wheat program, the total supply available to affect the current marketing year would have been at least 100 million bushels larger.

Fourth. That there are no factors in either the domestic or world supply-and-demand picture which would give reason to believe that buyers of wheat would have been paid much more than the $1.26 support rate for the 1964-crop wheat.

On the basis of these facts, it should be quite clear that, instead of reducing farm income from wheat, as charged, the new program, which increased price supports from $1.26 to $1.30 a bushel, and provided certificate and diversion payments to participating producers, in fact resulted in an actual increase in the 1964 income of wheat farmers. It has been conservatively estimated that the increase in total income to wheat farmers nationally will amount to around $450 million.

Mr. President, I thank the Administrator, Mr. Godfrey, and the Agricultural Stabilization and Conservation Service for their help in clearing away these charges and allegations, and for getting through to the true facts concerning the current wheat program.

CUBA AS A STATE

Mr. ERVIN. Mr. President, the writer of the book of Ecclesiastes did not know my good friend, Henry A. Dennis, president and editor of the Henderson Daily Dispatch, of Henderson, N.C. If he had, he would never have asserted that there is nothing new under the sun.

The Henderson Daily Dispatch for August 21, 1964, carried an editorial, by Henry Dennis, entitled "Cuba as a State," which suggests, as the ultimate solution of the Cuban problem, that Cuba should ultimately be admitted to the Union, as the 51st State. I ask unanimous consent that the editorial making this novel suggestion be printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CUBA AS A STATE

This may sound ridiculous but then again it might conceivably have greater merit than appears on the surface. It is the possibility that by some strange quirk of events Fidel Castro might be gotten out of the picture and, by assent of the people, Cuba become the 51st State in the American Union. How it could be brought about, or even if it could be, we have little idea.

Since Alaska and Hawaii have been admitted to the sisterhood of States in recent years, a development of this character might have been more feasible before the Communist dictator took over in Cuba 5 years ago. Alaska and Hawaii were, of course, already territories of this country and because of that didn't have as far to go. But it seems odd that the idea was never considered in the decades prior to the dictatorship and subsequently the sellout to Soviet Russia.

Cuba is only 90 miles from the coast of Florida. Hawaii is 2,000 miles out in the Pacific from the mainland, and Alaska almost as distant to the north. But they are States today.

The present regime in Cuba is a thorn in the flesh to the United States and will always be so long as it is directed from Moscow, thousands of miles away. Cuba, as part of this Nation, could become an important factor in our national defense. As a State, people from the mainland would be free to travel back and forth. The tourist trade itself would almost support a State government in Cuba, as it would become a favorite resort in winter.

Cuba as an integral part of the United States would enter upon the greatest era of development and prosperity it has ever experienced and far more than it is likely ever to achieve as a satellite of the Kremlin.

All this has the ring of the fantastic. And it may be all of that. But Cuba is much nearer the mainland than Puerto Rico, which would like very much to become the

51st State. It is odd that such an approach to an irritating problem has never received any thought here, at least none that we have ever heard of.

The whole thing may be a crackpot idea, but it really isn't as fanatical as it may sound on the surface. Such a development might create new headaches, but certainly it would ease a lot of others. If the proposal were held out to the Cuban people, they might conceivably take matters in their own hands to bring it about. Although he would be downgraded in the extreme, the thought could possibly find some lodgment in the brain of Castro himself.

THE RESEARCH TRIANGLE INSTITUTE NEAR DURHAM, N.C.

Mr. ERVIN. Mr. President, the Durham Sun, of Durham, N.C., for August 4, 1964, published an interesting article concerning the Research Triangle Institute near Durham, N.C., which is doing so much to promote economic and scientific research. I ask unanimous consent that a copy of the article be printed at this point in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RTI HAS NEAR $16 MILLION IMPACT ON AREA'S ECONOMY

(By Don Whitley)

Research Triangle Institute (RTI) near Durham has an economic impact on the three-country area in which it was founded of nearly $16 million annually.

The impact derives from personnel paychecks only. It does not include additional moneys spent locally for equipment, materials, and supplies used at the institute.

The research center has a current annual payroll of $1,790,500. Based on industrialists' estimates of each dollar changing hands 8 times within the community, present salaries produce an economic impact of $15,764,000.

RTI's salaries represent livelihoods for 210 households, or 735 people based on the national estimate of 3.5 persons per household. When the institute was founded in 1959, the professional staff of 35 people, represented only 122 family members.

Over half—58 percent—of the people associated with RTI live in Durham County. Thirty-six percent of these live in the city of Durham. Others live in Wake, 20 percent; and Orange, 18 percent; the other two counties composing the triangle area. The remaining 4 percent are nonpermanent residents.

RTI has attracted to North Carolina, and the three-country area, professional scientists from nine countries including India, Afghanistan, Australia, Canada, Great Britain, Germany, Japan, and Yugoslavia.

Three RTI staff members presently are in Nigeria working on a research project for a U.S. Agency for International Development.

Of the present 210 member permanent staff, two-thirds (140) are professional persons, ranking in the scientist levels. Of this 140 staffers, another two-thirds (94) are trained beyond the college graduate level, and from this number, one-half (70) hold Ph. D. degrees.

RTI officials say the number of professional employees here is exceptionally high for an enterprise with a 210 member staff, but the operation of the institute requires persons well versed in a wide variety of subject areas, and specially trained in certain fields of research.

Value of buildings occupied or under construction, plus equipment owned by the institute, totals over $2.5 million. Laboratory and office equipment alone is valued in excess of $700,000. Three buildings are completed and in continuous use. These include the Hanes Building used for administration offices, the Dreyfus Laboratory Building, and building No. 3, used for laboratory and experimental research.

Presently under construction is the William Trent Ragland Building at a cost of $480,000. The building is designed to afford 32,000 square feet of working space. When the Ragland Building is completed, the institute will occupy 95,000 square feet of workspace in its four buildings.

Research contracts acquired by RTI through the year 1964 total $12,505,000. Projected revenue to the institute through contract projects will exceed $3 million.

Since the institute is a nonprofit enterprise, all revenues above salaries are expended on services, supplies, equipment, and a major part into construction of new facilities.

RTI is regarded by many business leaders as one facet of North Carolina's answer to challenges of an emerging and expanding industrial economy. A major attribute to its being founded here was the concentration of three major universities—the University of North Carolina in Chapel Hill, Duke in Durham, and North Carolina State in Raleigh—forming a triangle with less than 30 miles on a side.

RTI president, Dr. George L. Herbert, says "The success of the Research Triangle Institute is measured by the extent to which its research programs contribute to total national and regional efforts and add to the world's fund of basic knowledge."

In addition to scientific and industrial advancements, RTI contributes to cultural enrichment of the three counties in which it is formed, and to North Carolina. The exceptional number of staff members trained high in the ranks of education bring with them wives, most of whom also are college trained, and potential college graduates in their children.

RTI is one of four research centers already established in the 5,000-acre Research Triangle Park located in parts of Durham, Wake, and Orange Counties. Others include Chemstrand, the National Association of Colorists and Chemists, and a Southeastern Forestry Experimental Station.

Each of the research centers employs highly trained staffs, and each affords greater cultural enrichment for the area, along with greater potentials for boosting the area's economy since education is the basic consideration for earning power.

ADDRESS BY SENATOR GRUENING OF ALASKA BEFORE THE CANADIAN-AMERICAN ASSEMBLY, HARRISON HOT SPRINGS, BRITISH COLUMBIA, AUGUST 21, 1964

Mr. AIKEN. Mr. President, on August 21, 1964, the Senator from Alaska [Mr. GRUENING] addressed the Canadian-American Assembly at Harrison Hot Springs, British Columbia.

In delivering this address, the Senator made a worthwhile and informative contribution to the cordial relations already existing between Canada and the United States.

I ask unanimous consent to have the address of the Senator from Alaska printed in the RECORD, as well as a letter which the Senator from Alaska subsequently received from Clifford C. Nelson, president of the American Assembly at Columbia University, New York City.

There being no objection, the address and letter were ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR ERNEST GRUENING, DEMOCRAT, OF ALASKA, BEFORE THE CANADIAN-AMERICAN ASSEMBLY AT HARRISON HOT SPRINGS, BRITISH COLUMBIA, AUGUST 21, 1964

Friends of the Western Canadian-American Assembly, ladies and gentlemen, some 21 years ago a distinguished Canadian, long in his country's service and then a member of the Dominion's subcabinet, was visiting me in the Governor's mansion in Juneau, Alaska.

In the course of our conversations, I exhibited the ignorance concerning Canada which, as a characteristic of Americans generally, it is now widely asserted, is one of the Canadians' grievances against us.

My ignorance took the form of a questioning of my Canadian guest.

"Tell me," I asked, "just what is a Canadian? What is his feeling about his nationality? Does he consider himself a transplanted Britisher? Or does he have as strong a nationalistic and prideful feeling as a Canadian as we have as Americans? Do you Canadians have a militant sense of your nationhood?"

His reply, given with a smile, was: "Well, we haven't been able to make up our minds yet what our flag should be."

That was 21 years ago. And perhaps I should apologize retroactively in the presence of Canadian friends gathered on the hospitable soil of Canada for so gauche a catechizing of a most delightful visitor.

However, 21 years later the flag issue appears not only unsettled, but somewhat more acute.

But that should not cause any concern. Our American flag has been changed repeatedly. Some of us are particularly proud of the changes made in 1959 and 1960, when we added the 49th and 50th stars and moreover staggered the arrangement of the stars. By these acts, let me digress to say we extended the frontiers of democracy to our farthest west, north, and south, into the Eastern Hemisphere and into the Arctic. Which makes me wonder why the proposed new Canadian flag does not also carry a blue stripe on top to recognize the Arctic Ocean, one of the great airways and subseaways of the immediate future. The United States and Canada appear to be the only nations fronting on three oceans. Since your flag could, if it were so wished, recognize that striking geographic fact, why not consider it?

To return to my subject, I note, also, as having some pertinence, Prof. Douglas Le Pan's opinion in his "Canadian View" of the outlook for the relationship between our two countries that "most Canadians would admit that Canada has not yet succeeded in creating a clearly recognized national identity."

A different view is, however, expressed by the Honorable Paul Martin, Secretary of State for External Affairs, who, while addressing the 25th American Assembly last April, stated: "There is a national purpose in Canada, there is a national integrity, there is a determination to pursue that."

I have further confession to make. And if confession is good for the soul, mine will be much improved on this occasion. For I must confess to having been guilty also, on the one previous occasion when I discussed Canadian-American relations, of what I now learn is not only a cliche, but a cliche passé, and worse.

Addressing a joint Dominion Day and Fourth of July celebration at Edmonton in 1942, organized in the enthusiastic aura of the construction of the Alaska Highway—then known as the Alcan—I referred glowingly to the 3,000 miles of undefended boundary which, I suggested, separated but did not divide our two nations.

That now appears to have been a faux pas extraordinary, rendered even more obsolescent and solecistic by the historical and geographical subsequent amendment that it has become 4,400 miles of undefended boundary, running not merely east and west, but also north and south.

My retrospective mortification is compounded by the discovery in the course of a careful reading of the statement of findings and recommendations of the Western-Canadian-American Assembly of last April that not fewer than five of the seven contributing experts chastise such allusions with joyful piquancy.

Thus, Prof. Mason Wade, of the University of Rochester, refers to "that postprandial favorite," "that favorite topic of afterdinner orators," and characterizes as "a hardy and persistent myth that the tradition of the undefended frontier * * * goes back to the Rush-Bagot agreement.

Thus, also, Prof. James Eayrs, of the University of Toronto, refers to "that famous unfortified frontier without fulsome reference to which no international bridge could be opened and no afterdinner speech" be "complete."

Likewise, President John Wendell Holmes, of the Canadian Institute of International Affairs, declares flatly that "we have bored the world too long with sermons about our unfortified frontier" and that in this nuclear age it has become "an irrelevant symbol."

And President John Sloan Dickey, of Dartmouth College, calls for "at least equal time" for the less alluring symbol of "the unequal border" rather than "the undefended border."

I found a more sympathetic treatment of this obviously common error of which so many of us in our naive unawareness have been guilty in Prof. Jacob Viner's reaction, namely, that while "many Canadians, even some scholars, are casting ridicule on the traditional phenomenon of ceremonial speeches at Canadian-American gatherings which harp on the mutual good will of the two peoples, on the unguarded common boundary, on the common values and objectives and cultures of the two peoples," nevertheless such good will is not to be scorned.

This theme I should like to explore a bit further. I recall an aphorism of Justice Oliver Wendell Holmes to the effect that "reiteration of the obvious is often more useful than elucidation of the obscure."

So, I will venture my faith and confidence in the obviously uniquely favorable aspects of our relationship, our common heritage of law and custom, our common faith in the basic freedoms—of speech, of assembly, of press, of worship, the prime ingredients of democracy; our fundamental similarities of thought, morals, and aspirations; our common language. I do not overlook that Canada has two official languages, and in that respect is much richer than we. This is a solid base on which an edifice of fuller understanding can and will be built, and I wholly agree with Professor Viner that all this is not to be scorned. Quite the contrary. We should both rejoice in it and utilize it to the fullest extent.

But wait. Am I once more falling into fallacy? Again no less an authority than Secretary of State Paul Martin, in his aforementioned address, declared:

"A mistake will be made if it is thought that between us there is not a great deal of difference"; and elaborating, he said: "An American would make a great mistake if he thought that because of the similarities, because of the common enjoyment of so many of the incidentals of our society and our civilization, there was not fundamentally a difference between us. There is."

Well, praise be. Diversity should be one of the great goals of a free society. Of nothing should Americans or Canadians be prouder than of the diversities that exist within their respective societies. So why not diversity and differences, also, as between neighbors. We have plenty of them in our 50 States. So have you in your nine Provinces and territories. And how much better the diversities—those varied forms of untrammeled self-expression—that freedom can engender than the enforced conformance imposed in a totalitarian state or the drab and stodgy conformity of an inert and custom-bound society.

Unawareness by Americans of this difference, and indeed a larger unawareness by Americans of Canada in general—of Canadian problems, needs, and aspirations—appears to be one of the Canadians' grievances against their southern neighbor. I say, "appears to be," because I find it difficult to convince myself that so negative a quality can be magnified into a major grievance. But, as it has been categorically affirmed by men steeped in the issues of Canadian-American relations, I hesitate to voice my doubt. Of course such unawareness does exist, and the reason for it has been amply explained.

First, a much smaller proportion of Americans than Canadians live close to the border—indeed the overwhelming majority of Canadians live within 200 miles of it, forming a narrow transcontinental population belt, while Americans, spreading southward for over a thousand miles, allow their gaze and interest to wander elsewhere.

Second, Canada's economic and to a degree its political future are bound closely to American policy any performance, and largely dependent on them, while there is no nearly equal American dependence on what Canada does.

As Prof. Mason Wade pithily summarizes it: "Canada is only one of many problems for the United States, while for Canada the United States is the problem."

I agree that based on these geographic and economic factors, a marked difference in the awareness of Americans about Canada and in the awareness of Canadians about the United States is a fact.

But, in this time of better communications and educational potentials, is this not a problem that can be diminished by concerted effort?

The regrettable fact is, and it is pertinent, that Americans are also ignorant about themselves. I can speak feelingly and from personal experience about their ignorance—our ignorance—about my State—Alaska: Alaska, incidentally, a closer neighbor to Canada than to the rest of our Union, than to what we in Alaska call "the lower 48," or, in a vainglorious mood, "the smaller 48." We haven't quite accustomed ourselves yet to say 49.

That ignorance, just like our ignorance about Canada, has both historical and geographic origins. It goes back to the purchase of Alaska from Russia in 1867—the same year which gave birth to the Canadian confederation.

Ignorance at the time of its acquisition caused Alaska to be labelled with many harsh names. It was called Icebergia, Seward's Polar Bear Garden, Walrussia—a pun on the country which sold Alaska and one of our noble mammals—but the epithet which endured longest is "Seward's folly."

At the time of the debate in the Congress concerning Alaska's purchase, Alaska was pictured as a desolate arctic waste, unfit for human habitation. The Treaty of Cession was adopted by our Senate by only a one-vote margin, and when, in the following year, 1868, the House of Representatives was called upon to appropriate for the payment—the vast sum of $7,200,000, less than 2 cents an acre (in retrospect, what a bargain)—these misinformed views as to Alaska's worthlessness were amply aired. Had not the United States already taken possession of Alaska a year earlier, thus confronting the House of Representatives with a fait accompli, it is doubtful whether the transaction would have been approved.

Now if this display of some American legislators' ignorance and likewise of some of the press of that day were just an antiquarian footnote to history, it would be merely amusing, but this misconception continued to haunt Alaska and its relations with its adopting parents throughout Alaska's 92 years of territorialism.

It caused Congress to neglect Alaska shamefully. It gave Alaska no legal government whatever during its first 17 years under the American flag. During these years—from 1867 to 1884—no hopeful settler (and many of them came there hopefully) could acquire a title to land; no pioneer could clear a bit of the forested wilderness and count on the fruits of his toil, or build a log cabin with the assurance that it was his; no prospector could stake a mining claim with security for his enterprise; property could not be deeded or transferred; no will was valid; no injured party could secure redress for grievances except through his own acts; crime could not be punished. Perhaps, worst of all, marriage could not be celebrated—a cruel injustice to the lovelorn. Yet life somehow went on without benefit of legal sanction.

In this connection, it is pertinent to record a great and useful act of friendship performed for Alaska by their Canadian neighbors in the days of their common political infancy. In the absence of any government for Alaska created by a distant and uninterested Congress, such authority as there was, was exercised de facto for the first 10 years by the commanding officer of the U.S. Army stationed at Sitka. But when, in 1877, he and his troops were called back to put down an uprising of the Nez Percé Indians in Oregon Territory, there remained not even that semblance of authority in Alaska. The idea of an Indian uprising was contagious. This was a year after the massacre of General Custer and his men by the Indians led by Sitting Bull in Montana Territory. The relations between the military in Alaska and the surrounding Tlingit Indians had left much to be desired. The white settlers there, in deadly fear of an Indian uprising, implored their distant Government in Washington to send up some kind of a war vessel to overawe any possible uprisers and to protect them from massacre. No attention whatever was paid to these insistent and increasingly urgent pleas. Abandoned, they felt, by their own Government, the settlers, in genuine alarm and fear, appealed to their Canadian neighbors. Their cry for help, sent by mail (this was before the days of telegraph or cable), and addressed to "the captain of any one of Her Majesty's Ships stationed at Esquimault," was promptly responded to in good neighborly fashion by Capt. H. Holmes A'Court, who, without waiting for instructions, proceeded northward on the vessel under his command, the H.M.S. *Osprey*. His arrival in Sitka was hailed by its inhabitants, and he remained there for 34 days until a U.S. sloop-of-war finally arrived. Thus was performed a service unique in the annals of our two countries.

Let me express my retrospective appreciation for this gallant performance,

I have cited it as part of a demonstration that Americans—including their lawmakers—are also often unaware, neglectful, and ignorant of their own land. For what is pertinent to this discussion, as I have pointed out, is that that ignorance was not merely of long ago. It continued throughout the 92 years of Alaska's territorialism, which we in Alaska came to equate with colonialism. The myth of Alaska as a worthless and uninhabitable wilderness was a hardy perennial whenever legislation affecting Alaska came up in the Congress. It impeded and delayed our progress. It postponed the achievement of statehood.

In one of Alaska's unsuccessful efforts, as recently as 1954, when the statehood bill was defeated in the Senate by a single vote, 45 to 44, the defeat was ascribable to oratorical recrudescence of that myth.

One of statehood's most effective senatorial opponents declared statehood offered no solution to Alaska's problems since the territory's difficulties were "due to the extreme climate and hazardous living conditions. Congress cannot change the climate," he continued.

To support his case, this Senator quoted from an article in the New York Times written by its military expert, Hanson W. Baldwin, who had been reporting the winter military maneuvers north of the Arctic Circle.

"It is," Baldwin had written, "a land * * * of relentless winters * * *. Brief exposure can mean death."

No change in laws or political status would relieve Alaska, the Senator continued. Its fate and future were all summed up "in that short sentence, 'Brief exposure can mean death.'"

Hence, we have a common cause. You will find me enlisted in the combat against American ignorance. Let us together make every effort to erase that understandable Canadian grievance.

We come back to the border, not as of yore, the glorious, undefended border, where the absence of terrestrial forts is no longer meaningful in the age of air transport and missiles. That border is now the chief cause of our differences, the customs barrier, the tariff wall. Involved here are purely economic issues: employment versus unemployment; balance of payments; greater exports to balance imports. The issues can, must, and will be tackled by negotiation, by conference. Sometimes appropriate action by one or both governments takes care of the difficulties. Sometimes they take care of themselves. They usually involve a particular commodity which is an item of export or import by one of our two countries.

During 1962 and 1963, U.S. softwood lumber producers in our Pacific Northwest became increasingly concerned about increased imports of this product from Canada. Sawmills in the States of Washington and Oregon were being shut down. Men were thrown out of work. Canadian imports were held responsible.

The congressional delegations of these States, naturally concerned, brought up the issue. As there are no U.S. duties or quotas on such imports, relief measures were introduced. Late in 1963, the Congress enacted a bill to require, among other things, the marking of the origin of soft lumber imports. President Johnson, on December 31, 1963, gave the bill a pocket veto on grounds of inconsistency with U.S. trade policy. Here was an instance of the U.S. Chief Executive overriding the legislative branch and siding, one might say, with a Canadian interest against a U.S. interest. However, market conditions have improved in recent months and currently there are no strong pressures in the United States for any other restrictive measures in this industry. This is illustrative of the issues that arise.

Another similar issue, of wider application and greater depth, is current and as yet unresolved. It deals with the mutual desire of both of our countries to maintain or increase their exports or sales of automobiles and automobile parts. In Canada, in this instance, it has taken the form of governmental export subsidies. It was established by an order in council effective November 1, 1963, and to be in force initially for 3 years. If carried through, it will mean that Canadian manufactured automotive products can be exported at lower prices to the United States and compete successfully, and in the American view, ruinously, with the corresponding U.S. manufacturers. This issue is fundamentally similar on both sides of that border (now vigorously defended on both sides by the industrial interests involved), the issue being more employment or less unemployment as well as more income versus less income respectively. Not unexpected or unnatural was the congressional reaction. On the floor of the House of Representatives on August 4, Representative HENRY SCHADEBERG, of Wisconsin, spoke for an hour, his remarks and exhibits occupying 17 pages in the CONGRESSIONAL RECORD, which included supporting colloquies from other Members of Congress who likewise had industries in their districts which were likely to be or already had been adversely affected by this Canadian policy. An underlying issue in this instance which troubles Canadians is that Canadian vehicle producers are subsidiaries of American automobile manufacturers.

The Canadian purpose was succinctly stated by the Honorable C. M. Drury, Minister of Industry, in part as follows:

"1. To increase production and create additional employment in Canada;

"2. To take an important step to improve balance-of-payments position; and

"3. To give producers of parts for vehicles a valuable incentive to achieve longer production runs and a greater degree of specialization, thus assisting them to reduce their costs."

The U.S. industry's views, as voiced by the Wisconsin Representative, was that Canada's refunding of the 25-percent duty was a form of compulsion by the Canadian affiliate to get the parent company in the United States to buy Canadian-made parts, such as radiators, wheels, brake drums, bumpers, radios, heaters, etc.

He alleged that this move was to overcome the lesser efficiency of Canadian industry and its lack of competitiveness and that while his manufacturing constituents would not object to legitimate competition, they could not withstand a 100-percent government subsidy. Their lawyers presented the view that this action was in violation of the U.S. Tariff Act of 1930, and requested the U.S. Commissioner of Customs to level a countervailing duty on the Canadian automotive imports, as provided by the act. The Treasury Department did not comply but called for an investigation.

The issue was again discussed from the American industry's point of view on August 17 by Senator PHILIP HART, of Michigan, a State where, as we know, the automotive industry is largely concentrated. Senator HART, while expressing regret and disapproval of the Canadian action, pointing to its adverse effects in the United States, conceded that Canada's action derived from a genuine economic problem there: that Canada, during the past decade, had been averaging a deficit of goods and services of approximately a billion dollars annually.

Meanwhile, the issue was aired in the American press, the responsible Milwaukee Journal beginning an editorial entitled: "Challenge to Canada" with the words: "Just when United States-Canadian relations seemed to be entering a tranquil period, along comes a new row that threatens to erupt into another battle royal."

This is one of the hard issues. If it proves to be a violation of the Tariff Act and countervailing duties are levied, it will intensify ill feeling. The matter may ultimately go to the courts, whose decision may be determinative. But here is the field where mutual understanding and a willingness to adjust is of paramount importance.

Perhaps an entirely new overall approach in tariff negotiations is in order. Let it be recalled that the first reciprocal tariff agreement between any two countries was negotiated between Canada and the United States nearly 30 years ago. It lowered tariffs and a tremendous expansion in two-way trade has resulted.

Although I appreciate the obstacles, I would personally like to see the somewhat discredited proposal of free trade between us reopened and reexplored. That would be one way to exalt our border and restore its mythical sanctity.

Another current issue has to do with fisheries. The Parliament recently enacted legislation to establish a 12-mile fishing zone. It also permits the Canadian Government to draw straight base lines and declare bays and other bodies of water to be internal waters. Some negotiations concerning areas in which other than Canadian nationals have traditionally fished are in order.

I can only say that I wish the United States would follow Canada's example. I have for some time advocated it. I consider the 3-mile limit an obsolete relic of long-past days. With few exceptions, our fishermen would support such action, and so would the public.

Which leads to another set of issues; namely, how much should or ought Canada to be bound in international matters by U.S. policies? Well, speaking only for myself, who at times finds himself in disagreement with some of my country's foreign policies, as in southeast Asia and in various aspects of our foreign aid program, which I approve in principle but differ with sharply in the realm of performance, I would assume that such issues should present no real problem. After full understanding following consultation between American and Canadian policymakers and appraisal of the pros and cons of any issue, Canada, as a sovereign Nation, will and should take whatever position it deems wisest. At times that policy will coincide with that of the United States; at times, not. I believe a lot of needless misunderstanding could be averted once that became clearly stated and understood. It will strengthen our mutual respect. I have no doubt that in the really vital issues affecting life and liberty, the United States and Canada will see eye-to-eye.

There are important achievements in Canadian-American relations which deserve recording.

The long controversial St. Lawrence Seaway has now been in operation for five seasons. It is an excellent example of joint agreement and implementation of a major project of benefit to both Canada and the United States. There have been no serious problems or unresolvable differences with respect to joint operations of the facilities of the Seaway, pilotage, arrangements, or toll questions.

After more than a decade of negotiation involving national as well as state and provincial concerns, the United States and Canada signed the Columbia River Treaty in January of 1961, and the U.S. Senate ratified it shortly thereafter. In January of this year the President and the Prime Minister signed supplementary agreements whereby the United States would undertake to see that the Canadian share of increased electric power produced as a result of the treaty would be sold in the United States. The treaty provides for construction of three storage dams on the Columbia River in British Columbia which would provide flood control benefits in the United States and increased power generation at U.S. sites on the Columbia. Under the treaty, one-half of this increased power belongs to Canada.

A marketing entity has been established to prepay Canada for the purchase of its share of power. This prepayment of $254 million will be financed by the entry through the issuance of bonds. The issuance is now underway and it is expected that exchange of ratifications by the two Governments, together with prepayment of the $254 million, will be accomplished by October 1.

Here, then, will be another joint achievement of mutual benefit.

Alaskans were disappointed when another hydroelectric project which would have been of great benefit to them fell through. This was not an intergovernmental undertaking. The Aluminum Co. of America had plans to tap the waters of the upper Yukon in Yukon Territory, drop it some 2,200 feet to tidewater in the Taya Valley at the upper end of the Inside Passage, close to Skagway, bring in bauxite, and process it.

The project was announced by company representatives at a public meeting in Mount McKinley Park, and there was great rejoicing. Apparently they had not secured a firm approval of the Canadian Government, although they thought they had. Canada decided its interest would be better served by establishing an aluminum plant at Kittimat, an understandable decision.

We shall hope for a better outcome if and when the studies for the Rampart Canyon project on the Yukon in the center of Alaska are completed and the project authorized by the Congress. While primarily an Alaskan project, it also concerns Canada, though to a much lesser degree than the Columbia River project. It will be the largest power installation in North America, with a capacity of close to 5 million kilowatts—2½ times greater than Grand Coulee—and has been estimated to generate power at the bus bar at 2 mills a kilowatt-hour.

Another completed project of great value to both our countries, and particularly to Alaska, has been the construction, in 1942, of the Alaska Highway. Begun as a military measure during World War II, it has proved increasingly valuable to Canada's northwest and to the 49th State.

A more recent development of mutual interest affecting particularly the Province of British Columbia and Alaska, is the establishment by the Government of Alaska of a daily ferry system operating from Prince Rupert, British Columbia, up the Inside Passage to Haines. This, for the first time, makes the previously unconnected towns of southeastern Alaska—that is, unconnected by highway—accessible by automobile. Motorists from the States and Canada can now drive by way of Prince George and Highway 16 to Prince Rupert and put their cars on this ferry, operated by the Alaska State government. The ferry stops at Ketchikan, Wrangell, Petersburg, at Sitka on every third trip, at Juneau, Haines, and Skagway. At Haines, the northern terminus, the cars drive inland over the so-called Haines cutoff to Haines Junction in Yukon Territory on the Alaska Highway, and thence into Alaska. This project is of great benefit to tourism in both British Columbia and Alaska. Next season it is announced that a British Columbia ferry will go from Vancouver to Prince Rupert, so that tourists, with or without automobiles, if they desire, can enjoy the full-length boat trip up the 1,000-mile famed Inside Passage.

Now that the existence of the 1,400 miles of Alaska-Canada boundary has officially been recognized, although it existed just as much while Alaska was a stepchild in our Nation's family, Alaskans hope for an increasingly close relationship between these adjacent northwestern areas—Alaska, British Columbia, Alberta, Yukon Territory—so full of potential and as yet far from developed.

I know that the inhabitants there, on both sides of the boundary, are keenly aware of their common interest, and hopeful of the fulfillment of joint aspirations.

In recent discussions concerning Canada and the United States, it is pointed out that each is undergoing a crisis. These crises are likened to each other. Both are serious and must be faced. Both represent the revolt of a minority.

The differences between the two are probably much greater than the resemblances. Both have in common the driving urge of a minority that feels it has been discriminated against at the hands of the established order.

Neither of these crises can be classed as directly involved in Canadian-American relations. Yet their outcome can and will have a profound effect on each nation's future. So it becomes some concern of the other.

As to our problem, I have been deeply concerned about it all my years. I consider our treatment of the Negroes a national disgrace. It is a negation of all our national professions. It is a violation of the inspiring premises of our Declaration of Independence. Its correction is long overdue. But I am happy to say it is coming. More progress has been made in this field in the last decade—since the U.S. Supreme Court decision in the Brown case—than in the previous 93 years since Abraham Lincoln freed the slaves.

The passage of the civil rights bill in this Congress is a further great and gratifying achievement. But before the equality of treatment and of opportunity is more nearly achieved, we shall need more than legislation. And even legislation serves little purpose unless it is enforced. The American people learned in the 1920's, after passage of the 18th amendment establishing prohibition, that legislation which runs counter to the mores of a great number of people become a dead letter. And so, in addition to legislation and its enforcement, we shall need education—education to equip these long disadvantaged fellow citizens of color who, until they receive it, until through it they achieve equality of capacity, will remain at the foot of the economic ladder. Their understandable discontent will not have been stilled. The problem will remain and the revolt will continue.

So, while the road ahead is still beset by the obstacles of racial prejudice and resistance to change, we may expect steady progress toward the goal of equal treatment and equal opportunity in our country regardless of race, creed, or color. Rioting, violence, and bloodshed will no doubt continue sporadically for a time, but a foundation has been laid for the validation of the principle of equality of opportunity for all.

Of course, it should be clear that the real vital change needs to come in the hearts of men. Racial prejudice exists in varying degree in most parts of the world. Because of prejudice against orientals—with which Canadians have also been familiar on the west coast—it delayed the admission of Hawaii to statehood, although Hawaii presents the finest example of ethnic democracy under the Stars and Stripes. For that very reason, above all others, its statehood was desirable and essential. It made possible the election to the Congress for the first time of Americans of Japanese and Chinese blood. And what splendid Senators and Representatives they are. And what a fine thing for all our Nation that we at long last broadened the base of our democracy to include them. Not merely Hawaii but the entire Nation was the beneficiary. Indeed, it was far more important for the United States to give Hawaii statehood than for Hawaii to receive it.

There has been prejudice against the American aborigine. When I first came to Alaska as Governor, I found signs in restaurants saying: "We do not cater to native or Filipino trade." And other signs saying: "No natives allowed." "Native" is the Alaskan term for Indian or Eskimo.

These, and the practice they indicated, were soon made illegal by act of the territorial legislature 19 years ago, and I would say that today Alaska is free of that prejudice. Eskimos and Indians serve in our legislature and serve well. Indeed, the first president of our State senate was an Eskimo, and after his death, he was succeeded by an Indian elected by unanimous vote of his colleagues.

The most stubborn racial prejudice of all is against the Negro. The Anglo-Saxon heritage is conditioned against him etymologically. The adjective "black" has in the English language an unfavorable connotation. We speak of "black looks," a "black-hearted" villain, a "dark outlook," to "blacken" a man's character. "White," on the other hand, has a favorable connotation. "Though your sins be as scarlet, they shall be as white as snow," said the Lord, according to the book of the Prophet Isaiah.

How clearly this black and white connotation is revealed in William Blake's verse, in his poem: "The Little Black Boy":

"My mother bore me in the southern wild
And I am black, but O! my soul is white;
White as an angel is the English child
But I am black, as if bereav'd of light."

So there will be a long battle for the hearts and minds of men to overcome the heritage of hate and the pattern of prejudice.

It is a striking fact that of the major European stocks one is conspicuous for its lack of prejudice against the Negroes. It is the French.

During World War I, Negro soldiers going overseas brought back French brides. It happened again in World War II. French girls did not resist such interracial marriages as most American girls would have.

And for those of us who knew the prejudice and difficulties these interracially married couples would encounter when they came back to the States, our hearts bled.

I remember reading a letter from the mother of such a bride, who, describing her son-in-law, wrote pridefully: "C'est un beau Négre."

Which brings me to your internal crisis in Canada. It is perhaps inappropriate and unwise to comment dogmatically or otherwise on another nation's internal affairs. Besides, I am not informed. Like Will Rogers, "I only know what I read in the newspapers."

But it is clear that the French in Canada have never been mistreated comparably to the Negro in the United States. Their representatives have held the highest offices in the gift of their people. They have been prime ministers, cabinet officers, judges, members of both houses of Parliament.

Yet clearly they feel that they have been discriminated against and are in revolt.

The one thought I would like to touch on briefly in this connection I alluded to earlier by saying that your having two official languages made yours richer than is our monolingual establishment.

Britain and France are the cradles of two of the great Old World civilizations, and their transplanted heritages should be encouraged to flourish and express themselves fully in the New World.

We know that in one country in the Old World, Switzerland, three linguistic stocks can coexist peacefully, happily, and productively.

Canada has two languages officially. What would happen if national policy and purpose sought to make all Canadians bilingual and bicultural? I can see only benefits in such cultural cross pollinization. I can see only enrichment of life's content for all Canadians from the integration of such two rich cultural legacies, complementing, supplementing, diversifying, stimulating each other. And in the course of all this, would there not be a real rapprochement?

Me souvenant des français que j'ai eu la bonne fortune de connaitre—je parle de français éclairés—il me semble que si on est français on n'est pas gêné dans l'entourage des idées, on est chez soi dans le royaume de la pensée. Ces traits d'esprit s'ajouteraient bènéficielement á la nature pratique Anglo-Saxonne. Tous deux en profiteraient.

I might close by winging my verbal way eastward across the far expanse of our two nations, "from sea to shining sea," to quote the words of the hymn; to where yesterday, Mrs. Lester Pearson, wife of the Canadian Prime Minister, and Mrs. Lyndon Johnson, wife of our President, participated in ceremonies dedicating the former Franklin Delano Roosevelt's summer home in Campobello Island, New Brunswick, as a jointly owned and operated United States-Canadian international park and as a memorial to President Roosevelt. On that day, August 20, title to the property was officially transferred to the Roosevelt Campobello International Park Commission by the owners, who donated the property to the governments for this purpose.

I hope that this act is symbolic of what the future may mean to our two countries.

Thank you very much for this opportunity to appear before you and for your hospitality.

Je vous en remercie.

THE AMERICAN ASSEMBLY,
COLUMBIA UNIVERSITY,
New York, N.Y., August 26, 1964.

Hon. ERNEST GRUENING,
Senate Office Building,
Washington, D.C.

DEAR SENATOR GRUENING: This morning I had a letter from the president of the University of Alberta which reads in part as follows: "I have attended a great many conferences in my life and have sometimes wondered whether they achieve anything worth the time and effort put into them. I believe those of us who attended the Western Canadian-American Assembly have returned to our duties with a much better understanding of the problems facing us in our relations between the two countries and with the rest of the world."

Let me say officially on behalf of the American Assembly and personally on my own behalf that I am grateful to you for taking the time from your very busy calendar to give this assembly the attention all of us thought it deserved. More than that, however, I am grateful for the contribution you made to the discussions. After your departure, a number of our Canadian friends had only the highest praise for your warm sympathy and understanding. I know you expressed to me some reservations about your use of French; you will therefore be interested to know that many of our Canadian friends singled out this portion of your address as something which more Canadians ought to be able to do. In fact, they wondered how many members of their own delegation could have done the same.

Our final report was stronger than that which came out of the Eastern Canadian session, again in part because of your fine contribution. Whatever further understanding of Canadian-American relations it reflected, then, must be attributable to your presence.

With high regard and every good wish,

Sincerely,

CLIFFORD C. NELSON,
President.

THE SLOVAK NATIONAL UPRISING

Mr. PELL. Mr. President, August 29 was the 20th anniversary of a little-noted but extremely significant episode of World War II—the Slovak national uprising.

Not many people realize that on that date in 1944, an entirely separate "third front" of armed resistance against Nazi tyranny broke out in full force, albeit against tremendous odds, in Slovakia. The Slovak national uprising was prompted by the entry of the German Army into Slovakia in late August 1944 with the intention of transforming that territory into a military stronghold against the Allies. Although the Czechoslovak Republic had been deprived of its sovereignty and nominally reduced to the status of a Nazi satellite since 1939, the Slovak people in 1944 still had the will to resist the final ignomy of a Nazi occupation. Their land became in effect an isolated enclave of active rebellion and they transformed what was to have been a quiet Nazi occupation into a protracted battle.

A Slovak Army of some 70,000 troops was mounted, in addition to a guerrilla force of 12,000. Despite hardships, hunger and shortage of equipment they fought all during that last winter of the war, pinning down several German divisions which otherwise might have been thrown against the main Allied fronts.

The U.S. Government recognized the Slovak resistance forces as an Allied army operating against Germany, and, during September and October of 1944 dispatched a 20-man military mission to Czechoslovakia for purposes of liaison and support of the insurgents. Tragically, 15 members of the mission were captured and executed without trial by the Nazi forces.

Mr. President, having established the American Consulate General at Bratislava, Czechoslovakia, following World War II, I have always had a great interest in Slovakia and in the struggle which was waged there against such terrible odds behind the enemy lines at the end of the war. It is a fascinating and inspiring episode from the history of the war and one about which we should know more. In this regard, I ask unanimous consent that I might insert in the RECORD a statement prepared by Dr. Jozef Lettrich, chairman of the Slovak Democratic Party and former president of the Slovak National Council when I served there as an American Foreign Service officer.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ABOUT THE SLOVAK NATIONAL UPRISING

(By Dr. Jozef Lettrich)

Czechoslovakia, the only democratic country in Central Europe between 1918 and 1938, was delivered to the mercy of Nazi Germany in Munich on September 29, 1938. With the help of a disloyal German minority as well as of a Slovak separatist group, Hitler succeeded in depriving her of her territorial integrity, of her democratic system and, finally, of her political independence. On March 14, 1939, Hitler imposed an "independent," in reality a satellite, state upon Slovakia. On March 15, 1939, Bohemia and Moravia were proclaimed a German protectorate and Sub-Carpathian Ruthenia was occupied by Hungary. Czechoslovakia temporarily ceased to exist as a free country.

These violent and unjust events evoked a bold resistance movement in subjugated Czechoslovakia and abroad as well. The aim of the movement was to fight against the German oppressors and their local supporters, on the one hand, and restoration of freedom and independence of a democratic Czechoslovakia, on the other. Slovakia played an important role in the liberation movement underlying Czecho-Slovak solidarity based upon equal rights of both nations, the Czechs and the Slovaks.

When the German army began to occupy Slovakia and transform it into a German military stronghold against the Allied Armed Forces on August 29, 1944, an armed uprising, the Slovak National Uprising, broke out in Banska Bystrica. Regular military operations by some 70,000 insufficiently armed insurgent forces under the command of Gen. Jan Golian and Gen. Rudolf Viest and 12,000 guerrillas were waged for 2 months against several German divisions, independent battalions and air force units. An irregular, partisan-type of fighting went on for another 6 months, until the liberation of Slovakia at the end of April 1945. Slovakia has joined the great World War II allied coalition.

The Slovak insurgents were at all times on the defensive because of shortage of necessary military equipment. The Soviet Union promised substantial aid. However, the aid was too little and too late, although the Soviet forces were not more than 80 to 100 miles away. The reason for Soviet hesitation in assisting the Slovak uprising was the fact that it was a national uprising similar to the Polish uprising in Warsaw and to guerrilla warfare in Yugoslovia led by Gen. Draza Mihajlovich. The Slovak uprising was aimed at self-liberation from the German yoke. Its military forces were firmly in the hands of democratic and Western oriented officers. Its political leadership was jointly represented by democratic as well as Slovak Communist underground elements. Moscow, however, intended to liberate central and eastern Europe by its own armed forces and, then, to transform it into a Soviet sphere of influence. Therefore, the program and composition of the Slovak national uprising were not consistent with the Soviet postwar political plans in Europe.

On the other hand, the Western Powers, particularly the United States, immediately recognized the Slovak insurgent army as an Allied army. On September 7, 1944, the Government of the United States issued a declaration, stating that "the soldiers in the Czechoslovak Army, including those in Slovakia and other parts of Czechoslovakia, constitute a combat force operating against Germany"; that "reprisals by the German military authorities against the soldiers of the Czechoslovak Army violate the rules of war, by which Germany is bound" and that "the U.S. Government solemnly warns all Germans who take part in or are in any way responsible for such violations that they do so at their peril and will be held answerable for their crimes."

On September 17 and October 7, 1944, an American military mission was flown into Slovakia by the Allied Force Headquarters, Mediterranean Theater. It was composed of Lt. James Holt Green, USNR, M. Sgt. Jerry G. Mican, S. Sgt. Joseph Horvath, Cpl. Robert R. Brown, Sp. 2c. Charles S. Heller, Pvt. John Schwartz, Lt. James Gaul, Photographers Mate 1c. Nelson B. Paris, 1st Lt. Kenneth Lain, 1st Lt. William McGregor, 1st Lt. Lane H. Miller, Sgt. J. Dunley, Capt. E. V. Baranski, 1st Lt. Tibor E. Keszthelyi, 1st Lt. Francis Perry, Sgt. Steve Catlos, Daniel Pavletich, Associated Press Correspondent Joseph Morton, and two unnamed civilians—20 people altogether. The purpose of the mission was liaison with and support of the insurgents and evacuation of American and Allied aircrew personnel.

The American airplanes brought much-needed arms, ammunition, drugs, and other supplies. Equipment for 10,000 men had been made ready in Bari, Italy, and was to be flown to Slovakia, but the U.S.S.R. had refused permission for the Western Allies to bring this aid to the insurgents in Soviet zone of military operations. The Slovak insurgents were compelled to a premature retreat into the mountains.

The Slovak national uprising was a great patriotic act and a considerable contribution to the Allied cause in World War II. The Slovak people clearly demonstrated their firm adherence to their best national traditions. The uprising prevented the Third Reich from using Slovakia as a defense bastion. Slovakia became an unexpected anti-German war theater. It kept several German divisions busy for 8 months and, thus, relieved the Allied armed forces. Had the Soviet Union joined the Slovak insurgents, its army would have been at the gates of Vienna, Austria, by the beginning of September 1944 instead of in April 1945.

President Franklin D. Roosevelt said about the Slovak freedom fighters: "The people and armed forces inside Czechoslovakia have joined actively and gloriously with their countrymen abroad in the ranks of the nations united against tyranny. We Americans salute our Czechoslovak comrades-in-arms who are today so bravely contributing to the liberation of their homeland and the rest of Europe."

The insurgents suffered terrible hardships, deprivations, hunger, and cold all through that last winter of the war. Those of them who were captured by the Germans fell victims to a barbarian cruelty. Fifteen members of the American military mission were also taken prisoners, tortured, and executed by shooting without trial in Mauthausen concentration camp. American-Czechoslovak friendship and fight for a common cause were thus sealed by their blood.

Distorting the historical facts and the true meaning of the Slovak national uprising, the Communist regime in Czechoslovakia has tried to present the uprising as a Communist inspired and Communist-led revolt. It is misusing even the twentieth anniversary of the uprising for the same purpose. The Slovak people in the captive Czechoslovakia cannot protest against such a gross misrepresentation. It is, therefore, the duty of those in the free world, particularly, here in the United States, who had organized and participated in the Slovak national uprising in 1944–45, to bear witness to the true happenings, ideals, and legacies of that great event of Slovak and Czechoslovak history; to honor the memory of the victims in the uprising, in particular that of members of the American military mission; and to make manifest the sincere and warm relations of Slovaks and Czechs to the United States.

TOKAIDO LINE

Mr. PELL. Mr. President, for some months now, those of us who are concerned with modernizing our transportation system have been watching with great interest the construction of a brandnew, ultramodern, high-speed railroad line in Japan.

This line, called the New Tokaido, will connect the great urban centers of Tokyo and Osaka and intervening points along Japan's densely populated eastern coastline. It is scheduled to begin regular service on October 1. On August 25, the first full-fledged test run was made on the line, with a 12-car train covering the 320-mile stretch between Tokyo and Osaka in less than 4 hours. The train hit peak speeds of 130 miles per hour on this run, averaging slightly over 80 miles per hour for the whole run. In time, it is expected that the average will be about 100 miles per hour.

Mr. President, I have been arguing for some time now that if the Japanese can offer this kind of service, we in the United States should certainly be able to do as well if not better. It is especially encouraging, for this reason, that the executive department is continuing its study of my proposal for development of a similar high-speed line in the megalopolis of our own Northeast States. It seems to me that as this study continues we should keep the example of the Tokaido line clearly in mind.

I ask unanimous consent that an article from the New York Times of August 26 describing the first test run on the Tokaido line be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

High-Speed Train Tested in Japan: Covers Tokyo-Osaka Route at Average of 80 Miles Per Hour

(By Emerson Chapin)

Tokyo, August 25.—A 12-car train of Japan's New Tokaido Line sped 320 miles from Tokyo to Osaka today in 3 hours 56 minutes.

The test run, the first conducted at regularly scheduled speed over the entire route, was termed "very, very successful" by Reisuke Ishida, president of Japan National Railways.

The superexpress Hikari stopped only at Nagoya and Kyoto as it raced in record time from Japan's capital to her second largest city. After a 2-hour stop in Osaka, the streamlined blue and white train made the return trip in just over 4 hours.

NEW RAIL EPOCH SEEN

The New Tokaido Line, an imaginative venture hurried to completion in 5 years by Japan's Government-operated railway corporation, will begin regular service October 1, 10 days before the beginning of the Olympic games.

In a test run earlier this year, one of its trains reach a speed of 150 miles an hour, said to be a world record. National Railway engineers believe this can be bettered.

The trip of the Hikari marked a proud day for Japan. Thousands lined the route to wave and cheer as the express flashed past.

Traffic was stopped on many main highways as the Hikari approached. The Japan Broadcasting Corp. had a large crew aboard the train, at vantage points along the route, and in aircraft overhead to provide exhaustive coverage of the trip that the Japanese hope will open a new epoch in railroading.

The Hikari rode smoothly and quietly over welded, mile-long sections of steel rail. It often gave the impression of idling, with the engineer applying the brakes frequently after short stretches at 210 kilometers (126 miles) an hour.

The train traveled at an average speed of just over 80 miles an hour. It stopped for 9 minutes at Nagoya and 2 minutes at Kyoto.

OLD FACILITIES STRAINED

Mr. Ishida said in an interview aboard the train that expresses would run on a 4-hour schedule for the first 6 months and thereafter, he hoped, on a 3-hour basis. "We are being very cautious," he declared.

The railroad president said a slight jerkiness experienced on today's trip was because many sections of the new roadbed had not yet settled completely.

"We know we can run very safely even at 250 kilometers (156 miles) an hour, but the maximum will be held to 210 on our regularly scheduled runs," he added.

At one point the Hikari reached 217 kilometers an hour. Much of the time it traveled at 180 kilometers (about 112 miles) an hour, speeding through numerous tunnels at more than 100 miles an hour.

The New Tokaido Line is intended to relieve the intense pressure on Japan's main Tokaido Line. The Tokaido serves an area that includes Japan's six biggest cities and 40 percent of her population. The area is responsible for 70 percent of the nation's industrial output.

With 120 passenger and 75 freight trains operating on many sections daily, and demand increasing at the rate of 6 to 8 percent a year, the old Tokaido's facilities are strained.

The New Tokaido is Japan's first broad gage rail line. Its construction was a mammoth project, including 65 miles of viaducts, 13 miles of bridges and 43 miles of tunnels.

The electric-powered train can carry 978 passengers in its 2 first-class and 10 second-class coaches. The cars are air-conditioned, equipped with cushioned and adjustable seats, and pressurized for comfort. A buffet car will provide light refreshment.

Initial fares for express runs will range from the equivalent of $6.33 to $13.98. They will probably be raised when speeds are increased.

CBS NETWORK EXPOSES BLACK MARKET IN DANGEROUS DRUGS

Mr. YARBOROUGH. Mr. President, a CBS television show broadcast Wednesday night, September 2, called "CBS Evening News With Walter Cronkite," was so patently shocking in its revelations concerning the improper sale of pep pills and "goof balls" that surely the Congress must respond with corrective action.

The way to solve the great national problem of illicit traffic in barbiturates and amphetamines is set forth in the Psychotoxic Drug Control Act of 1964.

I served as chairman of the Senate Health Subcommittee at the hearing on this measure. The Senator from Connecticut [Mr. Dodd] is the principal author.

The information disclosed in this hearing, like the information provided by the CBS television show, is enough to set off major public demands for reform, if the fathers and mothers of this Nation are made fully aware of the threat to the health and lives and character of their children.

The Psychotoxic Drug Control Act, popularly called the Dangerous Drug Control Act, would require registration with the Secretary of Health, Education, and Welfare by manufacturers, compounders, and processors of barbiturates, amphetamines, and other drug components found dangerous.

Here are some of the findings that demand corrective action:

The illegal use of billions of these pills may well exceed the amounts of psychotoxic drugs sold legally in the Nation's drugstores.

The illegal use of pep pills and goof balls is increasing among young people in cities across the Nation, and is contributing to the increase in crimes of violence.

The use of these drugs is sometimes substituted for the use of hard narcotics, such as opium, heroin, and cocaine.

The use of these drugs is building delinquency and criminal records for youngsters never before involved in law violation.

The use of these drugs may lead youngsters to the use of opium, heroin, and cocaine, thus causing destruction of property and loss of life—or at the very least, loss of mental and physical health.

There is a growing public demand—a demand which I predict will continue to grow—which should be met by this Congress in the spirit with which we approach a national emergency, for whatever proper action may be taken to control crime in the streets.

It is my belief that swift congressional action, in recognizing this emergency situation, which has gone too long unchecked, can best be expressed by enactment of the Psychotoxic Drug Control Act of 1964.

This bill was reported favorably by the Senate Labor and Public Welfare Committee, on August 14. It was passed by the Senate on August 15. It is now before the House Interstate and Foreign Commerce Committee. I am hopeful that at this session Congress will put a stop to the illicit traffic in dangerous drugs.

I ask unanimous consent that an article, published in the September 3 edition of the New York Times, captioned "Pep Pills Bought by Carton in Test" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 3, 1964]

PEP PILLS BOUGHT BY CARTON IN TEST: DUMMY COMPANY WITHOUT LICENSE GETS SHIPMENTS FROM DRUG PRODUCERS

A television producer told a network audience last night that he had set up an unlicensed business that bought more than a million goofballs and pep pills from drug manufacturers in a 4-month experiment.

The producer, Jay McMullen of the Columbia Broadcasting System, estimated that the shipments, which he said cost him only $600.28, were worth between $250,000 and $500,000 on the black market.

Mr. McMullen spoke on the program, "CBS Evening News with Walter Cronkite." In introducing the producer, Mr. Cronkite said: "The traffic in barbiturate drugs and amphetamines (better known as pep pills and goofballs) is creating—according to authorities—a problem more widespread and serious than the traffic in heroin."

FACTFINDING STUDY

Mr. McMullen conducted the experiment as head of a network news "factfinding unit" established to chart "new areas in television journalism."

He told his audience that he had established a dummy concern, McMullen Services, in an office at 35 West 45th Street, and obtained 250 letterheads and envelopes.

Mr. McMullen's purpose, he said, was to find out the extent to which a would-be wholesaler without registration or license number, could buy the drugs from legitimate manufacturers.

He said: "In many States, wholesalers of barbiturates, amphetamines or other prescription drugs are required to obtain a license and to keep records of purchases and sales.

"Those who repackage and sell in interstate commerce are generally required to register with the Food and Drug Administration, and, according to the FDA, manufacturers should check on the legitimacy of a new wholesale buyer."

ADMINISTRATOR OF VETERANS' AFFAIRS APPLAUDS THE GI BILL

Mr. YARBOROUGH. Mr. President, I invite the attention of my colleagues to an article entitled "The GI Bill at Twenty," which was published in the summer issue of the George Washington magazine, and was authored by the Administrator of Veterans' Affairs, Mr. John S. Gleason, Jr.

This article is of interest to me, not only because it underscores the tremendous success of the GI bill, but also because the author, Mr. Gleason, has been one of the most influential of the few opponents of the cold war GI bill, S. 5. In his article, Mr. Gleason makes an excellent case for the enactment of the cold war GI bill when he states that "the lessons of the GI bill have great value on the contemporary scene."

I commend Veterans' Administrator Gleason for this excellent article. Let us hope that it holds out a hope for the heretofore disadvantaged cold war veterans.

I ask unanimous consent that the article be printed in the RECORD, to illustrate that even the most vocal opponents of the cold war GI bill are able to make a convincing argument for its passage.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE GI BILL AT 20

(By John S. Gleason, Jr.)

Immediately after the guns stopped shooting, the bombs stopped raining down, and the lights went on again all over the world, the United States emerged from World War II to confront a serious domestic crisis.

The largest military force in U.S. history was encamped all over the world, hoping for quick discharges, and jobs, houses, and education on their return. Mindful of the upheaval, unemployment, and bonus marches that followed the relatively short and smaller First World War, there was widespread fear about the potentially explosive reaction of 15.3 million World War II veterans whose lives had been uprooted in a longer, more far-flung, and disruptive war.

One economist predicted a whopping 19 million unemployed if the postwar economy dropped back to its 1940 level of output. More conservative estimates placed the figure at a staggering 8 million. A sociologist, recalling that Hitler and Mussolini had recruited idle veterans, wrote gloomily: "Veterans have written many a bloody page of history and those pages have stood forever as a record of their days of anger."

That the United States won victory in this great peacetime battle is a tribute to a unique piece of legislation—the GI bill of rights.

Exactly 16 days after D-day, when U.S. Armed Forces made history with the sword, President Roosevelt made another kind of history with the stroke of his pen. He signed the GI bill of rights on June 22, 1944.

This year marks the 20th anniversary of the birth of this historic example of long-range planning, which has been compared with the Morrill Act creating land-grant colleges, the Monroe Doctrine, and the Marshall plan.

Why was the GI bill of rights, actually titled "The Serviceman's Readjustment Act of 1944"? It provided for loans, education, readjustment allowances for veterans, and expanded veterans' hospitals and employment service.

There were those who scoffed at the proposal for the GI bill. They called it an all-time gravy train, aiming particularly heavy fire at the readjustment allowances. Yet only 10 percent exhausted this benefit. Some opponents claimed that veterans returning to schools under the GI bill would breed "educational hobo jungles" on college campuses. Instead, they raised the intellectual level of the entire country.

Gloomy prophets dourly predicted that GI homes would be a haven for "deadbeats," that veterans would move in when housing was scarce and then walk out from their obligations. On the contrary, veterans have proved to be excellent credit risks.

But the opposition faded away along with their dire predictions. "With the signing of this bill," said President Roosevelt at a White House ceremony, "a well-rounded program of special veterans' benefits is nearly completed. It gives emphatic notice to the men and women of our Armed Forces that the American people do not intend to let them down."

The feeling was mutual. Veterans certainly did not intend to let America down. "They would be a potent force for good or evil in the years to come," as one veterans' leader predicted at the time. "They could make or break our country. But given the opportunity provided by the GI bill of rights, there was only one alternative—veterans would be a tremendous force for good, and help build a better America, after they had destroyed Nazi, Fascist, and Nipponese totalitarianism."

The words could not have been more prophetic. Here's a rundown on their GI bill record after 20 years.

1. Under the education and training provisions of the bill, 7,800,000 veterans—nearly half of all who served during the war—received training. With well over 2 million in college and another 3,500,000 in other schools, veterans filled every nook and corner of the dormitories, laboratories, and classrooms. They attended classes at 19,000 trade and technical schools, and quonset huts dotted 2,600 campuses from the University of Maine to the University of Southern California.

About 1,400,000 veterans increased their skills in on-the-job training, and about 700,000 learned the newest agricultural techniques in on-the-farm training.

Today we are a far stronger nation for the infusion of the skills manpower gained through the GI bill: 450,000 engineers, 180,000 doctors, dentists, and nurses, 360,000 schoolteachers, 150,000 scientists, 243,000 accountants, 107,000 lawyers, 36,000 clergymen, 17,000 writers, 711,000 mechanics, 383,000 construction workers, 288,000 metalworkers, 138,000 electricians, and the almost 700,000 who trained for business and executive careers.

Altogether, it was the largest program of mass adult education ever undertaken at bargain rates. The $14.5 billion cost has been more than recouped.

The GI bill continues to pay for itself at close to $1 billion a year. The return comes from additional income tax paid by better educated, higher earning GI bill veterans.

2. Equally beneficial has been the long-range effects of the GI bill loan program. Structural evidence of it dots the countryside. One out of every five homes built since the end of World War II was financed with a GI loan. As someone said, the landscape architect of postwar America has been the VA loan guarantee officer.

More than 5,268,000 World War II veterans were granted Veterans' Administration home, farm, or business loans totaling more than $43 billion. The almost 5 million home loans in this total helped touch off a postwar housing boom that turned Americans into a nation of homeowners. This infusion of credit, of course, resulted in an enormous stimulus to our national economy. For purchases of new housing dilate the economic arteries. Purchases of new furniture, new appliances, new cars follow; and school construction and other public works are not far behind as new suburban communities mushroom. (These are communities with good credit ratings, it might be said, for more than a third of the GI loans are paid in full.)

3. Often under fire, the GI bill readjustment allowance program helped tide nearly 9 million veterans through the initial period while they looked for jobs. The average stay on the rolls was only 19 weeks, and some

$3.8 billion was expended in this program, only 900,000 veterans, or about 1 out of 10 exhausted their full rights to unemployment benefits. Most veterans just were not content with $20 a week, when they could be bringing home $100 from a job, or improving their skills and education.

It was an underappreciated bulwark against adversity for unemployed veterans. In most instances, the payments were not strung together. They were spread over periods when veterans were changing jobs, trying to find themselves in a new world.

4. Millions of veterans skipped school; most of the older, married, and previously employed veterans, headed back to their old jobs, or better ones, if they could land them. One of the lessons that World War I demobilization drove home was that a strong, well-financed public employment service is indispensable to a smooth readjustment process.

One Government official evaluated the GI bill by paraphrasing Winston Churchill. "Never before," he said, "has so much been done for so many for so little."

A leading industrialist, who knew a good investment when he saw one, agreed. Said Henry Ford II:

"Millions of veterans, who otherwise might not have had the opportunity, have been enabled to enter college or to complete specialized training. The Nation gains by having created a great new source from which to draw its leaders."

Leaders they are and leaders they will be, for years to come, according to Dr. Amos Yoder, who made a survey of the GI bill's impact on men listed in the 1960–61 "Who's Who." He found approximately 1,000 who had benefited. All were under 46 years, which, he said, is a sizable number when it is realized that almost all of the men who make "Who's Who" are older.

Since the past is also prolog, the lessons of the GI bill have great value on the contemporary scene. In his message to Congress outlining plans for a war on poverty, President Johnson pointed out that if annual earnings of 10 million among the poor could be raised by only $1,000, it will add $14 billion a year to the national output; reduce the $4 billion in public assistance payments; and lower the costs of fighting crime, delinquency, disease, and hunger.

"Our history has proved," President Johnson said, "that each time we broaden the base of abundance, giving more people the chance to produce and consume, we create new industry, higher production, increased earnings and better income for all." The GI bill is an excellent example of the wisdom of his words.

EDUCATIONAL LEGISLATION ENACTED BY 88TH CONGRESS

Mr. MORSE. Mr. President, an official publication of the Office of Education entitled "School Life" printed a series of articles in its March, April, and May issues which describe briefly the background and the provisions of educational legislation in the 88th Congress which became law.

It is an excellent record and one in which we can take pride. I hope that before this session concludes we may be able to add to it additional needed modifications and improvements in the basic statutes.

Mr. President, in order that Senators may have conveniently assembled this most helpful material to assist them in the answering of inquiries, I ask unanimous consent that the articles to which I have alluded be printed at this point in my remarks.

Mr. President, I wish to commend Commissioner Keppel and his staff for having prepared these excellent summary statements.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

THE HIGHER EDUCATION FACILITIES ACT OF 1963—PUBLIC LAW 88-204

"In all the years of our national life," President Kennedy said in a message to the 88th Congress, "the American people—in partnership with their governments—have continued to insist that 'the means of education shall forever be encouraged.'" The Higher Education Facilities Act of 1963 (Public Law 88–204) binds the people and their governments together in closer partnership, a partnership that has been tested again and again under numerous Federal acts over the past 100 years and in all has been found to be both workable and profitable. Under the 1963 act the Government is investing $1.2 billion in institutions of higher education and investing it where, it is generally agreed, dollars are most urgently needed—in academic facilities.

The Higher Education Facilities Act of 1963 will help meet a need that is already compelling, that is almost unanimously recognized, and that neither State and municipal governments nor private groups can meet by themselves.

BACKGROUND

The needs of higher education for instructional facilities are well documented in the records of the 88th Congress. In committee hearings experts from education, labor, industry, and government—no matter what their primary interest—generally agreed that the need was fast becoming acute. They presented ample facts to prove the need.

The facts are indeed impressive: they reveal the effort the country has made to build strong colleges and universities, the national interest in keeping them strong, and what they need in order to grow stronger. But more than that, they explain why the act concentrates funds on academic facilities.

President Johnson, on signing the Higher Education Facilities Act, pointed out its potential contributions to higher education and to the country:

1. We will help to provide college classrooms for several hundred thousand more students who will nearly double college enrollment in this decade.

2. We will help to build 25 to 30 new public community colleges every year.

3. We will help to construct the technical institutes that are needed to close the gap in this crucial area of trained manpower.

4. We will help to build graduate schools and facilities in at least 10 to 20 major academic centers.

5. We will help to improve the quality of library facilities in our own universities and colleges.

Why do colleges need more facilities?

Here are a few of the facts, all drawn from reports of hearings before Senate and House subcommittees on education and publications of the U.S. Department of Health, Education, and Welfare and the Office of Education.

Colleges and universities of all types face constantly increasing enrollments at a time when they cannot provide the classrooms, laboratories, and libraries they need for students currently enrolled. In the fall of 1963, approximately 4.5 million students were enrolled in U.S. colleges and universities (63.4 percent were in public colleges)—7.7 percent more than in 1962. The Office of Education estimates that the 1965 enrollment will be 46 percent higher than the 1960, and the 1970 enrollment, 94 percent higher—this means 7 million students in college in 1970 (these estimates are based on the increase in population of the 18- to 21-year-old group and the assumption that the percentage of college students in this age group will rise from the current 38 per 100 to 48 per 100 by 1970).

There are several reasons why college enrollment is constantly increasing: There is a larger college-age population (the Census Bureau reports that the population of the 18- to 22-year-old group increased from 11.7 million in July 1960 to 13 million in July 1962, and estimates that the group may total 17.8 million by 1970); a larger proportion of the college-age group is going to college; students are staying longer in college because of changing job requirements and greater emphasis on research; and the general increase in income since World War II makes it possible for more families to see their children through college.

Institutions at all levels, from 2-year colleges to graduate schools, are feeling the pressures of expanding enrollment. The President's Science Advisory Committee has said that the number of doctorates awarded annually in science, mathematics, and engineering should be increased from 3,000 in 1960 to 7,500 in 1970 and that the number of first-year graduate students in these three fields alone should be increased from 17,000 in 1960 to 40,000 in 1970. If the number needed for these and other fields is to be trained, the existing graduate centers must be improved and new graduate centers established.

Glenn T. Seaborg, Chairman of the Atomic Energy Commission and Nobel Prize winner, in testimony before the Senate Subcommittee on Education, emphasized the need for graduate centers. Dr. Seaborg said:

"Additional centers of excellence are urgently needed. The growth of science requires more universities with superior facilities and outstanding groups of students.

"The need for improved facilities is urgent. The expansion of science in this country has outrun our ability to provide up-to-date space and equipment for either research or teaching. The immediate bottleneck today in many fields and in many universities is in buildings and equipment.

"Graduate education in science needs constant modernization."

Although Dr. Seaborg was speaking primarily about graduate education in science, he said: "It is important that these other fields (the arts and the humanities) not be slighted and discounted in today's rush toward science."

Junior and community colleges have been particularly hard pressed to provide facilities for their students. Between 1949–50 and 1959–60 enrollment in public 2-year colleges increased by 128 percent, in private 2-year colleges, by 24.7 percent. In the fall of 1963, approximately 770,000 college students (1 out of every 7) were in 2-year colleges and 690,000 of them were in public 2-year colleges.

Two-year colleges will very likely become increasingly popular for these reasons:

They meet the needs of students who plan to go into jobs that do not require 4 years of college.

They offer an opportunity to students who can't afford 4-year colleges, which are generally more expensive than 2-year colleges, or can't afford to go away from home to college. (Studies indicate that a high school graduate's likelihood of going to college is 50 percent greater if he lives within 20 or 25 miles of a college.)

They gear some of their programs to local needs and job opportunities.

Expenditures of institutions of higher education for physical plant, 1940 to 1960

[In millions of dollars]

School year:	*Expenditure*
1940	84
1942	50
1944	27
1946	71
1948	306
1950	417
1952	403
1954	531
1956	681
1958	1,031
1960	1,192

Source: Reprinted from Health, Education, and Welfare Indicators, January 1964, p. xxvi.

What will it cost to expand?

If the colleges and universities are to provide for the students who will soon be knocking at their doors, Commissioner Keppel said before the Senate subcommittee, they will have to spend $2.3 billion a year on physical facilities. We estimate, he said, that the colleges will need to spend $1 billion more a year until 1970 than they are now spending. Most of the increase will have to go into new construction, primarily for instructional facilities. That much is needed does not mean that the colleges have been standing still.

Year by year both public and private institutions have increased the total expenditures for physical facilities—from $403 million in 1952 to $1,192 million in 1962. A large proportion of their expenditures has been for new construction, but a fairly large proportion of the increase has gone into rising costs (construction costs rose by 36 percent between 1952 and 1962, according to the American Appraisal Co. index of construction, which uses 1947–49 as the base period).

Can the colleges afford to expand?

The question before the Nation has been whether institutions could increase their expenditures to the $3 billion needed in time to provide for immediate enrollment increases. A number of persons, among them Commissioner Keppel, have said they could not.

Speaking before a Senate subcommittee last year, Commissioner Keppel said: "We believe, and the virtually unanimous councils of higher education proclaim, that States and municipalities cannot provide the additional funds institutions need now nor can contributions from private sources provide sufficient funds for private institutions."

Here again the conclusion is backed up by facts:

Expenditures of State and local governments for services other than higher education have been constantly increasing: For public elementary and secondary schools (up from $9.8 billion a year in 1954–55 to $19.5 billion in 1962–63); for expanding State and local payrolls (up by 40 percent since 1950); and for health and welfare services (States pay $6.1 billion a year for health and sanitation alone).

State and local debt has risen sharply. In 1954 the per capita public debt of State governments was $61; local governments, $185; and Federal Government, $1,713; in 1962 the comparable figures were: State, $118; local $325; and Federal, $1,630.

State and local appropriations are the major source of funds for public colleges and universities. In 1961–62 these institutions spent $456.5 million on new construction and rehabilitation of facilities. More than one-third (37.7 percent) of the funds to cover expenditures for construction came from governmental appropriations (State, local, Federal) and more than one-half from the sale of bonds. In the same year, private colleges and universities spent $302.7 million on new construction and rehabilitation of facilities. Their funds came from three major sources: gifts and grants, 43.3 percent; revenue bonds, 22.9 percent; and commercial loans, 9.7 percent.

IS NOT THE COLLEGE PROBLEM A NATIONAL PROBLEM?

The need of colleges and universities to provide instructional facilities for increased enrollment is only one side of the picture; on the other side there is the country's need for trained men and women. On this point again the evidence is unquestionable. The demand for educated manpower has been increasing steadily for a decade, and faster for persons with graduate degrees than for any other group in the labor force.

Between 1953 and 1962 the number of jobs requiring 16 years of education or more increased by 47.6 percent, from 5.4 million to 8 million. Estimates indicate that the demands for highly trained manpower will continue to increase, and that approximately 100 graduates with doctoral degrees are needed each year for every million persons in the population. So far the country is not reaching that estimate nor are there enough graduate schools available to train that number. To produce the trained manpower needed for economic growth, cultural development, and national security would require at least 50 additional quality graduate schools. Moreover, it is important that the centers should be widely dispersed geographically. Currently 20 schools are producing 55 percent of the doctorates, and these schools are concentrated in a few States.

A Defense Department study reporting in 1962 on the distribution of Government contracts shows that contracts have tended to go to communities in which there are strong universities, particularly with graduate schools. The study led President Kennedy to say: "We need many more graduate centers, and they should be better distributed geographically. New industries increasingly gravitate to, or are innovated by, strong centers of learning and research. The distress area of the future may well be one which lacks centers of graduate education and research."

Authorization for appropriations for the Higher Education Facilities Act of 1963, in fiscal years 1964–66

[In millions of dollars]

Purpose	1964	1965	1966	3-year total
Title I: Grants for construction of undergraduate facilities	230.0	230.0	230.0	690.0
For 4-year public and private colleges and 2-year private colleges (or 78 percent of amount appropriated)	179.4	179.4	179.4	538.2
For 2-year community colleges and 2-year technical institutes (or 22 percent of appropriation)	50.6	50.6	50.6	151.8
Title II: Grants for construction of graduate facilities or cooperative graduate centers	25.0	60.0	60.0	145.0
Title III: Loans for construction of undergraduate or graduate facilities	120.0	120.0	120.0	360.0
3-year total	375.0	410.0	410.0	1,195.0

In the next few years advances in science and technology will create new demands not only for highly trained persons but also for semiprofessional technicians to assist them. But the semiprofessional technicians will not be available unless they are trained in the next few years, for already there is a shortage. Just in the last decade the number of semiprofessional technicians employed increased by 40 percent—the second fastest growing section of the labor force. As the demand is still increasing rapidly, the need for technicians is fast becoming acute.

The Bureau of Labor Statistics estimates that the country needs to increase the number of semiprofessional technicians between 1960 and 1970 by about 600,000.

In the past technicians were trained on the job, but science and engineering are making such rapid advances that job experience is no longer enough. Moreover, experts in the training of semiprofessional technicians all say that the training should be given at the college level, that stiff courses in mathematics and physical sciences should be required and should be taught by college instructors who understand the work technicians do.

To help fill all these needs of higher education and in turn the needs of Government, industry, labor, and the professions, the Higher Education Facilities Act authorizes an investment of $1.2 billion. Although Federal funds spent under the act are ostensibly an investment in instructional facilities, they are in reality also an economic investment.

That money invested in education yields a high return to the national economy has been proved in numerous studies. Studies have reported such facts as these:

The Cabinet Committee on Economic Growth reports that a rising level of American education has been the key generator of long-term economic progress in this country.

A study of the growth of output per worker for the period 1929–57 found that two-fifths of the increase in real production per worker—an increase of 56 percent—could be attributed to improvements in the quality of labor resulting from formal education.[1]

THE ACT

Through its penetrating examination of the needs of higher education, the Congress became convinced that the security and welfare of the country required that the young people should have ample opportunity to develop their intellectual capacities and that their opportunity would be jeopardized if the institutions of higher education were not assisted in meeting their most pressing construction needs. The conviction was held by Democrats and Republicans alike and led to passage of the Morse-Green bill (H.R. 6143). When President Johnson signed the bill on December 16, 1963, it became Public Law 88–204, the Higher Education Facilities Act of 1963.

The act makes the U.S. Commissioner of Education responsible for administering the act and gives him the authority he needs to do the job. The act provides for—

A 5-year program of matching grants and loans to any qualifying institution of higher education (public and private nonprofit, 2-year, 4-year, and graduate), both grants and loans to be used for the construction of academic facilities.

The authorization of $835 million in grant funds and $360 million in loan funds during the first 3 years of the program, and for the last 2 years only such sums as later Congresses may later authorize. (This break in authorization was made to give the Congress an opportunity to review the program after it had been in full operation.)

The allotment, administration, and use of appropriations under four titles.

The act prohibits—

Any department, agency, office, or employee of the United States from exercising any direction, supervision, or control over or imposing any requirements or conditions on the personnel, curriculum, methods of instruction, or administration of any educational institution under authority of the act.

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[1] "Education Legislation—1963," hearings before the Subcommittee on Education of the Committee on Labor and Public Welfare, 88th Cong., 1st sess, vol. 1, p. 408.

Definition of terms as they are used in the act

Academic Facilities

Structures suitable for use as classrooms, laboratories, libraries, and other facilities for related instruction, research, or administration of an institution of higher education. The term includes maintenance, storage, and utility facilities essential to the operation of any of the foregoing facilities. It excludes any facility intended primarily for these purposes:

For events for which the public is charged for admission;

For a gymnasium or for athletic or recreational activities other than for physical education courses. (There may be other exceptions if the Commissioner determines that the physical integration of gymnasium and recreational facilities with other facilities included under the act is required to carry out the objectives of the act.)

For sectarian instruction or religious worship or for use primarily in the program of a school or department of divinity (either an institution or a part of an institution that is set up specifically to prepare persons for the ministry or other religious vocation or for teaching theology.)

For a school of medicine, dentistry, osteopathy, pharmacy, optometery, podiatry, nursing, or public health. (These last eight schools were excluded because they may receive funds for construction under Public Law 88–129, the Health Professions Act.)

Construction

Erection or expansion of structures and acquisition and installation of initial equipment; acquisition of existing structures; rehabilitation or replacement of structures or built-in equipment; or a combination of any two or more of these uses.

Development Cost

The amount that the Commissioner finds it will cost an applicant (for a grant or a loan) to construct an academic facility, to acquire land on which the facility is located, and to make the necessary improvement of the site. The amount excludes any cost an institution incurred or contracted to pay for a facility before the 1963 act was passed (December 16, 1963).

In determining the amount of a grant under titles I and II, the Commissioner will deduct from the development cost the amount of a Federal grant an institution has obtained or has been promised under any other act for the construction that is to be financed by a grant under title I or II; he will also deduct the amount of non-Federal funds the institution has agreed to spend or has spent as a condition of getting the other Federal grant.

In determining the amount of a loan under title III, the Commissioner will deduct from the development cost an amount equal to any Federal assistance an institution has obtained or has been promised under any other act for the construction of an academic facility that is to be financed with a loan under title III.

Federal Share

The percentage of the development cost of a construction project under titles I and II that may be paid for out of funds under the act. The maximum share of a project for a 4-year public or private nonprofit college, a 2-year private nonprofit college, a graduate school, or a cooperative graduate center is 33⅓ percent; for a community college or technical institute, 40 percent.

Under title I the State commission determines the precise percentage that a 4-year public or private and a 2-year private nonprofit college will receive. The commission may write into the State plan objective standards and methods for determining the percentage for each approved project, or it may fix a uniform percentage for all approved projects for such institutions. (In no case will the Federal share be more than 33⅓ percent of the development cost.) For example, an eligible 4-year college wishing to build an academic facility at a cost of $1,200,000 could get at the most a Federal grant of $400,000 for an approved project. It might get less if the commission has fixed a uniform percentage or handles each application separately and recommends less than 33⅓ percent. A 2-year public community college or public technical institute wishing to build an academic facility at a cost of $1,200,000 would get $480,000 for an approved project.

Higher Education Building Agency

(1) A State instrumentality or agency authorized to provide academic facilities for institutions of higher education or to finance the construction of such facilities for such institutions.

(2) A nonprofit corporation established by an institution of higher education to provide academic facilities for it. Such a corporation may use loan funds under the act on the condition that the title to any property the corporation builds or purchases with loan funds will pass to the institution if and when the corporation dissolves.

Institution of Higher Education

Any college or university which meets these qualifications:

Admits as regular students only persons who have a certificate of graduation from a high school or its equivalent.

Has State authorization to conduct an educational program beyond the high school.

Provides a program for which it awards a bachelor's degree or provides not less than a 2-year program which is acceptable for full credit toward a bachelor's degree or offers a 2-year technical institute program.

Is a public or other nonprofit institution.

Is accredited by a nationally recognized accrediting agency (the act requires the Commissioner to publish a list of these agencies) or has its credits fully accepted by three or more accredited institutions. The act makes two exceptions in the accreditation requirements: it says, first, that if no nationally recognized agencies are qualified to accredit 2-year technical institutes, the Commissioner will appoint an advisory committee to set up standards for them and to determine which institutes meet the standards and qualify for assistance; and second, that the Commissioner may grant or lend funds for construction to an institution if he is convinced that it will qualify for accreditation when the project for which assistance is requested is completed or when that project and others underway or planned for construction within a reasonable time are completed.

Public Community College and Technical Institute

An institution of higher education under public control organized and administered primarily to conduct either a 2-year program that is acceptable for full credit toward a bachelor's degree or a 2-year program in engineering, mathematics, or the physical or biological sciences that prepares the student to work as a semi-professional technician in one of these fields or in other technological fields. A qualified 2-year institute that is a branch of a 4-year college is eligible for a grant if it is not in the same community as the 4-year college.

Cooperative Graduate Center

An institution or a program created by two institutions of higher education (or more) and offering graduate work to students of both institutions which neither could offer separately as proficiently or as economically.

Cooperative Graduate Center Board

A board which is organized to establish, construct, and maintain the cooperative center and coordinate academic programs. It must be composed of representatives of participating institutions and the community surrounding the center.

High School

Grades through but not beyond grade 12.

Nonprofit Educational Institution

An institution which is owned and operated by a corporation or association but from which neither the owners, private shareholders, not others, receive any profits.

Public Educational Institutions

The term excludes those controlled by any agency of the U.S. Government.

State

The 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa.

State Commission (Title I)

A body of citizens representative of the public and institutions of higher education (including junior colleges and technical institutes) appointed by the Governor and authorized by law to draw up and administer the State's plan for participating in the program under title I.

The State Plan (Title I)

A plan submitted and administered by the State commission, establishing the policies and procedures which the State commission will follow in reviewing applications for grants under title I, and determining relative priorities, and Federal shares for title I projects.

TITLE I—GRANTS FOR THE CONSTRUCTION OF UNDERGRADUATE FACILITIES

Under title I the act authorizes a 5-year program of grants for the construction, rehabilitation, improvement, alteration, or acquisition of academic facilities in undergraduate colleges and universities, both public and private nonprofit. To finance these grants in the first 3 fiscal years of the program, the act authorizes an appropriation of $230 million a year to be divided among the institutions as follows:

Public community colleges and public technical institutes, 22 percent.

Public and other nonprofit 4-year colleges and 2-year nonprofit colleges and technical institutes, 78 percent.

The authorization for title I is particularly important to the States and the controlling boards of nonprofit institutions for three reasons:

First, title I says that funds appropriated for projects for fiscal year 1964 (which ends June 30, 1964) but not obligated during the year can be carried over to the end of the next fiscal year. This provision gives them more time for estimating their needs, filing applications, and raising matching funds.

Second, title I says that if the Congress appropriates less than the amount authorized ($230 million) in fiscal years 1964 and 1965, it may, in succeeding years, make up the difference between the amount authorized and the amount appropriated in 1964 and 1965. This provision will very likely increase the possibility that the full amount authorized will eventually be appropriated.

Third, it says that the Commissioner may reallot funds appropriated for fiscal years 1965 and 1966 but not obligated for particular projects by the close of the year for which they were allotted.

For public community colleges and technical institutes

Because of the special need for public community colleges and technical institutes, the act singles them out for special attention: it not only earmarks funds for them but authorizes the Commissioner to pay a larger percentage of the construction cost of a projects than it does for other institutions. The percentage of the construction cost of a project paid for out of Federal funds under the act is called the "Federal share" (for definitions of the term "development cost"). The Federal share of the construction costs of projects for public community colleges and technical institutes is fixed at 40 percent and of other institutions, a maximum of 33⅓ percent.

To be eligible for a 40-percent grant, a public community college or a public technical institute must qualify as an institution of higher education (see definition p. 17) and in addition it must be under public supervision and control; organized and administered principally to provide a 2-year program that is acceptable for full credit toward a bachelor's degree; or organized and administered principally to conduct a 2-year program in engineering, mathematics, or the physical or biological sciences which prepares students to work as semiprofessional technicians in one of these three fields or in other technological fields.

A 2-year branch of a 4-year college is also eligible for a 40-percent grant if it is in a different community.

Funds for the public 2-year colleges will be allotted among the States on the basis of the income per person and the number of high school graduates in the most recent year. This means that funds are directed to the States with the largest number of prospective college students and the least ability to finance expansion of facilities. If $230 million is appropriated for fiscal year 1964, 22 percent of the total, or $50.6 million, will be available to public 2-year community colleges and technical institutes. Out of the $50.6 million each State will be allotted an amount which bears the same ratio to $50.6 million as the product of the number of its high school graduates in the 1962–63 academic year and its allotment ratio bears to the sum of the corresponding products of all States.

Seed Money

It is possible that the Federal appropriation under title I, what Senator CASE has called "seed money," may stimulate an investment of almost $2 billion in academic facilities in undergraduate colleges in the first 3 years of the grant program. If the full amount authorized is appropriated and used in 1964 through 1966 the totals shown below will be available for construction of academic facilities:

	Millions
Public community colleges and public technical institutes	$379.5
Federal grants (40 percent)	151.8
Matching funds (60 percent)	227.7
Public and other nonprofit 4-year colleges and nonprofit 2-year colleges	1,614.6
Federal grants (33⅓ percent)	538.2
Matching funds (66⅔ percent)	1,076.4

As soon as possible after the funds are appropriated for each fiscal year, the Commissioner will compute each State's allotment ratio, using the formula prescribed in the act. Each State's allotment ratio equals—

$$1.00-\left(0.50\times\frac{\text{per capita income for the State}}{\text{per capita income for 50 States}}\right)$$

The computation will be based on Census Bureau data on average income for the 3 most recent years.

No State's allotment ratio will be less than 0.33⅓ nor more than 0.66⅔; the allotment ratio for Puerto Rico, the Virgin Islands, Guam, and American Samoa will be 0.66⅔. If the Commissioner finds that the cost of school construction in any fiscal year in a State is twice the median costs in all States, the State's allotment ratio will be 0.50.

From these allotments to the States the Commissioner will make grants to public 2-year community colleges and public technical institutes only for construction projects that will substantially expand capacity for enrollment or create new capacity for enrollment.

For other institutions of higher education

Institutions of higher education other than public community colleges and public technical institutes will share in $538.2 million for academic facilities in the first 3 years of the grant program if the full amount authorized is appropriated. Under the provisions of title I, 4-year public or private nonprofit institutions and 2-year private nonprofit institutions that qualify under the act's definition of an institution of higher education are eligible for a grant for specific types of facilities.

In each fiscal year the Commissioner will allot grant funds for other colleges to the States in two parts: one-half on the basis of each State's proportion of the total U.S. enrollment in all institutions of higher education, public and private, and one-half on the basis of each State's proportion of the total enrollment in high school grades 9 to 12, inclusive, public and private. In determining enrollment, the Commissioner will use the latest satisfactory data available to him for the most recent year.

Assuming that $230 million is appropriated and that $179.4 million (or 78 percent) is available to colleges other than public community colleges and technical institutes in fiscal year 1964, each State will be allotted an amount which bears the same ratio to $89.6 million as its enrollment in institutions of higher education bears to the total enrollment in all States, plus an amount which bears the same ratio to $89.6 million as its enrollment in grades 9 to 12 bears to the enrollment in grades 9 to 12 in all States.

From each State's allotment the Commissioner will make grants to cover the Federal share of the construction costs for projects in other institutions. The maximum Federal share is 33⅓ percent of the cost; the State commission determines the precise percentage (see definition of Federal share).

These institutions—4-year public and private nonprofit and 2-year nonprofit colleges—may use the funds under table 1 only for a building or part of a building that is designed especially for instruction or research in the natural or physical sciences, mathematics, modern foreign languages, or engineering or for use as a library; only if construction will begin within a reasonably short time; and only if the completed building increases capacity or creates new capacity for enrollment.

The State Plan

Before institutions of higher education in a State can receive grants under title I, the State must do these things:

Designate, as the State commission, a State agency that is "broadly representative of the public and of institutions of higher education (including community colleges and technical schools)." If no existing agency meets this requirement the State must establish one.

Submit to the U.S. Commissioner of Education, through the State commission a State plan which—

Names the State commission as administrator of the plan.

Sets up objective standards and methods for determining which eligible projects submitted by institutions will have priority and for determining whether a particular project for an institution other than a public community college or a technical institute will get the maximum Federal share of 33⅓ percent of its construction cost or a smaller percentage.

Commits the State to use its allotment or reallotment only for the purpose for which it is granted.

Agrees to give every applicant for a project who is adversely affected by a decision an opportunity for a fair hearing.

Makes provision for proper control of and accounting for Federal funds paid to the State under this program and for making the reports the Commissioner needs.

During the first 2 years of the act the Commissioner is authorized to spend up to $3 million a year on the proper and efficient administration of State plans, including the necessary expense of preparing them.

High school and college students are graduating at younger ages than formerly. Between 1950 and 1960 the median age of high school graduates dropped from 18.4 years to 18.1, and the median age of college graduates dropped from 23.6 years to 22.9. By color and sex, the estimated median ages of graduates in the 2 years were as follows:

	1950	1960
HIGH SCHOOL		
White	18.4	18.1
Male	18.6	18.2
Female	18.2	18.0
Nonwhite	18.8	18.5
Male	19.4	18.6
Female	18.5	18.4
Total	18.4	18.1
Male	18.6	18.3
Female	18.2	18.0
COLLEGE		
White	23.7	22.9
Male	24.3	23.4
Female	22.1	22.2
Nonwhite	23.8	23.9
Male	24.9	24.7
Female	22.5	23.2
Total	23.6	22.9
Male	24.3	23.5
Female	22.2	22.3

NOTE.—Source of data in both this table and the chart opposite is Current Population Reports of the Bureau of the Census, series P–23, No. 9.

Among the reasons for the differences between the college graduates of 1950 and those of 1960 are these: The class of 1950 contained many veterans, who were older than the average college student; students now graduate from high school at a younger age; and interest in part-time study toward a degree is increasing, particularly among nonwhite women.—(Rose Marie Walker, educational statistician, Office of Education.)

Approval of State Plans

The Commissioner will approve State plans that meet the requirements listed above, and will give the State commission an opportunity to be heard before he finally disapproves a State plan. If, after a plan is in operation, the Commissioner finds it has been so changed that it is not complying with the act or that the commission is not complying with its plan, he will notify the commission of this fact and give it an opportunity for a hearing. Until the Commissioner is satisfied that there is no longer a failure to comply he will not consider the State eligible to participate in the program and will so notify the commission.

The State in turn has the right to contest his action on this and certain other points. It may appeal to the U.S. Court of Appeals in the circuit in which it is located. The findings of fact by the Commissioner, if supported by substantial evidence, will be conclusive. The court may affirm or set aside the Commissioner's decision, either in whole or in part. The court's decision will, however, be subject to review by the Supreme Court of the United States.

Basic Criteria

The Commissioner is now working out regulations covering the basic criteria which the States must meet in preparing their plans. The act provides that the basic criteria must be strict enough to achieve the objectives of the act and at the same time flexible enough to permit a State plan to serve the State's particular needs. The criteria must give special consideration to the expansion of undergraduate enrollment capacity.

The regulations may include criteria covering the extent to which facilities are being used effectively and they may allow State plans to group facilities or institutions for priority purposes.

The regulations will also prescribe the basic criteria for determining the Federal share of the development cost of any eligible project for institutions other than public community colleges and public technical institutes. In no event will the Federal share of the development cost of a project for an institution other than a public community college or a public technical institute exceed 33⅓ percent.

The act requires the Commissioner to publish the proposed regulations on priority and criteria for the Federal share in the Federal Register and to provide an opportunity for interested persons to give him their views on the regulations.

It is possible for an institution—4 year or 2 year, public or private nonprofit—to get both a loan and a grant under the act. Assume, for example, that a liberal arts college is planning to build a new science and mathematics hall at an estimated cost of $900,000. If the college is eligible on all counts and meets all conditions for a grant and all conditions for a loan it might get—

A maximum Federal grant under title I for one-third of the development cost	$300,000
A grant from non-Federal sources for one-fourth of the cost	225,000
A maximum loan under title III	375,000

Applications for Grants and Conditions for Approval

To obtain a grant under title I, an institution must apply for it at the time and in the form the Commissioner prescribes. The application must contain all the information he needs to make a decision. Generally speaking he will approve an application that meets these conditions:

1. The institution and the project are eligible, the project has been approved and recommended by the State commission, the State commission has certified that Federal share of the cost, and there are funds enough in the State allotment or reallotment to cover the Federal share.

2. The project has a higher priority than all other eligible projects in the State for which funds have not been reserved under title I.

3. The Commissioner has determined that the structure will not be elaborate and will be constructed economically, that Federal funds will be used only for the projects covered by the application, that funds are available to cover the cost not borne by the Government and to provide for the effective use of the facility upon its completion, that the building will be used as an academic facility for at least 20 years (the period of Federal interest under the act).

Amount of the Grant and Payment

After he has approved an application for a grant the Commissioner reserves the amount of the grant in the State's allotment. This amount he pays directly to the institution. If, however, the development cost of the project turns out to be higher than the estimates made in the application, the Commissioner may, with the approval of the State commission, reserve an additional amount of the State's allotment (available at the time of the original approval of the project)—enough to cover the Federal share of the added cost.

TITLE II—GRANTS FOR THE CONSTRUCTION OF GRADUATE SCHOOLS AND CENTERS

To assist in improving graduate schools and cooperative graduate centers and to establish new graduate schools and excellent centers, title II authorizes the Commissioner to make grants to such institutions yearly for 5 years for the construction of academic facilities as these terms are broadly defined in the act. To finance the grants, title II authorizes the Congress to appropriate $25 million for the fiscal year ending June 30, 1964, and $60 million for each of the 2 succeeding years. Funds appropriated for fiscal year 1964 but not obligated will be carried over and will be available for grants until the end of fiscal year 1965.

Funds that are appropriated for fiscal years 1965 and 1966 and not obligated for projects in these years cannot be carried over. The Commissioner will make grants directly to the institutions of higher education and the center boards, both public and private, that apply for them. He is prohibited, however, from granting more than 12½ percent of 1 year's appropriation to institutions in one State and from approving grants for more than 33⅓ percent of the development cost of a single construction project.

As soon as possible after an appropriation is made the Commissioner will notify institutions when to apply for a grant and the kind of information to include in an application—the kind of facts he will need to approve applications.

The Commissioner will review each application for a grant in the light of the purposes of title II: Would the grant lead to a greater supply of persons with graduate degrees? Would it contribute to better geographical distribution of graduate schools and cooperative centers? Would it assist in establishing excellent graduate schools and cooperative graduate centers? In his review the Commissioner will consider which applications to approve, in what order to approve them, and the size of the grant to make. But before he approves an application for a grant he must consult an advisory committee on graduate education, which title II establishes in the Office of Education. In addition to advising the Commissioner on applications for grants, the committee will advise him on the preparation of general regulations and policy matters in administering title II.

The advisory committee on graduate education will consist of the Commissioner, who will be chairman, one official from the Office of Science and Technology in the Executive Office of the President, one from the National Science Foundation, and eight members who are leading authorities in education, at least three of them from the humanities and at least one of these three from a graduate school of education.

TITLE III—LOANS FOR THE CONSTRUCTION OF ACADEMIC FACILITIES

Title III differs from titles I and II in one major respect: it authorizes loans instead of grants and authorizes them for higher institutions at all levels, from 2-year institutions through graduate schools. Like the first two titles, it authorizes funds solely for the construction of academic facilities in both public and private nonprofit institutions of higher education, and like them it authorizes a 5-year program and appropriations for the first 3 years—$120 million a year for the year ending June 30, 1964, and the 2 succeeding years.

Although the Commissioner will deal directly with the institutions in making loans, he is required by the act to limit the amount of loans going to institutions in any one State to 12½ percent of the total loans made under title III.

The loan program under title III is similar to the college housing loan program (Public Law 81-475), which provides for loans to colleges and universities for residential facilities, dining halls, and student unions. Since 1950, when the law went into effect, more than 900 colleges and universities have borrowed $1.5 billion from the Government. No college or university has ever defaulted on a loan.

The loan

Generally speaking, title III leaves decisions on details of the loans to the Commissioner, but on a few points its provisions are specific. For example, it requires the Commissioner to see that three conditions are met before he approves a loan for the construction of an academic facility:

That at least one-fourth of the development cost of the facility must be paid for out of non-Federal funds.

That the applicant cannot obtain the amount of the loan from any other source on terms as favorable as the terms of the Federal loan under this act.

That the facility will be constructed economically and neither the material nor the design will be elaborate.

The Commissioner has authority to decide what security to require for each loan, the precise term of the loan, and the interest rate. But title III fixes a maximum on terms and a minimum on rates:

Every loan must be repaid within 50 years.

The annual interest rate must always be at least one-fourth of 1 percent higher than the annual interest rate that the Government pays on all its interest-bearing obligations forming a part of the public debt at the end of the preceding fiscal year adjusted to the nearest one-eighth of 1 percent. These are the rates that colleges and universities pay under the college housing loan program. Between July 1, 1956, and June 30, 1963, the interest rate on college housing loans ranged from 2.875 to 3.50 percent.

Administration of the loan program

The provisions of title III giving the Commissioner the authority he needs to conduct the loan program are so worded as to protect the interests of the Commissioner, the Government, and the borrowing institutions. Here, briefly stated, are the administrative provisions:

All financial transactions of the Commissioner in administering the loan program—for example, making loans or approving vouchers—will be final and binding on all officers of the Government.

The Commissioner is authorized to set up a schedule of fees to cover the necessary expenses of making inspections of facilities, including audits, and if necessary to make the agreement to pay such fees a condition for approving applications for loans.

The Commissioner may make rules and regulations necessary to carrying out the program.

He may sue and be sued in a State court of record and in Federal district courts without regard to the amount in controversy; foreclose on property on which a loan has been made; acquire and manage property and complete, remodel, convert, lease, or dispose of property or otherwise deal with it so long as the action does not deprive any State or political subdivision of its jurisdiction over the inhabitants of the property or impair their civil rights under State or local laws.

He may sell, exchange, or lease real or personal property and sell or exchange any securities or obligations.

He may, within the limitation of this title, consent to modifications of contracts with respect to the rate of interest, time of payments of principal or interest, security for the loan, or any other term of the loan agreement.

TITLE IV—GENERAL PROVISIONS

Title IV binds the parts of the act together: it includes the general provisions that apply to the act as a whole; defines certain terms that the Commissioner, State, and institutional officials, and other interested persons must interpret uniformly; and spells out some of the specific provisions for administering the act.

Federal administration

To assist him in administering programs under the act, the Commissioner is authorized to delegate authority (except the making of rules and regulations) to any employee of the Office of Education; to use the services of other Federal Government agencies and of any other public or nonprofit organizations and to pay them for their services; and, with the consent of the Secretary of Health, Education, and Welfare, to appoint committees to advise him on the administration of titles I and III, and to pay committee members for their services.

The Commissioner has arranged with the Housing and Home Finance Agency, which administers the college housing loan program, to provide certain technical services in reviewing applications and carrying out the terms of approved grants or loans.

Along with the authority assigned to the Commissioner under title IV, he is assigned responsibility for seeing that contractors and subcontractors on construction projects supported in part by a grant or a loan pay workers and mechanics at wage rates equal to those prevailing in the community for similar work (as determined by the Secretary of Labor in accordance with the Davis-Bacon Act) and overtime as required by the Contract Work Hours Standards Act (Public Law 87–581). The Commissioner is not required to enforce this provision if laborers and mechanics not employed at any time in the construction of the project voluntarily donate their time to lower the cost of construction for a nonprofit institution and the amounts that are saved are credited to the institution.

Recovery of payments

The act fixes 20 years as the period of Federal interest in a facility built with the aid of a grant, and at the end of the period the Government will relinquish all claim to it. But, if within 20 years the institution that received the grant (or its successor) ceases to be a public or nonprofit institution, or ceases to use the facility as an academic facility, or begins to use it for one of the purposes the act prohibits the United States will be entitled to recover part of the payment. The exact amount of the repayment will depend on the value of the facility at the time, but the Government will be entitled to the same proportion of the value as the grant was of the total cost.

Method of payment

Payments may be made to any State, Federal agency, institution of higher education, or higher education building agency in installments and in advance, or by way of reimbursements. If necessary, adjustments will be made for overpayments or underpayments.

THE FIRST STEPS

Both Secretary of Health, Education, and Welfare Anthony J. Celebrezze and Commissioner Keppel have dedicated themselves to prompt and efficient administration of the act. Since both are interested in seeing the grants and loans put to work as soon as possible after funds for 1964 are appropriated, they have already set the administration in motion.

Secretary Celebrezze has asked each State Governor to appoint or designate a State agency to administer the State plan. To date 42 States have appointed State commissions. Most States have indicated their interests in participating in the act.

Commissioner Keppel has been in touch with college and university presidents and chief State officers on the steps that they should take to participate in the grant and loan programs and to invite their suggestions on the administration of the act.

THE VOCATIONAL EDUCATION ACT OF 1963—PUBLIC LAW 88–210, PART A

The Vocational Education Act of 1963 was passed because of the accumulating evidence that the old Federal program of assistance to vocational education—the one begun by the Smith-Hughes Act in 1917 and augmented and supplemented over the years by other acts of Congress—was not broad enough, or flexible enough, or rich enough to meet the needs of today, much less the needs of tomorrow.

BACKGROUND

What did the old program lack? A panel of consultants named by the Secretary of Health, Education, and Welfare at the request of President Kennedy in 1961, which spent months collecting and studying the evidence of the Nation's needs in vocational education and the shortcomings of the existing program, faced facts like these:

The demand for workers in the service industries is expected to rise rapidly in the 1960's, but the old vocational education acts—George-Barden and Smith-Hughes—have given the States little in the way of either funds or encouragement to train such workers. For example, of all the States which in 1961–62 were using Federal funds to help support vocational courses in high schools—

Only 12 were offering training for drycleaners;

Only nine, for office-machine repairmen;

Only six, for appliance repairmen;

Only six, for workers in the heating and ventilating business;

Only four, for dental technicians;

Only three, for automobile upholsterers;

Only three, for hospital aids;

Only two, for nurses' aids;

And only one was offering training for business-machine repairmen.

Because most vocational education is expensive to provide, many schools have been unable to offer any vocational courses at all. For example, a survey in 1962 of 3,733 public high schools in 6 States—Alabama, Georgia, Iowa, Nebraska, Ohio, and Pennsylvania—showed that only 5 percent were offering federally reimbursed courses in distributive vocations and only 9 percent in trade and industrial vocations, but 47 percent in homemaking and 45 percent in agriculture. The smaller the community, the less likely it was, generally, to offer its children opportunities to prepare themselves for work in the trades, in industry, or in the distributive occupations; yet many of the children in small communities will eventually want to enter such work and will in all probability move to a city to find it. The percentages of high schools in the survey that were offering federally supported training in each of four categories were as follows, by size of community:

[In percent]

	Population under 2,500	2,500 to 30,000	Over 30,000
Trades and industry	2	14	31
Homemaking	42	56	39
Agriculture	40	50	16
Distributive occupations	0	5	27

Even the largest cities, which probably have the greatest need for vocational education, have not been able to make this kind of education available to all who need it. Of the 637,923 boys and girls who in 1961–62 were enrolled in grades 10–12 in the 14 largest cities (Baltimore, Boston, Buffalo, Chicago, Cleveland, Detroit, Houston, Los Angeles, Milwaukee, New York, Philadelphia, Pittsburgh, St. Louis, and Washington) only 115,575 were in federally reimbursed vocational courses. Not even 1 in 5 was being prepared to enter the labor market, despite the incontrovertible evidence that such preparation means a great deal to the high school graduate: a 1959 survey of recent high school graduates in 13 Northeastern States found that unemployment among the graduates who had been prepared for trade and industrial work was only 5 percent compared with 15 percent among other high school graduates.

Business organizations are continuing their trend toward bigness and complexity, and all types of enterprises are keeping more and more records; yet neither of the two basic vocational education acts—Smith-Hughes and George-Barden—provides any training for office workers.

From 700,000 to 800,000 young people between the ages of 16 and 21 are completely at loose ends; they are neither in school nor at work. Some of them have no fixed address; they live in the streets. They contribute nothing to the economy either as taxpayers or consumers. They do not have the money it takes just to stay in school. But no agency has had the means for working out substantial arrangements by which it could give financial assistance to members of this group.

Each year of the 1960's will bring a larger number of young people than ever before to the end of their 18th year—the age of going to work, the age of going to college. In 1965 as many as 3.8 million will reach this age—50 percent more than in 1960. Of every 10 of these, only 2 will finish 4 years of college; the others, both those who graduate from high school and those who drop out before they graduate, are the ones who will have particular need for some form of vocational education.

All of these young people face a world that is fast losing patience with ignorance and lack of skill and has fewer and fewer jobs to give to the unskilled. Between 1960 and 1970, the Department of Labor estimates, 26 million young people without baccalaureate degrees will enter the labor force; all of them, as the years pass, will need additional training and retraining to develop their skills and keep them up to date. But to give such training to this one group alone would probably take nearly as much money as is now being expended under all of the old programs together. The $57 million in Federal funds expended under Smith-Hughes and George-Barden in 1963, for instance, if spent entirely on the 26 million young persons now coming into the labor force, would not amount to even $2.50 for each of them—a figure which points up the complete inadequacy of the funds under the old programs for meeting the needs of the future.

Workers who are now middle-aged and older will need to update their skills from time to time as technological developments alter their jobs. By 1970 more than 33 million men and women 45 years old and older will be in the labor force—5.5 million more than in 1960. The old vocational programs have not had either the funds or the facilities or the instructional staff to take on this monumental responsibility.

One of the fastest growing segments of the labor force is the one composed of technicians and semiprofessional workers—those who will require 1 to 3 years of postsecondary education. But the funds available under the old programs cannot be stretched to train all the technicians and other highly skilled workers the economy needs.

Vocational education programs, like all other educational programs, should emphasize quality; time and money should be spent on a search for more effective and more efficient ways of helping people acquire occupational skills. But the acts that established the old vocational programs, though they called for research, did not give it specific financial encouragement.

THE ACT

Each of these problems, as well as others equally disturbing, is attacked directly in the Vocational Education Act of 1963. The act is comprehensive: it shuts out no group, no occupation, except those generally considered professional or as requiring a baccalaureate or higher degree. It is concerned about workers of all ages at all levels for all fields; about persons in sparsely settled areas as well as the urban; about delinquent young people as well as the most industrious; about the employed as well as the unemployed and the underemployed.

And in its provisions for making vocational training and retraining accessible to all persons, the act is not only idealistic but realistic; it requires each State and each community to plan its vocational education programs with an eye always on the changes taking place in the economy and the world of work. The Vocational Education Act of 1963 cannot become obsolete: the machinery for keeping it flexible and up to date is built into it.

The act is also concerned with quality of education—with wise choices by the students, with the training of teachers, with the supply of materials and equipment, with research on problems and a search for solutions—and among its provisions are several that should help bring excellence into all programs of vocational education.

The new act does not terminate any of the vocational education programs already in existence. But it does affect them. By the amendments it makes in the earlier acts, it meshes the new program with the old programs, so that all become coordinate parts of a whole.

Unlike the earlier acts, the new act is concerned more with groups of people and their particular educational needs than with the categories of vocations they will prepare for. In fact it mentions occupational categories only twice: once in the definition of "vocational education," to point out that education for business and office occupations is indeed included; and later, in sections amending the George-Barden and Smith-Hughes Acts, to specify the changes that will be made under each of the categories there. The Congress has left to each State the matter of deciding what occupations the schools will educate for.

In writing the act the Congress has scrupulously respected the rights of the States to control their educational systems. Its only purpose has been to assist the States in strengthening, improving, and expanding their existing programs of vocational education; in developing new ones; and in providing part-time employment for young persons who need to earn money if they are to continue their vocational education on a full-time basis.

The Vocational Education Act of 1963 gives authority for two different appropriations. First it authorizes a permanent program (in addition to the permanent programs authorized in the Smith-Hughes and George-Barden Acts); second it authorizes funds for two 4-year programs.[1] The amounts of these authorizations are in the table below.

When this was written, in late March, no appropriations had yet been made under these authorizations (authorizations are merely permission to appropriate; it takes appropriations to make money available).

Permanent authorization—Vocational education for persons in 4 categories, construction of area facilities, ancillary services and facilities, research and training programs

	Million
1963–64	$60.0
1964–65	118.5
1965–66	177.5
1966–67 and each fiscal year thereafter	225.0

4-year authorization—Work-study programs for vocational education students, residential vocational education schools

	Million
1964–65	$30
1965–66	50
1966–67	35
1967–68	35

The permanent program

Vocational Education—What the Act Means By It

Vocational education is broadly defined in the act. It includes any vocational training or retraining (along with incidental field and laboratory work) which is given in schools or classes under public supervision and control, or under contract with a State board of vocational education or a local education agency, and conducted as part of a program to fit persons for gainful employment. This program may be any one of those programs which under earlier vocational education acts is eligible for Federal assistance. And the term "gainful employment" is not limited to any level in any field; it means employment as either a semiskilled or a skilled worker, or as a technician, in a recognized occupation.

But the term cannot be stretched to include education for a profession. It does not include any educational program designed to fit persons for employment in occupations which the U.S. Commissioner of Education determines are generally considered professional or as requiring a baccalaureate or higher degree: which ones these are, the Commissioner will announce in the regulations. The term does, however, include the following.

Vocational guidance and counseling given in connection with vocational training.

Instruction that in itself is not vocational education but is related to the occupation for which the student is being prepared or is necessary for him to have if he is to benefit from vocational training. (Although specific regulations to interpret the various provisions are not yet available, it is probably safe to say that this part of the act means instruction in such subjects as physical science, mechanical drawing, and mathematics; it probably also means some instruction in the basic skills. In any case the courses will have to be an integral part of the vocational education curriculum and not separate from or unrelated to it.)

The training of persons engaged as vocational education teachers, teacher-trainers, supervisors, and directors of such training—and of persons preparing to become vocational education teachers, etc.

Travel of students and of persons engaged in vocational education.

The acquisition, maintenance, and repair of instructional supplies, teaching aids, and equipment.

The term "vocational education" may not be interpreted to mean the construction of buildings, initial equipment of buildings, or the acquiring or renting of land. (Although these are excluded from the definition of vocational education, they are not entirely excluded from the act. See the paragraph on area vocational educational schools.)

The Four Categories of Eligible Persons

The four categories of persons named as eligible to receive vocational education in programs established under the permanent authorization are these:

1. Persons attending high school.
2. Persons who have completed or left high school but are free to study full time in preparing for a job.
3. Persons who have already entered the labor market but need training or retraining, either to hold their jobs or to get ahead, but not persons already receiving training allowances under the Manpower Development and Training Act of 1962, the Area Redevelopment Act, or the Trade Expansion Act of 1962.
4. Persons who have handicaps—academic, socioeconomic, or other—that prevent them from succeeding in the regular vocational education program.

Construction of Area Schools

The idea of vocational education programs designed to serve an area of a State rather than a single community found expression 6 years ago, in the National Defense Education Act. The purpose then was to train highly skilled technicians for fields necessary for the national defense; but the Vocational Education Act of 1963 specifies area schools with a larger purpose—to provide vocational education in the broad sense in which the act defines it.

What the new act does is to provide funds for the construction of area schools—something that the National Defense Education Act did not do.

In defining an area school, the act describes four types. If the school is type A, B, or C, the act says, it must, to be supported with Federal funds, be "used exclusively or principally to give vocational education to persons available for full-time study in preparing to enter the labor market." If it is type C or D, it must admit as regular students both persons who have completed high school and persons who have dropped out of high school. All area schools, no matter what their type, must be available to all residents of the State or of an area of the State designated by the State board of vocational education. The four types are these:

A. A specialized high school.

B. A department of a high school providing education in no less than five different occupational fields.

C. A technical or vocational school.

D. A department or division of a junior college or community college or university which provides vocational education in no less than five different occupational fields, under the supervision of the State board, leading to immediate employment but not leading to a baccalaureate degree.

In authorizing Federal funds for construction of area school facilities, the act means that the funds can be used to construct new buildings; to expand, remodel, and alter old buildings; to grade and improve sites; and to pay architects' fees. The term "school facilities" is defined to mean not only classrooms and "related facilities" but also the initial equipment and the interests in land on which the facilities are constructed. It does not include, however, any facility intended primarily for events to which the public will be charged admission.

Ancillary Services and Activities

The act contains a number of provisions to encourage constant improvement of vocational education programs. One of the most significant is the provision that States may use part of their allotments under the permanent program for "ancillary services and activities." To explain what it means by the phrase, the act lists a number of examples:

Training and supervision of teachers.

Supervision and evaluation of programs.

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[1] The act does not use the terms "permanent program" and "4-year programs" to distinguish between the purposes of the 2 sets of authorizations. But these terms seem to us convenient and descriptive, and we use them throughout this exposition. We use the term "permanent program" to identify the purposes for which authorizations are made in sec. 2 of the act; the term "4-year programs" to identify the programs described in secs. 13 and 14 for which funds are authorized in sec. 15.

Experimental and demonstration programs.

Development of instructional materials.

Improvement of State administration, supervision, and leadership.

Distribution of Funds Within Each State

The act does not leave it entirely to each State to decide how much of its allotment under the permanent program it will use for each of the three parts of the program—for vocational education, for construction of area schools, and for ancillary services and activities. The act requires the State to use certain percentages for the purposes indicated below though any State wishing to use smaller percentages may apply to the U.S. Commissioner of Education for permission to do so. He, if he determines that a smaller percentage will be adequate in that State, will permit the State to use it. The percentages specified in the act are these:

At least 33⅓ percent up through fiscal year 1968 and at least 25 percent thereafter for one of both of these purposes:

(1) Vocational education for the second of the four categories of eligible persons—that is, for persons who have either graduated from high school or dropped out before graduation and are free to study full time in preparing for a job. (Emphasis on this group helps to assure that wider opportunities will be provided at the post-high-school level for persons who need special training and development of skills at that level, particularly in preparation for highly skilled and technical occupations.)

(2) Construction of area schools.

At least 3 percent for ancilliary services and activities to improve the quality of vocational education programs.

Research and Training

Each year 10 percent of the funds appropriated for the permanent program will be reserved for the U.S. Commissioner of Education to use in making grants for research and training programs and for experimental, developmental, or pilot programs designed to meet the special vocational education needs of young persons. These programs will give particular attention to the needs of young persons living in economically depressed communities and having academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational educational programs.

The Federal funds reserved for this purpose will be used for grants to pay part of the costs of the programs. The grants will be made to institutions and agencies, which will develop the programs:

Colleges and universities.

Other public or nonprofit agencies and institutions.

State boards of vocational education.

Local education agencies (with the approval of the State board).

The phrase "training program" is a broad one, and the Congress apparently expects it to be given a broad interpretation. Senator MORSE, in discussing the conference report on the bill, said that the Senate conferees had agreed to drop the word "leadership" from the phrase, with the understanding that the word "training" could be broadly construed to include "all types of program operations training, including management, administrative, or State leadership training." He also said that it was the Senate conferees' view that the Commissioner of Education would be permitted under this provision to make grants also for short-term institutes at which prominent vocational educators from several States could meet to exchange information and to interpret research findings.

Four-Year Programs

In addition to the permanent program, the act provides for two experimental 4-year programs that will be new ways of trying to keep young people in school long enough to make them ready to enter the labor force. One will give young people a chance to work at part-time jobs and yet attend school full time; the other will provide both a home and a school for young people who for one reason, or another cannot benefit from regular vocational education programs.

Funds for these programs have been authorized for only 4 fiscal years—from 1965 through 1968.

Work-Study Programs

Under a work-study program the young person who needs financial help in order to stay in school will be able to get that help: He will be given part-time employment either by the local educational agency or by some other public agency or institution. The student must meet certain requirements:

He must have been accepted for enrollment as a full-time student in a vocational education program that meets standards set up by the State and the local school district under the act. Or, if he is already enrolled, he must have a record of good standing and full-time attendance.

He must need the earnings in order to stay in school.

He must be at least 15 years old and no more than 20 at the time he enters the work-study program.

He must be considered capable of maintaining good standing in his vocational education program while he is employed.

Certain limits have also been set on the work, the pay, and other circumstances:

The work may not take more than 15 hours of the student's time in any week his classes are in session.

His pay may not exceed $45 in any month or $350 in any academic year or—if the student lives so far from the school that he cannot commute from his home—$60 and $500, respectively.

The work-study program must be administered by the local educational agency.

To the extent that funds are available, the program must be made reasonably available to all qualified young persons in the area served by the local educational agency.

Each agency that administers a work-study program under this act will be required to keep up its previous expenditures for employment of its students. From sources other than the payments it receives from Federal funds, it must expend each year at least as much as it expended, on the average, for similar work-study programs in each of the 3 fiscal years preceding the year in which its work-study program under this act was approved. It does not matter whether the expenditures in those 3 years were for employment that would be eligible for assistance under the new act.

Residential Schools

The act also calls for the establishment of residential schools, which will be experimental in nature. These will provide vocational education, room, board, and other necessities for certain young persons who at the time of enrollment are at least 15 years old and not over 20. The students, for the most part, will come from crowded slums and home environments that make it virtually impossible for them to obtain an education.

All the costs of these schools, not only of constructing, equipping, and maintaining them but of supporting the students in residence, may be met by grants from the Federal Government. But the schools will be built and administered by those agencies, institutions, and organizations to which the grants are made. The U.S. Commissioner of Education is authorized to make grants to State boards of vocational education, to colleges and universities, and, with the approval of the State board, to public educational agencies, organizations, and institutions. The Commissioner will give special consideration to the needs of large urban areas that have substantial numbers of students out of school and out of work, but he will also aim at an equitable geographical distribution of the schools.

The Commissioner will also determine how much of the funds appropriated for the two 4-year programs will be used for the residential schools. Senator MORSE, speaking on the floor of the Senate on December 13, 1963, when the Senate resumed consideration of the House-Senate conference report on the bill, said that the conferees estimated that not more than five of these schools could be built with the funds provided. For each school, he said, they estimated "about $1 million planning money, $5 million for construction, and $2 million for operation."

The fact that these schools are residential, Mr. MORSE said, does not mean that they will be prevented from taking in day students.

The Labor Market Is Slow To Buy the Services of the Unskilled

In June 1962 about 1,850,000 boys and girls graduated from high school. Four months later, in October, half of these were enrolled in college and 8 percent were in technical, secretarial, and other special schools. But what of the rest?

Of those not in college and in the labor force—that is, working or looking for work—14 percent were unemployed. And of those at work in nonfarm jobs, 10 percent were working only part time.

But things were worse for young people of the same age group who had dropped out of school before graduating from high school: Nearly 29 percent of this group—17- to 24-year-olds—were unemployed in October 1962.

And things will get worse for the dropout in the years ahead, the Labor Department says. Occupations requiring little skill or little education will continue to decline, and the person without at least a high school diploma will have increasing difficulty in finding a job. (The data above are from the U.S. Department of Labor, Monthly Labor Review, July 1963.)

Allotments to the States

Funds appropriated for the permanent program and those appropriated for the two 4-year programs will be allotted to States on different bases.

The Permanent Program

Each year 90 percent of the funds appropriated for the permanent program (the other 10 percent is reserved for research and training grants to agencies and institutions) will be allotted among the States on the basis of a computation that takes into account two circumstances in each State: (1) the number of persons in each of the age groups eligible for vocational education, and (2) the per capita income.

Per capita income will be taken into consideration by way of an "allotment ratio," which will be obtained for each State by using the following formula:

$$1.00-\left(0.50\times\frac{\text{per capita income for the State}}{\text{per capita income for all States}}\right)$$

The figures that will be used for per capita income will be the averages for the three most recent consecutive fiscal years on which the Department of Commerce has satisfactory data. They will exclude Puerto Rico, Guam, American Samoa, and the Virgin Islands, all of which have been assigned an allotment ratio of 0.60. No State will have less than 0.40 or more than 0.60. The ratios for this fiscal year will soon be announced by the U.S. Commissioner of Education; for each subsequent year they will be announced between July 1 and September 30 of the preceding year.

The amount of money allotted to each State each year will be the sum of four subamounts, each of which will be computed by a process that combines the allotment ratio with population data (the reader should bear in mind that "appropriated funds" here means 90 percent of those funds):

1. An amount which bears the same ratio to 50 percent of the appropriated funds as the product of the State's allotment ratio and its preceding year's population of 15- to 19-year-olds bears to the sum of the corresponding products for all the States.

2. An amount which bears the same ratio to 20 percent of the appropriated funds as the product of the State's allotment ratio and its preceding year's population of 20- to 24-year-olds bears to the sum of the corresponding products for all the States.

3. An amount which bears the same ratio to 15 percent of the appropriated funds as the product of the State's allotment ratio and its preceding year's population of 25- to 65-year-olds bears to the sum of the corresponding products for all the States.

4. An amount which bears the same ratio to 5 percent of the appropriated funds as the sum of the amounts allotted under the three preceding paragraphs bears to the sum of the amounts allotted to all of the States under those paragraphs.

No State will have an allotment of less than $10,000. If for any State these four amounts add up to less than $10,000, the allotments to other States will be proportionately reduced to make up the difference.

If the Commissioner finds that a State will not need or be able to use all of its allotment in carrying out its plan for the year, he can, from time to time during the year, reallot the excess funds to other States in proportion to their original allotments. He will, however, reduce the funds reallotted to any State if they raise that State's total above what it needs and can use under its plan for the year. And he will reallot the funds he obtains from such reductions to States that do need the funds.

Jobs Are Changing: Workers, Too, Must Change

The decade just past, 1953 to 1962, saw a decline of nearly 1 million in the number of jobs held by workers whose median educational attainment was less than 9 years of schooling. But other jobs increased; and the ones that increased the fastest were the ones in which workers had the highest educational attainment:

Median educational attainment	Number employed (in thousands)		Percent change
	1953	1962	
Less than 9 years	11,730	10,766	−8.2
9 to 12 years	26,434	27,180	+2.8
12 to 16 years	18,166	21,861	+20.3
16 years and over	5,448	8,040	+47.6

Source: U.S. Department of Labor, "Manpower Report of the President," March 1963.

The 4-Year Programs

Of the two types of 4-year programs, only the work-study programs will be supported under allotments to the States. The residential schools will be supported by grants to State boards, colleges, etc.

Since the work-study programs are limited to persons who, at the time they enter the program, are no less than 15 years old and no more than 20, each State's allotment will be based on the size of its population in this age group. That is to say, the U.S. Commissioner of Education each year will allot to each State an amount which is in the same ratio to the Federal funds available that year for work-study programs as the State's preceding year's population of 15- to 20-year-olds was to the entire population in that age group in all the States.

The act authorizes no appropriation specifically for work-study programs. Instead, it makes the U.S. Commissioner of Education responsible for determining what portion of the appropriation for residential schools and work-study programs will be used for work-study programs.

If in any of the 4 fiscal years specified for work-study programs, the Commissioner finds that a particular State has a larger allotment than it needs for carrying out its plan for these programs, he may from time to time make the extra amount available for reallotment to other States, in the same proportion as they received their original allotments.

Any amount a State receives under a reallotment becomes part of its allotment for the year.

Payments to States

The Permanent Program

The Commissioner will make payments to the States in advance on the basis of estimates, and will make them in installments from time to time so that the States will have the money in reasonable time for meeting their expenditures.

Payments will be made to the States under these conditions:

In fiscal year 1964 a State must spend as much in State and local funds for programs approved under Federal acts for vocational education as it did in fiscal year 1963. In other words, States are required to make at least the same effort this year as they made last, but they are not required to match the Federal funds dollar for dollar. There is one exception, however: States using Federal funds for constructing area vocational schools may not use Federal funds to pay more than half the cost of each area school project (this holds true in all years, not only in fiscal year 1964).

Beginning in fiscal year 1965 each State must match, in State or local funds, the Federal funds it has allocated in its plan for each of the purposes set forth under the act. What is more, each State must use a certain percentage of its total allotment either for construction of area vocational schools or for vocational education for persons who have graduated from high school or dropped out before graduation and are available for full-time study in preparing for a job—or for both of these purposes (see the paragraph on distribution of funds under the permanent program). This requirement applies to all fiscal years, including 1964.

Work-Study-Programs

For the first 2 years in which the work-study programs under the act are in effect—fiscal years 1965 and 1966—the Federal payments to each State will take care of all that the State spends under its approved plan for compensating students employed in work-study programs. In addition, the payments will contribute something toward the State's expenditures for developing and administering its plan—either 1 percent of the State's allotment for work-study programs or $10,000, whichever is greater.

For fiscal years 1967 and 1968 the Federal payments will take care of 75 percent of the State's expenditures.

No State will receive more Federal money for any fiscal year than the amount allotted to it for that year.

Like the payments under the permanent program, the payments for work-study programs will be made in advance, on the basis of estimates, and in installments.

State plans

To be eligible for participation in the programs provided for in the act, each State must submit a plan—a plan for participating in the permanent program and a supplementary plan for participating in the work-study program. The plans must be submitted, through the State board of vocational education, to the U.S. Commissioner of Education.

For the Permanent Program

The plan for the permanent program must do these things:

1. Designate the State board as the sole administrator of the plan or as the supervisor of the administration of the plan by local educational agencies. If, however, this board includes no members who are familiar with the vocational education needs of labor and management in the State and no members who are representatives of junior colleges, technical institutes, or other institutions of higher education which offer vocational education courses, the plan must designate a State advisory council which does include members with these qualifications.

2. Set forth the policies and procedures the State will follow in allocating its allotment among the various uses specified under the permanent program and in allocating Federal funds to local educational agencies. These policies and procedures will insure that local vocational education programs will be evaluated periodically and the results considered in the light of manpower needs and job opportunities; they will also insure that Federal funds will be used to supplement, not supplant, State and local funds.

3. Set minimum qualifications for teachers, teacher trainers, supervisors, and others responsible under the plan.

4. Provide for cooperative arrangements with public employment offices in the State. The employment offices would give State and local educational agencies the information they need in counseling students and in deciding what occupations to train students for; in turn, educational agencies would give the employment offices the information they need in counseling and placing persons trained under vocational programs.

5. Describe procedures for disbursing and accounting for funds.

6. Obligate the State to comply, on construction projects, with labor standards under the Davis-Bacon Act.

7. Obligate the State to make the reports the Commissioner needs in administering the act and to give him access to State records if he finds it necessary to verify the accuracy of the reports.

If the State plan meets all these conditions satisfactorily the Commissioner will approve it; if it does not, he must give the State board reasonable notice and an opportunity for a hearing before he disapproves it. Moreover, any time he finds that a State plan has been so changed that it no longer complies with the provisions of the act, or that in the way the plan is being administered there is a failure to comply with any of the requirements of the act, he will notify the State board that payments will be stopped until it does comply or that payments will be made only for programs meeting requirements. But a State board that is dissatisfied with the Commissioner's action may appeal: within 60 days after receiving his notice it may file a petition with the U.S. court of appeals in its circuit. The judgment of the court will be final, subject to review by the U.S. Supreme Court.

Supplementary Plan

The plan which a State submits for its work-study programs will be supplementary to its plan for participating in the permanent program. That is to say, the State must have in effect a plan for the permanent program before it submits its supplementary plan for work-study programs. The supplementary plan must—

1. Designate the State board as the sole agency for administering the supplementary plan, or as the sole agency for supervising the administration of the plan by local educational agencies.

2. Set forth the practices and procedures to be followed by the State in approving

work-study programs. These will require the State to use all of the Federal funds it receives for work-study programs to compensate the students employed under them. Only one exception is permissible: 1 percent of the State's allotment for this purpose—or $10,000 if that is greater—may be used to pay the cost of developing the State's supplementary plan and the cost of administering it after it has been approved.

3. Set forth the principles for determining the priority to be given applications from local educational agencies. The principles must give preference to applications coming from communities where there are large numbers of young persons out of school and out of work.

4. Set forth such procedures as may be necessary to assure that Federal funds are properly disbursed and accounted for.

5. Provide for making reports to the U.S. Commissioner of Education, for keeping records, and for making those records accessible to the Commissioner.

In matters pertaining to the Commissioner's approval or disapproval, and the State's right to contest his action, the supplementary plans will be subject to the same regulations as the plans for the permanent program.

Amendments of earlier acts

The new act does not put an end to the former vocational education acts. The Smith-Hughes Act, which provides a permanent authorization for annual appropriations of $3 million for vocational education in agriculture, $3 million for trades and industry and home economics, and $1 million for the training of teachers in these fields, is still in effect. So is the George-Barden Act, which authorizes an annual total of $48.9 million to be divided in specified amounts among agriculture, distributive occupations, home economics, trade and industry, the fishery trades, practical nursing, and technical fields.

An End to Rigid Barriers

Though the new act does not remove the rigid vocational categories established in these two acts, it does relax them. For one thing, it interprets the categories broadly. And, to all intents and purposes, it makes it possible for the States to break down the categories altogether.

The new act permits any State to take any portion of any amount allotted to it for any purpose under the Smith-Hughes and George-Barden Acts and to transfer it to one or more of its other allotments under these acts. The State may even transfer it to one of its allotments under the permanent program of the new act. All that a State needs to do to make these transfers is to request the approval of the U.S. Commissioner of Education and to show to his satisfaction that the transfer will improve the vocational program as a whole.

Important years for vocational education

Acts of Congress

1917: Smith-Hughes Act. Provides annual grant of $7.2 million to the States: $3 million for agricultural training, $3 million for trade and industrial and home economics education, $1 million for teacher training, and the rest for Federal costs of administering the act.

1946: George-Barden Act. Authorizes annual appropriation of $28.5 million to be divided among the same categories as in the Smith-Hughes Act, with the addition of education for distributive occupations.

1956: Public Law 84–1027. Adds the fishery trades and industries to the vocational categories in the George-Barden Act. Authorizes an annual appropriation of $375,000 for vocational education in those trades and industries and in the distributive occupations.

1956: The Health Amendments Act of 1956. Amends the George-Barden Act by adding title II, which specifies practical nurse training for inclusion under the act. Authorizes $5 million a year. The title was originally for 5 years but in 1961 it was extended to June 30, 1965, and now has been made permanent.

1958: The National Defense Education Act, title VIII. Amends the George-Barden Act by adding title III. Authorizes $15 million a year to train highly skilled technicians. The title was originally for 4 years, but it was subsequently extended to June 30, 1964, and now has been made permanent.

1961: Area Redevelopment Act (ARA) provides for training or retraining unemployed or underemployed persons in redevelopment areas. Authorizes $4.5 million a year until 1965 for training costs.

1962: Manpower Development and Training Act. Authorizes a total of $951 million for a 4-year program (the act was originally for 3 years but has been extended through a fourth) of training similar to that under ARA, but broader and not limited to redevelopment areas. Both this act and ARA provide for training allowances to unemployed workers in training.

An End to Narrow Definitions

The new act not only makes possible the transfer of allotments among the various categories in the old acts but broadens some of the categories.

Agriculture: Vocational education in agriculture is broadened so that it no longer is limited to preparation of persons "to enter upon the work of the farm or of the farm home." Now it includes education in any occupation involving knowledge and skills in agriculture. Under this category the schools may now prepare persons to work as managers of grain elevators, as sheep shearers, food processors, or in other occupations related to agriculture. Students no longer will be required, as they were formerly, to have supervised or directed practice on a farm.

Home economics: Any amounts allotted for home economics under the Smith-Hughes and George-Barden Acts may be used to train persons for gainful employment in any occupation requiring knowledge and skills in home economics subjects; for example, for such jobs as managers of motels or of convalescent homes. But after June 30, 1965, a State must use at least 10 percent of its annual allotment for home economics under these acts for training for gainful occupations, or it must transfer the 10 percent to another allotment.

Distributive education: Under the George-Barden Act, distributive education courses were conducted only in extension classes—day or evening—and part-time high school courses and were available only to adults and secondary school students who were employed at least 15 hours a week in distributive occupations. Under the new act, a State may use any of its annual allotment for distributive education for the vocational education of any person who is over 14 years old and who is working in or is preparing to work in a distributive occupation. The education need not be provided in part-time or evening classes. This means that a student may take his training during regular school hours and complete it before he goes to work.

Trade and industry: A State may use its annual allotment for trade and industrial education for schools and classes which conduct preemployment training for persons who are 14 years old and over and in school and which fits them for gainful employment in trade or industrial occupations. If the training is for a single-skilled or semiskilled occupation, classes may be held for less than 3 hours a day, and less than 9 months. Classes are no longer required to spend half their time in practical work on a useful or productive basis, nor are States any longer required to spend one-third of their allotment on part-time schools and classes for workers who are already employed.

Two Programs Made Permanent

Other amendments to the old vocational acts make practical nurse training and area vocational schools permanent programs. The practical nurse program, which is provided for in title II of the George-Barden Act, was established in 1956 by Public Law 84–911; it was authorized to last for 9 fiscal years, beginning in 1957, and would have expired June 30, 1965. The area vocational education programs, now called technical education programs, were established by the National Defense Education Act in 1958 as title III of the George-Barden Act; these would have expired on June 30, 1964.

Labor standards

States must require contractors and subcontractors on construction projects using funds under this act to pay their laborers and mechanics at rates not less than those being paid on similar construction jobs in the community and to meet the conditions of the Contract Work Hours Standards Act. The minimum wage rates will be those determined by the Secretary of Labor.

National advisory bodies

The new act establishes a 16-member advisory committee on vocational education to advise the U.S. Commissioner of Education on general regulations, policies for the administration of the act, policies and procedures for approving State plans and research and training programs. No more than six members may be professional educators.

In 1966 the Secretary of Health, Education, and Welfare will appoint an advisory council to review the administration of the vocational education acts and make recommendations for improving them. The council, to be made up of persons who understand vocational education and the needs of labor and management, will submit its report by January 1, 1968. In the years following, the Secretary will appoint new councils at regular intervals to advise him.

THE NATIONAL DEFENSE EDUCATION ACT OF 1958, THE NEW AMENDMENTS—PUBLIC LAW 88–210, PART B

The National Defense Education Act of 1958 authorized close to $1 billion for a dozen separate programs of education. It was originally written to run for 4 years, but in October 1961 it was extended for 2 more years, until June 30, 1964. Now, in Public Law 88–210,[1] which was signed by the President on December 18, 1963, the act has again been extended, this time for 1 year, until June 30, 1965, and a number of other amendments have been made.

The act has 10 titles. The first one sets forth general provisions; the others provide for specific programs to improve education. Except for title IX, which establishes a special service in the National Science Foundation, the act is administered, at the Federal level, by the Office of Education.

In the first 5 fiscal years of the National Defense Education Act, through June 30, 1963, a total of nearly $800 million in Federal funds was distributed under the titles administered by the Office of Education. Much of the money was paid out in grants to State educational agencies for strengthening instruction in elementary and secondary schools (title III), for guidance, counseling, and testing (title V–A), for providing vocational education in technical fields (title VIII), and for improving statistical services (title X). Just as much and more went to institutions of higher education for loans to students (title II), fellowships and cost-of-education allowances for graduate students (title IV), institutes to prepare counselors (title V–B), and foreign language development, including language and area centers, fellowships, research, and teacher-training institutes (title VI); and to agencies, organizations, and individuals for research in educational utilization of television, radio, motion pictures, and related media of communication (title VII).

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[1] Public Law 88–210 has three parts: Part A is the Vocational Education Act of 1963, described on pages 3–12 of this issue of School Life; part B amends the National Defense Education Act; and part C amends Public Laws 815 and 874 (81st Cong.), the two acts which provide aid for schools in "federally affected areas."

Our principal purpose here is to discuss the new amendments to the act; but in order to make their meaning as clear as possible, we preface the amendments to each title with a brief summary of the title as it stood before the amendments were made, along with some information on what has been accomplished so far with the aid of Federal funds.

TITLE I—GENERAL PROVISIONS

In addition to stating the purposes of the act and prohibiting Federal control of the programs the act establishes, title I defines the meaning of certain words and phrases recurring frequently. The only definitions changed in any way by Public Law 88–210 are these:

State

The term "State" now also includes American Samoa. By the original definition, the term includes also any one of the 50 States, Puerto Rico, the District of Columbia, the Canal Zone, Guam, and the Virgin Islands. (However, for the purpose of determining the amounts to be allotted to the States under titles III and V, the term does not include Puerto Rico, the Canal Zone, Guam, American Samoa, or the Virgin Islands.)

Elementary school, secondary school

Formerly these terms were used to mean schools which provided elementary and secondary education, respectively, as determined under State law. Now a phrase has been added to broaden the meaning of both terms: "or, if such school is not in any State, as determined by the Commissioner." The intent of the change is to include elementary and secondary schools provided by the U.S. Department of Defense for the minor dependents of its military and civilian personnel stationed in foreign countries.

Public schools and institutions

Except in those parts of the act that provide for grants, loans, or other payments to public schools or institutions, the terms "public schools" and "public institutions" now include schools and institutions of any agency of the United States. Formerly these were specifically excluded for all purposes.

In other words, federally operated schools still may not receive grants, loans, or other payments, but teachers and other members of the professional staffs of these schools now may enjoy the benefits hitherto enjoyed only by the professional staffs of other public schools. For example, they may now receive the stipends available for those who attend institutes supported under the act.

Local education agency

This term has been broadened to include any public institution or agency having administrative control and direction of a public elementary or secondary school. Formerly it was limited to a board of education or other legally constituted school authority having control and direction of such schools in a city, county, township, school district, or political subdivision.

By broadening the meaning of this term, the Congress has extended the benefits of the act to a number of public schools not considered part of a local school system—for example, to State schools for the deaf and to the laboratory schools of publicly controlled colleges and universities.

TITLE II—LOANS TO COLLEGE STUDENTS

Title II provides for the establishment of funds from which able but needy students in the Nation's colleges and universities may borrow, on reasonable terms, to finance their education. A student can get as much as $1,000 a year—as much as $5,000 altogether—if he can meet the requirements and if the funds are available at the institution where he is enrolled.

The loans are made by the colleges and universities participating in the loan program. Any institution wishing to participate applies to the U.S. Commissioner of Education and requests a Federal capital contribution to its student loan fund. (Each institution must also make a contribution of its own to the fund—at least one-ninth of the amount it receives from the Federal Government.)

To be eligible for a loan, a person must be a full-time student (either undergraduate or graduate) at an institution participating in the program, or he must have been accepted for enrollment by such an institution. He must also be judged by the institution as needing financial help and being capable of maintaining good standing in his college work.

Institutions making National Defense Education Act loans give special consideration to students with superior academic background who plan to become elementary or secondary school teachers, as well as to students who show superior preparation or ability in science, mathematics, engineering, or a modern foreign language.

Repayment of these loans ordinarily begins 1 year after the borrower has ceased to be a full-time student. The repayment period may be deferred for a longer timer, for as much as 3 years, for any borrower who serves in the Armed Forces or in the Peace Corps during that time. Interest on each loan begins to accrue when the repayment period begins.

A borrower who becomes a full-time teacher in a public elementary or secondary school may be forgiven part of his loan, up to one-half of it (plus the interest on that part) at the rate of 10 percent for each year of teaching. That is, 5 years of teaching can repay half of the loan. The amount forgiven each year is based on the amount still unpaid on the first day of each full year of teaching.

Loans will be canceled for any borrowers who die before they can pay their loans or who become permanently or totally disabled.

Amendments

Now title II has been extended for another year, through June 30, 1969. New borrowers may not come into the program, however, after fiscal year 1965.

The amount authorized for fiscal year 1964 for Federal contributions to student loan funds has been increased from $90 to $125 million. The amount authorized for fiscal year 1965 is $135 million. For the 4 fiscal years 1966 through 1969 no specific amounts are authorized: the amounts will be limited to whatever is necessary to enable the students who had borrowed before July 1, 1965, to complete their education.

The ceiling has been lifted on the amount any institution may receive from the Federal Government in any one year. Formerly it was $250,000; now it is $800,000.

The proviso that interest will not accrue—and repayments need not be made—during any period in which the borrower is pursuing a full-time course of study at an institution of higher education in one of the States has been modified to extend the same benefits to borrowers pursuing a full-time course of study at a comparable institution outside the States, provided the U.S. Commissioner of Education has approved the institution for that purpose.

The proviso that up to 50 percent of the loan will be canceled for any borrower who does full-time teaching in a public elementary or secondary school has been broadened. Formerly the law required the teaching to be done in one of the States, but now the forgiveness clause extends also to borrowers who teach in an oversea elementary or secondary school of the Armed Forces of the United States. It also extends to borrowers who teach in elementary or secondary schools conducted by the Federal Government within the States.

TITLE III—STRENGTHENING INSTRUCTION IN SCIENCE, MATHEMATICS, AND MODERN FOREIGN LANGUAGES

Title III provides for two kinds of assistance to elementary and secondary schools in their efforts to improve instruction in science, mathematics, and modern foreign languages.

1. Equipment and remodeling: First, title III authorizes $70 million a year for laboratory and other special equipment; minor remodeling of laboratory or other space suitable for this equipment.

The funds for laboratory equipment may also be used to purchase such things as audiovisual materials and equipment and printed materials other than textbooks. Last August the regulations pertaining to this title were revised to permit the use of these funds for purchasing professional reference materials for teachers in the three fields, and for purchasing materials and equipment for teachers to use in preparing audiovisual aids to instruction in science, mathematics, and modern foreign languages.

Most of the funds appropriated under this authorization are allotted to State educational agencies for use in the public schools. But each year 12 percent of the available funds are set aside for loans to nonprofit elementary and secondary private schools, to be used for the same purposes.

Each Federal dollar that goes to the States for these purposes in the public elementary and secondary schools must be at least matched by State or local dollars.

In the first 5 fiscal years under NDEA, the Federal Government paid out $172.2 million for equipment and remodeling projects in local public schools. According to the State reports, money was distributed among the three subject fields approximately as follows: 74 percent for science, 9 percent for mathematics, and 17 percent for modern foreign languages.

In the same 5 years the Federal Government approved 250 loans totaling $3,317,649 to private schools. These schools have proved to be financially good risks; some have repaid their loans ahead of schedule. The loans to private schools have been used to provide science laboratories and equipment (231 schools), language laboratories (124 schools), and equipment for mathematics classrooms (51 schools).

2. State supervisory services: Second, title III authorizes $5 million a year to be paid to State educational agencies for expanding or improving their "supervisory or related" services to public elementary and secondary schools—in science, mathematics, and modern foreign languages. The State educational agencies may also use these funds to pay the cost of administering the State plans.

In the first 5 fiscal years under the National Defense Education Act, $10.3 million in Federal funds went into the improvement of supervisory and related services and administration of State plans. Before the act was passed in 1958, there were only 33 State specialists providing consultant and supervisory services to the schools in science, mathematics, or modern foreign languages. By the end of 1962–63 the number had increased to the equivalent of 238 full-time specialists providing such services.

Amendments

Authorization of funds for title III has been extended for another year, through June 30, 1965.

The major amendments to the National Defense Education Act which affect the program under this title are these:

1. Repeal of the provision which permitted a State to carry over to the next year any part of its allotment for acquiring equipment and for minor remodeling which it did not use in the year in which the allotment was made. Beginning now, in the fiscal year ending June 30, 1964, any funds which a State will not be able to use in the fiscal year for which they were allotted—whether for acquisition of equipment and materials, for minor remodeling, or for supervision and administration—will be reallotted from time to time during that year to States that can use them.

2. A broadening of the categories of equipment and materials that may be purchased with Federal funds. Now they include test-grading equipment for public elementary or secondary schools and specialized equipment for audiovisual libraries serving such schools.

3. Enlargement of the definition of "local educational agency" (this was done in title I, but the effect is felt in the provisions of several other titles, including title III). Now the term includes any public institution or agency which has administrative control and direction of public elementary or secondary schools. The effect of this amendment is to include, for example, schools for the handicapped that are operated by public agencies other than local school authorities, and laboratory schools operated by public colleges and universities.

TITLE IV—GRADUATE FELLOWSHIPS

Title IV was written into the act because of the increasingly severe shortage of college teachers and the corresponding need to increase the number of persons holding doctor's degrees.

Under this title, financial assistance is available both for graduate students and for the institutions where they study. To be eligible to participate in this program of Federal aid, institutions must show to the satisfaction of the U.S. Commissioner of Education that they either are establishing new doctoral programs or are expanding existing ones.

The act authorizes "such sums as may be necessary" to award 1,500 fellowships a year to graduate students. These fellowships are for not more than 3 years of full-time graduate study or research. Each year the fellow receives a stipend—$2,000 for the first post-baccalaureate year, $2,200 for the second, and $2,400 for the third—plus $400 for each dependent. In addition, the student's institution each year receives an amount to offset the costs of making the program available to him.

The fellowships are awarded by the Commissioner to persons who have been accepted by an institution offering a doctoral study program the Commissioner has approved. The Commissioner is obligated to encourage wider distribution of graduate facilities throughout the country.

The institution applies to the Commissioner; the prospective fellow to the institution. Each year the Office of Education publishes a list of institutions where NDEA fellowships will be available the following year, and the programs of study that have been approved.

The law asks nothing of the applicant except that he be interested in a teaching career in institutions of higher education. But the law makes it clear that once a person becomes a fellow he must show himself worthy: He will receive a stipend only as long as he maintains "satisfactory proficiency" in his work and devotes "essentially full time" to it. During the time of his fellowship he may accept no gainful employment other than part-time employment at his institution in teaching, research, and similar activities.

Because college teachers are needed in every subject the law puts but few restrictions on fields of study in which fellowships may be made available. The 1,500 fellowships awarded to begin in 1963–64, in 621 new or expanded programs in 155 institutions, were distributed among the major fields as follows:

	Percent
Education	10
Engineering	11
Physical sciences	16
Biological sciences	18
Humanities	21
Social sciences	24

Between the start of this program in 1959 and the end of academic year 1963–64, the Federal Government will have obligated nearly $41.5 million in stipends to fellows and $38.5 million in supporting grants to graduate level institutions.

Amendments

Title IV has now been extended for another year, through fiscal year 1965; but since the fellowships awarded in 1965 will be for study beginning the next academic year, the extension is, in effect, through academic year 1965–66. And for each of the subsequent 2 years, funds have been authorized—"such sums as may be necessary"—to see each fellow receiving an award in 1965 through the full term of his fellowship.

Two other changes have been made.

The Commissioner is now authorized to reaward any fellowships that have been vacated before the end of the period for which they are awarded, and to reaward them as new fellowships for the time remaining in them. This new provision will enable the Office of Education to salvage most of the losses that occur whenever fellows drop out of the program prematurely. So far, on the average, each year's group of new fellows has lost about 7 percent of its members each year of the award period.

The second change provides for payment of a flat sum of $2,500 a year to each institution for each of its fellows. From this sum the Government will deduct any tuition fees the institution requires the fellow to pay; in the past, however, most participating institutions have chosen to waive tuition and other fees. Before this change was made, the act provided for a variable amount to be paid to the institution—up to $2,500 a year for each fellow—to cover that portion of the cost of the graduate program that could reasonably be charged to the fellow.

The Office of Education has already published the list of institutions that will have graduate programs for fellows in academic year 1964–65 (persons writing for this list should ask for OE publication No. 55017-65). Colleges and universities on that list are now receiving applications from would-be fellows and will submit their nominations to the U.S. Commissioner of Education no later than May 8, 1964. The Commissioner will make the awards shortly thereafter.

TITLE V—GUIDANCE, COUNSELING, AND TESTING

Title V is in two parts. Part A authorizes $15 million a year for grants to State educational agencies to enable them to establish and maintain guidance and counseling programs and testing programs in secondary schools. Part B authorizes $7,250,000 a year to establish training institutes to improve the qualifications of persons who are, or expect to be, engaged in guidance and counseling in the secondary schools.

Part A: Although the guidance and counseling programs called for in part A are limited to the public secondary schools, the testing programs are available also to students in nonpublic secondary schools. Apparently the Congress intended that no student should be missed in the search for talent.

In those States that have legal authority to test in nonpublic schools, the State educational agency includes those schools in its own testing program; in other States the U.S. Commissioner of Education arranges, through contracts with testing agencies, for the testing of students in nonpublic schools.

In the first 5 years under the National Defense Education Act, the number of achievement and aptitude tests given in public secondary schools under title V increased 300 percent, from 1.9 million to 7.7 million; in fact, it increased three times faster than all testing of this kind in the public schools. In nonpublic schools during the same period the number of tests given under title V increased 186 percent.

Number of achievement and aptitude tests given in public and nonpublic secondary schools under title V and number of all achievement and aptitude tests given in public secondary schools, 1958–59 and 1962–63

Kinds of tests	In public schools				In nonpublic schools: title V tests	
	Title V tests		All tests			
	1958–59	1962–63	1958–59	1962–63	1958–50	1962–63
Achievement:						
Single subject	82,750	1,654,308	3,443,558	6,909,655	8,463	349,821
Battery	827,714	2,336,221	2,870,434	5,510,253	73,099	39,264
Aptitude:						
Multifactor	300,031	1,036,051	910,256	2,456,659	43,308	63,306
Scholastic	704,862	2,627,387	3,039,972	5,662,677	77,269	125,826
Total	1,915,357	7,653,967	10,264,220	20,539,244	202,139	578,217

There is also substantial evidence of the efforts under part A to improve guidance and counseling programs. At the time the National Defense Education Act was passed, the public secondary schools had the equivalent of only 12,000 counselors giving full time to guidance (the majority of high school counselors were only part-time counselors); and each counselor served an average of 860 students, nearly 3 times the 300 generally considered the maximum for effective work. By 1962–63 the number of counselors had grown to the equivalent of 27,109 full-time counselors, and the number of students per counselor was down to 530. (The counts of counselors here include only counselors and guidance supervisors in local public schools.)

State educational agencies have increased their professional guidance staffs too: between 1958–59, the year the National Defense Education Act was passed, and 1962–63 the number of professional staff members giving consultive and supervisory guidance services to local schools increased from the equivalent of 78 full-time persons to the equivalent of 203.

Part B: Part B of title V provides for institutes to give training in counseling and guidance. Under the original terms of the act, the only persons eligible to attend were secondary school counselors and secondary school teachers preparing to be secondary school counselors.

Enrollees from public schools are eligible to receive stipends of $75 a week plus $15 a week for each dependent; those from private schools may attend without charge but receive no stipends.

The institutes are operated by colleges and universities, under contract with the U.S. Commissioner of Education.

During the first 2 years of the program, the emphasis was on short-term institutes. But beginning in 1961, as a result of the growing recognition of the great need for counseling and guidance staff with at least 1 year of specialized professional preparation, the emphasis shifted to regular-session institutes. During the 1st year of the program, 34 percent of the funds were used for regular-session institutes; during the 5th year, 70 percent.

Of the short-term institutes in 1963, about 60 percent were designed to bring counselors with less than 1 year of graduate preparation up to the completion of that year; the remaining 40 percent provided training beyond that year. Of the regular-session institutes in 1963–64, about 80 percent were designed to provide a full year of graduate training to persons with little or no previous training; the remaining 20 percent, to provide training beyond that year.

In the first 5 years of the program, 13,784 enrollees attended 416 institutes: 11,043 enrollees in 328 short-term institutes; 2,741 enrollees in 88 regular-session institutes.

Amendments

Part A: Authorization for State grants under part A has been extended for another year, through June 30, 1965. The total amounts authorized for 1963–64 and 1964–65 have been raised from $15 to $17.5 million and the minimum amount allotted to each State has been raised from $20,000 to $50,000

The U.S. Commissioner of Education is now authorized to reallot to other States any part of a State's allotment which the State does not need for carrying out its plan. The reallotments will be made from time to time during the year.

All seventh and eighth graders are now eligible for inclusion in the programs established under part A. Formerly they were eligible only if by their State's definition they were part of a secondary school.

In the amount a State expends to satisfy the requirement that it match every Federal dollar with one of its own, it now may include the amount it expends for administration of its plan.

Part B: Authorization for institutes under part B has been extended for another year, through June 30, 1965.

Persons eligible to attend institutes now include counselors and teachers of students in grades 7–8 of elementary schools. In other words, the institutes now will be open to counselors in grades 7 through 12 and to teachers in those grades preparing to become counselors in those grades.

TITLE VI—LANGUAGE DEVELOPMENT

Title VI has two parts with one purpose: To improve and extend instruction in modern foreign languages at all educational levels. Part A authorizes $8 million a year for language and area centers, fellowships, and research and studies. Part B authorizes $7,250,000 a year for institutes to train elementary and secondary school teachers of modern foreign languages.

Language and area centers: Part A of title VI provides for aid to institutions of higher education in the United States to establish and operate centers offering instruction both in critical modern foreign languages and in subjects a person needs to study if he is to understand the peoples in the areas in which those languages are spoken—such subjects as history, political science, linguistics, economics, sociology, and anthropology. The act does not specify the languages but requires the U.S. Commissioner of Education to specify them, on the basis of two criteria:

1. The Federal Government—or U.S. business, industry, or education—needs persons trained in these languages.

2. Adequate instruction in these languages is not readily available in the United States.

On the basis of these criteria the Commissioner has designated seven languages as having top priority—Arabic, Chinese, Hindi-Urdu, Japanese, Portuguese, Russian, and, since the beginning of the Alliance for Progress, Latin-American Spanish. Many other languages, however, also are eligible for support: 18 have been given second priority; about 60, third priority.

The centers are established and operated under contracts between the institutions and the U.S. Office of Education. The centers may receive Federal funds to pay up to 50 percent of the operational costs that can be charged to new or expanded activities, though the percentage is usually considerably lower.

Fellowships: Title VI also provides financial assistance to qualified students taking advanced training in the critical languages and related subjects. Fellowships may be awarded for a summer session or an academic year, or both. Stipends include an amount to cover the cost of tuition and all required fees plus $450 for summer study and $2,250 for the academic year. In addition, the fellow may receive allowances for up to four dependents—$120 for each dependent for summer study and $600 for the academic year. Travel allowances are also paid fellows who must move more than 50 miles to take up their studies.

Persons receiving these awards must study at an institution of higher education in the United States that offers appropriate instruction; they are not restricted to the language and area centers receiving Federal support under title VI. The fellowships are awarded to students preparing to teach the language—or other subjects in which knowledge of the language is highly desirable—at an institution of higher education, or preparing for service of a public nature.

In the first 5 years of the National Defense Education Act through the academic year 1963–64, 3,320 fellowships were awarded to 2,027 persons to study at some 60 institutions (more than half of these fellowships were renewals). About 80 percent of the fellows studied 1 of the top 7 languages; the others brought the total number of languages studied to more than 60. In the current academic year more than 70 of the hitherto neglected languages of the world are being taught with National Defense Education Act support in 55 centers located at 34 institutions.

The deadline for filing applications for fellowships in 1964–65 was February 7, 1964.

Research and studies:

Part A also authorizes the Commissioner of Education to make surveys to determine the need to increase or improve instruction in modern foreign languages and in related subjects. It also authorizes him to conduct research on the methods of teaching these subjects, and to develop specialized teaching materials.

The studies and research projects are all developed under contracts between the Office of Education and institutions, organizations, or individuals. Over the first 5 years of the National Defense Education Act, 224 such contracts have been negotiated with colleges, universities, professional associations, Government agencies, public school systems, and individual persons.

Most of the research done under this title on methodology has focused on the most commonly taught languages, and many of the projects, particularly those which have produced instructional materials, have had far-reaching effects. For example, a project carried out under a contract with the public schools of Glastonbury, Conn., has produced quality instructional materials for French, German, Italian, Russian, and Spanish that are currently being used by well over 1 million children.

These so-called Glastonbury materials are based on the audio-lingual approach to teaching modern foreign languages. They have been developed by experts, tested in school systems, and evaluated at language institutes, and then revised for commercial publication. The contract between the office and the Glastonbury schools calls for the production of four "levels" of materials suitable for grades 7 through 12 for each language except Italian (which ends with level 2), including tests for students, audio recordings of several types, and guides for teachers. Schools have been using level 1 since September 1961, level 2 since September 1962, and level 3 since September 1963. Level 4 is scheduled to be finished in time for next fall.

With support from title VI, scholars have also produced instructional materials for over 120 of the uncommonly taught languages; much of the interest in these languages has been stimulated by the university-level language and area centers and the fellowships provided for in title VI. There are also projects to produce high school level materials for Chinese, Japanese, and Arabic. At all levels the need is for basic courses, grammars, readers, dictionaries, and audio recordings.

Institutes: The language institutes authorized in part B of title VI provide advanced training for teachers of modern foreign languages in elementary or secondary schools, persons preparing to become such teachers, and trainers or supervisors of such teachers. Teachers in junior colleges also are eligible to attend if at least half of their teaching load is in grade 12 or below.

The institutes are designed for two purposes primarily: to give training in the use of new teaching methods and materials and to increase the participant's understanding of the language and the culture the language expresses.

Both short-term and regular-session institutes are included under title VI. They are operated by institutions of higher education, under contract with the U.S. Commissioner of Education; the costs of operation are paid out of Federal funds.

Participants pay no tuition or fees. Participants from public schools may, upon application, receive a stipend of $75 a week, plus $15 a week for each dependent. No travel allowances are provided. Would be participants apply to the institutions conducting the institutes, not to the Office of Education. The deadline for filing applications for institutes to be held this summer and in the next academic year was March 1, 1964.

In the first 5 years of National Defense Education Act 301 institutes were held, enrolling over 14,000 elementary and secondary school teachers of modern foreign languages. In 1963–64 there are 83 institutes: 79 were held last summer and 4 are being conducted in the current academic year. Twelve of last summer's institutes were held outside the United States—in Mexico, Guatemala, Ecuador, Argentina, France, Germany, Canada, Puerto Rico, and the U.S.S.R. This coming summer 11 colleges and universities will hold institutes abroad for teachers of Chinese, French, German, Russian, and Spanish.

Amendments

All programs under title VI have been extended for 1 more year, through June 30, 1965.

For the language institute program, the term "modern foreign language" has been broadened to include English when taught to persons for whom English is a second language. As a result of this change, two pilot institutes will be offered this coming summer, one at the University of California in Los Angeles and the other at the University of Puerto Rico, for elementary and secondary school teachers engaged in teaching English to pupils for whom English is a second language. More detailed information on institutes in English as a second language is available from the Language Institutes Section of the Office of Education, Washington, D.C., 20202.

TITLE VII—COMMUNICATIONS MEDIA

Title VII is concerned about the use the schools are making—or not making—of the various media of communication. These, in the original language of the act, are "television, radio, motion pictures, and related media for educational purposes."

The title authorizes $5 million a year for a program with a double purpose. The first, described in part A, is to get the facts about the various media—about what they are good for and what they are not, and about how they can best be used. The second, described in part B, is to disseminate information about the new media, so that schools and colleges will have the knowledge they need for using them more effectively and extensively.

Part A: To get the facts about the usefulness of the several communications media in education, title VII calls for—

Research and experimentation in the development and evaluation of projects involving television, radio, motion pictures, and related media of communication which may prove of value to State or local educational agencies in the operation of their public elementary or secondary schools, and to institutions of higher education, including development of new and more effective techniques and methods for—(1) utilizing and adapting motion pictures, video tapes, and other audio-visual aids, film strips, slides, and other visual aids, recordings (including magnetic tapes) and other auditory aids, and radio or television program scripts for such purposes; (2) training teachers to utilize such media with maximum effectiveness; and (3) presenting academic subject matter through such media.

The Commissioner is authorized to use two methods of "conducting, assisting, and fostering" the research and experimentation called for in part A. He may (1) make grants-in-aid to public or nonprofit private agencies, organizations, and individuals; and (2) enter into contracts with public or private agencies, organizations, groups, and individuals.

Part B: Part B sets forth four ways in which the Commissioner "shall" or "may" keep State or local educational agencies, as well as institutions of higher education, informed about the latest developments in the educational uses for the various media—including, of course, the findings in the research and experiments carried out under part A. He—

1. Shall make studies and surveys.
2. Shall publish catalogs, reviews, bibliographies, and other needed materials.
3. May, upon request, provide advice, technical assistance, and demonstrations to State and local educational agencies and institutions of higher education.
4. Shall publish an annual report of developments in the use of communications media for educational purposes, including projects carried out under the title.

To help him carry out his duties under title VII, the Commissioner has his Advisory Committee on New Educational Media, established under the provisions of the title (pt. C).

In the 5½ years since the National Defense Education Act was passed activities under title VII have made a number of major contributions to education. Research projects, for example, have—

Measured the effectiveness of programed instruction at every grade level, in virtually every subject, and for students of differing abilities.

Found out a great deal about the effectiveness of television as a medium for instruction, about the most effective techniques for producing educational television programs, and about the part television can play in solving educational problems.

Increased the pool of researchers qualified to explore the uses of the several media.

Made possible the development and testing of a teacher-education course on audiovisual methods of instruction.

And among the projects for disseminating information about the new media to teachers in schools and colleges, these are especially noteworthy:

The preparation of complete catalogs of self-instructional programs available for in-school use.

A traveling exhibit to describe programed materials to educators, and to demonstrate the uses for these materials.

Financial assistance to a national committee to enable it to set up standards and criteria for teachers and administrators to use in evaluating programed materials.

Publication of "ETV—The Next 10 Years" to help State and local education agencies to plan their use of TV carefully.

A national conference to explore the feasibility of establishing educational broadcast networks.

A study to find ways in which schools can exchange recorded instructional television programs.

Establishment of one national and two regional libraries of instructional television materials.

A series of activities to provide curriculum materials for training new research workers.

Establishment of a pilot research information service at Western Reserve University, which now has abstracts of all educational media research published in the English language since 1960.

Development of a procedure for applying computer technology to the problem of continuous revision of catalogs of teaching materials for use with the various media. This has led to the publication of the "Educational Media Index" an exhaustive catalog of institutional materials cross indexed by subject area and grade level.

Amendments

The annual authorization of $5 million has been extended for another year, through June 30, 1965.

An addition—"printed and published materials"—has been made to the list of media specified for attention under title VII. Now, for example, studies may be made to determine the need for improved use of printed and published materials; catalogs of these materials may be prepared, research on them may be analyzed, and research may be conducted on new methods for using and adapting them.

TITLE VIII—TRAINING FOR TECHNICIANS

Title VIII amends the George-Barden Act by adding a new title to it—title III. It authorizes $15 million a year for training highly skilled technicians for occupations requiring scientific knowledge—a category of education never before included in an education act.

The purpose of this title is to alleviate the Nation's shortage of highly skilled technicians—of chemical technicians for the laboratories, of technicians in electronics and mechanical design for the missile effort, of technicians in instrumentation and environmental control, and of the other kinds of technicians who make up the semiprofessional corps of workers needed to support the work of doctors, scientists, and engineers.

Both secondary and postsecondary institutions, including colleges and universities, may provide training under this title, and the training may be given either in preparatory curriculums or in extension classes. The law stipulates, however, that the training must be of less than college grade.

To be eligible for training in one of these programs, a person must either have finished junior high school or be at least 16 years old, and can reasonably be expected to profit from the instruction. Among the eligible adults, for example, are workers who need training in order to keep their jobs or advance to better ones, and technicians who need to brush up on the latest developments in their fields.

Strong science and mathematics content is characteristic of these programs.

States must match the Federal funds, with either State or local dollars. They may use Federal money for any of the following purposes (the list does not include construction of facilities, but this is now provided for in the Vocational Education Act of 1963):

1. Programs of administration, supervision, and teacher training.
2. Salaries and travel expenses of members of the staff of State or local educational agencies.
3. Travel expenses of advisory committees or State boards.
4. Acquisition of instructional equipment and keeping it in working order.
5. Purchasing instructional supplies and teaching aids.
6. Transporting students.
7. Getting information needed to develop the program.
8. Programs to train young persons out of school.
9. Related instruction for apprentices.
10. Planning and developing the programs.

Each year since the National Defense Education Act was passed has brought increases in the enrollments in programs supported under title VIII. From 48,564 students in fiscal year 1959, the number has increased to 101,279 in 1960, 122,952 in 1961, 148,920 in 1962, and 180,000 in 1963 (estimated).

Amendments

Title III of the George-Barden Act (added by title VIII of the National Defense Education Act) has been made permanent. It was made so by the Vocational Education Act of 1963 (pt. A of Public Law 88–210).

TITLE IX—INFORMATION FOR SCIENTISTS

Title IX is the only part of the National Defense Education Act not charged to the Office of Education. It authorizes the National Science Foundation to establish a Science Information Service and a Science Information Council. The Service advises and consults with the council; and both have one and the same purpose—to provide the scientist with the information he needs, and to provide it quickly and efficiently.

The Science Information Service is charged with two responsibilities: (1) To provide indexing, abstracting, translating, and other services necessary to disseminate scientific information, and (2) to undertake programs to develop new or improved methods—mechanized systems, for example—of making the information available.

The Science Information Council, which assists the Science Information Service in carrying out its double assignment, has 19 members. Four are ex officio:

The head of the Science Information Service.

The Librarian of Congress.

The director of the library of the U.S. Department of Agriculture.

The Director of the National Library of Medicine.

The others are appointed by the Director of the National Science Foundation:

Six leaders in the fields of fundamental science.

Six leaders in librarianship and scientific documentation.

Three outstanding representatives of the lay public who have demonstrated an interest in the problems of communication.

The appointed members of the Council hold office for 4 years. No appointed member is eligible for reappointment until a year has elapsed after the end of his preceding term.

The Congress made this program a permanent one: for 1959 and "each succeeding fiscal year" it authorized "such sums as may be necessary." No amendments have ever been made in title IX.

TITLE X—STATISTICAL SERVICES BY STATE EDUCATION AGENCIES

Title X (in sec. 1009, the only section of this title that authorizes a program of Federal aid) authorizes the appropriation of "such sums as the Congress may determine" for grants to the State to enable State education agencies to improve their statistics on education. No State may receive more than $50,000 a year. Each State is required to match its Federal grant.

By the end of the fifth fiscal year under the National Defense Education Act, 53 States had submitted plans for improving their programs of statistical services, and had had their plans approved. The 48 States which had begun to carry out their plans and had received and matched Federal funds, had received $1.7 million in Federal funds; more than one-third of them were using the maximum amount of Federal money allowed them each year.

Since the program began, the number of staff members of State education agencies engaged in statistical services has almost tripled. The number of States and territories using data-processing equipment is now up to 51, nearly 5 times as many as in 1958.

Amendment

Section 1009 of title X has been amended to make the program effective for another year, through June 30, 1965.

School Assistance in Federally Affected Areas: Public Law 815 and Public Law 874—Public Law 88-210, Part C

The temporary provisions of the two acts under which the Federal Government provides financial assistance to school districts in "federally affected areas" have been extended for 2 years (fiscal years 1964 and 1965) by Public Law 88-210. The other provisions of these acts were made permanent in 1958.

These two acts are Public Law 815 and Public Law 874, both passed by the 81st Congress in 1950. Through Public Law 815 the Federal Government provides assistance for the construction of schools; through Public Law 874, for the maintenance and operation of schools. The purpose of both is to compensate school districts for financial burdens imposed on them by Federal activities in or near them.

School districts may receive assistance under these acts if they provide free public education to a substantial number of children whose parents either work or live, or both, on Federal property in the vicinity, or whose membership results directly from Federal activities, such as those carried on in private plants under Federal contracts. Schoolchildren having this type of connection with Federal property or activity are called federally connected children.

A school district is eligible for assistance in any year under Public Law 874 if it has in its schools at least 10 federally connected children constituting at least 3 percent of its total average daily attendance during the year. A district is eligible for assistance under Public Law 815 if its application contains evidence that the district will have a substantial increase in the number of federally connected children by the end of the 2-year increase period covered by the application and therefore needs additional school facilities.

In the 13 years these 2 acts have been in effect, over 4,000 school districts in all of the 50 States and in Puerto Rico, Guam, the Virgin Islands, and Wake Island have received assistance. The appropriations for these years total $2.9 billion; $1.7 billion under Public Law 874 and $1.2 billion under Public Law 815.

The need for assistance under Public Law 874, because of swelling school enrollments and increasing costs, has increased each year since the act was passed. The need for assistance under Public Law 815, however, has followed a different trend: it was at its highest in the first several years after the act was passed, until most of the backlog of school construction needs accumulated during World War II had been met, but subsequently it has tapered off and leveled out.

Particulars of the provisions and accomplishments of the two acts are reported each year to the Congress by the U.S. Commissioner of Education. Copies of his latest report, "Administration of Public Laws 874 and 815: Thirteenth Annual Report" (OE-22003-63) are available from the Superintendent of Documents, Government Printing Office, Washington, D.C., 20402, for $1 each. The tables given here have been adapted from that report.

TABLE 1.—*13 years of Public Law 874*

Fiscal year	Applicant districts			Percent of total expenditures financed by Public Law 874 funds
	Number eligible	Net entitlement	Total current expenditures	
1951	1,172	[1]$29,611,018	$520,370,000	5.7
1952	1,763	45,026,148	825,926,541	5.5
1953	2,212	54,600,902	1,040,424,071	5.2
1954	2,524	69,071,132	1,284,960,000	5.4
1955	2,683	[2]71,606,560	1,450,700,000	4.9
1956	2,825	80,874,345	1,754,530,000	4.6
1957	3,321	106,051,520	2,156,450,000	4.9
1958	3,343	116,641,127	2,578,486,000	4.5
1959	3,757	156,870,444	3,083,668,609	5.1
1960	3,797	184,840,145	3,534,582,784	5.2
1961	3,926	208,291,465	3,999,469,697	5.2
1962	3,998	238,876,792	4,419,718,387	5.4
1963	4,182	259,095,492	4,940,646,390	5.2

[1] Payments prorated at 96 percent of entitlement.

[2] Payments prorated at 99.5 percent of entitlement.

TABLE 2.—*13 years of Public Law 815*

Fiscal year	Projects				Classrooms provided		Pupils housed	
	Filed		Reserved					
	Cumulative total	Annual increase	Cumulative total	Annual increase	Cumulative total	Annual increase	Cumulative total	Annual increase
1951	1,155		307		3,522		102,464	
1952	1,930	775	1,193	886	13,699	10,177	395,249	292,785
1953	1,939	9	1,330	137	15,265	1,566	440,292	45,043
(1)		(534)		(472)		(2,175)		(60,895)
1954	3,543	1,604	2,436	1,106	22,528	7,263	643,839	203,547
1955	4,510	958	2,886	450	26,190	3,662	767,312	123,473
1956	4,991	490	3,215	329	28,535	2,345	811,576	44,264
1957	6,097	1,106	3,720	505	34,379	5,844	998,893	187,317
1958	6,795	698	4,067	347	41,946	7,567	1,225,467	226,574
1959	7,640	845	4,462	395	47,671	5,725	1,381,478	156,011
1960	8,290	650	4,670	208	49,489	1,818	1,444,517	63,039
1961	8,839	549	4,988	318	53,409	3,920	1,554,755	110,238
1962	9,431	592	5,269	281	56,299	2,890	1,639,294	84,539
1963 [1]	9,712	281	5,454	185	58,167	1,868	1,694,381	55,087

[1] Unpaid entitlements provided under Public Law 83-357 and based on attendance of federally connected pupils before July 1, 1952, included in cumulative data for 1954 and succeeding fiscal years. Public Law 83-357 provided additional appropriations for fiscal year 1953.

Title III of the Mental Retardation Facilities and Community Health Centers Construction Act of 1963—Education of Handicapped Children—(Public Law 88-164)

(Only title III of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 provides expressly for the improvement of education and therefore is the only part of the act treated in detail in this issue. Titles I and II are briefly summarized in the box on page 11. The act is administered by the Department of Health, Education, and Welfare—titles I and II through the Public Health Service and title III through the Office of Education.)

Title III of the Mental Retardation Facilities and Community Health Centers Construction Act of 1963 (Public Law 88-164, Oct. 24, 1963) authorizes a program for the training of teachers, supervisors of teachers, college instructors, research workers, and other specialists needed for the education of handicapped children; it also authorizes a program of research and demonstration of the education of handicapped children.

Public Law 88-164 extends the provisions of Public Law 85-926, an act to encourage expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies. In addition, it brings under its jurisdiction, after fiscal year 1964, the provisions of Public Law 87-276, an act authorizing a program of grants-in-aid to colleges and universities to assist them in improving courses of training and to establish and maintain scholarships for teachers of the deaf.

The act defines "handicapped children" as children who are blind, partially seeing, deaf, hard of hearing, speech impaired, crippled, seriously emotionally disturbed, or mentally retarded, or who have other health impairments.

Title III authorizes an appropriation of $47 million for fiscal years 1964 through 1966 for training activities and $2 million for each of these years for the program of research and demonstration grants.

In January 1964 the Congress appropriated $11.5 million for the training program. The program already established under Public Law 87-276 for the training of teachers of the deaf will remain in effect until July 1, 1964, under an appropriation of $1.5 million. The research program of title III is being carried out under a $1 million appropriation made in 1963.

Title III is the result of the efforts of many organizations working for the welfare of the handicapped. Among the national groups the work of two is outstanding—the National Association for Retarded Children, Inc., and the Council for Exceptional Children. The first is a grassroots organization containing many parents; the second, an organization of 17,000 specialists in the education of the handicapped. Title III also reflects the recommendations of the President's Panel on Mental Retardation—27 specialists drawn from medicine, education, law, science, and the Federal Government, appointed by President Kennedy in 1961 to study the problem of mental retardation.

Estimates of the number of school age handicapped children in the United States needing special education in 1963 and the number of special education teachers they needed

Handicap	Estimates of prevalence (percent)	Estimated number of handicapped children	Average teacher-pupil ratio	Estimated total number of teachers required
Blind	0.033	16,192	1–8	2,024
Partially seeing	.06	29,441	1–15	1,963
Deaf	.075	36,801	1–10	3,680
Hard of hearing	.5	245,340	1–35	7,010
Speech impaired	3.5	1,717,380	1–100	17,174
Crippled	1.0	490,680	1–15	32,712
Special health problems	1.0	490,680	1–20	24,534
Emotionally disturbed or socially maladjusted	2.0	981,360	1–20	49,068
Mentally retarded	2.3	1,128,564	1–15	75,238
Total	10.5	5,136,438	--------	213,403

[1] NOTE.—This table brings up to date a table in "Statistics of Special Education for Exceptional Children," ch. 5, "Biennial Survey of Education in the United States, 1956–58" (OE–35048), by Romaine P. Mackie, Harold M. Williams, and Patricia P. Hunter. For qualifying footnotes, see the original publication.

The Office of Education has long advocated special education for handicapped children. Since the 1930's it has had at least one specialist in this field, and it has worked particularly to improve the education of teachers for the handicapped.

The need

Over 5 million school-age children in the United States require special education because they are handicapped.

But only about a fourth of these children are now in school. In another 5 years, at the present rate of progress, State and local agencies will be able to provide educational opportunities for only a third of the handicapped children at their doors. Our schools need about 200,000 special educators for the handicapped. From 50,000 to 60,000 were available last year.[1]

Francis Keppel, U.S. Commissioner of Education, in testifying before a congressional committee last year, said, "The greatest obstacles to the advance of special education are the extreme shortage of qualified personnel and lack of scientifically tested knowledge." He pointed out that there is "an urgent need for more and better qualified educators to instruct all types of handicapped children. Only 2,000 degrees were granted in special education to teachers in 1959–60, though it is estimated that an additional 50,000 teachers are needed in the field of mental retardation alone. There has been an increase in the number of colleges offering professional preparation for teachers of handicapped children, but the colleges' efforts to expand and improve their programs are hampered by lack of funds and by a shortage of qualified teachers."

The President's Panel on Mental Retardation also pointed to the acute shortage of teachers and our lack of knowledge about mental retardation. And witness after witness before the congressional committees studying the need for legislation testified to the same obstacles. Among the witnesses were representatives of the National Association for Retarded Children, Inc., the Council for Exceptional Children, the National Foundation for the Blind, Inc., the National Association of State Directors of Special Education, and the Council on Education of the Deaf, as well as representatives of the President's Panel on Mental Retardation and the Department of Health, Education, and Welfare.

Francis P. Connor, president of the Council for Exceptional Children, pointed out the need for significant research:

"Programs for educating mentally retarded children have grown rapidly during the last 15 years. Many of the educational methods and techniques now being used are essentially untried through research. Curriculum research in every field which involves the adjustment of children is of great importance and could be undertaken in great volume if there were available funds and, in some instances, available personnel.

"One of the practical problems that is persistent is that of putting into practice knowledge found through research. In some instances the application of this knowledge through demonstration requires additional personnel and facilities which local school boards and State school systems are reluctant to provide from funds sorely needed for existing programs. These same school systems, however, would attempt to bear the costs of programs if the value of these innovations had been adequately demonstrated."

The other titles of Public Law 88–164

Together, titles I and II of Public Law 88–164, the Mental Retardation Facilities and Community Mental Health Centers and Construction Act of 1963, are directed at preventing mental retardation and mental illness and at providing better care and rehabilitation for the mentally retarded and mentally ill. They stress the need for research, preventive measures, clinical and medical services, vocational rehabilitation, and residential care.

Title I. Research centers and facilities: Title I authorizes a total appropriation of $126 million over a 5-year period beginning in fiscal year 1964 for grants for the construction of research centers and facilities. Funds will be divided among the three types of grants described in the three parts of the title.

Part A provides for project grants to assist public or other nonprofit institutions for research (or for research and related purposes) on human development—research which may find the causes of mental retardation and ways of preventing it or lessening its effects.

Part B authorizes grants for the construction of university-affiliated clinical facilities for the mentally retarded. These grants will assist public or other nonprofit colleges and universities in building facilities that will provide for "a full range of inpatient and outpatient services for the mentally retarded and facilities which will aid in demonstrating the provision of specialized services for the diagnosis and treatment, education, training, or care of the mentally retarded or in the clinical training of physicians and other specialized personnel needed for research, diagnosis and treatment, education, training, or care of the mentally retarded."

Part C authorizes grants to States for the construction, expansion, remodeling, replacement, and equipping of public and other nonprofit facilities for the mentally retarded.

Title II community centers: Title II authorizes the appropriation of $150 million over a 3-year period, beginning with fiscal year 1965, for grants for the construction and establishment of public and other nonprofit community mental health centers. These facilities will offer services for the prevention or diagnosis of mental illness, the care and treatment of mentally ill persons, or the rehabilitation of persons recovering from mental illness. Centers will offer services to patients, including psychiatric treatment, day and night care, foster home care, rehabilitation, and diagnosis and evaluation, and consultive services to other centers.

Appropriations authorized under titles I and II of Public Law 88–164 (the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963), fiscal years 1964–68

[In millions]

Program	1964	1965	1966	1967	1968	Total
Title I:						
Research centers [1]	$6	$8.0	$6.0	$6	----	$26.0
Facilities:						
University grants [1]	5	7.5	10.0	10	----	32.5
State grants	-----	10.0	12.5	15	$30	67.5
Total	11	25.5	28.5	31	30	126.0
Title II: Mental health centers [2]	-----	35.0	50.0	65	----	150.0
Total, titles I and II	11	60.5	78.5	96	----	276.0

[1] Maximum Federal share, 75 percent.

[2] Federal share, 33⅓ to 66⅔ percent.

For mentally retarded and deaf children

Accomplishments Under Public Laws 85–926 and 87–276

Under Public Law 85–926, which was in effect 4 years (fiscal years 1960–63), 667 fellowships were awarded to about 465 persons to prepare leaders in the education of mentally retarded children.

Under Public Law 87–276, 866 scholarships were awarded at 48 colleges and universities during the first 2 years of operation (fiscal years 1962–63). The Office of Education estimates that during fiscal year 1964, the third year of the program, another 125 undergraduate scholarships and 252 graduate fellowships will be awarded.

Both of these programs will be under title III, Public Law 88–164. The program under Public Law 85–926 has already been absorbed; that under Public Law 87–276 will be on July 1, 1964.

Administration of title III

The first part of title III authorizes the Commissioner of Education to make grants to public or other nonprofit colleges and universities to help them provide for the professional or advanced training of teachers of the handicapped, persons preparing to become teachers, supervisors of teachers, speech correctionists, and researchers or persons preparing to become researchers in the education of handicapped children. This part of the act also authorizes the Commissioner to make grants to State educational agencies, to help them provide programs that will train teachers of handicapped children and supervisors of teachers of handicapped children.

These provisions will be carried out through fellowships, traineeships, short-term traineeships, and "stimulation" grants.

Fellowships are for full-time graduate study for 1 academic year beginning with the fall semester or quarter. Stipends will vary according to the level: $2,000 for the first-year level; $2,400 for the second; $2,800 for the third; and $2,800 for the fourth. A fellow will receive $400 for each dependent for each full year. The sponsoring institution will receive a support grant of up to $2,500 for each fellow.

Traineeships are for full-time senior year undergraduate study for 1 academic year beginning with the fall quarter or semester. Each trainee will receive a stipend of $1,600. The sponsoring institution will receive up to $2,000 to partly defray the cost of conducting the course in which the trainee is enrolled. Traineeships do not carry dependency allowances.

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[1] House Report No. 694, Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, 1963, p. 17.

Short-term traineeships are for full-time summer sessions or for special study institute programs. Participants in a summer session will spend full time in a sequence of courses designed to prepare professional workers in specific fields of education of the handicapped. Stipends will be $75 a week; no allowances will be made for dependents. The sponsoring institution will receive up to $75 a week for each participant. Special study institute programs will bring together trained workers to review developments in specific fields. No institute will be shorter than 3 days. Participants will receive up to $75 a week or $15 a day, but no allowance for dependents. The sponsoring institution will receive an allowance equaling the cost of operating the institute in accordance with the proposal it submitted to the Commissioner of Education.

Stimulation grants will be made to institutions of higher learning to help them develop or expand programs for training professional workers in a particular field. Grants will be made for a fiscal year and will not exceed $20,000. An institution cannot receive more than two stimulation grants for the improvement of one field.

The second part of title III authorizes a program of grants for research or demonstration projects on the education of handicapped children. The purpose of the research projects will be to acquire knowledge directly applicable in the teaching of these children. Research projects will investigate unusual classroom problems and procedures. Demonstration projects will translate research results, observations, and ideas into practice by demonstrating new programs, procedures, classroom methods, and materials.

The Commissioner of Education will notify each State education agency of the amount of the grant-in-aid available to the State for use in preparing teachers for the handicapped and supervisors of such teachers. The amount will be based on the population of the State, but for no State will it be less than $25,000 or over $100,000. States must submit a plan for the use of the funds to the Commissioner of Education.

The Commissioner of Education will administer the program with the assistance and advice of advisory groups, as instructed by Public Law 88-164. An advisory council will advise him on policies and procedures for the administration of title III as a whole. He has selected six advisory committees for the six categories of handicaps to advise him on the teacher training program and six research panels (again, one for each handicap category) to advise him on the research and demonstration grant program. He will rely on these panels for the approval or disapproval of applications. In addition, he will appoint an overall research committee to assist him in establishing research policies and to make the final review of applications for research and demonstration.

The Commissioner of Education has prepared the administrative procedures for title III and has sent copies of them to institutions of higher education and State agencies. The first awards are now being made.

MANPOWER DEVELOPMENT AND TRAINING ACT THE 1963 AMENDMENTS—PUBLIC LAW 88-214

The manpower Development and Training Act and the amendments to it contained in Public Law 88-214 attack the "toughest problems" in training for employment. In its report to the Committee of the Whole House on the State of the Union, the Committee on Education and Labor of the House of Representatives said that the Manpower Development and Training Act reflects, in part, the philosophy expressed by George P. Shultz, dean of the Graduate School of Business, University of Chicago, in speaking before a meeting of the Chamber of Commerce of the United States.

"A great many employers find it in their interest to provide training for their employees and we can infer that such training will help those in the median age ranges and with higher educational attainments to acquire specific skills. Many more employees will receive job training this way than through any governmental program, however grandly conceived. Yet the role of the Government program is a vital one. It should help those who fall outside the natural scope of private efforts. In so doing the Government takes on the toughest problems—but these are just the problems that would otherwise be neglected. The Government program, then, should be conceived not as massive and general, but as directed to special objectives derived from inadequate formal education and the residue of displacement left from a changing economy."[1]

Public Law 88-214, the amendments to the Manpower Development and Training Act, extends and expands the Manpower Development and Training act in the light of recent findings on the Nation's need for manpower and the unemployed's need for training. It particularly emphasizes programs for the "hardcore" unemployed—the young out-of-school, out-of-work person and the undereducated adult. In directing its attention to these people, Public Law 88-214 is in line with the Nation's war on poverty.

The Manpower Development and Training Act (Public Law 87-415) authorizes a program for the training of persons unemployed because of automation, shifts in market demands, foreign competition, and other economic changes and conditions. Under it the Secretary of Labor conducts surveys of employment opportunities in each State and selects persons needing training, pays training allowances, and places trainees in jobs through State employment security agencies. The Secretary of Health, Education, and Welfare is responsible for planning and carrying out the training programs through the State directors of vocational education. The program is administered by the Division of Vocational and Technical Education of the Office of Education. Roy W. Duggar is director of the Manpower Development and Training Act staff in the division.

Amendments

Public Law 88-214 amends and extends Manpower Development and Training Act as follows:

Appropriations: It increases the appropriation authorized for training and skill development programs for fiscal year 1965 from $161 million to $407 million; authorizes an appropriation of $281 million for fiscal year 1966; and extends through fiscal year 1966 the $3 million appropriation authorized for each fiscal year for programs of information, evaluation, and research.

Postponement of State matching funds: The original act required 50-50 matching by the States beginning with fiscal year 1965. Public Law 88-214 postpones the matching requirement until fiscal year 1966. For fiscal year 1966 the matching requirement is set at one-third and for fiscal year 1967 at one-half.

Eligibility requirements: Eligibility requirements for training grants established by Manpower Development and Training Act amended by Public Law 88-214 include these:

The previous work experience requirement of 3 years is reduced to 2.

Another member of a family may now substitute for the unemployed head of a family or household, provided only one member of a household is receiving a training allowance at one time. The original act limited the allowance to the unemployed head of a family or household.

The weekly training allowance can now be raised up to $10 above the average State unemployment compensation payment.

The age of eligibility for a training allowance is lowered by Public Law 88-214 from 19 to 17. The 17-year-old, however, is not eligible unless he is a high school graduate, has been out of school a year, or his attendance in a regular academic or vocational program is no longer practicable. Not more than 25 percent of persons receiving training allowances may be under 22 (the original act set aside up to 5 percent of the funds available for trainees under 22).

A full-time trainee may now work part time up to 20 hours a week without losing any of the training allowance.

Special programs for young people: The original act instructed the Secretary of Labor to provide for a special program for the "testing, counseling, and selection" of young people, 16 years of age or older, "for occupational training and further schooling." Public Law 88-214 amends this instruction to read "for the testing, counseling, selection, and referral" of young people 16 years of age or older for "occupational training and further schooling, who because of inadequate educational background and work preparation are unable to qualify for and obtain employment without such training and schooling." The amendment limits this special program to young people who cannot find employment because they lack adequate education and training, young people usually called the "disadvantaged."

Training in basic education skills: The amendments authorize the Secretary of Labor to refer unemployed adults for training programs in basic education (reading, writing, other language arts, arithmetic) who cannot qualify for occupational training programs because of lack of education. The Secretary may provide for up to 20 additional weeks of training allowance to persons referred for basic education programs. The limit for training allowances remains at 52 weeks for other programs.

Demonstration projects: In addition to extending and amending existing regulations, Public Law 88-214 amends the Manpower Development and Training Act by authorizing a program of labor mobility demonstration projects. This section of the act instructs the Secretary of Labor to develop in a limited number of geographic areas pilot projects to determine the effectiveness of making grants or loans to unemployed persons to help them to relocate in other geographic areas where they can find employment.

Changes affecting State administration of training: Public Law 88-214 amends Public Law 87-415 to allow other than public agencies to provide for the education of young people referred under the Manpower Development and Training Act program. State agencies must arrange for education and training with private institutions when these institutions can give substantially equal training at less cost to the Federal Government.

Why the changes?

Experience with the MDTA program pointed out to the Congress the need for three changes in the original act: Postponement of the date for State matching grants until the program has been in operation long enough for fair appraisal, broadened provisions for the special programs for young unemployed persons, and the inclusion of programs for the undereducated unemployed adult.[2]

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[1] House Report No. 861, Amendments of Manpower Development and Training Act of 1962. U.S. House of Representatives, 88th Cong., 1st sess. 1963. p. 4.

The effectiveness of the program in fulfilling its purpose—to identify, train, and place the unemployed—requires time for demonstration. The program is only now in its second year. The failure of State legislatures to act on the matching provisions of MDTA (only four have done so) is largely a matter of insufficient time to consider the results of the program. This is particularly true in States with legislatures that meet biennially. In another year States will be able to evaluate the program, now well on its way toward meeting its goal of training 400,000 unemployed, and to act to match the grants.

The needs for changes to help the young are evident. The young worker is always predominant among the unemployed, according to the Department of Labor, partly because he is inexperienced, partly because he is still seeking a suitable position. But the problem of employment for the young is especially critical now. The Department of Labor estimated at the time of the congressional hearings on the amendments last year that more than 5½ million young workers will enter the labor market by the end of 1965 and that nearly a third of them will be school dropouts. The traditional jobs for beginners are rapidly disappearing with the growth of automation. The untrained young worker is doomed to unemployment and dependency. The amendments to the MDTA providing for special programs for the young aim at preventing the young from becoming permanently unemployable.

The amendments limit the program of testing, counseling, and selection of young people for training to young people who lack the educational background and work preparation necessary to obtain and hold employment. Such young people cannot succeed in a training program unless testing points out the type of program they require and to which they can adjust. The program permits maximum flexibility to meet the diversity of needs. Regular programs are, of course, open to young people who do not require special attention to succeed.

Most of these disadvantaged young people cannot attend training programs unless they receive financial assistance for clothing, food, transportation, and expenses incidental to the program. Lowering the age limit of eligibility for a training allowance will permit them to undertake training. The 17-year-old who is a school dropout and who has not been out of school a year is prohibited from receiving an allowance. The prohibition is set to encourage the dropout to return to school. The act requires local authorities to do all they can to encourage the dropout to return to school; only when all reasonable measures fail can a dropout be referred for training. Dropouts, however, are not excluded from training programs. They may attend MDTA classes without receiving allowances.

The older uneducated worker is also having trouble. Machines are making many jobs obsolete, particularly those requiring little skill (but many skilled positions, too) even faster than the original act anticipated. Many unemployed older workers cannot qualify for training because they lack basic educational skills—they cannot read or write or do simple arithmetic well enough to follow a program. One of MDTA's new provisions permits the inclusion of up to 20 weeks of additional allowances when basic skills are included in a job training program. The success of MDTA with unemployed workers having some education led the Congress to believe that a modified MDTA program could succeed with those having little or no education. Several MDTA demonstration projects, notably one at Virginia State College, have proved that the illiterate and semiilliterate can be trained through a program combining courses in basic education skills and job training. This provision of the amendments is limited to unemployed workers who cannot benefit from training until they have acquired basic education.

Several changes have been made in the requirements for training allowances to make training more desirable to the unemployed and to keep the act in line with the philosophy of the Congress—that such allowances are for those who need it the most. Many trainees are heads of families with family responsibilities. Even the offer of a casual job tempts them away from a training program. Higher training allowances and a more liberal policy toward part-time work should help to attract trainees and to hold them until they can complete a program. Sometimes the head of a family is not able to qualify for training that another unemployed member is. The amendments liberalize the act to permit a substitution in such a case (but allow only one member of a family to receive an allowance).

The expert witnesses who appeared before the congressional committees considering the amendments to MDTA almost to a man believe that relocation programs for the unemployed have great potential value. They reported that such programs have worked well in a number of European communities. The amendments to MDTA give limited authority to the Secretary of Labor to conduct experiments in the relocation of unemployed persons through research and demonstration grants. The experience gained from these experiments should furnish guidelines for further legislative action, if necessary.

The amendments clarify the provision relating to the use of private training institutions. The House Committee on Education and Labor, when considering the need for amendment to MDTA, concluded that the language of the original act left doubt that private institutions, no matter how excellent the programs they offered, could be used to fulfill the program. To clear up the doubt, the amendments clearly state that private institutions may be used when they can provide equivalent MDTA programs at less cost to the Federal Government than other institutions.

In its report the committee discussed several findings not directly reflected in the amendments but which it felt required discussion to clear up misunderstanding. Among these are the use of the terms "reasonable expectation of employment" and "occupational training." The committee warned against rigid interpretation. MDTA requires that no person be accepted for training who does not have a reasonable expectation of employment when he has completed the training program. This does not mean that a written guarantee is necessary. The act means reasonable certainty, depending on circumstances. The term "occupational training" does not exclude "academic" work from a program if academic work is a necessary part of the training. On the other hand, a program may not include "professional" or "preprofessional" training.

The committee pointed out that there is no conflict between MDTA and the Vocational Education Act of 1963. MDTA courses are outside regular vocational education programs and they are designed for a special group of people. New or expanded vocational training facilities cannot be set up under MDTA, but MDTA programs can use existing vocational education facilities. The two programs are complementary.

DISBURSEMENT OF FEDERAL AID BY THE OFFICE OF EDUCATION, 1962–63

In the fiscal year which ended June 30, 1963, the Office of Education paid out more than $643 million in Federal aid to education—most of it to colleges and universities, State departments and boards of education, and local school districts. The largest sums were paid out to assist local schools in federally affected areas; the next two largest, for programs under the National Defense Education Act and for programs of vocational education. (Rose Marie Walker, educational statistician, Office of Education.)

Federal payments under financial assistance programs administered by the Office of Education, fiscal year 1963

[In thousands of dollars]

Total payments, all programs	643,648
School assistance in federally affected areas	329,970
Maintenance and operation (Public Law 874)	276,737
Construction (Public Law 815)	53,233
National Defense Education Act[1]	185,944
Title II. Student loans	91,841
Title III. Strengthening instruction in science, mathematics, and modern foreign languages	33,536
Grants to States for public schools	30,541
Grants to States for supervisory and related services	2,459
Loans to private schools	536
Title IV. Fellowships	19,604
Title V. Guidance, counseling, and testing	21,672
State programs	15,124
Testing in private schools	31
Institutes	6,517
Title VI. Language development	14,537
Language and area centers	2,161
Fellowships	3,819
Research and studies	1,916
Institutes	6,641
Title VII. More effective use of media of communication	3,233
Research and experimentation	1,455
Dissemination of information	1,773
Title VIII. See George-Barden Act.	
Title X. Improvement of statistical services of State educational agencies	1,521
Vocational education	86,732
Smith-Hughes Act	7,144
Agriculture	3,016
Trades and industry and home economics	3,025
Teacher training	1,103
George-Barden Act	47,671
Title I	29,330
Agriculture	9,949
Distributive occupations	2,602
Home economics	8,183
Trades and industry	8,216
Fishery trades	155
Grants to possessions	225
Title II. Practical nurse training	5,000
Title III. Technical education (an addition made by title VIII, National Defense Education Act)	13,341
Area Redevelopment Act[2]	2,728
Manpower Development and Training Act[2]	29,189
State supervision	992
Training	28,197
Land-grant colleges	14,500
Cuban refugee program[3]	9,155
Education aid for Cuban children and adults	7,797
Loan program for Cuban students	1,358
Library Services Act	7,257
Cooperative Research Program	5,156
Civil Defense adult education program[4]	2,597
Training for teachers of the deaf	1,377

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[2] Op. cit., p. 2.

Federal payments under financial assistance programs administered by the Office of Education, fiscal year 1963—Continued

[In thousands of dollars]

Fellowship program for teachers of mentally retarded children	960
Grants to institutions	368
Grants to State educational agencies	546
Stimulation grants to colleges and universities	46

[1] Does not include $13.3 million for technical education under title VIII. Payments under title VIII are included under the George-Barden Act, which that title amended.

[2] Funds transferred from the Department of Labor.

[3] By direction of the President, several Cuban refugee programs are administered by the Department of Health, Education, and Welfare.

[4] Funds transferred from the Department of Defense.

Source: Fiscal and program reports of the Office of Education.

The Library Services and Construction Act—Public Law 88–269

The Library Services and Construction Act recognizes the public's need for public library services and the reasons State and local governments have not been able to provide adequate services and buildings. To assist in filling the need, the act authorizes $45 million in Federal funds for fiscal year 1964. When he signed the act on February 11, 1964, President Johnson said: "The central fact of our times is this: Books and ideas are the most effective weapons against intolerance and ignorance." The act offers to millions of Americans of all ages new weapons they may use with grace.

BACKGROUND

The new act amends the Library Services Act, which Congress passed in 1956 to assist State and local governments in improving library services in rural communities.

Even if we judge the Library Services Act of 1956 merely by its tangible results, it has more than justified the Federal investment, which totals slightly less than $42 million for the 7 years between 1957 and 1963. The local communities, State agencies, and the Federal Government working together to make the act a success have accomplished these results: 38 million rural residents have new or improved library service; 12 million books and other informational materials have been bought; 370 bookmobiles have been bought and are being used; 140 field consultants have been added to State programs to assist local libraries; State appropriations for rural public services have increased by 113 percent, and seven States have set up or expanded grants-in-aid programs for local libraries; local appropriations for public libraries have increased by 92 percent; and State appropriations for all public library services have increased from $12.3 million annually to $28.3 million.

These facts report solid accomplishments for rural areas, and both the States and the Federal Government count them as progress made. But there are other matters that both the States and the Federal Government count as needs, such as the job yet to be done for urban as well as rural communities. They are reflected in such facts as these: 18 million Americans have no readily accessible library service (1961 figures); 110 million have library services that fall below the minimum standards set by the States; that is, they have limited and outdated collections of books, are understaffed, stay open only a few hours a week, and have insufficient space for books and patrons; 60 million of the 110 million Americans with inadequate service live in cities excluded from benefits under the 1956 act; and 1.5 million who live in cities or suburbs have no readily accessible public library service.

Only $1.60 per capita or $260 million a year is currently spent on public libraries as contrasted with the estimated minimum expenditure of $3 per capita needed for barely adequate library services. In other words, total library expenditures are now at least $280 million below minimum standards (1960 figures).

Many buildings are from 50 to 70 years old and some much older; they are expensive to maintain, lack adequate space, and are poorly located because of shifts of population.

As libraries compete with other public services for professional staff and public funds, their needs are increasing. There are a number of reasons for their increased needs, some of them fortuitous, some unfortunate for the libraries at least. Here are a few:

Greater demand for services resulting from population and economic growth and the vast increase in knowledge in recent years.

Lack of adequate school libraries: About two-thirds of the public elementary schools are without libraries.

Increase in materials: As many books were published between 1900 and 1960 as between 1450 and 1900. In the United States 10,027 book titles were published in 1930 and 18,060 in 1960, an 80-percent increase in 30 years. However, in the single decade between 1953 and 1963 the number of titles published increased by 114 percent.

Increased cost of books: The price of the average book published in the United States rose by 82 percent—from $3.59 to $6.55—between 1947 and 1963, and the average subscription price of a periodical rose by 74 percent.

Increased cost of constructing and equipping library buildings.

THE ACT

The Library Services and Construction Act (Public Law 597, 84th Cong., as amended by Public Law 88–269) has a single purpose: To assist in making public library services available to people who have inadequate services or none at all. Moreover, its goal is to make the assistance available to States and their subdivisions without encroaching on their responsibility for conducting public libraries or destroying their initiative for financing libraries. This fact the act makes clear: The States and their local units are responsible for administering public libraries, employing librarians, selecting books and other materials, and, insofar as is consistent with the act, in determining how the funds it provides are to be spent.

The 1964 act amends the Library Services Act of 1956 in two major ways:

Title I authorizes the appropriation of $25 million for public library services for fiscal year 1964 and unspecified amounts in the following 2 years to be used to provide public library service in urban as well as rural areas that have no service or inadequate services. The 1956 act authorized $7.5 million a year for 5 years and limited its use to rural areas, which it defined as communities or towns with population of no more than 10,000 persons. In 1960 the 1956 act was amended and extended for an additional 5 years, or until June 30, 1966.

Title II authorizes the appropriation of $20 million for fiscal year 1964 and unspecified amounts for the following 2 fiscal years for the construction of public library buildings in communities where the inadequacy of facilities prevents the development of library services. The 1956 act prohibited the use of funds for construction of library buildings.

The act is administered at the Federal level by the U.S. Commissioner of Education and at the State level by the State library administrative agencies.

Definitions

Terms as They Are Used in the Act

Secretary: The Secretary of Health, Education, and Welfare.

State: A State, the District of Columbia, Puerto Rico, Guam, American Samoa, or the Virgin Islands.

State library administrative agency: The official State agency charged by State law with extending and developing public library services throughout the State.

Public library: A library which is supported in whole or in part by public funds and which serves all residents of a community or district free.

Construction: The construction of new buildings and the expansion, remodeling, and alteration of existing buildings, and initial equipment of such buildings, including architects' fees and cost of buying land.

TITLE I—EXTENSION OF PUBLIC LIBRARY SERVICES

Title I authorizes the appropriation of $25 million for the fiscal year ending June 30, 1964, and for fiscal years ending June 30, 1965, and June 30, 1966, such sums as the Congress may authorize, to be allotted among the States, for the extension and improvement of public library services. During the months remaining in fiscal year 1964, the States may use their title I funds only for library services in rural areas, but after July 1, 1964, they may use them for services in both rural and urban areas. None of these funds may be used for construction or purchase of buildings or for purchase of land.

Allotments to the States

From the funds appropriated for any fiscal year the Commissioner of Education will make allotments to the States in two parts. From the total amount appropriated for the year he will make a basic allotment of not less than $25,000 each to Guam, American Samoa, and the Virgin Islands; and $100,000 to each of the States of the Union, the District of Columbia, and Puerto Rico. These are the minimum amounts that the States must match. From the remainder of the appropriation he will allot each State an amount which bears the same ratio to the total of the remainder as the State's population bears to the total U.S. population.

The amounts so allotted will be paid to the States to the extent that they match Federal funds. The matching will be done on the basis of per capita income, with the Federal share ranging from 33 to 66 percent. In this way the poor States will be required to put up less than the wealthy States to obtain Federal assistance under the act.

A State may carry over title I funds allotted for fiscal year 1964 and use them during fiscal year 1965 for expenditures under its approved plan, which may extend public library services to urban as well as rural areas.

States may use their funds for salaries of library staff members, books and other library materials, equipment, and operating expenses, including the expense of administering the State plans for services and for construction.

If the full amount authorized is appropriated and all States participate in the program in 1964, approximately $51.3 million in Federal, State, and local funds may be made available for public library services.

State plans for services

To obtain its share of the funds authorized under title I, a State must work out a State plan for extending library services and submit it to the U.S. Commissioner of Education for his approval.

Requirements: The plan must meet these conditions:

1. Provide for the plan to be administered by, or its administration supervised by, the

State library administrative agency with authority under State law to administer the plan in accordance with the provisions of the act.

2. Provide for the State treasurer to receive Federal funds paid under title I, for the funds to be safeguarded and spent solely for the purposes for which they are paid, for the State to repay the U.S. Government for any funds lost or diverted from their designated use.

3. Provide for the administrative agency to certify that policies and methods of using funds insure that funds will be used to maximum advantage.

4. Provide for the agency to make such reports on expenditures as the Commissioner may require.

5. Provide that library services shall be made available free of charge under regulations prescribed by the State agency.

Approval: The Commissioner will approve any plan that fulfills the conditions listed above.

Identification of inadequate services: The State library agency will be responsible for determining whether services in a given area are inadequate.

Procedure for making payments

The 1964 act makes minor changes in the procedure under the 1956 law for making payments to the States. It authorizes the U.S. Commissioner to make advance estimates at least twice a year of the amount each State is entitled to receive under title I, and when necessary to adjust estimates to compensate for prior over or under payments. But before he certifies the amounts to the Secretary of the Treasury, who makes the payments (in installments), the Commissioner must be sure that these conditions exist:

1. That the State will have enough funds from its own and local sources to qualify for its basic allotment for the year ($100,000 to each State, the District of Columbia, and Puerto Rico, and $25,000 each to the Virgin Islands, Guam, and American Samoa).

2. That during the year the State will spend as much from its own and local sources on public library services as it spent in the fiscal year ending June 30, 1963.

In computing each State's share of the Federal appropriation for the year, the Commissioner will use this formula prescribed by title I: The Federal share for any State will be 100 percent minus the State's percentage, which is the percentage that bears the same ratio to 50 percent as the State's per capita income bears to the per capita income of all States (excluding the outlying parts—their share will be 66 percent). No State's Federal share will be less than 33 percent or more than 66 percent. Per capita income for each State and for all States will be computed in each even-numbered year from Department of Commerce figures for the three most recent consecutive years.

TITLE II—PUBLIC LIBRARY CONSTRUCTION

For the year ending June 30, 1964, title II authorizes the Congress to appropriate $20 million and for the next 2 fiscal years such sums as the Congress may authorize, to be paid to the States for construction of public library buildings in rural or urban areas.

Allotments

From the total appropriated for any fiscal year the Commissioner will allot $80,000 to the District of Columbia, Puerto Rico, and each of the States, and $20,000 each to the outlying parts—Guam, American Samoa, and the Virgin Islands. From the remaining funds he will allot each State a sum which bears the same ratio to the remainder as the State's population bears to the U.S. population. States match Federal funds on the basis of their per capita income in the 3 most recent years.

Any State may use its allotment for any fiscal year for construction projects approved under its State plan for the fiscal year. There is one exception here: A State may carry over funds for fiscal year 1964 and use them in fiscal year 1965.

State plans for construction

To obtain its share of the Federal construction funds, each State must submit a State plan to the Commissioner.

Requirements: The plan must include all the provisions of the State plan for services under title I and in addition—

1. Set forth the criteria and procedures for approving construction projects for areas without facilities or with inadequate facilities.

2. Provide assurance that agencies whose applications for projects are rejected will be given an opportunity for a fair hearing.

3. Provide assurance that laborers and mechanics employed by contractors or subcontractors will be paid wages at rates not less than those on similar projects in the locality, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, and will receive overtime pay as specified in the Contract Work Hours Standards Act.

Approval of plan: The Commissioner will approve plans that fulfill all the conditions described above.

Payments to States

The procedure for making payments for construction differs in two respects from procedure for services: there is no minimum basic allotment which the State is required to earn by matching, and the act does not require spending at any rate set during a base period.

TITLE III—GENERAL ADMINISTRATION

Title III prescribes the general terms for administering the act and authorizes the Congress to appropriate funds for administrative expenses.

Withholding payments: If the Commissioner finds that a State is not carrying out its approved plan or is not complying with the provisions of the act, he is authorized to withhold payments until the State does comply.

Administration: The U.S. Commissioner of Education is authorized to administer the act and, with the approval of the Secretary of Health, Education, and Welfare, to make administrative and procedural regulations, to conduct studies and investigations, and to make reports, including reports to the public on the results of the act.

The Commissioner is also required to give any State an opportunity for a fair hearing before he disapproves a State plan.

Any State dissatisfied with the Commissioner's decision may appeal to the courts.

Reallotment: If the Commissioner finds that a State will not be able to use the funds allotted to it in the period they were allotted for, he may reallot them to States that can use them during that period.

STATE LIBRARY AGENCIES

The State library extension agency in each State will have the latest information on its State plans for public library services and public library construction. A list of the State agencies with their addresses is available from the Library Services Branch, Office of Education.

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

SOCIAL SECURITY AMENDMENTS OF 1964

The Senate resumed the consideration of the bill (H.R. 11865) to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

Mr. PROUTY. Mr. President, I send to the desk a modification of my amendment which I offered yesterday.

Before the unanimous-consent agreement propounded by Senator LONG to have his name removed from his amendment and have the name of the distinguished Senator from Tennessee [Mr. GORE], substituted therefore, I had ready an amendment in the nature of a substitute for the Gore-Long amendment. Because of the adoption of the unanimous-consent proposal and the inclusion of the Gore-Long amendment, now known as the Gore-Anderson amendment, in the bill itself, I was precluded from offering my substitute.

However, subsequent to that time the majority leader, the Senator from Louisiana, and the distinguished Senator from Tennessee, acquiesced in my request for a unanimous consent to offer my amendment anyway.

The amendment as printed needs modification to meet the objectives of substituting the Prouty approach for the Gore-Anderson approach. Therefore, I have sent to the desk this technical modification to conform my subsequent amendment to my original amendment.

The ACTING PRESIDENT pro tempore. The clerk will state the modification of the amendment.

The LEGISLATIVE CLERK. At the end of the amendment, it is proposed to add the following:

SEC. 3. Strike from the Act both sections known as the Gore-Anderson medicare sections, by striking from the first line of the first page of section 20 all through the period at the end of section 238.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. LONG of Louisiana. How long does the Senator think it will take him to explain his amendment?

Mr. PROUTY. I believe it will take a half hour, or perhaps a little more. The Senate is operating under a time limitation.

Mr. LONG of Louisiana. In view of the time limitation, I wonder if it might be possible to agree on the time for the vote, so that Senators may plan their schedule accordingly.

I wonder if the Senator would be willing to agree to limit the debate on the amendment to 1 hour, the time to be equally divided. So far as I am concerned, the Senator could have half of my half hour. The traditional agreement is 1 hour. Under such arrangement the Senator would have 45 minutes and I would be allowed 15 minutes.

Mr. PROUTY. Madam President, I am afraid that the arrangement would not give me sufficient time. I should like to accommodate the Senator. I shall get through as quickly as I can.

Mr. LONG of Louisiana. I thank the Senator.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). How much time does the Senator yield himself?

Mr. PROUTY. I yield myself 20 minutes.

The PRESIDING OFFICER. The Senator is recognized for 20 minutes.

Mr. PROUTY. Madam President, in one of the parables Christ spoke out against the deadly sin of indifference. He said:

> For I was an hungered, and ye gave me no meat; I was thirsty, and ye gave me no drink;
>
> I was a stranger, and ye took me not in; naked, and ye clothed me not; sick, and in prison, and ye visited me not.

Madam President, a few days ago the Congress approved the so-called antipoverty bill. As far as I can determine, there is no provision in that bill for any of our elderly retired citizens. Yet this group needs help more than any other segment of our population.

Millions of Americans have been poor at one time or other during their lives and ultimately they have managed to get ahead because of thrift, dedication, and just plain hard work.

Yet there are millions of others who have never really had a chance to put aside any money because of the depression, because of family sickness, because of low wages or because they were not protected by the social security law during their working years.

When a man is young and in good health no matter how dark the days may be he can see just over the horizon brighter tomorrows that lift his spirit and lower his despair.

But when old age comes, and day by day a man loses his close friends, suffers from chronic ailments, and can no longer provide even the barest necessities for his wife—life seems to lose its meaning and each tomorrow is awaited not with hope but with fear.

Are these the golden years that so often are spoken about in glowing terms? No, for millions of people they are not and they never will be until the Congress approves a social security program which reaches out to the older people of this land and tells them by deed—not by word—that they are no longer the forgotten Americans.

Do Senators know that over 1 million people on the social security rolls receive only $40 a month. This amounts to a little over a dollar a day out of which must come food, clothing, and shelter.

What can a man buy for a dollar today? His day's allowance would be gone with a pound of coffee and a quart of milk. And, when these have been purchased with what does he buy bread, sugar, flour—I will not say butter because many of these people have forgotten what butter tastes like because they do not have the money to pay for it.

The issue squarely before the Senate is, What is this Congress going to do to put food on the tables and clothing on the backs of 18 million Americans who gave this country their earnest labor and in many cases fought for it at the risk of their lives during their younger years?

Yes, they once were young. Young enough to produce the food and fiber a growing country demanded. Young enough to build with their hands, their hearts, and their pocketbooks the factories, the schools, the hospitals, and the great institutions in which we take such pride.

From its inception in 1935 the social security law was designed to provide a basic floor of protection against want; yet, in those desperate days monthly payments to the Nation's aged and infirm were as low as $13.48.

Today, almost some 30 years later, the so-called floor of protection is $40 per month.

Now, we can look at pages of statistics and analyses to determine whether the current minimum monthly benefit is proportionate to the benefit scales of earlier years, as viewed in the light of the escalation of the cost of living and wage scales. But, no amount of comparison will extinguish the basic fact that $40 per month represents next to nothing in terms of the needs of older America.

And, if there is nothing to supplement that paltry sum, nothing in the way of earnings, nothing in the way of pensions, nothing in the way of savings, and if there are no living relatives able to support the infirm or elderly person, then we have not done what we set out to do. We have not only failed to shield our older people from the wretched fate of poverty, we have teased their faint hopes with a monthly token of what might be.

Who are the people who receive this minimum amount? The social security tables tell a startling story. They are the people who acquired coverage with as little as $67 per month average monthly wages. These are the people who stood to receive the overwhelming sum of $13.48 under the 1939 act. These are the people who are least likely to have anything substantial in the way of savings, pensions, and other visible means of support.

Madam President, this dilemma has alarming proportions. There are over 18 million people in our country today who are over 65. It is estimated that by the year 2000 one-third of our population will be age 65 or over, or over 32.3 million people. If the 1960 income percentages hold steady, 4 percent of that group, or close to 1,300,000 people, will have no money income whatsoever. If, through revisions of the social security laws, these people are blanketed in under social security, or otherwise become eligible for the minimum social security benefit, we will be distributing, out of the old-age trust fund, some $52 million per year to people who cannot possibly derive much benefit from such a little sum as $40 per month. Of course, this money will find its way back into the economy, but that is not the objective of the social security program.

The program must either give to those in need the protection it was designed to afford, or go down in history as a great hoax on the poor and aged.

Madam President, that is the very plight our old people face today. They come to us with statements of their minimum basic needs to make a go of it and we unhesitatingly offer them half. We have got to remove the blinders on social security and take a long, hard look at what the people need.

Our brothers in Canada are showing us up. Canadian old age pensions are available to those who have reached the age of 70. The only requirement is that the recipient has been a resident of Canada for 10 years. Seventy-five dollars is available to each person or $150 per couple. The beneficiary makes no contribution whatsoever to the program. And, like our social security, no means test is applied. So, while the recipient of our modest $40 per month has been paying into the system from an average monthly wage of $67 per month, his counterpart in Canada does nothing and receives $75 per month.

I am not so much concerned whether or not the Canadian recipient contributes to the program or not. My prime interest is the fact that the Canadian Government has recognized the need for a level of benefits far in excess of $40 per month. It certainly represents a better effort to meet the needs of the people.

As of the end of 1963 there were 10,263,331 people on the U.S. social security-old age rolls. Eleven percent of these were beneficiaries of the minimum figure of $40. That is over 1,100,000 people who receive what is now the minimum amount.

Madam President, my amendment provides for a minimum benefit level of $70 with scaled benefit increases into the upper benefit levels. It is my hope that we can, this session, right an old wrong and start social security payments at a level consonant with the needs of our people.

Each day's mail brings me additional sorrow for the plight of our older people. A dear friend writes that if help does not come soon she and her 85-year-old husband will have to give up their cows—their only source of income. A stranger writes of his fears for himself and his family if he cannot buy coal for the winter.

Madam President, during the consideration of the poverty bill we were told time and again that there was a magic poverty level of $3,000 for a family of four. Now I know from my travels across this country that there are places where $3,000 will buy security for such a family. Likewise, I know that the same income in some of our larger cities will only buy discontent.

But accepting, arguendo, that there is some sort of magic about this $3,000 poverty level, let us take a look at poverty through the eyes of social security.

Under existing law a family of four with earnings of $1,900 per year during the years that they contributed to social security is eligible to receive about $112.50 per month or some $1,350 per year in social security benefits.

In other words, when the head of the family was working he received income $1,100 below the so-called poverty level and when he retires he and his family will go $1,650 below the poverty level.

This means that during retirement years the man and his wife will have a clear 50 or 60 percent gap between their income and their needs.

Add to this disparity the fact that this family had to make contributions to the system of close to $64 per year out of their marginal income and it becomes clear that the social security system, as presently constituted, does not fulfill its objectives.

And, when I talk about people in this category, the $112.50 per month family benefit, I am talking about no exceptional case. Indeed, I am talking about the average man and wife who receive social security payments.

Most people probably do not realize that 60 percent of the social security beneficiaries had earnings below the so-called poverty level the years that they were obtaining coverage, and an even higher percentage of these beneficiaries are below the poverty level when they are actually drawing benefits.

Madam President, Sargent Shriver came to this Congress and asked for close to a billion dollars to fight poverty, but not the problems of the aged. He asked for $5,000 to send a boy away to camp for a year, but not $70 a month for an old person.

I voted for the poverty program with the anticipation that help was on the way for our elderly, but, that program does not envisage much in the way of help for our elderly people.

Now, there comes before this body a bill which provides the startling sum of $7 more a month for those now receiving the minimum benefit. This insignificant amount will only buy despair—it will only finance frustration. It will not do a thing to meet the needs of the people.

I am sorry to see such piddling tokenism. I hope I shall not have to go home with the story that needed fuel, food, and clothing is now only $23 out of reach, not $30.

The war on poverty is not being fought over our old folks. It is being fought on other fields while older America watches.

A man with a minimum average monthly income of $67, the equivalent of $804 per year, is the man who gets the social security payment of $40 per month, $480 per year. Even if this man is able to keep working after 65, his total income will not take him near the fringes of security. It is for this man that the program does the least. And, under this social security bill, he will get the whopping amount of an additional $84 per year, or $7 per month. What a cruel deception this is on the aged and infirm.

My proposal, amendment No. 1245, seeks to do two things.

First. It provides for a raise in all benefit categories with the benefit floor set at $70; other benefit levels are scaled up at a slower rate.

Second. The entire benefit schedule is reformed and simplified so as to reduce the administrative costs of the program, which if left at their current rate of growth, would amount to almost one-half a billion dollars in the year 2000. Following is a table setting forth the benefit changes:

Those now receiving between—	Will receive under the Prouty plan—
$40 to $49	$70
$50 to $59	$77
$60 to $69	$84
$70 to $79	$91
$80 to $89	$98
$90 to $99	$106
$100 to $109	$116
$110 to $119	$126
$120 to $127	$134

Those with an average monthly wage between $413 and $450 per month will receive $144, and the maximum family benefit for that group will be $300.

At the present time the minimum benefit level of $40 per month represents little purchasing power in terms of current prices. The average monthly benefit under the old-age provisions of social security is close to $75, but benefit recipients in the lower benefit categories will take little comfort from that fact.

Our whole lower bracket benefit scale is out of tune with reality. Indeed, all benefit levels fail to reflect the elevation of the cost of living over the period since the last adjustment in benefits, but the disparity is most noticeable in the lower brackets where poverty has made the greatest inroads.

The men and women who stand to benefit by my amendment are not mere statistics. No numbers can tell their story; no computers share their sorrows. Many of them dedicated their lives to making America a better place to live—some made the supreme sacrifice and gave up their sons, husbands, or fathers to the wars spanning their lives.

What have we ever given up for them?

Not too long ago, a man with a family who was down and out wrote me about his despair and heartsickness and in his letter he quoted some lines from an unknown Englishman. They went something like this:

> What is the use of living in an empire on which the sun never sets, if one must live out one's life in an alley into which the sun never shines?

Let us put a little sun in the lonely rooms where older people dwell, often alone, frequently without funds and too many times without any prospect of a brighter tomorrow.

Will this be the Congress that remembered the forgotten American, or will it be the Congress that tossed a few dollars worth of change to the couple with an empty cupboard?

But, if we give our voices and our votes in support of decent pensions for our elderly people, we shall some day feel as Sydney Carton felt when he said:

> It is a far, far better thing that I do, than I have ever done.

I reserve the remainder of my time.

Mr. LONG of Louisiana. Madam President, I regret that the committee could not accept the amendment. The purpose of the Senator's amendment is meritorious, but, as a practical matter, this amendment would cost $2,300 million in the first year. It would more than double the cost of the bill with the medicare amendment in it. Having done all that, it would still not take care of thousands of needy people. It would help only those in the social security program.

In the State of Louisiana, where there is a broad and generous welfare program, about half of our people drawing welfare payments receive social security benefits as well. The two dovetail. The others do not receive similar benefits. So, at fantastic cost, nothing would be done for those not receiving social security benefits. The amendment would benefit only those getting such benefits.

If we are to do something such as the amendment proposes, it would be better to do it on an across-the-board basis, inasmuch as it is to be financed from general revenues, so that all the needy would get the benefits instead of only those receiving social security.

The committee has given some consideration to this problem, but we are satisfied that the tremendous cost of this proposal would make it completely unacceptable to the House. We shall have difficulty getting the bill into conference now, because, as the former Secretary of Health, Education, and Welfare, the Senator from Connecticut, knows, on the House side there are determined Members who do not want to have any medicare proposal enacted into law. Some of them will object to the bill's going to conference as it stands.

If this amendment is added to the bill, it will be even more difficult to get the bill to conference, because of the great cost that would be involved. It is not that we would not like to increase the benefits to the extent of the Senator's proposal, but the astronomical cost of it is more than we could hope to meet.

In addition, much of the increase would be a matter of giving the States a windfall in their welfare budgets, at the expense of putting the Federal budget into the red. In a great number of States the people who receive small social security benefits are receiving assistance from State welfare departments. If this amendment were enacted, such States could reduce their welfare expenditures, at the expense of the Federal Government.

For those reasons, Madam President, I hope the amendment will not be agreed to.

I believe the Senator from Vermont would like to have the yeas and nays on his amendment. Before that, perhaps there should be a quorum call. I suggest the absence of a quorum.

Mr. PROUTY. I ask unanimous consent that time be not charged to either side.

Mr. LONG of Louisiana. I ask that the time be charged equally to both sides.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Without objection, the time will be charged equally to both sides. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROUTY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROUTY. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. GORE. Mr. President, will the Senator yield?

Mr. PROUTY. I yield briefly, because my time is limited.

Mr. GORE. Due to the rather unusual parliamentary situation which developed yesterday, I neglected to make one very slight change in the amendment which I offered. Incidentally, I ask unanimous consent that the senior Senator from New York [Mr. JAVITS] be made a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. Mr. President, in the proposed new section 1809(b), which deals with the determination of costs of services, it is provided that the amount paid to any provider of services shall be a reasonable cost, but that the Secretary shall take into consideration, among other things, the principles generally applied by various national organizations in computing similar payments.

There are some well-established health plans, set up by various industries or industry groups which may not technically be considered national in scope, but which are well established. One of these is the Kaiser Industries health plan.

I ask unanimous consent for the present consideration of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be stated.

The LEGISLATIVE CLERK. On page 33, line 2, of amendment No. 1256, it is proposed to strike out the word "national" and insert in lieu thereof "established prepayment".

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. JAVITS. I am happy to join the Senator in what he has said, for these reasons: We often think of private enterprise in the health field as being strictly insurance companies.

Mr. PROUTY. Mr. President, if I may interrupt, this time is being charged to me.

Mr. GORE. Mr. President, I ask unanimous consent that this brief colloquy be not charged to the time of the Senator from Vermont.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, we forget that there are industries, like Kaiser Industries, or cooperatives, like Blue Cross and Blue Shield, and unions also, which have plans, and that there is a vast complex of private enterprise in this field which is not insurance.

I am very much pleased that the Senator from Tennessee is taking the step he is taking.

Mr. GORE. I am pleased to have the Senator from New York join officially as a cosponsor of all my amendments, because he has made a significant contribution to the great victory that has been achieved.

Mr. JAVITS. I am grateful to the Senator.

Mr. President, may we have action on the request?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. GORE].

The amendment was agreed to.

DOLLAR INPUT AND OUTGO UNDER H.R. 11865 AND THE PROUTY BENEFIT INCREASE AMENDMENT TO IT

Mr. PROUTY. Mr. President, under H.R. 11865 as reported by the Senate Finance Committee old-age benefits will be increased $120 million for the remainder of 1964. No increase will be added to the trust fund in 1964. However, contribution income will exceed benefit outgo for 1964 by about $200 million.

In 1965 benefit disbursements will increase about $1.4 billion over disbursements under present law. Total disbursements will be $17.1 billion for the year. Contribution income for 1965 will be $17 billion, an increase of about $1.2 billion over present law.

As I understand my conversation with Frank Bayo, assistant, or deputy actuary with the Social Security Administration the Prouty amendment, which preserves H.R. 11865's contribution raising technique but which substitutes a new formula for benefit distribution, would cost $2.3 billion in terms of present law. However, since the House bill provides for a $1.4 billion increase in contributions in 1965 the Prouty amendment could be viewed only as a $900 million increase over the House-passed bill. The addition of King-Anderson to the House-passed bill would appear to add a first-year cost of $1½ billion.

If the alternate method of computing the cost of King-Anderson were utilized, as Actuary Robert Myers noted on page 146 of the hearings, the cost should go to 1.35 percent of taxable payroll. The cost of King-Anderson over and above the House-passed bill would be on the order of $2.5 billion in excess of the cost of the House-passed bill. Add to either the low cost estimate of King-Anderson $1.5 billion or the high cost estimate of King-Anderson $2.5 billion the cost of the 7 percent increase of the Long amendment to which the Gore amendment is affixed and you have alternately a total cost for the Gore-Long amendment of $2.2 billion in excess of the House-passed bill or $3.2 billion in excess of the cost of the House-passed bill.

I realize that the situation has been changed somewhat since yesterday, but I am pointing out that in any event the added cost under my proposal has been estimated to be $900 million, a sum which would come from general revenue.

Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Vermont has 34 minutes remaining.

Mr. PROUTY. I thank the Chair.

My amendment would accomplish three things: It would eliminate the medicare program from the Gore amendment, and hence the bill. It would hold the tax rate at the same level as has been approved by the House—4.8 percent. It would hold to the wage base of $5,400, as approved in the House amendment.

The purpose of my amendment is simple. I believe most people recognize that there is a serious question as to whether the House will approve any bill that contains medicare provisions. Last night on television the distinguished senior Senator from Minnesota [Mr. HUMPHREY] said that conferees might effect a compromise embodying features of the so-called Ribicoff amendment. That would mean, if that amendment or one similar to it were adopted, those now receiving $40 a month would receive $42, or $47 if they decided they did not want a package medical plan of some sort.

The increases I am suggesting are sufficiently meaningful to make it possible for many of the people who are under social security to provide for their own health insurance. The increases I am suggesting are substantial, but they can be justified. As I stated earlier, the money will come from general revenues.

The distinguished Senator from Louisiana [Mr. LONG] said earlier that this proposal would be applicable only to persons now on the social security rolls or who will become eligible for social security. It is my understanding that an amendment will be offered during the course of the debate that would blanket in persons who are 70 or 72 years of age, or over. That would well take care of the problem of old people who are presently faced with such a desperate plight. In any event 91 percent of the elderly are now eligible for the social security program.

Mr. President, I wish to suggest the absence of a quorum; and I hope that it may be a live quorum. I would hope that following the quorum call more Senators would remain in the Chamber, so that they could learn more about my proposal.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The time for the quorum call will, of course, come from the time of the Senator from Vermont.

Mr. PROUTY. Would the Senator from Louisiana share the time?

Mr. LONG of Louisiana. I regret to say that I do not feel I should share the time for the quorum call. The junior Senator from Louisiana long ago despaired of the value of a quorum call to bring Senators to the Chamber to hear his speeches. There has been one quorum call already; I would hope that we might come to a vote.

I am sure the Senator knows that when the time on the amendment has expired, he is entitled to have a quorum call which would not count against his time.

Mr. PROUTY. Mr. President, I ask unanimous consent that I be permitted to suggest the absence of a quorum, the time for the quorum call not to be charged to either side.

Mr. LONG of Louisiana. I object.

The PRESIDING OFFICER. Objection is heard. Does the Senator from Vermont ask for a quorum call?

Mr. PROUTY. I suggest the absence of a quorum. The majority leader assured me yesterday that if I needed additional time, he would yield it to me on the bill.

Mr. LONG of Louisiana. I do not complain about that at all. I do not believe the opponents of the amendment should have to share the time for a quorum call, because we are not interested in a quorum at this time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 559 Leg.]

Aiken
Allott
Anderson
Bartlett
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Douglas
Eastland
Edmondson
Ellender
Ervin
Fong
Gore
Gruening
Hart
Hayden
Hickenlooper
Holland
Hruska
Humphrey
Inouye
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kuchel
Lausche
Long, Mo.
Long, La.
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Ribicoff
Robertson
Russell
Salinger
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Walters
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Washington [Mr. MAGNUSON], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I also announce that the Senator from Indiana [Mr. HARTKE] is absent because of a death in the family.

I also announce that the Senator from Indiana [Mr. BAYH], the Senator from Washington [Mr. JACKSON], and the Senator from West Virginia [Mr. RANDOLPH] are necessarily absent.

I further announce that the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Alabama [Mr. HILL] are absent because of illness.

Mr. KUCHEL. I announce that the Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

The Senator from Colorado [Mr. DOMINICK] is detained on official business.

The PRESIDING OFFICER. A quorum is present.

The Senator from Vermont is recognized.

Mr. PROUTY. Mr. President, I have had pages take to every desk an explanation of my amendment No. 1245. This material explains the amendment I now offer as a substitute for the Gore-Anderson amendment which was adopted yesterday. While amendment No. 1245 is not identical to the substitute, I feel that it is sufficiently and substantially the same.

My amendment revises and reforms the table of benefits appearing in section 215 of the Social Security Act.

Under the Prouty amendment the minimum primary insurance amount is $70. The lowest maximum family benefit is $105. The following benefit changes are made:

Those now receiving between—	Will receive under the Prouty plan—
$40 to $49	$70
$50 to $59	$77
$60 to $69	$84
$70 to $79	$91
$80 to $89	$98
$90 to $99	$106
$100 to $109	$116
$110 to $119	$126
$120 to $127	$134

Those with an average monthly wage between $413 and $450 per month will receive $144, and the maximum family benefit for that group will be $300.

In addition to the increased amounts to be contributed to the Federal old-age and survivors trust fund under H.R. 11865, the Prouty plan authorizes appropriations to such fund in an amount necessary to equal the excess of benefit payments over contributions in any one year. In other words, if H.R. 11865 provides for additional contributions to the trust fund of $1, because of the changes in the tax rate or the increase in the wage base, and the Prouty benefit plan calls for payments of $1.50, the 50-cent differential will be financed out of general revenues. This section provides for the maintenance of the trust fund in actuarial balance while providing funding for the Prouty benefit levels.

Mr. President, I have been a long and ardent supporter of sound proposals offering medical assistance to our elderly. The amendment I now offer is a genuine attempt to provide our old folks with a choice for health.

The many tribulations which face older America cannot be categorized into the single question of access to medical assistance.

An old person's health is the product of many forces. Does he have enough of the proper foods to eat? Does he have clothing adequate for a Vermont winter? Can he buy coal for his furnace or his potbellied stove? Can he repair the roof? Can he afford a vet for his cow?

Mr. President, all these simple fundamental day-to-day problems of existence do more to shape the health of an old person than the numerous mystic viruses accused of so much ill.

Look for a moment at the transcript of the hearings in the Finance Committee on the question of what social security should buy. Look for a moment at the remarkable testimony by Secretary Celebrezze and the Commissioner of Social Security, Robert Ball.

The Senator from Nebraska [Mr. CURTIS] asked the Secretary if he would be willing to supply our old folks with enough additional income through social security so that they could afford reasonably adequate health insurance.

The Secretary answered:

> That wouldn't do what we are trying to do, because social security benefits * * * for low-income people—those without significant other income—are hardly enough to buy the bare necessities of life. If you give people additional money, many are going to spend it for everyday expenses rather than for hospital insurance.

And as if this were not sufficiently damning of a program of health care under social security which gives an old person no choice between food, shelter, clothing and a practical nurse, Mr. Ball jumped headlong into the fray and added his 2 cents on why such people would first spend their increased benefits for the bare necessities of life:

> Senator * * * half are below the $2,800 (income) figure. Many have incomes of $1,200, $1,300, $1,500, and so on. At such income levels people might well feel—even with the additional amount you suggest—they might feel they couldn't afford to put all of that into hospital insurance as against other expenses—food, clothing, shelter, and other needs.

Mr. President, the Secretary and the Commissioner made alarming statements. If I understand them correctly they advocate that the first order of business is health insurance, life itself is of secondary importance. They must have doctors before they have food; they must have nurses before they have clothes; and if the roof leaks or the coal runs out they must go to the hospital.

So, Mr. President, I now offer my amendment to give older America a free choice for their destiny.

The amendment is of the same order of cost as the Gore-Long amendment. The big difference, however, is the recognition by my approach that such a program should be financed in part out of general revenues.

Forty percent of all social security beneficiaries are now on welfare. Many, many of them receive the benefits of the Kerr-Mills bill. Both of these programs are financed out of general revenues.

I can see no just reason for first blanketing-in all old people under a social security health care proposal and then sending a bill to an employer for whom these people never worked. With financing out of general revenue every citizen of America shares a portion of the burden for the care and well-being of our old people. It is my estimation that this is the only just and fair approach.

Mr. President, is an older American a second-class citizen of the world? There are matters which cause me to believe he is so treated.

In Canada an old person automatically receives $75 a month upon reaching age 70. He has to make no contribution to a pension fund. He has to make no disclaimers of retirement earnings. He has to show no need. He is granted this substantial pension merely because he has turned 70. How simple, how just.

We are at a point in history when we can no longer turn our backs on our elder citizens. We must move into the sunlight of dignity and decency. It is my hope that this amendment will be a first step toward that great objective.

Mr. President, I should like to point out, as I did earlier, that the majority whip, the distinguished senior Senator from Minnesota [Mr. HUMPHREY], suggested on television last night that there might be a possible compromise in the conference. He suggested that it would be the amendment offered by the distinguished junior Senator from Connecticut [Mr. RIBICOFF]. Under the Ribicoff proposal a person would have a choice. If he is now receiving $40 a month under the social security program, he would have a choice between receiving $42 and a package health insurance program or $47, a $7 increase. Most people in that bracket would have no alternative other than to take the additional $7, and they would still be faced with very serious problems.

My proposal is a realistic approach to one of the most serious problems facing this country today. If there is poverty, it exists among the older citizens who are retired and who are no longer able to support themselves.

In closing I suggest that my amendment would eliminate the medicare feature of the bill, the amendment of the Senator from Tennessee [Mr. GORE], which was adopted yesterday. It would also maintain the same tax rate contained in the House version of the bill; namely, 4.8 percent for employer and employee. It would also establish a $5,400 earning base. I have been given assurance that the proposal would cost an additional $900 million over the cost of the House bill, which would have to come out of general revenue.

Mr. President, I reserve the remainder of my time.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. PROUTY. I am happy to yield.

Mr. SCOTT. I congratulate the distinguished Senator from Vermont for his presentation of these earnest and concerned efforts to find ways which will offer genuine assistance and real opportunities for the aged to do something for themselves in times of crises affecting their health. The Senator from Vermont has been consistent in his effort to find workable solutions and in offering substitutes for plans which may have more political appeal than health appeal. I agree with the Senator that we are seeking to find ways to help the health of elderly persons rather than ways to help the health of those who are seeking to advance their own careers or partisan advantages through attractive labels or "appearance aids" to these same people.

In my judgment, the addition of $2 a month or $7 a month, to be spent at the discretion of the individual recipient, reminds me of what our fathers used to say to us as children: "Here is a penny; do not spend all of it at once." The proposal seems to me to be little more than a dole or a pittance or a way of fobbing off a difficult question by proposing inadequate solutions. So I believe that all of us are seeking a better way to meet the health problems of the aged.

I have never heard anyone say that the aged do not have health problems. No Senator who has spoken has said that the aged did not need some assistance. There are large numbers of persons who do not have adequate means to help themselves, and whose circumstances in many cases are not of their own creation. Since the Federal Government has rushed so often to the aid of peoples everywhere in the world, or through subsidies, to the aid of persons in this country who do not always welcome the subsidies which are in their opinion thrust upon them, it seems to me that the Senator from Vermont is making an approach which would do more for the elderly than the less adequate solutions which have been offered, and which, in my judgment, may well founder in the conference.

I hope the conferees will consider carefully the suggestions made by the distinguished Senator from Vermont, and that they will consider some of the proposed solutions which were discussed yesterday in another amendment sponsored by the Senator from Vermont and the Senator from Hawaii [Mr. FONG], as well as myself.

I hope that what is underway is not merely an attempt to impress people, after political conventions and prior to elections, with the idea that something is really being done for them. When all the furor dies down, when the dust has settled——

The PRESIDING OFFICER. The Senator's time on the amendment has expired.

Mr. SCOTT. Mr. President, in the absence of any other Senator, I yield myself 2 minutes.

Mr. PROUTY. Mr. President, a parliamentary inquiry.

Mr. GORE. Mr. President, I yield the Senator 5 minutes.

Mr. PROUTY. I was about to explain, in the form of a parliamentary inquiry, that the distinguished majority leader assured me he would give me such additional time as I might require on the bill.

Mr. SCOTT. I am nearly through. I would expect, when all the dust has settled, that very little would have been done for the elderly persons in the form of health assistance. I hope this is not correct, but I fear much of the talk we hear in the Senate has been merely for the purpose of making records, pro or con, and that what really will happen among the conferees will be some sort of horseback solution or temporary "band-aid" result. The concern of the elderly with regard to their health, as is true of our concern, is too great for the problem to be treated in this fashion. The problem ought to be considered in the next session of Congress from the beginning. It is a great national problem, and is of concern to all citizens, and of particular concern to the elderly.

I commend the Senator from Vermont for his proposal.

Mr. PROUTY. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield 5 minutes to the Senator from Vermont.

Mr. PROUTY. I thank the Senator from Pennsylvania very much. As he knows, I was happy and proud to be a cosponsor of an amendment which he offered yesterday, which was a very much more realistic and progressive approach to the medical problems of older America and would have done a great deal more for our elderly citizens with health problems than any other proposals made thus far.

Let me ask the Senator a question. Does he think this great country should do less for its people than our neighbor to the north, the Dominion of Canada, does for its people? It pays a person 70 or older $75 a month. We start at $40.

Mr. SCOTT. I certainly do not. I have recently been in Canada. I am aware of the greater benefits received by her citizens. I heard a discussion of the welfare program in the Canadian Parliament recently. Canada is not generally regarded as a country that is as wealthy as the United States. It is not generally regarded as a country which can afford to do more for its citizens than this country can. Yet it does more. This fact is a reflection upon the present status of our general care proposal.

I also feel that we are in great danger of overburdening our social security system. As I said yesterday, the time may come by 1971 when, under the major proposal adopted yesterday, social security taxes—for that is what they are—or deductions from a worker's pay, will exceed the amount paid by the same worker for his income tax. Not long after 1971—if not before—the worker, from total taxes actually contributed by himself and by the employer, will eventually lose—or perhaps the better word is "forgo"—1 day's pay out of his weekly pay envelope. That is where we are headed if we continue to load every solution of our problems onto the social security system.

Mr. PROUTY. I point out that, as of now, a retired man, with a wife, drawing social security receives $1,350 a year, somewhat below the poverty level which we have been discussing for many weeks. Under my proposal, the amount would be increased only to $1,638, but there may be enough in that increase to enable an old person to take out a private health insurance plan if he so desires. If we were to ask any individual now receiving $40 a month if he would prefer an increase to $70 or an increase to $42 and a $5, inadequate medical program, I think the answer definitely would be, "I would require the $70 to continue to live a decent existence."

My proposal would increase the benefits most in the lower brackets. The percentage benefit increases are scaled down as the upper brackets are reached.

This is a far more realistic approach, and will do more for the old people of the country than other amendments which have been considered during the course of the debate.

I thank the Senator from Tennessee for yielding to me.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. COTTON. I commend the Senator for his amendment, and associate myself with everything he has said. It will be a privilege to vote for his amendment. It would be doing business for the old people.

Mr. PROUTY. I thank the Senator from New Hampshire very much, and I thank the Senator from Tennessee for yielding me time.

Mr. GORE. Mr. President, the amendment would be extremely costly and, if adopted, would throw completely out of balance the actuarial statistics. I do not believe the amendment requires extended argument. I hope the Senate will reject the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Washington [Mr. MAGNUSON], the Senator from Florida [Mr. SMATHERS], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from West Virginia [Mr. RANDOLPH] are absent on official business.

I also announce that the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Alabama [Mr. HILL] are absent because of illness.

I further announce that the Senator from Indiana [Mr. BAYH] and the Senator from Washington [Mr. JACKSON] are necessarily absent.

I further announce that the Senator from Indiana [Mr. HARTKE] is absent because of a death in the family.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Washington [Mr. JACKSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Florida [Mr. SMATHERS], the Senator from New Jersey [Mr. WILLIAMS], the Senator from Washington [Mr. MAGNUSON], and the Senator from Virginia [Mr. BYRD] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

The Senator from Colorado [Mr. DOMINICK] is detained on official business and, if present and voting, would vote "yea."

The result was announced—yeas 23, nays 64, as follows:

[No. 560 Leg.]

YEAS—23

Aiken
Allott
Beall
Bennett
Boggs
Cotton
Dirksen
Fong
Hickenlooper
Hruska
Jordan, Idaho
Mechem
Miller
Morton
Mundt
Pearson
Prouty
Saltonstall
Scott
Simpson
Tower
Williams, Del.
Young, N. Dak.

NAYS—64

Anderson
Bartlett
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Curtis
Dodd
Douglas
Eastland
Edmondson
Ellender
Ervin
Gore
Gruening
Hart
Hayden
Holland
Humphrey
Inouye
Javits
Johnston
Jordan, N.C.
Keating
Kuchel
Lausche
Long, Mo.
Long, La.
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Ribicoff
Robertson
Russell
Salinger
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Walters
Yarborough
Young, Ohio

NOT VOTING—13

Bayh
Byrd, Va.
Dominick
Fulbright
Goldwater
Hartke
Hill
Jackson
Kennedy
Magnuson
Randolph
Smathers
Williams, N.J.

So Mr. PROUTY's amendment was rejected.

Mr. GORE. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. ANDERSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND subsequently said: Mr. President, I voted against the amendment of the distinguished Senator from Vermont [Mr. PROUTY], not because I would not have been glad to support that part of the amendment which eliminated the so-called Gore-Anderson amendment, adopted yesterday, but because I thought the other provisions in the amendment were much too expensive.

To illustrate what I believe to be the thinking of the vast majority of the people in my State, I ask unanimous consent to have included in the RECORD at this point an editorial published in the Tampa Tribune entitled "Give 'em Cash, Not Care."

I read from the last paragraph, as follows:

> The best solution is for retirees to carry their own health insurance plans, as about two-thirds of them do already. The 5-percent increase in monthly benefits will help them to do so—and the Senate ought to join the House in approving it, without wasting too much time in trying to show voters 65 and over what large hearts the Democrats have.

I comment on the fact that the amendment offered by the Senator from Louisiana [Mr. LONG], which I supported would have provided, instead of 5 percent, 7 percent, so as to make it even more possible than the House bill for retirees to carry their own health insurance.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Tampa (Fla.) Tribune, Sept. 2, 1964]

GIVE 'EM CASH, NOT CARE

When you speak of social security, you treat a subject close to the hearts and pocketbooks of nearly 100 million Americans.

Most of them are voters.

In an election year Congress and the President love to do things for people—especially the kind of thing which is recognizable on the face of a check.

That's why Congress is certain to pass a bill increasing social security benefits. Some 20 million persons drawing social security checks would immediately profit. Millions of others nearing retirement age would welcome the prospect of a slightly more comfortable future.

President Johnson and a number of Senators want to do more for social security beneficiaries than the House did in passing, July 29, a bill to increase monthly payments by 5 percent. They propose adding to the bill a provision for hospitalization and nursing home care, as pledged in the Democratic platform.

This care benefit would partly substitute for the cash increase voted by the House. It would be a modified form of the King-Anderson (medicare) bill, unsuccessfully pushed during the Kennedy administration, to place hospitalization benefits in the social security program.

The new proposal is no better in principle than the original. It would set the Federal Government to plowing a broad new field of social care; a field in which the boundaries would be steadily pushed outward by political pressures until all medical services were dominated by Federal bureaucracy.

What the cost of this new program would be, in its full flower, no one can say with certainty. But it would place a heavy and increasing demand upon the social security fund and require larger and larger taxes from workers and employers.

Medical care for the retired persons subsisting on social security does constitute a problem. A costly illness can wipe out savings and mortgage the pension payments for months ahead. The Kerr-Mills program, extending Federal-State aid to persons of limited income for emergency hospital care, has helped. It is optional with States, however, and only about half are participating. There is the additional objection that in the minds of normally self-supporting persons it has the mark of charity.

But the medicare plan is not the right solution for the problem. Besides involving the Government in new adventures in paternalism, it offers only a partial remedy. It would pay not a cent for doctors' bills—which in some cases can be a larger item than hospital care.

The best solution is for retirees to carry their own health insurance plans, as about two-thirds of them do already. The 5 percent increase in monthly benefits will help them to do so—and the Senate ought to join the House in approving it, without wasting too much time in trying to show voters 65 and over what large hearts the Democrats have.

Mr. KEATING. Mr. President, I call up my amendment No. 1258. I ask unanimous consent that the reading of the amendment be dispensed with, but that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike out section 16, line 11, page 51, through line 13, page 52, and renumber the following sections appropriately.

At the end of the bill add the following new section:

"REVISION OF THE PENSION PROGRAM FOR VETERANS OF WORLD WAR I, WORLD WAR II, AND THE KOREAN CONFLICT, AND THEIR WIDOWS AND CHILDREN

"SEC. 19. (a) Section 503, title 38, United States Code, is amended by (a) inserting '10 per centum of the amount of' immediately before 'payments' in paragraph (6) and striking out 'equal to his contributions thereto'; and (b) adding after paragraph (8) five paragraphs as follows:

" '(9) amounts equal to amounts paid by a veteran for the last illness and burial of his deceased spouse or child;

" '(10) profit realized from the disposition of real or personal property other than in the course of a business;

" '(11) payments received for discharge of jury duty or obligatory civic duties;

" '(12) payments of educational assistance allowance or special training allowance under chapter 35 of this title;

" '(13) payments of bonus or similar cash gratuity by any State based on service in the Armed Forces.'

"(b) Section 506(a)(2), title 38, United States Code, is amended by inserting ', other than a child,' immediately after 'person'.

"(c)(1) Section 521(a), title 38, United States Code, is amended by inserting '(1) who is sixty-five years of age or older, or (2)' immediately after 'service requirements of this section, and'.

"(2) The title of chapter 15 in the analysis at the head of title 38, United States Code, and at the head of chapter 15, is amended by inserting 'or for Age' and 'OR FOR AGE' immediately after 'Service' and 'SERVICE', respectively.

"(3) The catchline at the head of section 521 in the analysis of chapter 15, title 38, United States Code, and at the head of section 521 proper, is amended to read 'Pension for Non-Service-Connected Disability or for Age' and 'PENSION FOR NON-SERVICE-CONNECTED DISABILITY OR FOR AGE', respectively.

"(d)(1) The table in section 521(b), title 38, United States Code, is amended to read as follows:

" 'Column I		Column II
Annual income More than—	but Equal to or less than—	
	$800	$90
$800	1,300	70
1,300	1,800	40'

"(2) The table in section 521(c), title 38, United States Code, is amended to read as follows:

" 'Column I		Column II	Column III	Column IV
Annual income More than—	but Equal to or less than—	One dependent	Two dependents	Three or more dependents
	$1,200	$105	$105	$110
$1,200	2,200	75	75	75
2,200	3,000	45	45	45'

"(3) The table in section 541(b), title 38, United States Code, is amended to read as follows:

" 'Column I		Column II
Annual income More than—	but Equal to or less than—	
	$800	$65
$800	1,300	45
1,300	1,800	25'

"(4) The table in section 541(c), title 38, United States Code, is amended to read as follows:

" 'Column I		Column II
Annual income More than—	but Equal to or less than—	
	$1,200	$80
$1,200	2,200	60
2,200	3,000	40'

"(e) Section 521(d), title 38, United States Code, is amended by striking out '$70' and inserting in lieu thereof '$100'.

"(f)(1) Section 521 is further amended by redesignating subsections (e) and (f) as subsections (f) and (g), respectively, and by inserting immediately after subsection (d) thereof the following new subsection:

" '(e) If the veteran has a disability rated as permanent and total, and (1) has additional disability or disabilities independently ratable at 60 per centum or more, or (2) by reason of his disability or disabilities, is permanently housebound but does not qualify for the aid and attendance rate under subsection (d) of this section, the monthly rate payable to him under subsection (b) or (c) shall be increased by $35.'

"(2) Section 502, title 38, United States Code, is amended by adding after subsection (b) the following subsection:

" '(c) For the purposes of this chapter, the requirement of "permanently housebound" will be considered to have been met when the veteran is substantially confined to his house (ward or clinical areas, if institutionalized) or immediate premises due to a disability or disabilities which it is reasonably certain will remain throughout his lifetime.'

"(g) Section 521(e)(1), title 38, United States Code, as redesignated section 521(f)(1) under subsection (f) of this section, is amended by striking out 'except $1,200 of such income' and substituting in lieu thereof the following: 'in excess of whichever is the greater, $1,200 or the total earned income of the spouse,'.

"(h) Section 3203(f), title 38, United States Code, is amended to read as follows:

" '(f) Where any veteran in receipt of an aid and attendance allowance described in section 314(r) of this title is hospitalized at Government expense, such allowance shall be discontinued from the first day of the second calendar month which begins after the date of his admission for such hospitalization for so long as such hospitalization continues. Any discontinuance required by administrative regulation, during hospitalization of a veteran by the Veterans' Administration, of increased pension based on need of regular aid and attendance or additional compensation based on need of regular aid and attendance as described in subsection (l) or (m) of section 314 of this title, shall not be effective earlier than the first day of the second calendar month which begins after the date of the veteran's admission for hospitalization. In case a veteran affected by this subsection leaves a hospital against medical advice and is thereafter admitted to hospitalization, such allowance, increased pension, or additional compensation, as the case may be, shall be discontinued from the date of such readmission for so long as such hospitalization continues.'

"(i) Section 612 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

" '(g) Any veteran who is a veteran of World War I, World War II, or the Korean conflict is receiving increased pension under section 521(d) of this title based on need of regular aid and attendance may be furnished drugs or medicines ordered on prescription of a duly licensed physician as specific therapy in the treatment of an illness or injury suffered by the veteran.'

"(j) Section 3104(a) of title 38, United States Code, is amended by inserting 'or concurrently to any person based on the service of any other person' immediately before the period at the end thereof.

"(k) Effective November 1, 1964, in computing the income of persons whose pension eligibility is subject to the first sentence of section 9(b) of the Veterans Pension Act of 1959, there shall be excluded 10 per centum of the amount of payments received under public or private retirement, annuity, endowment, or similar plans or programs.

"(l)(1) Except as otherwise provided herein, this section shall take effect on January 1, 1965.

"(2) The amendment to paragraph (6) of section 503, title 38, United States Code, shall take effect on November 1, 1964, except that it shall not apply to any individual receiving pension on October 31, 1964, under chapter 15 of said title, or subsequently determined entitled to such pension for said day, until his contributions have been recouped under the provision of that paragraph in effect on October 31, 1964."

Mr. KEATING. Mr. President, I ask unanimous consent that my colleague from New York [Mr. Javits] and the distinguished senior Senator from Kentucky [Mr. Cooper] be added as cosponsors of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEATING. Mr. President, this amendment incorporates the provisions of H.R. 1927, which passed the House on August 11 by a rollcall vote of 388 to 0.

The preferable procedure of course would be to consider the provisions of this amendment separate and apart from the social security bill. But time is running out on us and we must not close the door of the 88th Congress in the face of those veterans and veterans' widows of modest circumstances who are now tragically caught in the squeeze between rising costs and fixed incomes.

The inflationary squeeze is a pressing problem in our society and Congress has faced up to its responsibility to members of the military, classified workers, and postal employees, members and employees of the legislative branch and to those in the executive and judicial branches. It is imperative that we do not do less for veterans and veterans' families.

The amendment before us is the result of extensive hearings in the other body. The Subcommittee on Compensation and Pensions held 6 days of hearings in late May on all the non-service-connected pension measures pending before the House Veterans' Affairs Committee and extensive hearings were also held in the 87th Congress on this same subject. In July of 1961, the subcommittee held 3 days of hearings and the full Veterans' Affairs Committee conducted 9 days of hearings in August and September of 1962. The amendment is a compromise of many proposals and has been thoroughly reviewed.

Those of us who have had the privilege of serving in the other body know that Congressman Teague, of Texas, chairman of the Veterans' Affairs Committee has never led any raid on the Public Treasury. Nor would the responsible veteran organizations, and the men and women they represent, ask him or the Congress to do so.

All they seek is an opportunity to have their requests and grievances aired and a decision reached on the merits. The House approved these provisions by a vote of 388 to 0 and I hope that we today will add our support to this modification in the non-service-connected pension law.

In 1959 we adopted a pension system relating payments more closely to need. Instead of the all or nothing provisions of the prior law, where an additional $1 of income could mean the loss of more than $900 in pension, Public Law 87–211 established a graduated scale paying more where need was greater. Within this scale income limits were increased to $1,800 or $3,000 instead of the former $1,400 and $2,700 for these groups with or without dependents. Pensions were established in three categories with benefits from $40 to $100 a month, depending on outside income and dependency status. The law included a corpus of estate provision as a basis of determining need, denying pensions to those whose net worth was sufficient to permit a part of their assets to be liquidated. Increased pensions were established where there were dependents. Spouses' income in excess of $1,200 was added to the veterans' income to determine his eligibility. In addition the 1959 act provided an exclusion of moneys received from contributory pension plans as income until the individual recouped his contribution.

This amendment retains the basic principle of the 1959 act and is responsive to the need for certain modifications in the new law.

Section 19(a) provides six new exclusions from the definition of income. It excludes 10 percent of payments under any public or private retirement, annuity, or income plan, including social security. This particular provision is made necessary by the proposed increases in social security benefits. The amendment we have adopted, however, is responsive only to social security increases under this act. It does not take into consideration the many civil service employees who lost their veterans benefits by the 5-percent increase for Federal employees in the enactment of Public Law 87–793. This provision eliminates the necessity of making modifications everytime there is an increase in retirement benefits. Furthermore it should be noted that the 10-percent exclusion factor replaces the recoupment provision for future pensioners.

Other exclusions include the amounts paid by veteran for last illness and burial of his deceased spouse or child, profit realized from the disposition of real or personal property other than in the course of business, payments received from jury duty, payments under the War Orphans Educational Assistance Act, and veterans bonuses paid by a State.

The illness and burial exclusion is already provided in the case of the widow and 19(a) merely extends it to the veteran. Exclusion from the sale of real or personal property will permit the veteran to make necessary sales without fear of jeopardizing his family's income under the income limitations. At the same time, it should be noted that the receipts from sale will remain part of his net estate, which is another factor of eligibility for the non-service-connected pension. Payments under the War Orphans Educational Assistance Act should not be treated as income attributed to the family. To do so many jeopardize the family's eligibility for veterans assistance and deter a child from taking advantage of the benefits of the act. The exclusion is a justified one and will give fuller effect to the purpose of the War Orphans Educational Assistance Act.

Section 19(c) eliminates the requirement that a veteran of 65, who fulfills the income limitations, must also establish a 10-percent disability and resulting unemployability. The Administrator of the Veterans' Administration, Mr. Gleason, in his testimony before the Senate Finance Committee stated that almost all veterans over 65 have a 10-percent disability and are unemployable and that elimination of the cost of administrative work and physical examination would offset any increase in pensions paid to our older veterans.

Section 19(d) liberalizes the income limitations, while retaining the maximum income eligibility, and increases the pension payments for those in the lowest income category. These changes are vitally important to those veterans and widows with the greatest need and are consistent with the philosophy of Public Law 87–211.

Section 19(e) provides for an increase in the monthly allowances to veterans so helpless or blind as to require the regular aid and attendance of another person from the present $70 to $100.

Section 19(f) establishes an additional monthly allowance for housebound veterans, which increases the basic pension by $35 for those veterans who, in addition to their disability, are housebound.

Section 19(g) provides that a veteran shall be required to count the income of his spouse in excess of $1,200 or all earned income of his spouse, whichever is greater. Current law provides inclusion of all income in excess of $1,200. Experience has demonstrated that 90 percent of those receiving pensions are veterans over 65 and that the wives have found it necessary in some cases to seek outside employment in order to keep the family unit together. Inclusion of the spouse's earned income has imposed an additional burden on those families of limited means.

Section 19(i) authorizes the Veterans' Administration to provide drugs and medicines, which have been prescribed by physicians, to those persons who are receiving aid and attendance allowances.

Mr. President, these are the highlights of the provisions of this amendment. It offers a tangible benefit to needy veterans and deceased veterans' widows and minor children. It offers the benefit without departing from the underlying principle of existing law that places emphasis on those pensioners who most need Federal assistance. Unlike some of the earlier proposals, it is not an exorbitant measure. In later years, because of the elimination of the recoupment provision, it will result in net savings for the Veterans' Administration. I hope this amendment, responsive to the veteran's desire to seek a life not demeaned by privation, will be adopted.

(At this point Mr. McIntyre took the chair as Presiding Officer.)

Mr. **MORTON**. Mr. President, will the Senator yield?

Mr. **KEATING**. I am glad to yield.

Mr. **MORTON**. As I understand it, the amendment of the Senator from New York incorporates entirely the features of H.R. 1927 which unanimously passed the House and is now pending before the Finance Committee of the Senate.

Mr. **KEATING**. The Senator is correct.

Mr. **MORTON**. A 1-day hearing was held on the bill in the Senate Finance Committee on August 19, 1964, and the record of the hearing is available to any Senator who is interested. The Senator from New York has pointed out that section 19(c), under the Veterans Administration pension regulations, provides that a veteran, in order to receive a pension at the age 65, in addition to meeting the income requirements, must, one, have a 10-percent disability; and, two, as a result of being unemployable. This section of the Senator's amendment removes the requirements of unemployability and disability; is that not correct?

Mr. **KEATING**. The Senator is correct. My amendment does retain, however, the income limitations of the present law.

Mr. **MORTON**. That is correct.

The Bureau of the Budget testified that this would add 150,000 to 175,000 additional veterans.

I personally questioned Mr. Gleason when he was before our committee on this point and Mr. Gleason states—and I am reading from page 19 of the aforementioned hearing:

> We do not think there can be any significant cost effected by the disability requirement and the unemployability requirement.
>
> The most recent study for the House, by the Veterans' Administration, of all claims adjudicated for this year, calendar year 1964, during that month 38,000 pension claims were adjudicated and 10,000 were denied for all reasons—lack of requisite service, excessive income, lack of sufficient disability, et cetera. And of the 10,000 denials, Senator, only 5 were based on lack of 10 percent disability at age 65, and ony 60 because the veteran was employable despite his disability.
>
> Therefore, the disability and unemployability requirement at age 65 accounted for less than 1 percent of the denials of pensions and affects less than two-tenths of 1 percent of the pension claims filed.
>
> Now, projected on an annual basis, the benefit cost would not exceed $500,000 were this requirement eliminated.
>
> Our administrative expenses, in examining and rating 65-year-old pension claimants, exceeds that $500,000 each year.

There speaks the Administrator of the Veterans' Administration. That statement is supported by a staff study of the House Veterans Affairs Committee, so that actually this section—according to Mr. Gleason himself—will save money in the end because it will eliminate more in administrative costs, in physicians' fees for the examinations, and so will eliminate the cost of ascertaining whether a man is employable and will more than offset the few additional dollars in pensions.

Mr. **KEATING**. I appreciate the comments of the Senator from Kentucky, who attended these hearings and brought out this very point. I believe this is a particularly important consideration since much of the opposition to the amendment has been directed to section 19(c). It is clear from the testimony of Mr. Gleason that the opposition is not well founded.

Mr. **MORTON**. Mr. President, will the Senator yield further?

Mr. **KEATING**. I yield.

Mr. **MORTON**. In the hearings, the point was developed in colloquy between several committee members and Mr. Gleason that a meeting was held in the closing days of the first session of this Congress.

First. I developed with Mr. Gleason the fact that H.R. 1927, as originally introduced, had a cost of between $780 million and $790 million, that all after the enacting clause was stricken and the bill, which was passed unanimously by the

House at a much more modest cost, was then drafted.

I read from the transcript of the hearings:

> Senator Morton. As you have pointed out, and I think it was the closing days of the Congress before the tragic assassination of President Kennedy, that there was pressure on the administration, because of the danger of a discharge petition bringing a bill to the floor of the House, which would have cost, as you point out, somewhere in the neighborhood of a billion dollars a year.
>
> Mr. Gleason. Yes, sir.
>
> Senator Morton. It is my impression that the House leadership and Chairman Teague indicated that a bill that did most for those who needed most, those with the lowest incomes or those with health problems, could be devised in the general area of cost as indicated in this bill, and that that seemed to be administration policy to pursue a course along a modest bill for the most need.
>
> This was one way that the discharge petition was stopped, is that not true?
>
> Mr. Gleason. This helped immeasurably to do so, Senator.
>
> Senator Morton. But now we face a situation where the discharge petition is out of the way for the moment and so today, you indicate, and I shall not press you—I will wait until Mr. Hughes testifies—but perhaps the administration is going to find it necessary in its program to oppose H.R. 1927 as revised in this more modest area.
>
> Mr. Gleason. That is correct, sir.
>
> I would like to say, Senator, myself, I have always believed in a cost-of-living increase for anyone, whether they were an employee in a corporation or in Government or anywhere else, sir.

The point is that the administration indicated that the support of this measure, as revised in the House last year, was under the threat of a discharge petition. Chairman Teague, the members of the Veterans' Committee, and the House went ahead in good faith and passed the bill unanimously.

We now find that there is again pressure being exerted in the Committee on Finance to stifle the bill, since they are not under the pressure of the threat of a discharge petition. I think the measure is a just measure. I believe it is overdue. I believe that the Senator from New York is showing good judgment in offering it as an amendment at this time so that we might get action on the measure.

We are approaching the end of the session. When there is administration pressure brought to bear on the members of the Committee on Finance, to hold it in the Committee on Finance, we do not know what will happen. This is a bill that passed the House unanimously. Yet, it will go down the drain.

I commend the Senator from New York very much. I hope that his amendment will prevail.

Mr. KEATING. I thank the Senator from Kentucky very much, indeed. He has made a very forceful argument in favor of this amendment.

As the Senator has stated, there was initially a bill introduced which might run up to a cost of a billion dollars a year. The present, quite modest, proposal is a compromise of the 152 pension bills that were before the House. The cost figures are stated in the memorandum which I have had placed on the various desks of the Senators.

The costs are, for the fiscal year 1965, which is half a year, $43 million; for 1966, a full year, $72,619,530; for 1967, $97,341,610; for 1968, $106,002,745; and for 1969, $111,437,400.

As I understand it, at the 11th hour the Veterans' Administration has now come forth with proposals in quite different form. The proposals they recommend involve more expense than that contained in this amendment. The costs would actually increase so that in 1969, instead of $111 million, the additional cost would amount to $132 million.

In my judgment, we should adhere to the form of the bill which had the unanimous approval of the House and on which Mr. Gleason gave supporting testimony. His testimony which would tend to cause the committee to conclude that the bill should be reported favorably.

I hope very much that the amendment will be agreed to.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. PROUTY. Mr. President, I am very happy to be a cosponsor of the amendment. I think the amendment is highly desirable and necessary.

I ask the distinguished Senator from New York [Mr. Keating] if it is not true that veterans, who might lose their pensions as a result of the increase in social security would be protected against this loss?

Mr. KEATING. That is correct.

Mr. PROUTY. Veterans who have no dependents would receive $90 instead of $85 a month.

Mr. KEATING. That is correct.

Mr. PROUTY. And veterans with dependents would receive $110 instead of $100 a month.

Mr. KEATING. That is with three or more dependents?

Mr. PROUTY. That is correct.

Mr. KEATING. In such cases, the increase is from $100 to $110 a month.

Mr. PROUTY. And widows without dependents would receive $65 instead of $60 a month.

Mr. KEATING. That is correct.

Mr. PROUTY. And those widows with dependents would receive $80 instead of $75 a month.

Mr. KEATING. That is correct.

Mr. PROUTY. Mr. President, I have heard, too, that the administration has brought great pressure to bear in an effort to prevent action being taken in the Senate on the bill. I am delighted that the junior Senator from New York is making it possible for the Senate to vote on this very important measure. It will provide for much needed assistance to veterans and the widows of veterans.

I congratulate the Senator for calling this to the attention of the Senate and for offering it in the form of an amendment. I am happy to be a cosponsor.

Mr. KEATING. Mr. President, I appreciate the remarks of the Senator from Vermont. I am glad that the Senator found that there was such merit in the amendment that he wished to join as a cosponsor.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. CARLSON. Mr. President, I commend the distinguished junior Senator from New York for calling this to the attention of the Senate and offering it as an amendment to the bill.

I would be less than frank if I did not state as a member of the Finance Committee that I had hoped that we would report this bill, and that it might be offered as a separate bill, or as an amendment attached to another bill, rather than the social security bill. But we are confronted with a very definite parliamentary situation here today. In view of that situation, and the action that has been taken by the House, which was unanimous, and, as the distinguished junior Senator from New York has said, it was reported by a committee that has acted very carefully under the leadership of Representative Teague, of Texas, in reporting bills that cannot be justified.

I shall support the amendment today. I had hoped that we might vote on it separately, or in some other bill, rather than the social security bill. But in view of the situation which we have had in the committee for some time—and this is not critical of the chairman or any other member of the committee—we have had hearings, but we had other problems, including social security, farm tax credits, balance of payments, and debt limit. So we have had a very busy summer in a very busy session.

Today we are confronted with a practical problem. I plan to support the Senator's amendment and vote for it when it is presented to the Senate for a vote. But again I call to the attention of Senators the point which I think should have favorable consideration.

Mr. KEATING. I appreciate the remarks of the Senator from Kansas very much. I agree with him that it is unfortunate that, because of the time element, the only thing we can do is to try to attach the bill as an amendment to the pending bill. As I said in my earlier remarks, I would have preferred another method, but I feel that we now have no alternative.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. KEATING. I yield to the distinguished Senator from New Mexico.

Mr. ANDERSON. The Senator from New York recognizes—and I commend him for calling the subject to the attention of the Senate—that the Finance Committee has held hearings on the measure, and that it is the pending business before the Finance Committee. It will be the first bill to be acted upon by the committee. The chairman of the Finance Committee, the Senator from Virginia [Mr. Byrd] has indicated that there will be action on the bill.

Mr. KEATING. I am frank in saying that I do not like to attach the proposal to the social security bill. I would much prefer to have the bill brought before the Senate as a separate measure. However, this session is drawing to a close—at least many of us hope that it is—and I have not been able to obtain any tangible assurance from the Finance Committee to the effect that the measure will come before the Senate at the present session.

Mr. ANDERSON. I am not trying to quarrel with the Senator about what he has proposed. He has proposed something that I think most of us feel is a good measure. There is no question about how I shall vote on it. There have been suggestions that we might get a better job for less money. If those suggestions appeal to members of the Committee on Finance, I would hope that the committee would act quickly upon the measure and report it to the Senate. I believe that the issue is being handled as expeditiously as possible.

I know that if there had been an attempt by the Ways and Means Committee of the House to take the measure from Representative TEAGUE in the House, it would have been turned down quickly, as the able Senator from New York knows from his long service in the House.

Unfortunately, the Finance Committee is not only the veterans' committee in the Senate. It is busy with other proposed legislation. I cannot guarantee that the measure will be reported from the committee. I was absent when hearings were held. But I assure the Senator that, so far as I know, it is the pending business before the committee, and it is the intention of the chairman of the committee to report it. I hope that is the situation.

Mr. KEATING. I appreciate the frankness of my friend from New Mexico. If we could in some way have some assurance that H.R. 1927 will be reported promptly I would be rather disposed not to press the amendment. But I am not willing to withdraw my amendment on the possibility that a bill will be reported. I am sure that the distinguished Senator from New Mexico is not in the position of stating a committee determination that a bill will be reported.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. ANDERSON. The Senator has stated the situation correctly. We are not able to make a commitment. The able Senator from Kansas [Mr. CARLSON] is a prominent member of that committee. He is for reporting a bill that is equivalent to the amendment, if not the exact bill which the Senator has introduced. I am in favor of it; and the Senator will find several members of the Finance Committee who feel the same way about it. I can only say to the Senator that if he is willing to withdraw his amendment, I shall undertake to see if some commitment can be obtained from the chairmain of the committee. If the Senator does not feel that way, I have no objection to his proceeding.

Mr. KEATING. I am also torn because of some personal commitments of considerable importance to me that I have this afternoon. I feel that I must continue with it now. However, we all know that the bill is going to conference. It has enough in it now to engage the interests of the conferees for some time in the future. During that period, if the committee reports such a bill and it is acted upon by the Senate, we can accept that in lieu of what might be sent to conference as part of the social security bill. But while we are dealing with the problem, if the Senate is so minded, it would be well to have the proposal incorporated into the pending bill.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. KEATING. I yield to the distinguished Senator from Kansas.

Mr. CARLSON. I cannot speak for any other member of the committee, but I can make the definite statement that the chairman of the committee has said that there will be another meeting of the committee. The date has now been set. Proposed legislation in the committee will be considered. As one member of the committee, I assure the Senator from New York that I shall insist that the subject of his bill be considered. However, I am as desirous of passing the pending bill as is the distinguished Senator from New York, so I would not want to take any chances. I firmly believe that there will be committee action on the measure; and I will certainly work in favor of committee action. I believe there is support in the Finance Committee for it. It is merely a question of whether we should try to handle the problem in that way or act upon it today. Personally I would rather do it through the Finance Committee.

Mr. KEATING. I hope that can be done; but in the meantime, in the event there should be some slip—and, after all, only 2 members of the committee have spoken on the subject—we should try to get the provision in the pending bill. The conferees could then drop out that provision if in the meanwhile we should enact another bill.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. LONG of Louisiana. The Senate Finance Committee has held hearings on the subject. We are all aware that the measure to which the Senator from New York refers is the pending business in the Senate Finance Committee. The measure is the most significant piece of proposed veterans' legislation in the Congress, or perhaps one of the most significant, at least.

Hearings were held on the measure. Representatives of the Veterans' Administration appeared before the committee and said that they wished to study it further. They desired to make recommendations to the committee. They have now made their recommendations. We have not had an opportunity to study them. But the recommendations basically are as follows:

The Veterans' Administration is opposed to the bill in the form introduced by the Senator. The Veterans' Administration has recommended a substitute which they believe would be more effective and would involve a reasonable savings in funds.

It would do more good in the areas where the need is the greatest. We have not had an opportunity to study the substitute proposal offered by the Veterans' Administration, but that is to be the order of business at the next executive meeting.

Mr. President, the measure is extremely important. It deserves study. I discussed the subject with the distinguished chairman, the Senator from Virginia [Mr. BYRD] this morning. He said that I could give the Senate assurance that the committee will act on the bill. The committee will report a bill to the Senate—either the bill of the Senator from New York or something along the lines of the recommendations of the Veterans' Administration—but in either event the Senate will have an opportunity to consider the issue and vote upon it.

I hope that the Senator from New York will not insist upon his amendment at the present time, because the question should not be legislated on the floor of the Senate before we have had an opportunity to consider alternate recommendations. We should have an opportunity to study the costs of the comparative systems and to see whether it would be best to do what the Senator from New York is recommending, what the Veterans' Administration recommends, or some compromise between the two.

I very much hope that the Senator will permit the Finance Committee to act in an orderly fashion on the question so that we may be satisfied that what we are doing is in the best interests of the veterans.

We do not desire to delay the matter. We wish to study it and work on it. As soon as there can be an executive meeting to consider it in an orderly fashion, we propose to report the measure. I believe I can tell the Senator that in all probability that will be the major bill which the Senate Finance Committee will report.

Mr. KEATING. I appreciate the remarks of the Senator from Louisiana. The Senator has left the impression that the figures in the proposal recently sent to the Congress by the Veterans' Administration show that the cost of the Veterans' Administration proposal would be less than the costs involved in my amendment. The figures that the Veterans' Administration have given us in respect to their proposal show that it would cost more, not less.

Mr. LONG of Louisiana. That is all the more reason why the question should be studied.

Mr. KEATING. I wish to get it into the record.

Mr. LONG of Louisiana. Mr. President, I am on the committee which is studying the question, but the committee, to which the Senate has assigned the responsibility, has not had an opportunity to study the question so as to do justice to the subject. It would be completely unfair to insist that the Senate should act on it now, before the committee has had an opportunity to study it and bring forward its proposal. I hope the Senator will not insist that the Senate act on the amendment at this time.

Mr. KEATING. What is the objection to incorporating this measure—which certainly has had much study—in the pending bill? Then, if the Finance Committee reports H.R. 1927, or a modified bill, and if it passes, it should certainly supplant this provision in the social security bill.

Mr. LONG of Louisiana. From one point of view, if this amendment is adopted the bill may not be in conference. Both Houses having acted on the measure, both Houses would have a mandate to accept it, although there would be some problem with regard to a possible point of order being raised on the question of veterans' legislation on a social security bill.

The Senator well knows that social security matters are within the jurisdiction of the Ways and Means Committee in the House, where he served with distinction. He knows also that the amendment he is offering is in the jurisdiction of the House Veterans' Affairs Committee.

If the Senator's amendment is agreed to, I shall offer my amendment, which has passed the Senate a number of times, to provide for the reopening of veterans' insurance so that veterans may have an opportunity to obtain such insurance. I know that that will start a spark on the House side.

Mr. KEATING. I shall support the amendment to reopen national service life insurance, as I have in the past. The present amendent, if adopted as an amendment to the social security bill, would be in conference, because the conferees would be from the Ways and Means Committee. I am sure the Senator will agree that the conferees would take some time in considering it. Why can the Senate not adopt this amendment, and, if the Finance Committee brings up a revised bill, act on it when it comes up?

Mr. LONG of Louisiana. As spokesman for the committee, I feel that I have given the Senator from New York and the Senate all the assurance that is necessary that they are going to have an opportunity to have the Senate act on the legislation.

Mr. KEATING. I did not understand the Senator to say that. May I put it in the form of a question? In his position as a very high ranking member—he is the ranking member, I believe—of the Senate Finance Committee, and one who serves with distinction and is charged with great responsibilities in that committee, can the Senator, on behalf of the committee, assure the Senate that H.R. 1927, either in that form or in a revised form, will be reported for the Senate to act upon at this session of Congress?

Mr. LONG of Louisiana. I have asked the same question of four members of the Finance Committee who are in the Chamber. I discussed it this morning with the Chairman of the Committee. He agreed that I could make this statement affirmatively to the Senator: A bill on this subject will be reported which will be the appropriate vehicle for the Senator's amendment in the event the committee does not report precisely what he has offered.

Mr. KEATING. At this session?

Mr. LONG of Louisiana. At this session.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. CARLSON. Following what the Senator from Louisiana has said, I wish to say, as a member of the committee, that I shall vote to report a bill. In addition, I assure the Senator that a bill will be reported. If no measure came before the committee, or no suggestions better than the proposal now before us, I would hope to vote for the measure pending today.

Mr. KEATING. I thank the Senator. I recognize that the orderly procedure would be to have a bill dealing only with this subject before us.

I yield now to my colleague.

Mr. JAVITS. My colleague has already rendered a great and outstanding service. In obtaining the assurance that the Finance Committee would let the Senate act on the bill, the Senator has assured Congress that this proposal will not only be acted upon, but will become law, as the other body has already acted on it.

It is for the Senator to decide what to do with his amendment, but I emphasize that the Senator has rendered a most significant service to the Senate and the country.

Mr. KEATING. I am most grateful for those kind remarks.

Mr. LONG of Louisiana. Mr. President, with that assurance, is the Senator willing to withdraw his amendment?

Mr. KEATING. First I yield to the Senator from Kentucky [Mr. MORTON].

Mr. MORTON. It was stated earlier that the Finance Committee would be under pressure to hold up the bill, with the opposition of the administration. With the assurance of the acting chairman of the committee and the assurance I have had from the chairman of the committee, the Senator from Virginia [Mr. BYRD], and the fact that the Senator from New Mexico [Mr. ANDERSON], the Senator from Kansas [Mr. CARLSON], and others on the Finance Committee have given assurance, and with the assurance that has been given to the Senator from New York, I, too, would suggest that he withdraw his amendment. I thank him for rendering a great service.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. KEATING. I yield to the Senator from Kentucky.

Mr. COOPER. The action of the Senator from New York today is typical of the service he renders in the Senate. He has the initiative to bring before the Senate important legislation, and to obtain action. Today he has obtained action on this important measure affecting the veterans of our country. At least four members of the Finance Committee, namely, the ranking Democratic member [Mr. LONG], the Senator from New Mexico [Mr. ANDERSON], and, on the Republican side, the Senator from Kansas [Mr. CARLSON] and the Senator from Kentucky [Mr. MORTON], together with the chairman of the committee, the distinguished Senator from Virginia [Mr. BYRD], have given as much assurance as it is possible to give that this important piece of legislation for the benefit of veterans, their widows and dependents, and of particular importance to older disabled veterans, will be favorably acted upon by the Senate before we adjourn.

Since members of the Finance Committee have given the Senator from New York assurance that the bill will be reported to the Senate, I have no doubt that it will pass the Senate, as it has already been passed by the House. The prompt and vigorous action of the Senator from New York means, in my opinion, that this important bill for the veterans of our country will become law.

I congratulate him. His work on this bill is typical of the great service he renders in the Senate, not only to his State, but to the country. I am glad that he permitted me to be a cosponsor of this measure to assist our veterans.

Mr. KEATING. I am very grateful for the kind remarks by my friend from Kentucky.

Based upon the assurance of the ranking member of the Finance Committee and other members who have spoken on this problem, that a bill, whether it be in the form of H.R. 1927 or some other form, will be brought before the Senate for action at this session, I shall be happy to withdraw the amendment.

Mr. LONG of Louisiana. I appreciate the Senator's action, and I commend him for the statement he has made. I assure him that I shall do my utmost to see that the commitment is honored.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. MILLER. I join in commending the Senator from New York for his efforts to bring this subject to the attention of the Senate. I have received a great amount of correspondence on it. The action of the House demonstrates a great amount of support for this type of legislation. I must say, however, in fairness, that there appears to be some basis for a modification of the legislation. I am advised that the Bureau of the Budget and the Veterans' Administration have entered objections to the bill in its present form. This does not mean that it cannot be modified to meet the objections and to cover some of the areas that need to be covered, and which long ago should have been covered. In view of the action taken on the floor today by the able Senator from New York, I hope that the Finance Committee will exert every effort to resolve some of the problems, so that the bill may come before the Senate.

Mr. KEATING. I thank the Senator. I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn. The bill is open to further amendment.

Mr. JAVITS. Mr. President, I believe the Senator from California [Mr. SALINGER] has an amendment.

Mr. SALINGER. Mr. President, I call up my amendment No. 1257, and ask that the reading of it be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

AMENDMENT TO DEFINITION OF MEDICAL ASSISTANCE FOR THE AGED

SEC. 19. (a) Section 6(b) of the Social Security Act is amended by striking out "who are not recipients of old-age assistance" and inserting in lieu thereof "who are not recipients of old-age assistance (except, for any month, for recipients of old-age assistance who are admitted to or discharged from a medical institution during such month)".

(b) Section 1605(b) of such Act is amended by striking out "who are not recipients of aid to the aged, blind, or disabled" and inserting in lieu thereof "who are not recipients of aid to the aged, blind, or disabled (except, for any month, for recipients of aid to the aged, blind, or disabled who are admitted to or discharged from a medical institution during such month)".

Mr. **SALINGER**. Mr. President, I called up this amendment yesterday and discussed it at some length and inserted in the RECORD some material in connection with it. The objective of the amendment is to close a loophole in existing laws, to permit a person who goes into a hospital in the middle of the month to draw MAA payments from the beginning of that month.

The Senator from Iowa [Mr. MILLER] raised some objections yesterday, and we have discussed them at some length. His problem with the amendment is that he sees in it the possibility of a doubling up of payments. I do not agree with him. However, he has suggested some language as a possible amendment to the amendment.

We have discussed the matter with the Senator from Louisiana [Mr. LONG], and he has assured us that the language suggested by the Senator from Iowa could be considered by the conference committee.

I therefore ask that the amendment be accepted by the Senator from Louisiana and passed by the Senate in its present form, subject to the understanding that I have stated.

Mr. **MILLER**. I thank the Senator from California for having his amendment laid aside yesterday, so that I would have an opportunity to discuss it with some interested persons in my State.

As a result of conversations with those individuals, I have concluded that no particular problem exists so far as our Iowa law is concerned. It developed, however, that a duplication would result from the adoption of the amendment.

I commend the Senator from California for trying to close a gap which exists in the present law. For example, I understand that if an individual were hospitalized on the 28th of the month and remains hospitalized through the 15th of the following month, when he came out, under present Federal law, he would not be eligible for old-age assistance from the 15th of that month to the end of the month. The law is such that those payments by the Federal Government would not be permitted.

The Senator from California is trying to close that gap. The gap should be closed. However, I suggest that in doing so the amendment in its present form provides for a doubling up. For example, old-age assistance payments are ordinarily made on the first of the month, and are made in advance for that month. If an individual enters a hospital on the 15th of the month, he will have been paid, under old-age assistance, for the entire month. He will receive a medical-assistance-for-the-aged payment for the last 2 weeks of that month. Therefore there is a doubling up of benefits for the last 2 weeks. My suggestion was that we try to avoid this duplication, at least so far as the payment of Federal money is concerned.

If we did so, it would leave it up to the States, possibly through administrative regulations, to work out payments under such a situation. I do not wish to cause any hardship. I believe we should close the gap, just as the Senator from California does. It may be that it is not administratively feasible to arrive at a solution which will prevent duplication. I believe, however, since there is an obvious duplication, that the amendment ought to be carefully checked by the staff in conference, with a view to seeing whether it can be prevented. I am sure the Senator from California wishes to do that also. We certainly do not want to permit any duplication. I understand that the Senator from Louisiana will have the staff check during the conference, with a view to seeing whether this problem can be taken care of.

Mr. **LONG** of Louisiana. There is merit to both arguments, that of the Senator from California and that of the Senator from Iowa. If the matter goes to conference, we certainly will consider both points of view.

Mr. **MILLER**. I take the example of a person who is eligible for old-age assistance, and who enters the hospital on the 29th of the month. He would not receive his old-age assistance check on the first of the month because he would be going into the hospital. Let us assume that he came out on the 15th of the month. The Senator from California [Mr. SALINGER] would want to make certain that the beneficiary received his old-age assistance for the remainder of that month, which he cannot do now, and the Senator from Iowa thoroughly agrees with the Senator from California. But it would be unfortunate if Federal money were paid to a State to pay the beneficiary retroactively to the first of that month for old-age assistance. That point also should be checked out in conference.

There are several aspects of the proposal which the Senator from California and the Senator from Iowa recognize it is impossible to have properly studied and perfected on the floor of the Senate. But with the experience of the staff and of the Department that is involved, at the time of the conference on the bill both of us hope that the amendment will be carefully analyzed to determine whether or not any improvement can be made in it.

Mr. **SALINGER**. Mr. President, this amendment, which I am proposing to the Social Security Act, would do much to cure the problem created by present provisions of the act, wherein a State is not permitted to claim Federal financial participation, under the medical assistance for the aged program, for any person who is an old-age assistance recipient.

I have long supported financing hospital, nursing home and related medical care under the Social Security Act, because I believe a social-insurance foundation is a necessary and vital part of providing adequate medical care to our Nation's elderly.

However, I have always believed that in addition to basic inpatient coverage under the Social Security Act, there is, and will continue to be, a need to supplement this protection with a public assistance program—the Kerr-Mills, medical assistance to the aged program.

Regardless of whether this Congress enacts, as I hope it will, social security financing of medical care for the aged, it will still be necessary to eliminate the dual claiming prohibition in the medical assistance for the aged program, if that program is to serve effectively as a tool in providing supplemental medical care to the Nation's elderly.

In the State of California, as I am sure has been the experience of many other States which have conscientiously attempted to implement the Kerr-Mills program, we find that a significant number of our needy elderly have been denied medical care under the medical assistance for the aged because earlier in the month in which they entered a hospital or nursing home, they had received their old-age assistance payment.

This amendment would take care of situations in which old-age assistance recipients received their payments on the first of the month, and who sometime during that month were required to enter hospitals or nursing homes. Under current law, no medical assistance for the aged payments would be permitted on behalf of such recipients because they had already received old-age checks earlier in the same month. This amendment would correct this situation.

The amendment also would correct the problem in situations in which elderly persons leave hospitals or nursing homes in midmonth, and under the current prohibition against dual payments for old-age assistance and medical assistance for the aged for the same persons in the same months, such elderly persons find themselves released from inpatient care, without any income or resources to sustain them until they then become eligible, the first of the following month, for old-age assistance payment. The latter defect in the current law quite often leads to the costly solution of permitting the elderly person to remain longer than necessary in the hospital or nursing home, so that he will have a roof over his head and will be fed adequately. This might be impossible for such a person to do for himself, without his old-age assistance payment.

This amendment has long been sought by those within the California Medical Association who have worked with our State in developing this plan, and has been supported by units of local government, as well as by all of those—liberal and conservative, alike—who understand the medical assistance for the aged program and want to make it work effectively.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment of the Senator from California [Mr. SALINGER].

The amendment was agreed to.

Mr. **KUCHEL**. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. **SALINGER**. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JAVITS. Mr. President, I call up amendment No. 1261, offered on behalf of myself and my colleague from New York [Mr. Keating]. I ask unanimous consent that the reading of the amendment be dispensed with, but that it be printed in the Record.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The amendment is as follows:

DEFINITION OF CHILD

Sec. 17. (a) Subsection (e) of section 216 of the Social Security Act is amended by striking out the period at the end of the first sentence and inserting in lieu thereof: ", and (3) in the case of a living individual, a person who is living in such individual's household for a continuous period of not less than one year immediately preceding the day on which application for child's insurance benefits is filed, if such period began prior to the date such individual became entitled to benefits under section 202(a) or section 223(a), as the case may be, and (4) in the case of a deceased individual, (A) a person who has lived in such individual's household for a continuous period of not less than one year immediately preceding the day on which such individual died or (B) a person entitled to child's insurance benefits on the basis of the wages and self-employment income of such individual for the month before the month in which individual died."

(b) Section 202(d) of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"(9) A child who is a child of an individual pursuant to clause (3) or clause (4) of section 216(e) shall be deemed dependent on such individual if at the time specified in paragraph (1)(C) such child was receiving at least one-half of his support from such individual unless, at such time, such individual was receiving regular contributions toward the support of such child from (A) such child's mother, father, adopting mother, or adopting father, or (B) a public or private welfare organization that had placed such child in such individual's household under a foster-care program; except that the provisions of clause (A) shall not apply if such individual is the mother or father of such child."

(c) Where—

(1) One or more persons were entitled (without the application of section 202(j)(1) of the Social Security Act) to monthly benefits under section 202 of such Act for the month before the month in which this Act is enacted on the basis of the wages and self-employment income of an individual; and

(2) any person is entitled to benefits under subsection (b), (d), or (g) of section 202 of the Social Security Act for any subsequent month on the basis of such individual's wages and self-employment income and such person would not be entitled to such benefits but for the enactment of this section; and

(3) the total of the benefits to which all persons are entitled under section 202 of the Social Security Act on the basis of such individual's wages and self-employment income for such subsequent month is reduced by reason of the application of section 203(a) of such Act.

then the amount of the benefit to which each person referred to in paragraph (1) of this subsection is entitled for such subsequent month shall not, after the application of such section 203(a), be less than the amount it would have been if no person referred to in paragraph (2) of this subsection was entitled to a benefit referred to in such paragraph for such subsequent month on the basis of such wages and self-employment income of such individual.

(d) The amendments made by this section shall be applicable with respect to monthly benefits under title II of the Social Security Act for months beginning with the month in which this Act is enacted on the basis of an application filed in or after such month.

Mr. JAVITS. Mr. President, the amendment can be explained briefly.

The amendment would define "child" under the Social Security Act so as to permit the payment of survivors' benefits to foster children who have not been legally adopted but have been cared for by a person who assumed full parental responsibility. The amendment would fill a gap in the encouragement of the foster care program at very little cost, but with considerable benefit.

Situations in which children find themselves dependent upon workers other than their parents include those in which a child of divorced parents lives with close relatives or a family friend; in which a child has been deserted or is illegitimate; and in which, for a variety of reasons, parents cannot assume responsibility for their child. In such situations the child is cut off from benefits when the person who has been supporting him dies or becomes disabled. The amendment would correct this unfortunate situation.

With my colleague [Mr. Keating] I have proposed this in the 86th and 87th Congresses, as well as in the present Congress, as S. 1771.

The Department of Health, Education, and Welfare reported on the proposal in the 87th Congress, and considered it, generally, favorably. The Department estimated the cost to be one one-hundredth of 1 percent of payroll, which amounts to approximately $35 million a year.

This is parallel to the amendment, which was in the House-passed bill and is now in the Senate bill, to enable children pursuing an education to receive survivors' benefits until they attain age 21, instead of being cut off at age 18. This provision I have also championed, along with my colleague [Mr. Keating] since 1959. I introduced it as S. 1770 in this Congress and am most gratified that it is in the bill as passed by both Houses.

I sincerely hope, in view of the generally favorable report of the Department, that the Senator from Louisiana [Mr. Long], who is in charge of the bill, may see fit to accept the pending amendment and take it to conference, with my full understanding that he will use his best efforts to retain it, but that the judgment of the Senator from Louisiana will be final in that regard.

Mr. KEATING. Mr. President, will my colleague from New York yield?

Mr. JAVITS. I yield.

Mr. KEATING. I commend my colleague for offering the amendment, of which I am happy to be a cosponsor. I have received a number of letters from foster parents who feel that the present social security law in this respect is unfair. The amendment would involve only a modest increase. I hope that it will be accepted.

While I am speaking, I wish to express gratitude for the inclusion in the bill of the provision to allow a person attending school to be a beneficiary under the dependent children section until age 21. The present law, which stops such payments just when educational expenses are heavy is particularly burdensome and unfair and seems to be directly at variance with Government policy to encourage higher education. I am happy that an amendment to this provision is now incorporated in the bill and that the Senator from Louisiana believes that he can also take this amendment to conference.

Mr. JAVITS. I thank my colleague from New York.

Mr. LONG of Louisiana. Mr. President, on the basis that the Senator from New York [Mr. Javits] has asked that the amendment be taken to conference, I shall ask the conference to examine into this problem.

Mr. JAVITS. I am grateful to the Senator from Louisiana.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from New York [Mr. Javits].

The amendment was agreed to.

Mr. JAVITS. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. KEATING. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KUCHEL. Mr. President, I am hopeful that the third reading of the bill may be had; but first I should like to ask the distinguished Senator from Louisiana, who is in charge of the bill, if he knows of any other Senator who wishes to offer amendments.

Mr. LONG of Louisiana. I understand that another amendment or two may be offered.

Mr. KUCHEL. I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER** (Mr. Salinger in the chair). Without objection, it is so ordered.

Mr. PROUTY. Mr. President, I send to the desk an amendment and ask that it be stated.

The **PRESIDING OFFICER.** The amendment of the Senator from Vermont will be stated for the information of the Senate.

Mr. PROUTY. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The **PRESIDING OFFICER.** Without objection, it is so ordered; and the amendment will be printed in the Record at this point.

The amendment offered by Mr. Prouty is as follows:

Beginning on line 25, page 20, strike all after the period through line 6 on page 21.

SEC. 2. On line 5, page 22, strike the quotation mark and add the following:

"MINIMUM BENEFITS FOR CERTAIN INDIVIDUALS WHO HAVE ATTAINED AGE SEVENTY-TWO

"(d)(1) Section 202 of the Social Security Act is further amended by adding at the end thereof the following new subsection:

"'BENEFIT PAYMENTS TO PERSONS NOT OTHERWISE ENTITLED UNDER THIS SECTION

"'(v)(1) Every individual who—

"'(A) has attained age seventy-two,

"'(B) is not and would not, upon filing application therefor, be entitled to any monthly benefits under any other subsection of this section for the month in which he attains such age or, if later, the month in which he files application under this subsection,

"'(C) is a resident of the United States,

"'(D)(i) is a citizen of the United States, and has resided in the United States continuously for not less than eighteen months before the month in which he files application for benefits under this subsection, or (ii) has resided in the United States continuously for the ten-year period preceding the month in which he files application for benefits under this subsection, and

"'(E) has filed application for benefits under this subsection,

shall be entitled to a benefit under this subsection for each month, beginning with the first month in which he becomes so entitled to such benefits and ending with the month preceding the month in which he dies. Such individual's benefit for each month shall be equal to the first figure in column IV of the table in section 215(a).

"'(2)(A) If—

"'(i) any individual is entitled to a benefit for any month under this subsection, and

"'(ii) it is determined that a periodic benefit or benefits are payable for such month to such individual under any other law of the United States or a State or under a pension or retirement system established by any agency of the United States or of a State or political subdivision thereof (or any instrumentality of the United States or a State or a political subdivision or subdivisions thereof which is wholly owned thereby),

then the benefit referred to in clause (i) shall be reduced (but not below zero) by an amount equal to such periodic benefit or benefits for such month.

"'(B) If any periodic benefit referred to in subparagraph (A)(ii) is determined to be payable on other than a monthly basis (excluding a benefit payable in a lump sum unless it is a commutation of, or a substitute for, periodic payments), the reduction of such individual's benefit under this paragraph shall be made at such time or times and in such amounts as the Secretary finds approximates, as nearly as practicable, the reduction prescribed in subparagraph (A).

"'(C) In order to assure that the purposes of this subsection will be carried out, the Secretary may, as a condition to certification for payment of any monthly benefit to an individual under this subsection (if it appears to the Secretary that such individual may be eligible for a periodic benefit which would give rise to a reduction under this paragraph), require adequate assurance of reimbursement of the Federal Old-Age and Survivors Insurance Trust Fund in case periodic benefits, with respect to which such a reduction should be made, become payable to such individual and such reduction is not made.

"'(D) Any agency of the United States which is authorized by any law of the United States to pay periodic benefits, or has a system of periodic benefits, shall (at the request of the Secretary) certify to him with respect to any individual such information as the Secretary deems necessary to carry out his functions under this paragraph. For purposes of this subparagraph, the term 'agency of the United States' includes any instrumentality of the United States which is wholly owned by the United States.

"'(3) Benefits shall not be paid under this subsection—

"'(A) to an alien for any month during any part of which he was outside the United States;

"'(B) to any individual for any month during all of which he was an inmate of a public institution; or

"'(C) to any individual who is a member or employee of an organization required to register under an order of the Subversive Activities Control Board as a Communist-action organization, a Communist-front organization, or a Communist-infiltrated organization under the Internal Security Act of 1950, as amended.'

"(2) The following provisions of section 202 of such Act are each amended by striking out 'or (h)' and inserting in lieu thereof '(h), or (v)':

"(A) subsection (d)(6)(A),

"(B) subsection (e)(4)(A),

"(C) subsection (f)(4)(A),

"(D) subsection (g)(4)(A), and

"(E) the first sentence of subsection (j)(1).

"(3) Section 202 (h)(4)(A) of such Act is amended by striking out 'or (g)' and inserting in lieu thereof '(g), or (v)'.

"(4) Section 202 (k)(2)(B) of such Act is amended by striking out 'preceding'.

"(e) In addition to amounts appropriated under other provisions of law to the Federal Old-Age and Survivors Insurance Trust Fund, there are hereby authorized to be appropriated to such Fund, from time to time, such amounts as may be necessary to equal, with respect to each individual who becomes entitled to a benefit under title II of the Social Security Act by reason of the amendments made by subsection (a), the sum of—

"(A) the total amount of employee and employer taxes that would have been paid under the provisions of sections 3101 and 3111 of the Internal Revenue Code of 1954 (or the corresponding provisions of prior law) if such individual had been paid wages (as defined in section 209 of the Social Security Act) equal to the first figure in column III of the table in section 215(a) in each month of the period beginning with January 1951 (or January of the year after the year in which he attained age 31, if that is later) and ending with December of the year in which he attained age 69 (or, if later, December 1962); and

"(B) interest, compounded at 3 percent per annum, on the total amount determined under subparagraph (A), for each year in the period referred to in such subparagraph.

"(f) The amendments made by subsection (a) shall apply only in the case of monthly benefits under title II of the Social Security Act for months beginning on or after the thirtieth day after the date of the enactment of this Act based on applications filed in or after September 1964."

EXTENSION OF SOCIAL SECURITY COVERAGE TO PERSONS AGE 70 AND OVER

Mr. PROUTY. Mr. President, in our midst there is a group of elderly persons whom the wheels of fortune have passed by and Congress has overlooked. They are the persons past age 72 who are eligible for neither social security benefits nor for pensions from any other public programs. Virtually all of them, I am sure, in earlier years worked in employment or were supported by earnings from employment that now is covered by social security. They would now be drawing benefits except for the fact that they or the family breadwinner retired or died before or just shortly after coverage was extended to their job. Their exclusion from social security was little more than a lottery—they were born too early or the Social Security Act and its amendments were legislated too late.

The plight of persons aged 72 and more is not always clearly discernible because it is masked by the common practice of considering persons aged 65 and over as a homogeneous group. Such is not the case, however. There are important differences in the health and economic status of the 65 and over age group and the 70 and over age group. For example, 17.3 percent of the population aged 65 and over were in the labor force in 1963. A further breakdown reveals, however, that for the age group 65 and 69, the percentage was 27.2, while for those 70 and over, only 11.8 percent were in the labor force.

Surveys made by the Public Health Service at various times in the period 1958–60 show some significant differences among the elderly of different ages. The age breakdown used in the surveys is 65 to 74 and 75 and over. Seventy-four out of 100 of the younger group and 83 out of a 100 of the older group have one or more chronic diseases. The average confinement in a short-stay hospital is approximately 10 percent higher for the older group than for the younger, and the average number of hospital days is about 20 percent higher. The number of bed-disability days per persons per year is 11 for persons 65–74 and 19 for the 75 plus age group. Only approximately 10 persons per 1,000 require constant home care in the younger group in contrast to 88 per 1,000 for the older age group.

A survey conducted by the Social Security Administration, with the cooperation of the Bureau of Census in 1963, gives a picture of the financial status of the aged person who is not an OASDI beneficiary, and shows the differences between those who are under age 73 and those who are older. According to the survey, almost four-fifths of the married couples not receiving OASDI payments, and with at least one member between the ages 65 and 72, had income from earnings in 1962. For those aged 73 or more, only 27 percent had money from earnings. In terms of aggregate money income received by the two age groups, 76 cents out of every dollar came from earnings and only 1 penny from public assistance for couples aged 65 to 72. For couples 73 years of age and more, only 18 cents of every dollar were from earnings and 22 cents were from public assistance. The share of total income from earnings for unmarried men aged 65 to 72, and not OASDI beneficiaries, was more than seven times greater than for those 73 years of age or older; for unmarried women, it was six times larger.

The difference in the financial status of the two age groups also is seen by the fact that less than one-fifth of the younger aged couples had an annual money income less than $2,000 and 47 percent had $5,000 or over. In contrast, about two-thirds of the older couples had under $2,000 and only 8 percent had $5,000 or more.

I strongly urge, therefore, that persons aged 72 and more who receive no public pension be given social security benefits. Their number is relatively small. This is small consolation, of course, to the unfortunate ones concerned. It does mean, however, that the cost for extending benefits to them will not be unreasonable. Moreover, the cost of old-age assistance would be reduced. We must remember that many persons over 72 years of age who are now getting social security benefits worked only a very short time in covered jobs and contributed only a very small amount toward the cost of their benefits. It has been estimated that the contribution made by OASDI beneficiaries aged 72 and over now on the rolls together with that of their employers covers only about 6 or 7 percent of their benefit. We see, therefore, that persons 72 and over fortunate enough to be eligible for social security benefits are being carried along by others.

Ideally, I should like to see all septuagenarians and their elders, even if drawing pensions from other public programs, be given social security benefits, at least to the extent that their other pensions fall short of the amount they would be entitled to under social security. I have introduced a bill—S. 2593—to this effect, the benefits to be financed from general revenues.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont.

Mr. LONG of Louisiana. Mr. President, I had not had an opportunity to study the amendment before it was offered. But the Library of Congress informs me that it is estimated that the cost would be $900 million. This is a bill involving an extremely large cost. I hope that we do not add expensive items to the bill. I believe that if we were to do so, it would greatly jeopardize the passage of the bill. While I sympathize with the Senator from Vermont in his desire to help people who have meritorious claims for assistance, I believe that, in this bill, we are doing as much as we can hope to do.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. PROUTY. I think the $900 million figure was based on age 70. My amendment refers to age 72 and over. I think it would quite substantially reduce the cost.

Mr. LONG of Louisiana. The estimate based on that group is $800 million.

Mr. PROUTY. On age 70 or 72?

Mr. LONG of Louisiana. Seventy-two.

Mr. CARLSON. Mr. President, the Senator from Vermont [Mr. Prouty] has offered an amendment which received considerable discussion in the Committee on Finance when this matter was before it. It is a real problem. A large number of people are not eligible for coverage. It is not their fault. They are professional people, farm people, schoolteachers, and many other groups. It is a rather difficult problem to include all of them without requiring any coverage.

I believe it should be stated for the Record that the bill before the Senate would reduce the required coverage from six quarters in a 1½-year period to three quarters. That would take in 400,000 people.

It was brought out in the testimony before the committee that there would be between 1¾ and 2 million people who would be affected if we were to remove all restrictions. As stated, it would cost $800 million.

I believe we should keep in mind that the 400,000 people who would be included on the basis of the reduction to 3-quarter-period coverage would cost $160 million. So, there would be quite an additional cost.

The Senator from Louisiana [Mr. Long] brought this matter up. I entered into the discussion. It is a problem that needs to be looked into. The Senator from Vermont [Mr. Prouty] has brought this problem to the attention of the Senate.

I ask unanimous consent that the colloquy that I had with the Secretary of the Department of Health, Education, and Welfare, Mr. Celebrezze, beginning on page 97 and ending on page 99 of the transcript of the hearings, be printed at this point in the Record.

There being no objection, the colloquy was ordered to be printed in the Record, as follows:

Senator Carlson. I am interested in your proposal, that Senator Long went into. You are opening up a field here, are you not, that is going to be new in this program when you take in those people 70 years old and older by really reducing the coverage required?

Secretary Celebrezze. That again was included by the House Ways and Means Committee. The committee voted to put that in.

Senator Carlson. Did the Department recommend this?

Secretary Celebrezze. No, the Department did not recommend it, but when it was voted in, we didn't oppose it.

Senator Carlson. You are not opposed to it now, if we include it?

Secretary Celebrezze. No.

Senator Carlson. It is an interesting suggestion, and I can see great possibilities. I share the views of Senator Long.

Secretary Celebrezze. I can defend the position of the committee more in this instance than I could defend Senator Long's proposal, because these individuals have been covered. They all have had some social security coverage. They didn't have six quarters, but some had five, some had four and some had three, and the Ways and Means Committee drew the line there; they said anybody in this age group with three quarters of coverage should get benefits. Senator Long would give people that don't have any coverage, any quarters of coverage, the benefits. So there is a distinction between the two.

Senator Carlson. This is very true. There is a distinction but isn't the next logical step to include them?

Senator Bennett. You would make it covered with two quarters of coverage, one quarter of coverage, and then 24 hours of coverage, so that there is a token obedience to the principle established in the law. But we have already passed the point where——

Secretary Celebrezze. Except that in the long run you are getting almost complete coverage under the social security program for years ahead, so that almost everyone will have contributed to the program long enough to be insured even when the requirement becomes 10 years of coverage.

Senator Carlson. It seems to me that is an argument why they should be included, because that group of people is gradually going out, and they are folks who had no opportunity to get under the social security program. I am thinking of the self-employed. I am thinking of people in agriculture. They contribute to the cost of these programs indirectly. This is not just a tax burden on the employer and employee. It is a burden on the consumers in this country. It seems to me that——

Secretary Celebrezze. Most of these people that you are referring to are under some sort of State program. The moneys to pay benefits to them would have to come out of general revenue funds; they couldn't come out of social security trust funds. So in most instances what you would be doing is substituting Federal funds for State funds, since many of them are drawing some sort of assistance under a State plan.

Mr. Ball. Senator, you might want for the record some figures to illustrate what the Secretary was just saying. The effectiveness of social security coverage now among the aged has gone so far that the group we are talking about has gotten smaller and smaller. We are now dealing with a problem of from 1¾ to 2 million people, depending upon just what group you would blanket in. Within the group 800,000 to 900,000 are receiving old-age assistance from the States. Blanketing in at the minimum social security benefit would not remove very many of those people from the assistance roles. We estimate maybe 180,000 might actually be removed. Most of them would be just getting their money partly from one source and partly from another, and still would have to be on State old-age assistance, and would have partly shifted their source of support from the Federal-State program to an entirely general revenue program of the Federal Government.

What I am trying to say is that the situation has changed quite a lot since the old days, in this issue of blanketing in. I think there was perhaps more merit to the idea at an earlier stage and that now we are getting to a very diminishing situation.

Senator Carlson. Now, you are going to put 400,000 in that would qualify under this proposal.

Mr. Ball. The three-quarters provision; yes.

Senator Carlson. That is right; 400,000.

Mr. Ball. As the Secretary said, we didn't really recommend that, although we are not opposing it.

Senator Carlson. Now, I notice if it passed it would cost 0.01 percent—I don't know too much about percentages. How much is that in dollars?

Mr. Ball. $160 million in the first year.

There is another aspect, Senator, that I think you might want to keep in mind in relation to any blanketing-in proposal, and that is that what the House provided is a transitional provision. The idea was that these older people are in the situation that they are in because their occupations, or their husbands' occupations, weren't under social security soon enough. But they are a disappearing group. The provision wasn't made a permanent provision, and it would wash out after a time.

Senator Carlson. Of course, when we originally put them in, we put them in whether they had any coverage or not, I mean any contribution. We blanketed in a great many of them at the beginning of this program.

Mr. Ball. No, Senator. People have always had to have some coverage under social security, to get benefits. The minimum has been a year and a half—six quarters.

Senator Carlson. Now, this 400,000 is going to cost $160 million. How many others would there be eligible if we just took all of them in, say, 1 million—was the figure?

Mr. Cohen. Senator, I would like to point out that what the Ways and Means Committee did on this amendment was to say that anybody who did have some quarters of coverage could be brought in because their benefits could reasonably be financed out of the regular social security income. They did not vote to broaden it to people who had no quarters of coverage, because our recommendation was that benefits for those people had to come out of general revenues.

I think that is the biggest distinction here, as the Secretary said. People who have some quarters of coverage, these people with three, four, and five, could be brought under and the cost of their benefits would be met out of the social security taxes. If you go further and extend it to people who have no quarters of coverage—who never have contributed anything—then logically you would have to pay that cost out of general revenues.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment of the Senator from Vermont [Mr. Prouty].

The amendment was rejected.

Mr. **DODD**. Mr. President, I call up my amendment No. 1250.

The **PRESIDING OFFICER**. The amendment will be stated.

The Legislative Clerk. It is proposed, at the end of the bill, to insert the following new section: "Coverage for Doctors of Medicine."

Mr. **DODD**. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The **PRESIDING OFFICER**. Without objection it is so ordered, and the amendment will be printed in the Record.

The amendment is as follows:

At the end of the bill insert the following new section:

"COVERAGE FOR DOCTORS OF MEDICINE

"Sec. 9. (a)(1) Section 211(c)(5) of the Social Security Act is amended to read as follows:

"'(5) The performance of service by an individual in the exercise of his profession as a Christian Science practitioner.'"

(2) Section 211(c) of such Act is further amended by striking out the last two sentences and inserting in lieu thereof the following: "The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by him under section 1402(e) of the Internal Revenue Code of 1954 is in effect."

(3) Section 210(a)(6)(C)(iv) of such Act is amended by inserting before the semicolon at the end thereof the following: ", other than as a medical or dental intern or a medical or dental resident in training".

(4) Section 210(a)(13) of such Act is amended by striking out all that follows the first semicolon.

(b)(1) Section 1402(c)(5) of the Internal Revenue Code of 1954 (relating to definition of trade or business) is amended to read as follows:

"(5) the performance of service by an individual in the exercise of his profession as a Christian Science practitioner."

(2) Section 1402(c) of such Code is further amended by striking out the last two sentences and inserting in lieu thereof the following: "The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by him under subsection (e) is in effect."

(3)(A) Section 1402(e)(1) of such Code (relating to filing of waiver certificate by ministers, members of religious orders, and Christian Science practitioners) is amended by striking out "extended to service" and all that follows and inserting in lieu thereof "extended to service described in subsection (c)(4) or (c)(5) performed by him."

(B) Clause (A) of section 1402(e)(2) of such Code (relating to time for filing waiver certificate) is amended to read as follows: "(A) the due date of the return (including any extension thereof) for his second taxable year ending after 1954 for which he has net earnings from self-employment (computed without regard to subsections (c)(4) and (c)(5)) of $400 or more, any part of which was derived from the performance of service described in subsection (c)(4) or (c)(5); or".

(4) Section 3121(b)(6)(C)(iv) of such Code (relating to definition of employment) is amended by inserting before the semicolon at the end thereof the following: ", other than as a medical or dental intern or a medical or dental resident in training".

(5) Section 3121(b)(13) of such Code is amended by striking out all that follows the first semicolon.

(c) The amendments made by paragraphs (1) and (2) of subsection (a), and by paragraphs (1), (2), and (3) of subsection (b), shall apply only with respect to taxable years ending after December 31, 1964. The amendments made by paragraphs (3) and (4) of subsection (a), and by paragraphs (4) and (5) of subsection (b), shall apply only with respect to services performed after 1964.

Mr. **DODD**. Mr. President, I ask unanimous consent that the names of the Senator from Connecticut [Mr. Ribicoff], and the Senator from Pennsylvania [Mr. Clark] be added as cosponsors of the amendment.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **DODD**. Mr. President, the Senator from Tennessee [Mr. Gore], the Senator from Alaska [Mr. Gruening], the Senator from New York [Mr. Javits], the Senator from Washington [Mr. Jackson], and the Senator from Maine [Mr. Muskie] are also cosponsors of this amendment.

The only group of professional people not covered by social security is self-employed physicians.

And to the best of my knowledge the only reason this inequitable situation exists is that the American Medical Association opposes this coverage.

The Senate Finance Committee Report, in explaining the committee's decision to delete the section of the House bill extending this coverage to doctors, states:

> The provision in the House bill extending coverage to self-employed physicians has been deleted because the national association representing 70 percent of the physicians in the United States has, once again, indicated to the committee its opposition to the inclusion of self-employed physicians.

The same reason was given in 1960, when the Finance Committee deleted a similar House provision.

Now, I have been following this matter since my first year in the Senate, 1959, during which I introduced legislation to provide social security insurance for physicians.

I do not think that AMA opposition is sufficient reason to deprive thousands of physicians and their families of the basic social security coverage that they want and which is available to millions of other Americans.

There is substantial and strong evidence that the AMA is not speaking for most doctors. Polls have been taken or resolutions passed by the medical societies in 26 States and the District of Columbia, and I ask unanimous consent to have a chart covering the polling of these 27 State medical societies inserted in the Record at the conclusion of my remarks.

In 18 of these States and in the District of Columbia a clear majority of the doctors support social security coverage.

For example, in Connecticut 1,391 support and 504 oppose it, a percentage in favor of slightly over 73 percent.

In Rhode Island, 70 percent and in Vermont 65 percent have expressed a preference for social security coverage.

In the District of Columbia, 550 physicians favor and 192 are opposed. This is a percentage in favor of 74.

The States where social security coverage is supported include the more populous in the country, such as my own State of Connecticut, New York, California, Massachusetts, Pennsylvania, and Ohio.

In the AMA house of delegates, these States are represented by 110 votes out of the total of 202.

This is a clear majority of the house of delegate votes and it would remain so even if the 24 States not yet polled all vote against coverage.

To date, in only eight States doctors have opposed social security coverage.

There is other evidence that substantiates the results I have cited. Two highly respected, independent medical publications have conducted national polls. Medical Economics, in October of 1958, reported that 56 percent of the doctors responding favored social security coverage.

Medical Tribune, in July of 1961, reported that 57.7 percent of the doctors who responded favored this coverage.

But in spite of all this evidence, or perhaps because of it, the AMA has steadfastly refused to complete a poll of all of its members on this question, even though the medical societies of a number of States have asked that a State-by-State survey be carried through to a conclusion.

The reasons given for this by the AMA are that a poll "would be subject to great error in that it presupposed equal knowledge on the part of all polled" and that "it would create inflexible policy statements and would endanger the usefulness of the house of delegates."

I ask my colleagues what could be more "inflexible" than an identical expression of policy year after year after year and what could render the house of delegates less useful than to persist in misrepresenting the views of its members, or to refuse to get an accurate sounding of membership opinion?

If the AMA wishes to give substance and respectability to its opposition, it should encourage the completion of a nationwide poll. Failing this, however, I think Congress has no choice but to proceed on the basis of the facts available to it.

And these facts point to a desire by a majority of doctors and their families to have social security coverage.

If I were not convinced that this is so, I would not be on the Senate floor today urging my colleagues to restore the section of the bill extending coverage to self-employed physicians.

There are many reasons why self-employed doctors should be covered if they wish it.

During the hearings before the Senate Finance Committee there was some discussion of this aspect, indeed the most important aspect, of the problem.

My able colleague from Connecticut [Mr. Ribicoff] questioned the AMA representative at some length concerning the value of social security coverage to the wives and children of doctors.

I would like to quote just a part of this exchange:

> Question. Don't you think that the widows and orphans of doctors are entitled to as much protection as the widows and orphans of dentists and architects and day laborers and clerks and plumbers? Don't you think that the family of doctors are entitled to protection?
>
> Answer. Well, you put this again on an emotional basis.
>
> Question. I am not putting it on an emotional basis at all, Doctor. I am putting it on a very practical basis that covers every widow and every orphan of every occupation and protection in America with the exception of doctors, and I am just asking you why there should be a difference to those widows and those orphans.
>
> Answer. Well, theoretically there shouldn't be any difference, but as I said, we are looking at the practical overall picture with respect to a tax program. This is, I believe, the reason why the American Medical Association House of Delegates has taken a stand against it as a practical measure, notwithstanding the existence of cases that would involve a great deal of sympathetic emotion.

Mr. President, there are millions of people in this country who have survivorship under the social security program.

Wives and children of men in just about every conceivable occupation know that should tragedy strike they will be able to count on income from this source.

But the wives and children of the approximately 170,000 self-employed physicians who would be covered by my amendment, and section 8 of the House bill, are being arbitrarily excluded from social security survivorship benefits.

So what happens to the widow of a young doctor, with one or two or three children? Frequently a doctor 35 or 40 years old has not been in private practice long enough to make adequate provision on his own for his family, so the widow has neither private nor social security benefits to fall back on.

The AMA admits this is an unfortunate situation, but it is unwilling to permit a modest step in the direction of trying to meet this problem, this terrible gap in our social security system.

Another interesting argument made against coverage is that physicians do not retire at the age of 65. All I will say in answer to that is perhaps more of them would if they could afford to do so.

Some private income plus basic social security benefits may in many cases give a self-employed doctor a large enough potential retirement income so that he will feel he is able financially to retire at 65 or 66 or 70, and enjoy a few leisure hours during his remaining years.

Each year more and more people can count on social security benefits and other retirement income once they reach the age of 65. Social security is an integral part of most people's retirement plans. Why should it not be so for doctors as well?

One final point that I want to make in support of this amendment is that presently between 35 and 45 percent of all medical doctors either have earned or are now earning social security credits, as a result of service in the Armed Forces, or as salaried employees of various enterprises.

Ironically, doctors employed by the AMA and its affiliate societies are covered and this may even include some of the members of the house of delegates which has so consistently opposed coverage for self-employed doctors.

Some of the self-employed physicians are in the position of having contributed to social security for a number of quarters. But once they open up their own practice they are denied the opportunity to continue and build up enough credits so that they can retire or leave survivorship benefits should they die at an early age.

It is about time that we in the Congress take the initiative, make a judgment on the basis of the available information, and close this gap in social security coverage without any further delay.

I hope my colleagues will agree with me on the merits of this amendment and restore it to H.R. 11380.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Connecticut [Mr. Dodd].

Does the Senator from Louisiana yield back his time?

Mr. LONG of Louisiana. I yield back my time.

Mr. DODD. I yield back my time.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Connecticut.

The amendment was rejected.

Mr. ALLOTT. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. ANDERSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HUMPHREY. Mr. President, I send to the desk an amendment which I ask unanimous consent to have printed in the Record without reading. I shall explain it.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Minnesota will be printed in the Record.

The amendment offered by Mr. Humphrey is as follows:

At the proper place in the bill, add the following:

> Sec. 19. (a)(1) Section 223(a)(1)(B) of the Social Security Act is amended to read as follows:
>
> "(B) in the case of any individual (other than an individual whose disability is blindness, as defined in subsection (c)(2)), has not attained the age of 65,". (2) Subsection (a)(1) of section 223 of such Act is amended by striking out "the month in which he attains age 65" and inserting in lieu thereof "in the case of any individual (other than an individual whose disability is blindness, as defined in subsection (c)(2)), the month in which he attains age 65".
>
> (3) That part of paragraph (2) of section 223(a) of such Act which precedes subparagraph (A) thereof is amended by inserting immediately after "(if a man)" the following: ", and (in the case of any individual whose disability is blindness, as defined in subsection (c)(2)) as though he were a fully insured individual,".
>
> (b)(1) Paragraph (1) of subsection (c) of section 223 of such Act is amended—
>
> (1) by inserting "(other than an individual whose disability is blindness, as defined in paragraph (2))" after "An individual"; and
>
> (2) by adding at the end thereof the following new sentence: "An individual whose disability is blindness (as defined in paragraph (2)) shall be insured for disability insurance benefits in any month if he had not less than six quarters of coverage before the quarter in which such month occurs.".
>
> (2) Paragraph (2) of subsection (c) of section 223 of such Act is amended by striking out the first sentence and inserting in lieu thereof the following: "The term 'disability' means (A) inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or to be of long-continued and indefinite duration, or (B) blindness. The term 'blindness' means central visual acuity of 20/200 or less in the better eye with the use of correcting lenses, or visual acuity greater than 20/200 if accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than twenty degrees.".
>
> (c)(1) The first sentence of section 216(i)(1) of such Act is amended by striking out "(B)" and all that follows, and inserting in lieu thereof the following: "(B) blindness (as defined in section 223(c)(2))."
>
> (2) The second sentence of such section 216(i)(1) is hereby repealed.
>
> (d) The first sentence of section 222(b)(1) of such Act is amended by inserting "(other than such an individual whose disability is blindness, as defined in section 223(c)(2))" after "an individual entitled to disability insurance benefits".
>
> Sec. 2. The amendments made by the first section of this Act shall apply only with respect to monthly benefits under title II of the Social Security Act for months after the month in which this Act is enacted, on the basis of applications for such benefits filed in or after such month.

DISABILITY INSURANCE FOR THE BLIND

Mr. HUMPHREY. Mr. President, my amendment would liberalize the Federal disability insurance program for persons who are now blind—and, perhaps even of greater importance—it would make disability insurance payments more readily available to more persons who become blind at the time when blindness occurs.

My amendment would do the following:

First. It would incorporate the generally recognized and widely used definition of blindness into the provisions of the disability insurance law; that is, blindness is central visional acuity of 20/200 or less in the better eye with correcting lenses, or visual acuity greater than 20/200 if accompanied by a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

Second. It would allow any person who meets this definition in visual loss, and who has worked in social security covered employment for a year and a half—six quarters—to qualify for disability cash benefits.

Third. It would allow persons who meet the above requirements in measurable sightlessness and length of time in covered employment to draw disability benefits, and to continue to draw them, so long as they remain blind—and irrespective of their income or earnings, if they are fortunate enough to be employed.

This amendment seeks to make the disability insurance program a true insurance program against the economic catastrophe of blindness, against the economic disadvantages which result when blindness occurs in the life of a workingman.

Under present law, a person who is blind and unable to secure social security covered work for 5 years, cannot qualify for disability insurance payments. Reducing the present requirement from 20 to 6 quarters would be a much more reasonable and realistic requirement for people who, though oftentimes well qualified for gainful work, still encounter much difficulty in obtaining any work at all.

Under existing law, a worker who becomes blind but has not worked for 5 years in covered employment is denied the sustaining support of disability insurance payments at a time when his whole world has collapsed, when disaster has terminated his earnings and diminished his earning power, and he is faced with surrendering dignity and self-pride and applying for public or private charity—hardly a sound basis upon which to rebuild a shattered life; hardly the basis for instilling self-confidence and reviving hope—so essential as the first step in rehabilitation and restoration to normal life and productive livelihood.

Under existing law, a person who is blind and earns but the meagerest of income, is denied disability insurance payments on the ground that even the meagerest earnings indicate such person is not disabled—or sufficiently disabled in the eyes of the law—to qualify for disability payments.

As a matter of fact, Mr. President, the economic consequences of blindness exist, and they continue to exist, even though a blind person is employed and earning, and these economic consequences are expensive to the blind person who has the will and the courage to compete in a profession or a business with sighted people, who must live and work in a society structured for sighted people.

Adoption of this amendment would provide a minimum floor of financial security to the person who must live and work without sight, who must pay a price in dollars and cents for wanting and daring to function in equality with sighted men.

I have discussed this amendment with the Senator from Louisiana. I hope he will take it to conference.

Mr. LONG of Louisiana. Mr. President, we are willing to have it considered in conference.

Mr. HOLLAND. Mr. President, will the Senator from Minnesota yield for a question?

Mr. HUMPHREY. I yield.

Mr. HOLLAND. From what source does this particular standard come?

Mr. HUMPHREY. From medical sources, the Institute for the Blind.

Mr. HOLLAND. The Institute for the Blind recommends that this standard be used?

Mr. HUMPHREY. Yes.

The PRESIDING OFFICER. Does the Senator from Minnesota yield back his time?

Mr. HUMPHREY. Yes.

Mr. LONG of Louisiana. I yield back my time.

The PRESIDING OFFICER. The question is an agreeing to the amendment of the Senator from Minnesota [Mr. Humphrey].

The amendment was agreed to.

Mr. McCARTHY. Mr. President, I offer the amendment which I send to the desk. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Minnesota will be printed in the Record.

The amendment offered by Mr. McCarthy is as follows:

At the end of the bill, add the following new section:

"PROVISIONS RELATING TO COVERAGE FOR DOCTORS OF MEDICINE

"Sec. 19. (a) (1) Section 211(c) is amended (A) by striking out "or" at the end of paragraph (4) thereof, and (B) by striking out paragraph (5) thereof, and inserting in lieu of such paragraph (5) the following:

" '(5) The performance of service by an individual in the exercise of his profession as a Christian Science practitioner; or

" '(6) The performance of service by an individual in the exercise of his profession as a doctor of medicine.'

"(2) Section 211(c) of such Act is further amended by striking out the last two sentences and inserting in lieu thereof the following: 'The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by him under section 1402(e) of the Internal Revenue Code of 1954 is in effect. The provisions of paragraph (6) shall not apply to service performed by an individual (i) during the period for which a certificate filed by him under section 1402(h) of the Internal Revenue Code of 1954 is in effect, or (ii) after December 31, 1964, if such service is performed by an individual who did not perform service in the exercise of his profession as a doctor of medicine on or prior to December 31, 1964.'

"(3) Section 210(a) (6) (C) (iv) of such Act is amended by inserting before the semicolon at the end thereof the following: ', other than as a medical or dental intern or a medical or dental resident in training'.

"(4) Section 210 (a) (13) of such Act is amended by striking out all that follows the first semicolon.

"(b) (1) Section 1402(c) of the Internal Revenue Code of 1954 (relating to definition of trade or business) is amended (A) by striking out 'or' at the end of paragraph (4) thereof, and (B) by striking out paragraph (5) thereof, and inserting in lieu of such paragraph (5) the following:

" '(5) the performance of service by an individual in the exercise of his profession as a Christian Science practitioner;

" '(6) the performance of service by an individual in the exercise of his profession as a doctor of medicine.'

"(2) Section 1402 (c) of such Code is further amended by striking out the last two sentences and inserting in lieu thereof the following: 'The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by him under subsection (e) is in effect. The provisions of paragraph (6) shall not apply to service performed by an individual (i) during the period for which a certificate filed by him under subsection (h) is in effect, or (ii) after December 31, 1964, if such service is performed by an individual who did not perform service in the exercise of his profession as a doctor of medicine on or prior to December 31, 1964.'

"(3) (A) Section 1042(e) (1) of such Code (relating to filing of waiver certificate by ministers, members of religious orders, and Christian Science practitioners) is amended by striking out 'extended to service' and all that follows and inserting in lieu thereof 'extended to service described in subsection (c) (4) or (c) (5) performed by him.'

"(B) Clause (A) of section 1402(e) (2) of such Code (relating to time for filing waiver certificate) is amended to read as follows: '(A) the due date of the return (including any extension thereof) for his second taxable year ending after 1954 for which he has net earnings from self-employment (computed without regard to subsections (c) (4) and (c) (5)) of $400 or more, any part of which was derived from the performance of service described in subsection (c) (4) or (c) (5); or'.

"(4) Section 3121(b) (6) (C) (iv) of such Code (relating to definition of employment) is amended by inserting before the semicolon at the end thereof the following: ', other than as a medical or dental intern or a medical or dental resident in training'.

"(5) Section 3121(b) (13) of such Code is amended by striking out all that follows the first semicolon.

"(c) Section 1402 of such Code is amended by adding at the end thereof the following new subsection:

" '(h) Doctors of Medicine.—

" '(1) Waiver certificate.—Any individual who is a doctor of medicine and who did not attain age 35 on or before December 31, 1964, may file a certificate (in such form and manner, and with such official, as may be prescribed by regulations made under this chapter) certifying that he elects to have the insurance system established by title II of the Social Security Act extended to service described in subsection (c) (6) which is performed by him.

"'(2) Time for filing certificate.—Any individual who desires to file a certificate pursuant to paragraph (1) must file such certificate on or before the due date of the return (including any extension thereof) for his second taxable year ending after 1964 for which he has net earnings from self-employment (computed without regard to subsection (c)(6)) of $400 or more, any part of which was derived from the performance of service by him in the exercise of his profession as a doctor of medicine.

"'(3) Effective date of certificate.—A certificate filed pursuant to this subsection shall be effective for the taxable year immediately preceding the earliest taxable year for which, at the time the certificate is filed, the period for filing a return (including any extension thereof) has not expired, and for all succeeding taxable years; except that, in no case, shall the certificate be effective for a taxable year ending prior to 1965. An election made pursuant to this subsection shall be irrevocable.'

"(d) The amendments made by paragraphs (1) and (2) of subsection (a), and by paragraphs (1), (2), and (3) of subsection (b), shall apply only with respect to taxable years ending after December 31, 1964. The amendments made by paragraphs (3) and (4) of subsection (a), and by paragraphs (4) and (5) of subsection (b), shall apply only with respect to services performed after 1964."

Mr. McCARTHY. Mr. President, it is my intention to withdraw the amendment after I have explained its purpose and contents to the members of the committee who will be on the conference.

The Senate has rejected the amendment offered by the Senator from Connecticut [Mr. Dodd], which would have restored the House language to provide social security coverage for doctors. While I was quite willing to support the extension of coverage under the terms of the Senator's amendment and under the terms of the House bill, I propose in my amendment something short of complete coverage. My amendment is related to the same issue, but it proposes to take a middle position between compulsory coverage for all doctors and leaving the issue wholly unresolved. It would extend coverage to doctors who, we have reason to believe, would like to be covered under the social security program.

The amendment provides three things.

It provides mandatory coverage for all doctors who will engage in the practice of medicine after December 31, 1964. Each doctor who was licensed and entered the practice of medicine after December 31, 1964, would be subject to social security coverage. Approximately 8,000 doctors are admitted to the practice of medicine each year. Over a period of years practically all of them would be covered.

Second, the amendment provides for voluntary coverage of any doctor who is in practice before December 31, 1964, but who is not 35 years of age by that date. So the younger doctors under 35 would be given the privilege of taking out or rejecting social security coverage. If they came into the program at that age, they would be in the program and would be paying into it over most of their lifetime.

Third, the amendment would extend coverage to services performed by medical or dental interns, the same as the House bill.

The amendment makes no change in the present status of doctors who would be 35 years or over on December 31, 1964.

I believe this is the orderly way in which to bring doctors under social security coverage. It would leave older doctors, who through the years have indicated opposition to being included in the social security program, free to provide their own pension programs and security for themselves and their families. At the same time, it would open the way to younger doctors who may be aware of the benefits of social security and who may be willing to make their contributions and to share in the benefits of the social security program.

Since I intend to withdraw the amendment, I hope the conferees, who will be free to propose this measure or some other compromise in conference with the House, will give attention to my recommendations. I hope this proposal will be their last line of retreat.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. MORSE. Why does the Senator think the House will be free to take this amendment if the Senate does not adopt it?

Mr. McCARTHY. The House bill covered all doctors, so one-half or one-third or one-fourth of the doctors could be covered in conference. We could go all the way with the House. We could accept the House decision, which extends coverage to all doctors.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. LONG of Louisiana. The matter of medical coverage will be in conference as matters now stand. The House passed a bill which put all doctors under social security. The chairman of the committee, the Senator from Virginia [Mr. Byrd], moved in committee that doctors should not be covered. He feels strongly about this matter. The committee sustained the chairman by a very substantial vote. So this is a matter that will be in conference.

In some respects Senators who voted for the medicare measure should be glad to have it in conference, because it will furnish a way to yield on some House proposals, if we are to get a medicare measure, for which the Senate has voted but for which the House has not voted.

The Senator from Minnesota has made a constructive suggestion to resolve the impasse between the House and Senate with respect to the coverage of doctors. I shall see to it that the conferees consider a possible solution of this problem at such time as the bill goes to conference.

Mr. MORSE. Will the Senator briefly tell me the main argument which is advanced for not covering doctors?

Mr. LONG of Louisiana. The reason why I voted against covering doctors under social security in committee is that every doctor in my State with whom I have talked is opposed to it. Doctors in my State do not want it. The position of the medical association in my State and the official position of the American Medical Association is in opposition to an extension of coverage to doctors. If we wait a while, after doctors have thought about it and observed the program in operation, they will come to the same conclusion that many lawyers did. After the lawyers thought about it and saw what it was doing, they decided that they would be for it. I remember that the Bar Association of Cleveland, Ohio, several years ago, when the Senator from Ohio [Mr. Young] was one of the outstanding lawyers there, decided to hold a debate on the question.

I believe two lawyers spoke for the proposal and two lawyers against it. They debated the pros and cons. Then they voted on it, and the vote was unanimous in favor of covering lawyers. I understand that even the two lawyers who spoke against it in the debate voted in favor of it. The lawyers voted that way after they saw how the program was operating.

So after the doctors see this program in operation they will also want to be covered by social security.

However, in my judgment they do not agree on it now. Therefore, why should I vote to put the doctors of my State under social security, on a compulsory basis, when all the information available to me is that they do not want it?

The experience of the Senator from Connecticut is different, I agree, as he has so well explained. That is not the situation in Louisiana. It is not the situation in Virginia, as the distinguished chairman of the committee knows. That is not the situation in other States, as Senators from those States see it.

The subject will be in conference. Perhaps the proposal of the Senator from Minnesota might resolve the question. However, it would be better to have a free conference on the issue, the House having taken one position and the Senate the other, rather than to have our hands tied.

Mr. MORSE. The Senator from Connecticut [Mr. Dodd] is completely right in the position he takes, even though he was voted down. It is probably true that some medical organizations are opposed to coverage, but there are a great many individual doctors, including doctors in my own State, to whom I have spoken about this subject, who are in favor of coverage. They have written to me, urging that they be included under social security.

Of course, they can come in on a voluntary basis if they wish to come in, can they not?

Mr. LONG of Louisiana. No; not now.

Mr. MORSE. On the basis of self-employment?

Mr. LONG of Louisiana. Not now.

Mr. JORDAN of North Carolina. I have received a number of requests from doctors in my State, asking that they be permitted to come in on a voluntary basis. A great many of them do not wish to be forced into joining. They would like to come in, if they could, on a voluntary basis, but not on a mandatory basis.

Mr. MORSE. Why does not the principle of self-employment on a voluntary basis apply to doctors?

Mr. JORDAN of North Carolina. They are included in the bill.

Mr. LONG of Louisiana. If doctors wish to come in under social security, they can usually find a way. They can incorporate a clinic and work for the clinic, and come in on that basis. Doctors employed by an institution covered by social security come under the system.

However, at this time it appears that doctors are not in favor of being covered, and the official position of the American Medical Association is that they are not in favor of it. In my State they are planning to take a poll in the near future, I understand. The evidence in this matter is inconclusive at this time.

In my judgment, if we wait a little longer, doctors will be asking us to cover them. I do not see why we should force something on someone if he does not want it. We are not convinced that a majority of the doctors want to be covered.

Mr. MORSE. I should like to ask a procedural question of either the Senator from Minnesota or the Senator from Louisiana. Would the conferees have the authority, in view of the fact that the House has provided complete coverage in the bill, to adopt a proposal which would allow doctors to be covered voluntarily if they wished to be covered voluntarily? In other words, could the conference committee modify the legislation so that voluntary coverage could be allowed?

Mr. LONG of Louisiana. It is my impression, with regard to doctors, that we could do almost anything. The House has taken one extreme position, by covering all of them, and the Senate has taken the other extreme position, by covering none of them.

Mr. MORSE. I hope that the conference at least will go along with a modification of the bill to provide for voluntary coverage. I believe that the doctors who wish to be covered on a voluntary basis are entitled to be covered on that basis until the other doctors, to whom the Senator from Louisiana has referred, make up their minds to change their minds.

Mr. LONG of Louisiana. With this particular provision being open to compromise in every possible direction, the House is in an extremely favorable position, because we shall have to ask the House to take 36 Senate amendments, whereas we have taken only about 4 provisions of the House out of the bill.

Mr. McCARTHY. Mr. President, the testimony of the Secretary of Health, Education, and Welfare on this subject was:

> More than half of the physicians in private practice today have some social security credits on the basis of work other than as a self-employed doctor or through military service.
>
> It would be a good beginning to provide compulsory coverage of all new doctors, as they come into practice, and to leave it on a voluntary basis for the younger members of the profession. This way also avoids a situation in which some of the older doctors would receive great benefits although making social security payments only a few years just before retirement.

Mr. McNAMARA. Is it not a fact that if the Senate accepts the amendment of the Senator from Connecticut [Mr. DODD], to include all doctors, it would not result in a net cost to the social security fund, because the statistics indicate that if we take in all doctors regardless of age, they will about pay their own way?

Mr. McCARTHY. They would be paying at the top bracket. Taking them probably would strengthen the social security fund.

Mr. McNAMARA. I point out that a majority of the doctors in Michigan in a statewide secret poll went on record as favoring coverage for doctors under the social security system. That is true not only of Michigan, but of many other States.

Mr. HART. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. HART. I regret very much that the Senate rejected the amendment proposed by the distinguished Senator from Connecticut [Mr. DODD]. I voted for it. As my senior colleague from Michigan indicated, the Dodd approach is sound. In 1960 I introduced a bill similar to the proposal of the Senator from Connecticut, which would have provided for compulsory social security coverage of all doctors. It was S. 2739. I hope very much that before the Senate closes what has been an otherwise very productive session, we shall have on the books a statute which, if not providing for the coverage of all doctors, at least will open the door to what I feel sure will be the majority wish of the physicians of America, namely, that they be permitted to enjoy the benefits and protections of social security. The Senate having failed to adopt the Dodd amendment, I would support the McCarthy amendment.

Mr. LONG of Louisiana. Mr. President, has the Senator withdrawn his amendment?

Mr. McCARTHY. I have not withdrawn it yet.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. DOUGLAS. I voted against the inclusion of doctors when this matter was before the Committee on Finance, because a vote taken by the Illinois State Medical Society showed that approximately 3,300 doctors were opposed to inclusion, as compared with fewer than 2,800 in favor of inclusion.

Since the day the committee voted on this amendment additional information has been brought to my attention which I did not know at that time. This information is that a supervised poll was taken in 1960 under the auspices of the Honest Ballot Association. I assume that this is the Honest Ballot Association which has its headquarters in New York, and which I know to be a highly reputable group.

They took a mail ballot referendum of the physicians of all ages, including staff physicians, who were registered in the State of Illinois.

I have before me the result of the poll, which, I repeat, has only recently come to my attention.

Of the 11,942 ballots which were mailed, 5,967 ballots were returned and tabulated.

The Honest Ballot Association certifies that the following is the true and accurate count of the 5,967 ballots:

The question was: Should physicians be included in the Federal social security program?

According to the Honest Ballot Association, the vote was: Yes, 3,964. No, 1,962. Blank, 41.

This would mean that slightly more than two-thirds of those who expressed themselves voted affirmatively.

The vote reported by the Illinois Medical Association was approximately 45 percent for and 55 percent against.

There is additional information that I think should be known. We have checked with the American Medical Association, and they in turn checked with the Illinois Medical Society, on the way in which the Illinois poll was conducted. I am informed that each county representative of the Illinois Medical Association mailed ballots to the doctors in his county. Those ballots were numbered. They were returned to the county representatives, who tabulated the results and sent them to the central office in Chicago. So there would be a means of identifying the replies. I do not quite know whether this violated the principle of a secret ballot. I am informed that there was no such identification of the ballots sent out by the Honest Ballot Association.

In view of these new facts, if there had been a rollcall, I would have reversed the position that I took in the Committee on Finance and would have voted for the inclusion of the doctors. I hope that some such arrangement may be included in the bill which comes from conference, or that some compromise arrangement, such as that proposed by the Senator from Minnesota [Mr. McCARTHY] may be adopted.

Mr. LONG of Louisiana. The Senator from Illinois may be sure that this matter will be considered in conference.

Does the Senator from Minnesota withdraw his amendment?

Mr. McCARTHY. I have not done so. I was waiting to learn how vigorously the Senator from Louisiana would advocate this amendment in conference.

Mr. LONG of Louisiana. This is an appropriate subject for compromise.

The Senator has suggested that the proposal might be compromised. If the Senator from Louisiana is one of the conferees, he will certainly see to it that the amendment is considered.

Mr. McCARTHY. Does the Senator from Louisiana agree that there is rather strong sentiment in the Senate at this time in support of the provisions of my amendment?

Mr. LONG of Louisiana. The record is clear that there is considerable support in the Senate for including the amendment, although a majority of the Senate does not believe doctors should be included.

I am sure that the Senator from Minnesota realizes that in conference the divergence between the Senate and House on other matters will be extremely wide, so much so that I believe we shall be hard put to get the Senate bill through conference. But if the bill goes to conference, the Senator from Minnesota may be assured that what he has suggested will be considered.

Mr. McCARTHY. This amendment might be the cause of the House conferees accepting the other provisions, if we take this small step. If the Senator from Louisiana must make a concession, I hope he will persuade the House to make a concession with regard to doctors.

Mr. HART. Mr. President, if it has not already been placed in the Record, I ask unanimous consent to have printed in the Record a memorandum entitled "Fact Sheet for Senators—A Dozen Sound Reasons Why Congress Should Include Self-Employed Physicians under Social Security." It is dated August 31, 1964, and was issued by the Committee on Social Security for Physicians, 510 Madison Avenue, New York, N.Y. The memorandum buttresses the position of the advocates of the amendment.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

A Dozen Sound Reasons Why Congress Should Include Self-Employed Physicians Under Social Security

1. Self-employed physicians are the only group now excluded from social security. It isn't fair to deny doctors and their families the protection which Congress has granted lawyers, dentists, bankers, business executives and others.

2. Within the medical profession, from 35 to 45 percent of all physicians have earned or are earning social security credits because of service in the Armed Forces or as salaried employees for various enterprises. These doctors seem quite content to maintain their eligibility for social security benefits. The sensible and proper thing to do is to extend coverage to the entire profession. Why should a physician be denied this valuable Federal insurance simply because he earns his income from private practice?

3. A majority of physicians want social security coverage. This is substantiated by the results of official polls by numerous State medical societies of the AMA and two national polls by highly respected medical publications.

4. Wives of physicians have a vital stake in this issue. They are virtually unanimous in their desire for social security insurance. If a young doctor dies, his widow and children ought to be entitled—like those of other bereaved families—to the benefits of social security in their time of need.

5. The AMA's house of delegates insists that physicians don't want social security, although it has never offered evidence to substantiate this bare assertion. In 1958, it recommended that State medical societies poll their members. However, when the polls showed a substantial majority of doctors in favor of social security, the AMA disregarded these findings and discouraged further polltaking.

6. The AMAs' house of delegates has never had a rollcall on this issue. Annually, it expresses its opposition to social security by voice vote only. If the delegates were to vote in accordance with the wishes of physicians from their respective States, as expressed in official polls, a resolution endorsing social security coverage would command a clear majority.

7. The AMA's house of delegates has repeatedly refused requests from a number of State medical societies for a national canvass of the membership. Its reply is that a poll "would be subject to great error in that it presupposed equal knowledge on the part of all polled." AMA officials gratuitously insult the Nation's physicians by implying they do not have the intelligence to make a sound judgment on this subject.

8. Despite AMA assertions that physicians seldom retire, the fact is that doctors are not supermen: after age 65, like all of us, they are prone to illness, disability and some weakening of their former powers and skills. There are many elderly physicians who want to retire, should retire, but can't afford to retire. Social security would help them solve this painful dilemma. Furthermore, those rugged doctors who still have an active practice at age 72 could continue working and receive social security checks in addition to their regular income.

9. The AMA, by its own admission, represents hardly more than 70 percent of all U.S. physicians. Pro social security sentiment is even more pronounced outside the AMA. Many doctors have refused to join the AMA or have withdrawn from its ranks because of its arrogant disregard of membership opinion on such issues as social security coverage.

10. Doctors and their families need social security protection. Medical societies have established agencies to help colleagues who become ill or enfeebled by age, and to provide help to needy families of deceased physicians. Why should these unfortunate doctors or their survivors have to rely on charity, while millions of other Americans, in a similar plight, can draw social security payments as their right?

11. There is little likelihood that the house of delegates will have a change of heart over social security. These delegates, because they are elected by county and State conventions, are too removed from pressure by the individual physician. To withhold social security from the medical profession until the house of delegates gives its approval means, in effect, to deny this Federal insurance to doctors and their families for a long time to come, if not permanently.

12. On the other hand, should the Senate vote to include self-employed physicians under social security—as the House has already done—it is quite likely that the AMA's house of delegates would adjust to the new development without great difficulty. This is what happened in the case of the American Bar Association and the American Dental Association whose opposition to social security coverage for their respective professions was quite as violent as the AMA's.

Results of State medical society social security polls

STATES FOR SOCIAL SECURITY (19)

State	In favor	Opposed	Number of votes in AMA House of Delegates
California [1]	635	372	21
Connecticut	1,391	504	3
Delaware	135	85	1
District of Columbia	550	192	1
Florida	957	714	2
Maine	369	210	5
Massachusetts	3,253	988	1
Michigan	1,781	1,048	6
Missouri [2]	277	148	7
New Jersey	2,174	916	4
New York [3]			6
Ohio	4,095	2,737	24
Pennsylvania	5,605	3,335	9
Rhode Island	[4] 70	[4] 30	11
South Dakota	155	104	1
Utah	322	188	1
Vermont	[4] 65	[4] 35	1
Washington	[4] 60	[4] 40	1
West Virginia	436	237	4
			2
Total			[5] 110

STATES AGAINST SOCIAL SECURITY (8)

State	Opposed	In favor	Number of votes in AMA House of Delegates
Arkansas	596	167	2
Georgia	539	496	3
Illinois	3,301	2,790	11
Indiana [2]	246	181	5
Minnesota	1,030	817	4
Oklahoma	761	446	2
Virginia	[4] 62	[4] 38	3
Wisconsin	870	854	4
Total			34

[1] A 1-in-10 poll by Honest Ballot Association.

[2] A 1-in-5 poll by Honest Ballot Association.

[3] Based on county society polls and State society resolutions.

[4] Percent.

[5] A clear majority of the 202 votes in the AMA House of Delegates.

Note.—The remaining State medical societies, which represent 58 votes in the AMA House of Delegates have not held social security polls.

Mr. McCARTHY. Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. LONG of Louisiana. Mr. President, at the desk are two technical amendments. One of them is necessary to clarify language which otherwise would result in the denial of benefits to persons as to whom there was no intention of denying benefits.

The PRESIDING OFFICER. The amendments will be stated.

The Legislative Clerk. On page 22, line 5, it is proposed to strike out "202(b)" and insert in lieu thereof "202(e)".

On page 51, line 2, strike out "of" and insert in lieu thereof "or".

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Louisiana.

The amendments were agreed to.

Mr. LONG of Louisiana. Mr. President, at the desk is an additional amendment which is offered at the request of the Department of Health, Education, and Welfare. I ask that the amendment be read.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 27 of the Finance Committee version, it is proposed to strike out paragraph (2) of section 6(f), as follows:

> (2) Any individual who would, upon filing an application on January 1, 1965, be entitled to a recomputation of his primary insurance amount for purposes of title II of the Social Security Act shall be deemed to have filed such application on January 1, 1965.

And insert in lieu thereof the following:

> (2) Any individual who would, upon filing an application prior to January 2, 1965, be entitled to a recomputation of his benefit amount for purposes of title II of the Social Security Act shall be deemed to have filed such application on the earliest date on which such application could have been filed, or on the day on which this Act is enacted, whichever is the later.

Mr. LONG of Louisiana. The Department of Health, Education, and Welfare has explained to me that in drafting the language for the committee, inadvertently 200,000 persons would be injured. In order to prevent that from happening unintentionally, the language proposed in the amendment is necessary. I ask that the amendment be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

Mr. DOUGLAS. Mr. President, I send to the desk an amendment and ask that the reading of the amendment be dispensed with but that it be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

> At the end of title I of the bill add the following new section:
>
> "DISREGARDING CERTAIN EARNINGS IN DETERMINING NEED UNDER OLD-AGE ASSISTANCE PROGRAMS
>
> "Sec. . (a) Effective October 1, 1964, section 2(a)(10)(A) of the Social Security Act is amended by striking out '; except that, in making such determination, of the first $50 per month of earned income the State agency may disregard, after December 31, 1962, not more than the first $10 thereof plus one-half of the remainder' and inserting in lieu thereof the following: '; except that, in making such determination, of the first $80 per month of earned income the State agency may disregard the first $20 thereof plus one-half of the remainder'.
>
> "(b) Effective October 1, 1964, section 1602(a)(14) of such Act is amended by striking out 'of the first $50 per month of earned income the State agency may, after December 31, 1962, disregard not more than the first $10 thereof plus one-half of the remainder', and inserting in lieu thereof 'of the first $80 per month of earned income the State agency may disregard the first $20 thereof plus one-half of the remainder'."

Mr. DOUGLAS. Mr. President, the amendment would increase the amounts which States may permit recipients of old age assistance to earn without a corresponding deduction in the amount of assistance which they receive.

In 1956, I introduced an amendment to exempt earnings of $50 a month. Then, in 1962, I submitted an amendment which would have permitted the exemption of $25 a month. This amendment was amended and adopted by the Senate. It came out of conference in a form which allows States to disregard $10 plus half of the next $40 of earned income in determining the old age assistance grant. In other words, the purpose is to give to the aged the incentive of trying to find work and of increasing their income and their self respect in that way.

Prior to that time, every dollar they earned was subtracted from the assistance which they otherwise would have received. Therefore, there was no stimulus for them to work or to try to be in any sense self-supporting.

Mr. LONG of Louisiana. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. Mr. President, in my judgment, this is a meritorious amendment. It is a principle for which the Senator from Illinois has labored long and hard in the vineyard. For years, the Senator from Illinois has been trying to arrange a way so that a State, under its plan, if it so desired, could permit a person to make a few dollars while he was drawing public welfare, and to keep some small amount.

Under social security at present, a beneficiary between the ages of 65 and 72 is permitted to keep $1,200 and half of what he earns of the next $500. Yesterday the Senate voted to increase that amount. We should like to help people to assist themselves somewhat.

The Senator from Illinois has finally resolved this problem in a way that the department believes is reasonable.

I am advised that the cost of the proposal would be only $3,500,000, based on the estimate, or $23 million if all States decided to use the plan.

Louisiana has found a way to achieve a similar result, but the method is devious and deceptive. I believe it would be preferable to act forthrightly by making it permissible for people to earn a small amount. The amount would be $20 and half of the next $40.

Mr. DOUGLAS. Half of the next $60.

Mr. LONG of Louisiana. I am willing to accept the amendment and take it to conference and urge that the House consider it.

Mr. DOUGLAS. I thank the Senator from Louisiana. I now yield to the very able Senator from West Virginia, who, as a vigorous member of the Senate Committee on Aging, has devoted a great deal of study and work to the problems of the aged and their retirement income.

Mr. RANDOLPH. I thank my friend. In the Special Committee on Aging, as chairman of the Subcommittee on Employment and Retirement Incomes, I was instrumental in formulating a recommendation on this subject. Is the Senator familiar with that action?

Mr. DOUGLAS. I hold in my hand a report of the Senate Special Committee on Aging, and I find that on pages 3 and 4 of its report, such a recommendation was made and the responsible subcommittee was chaired by the distinguished Senator from West Virginia [Mr. Randolph]. The Senator has made very important contributions to the welfare and dignity of our older people. I hope he will comment on the recommendation of his subcommittee.

Mr. RANDOLPH. I appreciate very much the reference to the recommendation. If it is not inappropriate, I should like to have the privilege of being associated with the amendment offered by the Senator from Illinois.

Mr. DOUGLAS. The Senator from West Virginia was one of the earliest advocates of this means of contributing to the self-support and self-respect of older people. In fact, he was a principal sponsor of the 1962 amendment to which I referred. I should feel honored if I might have the name of the Senator from West Virginia [Mr. Randolph] joined with this amendment.

Mr. RANDOLPH. It has been accurately observed that one important means of improving the economic position of America's senior citizens is to make it possible for those to work who are willing and able to do so. At the present time, one-third of the total income of older Americans comes from their employment.

Studies have shown that employment, even part-time work, benefits the elderly citizen not only financially but in other ways. It reduces his loneliness and isolation and draws him back into the mainstream of life. It contributes to a sound psychological outlook and physical well-being.

As a basis for making recommendations on increasing employment opportunities for the elderly our Subcommittee on Employment and Retirement Incomes held hearings in Washington, D.C., and in Los Angeles and San Francisco, Calif.

The witnesses heard, and testimony received convinced subcommittee members that the Congress could take affirmative actions which would enhance employment opportunities for thousands of older men and women. Recommendations submitted were subsequently approved unanimously by the Special Committee on Aging, and action is being taken to implement them.

I am gratified to be associated with the experienced and able Senator from Illinois [Mr. Douglas] as a cosponsor of the Douglas-Randolph amendment. In advocating an increase in permissive earnings for recipients of old-age assistance he continues to exhibit compassionate understanding of the needs and problems of senior citizens.

Mr. DOUGLAS. Mr. President, I appreciate the support which the Senator has given to this amendment. The Department of Health, Education, and Welfare prepared a report on this amendment which it originally submitted in connection with an earlier version of the amendment which I offered to another bill. This report is favorable to the amendment and, Mr. President, I ask unanimous consent to have it printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Department of Health, Education, and Welfare,
Washington, August 13, 1964.

Hon. Harry F. Byrd,
Chairman, Committee on Finance,
U.S. Senate,
Washington, D.C.

Dear Mr. Chairman: This letter is in response to your request of July 22, 1964, for a report on amendment No. 1115 intended to be proposed to H.R. 9393, a bill to amend title II of the Social Security Act to provide full retroactivity for disability determinations, to extend the period within which ministers may elect coverage, and to validate wages erroneously reported for certain engineering aids employed by soil and water conservation districts in Oklahoma.

This amendment would amend section 2 (a)(10)(A) of title I of the Social Security Act that authorizes the disregard of certain earned income in determining an individual's need for old-age assistance. Under present law, a State has the option to disregard, of the first $50 of earned income, not more than the first $10 plus one-half of the remainder. This amendment would permit a State to disregard the first $50 per month of earned income.

We are in accord with the objectives of this amendment but recommend that its provisions be modified so as to permit a State to disregard the first $20 and one-half of the next $60 per month of earned income.

The values to be found in employment that is within the capability of an aged individual are recognized and the principle of incentives is now well established. The amendment modified as suggested above would increase the incentive toward more substantial employment. The individual might earn as much as $80 per month and the State could disregard $50 of that amount.

Some additional aged persons would become eligible for assistance who do not qualify for assistance because their earnings from employment make them ineligible under State assistance standards. For aged recipients with income from employment of more than $10 per month, the amount of assistance would be increased because income now taken into consideration would be disregarded.

Since January 1963, when the present provision became effective, 20 States, the District of Columbia, Puerto Rico, and the Virgin Islands have provided for the disregard of earned income in their programs of old-age assistance. Modified as suggested above, the additional annual cost of the amendment in Federal funds for these 23 jurisdictions is estimated to be $3.5 million. If all States were to provide for the disregard of such income, the annual increase in Federal costs over the costs of the present provision is estimated to be $23 million.

We would recommend enactment of this amendment subject to the modification proposed above.

We are advised by the Bureau of the Budget that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

Anthony J. Celebrezze,
Secretary.

Mr. DOUGLAS. Mr. President, I am greatly cheered by the encouragement given me by the Senator from Louisiana [Mr. Long], the manager of the pending bill.

When I offered the 1962 amendment, which the Senate adopted, I argued that persons receiving old-age assistance should be allowed to earn supplementary income by babysitting, gardening, and other casual employment without having to break the law by not reporting the earnings or being penalized for doing so. Permitting individuals to contribute to their own self-support gives them a sense of dignity and self-respect. That principle, of encouraging self-respect and some self-support, is a sound one and its observance is expanded by the pending amendment. For many of the nearly 2.2 million recipients of old-age assistance this liberalized earnings policy will demonstrate that we believe all older people are full members of our economy and should be permitted to contribute to their self-support without penalty.

Mr. CARLSON. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. CARLSON. I wish to commend the Senator from Illinois for once again inviting the attention of the Senate to this problem. I believe that it is a proper piece of legislation, in that if we can encourage these people to work and to withhold, or at least to use some of the money they have earned, instead of reducing their social security payments, it will not only be to the interest of the individual but also to the States and to the Nation.

I should like to inquire of the Senator whether his amendment permits an individual to earn up to $50?

Mr. DOUGLAS. A State is permitted to disregard the first $20 and one-half of the next $60 of earned income. Yes.

Mr. CARLSON. I believe that is commendable.

Mr. DOUGLAS. It is directed to the old-age assistance, of course, rather than to old age security.

Mr. CARLSON. We took care of the old age security yesterday. We should vote now on the old-age assistance section. If I should happen to be a member of the conference committee, I shall do everything in my power to keep it.

Mr. DOUGLAS. I thank the Senator from Kansas.

Mr. MONRONEY. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. MONRONEY. I should like to compliment the Senator from Illinois for his authorship of this amendment. And I should like to join him in sponsorship of it.

Mr. DOUGLAS. I thank the Senator. Would the Senator from Louisiana [Mr. Long] like to be included as a sponsor of the amendment?

Mr. LONG of Louisiana. Mr. President, I should like to be included as a sponsor of the amendment.

Mr. DOUGLAS. Mr. President, I ask that the names of the Senator from West Virginia [Mr. Randolph], the Senator from Oklahoma [Mr. Monroney], and the Senator from Louisiana [Mr. Long] be added as cosponsors of the amendment.

Mr. PASTORE. I trust that the Senator from Illinois will add my name as a cosponsor as well.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the name of the Senator from Rhode Island [Mr. Pastore] be added as a cosponsor to the amendment, in addition to the Senators I have just mentioned.

The PRESIDING OFFICER (Mr. McGovern in the chair). Without objection, it is so ordered.

Mr. DOUGLAS. I am overwhelmed. In the history of my 16 years of service in the Senate, I have never had a motion of mine up for consideration that was so popular. I do not quite know how to thank my colleagues adequately.

Mr. MONRONEY. Mr. President, as important as the additional income will be, of even greater help, will be its contribution to the morale and to the peace of mind of these people. Earning and contributing something to their own welfare will mean far more than the dollars—important as they will be.

I compliment the Senator from Illinois for his many, many good efforts in behalf of this legislation throughout the years which culminated in enactment of the last bill and which will result in enactment of the bill before us at the present time.

Mr. DOUGLAS. The encouragement given me by so many Senators is sweet to my ears. I know this support will be appreciated by our older citizens and I hope very much that the conference will retain the amendment.

The PRESIDING OFFICER. Do Senators yield back the remainder of their time?

Mr. DOUGLAS. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. Douglas].

The amendment was agreed to.

AMENDMENT NO. 1246, TO INCREASE OUTSIDE EARNINGS

Mr. SCOTT. Mr. President, it was my intention to call up my amendment, No. 1246; but in view of the Senate's approval yesterday of the Long amendment dealing with the same problem and the parliamentary situation prevailing today, I decided not to call it up. I want to discuss it briefly now, because it pertains to a matter of vital importance to our older citizens.

My amendment, which is cosponsored by Senators Prouty, Jordan of Idaho, Smith, Fong, Simpson, Mundt, Kuchel, Javits, Allott, Mechem, and Dominick, provides that the amount of money a person on social security would be allowed to earn without being penalized or suffering loss of social security benefits be a straight $2,400 a year, instead of the complicated arrangement which now exists.

Once again, I raise my voice in protest against a most bewildering situation which today is facing many of our older citizens. On the one hand, they are urged to get jobs, in order to increase the productivity of the country. But, on the other hand, our social security law contains a built-in penalty for going to work, by reducing the benefits if there are earnings in excess of $1,200 a year, and using a confusing and complicated formula for earnings above that amount, to achieve this purpose. For earnings between $1,200 and $1,700, $1 in benefits is deducted for each $2 of earnings. Then, when earnings exceed $1,700, another formula goes to work, and deducts $1 in benefits for each $1 of earnings, until the benefits are entirely wiped out, because earnings have reached $2,974.

My amendment would allow earnings up to $2,400 with no deduction; it would eliminate the confusing second-stage of the present law; and it would go directly to a dollar-for-dollar reduction, for earnings in excess of $2,400. The effect would be to help most of those who are trying to supplement their inadequate social security payments by working—the average old-age primary payment is now only $76.87 a month, by eliminating any deduction in their benefits. Under my proposal, they could earn up to $200 a month, with no deductions. The dollar-for-dollar reduction above $2,400 would apply only to the relatively few persons with rather substantial earnings.

The idea of discouraging older people from working and encouraging them to accept marginal living is, I have long been convinced, basically wrong in principle. Moreover, in my view, the present earnings test is not only inequitable; it is also inexplicable. To know just where an individual stands under the existing limit on earnings requires a crystal ball or a competent legal staff. If, for example, one's earnings exceed $1,200, the benefit amounts begin immediately to be cut in half. Moreover, this reduction comes out of next year's benefits, when one may be unable to work, and, therefore, may need the benefits most. This is the case unless one has been able to guess ahead as to his probable income, and to report this guess on a form to the Social Security Administration. If the first guess is wrong, he must fill out another form, in order to get his benefits. By this time, he may decide that trying to work is too much trouble, especially when he is reducing his benefit by doing so.

Although wages have been rising steadily, we are still using the $1,200 figure adopted in 1954 as the point of diminishing returns in social security's limit on earnings. On two occasions we have liberalized the complicated reduction mechanism above this amount but we have held to the $1,200 ceiling. The proposed increase to $1,500 is quite inadequate. I strongly suspect that some of our older citizens have held their wages down to this amount because, if they go beyond it, things "hit the fan" and they are unable to figure out where they stand.

We must eliminate our schizophrenia in creating job opportunities for our older men and women and then confiscating part or all of their earnings. By doing this, incidentally, we can add a meaningful weapon to the arsenal for the "war on poverty."

The first compelling reason for liberalizing the earnings limit is the fact that existing law does not allow our elderly citizens the economic resources they so desperately need.

Second, we must liberalize this test, because it is so complicated in its workings that the average man or woman now is unable to ascertain his basic rights, and, therefore, stands the chance of having his benefits reduced because his wages have risen or because of a few extra days of work.

Third, the earnings limitation is an expensive administrative nightmare.

Fourth, it denies to the American economy valuable skills and productivity.

Finally, and most important, this curious clause in our Social Security Act discourages self-reliance, and results in a creeping penalty on an individual who treasures his God-given dignity as a working and contributing member of the community in which he lives.

For these reasons, I believe—as I have stated on numerous occasions on the floor of the Senate—that we must liberalize the earnings limitation of our social security system as a next forward step in improving its protection, and as an integral part of our campaign to make life more meaningful and more comfortable and to provide a more acceptable standard of living for millions of our older citizens.

Mr. SALTONSTALL. Mr. President, I am in favor of increased social security benefits. I also am in favor of greater medical and hospital care for the aged. But I believe that such health care should be provided on a voluntary basis and should offer more comprehensive coverage than this bill provides.

Reluctantly I shall vote against this measure in its present form because I do not think that a health care measure should be tied to a bill providing an increase in social security benefits. They are two separate problems, and both require the most careful study to make them financially sound. This has not been done in this bill.

If the payments into the social security trust fund are not sufficient—and there is no way of telling now whether they will be or not—then either the people who are to be benefited will not get those benefits or the fund will have to be made actuarially sound through increased tax contributions. Ultimately, these taxes may become too great for employees, employers, and the self-employed to bear.

So for these reasons, I shall vote against passage of the bill. If it is passed, and I believe it will be, then I hope the conferees will agree on a measure that retains the benefit increase but deletes the health care feature. At a later date we can consider a measure dealing with the problem of insuring that all of our elderly citizens have proper health care.

Mr. BEALL. Mr. President, I shall vote for H.R. 11865. But I shall do so reluctantly.

I do not think any Member of the Senate questions the need for increasing social security benefits and modifying certain aspects of the existing law. In this regard, I am pleased that the Senate adopted the Long amendment, increasing the maximum amount which may be earned before deductions from social security benefits are made. The 7-percent increase in cash benefits is fully justified, in view of the rising costs of living. I was pleased to support the Prouty amendment, respecting veterans' pensions. The adoption of this amendment avoids what would have been a serious hardship to thousands of veterans who, as a result of the increase in social security benefits, were in danger of losing their pensions.

These amendments and others have improved the bill. My reluctance in voting for the bill is occasioned by the adoption of the amendment providing medical care under the social security system. I have previously explained my reasons for opposing this program. Mr. President, I sincerely hope that the conference committee which will consider H.R. 11865 will, in its wisdom, delete this medical-care provision.

Mr. COOPER. Mr. President, I am glad the Senate voted to increase from $1,200 to $1,500 the amount a person can earn annually without suffering a reduction in social security benefits, and I was glad to support the amendment offered for this purpose by Senator LONG and Senator CARLSON on the floor of the Senate during debate on amendments to the Social Security Act. This amendment, as adopted, would also allow a person to earn an additional $1,500—beyond the excluded $1,500—and have his social security benefits reduced by only $1 for every $2 earned in this additional $1,500 of earnings. Many of our people have been affected by the increased cost of living, while retirement income and social security benefits have not always kept pace, and I know that this amendment, along with the increased monthly benefit payments voted by the Senate, will help meet the needs of many families. I am glad that the Senate acted to increase the present exclusion of $1,200, and I hope that our amendment will be accepted by the House of Representatives.

Mr. DOUGLAS. Mr. President, the amendments affecting the railroad retirement program which I proposed in committee were approved unanimously by the Senate Finance Committee for very obvious reasons.

The first amendment would delete subsection (d) of section 16 of the bill H.R. 11865 as passed by the House. This is necessary because, as I stated at the time I introduced the amendments, the railroad retirement system and the social security system are coordinated in some very important respects. Existing law provides for the financial interchange between the two systems. In effect, existing law assures that the social security trust funds will be in no better or worse condition than they would be if railroad service had been employment subject to the social security system. Financial adjustments are made each year between the railroad retirement account and the social security trust funds. In calculating the amounts to be transferred from the account to the funds or vice versa, the railroad retirement account is, in effect, charged with the taxes that would have been paid for social security purposes if railroad service had been social security employment and, contrariwise, the social security trust funds are charged with the amount of benefits that would have been paid by the Social Security Administration under the same hypothesis.

Accordingly, existing law further provides that the railroad retirement tax rates would be increased automatically with respect to years after 1964 by the same amount by which the effective social security tax rate for those years exceeds 2¾ percent. Contrary to this coordinating principle, however, section 16(d) of the bill as passed by the House, would gear the automatic increase in railroad retirement tax rates for years after 1964 to the rate set by the social security tax schedule now in effect. The result of this would be that increases—or decreases—in the tax rate schedule such as proposed by the bill, would have no effect on the railroad retirement tax rates; and this would have an adverse effect on the financing of the railroad retirement program.

Existing law also takes account of the higher tax rates paid by railroad employees for the support of the railroad retirement system than those paid by employees for the maintenance of the social security system. This is achieved by a provision which guarantees that benefits for a month under the Railroad Retirement Act to an employee, his dependents or survivors shall be no less than 110 percent of the amount, or the additional amount, that would have been payable to all persons under the Social Security Act of the employee's railroad service had been employment subject to the Social Security Act. To give effect to this provision, it is necessary to amend section 1(q) of the Railroad Retirement Act to provide that references in that act to the Social Security Act is a reference to that act as most recently amended, and this is what subsection (a) of section 14 of the bill as reported by the Senate Finance Committee would do. The effect of this change would be that, in computing the railroad retirement benefits under this guarantee provision, account will be taken of the increase in benefits under the Social Security Act. These increases in railroad retirement benefits would be largely for widows and surviving children where the need is undoubtedly the greatest.

Subsections (b), (c), and (d) of section 14 of the reported bill would provide benefits for children between the ages of 18 and 21 inclusive, while attending recognized schools. This is exactly what is provided for in the bill for such children covered under the social security system. Obviously, children of deceased railroad employees should also have these rights.

Subsection (e) of section 14 of the reported bill relates to benefits to survivors of railroad employees. Such benefits are payable either under the Railroad Retirement Act or the Social Security Act, but not both, with service credits under both systems being combined to determine eligibility for, and the amount of, the benefits. In general, benefits are paid under the railroad retirement system if the employee had a current connection with the railroad industry at the time of his death. As you know, the maximum annual creditable compensation under the Railroad Retirement Act now is $5,400 a year. Under present law, as well as under the bill as passed by the House, social security wages credits may not be included to increase the combined creditable yearly earnings above $4,800 in calculating the benefits to survivors of employees under the regular railroad retirement formula, even though the bill would increase the $4,800 to $5,400 a year for the Social Security Act. The amendments made by subsection (e) would permit wage credits to be added to the railroad service credits to permit the use of a maximum $5,400 a year in calculating monthly survivor benefits under the Railroad Retirement Act.

Subsection (f) provides the effective dates of these amendments to correspond to the dates of the amendments to the Social Security Act.

Before closing, Mr. President, I wish to discuss for a moment the financing of these amendments. There is now an actuarial deficit in the financing of the benefits under the Railroad Retirement Act of about $19 million a year. The cost of continuing in effect the long established coordination between the two systems, as my amendment would do, that is, the cost of providing the benefit increases to widows and surviving children, would be about $19.2 million a year. The cost of providing the benefits for schoolchildren between the ages of 18 and 21 would be about $2.5 million a year, making a total of $21.7 million a year. On the other hand, the additional revenue to the system that would result from my amendment which would strike out section 16(d) from the bill as passed by the House, would be about $11.2 million a year, thus making the total cost of my amendments $10.5 million a year—$21.7 million minus $11.2 million. The deficit to the system, however, would be increased by only $6.4 million rather than $10.5 million. That is the deficit would not go up from the present $19 million to $29.5 million but only to $25.4 million—an increase of only $6.4 million a year. The reason for this is that the bill as passed by the House would reduce the present deficit by about $4 million a year, but this reduction would be at the expense of the much needed increase in benefits for widows and surviving children of railroad employees where the need is greatest.

An actuarial deficit in the financing of the railroad retirement system of about one-half of 1 percent of taxable payroll is considered to be within the range of actuarial tolerance. The deficit which would result from my amendments would be only very slightly over one-half of 1 percent but is fully justified in view of the need of the benefit increase for widows and surviving children as well as the importance of providing benefits for schoolchildren between the ages of 18 and 21.

Mr. President, I submit these amendments were approved by the Senate Finance Committee for the very reason that I urge their enactment by the Senate. The coordination between the two systems has been carefully developed by the Congress after many years of consideration by all parties concerned with the soundness of both the railroad retirement system and the social security system. Failure to enact these amendments would be a breach of faith to railroad employees because they have been constantly assured that this congressional policy of coordination of the systems would continue.

Mr. SCOTT. Mr. President, I am very pleased, indeed, that the Senate yesterday adopted an amendment, introduced by my senior colleague, and cosponsored by me, which would exempt members of the Old Order Amish, a religious sect in Pennsylvania and several other neighboring States, from payment of social security taxes.

The Senate's action makes possible the solution of a vexing and long-standing problem. The Amish sincerely and deeply feel that by paying social security taxes, they are participating in an insurance program that violates their deeply held religious scruples. They do not accept social security benefits, because they already adequately provide for their own aged and infirm loved ones, relatives, friends, and neighbors.

The Treasury Department, which drafted this amendment, has, I am happy to say, withdrawn its previous objection to this proposal. Thanks to the persistence of several Amish bishops and the continuing pressure of several interested Members of Congress, we were able to enlist, through personal meetings, sympathetic and understanding attention to the problems of the Amish by officials of the Treasury and of the Social Security Administration. As a result, a mutually satisfactory proposal was drafted, in the form approved yesterday by the Senate.

Simple justice demands enactment of this proposal. Otherwise, the Amish face seizure of their barns, horses, and farm machinery on a far larger scale than occurred several years ago when this problem first came to the public's attention. These people have a right to the free exercise of their religion. Since they do responsibly take care of their own, their nonparticipation in the social security program cannot possibly weaken or disrupt its operation.

Therefore, I strongly urge the Senate conferees on the social security bill to insist on retention of this amendment in the bill, and I respectfully urge their counterparts in the other body to accept it.

Decency, tolerance, and understanding demand favorable action by this conference, in this session of Congress.

Mr. MANSFIELD. Mr. President, from the first day he entered this Chamber, the junior Senator from Massachusetts [Mr. KENNEDY] has been a strong, working advocate of medicare through social security, and of increased and expanded benefits under the Federal old age, survivors and disability insurance program. As chairman of the Subcommittee of Federal, State, and Community Services of the Special Committee on Aging, he has studied firsthand the overwhelming needs of a large number of our older citizens who are striving to live meaningful and secure lives on a minimum of subsistence and community care. A report from the Aging Committee, issued just yesterday, entitled "Services for Senior Citizens," was developed from hearings conducted by Senator KENNEDY.

I know he would want to be here today to raise his voice in support of this legislation, and in particular the medicare section of the bill. I am sure that in the future, we will hear from him loud and clear in pursuit of stronger legislation to enrich the lives of those in their later years.

I want to express to him, on behalf of his friends in the Senate, sincere appreciation for his interest and his labors in this area of legislation and wish him well in his recovery.

I should like to end with a quote from prior statements of his which I think best sums up Ted Kennedy's feelings in this regard:

> This is the richest nation on earth, and I do not believe that hardships and want should be the reward which we give our senior citizens, who have served us longest * * *. Security in old age should not be limited to those with high retirement incomes. For the cost of ill health strikes all alike * * *. In my judgment, legislation for our older citizens is a matter of highest congressional priority.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. LONG of Louisiana. Mr. President, I am prepared to yield back the remainder of my time on the bill.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time has now been yielded back.

The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, because of circumstances over which at least one Senator had no control, and because of the suddenness of the vote, I would hope that the Senate would consider—if it is possible—on a unanimous-consent basis—a recess for 5 minutes.

Mr. DIRKSEN. Mr. President, I know about the circumstances. Certainly, I shall not object.

Mr. WILLIAMS of Delaware. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Delaware will state it.

Mr. WILLIAMS of Delaware. Mr. President, my question is whether or not it is in order to have a recess during a yea-and-nay vote, so that Senators could ask questions and make parliamentary inquiries for a few minutes?

The PRESIDING OFFICER. The Chair did not hear the Senator's inquiry. Will he please restate it?

Mr. WILLIAMS of Delaware. May I direct a parliamentary inquiry to the Chair? I am about to suggest that the Chair take time to confer with the Parliamentarian on my question as to whether there is a precedent for a recess during a yea-and-nay vote—and I am not in any hurry for the answer.

The PRESIDING OFFICER. The Chair will rule on that question presently.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Are we still in session or are we in limbo? [Laughter.]

Mr. MORSE. Mr. President, I call for the regular order.

Mr. MANSFIELD. Mr. President, will the Senator withhold that point?

Mr. WILLIAMS of Delaware. Mr. President, I withdraw my parliamentary inquiry.

The rollcall was concluded.

Mr. LAUSCHE (after having voted in the negative). Mr. President, on this vote I have a pair with the distinguished Senator from Hawaii [Mr. Inouye]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withdraw my vote.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Arkansas [Mr. Fulbright], the Senator from Hawaii [Mr. Inouye], and the Senator from Washington [Mr. Magnuson] are absent on official business.

I also announce that the Senator from Massachusetts [Mr. Kennedy] and the Senator from Alabama [Mr. Hill] are absent because of illness.

I further announce that the Senator from Washington [Mr. Jackson] is necessarily absent.

I further announce that the Senator from Indiana [Mr. Hartke] is absent because of a death in the family.

On this vote, the Senator from Massachusetts [Mr. Kennedy] is paired with the Senator from Wyoming [Mr. Simpson]. If present and voting, the Senator from Massachusetts would vote "yea" and the Senator from Wyoming would vote "nay."

I further announce that, if present and voting, the Senator from Washington [Mr. Magnuson], the Senator from Washington [Mr. Jackson], and the Senator from Indiana [Mr. Hartke] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Arizona [Mr. Goldwater], the Senator from Iowa [Mr. Hickenlooper], and the Senator from Wyoming [Mr. Simpson] are necessarily absent.

On this vote, the Senator from Wyoming [Mr. Simpson] is paired with the Senator from Massachusetts [Mr. Kennedy]. If present and voting, the Senator from Wyoming would vote "nay" and the Senator from Massachusetts would vote "yea".

The result was announced—yeas 60, nays 28, as follows:

[No. 561 Leg.]

YEAS—60

Aiken
Anderson
Bartlett
Bayh
Beall
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Church
Clark
Cotton
Dodd
Douglas
Fong
Gore
Gruening
Hart
Hayden
Humphrey
Javits
Johnston
Jordan, N.C.
Keating
Kuchel
Long, Mo.
Long, La.
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell
Salinger
Scott
Smathers
Smith
Symington
Talmadge
Walters
Williams, N.J.
Yarborough
Young, Ohio

NAYS—28

Allott
Bennett
Carlson
Cooper
Curtis
Dirksen
Dominick
Eastland
Edmondson
Ellender
Ervin
Holland
Hruska
Jordan, Idaho
McClellan
Mechem
Miller
Morton
Mundt
Pearson
Robertson
Saltonstall
Sparkman
Stennis
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—12

Byrd, Va.
Fulbright
Goldwater
Hartke
Hickenlooper
Hill
Inouye
Jackson
Kennedy
Lausche
Magnuson
Simpson

So the bill (H.R. 11865) was passed.

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DIRKSEN. Mr. President, I would like to yield without losing the floor.

Mr. GORE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make all necessary technical and grammatical corrections in the bill which was just passed, and that the bill as passed by the Senate be printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. I move that the Senate insist on its amendments and request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Byrd of Virginia, Mr. Long of Louisiana, Mr. Smathers, Mr. Anderson, Mr. Gore, Mr. Williams of Delaware, and Mr. Carlson conferees on the part of the Senate.

Mr. HOLLAND. Mr. President, I voted "nay" on the passage of H.R. 11865, the Social Security Act amendments of 1964, which was just passed by the Senate.

I wish the Record to show that I would have been glad to vote for this measure except for the fact that it includes the so-called medicare amendment offered by the distinguished Senator from Tennessee [Mr. Gore] and the distinguished Senator from New Mexico [Mr. Anderson].

I am particularly strong for those features of the bill which would have added to the payments to be made to social security recipients and would have permitted them to earn more without being penalized as to their social security payments.

My reasons for opposing the medicare features are many. I believe stating one would be sufficient. The addition of this particular amendment would bring the payroll tax to 10.4 percent or more—and I believe it would be nearer 11 percent—and this to my mind marks the beginning of a destructive process which might well destroy the whole social security structure.

Everyone knows that the medicare provisions included in the act are but a beginning. Feeling as strongly as I do that these provisions cannot be added to the act without undermining the entire structure, which I think is a very valuable one to the Nation, I have voted against the bill.

Mr. President, I hope that the conferees in their good judgment will bring back to us a conference report which I shall be able to support, because I am anxious to vote for the provisions of the bill when the medicare provisions are excluded. I approve the wisdom of the House of Representatives and of our own Finance Committee in refusing to overburden the bill by adding medicare.

Mr. ERVIN. Mr. President, I believe a very good case can be made for the proposition that my political valor exceeds my political discretion. I say this because I voted against passage of the amendments to the Social Security Act.

As amended by the Senate, the bill might be calculated to promote the political health of its sponsors. It is certainly grossly inadequate to promote the health of its supposed beneficiaries.

The hospital and nursing home program which the amended bill would set up is grossly inadequate. It would take several billions of dollars to provide an adequate health program for the American people, and for that reason no attempt should be made to tie a health program for the American people to the social security system.

I entertain the opinion just expressed by the Senator from Florida [Mr. HOLLAND], to the effect that the bill, which provides for an increase in the social security tax to 10.4 percent, is the beginning of the destruction of the social security system.

So far as I have been able to ascertain by inquiry and by reading, every economist who has expresed an opinion on the subject has flatly declared that we cannot safely, from the standpoint of economic solvency, impose a total social security tax upon payrolls in excess of 10 percent of the covered payrolls.

The bill goes beyond that limit by providing for the imposition of a social security tax totaling at least 10.4 percent of the payrolls to which it applies.

Furthermore, this is the wrong way to provide medical care for those who are unable to provide medical care for themselves.

When all is said, the social security tax is another income tax. It is imposed on portions of the same wages and portions of the same compensation on which the income tax is imposed.

Furthermore, it is imposed upon the same payroll as that on which the unemployment insurance taxes are imposed.

Under this tax virtually everyone in the lower income brackets who received anything under the tax reduction bill which was passed earlier in the session would have a substantial part of the benefits taken away from him in added social security taxes.

Under the terms of the bill as it has been passed by the Senate, a person making $5,600 as a total income would pay exactly the same social security taxes, not only for social security purposes but also for so-called medicare purposes, that a man earning a million dollars a year would pay. He would pay this tax, which is another form of income tax, without the benefit of any deductions and without the benefit of any exemptions.

I would have voted for the bill as it came over from the House. I would have voted for the original amendment offered by the junior Senator from Louisiana [Mr. LONG]. However, I cannot in good conscience cast a vote which I honestly believe, from all the study I have made of this subject, is the beginning of the destruction of the entire social security system.

I believe an obligation rests upon all taxpayers to provide medical care for those who are incapable of providing medical care for themselves. That burden should be imposed upon the taxpayers in accordance with their ability to pay.

The bill violates the principle of ability to pay, for, as I have said, a person earning $5,600 is put under the same obligation as a person earning $1 million. Besides, the bill is grossly inadequate. It provides nothing to take care of the fees of physicians and surgeons of those who are unable to pay such fees. It provides nothing to take care of the cost of drugs or medicines used in the homes of the people. Moreover, the hospitalization and nursing home provisions ignore the plight of those who suffer from chronic or incurable ills.

For some strange reason, those who say that the so-called medicare proposal should be passed in order to provide medical care for those who are unable to provide it for themselves insist that Congress should also provide for medical care on like terms for persons like Nelson Rockefeller, who is reputed to be worth millions and millions of dollars. I use him merely as an example of some of those for whom advocates of the medicare program manifest a concern equal to that they manifest for those unable to provide medical care for themselves.

I share the hope of the Senator from Florida [Mr. HOLLAND] that the House will send the bill to conference and that the conference committee will file a report which eliminates the so-called medicare features and reduces the total amount of the social security tax to a sum which will not exceed 10 percent of the taxable payrolls, which the economists say is the maximum tax which can safely be placed upon the payrolls that are covered by social security.

I am sorry that the Senate has taken the action it has. In my opinion, such action converts the good social security bill, passed by the House, into a bill which is not only grossly inadequate to provide hospitalization for those who need it, but also is an affront to sound fiscal policy, which must be observed if the social security system is to be saved or if we are to avoid, in this country, the ultimate nationalization of business and industry. In closing, I wish to say that I am a strong advocate of a sound social security system, and for that reason hope that a conference committee will reject the Senate amendments and recommend a measure for which I can conscientously vote.

Mr. LAUSCHE subsequently said: Mr. President, I have a pair to the Senator from Hawaii on this issue. Therefore, I did not cast my vote. If I had voted, I would have voted "nay." I wish now to state the reasons for the judgment which I reached.

First, I assumed it to be a fact that in the House both a medicare plan and a plan to increase the benefits paid to the recipients of social security were considered.

The House decided that it could not give both, but that it could, and did, give an increase in the amounts that will be paid monthly to the beneficiaries of the fund.

The bill came from the House to the Senate in that form. The Senate decided not only to increase the monthly benefits to the beneficiaries of the fund, but also to include a medicare program in the bill.

Yesterday I stated that I could not subscribe to both. I stated that I was willing to take one or the other. I would have voted for the inclusion of the social security measure in conformity with the vote which I cast in 1960 and in 1962.

The fund cannot actuarially stand the burden of these two recent expenditures. On the basis of its present operations, it runs into a deficit of $500 million a year. Under the terms of the bill which has been passed, the deficit will be $2 billion a year.

This is an insurance fund. There is no justification for expecting that an insurance fund operated by the Government can survive without the application of the same principles that exist in a private insurance company. In spite of that conviction—and I am quite sure that it prevails with other Senators—it has been concluded today that we do not have to maintain actuarial soundness in a Government insurance fund. I cannot subscribe to that principle.

I invite the attention of Senators to the status of the Foreign Service retirement fund of the Government. In our Government we have the railroad retirement fund, the social security insurance fund, the Foreign Service fund, and the civil service employees retirement fund. My remarks will now be directed to the Foreign Service retirement fund. I am sure that if the people of the country knew how we have managed that fund, they would rise in rebellion and begin to wonder what is going to happen to the civil service retirement fund and to the social security fund.

I have already stated on the floor of the Senate that the Foreign Service retirement fund was established in 1924. According to my present recollection, in the course of the 40 years that followed, liberalizations were made in payments to the retirees. The liberalizations differed. Some were by increasing the amounts paid; others were by reducing the qualifications and the length of service required. In any event, 15 liberalizations were made in the 40-year period. When the fund was established, the actuaries set up an organization which insured the solvency of the fund if those actuarial directions were followed.

At the end of 40 years what is the status of the fund? The Government owes the fund $284 million. However, that is an innocuous aspect, because the Government can pay it. But the fund, in order to continue in life and virility, would require a contribution of 30 percent a year of the salaries of the employees of the Foreign Service. Manifestly no employee will be able to pay 15 percent of his salary into the fund. The present law requires them to pay 6½ percent. In the Foreign Service there are employees who earn $20,000, $25,000, and $17,000 a year.

I ask Senators to ponder the situation. To keep the fund alive, there should be paid into it each year an amount equal to 30 percent of the wages earned by the employees of the Foreign Service.

The Senator from Connecticut [Mr. RIBICOFF] made the statement that the moment we get above 10 percent, we enter the field of diminishing returns and there might be an adverse impact upon the economy of the Government.

How will the 30 percent that is supposed to go into the Foreign Service retirement fund to keep it sound be paid? We shall not have the courage to make the workers pay 15 percent. They will continue to pay 6½ percent. The taxpayers will have to pay 23½ percent of salaries now at the level of $25,000, $20,000, and below. How can we do it? How can we face the taxpayer and tell him that the Senate and the House of Representatives have acted prudently in the managment of an insurance fund when that situation exists?

I respectfully say that anyone who dares make the statement that the fund was managed with sagacity and reason ought to drop his eyes in shame because the fact is that it was not.

Why do I describe the situation with respect to the Foreign Service fund? Because in my opinion, may I say to the Senator from Louisiana [Mr. LONG], we are heading in that direction with regard to the social security fund. Yesterday one of the proponents of the bill, after the Gore amendment was adopted, went on to explain that the burden of the Gore amendment was in excess of the ability of the fund to stand it, and in an amount that was not conducive to the future life of the fund. However, he expected that in the conference committee the excess amounts would be washed out.

That is a very optimistic expectation. It may be achieved in the conference. But I wish to warn that 2 years from now, when another election will be held on a national basis, in accordance with the words of the Senator from Kentucky [Mr. COOPER] spoken yesterday, the Congress will again liberalize the payments. It will increase the hospitalization and the nursing care. It probably will include drugs and doctors' services. How will the fund survive? It simply will not do so.

I think a tragic situation prevails among our people when they do not understand the truth about what is happening. And they do not understand it, because from the Halls of this Capitol is going word of the good that we are doing for the people. Of what consequence will the fund be if we bankrupt it? We induce the people to think only of today, and not of tomorrow and the days to follow.

Mr. President, I should like to have voted for the measure. Politically it would have been profitable, but I would not have been true to myself. Yesterday I voted against the Gore amendment. I joined 43 other Senators in doing so.

Today Senators who voted against the Gore amendment and felt they were right yesterday abjectly bowed their heads and said, "What we did yesterday was wrong, and today we will vote for it."

Why did they change their minds between yesterday and today? I wanted to do it, but if I had done so I would have had to declare that my thinking yesterday was wrong and false, or I would have had to confess the truth that today I did not have the courage to stand by my honest convictions.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I, too, voted against the bill. I wish I had been able to vote for some of the good features of the bill, such as the increase in the monthly payments for the aged. But, as the Senator from Ohio has pointed out, the medical care that will be provided in the bill will not be what the old people expect, and the demand will soon be made to increase those benefits, and the cost is likely to increase fivefold or tenfold. Who is going to pay the increased charge? Since the contribution cannot be increased over 10.4 percent, the Treasury will have to bear it.

Mr. LAUSCHE. Yes, but if the Treasury pays it, the taxpayers will have to pay it.

Mr. ELLENDER. Yes, and that is what is going to happen.

As I pointed out yesterday, we have a splendid plan in my State of Louisiana. We have had that plan for 25 years. Our plan envisions a full measure of hospitalization for people above 65 years of age who are unable to pay. We have been taxing ourselves for the past 25 or 30 years to attain that goal.

As I also stated yesterday, this program will be put into effect in order to help States that have been dragging their feet in the past in providing help for their aged.

I express the hope, as my good friend from Ohio has just stated, that the conferees will strike out the medicare provision, so that all of us can join and vote for the good features that were incorporated in the bill that came from the Finance Committee to the floor.

Mr. COOPER. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. COOPER. I thank the Senator for yielding. I am very sorry that I felt impelled to vote against H.R. 11865 today, but it was a logical consequence of my vote yesterday against the Gore amendment. Yesterday, in speaking on the Gore amendment, I expressed my regret that I could not vote for it, for I believe that any effective plan of hospital care covering all of the 18 million people 65 years of age and over would have to be based upon the social security system. Yet I could not vote for the Gore amendment because no evidence was offered in committee, or on the Senate floor—in fact, every bit of the proof was to the contrary—that the amendment was fiscally sound and that its cost could be sustained by social security taxes.

The Senator in charge of the bill, the distinguished Senator from Louisiana [Mr. LONG], said categorically that the increase in social security taxes levied in the bill would not support both the increases in social security payments and the Gore proposals for hospital care.

The Senator from New Mexico [Mr. ANDERSON], who was one of the chief sponsors of the medical care proposal, a man we hold in high respect, suggested, after the vote had been cast, that it would be necessary in the Senate-House conference for the conferees to make any necessary adjustments to assure actuarial soundness.

The Secretary of Health, Education, and Welfare, Mr. Celebrezze, testifying before the committee, said, according to the statements which have been laid on our desks, that an increase of regular payments to those under the social security system, and the additional cost of medical care must be kept on a reasonable tax basis; and upon that basis, he gave his support to the bill before us.

The former Secretary of Health, Education, and Welfare, now a distinguished member of this body, the Senator from Connecticut [Mr. RIBICOFF], made the statement in the hearings that if the King-Anderson bill—which became the Gore amendment—were imposed on the House bill, providing increased payments for beneficiaries under the social security system, it would require a tax base of $6,600 rather than the $5,400 which was originally proposed in the bill and later raised to $5,600 by the Gore amendment.

I must be fair and say that the Gore amendment made some changes in benefits and reduced the total cost to the system. Nevertheless, one cannot escape the conclusion that no one in this body says that today increases in benefits under the regular social security system, and the medical benefits under the Gore amendment can be financed adequately under the terms of the bill. This being true, I did not feel I could responsibly vote for the bill, for an unsound bill will affect adversely those who are regular beneficiaries of the social security system, and it would raise false hopes which could not be fulfilled for those 65 years of age and over who expect to receive adequate hospital care under the bill.

It was difficult for me to vote as I did because there are many features of the bill of which I approve. I approve the concept of hospital care being provided under social security, but I could not in conscience vote for a bill which I believe is financially unsound, and which seems always to be brought up after the political conventions, and inevitably becomes tinged with politics.

This matter—the matter of providing adequate social security benefits for retired persons and for their widows and dependents—and the establishment of a system of hospital care for the needy is too important to consider in a campaign atmosphere. We shall see what action the Senate-House conferees take—and I hope they will produce a sound bill.

Mr. LAUSCHE. I am very appreciative of what the Senator from Kentucky has said. I say to him in deep respect that when I find my thinking in accord with his, I find strength in the conviction that what I am doing is right

Mr. President, I yield the floor.

Mr. COOPER. I thank the Senator from Ohio [Mr. LAUSCHE], who is a great Senator and a good friend.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 27) to provide for the establishment of the Canyonlands National Park in the State of Utah, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1123) to provide for the construction of the lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10809) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1965, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 11, 36, and 63 to the bill and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 13, 18, 26, 52, and 58 to the bill and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Acting President pro tempore:

S. 935. An act to protect the constitutional rights of certain individuals who are mentally ill, to provide for their care, treatment, and hospitalization, and for other purposes;

S. 2082. An act to authorize the Secretary of the Interior to accept a transfer of certain lands within Everglades National Park, Dade County, Fla., for administration as a part of said park, and for other purposes;

H.R. 1263. An act for the relief of Rickert & Laan, Inc.;

H.R. 4786. An act for the relief of the State of New Mexico;

H.R. 12267. An act to provide for notice of change in control of management of insured banks, and for other purposes; and

S.J. Res. 49. Joint resolution authorizing the Secretary of the Interior to carry out a continuing program to reduce nonbeneficial consumptive use of water in the Pecos River Basin, in New Mexico and Texas.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

CONSTRUCTION OF LOWER TETON DIVISION OF THE TETON BASIN FEDERAL RECLAMATION PROJECT, IDAHO—CONFERENCE REPORT

Mr. CHURCH. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1123) to provide for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. (Mr. McGOVERN in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CHURCH. Mr. President, I move that the Senate agree to the conference report.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. ELLENDER. Were any changes made by the conferees?

Mr. CHURCH. In conference, two changes were made. The House amendment contained the provision that part of the cost of the project which could not be repaid by irrigators would be repaid out of revenues of the Bonneville Power Administration.

The Senate bill had restricted this payment to revenues derived from Federal projects located in the State of Idaho.

In conference, language was adopted which looks to the revenues of the Bonneville Power Administration attributable to Federal projects located in the State of Idaho.

The only other section of consequence that was changed was the provision in the Senate bill to the effect that, for a 10-year period, water might not be delivered to new land for the production of crops in surplus. This provision was found not to be applicable, by virtue of the fact that no new land will be brought under irrigation on which crops, mainly wheat, are not already being grown—by dry-farm methods. So this provision was deleted from the Senate bill.

Mr. ELLENDER. I raised the question because a trend in the direction of higher cost to the Government has been underway for quite some time. In many cases, the cost of bringing water to certain farms in the irrigated area has grown in large proportions. I am wondering what the estimate is of the cost of bringing water to the land that is to be irrigated. Does the Senator from Idaho know?

Mr. CHURCH. Offhand, I cannot furnish the cost per acre to the Senator. But this is an exceptionally good reclamation project, in that 53 or 54 percent of the total cost will be repaid by the irrigators, whereas in the case of many projects that have been approved by Congress, as little as 20 percent or even less of the cost is repaid by irrigators. As compared with those projects, this is one of the few in which the bulk of the money will be repaid by irrigators.

Mr. ELLENDER. If it is a good project, it should stand on its own feet and farmers should pay the total irrigation cost. We should not permit the use for this purpose of funds derived from the sale of electricity at Bonneville or any other dam.

I have encountered some programs in which the cost of bringing the water to the land amounted to $2,500 an acre. The farmer was called upon to pay from 25 to 35 percent of the cost of irrigation, and the difference was paid by the Government through the facility owned by the Government—in this case, the Bonneville Power Administration.

For instance, at the Cedar Bluff, Kans., project, only 14 percent of the total irrigation cost—amounting to $8,374,000—will be repaid by the irrigators. At the East Bench unit project in Montana, only 18.5 percent of a total irrigation cost of $16,385,000 is to be paid by the irrigators.

Mr. President, I ask unanimous consent that a short table I have prepared showing these figures in more detail be inserted in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Name of project	Percent repaid by irrigators	Allocation to irrigators	Repayment of cost of irrigation—	
			By irrigators	By power
Cedar Bluff, Kans	14.0	$8,374,000	$1,175,000	$7,165,000
East Bench unit, Montana	18.5	16,385,000	3,068,000	13,397,000
Bostwick division, Kansas and Nebraska	31.0	60,198,000	18,742,000	41,456,000
Ainsworth unit, Nebraska	35.0	27,668,000	9,744,000	17,924,000
Lower Teton division of the Teton Basin Federal reclamation project, Idaho	54.0	38,151,000	20,635,000	17,516,000

Mr. ELLENDER. Does the Senator from Idaho know how much of the Bonneville proceeds has been used to meet the payments that farmers should have made to bring water to their farm?

Mr. CHURCH. It has been many years since irrigation projects have stood entirely on the ability of the irrigator to repay. The cheaper projects were built in the early years, and power revenues have been looked to for decades now to help supplement what the irrigators can pay, so that the entire cost of the project may be amortized in a 50-year period.

I wish to stress that this particular project, as compared with many others that Congress has approved over the years, allocates a much higher percentage to irrigators. Indeed, most of the money will be repaid by irrigators, whereas many other projects Congress has approved have involved repayment by the irrigators of as little as one-third or one-fourth, or in some cases as little as 20 percent. In one instance that I recall, as little as 17 percent of the amount is to be repaid by irrigators.

Mr. ELLENDER. Here, the irrigators will have to pay only 53 percent, and the Federal Government will have to pay 47 percent. That amount will come from proceeds—in this case from the Bonneville system—that are due the Government in order to retire the cost of developing electricity.

I believe that Congress should examine this problem before we go overboard. From what I can understand, the revenues from Grand Coulee have been mortgaged to the extent of many millions of dollars. The same thing is occurring with respect to all revenues from other dams where electricity is being produced from falling water. It is wrong for the Government to continue to reclaim and irrigate land and allow the proceeds from some of the dams where electricity is produced, to be used to pay the cost of irrigation. It is my intention to study this matter thoroughly after the Congress adjourns and present all of the facts I gather relating to reclamation projects next year.

Let us not forget that when my good friend the Senator from Idaho states that the irrigator pays back, in this case, 53 percent of the cost, payment is made over a period of 40 years without interest.

I am hopeful that come next year we shall be able to look into these projects and find out the extent to which the proceeds from all dams which produce electricity are mortgaged and used, in order to make these reclamation projects feasible.

I believe that if an investigation is made, it will be found that the proceeds from the electric power companies owned by the Government have been mortgaged for many years to come. In my opinion, it may even endanger repayment to the Government of the cost of constructing these dams.

I am hopeful that come next year, as I have just said, we shall look into the matter and see to it that the irrigation programs of the future will stand on their own, and not allow the Government to subsidize them any more than it has done in the past. In my opinion, a subsidy of 40 years without interest is sufficient.

We are subsidizing this project on a basis of 47 percent. In addition, the Government is subsidizing the irrigators to the tune of no interest in repaying the Government over a period of 40 years.

I believe that it is time for the Senate to look into these problems.

Mr. CHURCH. I thank the Senator from Louisiana for his remarks. I believe that the entire reclamation program ought to stand thorough scrutiny—and will stand thorough scrutiny at any time.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CANYONLANDS NATIONAL PARK, UTAH—CONFERENCE REPORT

Mr. MOSS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 27) to provide for the establishment of the Canyon Lands National Park in the State of Utah, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The Chief Clerk read the report.

(For conference report, see House proceedings of today.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MOSS. Mr. President, the Senate bill came from the House greatly amended. It came back with a further reduction in acreage and after elimination of very carefully prepared multiple-use provisions intended to allow for exploration in the area for minerals for a period of years in a manner which would not lessen park values, and for continuation of the small amount of grazing now allowed until the death of the permit owners or their direct descendants.

Mr. President, the legislative history of the Canyon Lands National Park proposal is one of continuous obstruction—of nibbling and delaying and attempting to shunt aside a proposal so eminently meritorious that it could not be openly opposed.

I am tremendously indebted to my colleagues on the Interior and Insular Affairs Committee and the whole Senate for the patience, assistance, and support given me in working out a Canyon Lands National Park bill which would have permitted optimum development of the resources of the area involved, including both this outstanding national park and the economic resources.

I am deeply disappointed that the provisions in the Senate bill which permitted multiple use were not sufficiently "sold" to House Members, and were not kept in that body, or by the conference committee. However, I have made my fight on this and I have accepted the situation.

One of my reasons for accepting it, Mr. President, is that this magnificent area, publicized as a result of my efforts to create a national park, is already drawing visitors and tourists, although it is undeveloped and lacks access to its interior attractions. There is urgent need for development of access, for accommodations for the visitors, and for protection of some of the fragile attractions of the unusual area.

This influx of visitors is going to multiply. As the grandeur of the area becomes known it is going to attract more and more visitors. I have yet to take a visitor to the canyonlands who did not come away an enthusiastic supporter.

I took Secretary of Interior Udall and Secretary of Agriculture Freeman into the area in July 1961, so that they could see and judge for themselves whether it was worthy of national park status. They were enthusiasts before our exploration had hardly begun. I have had members of the Interior Committee visit the area, and have won their support every time.

I flew the new Director of the National Park Service over the area in a small plane recently, so that we could get down low and see such attractions as Angel Arch, Druid Arch, the Standing Rocks, the Maze, Chesler Park, Indian petrographs and cliff dwellings, Upheaval Dome and the great canyon gorges.

The Director, Mr. George Hartzog, told me after the flight that the canyonlands were undoubtedly the most fantastically beautiful area in the United States outside of the park system, and probably the most beautiful area of its kind in the world. Mr. ASPINALL, chairman of the Interior Committee of the House of Representatives, said much the same thing at our conference yesterday on the canyonlands bill.

As a result of the enthusiasm which the canyonlands engendered with the two Secretaries and others in the exploration party in July 1961, I introduced in Congress on August 8, 1961, the first Canyonlands National Park bill proposing a park of approximately 300,000 acres. At that time, it was not possible to describe the boundaries with particularity. The bill used the Green and Colorado Rivers as boundaries in the upper northern half and section lines as boundaries in the south.

The National Park Service undertook a survey of the area, covering a million acres, and for a time there was some discussion of a 300,000-acre national park surrounded by 700,000 acres of reserved recreation area lands subject to multiple uses, but no such bill was ever introduced. There never was a million-acre bill, as is sometimes said.

On February 7, 1962, I introduced an amended bill, providing for a park of 332,292 acres. The boundaries, then carefully studied by the National Park Service and others, were pushed back far enough from the Green and Colorado Rivers to include both banks of the rivers and take into the park many outstanding geological attractions.

The creation of a national park in this area, Mr. President, involved also finding a solution to the serious economic problems of the area.

Southeastern Utah had a tremendous boom in the fifties as a result of the discovery of uranium and construction of facilities for its production.

The assessed value of property in San Juan County, Utah, jumped from $3.4 million in 1953 to $132 million in 1960. In this period, the value of properties of the mining and minerals industry increased from $128,000 to more than $115 million.

In 1961, a downtrend had started. The assessed value of properties fell from the $132 million peak to less than $124 million with the termination of Government uranium-purchase contracts. Underemployment and unemployment spread. The situation became, and it remains, a very serious one despite our high-level national economic situation.

The establishment of the park means new economic opportunity in San Juan and adjacent counties.

The University of Utah made a study of the economic effect of the creation of the proposed Canyon Lands National Park. It found that Government and tourist expenditures would run $11 million in the first 5 years. This would mean wages and other net income of $2.9 million in the area and the generation of $5 million of secondary local income.

In the sixth year, the study estimates that park visitors will be running at the 250,000 level and tourist expenditures at $3½ million annually. This is estimated to triple in 15 years and quintuple in 25 years.

This will be a vast boon to the area, but its economic problems, as I have indicated, are of unusual proportions.

The Senate Interior and Insular Affairs Committee studied the whole problem carefully, a fact for which I shall always be grateful to my colleagues on the committee who were so generous with their time and attention to the problem when I requested it of them. Because of the unusual economic circumstances, it was provided in the Senate bill that exploration for minerals which might further support the economy of the area should be permitted in the new park for several years under careful supervision of the National Park Service.

In its report to the Senate, the committee reviewed the serious economic situation of the area and said:

> The Park Service feels that reasonable regulation of exploration and drilling for oil and other minerals, and production, could minimize damage to the area and protect key attractions. The committee is therefore reluctant to foreclose any economic opportunity in an area obviously confronted with a serious economic adjustment and has provided in S. 27, for the continued application of the mining laws for 25 years after the park's establishment, subject to regulations by the Secretary of the Interior to preserve park values.
>
> The unusual situation in southeastern Utah justifies, a majority of the committee believes, approving regulated mining activity for a limited time in this proposed new area.

I regret that the House committee did not get the same understanding of the unusual economic circumstances my colleagues on the Senate committee came to have. I feel sure that if they had, they would have approved the exploration provision of the Senate bill, which was stricken. No amount of persuasion could induce the conferees of the House to restore the Senate provision, so that in order to get a bill this year to create Canyon Lands National Park, we must accept the prohibition of mining.

I cannot help noting that in the final wilderness bill, the House provided for continued application of the mining laws for 25 years in forest areas, subject to regulations prescribed by the Secretary of Agriculture. It is difficult to accept this distinction: mining in wilderness but not in a national park.

There was no economic stringency like that in southeast Utah involved in the wilderness legislation. The Senate had voted to end mining activity in wild and wilderness areas which are being put in the Wilderness Preservation System. It was the House which insisted on the extension of applicability of the mining laws.

It is difficult to understand, in view of the House committee position on wilderness, why they could not have been even more easily convinced of the merit of permitting regulated exploration for oil and gas and other minerals—which need not be destructive of park values—in the canyonlands area.

Under the circumstances in which the canyonlands bill came back from the House, I felt it was necessary to go to conference. But the House conferees remained adamant, and in view of the effort of Congress to clear the calendar and adjourn, I feel that it is necessary to accept the conference report to get park development underway at the earliest possible time.

On the grazing provision in the Senate bill, the House conferees were more understanding and did compromise. I appreciate this. Grazing is not of the same major economic consequence as mining, but it will not damage park values. A great many tourists like to see cattle on western rangelands. Those with grazing permits now have a reasonable time before the use is phased out.

Mr. President, the effort to establish a Canyonlands National Park, now only a short step from reality, has been an almost unbelievable experience at times.

The great majority of people in Utah want the park. They appreciate the fact that we have in the State are area of such unusual and outstanding beauty that it should be preserved and made accessible to the citizens of the State, the Nation, and the world. They are human and realize that it will have great economic value to the State in the development of tourist business.

There was a time, as late as 2 years ago, when the Secretary of the Interior of the United States and I were prohibited from renting a hall on the University of Utah campus to show a film, "The Sculptured Earth." The film pictured the beauties of the canyonlands area and carried no other message than the fact that it is outstanding and should be preserved.

I invited Secretary of the Interior Udall to Salt Lake City for the premiere of the film and attempted to reserve Kingsbury Hall, on the campus, for the showing. Request was made to rent the hall. No university sponsorship was involved. But the board of regents insisted that a film of these Utah attractions was controversial and therefore must be barred from the campus of that educational institution.

There was a merry battle of statements over the situation for a few days, but the final result was that a member of the President's Cabinet, a member of this body, park officials, and citizens who believed that the canyonlands should be preserved—or were just curious—were barred from the university campus and had to view the film in a rented hall downtown.

The final passage of the Canyon Lands National Park bill is a fine example of the soundness of our democratic processes, in my opinion. There have been times when I have had to carry on the effort alone among the elected officials of the State, and contend with their hostility.

But the committees of Congress went out to Utah, saw the area, met with the citizens, studied the economic problems and the economic reports, and concluded accurately and wisely that the citizens of my State favored the establishment of the Canyon Lands National Park, that there was no great citizen opposition which made it inadvisable, and went ahead with the bill.

The park area which I proposed has now been diminished to 257,640 acres. The Park Service regards this as considerably less than is needed for an adequate presentation of an area and which can one day be one of the major attractions in the national park system if it is fully and properly developed.

This, of course, can be adjusted later. I am sure that it will be, for I am sure that the view of the Senators of both parties in the Senate Interior Committee will finally prevail; namely, that this is such a remarkable and unusual and beautiful area, it should be developed into a park ranking alongside Yellowstone, Glacier, the Grand Canyon, and Yosemite.

There have been times when I feared that the opposition among the officials in my State to the national park proposal would delay it for many years.

Although I regret that the conference bill is somewhat less than adequate, I accept the conference report in the present circumstances, so that it may go to the White House for the President's signature.

With the park established, with access to the area for the visitors who are already arriving, and with greater appreciation in Utah of the potentialities of the park, there is no doubt in my mind that the provisions of this original, founding measure can be adjusted to realize all of the tremendous potentialities of the canyonlands.

Before concluding, I wish to express truly heartfelt gratitude to the members of the Public Lands Subcommittee of the Senate Interior and Insular Affairs Committee for all their time and effort and the support that they have given me.

The chairman of that committee, the Senator from Nevada [Mr. Bible], former attorney general of his State, has spent endless hours gathering the facts, studying the reports and the economic factors, and helping me to shape a wise bill. The Senator from New Mexico [Mr. Anderson], long acquainted with the area, has given me wise counsel and encouragement. I shall always remember the assistance of the Senator from Montana [Mr. Metcalf] at the hearings in the field and in Washington, the enthusiasm of Senator Oren Long of Hawaii who has retired, and of the Senator from Alaska [Mr Gruening] who never intends to retire. I have no less appreciation of the support of the subcommittee members on the minority side and I shall always remember the enthusiasm for the project which was expressed by the Senator from Idaho [Mr. Jordan] a native of my State and the Senator from Wyoming [Mr. Simpson] as we circled the canyonlands in an airplane on a field trip, during which we inspected more than a dozen proposed parks and recreation areas.

The members of the subcommittee had given up their Fourth of July recess to this field trip, which was packed with inspections and hearings. It had been an arduous trip when we came to the canyonlands area headed for Kansas for further hearings on the Prairie National Park. There had been some sharply conflicting views expressed to us about other shore and recreation area proposals.

But as the committee looked down on the canyonlands, there was not a dissent that this almost indescribably beautiful area should be set aside for the enjoyment of our citizens for all time as a unit of the national park system, nor was there any dissent that it would be one of the outstanding units in the system.

Mr. President, I move that the Senate adopt the conference report on S. 27 and ratify its action in passage of S. 27.

Mr. BIBLE. Mr. President, will the Senator from Utah yield?

Mr. GRUENING. Mr. President, will the Senator from Utah yield?

Mr. MOSS. I yield to the Senator from Nevada [Mr. Bible].

Mr. BIBLE. Before the motion is put, I do not wish the opportunity to go by without paying particular tribute to the Senator from Utah [Mr. Moss] who has labored so long, so hard, so diligently, and so persistently to bring about the creation of one of the last opportunities we may have in this Nation to establish a national park of the Yellowstone National Park class.

Those of us who have visited the area and who have worked under the leadership of the Senator from Utah know that in this vast area of natural wonders, Indian lore, and recreational opportunity we have something that is probably unduplicated elsewhere on the American continent—possibly in the world.

This statement is not exaggerated.

I hope that every Senator and Representative, and the people of the United States by the millions will visit this park in the years ahead. It rivals our finest parks in breathtaking scenes. It is unduplicated. The canyonlands have something new for the most inveterate traveler.

It has amazed most of us on the Interior Committee that passage of the canyonlands legislation should have proved as difficult as has been the case.

Parks normally are protected against commercial activity. In this instance, however, the tract involved is in an area which has undergone a tremendous economic growth resulting from the uranium boom, and now faces a disastrous decline. Senator Moss showed our committee the economic necessity for permitting exploration for petroleum and minerals in the area involved. We made accommodations for several years of regulated mineral activity.

Then there were complaints about size, about boundaries, and other details. When one objection was met, new ones were raised.

Mr. President, the Senator from Utah [Mr. Moss] demonstrated unusual patience and exceptional legislative skill in the manner in which he met the repeated obstacles put in his path. Many would have abandoned the effort in face of the sort of obstructions presented.

Senator Moss has meet those obstructions one after another. He is a master of the art of legislating. The canyonlands bill is only one of many measures he has steered through Congress in his first term in this body. His record, and his skill in handling the measure we are now about to dispatch to the White House for the President's approval, mark him as an unusually effective Member of this Senate.

It has been a great job—a task well done. The Senator from Utah fought hard all the way to sustain the principle of multiple use. The situation finally came down to the point where the Committee had to accept some modifications of this concept, or lose some of the grandeur of this great area. I believe that the final decision reached by the conference committee was, under the circumstances, a good decision, and a workable decision in creating what will soon be known as one of our outstanding national parks.

I close with sincere congratulations to the junior Senator from Utah [Mr. Moss] for an unusually difficult legislative operation well and successfully done.

When I return to this wonderful area, as I shall for I want to take others to see it, I shall thank him for the energy and effort he has expended to assure the preservation of this area for the enjoyment of the people of this Nation. All Americans are in his debt for this great work he has done.

Mr. MOSS. I thank the Senator from Nevada [Mr. Bible] for his very kind words. I again express my appreciation for his great leadership.

Mr. GRUENING. Mr. President, will the Senator from Utah yield?

Mr. MOSS. I am glad to yield to the Senator from Alaska.

Mr. GRUENING. While the Senator from Utah has properly and justly paid tribute to his colleagues on the Public Lands Subcommittee, and on the full Interior and Insular Affairs Committee, especially to the distinguished chairman of the Subcommittee on Public Lands who has just spoken, I believe that I may say that in my 5 years' experience in the Senate I have never seen an achievement which reflects so much credit on a single individual as that of the sponsor of this bill, the Senator from Utah [Mr. Moss].

For 3 years he has fought indefatigably in subcommittee, in the full committee, on the floor, and elsewhere to bring about what I consider to be one of the great accomplishments of the Congresses in which we both have served.

It is a remarkable fact that no other park recently created in the park system is comparable to this one in grandeur and splendor. It is a magnificent area that rivals the Grand Canyon, Yellowstone, and Yosemite. Canyonlands, though their equal, was not incorporated in our national park system. It remained for the Senator from Utah [Mr. Moss] to see extraordinary qualities, the vast beauty, and the advantage involved in bringing this area into our national park system. It will be of inestimable value to the people of Utah. It will bring hundreds of thousands of tourists to the area. It will preserve for all time one of the most beautiful areas in the world.

The credit for this achievement is due to the Senator from Utah [Mr. Moss] more than to anyone else.

The Senator from Utah has labored long and hard for this bill, as I have seen few other bills labored for. The bill may not be quite in the form in which he desired to achieve it. But, after all, the other body had its ideas. Occasionally we must compromise. I would have been in favor of the bill as the Senator from Utah originally proposed it. Nevertheless, his achievement is unique. It deserves enduring recognition.

Mr. MOSS. I thank the Senator from Alaska for his great help in this matter. I thank him for coming out to my State to view this land. I thank him for his work on the committee and on the floor.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. MOSS. I yield.

Mr. METCALF. Mr. President, we were quite glad to participate in the hearings in Utah on the Canyon Lands Park bill. It was my privilege to visit the canyonlands on a trip that was arranged for us by the Senator from Utah [Mr. Moss].

This is an area of spectacular natural beauty. It is an area which rivals any other area in which I have ever been; and I have been in most of the national parks of the country.

I join my colleagues in paying tribute to the Senator from Utah for providing that this area will be preserved for the benefit of the people of all America. We are very proud of our national parks in Montana. Glacier and the entrances to Yellowstone have made Montana a tourist mecca. The sensational and unique beauty of the Canyon Lands National Park is something that we would welcome having in our State.

I commend the Senator from Utah for his perseverence and determination that this area shall be preserved for the people of Utah and of all America so that all of us may have the opportunity to enjoy the beauties of that area. His perseverance has contributed tremendously to the creation of this park.

I, too, felt, when I was there, that the proposed park should be bigger, that it should include some of the areas that have been omitted. But I agree that this is a business of compromise, and in order, at this late date, to conserve and preserve these great natural beauties for the people of America, compromise had to be entered into.

A quarter of a century from now, when some of the beauties of America have passed on, all of us will be grateful to the Senator from Utah for his moderation, wisdom, and perseverance in having this bill passed.

Mr. MOSS. I thank the Senator.

Mr. BENNETT. Mr. President, approval by the Senate today of the joint Senate-House conference report brings to a climax over 12 years of work on my part and on the part of the people of Utah and the National Park Service to obtain deserved national recognition of the canyonlands country. The canyonlands fully merits national park status. Unfortunately, some provisions of the bill are not what they should be. Many people in Utah will be disappointed that the promised multiple-use provisions are not included in the bill. I take personal satisfaction in the gains made in conference since, as my junior colleague [Mr. Moss] has acknowledged, the conference was held only at my insistence. If it had not been for me, there would have been no conference at all. Indeed, Secretary Udall charged that I "mousetrapped" Senator Moss into sending the bill to conference. The gains made in conference consisted of some grazing concessions and a 120-day cutoff to complete the exchange of State land within the park for Federal land located outside its boundaries.

Even though the bill is not all that the people of Utah had hoped for, the choice at this time is whether or not there should be a park or no park. On balance, I feel that there should be a park, and I shall vote for the conference report and urge the Senate to do so as well.

SOUTHERN UTAH NATIONAL PARKWAY

Congressional approval of the bill will mean not only that a magnificent area will be developed and protected; it will also mean that major portions of the Southern Utah Parkway for which I have fought for many years will be built. The Moss bill failed to provide for access roads to the park, but through the Bennett amendment, approved in the Senate and then in the House, these access roads may now be built from Utah Highways 24 and 95 and U.S. route 160. Without roads the park would be valueless economically.

These roads will be of parkway standards and will, when built, open up the vast scenic area of southeastern Utah, an area many times larger than the park itself. If Secretary Udall will now approve my parkway bill rather than to oppose it as he has done, we can link the canyonlands parkway complex with the magnificent areas in south central and southwestern Utah. These areas include Capitol Reef and Cedar Breaks National Monuments and Bryce and Zion National Parks.

BILL REPRESENTS 12 YEARS WORK

It has taken more than a decade to make the necessary studies and lay the background for the bill now before the Senate. It was my privilege to support appropriations for a National Park Service study of the Dead Horse Point area, which was completed on January 19, 1953. In the intervening years, the State of Utah evidenced a wish to launch a progressive State park program. I had the honor to successfully sponsor two bills that made a State park program possible in Utah. Under these bills, the State acquired lands to develop the Dead Horse Point State Park, which will ultimately be the most spectacular such park in the United States.

Another important step involving this area was taken in 1956. I had the honor to be a sponsor of S. 500, which was signed into law that year by President Eisenhower, which, in part, created a 1,429,000-acre Glen Canyon National Recreation Area. Of this amount, 1,337,000 acres are in Utah, and adjoin the canyonlands country.

These steps were followed by Department of the Interior studies, that I urged, in the Needles area from May 13 to 21 in 1959, and a study of the Land of Standing Rocks between May 9 and 13, 1960. I worked very closely with former Secretary of the Interior Fred A. Seaton and former Assistant Secretary George Abbott in connection with these studies, and backed appropriations for them. The result was a bill which I had drafted by the Department of the Interior. I introduced the bill on March 7, 1961, to provide for the establishment of a 72,000-acre Needles National Recreation Area, all of which area is included in the bill now before the committee today. The Park Service thereafter completed its overall canyonlands study. At the request of the Utah State Park and Recreation Commission, I introduced a bill, S. 2616, to set aside three smaller areas comprising a national park complex in the canyonlands country, connecting them with access roads built by the Park Service. My colleagues in the congressional delegation also introduced bills in the late summer of 1961.

It was my privilege, therefore, in March of 1961 to introduce in the Senate the first bill affecting the area which is now called canyonlands.

CLYDE-OLSEN COMMITTEE

Meanwhile, Gov. George D. Clyde appointed a special committee to study the various proposals to establish a Canyonlands National Park, to determine the economic impact of such proposals, and to make recommendations in connection therewith. The committee was chaired by the late Chester J. Olsen, former regional forester and the first director of the Utah Park and Recreation Commission, an active Democrat and a noted conservationist. It was my privilege to introduce a bill incorporating the recommendations of that special committee, S. 3744 of the 87th Congress. The bill would have authorized the creation of a 310,000-acre Canyon Lands National Park and Recreation Area, with up to 102,000 acres to be administered under traditional national park concepts, while at least 208,000 acres would be administered as a multiple-use national recreation area. This was felt to be the practical way to balance the scenic values and the natural resource values of the proposed national park.

However, the Senate Interior Committee rejected this approach and elected last year to report S. 27, which provided for a phaseout over a period of 25 years for mining and other multiple uses within the park. In view of the committee's decision, I gave my full support to S. 27 when it was before the Senate, even though I had serious doubts about the bill as it was written. The Senate passed the bill on August 2, 1963, a significant milestone for canyonlands. At the same time I reserved the right to work as the legislation progressed to obtain perfecting provisions.

PROMISE TO KEEP MULTIPLE USE

In appearing before the committee and again on the Senate floor, I reiterated the warning which Governor Clyde had made many times before that the House Interior Committee would not accept a national park with so-called multiple use provisions designed to protect the great economic values of the area other than its scenic beauty. Instead, we urged the creation of a smaller so-called "pure" park that would be managed under traditional national park standards.

Prior to that time, all four members of the congressional delegation met with officials from the State of Utah and the National Park Service. When it was pointed out that the House would not accept a multiple-use national park, Senator Moss said that this made no difference for he would call a conference between the Senate and House conferees and would retain most, if not all, of the Senate multiple-use provisions. He said there would be no bill without this protection.

Both Governor Clyde and I were skeptical of this at the time and said so. We argued that it would be better to seek a smaller pure park rather than to run the risk of creating an unnecessarily large park and have multiple use banished from it by the House. Both Senator Moss and the Senate Interior Committee on which he serves chose to reject this request and to push ahead with a much larger multiple-use park in spite of the long-standing position of the House. Now what we feared has become fact.

CONSTRUCTIVE ROLE

Throughout the entire deliberations on the canyonlands problem, I have tried to play a positive, constructive role, since I earnestly favor national recognition of this magnificent country. As a result of my activities, some of the gross mistakes in the earlier bills were corrected and some obvious excesses have been forestalled. I considered S. 27 a vast improvement over earlier administration bills introduced by my colleague.

As one example, the first Moss bill made no provision for access roads. If it had been approved, the canyonlands country would have been nothing but an isolated wilderness area to which only hikers could go, and there would have been absolutely no economic benefits to the State of Utah.

As a result of conferences over a period of several months with Utah's Governor and other key officials in Utah and in Washington who have responsibilities that will be affected by the creation of a park, I had offered several perfecting amendments to the Senate Interior Committee when it was considering S. 27; and I am sorry to say many were rejected. The suggested changes were simply a guard against losing more mineral and other recoverable resources than necessary. These same suggestions were incorporated in H.R. 6925 introduced by Representative LAURENCE J. BURTON.

CANYON LANDS NATIONAL PARK, A GREAT NATIONAL ASSET

The canyonlands country in southeastern Utah along the Green and the Colorado Rivers comprises one of the most magnificent and varied scenic areas in the world. I have visited the area and have been overwhelmed by its beauty and grandeur. During the course of the hearings and previous discussions on the proposals to create a Canyon Lands National Park, we have all heard many glowing accounts of the beauties, majesty, and magnificence of the superbly rugged scenery so abundant in the red rock country of my State. I can personally vouch that, if anything, those who have uttered those accounts have only been guilty of understatement. A booklet issued by the National Park Service describes the area as "visually exciting," which indeed it is.

SCENIC AND GEOLOGIC BEAUTY

The area is believed to be the world's most massive exposure of red-rock canyons. It has unique formations of arches, needles, pinnacles, and standing rocks carved out by river and wind erosion.

There are prehistoric Indian ruins, paintings and rock carvings in the southeastern part of the area. This is big, rough, diverse, vividly colored, unforgettable country.

We have in canyonlands a national asset which fully deserves national recognition, development, and preservation so that all the people of our Nation may enjoy its splendor. To date, only a handful of people, even in Utah, have had that opportunity because of the remote location of the canyonlands and its rugged terrain and comparative inaccessibility.

There has never been a question of the worthiness of the area or the desirability of preserving and making available for public enjoyment the features of greatest national significance in a Canyon Lands National Park. The Governor of Utah, the Utah congressional delegation, and the vast majority of the people of Utah have strongly supported the proposal for national recognition.

As explained earlier, I shall vote for the bill because, on balance, it is, in my view, in both the State and the National interest to do so.

Therefore, I urge Senate approval of the bill.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. MANSFIELD. Mr. President, I join my colleagues in expressing thanks to the distinguished Senator from Utah [Mr. MOSS] for his determined effort and long-standing pull in the direction which brought about the achievement of the legislation which is now on its way to the White House. The creation of the Canyon Lands National Park marks a historic occasion. It has been almost 20 years since the last national park was established.

This park, of course, is unique in its possibilities and its beauty. It will be a valuable addition, not only to the State of Utah and the West, but also to the Nation as a whole.

I commend the distinguished Senator from Utah [Mr. MOSS] for his unswerving effort and fine success in a venture which has taken a long time to achieve.

Mr. MOSS. I thank the Senator.

KICKBACK BY MATTHEW McCLOSKEY ON DISTRICT OF COLUMBIA STADIUM CONTRACT

Mr. COOPER. Mr. President, a few days ago the distinguished Senator from Delaware [Mr. WILLIAMS] told the Senate that Mr. Don Reynolds, who had been a witness before the Senate Rules Committee during the course of its investigation into the affairs of Robert Baker, had reported to him that he had been paid by McCloskey and Co. a sum of approximately $35,000 in excess of the cost of the premium upon the performance bond which was executed in connection with the District of Columbia Stadium, and that Mr. Reynolds alleged that the $35,000 was to be paid to Mr. Baker to be used in connection with a political campaign.

As a result of the statement by the Senator from Delaware, there have been many editorials, and I think properly so, stating that it was necessary to reopen the investigation into the affairs of Robert Baker to find out the truth about these statements and to conclude the investigation.

I join in the position that the allegations should be thoroughly investigated. On July 24, I offered a resolution proposing that there be established in the Senate a committee to be called the Select Committee on Standards and Conduct, to be composed of three members of the majority and three members of the minority party.

I considered that such a committee would have great standing in the Senate and before the country, and that, being equally divided between the two parties, it would eliminate partisanship, so far as it was possible to do so. I felt that it would protect the integrity of the Senate. The Senate adopted my resolution.

The session is drawing to a close. I hope very much that the President pro tempore of the Senate will appoint the committee.

It may be that some other committee of the Senate will undertake the investigation of the facts which have been brought to light by the Senator from Delaware [Mr. WILLIAMS]. If not, the select committee to be appointed—and it must be appointed under the terms of the resolution—could undertake the investigation.

A moment ago I referred to many editorials which have commented on the statements of the Senator from Delaware. I noticed today an editorial entitled "Bungled Investigation," in the Washington Post, and one published in the New York Times entitled "More on Bobby Baker."

The language in the Washington Post editorial is correct insofar as it reports the action of the committee as a whole. Nonetheless, anyone who does not know the facts would have the impression upon reading the editorial and similar editorials that no effort was made to call Matthew McCloskey before the committee.

I refer to the editorial published in the Washington Post. The editorial states in part:

> The Rules Committee had elicited from Reynolds a statement to the effect that he had paid $4,000 to Baker and $1,500 to Former House District Committee Clerk William McLeod for their help in getting the stadium bill passed. But the committee was content to let the assumption stand that this came out of Mr. Reynolds' commission. Matthew M. McCloskey, former Democratic finance chairman and former Ambassador to Ireland, who had paid the bond premium to Reynolds and who had an obvious interest in having the stadium bill passed, was not called as a witness.
>
> At that time it appeared that interested parties had handed out money to promote legislation, but the Rules Committee did not feel it necessary to look beneath the surface.

That is a correct statement as far as it refers to the full committee.

However, members of the minority, on at least two occasions, and, I believe, on three occasions, moved in committee to call Matthew McCloskey before the committee for questioning. We were voted down by the majority.

On one occasion I moved specifically that Matthew McCloskey be called before our committee. I not only made the motion, but, as the record shows, I cited facts surrounding the performance bond as a reason for calling Mr. McCloskey as a witness.

According to Reynolds' testimony he had paid from the premium $4,000 to Mr. Baker and $1,500 to Mr. McLeod I cited these facts as requiring and demanding that McCloskey be brought before our committee to inquire as to what other facts he might have about this transaction.

If the motion which I made on one occasion, and which was made later by Senator CURTIS and Senator SCOTT, members of the minority, had not been voted down by the majority, we would have had Mr. McCloskey before the committee. We would have had an opportunity to elicit other information, and we might have discovered the information which the Senator from Delaware [Mr. WILLIAMS] has discovered.

One member of the majority on the committee—the distinguished Senator from West Virginia [Mr. BYRD] on several occasions voted with the minority and it is my recollection that he voted also to call Mr. McCloskey. The fact is that the Republican members of the committee tried to bring McCloskey before the committee, and we were voted down again and again.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. WILLIAMS of Delaware. The Senator from Kentucky is correct. The minority members of the Rules Committee tried to have Mr. McCloskey called as a witness. One reason why Mr. McCloskey was to be called and why there was an interest in his testimony, was that there was a strong rumor to the effect that an overpayment had been made in this case. The committee was aware of the rumor. Majority members who rejected this request knew how it could have solved the question had it so desired. It could have been solved by calling Mr. McCloskey. Had that been done the statements which I made this week would have been entirely unnecessary.

The committee was put on notice not only in the executive sessions by the minority members, but I should like to read what was said on the floor of the Senate on July 27. It appears at page 17030. At that time I was in colloquy with the chairman of the Committee on Rules and Administration. I said:

> Mr. WILLIAMS of Delaware. I concur in what the Senator from Nebraska stated. Mr. McCloskey should have been called. It would have been far better.
>
> There is one other missing link which may have only supported the other testimony or it may have raised other questions. Some of the canceled checks were in the committee hearings and I have them before me.
>
> The committee has also the canceled check by which Bobby Baker got his $4,000. The committee has the canceled check for $1,500 that Mr. McLeod received. But what the committee does not have and which the committee should have and which I hope it will still try to obtain, is a copy of Mr. McCloskey's check to Mr. Reynolds as payment for this stadium insurance. I think it would be very important to have that information.
>
> Mr. JORDAN of North Carolina. I think Mr. Reynolds' record shows what the amount is. The report shows what he paid for the performance bond. But I shall not argue that point.
>
> Mr. WILLIAMS of Delaware. It shows that Mr. Reynolds was to get $73,631.28 from Mr. McCloskey.
>
> He paid Hutchinson, Rivinus & Co., who handled the insurance for Reynolds, $63,599.72. That left a difference for his commission of $10,031.56. Out of that $10,031.56 he wrote a check for $4,000 to Bobby Baker and two checks to Mr. McLeod, one for $1,000 and one for $1,500.
>
> While it may be merely routine, I should like to see the $73,631.28 check to see if that is exactly what was paid. I would suggest that even now the committee could obtain a copy of that check. It may be interesting.

Here again the committee was on notice that it was important to get this check. The committee had been alerted, and so had the Department of Justice, that there was the strong possibility that the check used to pay for the performance bond had been in an inflated amount. This point was confirmed yesterday by Mr. McCloskey. He admits that the check was for $109,205.60, which represents $35,000-and-some-odd above the actual cost of the performance bond. The performance bond was on record in the District Commissioner's office, and it shows that the actual cost was only in the amount of $73,631.26. Yet we now find that Mr. McCloskey admits having sent a check for $109,205.60 to cover this item.

Certainly questions are in order.

Certainly the committee should have called Mr. McCloskey; it should have subpenaed his records. That should have been done in committee. They had their chance. I regret very much the necessity of having to come to the floor of the Senate earlier this week to bring this information to the attention of the Senate as a whole. It is a matter which should have been developed by the committee. Mr. McCloskey should have been called to testify before the committee. But we had no alternative because the Committee on Rules and Administration, by a 6-to-3 partisan vote, voted against a further continuation of the investigation. We were told at that time that if any of us later developed any further information we should come to the floor of the Senate with it. All right, we came to the floor of the Senate with it and I am waiting to see how the Senate will handle it.

Mr. ELLENDER. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. ELLENDER. Was it brought to the attention of the committee that the check for some $100,000 from McCloskey was issued by McCloskey?

Mr. WILLIAMS of Delaware. The check itself?

Mr. ELLENDER. Yes.

Mr. WILLIAMS of Delaware. I received the check just a short time ago. I did not have the check when I was speaking on July 27. Had I had the check then, I would have given it to the committee had they been interested. I gave to the committee—and I believe the chairman of the committee has confirmed this—what information I had at the time, and even told them of the need of checking this very important point. They refused.

Mr. ELLENDER. Why was it not possible to get the amount of the check from Mr. Reynolds? Was he not before the committee as a witness?

Mr. WILLIAMS of Delaware. Mr. Reynolds did not have the check; he had cashed it. The check could have been obtained by calling Mr. McCloskey.

Mr. ELLENDER. I understand; but the amount of the check was known by Reynolds, was it not?

Mr. WILLIAMS of Delaware. Perhaps. Mr. Reynolds to my knowledge was not asked by the committee on this particular point.

Mr. ELLENDER. The Senator from Delaware was there, was he not?

Mr. WILLIAMS of Delaware. No; I am not a member of the committee. I was only a bystander trying to help.

Mr. ELLENDER. Somebody, I am sure, asked about it. I recall reading in the RECORD and also in the newspapers that Mr. Reynolds was asked if he knew anything other than what he had testified to. He said no, that he did not. So does not the Senator believe that Mr. Reynolds is the one to blame, in a measure, for not bringing the matter to the attention of the committee?

Mr. WILLIAMS of Delaware. Partly, but not altogether. I asked Mr. Reynolds—and I put his answer in the RECORD—why he did not disclose it to the committee earlier. He said it was because of the antagonistic attitude of the committee; that the committee seemed more interested in discrediting him as a witness and in covering up the case than in pursuing it.

Mr. Reynolds told me that there was an overpayment, but he did not have the amount. I asked the committee to help establish the point, but they were not interested.

I could not proceed until I got the check because, after all, we should have the documents. That is why I alerted the committee to the fact that there was a suspicion of overpayment. I said this again publicly on the floor of the Senate on July 27 in a colloquy with the chairman of the committee. The committee refused to take any action. Likewise, the Department of Justice was on notice that there was a suspicion of overpayment. Their agents were aware of this same report. They were not interested. No one was interested until I produced the canceled check here this week.

After I got the canceled check, Reynolds was willing to fill in the rest of his testimony, and I was able to proceed. Some time ago he had asked my assistance in getting the check and said he was willing to work with the committee. But I regret very much that the committee did not seem to be interested in developing anything other than that which they thought somebody else already knew.

I only wish that the committee had followed the very simple procedure of calling Mr. McCloskey as a witness. After all, he is an American citizen; there would have been nothing sacrilegious about calling him before the committee and asking him to testify under oath the same as other witnesses. That is what should have been done. Remember there were definite charges of payoffs on this contract.

Mr. ELLENDER. Was Mr. Reynolds under oath?

Mr. WILLIAMS of Delaware. Yes; but not in public session because the committee would not allow him to testify in public.

Mr. ELLENDER. Was he not asked whether he knew of any other transactions than those to which he testified?

Mr. WILLIAMS of Delaware. I do not know what he was asked. The Senator from Louisiana will have to read the record himself.

Mr. ELLENDER. From the accounts I read in the newspapers I gathered that Reynolds was asked whether he knew anything more.

Mr. WILLIAMS of Delaware. I would assume that he did. But should we stop there and not call Mr. McCloskey? Why object to calling Mr. McCloskey?

Mr. ELLENDER. I am not objecting or trying to protect anyone. I am making the point with the Senator from Delaware that the committee, in my opinion, should have called Mr. Reynolds to task, because apparently he did not tell the truth. If it were left to me, I think I would have him up for perjury.

Mr. WILLIAMS of Delaware. As far as I know Mr. Reynolds was not asked about any overpayment. He was asked about his payments to Mr. Baker and Mr. McLeod. Certainly we should pursue this question to determine whether he had other information then or whether he has other information now.

But why object to calling Mr. McCloskey? Weeks ago the committee was told that there was a strong suspicion that an overpayment had been made on this contract. Mr. Reynolds was willing to tell the committee there had been an overpayment, but he did not have the check and did not remember the exact amount. He said we would have to get the check to establish the exact amount. He told me that, and the committee and the committee chairman knew it. I advised the chairman of the committee that he should get that check. Why did he not get it?

Mr. COOPER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. COOPER. I was present when Reynolds testified. It is correct that he did not tell us all the facts. There is no question about that. The facts, as since reported by Reynolds to the Senator from Delaware, were not told us, either in his own statement or upon cross-examination. But even admitting that to be true, the admission of Mr. McCloskey that he delivered to Mr. Reynolds a check in the amount which Reynolds has later reported, indicates, in that respect, at least, that the statements of Mr. McCloskey and Mr. Reynolds are in accord. But this evidence was reported after our investigation had been cut off, and after Mr. Reynolds had testified before the committee.

The facts are that Mr. Reynolds testified he was in Mr. Baker's office with Mr. McCloskey and Mr. Baker; and Mr. McLeod also came into the office. Later, Mr. Reynolds paid to Mr. Baker, according to Mr. Reynolds' statement, $4,000. It is not clear what that payment was for. Even that transaction was covered up to make it appear that it was a loan, when it was not a loan. Mr. McLeod was paid $1,500. He seemed to think it was perfectly natural to have someone give him $1,500 for his activities supporting the stadium bill. The point is that these facts, which to say the least are suspicious, made it necessary, in my view and the view of the Senator from Nebraska [Mr. Curtis] and the Senator from Pennsylvania [Mr. Scott], that Mr. McCloskey be called to tell the committee what he knew about these transactions and what, if anything, they had to do with his contract to construct the stadium. It was negligent on the part of the committee not to call him.

For at least twice, a motion was made in committee by the Republican members to call Mr. McCloskey as a witness. On one occasion I made a motion to call him. As I have said; I discussed the facts of the meeting in Mr. Baker's office and the payment of funds to Baker and McLeod as a reason why McCloskey should be called, so that we could determine if there was any other evidence relating to the transaction. But my motion was rejected; it was voted down. The majority would not agree to call McCloskey. They voted against calling him. On another occasion, we tried to have him called, but again we were voted down.

If McCloskey had been called, if he had been before the committee, and had been sworn, we certainly would have asked him every fact he knew about the premium upon the performance bond, how much he had paid, and to whom he had paid it; and also, of course, we would have had the opportunity to subpena his records, if that had been necessary. But all of that was denied by the refusal of the majority to vote in favor of the motion which we made to call McCloskey as a witness.

Those are the facts of the case.

Mr. ELLENDER. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Louisiana [Mr. Ellender].

Mr. ELLENDER. I repeat, I do not defend Bobby Baker or anyone else, and after listening to the Senator from Kentucky [Mr. Cooper], I believe that the committee erred in not calling Mr. McCloskey.

The point I wish to make to the Senator from Delaware is this: I find it strange that the committee was unable to elicit from Mr. Reynolds the total amount of the check which was paid to him.

Mr. WILLIAMS of Delaware. That is one of the many questions which I would ask about the committee's failure. I do not understand why they did not get an answer to this question—not only an answer to this question, but answers to many other unanswered questions in the Baker investigation. I am afraid that a great deal is due to the fact that the committee was not interested in asking questions. Someone may have been afraid they would get embarrassing answers.

I am not excusing Mr. Reynolds, nor am I excusing anyone. I wish we had had this information sooner, but the reason it was not fully developed earlier was that the majority members of the committee were not overly enthusiastic about asking questions.

Mr. ELLENDER. Does the Senator make that charge against the Senator from Kentucky?

Mr. WILLIAMS of Delaware. Oh, no; of course not. I was speaking of the action by the majority members of the committee.

Mr. ELLENDER. The Senator from Kentucky attempted to find out the total amount that was received by Mr. Reynolds from Mr. McCloskey?

Mr. WILLIAMS of Delaware. He did, yes.

Mr. COOPER. Yes, let me say that I do not know how many members of the committee were there that day, but we heard his story. I remember that I did ask him if he had told us all of the facts and whether there was any other information he had to give. He said, "No."

Naturally I wish to be fair in this matter. That is what he said.

Mr. WILLIAMS of Delaware. There is no question about that.

Mr. ELLENDER. Did Mr. Reynolds indicate to you in any manner the amount of the check that was sent by Mr. McCloskey?

Mr. COOPER. No, of course not. The only facts he told us were the facts I have related. They are all in the record. He had been paid a certain premium and that he had paid out $4,000 to Mr. Baker and $1,500 to Mr. McLeod.

I understand that the Senator is trying to develop that Mr. Reynolds did not give the committee the truth and the full facts.

Mr. ELLENDER. Exactly.

Mr. COOPER. The Senator is correct. Reynolds did not give us all the facts. I should like to make the point that the Senator's inquiry, while important and justified, is not wholly relevant to the necessity of calling McCloskey as a witness. If we had had an opportunity to have Mr. McCloskey as a witness and question him, I would assume that he would have told us the truth and these later facts would have been elicited.

Mr. ELLENDER. I can well understand that. I am in agreement with the Senator from Kentucky that if Mr. McCloskey had been called as a witness, these facts could have come to light. The point I am trying to make, as the Senator just stated, is that it strikes me that one of the persons most to blame for this is Mr. Reynolds. He is the one who is in bad faith, in my opinion. It is strange that this matter is now being reopened because of the failure of the chief witness to tell the truth.

Mr. WILLIAMS of Delaware. Partly because of the failure of the chief witness and also because of the failure of the committee. I appeared before the committee with the information which I developed from Mr. Reynolds, and the committee explored that. At that time I had no knowledge, no suspicion, that there was any payment on the performance bond over and above the $73,000. I had no reason to think that. So far as I know, the committee had no reason to think that either at that point. But later they were alerted to the suspicion.

As the Senator from Louisiana has stated and as the Senator from Kentucky has pointed out, the committee did ask leading questions which should have developed more information, but they did not.

I am not excusing Mr. Reynolds of his responsibility either; but it was after Mr. Reynolds appeared before the committee as a witness that this later information was discovered. We received the report that the check which Mr. Reynolds had received for the payment on the performance bond was not $73,000 but was for a substantial figure over and above the $73,000.

The suggestion was that this extra payment was partly for payoffs and partly a political contribution to the Democratic campaign fund.

Why should this rumor not have been pursued? It would have been easy to prove or disprove the charge had the committee been interested.

After this was called to my attention I talked with Mr. Reynolds further. He said the reason he did not mention it was that he did not know the exact amount and that he was afraid the committee would insist on him producing the exact figure. He had cashed the check, but he had no record of it.

The committee could have called Mr. McCloskey before them as a witness. It would have been easy to have settled this question by putting him on the stand under oath as a witness or by getting a copy of the check. At that time they were getting ready to close down, but they still had time to do this. I appealed to the chairman even at that late date to get this check to see if it was the exact amount.

If I got a copy of the check certainly the committee could.

They had a full staff of investigators; all that I had was my regular office staff.

I read the RECORD where twice in a statement I raised the question of getting that check to see if it was the exact amount. I regret the committee did not see fit to act, but when the committee did not, fortunately I obtained the check. As soon as I obtained it I presented it on the floor of the Senate since the committee had quit.

I agree with the Senator that all of these facts should have been developed by the committee.

Mr. ELLENDER. Is there any doubt in the Senator's mind that Mr. Reynolds did not know the amount of the check? Surely, he would have known that.

Mr. WILLIAMS of Delaware. He would have known reasonably close, yes; but not the exact amount.

Mr. ELLENDER. Of course he would. He simply lied about it, I presume.

Mr. WILLIAMS of Delaware. That is the reason this question has to be pursued further.

By all lines of reasoning, Mr. McCloskey should be called as a witness. This should be done in all fairness to him. Let him present his testimony under oath the same as Mr. Reynolds. In his response to the statement I made Mr. McCloskey made mention of the fact that he said all he paid was $109,000 and some odd dollars, which was the exact amount of the invoice. He said he paid no more, no less. But the point is the records show the invoice to have been increased by around $35,000 above the actual cost of the performance bond. Who got this $35,000 is the great unanswered question.

Based upon the evidence we now have, there is an extra $35,000 overpayment that was coming into Washington. Who got this money? That is what we must find out.

We must find out exactly who is telling the truth. I said the other day that we should reserve our decision until we have an opportunity to bring all the witnesses before a congressional committee hearing, but we have a responsibility to call these witnesses.

We should let Mr. McCloskey testify under oath. We should call Mr. McCloskey or anyone else who may be or has been connected with this case. We should call any witness, no matter how high a position he occupies in our Government. There is no man in Government too high to be held accountable for his action as a public servant.

Again I urge that this investigation be reopened.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS — CONFERENCE REPORT

Mr. BYRD of West Virginia. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10809) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1965, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BYRD of West Virginia. Mr. President, the conference agreement on the bill provides total appropriations of $7,089,707,000, a reduction of $713,483,000 from the budget estimates, an increase of $8,514,000 over the Senate allowance, and $181,644,000 over the House allowance.

For the Department of Labor the conferees allowed a total of $565,904,000, an increase of $484,000 over the Senate allowance, but a decrease of $20,050,000 from the House allowance, and $104,606,000 under the budget estimate. The Senate reduction of $20 million in the item for "Manpower development and training activities" was accepted by the conferees. The statement of the managers on the part of the House contained in the conference report indicates that "the managers on the part of the House approve of the Department's proposal to establish a number of Youth Opportunity Centers." This is, of course, the expression of the one body, but does not constitute congressional approval of the reprograming request, a request denied by the Senate Committee on Appropriations, to which no challenge was made on the floor of the Senate. The Department is cautioned not to proceed with the contemplated reprograming.

For the Department of Health, Education, and Welfare the conferees allowed a total of $6,476,629,000, a decrease of $624,412,000 from the budget estimates, an increase of $184,909,000 over the House allowance, a decrease of $21,074,000 from the Senate allowance.

The conferees agreed on the reduction voted by the Senate of $25 million, sought for the establishment of five residential vocational education schools, to be wholly federally financed.

The conferees agreed to the Senate amendment adding the full budget estimate of $55 million for grants for public libraries. The conferees also accepted the Senate amendments adding $10 million for special cancer research to follow leads on the viral origin of leukemia, and adding $25 million for health professions educational assistance, providing $15 million additional for medical schools, $5 million for dental schools, and $5 million for replacement or rehabilitation of existing facilities.

The conferees accepted $222,500,000 of the Senate increase for hospital construction activities, providing $150 million for general hospital beds, $70 million for the categorical program, and $2,500,000 for planning grants. The $150,000 added by the Senate for administrative expenses was disallowed.

The Senate added an amendment reducing funds sought for day-care services from $6 million in the House bill to $4 million and requiring matching beginning April 1, 1965. The conferees accepted the Senate amendment allowing $4 million, but the matching has been put off until January 1, 1966, in order to give States an opportunity to consider whether continuance of the program under a matching provision should be approved.

The Senate added $1,500,000 for planning the environmental health facility, the principal part of which the Department intended to locate in Beltsville, Md., on land to be donated by the Department of Agriculture. The House managers were adamant against the placement of the central facility in the metropolitan Washington area. A compromise was reached allowing $1 million for planning the central facility to be located at least 50 miles outside of Washington.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. LAUSCHE. With regard to the Environmental Health Center, it is my understanding that the recommended compromise contains a provision that the Center shall not be built at a site within a radius of 50 miles of Washington.

Mr. BYRD of West Virginia. That is correct.

Mr. LAUSCHE. Does that mean that the selection of the site is now left completely open, and that the original decision to build the Center at Beltsville no longer continues?

Mr. BYRD of West Virginia. It means that the decision as to where to locate the facility remains with the executive department, and that, in any event, it cannot be located within a radius of 50 miles from Washington.

Mr. LAUSCHE. Mr. President, was that decision reached on the basis that there is already an overcongested situation in Washington?

Mr. BYRD of West Virginia. As I recall, that was the primary objection presented by the House conferees.

Mr. LAUSCHE. To summarize, the decisions which have heretofore been made concerning where the Center should be located are no longer effective, and a new study and approach will have to be made to enable the executive department to determine where the site shall be.

Mr. BYRD of West Virginia. Any decision which has heretofore been made to locate the facility at Beltsville is no longer in order because of the requirement that the facility be located at least 50 miles from Washington, D.C.

Mr. LAUSCHE. Mr. President, I thank the Senator.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. COTTON. The Senator from New Hampshire, as the ranking minority member of the subcommittee, takes this opportunity to compliment the distinguished Senator from West Virginia [Mr. Byrd] for the very able manner in which he has handled this important appropriation bill, not only in the subcommittee and full Committee on Appropriations, but also on the floor of the Senate and in the conduct of the conference.

Catapulted into this position by the sudden illness of the beloved chairman of the subcommittee, the distinguished senior Senator from Alabama [Mr. Hill], the Senator from West Virginia [Mr. Byrd] has handled the measure in an amazingly efficient manner. Throughout the conference, he indicated—as he did earlier in the consideration of the measure in the Senate—his remarkable grasp of the bill in all of its aspects.

We all hope that the senior Senator from Alabama will soon be on the road to recovery. We are all happy that there is a comparatively young Senator on the subcommittee who could step into this position of responsibility and deal with it as efficiently, fairly, and expeditiously as the able Senator from West Virginia did.

Mr. BYRD of West Virginia. Mr. President, I thank the Senator. I join the distinguished senior Senator from New Hampshire in his good wishes concerning the health of the senior Senator from Alabama [Mr. Hill], who is the chairman of the Subcommittee on Appropriations for the Departments of Labor, and Health, Education, and Welfare.

I have been in fairly constant touch with the senior Senator from Alabama throughout the period of his absence from the Senate. I join the Senator from New Hampshire in stating that there is every indication that the senior Senator from Alabama will soon be back with us. We have all missed his very firm, guiding hand. The senior Senator from Alabama has acted as chairman over a period of many years. He is very capable. He is highly respected and very knowledgeable in the entire field that we have considered.

I am sorry that it was my misfortune to have been placed in the position of acting chairman. But, while the ranking minority member of the subcommittee has been not only gracious but also very charitable in his remarks concerning my efforts, I could not have proceeded without the strong and able support, and the advice of the distinguished senior Senator from New Hampshire. He was at my side at all times. I leaned upon him for counsel. The fact that we came out of the conference with a very good bill is to be attributed largely to the support given by the Senator from New Hampshire [Mr. Cotton]. I also wish to express thanks to the competent and faithful clerk of the subcommittee, Mr. Herman Downey, for his assistance at all times. Finally, I look forward to the early return of our beloved chairman, Senator Lister Hill. He has been missed by all of us.

Mr. YARBOROUGH. Mr. President, I feel it necessary to state once again my opposition to the deletion of the appropriation for the residential vocational training schools authorized by the Vocational Education Act. I commend the distinguished Senator from West Virginia [Mr. Byrd] for his support of residential vocational training schools and I would emphasize that this failure to appropriate funds is only a temporary delay. But this is the important point, Mr. President, it is a delay in a program which we cannot afford to delay. The delay of 1 year in setting up these schools will mean that an entire age group of school dropouts will, by reason of their having become older and further removed by the 1 year from the educational process, be precluded from participating in this program.

Mr. President, as I stated on August 19 when this bill was considered by the Senate, the Office of Education was put into an impossible position by the contradictory actions of the Senate and House Appropriations Committees. The House told the Office of Education not to designate the sites for these schools until the appropriation was made. The Senate then proceeded to say that it would not appropriate funds because the sites had not been selected. The dilemma of the Office of Education is certainly apparent, Mr. President, and needs no additional comment. I shall not press this matter further except to emphasize once again the unfortunate mistake we are making in delaying for 1 year the actual creation of these schools which are so desperately needed to combat our school dropout problem.

Mr. BEALL. Mr. President, I must object to the action taken by the conferees with respect to the proposed Environmental Health Center, which was to have been located in Beltsville, Md.

The conferees adopted language prohibiting location of the center within a 50-mile radius of the Washington area. This action on the part of the conferees nullifies the best judgment of the Senate committees which have endorsed this location, as well as the many executive agencies which recommended the Beltsville site.

During the past year, there has been a great deal of discussion in Congress regarding the role and functions of the three branches of Government. Much criticism has been directed toward the executive and judicial branches for attempting to usurp the powers of Congress. I submit, Mr. President, that in the case of the Environmental Health Center, we are guilty of the same crime.

Within the executive branch, we have provided for a Public Health Service to advise us of the best means of carrying out our Federal health programs. We have established other agencies and commissions for the purpose of advising us on matters of this nature. Yet, today, we are asked to approve a conference report which ignores completely the recommendations of the Public Health Service, the President's Science Advisory Committee, and the other agencies which, after careful study, have selected Beltsville, Md., as the most suitable site for the Environmental Health Center.

We have come to the point where the mature judgment of qualified agencies is no longer accepted as the best standard for locating Federal facilities. We have now adopted the pork barrel approach. The action of the conferees, in effect, throws the whole matter up in the air with the assurance that a coordinated environmental health research program will again be delayed. Rather than beginning this important effort so necessary to the national health, we will now witness a free-for-all among the various States who would like to have this facility within their borders.

Mr. President, I cannot let this conference report be adopted without voicing the most vigorous objections to the action taken with respect to the Environmental Health Center.

Mr. BREWSTER. Mr. President, an hour ago the House passed the conference report on the Labor-HEW appropriation bill. I rise to voice my strenuous objections to the callous handling of the proposed Environmental Health Center in this bill.

For 4 years the present and future health of all Americans has been jeopardized by the failure of the Congress to appropriate funds and agree on a location for a National Environmental Health Center.

The recommendation of the Department of Health, Education, and Welfare was first rejected by the Congress in 1961. The proposal was subsequently reviewed and highly recommended by two scientific panels, one appointed by the Surgeon General and the other by the President's science adviser. The latter group was composed of 19 scientists from 11 States.

In his health messages to Congress, President Kennedy recommended the construction of this facility and concurred in the recommendation of the Department and of the committees that the Center be located in the Washington area.

In 1963, the Senate appropriated $1,441,000 and designated Government-owned land at Beltsville, Md., as the proper cite for the facility. House conferees were unwilling to agree to the site and the project was scrapped again. This year the House failed to appropriate any funds for the Center. The Senate appropriated $1,500,000 and left the choice of location up to the Department.

It is well known that the Department and all the advisory groups that have considered this proposal have recommended a Washington area location. They have done so in recognition of the necessity for close liaison between the new Center and the National Institutes of Health, the Food and Drug Administration, the Atomic Energy Commission, Bureau of Standards, and other agencies in the health field. It is also well known that numerous Senators and Congressmen have been eager to locate this facility in their States.

Yesterday, a Senate-House conference committee appropriated $1 million for planning purposes, but specified that the facility be located at least 50 miles from the Washington area. In so doing, the conferees have frustrated the purposes of this vital agency even before it is born. They have in addition, ruled out the recommended, logical, and most economical site for this facility on Government-owned land at the Agricultural Experiment Station in Beltsville, Md.

The April 12, 1963, edition of Science, published by the American Association for the Advancement of Science, noted:

> The old tradition of the Federal pork barrel has been reshaped, and Congressmen now haggle over the location of scientific facilities with all the energy once spent in pursuit of rivers and harbors projects. * * * The trouble centers wholly on the location of the proposed Center, not on its merits, for no one denies that it is badly needed. Congressmen are not unaware of the growing public anxiety over environmental contaminants * * * and they have long recognized that existing public health service programs in these fields are fragmented and inadequate.

The urgent need for the establishment of a center for the study of environmental health has been well documented. The publication of the book by Rachel Carson and the testimony developed in Senate hearings on the use of pesticides are only two of the more dramatic aspects of this problem.

As our population increases at an accelerated rate, it becomes vital for the Nation to mount an organized program for the control of air and water pollution, radiation hazards, and other manmade a contaminants. A continuing search into the factors which affect man's physical environment and, through it, his health, is essential.

I have closely followed the progress and plans for this Center. In so doing, I have become acutely aware of the tremendous stake which our Nation has in environmental health and of the need for the proposed facility.

I consider it a matter of grave concern that an essential program of research involving the health of every citizen in this Nation should have been stalled in a morass of political controversy.

Mr. JAVITS. Mr. President, I wish to express my support for the conference report, with special reference to amendments 49, 50, 51, and 52, relating to the day-care-service provisions. I am disappointed that the amount for day-care services was not increased to the House figure. But I am gratified that the matching fund requirement is being deferred until January 1, 1966. I ask unanimous consent that I may submit a portion of the testimony at the Senate hearings, emphasizing the importance of the day-care provisions of the bill. I wish to thank my friend the Senator from West Virginia [Mr. BYRD], the chairman of the subcommittee, for the great kindness and consideration which he gave us in respect to this problem.

The PRESIDING OFFICER. Without objection, the statement may be printed in the RECORD.

The statement submitted by Mr. JAVITS is as follows:

DAY-CARE SERVICES

States will use the funds available for day-care services to provide family day-care homes and day-care centers. Improvements will be made in the quality of day care through licensing and consultation and through cooperative work with voluntary agencies for effective utilization of available day-care resources. The need for day-care services will continue to be great. The number of working mothers in the United States is approaching 9 million. One out of three mothers in the labor force has children under 6. Family income is a major factor in the presence of mothers of young children in the labor force. In families where the husbands earn less than $3,000 a year 1 out of 4 mothers with children under 6 years of age is in the labor force; when the husband's income is $7,000 or more, the proportion is only 1 out of 10.

In many families where the mother works, she is the sole support of her family and usually has a very low income. It is these families, particularly, that need the kind of day-care facilities the Federal funds will help the States to provide. When such facilities are not available, children are likely to be subjected to the dangers of being left alone or in very poor care. In 1 State with 67 counties only 19 counties have some day-care facilities although the State reports probable need in every county. This is typical of the need for increasing services in most States.

Another low-income group, whose children are in special need of day-care services, is the migratory agricultural worker. According to the Subcommittee on Migratory Labor of the Senate Committee on Labor and Public Welfare, approximately 100,000 to 150,000 children under 14 are in migrant families. The next oldest child often has to drop out of school to care for the toddlers and infants. In a number of States funds will be used for day care for migrant children.

With increased funds both family day-care and community day-care centers can begin operation in a number of communities now without such services.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 10809, which reads as follows:

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 11, 36, and 63 to the bill (H.R. 10809) entitled "An Act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1965, and for other purposes", and concur therein.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 13, and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted, insert:

"$41,065,000: *Provided,* That for the purpose of determining the amount of payments to States from any appropriation for carrying out sections 2 and 3 with respect to expenditures under a State plan approved under said Act (and, if made after August 3, 1954 and prior to July 1, 1965, certified by the Secretary of Health, Education, and Welfare prior to July 1, 1965 for payment), State funds shall, subject to such limitations and conditions as may be prescribed in regulations of the Secretary, include contributions of funds made by any private agency, organization, or individual to a State to assist in meeting the costs of establishment of a public or other nonprofit workshop or rehabilitation facility, which would be regarded as State funds except for the condition, imposed by the contributor, limiting use of such funds to establishment of such workshop or facility."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 18, and concur therein with an amendment, as follows:

In lieu of "75 per centum", insert: "50 per centum".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 26, and concur therein with an amendment, as follows:

In lieu of "75 per centum", insert: "50 per centum".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 52, and concur therein with an amendment, as follows:

In lieu of the matter proposed to be inserted, insert the following:

"*Provided further,* That after January 1, 1966 no Federal funds shall be used to pay in excess of one-half of the cost of day care services under section 527(a) of the Social Security Act, as amended."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 58, and concur therein with an amendment, as follows:

In lieu of the matter proposed to be inserted, insert the following:

"Sec. 206. Except upon the approval of the President's Science Advisory Committee, none of the funds herein appropriated shall be used to conduct or assist in conducting, or carry on, undertake, or continue surveys, investigations, or any programs (including but not limited to, the payment of salaries, administrative expenses, the conduct of research activities and policing actions) in the field of salinity control or of irrigation water quality in the area drained by the Colorado River and its tributaries."

Mr. BYRD of West Virginia. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 13, 18, 26, 52, and 58.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

BARRY GOLDWATER AND MARIE ANTOINETTE

Mr. McGOVERN. Mr. President, one of the most celebrated incidents of the French Revolution was the reply of Queen Marie Antoinette when told that the French populace had no bread. "Let them eat cake" was her contemptuous reply. But the populace responded by cutting off the Queen's head.

Now, Mr. President, I do not want to imply that the American people are about to cut off anyone's head. But I do wonder what our older citizens will think when they read the statement of the GOP presidential candidate, who said yesterday in explaining his vote against the health care amendment:

> Having given our pensioners their medical care in kind, why not food baskets, why not public housing accommodations, why not vacation resorts, why not a ration of cigarettes for those who smoke and of beer for those who drink?

Mr. President, I have never understood what kind of mentality would prompt a ruler to reply to a hungry people crying for bread that the answer to their problem is cake. I find it even harder to understand how a candidate for high office in a great democracy could respond so flippantly and superficially to one of the serious problems of our society, namely, the problem of how a growing number of older citizens can prepare for the day when they are unable to meet the fast-rising cost of hospital care.

If Mr. GOLDWATER thinks that a bottle of beer and a pack of cigarettes are on the same level as a modest program of pay-as-you-go, self-help hospital insurance, then we can only wonder what strange combination of forces has thrust him up as a candidate for the Presidency.

Of course, we ought to give Mr. GOLDWATER whatever credit is due him for interrupting the pleasantries of life on his yacht, *Sundance*. It must have been something of a hardship for him to come ashore, shave off a luxuriant 8-day growth, and fly in his new jet airplane to Washington to strike a blow for liberty and against health care for our older citizens.

Mr. GOLDWATER has made similar flights back to the Capitol to cast his vote against civil rights, against the nuclear test ban, and against tax reduction.

In searching for the explanation of the Senator's prompt appearance each time there is a chance to register a vote against the people, one might assume that this represents unwavering opposition to public expenditures.

This argument is shattered, however, when one is reminded that the biggest single public works spending bill to come out of this Congress was one sponsored by the junior Senator from Arizona [Mr. GOLDWATER] described as the central Arizona project. It provides a whopping $1.2 billion for what some of Mr. GOLDWATER's backers would ordinarily describe as "pork barrel" spending.

Mr. President, I do not regard the investment of public funds in the conservation of our water resources as "pork barrel" expenditures. I voted for the central Arizona project in committee, just as I have supported water development projects in my own State. I am not sure that the Arizona proposal should stand in its present form. These projects in the long run, however, will enrich rather than impoverish our country because they conserve valuable water resources.

But, Mr. President, is there any resource that is more precious than humanity itself, even that part of our humanity that has reached the afternoon period of life? The quality of any society can be measured by the attitude it takes toward its older citizens.

What less can we do as the richest Nation in the world than to provide a mechanism whereby our people can share the risks of expensive hospital care through our social security system? This is not a gift to the people. It is a practical formula under which they can contribute during their working years to a fund that will be available to them if needed when they are no longer able to work to finance the cost of hospital care.

I say that is true conservatism. It is the conservation of human health and human dignity. It is a slur on the whole social security concept that has served us so well these past three decades for a presidential candidate to imply that American citizens participating in this system expect the Government to buy them beer, cigarettes, and food baskets.

While I do not think the guillotine will fall on Mr. GOLDWATER, I would be greatly surprised if thoughtful Americans concerned about the health and well-being of our citizenry fail to express their displeasure with him at the ballot box in November.

It has been suggested in the Goldwater camp that the medicare program is a vote-seeking scheme. If discharging a campaign pledge in a national platform which was attempted in the last Congress and is again being attempted in this Congress is a vote-seeking scheme, then let the opposition make the most of it. Of course, a party seeks votes on the basis of its platform and its performance. That is what elections in a free society are all about.

The Democratic platform is clear on this issue, and I only hope our performance will continue to be as clear as it was in the U.S. Senate yesterday and again today.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 9 A.M. TOMORROW FOR PRO FORMA SESSION, AND THEN ADJOURNMENT TO TUESDAY, SEPTEMBER 8, 1964

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of business today the Senate stand in adjournment until 9 a.m. tomorrow, and that immediately after convening on said day the Presiding Officer shall, without the transaction of any business or debate, declare an adjournment of the Senate until 12 o'clock noon on Tuesday, September 8, 1964.

The PRESIDING OFFICER. Without objection, it is so ordered.

LOCATION OF CHANCERIES AND OTHER BUSINESS OFFICES OF FOREIGN GOVERNMENTS IN RESIDENTIAL AREAS OF DISTRICT OF COLUMBIA

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 646) to prohibit the location of chanceries and other business offices of foreign governments in any residential area in the District of Columbia, which were to strike out all after the enacting clause and insert:

That section 6 of the Act entitled "An Act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and the uses of land in the District of Columbia, and for other purposes", approved June 20, 1938, as amended (D.C. Code, sec. 5–418), is amended by inserting "(a)" after "SEC. 6." and by adding at the end of such section the following new subsections:

"(b) After the date of enactment of this subsection a foreign government shall be permitted to construct, alter, repair, convert, or occupy a building anywhere in the District of Columbia, other than a district or zone restricted in accordance with this Act to use for industrial purposes, for use by such government as an embassy.

"(c) After the date of enactment of this subsection, except as otherwise provided in subsection (d) of this section, no foreign government shall be permitted to construct, alter, repair, convert, or occupy a building for use as a chancery where official business of such government is to be conducted by more than six persons on any land, regardless of the date such land was acquired, within any district or zone restricted in accordance with this Act to use for residential purposes.

"(d) After the date of enactment of this subsection a foreign government shall be permitted to construct, alter, repair, convert, or occupy a building for use as a chancery within any district or zone restricted in accordance with this Act to use for medium-high density apartments or high density apartments if the Board of Zoning Adjustment shall determine after a public hearing that the proposed use and the building in which the use is to be conducted are compatible with the present and proposed development of the neighborhood. In determining compatibility the Board of Zoning Adjustment must find that—

"(1) in districts or zones restricted in accordance with this Act to use for medium-high density apartments, that off-street parking spaces will be provided at a ratio of not less than one such space for each one thousand two hundred square feet of gross floor area; and

"(2) in districts or zones restricted in accordance with this Act to use for high density apartments, that off-street parking spaces will be provided at a ratio of not less than one such space for each one thousand eight hundred square feet of gross floor area; and

"(3) the height of the building does not exceed the maximum permitted in the district or zone in which it is located; and

"(4) the architectural design and the arrangement of all structures and off-street parking spaces are in keeping with the character of the neighborhood.

"(e) After the date of enactment of this subsection a foreign government shall be permitted to construct, alter, repair, convert, or occupy a building for use as a chancery where official business of such government is to be conducted by not more than six persons within any district or zone restricted in accordance with this Act to use for residential purposes, other than for medium-high density and high density apartments as provided in subsection (d), if the Board of Zoning Adjustment shall determine after a public hearing that the proposed use and the building in which the use is to be conducted are compatible with the present and proposed development of the neighborhood. In determining compatibility, the Board of Zoning Adjustment must find that—

"(1) in districts or zones restricted in accordance with this Act to use for single-family residences, for low-density apartments, or for medium-density apartments, or for any combination thereof, that off-street parking spaces will be provided at a ratio of not less than one such space for each six hundred square feet of gross floor area; and

"(2) the height of the building does not exceed the maximum permitted in the district or zone in which it is located; and

"(3) in districts or zones restricted in accordance with this Act to use for single-family residences, no new buildings or additions to existing buildings will be provided on a site area of less than two acres; and the total bulk of all such buildings (including additions) will not exceed a floor area ratio of 0.15; and

"(4) in the case of an existing building in a district or zone restricted in accordance with this Act to single-family residences which does not have a site area of two acres or more, that the site upon which such existing building is located is not less than four hundred feet from the site of any existing chancery located in such district or zone; and

"(5) the architectural design and the arrangement of all structures and off-street parking spaces are in keeping with the character of the neighborhood; and

"(6) the operation of the chancery is properly screened from the neighborhood and the anticipated volume of traffic is not likely to change the general character of the neighborhood.

"(f) In the case of any building used both as an official residence of a chief of a diplomatic mission of a foreign government and as a chancery where the official business of such government is conducted by not more than six persons, the Board of Zoning Adjustment is authorized to require that such number of off-street parking spaces be provided as it determines necessary.

"(g) As used in this section, the term—

"(1) 'embassy' means a building used as the official residence of the chief of a diplomatic mission of a foreign government, and such term shall include a building used both as the official residence of the chief of a diplomatic mission of a foreign government and as a chancery where official business of such government is conducted by not more than six persons.

"(2) 'chancery' means a building containing business offices of the chief of a diplomatic mission of a foreign government where official business of such government is conducted, and such term shall include any chancery annex, and the business offices of attachés of a foreign government who are under the personal direction and superintendence of the chief of mission of such government. Such term shall not include business offices of nondiplomatic missions of foreign governments such as purchasing, financial, educational, or other missions of comparable nondiplomatic nature.

"(3) 'person' means any individual who is subject to direction by the chief of mission of a foreign government and is engaged in diplomatic activities recognized as such by the Secretary of State."

SEC. 2. Nothing in the amendments made by the first section of this Act shall prohibit—

(1) the future or continued use of a building as a chancery or the making of ordinary repairs to any such building for which lawful use as a chancery existed on the date of enactment of this Act, or

(2) the construction, reconstruction, expansion, or alteration in accordance with any permit issued by the Board of Commissioners of the District of Columbia on or before February 18, 1964, of any building used or to be used as a chancery.

SEC. 3. The amendments made by the first section of this Act shall apply only to applications for special exemptions to the zoning regulations filed with the Board of Zoning Adjustment after May 1, 1964.

SEC. 4. After the date of enactment of this Act, no building or chancery being used by a foreign government in the District of Columbia shall be transferred to or used by another foreign government unless such use is in accordance with section 6 of the Act of June 20, 1938, as amended (D.C. Code, sec. 5–418), or unless such use was in accordance with applicable law at the time of this enactment.

SEC. 5. This Act and the amendments made thereby shall not be administered in such a way as to discriminate against any foreign government on the basis of the race, color, or creed of any of its citizens.

And to amend the title so as to read: "An act to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia."

Mr. BIBLE. Mr. President, I move that the Senate disagree to the House amendments and ask for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to; and the Presiding Officer appointed Mr. McINTYRE, Mr. MORSE, and Mr. BEALL conferees on the part of the Senate.

PUBLIC LAND LAW REVIEW COMMISSION

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1379 (H.R. 8070).

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8070) for the establishment of a Public Land Law Review Commission to study existing laws and procedures relating to the administration of the public lands of the United States, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 5, line 9, after the word "than", to strike out "December 31, 1967" and insert "June 30, 1963"; in line 12, after the word "on", to strike out "June 30, 1968" and insert "December 31, 1968"; and on page 10, line 17, after "(e)", to strike out "national forests, and (f)" and insert "national forests, (f) wildlife refuges and ranges, and (g)".

Mr. BIBLE. Mr. President, I ask unanimous consent that the amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIBLE. Mr. President, I ask unanimous consent to modify the bill as amended by asking that the language on line 10, page 5, reading "June 30, 1968" be stricken and that in place thereof the date "December 31, 1968" be inserted; and further I ask to modify the bill as amended by asking that the language beginning in line 12, page 5, ending on line 13, page 5, reading "December 31, 1968", be stricken and that in lieu thereof there be inserted the date "June 30, 1969".

The PRESIDING OFFICER. Without objection, the bill will be so amended.

Mr. BIBLE. Mr. President, this is a most worthy bit of legislation. It is legislation on which the distinguished Representative from Colorado, the Chairman of the House Interior Committee, WAYNE ASPINALL, has spent many hours in drafting a bill that will go a long way to updating the archaic land laws of this Nation.

Enactment of H.R. 8070 will permit a comprehensive review of the policies applicable to the use, management, and disposition of the public domain lands of the United States. The first public domain of the United States was created when the original 13 States ceded to the Federal Government lands westward to the Mississippi River as part of the compromises attendant upon the formation of the Union and the adoption of the Constitution.

The Constitution itself provides in article IV, section 3, clause 2:

> The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

DISPOSAL POLICY

From the beginning, Congress followed a policy of disposing of the public lands. Land was plentiful; it was sold to raise revenue and at the same time it was used to pay our soldiers and to reward our heroes.

In the Homestead Act of 1862 and the mining laws of 1866 and 1872, along with several acts of that day of lesser applicability, the Congress adopted the policy of permitting the developers of land to obtain title thereto with little or no monetary payment to the United States. The land-grant college system was established on this principle. The United States entered an era that saw the West developed.

It has been commonplace for many years to say that the "good" agricultural lands have long since been settled; and that the "easily found" minerals have been discovered and developed. The inference of these truisms is that the public land laws must be examined to ascertain whether they serve the changed conditions.

The most recent public land law is the Taylor Grazing Act of June 28, 1934—48 Stat. 1269—which starts with the proclamation:

> In order to promote the highest use of the public lands pending its final disposal * * *.

The Taylor Act provided for the establishment of grazing districts, for the use of grazing land. and for the classification of our vacant public lands before title could be transferred under any of the disposition laws. The 1934 act, aside from stabilizing the distressed cattle and sheep industries, may be considered to have been a holding action insofar as public land use is concerned. Congress, in recognition of the underlying policy that had been followed until that time, prefaced its grant of authority to the Secretary of the Interior by the statement quoted above regarding interim use of the public lands, "pending its final disposal." At the same time Congress recognized that the vacant public lands could no longer all be kept open for appropriation and settlement.

The one exception was the mining law. Locations and entries under the mining laws were specifically permitted without regard to the classification of the lands. Nonetheless, the Secretary of the Interior has withdrawn from the operation of the mining laws millions of acres of public lands without express statutory authority therefor.

It is also well to note at this time that the acquisition of the public domain, which had started in 1781 with State cessions, was completed in 1867 with the purchase of Alaska, with the last acquisition within the area now constituting the Southern 48 States having been accomplished in 1853. In other words, Alaska and the acquisition of land through exchange aside, there have been only reductions in the public lands for 110 years.

We should also take note at this time that in 1872 the Congress passed an act creating the Yellowstone National Park and thereby established the principle that some of our public lands should be set aside and retained for future generations. The act of March 3, 1891—26 Stat. 1103—authorized the President to reserve suitable lands as national forests.

Another landmark statute is the act of June 8, 1906—34 Stat. 225—which authorizes the President to set aside, as national monuments, lands containing objects of historic interest. In the meantime Congress, by individual acts, had established certain national parks and by the act of August 25, 1916—39 Stat. 535—established the National Park Service to administer the national parks and monuments.

Despite the fact that, statutorily, the policy of the United States envisions ultimate disposal of the public lands unless specifically directed otherwise by the Congress, President John F. Kennedy pointed up the gaps in existing law when he stated, in a letter to the chairman of this committee dated January 17, 1963:

> My predecessors have been acutely aware of the dilemmas facing the Secretaries of Agriculture and Interior as principal administrators of the original public domain. Whenever they have been faced with a reasonable alternative of continued public ownership and management, or disposition, they have generally elected the former.

The committee does not mean to infer that the executive branch has not sought new legislation. Quite the contrary is true. Since the 80th Congress this committee has been engaged in a continuing study of proposed basic changes in the public land laws. Many of these proposed changes have been submitted by executive communication; others were initiated by individual members.

During the 88th Congress among the proposals submitted by the Secretary of the Interior are bills to, first, grant broad sales authority to the Secretary of the Interior; second, broaden the exchange authority of the Secretary of the Interior; and third, consolidate and simplify the laws governing the grant of easements across public lands.

DEFICIENCIES IN EXISTING PUBLIC LAND LAWS

The committee does not rely on the pendency of legislation as an indicator of deficiencies or inadequacies found in existing statutes. The hearings conducted by this committee's Subcommittee on Public Lands demonstrated conclusively that there are several such deficiencies or inadequacies:

First. The principal difficulty is the failure of Congress to provide for the Secretary of the Interior legislative guidelines by which the executive department can make determinations between competing demands for the same piece of land. The fact of the matter is that, although there is no general statute permitting retention of lands, a Secretary of the Interior so oriented could, by failure to classify lands as suitable for disposition, provide for their retention. And the requirement of the Taylor Grazing Act that the public lands remain open to location and entry under the mining laws could likewise become meaningless through administrative determinations under the mining laws.

Second. Another situation examined by the subcommittee involved the termination of grazing permits granted under the Taylor Grazing Act. Because of the widespread demand for the use of public domain lands in our buildup for World War II, the act of July 9, 1942—56 Stat. 654—provided that whenever grazing permits were terminated because of defense utilization, the permittee or licensee would be paid for all his losses. However, there is no general law to permit similar payment of losses in situations where land is taken for other public use.

Third. The presence on the statute books of such acts as the Desert Land Entry Act invites people to spend time and money in an endeavor that may be foredoomed because of changed conditions or, in any event, the absolute discretion placed in the Secretary of the Interior to classify the lands as being suitable for such purpose before they can be opened to entry.

Fourth. Although many western communities cannot expand without utilizing public lands, there is no general authority on the statute books whereby lands can be made available for such purpose. Accordingly, it has been necessary for the committee to consider and act on individual bills authorizing the sale of land to individual communities. Similarly, there is no general authority whereby lands can be made available for necessary private development of residential, commercial, and industrial facilities.

Fifth. In 1926 Congress enacted the Recreation and Public Purposes Act to encourage local and State agencies and nonprofit private organizations to obtain public lands for recreational development. Nonetheless, many lands that should be developed for recreational purposes apparently cannot be transferred to non-Federal ownership. While the alternative would seem to indicate that the lands should be retained by the United States, there is no general statutory authority for the retention of public lands for Federal recreational development.

No purpose would be served by listing other acts and actions requiring review. The committee has concluded that only by reviewing all the public land laws can we hope to frame legislation that will satisfy the requirements of the 1960's.

EXTENT OF PUBLIC LANDS

Bureau of Land Management statistics indicate that there are approximately 438 million acres of public lands that have not been committed to specific use; of the total, 271 million acres are in Alaska and 167 million acres are in the continental United States.

The so-called vacant public lands that have not been committed for a specific use either by statute or regulation pursuant to statute, while distributed among 28 States, are primarily concentrated in the 11 Western States comprising the 8 Mountain States and the 3 continental Pacific States. The eight Mountain States are Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, and Nevada; the three Pacific States are Washington, Oregon, and California.

The impact of all public lands, whether committed or uncommitted, on the economy of these 11 Western States can be recognized readily when we consider the following pertinent facts:

First. Statistics compiled by General Services Administration in its inventory report on real property owned by the United States show that 48.1 percent of the total land area in the 11 Western States is owned by the Federal Government. The percentages range from 86.9 percent owned by the Federal Government in the State of Nevada to 29.5 percent in the State of Washington.

Second. The 11 States involved had, according to the latest available Statistical Abstract of the United States, a combined 1961 population of 28.1 million people.

Third. There have been definite trends toward an increase in population in the 11 Western States mentioned above; it is estimated that the westward movement will continue, and that by 1970, 37 million people will live in the Mountain and Pacific States.

The committee submits the obvious conclusion that in these areas where the Federal Government is such a large owner it will be necessary to make more intensive use of the public lands in order to accommodate the increased population.

TEMPORARY COMMISSION REQUIRED

It is the considered opinion of the committee that the necessary comprehensive study required of the public land laws cannot be carried out successfully by this committee acting alone. The committee believes that due to the many and varied factors, considerations, and interests involved, only a bipartisan Commission supplemented by an advisory council made up of the many interested users of the public lands would be in a position to coordinate and supervise effectively such a broad study.

H.R. 8070, if enacted as amended, will establish such a bipartisan Commission to conduct a review of existing public land laws and regulations and recommend revisions necessary therein. The Commission and its staff would be assisted by liaison officers from Federal agencies with a direct interest.

H.R. 8070, as amended by the committee, provides the necessary framework for the study outlined above:

First. In a declaration of policy the bill presents the necessary guidelines for the Commission declaring that public lands of the United States shall be—"(a) retained and managed or (b) disposed of, all in a manner to provide the maximum benefit for the general public."

The committee takes no position as to these alternatives, which shall be exclusively within the scope of recommendations to be made by the Commission.

Second. The declaration of purpose recognizes that the public land laws of the United States have not been fully correlated and that a comprehensive review is necessary to determine whether and to what extent revisions are necessary.

Third. The bill would establish a 19-member Commission composed of 6 members of the House Interior Committee, 6 members of the Senate Interior Committee, 6 members appointed by the President from persons outside of the Federal Government, and a Chairman elected by the first 18.

Fourth. The Commission would be charged with the responsibility of studying existing statutes and regulations governing public lands, of reviewing policies and practices of Federal agencies in the field, compiling data necessary for a determination and understanding of the various demands on the public lands which now exist and which are likely to exist in the future, and finally to recommend modifications deemed necessary in existing laws, regulations, policies, and practices.

Fifth. The Commission would be required to submit its report to the President and the Congress by June 30, 1968. It would cease to exist 6 months after submission of its report or by December 31, 1968, whichever is earlier.

Sixth. Each Federal agency concerned with public lands would appoint a liaison officer to work with the Commission and its staff.

Seventh. There would be established an advisory council consisting of the Federal agency liaison officers together with 25 additional members representing those interested in the use of the public lands. This advisory council would not be an independent body and would function only for the benefit of the Public Land Law Review Commission.

Eighth. Provision is made for a representative from each State to work closely with the Commission and its staff and with the advisory council.

Ninth. The Commission would be given limited subpena power in order to enforce attendance of witnesses and the submission of required data.

Tenth. In authorizing appropriation of funds the committee has placed a limitation of $4 million on the amount to be afforded the Commission during its life. The Commission would be authorized to appoint and fix compensation of its full-time Chairman and staff director; all members of the Commission, except the Chairman, would serve without compensation.

Eleventh. The term "public lands," as used in the act, is defined in section 10 of H.R. 8070.

COST

H.R. 8070 authorizes maximum appropriations of $4 million during the projected tenure of the Public Land Law Review Commission.

The bill was reported unanimously from the Committee on Interior and Insular Affairs. It had only three minor amendments.

I ask that the bill be passed.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

AUTHORIZATION FOR COMMITTEE ON FOREIGN RELATIONS TO FILE REPORTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to file reports on bills until midnight tonight.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR PRESIDENT PRO TEMPORE AND ACTING PRESIDENT PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President pro tempore or the Acting President pro tempore be authorized to sign enrolled bills and joint resolutions duly passed by the two Houses during the adjournment of the Senate beginning September 4, 1964.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR SECRETARY OF THE SENATE TO RECEIVE MESSAGES FROM HOUSE OF REPRESENTATIVES

Mr. MANSFIELD. Mr. President, I further ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the House of Representatives during the adjournment of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS DURING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I also ask unanimous consent that committees of the Senate be permitted to file reports during the adjournment of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE ACCOMPLISHMENTS

Mr. MANSFIELD. Mr. President, this week will go down in history as a milestone in legislative progress. Since 1960, the Senate and the House have been attempting to enact a health care plan for the aged connected with our present social security benefits. This week the Senate made this attempt a realization. It was largely through the valiant efforts of Senators ANDERSON, GORE, DOUGLAS, RIBICOFF, MCNAMARA, and JAVITS that the vote for the health care plan was successful. Senator LONG of Louisiana did his usual outstanding job in handling the social security bill on the Senate floor during the absence of the distinguished chairman of the Senate Finance Committee. Senators ANDERSON and JAVITS have championed this legislation for so long, a vote of special thanks should go to them.

In addition, we sent to the President the land conservation fund together with a user fee provision which has been long advocated by many of our Presidents. Our special thanks to the entire membership and staff of the Senate Interior and Insular Affairs Committee who worked hard to make this dream a reality.

In addition, the Senate, through the fine efforts of Senator GRUENING, passed his bill to help the small independent oil and gas lessees and operators by liberalizing the requirements for timely payment of rentals on Federal oil and gas leases.

We also returned to the House a bill extending to July 1, 1965, the authority for the Army and Air Force to exceed present statutory ceilings for the authorized number of Reserve officers in each grade below lieutenant colonel, through the efforts of the distinguished chairman of the Senate Armed Services Committee, Senator RUSSELL, and the entire committee membership.

Thanks to the Finance Committee, we have returned to the House legislation amending the social security law to permit a disabled worker to establish the beginning of his disability as of the date he actually became disabled regardless of when he files his application, and also an extension of the foster care program for dependent children.

Special commendation is due Senators ERVIN, BIBLE, MORSE, HARTKE, and PROUTY for the expeditious handling of the mental health bill for the District of Columbia, which has been sent to the White House.

Through the expertise of Senator ROBERTSON, the Senate cleared for the President the bill requiring reports of changes in the control of federally insured banks.

The Senate just sent to the White House two more Senate Interior bills, one authorizing the establishment of our newest National Park, the first in almost 20 years, the Canyonlands National Park in Utah, and the second authorizing construction of the Lower Teton Division of the Teton Basin Reclamation project in Idaho, primarily through the efforts of Senators JACKSON, ANDERSON, CHURCH, Moss, JORDAN of Idaho, KUCHEL, ALLOTT, and JORDAN of North Carolina.

In review of the 51 requests made by President Johnson since the first of the year, action has been completed on the following major legislation, most of which have already been enacted into law:

Action Completed

1. Adult education.
2. AEC authorization.
3. Airport Act extension.
4. Alaska earthquake grants.
5. Alaska reconstruction.
6. Antipoverty.
7. Canyonlands.
8. Chamizal Convention Act.
9. Civil Rights Act of 1964.
10. Commission on Automation.
11. Cotton-wheat program.
12. Domestic Peace Corps.
13. Excise tax extension.
14. Federal pay reform.
15. Food Marketing Commission.
16. Food stamp plan.
17. Highway authorization.
18. Hill-Burton extension.
19. Housing Act, including an expansion of FNMA investing powers.
20. Inter-American Development Bank—increase U.S. share for Special Operations.
21. Interest equalization tax.
22. International Development Association.
23. Juvenile delinquency extension.
24. Land conservation fund including user fees.
25. Library services and construction.
26. Military construction.
27. Military pay increase.
28. Military procurement.
29. Mass transit.
30. Nurses training program.
31. Ozark National Rivers.
32. Pacific Northwest Power.
33. Peace Corps authorization.
34. Pesticide registration.
35. President's Transition Act.
36. Public defenders.
37. Public health trainee program.
38. Reorganization Act extension.
39. SEC reforms.
40. Space authorization.
41. Tax reduction.
42. Vietnam resolution.
43. Water resources research.
44. Wilderness preservation.
45. Youth Employment Act.

In Conference

46. NDEA amendments.
47. Coffee implementation.

Passed Both Houses Amended

48. Social Security-Health Care.

Passed Senate

49. Area redevelopment amendments—House Calendar.
50. Water Pollution—House Calendar.

Senate and House Calendars

51. Aid to Appalachia.

All but one of the regular appropriation bills have been, or are about to be, signed into law. The one remaining is the Foreign Aid bill.

In addition, the Senate has ratified 14 treaties sent to it by the President.

A special accolade should go to the distinguished Senator from Louisiana [Mr. LONG], who handled the social security bill which passed this body earlier this afternoon; and to the distinguished Senator from Nevada [Mr. BIBLE] for the outstanding work he has done in the field of conservation, as testified to by the many bills passed through his subcommittee, agreed to by the full committee, and enacted into law as a result of action by the Senate and the House.

I would also give very special consideration to the distinguished chairman of the Finance Committee, our colleague and friend, the senior Senator from Virginia [Mr. BYRD].

We know the difficulties which have been his over the past week or so due to the passing of his beloved wife. We are also aware of the fact that he has never held up legislation, that he has always attended to his duties with great care and scrupulousness, that he is considerate of the attitude of others, and has done all he could, and done it successfully, to keep alive the traditions, the decorum, and the dignity of the Senate.

I wish also to include in my remarks the outstanding work and generalship displayed by the distinguished Senator from West Virginia [Mr. BYRD], who in the absence of the distinguished Senator from Alabama [Mr. HILL], who is recuperating from a minor illness, took upon himself the responsibility of handling the Labor-HEW appropriation bill.

Due to his successful efforts and also to those of the ranking minority member on the subcommittee, the Senator from New Hampshire [Mr. COTTON], that bill was passed several weeks ago, and a short time ago today the conference report on that bill was agreed to in the Senate. At this time the bill is on the way to the White House.

Much credit should go to those two Senators for their expert handling of this difficult bill and for the way in which they kept alive the work and tradition of the man who this year was not able to shepherd the bill through the Senate, as has been his custom for many years.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, September 3, 1964, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 935. An act to protect the constitutional rights of certain individuals who are mentally ill, to provide for their care, treatment, and hospitalization, and for other purposes;

S. 2082. An act to authorize the Secretary of the Interior to accept a transfer of certain lands within Everglades National Park, Dade County, Fla., for administration as a part of said park, and for other purposes; and

S.J. Res. 49. Joint resolution authorizing the Secretary of the Interior to carry out a continuing program to reduce nonbeneficial consumptive use of water in the Pecos River Basin, in New Mexico and Texas.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, under the previous order, that the Senate stand in adjournment until 9 a.m. tomorrow.

The motion was agreed to; and (at 4 o'clock and 41 minutes p.m.) the Senate adjourned, in accordance with the previous order, until tomorrow, Friday, September 4, 1964, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate September 3 (legislative day of September 1), 1964:

POSTMASTERS

The following-named persons to be postmasters:

ARKANSAS

Gordon E. Bentley, Morrilton, Ark., in place of A. J. Howard, retired.

CALIFORNIA

Robert P. Sanders, Fresno, Calif., in place of S. K. Wood, retired.

Ruth V. Grandier, Tecate, Calif., in place of M. G. Hutchinson, retired.

DELAWARE

Clifford W. Truitt, Dagsboro, Del., in place of F. E. Williams, retired.

FLORIDA

John E. Courier, Jr., Oviedo, Fla., in place of J. B. Jones, Jr., deceased.

INDIANA

Robert L. Lewis, Campbellsburg, Ind., in place of N. P. Lewis, retired.

Virgil F. Morris, Jr., New Ross, Ind., in place of E. A. Snow, retired.

Rex L. Tobias, Warren, Ind., in place of B. P. Smith, deceased.

KANSAS

Charles H. Sellers, Mulvane, Kans., in place of G. E. Smysor, retired.

KENTUCKY

Russell Gilbert, Irvin, Ky., in place of E. R. Smith, retired.

T. Johnson Price, Lancaster, Ky., in place of J. W. Walker, retired.

MARYLAND

Barbara B. Hanlon, Hydes, Md., in place of R. D. Sewell, retired.

MICHIGAN

Edward J. Meeder, Potterville, Mich., in place of H. O. Fry, retired.

MINNESOTA

Maurice L. Anstadt, Glyndon, Minn., in place of I. S. Knauff, retired.

Ronald G. Haroldson, Hayward, Minn., in place of Clarence Wall, retired.

Dolores G. Kruger, Mendota, Minn., in place of C. T. Newhouse, retired.

John H. McCarthy, Saint Peter, Minn., in place of A. H. Anfang, retired.

Audrey G. Hoverson, Strathcona, Minn., in place of Thomas Hughes, retired.

MISSISSIPPI

Mary A. Skelton, Bellefontaine, Miss., in place of M. L. Embry, retired.

Ollie D. Whitfield, D'Lo, Miss., in place of I. F. Thompson, retired.

Dodd Fortenberry, Tylertown, Miss., in place of C. O. Anderson, retired.

Francis L. Scott, Utica, Miss., in place of J. L. Owens, retired.

NEW JERSEY

Theodore J. Hirst, Lincroft, N.J., in place of H. H. Seylaz, retired.

NEW MEXICO

Richard J. Pino, Albuquerque, N. Mex., in place of J. P. McFarland, deceased.

W. Walden Whipple, Kirtland, N. Mex., in place of R. N. Bond, retired.

NEW YORK

Orville B. Clark, Westons Mills, N.Y., in place of N. E. Kamery, retired.

OREGON

G. Lowell Fuller, Baker, Oreg., in place of Sanford Adler, retired.

PENNSYLVANIA

Ernest E. Roberts, Bechtelsville, Pa., in place of W. S. Scheiry, retired.

Phares C. Cramer, Conestoga, Pa., in place of E. C. Smith, retired.

William J. Malutich, Edinboro, Pa., in place of Allan Rye, retired.

J. Leslie Marstellar, Fredonia, Pa., in place of J. M. Hays, retired.

RHODE ISLAND

Lloyd A. Trewhella, Pascoag, R.I., in place of T. D. Goldrick, retired.

SOUTH CAROLINA

Luther H. Folk, Branchville, S.C., in place of C. W. Dukes, retired.

SOUTH DAKOTA

Harold A. Christianson, Volga, S. Dak., in place of Albert Christianson, retired.

TEXAS

Floyd R. Jones, Lueders, Tex., in place of L. E. Wilhite, retired.

Bobby G. Brock, Omaha, Tex., in place of J. E. Pate, retired.

Maynard A. Rowan, Jr., Rockport, Tex., in place of J. R. Simmons, transferred.

WASHINGTON

Fay Wyatt, Hamilton, Wash., in place of E. A. Davis, retired.

Florence I. Averill, McKenna, Wash., in place of Frances Kaufman, resigned.

Helen M. Karlson, Thorp, Wash., in place of Lillian Brain, retired.

WYOMING

Theodore E. Anderson, Greybull, Wyo., in place of O. O. Harvey, deceased.

WITHDRAWAL

Executive nomination withdrawn from the Senate September 3 (legislative day of September 1), 1964:

I withdraw the nomination of Brig. Gen. Andrew T. McAnsh, O38667, to be major general, U.S. Army, which was sent to the Senate on June 29, 1964.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 3 (legislative day of September 1), 1964:

IN THE DIPLOMATIC AND FOREIGN SERVICE

The nominations beginning Byron B. Snyder to be a consul general, and ending Earl J. Wilson to be a secretary in the diplomatic service, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on August 31, 1964.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 3, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Colossians 1: 10: *That ye might walk worthy of the Lord, fruitful in every good work, and increasing in the knowledge of God.*

O Thou who art the guiding intelligence in the life of man, grant that the Members of this legislative body may daily come to the sacrament of public service richly endowed with clear judgment and wise decision.

May our beloved country, which Thou hast so abundantly blessed, continue, by Thy grace, to be Thy glorious channel through which there shall flow as a mighty stream, those blessings of freedom for the oppressed, enlightenment for all who walk in darkness, and joy and hope for the weary and heavy laden.

Help us to see more vividly that, if humanity's quest for peace and good will is ever to become a radiant and joyous conquest, then men and nations must have the spirit of devotion and sacrifice, each giving according to ability and all with equal fidelity.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1263. An act for the relief of Rickert & Laan, Inc.;

H.R. 4786. An act for relief of the State of New Mexico; and

H.R. 12267. An act to provide for notice of change in control of management of insured banks, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 12342. An act to authorize certain retired and other personnel of the U.S. Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries.

The message also announced that the Senate agrees to the amendments of the House to bills and a joint resolution of the Senate of the following titles:

S. 935. An act to protect the constitutional rights of certain individuals who are mentally ill, to provide for their care, treatment, and hospitalization, and for other purposes;

S. 2082. An act to authorize the Secretary of the Interior to accept a transfer of certain lands within Everglades National Park, Dade County, Fla., for administration as a part of said park, and for other purposes; and

S. J. Res. 49. Joint resolution authorizing the Secretary of the Interior to carry out a continuing program to reduce nonbeneficial consumptive use of water in the Pecos River Basin, in New Mexico and Texas.

THE LATE SERGEANT ALVIN YORK

Mr. BROCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BROCK. Mr. Speaker, I join the Nation in mourning the passing of Tennessee's famous soldier and humble citizen, Sgt. Alvin York. Sergeant York will always be remembered as a symbol of the country's strength in crisis, and our national willingness to put our faith to its most solemn test. Sergeant York's patriotism and valor will serve as a perpetual challenge to future generations to be strong of mind and body, courageous in the face of adversity, and dedicated to the principles that have made this country great. It has been said that "to live in hearts we leave behind is not to die at all" and in this sense Sergeant York will always live on.

MAKING APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES, FOR FISCAL YEAR 1965

Mr. FOGARTY. Mr. Speaker, I call up the conference report on the bill (H.R. 10809) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1965, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

CALL OF THE HOUSE

Mr. DEVINE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 251]

Alger
Anderson
Andrews, Ala.
Ashley
Avery
Baring
Bass
Becker
Bell
Bolling
Buckley
Burkhalter
Burton, Calif.
Celler
Colmer
Corman
Cramer
Davis, Tenn.
Dawson
Diggs
Dingell
Evins
Flynt
Forrester
Fraser
Fulton, Tenn.
Gill
Grant
Gray
Green, Oreg.
Griffin
Griffiths
Hagan, Ga.
Hanna
Hansen
Harvey, Ind.
Harvey, Mich.
Hays
Healey
Hébert
Hoffman
Kee
Kilburn
Kilgore
Kluczynski
Kornegay
Langen
Lesinski
McClory
McCulloch
McIntire
Macdonald
Martin, Calif.
Martin, Mass.
Matsunaga
Meader
Miller, N.Y.
Montoya
Moorhead
Morris
Morrison
Multer
Nedzi
O'Hara, Mich.
Pilcher
Pillion
Powell
Rains
Reuss
Ryan, Mich.
Senner
Sheppard

Shipley
Stephens
Stratton
Teague, Tex.
Toll
Tuck
Tupper
Wallhauser

The SPEAKER. On this rollcall 349 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The SPEAKER. The Clerk will read the statement of the managers.

The conference report and statement are as follows:

Conference Report (H. Rept. 1880)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10809) "making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1965, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 32, 40, 44, 55, 56, 57, 60, and 61.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 5, 6, 7, 8, 9, 10, 12, 14, 16, 19, 22, 23, 24, 25, 28, 29, 30, 31, 34, 35, 37, 38, 41, 45, 46, 47, 48, 49, 50, 51, and 54, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$17,925,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$25,000,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$22,512,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$28,175,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,000,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,000,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following:

"To carry out the provisions of section 318 and title VI of the Act, as amended, and parts B and C of the Mental Retardation Facilities Construction Act (77 Stat. 284–290), $245,846,000, of which $150,000,000 shall be for grants or loans for hospitals and related facilities pursuant to section 601(b) of the Public Health Service Act, $70,000,000 shall be for grants or loans for facilities pursuant to section 601(a) of the Public Health Service Act, $2,500,000 shall be for special project grants pursuant to section 318 of the Public Health Service Act, $3,012,000 shall be for the purposes authorized in section 624 of the Public Health Service Act, $7,500,000, to remain available until expended, shall be for grants for facilities pursuant to part B of the Mental Retardation Facilities Construction Act, and $10,000,000 shall be for grants for facilities pursuant to part C of the Mental Retardation Facilities Construction Act: *Provided,* That there may be transferred to this appropriation from "Construction of community mental health centers" an amount not to exceed the sum of the allotment adjustments made by the Secretary pursuant to section 202(c) of the Community Mental Health Centers Act"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$35,009,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$113,050,000"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"GENERAL RESEARCH SUPPORT GRANTS

"For general research support grants, as authorized in section 301(d) of the Act, there shall be available from appropriations available to the National Institutes of Health for operating expenses the sum of $45,000,000: *Provided,* That none of these funds shall be used to pay a recipient of such a grant any amount for indirect expenses in connection with such project"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,892,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"JUVENILE DELINQUENCY AND YOUTH OFFENSES

"For grants and contracts for demonstration, evaluation, and training projects, and for technical assistance, relating to control of juvenile delinquency and youth offenses, and for salaries and expenses in connection therewith, $10,000,000; and for a demonstration and evaluation project in the Washington metropolitan area, $1,500,000 to remain available only through June 30, 1965; as authorized by the Juvenile Delinquency and Youth Offenses Control Act of 1961, as amended"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$25,000,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 906. None of the funds contained in this Act shall be used for implementing any provision of the Economic Opportunity Act of 1964, nor shall any funds contained in this Act be obligated for any activity in excess of the amount set forth for the activity in the schedules contained in the President's budget for 1965, except in those instances where a greater amount was specified by the Congress"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 11, 13, 18, 26, 36, 52, 58, and 63.

JOHN E. FOGARTY,
WINFIELD K. DENTON,
GEORGE MAHON,
MELVIN R. LAIRD,
ROBERT H. MICHEL,
Managers on the Part of the House.

LISTER HILL,
RICHARD B. RUSSELL,
JOHN STENNIS,
JOHN O. PASTORE,
ALAN BIBLE,
ROBERT C. BYRD,
NORRIS COTTON,
MARGARET CHASE SMITH,
GORDON ALLOTT,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10809) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1965, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF LABOR

Bureau of Labor Statistics

Amendment No. 1: Appropriates $17,925,000 for salaries and expenses instead of $18,125,000 as proposed by the House and $17,625,000 as proposed by the Senate.

Manpower Administration

Amendment No. 2: Appropriates $307,906,000 for manpower development and training activities as proposed by the Senate instead of $327,906,000 as proposed by the House. The managers on the part of the House approve of the Department's proposal to establish a number of youth opportunity centers.

Amendment No. 3: Appropriates $344,000 for trade adjustment activities as proposed by the House instead of $160,000 as proposed by the Senate.

Amendment No. 4: Establishes the amount of the contingency fund under "Limitation on grants to States for unemployment compensation and employment service administration" at $25,000,000 instead of $30,000,000 as proposed by the House and $22,000,000 as proposed by the Senate.

Amendment No. 5: Inserts perfecting language as proposed by the Senate.

Labor-Management relations

Amendment No. 6: Appropriates $7,502,000 for the Labor-Management Services Administration as proposed by the Senate instead of $7,352,000 as proposed by the House.

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

Amendment No. 7: Appropriates $158,296,000 for expansion and improvement of vocational education as proposed by the Senate instead of $183,296,000 as proposed by the House.

Amendment No. 8: Removes authority to spend $25,000,000 for carrying out section 14 of the Vocational Education Act of 1963 as proposed by the Senate.

Amendment No. 9: Appropriates $55,000,000 for grants for public libraries as proposed by the Senate.

Amendment No. 10: Appropriates $332,000,000 for payments to school districts as proposed by the Senate instead of $359,450,000 as proposed by the House.

Amendment No. 11: Reported in disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which adds language providing that applications for assistance for school construction filed on or before June 30, 1964, shall receive priority over applications filed after that date.

Amendment No. 12: Appropriates $18,699,000 for salaries and expenses as proposed by the Senate instead of $18,599,000 as proposed by the House.

Vocational Rehabilitation Administration

Amendment No. 13: Reported in disagreement. The managers on the part of the House will offer a motion to recede and concur in the appropriation of $41,065,000 for "Research and training," as proposed by the Senate rather than $40,565,000 as proposed by the House, with an amendment that will add language of a technical nature.

Public Health Service

Amendment No. 14: Provides for payment of compensation to certain consultants or individual scientists appointed for limited periods of time at not to exceed $24,500 per annum as proposed by the Senate instead of $19,000 per annum as proposed by the House.

Amendment No. 15: Appropriates $22,512,000 for "Buildings and facilities," instead of $21,512,000 as proposed by the House and $23,012,000 as proposed by the Senate. The appropriation provides $1,000,000 for planning a central environmental health facility. The conferees are agreed that this facility shall not be located within a radius of 50 miles of the District of Columbia. The conferees are agreed that no funds are to be used to plan a water pollution control laboratory at Columbia, Mo.

Amendment No. 16: Appropriates $3,823,000 for "Accident prevention," as proposed by the Senate instead of $4,163,000 as proposed by the House.

Amendment No. 17: Appropriates $28,175,000 for "Community health practice and research" instead of $22,575,000 as proposed by the House and $28,284,000 as proposed by the Senate. The amount agreed upon includes $5,000,000 for continuation and expansion of the program for training professional public health personnel as provided for in the Graduate Public Health Training Amendments of 1964; and $600,000 for formula grants to the schools of public health.

Amendment No. 18: Reported in disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will change the amount of the advance payments which are authorized from 75 percent of the amounts authorized in the basic legislation to 50 percent of the amounts so authorized.

Amendments Nos. 19, 20 and 21: Appropriate $10,914,000 for "Control of Tuberculosis," as proposed by the Senate instead of $10,364,000 as proposed by the House; provide that $5,000,000 of the appropriation shall be for project grants instead of $7,000,000 as proposed by the House and $3,000,000 as proposed by the Senate; and provide that $3,000,000 of the appropriation shall be for formula grants instead of $1,000,000 as proposed by the House and $5,000,000 as proposed by the Senate.

Amendment No. 22: Inserts authority proposed by the Senate to use funds for "Dental Services and Resources," in accordance with section 314(c) of the Public Health Service Act for certain grants to States.

Amendment No. 23: Appropriates $7,171,000 for "Dental Services and Resources," as proposed by the Senate instead of $6,651,000 as proposed by the House.

Amendments Nos. 24 and 25: Insert citation to the Nurse Training Act of 1964, and appropriate $21,631,000 for "Nurse Services and Resources," as proposed by the Senate instead of $4,031,000 as proposed by the House.

Amendment No. 26: Reported in disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will reduce the amount of advance payment authorized to be made from 75 percent of the amount authorized by the basic legislation to 50 percent of such amount.

Amendment No. 27: Adds new language citing recent amendments to the Public Health Service Act with regard to hospital construction and appropriates $245,846,000 instead of $23,346,000 as proposed by the House and $245,996,000 as proposed by the Senate. The reduction below the Senate proposal denies additional funds for salaries and expenses.

Amendments Nos. 28, 29, 30, and 31: Appropriate $110,782,000 for health professions educational assistance as proposed by the Senate instead of $85,782,000 as proposed by the House and distribute the appropriation to activities authorized by various sections of the act in the manner proposed by the Senate rather than the manner proposed by the House.

The conferees are agreed that this is a very important program, but the managers on the part of both the House and the Senate do not in any way condone the actions cf the Department in starting this program before a single dollar had been appropriated for the purpose. The Department has established the advisory council, has accepted and processed applications, and the advisory council has actually approved applications totaling many millions of dollars. These activities could only have been carried out by reprograming funds appropriated for other purposes. Both the Department of Labor and the Department of Health, Education, and Welfare have continued to abuse legal flexibility which they have been allowed by Congress in the face of continued informal warnings. And, at times (such as this example) reprograming has at least bordered on the illegal. In view of this, the conferees have taken action in connection with amendment No. 62 which should have a salutary effect.

Amendment No. 32: Appropriates $9,350,000 for Environmental Health Sciences as proposed by the House instead of $9,700,000 as proposed by the Senate.

Amendment No. 33: Appropriates $35,009,000 for Water Supply and Water Pollution Control instead of $34,239,000 as proposed by the House and $35,354,000 as proposed by the Senate. The amount agreed upon includes $500,000 for a special investigation of water pollution in the lower Mississippi, $1,270,000 for activities related to acid mine drainage control and $1,165,000 for demonstration grants. No funds are included for the forward staffing of regional water pollution control laboratories as proposed by the Senate.

Amendment No. 34: Appropriates $53,338,000 for Hospitals and Medical Care as proposed by the Senate instead of $52,710,000 as proposed by the House.

Foreign Quarantine Activities: The Public Health Service testified at the hearings on the 1965 budget that they proposed to make a significant change in the procedures with regard to examination of visa applicants at Manila, Philippines. It is the desire of the conferees that no such change be made until the Appropriations Committees have had an opportunity to hold further hearings on the subject.

Amendment No. 35: Appropriates $164,759,000 for General Research and Services, National Institutes of Health, as proposed by the Senate instead of $162,959,000 as proposed by the House.

Amendment No. 36: Reported in disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which establishes a separate appropriation of $10,000,000 for special studies of viruses, leukemia, and allied diseases.

Amendment No. 37: Appropriates $124,824,000 as proposed by the Senate for the National Heart Institute instead of $124,174,000 as proposed by the House.

Amendment No. 38: Appropriates $20,083,000 for the National Institute of Dental Research as proposed by the Senate instead of $19,983,000 as proposed by the House.

Amendment No. 39: Appropriates $113,050,000 for the National Institute of Arthritis and Metabolic Diseases instead of $112,050,000 as proposed by the House and $113,250,000 as proposed by the Senate.

Amendment No. 40: Appropriates $69,847,000 for the National Institute of Allergy and Infectious Diseases as proposed by the House instead of $70,147,000 as proposed by the Senate.

Amendment No. 41: Appropriates $87,821,000 for the National Institute of Neurological Diseases and Blindness as proposed by the Senate instead of $87,621,000 as proposed by the House.

Amendment No. 42: Provides that $45,000,000 of the funds appropriated to the National Institutes of Health shall be available for general research support grants as authorized in section 301(d) of the Public Health Service Act, as proposed by the Senate.

Amendment No. 43: Appropriates $3,892,000 for the National Library of Medicine instead of $3,792,000 as proposed by the House and $3,992,000 as proposed by the Senate. The conferees are agreed that the $100,000 by which the appropriation exceeds the amount proposed by the House shall be for the MEDLARS program and that this increase shall be used to finance not more than four additional positions.

Amendment No. 44: Deletes language proposed by the Senate to authorize funds appropriated to the Social Security Administration for certain official reception and representation expenses. The conferees feel that authority already contained elsewhere in the bill should be sufficient for this purpose.

Welfare administration

Amendment No. 45: Appropriates $2,780,000,000 for Grants to States for Public Assistance as proposed by the Senate instead of $2,880,000,000 as proposed by the House.

Amendment No. 46: Inserts language proposed by the Senate to prohibit the use of funds appropriated for Grants to States for Public Assistance to carry out section 1115 of the Social Security Act.

Amendments Nos. 47 and 48: Insert additional citation as proposed by the Senate and appropriate $373,000 for assistance for Repatriated United States Nationals as proposed by the Senate instead of $310,000 as proposed by the House.

Amendments Nos. 49, 50, and 51: Appropriate $127,830,000 for Grants for Maternal and Child Welfare as proposed by the Senate instead of $129,830,000 as proposed by the House and provide that $4,000,000 shall be for allotment for day care services as proposed by the Senate instead of $6,000,000 as proposed by the House.

Amendment No. 52: Reported in disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will require that Federal funds for day care services will be matched on a 50–50 basis after January 1, 1966, instead of after April 1, 1965, as proposed by the Senate.

Amendment No. 53: Appropriates $11,500,000 for Juvenile Delinquency and Youth Offenses instead of $15,000,000 as proposed by the Senate.

Special institutions

Amendment No. 54: Appropriates $367,000 for Construction, Gallaudet College as proposed by the Senate instead of $329,000 as proposed by the House.

General provisions

Amendment No. 55: Inserts language proposed by the House and stricken by the Senate to limit the amount which may be paid for indirect expenses in connection with research projects under grants to 20 percent of the direct costs.

Amendments Nos. 56 and 57: Adjust section numbers.

Amendment No. 58: Reported in disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which relates to activities in the field of salinity control and irrigation water quality in the Colorado River Basin, with some revision of the language.

TITLE III—NATIONAL LABOR RELATIONS BOARD

Amendment No. 59: Appropriates $25,000,000 for Salaries and Expenses instead of $24,000,000 as proposed by the House and $25,250,000 as proposed by the Senate.

TITLE V—RAILROAD RETIREMENT BOARD

Amendment No. 60: Appropriates $13,834,000 for payment for military service credits as proposed by the House and stricken by the Senate.

TITLE IX—GENERAL PROVISIONS

Amendment No. 61: Provides a maximum rate of pay for temporary employees of $75 per day as proposed by the House instead of $95 per day as proposed by the Senate.

Amendment No. 62: Inserts a new section proposed by the Senate to prohibit the use of funds contained in the act for implementing any provision of the Economic Opportunity Act of 1964, with an amendment to further prohibit the use of any of the funds contained in the act for any activity in excess of the amount set forth for such activity in the schedules contained in the President's budget for 1965 except in those instances where a greater amount was specified by the Congress. The reason for the conferees including the latter prohibition is included earlier in this statement in connection with amendments 28, 29, 30 and 31. The conferees approve the revised budget schedules submitted in connection with the National Institute of Child Health and Human Development.

TITLE X—LEGISLATIVE BRANCH

Amendment No. 63: Reported in disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates $265,000 for the Joint Committee on Inaugural Ceremonies of 1965.

JOHN E. FOGARTY,
WINFIELD K. DENTON,
GEORGE MAHON,
MELVIN R. LAIRD,
ROBERT H. MICHEL,
Managers on the Part of the House.

The SPEAKER. The gentleman from Rhode Island will be recognized for 1 hour.

GENERAL LEAVE TO EXTEND

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks on this matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Speaker, the conference report we bring to the House today provides appropriations of $7,089,707,000 for the operation of the Departments of Labor and Health, Education, and Welfare and several related agencies. When this bill passed the House back in April it carried a total of $6,908,063,000. This was based on budget estimates totaling $7,561,968,000, or a reduction of $653,905,000.

It was a matter of months before the Senate completed action on the bill and during that period several amendments to the budget were submitted. The net effect of these amendments was to increase the budget by $241,222,000, bringing it to a total of $7,803,190,000. The Senate bill totaled $7,081,193,000.

By far the greater part of the Senate increase was due to new legislation which passed after the House had acted on the bill or too late for a budget request to be acted on by the House. The two largest programs in this category are the Hill-Burton hospital construction program, for which the Senate added $220 million, and the library services and construction program for which the Senate included $55 million. I have little doubt that the House would have included approximately the same amount for these programs had the legislation authorizing them been enacted and budget estimates submitted in time. The House conferees, therefore, agreed to most of the funds which were added by the Senate for new legislation.

While we bring back a conference report that is almost $200 million over the amount originally approved by the House, it is important to remember, as I pointed out earlier, that almost a quarter billion dollars in estimates went to the Senate after the House considered the bill. Actually, the House bill was under the budget requests received at that time by a lesser amount than this conference report is under the total budget estimates that have been received to date. These reductions are $653,905,000 and $713,483,000, respectively. As a matter of fact, I personally feel that some of these programs have been cut back too much. However, as with all legislation, this is a compromise and I think, on the whole, a good one. This is a unanimous report—it is signed by every member of the managers on the part of the House and also by every member of the managers on the part of the Senate and I think it deserves the support of the House.

There are 63 amendments involved in this report and I do not intend to take the time of the House to explain the action on them individually unless there are questions by Members. There is one matter that I would like to mention briefly before I yield to the ranking minority member, the gentleman from Wisconsin [Mr. LAIRD].

Mr. Speaker, I am deeply pleased that the House managers went along with the other body in providing a special allocation of $10 million to the National Cancer Institute in fiscal 1965 for the acceleration of studies exploring the relationship between viruses and various forms of cancer, with special reference to leukemia.

As Members of the Congress, we have a special obligation to insure that there is a rigorous review and evaluation of every project submitted for approval in this cancer virus research program.

I received a communication today from Dr. Stuart Sessoms, Acting Director of the National Institutes of Health, in which he pointed out that the expanded cancer virology program would encompass direct operations on the Bethesda campus, extramural research grants and contracts, with special emphasis upon the support of industrial capabilities in this promising area.

In his letter, Dr. Sessoms noted that broad program plans for research contract activities would be reviewed by the National Cancer Advisory Council, but that individual contract proposals would not be presented to the Council. This procedure differs from the standard review mechanism for research grants, which are reviewed individually by a technical study section and then by the Council.

Mr. Speaker, there is no justification for different review procedures for research contracts as compared to research grants. Public Law 655 makes it quite clear that the National Cancer Advisory Council has the authority and the duty to review all research proposals—not only from universities or hospitals, but from industrial or other sources as well. This authority clearly covers all types of contracts.

On September 26, 1963, in presenting to the House the conference report on Labor-HEW appropriations for fiscal 1964, I noted that these research contracts were not being cleared through the Advisory Council as mandated by law. I informed the House at that time that it was my judgment that research contracts should be cleared through the Council in the same manner as all research grant applications. In judging the relative worth of competing research applications, the Council is blocked from performing its mandated task of total review if it is not given specific details on contract programs which involve the expenditure of millions of dollars each year.

I repeat my belief today that Council review of all individual research contracts is mandated by law. I hereby put the National Cancer Institute on notice that I shall request a report on the review of these research contracts subsequent to each of the meetings of the Council during fiscal 1965.

Mr. Speaker, this concludes my remarks unless there are questions on the conference report. For the information of all Members, I will place a somewhat detailed table, showing the conference action with suitable comparisons, in the RECORD at this point.

Labor-Health, Education, and Welfare appropriation bill, 1965

	1964 appropriation	1965 budget estimates	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1964 appropriation	Budget estimates	House	Senate
Department of Labor	$417,508,000	$670,510,000	$585,954,000	$565,420,000	$565,904,000	+$148,396,000	−$104,606,000	−$20,050,000	+$484,000
Department of Health, Education, and Welfare	5,539,648,500	7,085,521,000	6,276,200,000	6,482,183,000	6,476,629,000	+936,980,500	−608,892,000	+200,429,000	−5,554,000
National Labor Relations Board	22,460,000	25,250,000	24,000,000	25,250,000	25,000,000	+2,540,000	−250,000	+1,000,000	−250,000
National Mediation Board	1,950,000	1,970,000	1,970,000	1,970,000	1,970,000	+20,000	----------	----------	----------
Railroad Retirement Board:									
Trust fund limitation	(11,065,000)	(10,500,000)	(10,500,000)	(10,500,000)	(10,500,000)	(−565,000)	(----------)	(----------)	(----------)
General funds of the Treasury	----------	13,834,000	13,834,000	----------	13,834,000	+13,834,000	----------	----------	+13,834,000
Federal Mediation and Conciliation Service	5,690,000	6,100,000	6,100,000	6,100,000	6,100,000	+410,000	----------	----------	----------
Interstate Commission on the Potomac River Basin	5,000	5,000	5,000	5,000	5,000	----------	----------	----------	----------
U.S. Soldiers Home	(6,622,000)	(6,888,000)	(6,888,000)	(6,888,000)	(6,888,000)	(+266,000)	(----------)	(----------)	(----------)
Joint Committee on Inaugural Ceremonies of 1965	----------	----------	----------	265,000	265,000	+265,000	+265,000	+265,000	----------
Total	5,987,261,500	7,803,190,000	6,908,063,000	7,081,193,000	7,089,707,000	+1,102,445,500	−713,483,000	+181,644,000	+8,514,000

I yield to the gentleman from Wisconsin, the ranking member of the subcommittee [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, the gentleman from Rhode Island has already pointed out that this bill is $713 million below the President's budget. The bill as it passed the House was $653 million below the President's budget as it stood at that time. The reason for the additional reduction even though the bill is larger, of course, is that additional supplemental requests were forwarded from the President to the other body in the net amount of $241 million. This reduction from President Johnson's budget represents, I believe, a real savings.

We have also added special language in the bill which would prohibit the reprograming of funds between accounts as far as the Department of Labor and the Department of Health, Education, and Welfare are concerned. I think this will result in tighter financial management in these two Departments. This should put a stop to the wholesale reprograming that has been going on, and will make it clearly illegal to start new activities before Congress has provided funds for them. This has been done, and one instance is commented on in the statement of the managers on the part of the House in connection with amendments 28, 29, 30, and 31.

I have been asked several questions about the Environmental Health Center and I would like to comment on the language contained in this report with reference to that. This language rules out the concentration of more research facilities in the Washington, D.C., area. We feel, and the conferees agreed, that a centralized research laboratory should be built to carry on applied as well as basic research in the environmental health field. We need one comprehensive laboratory, not a group of satellites around the United States. We have provided $1 million to go forward with the planning of such a centralized laboratory for basic and applied research. There was no attempt on the part of the conferees to locate this laboratory. We did turn down the request for its location in the Washington, D.C., complex, but the conferees did not either favor or prejudice any other particular location.

Mr. Speaker, I think this conference report should be approved by the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman.

Mr. GROSS. According to the fact sheet of the subcommittee this bill is $1,102,445,500 above the spending for the same general purposes last year, and $181,644,000 above the House figure. This is, I am sure the gentleman will agree, ample proof that the chickens do come home to roost. When the House enacts bills calling for additional spending the Appropriations Committee then comes along with the bill for the taxpayers. This is the situation with which we are confronted today, $1 billion-plus above the spending for last year and $181 million above the House figure, in round figures.

Mr. FOGARTY. That is correct.

Mr. GROSS. So, if we are going to stop spending we must stop approving authorizations. I am sure my friend, the gentleman from Rhode Island, will agree with that.

Mr. FOGARTY. The gentleman is 100-percent correct, and the bill will likely be bigger next year for just the reason the gentleman cites.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Texas.

Mr. PICKLE. I understand that the conferees deleted the funds for the operation of five vocational education schools; is that correct?

Mr. FOGARTY. The House did not delete these funds. We approved the full amount of the request, including $25 million for the five schools. The Senate cut the $25 million for these schools on the basis that they wanted the Department to tell them where these schools were going to be located and the Department did not come up with the locations. As a result, they insisted on the cut of $25 million.

Mr. PICKLE. Mr. Speaker, will the gentleman yield further?

Mr. FOGARTY. I yield further to the gentleman from Texas.

Mr. PICKLE. Mr. Speaker, I want to express keen disappointment in this conference report that funds were not restored for operation of five resident vocational education schools as provided in the Vocational Education Act of 1963, and as provided in the House version of the Labor-Health, Education, and Welfare appropriation bill, which we adopted on April 14.

Of all the programs advanced today for the improvement of the dropout schoolchildren, the most promising are those programs which give vocational education and other practical on-the-job training. This is true throughout the United States because this is not a sectional or regional problem—it is the most serious problem facing our educational system today.

I deplore the fact that the other body would have deleted these funds simply because they insisted on site selection first, and just as equally, I deplore the fact that the Office of Education could not handle an administrative problem of this kind by submitting a report on site selections or regional selections to the Appropriations Committee.

On the simple basis of appropriations versus site selection, funds for this vitally important program have been deleted and, thus, thousands of young people throughout the United States will be deprived of the best of all training programs proposed today in America.

We in the great Southwest had hoped that one of these five vocational schools would have been in our region. It is sorely needed for students who have dropped out of school and it is especially needed in that area of Spanish-speaking students who are pushed out of school or dropped by the wayside, and who should be given basic training skills and education or else they always will be a drag on the American free enterprise system.

It is unbelievable that this matter could not have been worked out or that Members of this body could not have had a chance to offer amendments or to present our case to the Congress and to the people.

But not the Southwest alone is hurt. Areas of the North and the East, the West, the Middle West, and other agricultural and industrial centers have been wounded by this deletion.

A most damaging blow has been struck against the best of all programs in the educational field and we are here today helpless to change it. Let us hope that somehow, at the earliest time, funds for the operation of these schools can be restored. The Congress has long since passed into law the establishment of these schools. We have already voted that they should be in existence. And yet we are here embarrassed today because we would not provide funds for these pilot schools so that we could have, with small outlay, proven to the people of the United States how effective they can be and what great hope they would offer for a solution to the school dropout problem for the unfortunate young people of our land.

Some may say that the Job Corps program replaces the vocational schools. This is far from the fact.

Though there will be many differences between the Job Corps and residential vocational schools, it is perhaps easiest to characterize them under the following two general headings:

First. Differences in the populations they are intended for.

The most readily apparent difference between the populations the Job Corps and residential vocational schools are intended for is captured by the phrases in the Economic Opportunities Act of 1964 which states that the Job Corps is intended for those youths in our society who are school dropouts or who are unable to profit from further regular formal school programs. Obviously, this is not the case for those who are to be served by the residential vocational schools—by definition. Most of the young men and women who will be served by the Job Corps camps and training centers will have low educational levels—many will be illiterate or functionally illiterate. According to the evidence we now have, the median reading level will probably be somewhere around the fourth grade. The ability to compute and reason in arithmetic and mathematics will undoubtedly be at about the same level. The Job Corps enrollee populations aspirations are likely to be very low, their attitudes toward self, society, and the world of work can be classed generally as poor, and their motivation is likely to be poor as well. One can then, to oversimplify, define the Job Corps population as that segment of our youth who have not been nor are likely to be reached by the regular formal educational institutions of our society, for one or another reason most often associated with conditions of poverty. This, of course, means that they will require special treatment if they are ever to have a fighting chance to succeed within our society. Though it is quite likely that many of the students who may enroll in residential vocational schools would come from poor families and have histories of relative deprivation and almost without exception, they will have the basic educational skills, the motivation, and the interest and aspiration to go forward more or less on their own in a somewhat more formal, more academic, and more technically oriented educational program. Unfortunately, this is not the case with the population the Job Corps is intended to serve.

In fact, one of the distinguishing characteristics of the potential Job Corps enrollee is likely to be his inability to make any kind of adequate long range plans for his own life, any adequate vocational or occupational career choices, or any adequate strategy for coping successfully with the need to be trained in order to survive in our society.

Second. Differences in the nature and level of the educational and training program.

Because of the facts just mentioned in the foregoing paragraph, major emphasis will have to be placed on bringing basic educational skills up to some level of competence for the Job Corps population, regardless of whether the students enroll in a camp or training center. This means they will have to learn to read, to write, to speak, to compute and reason arithmetically, as well as to understand some of the basic science and technological concepts that many of us take for granted. Heavy emphasis will have to be placed on the development of what might be called a general employability curriculum, also. It will be necessary for most Job Corps enrollees to learn the basic social and personal skills and habits which underlie employability of any sort.

For most of the potential students of residential vocational schools, these habits, attitudes and ways of behaving will already have been engrained. Their educational levels will have to be high enough to profit from a more formal technical and academic program. And the program itself will be much more sophisticated, much more abstract, and much wider in scope. Rather than being a program which deals with basic literacy in science and technology, for example, as will be the case in the Job Corps, the residential vocational schools presumably could have courses in advanced electronics, metallurgy, computer technology, chemistry and elementary solid state physics, advanced mathematics, and others to mention but a few.

Graduates of residential vocational schools should not only be able to be employed as journeymen or technicians in their respective fields, but also should be able to have that full set of knowledge, skill and ability which will allow them to shift their occupation and career choices as the demands of the society change. The graduate of the Job Corps camp or center, however, may with luck and diligence be able to enter a vocational course or school, may with an equal amount of luck or diligence be able to enter an apprentice program, may be able to pass a selective service examination and qualify for service in the Armed Forces, may be able to get a reasonably decent first job that has some prospect of advancement.

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FOGARTY. I thank the gentleman from Texas.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, I would like to add to the remarks of the gentleman from Rhode Island [Mr. FOGARTY] that as far as the five residential vocational schools are concerned, it is true that the funds were deleted because site selections had not been made. But, in addition to that, it was the feeling on the part of several of the conferees that the funds being made available under the poverty program for the youth training programs, which will be operated under the guidance and with the help of the Vocational Education Division of the Office of Education, would provide for very similar activities. The conferees of the other body felt that this program should be carried out under one or the other but not both. They felt that there would be duplication if we approved both.

So, in all fairness, I feel that this should be pointed out, that it was not entirely the question of site selection that caused the conferees on the part of the other body to take the position that the House figure be deleted.

Mr. PICKLE. Mr. Speaker, will the gentleman from Rhode Island yield further?

Mr. FOGARTY. I yield further to the gentleman from Texas.

Mr. PICKLE. Mr. Speaker, I shall not prolong this discussion, but I have had considerable discussion with the Office of Education and they have pointed out that the purposes of the vocational education schools and the Job Corps are quite different things entirely, both as to the population they serve and the level of education which they are attempting to provide. In other words, that they are two different, distinct programs, as I have just pointed out.

Mr. LAIRD. If the gentleman from Rhode Island will yield further, the conferees on the part of the other body felt that there was at least some duplication and that was one of the reasons the funds were deleted.

Mr. FOGARTY. Mr. Speaker, 50 years ago a few scientists in the U.S. Public Health Service embarked on a special mission: their goal was to free working men and women from the suffering and disability that once was the personal price many had to pay for employment in the dangerous trades.

These scientists launched a national occupational health movement and established a pattern of research and control that has benefited workers, industry, and the total program of public health protection.

The Division of Occupational Health of the Public Health Service, which grew out of their efforts, has contributed richly to the health, increased life expectancy, and the productivity of American workers. Its people and its efforts through the years have furnished strong leadership and solid support to the hundreds of health workers in State and local agencies with the same objectives.

A measure of success in exposing the prevalence of numerous occupational diseases and devising methods for their control is that terms such as "miners' asthma," "hatters' shakes," and "painters' colic" are no longer commonplace in our vocabulary.

Today the Division of Occupational Health, with a total staff of more than 200 people—including specially trained physicians, engineers, chemists, toxicologists, physicists, psychologists, physiologists, nurses, and other experts—is focusing on the newer health hazards emerging from our continuously changing technology.

It has been the occupational health worker's traditional secondary role to diagnose and develop preventive measures for illnesses in the work environment which may be a potential threat to the general population. As our understanding has grown in the last few years of the importance to good health of a clean and compatible environment this function becomes ever more important. In an environment growing more complex everyday, the accomplishments and findings that result from occupational health programs must be put to use in safeguarding the health of all.

Congress has taken important steps in recent years to assist the forward movement of environmental health by supporting programs to safeguard our water, air, foods, homes, and neighborhoods as well as workplaces from dangerous and unpleasant pollutants that result from industrial and urban growth. The House of Representatives Appropriations Committee has conducted extensive hearings on environmental health and urged the support of new efforts that will achieve for this Nation a healthier environment for us and for future generations.

It is fitting indeed that we join in congratulating the Division of Occupational Health on its 50th anniversary and, on this occasion, wish them success in marking up a record of achievement in the next half century that will equal and exceed their impressive contribution of the past 50 years.

Mr. MATHIAS. Mr. Speaker, the Public Health Service, and indeed all of the people of the United States are the victims today of one of the most unfortunate parliamentary practices which has evolved in the Congress of the United States.

For a long time the Congress has been debating the establishment of a central environmental health facility. This would be a research center that would study all of the aspects of modern environment—of the effect of city living—of traffic, chimney and industrial fumes—of concentration of population—of all the things which affect human living so that we can assess the impact of environmental factors on public health.

The conference committee of the House and Senate has submitted to the House and Senate a report which recommends that this facility shall not be located within a radius of 50 miles of the District of Columbia. The actual compromise appropriation measure does not mention the Environmental Center by name. We now have a situation where the House and Senate are voting on a bill which provides funds for the Environment Center, but only in the committee's "aside"—only in the committee's remarks contained in the report is there the prohibition against the location in the Washington Metropolitan area. Thus there is no realistic opportunity to isolate this issue so that the members may work their will on the floor of the House or the Senate. We all know that while the words of the committee report are not binding upon the executive branch of Government, it has become customary and traditional that they are so influential that they virtually have the effect of law.

This is a wrong way to legislate and I am afraid that it is legislation with the wrong motives. In the first place, all of the authorities in the Department of Health, Education, and Welfare, have strongly recommended that the new environmental health facility should be located in the Washington Metropolitan area. This is not a recommendation because of the interest of these people in enlarging the number of Government facilities in the Washington area. This is a recommendation made on the merits and on the facts. If this kind of facility is to be useful the scientists who are engaged in research must have an opportunity to be in constant touch with their counterparts in the Department of Labor, in the Department of Agriculture, with the doctors who are doing research work at the National Institutes of Health in Bethesda, the Walter Reed Army Medical Center and at the Bethesda National Naval Medical Center and with many other Government and academic facilities which are located in Washington.

With this comment which is included in the report of the conference committee indicating that this facility should not be located within 50 miles of the District of Columbia, the question is raised as to whether or not the Department of Health, Education, and Welfare can follow its own best judgment on this question. I believe that this kind of comment—this indirect direction by a congressional committee is not based upon merit but is based upon the parochial considerations of some members.

I believe that when the Constitution directed that there should be a Federal city to serve as a National Capital it was intended that all of the governmental institutions necessary to Government should be located there when that was feasible and desirable. By the use of this conference committee report, the members of the conference committee are frustrating the intent of the Constitution.

Mr. SICKLES. Mr. Speaker, although I cannot oppose the conferee's final report on the Department of Health, Education, and Welfare's appropriations, I must express my deep concern at the action taken by the committee in two very important areas related to the Washington metropolitan community.

The committee's exclusion of funds for five residential vocational centers including one earmarked for the Nation's Capital is extremely unfortunate. There is considerable evidence to show the importance and the necessity of these facilities. I am convinced that their exclusion from the conference committee's report, will, in the long run, be harmful to our total efforts to better prepare our Nation's young people for their future.

Secondly, the deliberate recommendation by the committee precluding the development of the proposed Environmental Health Center within a 50-mile radius around the Nation's Capital will jeopardize the health of all Americans. Once again it opens the location of this urgently needed facility to the process of political manipulation. That the Center should be located in the Washington metropolitan area has been documented time and time again. The action of the conferees only frustrates the efforts we have made to bring this vital agency to a fruition and to undertake the studies designed to improve the health of our citizens.

As I said at the beginning of my remarks, I cannot oppose the HEW appropriation because the agency must conduct its vital work. But my vote is cast reluctantly knowing the unfortunate results of the committee's action in these areas.

Mr. FOGARTY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 11: Page 14, line 24, insert the following: "That applications filed on or before June 30, 1964, shall receive priority over applications filed after such date."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 11 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 13: Page 20, line 6, strike out "$40,656,000" and insert "$41,065,000".

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 13 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted, insert the following: "$41,065,000: *Provided*, That for the purpose of determining the amount of payments to States from any appropriation for carrying out sections 2 and 3 with respect to expenditures under a State plan approved under said Act (and, if made after August 3, 1954, and prior to July 1, 1965, certified by the Secretary of Health, Education, and Welfare prior to July 1, 1965, for payment), State funds shall, subject to such limitations and conditions as may be prescribed in regulations of the Secretary, include contributions of funds made by any private agency, organization, or individual to a State to assist in meeting the costs of establishment of a public or other nonprofit workshop or rehabilitation facility, which would be regarded as State funds except for the condition, imposed by the contributor, limiting use of such funds to establishment of such workshop or facility."

The motion was agreed to.

The **SPEAKER**. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 18: Page 23, line 17, insert: "Grants and payments for the next succeeding fiscal year: For making, after March 31 of the current fiscal year, grants and payments under section 306 of the Public Health Service Act for the first quarter of the next succeeding fiscal year, such sums as may be necessary, and the obligations incurred and expenditures made hereunder shall be charged to the appropriation for that purpose for such fiscal year: *Provided*, That such payments pursuant to this paragraph may not exceed 75 per centum of the amounts authorized in such section for this purpose for the next succeeding fiscal year."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 18 and concur therein with an amendment, as follows: In lieu of "75 per centum", insert "50 per centum".

The motion was agreed to.

The **SPEAKER**. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 26: Page 25, line 17, insert: "Loans, grants, and payments for the next succeeding fiscal year: For making, after March 31 of the current fiscal year, loans, grants, and payments under part B of title VIII of the Public Health Service Act for the first quarter of the next succeeding fiscal year, such sums as may be necessary, and the obligations incurred and expenditures made hereunder shall be charged to the appropriation for that purpose for such fiscal year: *Provided*, That such payments pursuant to this paragraph may not exceed 75 per centum of the amounts authorized in such part B for these purposes for the next succeeding fiscal year."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 26 and concur therein with an amendment, as follows: In lieu of "75 per centum", insert "50 per centum".

The motion was agreed to.

The **SPEAKER**. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 36: Page 33, line 21, insert:

"SPECIAL CANCER RESEARCH

"For special studies of viruses, leukemia and allied diseases, $10,000,000: *Provided*, That these funds may be expended pursuant to contracts made to the extent authorized, and subject to the limitations provided, in title 10, United States Code, section 2353, except that determination, approval, and certification required thereby shall be by the Surgeon General."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 36 and concur therein.

The motion was agreed to.

The **SPEAKER**. The Clerk will report the next amendment in disagreement.

The Clerk reads as follows:

Senate amendment No. 52: Page 42, line 9, insert ": *Provided further*, That none of the funds contained herein shall be used on or after April 1, 1965, to pay in excess of one-half of the cost of day care services under section 527(a) of the Social Security Act, as amended."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 52 and concur therein with an amendment, as follows: In lieu of the matter proposed to be inserted, insert the following: ": *Provided further*, That after January 1, 1966, no Federal funds shall be used to pay in excess of one-half of the cost of day care services under section 527 (a) of the Social Security Act, as amended."

The motion was agreed to.

The **SPEAKER**. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 58: Page 50, line 4 insert:

"SEC. 205. Except upon the request of the Department of the Interior none of the funds herein appropriated shall be used to conduct or assist in conducting, or carry on, undertake, or continue surveys, investigations, or any programs (including, but not limited to, the payment of salaries, administrative expenses, the conduct of research activities and policing actions) in the field of salinity control or of irrigation water quality in the States of Arizona, California, Nevada, New Mexico, Utah, Colorado, and Wyoming."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 58 and concur therein with an amendment, as follows: In lieu of the matter proposed to be inserted, insert the following:

"SEC. 206. Except upon the approval of the President's Science Advisory Committee, none of the funds herein appropriated shall be used to conduct or assist in conducting, or carry on, undertake, or continue surveys, investigations, or any programs (including but not limited to, the payment of salaries, administrative expenses, the conduct of research activities and policing actions) in the field of salinity control or of irrigation water quality in the area drained by the Colorado River and its tributaries.

The motion was agreed to.

The **SPEAKER**. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 63: Page 55, line 7, insert:

"TITLE X—LEGISLATIVE BRANCH

"*Senate*

"Contingent Expenses of the Senate

"Joint Committee on Inaugural Ceremonies of 1965

"For construction of platform and seating stands and for salaries and expenses of conducting the inaugural ceremonies of the President and Vice President of the United States, January 20, 1965, in accordance with such program as may be adopted by the joint committee authorized by concurrent resolution of the Senate and House of Representatives, $265,000."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreeement to the amendment of the Senate numbered 63 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

CANYONLANDS NATIONAL PARK, UTAH

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 27) to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1881)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 27) to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter inserted by the House amendment insert the following:

That in order to preserve an area in the State of Utah possessing superlative scenic, scientific, and archeologic features for the inspiration, benefit, and use of the public, there is hereby established the Canyonlands National Park which, subject to valid existing rights, shall comprise the following generally described lands:

Beginning at a point on the left or east bank of the Green River on the north township line of township 27 south, range 17½ (partially surveyed), Salt Lake base and meridian:

thence easterly along the north township line through township 27 south, range 17½ east (partially surveyed), and township 27 south, range 18 east (partially surveyed), to the northeast corner of section 6, township 27 south, range 18 east (partially surveyed);

thence southerly along the east line of section 6 to the southeast corner of section 6, township 27 south, range 18 east (partially surveyed);

thence easterly along the north line of sections 8, 9, and 10 to the northeast corner of section 10, township 27 south, range 18 east (partially surveyed);

thence southerly along the east line of section 10 to the southeast corner of section 10, township 27 south, range 18 east (partially surveyed);

thence easterly along the north line of sections 14 and 13 to the northeast corner of section 13, township 27 south, range 18 east (partially surveyed);

thence continuing easterly along the north line of sections 18, 17, 16, and 15 to the northeast corner of section 15, township 27 south, range 19 east (partially surveyed);

thence southerly along the east line of sections 15 and 22 to the southeast corner of section 22, township 27 south, range 19 east (partially surveyed);

thence easterly along the north line of sections 26 and 25 to the northeast corner of section 25, township 27 south, range 19 east (partially surveyed);

thence continuing easterly along the north line of section 30 to the northeast corner of section 30, township 27 south, range 20 east;

thence southerly along the east line of section 30 to the southeast corner of section 30, township 27 south, range 20 east;

thence easterly along the south line of section 29 to the southeast corner of the west half of section 28, township 27 south, range 20 east;

thence southerly along the east line of the west half of section 33 to the southeast corner of the west half of section 33, township 27 south, range 20 east;

thence continuing southerly along the east line of the west half of sections 4, 9, 16, and 21 to the southeast corner of the west half of section 21, township 28 south, range 20 east;

thence westerly along the south line of sections 21 and 20 to the southwest corner of section 20, township 28 south, range 20 east;

thence southerly along the east line of sections 30 and 31 to the southeast corner of section 31, township 28 south, range 20 east;

thence continuing southerly along the east line of sections 6 and 7 to the southeast corner of the north half of section 7, township 29 south, range 20 east;

thence westerly along the south line of the north half of section 7 to the southwest corner of the north half of section 7, township 29 south, range 19 east;

thence continuing westerly along the south line of the northeast quarter of section 12 to the southwest corner of the northeast quarter of section 12, township 29 south, range 19 east (partially surveyed);

thence southerly along the east line of the west half of sections 12, 13, and 24 to the southeast corner of the west half of section 24, township 29 south, range 19 east (partially surveyed);

thence westerly along the south line of section 24 to the southwest corner of section 24, township 29 south, range 19 east (partially surveyed);

thence southerly along the east line of sections 26 and 35 to the southeast corner of section 35, township 29 south, range 19 east (partially surveyed);

thence easterly along the south line of township 29 south, range 19 east, to the east line of the west half of section 36, township 29½ south, range 19 east (partially surveyed);

thence southerly along the east line of the west half of section 36 to the southeast corner of the west half of section 36, township 29½ south, range 19 east (partially surveyed);

thence continuing southerly along the east line of the west half of section 1 to the southeast corner of the northwest quarter of section 1, township 30 south, range 19 east (partially surveyed);

thence easterly along the north line of the southeast quarter of section 1 to the northeast corner of the southeast quarter of section 1, township 30 south, range 19 east (partially surveyed);

thence southerly along the east line of section 1 to the southeast corner of section 1, township 30 south, range 19 east (partially surveyed);

thence easterly along the north line of section 7 to the northeast corner of section 7, township 30 south, range 20 east;

thence easterly along the north line of section 7 to the southeast corner of section 7, township 30 south, range 20 east;

thence easterly along the north line of section 17 to the northeast corner of section 17, township 30 south, range 20 east;

thence southerly along the east line of section 17 to the southeast corner of section 17, township 30 south, range 20 east;

thence easterly along the north line of sections 21 and 22 to the northeast corner of section 22, township 30 south, range 20 east;

thence southerly along the east line of sections 22, 27, and 34 to the southeast corner of section 34, township 30 south, range 20 east;

thence easterly along the south line of township 30 south, range 20 east, to the east line of section 34, township 30½ south, range 20 east (partially surveyed);

thence southerly along the east line of section 34 to the southeast corner of section 34, township 30½ south, range 20 east (partially surveyed);

thence continuing southerly along the east line of sections 3, 10, 15, 22, 27, and 34 to the southeast corner of section 34, township 31 south, range 20 east (partially surveyed);

thence continuing southerly along the east line of sections 3, 10, and 15 to the southeast corner of section 15, township 32 south, range 20 east (partially surveyed);

thence westerly along the south line of sections 15, 16, 17, and 18 to the southwest corner of section 18, township 32 south, range 20 east (partially surveyed);

thence northerly along the west line of section 18 to the northwest corner of section 18, township 32 south, range 20 east (partially surveyed);

thence westerly along the south line of section 12 to the southwest corner of section 12, township 32 south, range 19 east (partially surveyed);

thence northerly along the west line of sections 12 and 1 to the northwest corner of section 1, township 32 south, range 19 east (partially surveyed);

thence westerly along the south line of section 35 to the southwest corner of section 35, township 31 south, range 19 east (partially surveyed);

thence northerly along the west line of sections 35 and 26 to the northwest corner of section 26, township 31 south, range 19 east (partially surveyed);

thence westerly along the south line of sections 22, 21, 20, and 19 to the southwest corner of section 19, township 31 south, range 19 east (partially surveyed);

thence continuing westerly along the south line of sections 24, 23, 22, 21, 20, and 19 to the southwest corner of section 19, township 31 south, range 18 east (partially surveyed);

thence continuing westerly along the south line of sections 24, 23, and 22 to the southwest corner of the east half of section 22, township 31 south, range 17 east (partially surveyed);

thence northerly along the west line of the east half of section 22 to the northwest corner of the east half of section 22, township 31 south, range 17 east (partially surveyed);

thence westerly along the south line of section 15 to the southwest corner of section 15, township 31 south, range 17 east (partially surveyed);

thence northerly along the west line of sections 15, 10, and 3 to the northwest corner of section 3, township 31 south, range 17 east (partially surveyed);

thence easterly along the north line of sections 3, 2, and 1 to the northeast corner of section 1, township 31 south, range 17 east (partially surveyed);

thence continuing easterly along the north line of section 6 to the northeast corner of section 6, township 31 south, range 18 east (partially surveyed);

thence north through partially surveyed township 30½ south, range 18 east, to the north line of partially surveyed township 30½ south, range 18 east;

thence easterly along the north line of partially surveyed township 30½ south, range 18 east, to the southwest corner of section 34, township 30 south, range 18 east (partially surveyed);

thence northerly along the west line of sections 34 and 27 to the northwest corner of section 27, township 30 south, range 18 east (partially surveyed);

thence easterly along the north line of section 27 to the northeast corner of section 27, township 30 south, range 18 east (partially surveyed);

thence northerly along the west line of sections 23, 14, 11, and 2 to the northwest corner of section 2, township 30 south, range 18 east (partially surveyed);

thence continuing northerly along the west line of section 35 to the northwest corner of section 35, township 29 south, range 18 east (partially surveyed);

thence westerly along the south line of section 27 to the southwest corner of section 27, township 29 south, range 18 east (partially surveyed);

thence northerly along the west line of sections 27 and 22 to the northwest corner of section 22, township 29 south, range 18 east (partially surveyed);

thence westerly along the south line of section 16 to the southwest corner of section 16, township 29 south, range 18 east (partially surveyed);

thence northerly along the west line of sections 16 and 9 to the northwest corner of section 9, township 29 south, range 18 east (partially surveyed);

thence westerly along the south line of section 5 to the southwest corner of section 5, township 29 south, range 18 east (partially surveyed);

thence northerly along the west line of section 5 to the northwest corner of section 5, township 29 south, range 18 east (partially surveyed);

thence continuing northerly along the west line of section 32 to the northwest corner of section 32, township 28½ south, range 18 east (partially surveyed);

thence westerly along the south line of section 30 to the southwest corner of section 30, township 28½ south, range 18 east (partially surveyed);

thence northerly along the west line of sections 30 and 19 to the northwest corner of the south half of section 19, township 28½ south, range 18 east (partially surveyed);

thence westerly along the south line of the north half of sections 24 and 23 to the southwest corner of the northeast quarter of section 23, township 28 south, range 17 east (partially surveyed);

thence northerly along the west line of the northeast quarter of section 23 and the west line of the southeast quarter of section 14 to the northwest corner of the southeast quarter of section 14, township 28 south, range 17 east (partially surveyed);

thence westerly along the south line of the north half of sections 14 and 15 to the southwest corner of the north half of section 15, township 28 south, range 17 east (partially surveyed);

thence northerly along the west line of sections 15, 10, and 3 to the northwest corner of section 3, township 28 south, range 17 east (partially surveyed);

thence continuing northerly along the west line of sections 34, 27, 22, and 15 to the northwest corner of the south half of section 15, township 27 south, range 17 east (partially surveyed);

thence easterly along the north line of the south half of sections 15 and 14 to the northeast corner of the south half of section 14, township 27 south, range 17 east (partially surveyed);

thence northerly along the west line of sections 13, 12, and 1, township 27 south, range 17 east (partially surveyed), to the right or west bank of the Green River;

thence northerly across the Green River to the point of beginning, containing approximately 257,640 acres.

Sec. 2. Within the area described in section 1 hereof or which lies within the boundaries of the park, the Secretary of the Interior is authorized to acquire lands and interests in lands by such means as he may deem to be in the public interest. The Secretary may accept title to any non-Federal property within the park, including State-owned school sections and riverbed lands, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction within the State of Utah, notwithstanding any other provision of law. The properties so exchanged shall be of the same classification, as near as may be, and shall be of approximately equal value, and the Secretary shall take administrative action to complete transfer on any lands in a proper application by the State of Utah on or before the expiration of one hundred twenty days following the date of enactment of this Act: *Provided*, That the Secretary may accept cash from, or pay cash to, the grantor in such an exchange in order to equalize the values of the properties exchanged. Federal property located within the boundaries of the park may, with the concurrence of the agency having custody thereof, be transferred to the administrative jurisdiction of the Secretary of the Interior, without consideration, for use by him in carrying out the purposes of this Act. Any lands within the boundaries of the park which are subject to Bureau of Reclamation or Federal Power Commission withdrawals are hereby freed and exonerated from any such withdrawal and shall, on the date of enactment of this Act, become a part of the Canyonlands National Park subject to no qualifications except those imposed by this Act.

Sec. 3. Where any Federal lands included within the Canyonlands National Park are legally occupied or utilized on the date of approval of this Act for grazing purposes, pursuant to a lease, permit, or license for a fixed term of years issued or authorized by any department, establishment, or agency of the United States, the Secretary of the Interior shall permit the persons holding such grazing privileges to continue in the exercise thereof during the term of the lease, permit, or license, and one period of renewal thereafter.

Sec. 4. (a) In order to provide suitable access to the Canyonlands National Park and facilities and services required in the operation and administration of the park, the Secretary may select the location or locations of an entrance road or roads to such park and to points of interest therein from United States Route 160 and State Routes 24 and 95, including necessary entrance and related administrative headquarters sites upon lands located outside the park, and he may select a suitable location or locations outside the park for connections between entrance roads and between roads lying within the Canyonlands National Park.

(b) To carry out the purposes of this section, the Secretary may acquire non-Federal lands or interests in lands by donation, purchase, condemnation, exchange, or such other means as he may deem to be in the public interest: *Provided*, That lands and interests in lands acquired outside the park as rights-of-way for said entrance roads and connections shall not exceed an average of one hundred and twenty-five acres per mile. Rights-of-way and entrance and administrative sites acquired pursuant to this authority shall be administered pursuant to such special regulations as the Secretary may promulgate in furtherance of the purposes of this section.

(c) The Secretary may construct, reconstruct, improve, and maintain upon the lands or interests in lands acquired pursuant to this section, or otherwise in Government ownership, an entrance road or roads and connections of parkway standards, including necessary bridges and other structures and utilities as necessary, and funds appropriated for the National Park Service shall be available for these purposes: *Provided*, That if any portion of such road or roads crosses national forest land the Secretary shall obtain the approval of the Secretary of Agriculture before construction of such portion shall begin.

(d) The Secretary is hereby authorized to cooperate with the Secretary of Agriculture in the location and extension of a forest development road from State Route 95 and may extend the same from the national forest boundary to the park and points of interest therein in accordance with the applicable provisions of this section.

Sec. 5. Subject to the provisions of this Act, the administration, protection, and development of the Canyonlands National Park, as established pursuant to this Act, shall be exercised by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 and the following), as amended and supplemented.

And the House agree to the same.

Wayne N. Aspinall,
Thomas G. Morris,
Roy A. Taylor,
John P. Saylor,
Laurence J. Burton,
Managers on the Part of the House.

Alan Bible,
Clinton P. Anderson,
Frank E. Moss,
Gordon Allott,
Len B. Jordan,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 27) to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes, submit the following statement in explanation of the effect of the language agreed upon and recommended in the accompanying conference report.

The substitute amendment recommended by the conference committee is identical with the amendment to S. 27 which was adopted by the House except in three respects:

The House amendment required that Federal lands exchanged for State lands within the Canyonlands National Park be of approximately equal value, whereas the original Senate requirement was that they be of the same classification. The conference committee recommends a modification of the House language to require that the lands exchanged be, as nearly as may be, of the same classification and that they be of approximately equal value. This will, in most cases, mean exchanges of mineral land for mineral land, grazing land for grazing land, timberland for timberland, and so forth. It will also mean that there may be no substantial difference in the values of the lands that are exchanged. Such minor differences as there are will, under another provision of the bill, be adjusted by a cash settlement.

The House amendment omitted language which was contained in the original Senate bill providing that "the Secretary shall take administrative action to complete transfer on any lands (to be exchanged) in a proper application by the State of Utah or before the expiration of 120 days following the date of enactment of this act." The conference committee recommends restoration of this language. This is intended to be beneficial both to the United States and to the State of Utah by cleaning up whatever land exchange problems there may be as rapidly as possible. The provision, of course, is not intended to require the impossible. If, for instance, an application by the State should be delayed until toward the close of the 120-day period it is not intended to require completion of the exchange within that period regardless of the difficulties involved. Likewise, it is not intended to say that any offer of exchange must be completed within that period if the offer is obviously unreasonable or if there is serious question whether the lands to be exchanged are of approximately equal value. What is intended is that the Secretary shall take all reasonable administrative action that he can to complete the transfer within the time specified.

The third difference between the House amendment and the substitute recommended by the conference committee has to do with grazing permits, leases, and licenses within the Canyonlands National Park. The House had adopted language protecting the holders of fixed-term grazing permits during their term but forbidding any renewal thereof. The conference committee recommends a modification of this language to allow those who now hold such permits to renew them for one term. Since the basic law under which such permits are issued fixes their maximum term at 10 years, this will mean continuation of grazing within the park for, at most, 10 years beyond the expiration date of the present permits.

A great deal of discussion developed among members of the conference committee over the omission by the House of the Senate provisions for the continued application of the mining and mineral leasing laws within Canyonlands National Park for 25 years and of other provisions relating to this subject. The conference substitute does not restore these provisions. Senator Moss and Representative Burton, of Utah, wish their dissent from this action of the conference committee to be noted.

Wayne N. Aspinall,
Thomas G. Morris,
Roy A. Taylor,
John P. Saylor,
Laurence J. Burton,
Managers on the Part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

TETON BASIN FEDERAL RECLAMATION PROJECT, IDAHO

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 1123) to provide for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 1882)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1123) to provide for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter inserted by the House amendment insert the following:

That, in order to assist in the irrigation of arid and semiarid lands in the upper Snake River Valley, Idaho, to provide facilities for river power opportunities created thereby and, as incidents to the foregoing purposes, to enhance recreational opportunities and provide for the conservation and development of fish and wildlife, the Secretary of the Interior is authorized to construct, operate, and maintain the Lower Teton division of the Teton Basin Federal reclamation project. The principal engineering features of the said project shall be a dam and reservoir at the Fremont site, a pumping plant, powerplant, canals and water distribution facilities, ground water development, and related facilities in the upper Snake River Valley, Idaho. In the construction, operation, and maintenance of the said project and project works the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof and supplementary thereto). The project shall be operated consistent with the existing agreements as to storage rights in the Federal reclamation reservoirs in the upper Snake River Basin.

Sec. 2. The period provided in subsection (d) of section 9 of the Reclamation Project Act of 1939, as amended, for repayment of construction costs properly allocable to any block of lands and assigned to be repaid by the irrigators may be extended to fifty years, exclusive of a development period, from the time water is first delivered to that block, or as near that number of years as is consistent with the adoption and operation of a repayment formula as therein provided. Costs allocated to irrigation in excess of the amount determined by the Secretary to be within the ability of the irrigators to repay within a fifty-year period shall be returned to the reclamation fund from revenues derived by the Secretary from the disposition of power marketed through the Bonneville Power Administration and attributable to Federal projects in Idaho.

Sec. 3. (a) The Secretary is authorized to construct, operate, and maintain or otherwise provide for basic public outdoor recreation facilities, to acquire or otherwise to include within the division area such adjacent lands or interests therein as are necessary for public recreation use, to allocate water and reservoir capacity to recreation, and to provide for the public use and enjoyment of division lands, facilities, and water areas in a manner coordinated with the other division functions. The Secretary is authorized to enter into agreements with Federal agencies or State or local public bodies for the operation, maintenance, or additional development of division lands or facilities, or to dispose of division lands or facilities to Federal agencies or State or local public bodies by lease, transfer, conveyance, or exchange upon such terms and conditions as will best promote the development and operation of such lands and facilities in the public interest for recreation purposes. The costs of the aforesaid undertakings, including costs of investigation, planning, Federal operation and maintenance, shall be nonreimbursable. Nothing herein shall limit the authority of the Secretary granted by existing provisions of law relating to recreation development of water resource projects or to disposition of public lands for recreation purposes.

(b) Costs of means and measures to prevent loss of and damage to fish and wildlife resources shall be considered as project costs and allocated as may be appropriate among other division functions.

Sec. 4. (a) The Secretary is authorized to amend contracts heretofore made under the Acts of September 30, 1950 (64 Stat. 1083), and of August 31, 1954 (68 Stat. 1026), whereby the water users assumed an obligation for winter power replacement based on the winter water savings program at the Minidoka powerplant to relieve the contractors ratably by one-third of that obligation, and to make new contracts under these Acts on a like basis. To the extent such annual obligations are reduced, the cost thereof shall be included in the cost to be absorbed by the power operations of the Federal power system in Idaho.

(b) The actual construction of the facilities herein authorized shall not be undertaken until at least 80 per centum of the conservation capacity in Fremont Reservoir is under subscription, nor until negotiations have been undertaken in accordance with the provisions of (a) of this section.

(c) No construction shall be undertaken on facilities of the Lower Teton division which are required solely to provide a full water supply to lands in the Rexburg Bench area until the Secretary has submitted his report and finding of feasibility on this phase of the division to the President and to the Congress.

Sec. 5. There is hereby authorized to be appropriated for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, the sum of $52,000,000, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved therein, and, in addition thereto, such sums as may be required to operate and maintain said division.

And the House agree to the same.

Wayne N. Aspinall,
Walter Rogers,
Morris K. Udall,
John P. Saylor,
Mark Andrews,
Managers on the Part of the House.

Henry M. Jackson,
Clinton P. Anderson,
Frank Church,
Thomas H. Kuchel,
Len B. Jordan,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1123) to provide for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes, submit the following statement in explanation of the effect of the language agreed upon and recommended in the accompanying conference report.

The language agreed upon is the language of the House amendment except with respect to the one matter discussed hereinafter.

The last sentence of section 2 of S. 1123, as it passed the Senate, provided that "Costs allocated to irrigation in excess of the amount determined by the Secretary to be within the ability of the irrigators to repay within a 50-year period shall be returned to the reclamation fund from revenues derived by the Secretary from the disposition of power generated at all Federal projects in Idaho." The same sentence of section 2 of the House amendment provided that "Costs allocated to irrigation in excess of the amount determined by the Secretary to be within the ability of the irrigators to repay within a 50-year period shall be returned to the reclamation fund from revenues derived by the Secretary from the disposition of power marketed through the Bonneville Power Administration." In other words, the Senate language provided that financial assistance to the irrigators be provided only from revenues from the marketing of power and energy generated at the Boise, Minidoka, Palisades, Dworshak, and Albany Falls powerplants, while the House amendment provided for financial assistance from revenues of the entire Bonneville system. The conference committee agreed upon language which provides that such financial assistance be derived from power revenues attributable to Federal projects in Idaho. The language agreed upon differs from the Senate language in that it refers to power and energy attributable to the Federal projects in Idaho whereas the Senate language refers to power and energy generated at Federal projects in Idaho. The agreement with respect to the language of section 2 necessitated a change in the language of section 4. The provision in the last sentence of section 4(a) of the House amendment that certain costs be absorbed by "the power operations of the Federal Columbia River power system" was changed to provide that such costs be absorbed by "the power operations of the Federal power system in Idaho."

The Department of the Interior furnished the conference committee information showing that there will be sufficient net power revenues attributable to Federal plants in Idaho to provide the financial assistance necessary for repayment of the Lower Teton division well within the 50-year period provided in the legislation.

Wayne N. Aspinall,
Walter Rogers,
Morris Udall,
John P. Saylor,
Mark Andrews,
Managers on the Part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that any Member desiring to do so may have 3 legislative days in which to extend his remarks in the Record on the two conference reports just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

EXTENSION AND AMENDMENT OF PUBLIC LAW 480

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 12298) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 12298, with Mr. Harris in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday there was pending the amendment offered by the gentleman from Ohio [Mr. Oliver P. Bolton].

Without objection, the Clerk will again report the amendment offered by the gentleman from Ohio.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. Oliver P. Bolton: Page 5, immediately after line 17, insert the following:

"(11) Section 107 of such Act is amended by inserting immediately before the period at the end thereof the following: ', or (3) the United Arab Republic.' "

Mr. BOW. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and nine Members are present, a quorum.

Mr. JOELSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think before the House votes on this amendment, the Members should have knowledge of the contents of a letter which I am about to read. This letter is addressed to the Speaker of this body and it is from the Secretary of State. It is as follows:

September 3, 1964.

The Honorable John W. McCormack,
Speaker of the House of Representatives.

Dear Mr. Speaker: I would like to express to you my view that it would be most unfortunate if the proposed Bolton amendment to the Public Law 480 extension bill now before the House were to become law.

In the protection and advancement of U.S. interests for which he is constitutionally responsible, the President requires sufficient flexibility in the conduct of foreign policy. This has been recognized in the existing Public Law 480 legislation.

I do not mean that we necessarily agree with the actions of every country that receives assistance from the United States. However, in my judgment the national security of the United States would suffer rather than be advanced if the President's authority were to be restricted as proposed in the Bolton amendment. The President must have the authority to respond to rapidly changing international situations.

I therefore urge that the House reject this proposed amendment.

Sincerely yours,

Dean Rusk.

Mr. OLIVER P. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman.

Mr. OLIVER P. BOLTON. Mr. Chairman, even though the gentleman has spoken on the measure before and notwithstanding that his time has not yet expired, I ask unanimous consent that the gentleman may proceed for 5 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. OLIVER P. BOLTON. Mr. Chairman, having just read the letter from the Secretary of State, recalling yesterday's colloquy, the gentleman recognizes, I am sure, that what we are considering here is an extension of Public Law 480 which will take place beginning next July 1, and that the shipments under Public Law 480 are now sufficiently behind the authorization so that any restriction which goes into this bill will not have any practical effect until January, at least, of the calendar year 1966. Therefore, there is a year and one-half of complete flexibility remaining to the administration to deal with the United Arab Republic. That is the gentleman's understanding, is it not?

Mr. JOELSON. I would not call that complete flexibility. I would say it is some measure of flexibility but not complete flexibility.

Mr. OLIVER P. BOLTON. But he has just as much flexibility as he has under present existing law.

Mr. JOELSON. For a limited time.

Mr. OLIVER P. BOLTON. Until calendar year 1966 at least.

Mr. JOELSON. Yes.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman, the distinguished chairman of the Committee on Agriculture.

Mr. COOLEY. The situation is such that, if we adopt this amendment, the psychological effect would be immediate and it would be the same as withdrawing from diplomatic relations with all of the Arab world.

Mr. JOELSON. Yes, I agree. I am of the opinion that, if the limiting amendment is successful, there may be an unsettling condition in the Middle East which will be very dangerous to the peace and security of that region.

Mr. COOLEY. The implications would be very far reaching.

Mr. JOELSON. That is my opinion.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from California.

Mr. ROOSEVELT. I would ask the gentleman whether it is not true that in the foreign aid bill there is specific language which directs the President to examine whether a country is an aggressor against the policy of the United States.

Under Public Law 480 there is at the present time practically no direction of any kind, except the new amendments which have already been adopted by the committee. Therefore, if it is a solid argument to say that we are restricting the policy of the President, we have already done that in the committee.

As I understand it, what the gentleman from Ohio [Mr. Oliver P. Bolton] seeks to do is to add another country to those countries already acted upon—for instance, Cuba—by this committee, by its own action; is that correct?

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the chairman, to answer that question.

Mr. COOLEY. The gentleman from California may be accurate in his statement, but the amendment of the gentleman from Florida [Mr. Rogers], separate and apart from this, dealt only with Cuba. We are familiar with that situation. This amendment would reach all over the Arab world. It would affect the State of Israel. It is calculated to bring about unrest in that whole area.

When we talk about flexibility, this law will expire at the end of this year. How could there be flexibility until the end of next year?

Mr. OLIVER P. BOLTON. This law will expire at the end of this fiscal year.

Mr. COOLEY. At the end of the calendar year. On December 31 this law will be finished.

Mr. JOELSON. Mr. Chairman, it is my opinion—and I believe amply demonstrated—that our Secretary of State wants to maintain peace in the Middle East. He wants to protect the nation of Israel. He wants to see that there is no outbreak of hostilities.

I believe that Public Law 480 is an instrument in his hands to help stabilize and bring peace to this area. I fear that if the hands of the President are tied, instead of helping bring about peaceful conditions in the Middle East we shall be aggravating the situation and seriously increasing the possibilities of hostilities.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. I compliment the gentleman from New Jersey for his statesmanlike approach to this very touchy question.

The gentleman from California [Mr. Roosevelt], did bring out a point in respect to foreign aid. In that bill there is some flexibility and the President can make a determination to cut off aid, when he makes a determination that there has been aggression in the Near East. If the President makes that determination under the aid bill, it is only logical to conclude that he will also cut off aid under this bill.

I believe that if we will leave the matter up to the President, if such a determination is necessary it will be made in both instances.

Mr. JOELSON. The President has made it very clear that he will not tolerate any aggression or hostility in the Middle East, and that he can be counted upon to keep the peace there.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from North Carolina, the chairman of the committee.

Mr. COOLEY. I compliment the gentleman, and I also wish to compliment and congratulate our colleague from New Jersey [Mr. Gallagher], for the magnificent speech he made yesterday.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from New York.

Mr. FARBSTEIN. I believe that two points should be mentioned.

First, it is my opinion that the passage of this amendment would have a psychological effect on the United Arab Republic, and I believe this would be very salutary. This is absolutely necessary to give Mr. Nasser pause, to make him stop and to discontinue the aggressive action he has been guilty of taking.

He has been responsible for unrest throughout Asia and Africa.

This has been detailed on various occasions during the debate on foreign aid. I have mentioned this in statements I have previously made, and shown wherein he has been responsible for aggression.

Mr. JOELSON. There is no question about that.

Mr. FARBSTEIN. Very well. Therefore, the passage of this amendment in the House will, in my opinion, create a psychological effect which is absolutely necessary in order to get him to stop his adventures and threats.

Mr. JOELSON. I do not yield further at this time. I believe it would have an opposite effect. I believe it would drive Nasser into further frantic acts of lawlessness and aggression. If I agreed with the gentleman's point of view I certainly would not oppose this amendment.

Mr. OLIVER P. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the author of the amendment.

Mr. OLIVER P. BOLTON. I want to compliment the gentleman on the position he takes on the basis of his feelings. Let me point out, in answer to the question asked me by the chairman of the committee, however, that it is true the authority under this bill to enter into new contracts does cease December 31. However, there is no requirement that contracts with countries with which we are dealing, which are entered into prior to December 31, cannot be carried out in the months thereafter for contracts that have been agreed to. I would point out to the gentleman on clarifying the position taken by the gentleman from California that Public Law 88205, which is the Foreign Aid Act, specifically includes under the aggression amendment all that aid which is given under Public Law 480. I would say to the gentleman basically what we are saying here is that there has not been a determination made by the administration in the terms that the Congress specified in the act, namely, that there is aggression in this area even though there have been some 75,000 people killed there in relatively recent times.

SUBSTITUTE AMENDMENT OFFERED BY MR. ROOSEVELT

Mr. ROOSEVELT. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

> Amendment offered by Mr. ROOSEVELT as a substitute for the amendment offered by Mr. OLIVER P. BOLTON: On page 5, immediately after line 17, insert "The President is directed that no funds under this Act shall be spent in any country unless he finds such country is not (a) an aggressor in a military sense against any country having diplomatic relations with the United States, or (b) using funds of any sort from the United States for purposes inimical to the foreign policies of the United States.

Mr. ROOSEVELT. Mr. Chairman, I offer this really to test the sincerity of those who have advanced the President's position as being one which would tie his hands. Very frankly we have already under the foreign aid bill, as the gentleman from Ohio has already pointed out, done in essence what this amendment proposes. The facts of life are, if we meant it there, certainly we should mean it in Public Law 480 also. This would make it possible for the President to exercise his own discretion. But we have told him in the Congress that we are worried about the things that the gentleman from New York [Mr. FARBSTEIN], talked about. We have told him we think these are things that deserve very special attention and consideration. We have brought them to his attention, and he is directed to make an affirmative finding before he spends more money of the United States in a country which is definitely using this money or other money for the purpose of circumventing the foreign policy of the United States. We have given him notice he cannot spend it, including Public Law 480 funds, except when he has made this important decision.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman.

Mr. PUCINSKI. I would like to congratulate the gentleman from California for offering the substitute. It is a very fine one, and I hope the House will adopt it. Certainly the President should have a free hand to deal with these problems, but Congress should go on record as expressing our desire to do something with the aid we have been giving out to people such as Nasser who are creating a great deal of difficulty. Recently he concluded an agreement with Archbishop Makarios, offering to give him assistance in Cyprus against our best interests. I think that the substitute the gentleman offers would indeed put Congress on record as serving notice on the administration that while we feel the administration should have a free hand, there are limits to the patience of the American people in supporting and in giving aid to these men who constantly disrupt the foreign policy and act against the best interests of America and who work hand in hand with the Soviet Union.

I think this is a fine amendment.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman.

Mr. GALLAGHER. Is it the gentleman's intention that his amendment would bring Public Law 480 into line with the determination that the President must make under the foreign aid bill?

Mr. ROOSEVELT. Yes, sir. Exactly, if the gentleman will yield to me, except that I have broadened it somewhat because under the foreign aid bill act he must, in essence, declare them to be an aggressor.

Mr. GALLAGHER. Yes.

Mr. ROOSEVELT. And I thought that was a little too tight. If they are working against the foreign policy of the United States, the President should have the same discretion.

Mr. GALLAGHER. I think the gentleman has performed a fine service in delineating the problem. Everyone is interested in deterring the aggressions that Mr. Nasser threatens. I think the gentleman from New York [Mr. FARBSTEIN] brought this out to those of us who are very concerned with this problem. I think if you are offering this as a test of the President's sincerity to properly handle this very serious matter, then I believe your proposal will serve a worthwhile purpose and it is a very worthy substitute for the amendment. I would urge that it be supported and I would like to compliment the gentleman from California for his statesmanlike approach to a very difficult matter.

Mr. ROOSEVELT. I thank the gentleman.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman.

Mr. JOELSON. Mr. Chairman, I should like to say that I think the gentleman from California is performing a valuable service in offering this substitute, because it does not tie the President's hands. It gives us the maneuverability we seek. I certainly should be very happy to support this substitute in the best interests of this country and peace in the Middle East.

Mr. ROOSEVELT. I thank the gentleman.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from New York.

Mr. FARBSTEIN. Mr. Chairman, I would like to understand wherein the gentleman's proposed amendment is any different from the existing Foreign Aid Act?

Mr. ROOSEVELT. I would say to the gentleman that I think he will find that, while there may be the conclusion that what is in the foreign aid bill should apply to funds under Public Law 480, it is also held by some distinguished scholars and attorneys that it does not, because it is not in essence directly foreign aid. Therefore, in order to make sure that there is no question that the same general policy should apply to Public Law 480 as it does to foreign aid, I have offered this amendment.

Mr. FARBSTEIN. Mr. Chairman, under the foreign aid bill as it now exists, a year and half has elapsed. I think there is no question that Mr. Nasser has been guilty both of aggression and preparing for aggression and during this entire period nothing has been done or said by anyone to stop it. The gentleman's amendment solely says that Public Law 480 shall be guided by the same rules by which the foreign aid bill is guided. In effect you are doing nothing that is different from what has been done in the past year and a half. How are you going effectively to stop Mr. Nasser with your amendment?

The CHAIRMAN. The time of the gentleman from California [Mr. ROOSEVELT] has expired.

Mr. ROOSEVELT. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Chairman, I want to answer the gentleman's question. I think the gentleman's question is a legitimate one. I have been disturbed as he has been disturbed by the lack of action on the part of the State Department, indeed on the part of the President. But I would say to the gentleman that I think we have been through a most difficult period. In some of these instances it takes many, many months to accumulate the evidence upon which such action must be taken and I am convinced that one more prodding by this Congress of the State Department and of the President by this kind of a directive will result in the kind of action which is justifiable. I do not want to tie the hands of the President in a way that would be unrealistic and therefore I have offered this amendment.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman.

Mr. COOLEY. Mr. Chairman, I want to ask the gentleman a question. Is it not a fact that the gentleman's amendment would apply uniformly around the world? He does not single out and name any nation. That is the difference between his proposal and the proposal offered by the gentleman from Ohio [Mr. OLIVER P. BOLTON].

Mr. ROOSEVELT. That is correct. I believe very firmly that we should not try to single out individual situations if we can possibly help it.

Mr. COOLEY. I thank the gentleman.

Mr. ROOSEVELT. This is a policy which we can defend as a national policy.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Chairman, I should like to ask the gentleman if he knows of any specific instances where the President has taken advantage of the power and authority given him by the foreign aid bill to move in the direction of curtailing Mr. Nasser?

Mr. ROOSEVELT. Yes, sir; there have been. I do not know whether I am allowed properly to say this, but I know that there have been very serious warnings and consultations to and with the Government of Egypt, representations to them that under the foreign aid bill these matters must be considered. I do know, because I have checked, that the matter is presently under constant review in the Department of State and by the President himself.

The CHAIRMAN. The time of the gentleman from California [Mr. ROOSEVELT] has again expired.

Mr. ADAIR. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Chairman, will the gentleman yield further?

Mr. ROOSEVELT. I yield to the gentleman from Indiana.

Mr. ADAIR. I would ask the gentleman if there has been a presidential determination made, as provided for by the foreign aid law?

Mr. ROOSEVELT. No, sir; to my knowledge it has not been as of this time.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. There has been action taken, as the gentleman from Indiana well knows, in the case of Indonesia where we had a situation that involved Mr. Sukarno. There has been a termination of a great deal of the technical assistance that was going into that area.

Mr. ADAIR. Mr. Chairman, if the gentleman will yield further, as the gentleman from New Jersey certainly knows I hold no brief for the actions of Mr. Sukarno. But that is not here under discussion.

Mr. GALLAGHER. No, but the gentleman wanted an illustration of where this action was undertaken.

Mr. ADAIR. We were talking about whether or not a presidential determination has been made with respect to President Nasser of the United Arab Republic.

Mr. GALLAGHER. I misunderstood the gentleman. I thought the gentleman wanted an illustration of where the State Department had made a determination along that line.

Mr. RYAN of New York. Mr. Chairman, will the gentleman yield to me?

Mr. ROOSEVELT. I yield to the gentleman from New York.

Mr. RYAN of New York. I believe the gentleman from California will recall that, at the time the aggressor nation clause was written into the Foreign Aid Act of 1963, the gentleman from California and I, among others, made crystal clear that that particular clause was intended to apply to Nasser's Egypt.

The gentleman now states that the State Department says that this matter is under constant review. That is the same old answer that the State Department has been giving all this time. It is time for action, not more reviews.

Can the gentleman from California tell the House about any contemplated action of the State Department?

There has been no evidence given to this House to the effect that the State Department has paid one bit of attention to the aggressor nation clause as written into the Foreign Aid Act of 1963. What reason is there to believe that any more attention will be paid to the amendment which has been offered by the gentleman from California?

Mr. ROOSEVELT. I disagree with the gentleman from New York. I believe it represents an additional, definite prod.

I happen to know that the State Department has taken under consideration this clause which the gentleman and I and others helped write into the foreign aid bill, and I personally believe, as some judges sometimes do, that postponing the situation until a reasonable time has been given to ascertain all the facts is desirable. I believe a reasonable time still should be given.

Therefore, Mr. Chairman, I have offered the amendment.

Mr. OLIVER P. BOLTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN (Mr. HARRIS). The gentleman will state it.

Mr. OLIVER P. BOLTON. Mr. Chairman, would it be possible to have the language of the substitute amendment read again?

The CHAIRMAN. Yes; by unanimous consent it can be done.

Mr. OLIVER P. BOLTON. Mr. Chairman, I ask unanimous consent that the language of the substitute be reread.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The Clerk will report the substitute amendment.

The Clerk read as follows:

> Amendment offered by Mr. ROOSEVELT as a substitute to the amendment offered by Mr. OLIVER P. BOLTON: On page 5, immediately after line 17, insert "the President is directed that no funds under this Act shall be spent in any country unless he finds such country is not (a) an aggressor in a military sense against any country having diplomatic relations with the United States or (b) using funds of any sort from the United States for purposes inimicable to the foreign policies of the United States."

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. OLIVER P. BOLTON].

Mr. OLIVER P. BOLTON. Mr. Chairman, this amendment, it is true, does require a finding on the part of the President that there is no aggression before any food can be given under this program. The language of the foreign aid bill today requires in effect a finding of no aggression. As to the naming of a country, I would go back to Senator HUMPHREY in the Senate saying: "Let us do it as we did in the case of Indonesia. Let us name Egypt in the bill."

It is true this places the responsibility once again on the administration, but it does nothing to say to the United Arab Republic that the Congress of the United States and the people of the United States are fed up with the aggressions he has been in. Why? Because the State Department has refused to take the position that it is aggression. They have said that this is an internal coup, and immediately recognized the coup as a fact. The U.N. was to go in and settle the matter, and the agreement was to get out in 2 months. Now, today, with 40,000 United Arab Republic troops in the area, U Thant has announced today the U.S. is withdrawing its Commission because of a lack of cooperation and lack of results.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. GALLAGHER].

(By unanimous consent (at the request of Mr. Matthews) the time of Mr. Matthews was given to Mr. Gallagher.)

Mr. GALLAGHER. Mr. Chairman, I believe in the last few days with the legislative history made here in the House we must conclude we are generally unhappy with the attitude of Mr. Nasser. On the other hand, the significant point is whether or not the President shall continue to make foreign policy or whether individual Members of the House can make the foreign policy of the United States.

With the legislative history that has been made in the last 2 days we can very well demonstrate that we feel Mr. Nasser should change his ways and if he does not then the President can make a determination to cut off Public Law 480 aid.

One other thing I would like to add to this debate: On June 30, 1965, all the present Public Law 480 agreements with Egypt will terminate. Negotiations will begin prior to that date to determine whether or not such an agreement should be renewed or abandoned. Therefore I feel that the executive branch is well aware of the feeling in this House. Accordingly, if we do not take mandatory action at this time the President then can use his discretion to further the best interests of the United States at the time of renegotiation of the Public Law 480 agreement with the United Arab Republic. He will be fully aware of the fact that this body will have another look at it subsequent to June 30 next year. I therefore feel that the gentleman from California [Mr. Roosevelt] has contributed greatly to this bill by offering an amendment that allows the President to have discretionary power where he can make a determination that will reflect the will of this House if in his opinion the United Arab Republic is embarked on a course adverse to the best interest of the United States and the peace of the Near East. I believe also that it is abundantly clear there will be no assistance of any kind to Egypt if the security of Israel is imperiled.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Farbstein].

(By unanimous consent (at the request of Mr. Cunningham) the time allowed Mr. Cunningham was given to Mr. Farbstein.)

Mr. FARBSTEIN. Mr. Chairman, I can sympathize with the gentleman from California who has offered this amendment. He is trying to walk on eggs, and that is a pretty difficult thing to do.

There is no question that no one individual is seeking to make foreign policy here. The Congress of the United States, consisting of the Senate and the House of Representatives, declared it is their feeling that no aid should be given to an aggressor or to anyone who prepares for aggression. The Congress did not want to take that discretion away from the President, so it was given to him.

But there has been no finding in the last year and a half that Nasser has been an aggressor and is preparing for aggression. There is no question, and I think history itself will show, that Nasser has been both an aggressor and preparing for aggression, and has been in violation of the law that we have enacted. Nothing has been done.

I do not want to deny the President his discretion, but he is not doing anything about it. Maybe he depends upon the State Department for advice. He probably does. But the State Department is doing nothing about it. What is the use of Congress passing laws when they are completely ignored by the State Department? We find ourselves in a situation where we are hamstrung. So I say the only way we can do it is by mandating the administration.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. Pucinski].

Mr. PUCINSKI. Mr. Chairman, I think this amendment can be construed as being even stronger than the amendment offered by the gentleman from Ohio. The amendment states:

> The President is directed that no funds under this act shall be spent in any country unless he finds such country is not an aggressor, in a military sense, against any country having diplomatic relations with the United States.

This language would presume, therefore, that the United Arab Republic is an aggressor against Israel, and the President must first find and prove that the United Arab Republic is not an aggressor before he can renegotiate any agreements. Under the original amendment, the presumption is that the United Arab Republic is not an aggressor until the President finds otherwise. I prefer to assume the United Arab Republic is an aggressor and leave to the President the responsibility of finding otherwise, if he can.

This would apply also in the case of other countries. Take the case of Turkey, which used our aircraft to bomb Cyprus. Under this amendment, Turkey would be barred from further use of Public Law 480 funds. I think this substitute gives the President a great deal of latitude, but it serves notice that we will not permit the use of these funds to aid aggressors. Therefore, I urge the adoption of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. Rumsfeld].

Mr. RUMSFELD. Mr. Chairman, I believe there is broad agreement among the Members of the House and concern about the aggressions of the United Arab Republic in the Near East.

We all know that the State Department can misdefine terms as it sees fit, and has done so in the past. The gentleman from California says he is reluctant to see a specific nation named, therefore he offers this substitute. It strikes me this substitute is really meaningless. We have tried this course before in the House of Representatives. It is obvious that the State Department and the administration are not as concerned about the aggressions of the United Arab Republic in the Near East and are not as concerned about the continued anti-American diatribes Colonel Nasser constantly puts on the air as are the Members of Congress. It strikes me that it is time for the Congress to speak on this matter by opposing the almost meaningless Roosevelt substitute, and by supporting the amendment of the distinguished gentleman from Ohio [Mr. Oliver P. Bolton]. Any other course is to encourage and indeed assist Nasser in his warlike ambitions.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Rosenthal].

Mr. ROSENTHAL. Mr. Chairman, I am opposed to the substitute amendment because I do not want to be a party to the absurd use of words in legislation. The point was made yesterday and I want to reiterate it today, that under title I of Public Law 480 we have sold over $1 billion of our food to Nasser. The language of the section reads:

> It is hereby declared to be the policy of Congress to expand international trade among the United States and friendly nations.

By no stretch of the imagination, by no torturing of words, can the United Arab Republic be called a friendly nation. I do not want to continue to torture this language any more.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, the Roosevelt substitute is virtually meaningless. If this Congress means what it says and says what it means, it will adopt the Bolton amendment. The Roosevelt substitute ought to be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. Cooley] to close debate on the pending amendment.

Mr. COOLEY. Mr. Chairman, of necessity I will be very brief.

Mr. Chairman, for the life of me it is difficult to understand why it is necessary or desirable to name a particular country. Under the Roosevelt amendment, it is applicable to all countries. If it is a good proposition for the House, it should be good all over the world. Why single out one nation? I think when we do that we are cutting across our foreign policy and we are reflecting upon our officers in the executive branch of the Government. We here are judging on slight evidence—as a matter of fact no evidence has been presented before this body that Nasser is or is not an aggressor except what we read in the papers and hear Members of the House saying. If Nasser is an aggressor, under the Roosevelt amendment the President can make the determination and, as has been pointed out here, he must make an affirmative determination that a country is not an aggressor.

Mr. Chairman, so far as I am concerned, I accept the Roosevelt substitute amendment.

The CHAIRMAN. The time of the gentleman from North Carolina has expired. All time has expired.

The question is on the substitute amendment offered by the gentleman from California [Mr. Roosevelt].

The question was taken; and on a division (demanded by Mr. Oliver P. Bolton), there were—ayes 76, noes 82.

Mr. ROOSEVELT. Mr. Chairman, I ask for tellers.

Tellers were ordered and the Chairman appointed as tellers Mr. Roosevelt and Mr. Oliver P. Bolton.

The Committee again divided, and the tellers reported that there were—ayes 117, noes 113.

So the substitute amendment was agreed to.

The CHAIRMAN. The question now occurs on the amendment offered by the gentleman from Ohio [Mr. Oliver P. Bolton], as amended.

The amendment as amended was agreed to.

AMENDMENT OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. Rooney of New York: Strike out all of section (1) and insert in lieu thereof the following: "That the Agricultural Trade Development and Assistance Act of 1954, as amended is further amended as follows:

"(1) Effective January 1, 1965, that part of section 103(b) of such Act which precedes the colon is amended to read as follows: 'Agreements shall not be entered into under this title during the period beginning January 1, 1965, and ending December 31, 1967, which will call for appropriations to reimburse the Commodity Credit Corporation in a total amount in excess of $4,000,000,000 plus any amount by which agreements entered into in prior years have called or will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than authorized for such prior years by this Act as in effect during such years.'

"(2) Section 104 of such Act is amended by striking out in subsection (c) the word 'military' and inserting after the words 'common defense' the words 'including internal security'.

"(3) Section 104 of such Act is amended by adding the following new subsection:

"'(u) None of the foreign currencies generated under this Act shall be used to promote or to help promote, or to increase production of any farm commodity units of which shall have been exported from such country in the preceding calendar year, in competition with production in the United States.'

"(4) The first proviso at the end of section 104 of such Act is amended by striking out 'to not less than 10 percentum of the foreign currencies, which accrue under this title:' and substituting ', effective with respect to agreements entered into during the period beginning January 1, 1965 and ending December 31, 1967 to not less than 20 per centum in the aggregate of the foreign currencies which accrue under such agreements:'.

"(5) Section 107 of such Act is amended by adding at the end thereof the following: 'For the purposes of Titles I and IV of this Act, the term "friendly nation" shall not include any country which permits ships or aircraft under its registry to transport to or from Cuba (excluding United States installations in Cuba) any equipment, materials, or commodities, so long as Cuba is governed by the Castro regime.'

"(6) Section 108 of such Act is amended by striking out the words 'six months' and inserting in lieu thereof the word 'year'.

"(7) Sections 109 and 204 of such Act are amended by striking out '1964' and substituting in lieu thereof '1967'.

"(8) Section 203 of such Act is amended by striking out '1961' and substituting '1965'; by striking out '1964' and substituting '1967'; by striking out '$300,000,000', and substituting '$450,000,000'; and by inserting after 'charges for general average contributions arising out of the ocean transport of commodities transferred pursuant hereto' the following: 'or donated under said section 416, section 308 of this Act or section 9 of the Act of September 6, 1958.'

"(9) Section 203 of the Act is amended by inserting after the third sentence of said section the following new sentence: 'In addition to other funds available for such purposes under any other Act, funds made available under this title may be used to purchase foreign currencies accruing under title I in order to meet costs (except the personnel and administrative costs of cooperating sponsors, distributing agencies, and recipient agencies, and the costs of construction or maintenance of any church owned or operated edifice or any other edifices to be used for sectarian purposes) designed to assure that commodities made available under this title or under title III are used to carry out more effectively the purposes for which such commodities are made available or to promote community and other self-help activities designed to alleviate the causes of the need for such assistance: *Provided, however,* That such funds shall be used only to supplement and not substitute for, funds normally available for such purposes from other non-United States Government sources.' and by inserting after the word 'costs' in the last sentence the words 'or for the purchase of foreign currencies'.

"(10) Section 101 of such Act is amended by striking out in subsection (f) the words 'from the government or agenices thereof' and further by striking the period at the end of subsection (f) and adding the following: ', and which are not less favorable than the highest of exchange rates obtainable by any other nation.'

"(11) The President is directed that no funds under this act shall be spent in any country unless he finds such country is not (a) an aggressor in a military sense, against any country having diplomatic relations with the United States or (b) using funds, of any sort, from the United States for purposes inimical to the foreign policies of the United States.".

Mr. FINDLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FINDLEY. Mr. Chairman, I have not had a chance to see a copy of this amendment. I should like to ask the Chair if the language of the amendment retains the provision adopted by the House which required Appropriations sanction before any local currencies under title I can be granted to a recipient country.

Mr. ROONEY of New York. The answer is "No."

The CHAIRMAN. The Chair feels that the author of the amendment should explain the amendment and the Chair recognizes the gentleman from New York [Mr. Rooney] on his amendment.

Mr. ROONEY of New York. Mr. Chairman, I shall be glad to answer the distinguished gentleman from Illinois. This pending substitute for section 1 substantially contains the bill as it has been approved up to this point, including the amendments of the gentleman from Ohio [Mr. Oliver P. Bolton], and the gentleman from California [Mr. Roosevelt], with one exception, and that is exclusion of the so-called Findley amendment adopted yesterday.

I must be frank and say that I supported the Findley amendment on yesterday. Today I find that I cannot support it for the reason that in South Vietnam 90 percent of the local courrency funds generated under title I sales, Public Law 480, is used to support the military effort there. In view of this situation in Vietnam, Mr. Chairman, if we adopt the pending substitute for section 1 of the bill we will not only approve all the amendments adopted up to now, except the so-called Findley amendment, but also strike out at page 2 of the bill the controversial matter in lines 13 to 25 inclusive and at page 3 of the bill lines 1 to 14 inclusive.

I think this is the best way to presently handle the situation. I am confident that the executive branch will not use any of these foreign currencies for such things as the nubian movement deal or real estate transactions abroad. I am now pleased to yield to the distinguished chairman of the great Committee on Agriculture, the gentleman from North Carolina [Mr. Cooley].

Mr. COOLEY. Mr. Chairman, I want to call attention to the fact that I think the Reading Clerk read the original Bolton amendment rather than the Bolton amendment as amended by the Roosevelt amendment.

As I understand my friend the gentleman from New York [Mr. Rooney], the intent is to have us include the Bolton amendment, as amended?

Mr. ROONEY of New York. That is correct. The substitute amendment to section 1 which is pending includes both the Roosevelt amendment and the Bolton amendment as amended.

Mr. COOLEY. Did the Clerk read it correctly, do you think?

Mr. MATTHEWS. No, he did not.

Mr. ROONEY of New York. I am not sure. I was trying to answer some pressing questions here at the committee table, I will say to my distinguished friend.

Mr. COOLEY. Mr. Chairman, if the gentleman will yield further to me, could I ask unanimous consent to have it read again, just that portion of it which is pertinent to my inquiry?

Mr. ROONEY of New York. Page 4 as well as the yellow slip attached.

The CHAIRMAN. The Clerk will read the portions referred to.

The Clerk read as follows:

11. The President is directed that no funds under this Act shall be spent in any country unless he finds such country is not (a) an aggressor in a military sense against any country having diplomatic relations with the United States, or (b) using funds of any sort from the United States for purposes inimicable to the foreign policies of the United States.

Mr. FINDLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from New York [Mr. Rooney] yield for a parliamentary inquiry?

Mr. ROONEY of New York. I do, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. FINDLEY. Mr. Chairman, is the language just read the same language as originally read by the Clerk as the amendment offered by the gentleman from New York? Is it a part of the original language?

Mr. COOLEY. I understand that there was an error in the reading because the Clerk read the original language of the Bolton amendment rather than the Bolton amendment, as amended.

The CHAIRMAN. The gentleman from North Carolina is correct.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that the Clerk read the amendment as corrected.

The CHAIRMAN. The correction has already been made, without rereading the amendment.

Mr. COOLEY. Mr. Chairman, will the gentleman from New York yield further?

Mr. ROONEY of New York. I gladly yield further to the distinguished gentleman from North Carolina.

Mr. COOLEY. I would like to congratulate my friend from New York, the distinguished Congressman, who has just spoken. I feel that he has rendered a real service by approaching this very important matter with a high degree of intelligence, and I hope that his amendment, the amendment in the nature of a substitute, will be adopted.

Mr. Chairman, I feel that it would be very unfortunate for us to carry on this controversy any longer. While I have no authority from the committee to accept the amendment, I personally accept it and express the hope that it will be adopted.

Mr. ROONEY of New York. I thank the distinguished gentleman.

Mr. MAHON. Mr. Chairman, will the gentleman from New York yield to me?

Mr. ROONEY of New York. I yield to the distinguished gentleman from Texas, chairman of the House Committee on Appropriations.

Mr. MAHON. Mr. Chairman, I know there has been some controversy in regard to various aspects of this legislation.

I am not authorized to speak for the Committee on Appropriations as such. However, I do want to say that for myself personally I believe the gentleman from New York [Mr. Rooney] has performed a genuine service in working out this amendment.

Mr. Chairman, I wholeheartedly support the amendment. It will enable us to carry on the Public Law 480 program in an orderly way. We, more or less, will carry on the program as we have been under existing law.

Mr. Chairman, I earnestly hope that the amendment of the gentleman from New York will be adopted.

Mr. FINDLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from New York [Mr. Rooney] suggests that the amendment as adopted yesterday, referred to as the Findley-Ellender amendment, would jeopardize our program of military assistance in South Vietnam.

Apparently the gentleman has some facts not available to me. But, certainly, the effect of the amendment which has been passed by the other body and which was adopted yesterday by the House would not be retroactive. It would not affect any local currencies presently or U.S.-owned or currencies acquired through agreements already made.

I have seen no indication whatsoever that our program aiding South Vietnam is about to run out of money.

Further, I would call attention to the fact that there is a supplemental appropriation bill still kicking around Capitol Hill, there is certainty that early in January we will have for consideration a supplemental appropriation bill in order to provide a further restoration of funds to the Commodity Credit Corporation, to which a grant of authority could be attached to provide local currencies for military assistance in South Vietnam.

Furthermore, the Congress is still in session and if there is an indicated shortage, the Committee on Appropriations could go into session at once and provide the necessary grant of authority to provide foreign currencies for these purposes in South Vietnam.

The bill also carries another provision which I support, expanding the use of foreign currencies to include internal security operations in countries like Vietnam. We therefore want to do everything possible to make these currencies work to fight communism.

So I cannot understand that this amendment would hamper in any way our effort in South Vietnam.

Mr. ROONEY of New York. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from New York.

Mr. ROONEY of New York. Not only are some of these currencies used for mutual defense purposes in South Vietnam, but they are also used extensively to support the defense budgets of Taiwan, Korea and other countries.

Mr. FINDLEY. The same would apply to those countries.

Mr. ROONEY of New York. In South Vietnam, 90 percent of the local currency generated under Public Law 480, title I sales, is granted to support the South Vietnam war effort. These funds provide nearly 20 percent of U.S. support of the South Vietnam military budget. I would like to see all of these currencies within the control of the appropriations procedure, but the situation in Vietnam as of today is too serious to jeopardize even hours of delay or uncertainty so far as this program is concerned.

Mr. FINDLEY. Surely, the gentleman is not suggesting that the Appropriations Committee would fail to continue to provide military assistance needed in South Vietnam, or elsewhere? He is not suggesting that the Appropriations Committee would put this program in jeopardy, is he?

Mr. ROONEY of New York. I am a trusting soul and I hopefully expect to get out of Washington here in a week or 10 days. I do not want to be responsible for what might happen in South Vietnam between that time and the 89th Congress, when it convenes in January 1965.

Mr. FINDLEY. As I suggested earlier, there is no indication whatever that the funds available to South Vietnam for military assistance are running out. There has been no indication of that. There is no urgency about this further grant for military assistance purposes.

I am curious as to why overnight the gentleman from New York would change his position entirely. I can cite his language on page 21425 of the Record of September 2, and also his other comments in support of my amendment providing congressional appropriation sanction over these local currencies. If the gentleman can explain why he has changed overnight I would like him to do so.

Mr. ROONEY of New York. I am a realist. Does the gentleman from Illinois realize that under the action now proposed by the pending amendment the entire language from line 13 on page 2 to line 14 on page 3 is stricken from the bill? This is the proposed carte blanch authority on the subject of expenditure of Public Law 480 foreign currencies. My action, if approved, would bring the matter back to the status quo, just as it was before and is now.

Mr. FINDLEY. The gentleman is in error, because the Commission that would be stricken by your amendment would be purely advisory. It would be empowered only to suggest ways the President utilize the "excess" U.S.-owned local currency.

Mr. ROONEY of New York. Does the gentleman want the advisory committee set up in the bill?

Mr. FINDLEY. I see no objection to leaving an Advisory Commission in the bill. This amendment of mine would simply give the Congress the annual right of scrutiny to try to keep this program on the proper track.

Mr. OLIVER P. BOLTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to call the attention of the House to the action that has just been taken, and I would like to ask the author of the amendment, the gentleman from California [Mr. Roosevelt] to discuss it with me. As I understand the language of his amendment, which I did not have a chance to read before it was agreed to by the committee, in the second section it says the President must make an affirmative finding that the foreign policy of the country to which aid is going is not inimical to the foreign policy of the United States.

Again we are on semantics, but as I understand the meaning of the word "inimical," it means "unfriendly." I would call to the attention of the House, as I understand the word "unfriendly," or "inimical," this would include among the exclusions of the act the country of Poland, the country of Yugoslavia, and other countries which have up until now been those which the State Department and the policy of this administration and previous administrations have indicated that they wished to keep in close contact with in an effort to penetrate and try to work out a peaceful solution for the world.

In that amendment as we adopted it, the word "inimical" is the key word, and I would for the record like to ask the gentleman from California to make sure that the meaning of the words are clear so that the State Department may have a firm understanding upon which to base their action.

I yield to the gentleman from California.

Mr. ROOSEVELT. I thank the gentleman. At the risk of assuming some of the responsibility of Mr. Webster, may I say as used by me in the matter which has just been passed by the House, the word "inimical" merely means that it shall be found by the President that any country having a policy which is overwhelmingly dangerous or opposed to the foreign policies of the United States shall not receive these funds. I leave it to the discretion of the President to make that decision. It does not, therefore, exclude Poland unless the President so found. It does not include the other countries the gentleman has named unless the President so found.

Mr. OLIVER P. BOLTON. If the gentleman will wait another minute, the first section of the amendment, as I understand it, means that unless there is military aggression against a country which we recognize, the President can give the aid. Is that correct?

Mr. ROOSEVELT. That is correct.

Mr. OLIVER P. BOLTON. Therefore, the gentleman's amendment would have absolutely no application at all to a situation as now exists in the Middle East.

Mr. ROOSEVELT. It certainly would, because if by any chance, as many people feel, Nasser were to take directly or indirectly military action against Israel, he would immediately forfeit aid under Public Law 480.

Mr. OLIVER P. BOLTON. Let us face it. They took military action against a nation which we recognized until Egypt took it over.

Mr. ROOSEVELT. The gentleman is talking about Yemen?

Mr. OLIVER P. BOLTON. I am talking about Yemen. They have been there some time. There certainly has been military action. This amendment would place no additional responsibility on the administration.

Mr. ROOSEVELT. Yes, I think it would. It would require the President to make an affirmative finding.

Mr. OLIVER P. BOLTON. He does now in a negative sense.

Mr. ROOSEVELT. Now we have it in a positive sense. There is quite a difference.

Mr. OLIVER P. BOLTON. I appreciate the gentleman's position, but in view of the statement which has been made by the State Department to the effect that they do not recognize that there has been aggression in Yemen, I think the meaning of the gentleman's amendment becomes clear—and ineffectual in the light of past performance.

AMENDMENT OFFERED BY MR. DERWINSKI

Mr. DERWINSKI. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. DERWINSKI to the amendment offered by Mr. ROONEY of New York: Page 2, strike out lines 14 and 15 and insert in lieu thereof the following new subsection:

"(u) For farm improvement loans on reasonable terms and conditions to individuals who own and operate farms in countries having a Communist government where surplus agricultural commodities are sold under this Act; except that foreign currencies shall be available for the purposes of this subsection (in addition to funds otherwise made available for such purposes) only in such amounts as may be specified from time to time in appropriation Acts:".

Mr. COOLEY. Mr. Chairman, I reserve a point of order against the amendment.

Mr. DERWINSKI. Mr. Chairman, as I understand the parliamentary situation, if the Rooney substitute is accepted it would not be open to any further amendment; the intent is to drive it down our throats. Therefore, I am offering my amendment at this point. The amendment was originally prepared to the bill as introduced by the committee.

Mr. ROONEY of New York. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield.

Mr. ROONEY of New York. Of course, I am sure the gentleman understands that the substitute I have offered would cover the bill down to line 17 on page 5, that it does not affect section 2 or section 3 of the bill.

Mr. DERWINSKI. The amendment as orginally prepared was to section 1, page 2, line 14. May I point out that this amendment is not involved in any way in the recent debate over the Findley or Bolton amendments. It is just as a technical necessity that I offer it at this point. I fully recognize that the amendment is difficult to explain under the present mood of the House. However I emphasize that I did spend a full session before the subcommittee of the House Committee on Agriculture. I received attention and sympathy but was disappointed to find the amendment did not emerge into the bil. I discussed this matter informally with many members of the Agriculture Committee, who had evidenced interest, but they say that to open up this program to many amendments is in effect to open up Pandora's box; therefore, the possible value of the amendment was never seriously considered by the members responsible for writing the bill.

Recognizing all of this, I still feel that point should be made and it is basically this: that in two Communist countries, Poland and Yugoslavia, we have approximately a billion dollars accumulated and the Red governments for practical purposes maintain a veto power over their use. My amendment would provide for the financing of free-enterprise farms in the face of collective farming systems. Therefore, we would be striking a blow against communism right in their own backyards with these funds that are not otherwise being used.

Mr. POAGE. The effect of it would be basically to establish the Farmers Home Administration in these two countries; is it not?

Mr. DERWINSKI. No; I would say that there might be a similarity but that is not the expected result. The intent is to defeat communism by strengthening the peasants in those countries who are the hard core of opposition to their dictatorial governments. I point out, however, and emphasized this when I appeared before the gentleman's subcommittee, I assume Communist governments would not permit this operation to go into practice. Therefore, we would be in the position of pointing out to the world that they will not permit effective help to be given to the oppressed peoples of their own countries. This is truly a cold war psychological amendment more than an agricultural amendment.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman.

Mr. COOLEY. Is not the purpose of the amendment obviously indirectly to amend the Battle Act. These funds that we have impounded in Poland are being withheld for that very reason because the Battle Act does not permit us to use the funds. Now you come along and propose an agricultural bill under Public Law 480 to give authority to somebody to use this money to build houses in Poland and just as the gentleman from Texas [Mr. POAGE] said, it would be establishing the Farmers Home Administration in Poland. If we do it in Poland, why not do it in Yugoslavia and Albania and why not do it in many other countries?

Mr. DERWINSKI. Can the gentleman say that in the deliberations of the committee that this matter was at all subject to detailed scrutiny?

Mr. COOLEY. I do not think what you are talking about was proposed, but I will say to the gentleman, I would not object to considering the matter in committee, but I think it is entirely inappropriate to be offering it as an amendment in this bill because if you take off on Poland then somebody will want to take off on Yugoslavia and other countries.

Mr. DERWINSKI. Poland and Yugoslavia are the only two Communist countries where these accumulated funds and soft currencies have been established.

Mr. COOLEY. Where these funds are impounded there are certain limitations and restrictions in the bill. They were used once in Skoplje to help to rehabilitate that city after it was destroyed.

Mr. DERWINSKI. But in Skoplje the Government of Yugoslavia prohibited the use of our excess currencies for emergency treatment to earthquake victims.

Mr. COOLEY. We permitted it.

Mr. DERWINSKI. No; they prohibited it.

Mr. COOLEY. This fund in Poland amounts to $1 billion or something like that. I just do not think we should sit here in the House today and use a half billion dollars to build houses in Poland, and for that reason I hope the amendment is defeated.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman.

Mr. GROSS. I would point out to the gentleman from North Carolina that there is a provision in the foreign giveaway bill which provides for much the same thing. They can lend money to communities in India and anywhere else all over the world that they want to for agricultural communities.

The point I really rose to make was, if we are going to give these counterpart funds to the farmers of these countries, what is going to be left for the junketing Members of the Congress to use when they go to those countries?

Mr. DERWINSKI. Well, the gentleman is a member of the Committee on Foreign Affairs and he does not junket himself so his fears are groundless.

Mr. GROSS. That is why I ask the question. I wonder if some of the junketeers would help to give us an answer.

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman yield?

Mr. DERWINSKI. I yield to the gentleman.

Mr. ROONEY of New York. If the distinguished gentleman from Iowa [Mr. GROSS], who is a distinguished member of the House Committee on Foreign Affairs, were to do a bit more traveling, he would be even more informed than the distinguished gentleman from New York [Mr. MILLER] who has never been any farther than Chinatown, but claims to be a great expert on Vietnam and southeast Asia.

Mr. DERWINSKI. The gentleman's comment is completely beside the point. I wish to repeat the issue before us. Under my proposed amendment loans would be offered to individual farmers, in order to encourage free enterprise and strengthen their resistance to Communist pressure to collectivize. This proposal would be an effective negotiating tool for our State Department in the psychological struggle against communism and demonstrate our interest in the individual citizen suffering under Communist oppression.

The CHAIRMAN. Does the gentleman from North Carolina withdraw his point of order?

Mr. COOLEY. Mr. Chairman, I withdraw the point of order.

Mr. POAGE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it seems to me we are now discussing a matter of such importance, the Rooney amendment, that we should not inject other matters into this to try to confuse—and I do not mean that the gentleman did it for the purpose of confusing the House but the effect of it is to confuse the consideration of this matter which is of overriding importance.

I am convinced there is no question that the amendment as it now stands—the Findley amendment—would apply to our war effort in Vietnam right now. The gentleman from Illinois did not believe so, but if Members will read the language of the basic law they will find in the existing law that it refers to "all foreign currencies used for grants under subsections"—and the amendment would change that to "this section"—"and all foreign currencies derived from the payments of interest or repayments of principal of loans made under this section."

That is the Findley amendment as put into the basic law. That would not provide something which would affect us only in the future as its author assumed. It would make subject to the provisions of the Supplemental Appropriation Act of 1953 all of the foreign currencies used for grants under this section and all foreign currencies derived from the payments of interest or repayments of principal on loans made under this section. They would all immediately become subject to the process which the gentleman suggested would not be effective until some time next year.

This would not simply apply to new agreements. It would apply to all grants. Those grants are current. We could not pay out anything. We could not use these funds for our military effort until we appropriate dollars with which to buy these currencies.

I believe the gentleman from New York is eminently correct in pointing out that this, as it stands, would seriously jeopardize our war effort in Vietnam. I believe we must recognize that this is of considerably greater importance than establishing a Farmers Home Administration in Poland or in Yugoslavia, however desirable that might be. For myself, I cannot believe it is desirable to put a premium on being communistic. Under the terms of the gentleman from Illinois' [Mr. DERWINSKI] amendment certain Communist countries would get a premium bonus which no non-Communist country could enjoy. It seems to me that would be a great mistake.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Illinois.

Mr. FINDLEY. I draw the gentleman's attention again to page 28 of the Senate language, the language explaining the Senate version of this extension legislation. The language sets forth very clearly the purpose and intent of the identical amendment that I offered, and it conveys no such notion as the gentleman has just set forth.

Mr. POAGE. But it is not the Senate report which is going to be the law. It is the wording of the act by which we will be bound. I am reading from the existing law. This is Public Law 480, of the 83d Congress. This is the law from which I am reading, and it is the existing law. It reads:

> *Provided, however,* That section 1415 of the Supplemental Appropriation Act of 1953 shall apply to all foreign currencies used for grants under subsections (d) and (e) and for the payment of United States obligations.

The gentleman would strike that out and would insert in lieu thereof the words:

> * * * all grants made under this section and all foreign currencies derived from payments of interests or repayments of principal on loans made under this section.

It seems to me very clear that that includes all of the moneys. That is the law; that is not what the Senate says it is.

Mr. FINDLEY. That is the gentleman's interpretation of the language; it is not necessarily the law. My amendment was prospective in character and would apply only to currencies acquired under agreements consummated in the future.

Mr. POAGE. It is not my interpretation. These are your words, when you say "this section and all foreign currencies derived."

Those are your words, not my interpretation. I believe your words clearly show that this would do exactly what the gentleman from New York says it would do, and it would jeopardize the war effort in Vietnam and it would cut off military aid in Vietnam right now, the minute the bill is passed. I believe it is a serious matter which we should consider seriously.

Mrs. FRANCES P. BOLTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wanted to ask the committee whether they are dealing entirely with Vietnam and the Far East or whether they have in mind the very grave dangers in the whole Near East situation. I have had information from a number of sources advising me that the Department expects to renew and to have a new arrangement with Egypt for a further 3 years for the receipt of this food. Surely this is an exceedingly dangerous matter. We have been told this is an explosive area. Those of us who have had anything to do with the Subcommittee on the Near East of the Committee on Foreign Affairs know that it is. I would like to ask the chairman or anyone from the committee whether they are so advised and are going ahead with this new arrangement quite regardless.

Mr. POAGE. Mr. Chairman, will the gentlewoman yield?

Mrs. FRANCES P. BOLTON. I yield to the gentleman from Texas.

Mr. POAGE. It seems quite clear that is exactly what I have been trying to express. Our fear is not simply what is going to happen in Vietnam but what is going to happen everywhere. I believe that in the Findley amendment as it stands we have tied our hands not simply in Vietnam but in Korea and everywhere else.

Mrs. FRANCES P. BOLTON. Mr. Chairman, I would like to interrupt the gentleman if I may.

It is not that of which I am speaking. I am speaking of the fact that it is apparently a fact that the Department is about to arrange another period of 3 years of giving food to Egypt. I think the feeling was very well expressed yesterday and it has been told to us that Egypt is dangerous to the whole Near East situation. Why in the world we should continue this at this point rather than stopping it off, as we should have, I do not know.

Mr. GALLAGHER. Mr. Chairman, will the gentlewoman yield?

Mrs. FRANCES P. BOLTON. I will be very happy to yield to the gentleman.

Mr. GALLAGHER. The present arrangements that are in effect with Egypt will terminate on June 30, 1965.

Mrs. FRANCES P. BOLTON. I am talking about the new arrangements.

Mr. GALLAGHER. They have not yet been concluded, and I assume at present they are in a state of negotiation.

Mrs. FRANCES P. BOLTON. Yes. Very close to conclusion.

Mr. GALLAGHER. As of now they are not and will not be concluded prior to the termination date.

Mrs. FRANCES P. BOLTON. But if we decide to let them go ahead with it, they can go ahead with it without our saying they cannot do so.

Mr. GALLAGHER. If the gentlewoman will yield further, there are no negotiations presently going on to negotiate the present contract with the Arab Republic.

Mrs. FRANCES P. BOLTON. Does the gentleman have that from the Secretary of State?

Mr. GALLAGHER. Yes, madam, I have.

Mr. DERWINSKI. Mr. Chairman, will the gentlewoman yield?

Mrs. FRANCES P. BOLTON. I yield to the gentleman from Illinois.

Mr. DERWINSKI. The gentlewoman is also pointing out that the language of the Roosevelt amendment will be inadequate to stop the very thing she fears.

Mrs. FRANCES P. BOLTON. I certainly am.

Mr. COOLEY. Mr. Chairman, will the gentlewoman yield?

Mrs. FRANCES P. BOLTON. I yield to the gentleman.

Mr. COOLEY. It seems to me the matter under discussion could be very appropriately considered in your own committee. I do not like the idea of bringing foreign affairs onto the floor when we are considering an agricultural measure. It may be a very meritorious cause, but I think it is calculated to cause irreparable injury and damage to our foreign policy around the world.

Mrs. FRANCES P. BOLTON. That might be on the other side of the world, but I think we should do something in this House today or during our deliberations on this bill to prevent a further arrangement with Egypt. If they are not doing it yet, actually, they will be doing it within the month.

Mr. COOLEY. We are now considering the Rooney amendment and with the Roosevelt amendment it seems to me we are doing just what the lovely lady suggested we should do.

Mrs. FRANCES P. BOLTON. I regret having to emphasize that it does not do it adequately. I am sorry. It does not. I am very happy to have the opportunity of drawing it to the membership of this House that peace in the Near East is in serious jeopardy.

The CHAIRMAN. The time of the gentlewoman has expired.

The question is on the amendment offered by the gentleman from Illinois [Mr. Derwinski], to the amendment offered by the gentleman from New York [Mr. Rooney].

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Rooney].

The amendment was agreed to.

Mr. LIBONATI. Mr. Chairman, the major provisions of H.R. 12298 are in conformity with the prevailing attitude that to serve the national interest the enlargement of the outlets for U.S. farm products not only exert an essential stabilizing influence on the American agricultural economy, but also create distribution, a forceful influence among the 100 million people in more than 100 nations against the spread of communism. These food-allotments-for-peace are distributed among the less-developed nations of the free world whose lack of funds fail to meet urgent food requirements among their peoples. This action on our part has promoted their economic growth and saved the lives of millions of unfortunate people.

Under H.R. 12298 the act is extended for 3 years—until December 31, 1967. It governs the sale of farm commodities with foreign currencies—at the same average heretofore established—about 1.7 billion a year. It removes the 25-percent limitation on foreign currencies for loans to private business for the development of free enterprise under the Cooley loan program (1957). This is a stimulant to hasten the promotion and expansion of the free enterprise system to build the economy of developing nations.

Increases from 10 to 20 percent the proportion of foreign currencies to be absolutely devoted to United States uses.

Authorizes the use of excess foreign currencies—accumulated in six countries—for special programs by the appointment of a top level committee to act only after advice of the President.

Establishes grants of foreign currencies for economic development subject to aforesaid committee approval.

Authorizes the use of surplus food commodities by the President during periods of disaster, relief, and community development projects overseas—not to exceed $450 million annually.

Authorizes the use of foreign currencies—to a limited extent—to supplement the use of surplus foods in community improvement and self-help work projects—church owned or operated facilities used for secular purposes are excluded for construction or maintenance programs.

The most favorable foreign legal exchange rate must be the measuring stick for sales of surplus commodities—and not less in comparison with rates for any other nation.

Authorizes sales of foreign currencies to tourists and other private persons to curb American dollar outgo.

Handling of food commodities donations must be, as far as practical, directed through community action and other self-help activities designated to alleviate the causes of the need for such assistance.

This program, a godsend to the needy peoples of the world, has functioned well, even considering the selfish weaknesses of human kind, both in administrative and distributive functions of its operation. Chairman Cooley, through the years, has conducted a masterful job in working out the intricacies of the vast operations necessary to carry out the purposes of the act. The great challenges have been met as each problem was presented to the illustrious members of his committee. Criticism after criticism leveled at the program disclosed the pitfalls of trusting honest operation to weak leadership—but all in all much of the practices were eliminated and real leadership rectified the wrongs. When temptation becomes the master of the human mind, dishonesty is certain to prevail in the dealings of trusted men in high places. Yet all in all the program served America well and contributed a terrific impact upon the thinking of freemen seeking against adversity to maintain a free world. Public Law 480—the Food for Peace Act—is the one instrumentality at the legislative level that reflects the true American attitude toward the hungry people of the free world—the unselfish sharing of our abundance with freemen faced with misfortune and hunger. Chairman Cooley and his admirable committee have established a symbol in this legislation that all men throughout the world can understand and give their wholehearted blessing to God for the perfection of the American way of life.

Mr. GILBERT. Mr. Chairman, I support the amendment offered by the gentleman from Ohio which would make Nasser's United Arab Republic ineligible for surplus agricultural commodities under title I.

We have had sufficient clearcut evidence given us to show that the $1.1 billion in Public Law 480 shipments to Egypt have not achieved the true aims of our food-for-peace program; instead, our generosity to the United Arab Republic has helped Nasser further his aggressive, warlike policies in the Middle East. He has repeated his threats to destroy Israel, our democratic ally in the Middle East. Because of our help in feeding his people, Nasser has been enabled to channel his country's resources toward a modern offensive arms buildup. His acts and intentions are those of an aggressor and not those of a leader who seeks peace with his neighbors.

We have been generous to the people of Egypt for many years; we have had their well-being in mind; it is most difficult to deny hungry people food. However, the time has come when we must face the fact that if the leader of the hungry people uses their sad plight to further his aims to conquer and subjugate smaller, weaker nations which seek peace, then we must stop our aid to him.

When, last year, Congress adopted the "aggressor nation clause" in the foreign aid bill, the intent was that aid be denied to Egypt as long as her aggressive policy continued. So far, the clause has not been implemented. Recent events prove not only that Nasser has not changed his policies but is becoming more belligerent in his attitude and actions, and the situation in the Mideast is rapidly deteriorating, not improving.

Adoption of this amendment will not immediately halt aid to Egypt under Public Law 480. Before the end of 1965, when the aid would stop, Nasser will have the opportunity to convince the administration and Congress that he and his nation deserve reconsideration. The time has come to place upon him the burden of proving to our satisfaction that he is eligible for, and worthy of such aid.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, the gentleman from Arkansas [Mr. Harris], Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 12298) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes pursuant to House Resolution 865, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. FINDLEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. FINDLEY. Mr. Speaker, I am, in its present form.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Findley moves to recommit the bill, H.R. 12298, to the Committee on Agriculture with instructions to report the same back to the House forthwith with the following amendment: At the end of section 1, insert the following:

"(12) Section 107 of such Act is amended by striking the phrase '(2) any nation or area dominated or controlled by the foreign government or foreign organization conrolling the world Communist movement,' and insert in lieu thereof the phrase '(2) any nation or area dominated or controlled by a Communist government or by the world Communist movement.' "

The SPEAKER. Without objection the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. FINDLEY. On that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 183, nays 175, answered "present" 1, not voting 71, as follows:

[Roll No. 252]

YEAS—183

Abbitt
Abele
Abernethy
Adair
Arends
Ashbrook
Ashmore
Auchincloss
Ayres
Baker
Baldwin
Battin
Beermann
Belcher
Bennett, Fla.
Berry
Betts
Bolton, Francis P.
Bolton, Oliver P.
Bow
Bray
Brock
Bromwell
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burton, Utah
Byrnes, Wis.
Cahill
Casey
Cederberg
Chamberlain
Chenoweth
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Conte
Corbett
Cunningham
Curtin
Curtis
Dague
Derounian
Derwinski
Devine
Dole
Dorn
Dowdy
Dwyer
Feighan
Findley
Fisher
Ford
Foreman
Fountain
Fulton, Pa.
Fuqua
Gibbons
Glenn
Goodell
Goodling
Griffin
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Harrison
Harsha
Henderson
Hoeven
Horan
Horton
Hosmer
Huddleston
Hull
Hutchinson
Ichord
Jarman
Jennings
Jensen
Johansen
Johnson, Pa.
Jonas
Keith
King, N.Y.
Knox
Kunkel
Kyl
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
McDade
McLoskey
MacGregor
Mailliard
Marsh
Martin, Nebr.
May
Michel
Milliken
Minshall
Moore
Morton
Mosher
Nelsen
Norblad
O'Konski
Ostertag
Passman
Pelly
Pirnie
Poff
Quie
Quillen
Reid, Ill.
Reifel
Rhodes, Ariz.
Rich
Riehlman
Roberts, Ala.
Robison
Rogers, Fla.
Rogers, Tex.
Roudebush
Rumsfeld
St. George
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Scott
Secrest
Selden
Short
Sibal
Sikes
Siler
Smith, Calif.
Snyder
Springer
Stafford
Staggers
Stinson
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Tollefson
Tuck
Utt
Van Pelt
Waggonner
Watson
Weaver
Weltner
Westland
Whalley
Wharton
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Ind.
Winstead
Wydler
Wyman
Younger

NAYS—175

Addabbo
Albert
Andrews, N. Dak.
Ashley
Aspinall
Barrett
Barry
Bass
Beckworth
Blatnik
Boggs
Bonner
Brademas
Brooks
Brown, Calif.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cameron
Carey
Chelf
Clark
Cohelan
Cooley
Corman
Daddario
Daniels
Davis, Ga.
Davis, Tenn.
Delaney
Dent
Denton
Donohue
Downing
Dulski
Duncan
Edmondson
Edwards
Elliott
Ellsworth
Everett
Fallon
Farbstein
Fascell
Fino
Flood
Fogarty
Fraser
Frelinghuysen
Friedel
Gallagher
Garmatz
Gary
Gathings
Giaimo
Gilbert
Gonzalez
Grabowski
Gray
Green, Pa.
Hagan, Ga.
Hagen, Calif.
Halpern
Harding
Hardy
Harris
Hawkins
Hechler
Holifield
Holland
Joelson
Johnson, Calif.
Johnson, Wis.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kelly
King, Calif.
Kirwan
Lankford
Leggett
Libonati
Lindsay
Long, La.
Long, Md.
McDowell
McFall
McMillan
Macdonald
Madden
Mahon
Mathias
Matthews
Miller, Calif.
Mills
Minish
Morgan
Morrison
Morse
Moss
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nix
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Pool
Powell
Price
Pucinski
Randall
Reid, N.Y.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Tex.
Rodino
Rogers, Colo.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan, N.Y.
St Germain
St. Onge
Senner
Shriver
Sickles
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Va.
Staebler
Steed
Stubblefield
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Trimble
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vinson
Watts
Wickersham
Willis
Wilson, Charles H.
Wright
Young
Zablocki

ANSWERED "PRESENT"—1

Keogh

NOT VOTING—71

Alger
Anderson
Andrews, Ala.
Avery
Baring
Bates
Becker
Bell
Boland
Bolling
Buckley
Burkhalter
Celler
Colmer
Cramer
Dawson
Diggs
Dingell
Evins
Finnegan
Flynt
Forrester
Fulton, Tenn.
Gill
Grant
Green, Oreg.
Griffiths
Hanna
Hansen
Harvey, Ind.
Harvey, Mich.
Hays
Healey
Hébert
Herlong
Hoffman
Kee
Kilburn
Kilgore
Kluczynski
Kornegay
Landrum
Lesinski
McClory
McCulloch
McIntire
Martin, Calif.
Martin, Mass.
Matsunaga
Meader
Miller, N.Y.
Monagan
Montoya
Moorhead
Morris
Multer
Nedzi
Pilcher
Pillion
Purcell
Rains
Reuss
Ryan, Mich.
Sheppard
Shipley
Stephens
Stratton
Toll
Tupper
Wallhauser
White

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Becker for, with Mr. Keogh against.

Mr. Martin of California for, with Mr. Toll against.

Mr. Kilburn for, with Mr. Reuss against.

Mr. Hébert for, with Mr. Hays against.

Mr. Kornegay for, with Mr. Celler against.

Mr. Alger for, with Mr. Boland against.

Mr. McClory for, with Mr. Multer against.

Mr. Pillion for, with Mr. White against.

Mr. Hoffman for, with Mr. Shipley against.

Mr. Bates for, with Mr. Matsunaga against.

Mr. Cramer for, with Mr. Gill against.

Mr. McCulloch for, with Mr. Kluczynski against.

Mr. Meader for, with Mr. Fulton of Tennessee against.

Mr. Anderson for, with Mr. Monagan against.

Mr. Colmer for, with Mr. Stratton against.

Mr. Grant for, with Mr. Hanna against.

Mr. Andrews of Alabama for, with Mrs. Hansen against.

Mrs. Griffiths for, with Mr. Herlong against.

Until further notice:

Mr. Tupper with Mr. Dingell.

Mr. Martin of Massachusetts with Mr. Lesinski.

Mr. Harvey of Michigan with Mr. Nedzi.

Mr. Avery with Mr. Ryan of Michigan.

Mr. Bell with Mr. Morris.

Mr. McIntire with Mr. Montoya.

Mr. Wallhauser with Mr. Stephens.

Mr. Forrester with Mr. Healey.

Mr. Flynt with Mr. Buckley.

Mr. Evins with Mr. Finnegan.

Mr Pilcher with Mr. Burkhalter.

Mr. Kilgore with Mrs. Kee.

Mr. Landrum with Mr. Sheppard.

Mr. Baring with Mr. Dawson.

Mr. Diggs with Mrs. Green of Oregon.

Mr. Moorhead with Mr. Purcell.

Messers. FISHER, ASHMORE, and ROGERS of Texas changed their votes from "nay" to "yea."

Mr. KEOGH. Mr. Speaker, I have a live pair with the gentleman from New York [Mr. Becker]. If he were present, he would vote "yea." I voted "nay." I withdraw my vote and vote "Present."

Mr. ARENDS (during the rollcall). Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ARENDS. Do Members have to qualify on this vote? Do they have to be in the room and hear their names called?

The SPEAKER. Yes.

The result of the vote was announced as above recorded.

Mr. COOLEY. Mr. Speaker, pursuant to the instructions of the House, I report the bill (H.R. 12298) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, back to the House with an amendment.

The **SPEAKER**. The Clerk will report the amendment.

The Clerk read as follows:

At the end of section 1, insert the following:

"(12) Section 107 of such Act is amended by striking the phrase '(2) any nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement.' and insert in lieu thereof the phrase '(2) any nation or area dominated or controlled by a Communist government or by the world Communist movement.'"

The **SPEAKER**. The question is on the amendment.

The amendment was agreed to.

The **SPEAKER**. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The **SPEAKER**. The question is on the passage of the bill.

Mr. **HOEVEN**. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 349, nays 6, answered "present" 2, not voting 73, as follows:

[Roll No. 253]

YEAS—349

Abbitt
Abele
Abernethy
Adair
Addabbo
Albert
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Auchincloss
Ayres
Baker
Baldwin
Barrett
Barry
Bass
Bates
Battin
Beckworth
Beermann
Belcher
Bennett, Fla.
Berry
Betts
Blatnik
Boggs
Bolton, Frances P.
Bolton Oliver P.
Bonner
Bow
Brademas
Bray
Brock
Bromwell
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cahill
Cameron
Carey
Casey
Cederberg
Chamberlain
Chelf
Chenoweth
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Conte
Cooley
Corbett
Corman
Cunningham
Curtin
Daddario
Dague
Daniels
Davis, Ga.
Davis, Tenn.
Delaney
Dent
Denton
Derounian
Derwinski
Devine
Dole
Donohue
Dowdy
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Ellsworth
Everett
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Fisher
Flood
Fogarty
Ford
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Gallagher
Garmatz
Gary
Gathings
Giaimo
Gibbons
Gilbert
Glenn
Gonzalez
Goodell
Goodling
Grabowski
Green, Pa.
Griffin
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Harding
Hardy
Harris
Harrison
Harsha
Hawkins
Hechler
Henderson
Hoeven
Holifield
Holland
Horan
Horton
Hosmer
Huddleston
Hull
Hutchinson
Ichord
Jarman
Jennings
Jensen
Joelson
Johansen
Johnson, Calif.
Johnson, Pa.
Johnson, Wis.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Knox
Kunkel
Kyl
Laird
Langen
Lankford
Latta
Leggett
Lennon
Libonati
Lindsay
Lipscomb
Lloyd
Long, La.
Long, Md.
McDade
McDowell
McFall
McLoskey
McMillan
Macdonald
Madden
Mahon
Mailliard
Marsh
Martin, Nebr.
Mathias
Matthews
May
Michel
Miller, Calif.
Milliken
Mills
Minish
Minshall
Moore
Morgan
Morrison
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nelsen
Nix
Norblad
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
O'Neill
Osmers
Ostertag
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Powell
Price
Pucinski
Purcell
Quie
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rhodes, Pa.
Rich
Riehlman
Rivers, Alaska
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Robison
Rodino
Rogers, Fla.
Rogers, Tex.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
Ryan, N.Y.
St. George
St Germain
St. Onge
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Scott
Secrest
Selden
Senner
Short
Shriver
Sibal
Sickles
Sikes
Siler
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Snyder
Springer
Staebler
Stafford
Staggers
Steed
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Tollefson
Trimble
Tuck
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Van Pelt
Vinson
Waggonner
Watson
Watts
Weaver
Weltner
Westland
Whalley
Wharton
White
Whitener
Whitten
Wickersham
Widnall
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wilson, Ind.
Winstead
Wydler
Wyman
Young
Younger
Zablocki

NAYS—6

Curtis
Dorn
Foreman
Passman
Quillen
Stinson

ANSWERED "PRESENT"—2

Keogh
Pelly

NOT VOTING—73

Alger
Anderson
Andrews, Ala.
Avery
Baring
Becker
Bell
Boland
Bolling
Buckley
Burkhalter
Celler
Colmer
Cramer
Dawson
Diggs
Dingell
Evins
Finnegan
Flynt
Forrester
Fulton, Tenn.
Gill
Grant
Gray
Green, Oreg.
Griffiths
Hanna
Hansen
Harvey, Ind.
Harvey, Mich.
Hays
Healey
Hébert
Herlong
Hoffman
Kee
Kilburn
Kilgore
Kluczynski
Kornegay
Landrum
Lesinski
McClory
McCulloch
McIntire
MacGregor
Martin, Calif.
Martin, Mass.
Matsunaga
Meader
Miller, N.Y.
Monagan
Montoya
Moorhead
Morris
Multer
Nedzi
Olson, Minn.
Pilcher
Pillion
Rains
Reuss
Rogers, Colo.
Ryan, Mich.
Sheppard
Shipley
Stephens
Stratton
Toll
Tupper
Wallhauser
Wright

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Becker against.
Mr. Harvey of Indiana for, with Mr. Pelley against.
Mr. Hébert for, with Mrs. Griffiths against.

Until further notice:

Mr. Reuss with Mr. Kilburn.
Mr. Herlong with Mr. Pillion.
Mr. Andrews of Alabama with Mr. Alger.
Mr. Grant with Mr. McCulloch.
Mr. Gray with Mr. Martin of California.
Mr. Matsunaga with Mr. Tupper.
Mr. Rogers of Colorado with Mr. Cramer.
Mr. Shipley with Mr. Harvey of Michigan.
Mr. Hays with Mr. Anderson.
Mr. Fulton of Tennessee with Mr. Bell.
Mr. Multer with Mr. McClory.
Mr. Montoya with Mr. MacGregor.
Mr. Morris with Mr. Wallhauser.
Mr. Monagan with Mr. Meader.
Mr. Boland with Mr. McIntire.
Mr. Colmer with Mr. Hoffman.
Mr. Celler with Mr. Avery.
Mr. Evins with Mr. Finnegan.
Mr. Gill with Mrs. Hansen.
Mr. Hanna with Mr. Ryan of Michigan.
Mr. Pilcher with Mr. Nedzi.
Mr. Kilgore with Mr. Lesinski.
Mr. Moorhead with Mr. Dingell.
Mr. Diggs with Mr. Sheppard.
Mr. Wright with Mrs. Kee.
Mr. Toll with Mr. Dawson.
Mr. Flynt with Mr. Buckley.
Mr. Forrester with Mr. Healey.
Mr. Rains with Mr. Olson of Minnesota.
Mr. Stratton with Mr. Burkhalter.
Mr. Kluczynski with Mr. Stephens.
Mr. Kornegay with Mr. Landrum.
Mrs. Green with Mr. Baring.

Mr. **KEOGH**. Mr. Speaker, I have a live pair with the gentleman from New York [Mr. BECKER]. If he were present he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

Mr. **PELLY**. Mr. Speaker, I have a live pair with the gentleman from Indiana [Mr. HARVEY]. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. **COOLEY**. Mr. Speaker, pursuant to House Resolution 865, I call up from the Speaker's table for immediate consideration the bill (S. 2687) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

The Clerk read the title of the bill.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Trade Development and Assistance Act of 1954, as amended, is further amended as follows:

(1) Section 101 of such Act is amended by striking out in subsection (f) the words "from the government or agencies thereof" and further by striking the period at the end of subsection (f) and adding the following: ", and which are not less favorable than the highest of exchange rates obtainable by any other nation.".

(2) Section 101 of such Act is amended by adding at the end thereof the following new subsection:

"(g) require such foreign currencies to be convertible to dollars to the extent consistent with effectuation of the purposes of this Act."

(3) Section 102 of such Act is amended by adding at the end thereof the following: "The Commodity Credit Corporation shall

finance ocean freight charges under this section only to the extent that such charges are higher (than would otherwise be the case) by reason of a requirement that the commodities be transported in United States-flag vessels.

(4) Section 103(a) of such Act is amended by adding at the end thereof the following: "In presenting his budget, the President shall classify expenditures under this Act as expenditures for international affairs and finance rather than for agriculture and agricultural resources."

(5) Effective January 1, 1965, section 103(b) of such Act is amended to read as follows:

"(b) Agreements shall not be entered into under this title during the period beginning January 1, 1965, and ending December 31, 1966, which will call for appropriations to reimburse the Commodity Credit Corporation in a total amount in excess of $2,700,000,000 plus any amount by which agreements entered into in prior years have called or will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than authorized for such prior years by this Act as in effect during such years: *Provided*, That agreements shall not be entered into during any calendar year of such period which will call for appropriations to reimburse the Commodity Credit Corporation in amounts in excess of $2,500,000,000."

(6) Section 104 of such Act is amended by striking out in subsection (c) the word "military" and inserting after the words "common defense" the words "including internal security".

(7) Section 104 of such Act is amended by striking from subsection (e) the words "not more than 25 per centum of the currencies received pursuant to each such agreement shall be available" and substituting "currencies shall also be available to the maximum usable extent."

(8) Section 104 of such Act is amended (i) by striking out in the first proviso following subsection (s), "subsections (d) and (e) and for payment of United States obligations involving grants under subsection (f)" and inserting in lieu thereof "this section, and to all foreign currencies derived from payments of interest or repayments of principal on loans made under this section,"; and (ii) by striking out the second proviso following subsection (s).

(9) Section 104 of such Act is amended by adding at the end thereof the following: "No agreement hereunder shall impose any restrictions not contained in this section on the use to meet the requirements of United States Government agencies in the importing country of local currencies not devoted to subsection (c), (d), (e), or (g). Any such currencies shall under the terms of the agreement be made legal tender or convertible into legal tender for the purpose of any obligation of the United States or any of its agencies to the government of the importing country or any of its agencies. Any loan made under the authority of this section shall bear interest at such rate as the President may determine but not less than the cost of funds to the United States Treasury, taking into consideration the current average market yields on outstanding marketable obligations of the United States having maturity comparable to the maturity of such loans."

(10) Section 108 of such Act is amended by striking out the words "six months" and inserting in lieu thereof the word "year".

(11) Section 203 of such Act is amended (i) by striking out "1961" and substituting "1965"; (ii) by striking out "1964" and substituting "1966"; (iii) by striking out "$300,000,000", and substituting "$375,000,000"; and (iv) by inserting after "charges for general average contributions arising out of the ocean transport of commodities transferred pursuant hereto" the following "or donated under said section 416, section 308 of this Act or section 9 of the Act of September 6, 1958 (72 Stat. 1790)". Clauses (i), (ii), and (iii) hereof shall not become effective until January 1, 1965.

(12) Sections 109 and 204 of such Act are amended by striking out "1964" and inserting "1966".

(13) Clause (1) of section 304(a) of such Act is amended by inserting after the words "Union of Soviet Socialist Republics" the words "or the Communist regime in China".

(14) The first sentence of section 403 of such Act is amended by striking out the words "more than" and inserting the words "less than".

SEC. 2. Subsection (b) of section 612 of the Foreign Assistance Act of 1961, as amended, is amended (1) by redesignating it as subsection (t) of section 104 of the Agricultural Trade Development and Assistance Act of 1954, as amended.

(2) By inserting after the subsection designation the following: "For sale to United States citizens as provided herein.";

(3) By striking "this Act" and substituting "the Foreign Assistance Act of 1961, as amended.";

(4) By changing the period at the end of the subsection to a comma and adding "except that in the case of any such foreign currencies acquired through operations under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, the United States dollars received from the sale of such foreign currencies shall be deposited to the account of the Commodity Credit Corporation and shall be treated as a reimbursement to Commodity Credit Corporation under section 105 of this Act."

SEC. 3. Notwithstanding any other provision of law, the Commodity Credit Corporation, in order to encourage exports of extra long staple cotton which is in surplus supply, is directed to sell or otherwise make available for export extra long staple cotton at prices not in excess of the prices at which cotton of comparable qualities is being offered by other exporting countries. Such cotton shall be sold or otherwise made available for export as long as such cotton is in surplus supply as determined pursuant to the provision of section 106 of the Agricultural Trade Development and Assistance Act.

Mr. COOLEY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COOLEY: Strike out all after the enacting clause of S. 2687 and insert in lieu thereof the text of H.R. 12298, as passed, as follows:

"That the Agricultural Trade Development and Assistance Act of 1954, as amended, is further amended as follows:

"(1) Effective January 1, 1965, that part of Section 103(b) of such Act which precedes the colon is amended to read as follows: 'Agreements shall not be entered into under this title during the period beginning January 1, 1965, and ending December 31, 1967, which will call for appropriations to reimburse the Commodity Credit Corporation in a total amount in excess of $4,000,000,000 plus any amount by which agreements entered into in prior years have called or will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than authorized for such prior years by this Act as in effect during such yeras.'

"(2) Section 104 of such Act is amended by striking out in subsection (c) the word 'military' and inserting after the words 'common defense' the words 'including internal security'.

"(3) Section 104 of such Act is amended by adding the following new subsection:

"'(u) None of the foreign currencies generated under this Act shall be used to promote or to help promote, or to increase production of any farm commodity units of which shall have been exported from such country in the preceding calendar year, in competition with production in the United States.'

"(4) The first proviso at the end of section 104 of such Act is amended by striking out 'to not less than 10 per centum of the foreign currencies which accrue under this title:' and substituting ', effective with respect to agreements entered into during the period beginning January 1, 1965, and ending December 31, 1967, to not less than 20 per centum in the aggregate of the foreign currencies which accrue under such agreements:'.

"(5) Section 107 of such Act is amended by adding at the end thereof the following: 'For the purposes of titles I and IV of this Act, the term "friendly nation" shall not include any country which permits ships or aircraft under its registry to transport to or from Cuba (excluding United States installations in Cuba) any equipment, materials, or commodities, so long as Cuba is governed by the Castro regime.'

"(6) Section 108 of such Act is amended by striking out the words 'six months' and inserting in lieu thereof the word 'year'.

"(7) Sections 109 and 204 of such Act are amended by striking out '1964' and substituting in lieu thereof '1967'.

"(8) Section 203 of such Act is amended by striking out '1961' and substituting '1965'; by striking out '1964' and substituting '1967'; by striking out '$300,000,000', and substituting '$450,000,000'; and by inserting after 'charges for general average contributions arising out of the ocean transport of commodities transferred pursuant hereto' the following: 'or donated under said section 416, section 308 of this Act or section 9 of the Act of September 6, 1958.'

"(9) Section 203 of the Act is amended by inserting after the third sentence of said section the following new sentence: 'In addition to other funds available for such purposes under any other Act, funds made available under this title may be used to purchase foreign currencies accruing under title I in order to meet costs (except the personnel and administrative costs of cooperating sponsors, distributing agencies, and recipient agencies, and the costs of construction or maintenance of any church owned or operated edifice or any other edifices to be used for sectarian purposes) designed to assume that commodities made available under this title or under title III are used to carry out more effectively the purposes for which such commodities are made available or to promote community and other self-help activities designed to alleviate the causes of the need for such assistance: *Provided, however*, That such funds shall be used only to supplement and not substitute for, funds normally available for such purposes from other non-United States Government sources' and by inserting after the word 'costs' in the last sentence the words 'or for the purchase of foreign currencies'.

"(10) Section 101 of such Act is amended by striking out in subsection (f) the words 'from the government or agencies thereof' and further by striking the period at the end of subsection (f) and adding the following: ', and which are not less favorable than the highest of exchange rates obtainable by any other nation.'.

"(11) The President is directed that no funds under this Act shall be spent in any country unless he finds such country is not (a) an aggressor, in a military sense, against any country having diplomatic relations with the United States, or (b) using funds, of any sort, from the United States for purposes inimical to the foreign policies of the United States.

"(12) Section 107 of such Act is amended by striking the phrase '(2) any nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement,' and insert in lieu thereof the phrase '(2) any nation or area dominated or controlled by a Communist government or by the world Communist movement.'

"SEC. 2. Subsection (b) of section 612 of the Foreign Assistance Act of 1961, as amended, is amended (1) by redesignating it as subsection (t) of section 104 of the Agricultural Trade Development and Assistance Act of 1954, as amended.

"(2) By striking 'this Act' and substituting 'the Foreign Assistance Act of 1961, as amended.'.

"(3) By changing the period at the end of the subsection to a comma and adding 'except that in the case of any such foreign currencies acquired through operations under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, the United States dollars received from the sale of such foreign currencies shall be deposited to the account of the Commodity Credit Corporation and shall be treated as a reimbursement to Commodity Credit Corporation under section 105 of this Act.'

"SEC. 3. Section 416 of the Agricultural Act of 1949, as amended, is amended by adding the following at the end of such section: "The assistance to needy persons provided in (4) above shall, insofar as practicable, be directed toward community and other self-help activities designed to alleveate the causes of the need for such assistance.'."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill, H.R. 12298, was laid on the table.

Mr. COOLEY. Mr. Speaker, I move that the House insist on its amendments to the bill S. 2687, to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, and ask for a conference with the Senate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The Chair appoints the following conferees: Messrs. COOLEY, POAGE, MATTHEWS, HOEVEN, and DAGUE.

PERSONAL ANNOUNCEMENT

Mr. MACGREGOR. Mr. Speaker, I ask unanimous consent that directly following the rollcall vote on the extension and amendment of Public Law 480 there appear the following personal explanation. I was prevented from casting my affirmative vote for that matter by public business arising in my district and my need to attend to that. Had I been able to be present, I would have voted "yea."

GENERAL LEAVE TO EXTEND REMARKS

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

COMMITTEE ON PUBLIC WORKS

Mr. FALLON. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tomorrow to file a report on the bill, S. 649.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FOOD ADDITIVES TRANSITIONAL PROVISIONS AMENDMENT OF 1964

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 867, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12033) to further amend the transitional provisions of the Act approved September 6, 1958, entitled "An Act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety", and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BROWN] 30 minutes, and pending that I now yield myself such time as I may consume.

Mr. Speaker, this resolution, House Resolution 867, provides for the consideration of the bill, H.R. 12033, to further amend the transitional provisions of the act approved September 6, 1958, entitled: "An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety, and for other purposes."

Mr. Speaker, the resolution provides for an open rule with 1 hour of general debate.

Mr. Speaker, this is a simple extension of 1 year. It will permit additional time to those who have been using certain additives until the year 1965 to perfect their tests.

If you will look at the report, you will see that the various officers of the Department of Health, Education, and Welfare have recommended this 1 year extension.

It is not my intention to oppose this at this time, but I serve notice on the Department of Health, Education, and Welfare that if further applications are made I shall strenuously oppose it.

Mr. Speaker, I know of no objection to the adoption of the rule, and I do urge its adoption.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from New York [Mr. DELANEY] has explained this rule very thoroughly.

There was a unanimous report in favor of this bill from the House Committee on Interstate and Foreign Commerce. It is a simple extension, as the gentleman from New York has explained, of the present act and which will be given further consideration as to any amendments thereto in the future within the next year. The extension runs until December 31, 1965, instead of as the present law provides to December 31, 1964.

The rule was reported by the unanimous vote of the Committee on Rules. I know of no opposition to either the rule or the bill itself, and I urge its adoption.

Mr. Speaker, I yield back the balance of my time.

Mr. DELANEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ENCOURAGING CERTAIN PHYSICIANS AND DENTISTS TO PRACTICE IN AREAS HAVING A SHORTAGE OF PHYSICIANS OR DENTISTS

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 866 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2220) to encourage physicians and dentists who have received student loans under programs established pursuant to title VII of the Public Health Service Act to practice their professions in areas having a shortage of physicians or dentists. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL. Mr. Speaker, at the conclusion of my remarks, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, House Resolution 866 provides for consideration of S. 2220, a bill to encourage physicians and dentists who have received student loans under programs established pursuant to title VII of the Public Health Service Act to practice their professions in areas having a shortage of physicians or dentists. The resolution provides an open rule with 1 hour of general debate.

S. 2220 would amend the Public Health Service Act to permit the canceling of a portion of the unpaid balance of a student loan awarded to a physician or dentist who practices in a shortage area. The "shortage" areas in each State would be designated by the appropriate State health authority, in accordance with regulations prescribed by the Secretary of Health, Education, and Welfare. For each year of practice in a shortage area, to a maximum of 5 years, 10 percent of the total of the outstanding loan plus accrued interest could be canceled.

In the report an interesting fact is stated. According to a study included in the hearing record on H.R. 12, 88th Congress, in 1960 in the 3,101 counties of the United States, based on a count of all active non-Federal physicians there were 145 physicians per 100,000 population in metropolitan counties, 72 per 100,000 population in adjacent counties, 79 per 100,000 population in isolated semirural counties, and only 46 per 100,000 population in isolated rural counties.

I believe that this legislation is worthy, and I urge the adoption of the rule.

I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Massachusetts [Mr. O'NEILL], a member of the Rules Committee, has explained, this rule makes in order the consideration of S. 2220 with 1 hour of general debate. The bill would permit cancellation of or reduction in the amount of loans, or a portion of the unpaid balance on loans, made to students of medicine who became physicians and who agree to enter practice in areas where there are great shortages of doctors.

The bill itself was reported by the Committee on Interstate and Foreign Commerce, I understand by a unanimous vote, and the bill was reported from the Rules Committee.

At the time the measure came before the Rules Committee, or a little later, we were informed there was some opposition from members of other legislative committees because, as they insisted at that time, this measure might possibly affect other student loans which had been provided for under other legislation emanating from other legislative committees. Therefore, there may be some discussion and some debate and perhaps even some amendments or some opposition offered in connection with the measure under general debate, but I know of no opposition to the rule or to the consideration of this bill.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. Yes. I yield to the gentleman from Minnesota.

Mr. QUIE. I want to assure the gentleman I am opposed to the rule and if I had been notified the bill was up before the Committee on Rules, I would have appeared in opposition to the rule there. I am still opposed to it and do not believe we should even consider this legislation.

Mr. BROWN of Ohio. I understand, of course, that the members, both in the majority and the minority, of the legislative committees having jurisdiction over legislation are notified as to hearings held on bills before the Committee on Rules emanating from such legislative committees, but, of course, the staff of the Committee on Rules itself does not endeavor to pass on the question as to whether or not some other legislative committee might possibly be interested in it and advise every member of such committee or every Member of the House itself that hearings will be held when application for a rule has been properly filed by the legislative committee having jurisdiction of the matter. I understand the reasons for some of the opposition to this legislation that have been advanced by members of the House Committee on Education and Labor which has jurisdiction over other legislation dealing with loans to various types and kinds of students, but I know of no opposition to the rule itself except as it is expressed here.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. Yes. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I have no jurisdictional knowledge, expertise, or interest in this bill, but I would like to go on record as being against it. Therefore, I am against the rule which calls for the consideration of this bill under this circumstance. Anent the remarks which were made by the gentleman from Massachusetts [Mr. O'NEILL], in presenting his portion of the statement on behalf of the rule for consideration of this measure, as to whether or not we will resolve ourselves into the Committee of the Whole House on the State of the Union for the consideration of S. 2220, I would remind the House when we were considering that portion of H.R. 12 earlier in the year which had to do with loans and/or their forgiveness for young physicians graduating who would practice in remote areas and so forth, that I distributed to the House a mimeographed piece of paper entitled "Comments on H.R. 12, From a Physician's Point of View." As a practicing physician of recent years and of over 30 years in private practice, specialty practice, and remote practice as well as in rather small metropolitan area practice, in an area consisting of about 150,000 population, and as one physician in the Congress who has, according to the techniques that are set down here as to adequate physician-to-population coverage, certainly carried at least double the recommended share, if not more than that, I simply want to submit that the definition of a shortage area or the definition of a remote area or the definition of a scarce area as determined by some bureaucrat just is not necessarily so. One must take into consideration such factors as enhanced and modern-day manners of communicating, increased transportation opportunities, affording much more rapid patient-doctor communication, and other things. In some cases I think I can say that we can get someone in dire distress from a remote area by even a second-class car—let alone ambulance—over our farm-to-market, county, and State-maintained roads, to say nothing about Interstate System roads, to adequate medical care, including laboratories, hospitals, consultation, and specially trained people, much quicker than we could in the old days go out to the barn and hitch up a horse and wagon and drive a few miles over a rough road into town. At that time it is true we did have more physicians per village than there are now, but no greater total ratio and, certainly all will concur, not so universally well trained.

So these supposedly comparative figures of the ratio of physicians to population in metropolitan areas, rural areas, suburban areas, must be taken with a grain of salt. They must be tinged with commonsense and leavened with the salt of reasoning so far as our modern day abilities are concerned. Indeed, the physicians of today can certainly take care of more people than they used to do when they had only the bedside technique.

Mr. Speaker, I intend to request time to speak further on the bill, but I appreciate the gentleman's courtesy in yielding to me under consideration of the rule in order that I might offset some of the wrong propaganda that is usually presented in connection with one of these bills which tends to socialize a profession that has given the highest type of medical service to the people of America and has extended their life tenure more than anywhere else in the world.

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentleman from Missouri [Mr. HALL] for his very logical and illuminating statement of why he believes the bill itself should not be approved. However, I do not believe either his logic or his illuminating statement actually should be directed toward the question whether or not this rule should be adopted. The Rules Committee, believing that the Membership of the House should be given the opportunity to work its will, quite often reports bills to the floor making in order consideration of certain measures in the House which members of the Committee on Rules, who may have voted for the rule, oppose when the bill reaches the floor. I believe that the only question that we have before us at this time is whether or not the House should adopt this rule and, under the provisions of the rule, consider the legislation on its merits and listen to the arguments for and against, such as those that have been made so eloquently by our friend and colleague from Missouri.

Mr. Speaker, I have no further requests for time and yield back the balance of my time.

Mr. O'NEILL. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SOCIAL SECURITY TO SPOUSES OF RETIRED RAILROAD EMPLOYEES

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 868 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12362) to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits payable under title II of the Social Security Act. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. Brown], and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 868 provides for consideration of H.R. 12362, a bill to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits payable under title II of the Social Security Act. The resolution provides an open rule with 1 hour of general debate.

H.R. 12362 amends section 2(e) of the Railroad Retirement Act of 1937 to permit the spouse of a railroad employee to receive a spouse's annuity under that section concurrently with the receipt of social security benefits earned in her own right without reduction in the spouse's annuity. Under existing law, social security benefits received by the spouse in her own right are deducted from her railroad retirement spouse's benefits.

Mr. Speaker, I urge the adoption of House Resolution 868.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this rule has been well explained by the gentleman from Massachusetts [Mr. O'Neill]. It provides for 1 hour of general debate under an open rule of H.R. 12362, a bill reported from the House Committee on Interstate and Foreign Commerce by a unanimous vote of the committee itself, to amend the Railroad Retirement Act of 1937 so as to eliminate certain provisions which would otherwise reduce the annuity of the spouses of retired employees by the amount of certain monthly benefits payable under title II of the Social Security Act or, to wit, the increases that might be voted under the Social Security Act itself, a very small increase I might add.

Mr. Speaker, the bill was presented before the Rules Committee in connection with the application for a rule. There is no opposition to the bill or to the granting of the rule. There is no opposition to this resolution.

Therefore, Mr. Speaker, I urge its adoption.

Mr. O'NEILL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The **SPEAKER** pro tempore (Mr. McFall). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FOOD ACTIVITIES TRANSITIONAL PROVISIONS AMENDMENT OF 1964

Mr. HARRIS. Mr. Speaker, I call up the bill (H.R. 12033) to further amend the transitional provisions of the act approved September 6, 1958, entitled "An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety," and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Food Additives Transitional Provisions Amendment of 1964".

Sec. 2. The penultimate sentence of subsection (c) of section 6 of the Food Additives Amendment of 1958 (Public Law 85–929, 72 Stat. 1784, 1788), as added by the "Food Additives Transitional Provisions Amendment of 1961" (Public Law 87–19, 75 Stat. 42), is hereby further amended by inserting before the period at the end thereof a colon and the following: "*Provided,* That if the Secretary has, pursuant to this sentence, granted an extension to June 30, 1964, he may, upon making the findings required by clause (1) (B) of this subsection and clauses (i) and (ii) of this sentence, further extend such effective date, but not beyond December 31, 1965".

Sec. 3. The penultimate sentence of section 3 of the Nematocide, Plant Regulator, Defoliant, and Desiccant Amendment of 1959 (Public Law 86–139, 73 Stat. 286, 288), as added by the "Food Additives Transitional Provisions Amendment of 1961" (Public Law 87–19, 75 Stat. 42), is hereby further amended by inserting before the period at the end thereof a colon and the following: "*Provided,* That if the Secretary has, pursuant to this sentence, granted an extension to June 30, 1964, he may, upon making the findings required by clause (1) of this paragraph (b) and clauses (A) and (B) of this sentence, further extend such expiration date, but not beyond December 31, 1965".

Mr. HARRIS. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, this bill is a straight extension of the provisions of existing law, under which the Food and Drug Administration is authorized to permit the continued use of certain food additives in the manufacture of food where there has not been a sufficient time for the completion of all the tests that are required under the provisions of the food additives amendments of 1958. It is my understanding that this legislation was drafted in consultation with the Food and Drug Administration, and that appropriate safeguards are included in the legislation for the protection of the public health. The Department of Health, Education, and Welfare and the Bureau of the Budget have indicated in their reports that they had no objection to the legislation.

In 1958, the Congress adopted the food additives amendments, which provide, in general, for advanced testing on all substances proposed to be used in the manufacture of food, and providing further that no substances could be so used until the Food and Drug Administration had been furnished adequate evidence indicating that the particular additive in question was safe for use. At the time the legislation was enacted, there were a number of additives which were in commercial use. In order to avoid disrupting the entire food processing industry, transitional provisions were included in the legislation under which any substance which was in commercial use as a food additive on or before January 1, 1958, could continue to be used if the Food and Drug Administration determined that the continued use of this additive involved no undue risk to the public health. The majority of the food additives in use in 1958 were cleared for use, or withdrawn from use, within the next few years. The transitional provisions were due to expire in March 1961, and approximately 4,000 substances required further testing at that time. The administration recommended to the Congress legislation which would have provided authority for an unlimited extension of time for the completion of tests on these substances; however, during the hearings in 1961 it was stated to us that within 3 years the bulk of these food additives could be tested for safety. The gentleman from New York [Mr. Delaney] appeared before our committee and testified in opposition to the open end extension, and recommended that the extension be for a limited period of time, with the understanding that if problems still remained at the end of the period of extension, the legislation could be further extended if necessary. The committee accepted that recommendation and extended the authority of the Food and Drug Administration to June 30, 1964. As of that date, approximately 250 additives still required further work. The purpose of this legislation is to permit an additional 18 months for the completion of necessary testing on these additives. We have been informed that, if reasonable diligence is used, all testing should be completed by December 31, 1965, which is the date on which this legislation expires.

This legislation has been carefully drawn to insure the complete protection of the public health. The Food and Drug Administration may not grant an extension of time for the testing of any food additive unless the following five findings are made:

First. Such extension involves no undue risk to the public health.

Second. Conditions exist which necessitate the prescribing of such additional period.

Third. Bona fide action to determine the applicability of such section 408 or 409 to such uses, or to develop the scientific data necessary for action under such section, was commenced by an interested person before March 6, 1960.

Fourth. Such bona fide action was pursued with reasonable diligence after March 6, 1960.

Fifth. In the Secretary's judgment such extension is consistent with the objective of carrying to completion in good faith as soon as reasonably practicable the scientific investigations necessary as a basis for action under such section 408 or 409.

Mr. Speaker, I know of no objection to this legislation; it came out of our committee unanimously and I recommend its approval to the House.

Mr. **SPRINGER**. Mr. Speaker, I move to strike the resquisite number of words.

Mr. Speaker, there is one further point: It is not possible for the Secretary of Health, Education, and Welfare to permit the continued use of additives which the distinguished chairman has so well pointed out, unless he finds that first, such extension involves no undue risk to the public health; second, conditions exist which necessitate the prescribing of such additional period; third, bona fide action to determine the applicability of such section 408 or 409 to such uses, or to develop the scientific data necessary for action under such section, was commenced by an interested person before March 6, 1960; fourth, such bona fide action was pursued with reasonable diligence after March 6, 1960; and, fifth, in the Secretary's judgment such extension is consistent with the objective of carrying to completion in good faith as soon as reasonably practicable the scientific investigations necessary as a basis for action under such section 408 or 409.

With that clarification I believe that the Secretary would be justified in granting such extensions. The hundreds of these pesticides and additives which are in use, which were in use in 1958 and have been continued since that time, but are being tested, I believe, by the Food and Drug Administration, certainly should give them more time to do that. It seems to me that the extension of some 18 months is reasonable and in the public interest.

We held extensive hearings on this bill, and we were familiar with this matter in connection with two other cases before the committee that I know of. The bill came out of the committee unanimously, and I believe it should be passed.

Mr. **BLATNIK**. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, at the outset may I express my appreciation to the distinguished chairman of the committee, the gentleman from Arkansas [Mr. HARRIS], for the general legislation on this subject which involves the health and welfare of American consumers of food.

I appreciate the point raised by the gentleman from Illinois [Mr. SPRINGER], which clearly points out that the public interest and the interest of the Congress are protected very precisely, and by putting on another time limit we also put pressure on these companies to complete the work, which, as has been pointed out, has been pursued with diligence and earnestness. There are some firms which use nontoxic additives and chemicals in their processing. They are compelled or required to prove just what effects they may or may not have. In some 250 instances they were not able to complete their work, and in some of these cases their work is close to completion.

Let me cite the specific case of an outstanding firm in my district, the Chun King Corp., a producer of Chinese foods. They did not use an additive but a chemical involved in the growing of bean sprouts which is essential to their whole operation. If they were to be prevented from using this chemical they would be forced out of business with consequent serious unemployment.

We are appreciative of the special effort made by the chairman and by the members on both sides of the committee to give real consideration to the business and industry people who do need it, and who I am confident will comply with the terms and conditions of the act.

Mr. **CURTIN**. Mr. Speaker, I move to strike out the last word, and ask unanimous consent to speak out of order.

The **SPEAKER** pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. **CURTIN**. Mr. Speaker, a very fine Christian gentleman passed away this morning. I am referring to the Honorable John T. Gross, who was the mayor of the city of Allentown, Pa., located in the district that I have the honor to represent.

The untimely passing of Mr. Gross was at the age of 55, and he will be sadly missed by his host of friends and admirers, not only in the Lehigh Valley area, but in all the Commonwealth of Pennsylvania.

Mr. Gross made his mark in the Pennsylvania Department of Commerce where his outstanding work will be long remembered. From this, Mr. Gross advanced to the office of mayor of the city of Allentown, known as the Queen City, where he was serving his second term as the first citizen of that fine city.

I share with all of the city of Allentown a deep sense of loss in the passing of Mr. Gross, who was a mayor of all the people, who was the son of a former mayor, and who had a deep sense of pride in the progress of that great city. Our sympathies especially go out to his wonderful wife and son.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. ROONEY].

Mr. **ROONEY** of Pennsylvania. Mr. Speaker, early this morning, the Commonwealth of Pennsylvania lost one of its finest and most capable public servants.

Mayor John T. Gross, of Allentown, Pa., was among the most progressive, hardworking men ever to hold public office in our State. Prior to his election as mayor of the city of Allentown he was Assistant Secretary of Commerce in Pennsylvania. He died today of a heart attack, leaving a vacuum in municipal leadership in our Lehigh Valley which cannot and will not be easily filled.

But Mayor Gross left something magnificient behind him—the kind of memorial all men would like to leave but few are able to pass on to the generations which follow them.

In his tenure as mayor of the great and thriving city of Allentown, John T. Gross put into action a forward-looking, intelligent plan for city growth. He was a leader in the American effort to renew and restore our vital urban centers.

Within a matter of weeks, the city was to dedicate its beautiful new city government building. It stands, today, as a tribute to the devotion and dedication and vision of Mayor Gross.

It is not often in public life that it may be said that a man has truly risen above the hue and cry of partisan considerations to become a servant of all the people, without exception and without discrimination. John Gross was such a man.

The mark of a man is truly found in the imprint he has left upon his community.

And, in that respect, Mayor John T. Gross, of Allentown, will live in memory and in fact as a molder of the community in which he lived and the entire Lehigh Valley region in which he served.

I join my colleague, the gentleman from Pennsylvania, Congressman CURTIN, in extending my heartfelt sympathy to his lovely wife and to his son.

Mr. **ROBERTS** of Alabama. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I ask unanimous consent to proceed out of the regular order.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. **ROBERTS** of Alabama. Mr. Speaker, as one of his last moves Attorney General Robert Kennedy has brought suit against practically every public official in the district I have the honor to represent. I have not been able to determine whether this suit is in the nature of a criminal action or a civil action. However, it is based on alleged facts which occurred several months prior to the passage of the civil rights bill of 1964.

Today I sent this telegram to the President of the United States which I would like to read into the RECORD. It is as follows:

WASHINGTON, D.C.,
September 3, 1964.

The PRESIDENT,
The White House:

According to press reports, Attorney General Kennedy has as one of his last acts filed suit against local officials in the Fourth District of Alabama; namely, Sheriff James G. Clark, Jr., his eight deputies, and the county posse: Fourth Circuit Solicitor Blanchard McLeod, of Camden; Fourth Circuit Judge James Hare, of Selma; Bernard A. Reynolds, Dallas County probate judge; and the city of Selma. I charge that this is a last move on the part of the Attorney General to further his ambitions in the State of New York at the expense and harassment of the local officials of Alabama who have hardly had time to read and understand the new Civil Rights Act. I protest this highhanded, uncalled for, and politically motivated action on the part of the

Attorney General. I call your attention to the fact that these suits are based on alleged facts occurring prior to congressional action on the Civil Rights Act and I feel sure that all of the officials involved will be fully exonerated by the courts in this case. I ask for a full and fair examination of the basis of this flagrant abuse of power.

KENNETH A. ROBERTS,
Member of Congress.

I might say during the debate on the civil rights bill I pointed out the fact that the Department of Justice had supplied free transportation in the form of free automobiles to Rev. Martin Luther King and others for the purpose of promoting demonstrations. I might say that during all of these demonstrations perfect order was maintained, no one was shot and orderly procedures were followed throughout those tense days in Selma.

I hope the President will see fit to investigate the basis of what I think is a politically motivated action.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

ELIMINATION OF RESTRICTION AGAINST PAYMENT OF SOCIAL SECURITY BENEFITS TO SPOUSES OF RETIRED RAILROAD EMPLOYEES

Mr. HARRIS. Mr. Speaker, I call up the bill (H.R. 12362) to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits payable under title II of the Social Security Act, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last proviso of subsection (e) of section 2 of the Railroad Retirement Act of 1937 (45 U.S.C. 228b(e)) is amended by striking out "and the amount of any monthly insurance benefit, other than a wife's or husband's insurance benefit,", and by further striking out "or section 202" and all that follows down to the period at the end of such subsection.

SEC. 2. This Act shall take effect with respect to benefits accruing under the Railroad Retirement Acts after the first day of the first month which begins after the date of enactment of this Act.

Mr. HARRIS. Mr. Speaker, I move to strike the last word.

Mr. Speaker, the purpose of this bill is to permit the spouse of a railroad employee to receive a spouse's annuity under the Railroad Retirement Act concurrently with the receipt of social security benefits earned in her own right without reduction in the spouse's annuity. Under existing law, social security benefits received by the spouse in her own right are deducted from her spouse's railroad retirement benefits.

Under existing law, any person who is entitled to railroad retirement benefits, whether as an annuitant or as a survivor of a railroad employee, who is also entitled to social security benefits based upon his own wage record, may, with one exception, draw full benefits under the Railroad Retirement Act of 1937, and full benefits under the Social Security Act, without reduction. This one exception involves women who are entitled to an annuity as the spouse of a retired railroad employee. Under the Railroad Retirement Act of 1937, deductions are made from the annuity paid to the spouse of any railroad employee until the deductions equal the total of social security benefits to which she is entitled in her own right.

This bill would repeal these provisions under which deductions are made from the annuity of the spouse of benefits which she has earned under social security.

The provision which this bill would repeal involves the only case under the Railroad Retirement Act in which the entire amount of social security benefits which a person has earned based on her own wage record are deducted from her railroad retirement benefits. There are a number of instances under existing law in which an individual can draw full benefits under both the Railroad Retirement Act and the Social Security Act. For example, a retired railroad worker may draw both benefits simultaneously. A survivor of a railroad employee can draw both survivor benefits under the Railroad Retirement Act and social security benefits which he has earned in his own right; however, survivor benefits are paid under only one of these acts—usually under the provisions of the Railroad Retirement Act which in general guarantee that at least 110 percent of the total amount of social security benefits otherwise payable will be paid to the survivors of the railroad employee.

I think I should point out to the House that there will be a few instances remaining in the law where there will be some offset against railroad retirement benefits based upon receipt of social security benefits. These cases all arise out of situations where the computation of the amount of railroad retirement benefits involves the application of the guaranteed minimum provisions of that act. Under those provisions, benefits under the Railroad Retirement Act are payable to an individual computed either on the railroad retirement formula, or on the basis of 110 percent times social security benefits that would be payable if all creditable railroad service were counted as social security service. The following are illustrations of this type of situation:

First. A widow's annuity under the Railroad Retirement Act is, say, $60 a month when computed under the regular railroad retirement formula but would be $70 a month under the Social Security Act if her husband's railroad service had been social security employment. In such case the social security minimum provision of the Railroad Retirement Board would pay this widow the $70 she would have received under the Social Security Act plus 10 percent, or $77 a month. If this widow thereafter acquires rights to a social security benefit in her own right of, say, $40 a month, she would not be entitled to $70 a month as a widow's benefit under the Social Security Act but only to $30. In such case the overall minimum provision of the Railroad Retirement Act would increase the $30 by 10 percent to $33. Since this amount is less than the $60 she would receive under the regular railroad retirement formula, the social security minimum provision of the Railroad Retirement Act ceases to apply, and she would return to the regular railroad retirement formula for her widow's annuity. She would thus receive a total of $100 a month—$60 under the Railroad Retirement Act and $40 under the Social Security Act—as compared to the $77 previously paid her under the Railroad Retirement Act alone.

Second. Assume the facts as stated in the first example except that the widow's benefit under the Social Security Act would be $100 instead of $70. In such case, the social security minimum provision of the Railroad Retirement Act would require the addition of $6 to the $60—$100 minus $40—making a total of $66. Since this amount is $6 more, than the $60 under the regular railroad retirement formula, the social security minimum provision would continue to apply. She would receive a total of $106 a month—$66 a month under the Railroad Retirement Act and $40 a month under the Social Security Act—as compared with the $110 previously paid her under the Railroad Retirement Act alone. The reason for the smaller total is that the 10-percent factor applies to a smaller amount.

Note that the effect of the social security primary insurance benefit of the widow on her widow's annuity under the Railroad Retirement Act results only from the fact that her widow's benefit under the Social Security Act can only be in the amount, if any, by which it exceeds her primary insurance benefit.

This bill would eliminate one of the most glaring inequities in the Railroad Retirement Act of 1937. Except for the cases discussed previously involving the application of the guaranteed minimum provisions, the requirement that the spouse's annuity be reduced by the amount of social security benefits earned by the spouse in her own right is the only situation of this type arising under the Railroad Retirement Act. This bill would repeal the provision providing for this offset, eliminating this inequity.

Legislation dealing with this subject has been before the Committee on Interstate and Foreign Commerce for many years. The first bill introduced on this subject was H.R. 738, 84th Congress, introduced by the gentleman from Mississippi [Mr. WILLIAMS]. Since that time bills having a similar purpose and effect have been pending before the committee each Congress. These bills have consistently been opposed by the Railroad Retirement Board, primarily because of their cost, currently estimated at approximately $13 million a year. It is our feeling that the equities involved in this legislation are sufficiently compelling to justify these small added costs, and we recommend that the House approve the bill.

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 2 strike out lines 1 through 4 and insert in lieu thereof the following:

"Sec. 2. This Act shall take effect with respect to annuities accruing in months after the month in which this Act was enacted."

The committee amendment was agreed to.

Mr. SPRINGER. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, this bill has the effect of eliminating the restriction against payment of social security benefits to spouses of retired railroad employees.

This bill would amend section 2(e) of the Railroad Retirement Act of 1937 to permit the spouse of a railroad employee to receive a spouse's annuity under that section concurrently with the receipt of social security benefits earned in her own right without reduction in the spouse's annuity. Under existing law, social security benefits received by the spouse in her own right have been deducted from her railroad retirement spouse's benefits.

This is a simple bill. It is one which we have considered for a number of years and which I am happy to see brought to the floor. There was no opposition to this bill in the committee. In my opinion, it is a bill definitely in the public interest. I know some have asked what the condition of the railroad retirement fund would be. May I say, so that the House may be truly informed, that the result is simply to raise the deficit from 0.30 to 0.71.

May I say to my colleagues anything under 1 percent is considered safe not only by those who have been studying this bill, but it is considered to be safe, I think, by all insurance companies insofar as I know or have had any experience in this field.

I believe this bill ought to be passed, and I believe it is good legislation.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may file their own remarks in the Record at this point.

The SPEAKER pro tempore (Mr. McFall). Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. KUNKEL. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, this is a bill which I have enthusiastically supported for many years. It has long been my hope to see it enacted into law. I have run into this situation a great many times in my own district—more times than you would imagine.

When some widow comes in and asks me for an explanation, all I can do is to tell her "This is gross inequity which exists in the law." Of course, that is not a very satisfactory explanation for me to give or for her to get. I feel we are taking a fine step forward today. When we pass this legislation I know it will be doing justice to many deserving people. It will prove that Congress is continuing to try to correct injustices and defects in our statutes.

Mr. POFF. Mr. Speaker, I move to strike out the last word.

I enthusiastically support H.R. 12362 introduced by the distinguished chairman of the Committee on Interstate and Foreign Commerce. I want to express to the chairman and members of the Committee on Interstate and Foreign Commerce my appreciation for the comments contained in the committee report concerning the bill I introduced on this subject. As this report shows, my bill, H.R. 804, introduced on January 9, 1963, was the first bill of this nature introduced in the 88th Congress. However, I want to pay tribute to the man who first introduced this legislation nearly 10 years ago, the gentleman from Mississippi [Mr. Williams]. Since that time, in company with others, I have introduced this bill in every Congress, and the record shows that new champions have joined the cause every year.

From the beginning, the Railroad Retirement Board and others have opposed this legislation. The reason has always been similar to that given in the last departmental report, namely, that "the bills would provide no additional revenue to meet the substantial increase in the costs of benefits."

Mr. Speaker, the bill under debate provides no additional revenue, but I agree with the unanimous sentiments of the members of the committee of both political parties as expressed in the committee report "that the equities involved in this legislation are sufficiently compelling to justify the small added costs to the railroad retirement system." The equities of which the committee report speaks are simple and easy to understand. When payments are made into two separate retirement systems, benefits should be forthcoming from both retirement systems. This principle was recognized by the Congress 10 years ago when the so-called dual benefit restriction clause of the Railroad Retirement Act was repealed. Unfortunately, that repeal applied only to the railroad worker himself. It did not include his wife.

Under the law today, social security benefits earned by a woman in her own right are, if she is the wife of a retired railroad worker, deducted from her railroad retirement benefits due her as a wife. In other words, she can never draw more than the amount of her railroad retirement benefits even though she might be eligible for social security retirement benefits on account of her own work record. To deny her full benefits under both plans when her husband paid into one plan for her and she paid into the other plan for herself is patently unfair.

It is the purpose of this legislation to remedy this inequity, even though there is no revenue plan attached to the bill. Involved is an actuarial deficit of only three-tenths of 1 percent of payroll, and even that may be overestimated. As a matter of conscience and fair play, I have no hesitation about urging passage of the chairman's bill.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

A motion to reconsider was laid on the table.

ENCOURAGE PHYSICIANS TO PRACTICE IN CERTAIN AREAS

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2220) to encourage physicians and dentists who have received student loans under programs established pursuant to title VII of the Public Health Service Act to practice their professions in areas having a shortage of physicians or dentists.

The motion was agreed to.

IN COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 2220, with Mr. Keogh in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas [Mr. Harris], will be recognized for 30 minutes, and the gentleman from Illinois [Mr. Springer], will be recognized for 30 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. HARRIS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this bill will amend the Public Health Service Act to permit the canceling of a portion of the unpaid balance of a student loan awarded to a physician or dentist under the Health Professions Educational Assistance Act where he practices in an area having a shortage and a need for physicians and dentists. The shortage areas in each State would be designated by the appropriate State health authority in conformity with regulations prescribed by the Secretary of Health, Education, and Welfare. Up to 50 percent of the loans made to a student, with accrued interest thereon, would be forgiven at the rate of 10 percent per year for a total of 5 years of practice.

There are several States in the United States which already have programs of this type, providing assistance by the State to medical students in return for an agreement on their part to practice in shortage areas in the State. South Carolina, for example, has operated this type of a program since 1948, and a very high proportion of the loan recipients have repaid their indebtedness by service in the rural communities in that State. The State of Mississippi has a similar program.

In general, Mr. Chairman, physicians tend to practice in urban areas. The proportion of doctors in rural areas in relation to population is less than half the proportion of doctors in relation to population in urban areas. Metropolitan areas are usually areas of high per capita income, readily available hospital facilities and contact with hospital staffs and teaching centers.

Earlier this year, at the American Medical Association 17th National Conference on Rural Health, a report was made of a survey conducted in Kansas by a reporter who interviewed more than 80 practitioners. This report indicated that there were four major problems which tended to encourage doctors to settle in urban rather than in rural areas:

First, many doctors prefer to practice in association with others, since the lone practitioner finds himself on call 24 hours a day, with few opportunities for vacation and time off.

A second problem is the unavailability in some areas of hospital facilities within a reasonable distance.

A third problem involves the lack of accessability of fully equipped laboratories to assist in the diagnosis of ailments.

A fourth problem arises out of the desire of many medical school graduates to specialize. After a year or so in general practice, many physicians decide that they would like to become specialists and the problem then faces them of whether the community in which they live can support a specialist in their chosen area.

As a result of these and other factors, many doctors tend to settle in metropolitan areas, or in areas having a relatively dense population. This presents a problem from the overall point of view of the public health of the United States, since this maldistribution of doctors tends to make medical care less readily available to persons living in rural or semirural areas.

This bill would help to counteract the current trends, by providing financial incentive for young doctors just out of medical school to practice in areas having a shortage of physicians. Some medical students who have accumulated indebtedness under the student loan program while receiving their education might be hesitant to practice in rural areas since urban areas offer the possibility of higher financial rewards; therefore, by providing for cancellation of a portion of their indebtedness if they practice in shortage areas, this legislation would tend to encourage doctors to settle in more sparsely populated areas, and would help counteract current trends.

The determination of whether an area in a State is a shortage area would be made by State health authorities. These determinations would be made in accordance with uniform criteria established by the Secretary of Health, Education, and Welfare. Some fears were expressed that, in view of the overall shortage of doctors throughout the United States, some State health authorities might desire to designate their entire State, or large areas in their State, as a shortage area in order to encourage doctors to settle in that State. We have spelled out criteria in our report for the Secretary to take into account, so that loans will be canceled only where the physician or dentist practices in an area within a State which, taking into account all relevant factors, such as the ratio of professional personnel to population, accessibility of medical services in adjacent areas, and special local health problems, has an actual shortage of and an actual need for physicians and dentists in relation to the supply of physicians and dentists available within the State.

Mr. Chairman, this is no new problem within the committee. We had this problem under consideration when H.R. 12 was being considered. In an effort to avoid another controversy while that bill was considered in the House it was decided that we would forgo any efforts to provide partial forgiveness, and that we would approach this problem separately at another time.

So, after the bill came to our committee it was, after discussion among the members of the committee, considered and reported.

As I indicated before there was only one member of our committee who raised any question. All other members, I believe, on the committee were favorable to it and it was favorably reported.

With the extension of the National Defense Education Act just a few days ago, the same principle was included in that bill. With the approval of the nurses' training bill just a few days ago, this same principle was included.

Are we going to follow the principle established for teachers and for nurses? Can you find any part of our life that is more important than the health of the individual? I was reared in a rural community, and I know something about the difficulty of getting a doctor to go 10 miles out of a city of even 2,500 population.

In my judgment, if there is any justification for this principle being applied at all, it would apply to this provision. Therefore, I feel as do the overwhelming majority of the committee, that it is a justifiable proposal, and I urge the bill's favorable consideration by the House today.

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, last year when we were considering H.R. 12, the medical professional educational assistance measure, there was considerable discussion and considerable difference of opinion about forgiveness of loans to encourage general practice in rural communities. I do not believe there is today. I was in favor of the measure then, and I am in favor of the measure now. In fact, the language in H.R. 12 which was in the bill when it came to the floor was called the Springer amendment in our committee. I was the originator of this particular amendment to H.R. 12, and it is not surprising, therefore, that I am today rising in favor of S. 2220 which aims to accomplish this same desirable purpose.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Arkansas.

Mr. HARRIS. I asked the distinguished gentleman to yield in order that I might advise the House that when this bill came from the other body the gentleman from Illinois came to me and asked me as chairman of the committee to schedule this bill for consideration. In consideration of the gentleman's interest which he manifested in this particular problem when we considered H.R. 12, and the continuing interest he has today in it, I scheduled consideration of the bill. The gentleman deserves a large measure of credit for the consideration of this bill today.

Mr. SPRINGER. I thank the distinguished chairman for his very kind words. We did not include this in the final version of H.R. 12 when it came over to the House. When it went to the Senate, Senator COTTON was interested in this bill and was assured it would receive consideration on the floor of the House, therefore he did not choose to amend the Senate version on that side, and to include what is called the Springer amendment on this side, and the Cotton amendment in the other body.

My position was clear. I was inclined to abide by the decision at that time. During the year since we passed H.R. 12 I have been approached many times and with increased urgency by our colleagues who have found that some such measure to encourage doctors in rural areas is vitally needed. The argument that new doctors will not stay in rural communities may be valid. A community with no doctor will readily declare that it would be most pleased to have a succession of young doctors who later move on to other areas, or to fields of specialization if only it could have the benefit of those first years. There is another reason why I think it would work well. The fact that such inducement is made available will prompt some graduates to take a turn at rural practice if only because its importance is so dramatically highlighted. Some will stay, others will do as predicted and depart for greener pastures.

A few States have tried offering similar inducements to general practice and report favorable results.

If young doctors do spend the full amount of time in these areas the amounts forgiven will be well spent, and they will be small. If the doctors leave, and they do not spend even the minimum amount of time in this practice, then we are out nothing.

I should like to point out to my colleagues a rural area which is in vital need of this legislation. I recall two small communities in my congressional district who, a few years ago, built an office in each one of the communities which were very similar to what I would call a 3- or 4-room hospital. Neither of these communities was larger than 1,000 people. Each one of these communities spent several thousand dollars to build these offices in this small hospital area and paid for them and equipped them in order to get doctors to come to those communities, and they did. One was a Cuban and one was an Austrian. They both were called up into service. Those offices and small hospital services have been vacant since then. We have been trying to give some inducement to get doctors to come back to those communities, but have been unsuccessful to date. I hope what we are trying to do will be successful, to get two doctors to come back because of the inducements offered in this bill, which are substantial.

The distinguished gentleman from Missouri has raised a question here, Why cannot they drive to another community? It happens that in these communities most people are retired farmers. Night calls are necessary. The nearest doctor on one side is 18 miles away and on the other 12. No doctor is going to drive 18 miles today from a city of 18,000 and another of 7,000 to make a house call out there.

Let me give you one experience which one Member of the Congress had. He had a relative, who happened to be his brother, who had a very serious accident. I am talking about a Member of Congress. This was out in the rural area where he lived. It happened that this Member was with his brother at the time the accident happened. He had to carry him some 25 or 30 miles, to get him to where he could get medical attention. This was only one experience.

My other colleagues who have talked to me and the chairman of the committee are not talking about relatives, they are talking about doctors out in the rural communities who can serve their constituents.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Iowa.

Mr. GROSS. How long will it be before you bring in a bill to include veterinarians?

Mr. SPRINGER. So far as I know, I do not know that there has been any attempt to bring in veterinarians.

Mr. GROSS. How about ministers and lawyers?

Mr. SPRINGER. I do not know about preachers and lawyers, but the gentleman mentioned veterinarians. I take it that could possibly come to our committee, but I have not heard of any attempt to bring veterinarians under the act.

Mr. GROSS. This ought to give them all the encouragement in the world to come in and ask for a subsidy.

Mr. SPRINGER. The gentleman may have a right to his own opinion, and I grant him that right. I only give him what I have knowledge of, and I do not know of anybody else such as veterinarians that have applied for this kind of forgiveness. We have previously passed the same kind of thing in the National Defense Education Act. Someone will probably discuss that later. They have been opposed to it all the time. They were opposed to it at that time. They were opposed to the provision with regard to nurses when it passed this body only a few weeks ago. They are opposed to the principle. I take it my colleagues who are opposed to the forgiveness principle will be against this type of legislation.

I believe we have shown by the hearings before the committee, and I think we are going to make out a good case here today, as to why this forgiveness feature is good. It ought to attract doctors to the rural areas because of the benefits contained in the forgiveness feature of this bill. In my estimation it would be utterly ridiculous that we should give nurses this same feature which we voted to them a few weeks ago and refuse it to doctors. We need medical aid in these rural areas far more than we need nurses and nursing assistants.

Mr. Chairman, this legislation in my opinion is very much needed. I have been trying for a number of years to get this legislation out on the floor for a vote and I certainly give it my entire and wholehearted support.

Mr. QUIE. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Sixty-six Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 254]

Alger
Anderson
Andrews, Ala.
Auchincloss
Avery
Baring
Bass
Becker
Bell
Bolling
Bolton, Frances P.
Broomfield
Bruce
Buckley
Burkhalter
Cameron
Celler
Clancy
Colmer
Cramer
Curtis
Davis, Tenn.
Dawson
Diggs
Dingell
Edmondson
Evins
Fino
Flynt
Forrester
Fraser
Fulton, Tenn.
Gill
Grabowski
Grant
Green, Oreg.
Griffiths
Hanna
Hansen
Harrison
Harvey, Ind.
Harvey, Mich.
Hawkins
Hays
Healey
Hébert
Herlong
Ichord
Johansen
Johnson, Wis.
Jones, Ala.
Karth
Kee
Kilburn
Kilgore
Kluczynski
Kornegay
Landrum
Lankford
Leggett
Lesinski
Lindsay
McClory
McCulloch
McIntire
McLoskey
McMillan
Macdonald
Martin, Calif.
Martin, Mass.
Matsunaga
Meader
Miller, N.Y.
Montoya
Moorhead
Morris
Morrison
Multer
Nedzi
Pilcher
Pillion
Pool
Powell
Rains
Reid, N.Y.
Reuss
Roberts, Tex.
Rumsfeld
Ryan, Mich.
St Germain
Schwengel
Senner
Sheppard
Shipley
Sibal
Stephens
Stratton
Stubblefield
Thompson, N.J.
Toll
Tupper
Vinson
Wallhauser
Wilson, Charles H.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Keogh, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill S. 2220 and, finding itself without a quorum, he had directed the roll to be called, when 329 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from New Hampshire [Mr. Cleveland].

LEGISLATIVE PROGRAM FOR BALANCE OF THIS WEEK AND NEXT WEEK

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CLEVELAND. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Chairman, I would like to inquire of the majority leader what he can tell us as to the program for the balance of the week and for next week, particularly in view of the action of the other body in respect to the social security amendments and certain amendments thereto.

Mr. ALBERT. Mr. Chairman, with reference to the inquiry made by the minority leader, when we finish this bill we will have completed the legislative program for this week, except matters brought up under unanimous agreement. I understand the gentleman from Colorado [Mr. Aspinall] will call up Senate amendments and ask unanimous consent that they be agreed to on tomorrow. Beyond that I know of no legislative business for the balance of the week. Certainly there will be no major legislative business.

The House will meet tomorrow, and it will be our purpose to adjourn from tomorrow until Tuesday, Monday being Labor Day. We hope to adjourn over and not meet at all on Monday.

On Tuesday there will be no legislative business because Tuesday is a religious holiday.

It is expected that on Wednesday the chairman of the Committee on Ways and Means, the distinguished gentleman from Arkansas, will ask unanimous consent to send the social security amendments to conference. Of course, I am not in position, and I am sure no one else at this time is in position to advise the House as to what might happen with respect to that request. If it is objected to I presume the gentleman from Arkansas will request a rule sending it to conference.

Of course, if an agreement to send it to conference is reached, Members know that a motion is in order at that time to instruct conferees. I am not in a position at this time to predict that such a motion might be made, but I should like to advise Members that it is possible.

If the gentleman from New Hampshire will yield further, I should like to ask the gentleman from Arkansas if there is anything he desires to add to what I have said?

Mr. MILLS. Nothing more than what I think the distinguished majority leader would want included. The papers will not be sent over here from the other body until Tuesday, so it appears that Wednesday next is the earliest possible day that we could ask unanimous consent to send the matter to conference.

Mr. ALBERT. Except for that matter, except for the conference report that might come in Wednesday, I know of no legislative business that we would undertake to program for next week.

Mr. HALLECK. Might I make this further observation, Mr. Chairman? I am not addressing this as a parliamentary inquiry at this time because it has been under discussion, but I want the response of the majority leader. As I understand the rules of the House, if a unanimous-consent request to send the bill to conference is granted, then immediately before the conferees are appointed a motion to instruct could be in order. Further, I understand that the initial right to make that motion would be from the minority side.

Mr. ALBERT. The gentleman's understanding is correct.

Mr. HALLECK. If the motion to instruct were not made from the minority side, then, of course, a motion to instruct from the majority side would be in order?

Mr. ALBERT. The gentleman is correct, according to my understanding.

Mr. HALLECK. Any such motion, whether it came from the minority or the majority side, could result in a record vote on the motion to instruct?

Mr. ALBERT. The gentleman is correct. It very likely would result in a rollcall vote.

May I advise further that if there is any further program, such as conference reports that we deem it might be advisable to bring up, we will announce that fact well in advance to try to advise all Members accordingly. That applies to all legislation that we might desire to bring up next week. We will advise the Members in advance. As of now, we know of no matter which we will attempt to bring up except the social security amendments.

Mr. HALLECK. I thank the majority leader, and I also thank the gentleman from New Hampshire for yielding. I am quite sure that his time will be extended.

Mr. ALBERT. May I say that the minority leader and I are taking this time to alert the Members as to the social security matter and any other matters that may come later.

Mr. HARRIS. Mr. Chairman, may I ask how much time was consumed in this discussion?

The CHAIRMAN. Eight minutes.

Mr. HARRIS. He was yielded only 5 minutes.

The CHAIRMAN. The understanding was that he would be yielded as much time as he consumed. He consumed 8 minutes. The gentleman from New Hampshire is recognized further subject to any limitation on the part of the gentleman from Illinois.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from New Hampshire [Mr. CLEVELAND].

Mr. CLEVELAND. Mr. Chairman, I urge passage of S. 2220 introduced in the Senate by New Hampshire's senior Senator NORRIS COTTON and passed by that body on December 9, 1963. The purpose of this legislation, which is identical to my bill H.R. 9409, is to encourage doctors and dentists to practice in rural areas. This will be accomplished by forgiving part of student loans to those individuals who agree to practice in areas where there is a shortage of doctors and dentists and who borrowed money under the provisions of the law we passed last year (H.R. 12). There is a serious need for doctors and dentists in rural areas, and passage of this legislation will alleviate an acute situation. Many communities in my District are without a doctor or dentist. Young doctors and dentists are attracted to larger communities, and small towns and rural areas suffer. The problem is national in scope.

FORGIVENESS FEATURE

Forgiveness of up to 50 percent of the loans received under title VII of the Public Health Service Act would be an inducement for young doctors and dentists to practice in areas in which there is a serious shortage of medical personnel. Ten percent of the loan would be forgiven each year for 5 years of rural practice for a total of 50-percent forgiveness. A student who borrowed $2,000 per year for each of his 4 years in medical school—the maximum loan permitted—would be able to pay back $4,000 rather than the full $8,000 plus interest credited against him. This bill would include in the Public Health Service Act the same provision that exists in the National Defense Education Act which forgives 50 percent of loan funds to teachers who teach in elementary and secondary schools which currently suffer from a shortage of teachers.

The increasing shortage of doctors will be most acutely and tragically felt in rural areas. Too many cases have occurred in which an ill or injured person was rushed to a city many miles distant because of no immediate source of medical aid; and while quick medical attention might have saved this person, the individual died because of lack of a local doctor. A small rural town has difficulty in attracting a doctor when competing opportunities in the cities offer more in the way of money, advanced training, and professional prestige.

HISTORY

A broader version of the forgiveness feature was incorporated in H.R. 12, the Health Professions Education Act, which was considered by the House April 23–24, 1963. By a committee-sponsored amendment the forgiveness provision was dropped during debate in an attempt to ward off possibly successful attacks on the whole student loan provisions of the bill. H.R. 12 was passed on April 24, 1963.

When H.R. 12 was considered by the Senate on September 10, 1963, the chairman of the Labor and Public Welfare Committee insisted that the Senate accept the House version of the bill to avoid a conference on the bill. My distinguished friend, the senior Senator from New Hampshire, NORRIS COTTON, tried unsuccessfully to put back into the bill the forgiveness provision for doctors and dentists who practice in rural areas. Senator COTTON's brilliant efforts received wide bipartisan support, and his amendment was narrowly defeated 39 to 43. The Cotton amendment was later introduced by him as a bill, S. 2220, and passed the Senate by voice vote on December 9, 1963.

This legislation offers to small communities and rural areas of our Nation hope that they will not suffer further from a critical lack of doctors and dentists. It is soundly conceived and I am proud to be associated with Senator COTTON in its enactment.

Mr. SPRINGER. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Chairman, the forgiveness feature which is included in this bill seems to have come under considerable discussion, and there is some controversy surrounding it.

I am frank to admit that, as a member of the committee, I personally feel this should be given a complete study across the board. However, when the National Defense Education Act bill was before this body, forgiveness features were included in certain categories. As pointed out by the chairman of our committee, it would seem that if forgiveness features are justified to encourage more teachers this same feature could encourage doctors and dentists for rural areas.

I wish to point out that in the immediate area in which I live a little town built a clinic for a doctor and a dentist. It stands empty. There was a little town farther west where the same thing happened. They found that after the building was supplied, the doctor or the dentist would move to a larger city. The building stands empty.

The purpose of this bill is the hope that, by its provisions, we may encourage doctors or dentists to locate in rural areas. We are hopeful that this incentive will do the job.

If the forgiveness feature is to be criticized, is to be deleted from this bill, it would seem to me it ought to be examined across the board, and not merely in this measure. I suggest that if forgiveness is a mistake in this bill it was also a mistake when the National Defense Education Act bill was before us only a short time ago. The committee sent this bill out with the hope that by its provisions we could encourage doctors to locate in rural areas where a great need exists.

Mr. HARRIS. Mr. Chairman, does the gentleman from Minnesota [Mr. QUIE], desire that I yield time to him?

Mr. QUIE. Yes, I should like to have some time.

Mr. HARRIS. I am glad to yield 5 minutes to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I thank the chairman of the Committee on Interstate and Foreign Commerce for yielding me this time. I surely appreciate his kindness in doing so.

Mr. Chairman, when we look at this piece of legislation, I wish to first point out that we are not in a jurisdictional dispute. If this bill had come from the Committee on Education and Labor, I would be as strongly opposed to it as I am now.

I will tell the Members why I am opposed to this bill. It is wrong in principle. This is a bad principle.

We started by forgiving loans of teachers in the National Defense Education Act in 1958. We have found from testimony before the Education and Labor Committee that some teachers go into the teaching profession who are not qualified and are not equipped to teach. They do that because they will get some money out of it, by having a portion of their loans forgiven. I have always felt it was degrading to teachers.

Now we would go a step further. Now we would permit the Federal Government to bribe doctors to practice medicine where they would not ordinarily practice it. I believe it is wrong for the Federal Government to bribe people to go into certain occupations, but it is even worse to pick the area in which they will practice through a Federal subsidy.

This will mean as much as $4,000 to a doctor or dentist to practice in an area determined by the Government to be in shortage. The areas of shortage will be determined by the State health authorities under regulations developed by the Department of Health, Education, and Welfare.

I think it is absolutely wrong to permit this. If you think this bill is only talking about rural areas, you are mistaken. There is nothing in this bill that says it should only go to doctors in rural areas. It means any area that has been determined to have a shortage. This is a wrong way to go about getting some doctors into the areas that need help. Any doctors who go out into those areas are paid adequately. Many doctors go out there into these rural areas and make money and then some of them like to have a little bit easier life and get closer to the golf course. Teachers, at least, are low paid in areas of need but not doctors. Most of them are well paid even in areas that are supposedly poverty stricken.

Also we have heard it said here that there will be no additional cost if this does not work. Every young doctor or dentist that goes into shortage areas, whether they went there because of the bill or not, would have a portion of their loan forgiven. This would be U.S. taxpayers' money going to people practicing medicine in areas that have a shortage, even though they would have gone there to practice without this bill being passed.

This bill would open the flood gates for similar action in other professions. What are we going to do in the Committee on Education and Labor when the engineers and social workers come in and ask for this, just as you people on the Committee on Interstate and Foreign Commerce will be faced with the problem when the veterinarians and optometrists come in and say that they want the same treatment as the doctors? They are already saying it. At least they want the program of H.R. 12 which goes for doctors and dentists. Why would they not want to be treated with the doctors and dentists in this regard?

We came here in the National Defense Education Act and we denied forgiveness to social workers and people who practiced teaching, or what have you, in poverty stricken areas under the Economic Development Act which was just passed. We took action and refused to expand forgiveness there. How can we prevent this from happening if this House begins forgiving doctors' loans today? They are better paid than social workers. We are really opening up Pandora's box if we permit this to happen.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. Mr. Chairman, I wish to state that I agree 100 percent with what the gentleman from Minnesota said. The gentleman will agree with me, I believe, that when we are talking about forgiveness of loans to doctors we are talking about forgiving loans to probably the highest paid profession in this country. Once we decide that we are going to forgive student loans to doctors who fulfill certain requirements that are laid out by the Government, then we have let the bars down and opened the gates. How are we going to say no when they want to forgive loans for social workers, and how are we going to say no if they want to forgive loans to workers in poverty stricken areas? We have had the National Defense Education Act here on the House floor in the last 3 weeks and on the floor of the House we enacted amendments to cut down the forgiveness features that were then included in the bill that came to the floor. The proposal in that bill was to extend it to social workers, giving them forgiveness of loans if they would go into that type of work and also for workers in poverty stricken areas. There was a proposal from the floor to forgive loans for those who decided to go into teaching in the Peace Corps. Originally we felt that there was a great need to have more teachers in this country and that our national security was involved, so we tried to induce more people to go into the teaching profession after the sputnik controversy of 1958. I think the situation has now changed so that we can start phasing even that program down. Certainly we should not extend forgiveness further in this manner.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. SPRINGER. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, 47 percent of the recipients of student loans under the National Defense Education Act program—almost half of them—have gone into teaching. Will the gentleman agree with me that when we are talking about a shortage of doctors, for instance in rural areas, that the primary concern, the primary reason that an individual who has a medical degree does not go into these rural areas is entirely independent of the question of the cost of his education and, for the most part, it is independent of the economics of his situation? The real reason I have seen—and I have struggled with this problem in my area, as a good many others have—that you cannot get a doctor to go into a rural area is that as soon as he does he wants a hospital immediately available or he wants to specialize in a given field or he is unwilling to be a jack of all trades, as a good, old-fashioned country doctor must be willing to be. A general practitioner must be a surgeon; he must be an internal medicine specialist; he must specialize virtually in every area known to modern medicine. This is a difficult thing to induce young medical graduates to do. Will the gentleman agree with me that these are the major factors involved?

Mr. QUIE. I certainly agree with the gentleman; he is absolutely correct on all these points. We have talked of this many times. I think as the Members reflect on what the gentleman has said they will find that he is absolutely correct.

Mr. GOODELL. Mr. Chairman, I should like to make one more point. Will the gentleman also agree with me that on our committee, as we considered the various merits and demerits of this kind of expansion of the forgiveness program we had a bipartisan front in opposition to this kind of extension for doctors and dentists?

Mr. QUIE. That is absolutely correct. There is no partisanship in this. We covered this in committee and found agreement on both sides of the political aisle.

Mr. HARRIS. Mr. Chairman, if the gentleman will yield to me, did the gentleman from New York support the provision in the extension of the National Defense Education Act for partial forgiveness of loans for teachers?

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield to me?

Mr. GOODELL. I will be glad to yield to the gentleman from Michigan.

Mr. HARRIS. The gentleman from New York can answer that himself, I am sure.

Mr. GOODELL. When the original National Defense Education Act was passed I was not yet in the Congress.

Mr. HARRIS. I am talking about a short while ago. The gentleman referred to what was done, and that was about 3 weeks ago.

Mr. GOODELL. I think the record is very clear that in the extension of forgiveness to teachers in private schools, both the gentleman from Minnesota [Mr. QUIE] and I and others on this side said that we felt we should phase down the forgiveness of loans, but that if we were going to provide forgiveness of loans to public school teachers it is only fair to make the same provision to private school teachers.

The CHAIRMAN. The time of the gentleman from New York [Mr. GOODELL] has expired.

Mr. HARRIS. Mr. Chairman, I yield the gentleman from New York 1 additional minute, for the purpose of asking the gentleman, if he supported the provision of forgiveness of loans for teachers in the extension of the National Defense Education Act 2 or 3 weeks ago?

Mr. GOODELL. The answer is absolutely "Yes." But I think I have given the explanation as to why we did that. We had a choice between including students who go and teach in private schools as well as those who go and teach in public schools. We thought as a matter of fairness that if the first are included, that we should not exclude teachers who go to private schools. The present law does forgive student loans for students who later teach in public schools. The whole issue that we had 3 weeks ago on the floor was whether we should discriminate against those who teach in private schools. We said "No."

Mr. SPRINGER. Mr. Chairman, I yield the remainder of the time on this side to the gentleman from Missouri [Mr. HALL].

Mr. QUIE. Mr. Chairman, will the gentleman from Missouri yield to me?

Mr. HALL. I yield to the gentleman.

Mr. QUIE. Just to finish out this point as far as forgiveness of loans to teachers is concerned, if we could have this in a separate bill all by itself in this House I think you would find the gentleman from New York [Mr. GOODELL] and myself working hard for forgiveness for teachers as well.

Mr. HALL. Mr. Chairman, I think as yesterday I am "nonviolent" in opposition to this bill, but I do oppose it; because I practiced in a part of the country where I think there were as many shortage areas, so far as physicians are concerned, as anywhere. I have seen the fine country doctor, for whom I have worked, fade out as communications and transportation improved and access to modern workshops, offices, clinics, laboratories, hospitals improved and specialists became more and more available.

Mr. Chairman, I oppose this bill because first of all I think we can ill afford it. Secondly, I doubt it will have the desired end result or effect of getting a physician to practice where he does not wish to be, and under circumstances in which only forgiveness of the amount stipulated here in the bill would result in a saving directly to him.

Mr. HARRIS. Mr. Chairman, will the gentleman yield on that point?

Mr. HALL. Yes; Mr. Chairman, I am glad to yield to the gentleman from Arkansas.

Mr. HARRIS. Of course, I yield the gentleman 3 additional minutes.

Mr. HALL. I thank the gentleman.

The CHAIRMAN. The gentleman from Missouri is recognized for 3 additional minutes.

Mr. HARRIS. Mr. Chairman, in the first place, I want to say that I have great admiration and esteem for the distinguished gentleman from Missouri. I am familiar with his past record and his success as a physician and what he has done in order to alleviate the pain and suffering among the sick. We are glad he is in this House.

Mr. HALL. I thank the gentleman.

Mr. HARRIS. Is the gentleman familiar with the success of this type of program in the States of South Carolina and Mississippi?

Mr. HALL. I am, Mr. Chairman.

Mr. HARRIS. I would appreciate such information as the gentleman could impart to the members of the Committee as to the success these States have had in this regard.

Mr. HALL. Mr. Chairman, I am glad the distinguished chairman of the Committee on Interstate and Foreign Commerce, who brings this bill before us today, has asked that question. I have it listed as one of the items for discussion during my presentation.

I believe the success of those States is the very reason why the Federal Government should not be impinging into this area.

Actually, the University of Kansas as well as South Carolina, and many other States, under their own prerogatives and with their own methods of education and some subsidization involved thereunto, have asked their medical schools and have asked for people out of their hospitals to settle in their areas. They even provide undergraduates with preceptorships under rural general practitioners. Many return after graduation and practice.

Mr. Chairman, there are many ways in which this can be done.

The present chancellor of the University of Kansas, who was former dean of the University of Kansas medical center, has set a stereotyped pattern which is practiced in many States of the country. I am not familiar with it in South Carolina, but it involves creating new jobs, the desire and knowledge of good practices and teaching them in medical school, if you please, and all during the time of their internship-residency training and specialty training, they even do specialty work in general practice. There is such a thing.

Mr. Chairman, it is because of this and the way that it can be done with available and adequate revolving loan funds, and be helpful to ourselves at the same time, that I am opposed to this legislation; plus principally the fact that there are in existence those additional ways with rotating funds and a complete foundation that have met all needs for these students to date, but not with the forgiveness features, which I oppose in principle. It is time we taught moral obligation instead of furthering deterioration of moral fiber.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. HALL. I yield to the gentleman from New York.

Mr. GOODELL. Would the gentleman agree with me that under the bill as written if the city of Pittsburgh or the city of New York or the city of Detroit were determined to have a doctor shortage, then under the bill every doctor who had had a student loan and went and settled in one of those cities would be eligible for forgiveness of his loan under the provisions of this bill?

Mr. HALL. Yes, I would agree to that. If they could prove a shortage, as determined by the State agency, acting under the direction of the Secretary of the Department of Health, Education, and Welfare.

Mr. GOODELL. If the gentleman will yield further, when the standards are established one can go and have a very remunerative practice in any of the cities I have mentioned—and I am sure there are a great many more examples of this nature—and the doctor could go and qualify for forgiveness of his loan, while many other people of a professional nature who make very little money would not have the same privilege?

Mr. HALL. I feel that the gentleman's point is well taken.

Mr. Chairman, I believe that this may be an entering wedge to induce sociologists, psychiatrists, and many other type students to use that same technique. I admit the difference is in their not being in short supply. I believe that there is a definite overlapping in this proposed program. However, Mr. Chairman, I prefer not to discuss the jurisdictional part of it.

I would like very much to have this House know and this Committee know that I have a son-in-law who is looking for a place to practice, the general practice of medicine at this time. He is not looking for forgiveness, not because he is my son-in-law or for any other reason, but because he is interested in rendering a humanitarian service at the place in which he locates according to his own desires, where he feels he can do the best type of medicine. Most young doctors believe basically in service above self.

Mr. Chairman, under article 13 of the amendments of the Constitution, and as was found by the Supreme Court of Australia, based on our article 13, commonly called an amendment to our Constitution, they cannot even in the case of pharmacists render forgiveness of prior Government loans, even under a partial panel-type medical education.

Then, Mr. Chairman, I want to go back to the question that the Chairman of this distinguished Committee asked with reference to the adequacy of the plan in existence in South Carolina and the plans of the various States which have been adopted in order to encourage the practice of medicine in rural and shortage areas.

This is a real problem, but it is a projected problem based primarily on the good old days. Actually we have, as the chairman said in his opening remarks, the Hill-Burton Act which has operated with great success. We have done that on the basis of local State surveys and determination for hospitalization service and the regional hospital system which subsequently developed satellite hospitals.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. HARRIS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. HALL. I thank the gentleman. I would like to make this final point.

As a man who did general practice and following World War II developed a highly specialized clinical practice, but who still made night calls up until the time he resigned from his group of associates in order to run for the Congress so that he might help doctor the body politic collectively rather than as individuals, I found that much of my time as a specialist was spent in recent years undoing the errors of incompetence committed by personnel in the satellite hospitals. It takes something much more than "forgiveness features" of a loan in a comparatively well paid profession to assure competence. I am sure all of you will agree with me, we wish to encourage nothing in remote or shortage areas that is not competent; when it deals with the delicate commodity of the human body. If, indeed, we disperse hospitals to the place where there is incompetent coverage, if we encourage people to go into remote areas where they are disassociated with the rest of the profession which notably provides good medical care based on available consultation, we are defeating our own end. In fact, we will find, indeed, this last year the chairman and his committee have recommended that most of the Hill-Burton moneys spent on refurbishing and remodeling metropolitan hospitals under the Hill-Burton Act. For this reason, whether it is recognized or not, and I have listed other reasons which I will ask to be included when we go back into the House, be continued as a part of these remarks as to why we cannot buy willingness to practice; why it is more humane and makes for better medical care in modern conditions to travel a little, except in rare instances; why there is a right to practice where the individual desires without subservience; and why we do not want to go further and further into Federal interference in this area until we develop a situation like perhaps we have in Saskatchewan, our neighbor to the north, or on the continent.

Mr. Chairman, in summary:

1. Big centralized government cannot buy willingness to practice or serve. Perhaps it is a sign of a complete generation of regimentation and "spoon-feeding," that makes young graduate physicians wish to practice in association with and near great hospitals, medical teaching institutions, and at least laboratories, rather than in rural areas. At any rate, Federal legislation can only lead to further deterioration of our people's moral fiber.

2. It is easier, quicker, more logical and humane to travel 50 miles today to expert medical-care via good roads and by car, than 40 years ago to "hitch up the team" and transport the ill or wounded 5 miles via rough roads to a small rural area where much less qualified aid would then be obtained.

3. The right to practice where and as individually desired is a constitutional privilege reinforced by the 13th amendment, and as recently demonstrated in Saskatchewan, Canada, and Australia, incentive is destroyed and individual rights are precluded by forcing involuntary servitude. The "Aussies" declared it unconstitutional.

4. In spite of wonderful efforts, most State university medical schools have not graduated and persuaded M.D.'s to practice within the State—or in rural areas—even with forgiveness plans, in greater than 60 percent. Great State universities with international reputations, have done less well, percentage wise.

5. This "welfare-State" legislation is being sold us on the basis of a projected need. Recall the same chant in the early 1950's by educators concerning primary and secondary education classrooms and realize that by 1960 these had been oversubscribed by local school boards. Why not the same in medicine?

6. The Sears Foundation has done a yeoman job in stimulating needy rural area locations, based on grants or loans for office-laboratories and homes for young physicians. This is the American way.

7. I am against this bill because it is a new "foot-in-the-door" technique, as recognized by the Secretary of HEW in his testimony, "as a starter".

8. While the ratio of hospitals in the United States has increased greatly in the last 14 years, there has been only one new one under socialized medicine in the United Kingdom.

9. The need has not been proved for additional doctors—in spite of what is said about remote areas. The U.S. ratio is still 1 to less than 750 patients and there have been 16 new class A medical schools developed since World War II. The ratio in U.K. has decreased from 1 to 750 in 1949 to 1 to 1,150 in 1962. In addition, the flow for graduate study is to the United States in the past 30 years.

10. The annual number of M.D. graduates has increased from roughly 4,600 to 8,000 per year since World War II.

11. It is inconceivable to me that the current administration proposes this legislation on the one hand, while suggesting tax reforms on the other which limits contributions, and thereby puts the Government in the position of supporting private institutions while taxing private giving.

12. One cannot justify this additional spending of the taxpayers' money at any priority level in view of our Nation's bankruptcy, to say nothing of the fiscal year 1964 budget imbalance, and our first and large planned deficit.

AMERICAN MEDICAL ASSOCIATION,
Chicago, Ill., April 8, 1963.

Hon. OREN HARRIS,
Chairman, House Interstate and Foreign Commerce Committee, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN HARRIS:

* * * * * *

We have continued to study this problem since the hearings and have finally reached a formal policy of opposition to the loan provisions of H.R. 12. It is our conviction that privately sponsored loan programs—especially the one sponsored by this association on a loan guarantee basis—are answering the needs of medical students for loans. Enclosed is a brief summary of the status of our loan program as of this month. It has been phenomenally successful, is apparently meeting the demand and is operating without Federal subsidization.

The proposed Federal loan program is not necessary since most of the demands are clearly being met by privately sponsored programs. Furthermore, the forgiveness provision of the loan program in H.R. 12 is unwise since the coercion inherent in such policies limits free choice of the graduate physician and interferes with normal individual selection of type and location of practice.

* * * * *

Sincerely,
F. J. L. BLASINGAME, M.D.

Enclosure.

CURRENT STATUS AMA EDUCATION AND RESEARCH FOUNDATION: LOAN GUARANTEE PROGRAM, MARCH 1963

This program was inaugurated in March 1962 following 2 years of advance study and planning. In brief, the program provides an opportunity to borrow as much as $1,500 a year for any medical student, intern, or resident in full-time training. To qualify, applicants must be U.S. citizens and demonstrate a need for financial aid.

Over an entire training period of 7 years, up to a total of $10,000 may be borrowed. An interim note is executed by borrowers for each loan made during the training period. Interest accrues on interim notes at the rate of 5½ percent simple but is deferred until the borrower begins repayment.

Interim notes mature 5 months after the borrower ceases to be a student engaged in full-time medical training. At that time the borrower may refinance outstanding interim notes into a single payout note which may run as long as 10 years on the condition that the minimum monthly payments may not be less than $30. At this writing 34 borrowers have entered the payout stage.

Interest during repayment is 6½ percent simple calculated on the unpaid balance monthly. In addition to making regular monthly payments, borrowers may prepay in any amount with no penalty.

During the first year of operation, all loans have been made through a single bank, the Continental Illinois National Bank & Trust Co., of Chicago. Negotiations with a second bank are in process which should result in their participation by midyear. Additional banks will be expected to join the program as increased volume justifies need for their participation.

The cost of loans in this program is directly related to the prime money market. The agreement between the bank and the foundation specifies that interim and payout rates shall be 1 and 2 percent above prime, respectively. Reserve for risk, usually regarded as a lending expense, is unnecessary with this program as the foundation has agreed to purchase all defaulted notes at face value plus accrued interest. As evidence of the foundation's ability to perform this obligation, it agrees to place on deposit, cash or other securities equal to 8 percent of the credit extended to borrowers. Thus, $1 in the guarantee fund serves to secure $12.50 in loans.

In the first 12 months of operation 7,304 applications were received. Of these, 4,534 were submitted by medical students, 1,017 by interns, and 1,753 by those in residency. Average interim loans amount to approximately $1,200 and have an expected median maturity of about 3 years. In other words, of the loans granted in 1962, nearly half will have entered the repayment stage by the end of 1965. More than 1 of every 10 medical students are now borrowers under provisions of this program.

Less than 7 percent of received applications have been rejected. A frequent reason for rejection is the applicant's intent to purchase automobiles or substantial consumer goods which could serve as collateral in obtaining a conventional consumer loan.

Parents of applicants are employed in a wide variety of occupations but most are deceased, disabled, or retired (32 percent). Professional and semiprofessional occupations compose the second largest group accounting for slightly less than 20 percent of the total.

Borrowers are in attendance at 83 of the Nation's 87 medical schools. The number of borrowers in schools and hospitals varies from 1 to more than 150. In one medical school, the total number of loans is now approaching 200.

The guarantee fund presently contains more than $1,250,000 which establishes $16 million in credit. The fund has been developed through contributions from physicians and through corporate gifts. The fund has continued to grow at a faster rate than the demand for loans and at no time has an application been rejected for lack of guarantee funds. At the present time, the uncommitted balance of the guarantee fund is sufficient to secure more than 1,200 new loans of average size.

Mr. HARRIS. Mr. Chairman, I yield the balance of the time on this side to the gentleman from Alabama [Mr. ROBERTS].

Mr. ROBERTS of Alabama. Mr. Chairman, this is not the most important bill that has come out of the Committee on Interstate and Foreign Commerce this year by any stretch of the imagination, but it is an important bill, and I certainly hope the House will agree with that viewpoint and approve this bill today.

If you look at figures and statistics, sometimes they can be very misleading For instance, in the report on page 2 we show that the rate for 1960 in the United States for the overall population runs about 118.4, which means you have about 118-plus doctors per hundred thousand population, or 1 for every 840 persons, which is not too bad. But when you begin to examine table 2 and look at the fact that in 99 counties in this country there is not one single physican, a different picture is presented. You may listen to a lot of reasons advanced by the able gentleman from Minnesota and the gentleman from New York as to why we should not proceed in this matter, but these gentlemen seem to offer no remedy.

Where are we left? Are we going to continue to turn out only 7,500 doctors a year, supplementing their numbers with foreign physicians, many of whom are inadequately trained, at the rate of around a thousand a year, who have come from diploma mill schools and who are employed in many of the best hospitals of the country because of the economic situation?

Is that the situation that you gentlemen recommend? I say that if you have a quarrel about what our situation is you should come up with the remedy.

Mr. HALL. I am not the gentleman addressed nor do I represent the committee of the gentlemen that he did address, but based on my statement both when we were discussing the rule and in the remarks which I shall extend, and make more lucid; I do not think these ratios quoted by the gentleman are as vital to the Nation's welfare and care as they seem in print. The table on page 2, which I have studied extensively, leaves an erroneous impression. I think the number of medical schools is increasing greatly and in quality. We have the same physician-to-population ratio in the United States now, and as based on the number of medical schools in 1949 have increased them in a parallel manner, quite contrary to the United Kingdom. I pointed that out to various committees of the House. I pointed out that solving the ratio of physicians to population, even on the projected need in 1970 and 1975 or beyond, will still not locate those physicians exactly where they are needed, will be cared for by the law of supply and demand, and is only a projected need.

Mr. ROBERTS of Alabama. I have only 6 minutes. I am glad to give the gentleman all the time I can, but I just have so little time.

For instance, if you are going to talk about being consistent, and I respect the fine work these gentlemen of the Education and Labor Committee have done, I know they are devoted and dedicated and have done a lot of work in this field, but it seems to be a matter of philosophy as to whether it is a matter of education or a matter of the health of the people. I prefer to think it is a matter of the health of the people. Are we to say that the Federal Government on the one hand is going to modernize all the Hill-Burton hospitals in the country, or some portions of those buildings, to give the doctors a little easier way to take care of some patients, which is the case, and then say on the other hand to the people, because you choose to live in a rural community you must pay $25 for a doctor to come to your home.

I believe if we are going to do equity to our people this is a very moderate way of saying to the people who live in rural communities that we are going to try to get some doctors to get out and serve your needs.

I happen to have one county of the 99 which have no doctors, and I have been trying my best to get a doctor since I have been in Congress, and that is almost 14 years. I finally did get one. We bought him a cattle ranch. We already had plenty of patients for him. We got him out of the Air Force. He stayed just long enough to see if he was clear of the Air Force. Then he left our people high and dry. I wish I knew where he is today so I could look up the gentleman and see if he could not serve a little longer in the Air Force.

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 741 of the Public Health Service Act is amended (1) by redesignating subsections "(f)", "(g)", and "(h)" thereof as subsections "(g)", "(h)", and "(i)", respectively, and (2) by adding immediately after subsection (e) thereof the following new subsection:
>
> "(f) Where any person who obtained one or more loans from a loan fund established under this part—
>
> "(1) engages in the practice of medicine, dentistry, or osteopathy, in an area in a State determined by the appropriate State health authority in accordance with regulations prescribed by the Secretary, to have a shortage of and need for physicians or dentists; and
>
> "(2) the appropriate State health authority certifies to the Secretary of Health, Education, and Welfare in such form and at such times as the Secretary may prescribe that such practice helps to meet the shortage of and need for physicians or dentists in the area where the practice occurs; then 10 per centum of the total of such loans, plus accrued interest on such amount, which are unpaid as of the date of such practice begins, shall be canceled thereafter for each year of such practice, up to a total of 50 per centum of such total, plus accrued interest thereon, except that regulations prescribed pursuant to clause (1) may also provide for a minimum period of service as a condition to application of this subsection."

Mr. GRIFFIN (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and be open for amendment at any point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. PUCINSKI. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I certainly appreciate the effort of the committee to meet a very serious problem in this country. I think the report that the committee has prepared to accompany this legislation certainly emphasizes the real problem that exists in many rural areas in America regarding medical care for the citizens in those communities.

I cannot help but feel that we are in the right church but in the wrong pew on this legislation.

This legislation represents somewhat of an inverse regimentation of doctors by the Department of Health, Education, and Welfare. I would find it much easier to support the legislation if the committee would agree to an amendment on page 2, line 8, to strike from the bill the language "in such form and at such times as the Secretary may prescribe".

The language would then read:

> The appropriate State health authority certifies to the Secretary of Health, Education, and Welfare that such practice helps to meet the shortage of and need for physicians or dentists in the area where the practice occurs.

What I am saying, therefore, is that you would let the State decide whether or not there is a shortage within the State and the State then would determine the standards for meeting that shortage rather than concentrating again, as so often happens, all the wisdom in Washington and within the Department of Health, Education, and Welfare.

I have supported many of these bills, as my colleagues well know. I was a strong supporter of the poverty bill and various other efforts to meet the needs of our country. But in this instance it appears to me a regimentation of a certain segment of the medical profession, and in the long run I do not think it will serve the best interests of the country. For instance, we have permitted each State to set their own standards in the Kerr-Mills bill.

It would seem to me, therefore, if we are going to adopt this principle of some form of assistance to encourage doctors to move into certain communities where there is a great need for doctors, we should leave that to the States rather than to have uniform standards set by the Secretary in Washington.

I am one of those who has said many times that while I am perfectly willing to support many of these programs, there does come a time when we have to ask whether or not we want to concentrate all of these activities in Washington. I am disturbed by the fact that this legislation gives the Secretary of the Department of Health, Education, and Welfare the right to prescribe in such forms and at such times as the Secretary may prescribe national standards.

It appears to me this is not in the best interest of the country and of the medical profession.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. SPRINGER. I am sure the gentleman has read the Hill-Burton Act, has he not?

Mr. PUCINSKI. Yes.

Mr. SPRINGER. Under that act the State agency makes the designations under the regulations prescribed by the Department of Health, Education, and Welfare and that is exactly the language that is provided in this bill. Certainly, the gentleman will admit, if he will examine the operation of that act in his own area, that the Hill-Burton Act has worked excellently.

Mr. PUCINSKI. I think the gentleman will find that the Hill-Burton Act sets standards for certain hospital construction but the State determines where these hospitals will be located as well as all the other aspects involved.

I do not find in this language affecting doctors that same assurance from Federal meddling. I do not know what forms and what conditions the Secretary may prescribe from the loosely drawn language in this bill. This is broad language.

We have found in the past that by giving these people in Washington such broad authority we have consistently run into trouble.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Illinois.

Mr. SPRINGER. The committee went over this very thoroughly. We did not believe we could come up with language any more clear than this. If the gentleman could suggest language to make it more clear, which is acceptable, that would be different.

Mr. PUCINSKI. If the gentleman will permit me to answer, I have suggested that we strike from this bill the words "in such form and at such times as the Secretary may prescribe." Then we would let the State decide whether a shortage exists and where it exists, and then go ahead to petition the Department of Health, Education, and Welfare for this assistance. Then we would not wait for the Secretary to establish broad guidelines for the whole country.

Mr. SPRINGER. Actually, this is merely to get uniformity. We certainly would not want to have 48 or 50 different programs from 50 different States.

Mr. PUCINSKI. I am not convinced that we want uniformity. Perhaps we should let the 50 States decide.

Mr. SPRINGER. If we do not have uniformity it seems to me that money will be wasted.

So that the House will know, I read the language from the report:

> The "shortage" areas in each State would be designated by the appropriate State health authority.

This is to be determined entirely by the State authority.

Mr. PUCINSKI. Mr. Chairman, I want to make it clear I am not opposed to helping doctors. I supported legislation earlier this year which provided long-term loans to medical students. I am opposed to this bill because I fear it establishes undesirable powers in the hands of HEW to deploy the Nation's doctors.

I much prefer to help create facilities which will help our Nation train sufficient doctors so they can fill the needs of our rural communities through their own resources.

Mr. GRIFFIN. Mr. Chairman, I move to strike the requisite number of words.

I should like to use this time to ask a question of the chairman or the ranking minority member of the committee.

Under this particular loan program is it the case, as under the National Defense Education Act, that 90 percent of the funds are loaned by a medical college are put up by the Federal Government? Or, is the Federal contribution 100 percent under this particular loan program?

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman from Arkansas.

Mr. HARRIS. Ninety percent, just as under the National Defense Education Act.

Mr. GRIFFIN. And as under the National Defense Education Act the other 10 percent of the loan fund is contributed by the college or university.

Although I am an advocate of States rights, the situation presented by this bill seems a little odd, to say the least. Under this bill, the Federal Government would put up 90 percent of the money; the college is going to put up the other 10 percent—and in many instances these are private institutions—yet a State health authority would decide whether 50 percent of the Federal Government's money will be given away.

Even if we were to assume, which I do not, that this is a good principle to follow, this particular legislation is poorly drafted. If Members will get copies of the bill and read it, they will find no criteria whatsoever to guide the bureaucrat as to when or if there is a shortage of doctors, or where there is a need for physicians.

The bill uses the word "area"; what is the area? Can it be a whole county? Would the city of Detroit be an "area"? Could it be half of a State? or three-fourths of the State? or a whole State?

It is true that there is some language in the report which tends to indicate there is a particular concern regarding "rural" areas; but the bill makes no reference to "rural" areas. Furthermore, the debate in the other body makes it clear that those who supported the bill in the other body intend that loans would be forgiven in the case of physicians who practice in cities and urban areas as well as those who practice in rural areas.

This bill is a wide-open blank check. This bill proposes to forgive not hundreds or thousands of dollars but millions of dollars. But since bureaucrats will determine the "areas" and the "need," we have no idea how much this legislation could cost.

Because much of the opposition to this bill is coming today from members of the Committee on Education and Labor there are probably those on the floor who will say, "Well, this is just a jurisdictional fight between the members of two committees." I shall have to admit that I feel quite strongly that this bill does impinge on the responsibilities of our committee as we seek to establish policy concerning the extent of the Federal role in the field of education, but aside from that we oppose this bill even if it were before our committee.

Mr. BEERMANN. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes. I yield to the gentleman from Nebraska.

Mr. BEERMANN. I thank the gentleman for yielding.

I notice on page 2, line 11, 10 percent of the total of such loans, plus accrued interest on such amount, will be cancelled for each year. What is the amount of interest? Does anyone on the committee know?

Mr. GRIFFIN. Three percent a year.

Mr. BEERMANN. It is 3 percent?

Mr. GRIFFIN. Yes; I understand that is the case.

Mr. BEERMANN. I thank the gentleman very much.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I may have missed the figures because I did not hear all of the Chairman's opening statement, but is there any estimate as to the cost of the forgiveness feature of this bill?

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Of course.

Mr. HARRIS. Since the determination is to be made by various States as to the need in those States, there is no possible way we can get any estimate of the cost, but some idea can be obtained from looking at the table which is included in the report on pages 3 and 4 where it shows the greatest shortage exists in each State and the number of persons per doctor in each county and so forth. That is the best information, meager as it is, that we can give.

Mr. GROSS. May I ask the gentleman this question: Are there any printed hearings on this bill?

Mr. HARRIS. Yes, indeed. We had rather extensive hearings held on it.

Mr. GROSS. Are the hearings printed?

Mr. HARRIS. Yes. The hearings are printed in connection with H.R. 12. There was a rather extensive discussion about it.

Mr. GROSS. Was there testimony on the part of medical societies or medical organizations?

Mr. HARRIS. Yes. We have a letter here, in addition to other information we have, from the Association of American Medical Colleges in which they support the proposal and urge its adoption.

Mr. GROSS. What about the American Medical Association? Are they for or against it?

Mr. HARRIS. Let me give you the record on this. When they testified before the committee and later submitted an additional statement, they took no position on this part of the program at all.

Mr. GROSS. I thank the gentleman.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Missouri, a noted doctor of medicine before becoming a Member of the House of Representatives.

Mr. HALL. If the gentleman will yield, I am reading from a letter I had intended to insert in the RECORD earlier, which is dated April 8, 1963, from the American Medical Association, signed by the executive vice president thereof, wherein it says:

> We have continued to study this problem since the hearings and have finally reached a formal policy of opposition to the loan provision of H.R. 12. It is our conviction that privately sponsored loan programs, especially the ones sponsored by this association on a loan guarantee basis, are answering the needs of medical students for loans.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield at that point?

Mr. GROSS. Yes. I yield to the gentleman from Illinois.

Mr. SPRINGER. That letter was true at the time, but the American Medical Association retreated from that position and notified the committee that they took no position. That was subsequent to that letter.

Mr. HALL. If the gentleman will yield, in the early part of this letter, which I will be glad to make available to the committee, they changed their position prior to this, after the testimony they gave on H.R. 12. As late as yesterday they were in opposition. I checked with the officials of AMA on this bill we are now considering.

Mr. SPRINGER. May I say they certainly failed to notify me about it.

Mr. HARRIS. Mr. Chairman, will the gentleman yield at that point?

Mr GROSS. Certainly.

Mr. HARRIS. I will say to the gentleman in response to the request of the members of the committee, I gave consideration to this legislation. It was reported by the committee on August 14, and as of today I have not had any expression of opposition or approval from the American Medical Association.

Mr. GROSS. Mr. Chairman, I thank the gentleman.

I must oppose this bill for I cannot believe we have reached the place in this country where we must go to the Federal treasury to forgive loans made to doctors and dentists, and thus subsidize them as an enticement to practice their professions.

I yield back the balance of my time.

Mr. QUIE. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, the gentleman from Alabama asked me the question what I proposed ought to be done. I just want to commend the Committee on Interstate and Foreign Commerce on what they have done to assist communities to have better health care. The Hill-Burton program has assisted in bringing new and adequate hospitals to the rural and shortage areas. It is very difficult not only to get a doctor into an area of shortage without a hospital, but it is very difficult to keep the patients away from the hospital.

I found in my own congressional district doctors who practiced in a small community and found that people bypassed them so that they could go to a doctor who is near a hospital. It was easier for them to get into their good car and go over a good road and travel to a community a little farther away which has greater medical facilities. So the doctor decided that he might as well practice a little closer to the hospital because the patients were coming there anyway.

It has been mentioned how difficult it was to hold a doctor in an area where the people had given him a Cadillac and a ranch. I think this was the best illustration of why this program will not work. You may be able to bribe a person to stay out there for 5 years, but you can be mighty sure that if he went there for that reason in the first place, he is going to be leaving at the end of 5 years.

This is just an added expense to the Federal Government. We do not want people to practice a short period of time in the area; we want them to practice medicine for some considerable time.

Mr. Chairman, my main reason for opposition is that under the bill the Federal Government would be directing people to practice their profession in the place where the Government tells them to practice. I read from the report, at the bottom of page 5, which goes along with what is in the bill:

> It is expected that in establishing uniform criteria for the determination of need for and shortage of physicians and dentists the Secretary of Health, Education, and Welfare will primarily take into account the urgent need to increase the supply of physicians and dentists in isolated areas where the need is greatest.

There it is. The Secretary of Health, Education, and Welfare is going to set up the uniform standards throughout the country. He is the one who is going to give the direction, to set up the criteria. I believe that if you set it up for doctors and dentists, we are just going to have to do the same thing for many other professions where practitioners are needed, to practice their profession in areas where there is presently a short supply. There is a shortage of veterinarians in some places in the country. And I can tell you that the farmer is going to be mighty interested in seeing that we get some veterinarians to practice in his area.

There is a shortage of many other skills and professions and I imagine that people who are faced with that problem would be interested.

The Committee on Interstate and Foreign Commerce could not take into consideration shortages in many professions because they are not in the health area. I think we are treading dangerous ground and I hope that my colleagues will join me in voting against this bill rather than expanding the forgiveness feature for loans to doctors and dentists who can well afford to pay back their own loans.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York,

Mr. GOODELL. Mr. Chairman, the gentleman will agree with me that the example given by the gentleman from Alabama, for whom we have the highest respect, where they raised enough money to buy him a Cadillac and a ranch to induce him to come into an area, and where the doctor stayed a little while, and after he had stayed a couple of years left, shows that apparently a Cadillac and a ranch would be a great deal more costly to the community than if they had raised the money and paid off any loans which the doctor might have contracted while he was in medical school. Certainly the provision of forgiveness of loans is not going to hold the doctor in a community, if a Cadillac and a ranch will not hold him there.

Mr. QUIE. I think the gentleman is correct. I think the communities who want doctors and are willing to pay off their loans could try this on their own.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that all debate on this bill conclude in 5 minutes.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Arkansas?

Mr. HALLECK. Mr. Chairman, reserving the right to object, and I shall not object, if the gentleman from Arkansas will bear with me, and in view of some uncertainties that have arisen about the program for next week, I have discussed the matter with leadership people on our side and with the Speaker and the majority leader. I think it is only fair to point out, as I indicated, in view of all the uncertainties about next week and in view of the fact that when the request is made to send the social security bill to conference next Wednesday, as we have been informed it will be made, any one individual could object, which would mean that the matter would have to go to the Rules Committee and where hearings I would assume would be held. That would delay further action on the matter.

I announce now that there will be an objection next Wednesday. I have been advised that there will be an objection next Wednesday.

Mr. SMITH of Virginia. Mr. Chairman, further reserving the right to object, and in supplementing the statement just made by the minority leader, I want to say that I have canvassed the situation with respect to holding a Committee on Rules meeting next week and I find that in view of the commitments that have been made and the holidays that are coming up next week, it will not be convenient to hold a meeting of the Rules Committee during that week.

But, however, I shall endeavor to have the Rules Committee to meet on that subject the first part of the following week.

Mr. ALBERT. Mr. Chairman, further reserving the right to object, the distinguished minority leader did discuss this matter with the Speaker and me on his own initiative, and I want it understood that this is a matter that is within the control of any Member of the House.

The leadership on this side was informed that this would happen, and it was not done upon our initiative. I would like for everyone to understand that. I think the minority leader will agree with that.

Mr. HALLECK. Mr. Chairman, if the gentleman will yield, yes. And, further reserving the right to object, if the gentleman from Arkansas will bear with me, that is true, but as we discussed earlier here and openly on the floor the probability that if a unanimous-consent request should be granted, there would be a motion to instruct either from the majority or minority side. But to bring all the Members back next Wednesday, with the strong probability that there would be an objection, I thought it only fair, having been informed by several Members that they were inclined to object and would object, that the matter be clarified.

Mr. ALBERT. Mr. Chairman, will the gentleman yield under his reservation?

Mr. HALLECK. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I think it is fair and I think it is proper that any Member who did intend to object or does intend to object should advise the House so Members could govern themselves accordingly.

Mr. HALLECK. Well, I have said there will be an objection, as I have been informed, on next Wednesday.

Let me say in addition to that, as far as I am concerned, I seek no unreasonable delay in connection with this matter. I am convinced that it is something that should go to conference.

Many changes have been added in the other body that I am informed are completely unworkable. No one knows for sure what some of them are. The very fact that the bill cannot be gotten over here until next Tuesday, because they cannot get it together until that time, indicates to me that a great many changes have been made.

Mr. Chairman, I think what is here proposed is simply to proceed in an orderly fashion with a very important piece of legislation.

Mr. ALBERT. Of course, the best thing that could happen would be for the matter to go to conference immediately on Wednesday, because then there would be more time to do the thing about which the distinguished minority leader is talking. We are interested in expediting this matter on this side, the leadership is, but I do agree that the gentleman in pointing out that some Member has stated he would object is rendering a service to Members on both sides of the aisle.

Mr. HALLECK. If I might add this further word, and not to disclose anything of the conversations we have had, the majority leader knows that we were put on notice from certain Members of the Ways and Means Committee on his side that if a unanimous-consent request were granted, a motion to instruct would be made and that would be a matter of great consequence on next Wednesday when Members ought to know for sure, as nearly as we can, just what is going to happen.

Certainly, Mr. Chairman, as I have pointed out, to have everyone come back here next Wednesday when actually this matter is going to take a lot of time in conference as I understand it, and then for one Member to get up and object, whether he has said anything to anybody or not, and then for us to turn around and go back home, would represent a waste of time, especially in view of the fact that it has already been determined that no other legislative matters of any consequence will be scheduled for next week.

Mr. ALBERT. All I am trying to say is if an objection is going to be made there is nothing that can be done about it, and the membership will be so advised.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I want to thank the Members of the House for listening so patiently to this debate. May I say there has been a question raised here about the drawing of this bill. I know that these gentlemen from Michigan, from New York, and Minnesota are all honorable gentlemen, but they have been opposed to the whole idea of forgiveness all along, and I would have been much more satisfied if they had just said "We are against forgiveness."

I had the Hill-Burton Act in front of me and as this bill was read line by line I insisted it take the form of the Hill-Burton Act so that it would be tightly drawn. If this legislation is wrong the Hill-Burton Act has been wrong for the last 30 years.

The distinguished gentleman from Missouri raised one important question, and as far as he went every word he said was true. That is over the country there are approximately the same number of doctors per thousand as there were 15 years ago. But he did not carry that forward. I do not think he thought about it. That was the simple fact that the doctors per thousand in the cities have gone up, but the doctors per thousand in the rural areas have gone sharply down. The purpose of this legislation is to correct that situation and to put more doctors in the rural areas where they are actually needed and where the number of doctors per thousand has gone down sharply.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, I am opposed to this legislation, and I think most of the members of the Committee on Education and Labor are opposed to it. But this is not a jurisdictional matter. I think this bill is the wrong way of solving the matter. It will end up by giving this forgiveness to those who do not need it.

Mr. KEITH. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Massachusetts.

Mr. KEITH. The Senate debate apparently indicates that urban areas can qualify. I would hope the chairman in his time will tell the Members how he expects that the Secretary of Health, Education, and Welfare will delineate this so that it actually goes to areas where it is needed and not a uniform exemption throughout the whole country.

Mr. Chairman, I rise in support of S. 2220 because I believe that it will provide a valuable incentive to physicians and dentists who obtain loans under the Public Health Service Act to serve at least their initial practicing years in areas where their services are most needed.

There are two points, however, that I would like to make about this legislation. First, as is emphasized in the committee report, the primary areas in which the need for the services of doctors and dentists is in the sparsely populated rural areas of our Nation. These areas where there may not be a doctor within 25 or 30 miles and yet, if a doctor-population ratio standard were applied, it might be determined that this was not a shortage area. It is here that it is most critical because, in reality, there are no reasonable medical services available.

It is possible, using a population standard, to determine that many areas in our large urban centers suffer from a shortage of doctors and dentists. This is true despite the fact that these services may be available in an emergency in less than 5 minutes. In the committee's view, the resolving of the shortage in these areas is not the purpose of this bill. The services are there—they are geographically close—available in emergencies. A new physician or dentist can certainly set up a profitable practice in these areas and, accordingly, afford to repay his loans.

We trust that the Secretary, in drawing up his standards for determining a shortage area, will be constantly aware of the fact that it is the sparsely populated areas which are so badly in need of the relief that this bill will give. There simply are not enough people in these areas within a reasonable distance to provide a comfortable practice to a doctor or dentist. The incentive provided by this bill will be of great assistance to these areas in obtaining badly needed medical services.

The second point that I should like to make is that I feel the bill should have required State participation in bearing the cost of the cancellation of these loans. In my view, this would have provided a safety factor against abuses by States which might try to apply the shortage standard in such a widespread manner as to lessen the incentive for doctors and dentists to practice in the areas where the financial return is limited because of low density of population.

I do not now offer an amendment because it could well jeopardize this bill—this I do not want to do. I did, however, want to make my views known to my colleagues on these two points.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Michigan.

Mr. GRIFFIN. It seems that the very point made sustains my argument that this bill is poorly drafted. The word "need" and the word "area" are not defined. Under the National Defense Education Act, there is no uncertainty as to which loans will be forgiven. But under this bill, a bureaucrat will have the authority to determine how much money is going to be given away and where.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from California.

Mr. YOUNGER. The gentleman mentioned that 54 percent were teachers.

Mr. GOODELL. Forty-seven percent.

Mr. YOUNGER. I think that is fine. What we were doing was trying to get teachers to go where there is a shortage.

Mr. GOODELL. Yes. In this bill the people are already in medical schools. You are not inducing them to go to medical school. They are there.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Chairman, I have no personal feeling about this program. I feel that the testimony that has been presented to the committee justifies this action. As I said earlier, if it is justified to have a program of forgiveness for teachers, then it is justified to have a forgiveness program for doctors to serve people who are sick in the rural areas where they cannot get doctors.

This bill is not to cover doctors who go into the urban areas where specialists are available. It is to get doctors into those areas where there is a need. It is for the State agencies to determine where that need and that shortage is. The Federal Government does not force any doctor to participate in this program. There is nothing compulsory about it. It merely offers an incentive, as it has been called, in other areas, in Mississippi, South Carolina, and Arkansas, where it has worked effectively and well. We think it will provide doctors in some of the areas where they are most sorely needed. I think the House should give its approval to the program.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Illinois.

Mr. SPRINGER. I would just like to observe that out of a committee of 34 members there were just 2 opposed to this.

The CHAIRMAN. The time of the gentleman from Arkansas has expired. All time has expired.

Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. KEOGH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 2220) to encourage physicians and dentists who have received student loans under programs established pursuant to title VII of the Public Health Service Act to practice their professions in areas having a shortage of physicians or dentists, pursuant to House Resolution 866, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

CALL OF THE HOUSE

Mr. HARRIS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. HARRIS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 255]

Abbitt
Anderson
Andrews, Ala.
Auchincloss
Avery
Baring
Bass
Becker
Bell
Bolling
Bolton, Oliver P.
Broomfield
Buckley
Burkhalter
Cahill
Cameron
Celler
Colmer
Corman
Cramer
Curtis
Davis, Tenn.
Dawson
Dent
Diggs
Dingell
Evins
Finnegan
Fino
Flynt
Forrester
Fraser
Frelinghuysen
Fulton, Tenn.
Gill
Grabowski
Green, Oreg.
Griffiths
Hagan, Ga.
Halpern
Hanna
Hansen
Harrison
Harvey, Ind.
Harvey, Mich.
Hawkins
Hays
Healey
Hébert
Hoffman
Holifield
Holland
Ichord
Johnson, Wis.
Kee
Kilburn
Kilgore
Kluczynski
Kornegay
Landrum
Lankford
Leggett
Lesinski
Lindsay
McClory
McCulloch
McIntire
McLoskey
McMillan
Macdonald
Martin, Calif.
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Meader
Miller, N.Y.
Monagan
Montoya
Moorhead
Morris
Multer
Nedzi
Pilcher
Pillion
Pool
Rains
Reid, N.Y.
Reuss
Roberts, Tex.
Rogers, Tex.
Rumsfeld
Ryan, Mich.
St. George
St Germain
Sheppard
Shipley
Sibal
Siler
Stephens
Stratton
Taft
Thompson, La.
Toll
Tupper
Van Pelt
Vinson
Wallhauser
Wharton
Willis
Wright

The SPEAKER. On this rollcall 320 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ENCOURAGING PHYSICIANS TO PRACTICE IN CERTAIN AREAS

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time.

Mr. QUIE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. QUIE. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. QUIE moves to recommit the bill, S. 2220, to the Committee on Interstate and Foreign Commerce.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. QUIE) there were—ayes 74, noes 148.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. QUIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 140, nays 161, not voting 129, as follows:

[Roll No. 256]

YEAS—140

Abele
Addabbo
Albert
Ashmore
Beckworth
Berry
Blatnik
Bow
Brademas
Brooks
Brotzman
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Chelf
Chenoweth
Clark
Cleveland
Cohelan
Corman
Cunningham
Curtin
Daniels
Davis, Ga.
Denton
Donohue
Dorn
Dowdy
Downing
Edwards
Elliott
Everett
Farbstein
Fascell
Flood
Fogarty
Friedel
Fulton, Pa.
Fuqua
Gallagher
Gary
Gathings
Gilbert
Glenn
Gonzalez
Gray
Green, Pa.
Grover
Hagen, Calif.
Harding
Harris
Hechler
Herlong
Horan
Hull
Ichord
Jarman
Jennings
Jones, Ala.
Jones, Mo.
Karsten
Keith
King, Calif.
Kirwan
Latta
Libonati
Long, La.
McDowell
McFall
Madden
Matthews
Miller, Calif.
Moore
Morgan
Morrison
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nelsen
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
O'Neill
Osmers
Patman
Pepper
Perkins
Pickle
Pike
Poage
Poff
Price
Purcell
Randall
Reifel
Rhodes, Pa.
Rich
Rivers, Alaska
Roberts, Ala.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Ryan, N.Y.
St. Onge
Schenck
Secrest
Senner
Sickles
Sisk
Slack
Springer
Stafford
Staggers
Stubblefield
Sullivan
Thompson, La.
Thompson, N.J.
Trimble
Tuten
Udall
Ullman
Van Deerlin
Watson
Watts
Wickersham
Williams
Willis
Wyman
Young
Younger
Zablocki

NAYS—161

Abernethy
Adair
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Aspinall
Ayres
Baker
Baldwin
Barry
Bates
Battin
Beermann
Belcher
Bennett, Fla.
Betts
Bolton, Frances P.
Bonner
Bray
Brock
Bromwell
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burleson
Burton, Utah
Byrnes, Wis.
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Collier
Conte
Cooley
Corbett
Daddario
Dague
Derounian
Derwinski
Devine
Dole
Dulski
Duncan
Dwyer
Ellsworth
Feighan
Findley
Fisher
Ford
Foreman
Fountain
Giaimo
Gibbons
Goodell
Goodling
Griffin
Gross
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Harsha
Henderson
Hoeven
Holifield
Horton
Hosmer
Huddleston
Hutchinson
Jensen
Joelson
Johansen
Johnson, Calif.
Johnson, Pa.
Jonas
Karth
Kastenmeier
King, N.Y.
Knox
Kunkel
Kyl
Laird
Langen
Lennon
Lipscomb
McDade
McMillan
MacGregor
Mahon
Mailliard
Marsh
May
Michel
Milliken
Minish
Minshall
Morse
Morton
Mosher
Murray
Norblad
Olson, Minn
Ostertag
Passman
Patten
Pelly
Pirnie
Pucinski
Quie
Quillen
Reid, Ill.
Rhodes, Ariz.
Riehlman
Roosevelt
Roudebush
Roush
Roybal
Saylor
Schadeberg
Schneebeli
Schweiker
Scott
Selden
Short
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, Iowa
Smith, Va.
Steed
Stinson
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tollefson
Tuck
Utt
Vanik
Waggonner
Weaver
Weltner
Westland
Whalley
White
Whitener
Whitten
Widnall
Wilson, Bob
Wilson, Charles H.
Wilson, Ind.
Winstead
Wydler

NOT VOTING—129

Abbitt
Alger
Anderson
Andrews, Ala.
Auchincloss
Avery
Baring
Barrett
Bass
Becker
Bell
Boggs
Boland
Bolling
Bolton, Oliver P.
Broomfield
Buckley
Burkhalter
Cahill
Cameron
Carey
Celler
Colmer
Cramer
Curtis
Davis, Tenn.
Dawson
Delaney
Dent
Diggs
Dingell
Edmondson
Evins
Fallon
Finnegan
Fino
Flynt
Forrester
Fraser
Frelinghuysen
Fulton, Tenn.
Garmatz
Gill
Grabowski
Grant
Green, Oreg.
Griffiths
Halpern
Hanna
Hansen
Hardy
Harrison
Harvey, Ind.
Harvey, Mich.
Hawkins
Hays
Healey
Hébert
Hoffman
Holland
Johnson, Wis.
Kee
Kelly
Keogh
Kilburn
Kilgore
Kluczynski
Kornegay
Landrum
Lankford
Leggett
Lesinski
Lindsay
Lloyd
Long, Md.
McClory
McCulloch
McIntire
McLoskey
Macdonald

Martin, Calif.
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Meader
Miller, N.Y.
Mills
Monagan
Montoya
Moorhead
Morris
Multer
Nedzi
Nix
Philbin
Pilcher
Pillion
Pool
Powell
Rains
Reid, N.Y.
Reuss
Rivers, S.C.
Roberts, Tex.
Rogers, Tex.
Rumsfeld
Ryan, Mich.
St. George
St Germain
Schwengel
Sheppard
Shipley
Sibal
Siler
Snyder
Staebler
Stephens
Stratton
Taft
Thomas
Thompson, Tex.
Toll
Tupper
Van Pelt
Vinson
Wallhauser
Wharton
Wright

So the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Hébert against.

Mr. Celler for, with Mr. Kornegay against.

Mr. Boland for, with Mr. Colmer against.

Mr. Garmatz for, with Mr. Frelinghuysen against.

Mr. Fallon for, with Mr. Van Pelt against.

Mr. Multer for, with Mr. Martin of California against.

Mrs. Kelly for, with Mr. McLoskey against.

Mr. Macdonald for, with Mr. Lindsay against.

Mr. Carey for, with Mr. Mathias against.

Mr. Delaney for, with Mr. Fino against.

Mr. Barrett for, with Mr. Cahill against.

Mr. Finnegan for, with Mr. Auchincloss against.

Mr. Grabowski for, with Mr. Broomfield against.

Mr. Kluczynski for, with Mr. McClory against.

Mr. Lankford for, with Mr. Cramer against.

Mr. Matsunaga for, with Mr. Bell against.

Mr. Rogers of Texas for, with Mr. Alger against.

Mr. Nix for, with Mr. McCulloch against.

Mr. Philbin for, with Mr. Harvey of Indiana against.

Mr. St Germain for, with Mrs. St. George against.

Mr. Shipley for, with Mr. Wharton against.

Mr. Stratton for, with Mr. Sibal against.

Mr. Toll for, with Mr. Pillion against.

Mr. Healey for, with Mr. Kilburn against.

Mr. Buckley for, with Mr. Wallhauser against.

Until further notice:

Mr. Cameron with Mr. Diggs.

Mr. Edmondson with Mr. Curtis.

Mr. Hardy with Mr. Snyder.

Mrs. Hansen with Mr. Taft.

Mr. Hanna with Mr. Tupper.

Mr. Dent with Mr. Oliver P. Bolton.

Mr. Morris with Mr. Anderson.

Mr. Montoya with Mr. Harrison.

Mr. Monagan with Mr. Martin of Massachusetts.

Mr. Holland with Mr. Halpern.

Mr. Thomas with Mr. McIntire.

Mr. Baring with Mr. Harvey of Michigan.

Mr. Boggs with Mr. Reid of New York.

Mr. Abbitt with Mr. Avery.

Mr. Evins with Mr. Siler.

Mr. Reuss with Mr. Rumsfeld.

Mr. Fraser with Mr. Meader.

Mr. Fulton of Tennessee with Mr. Becker.

Mr. Roberts of Texas with Mr. Schwengel.

Mrs. Green of Oregon with Mr. Powell.

Mr. Grant with Mr. Ryan of Michigan.

Mr. Flynt with Mr. Nedzi.

Mr. Long of Maryland with Mr. Lesinski.

Mr. Leggett with Mr. Dingell.

Mr. Thompson of Texas with Mrs. Kee.

Mr. Andrews of Alabama with Mr. Johnson of Wisconsin.

Mr. Forrester with Mr. Gill.

Mr. Sheppard with Mr. Dawson.

Mr. Staebler with Mr. Hawkins.

Mr. Hays with Mr. Mills.

Mr. Kilgore with Mr. Stephens.

Mr. Wright with Mr. Bass.

Mrs. Griffiths with Mr. Davis of Tennessee.

Mr. Rivers of South Carolina with Mr. Moorhead.

Mr. Pilcher with Mr. Burkhalter.

Mr. Rains with Mr. Pool.

Mr. Landrum with Mr. Hoffman.

Mr. COLLIER changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TO AUTHORIZE SECRETARY OF AGRICULTURE TO SELL CERTAIN LAND IN GRAND JUNCTION, COLO.

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6601) to authorize the Secretary of Agriculture to sell certain land in Grand Junction, Colo., and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

> Page 1, line 9, strike out all after "improvements" over to and including line 2 on page 2 and insert "; but no commitment to apply the proceeds in any manner shall be made unless at least sixty days prior to the making of such commitment the Secretary of Agriculture shall have advised the chairman of the Committee on Agriculture of the House of Representatives and the chairman of the Committee on Agriculture and Forestry of the Senate in writing of the facts concerning the proposed application."

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. HOEVEN. Mr. Speaker, reserving the right to object, and I shall not object, will the gentleman explain the amendment?

Mr. JONES of Missouri. I will be happy to explain it.

This bill authorizes the Secretary of Agriculture to sell to the city of Grand Junction, Colo., at no less than the fair market value thereof, land near the center of the city which has been used by the Forest Service for many years for warehouse and storage purposes, and to utilize the proceeds from such sale to relocate the warehouse and storage facility on land to be acquired at the outskirts of the city.

The bill provided that the site for the location of the new warehouse should be selected by the Secretary only after "coming into agreement" with the House Agriculture Committee and the Senate Committee on Agriculture and Forestry.

The Senate amendment strikes out the House language just referred to and requires, instead, that the chairmen of the House and Senate Committees shall be notified in writing as to the selection of a new site at least 60 days before any commitment is made thereon.

It is my understanding that such notice could be made only when the Congress is in session and the respective committees are in active operation.

Mr. HOEVEN. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

U.S. ANIMAL QUARANTINE STATION, CLIFTON, N.J.

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H.R. 1642, to provide for the sale of the U.S. Animal Quarantine Station, Clifton, N.J., to the city of Clifton to provide for the establishment of a new station and for other purposes, with the Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

> Page 1, line 5, strike out all after "area" down to and including line 10 and insert: "to establish, equip, and maintain a quarantine station for animals and birds imported into the United States; but no commitment shall be made as to the site at which such station shall be established unless at least sixty days prior to the making of such commitment the Secretary of Agriculture shall have advised the chairman of the Committee on Agriculture of the House of Representatives and the chairman of the Committee on Agriculture and Forestry of the Senate in writing of the facts concerning the proposed site."

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. HOEVEN. Mr. Speaker, reserving the right to object, will the gentleman explain this amendment?

Mr. JONES of Missouri. I will be happy to.

This bill authorizes the sale of the Animal Quarantine Station at Clifton, N.J., to the city of Clifton at its appraised market value and establishment of a new quarantine station elsewhere in the vicinity of New York City.

The House bill provided that the new station should be established only after the Department of Agriculture had "come into agreement with the Committee on Agriculture of the House of Representatives and the Committee on Agriculture and Forestry of the Senate" with respect to the site and other details.

The Senate amendment strikes out the House language with respect to coming into agreement with the committees and substitutes language requiring that no commitment shall be made by the Department of Agriculture as to the site at which the station is to be located unless the respective committees of the House and Senate are notified in writing of the facts concerning the proposed site at least 60 days before any such commitment is made.

Since the Senate language refers to formal notification of the respective chairmen of the House and Senate committees, it is my understanding that such notification could be made only when the committees are actively functioning; in other words, when the Congress is in session.

Mr. HOEVEN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ADJOURNMENT OVER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Tuesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMUNISTS AND FELLOW TRAVELERS IN THE NEW YORK CITY MOBILIZATION FOR YOUTH, INC.

Mr. CASEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CASEY. Mr. Speaker, I wish to call attention of my colleagues to the reported infiltration by Communists and fellow travelers of the New York City Mobilization for Youth, Inc.—a federally supported demonstration project for prevention and control of juvenile delinquency.

On August 24, a New York Times news service report in the Houston Chronicle stated that the Federal Bureau of Investigation loyalty check of that organization showed 2 employees of Mobilization for Youth are current members of the Communist Party, 3 others belong to leftist organizations, and 32 others have been linked to the Communist Party or its front groups.

Mr. Speaker, the American taxpayers have poured almost $8 million into this agency through Federal assistance. It is shocking to me, as I know it must be to my colleagues, to discover the extent of Communist penetration into this agency.

Yesterday, I wrote the distinguished chairman of the House Un-American Activities Committee, our friend and colleague, the gentleman from Louisiana, Representative EDWIN E. WILLIS, strongly urging that he schedule a full and complete investigation into this matter.

As I told the gentleman from Louisiana, Chairman WILLIS, surely most of the Members of this House, like myself, support fully constructive efforts to counteract delinquency, to train youths to find jobs and to fulfill their duties as responsible citizens.

But Mr. Speaker, permit me to call to the attention of my colleagues additional information concerning some of the programs this agency, Mobilization for Youth, Inc., has undertaken with Federal tax support. In the current report "Counterattack on Delinquency," prepared by the President's Committee on Juvenile Delinquency and Youth Crime, page 28, there is a section entitled "Community Organization and Development, Organizing the Unaffiliated." Listen to this program:

> Massive efforts, such as a voter registration campaign and a silent prayer march to the New York City Board of Education have been part of the unaffiliated program. The lower East Side rent strike, presently consisting of 80 slum buildings withholding rents, has resulted, in part, from efforts of this program.

Further, it is stated that part of this program was in getting 500 persons to participate in the march on Washington, another 500 persons to participate in a Negro action group, and the formation of a paramilitary organization known as the Adventure Corps which, as the report states, "reflects the fact that lower income youths prefer the rituals, symbols, and activities of a paramilitary organization to the soft, folksy styles of traditional recreational programs."

Mr. Speaker, just how does getting 500 people to march on city hall or the Nation's Capital solve the problem of juvenile delinquency? Under what authority are Federal funds being expended for such a purpose?

Surely, the Members of this House must agree that the use of Federal tax funds for some of the foregoing purposes under the guise of attacking juvenile delinquency and youth crime, is, to put it mildly, questionable. But more than that, as I told my distinguished colleague, the gentleman from Louisiana, Chairman WILLIS, I am greatly disturbed over the corruption and abuse of this program, and the depth of penetration into this and possibly other similar programs by members of the Communist Party or allied fellow travelers.

Mr. Speaker, our citizens have the right to expect that their tax funds will be used for the express purpose authorized by Congress. And they have the right, too, to expect this Congress to act to prevent the corruption and abuse of federally supported programs by Communists and fellow travelers.

I strongly urge my colleagues to join with me in seeking a full and complete investigation into this program by the Un-American Activities Committee, so it can bring forth legislative recommendations to protect such programs from abuse and corruption by those of questionable loyalty.

The news article of August 24, and the pages from the President's Committee on Juvenile Delinquency and Youth Crime follow:

FBI SAYS REDS INFEST NEW YORK YOUTH GROUP

NEW YORK.—An FBI loyalty check on personnel of Mobilization for Youth has shown that the agency has two employees who are current members of the Communist Party and three who belong to other leftists organizations.

In addition, the FBI report, which will be transmitted to City Council President Paul R. Screvane, reportedly will say that at least 32 of the agency's employees have been linked in the past to the Communist Party or front groups.

Some employees were linked with front groups because they had signed petitions sponsored by organizations that are currently on the Attorney General's subversive organization list.

Winslow Carlton, board chairman of the $12.9 million demonstration project to combat juvenile delinquency on the Lower East Side of Manhattan, conceded that there might be a small number of staff members affiliated with subversive groups. After indicating that any persons suspected of being associated with subversive groups would be given a hearing, he said that such persons should not be on our staff.

Mobilization for Youth came under police investigation a week ago for alleged infiltration by Communists. Officials of the agency, who said they fear that the civil liberties of staff members might be in jeopardy, have begun a search for a lawyer to survey charges of questionable ties between employees and leftwing groups.

Carlton would not identify the leading candidate for the job, but said that a Republican lawyer who lives in Westchester County, would be named as special counsel for the organization.

The agency's director, James E. McCarthy, declined to comment on the FBI report, but said that Mobilization for Youth officials expect to receive an official evaluation of the inquiry Tuesday.

MOBILIZATION FOR YOUTH, INC.

Mobilization for Youth is a demonstration project in the prevention and control of juvenile delinquency. It is a social experiment, offering social services combined with research and evaluation. It views delinquency as a byproduct of such basic problems as poverty and discrimination. Its laboratory, the Lower East Side of Manhattan, spans 67 blocks of an area high in social problems.

Mobilization for Youth, Inc., was formed in 1958 by welfare, civic, and religious institutions in the Lower East Side. The support of the research center of the Columbia University School of Social Work was obtained. The National Institute of Mental Health granted nearly $500,000 for the planning of an action-research demonstration during the period December 1, 1959, to November 30, 1961.

During this planning period, Drs. Richard A. Cloward and Lloyd E. Ohlin completed the theoretical hypotheses for the project, which was published in a book titled "Delinquency and Opportunity."

On May 31, 1962, President John F. Kennedy, joined at the White House by Mayor Robert Wagner, members of the President's Cabinet, and Members of Congress, announced the beginning of Mobilization for Youth as an action program.

Commitments for a 3-year period beginning July 1, 1962, included:

National Institute of Mental Health	$5,264,000
President's Committee on Juvenile Delinquency and Youth Crime	1,915,000
City of New York	4,200,000
Ford Foundation	1,845,000

The demonstration project is guided by: Winslow Carlton, chairman of the board of Mobilization for Youth, Inc., George A. Brager, action program director, James E. McCarthy, administrative director, and Richard A. Cloward, research director.

The action program is divided into four main components: The world of work; the world of education; community organizations; and services to individuals and families. Following is a summary of those action programs from September 1962, to January 1964.

YOUTH EMPLOYMENT AND TRAINING

Mobilization's youth employment and training program is a pioneering effort which has already influenced the direction of youth employment programs throughout the country.

A comprehensive approach to youth employment and training includes the following services: vocational counseling, work sample assessment, subsidized work experiences, on-the-job training, formal trade training, job placement, and a remediation program to overcome basic language deficiencies.

Youth Job Center

Ninety percent of the young people who apply at the Youth Job Center are school dropouts; 95 percent are Negro and Puerto Rican, and many come from families on welfare. Eighty-five percent of the applicants are unable to obtain or hold jobs in private employment without work preparation training. Each applicant is interviewed by a vocational counselor who recommends either direct job placement, assignment to a subsidized work crew, help in getting special training in industry, or returning to school.

Urban Youth Service Corps

The Urban Youth Service Corps is a program of paid employment for unemployed out-of-school young people. Building trades projects at local settlements, churches, housing projects, have required youth to construct wall partitions, replace rotted floorbeams, lay new floors, install window sashes, tile floors, plaster, paint, and put in new sidewalks. A cooperative undertaking with the New York City Department of Parks calls for the construction of bleachers. Projects within hospitals have provided dietary and nurses' aid training. Other crews have been employed in clerical tasks, woodworking, food trades, sewing, and the like. A cooperative program with the Shell Oil Co., from whom Mobilization has leased a gas station, and an automotive shop prepare young people for jobs in service stations and as auto mechanics.

Expansion of the Urban Youth Service Corps was made possible by additional funds granted by the Office of Manpower, Automation, and Training of the U.S. Department of Labor.

From October 15, 1962, until December 31, 1963, 661 boys and girls participated in the Urban Youth Service Corps—522 full time and 139 part time.

In the spring of 1964, 252 young people were enrolled—167 full time and 85 part time.

On-the-job training

Mobilization's youth employment effort has developed new forms of on-the-job training. The on-the-job training program has focused particularly upon hard-to-place youth. Young people are placed in private industry, often in small businesses, with employers sharing the cost for initial training. Experience has indicated that on-the-job training is the most effective means of job upgrading.

Up to December 31, 1963, 230 young people had been placed in on-the-job training, and 73 were enrolled in the spring of 1964.

Training and remediation

Tuition payments for trade training on a full- or part-time basis has been made possible by an additional grant from the Lavenberg Foundation. A "second chance" tutorial program, emphasizing the teaching of basic language and numbers skills, is underway.

While it is too early to assess the results of Mobilization's employment efforts, one interesting fact has emerged. A large percentage of young people in the program have been either on probation or parole, and many are gang members. Yet in the employment program, disciplinary problems have been rare, even when members of rival gangs have worked side by side. Apparently, working together reduces conflict.

EDUCATION

Mobilization for Youth sees a need for change in two broad substantive areas, if the public schools are to serve low-income, minority-group children adequately.

The first of these concerns educational technology, particularly in reading. Because the school program has a high degree of verbal content, success in school relates directly to reading comprehension, writing, speech fluency, and the like. The second need is a reduction of the gap in understanding which exists between the educational system and the low-income families it serves.

Programs which deal primarily with educational (reading) technology:

(1) The homework helper program pays bright high school students to tutor failing elementary school youngsters; thus, the younger students get needed aid, and the older students get a tangible reward for academic achievement.

In February 1964, 240 high school students were tutoring 570 elementary school students directed by 13 "master teachers."

(2) The early childhood program involves 20 kindergarten and 20 first-grade classes. Four preschool classes for 4-year olds have also been organized. The program attempts to help children from the most problem-filled homes get off to an even start in school through special attention.

In February 1964, 1,252 children and 42 teachers in 12 schools were involved in this program.

(3) Two reading clinics have been organized to help elementary and junior high school children improve their reading and also to study the need for improved curriculum for low-income youngsters. Classes for the parents of retarded readers have also been provided.

In February 1964, 86 students were participating in the junior high school reading clinics, and 66 in the elementary school reading clinics.

(4) Nine mobilization reading teachers are working with a total of 768 moderately retarded readers, with 1 day per week spent in workshops for the development of experimental material. Children are seen twice a week in groups of 12.

(5) Guidance teachers, assigned by mobilization to 14 elementary schools, work with first graders who are showing difficulties in reading readiness, and small groups of third and fourth grade youngsters whose potential is high, but whose reading performance is low.

(6) A "second chance" guidance and tutoring program, for school dropouts, tutors mobilization youngsters within the work, coffeehouse, and social reintegration programs, particularly in basic language and numbers skills, as well as providing an educational guidance service to teenagers. Each youth attends two or three 1-hour sessions per week.

Since this program started in the spring of 1963, it has served more than 150 young people.

(7) Two laboratory schools, one elementary and the other junior high, have been designated for preservice training programs for teachers in low-income area schools in cooperation with teacher training colleges. These schools also experiment with curriculum ideas and materials developed at mobilization for youth and the local colleges.

(8) A summer reading clinic held in July and August 1963, attracted 195 students.

Programs which aim to increase understanding between the school system and the community:

(1) The school community relations and small group program encourages home visiting by teachers—a practice which has gone out of style, but is particularly needed in low-income areas, where many teachers are strangers to the community. Social workers serve as consultants to teachers on low-income life, and provide individual and group counseling to parents and schoolchildren.

(2) The curriculum center is geared to the development of materials which are relevant to low-income minority group children.

(3) In service teacher training emphasizes such courses as "The Lower East Side Community," "The Negro in the United States," and "Home and family."

COMMUNITY ORGANIZATION AND DEVELOPMENT

Organizing the unaffiliated

The organizing the unaffiliated program stems from Mobilization's community development approach, in which the community itself is the target for change, rather than the individual.

The program hopes to increase the power of poor people to effect community decision-making. A major reason for this objective stems from the personal sense of powerlessness felt by many lower income people, who as a result, have little motivation to improve themselves. By supporting and encouraging opportunities for social protest actions, organizing the unaffiliated hopes to counteract these self-defeating attitudes.

Massive efforts, such as a voter registration campaign and a silent prayer march to the New York City Board of Education, have been part of the unaffiliated program. The Lower East Side rent strike, presently consisting of 80 slum buildings withholding rents, has resulted, in part, from the efforts of this program. Parent education aids, in addition to contacting newcomers to help them use the schools and other community resources, help individuals and groups to discuss problems with school personnel and to take action when their concerns are not heard or resolved. Organizing the unaffiliated has strengthened existent lower income groups, such as the Council of Puerto Rican Organizations, consisting of 26 groups representing 2,600 people, and organized new groups, such as the Negro Action Group, with an active membership at the present time of 300 persons. Casa de la Communidad, a community organization storefront, has played a significant role in the initiation of new groups of unaffiliated persons.

In addition to professional community organizers, this program depends heavily upon the activities of indigenous community workers, themselves low-income persons who have shown leadership ability.

Neighborhood councils of the Lower East Side Neighborhoods Association

The Lower East Side Neighborhoods Association includes the schools, public agencies, business concerns, religious organizations, civic groups, social agencies, and others involved in community matters. A contract with Mobilization for Youth strengthens their community coordination and planning efforts by providing for the organization of neighborhood councils.

The estimated number of persons reached by the various community organization programs through January 1964:

Voter Registration: 2,000 known respondents, of which 600 actually registered.

March on Washington: 500 persons from Lower East Side participated in march.

Council of Puerto Rican Organization: 26 affiliated groups each representing some 100 people (total 2,600).

Association of Ecclesiastic Organizations: 39 Pentecostal ministers each representing a congregation of 100 (total 3,900).

Council of Negro Ministers: 12 ministers each representing some 75 parishioners (total 900).

Negro Action Group: 500 members.

Lower East Side Rent Strike Committee: Representing the 20-odd families in each of 60 neighborhood buildings (total 1,200 families).

Housing Clinics: Serving families which represent 30–75 tenements.

Consumers Aid Clinic: Now numbers some 40 cases.

Parent Education Aid's Unit: 25–100 families are served.

HOUSING SERVICES UNIT

Mobilization's housing services consist of housing clinics and apartment finding, collective protest activities, such as rent strikes, and a housing services unit.

The unit provides information to mobilization staff and community groups. It systematically collects data on housing violations, through a central information file. Organized by landlord and building, the file compiles complaint and action reports from housing clinics in the area and from cooperating community organizations. It increases the effective processing of complaints, and enables the selection, for enforcement action and rehabilitation aid of those landlords who are responsible for inadequate housing conditions.

LEGAL SERVICES

A legal services unit, consisting of four lawyers, consultants, and an advisory committee of Columbia Law School faculty, has been organized to lessen inequalities of justice and the lack of lawyers for poor people.

Mobilization for Youth is the third organization in the history of New York City to be granted the right by the courts to engage in legal aid assistance (the others are the Legal Aid Society and the local bar association). It has used this right to focus upon major areas of civil law, such as the welfare abuses (resident) law of New York State, and housing, unemployment insurance, and consumer fraud problems. The unit also provides legal representation in police stations, plays an active role in the disposition of convicted persons, and assists legal aid attorneys in the conduct of trials.

SERVICES TO INDIVIDUALS AND FAMILIES

Fast, visible, concrete assistance to slum residents is the goal of Mobilization's program of services to individuals and families. This program includes:

Neighborhood service centers

Four neighborhood service helping stations operate out of storefront buildings. In addition to referral to programs within Mobilization and the community, neighborhood center workers serve as social brokers. Bureaucratic systems are, at best, difficult to understand, and low-income persons, who need them most, are least able to understand them. The worker intervenes in the client's behalf, when help is needed. In addition, the centers provide small emergency financial grants, legal help, homemaking services, babysitting, and other concrete services. A consumer aid clinic has been organized in one center to provide consumer advice. A welfare clinic provides assistance to residents receiving welfare to become aware of their rights and their responsibilities. Housing clinics provide tenants with special help in coping with landlord and code enforcement problems. An apartment finding service is geared to the reduction of discriminatory barriers in housing.

Visiting homemakers

The visiting homemaker unit helps reduce the self-defeating attitudes and behaviors of poor people by familiarizing them with available services, and by teaching the techniques of cooking, shopping, budgeting, and caring for children.

Fifteen neighborhood women serve as visiting homemakers. The program hopes to test the effectiveness, as well as assess the problems, of using people indigenous to the slum community in program roles.

The four neighborhood service centers and the visting homemakers served 2,218 families through January 1964, representing an estimated 10,000 persons.

Mental hygiene clinic

The mental hygiene clinics are testing the flexibility of traditional treatment services with lower class persons and experimenting with newer casework methods, such as family-centered treatment. Contracts have been drawn with two mental hygiene clinics at local settlements to conduct this program. Through January 1964, this program has served 57 cases.

Narcotics program

Drug addiction is the least accessible to direct intervention of all the problems confronting Mobilization for Youth. A meaningful approach to the problem of drug use and addiction requires eliminating the availability of drugs. This is beyond Mobilization's power, but experimentation in ways of reducing the drug traffic is a cornerstone of the Mobilization drug program.

A second major objective is to advance knowledge of prevention and treatment methods. Psychotherapy requires verbal skills not ordinarily possessed by low-income youth and an intense relationship disliked by most addicts. Mobilization's efforts, therefore, have been primarily directed to group and community approaches.

The Mobilization narcotics program consists of:

1. Ambulatory care, including the maintenance dosage of drugs. A coalition of community resources, including a medical school, the New York City Department of Health, the Lower East Side Narcotic Information Center, a settlement, the local public health clinic, the National Association for the Prevention of Addiction to Narcotics, and Mobilization for Youth, is preparing an ambulatory care research program, including maintenance dosage. While such a program has its political pitfalls and medical dangers, it does provide the opportunity for careful research of the circumstances whereby an addict will not be forced to go to the underworld for his drugs and forced into a pattern of crime to obtain money to support his habit.

2. Group abstinence: Serving 12 addicts, this program experiments with the use of group supports, i.e., "tough" group sanctions, work adjustment efforts, and cooperative living to achieve abstinence.

3. Community oriented service: To limit drug experimentation on the part of those who may be susceptible to, but are as yet not involved in drug use, a neighborhood-based group and community organization program has been developed.

4. Referral and concrete social services: The Narcotics Information Center contract with Mobilization for Youth provides for, in addition to some of the above-mentioned programs, informational, referral, and specific concrete social services to reduce the tensions of the addict's life.

Social reintegration of juvenile offenders

This program seeks to improve the social conditions faced by the returning parolee to reduce his chances of returning to crime. Workers, responsible for aftercare (parole) functions, are in contact with families at commitment and visit the youngsters monthly at the institutions. They provide jobs and school placement followup, as well as intensive family casework services.

Through January 1964, 184 youths and 67 adults had been involved in this program.

SERVICES TO GROUPS

Coffee houses

Two coffee houses have been opened. Serving as social and cultural centers, the membership of these shops cut across gang lines. The youths themselves play a large role in building and managing these facilities. One shop has instituted a Spanish "living theater" workshop, offering members the opportunity of participating in their cultural heritage. Dances, chess and checkers, singing, and a photography lab are also part of the coffee house program.

Young adult action group

The young adult action group is a youth organization which gives a hearing to the point of view of adolescents. It attempts to shift the anger of minority group adolescents into actions for social change.

Institutes on the youth employment bill, education, problems with the police, civil rights and freedom rides, have been conducted. Funds have been raised by the group, community programs held, and a youth newspaper published. Seventy group members visited Washington in February 1964, to support the Youth Employment Act, and met with Secretary of Labor Wirtz, Attorney General Kennedy, and Members of Congress.

Detached worker program

The mobilization detached worker program has required a shift of professional role emphasis. The worker is viewed as a "channel," concerned with relating the street gang to school authorities, potential employers, the courts, the police, and other social resources. Previously, the primary functions of the gang worker were to develop a personal relationship with individual youngsters.

Fifteen workers have been contracted for from local settlements and the New York City Youth Board, serving some 266 young people as of January 30, 1964.

Adventure Corps

The Adventure Corps reflects the fact that lower income youth prefer the rituals, symbols, and activities of a paramilitary organization to the soft, folksy styles of traditional recreational programs. Fifteen squads of youngsters from 9 to 13 participate in the corps, which emphasizes community projects, sponsorship by local agencies and indigenous organizations, and low-income youth leadership.

Activities include a marching band, sports, and camping trips. About 300 boys and girls are enrolled.

Preadolescent program

To many slum youngsters, the teenage delinquent exemplifies heroism, status, adventure, and power. The preadolescent program seeks to break the pattern whereby younger boys are recruited to gang life. Bulwark of the program is a group of social workers, based in community centers, who try to shift predelinquents to a more positive role in community life.

Leaders work with small groups of 8- to 12-year-old youngsters. In addition to recreational activities, services range from remedial reading to prevocational training. Parental participation in this, as in other group services programs is encouraged. As of January 30, 1964, 306 youngsters were being served by this program.

TRAINING

A key supportive role to the program is played by MFY's training and personnel department.

Its functions include inservice training, developing study courses for MFY personnel, collecting and organizing social science techniques derived from action programs, planning and supervising fieldwork instruction for graduate students in social work, education and vocational counseling and administering a scholarship program for graduate students.

The Department also interprets the technical and theoretical base of the programs and collects and distributes professional literature for staff use and development.

In addition to collaborative efforts with education on teacher training, MFY's training program has focused upon the recruitment, inservice training and professional preparation of future social workers and vocational counselors.

THE ARTS SHOULD BE FREE OF POLITICAL DOMINATION AND CONTROL

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. WIDNALL. Mr. Speaker, a week or so ago I was happy to speak in support of H.R. 9586, a bill to establish a National Council on the Arts within the Executive Office of the President. This bill, which has since been passed by both Houses of Congress, has had my support in principle ever since the idea was introduced in 1955 by President Eisenhower. In my remarks I said:

> I urge you to vote for H.R. 9586. After passage of this bill we must look to the President to make thoughtful appointments under it which will make it possible to fulfill the intent of Congress that the arts in the United States be developed for all the people of the United States. It would be unfortunate if the first National Arts Council became the organ of a clique or the exponent of a narrow point of view. With prudent appointments of qualified citizens who have both knowledge of the arts and education, and a broad point of view toward their fellow man, I believe that a worthy program can be developed.

Well, the President has not yet made any appointments to the National Arts Council, but shortly after that bill was passed he did make some appointments to a related organization, the John F. Kennedy Center for the Performing Arts. The two organizations are related not only through their interest in the arts but also because they share a common chief executive, Mr. Roger L. Stevens of New York. The appointments made last week to the Kennedy Center board of trustees give a clear warning that the long-sought National Cultural Center has already become a political football. Let me here reproduce a memorandum from Roger L. Stevens, former financial officer of the Democratic Party and now the Nation's newly appointed cultural czar.

> MEMORANDUM
>
> JOHN F. KENNEDY CENTER
> FOR THE PERFORMING ARTS,
> *Washington, D.C., August 28, 1964.*
>
> To: The Board of Trustees and the Advisory Committee on the Arts.
> From: Roger L. Stevens.
> Subject: New trustees.
>
> On August 26, 1964, President Lyndon B. Johnson announced the appointment of the following new members to the Center's Board of Trustees:
>
> For terms expiring September 1, 1974: Mrs. Jean Kennedy Smith, of New York City; Robert F. Kennedy; Edwin L. Weisl, Sr., of New York City.
>
> For terms expiring September 1, 1966: Richard Adler, of Upper Saddle River, N.J.; Robert W. Woodruff, of Atlanta, Ga.; Arthur Schlesinger, Jr., of Cambridge, Mass.
>
> For terms expiring September 1, 1968: Edwin Wendell Pauley, of Beverly Hills, Calif.; Leonard Goldenson, of Mamaroneck, N.Y.; Arthur Penn, of New York City.
>
> For terms expiring September 1, 1970: Mrs. George R. Brown, of Houston, Tex.; Sol Myron Linowitz, of Rochester, N.Y.; Richard Rodgers, of New York City.
>
> For terms expiring September 1, 1972: Abe Fortas, of the District of Columbia; Erich Leinsdorf, of Brookline, Mass.; Robert O. Anderson, of Roswell, N. Mex.
>
> Under the terms of the extension of the National Cultural Center Act of August 1963, the Center was authorized to increase the number of trustees from its present 30 members to 45. The new members represent the additional 15 authorized by this legislation.

Mr. Speaker, there are a number of interesting and alarming aspects of these new presidential appointments made under the advice of Mr. Stevens:

First. The chief cultural qualification for service as a Kennedy Center trustee appears to be support of the Democratic Party, even to the extent of including Edwin L. Weisl, the newly appointed political boss in New York.

Second. Of the 15 appointments, only 3 can be said to be direct participants in the creative arts, although I do recognize that that supreme Democrat, Ed Pauley, has been known to dabble in oils in California.

Third. The list is distinguished by a curious omission: All have addresses except one. The one who has no address—at least an address known to the chairman of the John F. Kennedy Center for the Performing Arts—is Robert F. Kennedy. A century ago a chaplain of the Senate, Edward Everett Hale, wrote a novel called "The Man Without a Country" based on the life story of Philip Nolan. However, it was not political ambition that led Nolan to lose his geographical identity.

Fourth. Despite the great contribution which American Negroes have made to all of the arts, including the performing arts, only one has been appointed to the Board of Trustees of the John F. Kennedy Center for the Performing Arts.

It seems to me to be quite unfortunate that for want of an address the White House has presumably been unable to notify Robert F. Kennedy of his good fortune in being named as a trustee of the Kennedy Center. I wish to be helpful and I have a mild suggestion. Why not try writing to him care of general delivery in New York City? I have heard that he passes through there from time to time while looking for a new job. Someone should tell him that he already has one.

While observing the addresses of the newly appointed trustees, I am reminded of the statement given by Roger L. Stevens before the subcommittee of the House Committee on Public Works on July 30 of last year. In order to convince Congress of the desirability of amended legislation—which I thought to be highly questionable at the time—he said:

> As to the expansion of the board of trustees, we have found that geographically we have been limited to New York and Washington. By increasing the number of general trustees from 15 to 30, we will have a broader national representation in carrying out the objectives of Congress in the establishment of adequate facilities for the center.

In the year that has gone by since that testimony, Mr. Stevens, himself a New Yorker, has developed considerably less disdain for his fellow residents. Eight, or a clear majority of the new appointees, live in New York or the New York metropolitan area. One, President Johnson's personal attorney, is a longtime resident of the scorned District of Columbia and another, although attributed to Massachusetts, has been spending most of his time in our Federal City.

I hardly think that the Congress has received its money's worth after waiting breathlessly for 1 full year for the authorized appointments to be made. A mountain of labor has brought forth not a mouse but a donkey. Political expediency has become the standard for operating the first major Federal investment in the domestic performing arts since the days of WPA. The Kennedy Center developed from the original National Cultural Center legislation passed in a nonpartisan atmosphere of high ideals during the Eisenhower administration. It could not have come into existence, nor continued in existence, without Republican support. Now the worst fears of those who question whether there can be Federal support of the arts without political control tend to be confirmed.

This problem is the more serious right now because we have just passed the National Arts Council legislation under which President Johnson is authorized to appoint 24 members. Presumably once again the ubiquitous cultural czar of this administration, Roger L. Stevens, will be "calling the shots" and making the recommendations. It will be a disaster for the arts and for the Nation if the first National Arts Council should be kicked around as the same kind of political football that the Kennedy Center already has become. I respectfully ask my colleagues in the House and in the Senate who supported this legislation to join me in requesting the President to make the prudent appointments which he has espoused as his policy. There is really no room for partisan politics in the field of the arts. If executive appointments to art bodies created by Congress are to be made as some form of politico-cultural patronage then perhaps Congress would be well advised to reinspect its position on the new legislation when it comes up for enabling appropriations.

MILITARY PERSONNEL LIVING STANDARDS

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. TOLLEFSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. TOLLEFSON. Mr. Speaker, I am today introducing a bill to correct an unfortunate situation which gravely affects the living standards of thousands of people in the military service, of whom a great many are stationed in my own district. The bill is made necessary by what I believe to be an unfounded and erroneous decision by the Internal Revenue Service.

It has long been established policy that the allowances granted to military and naval personnel for provision of quarters for their families is a tax-exempt allowance. When it becomes necessary, as it frequently does, for a military or naval family to follow its serviceman to a new post, there arises a new economic difficulty for the man and his family, an added cost of quarters due to the removal. To compensate for this, the Department of Defense requested, and the Congress provided, a special dislocation allowance, in the amount of 1 additional month's allowance for quarters in the case of such dislocation or removal to a new assignment. Due to increased costs, that dislocation allowance has been increased recently in proportion as the Congress has increased the normal allowance for quarters.

Now comes the Internal Revenue Service, which has not questioned the tax-exempt status of the allowance for quarters, and seeks to make the dislocation allowance into something else, to make it taxable. Under their ruling, the dislocation allowance is not regarded as what it is, a special allowance for quarters, but is regarded by them as simply so much more ordinary income, and hence is made income taxable.

My bill will restore the proper tax-exempt status of the dislocation allowance by making it clear that it is the intent of Congress that it be regarded, and treated in every way, as simply what it is—namely, an additional allowance for quarters.

I sincerely trust that this new and wholly unnecessary assault upon the rights and the morale of our military personnel will be removed by the enactment of my bill.

BUREAUCRATIC BRIGANDAGE

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. TALCOTT. Mr. Speaker, on August 24, 1964, the General Accounting Office issued another report on the Area Redevelopment Administration, telling of another investigation by the Comptroller General into the operations of this agency. Again the GAO caught the ARA shoveling out money to areas which are not really depressed, while the unemployed and poor in the truly depressed areas go begging. In this case the Comptroller General reported that through January 1, 1964, the ARA had ladled out $7.4 million for areas that "would not have qualified for designation as redevelopment areas under the unemployment or economic underdevelopment criteria of the law and regulations."

Comptroller General Joseph Campbell charged that the agency "overlooked" the basic purpose of the statute which is to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically distressed areas," and paid out money "not in accord with the intent of the Area Redevelopment Act."

The ARA paid out $7.4 million in Hawaii, New Hampshire, Vermont, and Delaware in areas that had relatively high family income and relatively low unemployment rates, while it was turning away the pleas for help from other truly distressed areas. The Comptroller General observed that this was "unfair to other areas of the Nation which meet the unemployment and economic criteria set forth in the act," because it "reduces the amount of funds available for their assistance." For example, none of the counties to which the ARA gave this $7.4 million had median family incomes of under $4,000 a year, while there are 18 counties in the State of Virginia which have a median family income under the 1960 census of under $3,000 a year and which were not designated for the benefits of the ARA cash. Nevertheless, we find ARA Administrator Batt reversing his own experts' recommendations, in order to shovel out these funds.

The GAO report points out that the ARA division responsible for designating and terminating the eligibility of areas reviewed the economic data available for two of the New Hampshire counties that benefited from Administrator Batt's largess and found that they did not qualify for help because "the unemployment rates were not sufficiently high nor the family income sufficiently low." The responsible ARA division recommended against designating these two counties, but Administrator Batt reversed his own experts and ordered them designated. Such an action, observes the Comptroller General, "may be considered unfair to other areas of the Nation which meet the unemployment and economic criteria set forth in the act," because it "reduces the amount of funds available for their assistance."

Moreover, the GAO report points out that the ARA Administrator has been repeatedly reminding Congress that he does not have enough money to take care of all the applications he has from truly depressed areas which are "more severely burdened by unemployment, underemployment or economic underdevelopment."

The GAO report recommends that the ARA take action to rescind the loan agreements it has already signed, and thus avoid pouring the money into areas that do not really deserve it under the law. Of course, Mr. Batt will not do anything of the sort, particularly in this political season of the year. But I hope all of the unemployed workers in the truly depressed areas for whom Congress intended this money will take note this fall when they hear administration spokesmen talking about the war on poverty and pleading compassion for the underprivileged.

If the people running the ARA were really interested in waging war against poverty, they would make certain that every dollar Congress voted to help distressed areas went to those areas, and not to others where people are better off. This is truly an unbelievable—if not documented—case of bureaucratic brigandage. These misguided Robin Hoods in reverse take these millions Congress voted to help the poor and give it instead to the relatively wealthy areas which do not need the help.

RIGHT OF AMERICANS VOLUNTARILY TO GO IN OR OUT OF BUSINESS

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. SNYDER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. SNYDER. Mr. Speaker, the Republican platform this year calls for "the simple, basic right of Americans voluntarily to go in or out of business." This fall, the Supreme Court will rule on this issue in a decision vital to the American free enterprise system.

In this connection, I ask unanimous consent to introduce in the RECORD, an article from the Dallas Morning News of August 22, by its editorial writer, Ken Thompson.

COURT TEST: RIGHT TO QUIT NOW IN DOUBT

(By Ken Thompson)

Lester Maddox, as everyone who has been keeping up with the news lately knows, is a segregationist who owns and operates—or at least he did until recently—a successful restaurant in Atlanta, Ga. Whether you like him or not or agree with his views is beside the point. The issue in which he became a central figure is broader than the topic of segregation. It is the issue of whether or not a businessman has the right to manage his own personal property and run his private business his own way.

That right is no longer recognized by the laws of this land. Since Congress passed and the President signed the civil rights law, businessmen have been stripped of their freedom of choice in many areas. In Maddox's case, the area involves the choice of customers he may or may not serve.

Although Maddox and others like him may refuse to do business with white customers without discriminating, they cannot refuse to do business with Negroes or other minorities. The familiar sign, "We reserve the right to refuse service," is out the window.

The only real choice left to Maddox was the alternative of capitulating to the law or closing down his restaurant, a business he had spent a lifetime building. Because he is a "hardhead" or whatever else you want to call him, he chose the second alternative. The closing of his restaurant, incidentally, meant the loss of jobs for 44 Negroes he employed—proof that not only segregationists must pay the price of the civil rights "revolution."

You may retort, well, at least Maddox had the choice of quitting his business or giving in to the integrationists. True enough. But how much longer will he and others like him have even that much freedom?

This fall, the Supreme Court will rule on a case involving the basic right of a businessman to go out of business voluntarily—a right that has never been challenged before in this country. The News has editorially commented at length on this case in the past, and space prevents a full discussion of its complex issues here. In brief, however, these are the highlights:

Eight years ago a southern textile company which had been losing money was organized by the textile workers union. That seemed to be the last straw, and the company closed its operations permanently.

Six years later the National Labor Relations Board ruled the closing an "unfair labor practice," and ordered the former stockholders and the stockholders of other companies which had an interest in the defunct business to pay $7 million in back wages to the employees who had lost their jobs when the plant closed down and to find them new jobs.

Last year this decision was reversed by a U.S. circuit court, but at the personal insistence of Attorney General Bobby Kennedy the case has been appealed to the Supreme Court.

Should the Supreme Court agree with the NLRB, businessmen in this country would no longer have the right to go out of business rather than continue on a unionized basis—whether they are losing a great deal of money or not. They would have to stay in business until they are totally bankrupt.

Whether such a ruling would apply to Lester Maddox's situation is debatable. This much we know: The courts already have ruled that a Virginia school district could not close its public schools to avoid compliance with integration, even though there is nothing in the laws of the United States requiring any or every area of the country to maintain a public school system.

If this can be done, and if the Supreme Court can prohibit a private company from going out of business because its owners don't care to operate on a unionized basis, the courts can just as easily prohibit a businessman from quitting rather than be compelled to serve clients and customers the law says he must serve.

PROPOSED SELECT COMMITTEE ON ADMINISTRATION OF ECONOMIC OPPORTUNITY ACT OF 1964

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. CURTIS. Mr. Speaker, on August 18, 1964, the gentleman from New Jersey [Mr. Frelinghuysen] introduced House Resolution 858 to establish a Select Committee on Administration of the Economic Opportunity Act of 1964. The purpose of this resolution is to create a watchdog on the so-called Poverty Act, which contains many different programs which affect the multifarious programs already existing in the Federal Government. At the time of the debate on this bill on the floor of the House, as well as during the committee hearings, the proponents of this bill were warned of the administrative problems that this measure was going to create. Unfortunately, very little attempt was made to study the programs presently in existence to see how new programs could be dovetailed with them without damaging them. This is particularly true in the unemployment insurance program and various social security programs, plus the trade adjustment provisions of the Trade Expansion Act of 1962. These matters are all under the jurisdiction of the Ways and Means Committee. Fortunately, when the Manpower Training Act of 1962 was developed there was coordination between the new programs and the programs which were under the cognizance of the Ways and Means Committee. Even so, one of the limitations in the administration of the Manpower Training Act results from a lack of coordination with other programs.

I pointed out in testifying before the Rules Committee that the Economic Opportunity Act had not been given the proper study and therefore was not ready for debate to illustrate, I pointed out, that the trade adjustment features contained in the Reciprocal Trade Act had never been implemented. One reason for the lack of implementation lay in the fact that very little thought was given at the time of their incorporation into the Trade Act to how they would relate to the State-Federal unemployment system, the newly developed Manpower Training Act, and the tremendous developments in the field of vocational education and apprenticeship training in the private sector.

Mr. Frelinghuysen's conception of having a select committee composed of members from the various committees which have jurisdiction over programs which are affected by the Economic Opportunity Act can help to alleviate some of the difficulties that are bound to occur in implementing this act. I do not think for a minute that even a select committee such as this can make this act effective but it certainly can minimize to some degree the damage it is bound to cause in the Federal programs and other programs at the State and local level and in the private sector already in existence. The Poverty Act certainly stems from a poverty of ideas and imagination.

VACILLATING POLICY OF STATE DEPARTMENT IN THE NEAR EAST

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Glenn] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. GLENN. Mr. Speaker, I have previously addressed this House on the wishy-washy, vacillating, policy of the State Department in the Near East, and particularly as it applies to the State of Israel in its relations with the United Arab Republic. I have repeatedly pointed out that Israel is the one country in the Near East that is unquestionably pro-American, anti-Communist, and does not resort to any pretense of neutralism.

I believe that in giving American support and aid to other countries there is no such thing as neutralism. They are either with us or against us. The sole test of our dealings with all nations throughout the world where we are spending and granting billions of American taxpayers' dollars should be based on this principle of aid only to our friends.

Here today in the consideration of the extension of Public Law 480 we are again going through the process of extending aid to the United Arab Republic which unquestionably is in the Communist group and which does everything it can possibly do toward harming our friend the State of Israel.

Regardless of an expression of intent by this Congress, and in fact regardless of a provision of law that U.S. economic aid should not be given to any nation preparing for aggression against any other country aided by the United States, the administration is still giving aid to the United Arab Republic.

So, therefore, it remains that the Congress of the United States in order to implement its previous statements of intention, and in fact the law, must proceed by way of deletion specifically of cutting all future aid to the United Arab Republic. This is so because President Nasser has admitted specifically that Egypt is preparing for war against Israel and is even now actively carrying on aggressions in this domain as well as elsewhere.

Up to now, we have given aid to the United Arab Republic of over $1 billion American taxpayers' dollars, and since 1962 Egypt has received more than $700 million in Public Law 480 shipments, which exceeds all the combined Public Law 480 shipments to all other nations of Africa, Latin America, and the Far East. And yet Egypt, under Mr. Nasser, is selling approximately two-thirds of their export cotton crop to Communist-bloc nations with the money thus received, and buying millions of dollars worth of Soviet arms and weapons to be used against Israel.

This 1955 arms and weapons and cotton barter deal is in fact being subsidized by the United States in that while they proceed with the buildup of the implements of war we are in turn giving them foodstuffs for the feeding of their people under Public Law 480 programs.

Just last week an export permit was granted by the Department of Commerce, permitting a shipment of 200,000 tons of American wheat to Egypt to be paid for in Egyptian currency, which the United States cannot spend anywhere except in Egypt, and even then only in certain specific categories.

President Nasser is pushing us around in the Mediterranean area and has unquestionably pressurized his neighbor the Libyan Government to cancel the Wheelus Air Force Base, the largest bomber base we have outside the United States, an investment of millions of dollars and a direct protection to all Americans in having a defense perimeter adjacent to the Communist bloc of nations.

As recently as May 5, 1964, I have had called to my attention, as have all Members of Congress, and the President, and the Secretary of State, the action of the Brooklyn Jewish Community Council in a resolution adopted at its silver jubilee anniversary, which asks that we reverse our long-time policy of appeasing Nasser; that we, the United States, take a firm stand before all the world on behalf of the peacefully intended liberty loving democratic and free people of Israel to protect itself from destruction, and that we prevent such a catastrophe by withdrawing aid from Nasser as long as he continues using that aid for aggressive purposes.

It is apropos at this point, in support of the amendment to cut off all future aid to the United Arab Republic, to point out that even now there is considerable aid being directed through the pipeline which cannot be stopped immediately, and it is important that action be taken now to stop any such aid in the future.

We have had sufficient time to see the results and we know that our attempts to be nice result only in being pushed around by this dictator. I cannot think of any better way to give a résumé of events, and what in my opinion we should do as a result thereof, than by inserting in the Record at this point a copy of the resolution adopted by the Brooklyn Jewish Community Council at the Brooklyn Jewish Center on May 5, heretofore referred to:

> Whereas for more than a decade the very existence of the State of Israel has been threatened with extinction by the repeated public declarations and preparations of the ruler of Egypt, Gamal Abdel Nasser;
>
> Whereas since he came to power President Nasser has constantly declared over his radio and in public his determination and that of his associated Arab States to drive the Israelis into the sea;
>
> Whereas he has in recent years, in pursuance and preparations of such threats and declarations of policy built up a formidable armament of jetplanes, submarines, tanks, and more recently, offensive missiles, in the building of which he has been aided by former Nazis who have found refuge in Egypt from prosecution in Germany;
>
> Whereas for a year and a half he has kept an army of Egyptian troops in Yemen which were transported there by Russian planes and supplied by Russian arms;
>
> Whereas contrary to his repeated promises, he has not only not withdrawn his troops but has increased their number so that they now reportedly number 40,000 and, through rotation, has used the war in Yemen to battletrain his entire army;
>
> Whereas the United States has consistently supported Nasser with generous gifts of foreign aid in an amount now approaching nearly $1 billion;
>
> Whereas this policy encourages the aggressive tactics and purposes of Egypt's dictator;
>
> Whereas the United States has repeatedly declared its interest in the preservation of peace in the Middle East and elsewhere and the development of the economy and wellbeing of nations recipient of U.S. aid;
>
> Whereas the actions of the United States in supporting Nasser are wholly inconsistent with U.S. declarations of policy;
>
> Whereas there is imminent danger that Egypt shortly will be in a position to destroy Israel overnight by the rocketry and sophisticated weapons which Nasser is accumulating, supported by his now battle-trained army;
>
> Whereas although the Congress of the United States provided by law that U.S. economic aid should not be given to any nation preparing for aggression against any other country aided by the United States, the administration has not acted to stop aid to Egypt; and
>
> Whereas President Nasser has admitted openly that Egypt is preparing for an aggressive war against Israel and is actively carrying on aggression elsewhere;
>
> Whereas Nasser has alined himself with the Communist bloc in their efforts to control the African nations: Now, therefore, be it
>
> *Resolved,* That the administration should immediately reverse its longtime policy of appeasing Nasser;
>
> That the United States take a firm stand before all the world on behalf of the peacefully intentioned, liberty loving, democratic and free people of Israel to ward off its destruction; and
>
> That to prevent this catastrophe the United States should: (a) withdraw aid from Nasser as long as that aid is used for aggressive purposes and (b) announce its readiness to enter into a treaty of mutual defense and support with Israel as it has with other nations.

WHEAT DUMPING

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. FINDLEY. Mr. Speaker, today I renewed my plea to President Johnson to halt massive Government dumping of wheat which has driven down farm prices. I made the plea in a telegram to the President. In it I asked that Government wheat stocks be kept off the market until prices go up.

Since July 1, the U.S. Department of Agriculture has sold 58,919,535 bushels of wheat from Government stocks into domestic market channels at the minimum price permitted by law. This minimum figures about $1.37 per bushel, on farm basis, and this dumping action has driven the market price to the same disastrous level.

The average price received by farmers for wheat this marketing year is $1.33 compared with $1.76 last year.

To my knowledge, the U.S. Government has never in all history sold wheat in local markets at such a low price.

On July 26 I appealed to the President to halt the dumping of wheat stocks by Agriculture Secretary Freeman until market prices return to normal. At that time, Government sales from Commodity Credit Corporation stocks were three times the level of a year earlier.

Instead of halting this unconscionable dumping, the administration has seen fit to release Government stocks at the rockbottom price at an even heavier rate. The level is now four times that of a year ago. Commodity Credit Corporation was never intended for the purpose of price breaking. It was intended to strengthen farm prices.

This continued dumping raises the question whether Secretary Freeman has assumed the role of price fixer reminiscent of OPA days. Unfortunately, no price fixer protects the farmers against increased costs of things he must buy to stay in business. The farm parity ratio—which compares prices the farmer must pay with prices he receives—has sunk to 74—the lowest level in 25 years.

Thus wheat price fixing by the administration hits the farmer doubly hard.

Government sales into domestic channels of 58,919,535 bushels since July 1 compare with only 14,389,000 bushels during the same period last year. Last year the minimum resale price was considerably higher—about $1.90. This means that domestic government sales this year are four times the level of a year ago, and their adverse effect on market prices is much worse because of the lower price at which they are being dumped. Government sales for export are also up. The sales this year total 25,534,876 bushels compared with 23,218,000 last year.

Last week alone an incredible amount of wheat—31,734,281 bushels—was sold into domestic channels.

In view of the shocking drop in the market price of wheat—down about 40 cents since the first of the year—wheat-farmers might reasonably have expected restraint by Agriculture Secretary Freeman in marketing Government stocks.

A temporary freeze on Government stocks would have been in order, and such action would have bolstered market prices.

Instead of holding Government stocks off the market to help farm prices, Secretary Freeman has quadrupled the level of Government sales—and worst of all, has released this flood of wheat at the lowest price permitted by law. He is not compelled to sell at this market-breaking low price. He has the option of selling at any price he chooses above the minimum.

I am renewing my appeal to President Johnson to halt this unconscionable dumping of Government stocks until market prices return to normal levels. Only one wheat farmer in three in the United States is getting Government certificate payments to supplement his market price income. It is not fair to punish the other farmers by driving down market prices.

Government dumping comes at an especially unfortunate time, as farmers are now marketing their new wheat crop and are forced to do so in the face of cutthroat competition from the Department of Agriculture.

It has contributed to the steady decline in the farmer's economic status, and is one of the major factors causing the farm parity ratio to drop to 74—the lowest level in 25 years.

Text of my telegram to the President:

> Again I urgently and respectfully request that you halt dumping of Government wheat stocks until market prices return to normal. Since July 1 the USDA sold 58,919,535

bushels of wheat into domestic channels at the minimum price permitted by law—the equivalent of $1.37 a bushel on farm basis. To my knowledge, the U.S. Government has never in all history sold wheat at such a low price. This compares with 14,389,000 bushels during the same period last year when the resale price was about $1.90. This massive dumping forces farmers to market their new-crop wheat in the face of cutthroat competition from the Department of Agriculture. Only one-third of U.S. wheat farmers are getting Government certificate payments. It is not fair to punish the other farmers by driving down market prices.

PAUL FINDLEY,
Member of Congress.

REMARKS BY ROBERT TAFT, JR., ON H.R. 11298

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. TAFT] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. TAFT. Mr. Speaker, I would like to call to the attention of the committee the possible favorable effect of provisions in new subsection (t) of section 104 upon the balance of payments. The figures for the calendar year 1963 were as follows:

Total U.S. payments abroad, $35.7 billion.

Total U.S. receipts, $33.4 billion.

Total deficits for regulation transactions, $3.286 billion.

Outward gold flow, $461 million.

Of the $35.7 billion of our payments some of the major categories are:

Imports, $17 billion.

Capital outflow, $4.2 billion—long and short.

Travel payments, $2.7 billion—$2.1 billion spending abroad; $0.6 billion for fares, both spent abroad.

Gross U.S. military expenditures, $2.9 billion.

If oversea travel payments are $2.7 billion out of our total deficit of $3.2 billion you have an 84-percent figure.

Use of these foreign currencies for this purpose could, to a considerable extent, eliminate our balance-of-payment problems.

It should be noted that current trends in the balance of payments show we are still operating at an unfavorable balance of $2 to $3 billion.

ENVIRONMENTAL HEALTH CENTER

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. TAFT] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. TAFT. Mr. Speaker, the decision of the House-Senate Conference Committee, which cuts down the appropriation from $1.5 to $1 million and limits the area for a centralized environmental health laboratory, is a victory for the Taft Sanitary Engineering Center which is the primary national location for research and environmental health today. The laboratory in question would be for both basic and applied research.

The conference report would prevent erection of such a lab within 50 miles of Washington, and thus eliminates the proposal to build a $70 million facility in the Beltsville, Md., area. While this gives no assurances that such a center or lab would eventually be built in the Cincinnati area it keeps Cincinnati in the running and should cause the Public Health Service to reassess entirely its plans for environmental health research.

In any such reassessment it would seem that much-needed expansion of existing facilities in the Cincinnati area should receive priority. This is particularly true in view of the offer of free land indicated by the city of Cincinnati.

I am delighted with the result of the conference committee report and give a great deal of credit to the House conferees who succeeded in stopping further centralization of governmental facilities on the east coast and in the Washington area.

POLITICAL SHENANIGANS

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. KIRWAN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. KIRWAN. Mr. Speaker, my colleague, the gentleman from California, [Mr. BOB WILSON], based a "political shenanigans" statement, inserted in the RECORD yesterday, on a telegram from the Department of Defense to the field which he said indicated that information officers at military bases "are expected to duly disseminate this propaganda to military personnel and the public in the areas of the bases." The "propaganda" referred to was a statement summarizing the Economic Opportunity Act of 1964, recently passed by the Congress.

It may be of interest that the procedure under which such informational summaries are sent to the field was instituted by a November 21, 1960, memorandum signed by Mr. Erret Scrivner in his capacity as Deputy Assistant Secretary of Defense—Public Affairs—in the Eisenhower administration.

Further, it may be of interest to note that the transmitting message said that the information was being sent "for information only" and no action of any kind was directed. Therefore, the suggestion by my colleague, the gentleman from California [Mr. BOB WILSON], that this was a nefarious political scheme and a violation of the Hatch Act is completely without foundation.

THE INVISIBLE INVASION

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BOGGS. Mr. Speaker, I am pleased to call to the attention of the Members of Congress a splendid address, "The Invisible Invasion," by Edward Scannell Butler of New Orleans, La., executive vice president of the Information Council of the Americas—INCA. Mr. Butler, who is a professional conflict manager for the management of INCA's farflung operations throughout our Western Hemisphere, delivered his incisive address to the Houston Rotary Club on August 13, 1964, before a large audience of some 600 Rotarians and their guests.

In his speech, Mr. Butler emphasizes that the greatest danger our country and the free nations of the world face today is from the "Invisible Invasion"—and not from nuclear weapons. Mr. Butler notes that it is the silent invasion of the minds of men, so as to convert them to their own thinking, that constitutes the incessant danger of communism. This is the greatest menace posed by the international Communist movement, Mr. Butler points up in a vivid manner. Mr. Butler, who directs the broadcasting of "Truth Tapes" by INCA employees and guests to the people of Latin America, through some 120 radio stations, personally interviewed and also engaged in a radio debate with Lee Harvey Oswald in New Orleans just 3 months before he was arrested in Dallas on suspicion of assassinating our late President, John F. Kennedy. In this speech, he presents some of that now famous radio debate.

Mr. Butler was the organizer and founder of INCA as a positive means for private citizens to help counter Communist propaganda and non-military subversion tactics. Through the Information Council of the Americas, many Cubans and other Latin American ctizens who have escaped from oppression in their native countries, particularly Cuba, can broadcast the truth back to the people of their countries. Through these broadcasts, the now free citizens can—and do—give hope and encouragement to the people still living under Castro's Communist dictatorship, or under the heel of some other dictatorial regime.

Since its establishment, INCA has waged a constant campaign of anti-Communist and pro-democratic information through all communications media. Members of INCA include businessmen, professional men, doctors, engineers, educators, journalists, and others from throughout the United States. Most of the INCA "truth tapes" present Cuban refugees who tell the truth about Castro's oppressive regime, and relate the lies which are found in Communist propaganda and Communist actions.

It is indeed a pleasure for me to present to my colleagues in the House and the Senate this fine address by Mr. Edward Scannell Butler, of New Orleans, executive vice president of INCA. The text of the address follows:

THE INVISIBLE INVASION

(Address by Edward Scannell Butler)

An invisible invasion of America is now going on, and has been for 5 years.

Invisible the invasion, but not the effects. Effects which range from the somber sight of burned out churches, children trampled to death, and an American President with half his head blasted away.

Nor is the invasion silent. Shouts, sobs, and the teeth-clicking sounds of terror are all there.

The invasion of America is paralleled by similar attacks—and similar effects—in nearly all of the other nations of the Americas.

The invasion is being launched from Cuba. The major weapons are words. The primary delivery system is mass communications—mainly radio. The targets are you and me, and every other American who can hear or see:

A PICTURE PAINTED IN BLOOD

But before anyone in this audience heaves a sigh of relief, and settles back for the standard rant against communism and its propaganda, let me warn you. I am prepared to prove today that you have far more to fear from the invisible invasion I will describe than the biggest bomb you can imagine. And moreover, I do not intend to paint the picture and leave with the brush. I will put tools in your hands which can radically alter the outlook. Whether you leading citizens in this most progressive of southwestern cities care to use those tools is up to you.

OSWALD THE ASSASSIN

One of the most powerful illustrations of the awesome power of words as weapons was the assassination of President John F. Kennedy by Lee Harvey Oswald, an admitted Marxist, 3 years exposed to communism in Russia. Before and after his defection, we know that Oswald steadily swallowed large doses of mental poison—in my hometown of New Orleans and your wholesome State of Texas.

Oswald, when I debated him, spoke like a man with a Red piano roll in his head. He not only knew all the standard Communist doctrine (Chinese variant), and used the classic slogans and key words constantly, he also knew many technical tricks of the trade.

TO PULL A PARALLEL

I'd be surprised if anyone in this audience knew what the terms "subject paralleling," "target narrowing," and "subject expansion" meant, much less how to use them. Nor need they know. These are trade terms of the professional propagandist. Yet Oswald, the "lonely lunatic" of current fable, knew how to use these techniques. I heard him use them on others, and he tried hard to use them on me.

For example, in this INCA record album "Oswald: Self-Portrait in Red," which contains the unedited recording of my debate with Oswald a few weeks before the assassination, he answered the first question by pulling a defensive parallel.

We had learned that he had defected to Russia for 3 years—a fact he had carefully concealed—and sprung the question "Was it true?" His immediate answer, with complete presence of mind was a perfect parallel.

"That is correct and I think that those, the fact that I did live for a time in the Soviet Union gives me excellent qualifications to repudiate charges that Cuba and the Fair Play for Cuba Committee is Communist controlled."

Later he narrowed, and expanded on several occasions and pulled parallels again and again. Incidentally paralleling is one of Castro's favorite techniques too—he recently paralleled the denunciation by his sister with the split in families during the U.S. Civil War. But we'll get to that in a moment.

THE MIND MATTERS

For now I'd like to emphasize one fact—if you forget everything else I say please remember this—it is no longer necessary to invade a nation with alien troops. You invade with ideas, convert your opponent's citizenry by capturing their minds. Then, hurl them against each other in riots, sabotage, and revolution until the existing order is (to use Lenin's words) shattered, smashed; broken up. Only then do uniformed troops arrive to pick up the pieces and hold them. Just as Russians crushed Russia for Communists in 1917, Cubans conquered Cuba for Castro in 1959. And Americans like Oswald will annihilate America tomorrow, unless we get the point.

The point is this: A propaganda invasion is the most dangerous attack of all, because it captures minds that have the power to pull triggers and press buttons. Remember a pillow in the hands of a maniac can be a deadly weapon, but an H-bomb under the thumb of a propaganda-paralyzed President is a harmless hunk of hydrogen and plutonium. And as much protection as a pillow against internal revolt.

ORDERED OR INCITED?

Americans have missed the point completely, with their worries about whether Oswald was "ordered to act" or "acted alone." No man acts alone in the midst of a society. His actions are influenced by what he sees, hears, and reads. Oswald lived on Communist propaganda, he recited it like scripture. Communist propaganda incited his act. Repeat: incited his act.

That, not "plots," is a point we can prove with evidence from Oswald's own lips. Hear this and judge for yourself:

"**OSWALD.** Er, I cannot reveal that as Secretary for the Fair Play for Cuba Committee.

"**BUTLER.** Is it a secret society?

"**OSWALD.** Er, no, Mr. Butler, it is not. However, it is standard operating procedure, er, for a political organization consisting of a, er, political minority, er, to safeguard the names and the number of its members.

"**BUTLER.** Well, the Republicans are in the minority. I don't see them hiding their membership.

"**OSWALD.** The Republicans are not a well, er, the Republicans are an established political party representing a great many people. They represent no radical point of view, they do not have a very violent and sometimes emotional opposition, as we do.

"**BUTLER.** Oh, I see. Well, would you say then that the Fair Play for Cuba Committee is not a Communist-front organization?

"**OSWALD.** The Senate subcommittees who have occupied themselves with investigating the Fair Play for Cuba, er, have found that there is nothing to connect the two committees. We have been investigated from several points of view, that is, points of view of, er, taxes, allegiance, subversion, and so forth. The findings, er, have been as I say, er, absolutely zero.

"**BUTLER.** Well, I have the Senate hearings before me and I think what I have in front of me refutes precisely every statement that you have just made. For instance, who is the honorary chairman of the Fair Play for Cuba Committee?

"**OSWALD.** Er, the honorary chairman of this committee, er, the name of that person, er, I certainly don't know.

"**BUTLER.** Well, let me tell you, in case you don't know about your own organization.

"**OSWALD.** No, I know about it.

"**BUTLER.** His name is Waldo Frank and I'm quoting from the New Masses, September 1932, in that the title of his article, 'How I Came to Communism—A Symposium' by Waldo Frank—'Where I Stand and How I Got There.' Er, now let me ask you a second question, who is the secretary for the Fair Play for Cuba Committee? The national secretary?

"**OSWALD.** Well, we have a national director who is Mr. V. T. Lee who is recently returned from Cuba and because of the fact that the U.S. Government has imposed restrictions on travel to Cuba he is now under indictment by his traveling to Cuba, er, this however is very convenient for rightist organizations to drag out this or that literature supporting to show a fact which has not been established in law. I said the Fair Play for Cuba Committee has definitely been investigated that is very true but I will also say that the total result of that er, er, investigation was zero. That is, the Fair Play for Cuba Committee is not now on the Attorney General's subversive list. Any other material you may have is superfluitous (sic).

"**BUTLER.** Oh, it is?

"**BILL SLATTER.** Mr. Oswald, if I may break in now a moment I believe it was mentioned that you at one time asked to renounce your American citizenship and become a Soviet citizen, is that correct?

"**OSWALD.** Well, I don't think that has particular import to this discussion. We are discussing er, er, Cuban-American relations.

"**BILL SLATTER.** Well, I think it has a bearing to this extent Mr. Oswald, you say apparently that Cuba is not dominated by Russia and yet you apparently, your own past actions have shown that you have an affinity for Russia, and perhaps communism, although I don't know that you admit that you either are a Communist or have been, could you straighten out that part, are you or have you been a Communist?

"**OSWALD.** Well, I don't see er, what er, prior to this program on another radio program.

"**BILL STUCKEY.** Are you a Marxist?

"**OSWALD.** Yes, I am a Marxist.

"**BRINGUIER.** Do you agree with Fidel Castro when in this last speech of July 26 of this year he qualify President John F. Kennedy of the United States as a ruffian and a thief? Do you agree with Mr. Castro?

"**OSWALD.** I would not agree with that er, particular wording. However, I and the er, Fair Play for Cuba Committee does think that the U.S. Government through certain agencies—mainly the State Department and the CIA—have made monumental mistakes in its relations with Cuba. Mistakes which are pushing Cuba into the sphere of activity of let's say a very dogmatic country such as China is.

"**BUTLER.** You've never been to Cuba, of course, but why are the people of Cuba starving today?

"**OSWALD.** Well, in any country, er, emerging from a semicolonial state and embarking upon reforms which require a diversification of agriculture er, you are going to have shortages, after all 80 percent of imports into the United States er, from Cuba were two products, er, tobacco and sugar. Nowadays er, while the er, Cuba is er, reducing its product as far as sugarcane goes it is striving to grow unlimited and unheard of for Cuba quantities of certain vegetables—sweet potatoes, lima beans, cotton and so forth so that they can become agriculturally independent.

"**BILL SLATTER.** Gentleman, I'm going to have to interrupt you, our time is almost up. We've had three guests tonight on "Conversation Carte Blanche." Bill Stuckey and I have been talking to Lee Harvey Oswald, secretary of the New Orleans chapter of the Fair Play for Cuba Committee, Ed Butler, executive vice president of the Information Council of the Americas (INCA), and Carlos Bringuier, Cuban refugee. Thank you very much."

In law, I'm told, those who incite to violence are as guilty as those who commit it. By that yardstick, the Communists, with their vicious hate propaganda are guilty of the murder of an American President. We even have a documented "confession" of sorts. American flyers reported that Red Chinese soldiers told them with a smile "A loyal party member killed Kennedy." One day the Great Wall of China will shake because of those smiles.

THE BUGS IN A BOTTLE

Unfortunately, the same invisible invasion which motivated Oswald also helped inhibit our will to do anything much about it.

Word weapons are unique, in that they are selective. No bullet known can kill its enemies and caress its friends, simultaneously. Word weapons can. The same theme that incites an assassin, can paralyze the police with indecision,

One of the major efforts of Communist alternating hope and fear propaganda (peaceful coexistence or thermonuclear holocaust) is to make us develop a "bug in a bottle" complex about the Oswald case. We are urged into a deceptive container, to beat our egos to death on its clear cornerless surface.

The dilemma develops like this:

If communism killed the President of the United States, military punishment is in order.

Military punishment might bring nuclear retaliation.

Nuclear retaliation is unthinkable, hence communism did not kill the President of the United States.

The hooker in all this is that communism did cause a U.S. President's death, and that there are kinds of nonmilitary punishment which are both appropriate and relatively riskless.

THE WALL OF HATE

Communists are great wall builders, but their Berlin fence and the Iron Curtain are nothing compared to the hemisphere-wide wall of hate they have been busily building for a decade and a half between the United States and Latin America.

It surprises most Americans to learn that the Communists nearly never attempt to "sell communism" in Latin America.

On the contrary, the main theme of Communist propaganda is geared to create hatred of America, and particularly the U.S. Government and monopolists. The "Yanqui no" attitude I call it.

So the main theme of Communist propaganda for all of Latin America is "Yanquis dominate Latin America—militarily, politically, socially and economically—hence Yanquis are responsible for every ill."

The theme is geared to achieve two main effects:

1. To isolate the United States from Latin Americans by making them suspect everything we say.

2. To create a universally hated enemy. The Communists are always in the thinnest minority (about 300,000 in all of Latin America) and desperately need allies for their riots, strikes, and revolutions. They've found the easiest way to get allies is create a common enemy. America is it.

TRUTH TAPES SI

INCA has over 120 radio stations in 16 nations of Latin America broadcasting its half-hour and 15-minute "Truth Tapes" featuring eyewitness testimony by refugees.

With these "Truth Tapes" we have systematically launched an idea invasion to counteract the Communist attacks. Our 129 broadcasters have audiences of from a few thousand to over 5½ million each. The steady impact of these tapes, hammering away with personal anecdotes by people of all ages, occupations, and both sexes helps to prove this primary theme:

Communism means colonialism: hence, Red paradise is hell on earth.

CASTRO'S SISTER SPEAKS

As an example of the "Truth Tape" technique I would like to play for you now, some translated excerpts from one of our most recent "Truth Tapes," entitled "Castro's Sister Speaks":

"GUILLERMO VELA. This is Miss Juanita Castro Ruz, sister of Fidel Castro the present Cuban Prime Minister who wishes to make a statement to you gathered here in Mexico City, Miss Juanita Castro Ruz:

"JUANITA CASTRO. I lived in Cuba until just a few days ago and because I hold the Mexican people in high esteem I have decided to make this statement.

"A law prohibiting church attendance doesn't actually exist, yet all those who visit churches are considered as enemies of the regime. In connection with this I can tell you of my personal experience when in September of 1961 we were celebrating the Feast of Our Lady of Charity. A permit had been granted in order that a procession could take place around the church. As soon as the procession which had been very well planned, started, the gangs or claques or whatever you want to call them; that is, the groups which the Government has for such occasions, appeared and dashed brutally against those in the procession. I was in front, right next to the boy carrying the statute of Our Lady. I saw when the boy fell dead, hit by the militia or the army. I really don't know who could have shot at that time. But the terribly sad thing was that they took the boy's body, and used it for propaganda purposes, blaming all the disorder on the Catholics, emphasizing the fact that the boy was a member of Catholic Action.

"I want to talk about the political prisoners, whose only crime has been that of disagreeing with the Communist regime. Some say there are 100,000 of them in the Cuban jails. Of course, it is impossible for the man in the street to know the exact figure, since the Government guards these statistics with great zeal. I have been told by Government officials connected with that department that there are about 75,000 political prisoners.

"A friend very well connected with the Government, whose name I cannot mention, told me that the Department of State Security has an important section dedicated exclusively with control centers of espionage and guerrillas in Latin America. This section prepares false documents, trains personnel specializing in espionage and subversion, and prepares Cuban diplomats who work in countries that claimed to be friends of Communist Cuba. The Cuban diplomatic couriers belong to this section. Their mission is to deliver instructions to the Communist agents and to introduce guns and propaganda in friendly countries to be distributed, not only in those countries, but also in countries who have no relations with the Cuban Government.

"I was also able to learn that the Cuban Embassies in Latin America are nests of subversion and espionage. The section of the Department of State Security in charge of this work is called General Intelligence Bureau and its chief is Maj. Manuel Pineiro Losada, alias Red Beard.

"America does not know that Cuba is a giant prison surrounded by water. It does not know that the Cuban people are nailed to the cross of martyrdom imposed by international communism. Those who betrayed my country have delivered it to Russian imperialism that is exploiting and bleeding our beloved Cuba."

This tape went out on July 10 to our entire network throughout Latin America, as well as to all the OAS Ambassadors before they met. This meeting further quarantined Cuba in this hemisphere.

CASTRO'S JULY 4 DECLARATION OF DEPENDENCE

All over the Americas people are asking, "How soon will the Castro Communist regime collapse?" The question is no longer "if", but "when?"

Comrade Fidel Castro himself, signaled the beginning of the end, when he made his now famous 4th of July declaration of dependence.

Pleading for time to bolster his dictatorship, and hinting that his orders came direct from the Kremlin, Castro offered to cease the material support of subversive agents and agitators throughout the Americas—support which according to his previous statement that "the Cuban revolution is not for export" he had never given. He offered this concession in exchange for restrictions against the growing wave of exile attacks.

The contradictory pronouncement was greeted with amazement, even by pro-Castro forces. For if one believes the latest statement, then Castro has branded himself as a chronic liar. If one believes his previous statement then this latest statement is a lie.

The Leninist strategy of two steps forward, one step backward, is well known, but Castro's race to the rear is beginning to sound like a full-scale retreat. Expert observers in the capitals of the world view his latest unprecendented concessions, as a desperate plea for carte blanche to continue to exploit Cuba. In return, Castro promises to end his ceaseless efforts to exploit other nations. But remembering Castro's past performance, in spite of his present pretty phrases, few are fooled.

Castro is frantically sending up trial balloons to pry himself out of the position in which his own atrocities, and INCA's relentless publication of them, have helped to put him.

I hope all Houston will help us stay on the attack, and ignore the temptation to ease up and endorse concessions, which Castro's step backward is meant to evoke.

SURVEY TO THE SOUTH

What's going on in the rest of Latin America today? Here are some facts, not my opinions, from on-the-spot correspondents in key countries where INCA operates:

Brazil: One cultural organization—very hopeful, although there is still great concern about a possible reaction, and lengthened tenure for Gen. Castello Branco.

Bolivia: Five stations—better, now that pro-Communist Vice President Juan Lechin, who concurred in the kidnaping of "Yanqui dogs," is out of the picture. Still maintains relations with Cuba.

Ecuador: 13 stations—improving. Military regime still in power.

Guatemala: 12 stations—improving too, but Juan Jose Arevalo still waits in the wings for any sign of weakness.

Venezuela: 17 stations—after a brilliant democratic victory in last December's elections, where almost 97 percent of the voters went to the polls, this country is again suffering brutal terrorist activities from Castro's FALN, numerous guerrilla forces are in the hills and the situation seems to be deteriorating again.

Argentina: Four stations—opposition to President Arturo Illia grows as Peronists and Communists are bound together in secret alliance to enlarge their influence in labor circles.

Dominican Republic: One cultural group—the situation has worsened after the resignation of Government leader Manuel Tavares, while Communists work diligently for control.

Colombia: 17 stations—situation is improving while the army tries desperately to wipe out Communist guerrilla bands. Recently they managed to take over a Communist controlled region of more than 1,400 square miles. The Communist chieftain in that area, Tiro Fijo (Sure Shot) had established a Communist government complete with indoctrination centers, Communist cells that collected 30 percent of the farmers' profits, and compulsory guerrilla training for the peasants.

Panama: One station—in spite of the international commission of jurists' verdict clearing the United States of charges on the past riots, public sentiment is still fired up and clever Communist agitators trained in Cuba are doing everything possible to stir up new trouble.

Peru: Six stations—Communists are taking advantage of economic problems in the fishing industry and encouraging racial problems among the Indians. Situation is quite explosive.

Chile: 21 stations—the anti-Communist candidate Frei's chances of winning September elections have improved, thanks to barrage of anti-Communist propaganda in which INCA has actively participated, but elections could go the other way, making Chile the second Communist country in the Americas.

Mexico: 12 stations—in spite of all international and internal pressures, Mexico has refused to break relations with Cuba. The party's influence in Mexico is still very strong.

OTHER OPTIONS

After 2 years of INCA activity in Latin America, the situation is improving somewhat, and we are proud to have had a part in the picture.

Again, this is not merely my personal opinion. Here are some sample comments from Latin American broadcasters who often risk bombings to play the programs, and whose livelihood depends on accurately estimating what appeals to their audiences:

Honduras: "The Truth Tape we received is wonderful, good story, this is very well oriented toward the just cause of seeing Cuba soon freed from the claws of international communism that now plagues her."

Ecuador: "Congratulations to all the INCA personnel for the grand contents of the magnificent tape featuring a clear interview with Juanita Castro, sister of the Communist Fidel Castro."

Bolivia: "We need this kind of democratic anti-Communist propaganda support."

Nicaragua: "Good program. Opportune. Its present topical interest assures an audience."

Peru: "We judge important the tapes since we broadcast only programs coming from reliable sources and in this case you are very much so."

Venezuela: "Truth Tapes' contents are of great general interest."

U.S. officials have joined in endorsing the private program of INCA:

"The Information Council of the Americas has my best wishes for complete success in its all important mission." (Thomas C. Mann, Assistant Secretary of State for Inter-American Affairs.)

"We are impressed with the initiative and concept surrounding the establishment of the Information Council of the Americas." (Thomas C. Sorenson, Deputy Director (Policy and Plans) U.S. Information Agency.)

"I can assure you that the objectives you are pursuing are entirely consistent with our foreign policy objectives." (DeLesseps S. Morrison, former Ambassador to the OAS.)

"INCA can attack Communist propaganda head on; it can, and is, developing programs carefully designed to counter Communist riot activities, infiltration of student organizations, and the like." (The Honorable THOMAS J. DODD, U.S. Senator.)

"I am very favorably impressed with the programs and objectives being implemented by the Information Council of the Americas." (The Honorable KARL E. MUNDT, U.S. Senator.)

CASTRO INVADES AMERICA

Unfortunately, while we focused most of our efforts on Latin America, Communist propagandists in Cuba have been busily trying to outflank us with idea onslaughts here at home.

Consequently, INCA has tried to expand its efforts here in the United States without curtailing our offensive in Latin America.

As a direct result, over 300 radio stations in the United States are broadcasting the complete Oswald and Senorita Castro recordings. The response has been massive and heartwarming.

Moreover, INCA is increasing its activities to bring "Truth Tapes" to U.S. schoolchildren in English. I'd like to quote a letter from a high school principal which contains the comments of some of his students about "Truth Tapes":

ALCEE FORTIER SENIOR HIGH SCHOOL,
New Orleans, La., May 20, 1963.

Mr. EDWARD SCANNELL BUTLER,
Staff Director, Information Council of the Americas, New Orleans, La.

DEAR MR. BUTLER: We strongly recommend "Truth Tape No. TTE 100–1" for classroom use. This tape did more to reveal the real nature of communism than any amount of reading material ever could. As one student commented, "This tape 'shook' me a lot. It makes me hope and pray that people in this country will wake up and not let the same thing happen here."

Other students reacted as follows:

"It did more to stimulate a greater appreciation of our way of life and true hatred of communism to hear someone who has lived in the 'Red heaven' relate his experiences. Tapes like this could do much to defeat the 'Red system' in our hemisphere."

"More tapes of this nature are needed to awaken our apathetic Americans to the evils of communism. If more people could hear these tapes perhaps they, too, would realize how real this danger is and begin to do something about it. Something must be done by Americans everywhere if our own freedoms are to be preserved."

"We have heard many reports about the Communist takeover in Cuba but this is the most shocking. It was more convincing to hear from people who had actually lived through these horrors than to hear secondhand reports from newscasters. We can appreciate America more when we hear firsthand accounts of what Castro has done in Cuba to Cubans."

"The horrors faced by these people make me more determined that ever to do whatever I can to check the spread of communism."

This tape helped to give realistic answers to the many questions which puzzle the average high school student about communism. We strongly recommend it for classroom use.

Very truly yours,
JOSEPH S. SCHWERTZ, Sr.,
Principal.

FREEDOM! FREEDOM! FREEDOM NOW! OR DEATH!

That is the battlecry of RAM, the Revolutionary Action Movement led by one Robert F. Williams, an American Negro who fled to Cuba after he had been caught kidnapping a white couple in Georgia. Williams is also a leader of the Fair Play for Cuba Committee.

Race riots are the most controversial and most dangerous effect of Communist propaganda aimed at America. They illustrate that not only Presidents who threaten to liberate Cuba (as President Kennedy did in a speech in Miami Beach just 3 days before Oswald shot him) but all citizens, white and black, are the targets of the invisible invasion. They are aimed to create conflict, engender hatred on both sides of the question.

I would now like to play excerpts from a recent broadcast:

"SPANISH ANNOUNCER. Este es Radio Progroso, la onda de la alegria.

"FEMALE ANNOUNCER. You are tuned to Radio Free Dixie, the voice of freedom calling Harlem, N.Y., in the year of the revolution.

"From Havana, Cuba free territory of the Americas, Radio Free Dixie invites you to listen to the free voice of the South. Stay with us for music, news, and commentaries by Robert F. Williams.

"The following statements and appeal was issued on July 23 in Havana, Cuba, by Robert F. Williams, exiled leader of the revolutionary action movement, and I quote:

" 'Afro-Americans have long pleaded to President Johnson for protection from racist terrorists to no avail. The President has responded to these pitiful cries for mercy by championing the rights of the oppressor's ruthful tyranny in his acts of brutal oppression. He has ordered the press to suppress and conceal facts of the true nature and vast extent to which terror and death are being visited on black America.

" 'He has ordered the racist and reactionary Federal Bureau of Investigation to ruthlessly crush feeble Negro self-defense elements in order to render Afro-Americans more susceptible to extermination. He has ordered an investigation of those desperately struggling for human rights, instead of those facist elements that have sworn to eliminate black people from the American scene.

" 'President Johnson has ordered the Negro-hating FBI to take ruthless action against the perennial victims of terror and oppression rather than against those who have long practiced this in the name of Christian white supremacy.' unquote.

"ROBERT F. WILLIAMS. Greetings my brothers and sisters. All over the world Mad Dog Charlie is murdering innocent people in cold blood, in the name of preserving his so-called Christian democracy.

"And death for a dark child ain't nothing but an ofay beast named "Charlie." While all of this Charlie mess has been steady cooking, the voter cats have been steady wailing and praying for slick Charlie Lyndon B., to change the scene with some GI's. The big daddy's got no ears for troops to protect the human rights of dark children.

"The cats in Harlem and Brooklyn know what the score is. They know that Mr. Charlie's law respects the rights of black cats less than the rights of common street dogs. Like General de Gaulle says, Mr. Charlie no longer needs the Western World. And he no longer leads the Afro-Americans either. Like in Harlem man the ofay sons of mammy dogs have got to have some gunpowder laid on them. The only thing they understand is force and violence. In fierce numbers let our brutally oppressed people take to the streets and meet violence with violence.

"In the spirit of '76 let our battle cry be heard around the world.

"Freedom! Freedom! Freedom now —or death!

"FEMALE ANNOUNCER. You have been listening to Radio Free Dixie, coming to you from Havana, Cuba, free territory of the Americas, land where integration is an accomplished fact. Listeners who wish to comment on our broadcasts may write to Radio Free Dixie, Post Office Box 6185, Havana, Cuba. That address again is Radio Free Dixie, Post Office Box 6185, Havana Cuba. Join us next week, same time, same station for Radio Free Dixie. Until then, muy buenas noches. Keep fighting for freedom."

These venomous attacks on the President of the United States, on the so-called racist FBI, on responsible Negro leaders, are heard in the United States—in New York, in Harlem, even in Houston. Make no mistake about it, they are having their effect.

Somewhere, perhaps in Houston, a man is listening, believing or indignant, white or black, he is hating. Will you be surprised? Will you ask "why"? and if he was "under orders" or "acting alone," should he shoot President Johnson for his alleged "crimes against humanity"?

Don't be. The same kind of hate-America propaganda that motivated Oswald to act is at work right here in Houston and all over America. **The invisible invasion of the Americas never stops, nor will it until Castro is crushed.**

WHAT IS TO BE DONE?

Lenin asked and answered that question in a famous pamphlet which triggered the Russian revolution. Now it's our turn to ask and answer the same question about the "Negro revolution."

The immediate answers are simple:

1. In America, on the bullseyes: American Negroes and American whites must be shown the Communist hand in the matter. The vast majority are loyal citizens and will moderate their demands when they understand how they are being used. Organizations like RAM and the KKK must be ruthlessly exposed and discredited by all honest Americans. Just as RAM asked for support, INCA asks it now to do the job.

2. In Cuba, at the launching pad: An idea invasion, designed to educate and consolidate the power of the people of Cuba, and erode and destroy the power of the Communist colonizers must soon be launched. Castro's regime is trembling. A push from outside will consolidate it by uniting every Cuban nationalist to resist alien aggression. A surge from inside by Cubans themselves, will topple the tyranny quicker than it rose.

But saying what is to be done in one battle, is not to say who will do it or how the war will be won.

UNCLE SAM OR JOHN Q.

Who should do the job?

The Constitution says "We the people * * * shall provide for the common defense." In military war we pay taxes and respond to the draft if necessary, leave the ways and means of fighting to Uncle Sam, and our responsibility ends there.

Ironically, in spite of the clear constitutional statement, and their many differences, loyal American liberals and conservatives are united on two things:

1. They dislike Communist tyranny.

2. They believe Government should do something about it.

Few Americans have even questioned the idea that Uncle Sam should fight communism, alone. We figure Government has the mandate and the money, and that should be enough. Yet the very existence and success of INCA calls that outmoded concept into question.

Let me tell you a little about the people who are behind INCA because the caliber of the people who are asking the questions are perhaps as important as the questions themselves.

Our president is Dr. Alton Ochsner, one of America's foremost surgeons and a pioneer in the linkage of cigarette smoking and lung cancer. As president of the Ochsner Clinic and Foundation Hospital, which treats thousands of Latin Americans every year, he has maintained an interest in the people of Latin America for over a quarter of a century. He is a former president of the American Cancer Society, International Society of Surgery, and International House.

First vice president is Dean A. E. Papale, dean of law at Loyola University.

Vice president for organization affairs is Edgar A. G. Bright, general partner of Merrill Lynch, Pierce, Fenner & Smith.

Vice president for financial affairs is Wallace M. Davis, president of the Hibernia National Bank.

Vice president for project development is Willard Robertson, president of the automotive corporation of that name.

Vice president for Truth Forum is R. Kirk Moyer, head of the Moyer Agency, insurance.

Another insurance executive is INCA Secretary Richard T. Newman.

Treasurer is Maurice W. Grundy, genial president of Riverland Hardwood Co.

A leading attorney, Gibbons Burke, is general counsel.

Chief of protocol is Dr. James Allen, chief of Tulane Ophthalmology Department.

Chief of security is Robert Rainold, an attorney and past president of National Association of Former Special Agents of the FBI.

These men, backed up by a board of over two dozen other civic leaders and members throughout the Nation are the backbone of INCA.

CONFLICT MANAGEMENT

As executive vice president I am the paid professional who is responsible for the management of the INCA operation all over the hemisphere, and the development and operation of the instruments for the task.

I am a conflict manager, not an area expert. Conflict management is the study and application of political warfare as an operational art—or science.

The conflict manager's basic job is to eliminate any conflict in free society leading to tyranny; produce healthy conflict in totalitarian societies leading to liberty.

Two things to notice about conflict managers:

1. They are trained and employed full time for the specific task of preserving liberty, destroying tyranny. Thus there is not the conflict of interest which leads statesmen, physicians, laborers, and lawyers to feel that they are neglecting their primary vocation when they take the time off to fight communism. In other words, there is the difference between the professional and the amateur.

2. They are responsive and responsible on a daily not a 4-year basis to their constituents, the officers and directors of the conflict corporation through which they work. This is the kind of daily, personal, decentralized mandate that is needed to combat communism without constructing a new kind of tyranny in the process.

My top executives, Manuel Gil, a Cuban, and Roberto Zuñiga, a Guatemalan, are expert in the areas of their origin as well as conflict management techniques.

Houston could, as New Orleans has already done, support the training and work of three or more conflict managers.

WHO IS YOU

In brainwar, we the people must help personally to do what needs to be done. Uncle Sam alone can't defend us against the invisible invasion. If further proof is needed, the three recordings you have just heard offer excellent evidence:

The Oswald record shows that private citizens must compete with Communists and their sympathizers on mass media to discredit them effectively. Had Oswald been exposed in Dallas as he was in New Orleans, it is doubtful if he would have kept his job in the book depository or been allowed to wander without surveillance. A Government agent could be taught to do what we did, but should he be allowed to do it?

The problem is that once the propaganda power is combined with the power to govern, you delegate the power to censor, suppress, or at least manage news. This is power enough to perpetuate any official in office—to make a dictator as Goebbels made Hitler. The rejoinder that news management is now going on is no answer. It wouldn't be if we assumed our responsibilities. It is a tribute to the restraint and good will of most public servants that there isn't more.

Totalitarianism is the very cause for fighting Communist tyranny in the first place, we must never create an imitation of the thing we oppose in order to defeat it. The power to propagandize and the power to govern must never be combined.

The Castro's sister speaks truth tape shows that to be truly effective the material must originate and be disseminated privately. People just don't consider foreign governments truthful sources of information about themselves or about their opponents. The first thing Castro said to discredit his sister's testimony was that it was "written by the U.S. Embassy."

Precisely because the Voice of America is more newsy and less propagandistic than Radio Moscow, or Peiping, Havana, it is often more effective.

On the other hand, the Communists use private proxies like Williams and Oswald, and the 10,000 party members in the United States and 300,000 in Latin America. Only in the concept of conflict management is there an answer to this unofficial army.

The Radio Free Dixie tape shows how officials are so often hamstrung by Communist-created "dilemmaisues." It would be political suicide for many officials to take certain positions on race relations.

We private professionals can be far more flexible, and outspoken than official mechanisms can be in these ticklish areas.

The basic reason for this is simple. Our form of government preexisted the party. It was designed to govern justly, in times of peace, and defend effectively against military attack, in time of war.

The Communist Party was designed later, with a foreknowledge of how our system operates, for the specific purpose of destroying free governments. This itself is a vast advantage.

The FBI, HUAC, Senate Internal Security, CIA, military intelligence, and USIA are splendidly effective, but prohibited from political warfare operations, domestic or foreign, or both. Should officials try to combat the invisible invasion it would be as if a medieval phalanx of armored knights and spearmen were attacking a modern army. Every ponderous move that that government made would be known in advance, and every feeble defense would be brushed aside almost before it begins.

Our Government was built to govern well. It does, with far more justice than any other system the world has even known. Can we expect more?

AGGRESSION, SURRENDER, OR DYNAMIC DEFENSE

The Communist invisible invasion has successfully sold the idea that there are only two possible postures—aggression or standpat firmness. The first is a ticket to doom, the second to surrender. Both are no-win policies. To see the solution let's shift the problem from politics to pugilism.

Even a strong boxer who holds his guard up, stands firm, and does nothing else will be pummeled to a pulp ultimately, even by a weaker foe. This is static defense.

But the defender who bobs and weaves, and jabs continually, stands a good chance of beating even a stronger aggressive opponent; by tiring and weakening him, and controlling the conflict so that the shift to the offensive is decisive when it comes. This is dynamic defense.

The dynamic defense requires a decision to wrest the control of Communist colonies from the Communist minority which manages them, by a carefully blended military-psychological pressure.

This pressure must be graduated and ambiguous. Never enough to trigger nuclear response, never enough to shake the doctrinaire Communist's faith in his own historic inevitability; always enough to induce him to take a Leninist step backward, always enough to hold the ground gained.

The military segments of the dynamic defense are primarily an official prerogative but do not preclude private activity in the guerrilla, sabotage, and insurgency efforts.

The psychological segments of the dynamic defense are primarily a private prerogative but do not preclude official activity in the national policy and image-building fields abroad.

A private-public society cannot hope to match a totalitarian effort unless it mobilizes both sectors, just as a boxer is doomed to defeat unless he uses both arms, or is willing to risk all on a single "Sunday punch."

While we're on the subject, I'd like to mention that if America adopts a hardline policy before the necessary private professional organizations exist around the world to interpret the truth about communism to the people, and make such a posture understandable, we will become even more isolated and hated for warmongering.

In other words, a victory with peace policy, lacking private professionals, is bound to become a strategy of accelerated defeat. The Communists will simply distort the truth drastically, and benefit by our belligerence.

This is a fact that has been universally overlooked. Nevertheless it is true.

INVISIBLE INVASION OR RED RETREAT?

Everything we need to get back on the attack and begin to win exists.

The INCA organization and others like it, "Truth Tapes," over 400 radio stations throughout the hemisphere, scores of young men all over the world who would be willing to learn the profession of conflict management: they're all there. Lacking is the support in manpower, money, and material. I hope Houston will join New Orleans and help to get them. Together we can help turn the invisible invasion into a Red retreat that will breach the corridors of the Kremlin and the Great Wall of China.

Thank you.

EDWARD SCANNELL BUTLER, INCA EXECUTIVE VICE PRESIDENT

Edward Scannell Butler is a former advertising public relations executive, who conceived and initiated the Information Council of the Americas (INCA), a nonprofit educational organization with international links in 16 nations of the hemisphere. INCA is headquartered in New Orleans, La.

For his service with the U.S. Army Management School at Fort Belvoir, Va., the senior executive development school for top-level Department of Defense military and civilian personnel, Mr. Butler has received commendations from an Assistant Secretary of the Army and the Department of the Army.

Mr. Butler's primary interest lies in a vital new field which is called conflict management. Conflict management is to communism what law is to crime; a study which seeks to develop practical answers to Sino-Soviet psychological and political conflict techniques for the security of humankind.

Mr. Butler has helped define "conflict management" with several magazine articles; and has testified on the subject before the House Foreign Affairs Subcommittee on International Organizations and Movements during its hearings on "Winning the Cold War." He debated Lee Harvey Oswald, the accused assassin of President Kennedy, on a radio program a few weeks before the tragedy, and was the only propaganda specialist to ever confront Oswald.

In the course of his work he has interviewed many refugees from Red takeovers, and has closely studied the techniques and methods of Communist fourth dimensional warfare for the past several years.

Mr. Butler is a member of the National Advisory Committee of the Cold War Council in Los Angeles, Calif.; 1963 winner of the third annual Francis del Marmol Americanism Award of the 3,300 member Young Men's Business Club of Greater New Orleans; and an honorary citizen of free Cuba.

A forceful speaker, Mr. Butler's affirmative new approach to cold war challenges has been enthusiastically received by business, civic, religious, and professional groups.

NIKOLA PETKOV—MARTYR FOR FREEDOM

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RODINO. Mr. Speaker, the Bulgarian National Committee gathers this weekend to commemorate the 17th anniversary of the murder of Nikola Petkov, the Bulgarian national hero executed by the Soviets on September 23, 1947, a martyr to the cause of freedom and national self-determination.

Petkov followed closely in the tradition of his father, Bulgarian Prime Minister Dimiter Petkov, a stanch opponent of foreign intervention in Bulgarian domestic affairs, who was assassinated in 1907 during the czardom of Nicholas II of Russia. The son assumed political responsibility as a representative of the Bulgarian National Agrarian Union in the first coalition government after the Nazis were ousted from the country.

As secretary general of the union he waged a vigorous battle against Communist violence and terror, but was finally forced to abandon the coalition government in the face of Communist domination of Bulgarian elections in 1945. As leader of the opposition to the Red dictatorship, he won election to the Grand National Assembly in 1946 despite Soviet attempts to seize full control of the country. Here his heroic campaign reached its peak when he dared to launch an open denunciation of the Communists, whom he termed Stalinist agents and murderers of innocent Bulgarians. Accusations that the Red leaders sought to turn his country into a Soviet satellite won for Petkov an illegal arrest as a conspiratorial "agent of Anglo-American capitalism."

Petkov's death brought ever more sharply to the attention of the world the significance of the treacherous iron web spun so ruthlessly by the Soviet imperialists at that time. His defiance of tyranny in every form is a model for all patriots who continue to risk their lives in the defense of democracy and individual liberty.

Appropriately, this weekend also marks the 20th anniversary of the American Bulgarian League, which will convene in New York to underscore the struggle for freedom and basic human rights that is forever waged by those within Communist bondage. Their convention calls attention to the tragic plight of the Bulgarian people and their brothers in captive nations throughout Europe. It reaffirms the resolve of every American to reiterate our friendship and understanding for these men and women and to extend every possible helping hand in a battle in which they will ultimately triumph. The life and death of Nikola Petkov stand as shining examples of the determined dedication to the principles of freedom and independence shared by captive Bulgarians and men of good will throughout the world.

HIGH DRUG PRICES IN THE UNITED STATES

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN], is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, I rise this afternoon to urge the House to come to grips finally and resolutely with the issue of high drug prices in the United States.

There remains the compelling need for legislation to assure lower prices for medical drugs which millions of people in America must purchase to protect their health, guard their lives, and gain relief from the effects of disease and sickness.

The bill I have introduced this session would protect the consumer from price gouging on vitally needed medicines by enabling all drug manufacturers to produce a patented drug after a reasonable amount of time, thereby eliminating the monopoly conditions which result in astronomical costs.

The Congress has spent a great deal of time and energy in amassing the information and factual data which makes this legislation imperative. The 1962 Drug Act, spearheaded by the late Senator Estes Kefauver, was the first step to correct abuses in the drug industry that had existed much too long. We have succeeded in protecting the public against harmful drugs by requiring additional tests for safety, new tests for effectiveness, and the sale of patented drugs under their generic or medical names rather than under a trade name. Thus, the consumer has been protected from harmful drug effects; it is now necessary to protect him from the outrageous prices which often place vital medicines beyond his reach.

My bill, H.R. 10118, is not an attempt to interfere harmfully with the market price mechanism. Neither does it destroy the patent system. The measure maintains reliance upon free pricing, but within reasonable limits to protect the consumer. It does not end the patent system in the drug field, but rather permits its operation to the benefit of both manufacturer and consumer.

I insist that the unique importance of prescription drugs requires a unique approach. We are not speaking of candy bars or automobile tail fins. Medical drugs, especially to the aged who need them most and who can afford them least, are a vital category.

And I also insist that the patent system here, operating toward monopoly conditions, has fostered costs of a prohibitive nature which, to some degree, conflicts with those who would deceptively raise the supply and demand, free competitive enterprise argument. I think that legislation is needed because drug producers are often monopolistic manufacturers who set prices at exorbitant markups of either several hundred or even a thousand percent of actual cost, and thus take advantage of stricken persons by squeezing out of them the last few pennies and dollars which the traffic will bear.

Millions of Americans who suffer from disease or injury are a captive market for excessively priced prescription drugs because they have no choice among competitive drugs.

As an example, price gouging in the case of prednisone, a drug on which many arthritics depend, the markup is estimated to be as high as 1,891 percent, or almost 20 times the cost of production. For the patient, the cost of this drug may be as high as $30 a month, which is quite a large sum for a retired person or someone with limited means.

My bill would be concerned with only those patented drugs with the most exaggerated markup. No drug would be affected whose price to the druggist is 500 percent or less of production costs—costs which include research and overhead expenses.

One of the frequent arguments against the control of prescription drug prices is that this would deter drug research. I do not believe this to be so, since major research is conducted in other industries without exaggerated markups.

The argument by drug manufacturers that this bill would be the beginning of the end of the patent system is totally untrue. The drugs, on which consumers depend for their health and even their lives, should be given special patent consideration in this country, just as they are given special treatment in most all other nations of the world. Of the 77 nations on which information is available, only 3, including the United States, do not protect the drug consumer from excessively high prices by means of either direct price controls, compulsory licensing, or some sort of patent limitation.

Under my bill compulsory licensing would be incurred only on drugs which have been patented for over 3 years, and which have been selling from producer to druggist at a markup of over 500 percent.

In practice, the producer will still have a monopoly for about 5 years, because he is granted a 3-year monopoly under my bill and he will have about 2 years that are required to process a patent application.

Moreover, even after other competitors are licensed, they must pay to the original developer a royalty of 8 percent, which is actually higher than the royalty now generally paid in the drug industry.

Although great progress has been made in the last few years in drug legislation, partially due to the determination and dedication of the late Senator Estes Kefauver, the task is not completed until we afford some help to consumers who are paying till it hurts for drugs that are intended to relieve their pain.

I want to urge you, my colleagues, to give your fullest backing to this bill and to join me in calling for favorable committee and floor action before the House adjourns so that we can help eliminate the financial as well as the physical pain that plague too many of our fellow Americans today.

BARRY'S ELECTION? INDUSTRIAL CHAOS

The SPEAKER. Under previous order of the House, the gentleman from Indiana [Mr. MADDEN] is recognized for 15 minutes.

Mr. MADDEN. Mr. Speaker, the 1964 Republican Convention nominated the most reactionary presidential candidate the GOP has embraced since President McKinley back in 1896. Their platform was also formed to streamline with the thinking and voting record of their candidate.

American labor is not the only segment of our economy which should be alarmed at this takeover of the Republican Party by the radical right.

It was the radical right under three Republican Presidents in the 1920's that led to the great depression in the early 1930's.

It was the Wagner Act in 1935 under F.D.R. and a Democratic Congress that started labor as a recognized part of our economy.

It has been the organized force of labor through newspapers, radio, television, and union meetings that led public opinion to support progressive legislation in the last 30 years.

Social security, collective bargaining, improved working conditions, wage and hour, minimum wage, housing, educational programs, and other progressive legislation have collectively helped our economy by increasing the buying power of millions.

We have in 1964 a gross national product of $624 billion—compared to $158.6 billion in fiscal year 1942. Our national debt in 1942 was $77 billion compared to $312 billion in 1964. Our ratio of debt to gross national product in 1942 was 48.5 percent and in 1964 this same ratio is 50.1 percent.

Let us continue this expansion.

The highly financed radical right is now trying to expand the phony labeled right-to-work laws in additional States of our Nation.

LABOR MUST CONSTANTLY FIGHT TO RETAIN GAINS

Workingmen and wage earners in 1964 must act to protect themselves and their unions from exploitation and economic destruction.

The far right extremists and enemies of the workingman have embarked on a drive to bring about a disastrous curb on unions and on unionmen.

The Republican platform is vague as to GOP intentions concerning unions and their members. It is quiet, because speaking out frankly, for all to hear and see, might have warned the workers of our Nation to oppose the true intent of this plot.

UNION-BUSTING GROUPS

I refer to the reckless course of antilabor and union-busting activities upon which the Republican presidential nominee and his ultraright supporters have embarked in advocating congressional enactment of a Federal right-to-work law. This law will outlaw the union shop and inflict other punitive measures aimed at destroying the collective bargaining structure in all 50 States.

GOLDWATER EXTREMIST

Any threat to the continuance of free collective bargaining and the security of American trade unions is a threat to the livelihood, the job security, the standard of living, and the future prosperity of every man and woman who works in industry in Indiana and, in fact, in our whole Nation.

Such a threat is posed by the antilabor policies of this year's Republican presidential nominee and by the extremists who have seized control of the Republican Party.

The contrast between the labor-management policies of the Democratic Party and the Goldwater extremists is complete.

REPEAL 14–B—TAFT-HARTLEY LAW

President Lyndon Johnson and Senator HUMPHREY are foursquare behind a return to the freedom of collective bargaining throughout our Nation. They oppose the so-called State right-to-work laws which outlaw union security agreements between labor and management. This means Indiana and the other States where right-to-work laws are now in force.

President Johnson and the Democratic Party platform are pledged to wipe out these destructive and regressive State laws by repealing section 14–B of the Republican-sponsored Taft-Hartley Act, which authorizes individual States to enact such laws.

The Democratic Party has once again reaffirmed this unequivocal position at its national convention in Atlantic City. As a member of the Democratic platform committee I supported this plank.

What a contrast there is between the Democratic Party position and the antilabor record and policies of the Republican presidential nominee, BARRY GOLDWATER.

The Republican candidate entered politics in Arizona in 1946 as chairman of the retail merchants section of a campaign that saddled Arizona with a compulsory open shop law. For a decade in the Senate his record has been uniformly antilabor and he has conducted an unrelenting attack on free collective bargaining.

Even now, the Goldwater supporters in my home State of Indiana are aiming to ram an antiagency shop measure through the State legislature which would complete the crippling of collective bargaining and deny working people even a limited form of union security.

RIGHT-TO-WORK LAW

And the Republican nominee has told his extremist supporters that, if elected President, he will impose the so-called right-to-work law on every State by Federal law.

In the present Congress, Candidate Goldwater introduced Senate bill 87 which, among many other crippling anti-collective-bargaining devices, would make the union shop illegal in every State—a national right-to-work law.

But, in a now familiar contradiction of his own actions and statements, the Republican nominee says this is not a national right-to-work law proposal because, after a right-to-work law was imposed federally on all 50 States, he would permit a State at some future time to enact special legislation to legalize the union shop.

This is like cutting off a man's right hand and telling him it is legal for him to grow another hand, if he can.

But this is only one of the drastic steps by which the Republican nominee would attempt to destroy the entire American labor movement.

ABOLISH STRIKES?

The Republican nominee's Senate bill 87 would impose crippling limitations on the right to strike—he would create a legal fence that would make the strike weapon ineffective. Another measure introduced by the candidate, Senate bill 287, would outlaw any strike in the railway, airline, trucking, and shipping industries.

The Republican nominee's bill, Senate 87, would outlaw any activity by trade unions other than collective bargaining, including charity work, educational activities, or voter-registration drives. It would be illegal for a union member, for instance, to babysit while mother went to register or vote.

REGULATE LABOR AS MONOPOLY?

The Republican nominee has demanded that Congress reverse the 1914 Clayton Act which declared that "the labor of a human being is not a commodity or an article of commerce." He would subject man's labor to the same monopoly regulations that apply to the Nation's giant industries. He would equate a worker's toil with a can of beans.

The Republican nominee would subject trade unions to Federal income tax, even though they are nonprofit organizations. There would be no taxes, however, on such tax-dodging political foundations as Texan H. L. Hunt's Lifeline—a labor-hating organ of the far right.

OUTLAW LABOR?

The Republican nominee would even deny trade unions the right to use the mails for educational purposes.

These, and many more antilabor proposals, have been set forth by the Republican nominee in his Senate bills and his almost innumerable speeches around the country.

In short, the Republican nominee proposes to put free collective bargaining and the American labor movement out of business.

I am confident that, come November 3, the working people of Indiana and of the Nation will vote to keep their freedom and turn back these forces of extremism represented by this wholesale assault by the Republican nominee and his ultraright supporters on the American labor movement.

CONGRESSMAN CHET HOLIFIELD'S LEADERSHIP ROLE IN EFFECTING AGREEMENT ON THE ELECTRIC POWER NETWORK LINKING CALIFORNIA WITH THE NORTHWEST AND THE SOUTHWEST

The SPEAKER pro tempore (Mr. Libonati). Under previous order of the House, the gentleman from California [Mr. Roosevelt] is recognized for 20 minutes.

Mr. ROOSEVELT. Mr. Speaker, recently the Congress enacted Public Law 88–552 to authorize construction of the first part of the transmission intertie program. This is a plan to link California with the Northwest and the Southwest in a giant power network—the biggest single electric transmission program ever conceived within the United States. Hydroelectric power generated on the great Columbia River in the Pacific Northwest will be available for the factories, farms, and homes of California and other States of the Southwest.

The intertie program calls for cooperative effort by Federal, State, municipal, and private utilities. Four great powerlines will be built, extending from the Columbia River in the State of Washington to the Hoover Dam on the Colorado and to Los Angeles and other points in California, carrying more than 4 million kilowatts of power.

These four lines will tie together electric systems—public and private—extending from Seattle to Los Angeles and Phoenix, and will integrate the biggest hydro system in America, the Bonneville Power Administration; the biggest municipal system, the Los Angeles Department of Water and Power; and the largest single private system in the United States, the Pacific Gas & Electric Co. The integrated system will provide benefits to consumers in 11 Western States, including the customers of 248 rural electric cooperatives, municipal systems, and other public agencies.

This is a good business arrangement. The Pacific Northwest, because of its enormous hydroelectric resources, generates more power than it needs. California and other States of the Southwest can use this power to good advantage, saving other exhaustible fuels and promoting maximum electrical efficiency. As Secretary of Interior Stewart Udall said, "This is conservation in action."

The total investment will be approximately $700 million, with the Federal Government's share about $300 million. Benefits over a 50-year payout period are estimated at $2.6 billion, of which California will receive almost $900 million. The intertie program is the culmination of several years of study and planning.

With a program so great in conception, involving so many States and electric systems and marketing outlets, public and private, there was bound to be controversy and disagreement. This controversy threatened to hold up congressional authorization of the intertie program. At President Johnson's behest, my good friend and colleague, Congressman Chet Holifield, served as the informal chairman of a group to resolve these conflicts in a manner reasonably satisfactory to the major parties concerned. Now a start on construction can be made.

Congressman Holifield's leadership role was widely acclaimed by President Johnson, Secretary Udall, Governor Brown, of California, and others. I believe the Congress should know what these National and State leaders have said about Congressman Holifield's fine work. Reproduced below are some of the messages of appreciation and commendation which Congressman Holifield has received.

PRESIDENT JOHNSON'S LETTER

President Johnson wrote to Congressman Holifield as follows:

> The White House,
> *Washington, August 11, 1964.*
>
> Hon. Chet Holifield,
> *House of Representatives,*
> *Washington, D.C.*
>
> Dear Chet: I appreciated having your letter of July 29 and to learn of the completion of the agreed plan to provide a power transmission intertie between the Pacific Northwest and the Pacific Southwest.
>
> As you know, I have since transmitted an appropriation request to the Congress to start work on the agreed-upon plan. I hope very much that the Congress will give it early approval.
>
> I want you to know how deeply I appreciate your leadership in this matter. When you and I discussed the issues involved nearly a month ago the prospect for agreement did not appear promising. I should like to express to you and through you to the others involved appreciation for the tremendous effort which was made to resolve the complicated issues presented.
>
> Sincerely,
>
> Lyndon B. Johnson.

SECRETARY UDALL'S COMMENTS

In an announcement of July 29, 1964, that agreement had been reached on the intertie program, Secretary of the Interior Stewart L. Udall included this statement:

> Congressman Holifield served as chairman for the final series of meetings, and he deserves an extra measure of credit for helping reconcile many different points of view.

In a press conference the following day, Secretary Udall said:

> I put some of this in the press release yesterday that we put out. If I were to single anybody out, to give them credit for producing this compromise, I think I would single out two people.
>
> One is Charles Luce, the Bonneville Power Administrator, who really worked tirelessly and has been here almost constantly for the last 60 days on this, and Congressman Chet Holifield, of California. Chet is a dean of the California delegation here. He is an old pro and a level head, and I don't know whether this is known or not, but President Johnson himself asked Chet Holifield at the White House about three and a half weeks ago, when he had a meeting with Congressmen Johnson, Moss, and Holifield. He turned to Chet and said: "Can't you get everybody together?" This resulted in a series of meetings that Senators, Congressmen, and myself, and finally, at the end, a representative of a private utility company participated in, and I think out of this has come what I think is a sound compromise.

EDITORIAL COMMENTS

Secretary Udall's comments were reported widely in the press and reflected in editorial comment in newspapers of California and elsewhere. For example, the Los Angeles Times of July 31, 1964, in an editorial entitled "New Era of Power Partnership," included this paragraph:

> Yet before the engineers could start the politicians had to agree. The final compromise is due to the efforts of many persons, but Interior Secretary Udall singled out Representative CHET HOLIFIELD, Democrat, of Los Angeles, for "an extra measure of credit."

The Los Angeles Herald Examiner of August 2, 1964, in an editorial entitled "Unlimited Power," included these paragraphs:

> Secretary of the Interior Stewart Udall, who had recommended the giant power distribution plan, had praise for the many representatives of public and private power interests, Senators, Congressmen, and others from Western States who have been campaigning diligently for the intertie agreement.
>
> He had special praise among other California representatives for our own southern California Congressman CHET HOLIFIELD as deserving "an extra measure of credit for helping negotiate many different points of view."

GOVERNOR BROWN'S MESSAGE

The Honorable Edmund G. "Pat" Brown, Governor of California, sent this message to Congressman HOLIFIELD:

> Congratulations on the results of your good work as chairman of the President's special committee on the intertie. We have preserved the principle of interconnection and gained advantage of added power supplies for California public and private agencies. Good work.

MESSAGE FROM MAYOR YORTY, OF LOS ANGELES

Hon. Samuel W. Yorty, mayor of Los Angeles and a former Member of this House, wired Congressman HOLIFIELD, as follows:

> On behalf of the people of Los Angeles, I thank you for your successful leadership in developing the Pacific Northwest-Southwest intertie which will so greatly benefit the entire West. Los Angeles is happy to be a part of the intertie system and pleased that the administration has strongly endorsed Secretary Udall's proposals.

OTHER COMMENDATIONS

California State Senator Hugh M. Burns wired Congressman HOLIFIELD, as follows:

> Hearty congratulations and thanks are due you from all Californians for your key role in joint Federal, public and investor-owned electric power intertie linking great Northwest and Southwest regions. Much personal credit is yours for bringing together all parties in this great compromise. As a coauthor of California State water plan, I know the spirit of continued cooperation demonstrated in this agreement has vital meaning for this project as well.
>
> Thank you.

Carley V. Porter, chairman of the Assembly Water Committee of the California State Legislature, sent this message:

> By now you know that you have been immortalized in the Los Angeles Times by being justifiably praised for the key role you played in helping to bring about the adoption of the most desirable Pacific Northwest-Pacific Southwest intertie proposal. My personal thanks go to you for the water meeting which you arranged in June and for the highly knowledgeable leadership which you are putting into action. After conferring with you and attending the meeting which you arranged in Washington, I returned to California with a much more comfortable feeling, knowing that you were at the helm in this matter of such great importance to California and the entire West. I have personally informed many of California's water leaders of your firm grasp of the situation and the influential role you are filling in helping to guide water and power decisions. I know they join with me in again thanking you.

Samuel B. Nelson, general manager and chief engineer of the Los Angeles Department of Water and Power, wrote to Congressman HOLIFIELD on August 7, 1964, as follows:

> The Pacific Northwest-Pacific Southwest intertie represents the efforts of many persons but you, as President Johnson's representative, had a key role in the negotiations that were successfully concluded recently and I want you to know how much we appreciate your valued contributions.
>
> This great program will be of direct benefit to the 2,677,000 citizens of Los Angeles as well as to many million more citizens living in the other areas of California served either by the privately owned or publicly owned utilities participating with this department and the Federal Government in the intertie proposal.
>
> It seems particularly appropriate that you should have had so prominent a part in this major new development in the technology of extra high voltage power transmission, just as you hold a leading position in the advancement of nuclear power generation. We of the department of water and power are proud to be a partner in these exciting new developments and we are deeply grateful for your friendly cooperation and valued assistance.

CONTROL OF DANGEROUS DRUGS

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from New Jersey [Mrs. DWYER] is recognized for 5 minutes.

Mrs. DWYER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. DWYER. Last night, Mr. Speaker, the CBS television network made journalistic history and by doing so they have alerted the American people in a particularly graphic way to a very dangerous situation with which the Congress must deal.

I refer to the report on the illicit traffic in barbiturates, the so-called goof balls and pep pills, which was produced by the new CBS news factfinding unit headed by Mr. Jay McMullen who presented the results of a 4-month experiment on the Walter Cronkite evening news program.

This report, Mr. Speaker, documented and described just how easily an unlicensed black-market operator can obtain huge quantities of these dangerous drugs from a large number of drug manufacturers. This program—which has been described as "investigative reporting on a continuing basis"—lived up to every expectation by revealing in a dramatic but responsible way some of the means by which an estimated one-half of the total production of these drugs find their way into illegal channels. CBS named names, both of the companies which shipped drugs without questioning or investigating the credentials of the purchaser and those which refused, and showed in picture and text how one hole-in-the-wall operator could, with an investment of $600, have obtained drugs worth from $250,000 to $500,000 on the black market.

For the past several years, legislation has been pending in the House and Senate to provide necessary controls over the distribution of barbiturates and other dangerous drugs—legislation which could deal effectively with the very situation which the CBS report has now documented. This legislation has been sponsored in the Senate by the distinguished Senator from Connecticut [Mr. DODD] and here in the House I have joined with the distinguished gentleman from New York [Mr. DELANEY] in introducing the bill in the 87th Congress and again, in revised form, this year. Last month, after years of inaction, the Senate Labor and Public Welfare Committee held a hearing on the bill, reported it favorably, and on August 15 the Senate passed the bill without opposition.

Shortly thereafter, Mr. Speaker, I wrote to the distinguished chairman of the House Committee on Interstate and Foreign Commerce, the gentleman from Arkansas [Mr. HARRIS], to which the drug control bills have been referred, and emphasized what to us are the urgent reasons requiring enactment of the legislation this year. I expressed the hope that the lengthening schedule of this session would enable the committee to hold hearings on the bill and bring it to the floor before adjournment.

In his reply, the chairman indicated that thorough hearings would be necessary before the legislation could be reported and he assured me that my request for action on the bill would receive the committee's careful consideration. I appreciate the gentleman's assurance, and on the basis of last night's convincing and alarming report I once again would urge the gentleman and his colleagues on the committee to schedule the legislation for consideration as soon as possible.

As Mr. Cronkite very aptly stated in his preface to the report, "the traffic in barbiturate drugs and amphetamines—better known as pep pills and goof balls—is creating—according to authorities—a problem more widespread and serious than the traffic in heroin."

The record is clear, Mr. Speaker. Responsible law enforcement officials have been telling us the frightening and growing extent of the problem of addiction to these dangerous drugs. The President and his Advisory Commission on Narcotics and Drug Abuse have requested legislation of the kind we have introduced. The Department of Health, Education, and Welfare has endorsed it. The drug industry has agreed with the purposes and major provisions of the bill, though they have suggested certain amendments. But above all, the general public—in city and suburb, on every social and economic level—has come to recognize the threat to each and every member of the public which is posed by drug addiction and the easy availability of dangerous drugs.

In the face of the national scandal of drug addiction, and with the documented facts of the illegal traffic in dangerous drugs immediately before us, I do not see how this Congress can fail to provide the protection proposed by our legislation.

Mr. Speaker, I include the text of the CBS report of last night, together with articles from this morning's New York Times and New York Herald Tribune, as a part of my remarks, and I urge our colleagues to act on this persuasive evidence.

Mr. Cronkite. One of the unsolved and major evils of our modern American society is narcotics addiction. And today it frequently begins—and ends tragically—in the use of the seemingly innocent pep pills and goof balls. Properly barbiturate drugs and amphetamines, their overuse leads to addiction to them—and withdrawal can be more painful and more dangerous than withdrawal from more notorious drugs. Their overuse leads frequently to the use of other drugs. Their overuse leads to crime and debasement. When misused by drivers fighting drowsiness the result has been death on the highways.

Yet pep pills and goof balls are easy to come by. They are peddled at candy stores and filling stations and dozens of other outlets.

The law—Federal and local—is inadequate in most cases to deal with the problem, mostly because the supply of the drug cannot be cut off.

The Federal Food and Drug Administration estimated that at least one-half of the legitimate production of these drugs is being diverted and sold in the illicit market. We wondered just how difficult it is to secure from legal channels mass quantities of barbiturate and amphetamine drugs—pep pills and goof balls. A CBS news factfinding unit has just completed a 4-month investigation of that question. Here is what they found, reported by producer Jay McMullen.

Mr. McMullen. First we found that in many States wholesalers of barbiturates, amphetamines, or other prescription drugs are required to obtain a license and to keep records of purchases and sales. Those who repackage and sell in interstate commerce are generally required to register with the Food and Drug Administration and—according to the FDA—manufacturers should check on the legitimacy of a new wholesale buyer. But, to what extent can a would-be wholesaler without registration or license number purchase quantities of barbiturate and amphetamine drugs from legitimate producers or manufacturers?

To find out we created McMullen Services. In New York City on May 4, 1964, McMullen Services rented an office in this building at 35 West 45th Street. In room 605 we began operations. We ordered 250 letterheads and envelopes. The letterhead included our telephone number which was not listed in the telephone directory, and the words "export-import." At the First National City Bank of New York we opened a regular checking account. Next we bought a copy of the Drug Topic Redbook. This book lists drug manufacturers that sell barbiturates and amphetamine drugs. Then we sent out letters to 24 companies in 11 States requesting their catalogs. We received price catalogs with no questions asked from 17 of the 24 drug companies contacted. We eliminated five of these because they have sales representatives in the New York area who could easily check on us. That left us with 12 companies—and we placed orders with all of them. In Philadelphia Richlyn Labs said no sale unless you send us your FDA registration number. But Harvey Labs asked us no questions, promptly shipped us a carton in response to our order for 40,000 phenobarbital tablets. Jan Laboratories—also in Philadelphia—filled our order for two pounds of amphetamine sulfate powder and four ounces of phenobarbital powder.

In Worcester, Mass., Cowley Pharmaceuticals asked us no questions and shipped us a carton invoiced for 100,000 phenobarbital tablets and 5,000 amphetamine capsules.

In Chicago, Savoy Drug refused to ship without receipt of our license number as did Bates Laboratories which demanded our FDA registration number. But Maizel Laboratories did not check with us, and filled our order for 5,000 vials of phenobarbital.

In Portland, Oreg., Haack Laboratories responded to our order for 25,000 phenobarbital tablets.

In Baltimore, Md., the Barre Drug Co. asked for our State license number, but Carroll Chemical did not question us and filled the order of McMullen Services for 50,000 phenobarbital tablets.

In Miami, Fla., we placed an order with Zirin Laboratories. Zirin accepted the order without question. But the actual shipment, five pounds of amphetamine powder—equal to 441,000 5-milligram tablets, came from Hexagon Laboratories in New York City. Hexagon, a producer of amphetamine powder—did not question McMullen Services.

By the first week of August 1964, McMullen Services had received total shipments for the equivalent of 297,000 one-fourth grain phenobarbital tablets and 628,000 5-milligram amphetamine tablets. They came from 58 percent of the companies with which we placed orders.

In a mood of confidence McMullen Services then wrote to 27 more companies. This time we asked for direct price quotations on generally larger amounts of barbiturates and amphetamines. Only 13 of the 27 companies complied with our requests. We placed orders with seven of them.

From Canton, Ohio, Bowman-Braun Pharmaceuticals shipped a carton labeled 75,000 phenobarbitals. From Buffalo, N.Y., Direct Laboratories also sent us a shipment invoiced as 75,000 phenobarbital tablets. But Barry Martin Pharmaceuticals in Miami and four other companies refused to ship—unless McMullen Services presented an authorization.

Kirkman Laboratories in Seattle, Wash., went further. It asked the New York State Board of Pharmacy whether a license had been issued to us. The board sent two rather grim-faced inspectors to pay a surprise visit to McMullen Services.

The books of McMullen Services are now closed. We have not opened the cartons we received. We have asked the Food and Drug Administration to do that—in order that their contents may be officially inspected and tabulated. We believe that we received the equivalent of 1,075,000 pills. Our total cost—$600.28 or about 6 cents per hundred pills. Their retail price in drugstores—about $5 a hundred. Experts estimate that the value of 1,075,000 pills sold in the black market is between $250,000 and $500,000.

To purchase these pills we had contacted 51 companies—placed orders with 19 of them. We do not know how many of the companies we contacted attempted to investigate us. We do know that by the time the State inspectors arrived, 47 percent of our orders had been delivered by companies in eight States. How difficult is it to purchase mass quantities of dangerous drugs? The facts speak for themselves.

Mr. Cronkite. Today the unopened cartons that McMullen Services received were delivered to the Food and Drug Administration in Washington where they will be opened and inspected. We'll have a report on that tomorrow.

[From the New York Herald Tribune]

Two Hundred Fifty Letterheads—"Pep Pills" Flow In

Pretending to be a drug wholesaler, a CBS News producer accumulated "pep pills" and "goof balls" that he said were worth $250,000 to $500,000 on the black market.

His total cost: $600.28.

His mission: To show how easily a self-proclaimed wholesaler can receive dangerous drugs.

His report: Aired at 7 p.m. yesterday on the CBS–TV Evening News with Walter Cronkite.

The investigator, Jay McMullen, launched something new in electronic journalism with the goof balls exposé that he commenced May 4.

As head of the new CBS News Fact Finding Unit, he set himself up as McMullen Services in a rented mid-town office, ordered 250 letterheads and sent off inquiries to 24 drug companies.

By the time the operation closed down, Mr. McMullen had contacted 51 companies, placed orders with 19, received delivery on 47 percent of the orders from companies in eight States. He had a stack of unopened cartons which he said he had sent to the Food and Drug Administration in Washington.

He also had a report for the CBS audience on the way in which many manufacturers, without any apparent attempt to check on the legitimacy of his firm, accepted orders for "pep pills and goof balls."

According to Mr. Cronkite, the traffic in these pills is creating "a problem more widespread and serious than the traffic in heroin."

On last night's show, he said, "barbiturate addiction has become a sickness of the suburbs as well as the slums. Misuse of amphetamine pep pills has been associated with traffic accidents and a sharp increase in crime. The Food and Drug Administration estimates that at least one-half of the legitimate production of these drugs is being diverted and sold in the illicit market."

Then Mr. McMullen told how easy it had been to obtain the pills. The filled orders totaled 1,075,000 pills.

The report, besides a public jolt for the Food and Drug Administration, signaled something new in advance in TV journalism—investigative reporting on a continuing rather than a one-shot basis.

Previously Mr. McMullen had produced "Biography of a Bookie Joint" and "The Business of Heroin" for CBS Reports shows. This was his first effort as head of the new investigative unit.

The Cronkite show tonight will feature a followup report on the story.

[From the New York Times]

Pep Pills Bought by Carton in Test: Dummy Company Without License Gets Shipments From Drug Producers

A television producer told a network audience last night that he had set up an unlicensed business that bought more than a million goofballs and pep pills from drug manufacturers in a 4-month experiment.

The producer, Jay McMullen of the Columbia Broadcasting System, estimated that the shipments, which, he said, cost him only $600.28, were worth between $250,000 and $500,000 on the black market.

Mr. McMullen spoke on the program, "CBS Evening News with Walter Cronkite."

In introducing the producer, Mr. Cronkite said: "The traffic in barbiturate drugs and amphetamines (better known as pep pills and goofballs) is creating—according to authorities—a problem more widespread and serious than the traffic in heroin."

Mr. McMullen conducted the experiment as head of a network news "fact-finding unit" established to chart "new areas in television journalism."

SETS UP AN OFFICE

He told his audience that he had established a dummy concern, McMullen Services, in an office at 35 West 45th Street.

Mr. McMullen's purpose, he said, was to find out the extent to which a wouldbe wholesaler without registration or license number, could buy the drugs from legitimate manufacturers.

Some of the drugmakers with whom Mr. McMullen did not place orders requested proof of authorization. And one of them asked the New York State Board of Pharmacy whether a license had been issued to the McMullen concern. The board then sent two inspectors to the 45th Street office.

The producer said that the cartons of drugs he had received had been delivered to the Food and Drug Administration and that a report on the agency's findings would be made on the Cronkite program tonight.

JUSTICE EMILIO NUÑEZ URGES REPEAL OF SPANISH IMMIGRATION QUOTA

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House the gentleman from New York [Mr. RYAN] is recognized for 5 minutes.

Mr. RYAN of New York. Mr. Speaker, one of the major items of unfinished business before the Congress is the revision of the present immigration laws. I have introduced H.R. 7740 which would accomplish this. Our present immigration laws based on the 1920 census and the quota system are grossly inequitable and inconsistent with our fundamental principles.

The national origins and quota restrictions of the present law create gross inequities. For instance, Spain has the absurdly low annual quota of 250, and there are some 15,000 Spaniards seeking admission to the United States.

Today a distinguished jurist, Justice Emilio Nuñez, of the New York State Supreme Court, appeared before the Immigration Subcommittee of the House Committee on the Judiciary. As honorary president of the Committee to Increase the Spanish Immigration Quota, Justice Nuñez vigorously urged repeal of the Spanish immigration quota and that "it be substituted by a more humane law founded upon the worth of the individual and what he can contribute rather than the place of his birth."

Justice Nuñez' own history as outlined in his testimony and the history of many of our most prominent citizens of Spanish descent prove the case for abolishing the national origins system. Think of the loss which the Nation suffers because of the inhumane immigration laws. If Justice Nuñez' parents had not immigrated before the enactment of the national origins system, the people of the State of New York might not have benefited from his devoted public service.

Mr. Speaker, I include at this point in the RECORD the compelling testimony of Justice Emilio Nuñez.

STATEMENT BY NEW YORK STATE SUPREME COURT JUSTICE EMILIO NUÑEZ, BEFORE SUBCOMMITTEE NO. 1, COMMITTEE ON THE JUDICIARY OF THE HOUSE OF REPRESENTATIVES AT WASHINGTON, D.C., ON SEPTEMBER 3, 1964, URGING REPEAL OF PRESENT NATIONAL ORIGINS IMMIGRATION LAWS AND QUOTAS

Mr. Chairman and members of the subcommittee, I was born in Spain. I am a New York State Supreme Court Justice. Luckily for me, my parents emigrated to the United States prior to 1924 when the present national origins immigration law was enacted; had they waited until after its adoption, the chances are that instead of being privileged to testify before the distinguished members of this subcommittee, I would still be the sheepherder that I was in Spain. I address you today as the honorary president of the Committee to Increase the Spanish Immigration Quota with offices at 239 West 14th Street, New York City.

It is generally known that the present quota system is based upon national origins. I do not believe that it is generally known that under it, the Spanish quota is 250 per year. Yes, only 250, or 252 to be exact, Spaniards can be admitted to the United States each year under the present law. Contrast this with 83,000 yearly from the British Isles; or better still, contrast it with 100 each for such countries as Andorra, Lichtenstein, and Monaco. The population of the latter three countries can be counted in the hundreds; Spain's population exceeds 30 million; the absurdity is apparent.

Our Nation has been built by immigrants of all lands; it was discovered by Spain. Columbus had been refused financial aid by the Kings of England, Portugal, and Italy before he sought and received full and complete aid from the Catholic Kings of Spain, Fernando, and Isabel. The Spanish kings pawned their valuables and pledged their personal credit and that of their country to provide the ships, crews, provisions, and everything else necessary for the great expedition which resulted in the discovery of this continent. Spain has done more; it discovered, colonized, and gave her language to 24 of our 50 States and led them along the road to Christianity. We can still visit the beautiful cities founded by the Spaniards—St. Augustine, Monterey, Santa Fe, Albuquerque, Santa Barbara, Los Angeles, San Antonio, and many others. Spanish is the official language in parts of New Mexico; in all of Puerto Rico; Spanish is spoken by millions of our citizens—by descendants of Spaniards and Mexicans in the States of California, Texas, Oklahoma, New Mexico, Illinois; by descendants of Spaniards and Puerto Ricans in New York, New Jersey, Connecticut, Chicago, and other cities and States.

Our history books make reference many times to such men as Ponce de Leon, Hernando de Soto, Coronado, Father Junipero Serra, and many others—all Spainards. Many universities and colleges in our country have founded important Hispanic cultural centers, not only for the study of historic, cultural, artistic, and political values, but as a solid basis for the preservation of the priceless historical and cultural heritage of this great Nation and its Hispanic legacy.

The peoples of Spain and their descendants have left indelible marks in the scientific, cultural, religious, political, and industrial development of this great Nation; Spain was the first country to come to our aid during our war for political independence. Spain sent arms and volunteers to the colonies in 1779 to help us in our struggle for independence and, at the same time, declared war on England, further contributing to the birth of our Nation. Among the many volunteers sent by Spain in that war was Jose Farragut, father of the well-known hero, David Farragut.

Permit me to name just a few of my present-day friends—Americans who, like me, came from Spain before the present unfair national origins law was adopted and who are making very significant contributions to our beloved country: Dr. Severo Ochoa, chairman, Biochemistry Department, New York University School of Medicine, president, International Union of Biochemistry, and Nobel Prize winner in medicine 1959; Dr. Ramon Castroviejo, internationally known and highly respected ophthalmologist, first to perfect the delicate cornea transplant operation which has restored sight to so many blind persons; Dr. Rafael Lorente de No, professor and member of the Rockefeller Institute for Medical Research, world authority on neurophysiology and author of many books, papers, and articles on the subject; Dr. Santiago Grisolia, chairman, Biochemistry Department, University of Kansas Medical Center; Jose Rodriguez Delgado, professor of neurophysiology, Yale University School of Medicine; Dr. Francisco Grande, professor of physiology and nutrition (and world authority) at University of Minneapolis Medical School. In the arts, I can recall such names as Salvador Dali, Jose Iturbi, Xavier Cugat, Decreff, and many others—all American—immigrants from Spain Circa "sometime prior to 1924," date of enactment of present national origins immigration law.

I speak from personal experience when I tell you that this system is hurting us in Spain. In a trip there this summer many Spaniards were interested in two things about the United States: What are the true facts surrounding the assassination of President Kennedy and why aren't the Spaniards welcome in the United States? The answer to the first question was not difficult for me—the true facts were as reported by the public press; the American public generally accepted the known reported facts; there is no other responsible version. President Kennedy was not only highly respected but admired by most Spaniards; I was told that many people cried in the streets when they learned of the tragedy; they shared out deep sorrow. But the second question was not easily answered. "Why don't the Americans like us? We like them; there are many thousands in Spain; they have very important military and naval bases in Spain; we want to be their friends and want them to be our friends." I explained to them that the present law which excludes them was adopted 40 years ago; that Congress was now considering changing the law and that I was certain that Congress would change the law to make it possible for more Spaniards to come here if they choose to do so and qualified.

I dared not tell my friends in Spain that this law which says that not more than 250 of them may come here in any 1 year was conceived in a spirit of mistrust of certain racial groups including them; I could not tell them that its original stated purpose was bald discrimination—to preserve what was believed to be the racial and ethnic composition of our population in 1924; I could not tell them that this law violates our basic national philosophy because it judges individuals, not on their worth, but solely on their place of birth. But these things that I could not tell them, I tell you—the members of this subcommittee. I tell them to you because, while I am proud of my Spanish heritage and birth, I love my adopted country dearly and passionately. I am proud of our institutions, of our tradition, of recognizing the worth of man and the dignity of man as an individual without regard to where he was born, his parentage, station in life, or his family or any other consideration.

This quota, based upon national origins, is vicious; this immigration law is working against our national interest; it is discriminatory; it is cruel and inhuman and should be repealed. Both major political parties and four successive Presidents have urged that it be repealed and that it be substituted by a more humane law founded upon the worth of the individual and what he can contribute rather than upon the place of his birth. We should not deprive ourselves of the important contributions that these immigrants would make were it not for this outdated, irrational, anti-American law. Our laws should encourage the immigration of those who can further the forward movement of the United States; their ideas, talents, and energies can become a priceless American asset.

The late President John F. Kennedy, in urging reform of our immigration laws, said the statutes must reflect in every detail "the principles of equality and human dignity to which our Nation subscribed." President Johnson in his state of the Union message said: "In establishing preferences, a nation that was built by the immigrants of all lands can ask those who now seek admission: What can you do for our country? But we should not be asking: In what country were you born?"

I greatly appreciate this opportunity to express my support for the pending administration's immigration bill. I have confidence that you will report the bill favorably. If I return to Spain next year I want to be able to tell the Spaniards that we are not their enemies—that we are their friends and that they are just as welcome to our shores as are the British and the Germans and the natives of the other presently unjustly favored Northern European countries. Thank you.

LABOR DAY, 1964

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Delaware [Mr. McDOWELL] is recognized for 5 minutes.

Mr. McDOWELL. Mr. Speaker, Labor Day each year is a day dedicated to marking the social and economic achievements of American workers. It is a day, too, when we take national note of the contributions they have made to the strength, prosperity, and the economic welfare of our country.

The men and women of the labor force in our country are responsible for making a major contribution to the highest standard of living and the greatest production the world has ever known. It is they who have done so much, freely and of their own accord, to bring us close to the realization of our traditional ideals of economic and political democracy.

David J. McDonald, president of the United Steelworkers of America, said, when he was installed as president of this great organization in 1953, "democratic capitalism, combined with industrial democracy, is unquestionably the best way of life for mankind."

This fundamental point of view, based as it is on freedom of the individual, has produced much of the unprecedented economic gains for all Americans.

It cannot be denied that American workers make up the greatest and most effective labor force in the world.

It is appropriate, therefore, that this Labor Day, 1964, be a time to give recognition to the American worker who is a prime mover in developing this Nation's strength, freedom, and leadership at home and abroad.

WHEAT, COTTON, AND POLITICAL ARITHMETIC

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from California [Mr. COHELAN] is recognized for 5 minutes.

Mr. COHELAN. Mr. Speaker, I would like to call our colleagues' attention to an extremely perceptive and thoughtful article on the knotty problem of farm policy which has been written by a very distinguished professor of agricultural economics at the University of California, Dr. Varden Fuller.

Professor Fuller has examined in some detail the background and the voting connected with the House and Senate consideration of the wheat-cotton bill earlier this year. His description and his analysis do much to shed light on what happened and what forces were at work.

But Professor Fuller, who I am proud to know both as a valued friend and adviser, has done more than this. He has gone on to make a number of telling points concerning the consideration of farm legislation.

Dr. Fuller has quite correctly observed:

> The income position of agriculture as a whole remains persistently adverse as compared with other major sources of the economy; within agriculture, income distribution is skewed and persistently stays that way; patches of poverty remain.

Professor Fuller has pointedly continued:

> The misfortune of farm policymaking is that the choices finally considered always seem to polarize at unrealistic extremes—no government or more government, with the latter invariably involving even greater reliance on price rigging.

And I would like to concur in his conclusion:

> Lonely voices in Congress and out have pleaded unavailingly for a comprehensive long-range perspective. Considering the slenderness of the majority support behind the new legislation and the tactics upon which its passage apparently depended, the day of such a perspective may be approaching. Moreover, if, as this writer expects, the new legislation accomplishes little beyond creating new windfalls and provoking greater abrasions, that day may not be so far away.

Mr. Speaker, it must be patently clear that this wheat-cotton bill has not done what so many of its supporters earlier this year said it would do. The price of cotton to the consumer has not been reduced, or stabilized. Neither has the price of flour.

In fact, as our distinguished colleague from Rhode Island [Mr. FOGARTY] pointed out to the House only 2 days ago:

> The price of flour is up as much as 80 cents per 100 pounds, and bread is costing 1 or 2 cents more a loaf.

Mr. Speaker, as one who voted against this bill in April, I would like to urge our colleagues to give Professor Fuller's penetrating analysis their most careful attention in preparation for the further review of this program which must inevitably come.

The article follows:

WHEAT, COTTON, AND POLITICAL ARITHMETIC

(By Varden Fuller)

Farm legislative activity in the Kennedy-Johnson years has been fully as intense as in the preceding two decades. President Kennedy had the reputation of remoteness from agrarian interests and of being concerned primarily with the awkwardness of surplus accumulations and the Treasury burdens associated with price supports. The policy theme with which Kennedy's Secretary of Agriculture, Orville Freeman, entered office was supply management, a scheme to control output sufficiently to maintain satisfactory prices in the national market and avoid the creation of undesirable Government-owned surpluses, thereby also avoiding heavy price support subsidies. The Freeman scheme involved intensive Government controls upon individual farmers ("regimentation" in the eyes of critics) but the invocation of the program was to have been contingent upon majority approval by referendum in each commodity group. This proposal failed to achieve congressional approval in 1961 but was partly successful the following year. One of the provisions of the Food and Agriculture Act of 1962 authorized the Secretary to establish mandatory quotas on wheat production, still subject to approval by a two-thirds majority of wheat farmers. The question went to referendum on May 21, 1963, with reference to the 1964 crop. It was decisively rejected, notwithstanding a long tradition of affirmative outcomes on similar referendums.

The American Farm Bureau Federation (the largest of three general farm organizations) had aggressively campaigned against approval; the other general farm organizations were alined with the Secretary of Agriculture in an equally spirited campaign for approval. Normally, these referendums are held without fanfare; but in this instance the AFBF was determined to establish that farmers were opposed to continued Government controls as a matter of principle. That the outcome seemed to vindicate the AFBF was tacitly accepted by Secretary Freeman and President Kennedy, for they announced that no new wheat legislation would be sought for the 1964 crop. As the prospects then stood in May and June of 1963, the 1964 wheat harvest would have to be sold at approximately the prevailing world price of $1.30 per bushel, whereas if the quota system had been approved, the bulk of the production would have been supported at $2 per bushel. An income loss of $700 million to wheat growers was projected by the Secretary.

During the remaining months of 1963, speculation on the reasons for the referendum failure and arguments on inferences to be drawn consumed much time and energy, including that of the Members in the House and Senate. The Republican position remained quite firm—the May 21 event had signaled farmer disillusionment with Government intervention and called for a new era in farm policy. Among Democrats a cohesive line evolved and gained concurrence that the May 21 referendum had only rejected compulsory controls; that Government assistance was still desired and would be accepted, provided that participation was voluntary for each individual. A number of legislative plans reflecting this line of thought began to take shape in late 1963 and early 1964.

These resulted in a new wheat law for 1964 and 1965 which was approved by President Johnson in April 1964. However, since this legislation also included new subsidies and price support measures for cotton, it is necessary at this point to turn our attention to the latter commodity.

In recent years, cotton has been supported at approximately 32.5 cents per pound, whereas the world price has been approximately 24 cents. Of a current normal production of some 14 to 15 million bales per year, U.S. mills use some 8 million bales, for which they paid the support price. Some 4 to 6 million bales are exported; as it is impossible to sell American cotton abroad at the supported price of 32.5 cents while competitive supplies are available at 24 cents, the difference has been made up by a Government export subsidy of approximately 8.5 cents per pound. Foreign mills were therefore able to buy American cotton substantially cheaper than were American mills.

This was not considered to be a serious inequity until textile materials manufactured abroad from American cotton began to be imported into the United States in significant volume. When the competition of imported textile manufactures began to be felt, domestic cottongrowers and millers joined in seeking relief through restrictions on cotton textile imports.

Concern over the welfare of the textile industry centered in the House and perceptively deepened as the estimates of raw cotton equivalent contained in imported manufacture rose toward and then surpassed one-half million bales per year. Other factors contributed to the deepening of concern, principally these: cotton fiber had been losing position as against synthetics in domestic textile manufacture; cotton owned by Government and under price support loan had climbed beyond 10 million bales; Government outlays on the cotton program—including inventory value losses, carrying charges, and subsidies to exports had surpassed $500 million per year ($612 million estimated for 1962–63).

As consumers well know, the use of synthetic fibers has been increasing for many years. Meanwhile, since the per capita use of all fibers has remained fairly constant, cotton fiber use per capita has declined. The cotton component in all fiber use has dropped from approximately 80 percent in 1939–41 to approximately 60 percent in 1961–62. Over these years, questions have arisen about the influence of high cotton prices upon the rate of substitution. But not until the proposal for a domestic mill subsidy came over the horizon did it become popular to assert that the encroachment of synthetics upon cotton was attributable to the price of cotton. Neither were growing surplus accumulations of Government objectively attributable to declining domestic mill consumption, for total use had not declined even though the per capita use had. Nor were the mounting surpluses clearly attributable to deterioration in export trade, for these magnitudes had varied up and down as has been characteristic of recent years since exports are heavily dominated by government-to-government contracts and agreements. Quite obviously a major contributing force was the astonishing rise in cotton yields. Whereas the national per acre yield had ranged from 269 to 311 pounds in 1948–52, the yields for 1958–62 ranged from 438 to 466 pounds. (For incidental interest, it may be noted that cotton yields in California are approximately double the national average and almost three times the yield in the old southern Cotton Belt.) Acreages of cotton were reduced during the same period but not sufficiently to offset the rise in yields.

These are the main components of the cotton complex in the House through the summer and fall of 1963. Congressmen made speeches which were reported in the CONGRESSIONAL RECORD under such titles as "Crisis for Cotton," "The Two-Price Cotton Dilemma," "Cotton-Subsidy Folly," "Action Is Needed Now," "Cotton Industry in Life-and-Death Struggle." Ideas on what to do centered on two alternatives: (1) A countersubsidy to the domestic mills to remove the advantage conferred on foreign mills by the 8.5-cent export subsidy; (2) a reduction or elimination of the gap between domestic and world market prices either by scaling down the support prices to domestic cotton farmers or by replacing the price support with direct compensatory payments to farmers, thereby allowing the domestic raw cotton price structure to become congruent with world prices (which not only would have removed the inequity suffered by domestic mills but would also have removed the need for export subsidies). But the House majority was not prepared to take away the cotton farmers' price support benefits, either gradually or fractionally, nor were these Representatives prepared to affront the farmers' purported preference to receive their governmental benefits through rigged prices as against direct payments.

Accordingly, on a vote of 19 to 15, the House Committee on Agriculture in June 1963 reported out a bill embracing the countersubsidy to the mills (and some incidental changes in the support and acreage control program), and the bill passed in the House the following December. A paragraph taken from the minority report in the House Committee on Agriculture will serve as a succinct summary of the issues involved and also of the alternative seen as foregone by the majority's choice:

"The solution to the dilemma facing the cotton industry will not be an easy one. It should be recognized from the start that it is virtually impossible to meet the conflicting demands of all segments of the cotton industry, of fiscal responsibility to all taxpayers, of continued inroads of synthetic fibers, of foreign competition, of the loss of jobs in the textile industry, and of the promotion of efficient production areas and techniques, while at the same time preserving the status quo for inefficient producers and areas. In order for the common good to prevail, some of these conflicting demands must be abated. It is therefore our general recommendation that the Secretary of Agriculture be required by law to follow the mandate and the authority which he has failed to use under the provisions of the Agricultural Adjustment Act of 1938 and the Agricultural Act of 1949, both of which were amended by the Agricultural Act of 1958. We propose that these acts be amended to effect an orderly transition over a period of years toward lower price supports for cotton which would allow increased markets and the development and reestablishment of a one-price cotton system while lowering Government costs, maintaining farm income, and recapturing cotton's historic preeminence as the 'king' of textiles."

The Senate did not take up the House cotton legislation (H.R. 6196) until March 1964. By then the package had doubled in size, for the Senate Committee on Agriculture and Forestry had produced a meld of its ideas about wheat and the House bill on cotton. As it emerged from the Senate committee, everything in H.R. 6196 had been changed except its number. Title I—Cotton replaced the House cotton provisions and a wholly new title II—Wheat had been added. Following numerous attempts and a few successes further to amend the bill on the floor, the Senate passed it on March 6, 1964, on a vote of 53 to 35.

One of the proposed amendments which failed by a vote of 42 to 46, would have split the wheat-cotton amalgam. Senator JAVITS, one of those who wanted the division, argued for it on two main grounds: first, while the cotton provisions of the bill were acceptable, the wheat portion was basically the same (minus the referendum) as had been rejected by wheat farmers on May 21; the House had acted only on cotton and hence would be confronted with an awkward package which it had not had opportunity to debate. (Senator JAVITS ultimately voted "nay" on the whole bill even though he favored the cotton portion.) The proponents of the amalgam made little effort to answer the opponents. But the political tactic, if not the legislative merit, of the meld was forthrightly put by Senator HUMPHREY in connection with an amendment that sought to give the same expiration date to the cotton and wheat sections of the bill:

"The thing I worry about is that one of the reasons we are now getting a wheat bill is that it is tied to a cotton bill. I am not unaware of the reason. I can count. The first law of politics is to know how to count. I am afraid that if the wheat program comes before the Congress 2 years from now, and no cotton bill is before the Congress then, the poor old wheat bill will become chaff instead of wheat. I do not wish to see that happen. If there is any way in which we can obtain a tie in the bloodline between cotton and wheat, it will be helpful."

Senator ELLENDER (chairman of the Senate committee which had compounded the bill) offered a number of amendments. One of these would have trimmed the countersubsidy to domestic cotton mills by the amount of the transportation cost incurred by foreign importers of American cotton, estimated at 3 to 3.5 cents per pound. (Ignoring this cost and paying domestic mills a full 8.5-cent subsidy would invert, to the extent of 3 to 3.5 cents, the inequity that the bill was supposed to eliminate.) Mr. ELLENDER estimated this change would save taxpayers $150 million. It lost, decisively. Another Ellender amendment would have trimmed subsidies to both cotton farmers and millers: subsidies to the mills would be paid only on the additional cotton fiber each used in excess of each mill's 1963 consumption; price supports to cotton farmers would be set at 32.47 cents on the first 10 bales of each farmer's production and 30 cents on the remainder. This lost, even more decisively. Senator TOWER, Republican, of Texas, made another effort to substitute a direct payments system to farmers for price support. This was smashed, 12 to 80, but part of the negative vote may heve been attributable to the fact that the payments would have been gradually reduced each year to 1970 and eliminated thereafter.

Amendment efforts centered mainly on cotton. But debate on the bill as a whole was more concerned with wheat and with the registering and answering of opposition than with affirmative merits. Prominent among the opponents were Senators, mainly but not exclusively Republican, who had just suffered a narrow defeat (44 to 46) on an early amendment (opposed by the administration) to the wheat-cotton bill that would have imposed import quotas on beef, veal, mutton, and lamb. (Livestock prices had declined; imports of meats and also domestic supplies had risen; only recently has any of this begun to affect retail meat prices and not yet enough to be perceptible to other than statisticians.) These Senators, especially HRUSKA, of Nebraska, found it diabolical that having so recently denied the petition of the livestock men, the administration now proposed a measure that held the potential of further adversity to livestock interests. Senator MILLER, of Iowa, was apprehensive: "I maintain that this bill will permit substitution of noncertified wheat for feed grains. I also maintain that 2.3 million acres formerly planted to cotton will be available for planting to soybeans and feed grains. This will worsen the situation." (The effect of the bill was to make wheat available for livestock feed at $1.30 per bushel whereas the flour mills would have to pay $2; cotton production allotments were to be reduced, thereby diverting acreage to other uses—both of these imply the possibility of greater livestock production and hence lower prices.)

This price discrimination as between humans and livestock raised the cry of "bread tax," a point given some plausibility by the fact that although the miller would be able to buy wheat in the market at the support level of $1.30, he would also have to buy a certificate that would cost 70 cents for each bushel to be milled for human consumption. The proceeds of the certificate purchase were to flow back to voluntarily cooperating farmers in lieu of the equivalently valued price supports they had received previously. Senator MCGOVERN, of South Dakota, floor manager for the bill, waved aside the bread tax allegations: "The argument about the bread tax is the thinnest argument that can be raised against the bill * * * we are not changing the price of wheat to the miller one penny. If we did let wheat prices drop, it would not be passed on to the bread consumer."

Many additional arguments and issues were debated. Finally, on the question, "Shall the bill pass?" 53 Senators said "yea" and 35 said "nay." The division was generally but not precisely on party lines. Five Republican Senators voted yea—they were all from wheat States. Two additional Republican yeas were withheld on pairs—those of KUCHEL and TOWER, each with a cotton interest constituency. If seven Republicans broke party ranks in accordance with apparent farmer interest, one might expect a similar break to have occurred with respect to senatorial constituencies that contain substantial cotton mill and manufacturing employment—these were the people on whose behalf the whole episode originated. But no such break occurred; none of at least six northeastern Republican Senators with mill constituency interest supported the bill.

Among the nays were 13 Democrats plus 1 withheld on pair. All of these opposed the administration's position. Several also were contrary to apparent constituent interest—most notably those of ANDERSON, of New Mexico (an ex-Secretary of Agriculture), CLARK, of Pennsylvania (textile mills), ELLENDER, of Louisiana (chairman of the Senate Committee on Agriculture), NEUBERGER, of Oregon, and ROBERTSON, of Virginia.

The Senate anticipated that its overhauled version of the House bill would require a conference to reconcile the differences and accordingly appointed conferees. But needlessly, for the Senate's cotton-wheat bill, without conference and without amendments, went through the House. It was a cliff hanger, 211 to 203.

When the cotton-wheat bill reached the House floor for consideration, on April 8, 1964, the choice was take it or leave it. This was because it came on a Rules Committee resolution to adopt the Senate revision. The issue before the House, therefore, was not the substance of the bill but the resolution itself. This procedure foreclosed any amendments. Republican Members protested the "raw and bloody power politics" which, according to Representative BROWN, of Ohio, required Members to "gag themselves and surrender their constitutional right to represent their own people; surrender all rights to debate, to consider, and to amend, if you please, the administration's so-called farm bill or wheat bill, whatever you may wish to call it."

The original House cotton bill had been supported in December by 35 Republic Members. Several now indicated they would reverse their positions, and many did. Only 10 of the 211 votes for adoption came from Republicans. Conversely, 37 of the 203 nay votes came from Democrats. The proportions are as follows:

	Senate March 6	*House April 8*
Percentage of Republican votes that were "yea"	24	6
Percentage of Democratic votes that were "nay"	29	18

It is apparent that, on this episode, discipline for both parties was tighter in the House than in the Senate, and that Republicans were more cohesive than Democrats. Republicans who switched from "yea" on cotton in December to "nay" on cotton-wheat in April were heavily concentrated in the Northeast. Congressman LINDSAY, of New York City, one of the switchers, stated his belief that the merit of the cotton bill had been negated by the addition of an "anticonsumer * * * anticity * * * bread tax." Since the complaints about "gag rule procedure" were made principally by those Republicans who had voted "no" in December, it seems reasonable to infer that Congressman LINDSAY's explanation applied to other Republican switchers, and that their change was influenced more by the substance of the bill than by the tactic of its presentation.

Twenty-four Democratic Congressmen who had voted "nay" on cotton in December voted "yea" on cotton-wheat in April. They rescued the bill. Was their support induced by the addition of wheat? The answer is evidently "no." Three States—Missouri, Virginia, New York—each supplied three Democratic switch votes. Minnesota supplied two; the remainder were single votes from 13 States. Not one of the States from which the Democratic switch votes came is a wheat State of any significance; nor is wheat significant in most of the individual congressional districts. Hence, the switches cannot be attributed to constituency interest in the added wheat provisions. Accordingly, it would appear that those affected by "raw and bloody power politics," were not the Republicans who declaimed against it but the Democrats who, on the record, said nothing. (In the California delegation the bill lost 17 to 21; all Republicans voted "nay." Republicans MARTIN, OTT, WILSON, and LIPSCOMB had voted "yea" in December. Democrats COHELAN, JOHNSON, VAN DEERLIN, and ROYBAL voted "nay" as did also HANNA and CAMERON on pairs; LEGGETT switched from "nay" in December to "yea" in April.)

One can scarcely avoid concluding that the 1964 farm legislation succeeded on considerations other than its merit. Its temporariness—2 years—implies that the legislators had reservations on the value of their work. During the weeks since enactment all sorts of questions already have been raised, including, How the large monetary transfers from flour mills via USDA to wheat farmers and from the Treasury via USDA to textile mills will be managed? Uncertainties of how the law is to be applied will scarcely be cleared up in time to make way for the uncertainties of whether it will be terminated, renewed, or amended. Sam Lubell's charge that "the writing of farm legislation has become a conspiracy against public understanding" apparently applies increasingly, and not only to the public but also to farmers and businessmen who are most directly concerned.

The central dilemma in farm legislation today and for years past is the use of Government-managed commodity prices as an instrument for trying to raise farm income. Frictions and stresses in market relations have grown in proportion with unmanageable surplus and accumulations and Treasury burdens. These multifold abrasions may be attributed to the awkwardness of price support as a technique of subsidy to farmers. Actually the vexation arises less from the technique than from the level of support. When first introduced in the 1930's price support was used as a minimum floor to be invoked as necessary to prevent temporary price collapses. But over the years the Congress, by legislation, and the Secretary of Agriculture, by administrative practice, have changed this role to one of maintaining domestic prices continuously and ever further above the prices that would prevail in free markets.

The awkwardness of this price rigging shows most prominently in those commodities—cotton and wheat particularly—in which we have substantial net exports. Foreign consumers cannot be forced to buy at the prices imposed upon domestic consumers, so the Treasury is tapped for subsidies to bring the export price down to a competitive level.

Collaterally, it is noted occasionally that price supports are of little benefit to small farmers who do not produce much to sell; less frequently, questions are raised on the justification of the big benefits that fall to large farmers who produce in volume. Occasionally, also, questions are asked as to whether or not any legitimate public purpose is being fulfilled. Representative WELTNER, of Georgia, asked some of the latter questions concerning cotton when the issue of inequity between foreign and domestic mills was under consideration in the House.

WELTNER requested the Department of Agriculture to supply data on amounts and distribution of benefits of the cotton program by areas and individual farms—a subject on which information is not readily available. The information supplied was for 1961. A total of 928,761 farmers held allotments, and the total "subsidy" amounted to $608 million, or an average per farmer of $655. (USDA calculated the subsidy by putting an 8.5-cent per pound benefit value on individual and total production under allotment rights.) Seventy percent of the allotment rights were "small," i.e. 10 acres or less, and their subsidy benefit averaged $63. Allotments of 1,000 acres or more—322 of them—were classified as "large," and their average subsidy benefit was $113,657. The largest individual farming company benefit in 1961 amounted to $2,232,737.

Over half of the allotment rights were in the seven States of the old Cotton Belt. But, due to small farms and low yields, they received only about one quarter—$167 million—of the total subsidy benefit generated by the price support program. The average benefit per allotment farm in the seven States was $321. Cotton produced in this region in 1961 was valued at $664 million, only slightly more than the value of the total national cotton subsidy benefit of $608 million. But, to generate a $608 million benefit to the Nation's cotton farmers required a total public cost of $965 million. (The last figure is the author's calculation made as follows: treasury cost for the cotton program, including export subsidies, inventory losses, storage, etc., in the 1962–63 marketing year was $612 million. In addition, because domestic mill use occurred at the support price, consumers absorbed 8.5 cents per pound or $42.50 per bale on 8.3 million bales or $353 million; $612 million plus $353 million equals $965 million.)

Neither Representative WELTNER nor USDA made any reference to the old cotton south as a region. I have used the data to make the foregoing comparisons only because the political basis for the national price-support program on cotton essentially centers there. Given the monetary magnitudes mentioned above I leave it to the reader to imagine the possibilities of accomplishing a $167 million subsidy to this section without having to incur additional costs of $800 million to do it.

The cotton provisions of the new act contain some changes in price supports and allotments. A portion of one of the USDA information leaflets distributed to cotton farmers reflects the essence of cotton farming under the most recent amendment to an already much-amended law:

"If you choose to plant within your present effective allotment, you will be eligible for price support at the basic level of 30-cents a pound Middling 1-inch cotton at average location.

"If you choose to plant within your domestic allotment[1] (and keep within your farm's feed grain base if the farm has an effective cotton allotment of more than 15 acres) you will be eligible for the basic 30-cent price support and, in addition, you will be entitled to a price-support payment of 3.5 cents per pound on the normal yield of the cotton acreage planted for harvest.

If you choose to plant an export market acreage[2] in addition to your farm's 1964 effective allotment, you will be eligible for the basic price support of 30 cents on all your cotton except the part of your total production credited to the export acreage. In this case, be sure to see your agricultural stabilization and conservation (ASC) county committee—before the June 1, 1964, closing date—about acreage, a bond, exporting, and other items that are different from the other allotment programs."

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[1] For 1964, the domestic allotment is two-thirds of the effective allotment, except on farms of 15 acres or less, where the two allotments are equal.

[2] An export market acreage is up to 5 percent above the effective allotment.

Another choice not officially indicated is that a farmer may grow cotton outside of any kind of allotment but such a grower is ineligible for any price support and also subject to a penalty on the cotton grown on nonallotment land; the formula for the penalty sets it at approximately 20 cents per pound for 1964.

The regulations on wheat are no less formidable. For the wheat farmer who voluntarily participates and complies with the regulations, the basic price support is $1.30 per bushel, but the principal benefits will be the 70-cent-per-bushel certificate on the domestic portion of his quota plus a 25-cent certificate that applies to his export portion (both certificates are redeemable in U.S. currency and at face value). The Congress fabricated these benefits in the longstanding image of a free market wheat price of $1.30. Currently, wheat sells in the U.S. markets at $2 to $2.25, influenced in part by Iron Curtain world market purchases. Prices in future markets indicate the prospect that the 1964 crop of wheat will bring at least $1.50 in the market. Complying farmers will receive their 70-cent and 25-cent certificates regardless of how high the market may go. Given the opportunity for such pleasant benefits, does it much matter whether the regulations are formidable? Wheat farmers apparently believe not, the AFBF philosophy and the May 21, 1963, referendum notwithstanding, for the voluntary sign-up on the 1964 program has been sufficient to embrace over four-fifths of the eligible acreage in the principal wheat States.

Under the new cotton program, farmers who choose the domestic allotment option and comply with all regulations will receive an additional 3.5 cents regardless of market price. Apparently, however, the new price support and payment scaffold for cotton will leave domestic market prices at approximately the new support level of 30 cents. If the world price stays at 24 cents the domestic mill subsidy and the export subsidy will each be approximately 6 cents. We should be able to know 3 years from now whether the conjectured flow of benefits from the cotton mill subsidy will have been realized, but the question may never be raised; and even if it is, the evidence is likely to be debatable, as it is on all such questions.

Of one thing we can be fairly certain—the combination of cotton farmers, textile mills, and textile labor unions all in one camp make a stronger interest group than did each separately, and Congress may one day regret the cohesion to whose creation it has contributed.

In wheat, the effect is likely to be the opposite. The milling certificate is tantamount to a processing tax of the type invalidated by the Supreme Court in 1936. Its probable effect will be anticohesive as between wheat farmers and the mills. The wheat legislation reinstates the same two-price arrangement that the cotton legislation undertakes to eliminate. Will it come to be that foreign mills and bakers who can buy U.S. wheat at the world price will export their products into the United States to compete with domestic products whose wheat cost is 70 cents per bushel more?

This question briefly occupied the Senate committee in its hearings on wheat. But such a potential seemed not to be immediate, and the matter was dropped. However, the Senators might have reminded themselves that the potential for importation of cotton products was not foreseen several years ago when the discriminatory foreign-domestic cotton price differential was being designed.

Cries of distress over unfair competition of imported biscuits, crackers, and cookies may yet be heard. Will we then find our legislators considering a subsidy to domestic flour mills to offset the mandatory purchase of the certificate?

But California Monthly cannot afford me the space for more brooding about vexatious political arithmetic. In summary judgment, I must say that this administration's leadership in farm policy follows the tradition of its predecessors, Democratic and Republican, that is, it has preferred to rummage deeper in the medicine chest for stronger aspirin and bigger band-aids than to confront systemic therapy. American agriculture, marvelously productive as it is, does have serious income problems. The income position of agriculture as a whole remains persistently adverse as compared with other major sectors of the economy; within agriculture, income distribution is skewed and persistently stays that way; patches of poverty remain. It was said in the 1930's that trying to do something about poor farmers by manipulating prices was no less futile than trying to improve the weather by meddling with the barometer. So frail an analogy ought not to have gained strength with the passing years.

The systemic problem of American agriculture concerns the amounts of land and labor that can earn satisfactory incomes in an era when new techology and capital investments in machinery and equipment are being substituted for both; the specific systemic problem of low income farmers is the lack of sufficient resources, including occupational skills, to produce enough to earn an income.

The misfortunes of farm policymaking is that the choices finally considered always seem to polarize at unrealistic extremes—no government or more government, with the latter invariably involving ever greater reliance on price rigging. Lonely voices in Congress and out have pleaded unavailingly for a comprehensive long-range perspective. Considering the slenderness of the majority support behind the new legislation and the tactics upon which its passage apparently depended, the day of such a perspective may be approaching. Moreover, if, as this writer expects, the new legislation accomplishes little beyond creating new windfalls and provoking greater abrasions, that day may not be so far away.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ASPINALL, for remainder of 2d session of 88th Congress from September 4, 1964, on account of official business.

Mr. KILBURN (at the request of Mr. HALLECK), on account of official business as an official adviser at the International Monetary Fund and World Bank Conference at Tokyo, Japan.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MADDEN, for 15 minutes, today.

Mr. ROOSEVELT, for 20 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mrs. DWYER (at the request of Mr. STAFFORD), for 5 minutes, on September 3; to revise and extend her remarks and include extraneous matter.

Mr. RYAN of New York (at the request of Mr. JONES of Missouri), for 5 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. COHELAN (at the request of Mr. JONES of Missouri), for 5 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. McDOWELL (at the request of Mr. JONES of Missouri), for 5 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. FOGARTY to include extraneous matter and tables in his remarks on H.R. 10809 today.

Mr. HALL to include extraneous matter in his remarks on S. 2220.

(The following Members (at the request of Mr. STAFFORD) and to include extraneous matter:)

Mr. CRAMER.

Mr. JONAS.

Mr. CONTE.

(The following Members (at the request of Mr. JONES of Missouri) and to include extraneous matter:)

Mrs. KELLY.

Mr. MATTHEWS.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1263. An act for the relief of Rickert & Laan, Inc.;

H.R. 4786. An act for the relief of the State of New Mexico; and

H.R. 12267. An act to provide for notice of change in control of management of insured banks, and for other purposes.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 935. An act to protect the constitutional rights of certain individuals who are mentally ill, to provide for their care, treatment, and hospitalization, and for other purposes;

S. 2082. An act to authorize the Secretary of the Interior to accept a transfer of certain lands within Everglades National Park, Dade County, Fla., for administration as a part of said park, and for other purposes; and

S.J. Res. 49. Joint resolution authorizing the Secretary of the Interior to carry out a continuing program to reduce nonbeneficial consumptive use of water in the Pecos River Basin, in New Mexico and Texas.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that

that committee did on September 2, 1964, present to the President, for his approval, a bill of the House of the following title:

H.R. 3846. An act to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to: accordingly (at 7 o'clock and 6 minutes p.m.) the House adjourned until tomorrow, Friday, September 4, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2500. A letter from the Assistant Administrator for Program, Agency for International Development, Department of State, transmitting annual report containing the information required by section 634(e) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

2501. A letter from the Administrator, Veterans' Administration, transmitting a letter reporting an overobligation in employee salary costs, fourth quarter, fiscal year 1963 (medical care, Veterans' Administration), Veterans' Administration hospital, West Roxbury, Mass., with reference to the amount permitted by agency regulations issued pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665(1)(2)); to the Committee on Appropriations.

2502. A letter from the Assistant Secretary, Export-Import Bank of Washington, transmitting a letter reporting that the bank on August 28, 1964, issued its guarantee with respect to certain transactions with Poland in tallow, pursuant to title III of the Foreign Aid and Related Agencies Appropriations Act of 1964, and to the Presidential determination of February 4, 1964; to the Committee on Foreign Affairs.

2503. A letter from the Acting Comptroller General of the United States, transmitting a report on improper disposal of needed brake lining kits, Department of the Army; to the Committee on Government Operations.

2504. A letter from the Acting Comptroller General of the United States, transmitting a report on uneconomical practices in management and utilization of Government quarters at U.S. Naval Air Station, Barber's Point, Oahu, Hawaii, Department of the Navy; to the Committee on Government Operations.

2505. A letter from the Acting Comptroller General of the United States, transmitting a report on unreasonable charges to Government cost-type contracts for depreciation on buildings acquired from the Government at no cost by Stanford Research Institute, Menlo Park, Calif., Department of the Army; to the Committee on Government Operations.

2506. A letter from the Acting Comptroller General of the United States, transmitting a report on weaknesses in the administration of the program for direct distribution of Federal surplus commodities in St. Louis County, Mo., Agricultural Marketing Service, Department of Agriculture; to the Committee on Government Operations.

2507. A letter from the Acting Comptroller General of the United States, transmitting a report on improper retention of dollar collections on loans made by corporate Development Loan Fund, Agency for International Development, Department of State; to the Committee on Government Operations.

2508. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded on various claims, pursuant to provisions of section 21 of the Indian Claims Commission Act of August 13, 1946 (60 Stat. 1055; 25 U.S.C. 70t); to the Committee on Interior and Insular Affairs.

2509. A letter from the Administrator, Federal Aviation Agency, transmitting a report of claims paid by the Federal Aviation Agency during the fiscal year 1964 under part 2 of said act, pursuant to provisions of section 404 of the Federal Tort Claims Act (28 U.S.C. 2673); to the Committee on the Judiciary.

2510. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation of certain aliens, pursuant to section 244(a)(2) of the Immigration and Nationality Act of 1952, as amended by Public Law 87–885 (8 U.S.C. 1254(a)(2)); to the Committee on the Judiciary.

2511. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation of certain aliens, pursuant to section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended by Public Law 87–855 (8 U.S.C. 1254(a)(1)); to the Committee on the Judiciary.

2512. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting among others, the case of Allen Frank McCarthy, also known as Allen Frank Pringle, A–6541021, involving suspension of deportation under provisions of section 244(a)(1) of the Immigration and Nationality Act of 1932, as amended by Public Law 87–885; to the Committee on the Judiciary.

2513. A letter from George H. Jones, Jr., certified public accountant, Vienna, Va., transmitting a copy of the audit report for the American Symphony Orchestra League, Inc., for the fiscal year May 31, 1964, pursuant to Public Law 87–817; to the Committee on the Judiciary.

2514. A letter from the Administrator, Federal Aviation Agency, transmitting a report of the commissary and messing facilities operations for fiscal year 1964, pursuant to Public Law 88–215; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. H.R. 12471. A bill to designate as Clair Engle Lake the reservoir created by the Trinity Dam, Central Valley project, California; with amendment (Rept. No. 1884). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. Senate Concurrent Resolution 92. Concurrent resolution favoring the suspension of deportation of certain aliens; with amendment (Rept. No. 1883). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HARDY:

H.R. 12560. A bill to amend the National Security Act of 1947, as amended; to the Committee on Armed Services.

By Mr. HARSHA:

H.R. 12561. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. PILCHER:

H.R. 12562. A bill to authorize the Secretary of the Army to modify certain leases entered into for the provision of recreational facilities at Lake Seminole created by the Jim Woodruff Dam; to the Committee on Public Works.

By Mr. TAYLOR:

H.R. 12563. A bill to amend title 38 of the United States Code to extend the period of entitlement to education and training benefits for certain veterans of the Korean conflict; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas:

H.R. 12564. A bill to authorize the Chief of Engineers to make certain repairs to roads in the Whitney Dam and Reservoir project; to the Committee on Public Works.

By Mr. TOLLEFSON:

H.R. 12565. A bill to amend section 407 of title 37, United States Code, relative to allowances for quarters; to the Committee on Armed Services.

By Mr. WHARTON:

H.R. 12566. A bill to amend the Welfare and Pension Plans Disclosure Act to require insurance of certain investments; to the Committee on Education and Labor.

By Mr. BONNER:

H.R. 12567. A bill to improve the aids to navigation services of the Coast Guard; to the Committee on Merchant Marine and Fisheries.

By Mr. BROYHILL of Virginia:

H.J. Res. 1168. Joint resolution requiring a report and recommendation from certain agencies for the purpose of the immediate improvement of the existing transportation facilities in the Washington metropolitan area; to the Committee on the District of Columbia.

By Mr. MATHIAS:

H.J. Res. 1169. Joint resolution requiring a report and recommendation from certain agencies for the purpose of the immediate improvement of the existing transportation facilities in the Washington metropolitan area; to the Committee on the District of Columbia.

By Mr. SICKLES:

H.J. Res. 1170. Joint resolution requiring a report and recommendation from certain agencies for the purpose of the immediate improvement of the existing transportation facilities in the Washington metropolitan area; to the Committee on the District of Columbia.

By Mr. MILLER of California:

H. Res. 877. Resolution authorizing the printing of additional copies of the study entitled "Obligations for Research and Development, and Research and Development Plant"; to the Committee on House Administration.

By Mr. CHENOWETH:

H. Res. 878. Resolution to set national policies for local airline service; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DADDARIO:

H.R. 12568. A bill for the relief of Mrs. Vincenza Marino and Fortunata Marino; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 12569. A bill for the relief of Eileen Millicent Henry; to the Committee on the Judiciary.

By Mr. GLENN:

H.R. 12570. A bill for the relief of Rev. Shoyu Hannayama and family; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 12571. A bill for the relief of Nadeshda Heidelberg; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 12572. A bill for the relief of Virginia Chein-Tze Wu; to the Committee on the Judiciary.

H.R. 12573. A bill for the relief of Sara Harari-Raful; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 12574. A bill for the relief of Mr. and Mrs. Paul M. Bissessar; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 12575. A bill for the relief of Michael Tsimenoglou and his wife, Arety Tsimenoglou; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

1027. The SPEAKER presented a petition of the legislative secretary, Trust Territory of the Pacific Islands, Mariana Islands District Legislature, Saipan, Mariana Islands, expressing the views of the people of the Mariana Islands District, through their legislature, that the capital of Micronesia be officially on Saipan; to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

Book Entitled "2,121 Funny Stories and How To Tell Them," Written by Mr. Winston K. Pendleton

EXTENSION OF REMARKS

OF

HON. D. R. (BILLY) MATTHEWS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 3, 1964

Mr. MATTHEWS. Mr. Speaker, I know that many times we, as Members of Congress, are in need of wholesome anecdotes to use as we make our public appearances in our home districts and throughout the Nation. I have been intrigued with the shortage of books that are available to help us with this problem. Last year several of my constituents wrote me and asked if I could recommend to them certain books of anecdotes. The list was very inadequate and it was not until just this past week that I found a book that fits the bill. The title of the book is "2,121 Funny Stories and How To Tell Them." It was written and edited, I must say frankly, by a longtime friend of mine, a fellow Floridian and my favorite story teller, Mr. Winston K. Pendleton. Pendleton is one of this country's best known afterdinner humorists and he has been collecting and telling stories most of his life.

I believe, Mr. Speaker, it is proper and ethical for me to call attention to this book because it deals with an important aspect of our American heritage. It is a book of humor and, as such, commends itself as a most wholesome example of this facet of our national culture.

I appreciate a funny story, I believe, as much as any of my colleagues, whether I am telling it or listening to it, whenever the story fits the occasion. Win Pendleton's book is filled with good stories. They are listed by subject like a dictionary and are carefully cross-referenced. His section on "how to tell" a funny story gives some valuable pointers that will help anyone become a better storyteller. Anyone who is a public speaker, and I believe that each of my colleagues is a gifted one, can profit from the wealth of humor in this book.

The book "2,121 Funny Stories and How To Tell Them" is published by the Bethany Press, St. Louis, Mo., and I am sure copies are available in most bookstores.

All Government Contracts Awarded McCloskey Should Be Investigated

EXTENSION OF REMARKS

OF

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 3, 1964

Mr. CRAMER. Mr. Speaker, I am today urging that the House Government Operations Committee investigate all Government construction contracts awarded Matthew McCloskey within recent years to discover whether there were kickbacks into the Democrats' campaign treasury.

I make this request in light of the Tuesday disclosure by Senator JOHN J. WILLIAMS, Republican, of Delaware, that Mr. McCloskey kicked back $25,000 from the District of Columbia stadium contract into the 1960 Johnson campaign fund.

It is perfectly obvious that if Mr. McCloskey can kick back from one Government contract, he can do it for another. The suspicion is especially acute because of his duties as a Democratic fund raiser.

Mr. McCloskey has been favored with many millions of dollars worth of Government construction, both in Washington, D.C., and elsewhere. The U.S. Office of Education and National Aeronautical and Space Administration (NASA) Building, $11.9 million; the Bureau of Old Age Survivors Insurance Building in Baltimore, $23.9 million, the Naval Weapons Plant in Washington, cost considered classified military information; the Rayburn Building, of which Mr. McCloskey was awarded $54 million of a total estimated cost of $86.4 million, and contracts for reconstruction of the east front of the Capitol Building totaling over $2 million are examples.

Senator WILLIAMS' investigation of the District of Columbia stadium contract indicates there is nothing in Mr. McCloskey's book of ethics to prevent him from siphoning off Government contract money into the Democratic treasury. What remains now for the Congress to discover is whether this practice extended to other Government contracts awarded this favored Democrat.

The Death of Representative Patrick Callaghan, of Pittsfield, Mass.

EXTENSION OF REMARKS

OF

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 3, 1964

Mr. CONTE. Mr. Speaker, my home city of Pittsfield, Mass., was saddened recently by the death of a fine and good man, State Representative Patrick Callaghan.

He was an effective legislator and outstanding public servant who will be greatly missed.

Mr. Speaker, Pat Callaghan was a leader in Pittsfield for many years. A native of London, England, he came to this country in 1913, and had lived an active life up until the recent illness that caused his death.

First elected to the city council in 1945, Pat Callaghan served as council president for 8 consecutive years and was serving his fourth term as councilman at large when he made his successful bid in 1960 for State representative.

He was reelected to that post in 1962, and in June announced his candidacy for a third term. His death came as a great surprise and shock to all who knew and loved him.

Mr. Speaker, Pat Callaghan had qualities of heart and mind that made him the warm and gracious human being that he was. These qualities, to which can be added personal conviction and direction, were the basis of his distinguished life.

In the human areas in which he moved, his influence was profound because of these qualities.

An engineer at General Electric Co. for many years before his retirement in 1960, Pat Callaghan had a sure grasp of the many issues facing his city. He faithfully executed his duties and brought to every task high standards.

He was an Army veteran of World War I, a member of the Pittsfield Post 68, American Legion, and the Pittsfield Barracks 398, Veterans of World War I. He was also a member of the Holy Name Society, Knights of Columbus, and had served as a trustee at the St. Luke's Hospital in his native city.

He was the kind of man who contributed so greatly to our way of life in Massachusetts. His service at statehouse was in the finest traditions of public service.

In all of my associations with him, I have found him to be a sterling human being.

In thinking about his wonderful live and his many friends, I do think I could add to an outstanding tribute given to him by the Berkshire Eagle in Pittsfield.

The tribute appeared in the "In Brief" section on the editorial page, and describes how the Berkshires reacted to his death. I am pleased to place this tribute in the CONGRESSIONAL RECORD to accompany my own statement. I also want to extend my sincere and deep sympathies to his family.

The article follows:

IN BRIEF

The death of Representative Patrick E. Callaghan yesterday came as a shock to a large number of Berkshire residents who claimed him as a friend as well as to many others who knew him only as an eminently honest and earnest public servant with a long record of conscientious service to his community. As a city councilman from ward 1 he played a vital part in the municipal advances of the capeless years; as president of the city council he set a standard of fairness and impartiality that has rarely been matched in that office; and as a legislator he dedicated himself on a full-time basis to the best interests not only of his district but of the entire area. The legislature could use many more like him.

The State of Labor Today

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 3, 1964

Mrs. KELLY. Mr. Speaker, Labor Day provides an excellent occasion for an annual public reappraisal of the state of American labor. We ask, where does labor stand today, and where is it headed?

As a nation we have certainly come a long way since our humble beginnings. Our output of goods and services averaged $585 billion in 1963.

Total employment averaged 68.8 million during 1963 and surpassed 70 million in several months for the first time in U.S. history. Also in 1963, weekly earnings for factory workers averaged $99.38, and personal income after taxes reached an annual average of $2,160 for each individual in the population.

However, our blessings are mixed and today we face many national contradictions. Our successes in space inspire our pride. Our failures in city slums, in industry-forsaken towns, and on small, inefficient farms inspire our compassion and demand our attention.

Last year the shocking conditions in which 36 million people, one-fifth of our population, live gained widespread attention. Recognition of the problem of poverty began with more or less independent notice of closely related problems facing the labor force, especially that of chronic high-level unemployment.

The problem of unemployment is the most general of the lot and is actually a composite of the others, which include such major challenges as labor force growth, automation and technological change, shifting employment patterns, and rising education and training requirements.

Several converging trends caused the labor force to expand by 1.1 million in 1963, and annual increases are expected to be still greater in the future. One recent trend contributing to the increase is that of younger persons entering the labor force in greater numbers than ever before as postwar babies reach working age: a million more youngsters will turn 18 next year than did this year. Also married women are entering the labor force in greater numbers to supplement family income and provide better opportunities for their offspring.

These contributions to labor force growth join with concomitant trends to create and aggravate our chronic unemployment problem. Largely because of increased productivity, agriculture, mining, rail transport, and some manufacturing industries continue to release workers who must seek work in other industries without marketable training or experience.

At the same time, the requirements of new industries and technology create the need for drastic upgrading of the education and training of our labor force. Manpower demand is growing most in professional and technical, clerical, and service occupations for which education and training requirements are relatively high to start and increasing steadily.

The importance of education to labor is most dramatically seen in the fact that two-thirds of our unemployed have less than a high school education.

Besides being undereducated and unskilled, such other characteristics as being young, aged, or nonwhite also single out those who are forced to pay the price in anguish and deprivation for the shifting patterns of supply and demand of the Nation's manpower.

Many of the programs designed to alleviate these problems have already been legislated and are bringing forth results. The Manpower Development and Training Act of 1962 took cognizance that present and prospective manpower needs must be clearly identified and adequately met if our economic growth is to increase. Because employment has not been growing at an adequate rate, our monetary, fiscal, and other economic policies must stimulate greater job growth. Outstanding examples of these efforts are the income tax reduction and the area redevelopment programs.

The Equal Pay Act prohibits pay discrimination against women. A voluntary program developed by the President's Committee on Equal Employment Opportunity seeks to provide greater job openings to members of minority groups. A recent executive order prohibits Federal contractors and subcontractors from setting maximum age limits, and new apprenticeship regulations adopted by the Secretary of Labor promotes equal opportunity in apprenticeship programs.

To meet educational needs, Federal legislation has provided financial assistance for expanding and updating vocational education, construction of facilities for higher education, aid to medical and dental education, and student support programs in other vital areas.

Legislated programs for rehabilitation will help the mentally ill and retarded, persons on public assistance, actual or potential juvenile delinquents, and unemployables who need more than normal job training.

A tripartite Advisory Committee on Labor-Management Policy has undertaken to study the impact of automation and technological change on workers, unions, and firms, and the problems of adjustment arising from such developments.

The broadest proposed legislation is the Economic Opportunity Act which translates President Johnson's avowed war on poverty into five separate but related programs to help impoverished Americans help themselves that they might share in the abundance enjoyed by the other four-fifths of their countrymen.

We have seen then that while American labor is setting new historical records for itself, it is also beset by a whole complex of worrisome problems. We can derive consolation in the many programs we have undertaken to solve these problems and draw strength from the faith I am sure we all have in the will, determination, and ability of our Nation's people and leadership to make and keep America strong, free, and great.

Results of a Public Opinion Survey Taken in North Carolina's Eighth Congressional District

EXTENSION OF REMARKS
OF
HON. CHARLES RAPER JONAS
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 3, 1964

Mr. JONAS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the results of a public opinion survey I have taken this year in North Carolina's Eighth Congressional District. I have been circulating questionnaires in my district for years but the returns this year far exceeded those of previous years, thus indicating an increasing interest among my constituents in taking advantage of the opportunity to inform their Congressman of their views on some of the issues of the day.

This year 14,938, or approximately 16 percent of the questionnaires mailed out, were returned. I am informed by colleagues who also circulate questionnaires that this percentage of return is quite high, and am highly gratified that so many of my constituents responded. I like to keep up with the thinking of the people down home and the use of a questionnaire is one of the best methods of doing so.

Tabulation of the answers was made by Data Management, Inc., of Washington, D.C., by use of data processing equipment. The results are quite interesting and I believe representative of the views of the voters of the district. The full tabulation will follow but I would like to call specific attention to some of the results.

For example, while 47 percent of those who answered the question indicated approval of the sale of wheat to Russia, only 4.4 percent said they would favor doing so on credit; 76.8 percent said they would approve a Federal income tax credit or deduction for all or part of college expenses; and 37.2 percent would extend the credit or deduction to any taxpayer who pays the expenses of a student—dependent or otherwise; 90.3 percent feel that the national debt is high enough already and oppose increased Government spending if it would require borrowing additional money—which is substantial opposition to further deficit financing, and was pleasing to me since I have long advocated curtailing the national debt during periods of prosperity. Incidentally, when the questionnaire was prepared earlier in the year the national debt was $310 billion, but by August 25 it had climbed to $314 billion.

To continue, 70.1 percent expressed opposition to increasing the pay of Members of Congress and other officials and employees of the Government. This vindicates my "no" vote on that bill. While some salary and pay adjustments are in order, I could not justify voting to increase the pay of Members of Congress by $7,500 at one time.

Only 13.9 percent expressed the feeling that our country's foreign policy is succeeding, while 77.3 percent answered in the negative and 8.8 percent did not respond to that question.

Following are the questions propounded and the answers by numbers and percentages:

1. (a) Do you approve this country selling wheat to Russia?

Yes (47.2 percent)	7,048
No (50.3 percent)	7,517
No answer (2.5 percent)	383

(b) If you have answered yes, would you favor extending credit to Russia to finance such purchases?

Yes (4.4 percent)	653
No (57 percent)	8,510
No answer (38.6 percent)	5,775

2. Would you approve a constitutional amendment making prayer and Bible reading permissible in the public schools when conducted on a voluntary basis?

Yes (91.2 percent)	13,627
No (7.2 percent)	1,079
No answer (1.6 percent)	232

3. Do you favor the Civil Rights Act under consideration by Congress?

Yes (16.1 percent)	2,400
No (76.7 percent)	11,450
No answer (7.2 percent)	1,088

4. Do you believe private and parochial schools should be included in any programs of Federal aid to education?

Yes (14.3 percent)	2,129
No (81 percent)	12,230
No answer (3.8 percent)	579

5. Would you approve a Federal income tax credit or deduction for all or part of college expenses?

Yes (76.8 percent)	11,472
No (20.1 percent)	2,996
No answer (3.1 percent)	470

6. (a) Would you favor a credit against the tax?

Yes (17.9 percent)	2,680
No (14.9 percent)	2,226
No answer (67 percent)	10,032

(b) Would you limit it to a deduction?

Yes (52.9 percent)	7,906
No (5.2 percent)	770
No answer (41.9 percent)	6,262

(c) Would you limit it (credit or deduction) to a taxpayer who pays college expenses of a dependent?

Yes (41.3 percent)	6,176
No (11.8 percent)	1,767
No answer (46.9 percent)	6,995

(d) Would you extend it (credit or deduction) to a taxpayer who pays college expenses of a student who is not a dependent?

Yes (37.2 percent)	5,561
No (18.1 percent)	2,698
No answer (44.7 percent)	6,679

7. The national debt of the United States is now approximately $310 billion. Under existing circumstances, do you favor increasing Federal spending above current levels even if it requires additional borrowing?

Yes (6.2 percent)	928
No (90.3 percent)	13,491
No answer (3.5 percent)	519

8. Do you favor a pay raise for Government employees—including Cabinet officers and executive officials, Federal judges, and Members of Congress?

Yes (21 percent)	3,130
No (70.1 percent)	10,466
No answer (8.9 percent)	1,342

9. Do you believe our Government should agree to renegotiate the Panama Canal Treaty?

Yes (40.8 percent)	6,094
No (49.1 percent)	7,342
No answer (10.1 percent)	1,502

10. On the whole, do you think this country's foreign policy is succeeding?

Yes (13.9 percent)	2,072
No (77.3 percent)	11,553
No answer (8.8 percent)	1,313

HOUSE OF REPRESENTATIVES

Friday, September 4, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D. offered the following prayer:

I Corinthians 3: 9: *For we are labourers together with God.*

Most merciful and gracious God, who hast created us in Thine own image and with a capacity to be like Thee in spirit, may we be faithful and worthy stewards of Thy manifold blessings.

Show us how we may enter more helpfully and sympathetically into the thoughts and feelings of our fellow men who are finding the struggle of life so difficult.

Grant that we may stand in the noble succession and the sublime tradition of all who, in every generation, have given themselves so sincerely and sacrificially for the blessedness and welfare of all mankind.

May the principles of righteousness and justice, of reverence and love for God and man, be enthroned in our minds and hearts and may the social order for which we are laboring conform completely to the ideals of the Prince of Peace.

Hear us in the name of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 4487. An act to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and other pesticides; and

H.R. 8070. An act for the establishment of a Public Land Law Review Commission to study existing laws and procedures relating to the administration of the public lands of the United States, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10809) entitled "An act making apropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1965, and for other purposes.

The message also announced that the Senate concurs in the amendments of the House to the amendments of the Senate numbered 13, 18, 26, 52, and 58 to the foregoing bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 27) entitled "An act to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1123) entitled "An act to provide for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes."

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 646) entitled "An act to prohibit the location of chanceries and other business offices of foreign governments in any residential area in the District of Columbia," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McIntyre, Mr. Morse, and Mr. Beall to be the conferees on the part of the Senate.

HEARINGS BY COMMITTEE ON UN-AMERICAN ACTIVITIES ON ILLEGAL TRAVEL TO CUBA

Mr. JOHANSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, as ranking minority member of the House Committee on Un-American Activities I wish to make a statement to the House regarding the incident which occurred on yesterday afternoon during the subcommittee hearings on illegal travel to Cuba.

The essential and deplorable fact regarding this incident is that a witness under lawful subpena of this committee, already under oath, on the witness stand, and actually testifying before the committee, was assaulted by a spectator at the public hearings.

In my judgment, neither the disreputable affiliations of the witness or of his attacker, nor the low opinion which I, and my colleagues on the subcommittee, hold regarding either man or his associations, has any bearing on the gravity of the offense committed by the attacker.

In my judgment, this incident was a brazen and intolerable affront to the committee and to the Congress of the United States.

In my judgment, this act constituted contempt of Congress of a character and degree second only in gravity to a possible physical attack upon a member of the committee.

I am today writing the Parliamentarian of the House requesting a ruling as to whether the person, Lon L. Dunaway, may not properly be cited by the House for contempt.

If the ruling of the Parliamentarian confirms my judgment that this person, Dunaway, is subject to such proceedings, I shall urge the full Committee on Un-American Activities to act forthwith to recommend such proceedings to the House of Representatives.

Whether or not such proceedings are ruled to be in order, I also direct the attention of the House to legislation first introduced in the House on May 24, 1960, in the 86th Congress as H.R. 12366, providing that misbehavior in the presence of, or so near as to obstruct the business of, either House of Congress or a committee thereof, shall constitute a misdemeanor and shall be punishable in the manner now prescribed for the refusal of a witness to answer any question pertinent to the matter under inquiry.

Also, I shall introduce in the House a revised version of the bill H.R. 12366—86th Congress—providing added penalties for any attack on a witness under subpena of this or any other committee.

I wish to offer one further observation. This person, Dunaway, has been identified by police authorities as a member of the George Lincoln Rockwell American Nazi Party.

I remind the committee and the House, however, that misbehavior in the presence of the committee and systematic and well-planned attempts to disrupt the proceedings of the House Committee on Un-American Activities and subcommittees thereof have long been indulged in by members of the Communist Party U.S.A., the Progressive Labor group, and other Communist and leftwing sympathizers.

Having sown the whirlwind in San Francisco in May 1960, an identified member of one of these Communist groups yesterday reaped the wind.

The fact that the witness, Morton B. Slater, escaped more serious injury is due solely to the prompt and effective intervention of Capitol and Metropolitan Police and other security officers assigned to this hearing.

These are the same police authorities who are repeatedly accused by Communists and their sympathizers of brutality and other abuses.

I take this occasion to commend the Capitol and Metropolitan Police and other security officers for their action.

I suggest that it will come with particularly bad grace for any Communist or Communist sympathizer witnesses to repeat the disparaging remarks regarding law officers which were made before the committee by another witness yesterday.

I again remind the committee and the House, however, that the crucial issue raised by yesterday's incident is the obligation of the House to support the Committee on Un-American Activities and all other committees of the House in the performance of their duties mandated by the House, to provide the fullest possible protection for witnesses under subpena of the committee and to provide proper penalties for lawless persons, regardless of their affiliations, who interfere with, or attempt to interfere with, the proceedings of such a committee.

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, I wish to concur in the remarks by my colleague, the distinguished gentleman from Michigan [Mr. Johansen]. The time has come for this House to give leadership in our Nation in the matter of upholding the spirit and letter of the law. Surely if this House does not demand, under proper penalty, respect for the duly elected representatives of the people in free elections and for the properly constituted committees thereof, law and order will break down all the way down to the remotest crossroads in our Nation.

I commend the gentleman from Michigan for his remarks and his efforts. I assure him he will have my fullest support.

MEDICARE

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I hold in my hand a package which contains 14,644 signatures of individuals living in my congressional district or in the immediate neighborhood in support of medicare. I will submit it in proper form as a petition or memorial to the House.

I do this because it has now become obvious that this House in approximately 2 or 3 weeks will have under consideration whether or not it has the means to get a vote on medicare. I hope that the flexibility of the rules of this House in one form or another will allow such a vote, and I am confident of the result of such a vote. But as we go back home to our districts during this coming week, I think it would be well for all of us to consult with our constituents to see whether or not there is not overwhelming support for the enactment of a medicare measure under the social security system of our country.

WEATHER SATELLITES

Mr. KARTH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KARTH. Mr. Speaker, I rise to give a report on the latest U.S. space program success to better keep my colleagues in the House informed.

On August 28 at 3:57 a.m. NASA's weather satellite—Nimbus—roared into orbit. While not achieving its precise predetermined orbit, Nimbus has accomplished another world space first and is operating almost beyond expectation. Nimbus is giving us complete photographs of the earth for the first global coverage in history.

In addition to that, once each 24-hour period Nimbus photographs the earth in infrared. This, too, is a world space first and gives us virtual global coverage at night, or two coverages during each 24-hour period.

With the dual capability of both day and night continuous coverage, the need for an additional satellite, and therefore additional millions of dollars of cost, is eliminated. The reason infrared is important for nighttime coverage is obvious. First of all, temperatures and therefore clouds and cloud cover change substantially from day to night. It is extremely important that these changes be identified and cataloged. It goes without saying that the importance of Nimbus to the military, surrounding this aspect of global coverage, could be substantial.

Commercial and civilian aircraft nighttime operations from a safety standpoint are also greatly enhanced. Eventually this Nimbus information may be transmitted in real time to aircraft, allowing the aircraft every opportunity to avoid dangerous pressure areas for greater safety.

Finally, of course, Nimbus is important because it, for the first time, gives us the kind of pictures necessary that, if coupled with present day technology, advances the state of the art in weather reporting many, many times. Since the unpredictability of weather has caused millions of dollars of loss to agricultural crop production as well as loss of human lives, this could well be considered one of the great steps forward made by our Government in the space age.

In addition to that, Mr. Speaker, I should like to point out that 1964 has been a year of near phenomenal success for our unmanned space flight programs. At least nine major triumphant successes have been achieved to date, with more in the offing for the remainder of the year. If we count the programs of minor success as well as those which we can describe as major breakthroughs, and therefore major successes, I think the total this year already comes to 15 or 16, out of a possible 18 or 19. Indeed this has been an outstandingly successful year, and I take this opportunity to congratulate NASA's Office of Space Sciences and Applications, the various NASA teams working on the projects involved, and U.S. industry, including the prime and subcontractor teams. They have done a good job and they are to be commended.

SELDEN'S STATESMANSHIP APPLAUDED

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ANDREWS of Alabama. Mr. Speaker, many in this Chamber are aware that the State of Alabama lost a Member of the U.S. House of Representatives as a result of the 1960 census. Since the Alabama Legislature was unable to agree on redistricting legislation, it had been necessary for the eight incumbent members from Alabama to run for reelection on a statewide basis. This not only involved great physical and financial strain on the part of the candidates themselves but resulted in confused and unsatisfactory representation for the people of my State.

The failure to redistrict was not due to lack of effort by the State legislature, however. In the 1961 session a bill was passed by both the House and the Senate, but it was vetoed by the Governor. In the 1963 session of the legislature a bill received overwhelming House approval, but it was killed by a last-minute Senate filibuster.

Governor Wallace, realizing the difficulties and disadvantages of at-large representation, called the legislature into session on August 4 to try again to redistrict Alabama. At the request of Governor Wallace and a number of legislators from our respective districts, the incumbent Members of Congress from Alabama notified the Governor that we had no objections to the provisions of a measure generally referred to as the Eddins bill.

Unfortunately, those who expected to reap political benefit from another confusing statewide congressional campaign were able to maneuver the legislature into an expensive and obviously futile filibuster. It seemed that the legislature again would be unable to redistrict Alabama.

It was at this point that a member of the Alabama congressional delegation, ARMISTEAD SELDEN, demonstrated great political courage and statesmanship. After prior consultation with the State senators from his area, and with their full knowledge and concurrence, he announced that he would be willing to accept a new area of voters into his district. With this announcement, SELDEN struck the spark that cemented the redistricting of the entire State.

It should be noted by the people of Congressman SELDEN's area that, by his action, he was able to hold completely intact the counties of the old Sixth Congressional District. This was no small accomplishment in itself and one for which the people of his area should be eternally grateful.

Aside from attacks by disappointed Republican congressional candidates, who seem unwilling to face the voters in straight, head-on, direct, and clear contests, the reaction to SELDEN's statesmanship throughout Alabama has been extremely favorable. This is evidenced by the following comments from the editorial pages of a number of Alabama newspapers:

[From the Tuscaloosa (Ala.) Graphic,
Aug. 20, 1964]

CONGRESSMAN SELDEN DISPLAYS STATESMANSHIP SELDOM SEEN IN ALABAMA POLITICS

MONTGOMERY.—When the history of the redistricting bill is written, if ever, the name of ARMISTEAD SELDEN, of Greensboro, will outshine them all.

Congressman SELDEN, in a display of statesmanship seldom seen in Alabama politics, flew to Montgomery and in a matter of minutes accomplished what 35 senators, the Lieutenant Governor and Governor had been unable to do.

It was apparent that none of the Congressmen relished the idea of taking into their district a large bloc of voters from Jefferson County. And it was this reluctance which threatened to kill any chance of passing a redistricting bill.

Then SELDEN stepped forward, agreed to do what the others had refused, and the logjam was broken.

There was much praise for SELDEN on the senate floor after the bill passed. All of it was deserved.

[From the Greensboro (Ala.) Watchman,
Aug. 20, 1964]

MR. SELDEN DID THE LOGICAL THING, SAYS THE GREENSBORO WATCHMAN

The so-called 9–8 plan, a Pandora's box of troubles since it appeared some 3 years ago, continues to add to its appalling toll.

Originated for the express purpose of giving Alabama a better chance to retain its highly valuable seniority in the House, the 9–8 plan has done everything but that for which it was originally intended. It has eliminated not one but three of the House Members, all of them with high seniority and national stature. Meanwhile, Alabama has seemed as far as ever from its goal of a fair redistricting bill.

Now comes ARMISTEAD SELDEN to the scene, and paves the way for what we have all been demanding—congressional redistricting of the State. His dramatic appearance in Montgomery last Friday, alone and unheralded, was for the precise purpose of getting this State redistricted without a delay until 1966 or 1968, or even until the new census of 1970.

It is not, in our opinion, a perfect bill but it is certainly the best that can be passed at this time. Among the six incumbents and the two Democratic nominees there has been a noticeable reluctance to yield anything to anybody. Every one of these men has wanted the other fellow to give in so that he might protect his own nest. After the defeat of Carl Elliott it became apparent that major surgery would have to be done on the Sixth and Seventh Districts, and this is precisely what Mr. SELDEN has agreed to.

Since it became apparent that Alabama would lose a Congressman, after the census of 1960, Mr. SELDEN has worked for two things:

1. The preservation of his Sixth District as a political entity so far as possible.

2. The redistricting of Alabama on a fair basis so that an impossible situation could be avoided, with nobody representing everybody on a statewide scale—a situation in direct contravention to the principle that the electorate has a right to be close, personally and geographically, to its House Member. The 9–8 plan has made a shambles of that principle.

It is quite true that the Republicans do not like this latest plan for redistricting. We don't blame them, but they are on questionable ground. If there is a quarrel it should not be with Mr. SELDEN for his unselfish and statesmanlike act. It should be with Governor Wallace. Governor Wallace called this legislature into extraordinary session for the express purpose of redistricting this State. Some thought this call a bit late, as we did, but the fact remains that as Governor of the State, he is vested with this power and that when he calls a redistricting session, some genuine effort should be made to do the job. It is apparent that Montgomery today is filled with people who would be delighted to stay there all summer at $210 a week and then throw up their hands in despair without passing any bills.

This is what Mr. SELDEN sought to prevent. It is obvious that, pledged as he always has been to a redistricting bill, he had to act when it became apparent that the power to compromise rested almost solely in his own hands. This has displeased the Republicans but let us remember that Mr. SELDEN is not a Republican. Like it or not, he is serving his sixth consecutive term as a Congressman from Alabama and certainly it is necessary for him to operate within the confines of his party. After all, if the Republicans are so concerned with him why do they nominate another man from the sixth district?

The new proposed district retained all of the old Sixth, with two more west Alabama counties, Marengo and Pickens, both of them closely alined with the Black Belt, thrown in. We hear much about the so-called "chop-up" plan but it is apparent even to a schoolchild that Jefferson County must be divided in some way to meet the dictates of the Supreme Court. The attachment of the Bessemer cutoff to Mr. SELDEN's district was logical. Bessemer will greatly alter this district but there is good reason to welcome it. Bessemer has a world of strong, substantial people who will find Mr. SELDEN to their liking. Best of all, the preeminent political figure in Bessemer has a real compatibility with Mr. SELDEN's hometown. This man is Jesse Lanier, mayor of Bessemer. He went to school in Greensboro and he married a Greensboro girl and we have called him one of our own all through the years. Thus, for many years to come we look for a fruitful coalition with Mayor Lanier and these good people of Jefferson County.

[From the Columbiana (Ala.) Shelby County Reporter, Aug. 20, 1964]

SHELBY COUNTY REPORTER COMMENDS CONGRESSMAN SELDEN FOR DIRECT ACTION

Congressman SELDEN is to be commended for the direct action he took to enable the legislature to reach a decision on this most difficult problem. His approval of the Lolley bill, then pending before the senate, terminated a debate that might well have ended once and for all any chance for a redistricting bill for this special session of the legislature.

[From the Tuscaloosa (Ala.) News, Aug. 16, 1964]

CONGRESSMAN SELDEN PRAISED FOR "EFFORTS CONSISTENT WITH HIS STAND"

In a dramatic turn of events, the State senate has passed a redistricting bill that appeared as a late starter in this special session.

Faced with a deadlocking filibuster, the bill offered by Senator Ray Lolley went to a vote after Representative ARMISTEAD SELDEN of the old sixth district appeared to reassure the members that he was not opposed to adding the Bessemer cutoff section to the area in which he resides and for which he would be the Congressman if reelected in November.

Congressman SELDEN is credited with saving the day for redistricting by his appearance and his support of the Lolley proposal. He is to be commended for his efforts which are consistent with his stand on this issue. Congressman SELDEN has maintained that the State should be redistricted and that he would favor any plan that was fair.

[From the Tuscaloosa (Ala.) Graphic, Aug. 20, 1964]

TUSCALOOSA'S GRAPHIC CALLS SELDEN'S ACTION "APPROPRIATE, TIMELY"

SELDEN broke up another filibuster when he agreed to go along with a redistricting bill that would put a portion of Jefferson County in his old congressional district.

Many had been saying all along that unless the State's Congressmen came up with some ideas of their own, the State legislature would not or could not pass a redistricting bill. All had been silent until Congressman SELDEN spoke up in this instance.

It was an appropriate, and certainly timely, gesture. Representative SELDEN apparently saved the day for redistricting in Alabama.

[From the Clanton (Ala.) Chilton County News, Aug. 20, 1964]

SELDEN HAS "ALWAYS STOOD FOR ALABAMA," SAYS CHILTON COUNTY NEWS

The Republicans claim that the present redistricting efforts (which passed in the House late Tuesday) are purely political. They say the Democrats are trying to change the rules to better insure their election this November. What the Republicans are really saying is: "The rules already set up (redistricting the State according to the Constitution) are to our disadvantage * * * we want to play by the rules which will best benefit the Republicans now running for the House of Representatives." Redistricting the State now is wrong for the Republicans' chances of election, so they don't want it now.

If that isn't talking out of both sides of your mouth at the same time, we don't know what else to call it, so they're hypocrites to boot. They want redistricting, but they don't want it until it will suit their purpose—which is not now.

ARMISTEAD SELDEN has, does, and will continue to fight for the redistricting of the State of Alabama.

If the Republicans choose to fight ARMISTEAD SELDEN, they picked a noble adversary, with moral support the likes of which they only dream about. If they "lay the facts of his record before the people * * *" as they claim they will do * * * they will honor him and be doing us a great service for which we will be eternally grateful.

They say, "an informed electorate will defeat Mr. SELDEN and his courthouse crowd." The electorate is already well informed on SELDEN and what he has done as a representative of the people. The electorate is equally well informed on what Republicans have not done.

An informed electorate will surely reelect ARMISTEAD SELDEN, as a Representative who speaks with discretion, and with wisdom; and who has always stood for Alabama and the United States, when he felt it necessary to do so, regardless of political consequences.

[From the Tuscaloosa (Ala.) News, Aug. 19, 1964]

CONGRESSMAN PUT "SERVICE ABOVE OWN INTERESTS," SAYS TUSCALOOSA NEWS

Congressman SELDEN's efforts to redistrict the State did not start last Friday. They go back to 1961 when congressional redistricting became necessary. Prior to that time no one considered congressional representation by districts anything other than natural and normal. It still is and all of the anguished cries and attempts to smear a Congressman who put service to the people above his own interests cannot change the fact that congressional districts are needed and representation on this basis is best for all the people of this State.

[From the Anniston (Ala.) Star, Aug. 16, 1964]

ANNISTON STAR CALLS SELDEN'S DECISION AN ACT OF STATESMANSHIP

He (U.S. Representative ARMISTEAD SELDEN), more than any other public figure in Alabama, can take credit for the fact that the Senate passed a redistricting bill and that the legislature is now flowing smoothly toward a solution to its 4-year-old problem * * *. His personal appearance provided the dramatic spark needed to drive the Senate into action * * *. It is not too enthusiastic, we feel, to assert that Representative SELDEN's decision was an act of statesmanship.

[From the Decatur (Ala.) Daily]

DECATUR DAILY HAS "NOTHING BUT PRAISE" FOR CONGRESSMAN SELDEN

There is nothing but praise for Representative ARMISTEAD SELDEN for untying the knot which was so plainly holding up action on any redistricting bill in the Senate.

[From the Birmingham (Ala.) News, Aug. 18, 1964]

CONGRESSMAN SELDEN'S DECISION AVOIDED FURTHER CONFUSION IN LEGISLATURE

The bill before the House today achieved life by virtue of Representative ARMISTEAD SELDEN's willingness to accept the cutoff in his new district. If anyone thought that SELDEN would have refused, thus throwing the legislature into further confusion, his decision upset such speculation. If a bill is to be passed, SELDEN thus far is not obstructing it.

[From Ozark (Ala.) Southern Star, Aug. 21, 1964]

SOUTHERN STAR BESTOWS PRAISE ON CONGRESSMAN SELDEN, REDISTRICTING BILL

The Alabama Legislature is to be commended for expeditious action on the controversial redistricting bill. With the signature of Governor Wallace the bill restores practical congressional representation. It appears to be an equitable bill, with a reasonable population balance.

Special praise should be bestowed on Representative ARMISTEAD SELDEN for his part in clearing the last hurdle.

[From the Eufaula (Ala.) Tribune, Aug. 18, 1964]

BARBOUR COUNTY OWES DEBT OF GRATITUDE, SAYS EUFAULA TRIBUNE

Barbour Countians, indeed Alabamians in general, owe Congressman SELDEN a debt of gratitude. He flew to the State capitol from Washington and arrived just in time to revive the special session for congressional redistricting. While a filibuster was in progress, and little or no effort was being made to work out a compromise, Representative SELDEN entered the senate chamber and in a short time the situation changed and a redistricting bill was on its way toward becoming law.

Barbour Countians should be happy with the turn of events. They should also extend their thanks to Representative SELDEN, a statesman and one of their favorite Congressmen.

[From the Andalusia (Ala.) Star-News]

ANDALUSIA STAR-NEWS OFFERS "SINCERE THANKS OF EVERY THINKING VOTER"

Congressional redistricting has been pulled out of the hat.

ARMISTEAD SELDEN, the widely revered solon from Greensboro, was the magician. Congressman SELDEN should have the sincere thanks of every thinking voter.

With the exception of the Republicans, of course.

It is not to the advantage of the GOP congressional hopefuls, in this year of 1964, to have candidates seek office by districts.

SELDEN, who has Andalusia's Dick Cobbs' family as country cousins, absorbed the Bessemer cutoff in his Fifth District, in an appearance at Montgomery that uncorked a State senate snarl.

Early in his congressional career, Congressman SELDEN demonstrated the virtues of a true political leader. He has bucked the Kennedy and Johnson administrations on many an issue.

The Greensboro lawmaker has climbed to high legislative rank in carving out Pan-American policies that demand the respect of State Department policymakers.

It was back home in Alabama, up in Montgomery last week, that Congressman SELDEN was in his finest hour. Making a sacrifice by embracing a new and untried area of voters into his district, Congressman SELDEN struck the spark that cemented the redistricting of the entire State.

With no statewide race probable this year, unless the GOP can win a court fight, it will not be possible for the wiregrass to cast ballots for ARMISTEAD SELDEN in 1964.

But one of these days, this young man will keep climbing and aspire to a U.S. Senate seat. Then south Alabama will be able to shower him with thanks for his statesmanship.

TELEGRAMS SENT BY MEMBERS OF CONGRESS

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, I want to take this opportunity to express my dissatisfaction with a practice here in the House of Representatives which is costing the taxpayers of this country many thousands of dollars a year. I refer to the manner in which messages of the House of Representatives are treated by the Western Union Telegraph Co.

I bring this to the attention of the House particularly because after talking with many Members I doubt if all Members are aware of the way in which our accounts are handled and the way in which the Government is billed excessively for those expenses.

Some few weeks ago I had occasion to send what I would call a press release to several newspapers in the district I represent. I asked that this be sent at the press rate message to these newspapers. They told me I could send the messages at the press rate only if I would send them collect. I said, "I will prepay it myself." They said, "No, you cannot do that." Of course I was not going to send this message to the newspapers collect.

I was informed that the message, consisting of 150 words would cost $13.20 each, regardless of the number of newspapers to which it might be addressed, if sent at the straight telegram rate; that it would cost $6.20 each if sent at the day letter rate. The press rate, which each newspaper would have to pay upon receipt, if sent collect as suggested, would be only $4.84. Yet, and I think this is important, no Member of Congress can send a press release to any newspaper at the press rate—unless it is sent collect—even if the Member offers to prepay the message in cash or directs that it be charged to his account.

I send comparatively few telegrams, but with the cooperation of the two Senators from Missouri we occasionally send joint telegrams when a matter of very important and urgent nature occurs. We sent one such telegram on July 21, and it went to 37 newspapers. Each one of these was charged as a straight telegram of 105 words by Western Union count, though actually the message contained 99 words. The cost ranged from $8.40 to $9.40, each, whereas these messages sent to newspapers should have been entitled to the press rate, which would have been approximately one-third of the cost.

I think that some committee in the House, and I think probably the House Administration Committee of which I am a member—and I have asked the clerk of that committee to make some investigations—should take some action. I also think the Federal Communications Commission in approving the tariff of the Western Union should take notice of what has happened, and I intend to ask them to do that.

Incidentally, the message sent to the 37 newspapers on July 31, actually involved the transmission of only one message from Washington to St. Louis, Mo., where the message was then distributed to the various newspapers throughout southeast Missouri, and since many of these towns are without Western Union offices, I am convinced that many of these messages were actually distributed to their final destination by mail. That is why in most instances I find it almost as quick to use an airmail letter as to use a telegram. I have also checked and find that I can talk for 5 minutes on a station-to-station telephone call, much cheaper than I can send a telegram of 150 words at the slow and cheaper day rate.

I cannot close these remarks without mentioning the irritation caused when I receive a telegram from either a Member of Congress or some Government official here in Washington, directed to my Washington office, and I think how much cheaper it would have been to have sent the identical message either in mimeograph or some other duplicated form, even if necessary by special messenger, if not by page.

GREETINGS TO SAM BLACK, NEW HEAD OF UNITED SPANISH WAR VETERANS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, my warmest congratulations go to Sam Black on his elevation to the post of commander in chief of the United Spanish War Veterans at the encampment at Louisville, Ky., this week. He and I have been fellow members of Columbia Camp in Chicago for many years. His administration of the affairs of the oldest active veteran organization in the country I know will be marked by brilliant accomplishment.

I had thought that this year surely the Congress would have reached a sine die adjournment before the convening of the United Spanish War Veterans at Louisville, and I had made my plans accordingly. I must confess to a feeling of great disappointment when it turned out otherwise as my heart had been set on being present at the encampment presided over by Archie House, the retiring commander in chief. Archie and I, when we were just turning 16, were in the same company of the same infantry regiment at the seige of Santiago in Cuba.

Next year the United Spanish War Veterans will meet in Little Rock. I do hope that in 1965 we come to the happy day of sine die adjournment in ample season.

INFILTRATION OF COMMUNISM IN MOBILIZATION FOR YOUTH

Mr. FUQUA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FUQUA. Mr. Speaker, I wish to commend the gentleman from Texas [Mr. CASEY] for calling to the attention of the House the reported infiltration of Communists and their fellow travelers in the New York City Mobilization for Youth, Inc., supposedly, a program for the prevention and control of juvenile delinquency and supported by taxpayers funds. I, too, am calling on the chairman of the House Un-American Activities Committee, the gentleman from Louisiana, the Honorable EDWIN E. WILLIS, to schedule a full and complete investigation of this matter and to report to Congress the measures his committee deems essential and necessary for the elimination of future participation of Communists and their fellow travelers in these types of programs.

Mr. Speaker, I am shocked and dismayed at the lack of control in this type of program. There is some $8 million of taxpayers funds involved in this program, and to have MFY members participate in some of the march-ins, sit-ins, and strikes does not, in my opinion, present any positive program for combating juvenile delinquency in our country. The long list of individuals who have been linked to Communist front and leftist organizations is very appalling.

It is my desire that the Un-American Activities Committee, after these investigations, report back to Congress and that Congress adopt those measures necessary to insure that this type of influence will not creep into any other programs designed to eliminate juvenile delinquency and to provide job opportunities and training for young people. If this is allowed to continue, it would be a sad day for America.

THE LATE NORMAN A. WELCH, M.D.

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, it is my sad duty to advise the House of Representatives of the passing last evening of one of the truly great men of medicine—Dr. Norman A. Welch, the current incumbent as president of the American Medical Association, who suffered a severe cerebral occlusion yesterday at Jackson Hole, Wyo., while pursuing his duties as president of the AMA.

He was a truly great man of medicine. He was an internist by specialty profession but, of more interest to this body, was one of the founding members, in at the very start of the "Blues"—namely, the Blue Cross and Blue Shield, forms of nonprofit prepayment insurance for the protection of all who sought it.

He was a man who held every office in organized medicine, from his local county medical society up to and through the incumbency of president of the American Medical Association.

It has been my privilege to serve for a long time in the house of delegates of the American Medical Association with Dr. Norman Welch, over which body he presided as speaker, and to see him rise in it.

Certainly Mrs. Hall and I extend our sympathy to Mrs. Welch and to those he leaves behind, as God has called him home in the midst of his greatest duty. I know that Members of the House join me in extending their sympathy to the family of this great man of medicine.

Mr. MORSE. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman from Massachusetts [Mr. MORSE].

Mr. MORSE. I rise in tribute to the memory of Dr. Norman Welch, a distinguished resident of the Commonwealth of Massachusetts.

Dr. Welch has compiled a distinguished record of scientific accomplishment and service to his profession. His death Thursday, in Jackson, Wyo., where he was to address the Wyoming Medical Society, comes as a tremendous shock.

Dr. Welch compiled a distinguished record at Tufts University, from which he was graduated in 1929, summa cum laude, and president of his class.

He served as clinical professor of medicine at Tufts, and as an instructor at the Boston University School of Medicine. A member of the American Medical Association House of Delegates from 1951, and its speaker from 1959 to 1963, Dr. Welch capped his career in 1963 with his election to the presidency of the association.

Dr. Welch's death is a severe blow to the entire medical profession and, of course, to his fine family. Mrs. Morse joins me in extending deepest sympathy to Mrs. Welch and to their four fine children.

THE BRACERO PROGRAM

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, last year the Congress reluctantly decided to extend the bracero program, the Mexican national supplemental labor program, for only 1 year after turning down an attempt to extend it for 2 years.

Leaving aside the obvious facts that many farmers in this country will not be able to harvest their crops, that there will be a crop shortage, and that prices to housewives will be higher, I wish to point out to the House and to place in the RECORD another aspect of this problem, which is apparently hard to get across.

I had a call a few days ago from Senator GRUENING of Alaska. They do not use braceros in Alaska, but all of us know that the distinguished Senator from Alaska is an authority on international relations, particularly relations with Mexico and Latin America. He expressed dismay and concern about the effects of the abandonment of the bracero program on our relations with Mexico.

In that connection I have before me, and would like to read, an editorial which appeared in the Ventura County, Calif., Star-Free Press, a paper with a genuine concern for our relations with our neighbors to the South on this same point. This editorial is as follows:

AMIGOS AND PARTNERS

A century of United States-Mexican friendship will be marked by presentation of a statue of Abraham Lincoln to Mexico by this country. At the suggestion of Senator THOMAS KUCHEL, the Congress has approved the idea and made about $150,000 available for the project.

The two nations "are truly amigos and partners in advancing freedom and progress in our hemisphere," said Senator KUCHEL in urging that the gift be made. "We have given the world a host of examples of mutual cooperation and respect."

This is undeniably true. Ironically, however, one of the best examples is the now-doomed bracero agreement. That this has been mutually beneficial is best indicated by the vast number of Mexican nationals who have been eager to participate and who have earned a "nestegg" in America, and the protections that California farmers have afforded these people during the term of their labor contracts.

We commend Senator KUCHEL's thoughtfulness in commemorating United States-Mexican amity, but wish that Congress had provided not only a statue but also a statute which would revive the bracero program as the epitome of good intracontinental relations and not at all the slave labor program its critics claim it to be.

INFLUENCE PEDDLING HUCKSTERS

Mr. GLENN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GLENN. Mr. Speaker, it was refreshing to read of the President's request to the Federal Bureau of Investigation for an investigation of an alleged conspiracy in padding an insurance bill in the District of Columbia Stadium construction contract. However, as an editorial in the Washington Post of September 3, 1964, points out the FBI can only do part of the job. The administration and the Congress must eventually deal with any scandalous or fraudulent conduct brought to light by the investigation.

It is also in order and even perhaps belatedly so for the executive branch to order an investigation of influence peddling. This is the type of thing that shows its ugly head in every administration and after it is brought to light and publicly treated, it quiets down for awhile only to start growing again sometimes to a point of open huckstering and unbelievable brashness.

I have had a number of incidents brought to my attention of such influence peddling in both grants and loans from governmental departments and agencies. Applications for Federal Housing Administration financing and Small Business Administration loans have been subjected to astronomical fees by those who claim to have influence through the back door of the White House. A telephone call from a subordinate in the Executive Offices seems to work wonders in some agencies even to the point of reversing decisions. I am informed of that fees of $5 to $25,000 are mulcted on run of the mill applications.

The President has said on a number of occasions that this administration believes in integrity in Government. Maybe it is time to start shaking the Executive tree again and putting a double lock on that back door.

FARM PARITY DECLINE

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOEVEN. Mr. Speaker, the farmers of America should take special note of the announcement from the Department of Agriculture several days ago that the farm parity ratio has once again dropped to a low of 74 percent, 4 percent below that of a year ago. At the same time, the index of prices paid by farmers, including interest, taxes, and farm wage rates, rose 1 point during August. The report further indicates that prices for motor vehicles and farm machinery purchased by farmers were higher than those bought in August 1963.

This is not a very encouraging outlook for our farm population. The farmers of America are caught in a price-cost squeeze beyond their control at a time when other segments of our economy are pressing for another round of increases.

This deterioration in our farm economy is alarming, to say the least. During the 8 years of the Eisenhower administration, the farm parity ratio averaged 84 percent, whereas the prices received by farmers under the Kennedy and Johnson administrations have averaged only 76 percent of parity. If this decline continues, more and more of our farmers will be forced to seek other livelihood than their chosen occupation.

This being a presidential election year, much will be said about the future of our agricultural economy and many promises will be made to our farmers. Everyone in the Farm Belt should give careful thought to this situation before going to the polls on November 3. The farmers of America should stop, look, and listen.

SELECT COMMITTEE TO STUDY ADMINISTRATION AND OPERATION OF ECONOMIC OPPORTUNITY ACT OF 1964

Mr. QUIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. QUIE. Mr. Speaker, on August 17 I introduced House Resolution 857, to create a select committee of Congress to study the administration and operation of the Economic Opportunity Act of 1964, popularly called the war on poverty.

It is fitting that Congress should take action to study the administration and operation of the new antipoverty legislation. Though many of us did not agree with the precise approach used in the Economic Opportunity Act, all of us have always agreed that poverty should be attacked at the roots. I am sure that there is not a Member of Congress who would not agree that any Federal program can be improved. This, in regard to the Economic Opportunity Act, is the intent of H.R. 857.

The need for a select committee to study the new hodgepodge of programs in the Economic Opportunity Act seems to be illustrated by Comptroller General Joseph Campbell's recent report to Congress concerning the manner in which the Area Redevelopment Administration is administering its programs. Had a select committee from Congress been established to keep in close touch with the administration and operation of that program, Mr. Campbell's report might have shown different results.

Mr. Campbell reports that the ARA has spent $7,400,000 to assist what he calls "seemingly undepressed" areas.

He concludes that this spending was "not in accord with the Area Redevelopment Act" and is unfair to truly depressed areas that receive no assistance at all.

The Campbell report shows that the Government spent $586,000 in ARA funds and $2,734,000 in accelerated public works moneys in Hawaii County, Hawaii, when the area had a jobless rate of 4.9 percent, which is below the national average, and a median family income of $4,866.

Yet, the ARA criteria for designation as a depressed area includes an unemployment rate at 6 percent or more or high numbers of low-income families. The Administration usually uses the figure $3,000 as the median family income level designating poverty.

By contrast, Mr. Campbell says, 18 counties in Virginia with a median family income below $3,000 a year are not designated as redevelopment areas.

These are examples. The pattern has been repeated on several occasions.

Mr. Thomas W. Harvey, chief counsel of ARA, is quoted as saying that:

> It is our considered opinion that it was the intent of Congress that the Administrator have discretion to designate at least one area of economic distress in each State so that experience in economic development activity as conceived by the act could be gained in each State.

It is my understanding that ARA was established to aid distressed areas in redevelopment and not to give ARA administrators "experience in each State."

There appears to be no justification for the spending of ARA and accelerated public works funds in a county where the average family income is nearly $5,000 a year and where unemployment is below the national average.

It is my opinion that the program should be operated where truly needed, and not parceled out on a so-many-projects-to-a-State basis, regardless of need and to the detriment of truly needy areas.

The Campbell disclosures concerning ARA point out the way in which the poverty program could be conducted.

Such disclosures tend to throw doubt on legitimate Federal poverty-fighting efforts. It is of utmost importance that Congress carefully watch the poverty program, so that it does not turn into a huge pork barrel of spending for political benefit.

Mr. Speaker, passage of H.R. 857 would surely prevent unsavory reports from developing out of the administration and operation of the Economic Opportunity Act. And, early recognition of undesirable trends would surely prevent even worse malpractices from occurring.

GENERAL LEAVE TO EXTEND

Mr. HALL. Mr. Speaker, I ask unanimous consent that all Members, and specifically those from Massachusetts, have 5 legislative days in which to extend their remarks concerning the passing of Dr. Norman Welsh.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

TO ESTABLISH A PUBLIC LAND LAW REVIEW COMMISSION

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 8070) for the establishment of a Public Land Law Review Commission to study existing laws and procedures relating to the administration of the public lands of the United States, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

> Page 5, lines 9 and 10, strike out "December 31, 1967" and insert "December 31, 1968".
>
> Page 5, line 12, strike out "June 30, 1968" and insert "June 30, 1969".
>
> Page 10, line 16, strike out "national forests, and (f)" and insert "national forests, (f) wildlife refuges and ranges, and (g)".

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I wonder if the chairman of the committee could advise whether this has been cleared with the minority on the committee?

Mr. ASPINALL. Mr. Speaker, if my friend the gentleman from Wisconsin will yield to me, I have three unanimous-consent requests. They have been cleared by the ranking member of the minority party of the House Committee on Interior and Insular Affairs. They have also been cleared by the floor leader of the minority party. They are technical and clarifying in extent and do not go to anything beyond the original intent of the bill. They are germane.

Mr. BYRNES of Wisconsin. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I would like to take but a moment to make certain observations for the record in connection with the three bills on which the House has just acted, namely, H.R. 8070 for the establishment of a Public Land Law Review Commission, H.R. 5159 which will provide classification procedures during the period of the Commission study, and H.R. 5498, an act that will permit the sale of some public lands during this same period in which the Commission is making the study of all the public land laws.

Both the Senate and the House were in basic agreement in approaching this legislation and this is a good sign for the continued cooperation that must be given by all in order to make the work of the Public Land Law Review Commission effective. The two bodies did, however, suggest different approaches as an answer to the problem of assuring that, after they have left Federal Government ownership, public lands will be utilized for the purpose for which they were sold and developed in a suitable manner.

The House Committee on Interior and Insular Affairs has been mindful of the need that land use shall be in harmony with local development. We were reluctant, however, to place the Federal Government in a position where a local agency could dictate whether Federal public lands should or should not be sold. Nonetheless, we have all recognized that this is essentially a matter for local government and that local government agencies should assume the responsibility of providing for the proper development of lands in non-Federal ownership.

Inasmuch as H.R. 5498 is temporary in nature and its authority will, by the terms of the legislation, expire June 30, 1969, and inasmuch as the whole problem of the relationship between the Federal Government and State and local governments with respect to the use and development of Federal public lands is one of the major problems that must be studied by the Public Land Law Review Commission, we have suggested to the Senate a compromise in our amendment to H.R. 5498; at the same time we pose a challenge to local government agencies to assume their responsibilities to provide for proper use and development of public lands that are chiefly valuable for private residential, commercial, and industrial uses.

Our amendment provides that no sale shall be conducted of any public lands under this legislation until zoning regulations have been enacted by the appropriate local authority. The Senate amendment that we have agreed to takes the Secretary of the Interior, and therefore the Federal Government, out of the business of policing the use of land after it passes from Federal ownership by providing that, in transferring title, no restriction may be imposed to insure proper development of the lands after they have passed from Federal ownership.

The burden is now on the local communities to act affirmatively in establishing comprehensive zoning regulations where they do not already exist. These zoning regulations and other local ordinances should not only be concerned with the type of use to which land is put but they should also be concerned with the type of construction and the assurance of access through reasonable roads and streets, the availability of adequate utilities, including water and sewerage, and to provide the usual municipal services including trash and garbage removal. The development of many western communities depends upon making public lands available for non-Federal use. Whether they will be offered for sale under this legislation is now squarely up to the communities themselves.

We expect that the Secretary of the Interior will exercise his discretion under this legislation to withhold from sale public lands where adequate zoning has not been adopted. It is not sufficient that a token zoning regulation be enacted; it is necessary that it be forceful and enforceable.

Finally, local communities should remember that during this interim period the Public Land Law Review Commission will be observing the ability of local government agencies to assume these responsibilities. Failure of local communities to act responsibly and constructively can only result in creating the impression that the Federal Government must retain control over public lands after they have passed from Federal ownership. None of us want this; we earnestly believe that once the Federal Government has transferred title to a tract of land it should have no further jurisdiction over that land. I join with my colleagues in the Senate in hoping that local agencies will demonstrate their ability to act without the Federal Government policing them.

I am gratified at the House action and look forward to a new era in the use of public lands.

TO PROVIDE TEMPORARY AUTHORITY FOR THE SALE OF CERTAIN PUBLIC LANDS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5498) to provide temporary authority for the sale of certain public lands, with Senate amendments thereto, and consider the same.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, do I understand from the gentleman from Colorado that the same general explanation that was made with respect to the previous bill applies to this bill?

Mr. ASPINALL. Mr. Speaker, if the gentleman will yield, the gentleman is correct.

Mr. BYRNES of Wisconsin. And also that the gentleman has one more bill to which the same understanding applies?

Mr. ASPINALL. The gentleman is correct. They all have to do with the same subject matter, I might say, involving public lands.

Mr. BYRNES of Wisconsin. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The SPEAKER. The Clerk will report the first Senate amendment.

The Clerk read as follows:

Senate amendment No. 1: Page 1, line 10, after "commercial," insert: "agricultural,".

Mr. ASPINALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Aspinall moves that the House concur in Senate amendment No. 1 with an amendment as follows: In lieu of the matter inserted by the Senate amendment, insert: "agricultural (exclusive of lands chiefly valuable for grazing and raising forage crops),".

The motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 2: Page 2, line 15, strike out all after "development." down to and including line 18, and insert "Patents and other evidences of title shall not be issued under the authority of this Act until zoning regulations enacted by the appropriate local authority shall be in effect."

Mr. ASPINALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Aspinall moves that the House concur in Senate amendment No. 2 with an amendment as follows: In lieu of the matter inserted by the Senate amendment, insert: "No sale shall be conducted under the authority of this Act until zoning regulations have been enacted by the appropriate local authority."

The motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 3: Page 3, line 5, strike out all after "laws." down to and including line 11 and insert "Patents and other evidences of title may contain such reservations and reasonable restrictions as are necessary in the public interest, but no restriction to insure proper development of the land after they have passed from Federal ownership shall be imposed."

Mr. ASPINALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Aspinall moves that the House concur in Senate amendment No. 3.

The motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 4: Page 4, after line 12, insert:

"Sec. 6. Ninety per centum of the proceeds from lands sold in the State of Alaska pursuant to this Act shall be transferred to the State of Alaska in consideration for which the State shall surrender its right to select an equal acreage of land pursuant to section 6(b) of the Alaska Statehood Act (72 Stat. 339).

Mr. ASPINALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Aspinall moves that the House concur in Senate amendment No. 4.

The motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 5: Page 4, line 13, strike out "6" and insert: "7".

Mr. ASPINALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Aspinall moves that the House concur in Senate amendment No. 5.

The motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment.

The Clerk read as follows:

Senate amendment No. 6: Page 4, line 14, strike out "June 30, 1968," and insert: "December 31, 1968,".

Mr. ASPINALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Aspinall moves that the House concur in Senate amendment No. 6 with an amendment as follows: In lieu of the matter inserted by the Senate amendment, insert: "June 30, 1969,".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Senate amendment No. 7: Page 4, line 16, strike out "June 30, 1968" and insert "December 31, 1968."

Mr. ASPINALL. Mr. Speaker, I move that the House concur in Senate amendment No. 7, with an amendment.

The Clerk read as follows:

> Mr. ASPINALL moves that the House concur in Senate amendment No. 7 with an amendment as follows: In lieu of the matter inserted by the Senate amendment, insert "June 30, 1969,".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

> Senate amendment No. 8: Page 4, line 17, strike out "June 30, 1968" and insert "December 31, 1968."

Mr. ASPINALL. Mr. Speaker, I move that the House concur in Senate amendment No. 8 with an amendment.

The Clerk read as follows:

> Mr. ASPINALL moves that the House concur in Senate amendment No. 8 with an amendment as follows: In lieu of the matter inserted by the Senate amendment, insert: "June 30, 1969."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

AUTHORIZING AND DIRECTING THAT CERTAIN LANDS EXCLUSIVELY ADMINISTERED BY THE SECRETARY OF THE INTERIOR BE CLASSIFIED

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5159) to authorize and direct that certain lands exclusively administered by the Secretary of the Interior be classified in order to provide for their disposal or interim management under principles of multiple use and to produce a sustained yield of products and services, and for other purposes, with Senate amendments thereto.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. ASPINALL]?

There was no objection.

The SPEAKER. The Clerk will report the first amendment.

The Clerk read as follows:

> Senate amendment No. 1:
>
> Page 2, line 7, after "commercial," insert "agricultural,".

Mr. ASPINALL. Mr. Speaker, I move that the House concur in Senate amendment No. 1 with an amendment.

The Clerk read as follows:

> Mr. ASPINALL moves that the House concur in Senate amendment No. 1 with an amendment as follows: In lieu of the matter inserted by the Senate amendment, insert: "agricultural (exclusive of lands chiefly valuable for grazing and raising forage crops,".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

> Senate amendment No. 2: Page 7, line 15, strike out "June 30, 1968" and insert "December 31, 1968".

Mr. ASPINALL. Mr. Speaker, I move that the House concur in Senate amendment No. 2 with an amendment.

The Clerk read as follows:

> Mr. ASPINALL moves that the House concur in Senate amendment No. 2 with an amendment as follows: In lieu of the matter inserted by the Senate amendment, insert: "June 30, 1969,".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

> Senate amendment No. 3: Page 7, line 16, strike out "June 30, 1968" and insert "December 31, 1968".

Mr. ASPINALL. Mr. Speaker, I move that the House concur in Senate amendment No. 3 with an amendment.

The Clerk read as follows:

> Mr. ASPINALL moves that the House concur in Senate amendment No. 3 with an amendment as follows: In lieu of the matter inserted by the Senate amendment, insert: "June 30, 1959,".

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

OPERATION PLYWOOD—ARA AND COMMUNITY INITIATIVE

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, in recent months, the area of Montezuma County, Colo., including the communities of Dolores and Cortez, have written a story of local initiative that should be brought to the attention of the entire Nation.

The story, very briefly, centers around the efforts to establish a $3.8 million plywood plant in an area that was desperately in need of an economic lift to stabilize the life of the area—an area designated as eligible for an ARA loan. Mr. Dwight Wood and associates, organizers of the Montezuma Plywood Co., after obtaining $600,000 in private financing, applied to the Area Redevelopment Administration for a loan in the amount of $1,650,000 to assist in the financing of the plant.

After checking the feasibility of the plan and the credit rating of the company, the ARA made a commitment for the loan with the condition that the community—in its broad sense—subscribe 10 percent of the cost of the plant—or, some $265,000. After a great deal of serious discussion, it was decided that a local development company would be formed to accept loans which, in turn, would be turned over to the plywood company. A stipulation was added that subscribers to such loans would have the option of purchasing stock in the Montezuma Development Corp. in the proportion of one share at $1 for each $100 or multiple subscribed.

This was an ambitious program that prompted many doubts as it got underway in a rather informal fashion. The fund drive was centered in the county's three principal communities. Dr. Edward Merritt was in charge of subscriptions in the community of Dolores. The Industrial Committee of the Cortez Chamber of Commerce handled the fund raising in that city, and Emery Lovett was responsibile for the town of Mancos. At a public meeting on June 3, 1964, the campaign was launched and a deadline of July 1 was set for the raising for the money. However, when the deadline was reached and passed, and the fund was still some $200,000 short of its goal, doubts began to grow and even the Montezuma Plywood Co. questioned whether the area would ever be able to raise its part of the money.

This was a turning point. The area had great potential, and a dedicated handful of community leaders were convinced that the people not only wanted this plant but would demonstrate their faith in a very material way. One of the biggest needs was a coordination of effort. All had done well up to that time, but it was obviously not good enough. Bill Hutchinson and Jack Hawkins took over the job of coordination and the show was on the road. The local radio station, KVFC, began a series of interviews concerning the value of the plant. It arranged to have a central tabulation of the subscriptions and began to announce the new totals every half hour. The newspapers turned out their best effort and soon the people knew something was stirring. There was an old retired couple who subscribed $7,000—earned by farming the hard way; a 9-year-old girl who took $100 out of her savings; many, many "little" people sacrificed to put in $100 or $200; 40 persons or so were able to put in $1,000; some few were able to subscribe $2,500; and 1 man went as high as $7,500. A battery of local people worked the telephones while another group stood by to follow every lead. Long distance calls were followed by letters, and an airplane stood by to carry a worker to any community where there was a firm with a local connection that might be willing to subscribe. The Jaycees borrowed $1,000—so did the Lion's club and the local Elk's lodge. The women of Beta Sigma Phi submitted the money they had accumulated.

Enthusiasm and momentum grew with each passing day. On the first day of the rejuvenated drive, July 9, $20,000 was raised; $25,000 was raised the second day. Following a weekend, about $30,000 was raised on Monday, July 13. Close to $40,000 was raised on the 14th and, on the morning of July 15—the deadline—$200,000 had been subscribed—just $65,000 short. By 7 p.m. that evening, the goal had been reached and topped.

Here, indeed, was one of the greatest spontaneous demonstrations of a community willingness to help itself that had ever been seen. The door has been opened to a new industry that will create 270 new jobs with an annual payroll of $1,600,000.

They have helped themselves in Montezuma County and southwest Colorado, and those wonderful people deserve the admiration of the entire Nation.

AMENDING DISTRICT OF COLUMBIA SALES TAX ACT

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 12371) to amend the District of Columbia Sales Tax Act to provide an exemption from the tax imposed by such act for certain operations of the majority and minority rooms of the House of Representatives.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, and I shall not, may we have an explanation of the situation that exists here and why this bill is brought up?

Mr. McMILLAN. I would like to state that the District of Columbia will not lose any sales tax or any revenue on account of the passage of this proposed legislation for the simple reason that the majority and minority rooms have never been considered subject to the District of Columbia sales tax. Our committee received information recently that they expect to place a sales tax on our majority and minority room used exclusively by the Members of Congress. We decided we should pass a bill to prevent this action on the part of the District officials.

Mr. HORTON. Mr. Speaker, reserving the right to object as a member of the committee, I want to concur in the statement made by the chairman of the Committee on the District of Columbia. We were informed that the District of Columbia intended to impose a sales and use tax on the items sold, and also on the services. I feel it is necessary to report this bill out to remove the possibility of the application of the tax. I would also concur with the chairman that there has not been any such imposition in the past on the goods and services involved.

Mr. BYRNES of Wisconsin. I would assume there was no objection to this in the committee?

Mr. McMILLAN. That is right; there was no objection in the committee.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 128 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47-2605) is amended by adding at the end thereof the following new paragraph:

"(s) Sales of materials and services to a Member of Congress for use in the performance of his official duties (as determined by the Clerk of the House of Representatives) made in connection with the operation of the majority and minority rooms of the House of Representatives by the printing clerks."

SEC. 2. Notwithstanding any other provision of law, the gross receipts from any sales of materials and services to a Member of Congress made in connection with the operation of the majority and minority rooms of the House of Representatives by the printing clerks prior to the effective date of the first section of this Act shall be exempt from the tax imposed by the District of Columbia Sales Tax Act.

SEC. 3. The amendment made by the first section of this Act shall apply with respect to the sale of materials and services made on or after the first day of the first month which begins after the date of enactment of this Act.

AMENDING THE DISTRICT OF COLUMBIA SALES TAX ACT

The Committee on the District of Columbia, to whom was referred the bill (H.R. 12371) to amend the District of Columbia Sales Tax Act to provide an exemption from the tax imposed by such act for certain operations of the majority and minority rooms of the House of Representatives, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike out all after the enacting clause and insert in lieu thereof the following: "That section 128 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47-2605) is amended by adding at the end thereof the following new paragraph:

" '(s) Sales of materials and services to the printing clerks of the majority and minority rooms of the House of Representatives for use in the operation of such rooms, and sales of materials and services made by such clerks in connection with the operation of such rooms.'

"SEC. 2. The amendment made by the first section of this Act shall apply with respect to the sale of materials and services made on or after January 1, 1961."

Amend the title so as to read:

"A bill to amend the District of Columbia Sales Tax Act to provide an exemption for operations of the majority and minority rooms of the House of Representatives from the taxes imposed by such Act and the District of Columbia Use Tax Act."

PURPOSE OF THE BILL

The purpose of the bill, as amended by your committee, is to exempt from the application of the District of Columbia Sales Tax Act and the District of Columbia Use Tax Act the operations conducted by the printing clerks of the House of Representatives in the majority and minority rooms, which were established many years ago to perform printing services for Members of the House of Representatives.

The printing clerks of the House of Representatives are employees of the House and receive a nominal salary in the performance of their services. The House of Representatives provides to the majority and minority rooms heat, light, space, and some furniture, but the printing clerks must supply, on their own account and expense, the printing equipment necessary to produce printed materials. Accordingly, the printing clerks must charge for their services, whether or not paper and other materials are furnished for the production of the finished printed product.

For many years the operation of the majority and minority rooms of the House was exempt from any District of Columbia taxes. The exemption was predicated upon the provisions in the District of Columbia tax law which exempt Government functions from all taxes. About 1 year ago, the tax officials of the District of Columbia learned that the equipment used by the printing clerks of the House was privately owned. Based on that finding, the District of Columbia levied property taxes retroactively against the House printing clerks and those taxes have been paid. While taking this action, the District tax officials determined that printed materials produced for Members of the House of Representatives were subject to sales tax and that equipment being used might be subject to application of the District of Columbia use tax.

The printing clerks were notified of liability for back sales taxes and for sales taxes on future services performed by them for Members of the House of Representatives.

The effect of the ruling of District of Columbia tax officials regarding application of sales tax on materials produced by the House printing clerks is to impose a sales tax on any portion of the stationery account of each Member which is used to furnish paper or other materials to the printing clerks for the production of printed materials. Under the District of Columbia Sales Tax Act, the full value of paper, other materials, and the services performed in printing, is subject to sales tax whether or not a sales tax was paid for paper and materials prior to placing such materials in the hands of a printer. Thus, even though a Member of the House furnishes paper and materials, such Member would be required to pay sales tax on the total cost of the paper, materials, and printing services.

It is the intent of this bill, and the language so provides, that all operations of the printing clerks performed in the majority and minority rooms of the House of Representatives be exempt retroactively from all sales taxes on materials or services and exempt from use taxes on all equipment in use or which may be purchased by the printing clerks to perform printing services for Members of the House of Representatives.

The bill does not reduce the tax revenues to the District of Columbia in any respect since no taxes have been collected from this source in the past.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic; existing law in which no change is proposed is shown in roman):

SECTION 128 OF THE DISTRICT OF COLUMBIA SALES TAX ACT

Exemptions

SEC. 128. Gross receipts from the following sales shall be exempt from the tax imposed by this title:

(a) Sales to the United States or the District or any instrumentality thereof except sales to national banks and Federal savings and loan associations.

(b) Sales to a State or any of its political subdivisions if such State grants a similar exemption to the District. As used in this subsection, the term "State" means the several States, Territories, and possessions of the United States.

(c) Sales to a semipublic institution: *Provided, however,* That such sales not be exempt unless (1) such institution shall have first obtained a certificate from the Assessor stating that it is entitled to such exemption, and (2) the vendor keeps a record of the sales price of each such separate sale, the name of the purchaser, the date of each such separate sale, and the number of such certificate.

(d) (Repealed.)

(e) Sales of motor-vehicle fuels upon the sale of which a tax is imposed by the act entitled "An act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924, as amended or as may be hereafter amended.

(f) Sales of property purchased by a utility or public-service company for use or consumption in furnishing a commodity or service: *Provided,* That the receipts from furnishing such commodity or service are subject to a gross-receipts or mileage tax in force in the District during or for the period of time covered by any return required to be filed by the provisions of this title.

(g) Sales of newspapers and publications of semipublic institutions as defined in section 118.

(h) Casual and isolated sales by a vendor who is not regularly engaged in the business of making sales at retail.

(i) Sales of livestock, poultry, seeds, feeds for livestock and poultry, fertilizers, lime, and land plaster used for agricultural purposes.

(j) Sales of food or beverages of any nature if made in any car composing a part of any train or in any aircraft or boat operating within the District in the course of commerce between the District and a State.

(k) Sales of goods made pursuant to bona fide contracts entered into before the date of approval of this act: *Provided*, That there is a contract in writing signed by the purchaser and vendor which imposes an unconditional liability on the part of the purchaser to buy the goods covered thereby at a fixed price and without escalator clause, and an unconditional liability on the part of the vendor to deliver a definite quantity of such goods at the contract price.

(l) Sales of natural or artificial gas, oil, electricity, solid fuel, or steam, directly used in manufacturing, assembling, processing, or refining.

(m) Sales which a State would be without power to tax under the limitations of the Constitution of the United States.

(n) Sales of motor vehicles and trailers which are subject to the provisions of title III of the District of Columbia Revenue Act of 1949.

(o) Sales of medicines, pharmaceuticals, and drugs whether or not made on prescriptions of duly licensed physicians and surgeons and general and special practitioners of the healing art.

(p) Sales of crutches, wheelchairs for the use of cripples and invalids, and, when designed to be worn on the person of the purchaser or user, artificial limbs, artificial eyes, and artificial hearing devices; sales of false teeth by a dentist and the materials used by a dentist in dental treatment; sales of eyeglasses, when especially designed or prescribed by an ophthalmologist, oculist, or optometrist for the personal use of the owner or purchaser; and sales of artificial braces and supports designed solely for the use of crippled persons.

(q) Sales of cigarettes.

(r) Sales of material to be incorporated permanently in any war memorial authorized by Congress to be erected on public grounds of the United States.

(s) Sales of materials and services to the printing clerks of the majority and minority rooms of the House of Representatives for use in the operation of such rooms, and sales of materials and services made by such clerks in connection with the operation of such rooms.

For the information of the Members, the following provision of the District of Columbia Use Tax Act, applicable because of the amendment made by this act to the District of Columbia Sales Tax Act, is set forth:

EXEMPTIONS

Sec. 216. The tax imposed by this title shall not apply to the following:

(a) Sales upon which taxes are imposed under title I of this act.

(b) Sales exempt from the taxes imposed under title I of this act.

(c) Sales upon which the purchaser has paid a retail sales tax or made reimbursement therefor to a vendor or retailer under the laws of any State or territory of the United States.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That section 128 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47-2605) is amended by adding at the end thereof the following new paragraph:

" '(s) Sales of materials and services to the printing clerks of the majority and minority rooms of the House of Representatives for use in the operation of such rooms, and sales of materials and services made by such clerks in connection with the operation of such rooms.'

"Sec. 2. The amendment made by the first section of this Act shall apply with respect to the sale of materials and services made on or after January 1, 1961."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the District of Columbia Sales Tax Act to provide an exemption for operations of the majority and minority rooms of the House of Representatives from the taxes imposed by such Act and the District of Columbia Use Tax Act."

A motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, the purpose of the bill H.R. 12371, as amended by your committee, is to exempt from the application of the District of Columbia Sales Tax Act and the District of Columbia Use Tax Act the operations conducted by the printing clerks of the House of Representatives in the majority and minority rooms, which were established many years ago to perform printing services for Members of the House of Representatives.

The printing clerks of the House of Representatives are employees of the House and receive a nominal salary in the performance of their services. The House of Representatives provides to the majority and minority rooms heat, light, space, and some furniture, but the printing clerks must supply, on their own account and expense, the printing equipment necessary to produce printed materials. Accordingly, the printing clerks must charge for their services, whether or not paper and other materials are furnished for the production of the finished printed product.

For many years the operation of the majority and minority rooms of the House was exempt from any District of Columbia taxes. The exemption was predicated upon the provisions in the District of Columbia tax law which exempt Government functions from all taxes. About 1 year ago, the tax officials of the District of Columbia learned that the equipment used by the printing clerks of the House was privately owned. Based on that finding, the District of Columbia levied property taxes retroactively against the House printing clerks and those taxes have been paid. While taking this action, the District tax officials determined that printed materials produced for Members of the House of Representatives were subject to sales tax and that equipment being used might be subject to application of the District of Columbia use tax.

The printing clerks were notified of liability for back sales taxes and the sales taxes on future services performed by them for Members of the House of Representatives.

The effect of the ruling of District of Columbia tax officials regarding application of sales tax on materials produced by the House printing clerks is to impose a sales tax on any portion of the stationery account of each Member which is used to furnish paper or other materials to the printing clerks for the production of printed materials. Under the District of Columbia Sales Tax Act, the full value of paper, other materials, and the services performed in printing, is subject to sales tax whether or not a sales tax was paid for paper and materials prior to placing such materials in the hands of a printer. Thus, even though a Member of the House furnishes paper and materials, such Member would be required to pay sales tax on the total cost of the paper, materials, and printing services.

It is the intent of this bill, and the language so provides, that all operations of the printing clerks performed in the majority and minority rooms of the House of Representatives be exempt retroactively from all sales taxes on materials or services and exempt from use taxes on all equipment in use or which may be purchased by the printing clerks to perform printing services for Members of the House of Representatives.

The bill does not reduce the tax revenues to the District of Columbia in any respect since no taxes have been collected from this source in the past.

AUTHORIZING THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. MOSS. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Tuesday next, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DUMPING OF GOVERNMENT WHEAT DEPRESSES MARKET PRICES

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. FINDLEY. Mr. Speaker, my extension of remarks in yesterday's Record pointed to the unconscionable dumping of Government wheat to drive down market prices and included the text of a plea I made to President Johnson asking that all Government wheat sales be halted until market prices return to normal.

The figures I quoted were supplied by the U.S. Department of Agriculture. The Department has subsequently revised them, and in a letter today to the President I forwarded the corrected figures. Text of my letter:

SEPTEMBER 4, 1964.

The Honorable LYNDON B. JOHNSON,
President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Since dispatching a telegram to you yesterday requesting a halt in the sales of Government-owned wheat until market prices rise, I have received a telephone call from the Department of Agriculture making a correction in the figures which had been supplied to me the day before. My telegram to you was based on the earlier figures.

The Department discovered an error in the figures furnished me on the breakdown between domestic and export sales. The total sales figures were correct, and of course the total adverse effect on domestic market prices is unchanged. Therefore, the correction in figures has no effect on the validity of the plea I presented.

I did want you to know, however, that through no fault of my own, the actual figures are somewhat different from those supplied in my telegram.

The corrected figures are:

Sales of Government wheat

[In bushels]

	Week ending Aug. 29, 1964	Cumulative, July 1, to Aug. 29, 1964
For export	30, 494, 953	59, 026, 846
For domestic	4, 466, 279	25, 427, 565
Total	34, 961, 232	84, 454, 411

Total sales for the comparable period of the 1963 marketing year, July 1 to August 30, 1963: domestic, 14,389,000 bushels; export, 23,218,000 bushels; total, 37,607,000 bushels.

This means that grand total Government sales this marketing year have been nearly three times the level of a year ago, and of course at a much lower price.

I therefore respectfully renew my plea for you to halt further dumping of Government wheat stocks until prices return to normal.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

SENATOR GORDON ALLOTT

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, Senator GORDON ALLOTT, Colorado's senior Senator and a man we are all very proud of, made a fine contribution to law and order in this Nation on August 6, in his speech on the floor of the Senate. Senator ALLOTT said it is time for us to "weep for the innocent" and take firm steps to see that the law is enforced in such a manner that we can stem the flood of lawlessness in this country.

Senator ALLOTT's speech has been widely circulated and received high praise.

The Policemen's Protective Association of Denver has passed a unanimous resolution praising Senator ALLOTT for his contribution. Under unanimous consent, I include it in the RECORD at this point:

RESOLUTION BY THE POLICE AND FIRE COMMITTEE

Whereas there is becoming increasingly evident in various sections of this great Nation of ours an ill-concealed campaign to sneer at law and order and to belittle the efforts of those charged with preservation of our everyday freedoms; and

Whereas there appears among several of our citizens, a substantial number of whom are undoubtedly well meaning, an inexplicable tendency to coddle delinquents—both young and old—while casting aspersions upon those whose duty it is to preserve safety and protect all good citizens from dangerous threats and onslaughts of hoodlums and similar lawbreakers; and

Whereas Colorado's senior U.S. Senator, the Honorable GORDON ALLOTT, had the desire and courage to stand upon the floor of the U.S. Senate and have read into the CONGRESSIONAL RECORD of August 6, 1964, a deserved defense of those who daily risk their lives not in some faraway land, but right here in the United States of America, in defense of our God-given liberty and the law; and

Whereas the Honorable GORDON ALLOTT caused to be published in the CONGRESSIONAL RECORD a Denver Post article in which Bob Whearley emphasized in "A Case for Policemen" that: "For our money, it takes guts to wade into a riot and attempt to break it up while bottles and rocks are raining down on you from rooftops. And it takes more than guts—it takes patience and understanding—to successfully keep the peace in the first place. We think the Denver Police Department has been doing a pretty fair job of just that"; and

Whereas the CONGRESSIONAL RECORD published an editorial from the Orlando (Fla.) Evening Star commending the senior Senator from Colorado, who, looking at the increasing lawlessness in this country, said: "Let us start weeping for the innocent instead of the guilty. It is about time for the average American citizen to begin to realize that the laws and the police are to protect us against the lawless, and that they are not a whipping post for every crackpot who happens to get a few ideas about the protection of the people"; and

Whereas the senior Senator from our great State of Colorado emphasized that "it is time for the people of this country to realize that it is not for the law enforcement officials, district attorney; or the courts alone to carry the responsibility for peace, law, and order. If our individual citizens do not accept their share of the responsibility for law and order in this country, our Constitution and all of our pretensions before the eyes of the world are completely meaningless," and

Whereas Senator ALLOTT courageously wrote into the RECORD that, "It is time we started supporting our police officers. If we do not support them, if they do not have our confidence, if they do not know that the people are behind them in their efforts to sustain the law, what is left between us and anarchy? What does a policeman do? He is confronted by people with switchblade knives. He is confronted by people with Molotov cocktails that can burn him to the extent that he is in danger of losing his life. He is confronted by a broken bottle which can kill him, or, if he is lucky, be disfigured for the rest of his life so he will hardly be recognizable. He is confronted by mobs with chains and clubs with barbed wire wrapped around them. The policeman, whose duty it is to enforce the law, by some is expected to stand up and face a crowd like that and docilely lay his hand on somebody and say, 'I arrest you.' It does not make any commonsense. The sooner the people stop weeping for the bums and crooks and hoodlums who are rampaging on our streets and start looking upon their law enforcement officers as the people who stand between them and anarchy on our streets, the better off our country will be": Therefore, be it

Resolved, That we the members of the Policemen's Protective Association of Denver, Colo., unanimously go on record as expressing the heartfelt thanks of ourselves and our families to the Honorable GORDON ALLOTT, of Colorado, for the dynamic emphasis he placed upon the patriotic obligation of every good citizen to cooperate with those whose duty it is to preserve a free society by enforcing the law against the senseless aggressions of hoodlums and all other criminals. We who have dedicated our lives to the dangerous task of society's protection ask no sympathy for ourselves. The task is ours by choice. We fully know all of its hazards and dangers. So do our loved ones. All that we ask is the understanding and cooperation of all good citizens, such as that espoused by the Honorable GORDON ALLOTT who shall ever have our appreciation for his generous support. And we bespeak similar appreciation of our fellow officers everywhere.

Given under our hand this 28th day of August 1964, A.D., in the city and county of Denver and the State of Colorado.

EUGENE J. COVELLO,
President.
AUSTIN J. GIBBONS,
Legislative Representative.

ANNIVERSARY OF A BULGARIAN PATRIOT

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MONAGAN. Mr. Speaker, on September 5 and 6 the Bulgarian National Committee is honoring the memory of Nikola Petkov, the Bulgarian national hero who was hanged by the Soviet Union in 1947 for denouncing the Communist exploitation of his country. The 17th anniversary of the death of this patriot provides a fitting occasion on which to renew our pledge to the people of Bulgaria in support of their aspirations for a free and independent government.

As a member of the Subcommittee on Europe of the House Foreign Affairs Committee, I have had the honor of serving as chairman for several series of hearings on the European captive nations. I have become closely acquainted with the tragic and brutal state of affairs behind the Iron Curtain, and I have come to hold the greatest respect for the citizens of Bulgaria who are bearing the brunt of the intolerable Communist movement.

It is not easy to keep up hope when on all sides there is oppression. Freedom of thought and action cannot exist under an ever-present threat of force. Nor are acts of heroism to be embarked upon lightly when there is fresh in all our memories the repression of Budapest. Moreover, the precariousness of the present world situation affords no assurance of immediate relief from this inhuman treatment.

Nikola Petkov was a man whose loyalty to the cause of freedom was not deterred by threats of force and violence. His life and his death stand as a memorial to the tenacity of a people who do not choose to surrender before the Communist tyranny. The man is 17 years dead, murdered in secret by his Soviet persecutors. Yet his spirit is very much alive in the hearts of the Bulgarian people. I praise this courage, and call upon the citizens of Bulgaria to stand firm in their convictions. Let them know that we in this country are mindful of their needs, and will continue to do all in our power to hasten the time when liberty and self-government shall be secured to them.

For while the Soviet Union would have the world believe it stands as a massive and irresistible phalanx, recent developments have proven this a sham. The Communist movement is at present torn asunder by the Sino-Soviet rift. Yugoslavia and Rumania have lately shown that the captive European nations can successfully turn away from Moscow and negotiate with the free nations of the West.

I look forward with the people of Bulgaria to the day when independence will replace the menace of Red imperialism, and the efforts and vision of Nikola Petkov will be vindicated.

MEDICARE

Mr. KING of California. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KING of California. Mr. Speaker, yesterday an overwhelming majority in the Senate voted for the social security amendments, and incorporated therein what are generally referred to as the King-Anderson hospital insurance provisions.

Members of the Senate have, without fear, stood to be counted on this vital issue. Democrats and Republicans alike have recognized and shown their willingness to meet the real problems of our senior citizens. Our turn is coming.

For more years than I care to remember, people like Aime Forand, the late John Dingell, myself, and others have been fighting to see this kind of legislation enacted.

For more years than I care to remember, well-financed interests have obstructed its passage.

It has been many years since this proposal was first moved in the Congress of the United States. There perhaps has not been a proposal before the Congress that has become more involved in not only controversy but misrepresentation and falsification in my experience as a Member of this House.

Mr. Speaker, it is difficult to describe the frustration many Members have felt when time and again this measure has failed to reach the floor.

Those of us in the House who truly recognize the problem of the American aged, and we are in the majority, have heard Republican and Democratic Secretaries of HEW endorse social security financed hospital care for the aged. We have had the wholehearted support of three Democratic Presidents. We have heard the pleas of millions of senior citizens and their families. And with all of this, we have had to sit by and watch Congress after Congress adjourn without a single opportunity for the House of Representatives to properly work its will on a proposal which would afford necessary health care to millions of elderly citizens unable to provide for illness.

Mr. Speaker, that time is passed. In this Congress, in this Chamber, there must come a vote. As the other body brought this issue to the floor, so must we.

There have banded together in opposition to this proposal perhaps a greater number of interests than have banded together to confuse or to defeat any other proposal during my years as a Member of this Congress.

It is particularly interesting to note that most of the opposition comes from sources which have persistently and consistently through the years opposed virtually every proposal aimed at relieving the distress or improving the welfare of the aged and needy.

Only recently it has been flatly declared by the opposition forces that the people of the United States do not wish to have such a law enacted. They, on the other hand, claim that the Presidents who have approved and recommended hospital care under social security have done so to gain votes. They have never chosen to explain this inconsistent statement any more than they have chosen to explain the other numerous inconsistent statements and untruths made repeatedly by the opposition to the proposal.

Mr. Speaker, it seems that their tactics are devoted to seeking their ends by whatever means are deemed effective.

My principal purpose in addressing the House today is to refute the widely circulated report that in all likelihood there will be no vote in the House of Representatives directly or indirectly on the hospital care proposal.

I wish to here and now serve notice that in my opinion there will be a vote that will clearly indicate the will of the membership of this House on the hospital care proposal.

Mr. Speaker, in approximately 2 weeks' time this House will be confronted with a proposal which deals with the welfare of millions of people in the United States who are sick or ailing or who will be sick or ailing.

Now that the other body on two occasions in the past 2 years has obliged their Members to stand up and make a record on hospital care for our citizens, so must we. As they have made it possible for their constituents to be aware of their individual stand, so must we.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. MacGregor (at the request of Mr. Morse), for 30 minutes, on September 8; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

(The following Member (at the request of Mr. Moss) and to include extraneous matter:)

Mr. Brademas.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1123. An act to provide for the construction of the lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on September 3, 1964, present to the President, for his approval, bills of the House of the following titles:

H.R. 1263. An act for the relief of Rickert & Laan, Inc.;

H.R. 4786. An act for the relief of the State of New Mexico; and

H.R. 12267. An act to provide for notice of change in control of management of insured banks, and for other purposes.

ADJOURNMENT

Mr. MOSS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 49 minutes p.m.), under its previous order, the House adjourned until Tuesday, September 8, 1964, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2515. A letter from the Deputy Chief of Naval Material (Material and Facilities), Department of the Navy, transmitting semiannual report of research and development procurement actions of $50,000 and over, covering the period January 1 through June 30, 1964, pursuant to 10 U.S.C. 2357; to the Committee on Armed Services.

2516. A letter from the Acting Comptroller General of the United States, transmitting a report on opportunity for reducing Federal expenditures and effecting savings under the cotton price-support program by deterring the movement of cotton over long distances prior to its placement under price-support loan, Commodity Credit Corporation, Department of Agriculture; to the Committee on Government Operations.

2517. A letter from the Acting Comptroller General of the United States, transmitting a report on unnecessary cost to the Government through the leasing of electronic data processing systems by Lear Siegler, Inc., Instrument Division, Grand Rapids, Mich., Department of Defense; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLATNIK: Committee on Public Works. S. 649. An act to amend the Federal Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes; with amendment (Rept. No. 1885). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DERWINSKI:

H.R. 12576. A bill to create a selective immigration board and to provide for the allocation of authorized but unused quota numbers in accordance with the criteria established by the Congress, and for other purposes; to the Committee on the Judiciary.

By Mr. HALEY (by request):

H.R. 12577. A bill to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WATTS:

H.R. 12578. A bill to amend subsection (c) of section 501 of the Internal Revenue Code by making it clear that the tax exemption of a civic league or organization exclusively for the promotion of social welfare shall not be affected because of income, including subscription and advertising income, derived from carrying on any publication, such as a journal, which is substantially related to the purpose or function constituting the organization's basis for its tax exemption; to the Committee on Ways and Means.

H.R. 12579. A bill to amend subsection (b) of section 512 of the Internal Revenue Code of 1954 by making it clear that the income, including subscription and advertising income, derived by an organization in carrying on any publication, such as a trade or professional journal, shall not be deemed to be unrelated business taxable income if the publication is substantially related to the purpose or function constituting the organization's basis for its tax exemption; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONTE:

H.R. 12580. A bill for the relief of Michael P. Buckley; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 12581. A bill for the relief of the estate of Wayne L. Koehler, the estate of Richard L. Moyer, and the estate of Ted L. Simons; to the Committee on the Judiciary.

By Mr. OSTERTAG:

H.R. 12582. A bill for the relief of the estate of Wayne L. Koehler, the estate of Richard L. Moyer, and the estate of Ted L. Simons; to the Committee on the Judiciary.

By Mr. POWELL:

H. Res. 879. Resolution to provide for the expenses of an investigation authorized by House Resolution 103, 88th Congress; to the Committee on House Administration.

PETITIONS, ETC.

Under clause 1 of rule XXII,

1028. Mr. ROOSEVELT presented a petition of the Los Angeles Jewish Cultural and Fraternal Clubs urging adoption of a program of medical care for the aged under the Social Security Act, containing 14,466 signatures, which was referred to the Committee on Ways and Means.

SENATE

Friday, September 4, 1964

The Senate met at 9 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. Metcalf).

The ACTING PRESIDENT pro tempore. Under its previous order, the Senate stands adjourned until Tuesday noon next.

ADJOURNMENT TO TUESDAY, SEPTEMBER 8, 1964

Thereupon (at 9 o'clock and 2 seconds a.m.) the Senate adjourned, under the order previously entered, until Tuesday, September 8, 1964, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

Report of Congressman John Brademas on the 88th Congress

EXTENSION OF REMARKS

OF

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 4, 1964

Mr. BRADEMAS. Mr. Speaker, every 2 years I send to the citizens of the Third Congressional District in Indiana, whom I have the honor to represent, a report, printed at my expense, on the work of Congress.

I ask unanimous consent to include in the Record the text of my report on the 88th Congress:

The 88th Congress Enacts Major Legislation—A Report From Congressman John Brademas

Congress of the United States,
House of Representatives,
Washington, D.C., September 1964.

Dear Friend: As I write, the 88th Congress is still in session discussing important legislation. Although we have not yet adjourned, I want to send to you, as I have done every 2 years, this report, printed at my expense, on the 88th Congress (1963–64).

This Congress passed highly important legislation in the areas of education, tax reduction and reform, civil rights, nuclear testing and anti-poverty, as well as updating existing programs in manpower retraining, the Peace Corps, housing, mass transit and natural resources conservation, and scored a legislative "first" in the field of mental health.

Members of Congress, both Democrats and Republicans, have given long and conscientious consideration to their responsibilities. The Washington Post said that, in quantity and quality, the 88th Congress is destined to rank as one of the top legislative performers of our time and added: "It can never be said of the 88th that it 'rubber-stamped' anything. Nearly every administration bill rolled out for action has been the subject of a swift and roughneck rumpus."

This report is necessarily brief and centered on my primary duties as a lawmaker. Of course, I also spend a large portion of my time helping Third District citizens on such matters as veterans' problems, social security, small business and military service; working to bring new industries and Government contracts to our area; seeking approval of new and improved post offices; in short, serving as a link between you and your Federal Government.

John Brademas,
Member of Congress.

Toward Full Employment: A Community Challenge

The State of Indiana and most of the Third District have been sharing in the extraordinary expansion of the U.S. economy since early 1961. For example, 42 new industries have begun in Elkhart so far in 1964. The insured jobless rate in Elkhart County was only 1.1 percent in mid-August 1964, down from 8.9 percent in January 1961. The insured unemployment rate in La Porte County fell from 12.6 to 1.7 percent in the same period.

The Studebaker shutdown of last year was chiefly responsible for damaging the remarkable gains in the South Bend-Mishawaka area. From 11.1 percent of the total labor force unemployed in January 1961, the rate fell to 2.1 percent last October—a 10-year low.

When Studebaker management decided to halt production last December, an army of individuals and agencies got busy to help: my own office, Senators Vance Hartke and Birch Bayh; the Departments of Labor, Commerce, and Health, Education, and Welfare; Indiana State and South Bend officials, and local community leaders.

President Johnson immediately set up an Interdepartmental Committee to assist South Bend in meeting the problems growing out of the shutdown.

Here are some of the actions taken:

1. New industry has come to South Bend: Kaiser-Jeep, Cummins Engine, Allied Products. In February Kaiser-Jeep took over Studebaker's $80 million Army truck contract and in July won more Government work. Altogether Kaiser holds nearly a quarter of a billion dollars worth of contracts to make Army trucks in South Bend.

2. Senators HARTKE and BAYH and I and the South Bend-Mishawaka Chamber of Commerce sponsored an Industrial Procurement Conference to encourage increased participation by area firms in government business. The chamber has since established a local office of Federal procurement and business assistance to encourage new jobs and payroll.

3. At the suggestion of Dr. Harold L. Sheppard, President Johnson's expediter in South Bend, Mayor Lloyd Allen named an economic action council to coordinate the community's development efforts.

4. Labor Secretary W. Willard Wirtz directed speedy approval of manpower training projects for unemployed Studebaker workers.

5. The Agriculture Department agreed to expedite distribution of surplus food to unemployed workers where necessary.

6. FHA and Veterans' Administration cooperated with local lenders where employees requested postponement of payments on federally insured mortgages.

There are no easy answers to the human and economic problems caused by a major plant shutdown. But the close cooperation by Federal, State, and local officials and community leaders and the determination of the citizens of this area give solid hope for the future. As President Johnson said following his visit, "South Bend is a city that is fighting back. It is retraining its workers and attracting new industry."

We will continue these efforts until South Bend and Mishawaka are booming along at the same pace as neighboring cities and the rest of the Nation.

ECONOMIC OPPORTUNITY ACT MEANS ATTACK ON POVERTY IN UNITED STATES

On March 16 this year President Johnson sent a message to Congress pledging the full resources of the Government toward the elimination of poverty, a condition which affects one-fifth of the Nation's population. In August, I was present at the White House to receive from the President one of the pens with which he signed into law the Economic Opportunity Act of 1964. This act will enable the United States to begin a massive attack on the paradox of poverty in the richest nation in history.

Economists generally define poverty as an annual income below $3,000 for a family of four, or $1,500 for an individual living alone. Thirty-five million persons, or 20 percent of the American people, live below the poverty line.

The new Office of Economic Opportunity, to be headed by Sargent Shriver, will administer the several programs authorized by the new law, including:

1. A Job Corps to provide 100,000 youth, age 16–21, with a 2-year vocational training and work experience.

2. A work training program to enable 200,000 youths to work and train in their own communities on projects selected by local organizations or governments.

3. A work-study program to provide part-time employment for 140,000 needy students to continue college.

4. A community action program to encourage urban and rural communities to prepare long-range plans to assist low-income individuals and families obtain education, employment, job training and counseling, vocational rehabilitation, housing, and welfare.

5. A corps of volunteers in service to America to act as a domestic peace corps among needy Americans.

Community leaders in South Bend and officials at the University of Notre Dame have already indicated interest in local participation in certain programs provided by the Economic Opportunity Act.

PRESIDENT JOHNSON SALUTES SOUTH BEND'S ROLE IN MANPOWER TRAINING

When President and Mrs. Johnson visited the manpower training classes at the Cline School in South Bend earlier this year, they were deeply impressed by the community's program of retraining unemployed workers to help them find new jobs.

Said the President: "We have gone through this school and have been stimulated and inspired by what we have seen—men and women who have lost their jobs but not their determination. * * * They are working and preparing themselves to do a better job today than they did yesterday. When I get back to Washington I am going to say to the leaders of that great Capital that I wish they could come here to the heartland of America and see what the people are doing for themselves."

South Bend was one of the first communities in the Nation to set up classes under the Manpower Development and Training Act of 1962, on which I worked as a member of the House Education and Labor Committee. In 1963 Congress amended this act to authorize literacy programs to prepare those insufficiently educated for occupational training. South Bend Tribune Publisher Franklin D. Schurz, head of both the Indiana State and St. Joseph County Manpower Advisory Commissions, testified before our committee on the need for courses in reading, writing, and arithmetic.

Unemployed workers are learning new skills in the many different training projects now underway in South Bend. Fortunately, South Bend had several manpower classes in action when Studebaker closed its gates, so it was possible to move swiftly to set up additional courses in the community's effort to find new employment for several thousand workers.

One of the toughest problems caused by the Studebaker shutdown unquestionably is the dilemma faced by the man in his midfifties, too young to retire and too old to find another job easily. South Bend is one of five cities in the United States receiving funds under the Manpower Act for a program specially aimed at helping unemployed workers over 50. In June 1964, the Labor Department extended for another year the life of Project ABLE, which is concentrated on helping some 2,000 workers over 50 find jobs where available, or retraining them for new ones and encouraging area employers to hire on the basis of ability without regard to age.

PEACE CORPS SHOWS AMERICA AT ITS BEST

The 88th Congress, by sweeping bipartisan votes, passed bills to expand the Peace Corps. Members of both parties praised Sargent Shriver for his able administration of the Corps.

As one of the original sponsors of the 1961 bill establishing the Peace Corps, I am naturally highly gratified at the great success of this program to aid developing nations while promoting a better understanding between the peoples of our country and theirs.

I have several times talked with Peace Corps volunteers training at the University of Notre Dame for service in Chile and Uruguay and have been deeply impressed by their ability and dedication. The Peace Corps shows our American heritage at its best.

THE OLDER CITIZEN—18 MILLION AMERICANS

Among the chief problems faced by the nearly 18 million older Americans are adequate health protection, housing and retirement income.

As I write, Congress has not yet acted on the issue of providing some form of protection against the cost of hospitalization and nursing home care through the social security system, as proposed by the late President Kennedy and President Johnson.

Here are some of the facts behind this proposal: (1) Hospital bills have increased tremendously (up from $9.39 a day in 1946 to about $40 in 1964); (2) people over 65 use 3 times as much hospital care as those under 65; (3) the elderly have limited financial resources (half the aged couples have less than $2,800 in annual income); only half the Nation's elderly held hospital insurance as of 1962.

With a few days to go before adjournment, however, Congress now appears more likely to provide some increases in cash benefits to social security beneficiaries than to pass a health care measure. This would push the issue into the Congress next year.

The 1964 tax cut law contains changes important to people 65 or older, including: (1) a higher limit on the amount of retirement income on which the retirement income credit is based; (2) more liberal rules on medical expense deductions.

In 1964 Congress also extended and broadened the program of low-interest loans for housing for the elderly.

The problem of job discrimination because of age continues to be a serious one for many older workers and will certainly command the attention of the next Congress.

CONGRESS PASSES BIGGEST TAX CUT IN HISTORY

On February 26 this year, President Johnson signed into law the largest tax cut in the Nation's history—$11.5 billion in individual and corporation income levies. In doing so, he ended a campaign begun by President Kennedy 13 months earlier.

The Revenue Act of 1964 lowered the tax rates on individuals from a range of 20 to 90 percent to a new range of 14 to 70 percent and cut corporation taxes from 52 to 48 percent over a period of 2 years. Congress also revised the rates to give special benefit to small businesses.

The tax cut already has helped spark the longest peacetime business expansion in U.S. history. Four million more people are working today than in January 1961. Personal incomes are reaching new alltime peaks, and so are corporate profits. The total output of goods and services (gross national product) will hit about $625 billion this year, up $120 billion since 1960. And business plans to invest 13 percent more in plant and equipment this year than in 1963. This means still more jobs.

In spite of this unprecedented economic expansion, due in large measure to the tax cut and the general climate of business confidence, the U.S. record of price stability exceeds that of any other nation. Inflation has been kept under control.

What will the tax cut of 1964 mean to individual taxpayers? Income tax rate reductions in 1965 will average about 20 percent. Here are some average cuts per income level:

	Reduction in percent
Up to $3,000	39.0
$3,000 to $5,000	26.9
$5,000 to $10,000	20.6
$10,000 to $20,000	17.0

I agree with President Johnson's statement that the tax cut is "the single most important step that we have taken to strengthen our economy since World War II."

THE EDUCATION CONGRESS

As a member of the House Education and Labor Committee, I take particular pride in the outstanding record of the 88th Congress in the field of education. Among the accomplishments:

1. Higher Education Facilities Acts: will help colleges and universities like Bethel, Goshen, St. Mary's, Indiana, Purdue, and Notre Dame build classrooms, libraries and laboratories. Provides $1.2 billion in grants and loans over a 3-year period. I authored one section of the bill which earmarks about $50 million annually in grants for technical institutes and junior colleges, to train vitally needed 2-year, college-level, semiprofessional technicians to assist our scientists.

2. Vocational Education Act: provides $956 million in matching grants for the expansion of State vocational education programs in the next 5 years. South Bend has already applied for Federal funds to build one of the new vocational schools provided by the act. The law also authorizes work-study grants for needy vocational students.

3. Medical and Dental School Act: authorizes $175 million in grants to build such schools; also provides loans for students of medicine, dentistry and osteopathy.

4. Mental Health Facilities Act: authorizes grants of $51.5 million over 3 years to train 20,000 teachers of mentally retarded, and other handicapped children.

5. National Defense Education Act: increases funds for college loans (students at Bethel, Goshen and St. Mary's Colleges and Notre Dame received $400,000 in loans last year); continues programs for science, mathematics and foreign language training, and for counseling services. Under the National Defense Education Act, Notre Dame also received over $100,000 for a graduate fellowship program in 1963 and over $80,000 for a language institute.

6. Library Services and Construction Act: authorizes $25 million to help develop and expand existing libraries to cover urban as well as rural areas; also provides $20 million for new library construction.

U.S. DEFENSES STRONGER THAN COMBINED MIGHT OF ALL NATIONS IN HISTORY

As your Representative, I have served with three Presidents of the United States—Johnson, Kennedy, and Eisenhower—and I have given solid support to all three on legislation affecting our foreign policy and national security.

Since 1961 we have greatly strengthened our defense posture against possible challenge from the Communist world. As President Johnson said on June 3, 1964: "In every area of national strength America today is stronger than it has ever been before. It is stronger than any adversary or combination of adversaries. It is stronger than the combined might of all nations in the history of the world."

It was this massive arsenal of balanced military forces which enabled President Johnson to choose the appropriate response to the outrageous attack on U.S. destroyers in the Gulf of Tonkin. President Kennedy had shown similar firmness and skill during the Cuban missile crisis of 1962. We now have a limited war capacity which allows us to select the kind of military response to punish an aggressor without risking an all-out nuclear war.

I have voted for legislation which has made possible the development of this powerful and effective defense structure. The cost of maintaining freedom is high, but I know Americans are willing to pay it.

CIVIL RIGHTS ACT OF 1964: A HISTORIC ACHIEVEMENT

Five days after the assassination of President Kennedy, President Johnson made clear to Congress and the Nation that the new administration attached the same high priority to civil rights as President Kennedy had done.

On July 2, 1964, after long months of debate in the Senate and a historic vote to halt a filibuster, President Johnson signed into law the Civil Rights Act of 1964.

The act, a major landmark in American history, was passed with overwhelming bipartisan support. In the House the vote was 290 to 130, with 152 Democrats joining 138 Republicans for the bill, and 96 Democrats and 34 Republicans against it. In the Senate the vote was 73 to 27, with 46 Democrats and 27 Republicans for, and 21 Democrats and 6 Republicans against.

Although I am a Democrat, I want to pay tribute to the work of House Republican Leader Charles A. Halleck and Senate GOP Leader Everett Dirksen. Without their support, the Civil Rights Act of 1964 would never have become law. The support of the churches and religious leaders of the Nation also was of decisive importance in winning passage of the bill.

In signing the bill, President Johnson said: "The purpose of this law is simple: it does not restrict the freedom of any American, so long as he respects the rights of others. It does not give special treatment to any citizen. It does say the only limit to a man's hope for happiness, and for the future of his children, shall be his own ability.

"It does say that those who are equal before God shall now be equal in the polling booths, in the classrooms, in the factories, and in the hotels, restaurants, movie theaters, and other places that provide service to the public."

Because there has been much misrepresentation about what the Civil Rights Act really does, I should point out some things it does not do. The Civil Rights Act does not affect job seniority rights; it does not require quota hiring of minority groups; it does not permit (in fact, it specifically forbids) the Federal Government to transfer students among schools for racial "balancing"; and it does not permit the Federal Government to tell a home or apartment owner or real estate operator to whom he must sell or rent.

The Justice Department has advised me that the Federal Civil Rights Act will in fact have little effect in Indiana because: "(1) Indiana has a long history of good race relations; (2) there is relatively little discrimination in Indiana as compared to other areas of the country; and (3) Indiana already has State laws dealing with discrimination."

POST OFFICES—EXPANDED FACILITIES

No agency of the Federal Government is closer to the daily lives of more citizens than the Post Office Department. I have given particular attention to helping win approval of either new or improved post offices in every county of our district.

For example, this month I helped lay the cornerstone for a new and long-needed post office building in Elkhart and, in June, I took part in ceremonies dedicating a fine new post office in La Porte. Here are other Third District communities which have had or will have new or improved post offices during my term as Congressman: Argos, Bourbon, Bremen, Bristol, Donaldson, Goshen, Hanna, Michigan City, Millersburg, Middlebury, New Carlisle, Plymouth, Tippecanoe, Union Mills, Wakarusa, Walkerton, and Wanatah.

VOTED AGAINST COTTON-WHEAT SUBSIDIES

I do not believe a responsible Congressman should vote for bills simply because they are recommended by a President of his own party or oppose them just because they are offered by a President of the other party. So, just as I supported President Eisenhower on foreign policy legislation during my first term, I voted against President Johnson's major farm proposal this year—the cotton-wheat bill.

The measure was passed in the House by only eight votes and the pressures upon me to vote for the bill were therefore intense. But I believe, that the bill, which provided Federal subsidies for cotton and wheat, would do little good for the farmer, the consumer or the taxpayer. So I voted against it.

This year Congress extended the food stamp program, which provided help to a number of families in our area displaced by the Studebaker shutdown. As I write, we are still considering stepping up the highly succesful food for peace program under which we have for years helped reduce farm surpluses, earned dollar benefits and won good will from hungry peoples abroad.

HUMPHREY AND GOLDWATER SUPPORT FEDERAL PAY RAISE

With strong support from both Republicans and Democrats, the House and Senate passed a bill raising the pay of 1.7 million Federal employees. The bulk of the pay boost—$536 of $556.8 million—went to 1.6 million civil service and postal employees; the rest to top Federal executives, judges, Members of Congress, and legislative and judicial branch employees. The raise for Senators and Congressmen does not go into effect until January 1, 1965.

The measure was designed to bring Federal salaries to levels comparable to those in private industry. Leaders of both parties, including Senators Humphrey and Goldwater, Mansfield and Dirksen, voted for the bill.

NUCLEAR TEST BAN MAY BE KENNEDY'S CHIEF LEGACY

History may record that the overwhelming vote of both Democrats and Republicans in the U.S. Senate in favor of the nuclear test ban treaty in 1963 will be President Kennedy's chief legacy in the field of foreign policy.

By a 4-to-1 margin, Democrats and Republicans, led by Senators Mike Mansfield, Democrat, of Montana, and Everett Dirksen, Republican, of Illinois, voted to prohibit nuclear testing in the air, in space, and under water. The treaty, ratified by 105 nations, does not forbid underground tests.

The air we breathe and the milk we drink are freer today of nuclear contamination because of this treaty. Yet our Government maintains the fullest safeguards to detect and respond to any violation of the treaty.

Nearly every newspaper in our area supported the treaty. For example, the La Porte Herald-Argus said the treaty "is an indication that the nuclear powers, having arrived at somewhat of a stalemate, very costly and very dangerous, now wish to express their hope for a less perilous world, a coexistence which will at least reduce the chances for civilization's suicide."

The test ban treaty is certainly no final solution to world tensions, but it is a hopeful sign pointing to more peaceful agreements. President Kennedy described the treaty as "an important first step—a step toward peace—a step toward reason—a step away from war."

Even the first step toward preventing nuclear war is of immense significance in today's dangerous world. Many people do not know that even the average-sized tactical nuclear bomb (which some—mistakenly—call conventional) in Western Europe today has an explosive power five times the yield of the first atomic bomb dropped in Hiroshima in World War II.

SENATE

TUESDAY, SEPTEMBER 8, 1964

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of all wisdom: Away from the confusion of tongues, we turn to this quiet pavilion of prayer. For this searching moment, may the bewildering voices of the world about us and the clamor of wordy arguments be hushed.

We would yield ourselves to Thee as we are, with all our failures and our ignorance and our self-will, and yet with the climbing aspirations of our better nature.

Make us honest and honorable enough to bear the vision of the truth, wherever it may lead; to cast away all pretense, together with the pettiness of our spirits and the craven fear of our hearts.

Break down the narrow boundaries of our minds that shut out so much more than they shut in. Teach us the value of beauty of heart and of brain in any strand of our common humanity, that we may become workers, together with Thee, in binding the races of men into the perfect unity that will yet belt the earth with good will when Thy radiant kingdom comes.

In the name of Christ Jesus, our Lord, we ask it. Amen.

THE JOURNAL

On request by Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 3, 1964, and Friday, September 4, 1964, was dispensed with.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT—ENROLLED BILL SIGNED

Under the authority of the order of the Senate of September 3, 1964, the Secretary of the Senate reported that on Friday, September 4, 1964, he received a message from the House of Representatives which announced that the Speaker had affixed his signature to the enrolled bill (S. 1123) to provide for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes, and it was signed by the Acting President pro tempore.

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of September 3, 1964, the following reports of a committee were submitted:

On September 3, 1964:

By Mr. CHURCH, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 10204. An act to extend the Osage mineral reservation for an indefinite period (Rept. No. 1525).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 11162. An act granting the consent of Congress to an amendment to the Breaks Interstate Park compact between the Commonwealths of Virginia and Kentucky (Rept. No. 1526).

By Mr. CHURCH, from the Committee on Interior and Insular Affairs, with amendments:

S. 3035. A bill to provide for the disposition of judgment funds now on deposit to the credit of the Red Lake Band of Chippewa Indians (Rept. No. 1522).

By Mr. CHURCH (for Mr. JACKSON), from the Committee on Interior and Insular Affairs, with an amendment:

S. 3079. A bill to provide for the disposition of judgment funds on deposit to the credit of the Quinaielt Tribe of Indians (Rept. No. 1523).

By Mr. CHURCH (for Mr. JACKSON), from the Committee on Interior and Insular Affairs, with amendments:

S. 3114. A bill to provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through a drainage and diking district formed under the laws of the State (Rept. No. 1524).

On September 4, 1964:

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 3396. An act to authorize the addition of lands to Morristown National Historical Park in the State of New Jersey, and for other purposes (Rept. No. 1527); and

H.R. 7096. An act to authorize the exchange of certain property at Independence National Historical Park, and for other purposes (Rept. No. 1529).

By Mr. KUCHEL, from the Committee on Interior and Insular Affairs, with an amendment:

S. 3143. A bill to designate as Clair Engle Lake the reservoir created by the Trinity Dam, Central Valley project, California (Rept. No. 1528).

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT OF CORREGIDOR-BATAAN MEMORIAL COMMISSION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 360)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Pursuant to the provisions of Public Law 193, 83d Congress, as amended, I hereby transmit to the Congress of the United States the Eleventh Annual Report of the Corregidor-Bataan Memorial Commission for the fiscal year ended June 30, 1964.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *September 8, 1964.*

REPORT OF OFFICE OF MINERALS EXPLORATION—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

I transmit herewith the Twelfth Semiannual Report of the Office of Minerals Exploration from the Secretary of the Interior as prescribed by section 5 of the act of August 21, 1958, entitled "To provide a program for the discovery of the mineral reserves of the United States, its territories and possessions by encouraging exploration for minerals, and for other purposes."

LYNDON B. JOHNSON.

THE WHITE HOUSE, *September 8, 1964.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 2687) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, with an amendment, in which it requested the concurrence of the Senate; that the House insisted upon its amendment to the bill and asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOLEY, Mr. POAGE, Mr. MATTHEWS, Mr. HOEVEN, and Mr. DAGUE were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H.R. 1642. An act to provide for the sale of the U.S. Animal Quarantine Station, Clifton, N.J., to the city of Clifton to provide for the establishment of a new station, and for other purposes; and

H.R. 6601. An act to authorize the Secretary of Agriculture to sell certain land in Grand Junction, Colo., and for other purposes.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H.R. 8070) for the establishment of a Public Land Law Review Commission to study existing laws and procedures relating to the administration of the public lands of the United States, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 12033. An act to further amend the transitional provisions of the act approved September 6, 1958, entitled "An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety," and for other purposes; and

H.R. 12362. An act to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits payable under title II of the Social Security Act.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 27. An act to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes;

H.R. 1642. An act to provide for the sale of the U.S. Animal Quarantine Station, Clifton, N.J., to the city of Clifton to provide for the establishment of a new station, and for other purposes;

H.R. 6601. An act to authorize the Secretary of Agriculture to sell certain land in Grand Junction, Colo., and for other purposes; and

H.R. 10809. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1965, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on Labor and Public Welfare:

H.R. 12033. An act to further amend the transitional provisions of the act approved September 6, 1958, entitled "An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety," and for other purposes; and

H.R. 12362. An act to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits payable under title II of the Social Security Act.

ORDER DISPENSING WITH CALL OF CALENDAR

On request by Mr. Mansfield, and by unanimous consent, the call of the Legislative Calendar, under rule VIII, was dispensed with.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request by Mr. Mansfield, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

ACCOMPLISHMENTS OF THE 88TH CONGRESS

Mr. MANSFIELD. Mr. President, an article about the record of the 88th Congress was published in last Sunday's New York Times. Written by E. W. Kenworthy, who has done a highly competent and faithful job of reporting congressional activities for many years, the article examines and evaluates the accomplishments of this Congress, and then discusses the role this record will play in the campaign for the Presidency.

Mr. Kenworthy points out that Republicans as well as the Democrats have helped make this the most productive Congress since the first 4 years of the New Deal. This record of accomplishment would not have been possible without the cooperation and good sense of Members of both parties and the restraint and consideration which characterized even those who found themselves in opposition on one piece of legislation or another. In that respect, this record which Mr. Kenworthy finds exceptional is the work of every Member of Congress.

Mr. President, I ask unanimous consent to have the article referred to printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, Sept. 6, 1964]

The Congress Record—The Record of the 88th Will Be Used in Different Ways by the Democrats and the Republicans

(By E. W. Kenworthy)

Washington, September 5.—The record of the 88th Congress is nearly complete and by any disinterested standard it is quite a record.

As Congress adjourned for the Labor Day weekend, only three roadblocks stood in the way of the campaign trail—the Dirksen rider to the foreign aid bill, which would delay further reapportionment of State legislatures; the Senate-passed social security-elderly health care bill, which faces an uncertain fate in conference with the House, and the Appalachia bill.

Despite the monumental achievement of the nuclear test ban treaty in 1963, historians will hardly rank this Congress with either the 80th or 81st in foreign affairs. The years 1947-50 encompassed Greek-Turkish aid, the Truman doctrine, point 4, the Marshall plan, and the creation of the North Atlantic Treaty Organization—all epochal departures in American foreign policy.

Nevertheless, a Congress that has to its credit the test ban treaty, the college construction act, tax reduction, the civil rights law, land conservation and wilderness bills, the mass transit bill, and the omnibus antipoverty bill (to name only the outstanding legislation) can justifiably lay claim to being the most productive Congress since President Franklin D. Roosevelt's first term.

In 1948, President Harry S. Truman inveighed at every whistlestop against "that Republican do-nothing 80th Congress" (a charge that could be supported only in domestic affairs) while the crowds listened in attentive silence. It was a vote-getting issue if the unexpected election returns are any judge.

ON THE STUMP

In a couple of weeks, President Lyndon B. Johnson and his running mate, Senator Hubert H. Humphrey, will be on the stump lavishing praise on the "do something" 88th Congress, which fell in behind the "can do" leadership of the Kennedy-Johnson administration.

Can President Johnson and Senator Humphrey find in legislative achievement as productive an issue as Mr. Truman found in a "do nothing" Congress? Under ordinary circumstances, they probably could not. But the circumstances are not ordinary.

Obviously the record of 88th—especially since Mr. Johnson became President—is a campaign plus for him since it confirms and embellishes the public image, first established as Senate majority leader, of a superb political craftsman, of a man who has mastered the art of getting other men to do his bidding.

Obviously, too, there are many voters who will pull the lever for the Democratic ticket in gratitude for some piece of legislation sponsored by the administration—whether it be the civil rights bill, the tax cut, health care for the aged, or the wilderness bill.

Nevertheless, many voters have only a general interest in, and appreciation of, a legislative record when they come to make a decision between candidates for President, as contrasted with a decision between candidates for the House or Senate.

In a presidential election, they tend to be moved more by the personality of the candidates, or by their own predilections. In selecting a Representative or Senator, however, they are likely to pay much more attention to his legislative record—a truth amply demonstrated by the care taken by Members of Congress to be recorded on key votes.

Generally speaking, then, a presidential candidate who is a White House incumbent will find it profitable to celebrate only the outstanding legislative achievements of his administration in campaign speeches. Nothing so glazes the eyes of his audience as a recital of bills passed.

CONGRESS

In fact, President Truman made considerably more hay out of the repudiation of his domestic program by the Republican-controlled 80th Congress than he ever could have made by their cooperation in a legislative record. Very wisely, the Democratic Congresses under the control of the late Speaker Sam Rayburn and then Senate Majority Leader Johnson deprived President Eisenhower of this advantage by giving him, on several occasions, more support than he got from his own party.

For the most part, the Republicans of the 87th and 88th Congresses did not repeat the error of those in the 80th. Their votes saved some of the most important administration measures.

Take, for example, the bill to bail the United Nations out of its financial straits by the purchase of bonds, which passed the House by 257 to 134, and the Senate by 77 to 22. In the House, 66 Republicans voted for the bill and 88 against. In the Senate, 22 Republicans voted for it and only 11 against.

Or the nuclear test ban treaty, which passed the Senate 80 to 19, with 25 Republicans supporting it and only 8 opposing it.

Or the civil rights bill, which cleared the House last February by 290 to 130, with 138 Republicans voting for it and only 34 against, as compared to 152 Democrats for it and 96 against. In the Senate, the Republicans supplied the critical votes needed for cloture and 27 of 33 Republicans voted for the bill.

On the tax cut: although many Republicans huffed and puffed against a reduction unaccompanied by matching cuts in spending, House Republicans voted for it 108 to 63 on final passage and Senate Republicans approved it 21 to 9.

IRONY

Now comes the irony in the present campaign. It lies in the fact that the Republicans cannot claim their fair share of the credit for passage of the above measures without repudiating their own presidential nominee. For Senator Barry Goldwater voted against the majority of Senate Republicans on each of the four bills. And so he has on many other issues, a notable exception being this week's vote on health care.

The upshot is that President Johnson and Senator Humphrey can make an issue where, except for the nomination of Mr. Goldwater, no issue existed. Consequently the record of the Congress has assumed a campaign potency that it would not otherwise have had.

Mr. Humphrey, in his acceptance speech with the recurrent refrain "but not Senator Goldwater," has shown how that record will be exploited. His appeal, directed at "moderate" or "responsible" Republicans, was against the man who went against his party majority in Congress on the preeminent issues.

Moreover, the view here is that Senator Goldwater's votes have put those colleagues who voted with the Republican majority at a severe disadvantage in campaigning for him. Either they must repudiate their own votes and attribute to him a higher wisdom, or they must seek refuge in equivocation or silence.

DIFFICULT CHOICE

For example, it is asked, how can Senator EVERETT MCKINLEY DIRKSEN and those who followed his lead on the United Nations bond issue and the Nuclear Test Ban Treaty say convincingly to the voters (in the words of the billboard at Atlantic City) "In your heart you know he's right."

Mr. DIRKSEN, it is recalled, did not think Mr. GOLDWATER right in 1962 when he changed Republican votes on the U.N. bond bill with these words spoken with deep feeling:

"Mr. President, I will not charge my conscience with any act or deed which would contribute to the foundering of the United Nations, because I do not know how I would be able to expiate that sin of commission to my grandchildren."

Nor is it believed that Mr. DIRKSEN now thinks he was wrong in 1963 when, after some heart searching, he pleaded with his colleagues to vote for the Test Ban Treaty:

"I want to take a first step, Mr. President, I am not a young man. * * * One of my age thinks about his destiny a little. I should not like to have it written on my tombstone, 'he knew what happened at Hiroshima, but he did not take a first step.' "

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON COMMISSARY AND MESSING FACILITIES OPERATIONS

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting, pursuant to law, a report on the commissary and messing facilities operations, for fiscal year 1964 (with an accompanying report); to the Committee on Appropriations.

REPORTS OF EXPORT-IMPORT BANK OF WASHINGTON ON GUARANTEES OF CERTAIN TRANSACTIONS

A letter from the Assistant Secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, on the issuance by that Bank, on August 28, 1964, of guarantees with respect to certain transactions; to the Committee on Appropriations.

A letter from the Assistant Secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, on the issuance by that Bank, on September 1, 1964, of guarantees with respect to certain transactions; to the Committee on Appropriations.

REPORT ON OVEROBLIGATION OF AN APPROPRIATION

A letter from the Administrator, Veterans' Administration, Washington, D.C., reporting, pursuant to law, on the overobligation of an appropriation in that Administration; to the Committee on Appropriations.

REPORT ON RESEARCH AND DEVELOPMENT PROCUREMENT ACTIONS

A letter from the Deputy Chief of Naval Material (Material and Facilities), transmitting, pursuant to law, a report on research and development procurement action of $50,000 and over, for the 6-month period ended June 30, 1964 (with an accompanying report); to the Committee on Armed Services.

REPORT ON NUMBER OF OFFICERS ON DUTY WITH HEADQUARTERS, DEPARTMENT OF THE ARMY AND ARMY GENERAL STAFF

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on the number of officers on duty with Headquarters, Department of the Army and Army General Staff, as of June 30, 1964 (with an accompanying report); to the Committee on Armed Services.

REPORTS OF COMPTROLLER GENERAL

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on opportunity for reducing Federal expenditures and effecting savings under the cotton price-support program by deterring the movement of cotton over long distances prior to its placement under price-support loan, Commodity Credit Corporation, Department of Agriculture, dated September 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on increased costs resulting from ineffective use of automatic data processing system in supply management at the Philadelphia Naval Shipyard, Philadelphia, Pa., Department of the Navy, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs resulting from the purchase and use of paint products in uneconomical-size containers, Department of Defense, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on deficiencies in the administration of the Navajo Indian Reservation road construction program in the States of Arizona and New Mexico, Bureau of Indian Affairs, Department of the Interior, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary cost to the Government through the leasing of electronic data processing systems by Lear Siegler, Inc., Instrument Division, Grand Rapids, Mich., Department of Defense, dated August 1964 (with an accompanying report); to the Committee on Government Operations.

REPORT ON FINAL CONCLUSION OF CERTAIN INDIAN CLAIMS

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, on the final conclusion of certain Indian claims (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON TORT CLAIMS PAID BY FEDERAL AVIATION AGENCY

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting, pursuant to law, a report on tort claims paid by that Agency, during the fiscal year 1964 (with an accompanying report); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Allen Frank McCarthy, also known as Allen Frank Pringel, from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on June 1, 1963 (with an accompanying paper); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the Mariana Islands District Legislature; to the Committee on Interior and Insular Affairs:

"RESOLUTION 29–1964

"Resolution relative to expressing the views of the people of the Mariana Islands District, through their duly constituted body, the Mariana Islands District Legislature, that the capital of Micronesia be officially on Saipan

"Whereas the 1964 United Nations Visiting Mission in its report recommended that Truk is more suitable for the site of the capital of Micronesia; and

"Whereas the traditional concept of selecting the capital is a matter of geographical choice in that it attempts to put the capital in the center of a particular sovereign state but such a concept may not be practical in all instances; and

"Whereas Saipan with the existing physical facilities involving an immense investment of dollars and the land area for further expansion appears to be a better choice for the capital of Micronesia: Now, therefore, be it

"*Resolved by the Mariana Islands District Legislature,* That it expresses the views of its constituents that Saipan officially be the capital of Mirconesia; and be it further

"*Resolved,* That copies of this said resolution be hereafter transmitted to the President of the United States, President of the Senate, Speaker of the House of Representatives, Secretary of the Department of the Interior, chairman of the Trusteeship Council, the High Commissioner, and the chairman, Council of Micronesia."

A resolution adopted by the Legislative Commission of the State of Nevada, relating to reapportionment of State legislatures; to the Committee on the Judiciary.

A resolution adopted by the Atchison-Holt Electric Cooperative, of Rock Port, Mo., praying for an immediate initiation of an amendment to the Constitution of the United States, which would specifically exclude the question of apportionment of State legislatures from the Federal courts; to the Committee on the Judiciary.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. HAYDEN, from the Committee on Interior and Insular Affairs, with an amendment:

H.R. 6233. An act to provide for the conveyance of certain land of the United States to the Pascua Yaqui Association, Inc. (Rept. No. 1530).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON (for himself, Mr. HART, and Mr. RANDOLPH):

S. 3173. A bill to amend title 23 of the United States Code (relating to highways) in order to authorize appropriations to assist the States in the purchase of lands and easements for scenic purposes along Federal-aid highways; to the Committee on Public Works.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS (for himself, Mr. Sparkman, Mr. Fulbright, Mr. Proxmire, Mr. Pell, Mr. Javits, Mr. Miller, and Mr. Jordan of Idaho):

S. 3174. A bill to amend section 5 of the Employment Act of 1946; to the Committee on Banking and Currency.

(See the remarks of Mr. Douglas when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 3175. A bill to amend the Federal Aviation Act of 1958, as amended, to prohibit citizens of the United States from performing pro rata charters unless authorized by the Civil Aeronautics Board, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (for himself, Mr. Fong, and Mr. Inouye) (by request):

S.J. Res. 199. Joint resolution to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952; to the Committee on Foreign Relations.

(See the remarks of Mr. Fulbright when he introduced the above joint resolution, which appear under a separate heading.)

ASSISTANCE TO STATES IN THE PURCHASE OF LANDS AND EASEMENTS FOR SCENIC PURPOSES ALONG FEDERAL-AID HIGHWAYS

Mr. NELSON. Mr. President, there is a growing realization that scenic highways represent not only an esthetic heritage but also a great economic asset to our States.

Recent studies indicate that pleasure driving and sightseeing are far and away the most popular outdoor recreation activities engaged in by Americans.

The preservation of the natural beauty along our Nation's roads and highways, however, has been almost entirely neglected. It has been left to the happenstance of commercial development and subdivision.

It is with this in mind that I send to the desk a bill to provide $10 million a year in Federal 50–50 matching grants to aid and encourage States willing to move vigorously on this crucial conservation front.

A study in Wisconsin shows that pleasure driving and sightseeing accounted for 114 million visits to the outdoors in a recent year. Swimming, the second most popular activity, accounted for only 31 million visits.

Tourism is already very big business indeed. Estimates by the Wisconsin State Department of Resource Development for outdoor recreation expenditures run between $750 million and $1 billion annually. Gov. Otto Kerner, of Illinois, estimates gross receipts from tourist business at the $1 billion mark.

Scenic highways and places of historical interest, the "capital" for the tourist business, are getting increasing formal attention. Not only National and State parks, we are coming to understand, but also the beauty along our State and county roads must be viewed as a precious asset to be husbanded and developed.

A year-long Federal study of the scenic highway situation is now underway by the Recreation Advisory Council. The Council is made up of the Secretaries of Interior, Agriculture, Commerce, Defense, Health, Education, and Welfare, and the Housing and Home Finance Administration Administrator.

Progress is finally accelerating along the Great River Road, a scenic highway first conceived before the Second World War, that runs from the delta of the Mississippi, up the storied river valley and around Lake-of-the-Woods in Canada.

California, in 1963, set aside by statute 4,900 miles of her State roads as "scenic highway."

And, under the public relations, promotion and organizational patronage of the American Petroleum Institute, six well-publicized scenic routes have been laid out across the country from the Old West Trail in the Western Mountain State to New England's Heritage Trail on the east coast.

All of the Petroleum Institute trails have drawn heavy traffic. Governor Kerner, speaking at the dedication ceremonies for a new loop on the Hiawatha Pioneer Trail at Galena, Ill., this summer, credited a second scenic road—the Lincoln Heritage Trail—with promoting $1 million in new business for Illinois, and bringing 50,000 new visitors to New Salem alone.

The very success of these ventures can be their undoing unless we act soon. The increased traffic will bring expanded commercial development. Increased commerce, of course, is a main purpose for these roads. But uncontrolled strip development, glaring neon jungles by night and shabby shake-and-burger palaces by day can very quickly turn a lovely stretch of road into one you would just as soon avoid.

The Great River Road is a prototype of what can be done. The idea, ratified by Congress in 1951, was for a scenic route made by connecting and marking existing roadways, but with the scenic values preserved through the purchase of scenic easements.

When a State buys a scenic easement it, in effect, buys the esthetic—and tourist—value of a piece of land while leaving the title in the hands of the owner—and the land on the tax rolls.

If the land is agricultural the easement will not interfere in any way with the farmer's routine. But it will prevent billboards and runaway commercial development.

Wisconsin is very proud of its roll in the development of the Great River Road. It began to acquire scenic easements along the route soon after 1950. In the legislation passed while I was Governor, Wisconsin established a $50 million, 10-year conservation and recreation land acquisition program. Of this, $2 million were allotted for scenic easements with those along the Great River Road given top priority.

Easements have not been purchased along nearly half of the 255 miles of the scenic route in Wisconsin at a cost of a little over $230,000.

Wisconsin enjoys a long tradition of progressive State legislation. Our conservation program, financed by a penny-a-pack increase in cigarette taxes is unique in the Nation. Nowhere else along the Great River Road route has easement acquisition moved very far past the planning stages.

In a May hearing before the Senate Public Works subcommittee I made a plea for the passage of a bill, S. 1672, that would provide $4 million in Federal funds for easements along the Great River Road.

However, the legislation did not receive administration support. Rex M. Whitton, Federal Highway Administrator, pointed out, in his testimony, that there is already in Federal law provision for scenic easement purchase.

He was right. This can be found in section 319 of the Highway Code—chapter 23, United States Code. It has been on the books since 1940, but it has never actually been used.

Section 319 provided that a State may use up to 3 percent of its Federal highway aids for the purchase of scenic easements, waysides, and rest areas.

Harvey O. Grasse, chairman of the Wisconsin State Highway Commission, explained at the hearing why the section has not been used:

> Wisconsin, together with the other States, is so hard pressed for construction funds that it cannot afford to use the 3 percent for any other purposes. The 3 percent is not additional Federal aid; it is merely a permitted use of regular apportionments for roadbuilding. Every bit of our Federal-aid funds must be carefully husbanded and, even so, our available funds are far short of meeting our current construction needs.

Minnesota is now applying to use section 319 funds. In a letter to me, Acting Minnesota Highway Commissioner M. E. Hermanson said that the State was acting because of the speed necessary to preserve the majestic Mississippi Bluffs just north of the Iowa line beside the River Road. State law, he said, does not allow the spending of any State funds for scenic easements.

Does Minnesota have sufficient State highway construction funds? No. In fact, they are so short that contract letting must come to a halt at the end of each fiscal year, June 30, by which time the State has exhausted all available Federal aids.

The distinguished Senator from West Virginia [Mr. Randolph] pointed out at the Great River Road hearing that the mountain roads of his State, also valuable as tourist attractions, suffer from junkyards and random commercial development. He suggested that some sort of cooperative Federal-State arrangement might be possible to encourage scenic easement acquisition, not only along the River Road but in all States.

The bill I am introducing today is designed to do just that.

It would amend section 319 of the highway code to provide an alternative to the 3 percent of Federal aids method of financing scenic easements. It would authorize $10 million annually from general revenues to match on a dollar-for-dollar basis State appropriated money for the purchase of scenic easements.

Administration of the law would be left to the Secretary of Commerce.

I introduce the bill on behalf of myself, the Senator from Michigan [Mr. HART], and the Senator from West Virginia [Mr. RANDOLPH].

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3173) to amend title 23 of the United States Code (relating to highways) in order to authorize appropriations to assist the States in the purchase of lands and easements for scenic purposes along Federal-aid highways, introduced by Mr. NELSON (for himself, Mr. HART, and Mr. RANDOLPH), was received, read twice by its title, and referred to the Committee on Public Works.

AMENDMENT OF SECTION 5 OF THE EMPLOYMENT ACT OF 1946

Mr. DOUGLAS. Mr. President, for myself, and Senators SPARKMAN, FULBRIGHT, PROXMIRE, PELL, JAVITS, MILLER, and Mr. JORDAN of Idaho, all Senate members of the Joint Economic Committee, I introduce a minor bill to amend section 5 of the Employment Act of 1946. This amendment is a purely technical one to bring the language of authorization of operating funds into conformity with the practice generally followed by Senate committees. The amendment contemplates no increase in expenditures. The fact is that the committee has in recent years been successful in reducing its budget. This amendment means that in future years expenses will be limited to the amount justified to and approved by the Appropriations Committees of the House and Senate.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3174) to amend section 5 of the Employment Act of 1946, introduced by Mr. DOUGLAS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

AMENDMENT OF FEDERAL AVIATION ACT OF 1958, RELATING TO THE PERFORMANCE OF PRO RATA CHARTERS

Mr. MAGNUSON. Mr. President, by request, I introduce for appropriate reference a bill to amend the Federal Aviation Act of 1958, as amended, to prohibit citizens of the United States from performing pro rata charters unless authorized by the Civil Aeronautics Board, and for other purposes. I ask unanimous consent that the letter from the Chairman of the Civil Aeronautics Board, requesting the proposed legislation, together with a statement of purpose and need for the bill, a section-by-section analysis, and a comparison with existing law, be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and without objection, the letter, statement of purpose, analysis, and comparison will be printed in the RECORD.

The bill (S. 3175) to amend the Federal Aviation Act of 1958, as amended, to prohibit citizens of the United States from performing pro rata charters unless authorized by the Civil Aeronautics Board, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter, statement of purpose, analysis, and comparison presented by Mr. MAGNUSON are as follows:

CIVIL AERONAUTICS BOARD,
Washington, D.C., August 19, 1964.

Hon. CARL HAYDEN,
President of the Senate,
U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: The Civil Aeronautics Board recommends to the Congress for its consideration the enclosed draft of a proposed bill "to amend the Federal Aviation Act of 1958, as amended, to prohibit citizens of the United States from performing pro rata charters unless authorized by the Civil Aeronautics Board, and for other purposes."

The Board has been advised by the Bureau of the Budget that it has no objection to the transmission of the draft bill to the Congress, but that it, and the Department of Justice, believe the proposed amendments are broader than necessary to correct the problem and may unnecessarily restrict competition and that consideration should be given to other alternative remedies such as establishing requirements for financial responsibility on the part of part 42 operators engaged in pro rata charter operations.

Sincerely yours,

ALAN S. BOYD,
Chairman.

STATEMENT OF PURPOSE AND NEED FOR A BILL

The bill would amend the Federal Aviation Act of 1958 so as to prohibit the conduct of pro rata charter operations by citizens of the United States except where such operations are performed by air carriers holding operating authority issued by the Civil Aeronautics Board. This would be accomplished by modifying the definition of "air transportation," for which operating authority must be obtained from the Board in order to engage therein, so as to include within its scope the carriage by aircraft of persons under a pro rata charter. A "pro rata charter" would be defined as meaning a charter trip in interstate, overseas, or foreign air commerce operated by a citizen of the United States for the transportation of 10 or more persons where the cost of the transportation is borne, directly or indirectly, on a proportionate or per capita basis by the persons being transported. The Board would be given authority to require the submission of reports and other information by persons who it has reason to believe may be engaged in air transportation, and to inspect the accounts and property of such persons.

The purpose of the bill is to enable the Board to cope more effectively with certain practices of persons holding commercial operator certificates issued by the Federal Aviation Agency under Revised part 42 of the Civil Air Regulations for the carriage by large aircraft of persons or property for compensation or hire as private carriers, but not holding operating authority issued by the Board. Until recently, these operators were referred to as "part 45 operators" because the certificates which they held were issued under part 45 of the Civil Air Regulations. Both the Board and the Congress have become increasingly concerned over certain operations of these carriers. Referring to the "part 45 operators" in Senate Report No. 837, 88th Congress, 2d session, the Senate Commerce Committee repeated an admonition, contained in prior reports, to the Board and the Federal Aviation Agency that "if authority in this area to require compliance with economic and safety regulations was inadequate * * * legislative recommendations should be submitted to correct any deficiencies."

A principal area of the Board's concern with the activities of the so-called part 45 operators has related to their conduct of so-called pro rata charters utilizing large transport-type aircraft. Under this type of charter, the chartering organization contracts with the operator for one or more flights at an agreed lump sum per flight, and each member of the chartering organization making the trip pays his proportionate share. In one instance, at least, flights have been canceled with the result that the passengers were stranded. While only a few of the 30 or more operators holding commercial operators' certificates have been engaged in substantial pro rata charter operations, others may, with the economics of transportation being what they are, resort to this type of operation as a source of business.

Although these operators contend that they are engaged in private carriage, the Board believes that, in virtually every instance, pro rata charter carriage by such operators crosses the line dividing private and common carriage. The basic legal distinction between common carriage, for which operating authority is required from the Board, and private carriage is that the services of the common carrier are made available to the general public, or to a significant segment thereof, while those of the private carrier are not. Thus, the very number of passengers being transported under the pro rata charters suggest that the services of the carriers are probably being made available to the general public in some form or fashion.

However, a lengthy investigation would be required in order to determine how and to what extent the services of a particular carrier are being made available to the public. Passage from the area of the private carrier to that of the common carrier is usually a gradual process. Thus, a determination as to whether a given operator's activities have crossed the line depends upon an evaluation of the operation over a period of time. This means that the Board's Bureau of Enforcement must conduct an extended and time-consuming investigation before the Board is in a position to institute administrative (sec. 1002) or judicial (sec. 1007) proceedings against a violator of the act. In the meantime, the illegal operations continue, and the public lacks the protection of the Board's regulations governing other carriers. Furthermore, the issuance of an enforcement order at the end of a proceeding directing a discontinuance of operations already commenced does not provide an adequate solution since persons who had bought round-trip transportation from the operators might be stranded in midjourney by the enforced cessation of operations.

In these circumstances, the Board believes that the best solution is legislation requiring that pro rata charters, regardless of their legal status as private or common carriage, be performed only by air carriers holding operating authority issued by the Board. However, charters for the carriage of less than 10 persons would be excluded from the scope of the legislation as being unnecessary for coping with the problem. Operations with large aircraft are the ones presenting significant enforcement problems, and the operators of such aircraft are apt to find it unprofitable to transport groups of less than 10 persons. On the other hand, small aircraft operations by persons claiming to be engaged in private carriage have not presented any significant enforcement problems, and the less-than-10-persons exclusion recognizes this. Moreover, the Board's air taxi exemption regulation in any event permits operators of small aircraft to engage in pro rata charters irrespective of whether the operation is deemed to constitute common or private carriage. The effect of the instant proposal is to leave requirements of existing law undisturbed as to any need for operating authority for carriage of this nature. In other words, an operator now free to do so would continue to be free to carry groups of less than 10 on a proportionate cost basis unless he crossed over into common carriage in doing so. In such latter event, operating authority from the Board would be required just as it is at the present time. As indicated, however, this should not present any real problem to operators of small aircraft in view of the blanket exemption granted by the Board's air taxi regulation (14 C.F.R. 298) from the certificate requirements.

Pro rata charters by noncitizens have not been included within the scope of the legislation for the reason that affirmative authority is required from the Board, in the form of a permit under section 402 of the act or specific authorization under section 1108(b), in order that foreign aircraft may engage in air transportation or commercial air operations. Thus, a measure of control over such transportation is already provided which does not exist with respect to citizen carriers, who need no authority from the Board unless engaged in air transportation.

Giving the Board authority to require the submission of reports by persons who it has reason to believe may be engaged in air transportation, as well as the authority to inspect the accounts and property of such persons, should not only serve as a deterrent to violations, but also assist in determining whether so-called private carriers are conducting other types of operations, such as the common carriage of property or other types of passenger common carriage, for which operating authority is required under the act. Although these other types of operations are not as susceptible of inflicting abuses upon the public as are the pro rata charter operations, they should be eliminated in order that there will be effective compliance with the economic regulations of the Board. However, this power would be exercised by the Board only when it had reasonable grounds for believing that a violation was occurring, and its exercise would be limited to matters relevant to possible violations.

Section-by-Section Analysis of a Bill

Section 1: Amends section 101 of the act, containing definitions of the terms used therein, so as to include within the definition of "air transportation" the carriage by aircraft of persons under a pro rata charter. The term "pro rata charter" is defined as meaning a charter trip in interstate, overseas, or foreign air commerce operated by a citizen of the United States for the transportation of 10 or more persons, where the cost of such transportation is borne, directly or indirectly, on a proportionate or per capita basis by the persons being transported. Thus, citizens of the United States not holding operating authority issued by the Board to engage in air transportation would be prohibited from conducting pro rata charters without regard as to whether such charters are deemed to be private or common carriage.

Section 2: Subsection (a) amends subsection (a) of section 407 of the act, empowering the Board to require, among other things, reports from air carriers and answers to questions relating to information deemed to be necessary, so as to make such provisions applicable to persons not holding operating authority who the Board has reason to believe are engaged in air transportation.

Subsection (b) amends subsection (e) of section 407, authorizing the Board to inspect the accounts and property of air carriers, so as to make such provisions applicable to persons not holding operating authority who the Board has reason to believe are engaged in air transportation.

Comparison With Existing Law

(New matter in italic, stricken matter in black brackets)

DEFINITIONS

Sec. 101. As used in this Act, unless the context otherwise requires—

* * * * *

(10) "Air transportation" means interstate, overseas, or foreign air transportation, *or the carriage by aircrafts of persons under a pro rata charter,* or the transportation of mail by aircraft.

* * * * *

(30) "Pro rata charter" means a charter trip in interstate, overseas, or foreign air commerce operated by a citizen of the United States for the transportation of 10 or more persons, the cost of which is borne, directly or indirectly, on a proportionate or per capita basis by the persons transported.

[30] *(31)* "Public aircraft" means an aircraft used exclusively in the service of any government or of any political subdivision thereof including the government of any State, Territory, or possession of the United States, or the District of Columbia, but not including any government-owned aircraft engaged in carrying persons or property for commercial purposes.

[31] *(32)* "Spare parts" means parts, appurtenances, and accessories of aircraft (other than aircraft engines and propellers), of aircraft engines (other than propellers), of propellers and of appliances, maintained for installation or use in an aircraft, aircraft engine, propeller, or appliance, but which at the time are not installed therein or attached thereto.

[32] *(33)* "Supplemental air carrier" means an air carrier holding a certificate of public convenience and necessity authorizing it to engage in supplemental air transportation.

[33] *(34)* "Supplemental air transportation" means charter trips in air transportation, other than the transportation of mail by aircraft, rendered pursuant to a certificate of public convenience and necessity issued pursuant to section 401(d)(3) of this Act to supplement the scheduled service authorized by certificates of public convenience and necessity issued pursuant to sections 401(d)(1) and (2) of this Act.

[34] *(35)* "Ticket agent" means any person, not an air carrier or a foreign air carrier and not a bona fide employee of an air carrier or foreign air carrier, who, as principal or agent, sells or offers for sale any air transportation, or negotiates for, or holds himself out by solicitation, advertisement, or otherwise as one who sells, provides, furnishes, contracts or arranges for, such transportation.

[35] *(36)* "United States" means the several States, the District of Columbia, and the several Territories and possessions of the United States, including the territorial waters and the overlying airspace thereof.

* * * * *

ACCOUNTS, RECORDS, AND REPORTS

Filing of reports

Sec. 407. (a) The Board is empowered to require annual, monthly, periodical, and special reports from any air carrier; to prescribe the manner and form in which such reports shall be made; and to require from any air carrier specific answers to all questions upon which the Board may deem information to be necessary. Such reports shall be under oath whenever the Board so requires. *The foregoing provisions shall also apply to any person not holding operating authority issued by the Board who the Board has reason to believe is engaged in air transportation.* The Board may also require any air carrier to file with it a true copy of each or any contract, agreement, understanding, or arrangement, between such air carrier and any other carrier or person, in relation to any traffic affected by the provisions of this Act.

* * * * *

Inspection of accounts and property

(e) The Board shall at all times have access to all lands, buildings, and equipment of any carrier and to all accounts, records, and memoranda, including all documents, papers, and correspondence, now or hereafter existing, and kept or required to be kept by air carriers; and it may employ special agents or auditors, who shall have authority under the orders of the Board to inspect and examine any and all such lands, buildings, equipment, accounts, records, and memoranda. The provisions of this section shall apply, to the extent found by the Board to be reasonably necessary for the administration of this Act, to persons having control over any air carrier, or affiliated with any air carrier within the meaning of section 5(8) of the Interstate Commerce Act, as amended. *The provisions shall also apply to any person not holding operating authority issued by the Board who the Board has reason to believe is engaged in air transportation.*

TO AUTHORIZE A CONTRIBUTION TO CERTAIN INHABITANTS OF THE RYUKYU ISLANDS FOR DEATH AND INJURY OF PERSONS, AND FOR USE OF AND DAMAGE TO PRIVATE PROPERTY, ARISING FROM ACTS AND OMISSIONS OF THE U.S. ARMED FORCES, OR MEMBERS THEREOF, AFTER AUGUST 15, 1945, AND BEFORE APRIL 28, 1952

Mr. FULBRIGHT. Mr. President, by request, I introduce for appropriate reference a joint resolution to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952.

The proposed legislation has been requested by the Secretary of the Army, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the joint resolution may be printed in the Record at this point, together with the letter from the Secretary of the Army dated August 26 to the President pro tempore in regard to it. I also ask unanimous consent that the Senators from Hawaii [Mr. Fong and Mr. Inouye], may appear as cosponsors of the bill.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the names mentioned by the Senator from Arkansas will be added as cosponsors, and the joint resolution and letter will be printed in the RECORD.

The joint resolution (S.J. Res. 199) to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952, introduced by Mr. FULBRIGHT (for himself, Mr. FONG, and Mr. INOUYE) (by request), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas certain persons of the Ryukyu Islands suffered damages incident to the activities of the Armed Forces of the United States, or members thereof, after the surrender of Japanese forces in the Ryukyus on August 15, 1945, and before the effective date of the Treaty of Peace with Japan on April 28, 1952;

Whereas Article 19 of the Treaty of Peace with Japan extinguished the legal liability of the United States for any claims of Japanese nationals, including Ryukyuans, with the result that the United States has made no compensation for the above-mentioned damages (except for use of and damage to land during the period from July 1, 1950, to April 28, 1952);

Whereas it is particularly consonant with the concern of the United States, as the sole administering authority in the Ryukyu Islands, for the welfare of the Ryukyuan people, that those Ryukyuans who suffered damages incident to the activities of the United States Armed Forces, or members thereof, should be compensated therefor;

Whereas payment of ex gratia compensation, by advancing the welfare of the Ryukyuan people, will promote the security interest, foreign policy, and foreign relations of the United States; and

Whereas the High Commissioner of the Ryukyu Islands has considered the evidence regarding these claims, and has determined, in an equitable manner, those claims which are meritorious, and the amounts thereof: Therefore, be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That the United States should make an ex gratia contribution to the persons determined by the High Commissioner of the Ryukyu Islands to be meritorious claimants, in the amounts determined by him, and that the Secretary of the Army or his designee should, under regulations prescribed by the Secretary of Defense, pay such amounts to the claimants or their legal heirs, as a civil function of the Department of the Army; and be it further

Resolved, That no funds appropriated under this authorization shall be disbursed to satisfy claims, or portions thereof, which have been satisfied by contributions made by the Government of Japan.

SEC. 2. There is authorized to be appropriated not to exceed $22,000,000 to carry out this joint resolution, which funds are authorized to remain available until expended.

SEC. 3. No remuneration on account of services rendered on behalf of any claimant in connection with any claim filed with the Commission under this subchapter shall exceed 5 per centum of the total amount paid pursuant to any award certified under the provisions of this subchapter on account of such claim. Fees already paid for services performed in submitting a claim to the Joint American-Ryukyuan Commission shall be deducted from the amounts authorized under this legislation. Any agreement to the contrary shall be unlawful and void. Whoever, in the United States or elsewhere, demands or receives, on account of services so rendered, any remuneration in excess of the maximum permitted by this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than $5,000 or imprisoned not more than twelve months, or both.

The letter presented by Mr. FULBRIGHT is as follows:

DEPARTMENT OF THE ARMY,
Washington, D.C., August 16, 1964.

Hon. CARL HAYDEN,
President Pro Tempore of the Senate.

DEAR SENATOR HAYDEN: A draft of legislation "To authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury of persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after August 15, 1945, and before April 28, 1952," is enclosed.

This proposal is part of the Department of Defense legislative program for the 88th Congress, and the Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Army has been designated the executive agency of the Department of Defense for the civil administration of the Ryukyu Islands, and is therefore the representative of the Department of Defense for this legislation. The Department of State concurs in this proposal, from the viewpoint of foreign policy. It is recommended that the proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of the proposed legislation is stated in the title. The following background information will be useful in considering this bill.

A. Historical background

The Ryukyu Islands became an integral part of Japan in 1879. This area was regarded as enemy territory by the U.S. Armed Forces during World War II, and was invaded by them on March 26, 1945. Hostilities ended in the Ryukyus on June 21, 1945, and Japanese forces there formally surrendered on August 15, 1945. Full military government was established in the islands on September 21, 1945. For purposes of control and administration, the Ryukyus were severed from Japan, and Japanese postwar legislation was not, of itself, extended to this area.

The Treaty of Peace with Japan, which was signed by the United States and other nations at San Francisco on September 8, 1951, entered into force on April 28, 1952. By article 3 thereof, Japan agreed to concur in any proposal of the United States to place the Ryukyu Islands under the United Nations trusteeship system, with the United States as the sole administering authority. Pending the making of such a proposal, Japan gave to the United States the right to exercise all and any powers of administration, legislation, and jurisdiction over the territory and inhabitants of the Ryukyu Islands. The northernmost group of these islands, known as the Amami Oshima group, was returned to Japanese jurisdiction on December 25, 1953, and is no longer considered a part of the Ryukyu Islands, as they are known today.

The President has asserted, in the budget of the U.S. Government for fiscal year 1965, that "to protect the security of the United States and of the free world, the United States will continue responsibility for the administration of the Ryukyu Islands as long as conditions of threat and tension in the Far East require the maintenance of military bases in these islands."

B. Governmental arrangements

Under the provisions of Executive Order 10713, dated June 5, 1957, as amended by Executive Order 11010, dated March 19, 1962, the President delegated to the Secretary of Defense the responsibility of exercising the above-mentioned powers of administration, legislation, and jurisdiction over the Ryukyus, subject to the direction and control of the President. The basic order established a civil administration of the Ryukyu Islands (USCAR), headed by a high commissioner appointed from among the active-duty members of the U.S. Armed Forces. The 1962 amendment to the basic order also provided for a civilian official, under the High Commissioner, called the Civil Administrator; his powers and duties are such as may be assigned to him by the High Commissioner. The basic order charged the Secretary of State with the responsibility for conducting Ryukyuan relations with foreign countries and international organizations. It also established the Government of the Ryukyu Islands (GRI), which, under the High Commissioner, has extensive powers in the legislative, executive, and judicial fields.

C. Nature of claims

The presence of U.S. Armed Forces in the Ryukyu Islands constituted a military occupation from June 21, 1945, until April 28, 1952. Certain damages were caused during this period to residents of the Ryukyu Islands by various acts and omissions of the U.S. Armed Forces or of their members. These damages ranged from the uncompensated use of real and personal property, taken over for the legitimate requirements of the occupying forces, to tortious acts by members of the forces.

It is a generally recognized principle of international law, particularly as reflected in the provisions of the Hague Convention Number IV of 1907 (which has been ratified by both the United States and Japan), that individuals whose personal or real property is used or taken by occupation forces are entitled to fair compensation for such use. In other occupations of enemy territory by U.S. Armed Forces during and after World War II, such compensation was normally provided, on behalf of the United States, by the existing local governments. This principle applied also to claims arising from death or personal injury suffered by residents of the occupied territory due to acts or omissions of the Armed Forces or of their members.

However, the absence of any financially responsible local government in the Ryukyus in the immediate postwar years unfortunately resulted in the nonpayment of any compensation to individual Ryukyuans for the use of or damage to their property by the U.S. occupation forces during the pretreaty period (with one exception, as will be explained below), or for any pretreaty tort claims for death or personal injury caused by such forces or members thereof.

In any event, U.S. liability for Ryukyuan claims arising during that period was formally extinguished by the Treaty of Peace with Japan, which entered into force on April 28, 1952. In article 19a of this treaty, Japan waived all its claims, and those of its nationals (including Ryukyuans), against the Allied powers and their nationals, arising from the war and occupation of Japanese territory prior to the coming into force of the treaty. (Unlike other agreements with former enemy states, this treaty did not require Japan to settle and pay the claims of its nationals against the other contracting parties.) Accordingly, the United States, on the basis that it has thus been absolved from legal responsibility for payment of these claims, denies legal liability for such claims and therefore has not paid them—except for certain claims relating to rental of land and damages thereto during the last 2 years of the occupation period, as will be explained herewith.

Beginning with the effective date of July 1, 1950, the principle of uncompensated requisitioning of Ryukyuan private property was abandoned in favor of leasehold arrangements, with rentals paid by the U.S. Government; payments have also been made to cover the cost of restoring lands damaged during that period. These arrangements were undertaken on the basis of implied leases, executed by virtue of the retroactive provisions of Civil Administration Proclamation No. 26, dated December 5, 1953. These particular pretreaty claims may thus be regarded as covered by article 19b of the treaty, which specifically exempts from the waiver provision of article 19a those claims which are "specifically recognized in the laws of any Allied Power enacted since September 2, 1945." These already satisfied pretreaty claims, of course, are not included among the claims covered by the attached draft legislation.

As a matter of related interest, the Government of Japan denies legal liability for pretreaty claims in the home islands of Japan, but has provided some compensation to such Japanese claimants. Although the Government of Japan similarly denies legal liability for pretreaty claims in the Ryukyu Islands, in 1957 it made solatia payments to Ryukyuan pretreaty claimants, in the amount of 1 billion yen (approximately $2.8 million). The amount of these solatia has been deducted from the amount of the claims covered by the proposed legislation, and a specific stipulation has been included therein, precluding disbursement of funds appropriated thereunder for claims already satisfied by the Government of Japan. Although the Government of Japan, when paying these solatia, stipulated that the amount thereof would be repaid to it, should the Ryukyuan claimants succeed in obtaining compensation from the U.S. Government for these claims, this stipulation was a unilateral action on the part of the Government of Japan, and has never been agreed to by the U.S. Government.

D. U.S. policy regarding these claims

The claims to be compensated by this bill have been presented by Ryukyuans to the High Commissioner and his predecessors during the years since the treaty entered into effect. Numerous petitions in this matter have also been submitted to him and to other officials of the U.S. Government. Most recently, in 1960, the Ryukyuan members of the High Commissioner's Land Advisory Committee submitted to him a comprehensive petition, requesting compensation for these claims. Although recognizing that the United States had no legal liability for such claims, the High Commissioner forwarded this petition to the Department of the Army, recommending that the United States review this entire problem with a view toward modifying its past policy of relying solely on the legal merits of the case, and that it now give due emphasis to related considerations of equity and moral responsibility.

The High Commissioner's recommendation for a review of this problem was favorably received by the Department of the Army, and, with the approval of the Department of Defense and the concurrence of both the Department of State and the Bureau of the Budget, the High Commissioner was directed to undertake a review of the entire subject of Ryukyuan pretreaty claims, to include discussions with the Ryukyuan claimants, their representatives, and the Government of the Ryukyu Islands. An announcement to this effect was released by the High Commissioner on April 6, 1961. In his announcement, the High Commissioner noted that he thereby assumed no legal responsibility or commitment to settle these claims, and stated that they were being reviewed because of the concern of the United States, as the administering authority in the Ryukyus, for the well-being of the Ryukyuan people. Advance copies of this announcement had previously been distributed to the President of the Senate, the Speaker of the House, the members of the concerned committees of both the Senate and House, and to selected Senators and Congressmen.

The High Commissioner subsequently established a joint Ryukyuan-American group to conduct the review, the American members of which were appointed by himself and the Ryukyuan members by the Chief Executive of the Government of the Ryukyu Islands. The committee examined all of the evidence in this matter and reviewed it in accordance with equitable standards that had previously been developed, and applied with considerable success, in reviewing claims submitted to the U.S. Government by residents of other areas in the Far East. The committee completed its study and submitted a unanimous report to the High Commissioner on March 23, 1962. After reviewing the committee's report, the High Commissioner transmitted it to the Department of the Army on October 16, 1962. The High Commissioner supported the committee's conclusions and recommended that appropriate action be taken to seek approval by the Congress for authorization of the proposed payments. This legislative proposal is a direct result of the committee's study and of the High Commissioner's recommendation thereon.

Bills seeking the same objective as this proposal were introduced by congressional sponsors in the 86th and 87th Congress, but were not enacted. A similar bill (S. 270) has been introduced in the 88th Congress by Senator INOUYE, and has been referred to the Senate's Committee on Foreign Relations.

The proposed payments are considered warranted because of the concern of the United States, as the administering authority in the Ryukyus, for the well-being of the Ryukyuan people. Payment of these claims will also provide effective redress for an acknowledged inequity, which has caused these claimants to throw themselves on the mercy of the U.S. Government, which has full jurisdiction over them. It would also promote the security interests of the United States, by fostering an atmosphere of respect on the part of the Ryukyuan people for the spirit of fair play and equity evidenced by the U.S. Government, in keeping with the image and record of American practices throughout the world.

While the legal position of the U.S. Government is quite clear, in view of the above-mentioned extinguishment of our liability for these claims by article 19 of the treaty, the fact that the individual claimants were, through no fault of their own, left uncompensated during the 7 years of the occupation, contrary to the practice followed in other occupied areas, does constitute a situation calling for equitable adjustment at this time. In referring this matter to the Congress, the executive branch believes that the problem should be regarded in this light. This question is basically keyed to the moral imperative of living up to the demands of equity, even where no legal liability exists. It is respectfully suggested that this be the framework for legislative consideration of the attached proposal.

E. Cost and budget data

The total of all claims which have been submitted in this matter was originally $43 million, as tabulated in the above-mentioned petition submitted by the claimants to the High Commissioner. However, in the course of the review conducted by the joint committee, as approved by the High Commissioner, the total of the meritorious claims has been reduced to approximately $22 million, broken down as follows:

Personal injury and death	$800,000
Land rentals (1945–50)	15,000,000
Restoration of released lands	2,500,000
Water rights	50,000
Property damage, growing crops, etc	3,650,000

If this legislative proposal is enacted, it is estimated that the bulk of this sum would be expended within 1 year. This amount has not been included in any estimate of appropriations submitted through budget channels by either the Department of Defense or the Department of the Army.

It is proposed that distribution of the requested payments would be made by the Government of the Ryukyu Islands, under controls established by the High Commissioner, and would not require additional civilian employment or expenditures for personnel services. The anticipated negligible increase in general administrative expenses in the office of the High Commissioner will be absorbed within other appropriations for the Department of Defense.

In connection with the operative clause of the attached joint resolution, it is proposed that a tabulation of the claims determined by the High Commissioner to be meritorious will be submitted to the respective committees of the Congress in the course of their consideration of this proposal.

Sincerely,

STEPHEN AILES,
Secretary of the Army.

SOCIAL SECURITY AMENDMENTS OF 1964—REQUEST TO HOUSE FOR RETURN OF BILL

On request of Mr. MANSFIELD, and by unanimous consent, it was

Ordered, That the Secretary be directed to request the House of Representatives to return to the Senate the bill H.R. 11865, the Social Security Amendments of 1964, together with the accompanying papers.

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent that the message sent to the House today be recalled temporarily.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered.

Mr. MANSFIELD further subsequently said: Mr. President, a short time ago I asked unanimous consent that H.R. 11865, the social security bill, be returned to the Senate. That request was granted.

I did so because I had received a communication from the distinguished Senator from Kentucky [Mr. COOPER], asking that it be recalled for the purpose of adding an amendment, under a unanimous-consent request, which had to do with the State of Kentucky.

In view of the fact that H.R. 11865 was passed by a rather large vote in the Senate, and on which a motion to reconsider the vote was tabled, I must most reluctantly and most respectfully object to the request of the Senator from Kentucky.

Therefore, Mr. President, I ask unanimous consent that the order requesting its return be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEVELOPMENT OF APPALACHIAN REGION—AMENDMENTS

(AMENDMENT NO. 1264)

Mr. METCALF (for himself and Mr. Moss) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 2782) to provide public works and economic development programs and the planning and coordination needed to assist in the development of the Appalachian region, which were ordered to lie on the table and to be printed.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that he presented to the President of the United States the following enrolled bills:

On September 4, 1964:

S. 1123. An act to provide for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes.

On September 8, 1964:

S. 27. An act to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. MANSFIELD:

Speech delivered by the President of the United States at Detroit on Labor Day.

MRS. JANE HADLEY BARKLEY

Mr. COOPER. Mr. President, I know that Members of the Senate are saddened by the news of the death of Mrs. Jane Hadley Barkley, the widow of the former Vice President and U.S. Senator, Alben W. Barkley. This is particularly so in Kentucky, where she was admired and held in affection because she was the wife of Alben W. Barkley, a tradition and an institution in our State, and also in her own right as an intelligent and capable woman, warm in her friendship and thoughtful and kind in character. The news of her death comes as a shock. I have valued her friendship very much.

I ask unanimous consent that there be printed in the Record articles about Mrs. Barkley, as published in the New York Times, the Washington Star, and the Washington Post.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington Post]

Jane Barkley, Widow of "Veep"

(By Jim Jaffe)

Jane Rucker Barkley, widow of Vice President Alben W. Barkley, died unexpectedly yesterday morning at her Connecticut Avenue apartment. She was 52.

The cause of her death was not known. An autopsy yesterday afternoon revealed evidence of heart disease, but a ruling will not be made until completion of tests.

Mrs. Barkley married the "Veep" in November 1949, after a courtship that was followed by much of America as the 72-year-old politician flew to St. Louis to spend his weekends visiting his bride to be, who was then 38.

In addition to her social duties, she was also a capable secretary. At the time of her death, she was an administrative assistant to the president of George Washington University here.

Elizabeth Jane Barkley was born in Keytesville, Mo., on September 23, 1911, and educated in Europe, where her mother, Elizabeth Estle Rucker, was a pianist and teacher, She learned French and Italian there.

She dropped the Elizabeth from her name during her school years to avoid being called "Lizzie."

After attending Washington University in St. Louis for a year, she married lawyer Carleton S. Hadley, in 1931, when she was 19. When he died in 1945, she went to work as a secretary, handling foreign correspondence for the school.

Mrs. Barkley was first linked romantically with the Vice President in the summer of 1949, when she met him on a cruise given in her honor by the Clark Cliffords. The public was kept guessing as the two continued seeing each other. The marriage was announced in late October.

Two months before the wedding, Vice President Barkley was asked whether he had proposed. He said he hadn't. "I have no way of knowing whether I'll make the grade," he added.

He did. Their scheduled "small" wedding on November 18, 1949, drew 7,000 guests and Mrs. Barkley was the toast of Washington society the following season.

When her husband died in 1956, she was one of the people considered for an interim appointment to the Senate seat he held.

In 1957, she wrote, "I Married the Veep," telling about her life in Washington. That year she was squired around town by House Speaker Sam Rayburn, but denied reports of another romance.

Mrs. Barkley became appointments secretary to the late Thomas Henry Carroll II, former president of George Washington University, in 1962.

She is survived by her mother, with whom she lived at 4514 Connecticut Avenue, NW.; two daughters, Jane H. Perry, of 5300 Wriley Road, Bethesda, and Anne Behrend, of Omaha, Nebr.; a sister, Ann Estle Lyon, of 1201 South Scott Street, Arlington; a brother, William W. Rucker, of Tampa, Fla., and four grandchildren.

Funeral services will be held at 2 p.m. Tuesday at Joseph Gawler's Sons, Inc., Wisconsin Avenue and Harrison Street, NW. The family has requested contributions to the American Heart Association instead of flowers.

[From the New York Times]

Mrs. Alben W. Barkley, 52, Dies; Widow of Former Vice President

Washington, September 6.—Mrs. Jane Hadley Barkley, widow of Alben W. Barkley, Vice President of the United States in the administration of former President Harry S. Truman, died today at her home. She was 52 years old.

Mrs. Barkley was a 38-year-old widow when she and the Vice President, then 71 years old, were married in St. Louis in 1949. He died in 1956 after returning to the Senate.

Mrs. Barkley's survivors include her mother, Mrs. Estle Rucker; two daughters, Mrs. Jane Perry of Bethesda, Md., and Mrs. Anne Behrend of Omaha; a sister, Mrs. Estle Lyon of Arlington, Va., and a brother, William Rucker of Tampa, Fla.

Funeral arrangements have not yet been announced.

WHIRLWIND COURTSHIP

The Vice President conducted a whirlwind campaign for the hand of Mrs. Carleton S. Hadley, widow of a St. Louis railroad lawyer. They had met in July 1949, and were married in November.

Mrs. Barkley recalled in her book "I Married the Veep," published in 1958, that at their first meeting, aboard a small river cruiser on the Potomac, Mr. Barkley held her hand so firmly, "that I couldn't figure out how to free my poor imprisoned hand."

They met frequently afterward at parties, and he wrote her many letters.

Mrs. Barkley was born in Keytesville, Mo., and named Elizabeth Jane Rucker. She dropped the Elizabeth to avoid being called "Lizzie," she said. She was educated in Europe, where her mother was a pianist and teacher.

At the age of 19 she was married to Mr. Hadley, who later became general counsel of the Wabash Railroad in St. Louis. He died of a heart attack in 1945 at the age of 42.

His widow then went to work as a secretary at Washington University and, a few months later, became secretary to the man who had succeeded her husband at the Wabash.

She met Mr. Barkley by chance through her friendship with Mr. and Mrs. Clark Clifford of St. Louis. Mr. Clifford was then special counsel to President Truman.

Through that summer the Vice President parried the questions of friendly reporters on his marriage plans when they learned that he was making visits to St. Louis. Once, he quipped that he had not yet proposed marriage "because I have no way of knowing whether I'll make the grade."

The wedding was planned at first to be small, but some 7,000 people were waiting outside the Singleton Memorial Chapel of St. John's Methodist Church that November day to greet the Vice President and his bride. Mrs. Barkley plunged into political campaigning and the Washington social world with her husband.

She joined him on a trip to Korea during the Korean war. She walked with him on a celebrated stroll from the railroad station to his hotel in 1952 at the time of the Democratic National Convention to prove that he was not too old to be a candidate for President.

In recent years, Mrs. Barkley was appointed secretary to Thomas Henry Carroll, president of George Washington University.

Mrs. Jane Barkley, 52, Veep's Widow, Dies

Mrs. Jane Barkley, 52, who married Vice President Alben W. Barkley after a 4-month storybook courtship 15 years ago, died yesterday in her Connecticut Avenue apartment.

An autopsy showed evidence of heart disease, but the coroner's office withheld a ruling until further tests can be completed. Mrs. Barkley was found dead in her bed.

On November 18, 1949, photographs in newspapers across the country showed Mrs. Barkley smiling through tears of happiness as she was led to the altar by the witty and genial former Kentucky Senator. She was 38 then and "the Veep" was 71.

AT SIDE WHEN HE DIED

Six and a half years later, on April 30, 1956, she rushed to Mr. Barkley's side when he collapsed and died while addressing a mock Democratic convention at Washington and Lee University at Lexington, Va.

Mr. Barkley, again a Senator from Kentucky, had just declared, "I would rather be a servant in the house of the Lord than to sit in the seats of the mighty." Mrs. Barkley was in the audience.

Later, she returned to secretarial work, and at the time of her death was administrative assistant to Oswald S. Colclough, acting president of George Washington University.

WED FIRST IN 1943

Born Elizabeth Jane Rucker in Keytesville, Mo., she was educated in Switzerland and Italy, where her mother was a pianist and music teacher. Her father was a lawyer and her grandfather, William J. Rucker, was a Member of Congress whom Mr. Barkley had known at the beginning of his career.

At 19, she left Washington University to marry Carleton S. Hadley, a lawyer who died in 1945.

The Vice President and Mrs. Hadley met in the summer of 1949 at a party given by the Clark Cliffords on the Presidential launch, *Margie*. Mrs. Barkley's first husband had been best man at the Cliffords' wedding. It was obvious that they hit it off, but knowing Mr. Barkley's old world gallantry toward the other sex, no one paid much attention.

The next morning, however, the Vice President called Mrs. Clifford and asked her to tell him everything about Mrs. Hadley. (His first wife, whom he married in 1903, died in 1947 after a long illness.) Three days later he gave a luncheon for her in the Senate, followed up by a cocktail party that afternoon.

The Vice President then began making weekend visits to the St. Louis widow, engaging the American people as partisans in the courtship long before he became engaged himself.

VEEP WAS UNCERTAIN

Only 2 months before the wedding, Mr. Barkley was asked whether he had popped the question. He said he hadn't because "I have no way of knowing whether I'll make the grade."

He did, and the projected "small" wedding in St. Louis finally wound up with some 7,000 guests. The new Mrs. Barkley was the toast of Washington social circles when the couple returned here.

Mrs. Barkley described the romance in a 130-page book called "I Married the Veep," published in 1958. She called herself "an overage Cinderella."

A Republican before her marriage to Mr. Barkley, she was an ardent supporter of Wendell Willkie, the GOP presidential candidate in 1940. She once tried to convert her Democratic milkman by leaving him a note reading, "No Willkie, No Milkie."

CHANGED PARTIES

She switched parties after her second marriage and campaigned for Democratic candidates in the 1950 elections.

She is survived by her mother, with whom she lived at 4514 Connecticut Avenue NW.; two daughters, Jane H. Perry, of 5300 Wriley Road, Bethesda, and Anne Behrend, of Omaha, Nebr.; a sister Mrs. Estle Lyon, of 1201 South Scott Street, Arlington; and a brother, William Rucker, of Tampa, Fla.

Funeral services will be at 2 p.m. tomorrow at the Joseph Gawler's Sons Funeral Home, Wisconsin Avenue and Harrison Street, NW., with the Reverend Frederick Brown Harris, the Senate Chaplain, officiating. The burial will be private.

The family asks that expressions of sympathy take the form of contributions to the American Heart Association.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

REAPPORTIONMENT OF STATE LEGISLATURES—FILING OF CLOTURE MOTION

Mr. DIRKSEN. Mr. President, a series of parliamentary inquiries.

The ACTING PRESIDENT pro tempore. The Senator from Illinois will state them.

Mr. DIRKSEN. First, when a cloture motion is filed, there will be one intervening day before it comes to the floor of the Senate for a vote.

The ACTING PRESIDENT pro tempore. The Senate must be in session on 1 intervening day. The Senator is correct.

Mr. DIRKSEN. Which is to say that if the cloture motion were to be filed, it would automatically be voted on on Thursday of this week.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. DIRKSEN. Mr. President, a further parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Illinois will state it.

Mr. DIRKSEN. I understand that when the cloture motion is to be taken up, a quorum call is automatic under the rule.

The ACTING PRESIDENT pro tempore. The Senator is correct—1 hour after convening of the Senate.

Mr. DIRKSEN. A further parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Illinois will state it.

Mr. DIRKSEN. The intervening hour before the vote can be devoted to a discussion of the cloture motion, but the rule makes no provision for the division of time.

The ACTING PRESIDENT pro tempore. The Senator is correct. There is no provision for division of time.

Mr. DIRKSEN. I direct an inquiry to the Chair as to whether it has been customary to divide that 1 hour between the proponents and the opponents.

The ACTING PRESIDENT pro tempore. The Parliamentarian informs the Chair that it has been customary to proceed with morning business. But on the other hand, the Chair recalls that the last two times a cloture motion was filed, the hour was divided between the proponents and the opponents of the motion by unanimous-consent agreement.

Mr. DIRKSEN. Suppose the sponsor of the cloture motion—who would normally, I believe, be recognized by the Chair—undertakes to keep all the time and farm it out according to his likes; does that come within the rule?

The ACTING PRESIDENT pro tempore. The farming out of time is against the rule. Whoever occupied the Chair probably would strictly interpret the rule so that the Senator who had the floor would have to stay within the rules of the Senate.

The Parliamentarian informs the Chair that the regular morning hour would be in order, unless there were some agreement as to——

Mr. DIRKSEN. Would it be in order at this time to ask for a division of the time on Thursday next, in view of the fact that I propose to file a cloture motion?

The ACTING PRESIDENT pro tempore. It would be in order, on the assumption that the cloture petition will be filed and that the Senator from Illinois [Mr. DIRKSEN] can ask unanimous consent for a division of time for the hour on the morning of Thursday, provided the Senate is in session.

Mr. DIRKSEN. Then I shall make that request directly.

The ACTING PRESIDENT pro tempore. Is the Senator requesting that there shall be a division of time?

Mr. DIRKSEN. I shall ask for that after I read the title to the motion.

The ACTING PRESIDENT pro tempore. The Chair thanks the Senator from Illinois.

Mr. DIRKSEN. It reads:

> We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the amendment, relative to apportionment offered by the Senator from Illinois [Mr. DIRKSEN] and the Senator from Montana [Mr. MANSFIELD], numbered 1215, to the bill (H.R. 11380), an act to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the rule, the Presiding Officer must read the cloture motion. The Chair asks unanimous consent that the clerk may now read the motion instead of the Presiding Officer. Without objection, it is so ordered.

The legislative clerk read as follows:

CLOTURE PETITION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the amendment, relative to reapportionment, offered by the Senator from Illinois [Mr. DIRKSEN] and the Senator from Montana [Mr. MANSFIELD], numbered 1215, to the bill H.R. 11380, an act to amend further the Foreign Assistance Act of 1961, as amended and for other purposes.

EVERETT M. DIRKSEN, JAMES O. EASTLAND, FRANK CARLSON, ROMAN L. HRUSKA, LEN B. JORDAN, MIKE MONRONEY, BOURKE B. HICKENLOOPER, JAMES B. PEARSON, LEVERETT SALTONSTALL, NORRIS COTTON, GORDON ALLOTT, JACK R. MILLER, JOHN SHERMAN COOPER, WALLACE F. BENNETT, CARL T. CURTIS, HIRAM L. FONG, E. L. MECHAM.

Mr. DIRKSEN. Mr. President, in connection with the cloture motion now filed, I ask unanimous consent that the hour to be made available at the time this matter is presented to the Senate be equally divided between myself and anyone whom the opposition to cloture may designate.

Mr. CLARK. Mr. President, reserving the right to object—and I probably shall not do so—would not the Senator from Illinois agree that the time allotted to the opponents of the cloture motion may be divided in any way the opponents may collectively agree, rather than be given to any one Senator?

Mr. DIRKSEN. I have no objection. I believe that in the interest of an organized and expeditious arrangement some one Senator ought to handle it.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. DIRKSEN. I yield.

Mr. CLARK. It occurred to me that the normal procedure for controlled time for the hour would be more desirable than to attempt to have a unanimous-consent agreement now. I have no doubt that the proponents of cloture would be only too happy to have the able Senator from Illinois take all the time. Some of us who are opposed to cloture would perhaps prefer to have a little more democratic process, by which the time would be divided among several Senators.

Mr. DIRKSEN. If the opponents can get together, that would be agreeable to me.

Mr. CLARK. Why do we not try?

Mr. DIRKSEN. I suggest that the Senator from Pennsylvania in turn suggest to the Chair the name of the Senator who should handle the allotment of time. The opponents may want to ration the time among the Senator from Pennsylvania [Mr. CLARK], the senior Senator from Illinois [Mr. DOUGLAS], the distinguished Senator from Wisconsin [Mr. PROXMIRE], and others. The opponents may have a ration table of their own.

Mr. CLARK. Did I misunderstand the Senator in his unanimous-consent request? Did the Senator provide that the time for the opponents of cloture should be controlled and divided by one individual Senator?

Mr. DIRKSEN. Certainly.

Mr. CLARK. I have no objection to the request.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none. It is so ordered.

Mr. PROXMIRE. Mr. President, the cloture motion that has just been filed is—on the basis of study made by my staff—unprecedented. The Dirksen amendment was attached to the foreign aid bill without hearings or other legislative action. It was a bolt from the blue. Yet, it would deprive a majority of our citizens of the right to equal representation in their State governments for at least 2 years, and, if a constitutional amendment were passed by malapportioned State legislatures, for all time. This is why it is unprecedented: I believe there has never been a time when debate has been ended with such little opportunity for discussion.

How much time has been spent by the Senate in debating this all-important proposal prior to the introduction of a cloture motion? On the basis of the most optimistic, conservative estimates, of the number of CONGRESSIONAL RECORD pages covering the debate, a total of 26½ hours, pro and con, have been consumed on this subject. This would be the shortest cloture debate on record.

Time and again, those of us opposing the Dirksen amendment have agreed to postpone consideration of this legislation so that other measures, such as the Labor, Health, Education, and Welfare appropriations bill and the Social Security Amendments of 1964 could be acted upon.

From Thursday, August 13, the day the reapportionment amendment was laid aside so that the social security measure could be taken up, the Senate passed 89 bills and 32 resolutions, adopted 17 conference reports, and sent 10 bills to conference. This legislation probably constitutes the largest number of measures acted upon during any comparable period in the 88th Congress. During most of that period of time, the Dirksen amendment was set aside while other business was discussed and acted upon.

Mr. President, surely a measure which not only overrides the principle of one-man, one-vote, but also raises serious constitutional questions as to the independence of our courts from legislative coercion, does not deserve such short shift. I urge Senators not to act without further debate on this legislation.

There has been no delaying action; no live quorums called by those of who oppose the Dirksen amendment. There has been no nongermane debate. And there has been no real opportunity for many Senators who oppose the Dirksen amendment to speak. We have a list of Senators who want to speak against the Dirksen amendment. They have not had an opportunity to do so. Some of them wish to speak for 2 or 3 hours. This is a subject of great importance. Senators will be gagged if we cannot persuade our colleague to vote against a cloture motion.

I have been one of those who voted quite consistently for cloture. Yet, there are times when this body, which is recognized throughout the world as one which permits a substantial amount of discussion and debate, should have sufficient time in which to explore serious questions before the Senate.

With the limited time now available, it seems to me it would make sense for Senators who oppose the Dirksen cloture motion to have an opportunity to discuss such an important question in greater detail.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

CONFLICT AND UNITY

Mr. FULBRIGHT. Mr. President, later today I intend to make some remarks about the current campaign. But I should like to say at this point that I was shocked by the kind of attack made by Representative MILLER upon our colleague, the senior Senator from Minnesota [Mr. HUMPHREY].

As the majority leader has stated, "this was one of the most vicious, false, and malicious documents in American political history."

This kind of attack is destructive of the spirit of our democracy. Our institutions are not designed to operate efficiently when there is no restraint upon distortion and falsehood.

Some 10 years ago, our democratic system was severely strained by a technique known as the "big lie" or the "big doubt" a form of misrepresentation of the facts brought to a high degree of perfection by the late Senator McCarthy from Wisconsin.

The Senate formally censored the late Senator from Wisconsin; and I believe the people of this country will censure, by their votes in November, the Representative from New York [Mr. MILLER].

The statements by Representative MILLER confirm the observation made at the time, that he was chosen for the job of hatchet man, not because he is well-known or a man of stature, but because he is capable of the most foul-mouthed vituperation and unrestrained misrepresentation of any man in public life.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial from this morning's Washington Post entitled "Conflict and Unity."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 8, 1964]

CONFLICT AND UNITY

The campaign opened, officially, on Saturday; and it seems plain that the country is going to be in for a boisterous and strident time until election day, come November. President Johnson took note of the opening by a news conference plea for national unity and understanding. But his plea had to be heard over the crackle and static of two rousing, tub-thumping, name-calling speeches by the rival vice-presidential candidates.

The elocutionary honors of the day went, we thought, to Senator BARRY GOLDWATER, the GOP presidential nominee, who indulged in nothing more than a brief introduction of his running mate, WILLIAM E. MILLER, at Lockport, N.Y. It would be too much, perhaps, to say that the Senator's speech was characterized by good humor; it did contain humor, however—barbed and enlivening. He gibed at Mr. Robert Kennedy, until a few days ago the Attorney General of the United States, now a New Yorker running for election to the Senate from that State. Mr. Kennedy must regard New York as a nice place to represent, the Senator observed, "but he wouldn't want to live here." And he added that Kennedy must be running on "a commuter ticket."

That was about all the humor of any kind that the day brought forth. Senator HUBERT HUMPHREY, opening the Democratic drive at Minneapolis, hammered away at his party's theme that Senator GOLDWATER is "trigger happy" and "irresponsible," while lauding President Johnson as "a giant of a man."

Congressman MILLER confined himself almost entirely to denunciation. He has been widely characterized as a "gut fighter" and appears to regard this somewhat unattractive appellation as an accolade. He demonstrated beyond contradiction, at any rate, that he deserves it. He indulged in a personal attack on Senator HUMPHREY which, for sheer irrationality and imputation of evil has been unrivaled in American politics for many a decade.

The GOP seems to have decided to run against the ADA—that is, against Americans for Democratic Action, a small, energetic, liberal group which has contributed numerous constructive proposals to the country's political dialog. Senator HUMPHREY has long been a member and an officer of ADA. Mr. MILLER began by imputing to the organization ideas which it has never advocated, went on to impute these ideas to Mr. HUMPHREY, despite the Senator's long and brilliant record of opposition to them as a member of the Senate Committee on Foreign Relations, and ended by imputing them to President Johnson. This is very different indeed from Senator HUMPHREY'S acceptance speech at Atlantic City—of which the Miller speech was an obvious imitation. Senator HUMPHREY assailed Senator GOLDWATER by citing a series of specific RECORD votes in the Senate in which the GOP candidate himself voted in opposition to a majority of his fellow Republicans.

This is not so much gut fighting as it is gutter fighting. And the country will be the poorer if it is allowed to continue. Senate Majority Leader MIKE MANSFIELD called this attack "one of the most vicious, false and malicious documents in American political history." There is a recklessness and meanness in Mr. MILLER'S kind of politicking which pose a terrible danger to the country.

Anyone who fights in this way for public office demonstrates that he does not deserve it.

There has always been a lot of roughness and extravagance in American politics. This country can take this kind of robustness when it falls within the traditional bounds of decency and good taste and when it recognizes the essential good faith and loyalty of political opponents. What Mr. Miller did on Saturday, however, was to prove that President Johnson was quite right in his assertion that "this Nation's most important concern, as far as we can see ahead, is and should be the unity of this country."

National unity is not a product of uniformity of opinion. It grows out of the resolution of conflict through the democratic process of debate and discussion. There are real differences of opinion and philosophy between the nominees of the two major parties. They ought to be aired vigorously. Debate does not require confrontation of candidates before television cameras. It requires confrontation of ideas.

Let the candidates say as vehemently as they please what they think about the control and use of nuclear weapons, about medicare and social security, about the ways in which to assure civil rights to American citizens, about how to maintain order in the streets of great American cities, about taxes and budgetary deficits and other economic issues, about the whole long range of difficult problems facing America.

But let us put a stop now to the fracturing of America—the inculcation of hatred and distrust and the pitting of race against race, of section against section. It is for a Nation that the coming election is to choose a government. It is for the Presidency of a United States that the rivals are now seeking public confidence.

A NEW PHILOSOPHY: HUMAN BEINGS ARE NO LONGER RESPONSIBLE FOR WHAT THEY DO

Mr. TALMADGE. Mr. President, there appeared in the September 3 issue of the Washington Evening Star an excellent column by Jenkin Lloyd Jones on the "new sociology" which seems to now prevail in this country.

This, unfortunately, is the philosophy that human beings are no longer responsible for what they do, but that instead it is society that really must take the blame. We have seen the results of this new philosophy in city after city where lawlessness has become a virtual way of life for untold numbers. We have reached such a sad state of affairs that there appears to be more concern over the plight of the criminal than for the law abiding.

Mr. Jones' column is worthy of wide dissemination, and indeed I would urge that it be read by everyone who would deny the concept of individual responsibility.

Mr. President, I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Time for the New-New Sociology

(By Jenkin Lloyd Jones)

The coed was telling me about her year in a famous eastern university.

"The courses were just wonderful," she bubbled. "All except sociology."

"What was wrong with sociology?"

"It was so unreal," she replied. "For two semesters we sat through lectures in which evil things were discussed, but evil was never admitted. Criminals were never responsible for their crimes. Illegitimacy, child abandonment, addiction—no one was to blame except 'society.'

"The professor claimed that they would practically disappear if 'society' provided enough social workers, enough new housing and enough youth clubs. Any student expressing doubts got 'D' for the day's quiz."

Ah, me. How quickly the new becomes old.

For it was in the 1920's that the "new sociology" first took hold. It was based upon a number of perfectly sound and reasonable discoveries in psychology. Freud and Jung had revealed that a misshapen adulthood was often a manifestation of a twisted childhood, that people not uncommonly suffered from deep-seated neuroses and compulsions based on lack of love. It was pointed out that it wasn't enough to threaten a poor, old copper-gizzard drunk with the fires of Hell. Antisocial behavior needed some understanding.

But on the basis of these truths a peculiar cult arose that attempted to deny individual responsibility and to substitute for it the theory of collective responsibility, namely that of "society."

The cult took over the sociology departments on most campuses, and these departments spawned a generation of social workers drilled in the doctrine that the snarl was really a cry of anguish and the smirk only a manifestation of insecurity.

The virus spread quickly into the juvenile courts. The identity of young hoodlums was suppressed and publication forbidden in many States by law. Fathers found to their dismay that the nice young men who had married their daughters and who were soon calling from the jails had had, in fact, long criminal records, carefully concealed.

Probation became a sure thing for all but flagrant repeaters. Word got around that every kid had a few stolen cars coming to him and maybe even a burglary before there would be any punishment.

Appellate courts went so far out in "safeguarding civil rights" that the police were hobbled. In the famous Mallory decision the U.S. Supreme Court released a confessed rapist because Washington detectives had questioned him before he was arraigned.

Irresponsibility was the fruit of "social deprivation." The criminal from the good home was probably suffering from parental hostility. The criminal from the slum home was the product of society's failure to build him a nice apartment. All these alibis were eagerly seized by the weak-willed, the larcenous, and the vicious.

You could smash in a store front and carry away liquor and TV sets, but you were really only demonstrating for your freedom and dignity. It was owlishly reported that the real reason for the Harlem riots was desperation caused by the nomination of Senator Goldwater by the Republicans. Presumably, the San Francisco delegates should go to jail for disturbing the peace.

We have alibied crime to a point where thousands of innocent citizens are being mugged, yoked, strong-armed, robbed, and murdered.

According to the July 20 FBI report there were in the past year 8,500 homicides, 16,400 forcible rapes, 100,000 robberies, 148,000 aggravated assaults, 400,000 stolen cars, and nearly a million burglaries. In the last 5 years the population is up 8 percent and crime is up 40 percent.

So it's time for the new-new sociology. The time has come for social scientists to reexamine the record and quit trying to tailor the grim facts to fit amply disproven theories.

The dole has not improved self-reliance. The indiscriminate disbursement of aid-to-dependent-children funds has too often meant more illegitimate babies born into unspeakable homes. It is coincidental, of course, but lawlessness has grown right along with the increase in social workers, youth clubs, and low-cost public housing.

We have fallen between two stools. Punishment for wrongdoing in America is highly uncertain, and no wonder there is great confusion among the stupid and the immature as to how wrong wrong is.

Yet our correctional institutions are generally medieval, grim, overcrowded—serving only as graduate schools in crime. If half of the good citizens who are excited about muscular dystrophy would get interested in penology we might make some progress.

We need more jails, but new kinds of jails. We need surer sentences, but shorter sentences. We need judges who will show as much interest in the bleeding victim as in the duck-tailed assailant. We need more social workers who will point out that the quickest way to get out of the gutter is to stand up.

The old "new sociology" is bankrupt. Let's get back to the drawing board.

THE FUTURE OF COMMUNICATIONS

Mr. CARLSON. Mr. President, no American industry has made greater progress in the field of communications than the American Telephone & Telegraph Co. This field of communications has a great future as envisioned by Frederick R. Kappel, chairman of the board of the American Telephone & Telegraph Co., as expressed in his address before the American Bar Association in New York City on August 11.

His ingenuity and vision have meant much, not only to the company itself, but to the Nation and the world. One of the truly great achievements of the company through his leadership is the Telstar, which brings about a closer association of the peoples of the world and will mean much toward a secure peace in the future.

Those of us from the Midwest are proud to claim him as one of our own and are proud of his great record of achievement.

I ask unanimous consent that his address be made a part of these remarks.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

New Developments in Communications

(By Frederick R. Kappel)

A few years ago, when they were excavating for this building, I used to peek down on where we are now meeting and wonder whether the foundation contractor was ever going to get that hole in the ground finished. Now here I am, deep in the hole myself and surrounded by lawyers. Who could have seen that coming?

Actually I am delighted to be here and flattered that you asked me. This is the very first use, I understand, of this fine new room. Looking around, I am reminded of a thought from the Old Testament that was quoted at me recently. This is from the Book of Proverbs, 11th chapter, the 14th verse: "Where no counsel is, the people fall; but in the multitude of counselors there is safety."

We in New York may hope, therefore, to be reasonably safe for the next few days.

Now I am going to talk for a few minutes about communications. I hope this is all right with you. Your committee said my assignment was to make a diversion before you get down to cases on commercial frauds, and if I wanted to talk a little shop they would not object—provided of course that I held you spellbound.

In our business we sometimes speak of the art of communications. This is a whole lot different, I might say, from the kind of art you will see if you take a tour of this building. Yet modern communications and modern painting are alike in one respect. In each of them there is a first-class revolution going on.

The revolution in communications has several elements. First is the tremendous increase in the amount of information that may need to be communicated. Somewhere I have read that human knowledge is doubling every 10 years or so. I don't know whether that is accurate or not. But there isn't much doubt that the information explosion is upon us—with more schools and more laboratories, more people learning, more paper, more books, more ink, more studies and findings, more journals and abstracts, more decisions, more appeals, more satellites pouring data down from space, more holes in more cards, more bits on more tape, and so on ad infinitum.

In short, we're loaded. We are so loaded that turning knowledge into know-how is now a major problem. We have to organize, store, catalog, and locate our information. We have to find the needle in the haystack and sometimes too we have to pick up the whole haystack and shoot it a thousand miles in the next 2 minutes.

Fortunately, however, the means for dealing with this situation have been coming along fast and well. If we have mountains of data, we also have data processors to dig their meaning. If we have complicated problems, we also have some remarkable tools and systems to help us solve them. If we have to move a dozen haystacks, we can do it in a flash over communications facilities that can handle information in any form—words, pictures, drawings, charts; symbols or subpenas, sight or sound, music or mathematics, cash accounts, or cardiograms.

This very flexibility, I think emphasizes that distinctions between one form of communication and another are artificial. There used to be a line drawn between "voice" or telephone communications and so-called record or telegraph communications—between sending information by talking and sending it in some form that could be read or seen at the distant end. But what happens to this distinction when you push a few buttons to ask a stock exchange computer the latest quotation on "Consolidated Muffins," and a voice from a tape sends back the answer?

Or think of a deaf person looking at a Picturephone—a "see while you talk" telephone—and reading the lips of the person at the other end of the line. Is this voice communication or record communication? Who could say? And why waste time trying to decide? The important fact is simply that information is being communicated.

Nowadays we can make pictures of sounds and reduce pictures to pulses that no one can see. We can slice up speech, take samples of it, translate the samples into binary digits, send these over a line, and reconstruct everything at the other end so that no one could possibly guess that ordinary words had taken such a pushing around. Suppose that by some magic you could get inside a telephone cable and watch the information rushing by. In one kind of transmission system, all you would be aware of would be a succession of pulses. Some of them might represent spoken words. Others might represent motion or still pictures. Still others might be words or data that had started life on a sheet of paper, then changed into holes on punched tape, and were now on their way to a linotype machine in San Francisco. But you could never tell which pulses were which—which were carrying speech, and which were toting pictures or data.

A particular piece of information may in fact go through several changes in format. By now we all know that a hole in a card can have the same import as a numerical or alphabetical character. Less familiar, perhaps, are the evolution of equations into animated drawings, by way of computer, and the phrasing of intelligible speech by a computer-directed machine that manufactures and transmits voice sounds as per coded instructions fed into it from afar.

These latter examples I take from recent research and technical development—but one never knows when a new development will leave the laboratory for the marketplace. And I allude to the laboratory deliberately, because our scientific people tell me in the strongest terms that while information may undergo one transformation after another, it is only the discovery and application of basic principles that permits this. Only by knowing the unifying principles can we give communications the versatility that modern society requires.

As many of you know, there exists a fundamental theory of the nature of information, by which we can test the success of our efforts to communicate efficiently. Our scientists assure me that this heavily underscores the need to attack communications problems in the light of basic, unifying principles, as I have indicated; and it equally suggests the danger of trying to wrap up certain forms of communications in one package, and other forms in another package.

I say this much on this topic because some people tend to think of different kinds of communications as being different things that can be put into separate compartments. I believe this approach, if it is pursued, may seriously interfere with the effective development and use of modern communications. This would be a great disservice to the public.

It seems to me that the communications revolution is really a mixture of two revolutions. One is the revolution in demand, the other the revolution in supply. Of course, the demand has grown out of the supply to a large degree. Just as knowledge increased when movable type was invented and books could be printed, starting 500 years ago, so today our new techniques of communicating and informing have stimulated the information explosion. Parallel and contributing factors are the complexity of social and industrial organization, the needs of government, military requirements for worldwide communications, and so on.

On the supply side, the continuing drive in the communications research and development has always been to develop systems that would do more work at lower unit cost. This has been going on for nearly a century. In the last two decades, however, it has moved progressively faster, with the development of new systems built around transistors and a whole array of devices growing out of research in solid-state physics.

An important part of the progress has been the creation of electrical pathways that can carry more and more information. This effort has been astoundingly successful and there is much, much more to come. Back in the early days telephone men learned how to handle three conversations over two pairs of wires. When I went to work in the Bell System, 40 years ago, certain techniques had been developed, and others were being worked on, to get a dozen conversations or more from a couple of pairs of wires. Then came coaxial cable and microwave radio systems that could handle thousands of conversations. Today we have new transmission systems, both cable and radio, of much greater capacity, and various types are available for long routes and short routes, for heavy traffic and light traffic, as the case may be. Today also we are developing new coaxial cable arrangements that will handle 30,000 or more conversations at a time, and we have done a lot of research work on a hollow-tube communication system, a "circular wave guide," as it is often called, with a potential capacity of several times 30,000. Looking way into the future, we can even see the possibility of vast amounts of information riding waves of light generated by lasers. These nicely organized, well behaved light beams would travel perhaps through hollow tubes, and skip around corners with the help of mirrors.

So the potentials reach out, one might say, almost to infinity. But building the highways is only part of the job. We have been hard at work also on entirely new electronic systems for routing or switching your communications wherever you want them to go. The era of electronic switching, in fact, is just now at hand. Early next year, in the town of Succasunna, N.J., the Bell System's first full-scale electronic central office will be placed in operation. Year by year thereafter, electronic switching will steadily expand until eventually—we expect around the year 2000—all connections will be established through electronic offices, and the present electromechanical switching apparatus (remarkable as it is) will nevertheless be a thing of the past.

Now the outstanding features of these new systems developed at Bell Laboratories are two.

First, they operate at very high speeds—in millionths of a second, which is thousands of times faster than present equipment operates. This great speed enables the electronic office to do more work for more people in less time.

Second, our electronic central offices will be programed in somewhat the same way that conventional electronic computers are programed. I say "somewhat" the same way because the job of programing a telephone system is unusually complex—the electronic exchange is in fact a unique special-purpose computer, and its program is "personalized" for each customer.

For example, if you have a list of people whom you call regularly, you can have your service programed so that you will be able to reach any one of them by pressing keys for two or three digits, instead of the whole telephone number. Or if you call a number and the line is busy, the electronic office will remember the number and, if you want it to, will ring both your phone and the one you want to reach as soon as the line is free.

Still another example of service convenience has often been stated like this: If you are going to a friend's house for an evening of bridge, and want your incoming calls transferred, you can press keys for a few digits before you leave and this will instruct the electronic office to send your calls on to your friend's telephone. When you come home, you can restore the status quo in the same manner.

I give these illustrations because they come readily to mind. However, I do not want you to think that the Bell System has spent more than a hundred million dollars to develop electronic switching just so you can have a telephone call track you down at the bridge table. The point of the example is simply that the electronic office will have a prodigious electronic memory; and with little difficulty this memory can be arranged so that the switching apparatus will operate in accordance with the widely varying needs and preferences of different individual customers at different times. This is a gigantic advance in communications and I believe will have greater impact than any of us can now foresee.

Incidentally, I have a few facts about this imminent changeover to electronic switching that may surprise you.

By the year 2000 we expect our investment in these electronic systems will exceed $12 billion. In a central office of average size, serving say 7,000 communication lines, there will be more than 500,000 components including 54,000 transistors.

But the quality requirements, or more precisely, the reliability requirements, are even more interesting. The most important single thing about a communication system is that it keep working without interruption. Our electronic central offices are being designed so that if some component fails to operate, an alternate unit can take over. Notwithstanding this, however, when so many parts are interrelated in function, and depend on each other, the reliability of each single element has to be very high. Thus, with 54,000 transistors at work, in order to keep failures in the whole array at a readily controllable level, we can tolerate no more than one failure in a billion hours for each transistor. This means a transistor life requirement equivalent to 10,000 years.

If this startles you, just consider what might happen if the average life expectancy were only, let us say, 10 years. In that case, with 54,000 transistors to worry about, we would have to anticipate replacing 5,400 of them a year, or 15 a day, or maybe one every 2 hours or less. And that would never do.

Just to make sure you get my point about quality, I'll add that for diodes the requirement is that there be no more than one failure per diode every 50,000 years, and for resistors, no more than one every 100,000 years. Now do you give up?

I said a moment ago that one of the two main features of electronic switching is its great speed. It is true that the average speed of connection today is measured in seconds, and is about twice as fast as it was 10 years ago. But there are important advantages in cutting down further the time required to make connections. For instance, think of a data communication system that handles maybe thousands of very short messages a day. If each message takes 10 seconds or so, it doesn't make much sense to have to spend, say, 20 seconds to make the connection. And if a computer system is involved, as it may well be, it is important to get as much information in and out of it as fast as possible, because the price is high. For such reasons, the feature of great speed is a very practical matter. Yet we can hardly wait until the year 2000 to get it. Nor will we. In the data field, work is going ahead rapidly to develop special-purpose electronic systems that will give large users of data communications the fastest, most versatile service conceivable. These will be available in the near future.

A few other points may be of interest before I close. One of the most useful new developments in communication service is what we call touch-tone calling—using a simple set of keys or buttons that take the place of the telephone dial. We are offering this in quite a few places this year and expect it will become generally available in the next 10 years or so. Touch-tone service greatly simplifies and speeds up the making of calls, and our customers' response has been wonderful to put it mildly. However that is all the sales talk I will give you. The point I want to bring out is that touch tone has another very significant potential.

This is that it may well be used for various purposes after you have made your call and the connection is established. Do you remember, for example, that early in this talk I spoke of pushing a few keys and getting a stock quotation? It was this that I had in mind: You call the computer. Then you press the touch-tone buttons for the stock you want to know about—T for telephone, maybe. And back from the computer comes the answer in your receiver.

Or your wife may well use a touch-tone telephone to order groceries. Goods will be advertised by number, and touch-tone signals will tell the retailer's computer what items, and how many of each, are to be delivered to your home.

Or if your wife is away during the day, she may use someone else's touch-tone phone to turn the oven on before she gets home. Or a credit manager can check a computer for a customer's credit rating. Or perhaps—I am not sure about this—if legal libraries are automated, you lawyers may be touch toning into computers to look up cases and references. I think a lot of ideas will be forthcoming on how touch-tone telephones may be used as personal data machines, within the next 10 years or less. And some of them, maybe quite a few of them, will turn out to be practical.

This leads to a more general point about data communications. You may tend to think of this as being the concern primarily of large corporations. But that is not the case. This country still has a lot of small businesses, thousands of them, and in the competition they face, the savings they can achieve by efficient use of data communications are extremely important.

The big business can afford a lot of paraphernalia that will cut unit costs. It may be able to prove in its own computer system as well as full-time communication channels for its own exclusive use. The smaller business, to achieve comparable efficiency, has to have access to communication systems it can share the use of with others, and it will often use these communication facilities to reach computer systems that it also shares with others. Thus the communications common carrier is vital to the smaller business, and the common carrier must be in a position to offer the small businessman the various communication services he needs if his business is to survive and grow.

We already have abundant evidence of the need of small business for common carrier data-phone services. These services are relatively new but they are increasingly used, and the variety of applications is remarkable. And they are practical and economical because, as I said, the complex and costly network of lines and switching equipment is in common usage, while the equipment that must be used and paid for exclusively by the individual customer is held to a minimum.

Now all these things I have been saying emphasize the high rate of change in communication services. We have a new technology a-building to meet fast-changing, fast-growing needs. We have new tools to use and new methods of operation to develop. And public regulation, too, like the communications companies themselves, will need to be on the alert. A couple of months ago Mr. Ben Wiggins, Chairman of the Telephone Committee of the National Association of Railroad and Utilities Commissioners, emphasized this in terms I found encouraging. The commissions, he said, must sense what the public needs and wants. They must find practical answers through sensible, informal discussion, and not rely exclusively on formal procedures of adjudication and rulemaking. In the light of changing technology and rapid obsolescence, they must allow depreciation rates that will sustain future progress. But their forward look, he added, should not be limited to depreciation studies—it should be the prevailing attitude in every phase of regulatory work.

I applaud these sentiments. To state the matter even more bluntly, the need is for more constructive action and less nit picking.

To conclude now, please don't get the impression from what I have said about data services and other new things that we have forgotten about good old-fashioned telephone conversations. We like to handle them too, as well as cardiograms. Some time ago I made a remark to the general effect that in the future as much information might be communicated in the form of data as by conversation. This has sometimes been quoted as meaning that there would be more data calls than voice calls. But I didn't quite mean that. The amount of information is one thing, and the number of calls is another. You have to remember that many machines can spill out more information in a minute than you and I could produce if we talked all day.

So the telephone conversation is not going to be supplanted—not if we can help it. And with special reference to that, if you do not remember anything else I have said today, I hope some of you may remember one thing: This is that what we are after is to make your service always more personal, more closely suited to your individual needs, more simple and easy for you to use. That is the thrust, for instance, of this whole electronic switching development, as I have tried to indicate. We have had to mechanize, to automate, in the communications business, because there is simply no other way to make generally available to millions of people a reliable, fast, universal service at a price they can afford. But our goal in life is not to choke people with digits. Quite the contrary. Our goal is to meet your needs and wishes, and I promise you we shall make every effort to do this better in the future than we have ever done it before.

Thank you.

CRIPPLING FOOD-FOR-PEACE PROGRAM

Mr. McGOVERN. Mr. President, I fully believe that when this Congress adjourns, it will have compiled one of the most impressive records in our national history. The legislative achievements in the field of foreign policy, conservation, civil rights, and education are remarkable indeed. They are a great tribute to the congressional leadership and to the Members of the Congress.

Because of this impressive record, it would be most unfortunate if the Congress should cripple one of the most successful programs of the 20th century; namely, our food-for-peace program.

Yet, that is exactly what will be the result of clauses now included in the Senate version of the food-for-peace extension. The House flirted briefly with similar crippling provisions on last Thursday but corrected its action in time to provide for the extension of a reasonably good bill.

The objectionable clauses in the Senate bill relate primarily to the handling of currencies accruing under the sale of food-for-peace commodities. The Senate version would, in effect, destroy the President's authority to use those currencies for useful purposes such as common defense and economic development.

For 10 years, Mr. President, Congress has given the President the power of using surplus currencies to promote useful programs in the national interest. What a tragedy it would be if we now cut the ground from under this important program by removing that foreign policy tool from the President.

I earnestly hope and pray that the conferees will accept the House version of the bill as it relates to the presidential use of currencies and will save us from the mistake contemplated in the Senate bill.

Food for peace has been an effective arm of American foreign policy and a tremendous benefit to the American economy. Let us not weaken this marvelous program by ill-advised congressional action.

It is unfortunate that the Senate consideration of this important program was rushed both in the committee and on the Senate floor. I personally feel some considerable regret that I permitted this to happen because of the wishes of my Senate seniors who were anxious for expeditious handling of the legislation. It is one more example of the old adage that haste makes waste. It certainly makes for bad legislation. We can only hope that the conferees will rectify this unfortunate action.

Mr. President, the editor of the Washington Post states the case very well in the Friday, September 4, issue of the Post. I ask unanimous consent that an editorial, "Crippling Food for Peace," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CRIPPLING FOOD FOR PEACE

The House turned back yesterday from the worst of the impediments that it had previously tossed into the path of the food-for-peace program. Overnight some Members changed their minds because of the damage that would have been done to war and defense efforts in Vietnam and other countries. This belated support of a flexible and workable foreign policy is salutary, but the dangers arising from the original revolt are still acute.

The trouble began when the Senate adopted an amendment designed to restrict the use of the foreign currencies acquired by the United States in exchange for surplus food. For the past 10 years the President has had discretion to use these foreign currencies in the countries where they have accumulated in the best interests of the United States. For the most part they have been spent for defense purposes in countries such as Vietnam, Korea, and Taiwan. In other countries such as India the currencies have been used for economic development.

The Senate amendment would change the rules so that such foreign currencies could be spent only after specific appropriation by Congress. On Wednesday the House, too, tentatively approved the same amendment sponsored by Representative FINDLEY as a device to cut off "back door spending." The effect would be virtually to dry up this source of funds for useful undertakings in countries where the United States is trying to help struggling independent governments and peoples.

Representative JOHN J. ROONEY, of New York, confessed yesterday that he had changed his mind because the restrictive amendment would have been a severe blow to the war for freedom in Vietnam. If our aid program is to be effective in such circumstances, a large measure of discretion must necessarily be left with the President. How could Congress conceivably know enough about local projects in Vietnam and Korea to vote intelligently on them? Congress already has more work than it can possibly do. It would be an egregious blunder for it to project itself into the spending of local currencies in other countries even though that spending may be intimately related to American foreign policy. One of the most pointed lessons of history is that the details of foreign policy and the operation of foreign aid must be left to the President and the State Department.

Fortunately, the House also knocked out the Bolton amendment designed to cut off all food aid to Egypt. At least the Roosevelt substitute adopted in place of the Bolton proposal does not name any country and leaves it up to the President to withhold aid from countries he might find to be aggressive. The House also adopted a new amendment by Representative FINDLEY intended to forbid aid to Poland, Yugoslavia, and other Communist-dominated countries. Here is a fresh encroachment upon the President's discretion in directing our foreign policies, but it was not in the Senate bill and so can be readily stricken in the conference.

There is still much to be done to restore this bill to a sound basis of policy and workability. Congress should be making food for peace an effective instrument of international relations instead of a means of hobbling and embarrassing the President.

THE WATER RESOURCES RESEARCH AND PLANNING ACTS

Mr. McGOVERN. Mr. President, last Wednesday, September 2, a statement by the senior Senator from New Mexico [Mr. ANDERSON], was delivered to the Pacific Southwest Inter-Agency Committee meeting. In the statement the distinguished senior Senator from New Mexico explained and interpreted the importance of two far-reaching water resources acts which have come out of the Senate in this Congress.

Needless to say—for all the Members of this body know of Senator ANDERSON's leadership in the presentation of water resources legislation—he was the principal author of both of the bills.

The two bills implement the report of the Senate Select Committee on National Water Resources, filed with this body in January 1961. They will, as the Senator from New Mexico told the interagency group, "vastly strengthen our ability to deal with critical water problems."

Mr. President, I am sure Senator ANDERSON's explanation and interpretation of these two important acts will prove valuable to Senators, students, and the experts in the water field. I ask unanimous consent that his statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CLINTON P. ANDERSON AT PACIFIC SOUTHWEST INTER-AGENCY COMMITTEE MEETING, SEPTEMBER 2, 1964, ALBUQUERQUE, N. MEX.

I regret that congressional business prevents me from joining you today. Earlier in the summer, I was delighted to accept the invitation to speak to you on the subject of water—which is of vital interest to us all. It is a subject which not only we in the Southwest have fought over and debated for decades, but has also been the subject of controversy in other States and in arid parts of the world. We recognize and appreciate now that fulfillment of the Pacific Southwest's potential lies in a regional unified approach to water problems.

With only the possible exception of the 73d or the 74th Congresses in the early New Deal days, the current 88th Congress has enacted more significant resources and conservation legislation than any Congress in history. The list is a long one, and it includes such outstanding legislation as the Land and Water Conservation Fund Act putting a firm financial foundation under expanding State and Federal recreation development programs; the Wilderness Act; and a host of specific authorizations of water development projects, national park and national seashore areas, and other recreational areas; and, in some ways most significantly, certain basic continuing programs to add to our ability for resources conservation and development through planning and research. In the latter category are the enacted Water Resources Research Act of 1964, and the pending water resources planning bill. I expect the planning bill to be enacted before Congress adjourns.

While the passage of legislation to provide funding authority and direction is, of course, an important basic factor, I know it is not enough. The solutions to regional and national water problems depend as much on the solution of social, legal and political conflicts as they do upon technical and scientific answers. The Water Resources Research Act of 1964 provides the basis for a decentralized water research program that may go far in providing a unity of purpose and coordination in determining the best method of approach to the water problems. The water resources planning bill will provide the mechanism for regional planning but can do little in the area of social, political and legal problems involved without the cooperation and good will of all participants.

If water that now evaporates or is otherwise lost could be saved, a much larger population could be supported in the Western United States. If even a portion of water now used by agriculture could be diverted to industry, regional income could be increased manyfold. Before these things can be accomplished, there must be planning and cooperation on a regionwide basis, rising above local and State jealousies and ambitions.

The future of the arid West still hinges to an awesome extent on the answers that can be provided by scientific research; but, even more, it depends on public understanding of these answers and the willingness to act on this new knowledge in place of old prejudices and traditions.

In the field of natural resources and conservation, the legislative accomplishments of this Congress extend from research on the fisheries of the Great Lakes and inland waters to wilderness areas in the High Sierras, and from the mining areas in the Appalachian region to the phreatophyte bosques of the Pecos River. I am confident that this Congress, before it goes home, will pass legislation to set up a major phreatophyte control program in the Pecos Valley.

The passage of productive water legislation is timely. Present and impending population growth is rapidly outdistancing available water supplies. With the prospect of the population of New Mexico more than doubling by 1980, it is reasonable—and probably conservative—to expect at least a doubling of the 125,000 acre-feet consumed in 1959 for municipal and industrial use. The same trends apply to most Southwestern States.

The Senate Select Committee on National Water Resources in 1961, on which I served, called for markedly increased research in all phases of water resources conservation and developments.

Such research makes eminent good sense. Let me illustrate why I have confidence in the promise of research. In 1958, I sponsored legislation to authorize the Department of the Interior to construct and operate saline and brackish water conversion demonstration plants. Some of us in Congress felt that 1960 was not one bit too soon to start acquiring information and competence in the construction and operation of large-scale conversion plants. But there were others who thought that this was unrealistic and visionary.

When Castro shut off the flow of fresh water to the U.S. Naval Base at Guantanamo, the Navy arranged to move the Interior Department saline water demonstration plant—built under the 1958 legislation—from near San Diego to Guantanamo. It halted our dependence for water upon the unpredictable moods of Castro. It was cheaper and more rational to move the saline water plant instead of following one suggestion recently made that we should have sent Marines to restore the supply pipeline. The consequences of such an act could have been chaotic.

In the roster of legislative accomplishments of the 88th Congress, the Water Resources Research Act of 1964 is among the most worthy in its contribution to economic development and well-being of the people of the Nation. In 1962, upon the 100th anniversary of the Morrill Act, I commented at New Mexico State University that just as the land-grant universities have transformed American agriculture into a miracle of production sufficient to banish malnutrition, not only in the United States, but throughout the world, so also in the coming decades the universities can lead the way to transforming present hazards of water shortage into assurance of water adequate in quantity and quality to meet the requirements of our expending population and economy. Today, I feel even more strongly that this possibility is about to be realized.

New Mexico and other Southwestern States are not newcomers to water research and related studies. Thunderstorm studies were started at the University of New Mexico in the 1930's—and at the New Mexico Institute of Mining and Technology in the mid-1940's and are still continuing.

The Institute of Atmospheric Physics at the University of Arizona, created in the mid-1950's, has expanded programs in arid zones climatology, cloud physics, radar meteorology, atmospheric electricity and dynamics. The recently created Desert Research Institute of the University of Nevada and the National Center for Atmospheric Research in Boulder, Colo., also plan water and arid zone programs.

The Water Resources Research Act of 1964 became law last July 17 when it was signed by President Johnson. In signing it, he warmly commended and endorsed the measure saying that it fills a vital need.

Let me review very concisely just what the Water Resources Research Act provides. Title I authorizes financial support for one water resources research center in each State, with the funding beginning at $75,000 per State in the first year, $87,500 in the second and third years, and $100,000 in the fourth year and annually thereafter. The act provides that the institute shall be established at the land-grant college or university unless an act of the State legislature makes some other designation. In States with more than one land-grant institution, the Governor shall designate at which one the State center is to be located. In addition to providing the annual allotment to the State water resources research, title I also authorizes grants toward the cost of specific water resources research projects at the institutes. The amount of the appropriation authorized starts as $1 million in the first year and goes by $1 million increments annually to $5 million in fiscal year 1969, and continues at that level thereafter.

Title II authorizes grants toward the cost of specific water resources research projects related to the mission of the Department of the Interior. This financial assistance may be through grants, contracts, matching, or other arrangements with educational institutions other than those establishing State institutes, private foundations, or other institutions, private firms and individuals, or State, local or Government agencies. The authorization for title II is $1 million per year for 10 years beginning with fiscal year 1965.

The act places strict responsibility on the Secretary of the Interior to assure the technical competence and the substantive merit of the research undertaken pursuant to the act even though the intention is that the initiative for research shall be with the universities.

Title III further emphasizes this point. The Secretary is required to obtain advice and cooperation of all agencies of Federal, State, and local governments—and of institutions and individuals—to assure that the program does not duplicate other established programs. This is designed to stimulate research in otherwise neglected areas, and to contribute to a comprehensive nationwide program of water and related resources research. There is, of course, a disclaimer that any authority is given to the Secretary over the water resources research conducted by any Federal agency or in any way to interfere with the relationship between State universities or other State agencies, the State legislatures or officials.

The act explicitly gives the President specific directives for clarifying Federal agency responsibilities in water resources research for providing interagency coordination of such research, and the establishment of a center for cataloging current and projected scientific research in all fields of water resources.

The insistence by Congress for coordination is in recognition of the fragmented, overlapping, and uncoordinated research experienced in the past.

The development of such coordination, and of the coordinated Federal program envisioned by the select committee, has been underway through the Council for Science and Technology since President Kennedy directed that group, in February 1961, to determine ways to strengthen the total Federal research effort relating to natural resources.

There are a number of things which the Water Resources Research Act does not do.

It does not supplant Federal inhouse research on water problems, nor Department of the Interior inhouse research in the field. The water related research of the Department of Agriculture, the Corps of Army Engineers, Health, Education, and Welfare, Commerce and other Departments will continue, as will the work of the Geological Survey, Fish and Wildlife Service, Bureau of Reclamation and other agencies within the Department of the Interior. The Interior Department's saline water conversion program will continue and the hope is that the Bureau of Reclamation's small beginnings on weather modification in the Upper Colorado and Upper Missouri River Basins will be expanded speedily in size and geography.

The Secretary of the Interior has established the Office of Water Resources Research to administer the act as a unit independent of any one of the several subordinate bureaus or agencies in the Department dealing with a limited field of water problems.

The missions of the Department of the Interior are widespread. Geological Survey is concerned with basic research into the nature of water and all aspects of the hydrologic cycle. The Bureau of Reclamation, the Bureau of Outdoor Recreation, the National Park Service, the Bureau of Land Management, the Bureau of Mines, the Bureau of Indian Affairs and the Fish and Wildlife Service among them have water problems common with every geographic area in the United States.

Parallel with the Water Resources Research Act is the water resources planning bill. Like the Research Act, the planning bill also grew out of one of the recommendations of the Select Committee on National Water Resources. The committee recommended that for each river basin that does not now have one, an overall plan should be made for the conservation and full development of its water and related land resources. President Kennedy accepted that recommendation and instructed the executive departments to schedule necessary action for completion of the needed river basin plans by 1970.

The water resources planning bill is now awaiting final congressional action. Its need has been recognized and stressed by the late President Kennedy and by President Johnson.

The water resources planning bill incorporates four very important and novel features. The first of these is legislative recognition and provision for comprehensive river basin planning taking into account all interests in water resources from municipal, industrial, and agricultural uses to recreational, wildlife, and scenic values.

The bill also recognizes and makes legislative provision for the inseparable and related land resources that must be taken into account in planning the water resources. The second feature of the bill is that it recognizes the need for and makes provision for a Water Resources Council to coordinate Federal water policies and planning. Third, it provides for Federal-State mechanisms in the river basin commissions—the first such Federal-State arrangement that is given general application for natural resources to my knowledge. And the fourth important feature of the bill is provision for grants-in-aid for strengthening State participation in water resources planning—long recognized as being inadequate, to the disadvantage of both the States themselves and to the Nation as a whole.

There is a tendency to look upon the natural resources problems as primarily problems of engineering and technology. Without question technological development has and will play an importnat role in making arid regions habitable for large numbers of people. The possibilities inherent in desalinization of sea water, demineralization of brackish waters, a better understanding of cloud physics and chemistry, the complexities of ground water, the controlling of atmospheric vapor, and the reduction of surface exaporation are all areas in which science and engineering can make their greatest contributions.

But modern technology without effective public management and implementation is useless to satifying man's needs. For this reason, it is important that we continue to examine critically the manner in which we have managed our national water resources through our public institutions. To understand the actions of public institutions involved in developing and managing water resources requires an analysis of many facets of our society. Resources policy and management decisions are seldom made on the basis of uncontested objective evidence. They are the results of contending interests which often express conflicting values. Vested interests can look at the same set of facts and reach different conclusions. It is also obvious that any discussion of national resources policy leads inevitably to an analysis of the economic issues involved.

To proceed with legislative and technical remedies without a change in the legal, social and economic values used in the past to make decisions concerning resource utilization in general, and water in particular, is following the leaky faucet concept—time, money, and effort are put into one end of the water system and then wasted and squandered at the other end.

The two measures, one for research and one for planning, together will vastly strengthen our ability to deal with the critical water problems that exist in all portions of the United States. They are not by any means perfect in their present state. Nor are they the final answer. As we work with them, undoubtedly there will be need for modifications and refinements. But by these two enactments, the 88th Congress has laid a firm and enduring foundation and framework on which can be built the action programs needed to assure to every American a water supply adequate in quantity and in quality to meet his requirements in the decade ahead.

A DIALOG BETWEEN CULTURES

Mr. INOUYE. Mr. President, in the July 18, 1964, issue of the Saturday Review, there appears a most interesting article entitled "A Dialog Between Cultures," written by Stephen W. Bartlett.

The article relates to the birth, development, and progress of the Center for Cultural and Technical Exchange Between East and West located in Honolulu.

I believe this article is worthy of the consideration of all Senators. Therefore, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HAWAII'S EAST-WEST CENTER: A DIALOG BETWEEN CULTURES

(By Stephen W. Bartlett, a freelance writer and Hawaii resident)

On an April day in 1959, when Lyndon Baines Johnson was majority leader of the U.S. Senate, he tossed this question into an audience of newspaperwomen: "Why don't we foster truly international centers of learning where the world's best and most mature minds can meet and exchange ideas?" For example, Johnson continued, such a center in Hawaii "could serve as a meeting place for intellectuals of East and West."

When wire service accounts of the Senator's speech reached Honolulu, an answering ripple immediately came back across the Pacific. "Your wonderful support of our long-cherished regional hopes is enthusiastically greeted," read the cablegram from Laurence H. Synder then president of the University of Hawaii.

The regional hopes of Hawaii, particularly on the eve of statehood in 1959, centered in that community's desire to serve the United States in a way appropriate to its unique human resources. For the people of Hawaii regard themselves as a symbol and a demonstration of men and women of differing racial and ethnic backgrounds creating together a viable, progressive society. Dr. Synder, in his cablegram, reminded Senator Johnson of this and of the University of Hawaii's long experience in Asian studies and international conferences and training programs.

Eight days later a draft proposal for an educational and research center bringing together participants from the United States and the Asian-Pacific area was airmailed to Johnson from a University of Hawaii faculty committee. Art professor, Murray Turnbull, chaired the committee and later led the fledgling institution that came out of his committee's proposal through its first critical year. The outline he sent to Johnson became the basis for a congressional bill authorizing a grant-in-aid from the U.S. State Department to the University of Hawaii. In October 1960 the Center for Cultural and Technical Interchange between East and West was founded. The new institution was charged with a mission that has history-shaping potential: the promotion of mutual understanding and cooperation among the countries of the Asian-Pacific area and the United States. In less than 4 years, an exciting idea has taken concrete and practical shape as fast as brains, inspiration, and $26,740,000 in Federal funds could accomplish the feat. Six handsome buildings have sprung up at one end of the lush University of Hawaii campus. A highly qualified staff has been recruited. In recent months the broad scope of the institution's several programs has been brought to focus on specific objectives.

Three categories of persons from the Asia-Pacific area and counterparts from the United States are brought to the East-West Center, as it is called. Men of established professional reputation and accomplishment who hold positions at the national policy level in their home countries, usually in education or government agencies, are invited to the Center for research, reflection, and exchange of ideas. These are the men with whom Johnson's original suggestion was concerned. In addition there are graduate students, selected for their potential leadership, who are awarded 2-year scholarships that enable them to eat, live and study together on the Honolulu campus. They are enrolled in regular University of Hawaii classes. Persons in the third category—embracing such extremes as teacher and doctors on one hand and dressmakers and coconut growers on the other—are provided with vocational and technical training.

Twelve hundred men and women have completed work or study on the Honolulu campus and have returned to their homelands to further the objectives of the Center in their daily occupations. Among them are doctors and nurses gathered from the scattered islands of the Pacific. They brought with them to contribute to the program their special experience and knowledge of practicing medicine under tropical conditions and have now returned to their posts after 6 months of refresher courses in up-to-date techniques. Several of the first graduates from the 2-year student program have accepted positions serving top echelons of government in their home countries. One of the first books published by the East-West Center Press, authored by a Philippine professor of public administration, is in part the product of a year of research at the Center. It offers to developing countries a detailed analysis of the Philippine struggle against graft and corruption. Research and writing done at the Center by Scholar Nghiem Dang is helping to guide public administration changes now underway in strategic South Vietnam, his homeland.

Led by its first chancellor, Anthropologist Alexander Spoehr, the Center geared its programs to the needs of the Asian-Pacific nations. Asian-Pacific students are selected on the basis of their potential contributions to their homelands, and in screening American applicants the Center is particularly interested in those preparing for oversea careers in that part of the world, whether serving U.S. universities, Government, or business. Research and training projects usually focus on problems of development in Asia and the Pacific, whether economic, social, political, educational or agricultural. Unlike the Fulbright, Smith-Mundt, and other programs that, at the post-doctoral level, may involve projects with a similar focus, East-West Center programs are "founded on the assumption that we (Americans) do not have the answers, and that we need to know more about the conditions in these countries if adaptations are going to be made to their special conditions," in the words of a Center administrator. Accordingly, Americans and Asians working on research and training projects are brought to the Center as collaborating equals.

Here, at last, Uncle Sam's condescending stance as mentor to the underdeveloped countries of Asia is altered. For the word "interchange," as it appears in the formal title of the Center, contemplates a two-way flow of technical and cultural thinking, wherever possible on creative levels, frequently promoting synthesis. If honestly implemented, the idea of interchange constitutes an acknowledgment that Uncle Sam has something to learn from Buddha, and Confucius, or from a Burmese rice farmer, and a Japanese businessman.

Anticipating the fruits of honest interchange, Saturday Review greeted the East-West Center's founding in 1960 with an enthusiastic forecast that the Center "may do more for U.S. relations with Asians than any other plan yet concocted in the marble halls of diplomacy." But this enthusiasm has hardly become epidemic. The Center is earning identity and respect in educational and governmental circles of Asia, where its reputation reaches even into the hinterland. (One student from an isolated Nepalese village walked 28 days to make application for a scholarship at Kathmandu.) The Center is practically unknown, however, in the land that sponsors it. Popular ignorance of its existence has made it vulnerable to Congressional indifference and even hostility. At appropriations time last year the Center's program barely escaped emasculation by the House Subcommittee on Appropriations for the Department of State. The Center's budget was slashed more than 20 percent, from $5,700,000 to $4,500,000, though later it was partially restored (to $5,100,000) in a Senate-House conference committee.

The relationship of the Center to the University of Hawaii and the operation of the Center's advanced research program are the bones that regularly stick in congressional throats at appropriations time. Though the Center has been running well internally, its external lines of control, responsibility, and authority have been snarled in a knot of contention. Up to the present, the chancellor of the Center has been responsible to the university's board of regents and has reported to them through the president of the university, Dr. Thomas H. Hamilton. To what degree the Center was an autonomous operation has never been clear. (Dr. Hamilton has been acting chancellor since the resignation of former chancellor Alexander Spoehr late last year.)

A recent report to the State Department by a special commission headed by John W. Gardner, president of the Carnegie Corp., is almost certain to affect next year's hearings. Authored by Roy E. Larsen, chairman of the executive committee of Time Inc., and James M. Davis, a vice president of the Institute for International Education, the report recommends that "the chancellor of the East-West Center * * * be under the administrative responsibility of the president of the University of Hawaii." It also urges that some buildings be constructed and used jointly, and that the Center press merge with that of the university. Larsen and Davis state that a large degree of autonomy for Center programs is desirable, but that cooperation is essential.

There is little doubt that the report will be broadly implemented, since it was released by President Johnson personally and carries his approval. Hamilton insists that that it means no less autonomy for the Center, that it only guarantees there will be full discussion in every case of overlapping activities of the two institutions—a procedure that has not always been followed in the past. For this reason he does not believe that the new definition of Center-university relations will in any way compound his difficult task of finding a man with the proper qualifications to take over the chancellorship. Hamilton has been asked by the State Department to take the lead in searching for a successor for Spoehr.

The appointment of a national review board was another major proposal of the Larsen-Davis report. It balances the report's recommendations for tying the Center closer to the university by providing formal representation of the national interest in the Center. President Johnson has appointed as the Board's Chairman, Gov. John A. Burns, of Hawaii, and has directed Secretary of State Rusk to fill out the board with outstanding citizens who will "review continuously the program and operation of the East-West Center from the standpoint of the national interest" and advise the State Department.

Though the State Department's official line of control will continue to run through the university's board of regents, the instituting of the national review board, plus the recent appointment of a liaison with the Center, will give the State Department a firmer finger on the pulse of Center operations. (Harold E. Howland, Deputy Director of the Office of Far Eastern Programs in the State Department's Bureau of Educational and Cultural Affairs, has assumed the new post of Special Assistant for East-West Center Affairs.) If the Larsen-Davis report is fully implemented, it will be important to enlist the sympathetic cooperation of Congress, for it will be faced over the next several years with escalating budget requests. Larsen and Davis recommend $6,300,000 for fiscal 1965 (compared to the $5,300,000 the House authorized); $9 million in fiscal 1966; $10,200,000 in 1967; and $10,500,000 by 1970. Budget planning in increments of 3 years was also proposed.

Anyone who has ever struggled to launch a new idea will find no surprise in the fact that the seas surrounding the East-West Center have not been uniformly pacific. Stormy appropriations hearings result, in part, from crosscurrents of controversy that began the day Senator Johnson proposed the University of Hawaii as a "meeting place for intellectuals of East and West." There were immediate challenges to the qualifications of both the university and the Honolulu community. In 1959, when Johnson made his proposal, the University of Hawaii had an enrollment of less than 9,000, a library of only about 300,000 bound volumes, and was obviously not so well rounded in academic resources as many another potential site for an international research and educational effort. Furthermore, it was argued, Asian students coming to the proposed Center would hardly see a representative American community in Hawaii.

Part of the answer given to these criticisms appeals to the university's special academic strengths, which happen to correspond with the patterns of need in most Asian countries and with the interests of Americans wishing to study Asian topics. For the Asian-Pacific student the University of Hawaii provides strong departments in agriculture (particularly tropical agriculture) and soil science, geological sciences (particularly volcanology and marine geology), meteorology, political science, and zoology (particularly marine biology), and his a respected teachers' college. American students, who are required to major in some aspect of Asian or Pacific studies at the Center, find the university strong in Asian languages and in the fields of anthropology, Asian art history, Pacific and Asian history, Asian and comparative philosophy, and in its special interdepartmental Asian studies program. Also the library offers extensive collections of Chinese and Japanese works—collections built up before World War II, when the university boasted a preeminent faculty in Asian studies.

A variety of appeals are made in defense of Honolulu's special qualifications as seat of the East-West Center, but two are particularly forceful: Hawaii's Oriental-Caucasian, multilingual population provides for both Asian and American students an adaptive stepping stone toward more foreign situations. Secondly, the community is a unique example of the ideal of racial and ethnic harmony that underlies the Center, and, so the argument goes, a model situation makes a better setting for the Center than a community with racial tensions that might reach into the student body.

However, each of these reinforces the objection that Hawaii is not a typical American community. In recognition of the fact that exposure of students to more representative locales is important to the cultural interchange goals of the Center, a unique feature has been built into the student program. After 9 months of studying in Hawaii, the student may qualify for field study, which sends the American to an Asian or Pacific institution appropriate to his interests and the Asian or Pacific student to an appropriate institution on the U.S. mainland. Following field study the student normally spends a final period in residence at the Center, consolidating has academic work and enriching multicultural interchange with insights gained during field study.

Since there are more than 70,000 foreign students in the United States, of which more than 25,000 are Asians, the East-West Center cannot justify itself by being just another student exchange program with frills. It must be essentially different. The Center's genuine innovations are the principle of interchange and the concentration of its training, education, and research on a limited geographical area.

But it is because of this concentration that the Center has hardly yet begun to fill out the shape of a world university that editor Norman Cousins and others see in the shadow of its future. Given its present and projected limitations of budget and interests, it seems unlikely that the institution ever will fill its own shadow. The Center involves participants from 27 Asian-Pacific countries and the United States, but it takes more than a collection of international bodies and minds to make a world university. Dr. Arthur Feraru, one of the bright and imaginative young men in the Center's predominantly youthful hierarchy, defines a world university as one that prepares students to live in the world as well as in their own countries and is therefore concerned with the knowledge, values, ideas, and points of view of all cultures. This definition, if accepted, implies an international faculty and a multicultural curriculum, both of which the Center and the University of Hawaii are on their way to providing. The East-West Center, however, chooses its research and technical training participants largely from those interested in a relatively narrow segment of the academic spectrum, neglecting the humanities in the process (though not ignoring them), whereas Dr. Feraru's concept of a world university implies catholicity, not concentration.

If the traditional Western academic disciplines do not provide an adequate measure of a would-be world university, then another standard might be the university's breadth of concern with intersocietal problems—"the human condition and the human potential," as Mr. Cousins called it. Here again, in order to achieve maximum effect on a limited budget, the Center deliberately narrows its focus to the problems and potential of Asia and the Pacific. The alternative would be to include among its research projects, for example, studies of such East-West problems as city planning and urban transportation, mental health in an urbanizing, crowding world, or the preservation and promotion of esthetic dimensions under conditions that couple mass communications with the dominance of quantitative standards appropriate to an industrializing world.

One of the directions in which the East-West Center could move, then, is toward a world university. In the meantime it has become, if a more specialized instrument, nonetheless a unique and vital one. Though its entire program stresses Asian-Pacific development, toward this end it has applied its principle of cultural and technical interchange.

The Institute for Technical Interchange is a case in point. One of the three major divisions of the Center, the Institute of Technical Interchange schedules grassroots and nuts-and-bolts programs and projects, and it contracts to train personnel, principally for the Agency for International Development.

Under the leadership of Y. Baron Goto, the Institute for Technical Interchange will become increasingly concerned with problems of the Pacific islands, though not to the exclusion of Asia. Dr. Goto sees the Pacific as the neglected backyard of the United States. He plans to focus on four Pacific problems: (1) health; (2) training of islanders for food production; (3) education, particularly the teaching of English as a standard language, and career and vocational training for wommen and youth; (4) management training, for business and self-government.

A dollar-streaching criterion for Institute for Technical Interchange projects is that every participant must be in a position to train others when he goes home and back to work. For example, one group brought from five Asian countries for the first of the Institute for Technical Interchange's 4-month courses in educational communications included a school principal, educational consultant-advisers, a speech professor and broadcaster, and teachers assigned to radio or TV work. The course focuses primarily on teaching the educational use of TV—a tool that seems the providential answer to Asia's staggering problems of mass education.

Institute for Technical Interchange participants from Asia and the Pacific are regarded as the experts on home-country conditions, and interchange of knowledge becomes the tool for adapting Western technology to special field conditions. In the educational communications course, for example, each participant draws up detailed plans for audio-visual presentation as part of a total curriculum outline for his home country. Similarly, in the 6-month courses for fiscal and personnel administration to which managers in the middle echelons in these fields are invited from Asia and the Pacific, each participant submits a plan of changes he would recommend for his own office at home.

It is the Institute for Technical Interchange that will be hurt if House cuts in the Center's budget requests this year are not restored, since the Institute for Technical Interchange, being most recently established of the Center's main divisions, has the fewest advance commitments. Center administrators estimate that they will have to make an 80-percent cutback in Institute for Technical Interchange programs if they don't get more money.

Last year it was the Institute of Advanced Projects, the Center's advanced research arm, that was most directly threatened by House cuts. In that case Congress chose its own victim, a program known as senior specialists in Asian-Pacific affairs. This program, along with a related schedule of international seminars and conferences, is at the core of the Institute of Advanced Projects, and it earned a strong endorsement from Larsen and Davis. Under the senior specialists program, men of established professional standing from universities and colleges, Government agencies, and research institutes come to the East-West Center for reflection, research, and writing in an international academic community. Sixty-four such scholars have been in residence, usually from 5 to 10 months. They come by invitation and are normally expected to work on given, though broadly defined, projects and to work in small groups of specialists concerned with the same project.

One group of four senior specialists, representing the Philippines, Thailand, the United States, and Vietnam, did research on the role of public administration in economic and social change. Two speicalists from Fiji and the United States researched problems of urbanization in the Pacific area. The 10 projects currently underway range from studies on educational planning in relation to national development, through language research and translation projects, all the way to research on problems related to airglow and other aspects of upper air physics.

When Center officials appeared before the Appropriations Subcommittee last year the senior specialists program was still called the senior scholars in residence program. The name was changed admittedly to make the concept more palatable to Congressmen, but it reflects as well a shift from interest in the humanities and cultural subjects. For example, in an earlier season at the Institute of Advanced Projects, four philosophers from India, Japan, and the United States investigated the relationships between logic and language in Eastern and Western thought. According to Dr. Edward W. Weidner, chief of the Institute of Advanced Projects, this study brought heavy criticism from legislators, including Hawaii's own delegation to Congress.

By the time of appropriations hearings last year the shift toward technical subjects was already well underway. Dr. Weidner's written statement to the Senate committee revealed that 1964-65 projects will further emphasize this shift. The "senior scholar program was revised in order to * * * provide for greater concentration on the technical problems of Asian countries," his statement read. "The request for 30 grants (for 1964–65) is based upon plans that call for 90 percent of the awards to be made in these applied areas and 10 percent on the broader cultural fields."

This is the program of which Dr. Spoehr said, in a statement prepared for appropriations hearings, "To my knowledge it is the only program of its kind in the world—a continuing program in which professional leaders at the national policy level are brought together as equals to exchange ideas and to undertake collaborative study of problems of mutual interest. I submit that this program comes closest to fulfilling almost immediately the mission assigned to the East-West Center." The senior scholar program, said Spoehr, was vital to the Center.

The Appropriations Committee responded by cutting senior scholar funds out of the budget altogether. Then, in September, when restoration of House cuts was under consideration in the Senate subcommittee, congressional fire was concentrated on the senior scholarships. "Actually," said one committee member, "it seems to be more of a spending program than anything that is really constructive * * *. I don't go along with this thing of sending people there for a year's conference * * * just to talk among themselves and go back home. I don't see any good from that."

Fortunately, dedicated politicking by the Representatives and Senators from Hawaii and others accomplished, in the end, a partial restoration of the deleted funds. But the entire episode suggests that a publicly funded program unprotected either by broad and informed popular support or by convention will have difficulty maintaining its integrity and continuity. Though continuity of the IAP program was finally insured, there is a suggestion in the shift of the program toward technology that its integrity has been eroded. "When I took over IAP," Dr. Weidner admits, "I veered in this direction—toward technology—because I thought Congress would not support the humanities-oriented program." But Weidner points out that public funding influences the direction of any educational program. "When you are the recipient of public funds," he says, "you are in politics, and you shape your program to gain a support base."

Weidner revealed, though, that attempts will be made in the next 18 months to obtain some endowments for specific programs within the center and to attract supplementary foundational help for other proprograms. He expects $300,000 to $400,000 in private help during the next year and a half. Dr. Hamilton believes that the governments of Asia might in time be persuaded to help.

The shift toward developmental and technical subjects is in part a reflection of Weidner's judgment that "whether the people in the humanities like it, their day is past. The leaders in the underdeveloped countries are the nation builders—the people in agriculture, economics, administration."

Important as these considerations may be, there will be those who will question whether an emphasis on technical subjects in an institution that exists to promote intercultural understanding is more to the point than an emphasis on the humanities. Economic determinists may remind us that the chief needs of Asian-Pacific countries are technical and developmental. Perhaps they will be answered with the observation that the need for intercultural understanding is the relevant criterion here, and that this need springs from a subtle ground of differing value systems, which are best expressed and communicated through the humanities.

In Weidner's view, though, conflict between humanities and technology is irrelevant to the Center's program, which should be seen as problem oriented. "These project labels are not disciplines," Weidner insists. "They are problem area labels, and they are as much for philosophers as for anyone else." He says he would like to see philosophers tackle such a problem as how to find a basis in mass fatalistic attitudes for the acceptance of health programs. "But almost none of the people in humanities are interested in such contemporary problems."

The East-West Center's best attempt at striking a balance between cultural and technical emphasis is the Institute for Student Interchange. Student recipients of the 2-year grants are expected to participate in cultural performance and seminars, do language tutoring, write articles, or otherwise contribute to intercultural exchange.

Both the men's and women's dormitories at the Center are designed to promote maximum interchange through everyday living experiences. Students from different nations are mixed, 2 or 3 to a bedroom, 10 to a living room around which bedrooms cluster.

Nearly all of the 580 Institute for Student Interchange students currently enrolled are graduate degree candidates, the exceptions being from those few nations where undergraduate work cannot be completed. English language ability is a requirement of selection, though some Asians need a period of intensive language study before they can keep up with their classes. One out of three students comes from the United States, and the majority of these are recent graduates under 25 years old and plan to be teachers. About half of the Asians are 30 to 40 years old, and most will return to previous employment when they leave the Center program.

Because graduate degrees are a rarity in most Asian nations, and because Asian students are returning to positions that are frequently on rungs not far below the higher echelons in their countries, it is expected that a good proportion of the Asian alumni of the Center will be among their nation's policymakers within a decade or two. This likelihood is increased because they were chosen to study the subjects most needed at home. For many readers this will be sufficient vindication of the East-West Center's preoccupation with international development. Consider the case of Eduardo G. Corpuz, whose master's thesis was on agricultural development and policy in the Philippines, as they relate to the rice problem. He left the East-West Center in the spring of 1963 and is now in charge of agricultural policy, plans, programs, and information in the Program Implementation Agency of the office of the President of the Philippines. "My present position," he recently wrote to a friend at the East-West Center, "is, I believe, more a reflection of the dearth of available trained personnel than of my ability, which is undoubtedly very limited * * *. The rice problem continues to face our country and people. This is a problem which I have been studying for quite some time. I like to flatter myself that this is one problem which I understand. Our division has been recommending measures that we hope will go a long way toward solving the rice problem * * *. If we should finally succeed in licking the rice problem on a permanent basis within the next 10 years, the [East-West] Center might reasonably claim some credit for the feat."

Or there is the case of Leo A. Falcam, who, after earning his B.A. in sociology with a minor in government and public administration, returned to Saipan to become assistant political officer of the trust territory of the Pacific. His duties sent him traveling over 3 million square miles of ocean in order to help inhabitants of about 75 islands organize local governments or study legislative problems. He has since been promoted to the office of assistant district administrator of the Ponape district, highest position ever filled by a Micronesian in the government of the trust territory.

The student program is producing a dividend that was not generally anticipated. In all the early rhetoric about "building a bridge between East and West" little attention was given to the possibility of improving understanding between East and East. The educated youth of free Asia tend to be Western oriented in their interests even before they come to this country for graduate study, and by rubbing shoulders and minds at the East-West Center they are discovering they knew relatively little about their neighbor nations. Friendships founded at the Center and understanding that got its start there may well form a basis for future improvement in relations between India and Pakistan, for example, or Malaysia and Indonesia and the Philippines. Toward the general end of continuing improvement in international understanding, an East-West Center alumni association has already been organized, and many Asian alumni are maintaining correspondence across national boundaries. One antidote to crippling ultranationalism in Asia is this larger perspective provided young orientals who study and live together in Hawaii. Here is a great potential. And it springs from the Center's unique dedication to interchange, a mission that marks it off from other American institutions where foreigners study but too often isolate themselves in student communities of their own countrymen.

Ideally the East-West Center should be a wholly endowed program, free of influence. This would remove it from the most serious threat to its integrity: the danger of becoming a tool of U.S. foreign policy. It might also open up the possibility of making the Center truly an East-West undertaking, involving participants from Europe as well as from the United States.

With the Center's annual budget approaching $6 million, however, complete endowment of its program would require something over $100 million.

If complete endowment is not to be expected, then it is to be hoped that private endowment of particular programs within the Center can eventually be arranged, as Dr. Weidner has suggested. Surely, in a world so well prepared to carry misunderstandings to ultimate lengths, encouragement must be given to studies that aim simply to establish links of rapport—and where are such studies more appropriate than at the East-West Center? Yet a philosophers' study of language and logic relationships was censured by public purse-string holders. Had they found time to read the conclusions and papers of those philosophers, the critics might have been startled to find the suggestion that speakers of essentially different languages—such as Chinese and English—have a logic barrier between them as well, since the grammatical structures of language tend to predetermine and limit thought. What discovery could be more fundamental to solving problems of worldwide understanding and cooperation?

ARMS CAN NEVER MAKE US INVULNERABLE

"I have reviewed the report on the East-West Center, prepared at your request by the U.S. Advisory Commission on International Educational and Cultural Affairs.

"As you know, the establishment and the development of the East-West Center has been a matter of personal interest to me, so I am very happy to have the Commission's report that remarkable progress has been made in the brief period since it was authorized.

"I was proud to have had the privilege of presenting the dedication address for the Center in May of 1961. The report quotes from that address a comment which I would reemphasize today: 'Arms can never make us invulnerable nor our enemies invincible, but the support we give to education can make freedom irresistible.'

"I hope the report can be read widely,"—From President Lyndon B. Johnson's letter of May 6, 1964, to Secretary of State Dean Rusk, accepting the Larsen Report on the East-West Center.

THE LARSEN REPORT

Four months ago, the U.S. Advisory Commission on International Educational and Cultural Affairs submitted a 43-page report on the East-West Center to Secretary of State Dean Rusk. The Secretary in turn, forwarded it to President Johnson.

The report summarizes the findings of a study undertaken at the request of Assistant Secretary of State (for Educational and Cultural Affairs) Lucius D. Battle last fall to Dr. John W. Gardner, president of the Carnegie Corp. of New York and Chairman of the Commission.

The survey was made by Roy E. Larsen, chairman of the executive committee of Time Inc., and Vice Chairman of the Commission, who was assisted by James M. Davis, then director of the International Center of the University of Michigan.

The Commission's report makes only minor suggestions about the Center's programs, which it found "represent a tremendous achievement in an extremely short time." The central problem, it reported, is rather that of "establishing an organizational environment in which the Center's program can flourish."

To meet that problem, the Commission recommended:

1. Maintenance of the existing close relationship between the East-West Center and the University of Hawaii.

2. Establishment of a national review board, composed of leaders in civic, educational, and business life, to represent the national interest in the Center.

3. Designation of a full-time special assistant for East-West Center matters in the State Department's Bureau of Educational and Cultural Affairs. (Assistant Secretary Battle recently named Harold E. Howland, formerly deputy director in the Bureau's Office of Far East Programs, to the new post.)

4. Continuation of the International Panel of Advisers, appointed in 1962 and comprising Government officials, educators, and businessmen of five nations.

5. Appointment by the Chancellor of the Center of a deputy with "clear authority and responsibility to act for the Chancellor as the central coordinator of the operations and planning of the program arms of the Center."

6. Gearing of the Center's budgets to "a plan of orderly growth"; establishment of a rate of growth consistent with the goal of excellence; and adoption of 3-year budgets, which would act both as a ceiling on commitments for advance expenditures and as a basis for planning.

7. Giving consideration to the Commission's estimated budget of $10,500,000 for fiscal year 1970 as the annual U.S. Government commitment for the Center's operations.

A TRIBUTE TO GEORGE BARATI

Mr. INOUYE. Mr. President, on August 21, 1964, we in Hawaii celebrated the fifth anniversary of our statehood. This fall we will be celebrating another anniversary of which we are almost as proud.

Mr. President, as many Senators know, people sometimes have a tendency to think of our States in terms of stereotypes. However valid such stereotypes may be they often obscure other equally important facets of the life and beauty of the community.

Now, Mr. President, I would not for a moment deprecate the virtues for which Hawaii is known. It is indeed true that our beaches are wide and white, our palm trees stately, and the hula girls beautiful—and we thank God for them all.

But there are other beauties that are now equally a part of the richness of life in Hawaii, and it is about one of the most important of these that I would like to speak today.

This fall we are celebrating an anniversary that is a particular apt reminder that Hawaii is more than all the most familiar symbols. This fall will be the 15th anniversary of the arrival in Hawaii of Mr. George Barati, and his 15th year as music director of the Honolulu Symphony Orchestra.

A distinguished musician and composer, George Barati has for 15 years now been enriching the cultural life of Hawaii, and adding immeasurably to the heritage we are building for our children, as well as for the many visitors to the islands.

There are many ways in which I, as a citizen of Hawaii, would like to pay tribute and say thank you to George Barati. Facts and figures may not be eloquent, and surely they fall short as a true measure of value, but they may help in an understanding of the size of Barati's contribution.

The record of the symphony's growth alone over the past 15 years has really been astonishing.

In 1950, when Barati came to the Honolulu Symphony, the orchestra gave only 6 pairs of subscription concerts; this coming season there will be 86 concerts of all varieties. Thanks to Barati's introduction of the summer season, the Honolulu Symphony now has one of the longest concert seasons in the United States.

In 1950, an average concert attracted from 600 to 700 of our people; last year a total of 170,000 came to the concerts and this coming season we expect 185,000 people will hear the orchestra.

In 1950, the concerts were all held in a single high school auditorium in Honolulu; this season the Honolulu Symphony will perform on every island in the State and all over the island of Oahu. This season we are opening a new auditorium which will for the first time give the symphony a real home. In a real sense, the new hall could be called the house that Barati built.

In 1950, the orchestra's annual budget was $15,000; the budget for this season will hit $400,000. And, lest some Senators sight the specter of deficit financing—which is even more common with symphonies than with government—let me point out that the Honolulu Symphony has operated in the black for 9 of Barati's 15 years.

Over those 15 years the Honolulu Symphony has risen to an honored rank among the top 25 orchestras in the Nation. It is, incidentally, the only orchestra in its class recording on the label of a major record company.

But a symphony orchestra is much more than facts, figures, and budgets written in black ink. Perhaps the greatest compliment to the Honolulu Symphony under George Barati has been the degree to which it has engaged the community life and, in turn, become an integral part of the community's life.

The orchestra has come to play a regular and indispensable role in virtually every community occasion. Today, our Cherry Blossom Festival would be incomplete without the festival concert. So, too, with the narcissus blossom concert, the concert highlighting World Brotherhood Week and the concert highlighting United Nations Week.

In Honolulu it is not uncommon for a saleslady to stop Barati's lovely wife and ask her to relay thanks to him for bringing the first opera performances to our State; the postman, the auto mechanic, and their children are among the regular concertgoers.

Our servicemen and women in Hawaii are an important part of the Hawaii community. Through his music, George Barati has done much to bring the service population closer to the community's heart. He has made speech after musical speech to military audiences, conducted concerts on our military bases, encouraged Honolulu women to include military wives in their Friday morning coffee hours where Barati discusses that week's concert.

As Senators know, we have in Hawaii the most racially cosmopolitan society in the United States. It was George Barati who insisted on all our races being represented among the musicians in the orchestra and on the board of the symphony, too.

The concert mistress is a native of Budapest; one of our leading violinists is from Poland; another violinist is Armenian. The orchestra's personnel manager learned his music on the Shaku Hachi—a Japanese bamboo flute—from which he graduated to the saxophone in a Japanese orchestra; he now plays the bassoon for George Barati. We are especially proud of Yan Sau Wong, a percussionist in the orchestra for some 40 years, whose children are also musicians who have played with the symphony during summer season concerts.

In terms of music as well as musicians the Honolulu Symphony has come to epitomize Hawaii's cosmopolitan population and its geographical location in the heart of the Pacific.

Barati has brought in soloists from Japan, the Philippines, and Korea, as well as from Europe and this country. The Honolulu Orchestra has played, and not infrequently given world premieres, of symphonic works written by orientals and Western composers who draw heavily on the oriental music tradition. To cite only one example, it was George Barati who conducted the world premiere of a work by the Japanese composer Mayazumi 2 years before Leonard Bernstein offered the same work to an audience of the New York Philharmonic.

Perhaps Barati's greatest achievement has been the degree to which he has made music a part of the lives of our young people.

When he came to Hawaii 15 years ago, for example, we had no formal music instruction in our public schools. Now each of our schools has a program of music instruction.

Barati led in the founding of a scholarship fund to make possible more advanced musical training for those young people otherwise unable to afford it. Out of this and his other activities with young people has grown a system of apprenticeships to the Honolulu Symphony, which in the years to come will insure a supply of fine musicians for the Honolulu Symphony and for the enrichment of the cultural life of Hawaii.

Last season the orchestra performed 143 concert demonstrations in schools on Oahu for over 25,000 children. It played 19 youth concerts for over 37,000 students on Oahu and 15 concerts for over 20,000 young people on our neighbor islands. No one who has ever seen it can forget the sight of this orchestra, with a hundred little children sitting on the floor around it, as Barati explains the music to them.

Thanks to George Barati the musical name of Honolulu has been carried beyond Hawaii and around the world. He himself has made 15 recordings in Vienna, Oslo, London, and Berlin, and they have included recordings of his own outstanding compositions. One Barati chamber concerto, for example, won the coveted Naumberg Award—the musical equivalent of a Pulitzer Prize.

His guest concerts have been sellouts in Europe and Asia as well as in the continental United States.

Nor are the people of Okinawa likely to forget that it was George Barati, of Hawaii, who helped them found a symphony orchestra of their own.

The record of these 15 years would have been impossible unless Barati was a salesman and missionary as well as a musician of the first order. During one season, for example, George Barati made more than 60 speeches to audiences ranging from the Rotary and Lions Clubs to groups of servicemen's wives.

I confess that a record such as my friend's gives me as a politician an occasional nervous moment. But I console myself with the thought that George is too valuable and dedicated a musician to forsake that world for a career in politics.

For we in Hawaii agree with the chairman of one of this Nation's largest charitable foundations who called Barati "just about the world champion in orchestra building." There is no doubt that he is also a world champion in the building of our rich and varied Hawaiian community.

So this, his 15th season will see George Barati on the podium of Honolulu's brandnew concert hall. Once again he will be giving all of himself and all of his talents so that, in the words of one of his closest admirers, "Good music and the Honolulu Symphony will continue to grow into every corner and concept of Hawaii." And beyond our shores, too, I might add in thanks.

THE SENATE'S JOB IS TO INVESTIGATE

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD an editorial entitled "Still the Senate's Job" published in the Washington Evening Star on September 6.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STILL THE SENATE'S JOB

The President's assignment of the FBI to investigate the charge of a $35,000 political kickback on the District of Columbia Stadium project has come under something less than the most favorable circumstances.

In announcing the FBI assignment, White House Press Secretary George Reedy said he doubted that the President was surprised by the charge that part of the alleged kickback may have helped meet part of the Johnson politicking expenses in 1960. Such charges, Mr. Reedy said, are not unusual, adding: "It is a campaign year."

The effect of this, whether intended or not, is to pooh-pooh the charge before the FBI has had a chance to make its investigation. And this is hardly calculated to encourage the FBI to think that the President wants the hard-hitting investigation which is called for by the gravity of the charge.

It remains a fact that it is the integrity of the Senate which basically is at stake. We do not believe the introduction of the FBI into the picture should serve to stall off a Senate inquiry—not even until after the November election.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business for the consideration of a number of nominations on the Executive Calendar.

The PRESIDING OFFICER (Mr. NELSON in the chair). The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Erma L. Loose, to be postmaster at Dauberville, Pa.; which nominating messages were referred to appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

ATOMIC ENERGY AGENCY

The Chief Clerk proceeded to read sundry nominations in the Atomic Energy Agency.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

TRANSMITTAL OF MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER. The Chair lays before the Senate a letter, which will be read.

The legislative clerk read as follows:

U.S. SENATE,
OFFICE OF THE SECRETARY,
September 8, 1964.

Hon. CARL HAYDEN,
President pro tempore of the Senate.

DEAR MR. PRESIDENT: On Friday, September 4, 1964, the President of the United States transmitted to the Senate, by messenger, a sealed envelope, which, however, could not be received by the Acting President pro tempore by reason of an order previously agreed to prohibiting the transaction of any business whatever on that day.

The message was therefore left with me, as Chief Clerk of the Senate, for presentation to the Senate at its meeting today.

Respectfully,

EMERY L. FRAZIER,
Chief Clerk.

(NOTE.—The sealed envelope referred to in the foregoing letter contained the nomination of Raul H. Castro, of Arizona, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to El Salvador, which was referred to the Committee on Foreign Relations.)

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

AMISH AMENDMENT TO THE SOCIAL SECURITY BILL

Mr. DIRKSEN. Mr. President, I ask unanimous consent that a statement by the Senator from Arizona [Mr. GOLDWATER] on the so-called Amish amendment to the social security bill be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GOLDWATER ON THE AMISH AMENDMENT

I wish to add my voice in support of the amendment to the social security bill, an amendment primarily designed to exempt the Old Order Amish from the social security program.

The Amish people are almost a perfect personification of the traditional American virtues. They are thrifty, honest, industrious, and they carry the principle of self-reliance close to its absolute limits. Despite the advent during the past three decades of innumerable Federal activities and programs of aid, welfare, of regulations, prohibitions, and Government intervention generally, the Amish rely exclusively on themselves and on the practice of mutual self-help; they avoid, almost completely, any form of assistance from the Government. Crime, relief, poverty are virtually unknown among them.

But quite apart from the virtues they display as citizens, there is here involved a profound matter of conscience. Among the tenets of the Amish religious creed is the doctrine that prohibits as sinful their having any form of insurance, whether public or private. Nevertheless, through their practice of self-help they have been able to provide for each other the necessary assistance in all the contingencies of life which insurance makes possible for others. Included in the forbidden realm of insurance is the Federal social security program.

Only recently we witnessed the pitiful spectacle of an Amish farmer, who on genuine religious grounds had refused to pay his social security taxes, losing the basic tools of his trade, his team of farm horses, to the Bureau of Internal Revenue because of such refusal. I wish to emphasize here that their refusal to pay social security taxes is accompanied by a refusal to accept social security benefits despite any financial advantage which might accrue from such acceptance. Nevertheless, despite the objections of the Amish based on grounds of religion and conscience, under existing law the Federal Government has no choice but to compel them to pay social security taxes.

I think it demonstrates the ethical distortion into which our sense of moral values has decayed. The coercion of the law in punishing the Amish people because of their religious beliefs is a most striking example of incredible injustice.

Therefore I sincerely hope that the conscience of the American people will respond to the legitimate claims of conscience on the part of our fellow Americans, the Amish people, by inducing the Members of Congress to approve this amendment.

THE BASIC ISSUE IN FOREIGN AFFAIRS

Mr. FULBRIGHT. Mr. President, on August 15 I made some remarks on this floor about the Republican candidate for the Presidency of our country. It is my intention, within the next few days, before we adjourn, to present some further views which I believe are relevant to the issues in the coming campaign.

It is possible—just possible—that the Nation could withstand the domestic effects of a Goldwater Presidency, but there seems little possibility that the Nation could escape disaster under a Republican administration committed to the kind of foreign policy proposed by Senator GOLDWATER.

The Goldwater domestic program is one of calculated Federal inaction on the growing problems of a rapidly growing population—problems of mounting racial tensions, of education, automation, transportation and urban blight, of pollution of our streams, and the profligate waste of the Nation's dwindling natural resources. Such a domestic policy would not arrest the tide of change, as it seems calculated to do, but only our ability to influence change and to guide it into humane and constructive channels. Four years of domestic retrenchment would probably be accompanied by mounting racial conflict, mounting unemployment, and a faltering economy. These consequences, though obviously bad for the country, would not necessarily be calamitous. Quite possibly they could be redeemed after 4 years by a wiser and more competent national administration. I shall have more to say about the domestic issues later on.

The same cannot be said for foreign policy. If Senator GOLDWATER is at all sincere in his proposals for an aggressive new American foreign policy—and I see no reason at all to question his personal conviction and commitment—then it is possible, indeed probable, that his policies as President would intensify the cold war, generate new international conflicts, and lead the Nation from one crisis to another and sooner or later to the disaster of nuclear war. My guess is that a Goldwater administration would be less likely to launch a nuclear conflict than to provide or stumble into one inadvertently. But this is hardly important, for who would there be, after so great a holocaust, to know or care how it had begun?

These, I think, are the basic issues in the current election campaign: in domestic affairs, whether we are to continue making organized efforts to resolve problems of education, employment, poverty, and race or whether we are to abandon these efforts and let nature take its course for good or ill; and in foreign affairs, whether we are to continue seeking ways of reducing the tensions of the cold war and thereby reducing the danger of nuclear war or whether we are to repudiate the policies of Presidents Truman, Eisenhower, Kennedy, and Johnson and lead the Nation on a crusade to destroy communism all over the world—a crusade which must take us again and again to the brink, and possibly over the brink, of nuclear disaster.

These are not peripheral issues. The men who now control the Republican Party have said that they wished to give the Nation a choice rather than an echo, and they have succeeded admirably. They have confronted the Nation with fundamental choices as to the kind of society it wishes to be and whether it wishes to risk its existence as a society in an effort to gain universal acceptance of its values, ideas, and institutions.

The Senator's foreign policy seems to be built on two basic assumptions: First, that the Soviet Union and all Communist countries are permanently and implacably committed to the destruction of the free societies, and second, that Communist intentions can be defeated, indeed can only be defeated, by confronting the Communist powers with demands and ultimatums backed by the threat of nuclear war.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator may have 3 additional minutes.

Mr. FULBRIGHT. I thought the morning hour had been concluded.

Mr. MANSFIELD. No.

Mr. FULBRIGHT. I am sorry. I thought the Senate was out of the morning hour.

Mr. MANSFIELD. No. The Senator may proceed.

Mr. FULBRIGHT. If any other Senator wishes to have the floor, he may do so.

The PRESIDING OFFICER. Is there further morning business?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Arkansas may have such additional time as he may desire.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, the degree and permanence of Communist hostility to the free world can and should be debated, but the Senator's assumption that the Russians can be counted on to accept humiliation rather than war is a dangerous delusion. It is based on the fantastic premise that the American people will prefer the destruction of their cities and perhaps a hundred million deaths to an adjustment of interests with the Communists, but that at the same time, the Russians will surrender to an ultimatum rather than accept the risk of nuclear war. Perhaps so, but in the absence of a great deal more evidence than the Republican nominee has offered, it is extremely difficult to share his belief that in every confrontation involving the threat of nuclear war Americans will be unflinchingly brave while Russians will be unfailingly cowardly.

There is no doubt that this is exactly what the Republican candidate believes. In his book "Why Not Victory?" he wrote:

> Against the advice of those who counsel inaction because of the risk, let me ask, When has Western resolution backed up by Western disposition to use its total resources ever been defied by the Communist empire? The answer is never—not once. The rulers of

the Kremlin would sooner reduce their territory to the ancient state of Muscovy than to die fighting for their ideology.[1]

As Walter Lippmann wrote recently:

> Senator GOLDWATER believes that he can confront the Soviet Union and China without the risk of war. He is not trying to bluff. It is more serious than that. He is suffering from a delusion that the United States is omnipotent and irresistible, and that our adversaries would not stand up against us. That is the most dangerous illusion that can possess the head of a government, that all the other governments will do what he commands them to do. It is because Senator GOLDWATER is obsessed by the delusion of American omnipotence that he sees no contradiction between a foreign policy which would risk great wars and a domestic policy which would dismantle the national power. For in the realm of delusion, nothing is impossible.[2]

Even if Senator GOLDWATER were partly right and it were possible to compel Soviet compliance with our demands two or three or five times, what long-term benefit would come of such "victories"? Sooner or later, it seems probable, the Russians would have enough of humiliation and would strike back, suicidally for for themselves to be sure, but catastrophically for us as well. The simple point which the Goldwater Republicans seem unable to grasp is that no nation can be expected to acquiesce peacefully in its own "total defeat." If we are determined to inflict such a defeat, it is far safer to mount a devastating surprise attack on an enemy than to try to bluff him into submission. If we are not prepared to launch a total war for a "total victory," then it is necessary for the safety of our own people not to goad and frighten and humiliate an adversary until he strikes back. Instead, we must seek some adjustment of interests that will avoid nuclear destruction and enable us to continue to work for a better arrangement of things in a far from perfect world.

The foreign policy issue in this campaign is not merely one of different methods to achieve an agreed objective but rather one of basic goals. The Democratic Party under President Johnson is committed to the goal of preventing Communist expansion and protecting the security of the free world. This is not a new policy, although its tactics are continually changing, but a continuation of the basic policy pursued by three Democratic Presidents and one Republican President since the end of World War II. The men who have taken control of the Republican Party now propose to change the basis of American foreign policy from a commitment to defend the free world to a commitment to liberate the Communist world. Taken at face value, Senator GOLDWATER's talk of a worldwide victory for freedom can only mean an ideological crusade against all Communist governments in the world and their replacement by governments of our choice.

There are valid questions about the successes and failures of our current policy, about its application in different parts of the world, about the accuracy of its perceptions of Communist behavior, and about whether it is too "rigid" or too "flexible." But these questions do not interest the Goldwater Republicans. They believe they have the answer to all of them. They believe that the whole postwar policy is a failure and should be replaced by a radically new policy aimed at the elimination of communism and the attainment of a universal victory for democratic ideas, or, more exactly, for American democratic ideas as interpreted by Senator GOLDWATER.

The new leaders of the Republican Party believe that they can attain this objective without war. They have said so again and again without offering any basis whatsoever for this enormously dangerous assumption. They seem to believe it is true because they say it is true. In a recent thoughtful editorial, the Wall Street Journal expressed the view—which I for one do not share—that our foreign policy has undergone glaring failures. It advocated a "harder line" and then went on to say:

> But to argue for a harder line is one thing; it is quite another to argue for a goal of total victory if anyone means it in the literal sense of stamping out international communism.
>
> For the fact is that no one has come up with a conceivable method, short of nuclear war, to get rid of all Communist regimes. That is the chief reason a more limited aim was adopted in the late 1940's, and it is no less applicable today. Until someone can suggest such a method, talk of complete victory raises unrealistic hopes and clouds public discussion of foreign policy.

The editorial concludes with the well-phrased warning that in seeking improvement in our foreign relations, "we will do well to be wary of substituting a policy that seems impossible for one that is difficult enough."—Wall Street Journal, July 27, 1964.

Permeating Senator GOLDWATER's view of the cold war is an unshakable belief that Communist and free societies cannot survive together in the same world, that sooner or later one must prevail over the other. There is a kind of romantic mysticism in the Goldwater view of the world, not unlike that of the Communists themselves. Both he and they seem to believe that there is something unnatural and immoral about the survival in the world of more than one set of beliefs about man's nature and about the organization of human societies. Just as the medieval Christians could not bear the existence of heretical sects and alien religions, the ideologies of our own time have persuaded themselves that life is intolerable unless it is governed everywhere by uniform standards and values. This view is held as a kind of revealed truth, certainly not as an inference from history, which far from suggesting that there is anything "natural" about uniformity in political ideas, leads us to the conclusion that if there is any "law" of historical development, it is a law of infinite variety, especially in men's ideas about their own nature and their relations with other men.

It is, I believe, an understanding of human diversity, and of the inability of any one man or nation to determine what is best for all others, that forms the core of the democratic idea. When "freedom" is worshipped as a sublime and mystical state rather than as simply a necessary condition for human fulfillment, the faith in freedom itself ceases to express the democratic spirit and becomes something quite different; it ceases to express the conscience of a conservative and becomes instead the faith of a fanatic.

Fanaticism is not a characteristic of mature societies but of unstable and politically primitive societies; nor is it an expression of strength and self-confidence. We all know individuals who are given to swagger and bluster and impassioned declarations of their own virtue and superiority, and we know that their need to proclaim their virtues and to try to impose their own values on others is an indication not of strength but of weakness, not of self-confidence but of profound self-doubt. The mature nation, like the mature man, is sure of its values in a way that welcomes but does not require imitation by others. The mature nation, like the mature man, is more interested in solving problems than in proving theories; more interested in helping people to be happy than in forcing them to be virtuous, and at least as interested in hearing the ideas of others, and perhaps learning and benefiting from them as in preaching and spreading its own ideas.

An ideology in the sense of a set of guiding principles and values is desirable, indeed necessary, to a strong society. But an ideology strengthens a society only when it is an instrument of the public happiness rather than a revered object of public policy. When an ideology is treated as a religion, it becomes a source of intolerance and weakness in a society. Deluding men into confusing their momentary predilections with eternal truths, it turns men away from their real problems and plunges them into turgid and irrelevant controversies about how many angels can dance on the point of a pin, about whose communism is purer and more orthodox, about whether it is better to be "extreme" or only "moderate" in one's devotion to liberty.

The great strength of the American ideology—which the Goldwater Republicans do not understand—is not its eternal validity in exactly the form in which it was enunciated two centuries ago but rather its capacity to adapt to the radically changed conditions of an urban and industrial America with global responsibilities. The constantly changing ways in which the American ideology is practiced are not, as Goldwater Republicans think, signs of the erosion of freedom in American life. On the contrary, they are proof of the strength and tenacity of American freedom in a changing society in a changing world.

One of the great strengths of America has been its ability to treat a wise and humane political philosophy as an instrument of human happiness rather than as an object of human sacrifice.

The most hopeful development of the last few years in international relations has been the appearance of a few tentative indications that the Soviet Union and some of the Eastern European Communist countries are beginning to free themselves from the blinders of Marxist-Leninist ideology and to look at the world and at their own societies in somewhat more realistic terms. Chairman Khrushchev's remarks in Eastern Europe earlier this year indicated an increasing preoccupation with better houses and better goulash at the expense of orthodox Communist dogma. This developing realism in the Communist world has made it possible for the Soviet Union and the West to reach limited agreements such as the nuclear test ban treaty and the initiation of educational and cultural exchange programs. These are modest achievements in themselves, but they have contributed to a decrease in the danger of nuclear war, which is not a modest achievement but a very important one.

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[1] "Why Not Victory?" (New York: Macfadden, 1963), p. 112.

[2] Washington Post, July 9, 1964.

At precisely this moment of increased hope for peace—perhaps even because of it—those elements in America which have remained wedded to primitive ideas of relentless ideological conflict have seized control of one of our two great political parties. The men who now lead the Republican Party are not traditional American politicians, but angry dissenters against the present, men who are frightened and pained by the trend toward coexistence between the Communist and the free worlds, men who wish to revive the ideological passions of Stalin's time, men who wish to mount a counterrevolution against the whole trend of American foreign policy.

Goldwater Republicanism is the closest thing in American politics to an equivalent of Russian Stalinism. Each makes a religion of its ideology: the Stalinists of communism, the Goldwaterites of their own special concept of "freedom." Each is convinced that there can be no peace in the world until its own ideology is universally practiced. Each is convinced that the other is predestined to disappear from the face of the earth and each is determined to do all that it can to help destiny along. As Lenin put it:

> Conflict is unavoidable, and here is the greatest difficulty of the Russian Revolution, its greatest historical task, that of provoking the International Revolution.[3]

And as Senator GOLDWATER has put it:

> I claim that we cannot live with these two philosophies in the world forever. Sometime there'll be only one.[4]

When nations equate their own ideologies with universal laws and seek to gain for them universal prevalence—

> the ethics of international politics—

Writes Prof. Hans Morgenthau—

> reverts to the politics and morality of tribalism, of the crusades, and of the religious wars. * * *
>
> Carrying their idols before them, the nationalistic masses of our time meet in the international arena, each group convinced that it executes the mandate of history, that it does for humanity what it seems to do for itself, and that it fulfills a sacred mission ordained by Providence, however defined.
>
> Little do they know that they meet under an empty sky from which the gods have departed.[5]

The foreign policy issue in this campaign is as profound as any that has ever arisen between the two great American political parties. The Goldwater Republicans propose a radical new policy of relentless ideological conflict aimed at the elimination of communism and the imposition of American concepts of freedom on the entire world. The Democrats under President Johnson propose a conservative policy of opposing and preventing Communist expansion while working for limited agreements that will reduce the danger of nuclear war. The Republicans build their policy on the ideologies that divide the world; the Democrats look beyond ideology to the common hopes, the common interests, and the common dangers that unite the human race.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—CLOTURE MOTION

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. PROXMIRE. Mr. President, I reluctantly rise again in the morning hour to make the same point I previously made; namely, that it is extremely important to emphasize and underline the fact that those of us who oppose the Dirksen amendment and those who favor the Dirksen amendment have taken only 26 hours to discuss the question pro and con. There have been no "live" quorum calls, no attempts at delay, no nongermane debate, and no opportunity for many Senators who oppose the Dirksen amendment to speak even once.

On the basis of the most careful study that my staff can make, this would be the shortest debate ever to be cut off by cloture in the history of the Senate. Anyone who argues that a vital issue is not at stake has not studied the issue; he has not considered what some of the most outstanding lawyers in the country have said about the issue.

A week ago last Sunday, the Washington Post published an article, one of the authors of which was the dean of the Yale Law School. He said, in effect, that this would destroy the Constitution as we know it. He said it would knock out the vital linchpin of the Constitution: judicial review. It would constitute action by Congress suspending a Supreme Court decision for more than a year and, would create a situation in which malapportioned legislatures could act to pass a constitutional amendment that would nullify the action of the Supreme Court.

If anything could be serious enough to warrant extensive debate and thorough consideration, it is this particular issue. For the Senate to adopt a cloture motion after this very limited opportunity to discuss the issue would be a mockery of the historical reputation the Senate has earned for extensive, thorough, and careful consideration, as the one important body in any major country on the face of the earth that permits thorough, careful debate.

I observe that the distinguished senior Senator from Illinois [Mr. DOUGLAS] has entered the Chamber. He has been a strong proponent of limiting debate in the past, as I have; but he and I are agreed that there should not be a limitation of debate that does not permit thorough and complete discussion of a vital issue. I invite his attention to the fact that the Senate has had only 26 hours in which to debate this amendment in the past month.

Mr. HART. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Michigan.

Mr. HART. I was occuping the chair of the Presiding Officer when the senior Senator from Wisconsin began. I am delighted that I am able now to respond. The Senator from Wisconsin has been a Member of the Senate longer than I, and neither of us has been here very long, as time and tide run in this establishment.

I have no doubt that the question which confronts us as we are asked to flex our muscles in the direction of the Supreme Court is more basic than any issue that has confronted this body during the time I have been a Member—and we have been confronted with the issues of missiles in Cuba, with civil rights for Americans, the nuclear test ban, with tax cuts to accelerate economic growth, and many other important and, indeed, historic proposals.

I share with the Senator from Wisconsin the belief that never, in the few years I have been permitted to sit here, has the Senate faced a question having more long-term implications than the one now before it in the form of the Dirksen amendment. For this reason, therefore, it seems overwhelmingly clear to me that the precipitate action that would be the result of the imposition of cloture would be most unwise. Each of us would live to regret the precedent that would be established.

There are some who say, "It is not so bad. It would not do as much as you who are critical of the amendment suggest." Before we buy that notion, let us be very sure. There have been no committee hearings; and if ever there was a constitutional issue that required careful study and precise analysis by a committee, this is it. In the absence of such a study, I would be disappointed beyond expression if the Senate, so sensitive to the necessity for full understanding before ultimate action, were to support the cloture motion now on file.

Mr. PROXMIRE. Mr. President, will the Senator yield for a question in connection with that statement?

Mr. HART. I yield.

Mr. PROXMIRE. Is it not true, to the certain knowledge of the Senator from Michigan, that a number of Senators have not yet had an opportunity to speak; that they feel deeply upon the subject and wish to speak; and that with the very limited time available between now and

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[3] V. I. Lenin, "Collected Works," 23 vols. (New York: New York International Publishers, 1922–45), vol. 22, p. 37.

[4] Interview in "Der Spiegel," quoted in New York Times, July 9, 1964.

[5] Hans Morgenthau, "Politics Among Nations," 3d ed. (New York: Alfred A. Knopf, 1960), p. 259.

Thursday, when the vote is scheduled, it is unlikely that some of those Senators will have such an opportunity?

Mr. HART. That is true.

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for 2 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. As the Senator from Wisconsin commented, the senior Senator from Illinois has just returned to Washington. These days are filled with many compelling commitments on the part of Senators. As the Senator from Arkansas [Mr. FULBRIGHT] has just reminded us, a national campaign of overwhelming significance is in progress. Torn between these obligations, it is impossible between now and Thursday that full opportunity for other Members of the Senate to evaluate their expressions would be available.

Mr. PROXMIRE. I thank the Senator from Michigan.

CHICAGO TRIBUNE'S JANEWAY PRAISES STRENGTH OF THE DOLLAR ABROAD

Mr. PROXMIRE. Mr. President, recently Mr. Eliot Janeway, a columnist for the Chicago Tribune, wrote what I think is an excellent article on the solidity and strength of the U.S. dollar abroad. The article is entitled "Flow of U.S. Dollars to Europe Is Needed." In the course of his analysis, Mr. Janeway points out that the dollar has strengthened abroad recently. The reason is foreign confidence in the American economy and our policies, despite our adverse balance of payments. The proof of the pudding, as Mr. Janeway rightly points out, is that foreigners continue to take and hold our dollars, even though our balance of payments is in deficit. The relative shift out of dollars and into gold has been very slight, and not primarily related to a lack of confidence or desirability of the dollar.

If our balance of payments were to come more nearly into balance, I believe—as do most economists—that this would even further strengthen the dollar. The reason is that such a balance implies a relative shortage of dollars, in the same way that balancing our budget means that the Government is not pumping out additional dollars.

Most economists, I believe, are now forecasting that our balance of payments will gradually come into balance. The reasons, in part, are some of our policies; such as, the interest equalization tax, our encouragement of other countries to take on foreign aid expenditures, and our "Buy America" program.

But more basic is the expectation that foreign costs and prices are rising more rapidly than ours, putting us in a relatively better competitive position.

Mr. Janeway is an accomplished economist and an able man.

This testimony to the soundness of our economic policy is most pertinent and appropriate.

I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JANEWAY'S VIEW: FLOW OF U.S. DOLLARS TO EUROPE IS NEEDED

(By Eliot Janeway)

NEW YORK, August 30.—The political lull between the excitement of the party conventions and the start of the Presidential campaigns is a good time to survey the economy overseas for possible storm warnings. One that has cropped up again is the rise, in the second quarter, of our balance-of-payments deficit. According to the book, a rising international payments deficit almost always spells trouble. It's usually a sign that a country is falling behind in world competition or is living beyond its means. If the warning isn't heeded, foreigners soon begin to distrust the currency of the country running a deficit.

But today's situation looks like an exception to the rule. At least that's what the evidence of the marketplace is suggesting. It's always the better part of prudence to check the experiences and theories codified in the book by a reading of the stresses felt in the marketplace.

This summer they show that, despite the apparent deterioration in last spring's payments deficit, the dollar nonetheless remains strong in the money market. The proof of the pudding is in the bidding. Europe is continuing to bid for more dollars than are offered. In fact, the universal complaint on the other side is that there aren't enough dollars to go around.

How does the apparent contradiction between a strong dollar and rising payments deficit come about? Because the dollar is one of the world's two international clearing currencies, and the British pound, which is the other, is weaker still.

LONDON LOOKS FOR HELP

In fact, sterling is so sick that London has had to look to us for help. And this is one contributing reason for the rise in our payments deficit. We've had to advance dollars, first, to head off a financial collapse in Italy (where an interim government is drifting while inflation rages); and, more recently, to backstop the pound.

Hindsight leaves little doubt that, if we hadn't taken energetic measures to anticipate an August sterling crisis, the pound would have broken its moorings under the severe buffeting it's just had to take with severe repercussions for us.

The one sure way to expose the dollar to a repeat performance of the money troubles of the late 1920's and the early 1930's would be to stand by and let the pound go under, taking with it a good deal of Europe's (and the free world's) structure of finance. It's worth remembering that the depression of the last generation blew in from a financially stricken Europe and knocked a booming United States galley west.

ONLY PRACTICAL ALTERNATIVE

The moral is that a moderate and manageable payments deficit is a burden we shall have to carry as the only practical alternative to running Europe into a money squeeze for lack of the dollars which are feeding Europe's boom. Certainly, the alarming $5 billion payments deficit rate of 1963, with its threat of a gold run on the dollar, is too much: it's not needed to help Europe and any return to it would hurt us.

But under the present conditions, so would any drastic and abrupt drying up of net dollar outflow. With Italy in chronic crisis, with Britain on the brink and with none of the richer European countries willing to lay hard cash on the line to help either neighbor, the only way we can protect the tremendous U.S. stake in European financial stability is by running a $1 to $2 billion payments deficit.

Every time our annual payments deficit rate goes down toward the billion dollar mark, storm warnings go up all over Europe. But as soon as we release enough dollars to ease the deficit back toward a $2 billion rate, the all-clear sounds again, that's this summer's story.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

CLOTURE MOTION

Mr. DIRKSEN. Mr. President, I have listened with distress of spirit to the wails and lamentations of my distinguished friend, the Senator from Wisconsin [Mr. PROXMIRE], over the limited time the Dirksen-Mansfield proposal has been before the Senate for discussion.

It was introduced in its present form on the 12th of August. A constitutional amendment was introduced before that time, and we added still to the version of the proposed legislation before the Senate, and had the discussion going.

So at least 3 weeks have gone by. There has been ample opportunity for my distinguished friend from the Badger State to make his point—and for any other Senator to make his point—should he wish to do so.

In that period of time, there were occasions when the Senate adjourned early because, somehow, there were no preemptors of the time which was available for the discussion.

Let me say to the Senator from Wisconsin that in May of 1962, by one of the quirks of history, another Dirksen-Mansfield proposal for cloture was before the Senate. Actually, that proposal on the literacy test was pending only 2 weeks, and then I joined the majority leader to file a cloture motion. Oddly enough, the distinguished Senator from Wisconsin voted for it. My distinguished friend, the Senator from Michigan [Mr. HART], who shares the acute feelings of the Senator from Wisconsin, voted for it. My esteemed colleague from Illinois, who is now in the Chamber, voted for it; yet, the proposal was here only 3 weeks and the cloture motion was then filed.

However, I heard no voices ascend in a crescendo of volume to the heavens lamenting the fact that there was not enough time to discuss the proposal.

Mr. President, I have been in Congress for 31 years; and I have watched the volumes of printed hearings ground out until the Government has become the purveyor of the greatest quantity of wastepaper of any merchandiser anywhere in the world. We come lugging these hearings into the Senate Chamber; and I begin to wonder who reads them. We go through all these exercises, sometimes with a sense of sheer futility, particularly when the issue is plain and does not require many volumes of discussion.

An old universalist minister friend of mine from Peoria used to say that no souls were saved after the first 20 minutes. Yet, the Senator knows that 26 hours at $100 a page have already been occupied in the Congressional Record in the discussion of this question.

Frankly, anyone who is interested needs only to read the majority opinion of the Court, and then to read that completely devastating opinion, that unanswerable dissenting opinion, of Justice John Marshall Harlan; and there is the whole story.

I suppose that we could make the welkin ring and fairly rock the plaster from the walls of the Senate Chamber, but we shall not throw more light on the subject than will be obtained from those two opinions.

Mr. PROXMIRE. Mr. President, will the Senator from Illinois yield to me?

Mr. DIRKSEN. I am happy to yield to the Senator from Wisconsin.

Mr. PROXMIRE. Is it not true that there have been no hearings whatsoever on this proposal?

Mr. DIRKSEN. The Senator is correct.

Mr. PROXMIRE. In either House or Senate. Is it not also true——

Mr. DIRKSEN. Is it not also true that there are other proposals on which many hearings have been held?

Mr. PROXMIRE. In which cloture was involved?

Mr. DIRKSEN. I do not know about that.

Mr. PROXMIRE. I cannot think of any. The communications satellite bill involved many hearings. On the civil rights bill there were extensive hearings, lasting many months. To date there have been no hearings on this proposal.

Mr. DIRKSEN. It does not make a particle of difference, because those who are opposed to it have freely stated over and over—and some of them have stated to me privately—that they are going to keep this show going, whether or no. They will not do this for the purpose of adding light, because when we orate to an empty Chamber, day after day, we must confess that perhaps a Senator or two is in the Chamber, but no more, to listen to those words of wisdom.

The PRESIDING OFFICER (Mr. Inouye in the chair). The time of the Senator from Illinois has expired.

Mr. DIRKSEN. Mr. President I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. When one has been expounding all this wisdom, what happens to it? There is no one in the Chamber to listen. It is because they have come to a conclusion with respect to the basis of this issue. I believe that they are only dilly-dallying. It has been confessed that that is the whole purpose—what the distinguished majority leader has so aptly called the "cuddly baby" filibuster.

Mr. PROXMIRE. We have not had all the time that the Senator implies we have had. Since August 13, the Senate has passed 89 bills, passed 30 resolutions, and adopted 17 conference reports. It has sent 10 bills to the House. It has acted upon appropriation bills. The vastly complicated social security bill, took an entire week. Then there was the Democratic National Convention, the long Labor Day weekend. Clearly, we have not had time to go into the very complex and difficult proposal which affects every single one of the 50 States in varying ways.

I plead with my reasonable colleague the Senator from Illinois [Mr. Dirksen] to consider the fact that we have not had a real opportunity to discuss this complicated proposal in anything like the detail which has always been characteristic of the Senate in discussing measures of importance before cloture has been invoked, or even proposed.

Mr. DIRKSEN. There is no doubt about the volume of words which has been uttered during this period, whether it is measured by pages, bushels, gallons, or any other unit of measurement. I was in the Senate Chamber. The majority leader was also in the Senate Chamber all the time.

To revert to the calendar, we start by agreement with Calendar No. 1403, for example, and within 10 seconds from the time it is called up, it is passed. Then we go on to the next bill. If we talk about an intrusion upon our time, let the Senator go back and look at the number of bills, especially the claims bills from the Judiciary Committee, that we whack away at on an assembly line basis, at the rate of perhaps 10 to 15 an hour.

Do not let the impression get out to the country that 86 bills have been passed that were world shaking and have had an indelible effect upon the domestic and foreign policy of the country. Some have, to be sure.

Mr. PROXMIRE. Some have, indeed. The Record shows the great amount of time which has been taken upon other measures by the leadership—and I believe rightly so—to expedite this session and get important legislation out of the way. We have documented the case, and only 26 hours out of all that time has been consumed on this particular issue. We cooperated with the leadership. We could have insisted on a Friday session or a Saturday session, so we are told; but the Senator from Illinois knows that that would have been a terrible imposition on other Senators who were eager to get home. It would also have been difficult for us. It would have been unfair to the leadership if we had done that, and unfair to Senators. We did not do it. We had the right to do it, I am sure, and the leadership would have cooperated with us if we had asked for it.

We should have further opportunity to discuss the issue thoroughly, and to have the opportunity—for those of us who have not really had an opportunity to speak at all—to come to the Senate and speak.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. I have listened to the debate with interest. I find it hard to comprehend what the distinguished Senator from Wisconsin is driving at.

I believe that he and his colleagues have had plenty of time to explain a simple issue to the Members of this body. It is my belief, for what it is worth, that so far as cloture is concerned, the chances are very doubtful that it will be invoked. That means, if my assumption is correct, that even if a motion to table is defeated, as I assume it may well be, there will be plenty of time to debate the subject, although, frankly, I believe the issue is pretty clear cut. I doubt, as of now, that any more minds will be changed.

I admit that in the past 2 or 3 weeks, there has been an addition of strength to the forces of those in favor of the Supreme Court position. But I point out that under the rules of the Senate, at least in my opinion, there could be talk on this subject from now until doomsday. I do not see where any time is lost. I do not see why the cry is raised now that there should be more time to discuss the matter when the Senator well knows that an agreement was arrived at last week by means of which it was thoroughly understood and agreed that a cloture motion would be presented this Tuesday, and that a vote would be taken on the motion next Thursday under the rules of the Senate. Is that not correct?

Mr. PROXMIRE. There has been no alternative. It is within the power of the minority leader to make the motion at any time he wished and we would have to agree.

Mr. MANSFIELD. No; not any time. The Senate was considering the social security bill.

Mr. PROXMIRE There was no opportunity to discuss it last week. As the majority leader well knows, the Senate was considering the social security bill. It is true that we could have insisted on a Friday session. The majority leader would have accommodated us. But we would not have had any audience. There would not have been any real opportunity to discuss the motion. It was entirely within the discretion of the minority leader. He chose to file the motion today. He could have given us more time in which to discuss it.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MANSFIELD. After discussing the question with Senators who favor the Supreme Court decision and obtaining their agreement, I went to the desk of the minority leader and asked him if he would hold back the motion until today. He agreed to do so. I believe, in good faith, that that statement should be made. I am quite sure that Senators who favor the Supreme Court decision are well aware of that.

Mr. PROXMIRE. Certainly. But that is no accommodation to us.

Mr. MANSFIELD. The minority leader did not have to agree to set aside the pending business last week to allow the Senate to proceed with the social security bill. But he did so at my specific request after he made a statement to the effect that he would object to anything further being done in the way of laying aside the pending business.

Mr. PROXMIRE. Yes, indeed. But that was an accommodation to the majority leader and to the whole Senate. For the purpose of bringing up the social security bill.

Mr. MANSFIELD. It could have been an accommodation to the people of the

United States, to take up the social security bill.

Mr. PROXMIRE. It was. But it was no accommodation to us. We knew that we would have no opportunity to discuss the motion during that time. We had to spend the entire week on the social security measure. That was perfectly agreeable to us. We were in favor of that, too.

Mr. MANSFIELD. That is true, but the minority leader could have presented the cloture motion a week ago. We would have been in the same position then. I believe that we are ahead, by reason of having followed this procedure.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. DOUGLAS. We do not so much object to the junior Senator from Illinois [Mr. DIRKSEN] filing his motion, as we hope that not many Senators will vote for it. That is what we are discussing today—whether the majority and minority leaders will be able to ram down the throats of Senators a cloture which will greatly restrict future debate.

My colleague from Illinois [Mr. DIRKSEN] is perfectly within his rights to introduce the motion today. I hope that he will fail by a big margin to get the required two-thirds vote in favor of his motion on Thursday.

While I am on this subject, there is a very sharp distinction to be drawn.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask that the Senator from Illinois be allowed 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. There is a very sharp distinction to be drawn between a filibuster and an extended debate. The purpose of a filibuster is to prevent a vote. The purpose of an extended debate is to delay a vote. The reason for delaying the vote is so that the Members of the Senate and the public may become better informed about the issue and thus be able to reach a more mature decision.

We do not intend to prevent a vote. But we had hoped that we might have an opportunity to delay the vote until some Senators who inadvertently became involved in the plan for an anti-reapportionment constitutional amendment might be able to extricate themselves from the coils which have been wound around them.

Mr. MANSFIELD. When I hear talk of extended debate and filibuster, I am reminded of a statement made by a distinguished Senator who is now running for President on the other party's ticket, concerning something relating to a choice, not an echo. What I think I hear is an echo which I have heard time and again in this Chamber. There is no difference whatever between an extended debate and a filibuster. It depends on who is wearing the shoe at the time, as to who makes the statement.

Furthermore, the distinguished Senator from Illinois has used the word "ram." I have never in my 12 years in the Senate tried to ram anything down anybody's throat. And I do not intend to do so now. So far as I am concerned, the Senate can remain in session until January 3, 1965. If the Senator wishes to talk that long, it is all right with me. But there will be no ramming of anything down anybody's throat. The RECORD ought to be clear in that regard.

Mr. DOUGLAS. I am not accusing the Senator from Montana of ramming this through in a personal sense.

Mr. MANSFIELD. The Senator said, "The majority and minority leaders will be able to ram it down the throat of the Senate."

Mr. DOUGLAS. If a Senator votes for cloture, that will mean that the rules of the Senate will force a premature vote down the throats of the minority—not in a personal manner, but in an impersonal fashion through the operation of cloture.

The distinguished majority leader [Mr. MANSFIELD] said that there is no difference between an extended debate and a filibuster. The Senator may not remember the fight that some of us put up in connection with offshore oil.

Mr. MANSFIELD. I believe the Senator should remember it. I was on the side of the Senator from Illinois.

Mr. DOUGLAS. I cannot remember all the votes with certainty. When we started, it was the plan of the proponents to give all of the offshore oil to the States. They would have given the States all of the offshore oil, not just within a 3-mile or 3-league limit but out to the edge of the Continental Shelf.

For 30 days, the Senator from Alabama [Mr. HILL] and I, brought to bear such arguments as we could. As a result of the fight which we made, we convinced the Senate that even if it felt obligated to give the royalty rights to the States for the oil located up to 3 miles out—and in the case of Texas, 3 leagues—the United States of America has the rights to the oil beyond that, to the edge of the Continental Shelf. The explorations since then appear to show that the major portion of the offshore oil is located on that Continental Shelf beyond the 3-mile limit. The decision which we helped to secure from the Congress means a difference of hundreds of millions of dollars a year to the U.S. Treasury.

That is one specific case in which a fight on the floor of the Senate, called a filibuster at the time by our opponents, resulted in a big improvement in the final action that was taken. I could mention another illustration.

Mr. MANSFIELD. I agree with the Senator. But I point out that no matter how it is termed, it is still a filibuster.

Mr. DOUGLAS. That is the opinion of the Senator from Montana.

The Senator may remember the Kerr gas bill in 1950, which was aimed at depriving the Federal Power Commission of the right to fix the price of gas at the point where it entered the pipelines. There was debate on the bill for more than a month. We were defeated, but the developments and force of that debate so changed public opinion that the President of the United States vetoed the bill. While some of the effect of that veto was later removed by shilly-shallying on the part of the Federal Power Commission, the private oil and gas interests have not been able to get all they wanted, even now. So extended debate serves a useful purpose. If the Senator from Montana votes on Thursday for cloture—and I expect the Senator will—with the best intent in the world, he will still diminish the opportunity which is accorded to Senators to convince other Senators and the people that the Supreme Court is correct. He would take from us the opportunity to show that the present malapportionment of State legislatures should be corrected, that the legislatures themselves have not corrected it by themselves, and that the only hope of fair apportionment really lies in the Supreme Court. We hope that we can so convince the Senator.

The PRESIDING OFFICER. The time of the Senator from Illinois has once again expired.

Mr. MANSFIELD. Mr. President, I have not as yet stated how I shall vote on the cloture motion presented by the distinguished minority leader. I am sorry that the distinguished Senator from Illinois [Mr. DOUGLAS] made the assertion that he did, because it may or may not be true. But at least I was trying to keep my position secret until the time came to make a decision.

It is my candid belief that the cloture motion will not command sufficient votes to make it effective; further, it is my candid belief that, so far as the debate on the subject is concerned, Senators who are opposed to the Mansfield-Dirksen amendment will have all the time they wish to discuss the subject and to convince their colleagues. Moreover, it is my belief that from now on not a single vote will be changed. The Senator either has the votes on his side or he has not; and that is it.

Mr. PROXMIRE. Mr. President, will the Senator yield on that point?

Mr. MANSFIELD. I yield.

Mr. PROXMIRE. Since the debate began, a number of votes have been changed. We have not had an opportunity to discuss that subject with the Senator.

Mr. MANSFIELD. From now on no votes will be changed.

Mr. PROXMIRE. There are all kinds of arguments still to be made which we seek to develop. A number of Senators who wish to discuss those points have not been able to do so. We have not been able to discuss the subject with those Senators since the Labor Day weekend. In view of the limited opportunity we have had to discuss the subject, to say that not a single vote would be changed from now on is a statement with which I would disagree. I make that statement on the basis of the experience we have had in the past week or so. Votes have changed whenever we have gotten the ear of our colleagues. But many of them have not yet been reached.

Mr. MANSFIELD. Mr. President, I could be completely mistaken. All I am doing is giving the Senate my judgment.

Mr. PROXMIRE. A number of Senators have not yet made up their minds.

Mr. MANSFIELD. I believe I know the Senators to whom the Senator from Wisconsin has reference. Some of those have not spoken; others have had their statements printed in the RECORD. But so far as changing minds further is concerned, very few, if any, will be changed from now on. I admit that in the past 3 weeks some minds have been changed. That is why I made the statement that, in my opinion, it will not be possible to invoke cloture on the motion which was presented earlier today. Therefore, the Senate will have all the time in the world, at least until noon January 3, 1965, if it so desires, to discuss the subject.

Mr. HART. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HART. Mr. President, I ask unanimous consent that the Senator from Illinois may have 3 additional minutes.

Mr. DOUGLAS. Mr. President, is not the Senate now in the morning hour; and is not the Senator from Michigan entitled, in his own right, to speak for 3 minutes?

The PRESIDING OFFICER. The Senator from Michigan is entitled to speak for 3 minutes.

Mr. HART. I thank the Chair. It occurs to me that since I was about to make a comment which would involve the Senator from Illinois [Mr. DIRKSEN], it would be more courteous if I did it on his time. In either case, I shall speak for no longer than 3 minutes.

Mr. President, it might be helpful to put into perspective what is a filibuster and what is not a filibuster, who is proceeding precipitately and who is dragging his feet.

I suggest that we turn our minds back a few months to a situation in this Chamber when we were confronted with a proposal made by the majority leader that the Senate take up the civil rights bill. As well as I can reconstruct the situation, on the 9th day of March the majority leader moved that the Senate take up the civil rights bill. The Judiciary Committee had held 9 days of hearings on the bill before that. I have not been able to determine how many days of hearings the Commerce Committee had held on the bill. Serving on both committees, I am uncertain in my memory which was the longer. But it is my impression that the Committee on Commerce devoted more time to consideration of the measure. In any event, when the majority leader moved to take that bill up so that something could be done about it, there had been 9 days of hearings before the Judiciary Committee.

On the 25th day of March, the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN] counseled us thus:

> If this is as important as the zealots would have us believe, it is all the more reason why the Senate should be most careful about a bill of this kind.

Parenthetically, there are those who feel that the domestic crisis then confronting us in civil rights was more compelling than the constitutional crisis that confronts us in the Dirksen amendment. But I am sure that all thoughtful persons would agree that both were and are of major importance.

The minority leader then went on to say:

> There seems to be great haste and hurry, but when we stop to think of the importance of this measure and what its impact on the country would be, we can afford to take some time and be careful in our scrutiny.

This was the 25th of March. The Senator was commenting on a motion that had been pending since the 9th of March to take up the bill for discussion. Finally the minority leader counseled us:

> There has been great discussion about the intent of Congress. The courts will take a look at the language in the bill, and out of it they will finally come to a conclusion as to what was the intent. I believe that one of the most scholarly articles I have ever read on the subject of intent of Congress appeared in the Harvard Law School Journal. Whoever wrote it did a very good job, because the very first line in that article was: "The intent of Congress is a fiction."
>
> The second sentence was: "The intent of Congress is what the courts say it is."
>
> Where do the courts go? They go to the language in the bill, and the courts go to the reports.
>
> The impact of the bill will be "from now on," and the social pattern of our country will be changed. Some time later I do not wish to lament and to rue the day when I did not take sufficient time to give sufficient scrutiny to the words, the phrases, the implications, the legal significance, and what its impact will be upon the ec and soc fabric of our country.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HART. Mr. President, I ask unanimous consent that I may have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. I invite the attention of Senators to the fact that caution was voiced by the Senator from Illinois a few months ago, because the words are not inapplicable at the present time. The caution is not unrelated, because the Dirksen amendment would affect in some form or other—though there is no record to inform us how—each of the 50 States of the Union with respect to composition and operation of its State legislature.

If on the 25th of March, on a motion that had been pending since the 9th of March to take up the civil rights bill, we were cautioned as I have described by the Senator from Illinois, he would not find us, I am sure, to be inflexible and unreasonable in suggesting that, without any committee hearings—unlike the case of the civil rights bill—and with only 20-some hours of discussion available to us, we insist that what he told us then is relevant now. For that reason it is well that we get into perspective exactly where we stand and how much time ought to be devoted to the subject and what sort of record should be developed before the Congress of the United States goes on the road to reaching over into the Supreme Court building and, in effect, telling the Justices to move over. Once we adopt that precedent, history will make it an unfortunate day.

Mr. DIRKSEN. Mr. President, I wish I could take time adequately to answer my distinguished friend from Michigan. Senators will observe that he put the emphasis on the month of March. The committees had produced little legislation at the time. When I said, in that statement on the floor, "We can afford to take some time," I meant exactly that, because we had time, and there was nothing crowding the Senate at the moment. So there was no reason why it could not go back. Now we are getting close to the middle of September. I know the mood of the Senate. I know the mood of the House of Representatives. Members want to go home. I want to go home. I want to get out on the hustings and do a little campaigning and answer some of the speeches such as the one we heard from the distinguished Senator from Arkansas [Mr. FULBRIGHT] a little while ago.

How long are we going to keep Senators here as they gather up these pearls of wisdom? Senators talk to an empty Chamber. There was a conference. One Member of that group came to this desk any number of times to ask whether or not I was going to submit a cloture motion. At the time I had no thought of it. When it was said to me, "We will continue, then, ad infinitum," with Members of Congress wanting to get home, that is a horse of another color.

So there was a reason to file the cloture motion. If it fails, the amendment will still be here, and the Senate will get a vote on it, or my name is not DIRKSEN.

It can be tabled. Any Senator is free to make that motion. Why does not the Senator rise in his place and offer a motion to table? There is nothing to stop the Senator. Some Senators have a political motive. They are going to get a few votes and gather a little strength.

No such thought occurred to me. I was ready to file the motion for cloture, in accordance with the agreement I had with the majority leader, after he had conferred with the Senator. I could have done it a week ago. But it is an appropriate time, at the end of the Labor Day weekend. So there has been time to discuss it. Senators have not been able to keep other Senators here to listen to them. But they know the arguments. When I say "them" I mean Members of the Senate. They read the Washington Post. They read the articles by the law professors and deans. I read them. Everybody has read them. If Senators are not familiar with the issue by now, all I have to say is that instead of throwing light on the subject, Senators have obfuscated it and made it more complex and bewildering than it really is.

So there is the answer to all this argument, and every Senator is going to have a vote, one way or another, on this amendment, because I mean to carry it to a conclusion.

WHITESTONE COULEE UNIT OF THE OKANOGAN-SIMILKAMEEN DIVISION, CHIEF JOSEPH DAM PROJECT, WASHINGTON

Mr. NELSON. Mr. President, I ask the Chair to lay before the Senate the amendment of the House of Representatives to Senate bill 2447.

The PRESIDING OFFICER laid before the Senate the amendment of the

House of Representatives to the bill (S. 2447) to authorize the Secretary of the Interior to construct, operate, and maintain the Whitestone Coulee unit of the Okanogan-Similkameen division, Chief Joseph Dam project, Washington, and for other purposes, which was, to strike out all after the enacting clause and insert:

That for the purpose of furnishing a new and a supplemental water supply for the irrigation of approximately two thousand five hundred and fifty acres of land in Okanogan County, Washington, for the purpose of undertaking the rehabilitation and betterment of existing works serving a major portion of these lands, and for conservation and development of fish and wildlife resources and improvement of public recreation facilities, the Secretary of the Interior is authorized to construct, operate, and maintain the Whitestone Coulee unit of the Okanogan-Similkameen division of the Chief Joseph Dam project, in accordance with the provisions of the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto). The principal works of the unit shall consist of: facilities to permit enlargement and utilization of Spectacle Lake storage; related canal and conduits, diversion dam, pumping plants, and distribution systems; and necessary works incidental to the rehabilitation and expansion of the existing irrigation system.

SEC. 2. The provisions of section 2 of the Act of July 27, 1954 (68 Stat. 568, 569), shall be applicable to the Whitestone Coulee unit of the Okanogan-Similkameen division of the Chief Joseph Dam project. The term "construction costs" used therein shall include any irrigation operation, maintenance, and replacement costs during the development period which the Secretary finds it proper to fund because they are beyond the ability of the water users to pay during that period.

SEC. 3. (a) The Secretary is authorized as a part of the Whitestone Coulee unit to construct, operate, and maintain or otherwise provide for basic public outdoor recreation facilities, to acquire or otherwise to include within the unit area such adjacent lands or interests therein as are necessary for public recreation use, to allocate water and reservoir capacity to recreation, and to provide for public use and enjoyment of unit lands, facilities, and water areas in a manner coordinated with the other unit purposes. The Secretary is authorized to enter into agreements with Federal agencies or State or local public bodies for the operation, maintenance, and additional development of unit lands or facilities, or to dispose of unit lands or facilities to Federal agencies or State or local public bodies by lease, transfer, exchange, or conveyance, upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation purposes. The costs of the aforesaid undertakings, including costs of investigation, planning, Federal operation and maintenance, and an appropriate share of the joint costs of the unit, shall be nonreimbursable. Nothing herein shall limit the authority of the Secretary granted by existing provisions of law relating to recreation development of water resources projects or the disposition of public lands for recreational purposes.

(b) The costs of means and measures to prevent loss of and damage to fish and wildlife resources shall be considered as project costs and allocated as may be appropriate among the project functions.

SEC. 4. There are hereby authorized to be appropriated for construction of the new works involved in the Whitestone Coulee unit, of the Okanogan-Similkameen division of the Chief Joseph Dam project $5,312,000, plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction work of the types involved therein as shown by engineering cost indices and, in addition thereto, such sums as may be required to operate and maintain said division.

Mr. NELSON. Mr. President, I move that the Senate concur in the House amendment.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. NELSON. I yield.

Mr. MAGNUSON. This is a very important piece of legislation, authorizing the Whitestone Coulee unit of the Chief Joseph Dam unit. Chief Joseph Dam is primarily a huge power project, one of the greatest in the world, but the possibilities of some irrigation from it are very good, and this is one of the units that can lend itself to irrigation. I am glad the Senator from Wisconsin is bringing the matter up.

I ask unanimous consent to have placed in the RECORD at this point a letter from the Department of the Interior to my distinguished colleague [Mr. JACKSON], chairman of the Committee on Interior and Insular Affairs, describing the project, its value, and the benefit-cost ratio. I appreciate the action of the Committee on Interior and Insular Affairs in pressing the bill through. I know it is expedient to accept the House amendment to the Senate bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 2, 1964.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: This responds to your request for the views of this Department on S. 2447, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Whitestone Coulee unit of the Okanogan-Similkameen division, Chief Joseph Dam project, Washington, and for other purposes.

We recommend enactment of the bill with certain amendments suggested hereinafter.

The Whitestone Coulee unit is a potential irrigation development to serve 2,660 acres in north-central Washington about 10 miles from the international boundary with Canada. Existing facilities of the Whitestone Reclamation District now serve 1,830 irrigable acres of the project area. The plan of development of the unit provides for rehabilitating and enlarging existing works and constructing new facilities to serve an additional 705 acres of lands that are now dryfarmed. Continuation of water service within their entitlement to a further 125 acres of class 6 district lands which have a water right is also proposed. The 125 acres of class 6 lands would not be included within the district for repayment purposes; however, they would pay appropriate operation, maintenance, and replacement charges.

The lands in the unit area are devoted almost exclusively to apple production, with cover crops. By climate, topography, and soils the area is particularly well suited to this crop pattern under sprinkler irrigation. The district lands in question have a long and successful production history, and the new lands included in the project plan are equally well suited for apple production.

The Whitestone Reclamation District holds adjudicated rights to the flows of Toats Coulee Creek. The plan of development contemplates replacing an existing diversion dam on that creek with a new structure, rehabilitating the main supply canal which runs from the point of diversion on Toats Coulee Creek to Spectacle Lake some 4 miles away. Active storage capacity of Spectacle Lake would be expanded from 3,800 to 6,250 acre-feet by construction of a dike and outlet control works. Three small pumping plants would be built and the gravity distribution system of canals, siphons, and buried pipe laterals would be rehabilitated and expanded as necessary. These improvements would provide an adequate water supply for irrigation of all lands of the unit.

Development of the unit as proposed would produce no flood control benefits of significance, nor is there opportunity for the production of hydroelectric power. Investigations disclosed no need in the area for industrial water supplies or pollution control or other public health measures. Existing facilities for domestic water service are adequate and will remain in use. Thus, the Whitestone Coulee unit is proposed principally as an irrigation development.

There are, however, opportunities to provide excellent fishery and general recreation benefits. These would be realized under the plan of development proposed. The State and private interests have already developed Spectacle Lake as a recreation facility. By virtue of annual stockings of fingerlings by the State Department of Game, it is an excellent rainbow trout fishery. With increased capacity and project improvements the fishery would be enhanced to produce average annual benefits estimated by the Fish and Wildlife Service at $4,050. Lands would be acquired to replace existing public-access areas inundated by enlargement of the reservoir, and basic recreation facilities would also be constructed.

The project is engineeringly and economically feasible. Based on a 100-year period of analysis, the benefit-cost ratio is 5.6 to 1, demonstrating the productivity of irrigated orchard land in the area.

Okanogan County, Wash., in which the unit is located has been designated as a rural redevelopment area under criteria in the Area Redevelopment Act of 1961 (75 Stat. 47). Accordingly, the benefits which would accrue to area redevelopment from project construction and operation have been calculated. We propose that this function be recognized as a project purpose in accordance with principles for water resource development evaluation adopted by the President on May 15, 1962 (S. Doc. 97, 87th Cong.), for application within the executive branch. To accomplish this, the bill should be amended by adding the words "and for area redevelopment," after the word "facilities," on line 2, page 2.

Also, section 4 should be renumbered section "5" and a new section 4 reading as follows should be added:

"SEC. 4. The Secretary is authorized, if the Whitestone Coulee unit is located in whole or in part in a redevelopment area as defined in the Area Redevelopment Act (75 Stat. 47) to recognize redevelopment as a function of the unit, to evaluate the benefits of the unit in relieving persistent unemployment or underemployment, and to allocate costs to the redevelopment function as appropriate, which costs shall be nonreimbursable."

The total project cost is estimated to be $5,312,000. Of this, $813,000 would be allocated to area redevelopment, $4,336,000 to irrigation, and $163,000 to fish and wildlife enhancement and recreation. On the basis of budget studies, we have estimated the repayment capability of the irrigators to be $1,100,200 over a 50-year period. This is 25 percent of the irrigation allocation. The balance of the irrigation allocation would be returned from revenues of the Federal Columbia River power system.

Orchards are slow to develop. Consequently, those project farmers whose lands are not now in orchards will require a 10-year development period, during which they will experience very low revenues. For that reason it is necessary to fund a part of the operation and maintenance costs of the unit during that period. Projections are that approximately $74,000 in operating costs would be funded as an irrigation cost item.

The first sentence of section 2 makes applicable to the Whitestone Coulee unit the provisions of section 2 of the act of July 27, 1954, authorizing the Foster Creek division of the Chief Joseph Dam project (68 Stat. 568). The provisions of section 2 of the act of July 27, 1954, are not entirely appropriate to the Whitestone Coulee unit—those provisions are:

(1) Establishment of a 50-year repayment period (this is necessary);

(2) Adoption of a variable repayment formula (this is not necessary, general reclamation law now provides this authority, act of August 8, 1958 (72 Stat. 542);

(3) Provision for financial assistance from Chief Joseph Dam (financial assistance is required, but because of recent changes in accounting practices for the Federal Columbia River power system it is no longer appropriate to tie financial assistance to an individual project or dam); and

(4) Availability of Chief Joseph project energy for project pumping at rates not exceeding the costs of generation (similarly, the change in accounting practices makes it no longer appropriate to tie the unit pumping power reservation and charges to an individual project).

In order to provide for a 50-year repayment period for the irrigators, fund operating costs as necessary during the development period, reserve power for unit pumping and provide financial assistance to the unit, we recommend that section 2 be deleted and the following substituted therefor:

"SEC. 2. Irrigation repayment contracts shall provide for repayment of the obligation assumed thereunder with respect to any contract unit over a period of not more than fifty years exclusive of any development period authorized by law. Operation, maintenance, and replacement costs during the development period which the Secretary finds it proper to fund because they are beyond the ability of the irrigators to repay during that period shall be returned by the irrigators during the repayment period. Construction costs allocated to irrigation beyond the ability of the irrigators to repay, shall be returned to the reclamation fund from revenues derived by the Secretary from the disposition of power marketed through the Bonneville Power Administration. Power and energy required for irrigation water pumping for the unit shall be made available by the Secretary from the Federal Columbia River power system at charges determined by the Secretary."

Finally, to accommodate the bill to the administration's proposed legislation concerning cost-sharing at water resource projects, a new subsection 3(b) should be added as follows:

"(b) The costs of means and measures to prevent loss of and damage to fish and wildlife resources shall be considered as project costs and allocated as may be appropriate among the project functions."

Authorization to proceed with the Whitestone Coulee unit would be most timely. The unit has a very high benefit-to-cost ratio and will produce substantial benefits in a community that is undergoing serious economic hardship.

A statement of personnel and other requirements that enactment of this legislation would entail is enclosed in accordance with the provisions of Public Law 801, 84th Congress.

The Bureau of the Budget has advised that there is no objection to the presentation of this proposed report from the standpoint of the administration's program, subject to possible supplementary advice from the Bureau of the Budget when views of the Department of Commerce on the proposed amendments to the bill dealing with area redevelopment are received.

Sincerely yours,

KENNETH HOLUM,
Assistant Secretary of the Interior.

Whitestone Coulee unit Okanogan-Similkameen division, Chief Joseph Dam project

[Estimated additional man-years of civilian employment and expenditures for the 1st 5 years of proposed new or expanded programs, as required by Public Law 801, 84th Cong.]

	1st year	2d year	3d year	4th year	5th year
Estimated additional man-years of civilian employment:					
Administrative services: Clerical	None	1	1	1	None
Substantive (program): Engineering aids and technicians	None	3	3	3	None
Total estimated additional man-years of civilian employment	None	3.25	4	2.75	None
Estimated expenditures:					
Personal services	(1)	$154,200	$194,465	$144,097	$10,942
All other	(1)	1,089,780	2,278,535	1,078,903	3,458
Total estimated expenditures	$197,000	1,235,000	2,473,000	1,223,000	14,400

[1] General investigation expenses.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wisconsin to concur in the House amendment.

The motion was agreed to.

CROOKED RIVER FEDERAL RECLAMATION PROJECT

Mr. NELSON. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 1186.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1186) to amend the act authorizing the Crooked River Federal reclamation project to provide for the irrigation of additional lands, which was, to strike out all after the enacting clause and insert:

That the first section of the Act entitled "An Act to authorize construction by the Secretary of the Interior of the Crooked River Federal reclamation project, Oregon", approved August 6, 1956 (70 Stat. 1058), as amended, is amended by inserting immediately before the period at the end of the first sentence of such section the following: "and the Crooked River project extension, together referred to hereafter as the project. The principal new works for the project extension shall include six pumping plants, canals, and related distribution and drainage facilities".

SEC. 2. There are hereby authorized to be appropriated for construction of the new works involved in the Crooked River project extension $1,132,000, plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction work of the types involved therein as shown by engineering cost indexes and, in addition thereto, such sums as may be required to operate and maintain said extension.

SEC. 3. Supplemental power and energy required for irrigation water pumping for the project shall be made available by the Secretary of the Interior from the Federal Columbia River power system at charges determined by him.

Mr. NELSON. Mr. President, I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion to concur in the House amendment.

The motion was agreed to.

The PRESIDING OFFICER. Is there further morning business?

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

CLOTURE MOTION

Mr. DOUGLAS. Mr. President, Mr. Arthur J. Freund, of St. Louis Mo., is one of the most prominent attorneys in the Middle West. He was one of the first to call attention to the actions taken at a meeting sponsored by the Council of State Governments in Chicago in the fall of 1962. That meeting of the so-called assembly of the States started the movement which has now come to fruition in the Dirksen-Mansfield amendment.

The council proposed to the State legislatures three applications for constitutional amendments, one of which would have denied any authority to the U.S. Supreme Court to order reapportionment of State legislatures.

That amendment application has been approved by 13 State legislatures to date. It is not quite certain what its constitutional status is as compared with the amendment which the Senator from Illinois [Mr. DIRKSEN] will offer in the Congress if the present Dirksen-Mansfield amendment to the foreign aid bill is adopted.

The present Dirksen-Mansfield amendment would anesthetize for a period of time—the precise duration of which is uncertain—any present or future action of the Supreme Court in ordering reapportionment, and would freeze the State legislatures, with the possible exception of two or three, in their present malapportioned form.

My colleague was completely frank in saying that it is his intention, when Congress reconvenes in January, to introduce a constitutional amendment which would establish a permanent prohibition against any order of the Supreme Court providing for reapportionment.

If the present effort is successful in the House and the Senate—and particularly if the cloture motion is approved on Thursday by a two-thirds vote—I think we can be certain that, unless there are appreciable changes in the composition of the Congress by January, such an amendment would go through Congress and that the present malapportioned State legislatures would then undoubtedly ratify it. That is what is at stake in this whole issue.

It is a very grave issue.

Mr. Freund, some weeks ago, wrote me a very detailed letter before the full tactics in connection with the Dirksen-Mansfield amendment were revealed.

I ask unanimous consent that this letter appear at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Arthur J. Freund,
Attorney at Law,
7 North Seventh Street,
St. Louis, Mo., *July 30, 1964*.

Re proposals to amend the U.S. Constitution relating to apportionment in State legislatures.

Hon. Paul H. Douglas,
Senate Office Building,
Washington, D.C.

Dear Senator Douglas: In utmost earnestness I write you regarding the current proposals to amend the Constitution of the United States so as to deprive the Federal courts of jurisdiction in causes having to do with the malapportionment of State legislatures.

You are aware that I was one of those who early advocated opposition to the three proposals of the Council of State Governments to amend the Constitution. One of the Council's proposals was designed to nullify the decision of the Supreme Court of the United States in *Baker* v. *Carr,* (1962) 369 U.S. 186, relating to the malapportionment of a State legislature, and it is one of a number of proposals on this subject now before the Congress. S.J. Res. 181, introduced by Senator Stennis on July 8, 1964, and S.J. Res. 185, introduced by Senator Dirksen on July 23, 1964, are also typical of proposals directed to the same ultimate end. The proposals to amend the Constitution and dilute the judicial process generated by *Baker* v. *Carr* have been multiplied as a result of the more recent decisions of the Supreme Court requiring equal population representation in both houses of State legislatures where the bicameral system prevails, delivered on June 15, 1964. In *Reynolds* v. *Sims,* —— U.S. ——, 12 L. ed. 2d 506, the Court held that the malapportionment of the Alabama Legislature was in contravention of the equal protection clause of the Constitution. This was followed on the same day by comparable holdings with respect to the legislature in New York (*WMCA* v. *Lomenzo,* —— U.S. ——, 12 L. ed. 2d 568); in Maryland (*Maryland Committee* v. *Tawes,* —— U.S. ——, 12 L. ed. 2d 595); in Virginia (*Davis* v. *Mann,* —— U.S. ——, 12 L. ed. 2d 609); in Delaware (*Roman* v. *Sincock,* —— U.S. ——, 12 L. ed. 2d 620); and in Colorado (*Lucas* v. *Colorado General Assembly,* —— U.S. ——, L. ed. 2d 632). On June 22, 1964, the Court delivered like opinions affecting the State of Washington, (*Meyers* v. *Thigpen,* —— U.S. ——, 12 L. ed. 2d 1024) and Oklahoma (*Williams* v. *Moss,* —— U.S. ——, 12 L. ed. 2d. 1026).

The essence of the opinions in these cases, as it was in *Baker* v. *Carr,* is stated by the Chief Justice in *Reynolds* v. *Sims,* supra, at 12 L. ed. 2d 506, 527 l.c.:

"Legislators represent people, not trees or acres. Legislators are elected by voters, not farms or cities or economic interests. As long as ours is a representative form of government, and our [State] legislatures are those instruments of government elected directly by and directly representative of the people, the right to elect legislators in a free and unimpaired fashion is a bedrock of our political system.

"We conclude that the equal protection clause guarantees the opportunity for equal participation by all voters in the election of State legislators. Diluting the weight of votes because of place of residence impairs basic constitutional rights under the 14th amendment just as much as invidious discriminations based upon factors such as race * * *, or economic status * * *. (12 L. ed. 2d 529, 530 l.c.)"

The proposals now before Congress in both Houses of the Congress to amend the Constitution to reverse the effect of these decisions take a variety of the forms, but they proceed from the same approach as does the proposal of the Council of State Governments which would amend the Constitution to provide: "The judicial power to the United States shall not extend to any suit in law or equity, or to any controversy relating to apportionment of representation in a State legislature."

This specific proposal has been disapproved by the American Bar Association, the Missouri Bar, the Bar Association of St. Louis, the Bar Association of St. Louis County, the Madison County (Ill.) Bar Association, the Bar Association of Kansas City, Mo., the Association of the Bar of the City of New York, the Essex County (N.J.) Bar Association, the Philadelphia Bar Association, as well as by a large number of other National, State, and local bar groups from one end of the country to the other.

The proposals now before Congress on this subject would withdraw from Federal constitutional protection the equal and effective exercise of political rights which are fundamental and essential to a true representative democracy. They would, if any of them should be ultimately adopted, constitute the first diminution in our history of any Federal guarantee of liberty, justice or equality. More specifically, the equal protection clause has up to now been left, as it came into the Constitution, entirely universal and unqualified; "equal protection of the laws," not as to some matters, but as to all. To begin diluting any of our constitutional guarantees, to begin introducing exceptions into the concept of equality under law are alarming and portentous steps. It is ironical that the likelihood that some of the flagrant present abuses in State apportionment may be eliminated by Federal judicial action should be the stimulus for an assault upon one of the most cherished of all the constitutional safeguards of our civil liberties.

Moreover, any diminution or exclusion of Federal judicial power in this area would reach far beyond the equal protection clause and could have consequences not foreseen or even desired by many of those persons who support such proposals. For example, if the proposal of the Council of State Governments or the proposal of Congressman William M. McCulloch, or the proposal of Senator Stennis, or that of Senator Dirksen were adopted, any State which used apportionment as a guise for practicing the most extreme forms of racial, economic or other invidious discrimination would be completely insulated from any effective restraint. By the same token even the Congress would be rendered almost powerless to implement the purpose of the 15th amendment, since any meaningful legislation would require judicial enforcement of the very kind that would be eliminated by the plan proposed. It is fair to say that the adoption of such a proposal would operate not only as a sanction, but as an invitation for legislatures so disposed to evolve apportionment schemes with the most opprobrious consequences for any system of representative government. It is not unreasonable to suggest that a State government which would profit from any arrangement to perpetuate itself in power would not be inclined to change that arrangement if it were immunized from any judicial intervention.

These considerations and others raise questions of the gravest import; they are considerations basic to the political and constitutional continuation of our present form of government. They should have the most careful scrutiny by both Houses of the Congress and by its committees charged with responsibility in this vital area. Before any final conclusion is reached by Congress there should be an intensive national debate concerning the objectives sought by the proponents of such proposals since their aims affect every citizen in every State of the Union.

Such a debate—and adequate time and preparation for it—must be had so that there may be informed and national molding of sentiment on proposals of such paramount significance. Only in that orderly way, the typical American way, can a sound and mature conclusion be reached by our people who, in the last analysis, must make the decision.

It is my hope that the most careful consideration of these proposals will be given by the Committee on the Judiciary of the Senate, as well as the House. These proposals involve the basic postulates of the American constitutional system of government and your committee could have no greater responsibility or duty than to protect and defend the Constitution.

I urge you to give your utmost consideration to this subject; to encourage a most comprehensive study and discussion by the bar and press, as well as all other informed sources, upon the effect of any of the proposals on the operation and the maintenance of our constitutional form of government. Sober, thoughtful, and informed consideration rather than speed should, in my view, govern the deliberations of Congress in one of the most important constitutional crises to arise in our time.

Respectfully,

Arthur J. Freund.

Mr. DOUGLAS. Mr. Freund writes that:

> The proposals now before Congress on this subject would withdraw from Federal constitutional protection the equal and effective exercise of political rights which are fundamental and essential to a true representative democracy. They would, if any of them should be ultimately adopted, constitute the first diminution in our history of any Federal guarantee of liberty, justice or equality. More specifically, the equal protection clause—

Which, as we know, is in the 14th amendment—

> has up to now been left, as it came into the Constitution, entirely universal and unqualified; "equal protection of the laws," not as to some matters, but as to all. To begin diluting any of our constitutional guarantees, to begin introducing exceptions into the concept of equality under law are alarming and portentous steps. It is ironical that the likelihood that some of the flagrant present abuses in State apportionment may be eliminated by Federal judicial action should be the stimulus for an assault upon one of the most cherished of all the constitutional safeguards of our civil liberties.

Mr. President, to cite only 1 or 2 examples of grossly unfair representation from among the thousands which exist, 14,000 people in 1 senatorial district in California have the same representation in the California Senate as the more than 6 million people in Los Angeles County.

A hamlet of 36 people in Vermont has the same representation in the lower house in Vermont as a city of 38,000.

There is gross malapportionment in Tennessee and in Alabama, which the Supreme Court sought to correct.

There is gross malapportionment in New Jersey, Maryland, and New York. There is appreciable malapportionment in my State of Illinois.

We can call the roll of State after State in which the metropolitan population has increased over the recent years by a third or approximately two-thirds without any adjustments to accord fair representation.

I see in the Chamber the distinguished Senator from Florida [Mr. HOLLAND]. The latest figures I have been able to obtain from the State of Florida indicate that 15 percent of the population of Florida elects a majority in both the Florida Senate and the Florida House.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOUGLAS. Then I shall take my seat and continue at another time.

AMENDMENT OF THE INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1460, H.R. 12259.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 12259) to amend the International Claims Settlement Act of 1949 to provide for the determination of the amounts of claims of nationals of the United States against the Government of Cuba.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations with amendments on page 2, line 1, after the word "Cuba", to insert "which have arisen out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or"; in line 13, after the word "States.", to insert "This title shall not be construed as authorizing an appropriation or as any intention to authorize an appropriation for the purpose of paying such claims."; on page 3, line 20, after the word "Cuba", to insert "arising out of debts for merchandise furnished or services rendered by nationals of the United States without regard to the date on which such merchandise was furnished or services were rendered or"; on page 5, line 10, after the word "and", to strike out "unless" and insert "if considered shall be considered only to the extent"; after line 13, to strike out:

(b) A claim for disability shall not be considered under section 503(b) of this title unless filed by or on behalf of the disabled person. A claim for death under such section shall not be considered unless filed by or on behalf of the widow or widower, child or parents of the deceased person.

And, in lieu thereof, to insert:

(b) A claim for disability under section 503(b) may be considered if it is filed by the disabled person or by his successors in interest; and a claim for death under section 503(b) may be considered if filed by the personal representative of decedent's estate or by a person or persons for pecuniary losses and damage sustained on account of such death. A claim shall not be considered under this section unless the disabled or deceased person was a national of the United States at the time of injury or death and if considered, shall be considered only to the extent the claim has been held by a national or nationals of the United States continuously until the date of filing with the Commission.

On page 7, at the beginning of line 10, to insert a colon and "*Provided*, That the deduction of such amounts shall not be construed as divesting the United States of any rights against the Government of Cuba for the amounts so deducted."; in line 15, after "SEC. 507.", to insert "(a)"; in line 20, after the word "amount", where it appears the second time, to insert a comma and "together with a statement of the evidence relied upon and the reasoning employed in reaching its decision."; after line 22, to insert:

(b) The amount determined to be due on any claim of an assignee who acquires the same by purchase shall not exceed (or, in the case of any such acquisition subsequent to the date of the determination, shall not be deemed to have exceeded) the amount of the actual consideration paid by such assignee, or in case of successive assignments of a claim by any assignee.

In the heading in line 1, after the word "Appropriations", to insert "And Vesting And Liquidation of Cuban Property"; in line 3, after "SEC. 511.", to insert "(a)"; in line 4, after the word "exceed", to strike out "$750,000" and insert "the aggregate amount of the net proceeds realized from the sale or liquidation of the property of the Government of Cuba pursuant to subsection (b) of this section,"; in line 8, after the word "Commission", to insert "and the Treasury Department"; in the same line, after the word "pay", to strike out "its"; after line 10, to insert:

(b) Any property of the Government of Cuba which was blocked in accordance with the Cuban assets control regulations, July 8, 1963 (31 C.F.R., part 515 et seq.), and which remains so blocked six months following the date of enactment of this title shall vest in such officer or agency as the President may from time to time designate upon such terms as the President or his designee shall direct. Such property shall be sold or otherwise liquidated as expeditiously as possible after vesting under such rules and regulations as the President or his designee may prescribe. So much of the net proceeds remaining upon completion of the liquidation thereof as may be necessary shall be used to reimburse the Government of the United States for expenses incurred by the Commission and by the Treasury Department in the administration of this title. Any proceeds remaining thereafter shall be covered into the Treasury to the credit of miscellaneous receipts.

On page 10, after line 3, to insert:

FEES FOR SERVICES

SEC. 512. No remuneration on account of any services rendered on behalf of any claimant in connection with any claim filed with the Commission under this title shall exceed 10 per centum of so much of the total amount of such claim, as determined under this title, as does not exceed $20,000, plus 5 per centum of so much of such amount, if any, as exceeds $20,000. Any agreement to the contrary shall be unlawful and void. Whoever, in the United States or elsewhere, demands or receives on account of services so rendered, any remuneration in excess of the maximum permitted by this section, shall be fined not more than $5,000 or imprisoned not more than twelve months, or both.

And, at the beginning of line 18, to change the section number from "512" to "513".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1521), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

BASIC PURPOSE OF BILL

The basic purpose of H.R. 12259 is to authorize the Foreign Claims Settlement Commission to receive and determine the amount and validity of claims of American nationals against the Government of Cuba which have arisen since January 1, 1959, for the nationalization or expropriation of their property and for disability or death arising out of violations of international law by the Government of Cuba. The bill also authorizes the receipt and determination of claims for merchandise furnished and services rendered before January 1, 1959.

COMMITTEE ACTION

H.R. 12259 was passed by the House of Representatives on August 12, 1964, and referred to the Committee on Foreign Relations the following day. At that time, testimony was received in executive session from Mr. Leonard C. Meeker, the Acting Legal Adviser of the Department of State, who proposed several amendments to H.R. 12259. Mr. Meeker's statement and the Department's letter dated August 13 are included in the appendix to this report. In addition to the amendments suggested by the State Department, the committee also added other amendments designed to discourage speculation in the claims; to limit the amount of attorneys' fees which could be collected for services rendered to any claimant; to make clear that the bill affords no basis for any appropriation now or in the future for the purpose of paying the claims in question out of Federal funds; to provide for the sale or liquidation of Cuban Government assets blocked by the United States with the proceeds used to pay the administrative expenses under the bill; and to subrogate the Treasury to such claims as may previously have been reflected in tax benefits to the claimants. On September 1, 1964, H.R. 12259 was considered further in executive session and the committee voted to report it favorably with the amendments outlined above.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

LUMMI INDIAN RESERVATION, WASHINGTON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1463, S. 3114.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3114) to provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington through a drainage and diking district formed under the laws of the State.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 2, line 8, after the word "Interior.", to strike out "The Secretary shall consent to such sale if he determines that the Indian owner is able to pay such assessment, and if the Secretary refuses to consent to such sale, he shall pay the assessment out of any appropriation or fund available therefor, and such payment shall be nonreimbursable." and insert "If the Secretary refuses to consent to such sale, he shall pay the assessment out of any appropriation or fund available therefor. Any portion of such payment which the Secretary determines to be within the ability of the Indian owner to pay shall become a lien against the land, subject to the provisions of the Act of July 1, 1932 (47 Stat. 564)."; in line 22, after the word "maintenance", to strike out "assessments"; in line 23, after the word "effective", to strike out "against all lands within the limits of the Lummi Indian diking project as established by the Act of March 18, 1926 (44 Stat. 211)"; on page 3, line 2, after the word "project", to strike out "heretofore" and insert "which on the date of this Act is in a trust or restricted status and which have heretofore been"; in line 5, after the word "penalties", to insert "and deposited in the Treasury"; in line 8, after the word "made", to strike out "for such purposes"; and on page 4, line 11, after the word "district", to strike out "if the nonrestricted lands in the new district are assessed an equivalent amount on a per acre basis" and insert "if the owners of nonrestricted lands in the new district contribute an amount equal to the value of such equipment and funds"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Indian trust or restricted lands within the limits of the Lummi Indian diking project as established by the Act of March 18, 1926 (44 Stat. 211), may be included in, and may be assessed for operation and maintenance, betterment, and construction by, any diking and drainage district that may be formed under the diking and drainage laws of the State of Washington: *Provided,* That such Indian lands shall be assessed on the same basis that all other lands within the district are assessed. Such assessments may be collected in accordance with the laws of the State of Washington, except that no Indian trust or restricted lands shall be sold for the collection of an assessment without the consent of the Secretary of the Interior. If the Secretary refuses to consent to such sale, he shall pay the assessment out of any appropriation or fund available therefor. Any portion of such payment which the Secretary determines to be within the ability of the Indian owner to pay shall become a lien against the land, subject to the provisions of the Act of July 1, 1932 (47 Stat. 564).

SEC. 2. (a) The Secretary of the Interior shall cancel all outstanding charges for construction, operation, and maintenance, including any interest or penalties, outstanding on the date this section becomes effective.

(b) All assessments against each tract of land within the project which on the date of this Act is in a trust or restricted status and which have heretofore been collected for construction, operation, and maintenance, including interest and penalties, and deposited in the Treasury shall be transferred on the books of the Treasury into an account that shall be available to the Secretary of the Interior to pay any assessments hereafter made against each such tract pursuant to this Act.

(c) The provisions of subsections (a) and (b) of this section shall become effective on the date of approval of the organization by the Whatcom County commissioners of the new diking and drainage district.

(d) Operation and maintenance assessments shall continue to be made but their collection shall be suspended for not to exceed two years until the new diking and drainage district is formed. If the new district is formed within such two-year period such assessments shall be canceled. If the new district is not formed within such period the assessments shall be collected with interest and penalties thereafter accruing.

SEC. 3. At such time as the diking and drainage district covering the Indian trust and restricted lands within the Lummi diking project shall be established under the laws of Washington and shall be in operation, the Government shall thereupon be relieved of any further responsibility of whatever nature in connection with the operation and maintenance, betterment, or construction of any dikes, structures, drains, or any appurtenant works existing on the Lummi diking project, including any responsibility for damages that may result from the failure of any dikes, dams, structures, or appurtenant works heretofore or hereafter constructed. Any equipment and funds standing to the credit of the Lummi diking project on the books of the Secretary of the Interior at such time shall be paid and turned over to such diking and drainage district if the owners of nonrestricted lands in the new district contribute an amount equal to the value of such equipment and funds. Any right, title, or interest of the United States in and to any of the dikes or other structures erected as part of the Lummi diking project, and the lands on which they are located, shall be deemed to be conveyed to the county of Whatcom, State of Washington, for the use and benefit of such diking and drainage district on the date the district is organized. The Bureau of Indian Affairs is directed to make available to such diking and drainage district or to the county of Whatcom any information, data, or documents which may assist in its organization or operation.

SEC. 4. Nothing in this Act shall be construed to affect the Lummi Indians' hunting or fishing rights.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1524), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purposes of S. 3114, as amended, are:

1. To permit Indian trust or restricted land within the Lummi Indian diking project to be included in a diking and drainage district that is to be formed under the laws of the State of Washington. The Indian lands may be assessed on the same basis that all other lands are assessed. If an assessment is not paid by an Indian owner, the Secretary must either consent to the sale of the land in order to pay the assessment, or pay the assessment out of Federal funds if he finds that the Indian owner is unable to pay. If the Secretary finds it is within the ability of the Indian owner to pay a portion of the assessment, that portion will become a lien against the land subject to the provisions of the Leavitt Act of 1932.

2. To direct the Secretary to cancel all outstanding charges for construction and for operation and maintenance, including interest and penalties, against lands in the Lummi Indian diking project. The provision applies both to Indian and to non-Indian land. The amounts that would be canceled, as of June 30, 1964, are $95,679.32 for construction and $56,015.78 for operation and maintenance.

3. To direct the Secretary to use the assessments previously collected for Indian lands in a trust or restricted status on the date of this act to pay assessments made in the future by the new State district. This provision applies only to Indian land. The amounts of the prior collections are $46,796.89 for construction and $8,024.02 for operation and maintenance.

4. To provide for a transfer to the new State district, when organized, of all equipment and funds of the Indian project, if the non-Indian lands in the new district contributed an amount equal to the value of such equipment and funds. As of June 30, 1964, the value of the equipment was $18,094.17 and the funds on deposit were $8,392.46, making a total of $26,486.63 which would need to be assessed against the non-Indian lands in the district.

5. To also provide that title to the dikes or other structures, and the lands on which they are located, will be transferred to the new district, and that the Federal Government will thereupon be relieved of any responsibility for further operation, maintenance, betterment, or construction on the Indian project. The book value of such structures was $175,134.98 on June 30, 1964. This represents the total reimbursable construction cost plus additional nonreimbursable money derived from old emergency relief programs.

NEED

The Lummi Indian diking project was constructed and has been maintained by the Department of the Interior under authority of the act of March 18, 1926 (44 Stat. 211). The project consists of 14.7 miles of dikes and drainage ditches and tide gates. These works protect 4,200 acres of low-lying land within the boundaries of the reservation and adjoining lowland outside the reservation.

The authorization act provided that the cost of the project should be distributed equitably among the lands in Indian ownership and the land in private ownership that would be benefited; that Indian owners would not be required to execute repayment contracts but that construction costs should become liens against their land, collectible under regulations prescribed by the Secretary of the Interior; and that no construction should be undertaken for the benefit of land in private ownership until the owners had executed repayment contracts.

Through an error, repayment contracts were not obtained from five non-Indians owning 502 acres because the project officials thought the lands were Indian owned. These owners refused to make their payments and won their case in court when suit was filed against them. As a result of the outcome of this case, other non-Indian landowners have refused to pay their assessments. Litigation to collect these delinquent charges has been commenced and the proceedings are pending.

The organization of a State district to take over the project would be to the advantage of the Government in that—

1. The responsibility for future betterment and construction would be transferred from the Government to the district.

2. The function of collecting future operation and maintenance assessments would be transferred from the Government to the district.

3. The controversy over future collection would be resolved by making all landowners subject to the same rules.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1465, 1466, 1467, and 1468, in sequence.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BREAKS INTERSTATE PARK COMPACT

The bill (H.R. 11162) granting the consent of Congress to an amendment to the Breaks Interstate Park compact between the Commonwealths of Virginia and Kentucky was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1526), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 11162 is to give the consent of the Congress to a proposed amendment to a 1954 compact between the Commonwealths of Virginia and Kentucky which would authorize the States to grant the power of eminent domain within the States to the park commission established by the compact.

Article III of the Breaks Interstate Park compact, to which the consent of Congress was given by the act of July 27, 1954 (68 Stat. 571), provides that each of the two States concerned "will exercise the right of eminent domain to acquire property located within each Commonwealth required by [the Breaks Interstate Park] Commission to effectuate the purpose of this compact." After experience in operating under this provision, the two States have decided that procedure would be simplified if the power of eminent domain were given directly to the Commission and have so provided by appropriate acts of their legislatures. Enactment of H.R. 11162 is needed to permit this decision to become effective, since article I, section 10, clause 3 of the Constitution provides that "No State shall, without the consent of Congress, * * * enter into any agreement or compact with another State."

COST

Enactment of H.R. 11162 will entail no cost to the United States.

MORRISTOWN NATIONAL HISTORICAL PARK, N.J.

The bill (H.R. 3396) to authorize the addition of lands to Morristown National Historical Park in the State of New Jersey, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1527), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 3396, is to authorize the addition of 281 acres of land to the Morristown National Historical Park.

NEED

The Morristown National Historical Park was established in 1933 pursuant to the act of March 2, 1933 (47 Stat. 1421, 16 U.S.C. 409 et seq.), to preserve the site of the principal encampment of the Continental Army in 1779–80. It now includes 960 acres and is visited by nearly 500,000 people a year.

At the time the park was created, certain of the lands which ought to have been included within it were not available. It is this area—an area on most of which Stark's brigade camped—to which H.R. 3396 pertains. Stark's brigade of 1,000 men, principally from Massachusetts, Connecticut, and Rhode Island, was an important factor in the two battles of Springfield. These battles permanently defeated British attempts to overrun New Jersey during the Revolution.

The land in question will be a valuable addition to the park not merely because it is the site of this encampment but because it is in essentially the same state as it was 183 years ago. Moreover, as the Interior Department's report on H.R. 3396 indicates, there is in existence a detailed contemporary map showing the layout of the huts occupied by the men of Stark's brigade while they were stationed on the site. This will aid greatly in interpretation of the area and in potential reconstruction of typical portions of the camp for the education and enlightenment of visitors to the park.

COST

The estimated cost of acquiring the 281 acres for which the bill, as amended, makes provision is $281,000.

EXCHANGE OF CERTAIN PROPERTY AT INDEPENDENCE NATIONAL HISTORICAL PARK

The bill (H.R. 7096) to authorize the exchange of certain property at Independence National Historical Park, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1529), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 7096 is to authorize an exchange of two pieces of property in Philadelphia, one under the jurisdiction of the National Park Service, the other under the Philadelphia Redevelopment Authority.

NEED

The National Park Service property involved in H.R. 7096 is a tract of about 15,700 square feet with several small buildings on it. The site and the buildings on it are used for administrative purposes in connection with the Independence National Historical Park but are inadequate and poorly located for these purposes. The redevelopment authority already owns or is about to acquire a 9,300-square-foot parcel which it is willing to exchange for the Federal land. On this parcel are two substantial buildings which, with some modifications, will serve National Park Service needs better than does the present holding. The two tracts and the improvements on them are reported to be of approximately equal value. The cost of making the necessary modifications to the buildings on the land to be acquired has been estimated to be $125,000 less than would be the cost of constructing adequate facilities on the present site. In addition the new site is in a better location for these purposes than the present site.

COST

The proposed exchange will require no expenditure of Federal funds. Rehabilitation costs for the buildings on the site to be acquired will be about $200,000.

CLAIR ENGLE LAKE, CALIF.

The Senate proceeded to consider the bill (S. 3143) to designate as Clair Engle Lake the reservoir created by the Trinity Dam, Central Valley project, California, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 1, line 6, after the word "late", to strike out "Senator"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the reservoir created by the Trinity Dam, Central Valley project, California, shall hereafter be known as Clair Engle Lake as an appropriate tribute to the outstanding leadership and great service which the late Clair Engle performed on behalf of the development of our natural resources in the State of California and the Nation, and especially his enlightened vision for the necessity to conserve and put to the best possible beneficial use the water and power resources of this Nation, and any law, regulation, document, or record of the United States in which such reservoir is designated or referred to shall hereafter be held to refer to such reservoir by the name of Clair Engle Lake.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1528), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 3143 is to honor the late Senator Clair Engle, of California, for his outstanding leadership, his unflagging efforts, and his historic accomplishments to western water, power, and recreational development. As a specific means of accomplishing this purpose, the bill would name the reservoir created by the Trinity Dam, a key unit of the great Central Valley project, of California, the Clair Engle Lake.

In his 21-year career as a Member of the House of Representatives and of the Senate, Senator Engle participated actively in most of the major legislation affecting water developments in the Central Valley. He came from the mountain district in which Trinity Dam is located and represented it in Congress.

The lake which would be named Clair Engle Lake by S. 3143 covers an area of some 16,500 acres, and has a capacity of 2,500,000 acre-feet. It is a major water area of north central California, and a vital source of supply for water for irrigation and for production of power.

COMMITTEE AMENDMENT

The committee struck the word "Senator" from page 1, line 6, of the bill, since 14 years of his service was in the House of Representatives, where he became chairman of the Committee on Interior and Insular Affairs, the committee with initial responsibility for Central Valley and other irrigation and water resource development legislation.

SENATOR GOLDWATER'S PROPOSAL FOR A 25-PERCENT REDUCTION IN TAX PAYMENTS

Mr. MANSFIELD. Mr. President, I have been reading with interest a speech which the distinguished Senator from Arizona [Mr. GOLDWATER] is due to deliver today in California, if he has not already done so.

It is my understanding that that speech will call for a 25-percent reduction in tax payments, which, I assume, will apply to income taxes, but perhaps primarily to corporation taxes.

It is my further understanding that in the speech the suggestion will be made that the tax would be reduced 5 percent each year for the next 5 years. I have in my hand what is referred to as a "budget pie." It indicates just where the budget dollar goes. According to this pie, 62 cents of every tax dollar goes for defense, space, and international affairs. Five cents goes for agriculture. Five cents goes for veterans. Eleven cents goes for interest. Six cents goes for labor, health, and welfare. Eleven cents goes for other items.

I shall be looking forward with great interest to the details which the distinguished candidate of the Republican Party will furnish, as to how he intends to reduce the present tax structure by 25 percent over the next 5 years.

I shall also be interested in the reaction to the proposal of such believers in fiscal solvency as the distinguished Senator from Virginia [Mr. BYRD], the distinguished Senator from Delaware [Mr. WILLIAMS], the distinguished Senator from Utah [Mr. BENNETT], and other members of the Committee on Finance, as well as members of the Committee on Appropriations.

No one would be happier than the Senator from Montana to have the assurance that his taxes would be reduced by 25 percent in the next 5 years. I am sure that what I say applies to most if not all other Members of the Senate as well.

Therefore, I say again that I am looking forward with great interest to the details and the specifics in the speech to be given today, calling for a 25-percent tax reduction over the next 5 years.

CONGRESSIONAL STAFFING FOR SCIENCE AND TECHNOLOGY

Mr. MONRONEY. Mr. President, one of the outstanding accomplishments of this Congress is the action taken to solve the problem of obtaining professional advice on scientific and technological questions involved in the legislative process. The appropriation of funds to establish a Science Policy Research Division in the Legislative Reference Service of the Library of Congress is the latest in a series of steps taken by the Congress to improve the effectiveness of its staff.

I have a special and a long-term interest in providing professional staff assistance for Congress. This interest stems from my service as vice chairman of the Joint Committee on the Organization of Congress which was responsible for the proposals enacted in the Legislative Reorganization Act of 1946. For more than 20 years, therefore, I have been concerned with the ways and means whereby we can improve the legislative output by infusing into it the best, the most authentic, and prudent advice we can obtain on all questions we are called upon to consider.

More recently, I have paid particular attention to the problem of advice to Congress in the many fields included in the general area of science and technology. As chairman of the Subcommittee of the Senate Committee on Appropriations which is responsible for the review and analysis of funds required for the legislative branch of the Government, I have had occasion during this session to study the pros and cons of all major proposals concerned with assisting Congress to play an outstanding role in this technological age. We seriously considered the advisability of creating advisory units of scientists and engineers within the structure of the House of Representatives and the Senate. We also considered the ideas of those who would have had us set up an advisory scientific and technical organization entirely separate from existing legislative organs. We considered the nature of legislative problems in which the various science and engineering specialties figured as elements.

Ultimately we concluded that the fundamental concepts of professional staff assistance to Members and committees of Congress, originally set forth in the report of the Joint Committee on the Organization of Congress in 1946, still constituted the most valid premises upon which to proceed. At that time we recognized that there are many legislative tasks involving highly technical matters, and that we would require expert advice, for example, in such specialized fields as finance, taxation, public works, and many other areas in which the Congress is called upon to legislate. We considered that rarely, however, would the formulation of public policy depend solely upon scientific and technical facts, essential as they undoubtedly are. We knew that the solution of public questions involves the identification and assembly of all pertinent elements of a problem so that laws which are to affect all people will be equitable and practicable. It was upon this philosophic basis that the Legislative Reference Service was expanded in 1946. The act provides:

> (1) upon request, to advise and assist any committee of either House or any joint committee in the analysis, appraisal, and evaluation of legislative proposals pending before it, or of recommendations submitted to Congress, by the President or any executive agency, and otherwise to assist in furnishing a basis for the proper determination of measures before the committee;
>
> (2) upon request, or upon its own initiative in anticipation of requests, to gather, classify, analyze, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for a bearing upon legislation, and to render such data serviceable to Congress, and committees and Members thereof, without partisan bias in selection or presentation;
>
> (3) to prepare summaries and digests of public hearings before committees of the Congress, and of bills and resolutions of a public general nature introduced in either House.

We also made provision in 1946 for the appointment of senior specialists in a number of broad fields. It is from our experience with this system during the past 18 years that we have found some of the keys to evaluating legislative proposals concerned with the formulation of public policy in engineering and public works, transportation and communication, international affairs, taxation and fiscal matters.

There is no reason why the same staffing arrangement that has worked for subjects as technical as tariffs and income taxes should not work for problems including the various scientific and engineering disciplines. Indeed, we have already had evidence from the work of the professional staff of the Legislative Reference Service in national defense, outer space, and water resources that problems involving science and public policy can be analyzed in terms which assist the committees and Members of Congress to meet their legislative responsibilities.

I join other Members of the House and Senate in hopeful anticipation that the new Science Policy Research Division of the Legislative Reference Service, will develop successfully under the direction of Dr. Edward Wenk, Jr. Dr. Wenk's experience in both the legislative and executive branches of the Government is invaluable in meeting his new responsibilities of advising Congress on science, engineering, and public policy.

BETTER UNDERSTANDING AMONG PEOPLES OF THE WORLD THROUGH MUSIC

Mrs. SMITH. Mr. President, Eleanor Sterling has written an interesting story for the Brunswick, Maine, Record about a fascinating person and her contribution toward better understanding among peoples of the world through music.

I ask unanimous consent to include this story in the RECORD and recommend its reading by the readers of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PEGGY STUART COOLIDGE: LADY MUSICIAN WILL LIFT IRON CURTAIN ONCE AGAIN

(By Eleanor Sterling)

CUNDYS HARBOR.—A multitalented musical rebel from Boston's Back Bay who has been a summer resident of Bear Island, Cundys Harbor, for 40 years, has been invited to travel behind the Iron Curtain this fall as a guest of the Russian, Polish, and Hungarian Governments, appearing in concerts of her own compositions. The traveling pianist-composer-conductor is Peggy Stuart Coolidge.

This latest invitation follows a visit to Hungary last year when Mrs. Coolidge became the first American woman composer to play behind the Iron Curtain, but firsts are nothing new for this one-time Boston debutante.

She began setting precedents while still in her teens by writing the first ballet ever composed specifically for ice skaters; organizing and directing this country's first and only Junior League orchestra; and, more recently, writing a full-length ballet, "A Night in New Orleans—1835," and a "Rhapsody for Harp and Orchestra," commissioned by the noted harpist Aristid von Wurtzler and the first work of this order to be composed in the contemporary American idiom for harp in this generation. (It will be published by Vox Records in September.)

BOSTON BACKGROUND

Turning her polite Boston background to advantage even further, she has proven the drive that underlies her charm and musical talents: in the early 1950's Peggy Coolidge was stricken with polio and paralyzed in both legs. She was told by her doctors that she would never walk again. "I fooled them," she says simply. She walks perfectly and unaided.

Peggy Coolidge began studying the piano when she was five and at nine composed her first song. She was encouraged at home and at school, and later studied the piano with Heinrich Gebhard, who also counted among his students Leonard Bernstein. In addition to a wide range of concert compositions she has written movie and theater scores ("The Silken Affair" and Sean O'Casey's "Red Roses for Me"), performed a succession of her own works with the Boston Pops under Arthur Fiedler which have also been performed by other European and American orchestras, and has begun releasing single records and albums through London Records, 20th Century Fox, and Vox.

FOR EACH RECORD

On her wrist she wears a golden bracelet with three large engraved disks given to her by her husband each time she cuts a record. She points to them one at a time: "This was for 'The Unique Artistry of Peggy Stuart Coolidge,' this was for 'Out of the Dark,' this was for 'Twilight City'," and she laughs, "I'm releasing a fourth record, the 'Rhapsody for Harp and Orchestra,' this fall, looking for a place on the bracelet for yet another disk.

The proud and generous husband is Joseph R. Coolidge, a movie producer and writer whose background (also Bostonian) was in engineering, industrial advertising, and television "way back in the beginnings." He characterizes himself as the first living casualty of Saigon, this after having come through service in World War II unscathed.

"You know how the John Birch Society named itself after the guy they claim was the first casualty of World War III? Well, he was hit on the 3d of September and I was hit on the 25th—but I survived. The fellows in my club are thinking of naming a Joe Coolidge Society for me."

CITY ROCKS

He tells the story of the Coolidge's New York apartment terrace, which Peggy felt needed rocks: "She found the rocks she wanted, too, right there in the middle of Manhattan, but they were also right in the middle of a store display at Bloomingdale's. So we got our friends—we invited only the big and husky ones—to help us cart the rocks away, after we'd gotten permission, of course. Well, we had to haul them out through men's wear, and one salesman looked at us going by and remarked 'well now I know you can buy anything at Bloomingdales.' A drunk made his way out of a bar on Third Avenue, looked at our wheelbarrows full of rocks, and hollered "There's gold in them thar' hills.'"

Peggy herself says of her husband, "Behind the scenes, he's the power in the whole production. He's a great traveler also; I would never have dared to do all this without him; and he manages to carry on his own business career while we move about."

He says, "When she's composing it's not fun to listen to, but our landlord, who lives below us, doesn't seem to mind, so how can I complain? Once though, when he was feeling badly he did say he hoped it would not go on much longer."

"Fortunately," says Peggy, "I can do a lot of my work up here in Maine. I'm so fond of it here—Bear Island is so much a part of me. I did the orchestration for 'The Islands' here and the music for 'Red Roses for Me.' This is a wonderful place to work, to compose in."

ROSEVILLE, CALIF., GIVES AID TO SEWARD, ALASKA

Mr. GRUENING. Mr. President, the real meaning of friendship and the phrase "help thy neighbor" sometimes are best illustrated during times of crisis and tragedy. Following the terrible Good Friday earthquake and subsequent seismic waves, the central portion of Alaska was badly damaged. Outstanding examples of thoughtfulness and assistance came from throughout this Nation and from other countries.

Today, I wish to call to the attention of readers of the CONGRESSIONAL RECORD the efforts extended by the residents of Roseville, Calif., to the Alaskans who live in Roseville's sister All America City of Seward.

Roseville offered its help at once, and then set to work to anticipate the needed, long-range improvements of Seward. Positive results include a check for $2,570 personally presented by three Roseville men.

The story is not ended. Much remains to be done in Seward and in the other Alaskan cities devastated by that March 27 blow. Efforts of men, women, and children living thousands of miles away have helped and will help.

I am happy to have this opportunity to thank Roseville, Calif., and to express the gratitude that I know the people of Seward and, indeed, all the people of Alaska feel. A report on the efforts of Roseville has been compiled by the president of the chamber of commerce, Dr. Gordon Harris. His report was called to my attention by Representative HAROLD T. "BIZZ" JOHNSON, of California's Second District; and I ask unanimous consent that the report be printed in the RECORD at the close of my remarks.

Representative JOHNSON is a former mayor of Roseville. He has good reason to be proud of the city he represents so ably in the House of Representatives. As a member of the Subcommittee on Mines and Mining of the House Committee on Interior and Insular Affairs, he has worked arduously to help the mining industry, whose health is also important in Alaska.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

ROSEVILLE, CALIF., AID TO SEWARD, ALASKA

Parachute jumpers refer to the term "free fall" in describing a long delayed opening of their chute, always exciting and often suspenseful.

On an analogous basis the people of Roseville started what was for them to be a long, "free fall" in their quest to aid their sister All America City, Seward, Alaska, which was devastated in the earthquake and tidal wave of Good Friday, 1964.

As the first press and radio reports about Seward's plight came in on Saturday, March 28, 1964, Roseville Chamber of Commerce Executive Director Paul Short and Chamber President Dr. Gordon Harris discussed the situation and after consulting with the executive committee of the chamber, began formulating plans to assist Seward. Telegrams were sent to the chamber officers in the other nine All America Cities suggesting action. With communications cut off and only a few grim television pictures of an apparently burning city to view, the two men contacted radio ham Ed Metke who spent many hours at his set talking to some of the Alaska operators trying to get some information about Seward's fate. Meanwhile the basic mechanics for a food and clothing drive were set up over the rest of the weekend, officials at a nearby Air Force base contacted to obtain aircraft for an airlift, and initial contacts made in the community.

Then came the delay. A radio message from City Manager James Harrison, of Seward, relayed by an Alaska radio ham, was received on Wednesday. "We cannot use your help at this time. Your offer is typical of the entire national response to our disaster." Plans were shelved immediately for the food and clothing drive and the people awaited reports in the following weeks on what was to be Seward's fate. Some reports stated the railroad would not be rebuilt and Seward would die.

Then, early in May, Seward's acting assistant city manager, Jack Werner, came to Roseville on a return trip from Washington, D.C., with the good news that the railroad would be rebuilt. He graphically described the city's situation and told what was needed.

Chamber officials used his visit to pull the ripcord and end the long suspenseful "free fall." Now began the great task of recapturing the effect and impact of Seward's disaster after almost 7 weeks.

Roseville is a town of 17,000 people located in the fringe of a great metropolitan area. It has no local radio or television stations, but it does have an energetic and public spirited local newspaper willing to take a message to the people. The paper provided major, front page coverage of all the events in the Seward campaign. Coverage was also provided by the area newspapers as well.

A chamber of commerce committee was established headed by former Alaska resident, Dr. Al Erven, who wrote personal letters to the 75 organizations comprising Roseville's Citizens Congress. Dr. Erven included a graphic personal letter written by one of the earthquake victims. Volunteers appeared before many of the organizations and used a pictorial display prepared by Chamber Executive Director Paul Short, to convey the extent of the disaster and the need for funds.

A tape recording was made of Mr. Werner's talk to the chamber of commerce and was played over regional radio stations both in original and excerpted form. Appearances by Mr. Werner and his comments to newscasters were rerun over radio and television. News releases were prepared by the chamber and a series of events pointing toward the last week in May and the beginning of June were set up as the campaign gained momentum.

At the end of May the 3,000 grade school children of Roseville held a "Seward Day" with voluntary contributions as one major event of the week. Students at the high school voted a direct contribution of funds and then held a special dance with additional proceeds for the Seward fund.

Service clubs, fraternal organizations, school parent groups, women's sororities, and employee groups forwarded funds. The Lions' Club held a special Seward Wednesday meeting and the 52 members raised $170 for the fund through good natured "fines" and contributions from individuals.

A local putting green sponsored a contest between the police chief and the owner of the newspaper with all funds going to Seward.

Without doubt the most successful event was a special Memorial Day hardtop race proposed by track manager Bruno Romani and racing association members Mr. and Mrs. Merion Henderson. The chamber president located Seward businessman Tom Reilly in the San Francisco area who graciously appeared to talk to racing officials and also to lend a publicity impetus to the event.

News releases were prepared, radio and television spots set up, and the racing fans, some new to the sport, responded with the second largest gate in the history of the track. Boy Scouts passed special containers prepared by Mrs. Henderson, the winning driver donated 20 percent of his purse, the fair board rebated part of the stadium rental and food concessionnaires rebated part of their proceeds. The result—$1,000.87 for the people of Seward, Alaska.

A special Seward Sunday collection was arranged by members of the Roseville Ministerial Association to coincide with the June 28 weekend when Seward received its long-delayed All America City Award.

The Roseville Civic Theater prepared a special 3-hour centennial show with half of the proceeds going to the Seward fund.

Trade unions have raised several hundred dollars by "passing the hat" among members and by direct contributions by vote of union members.

Contributions have come in not only from all these organizations but from just plain citizens, some with special letters accompanying the funds stating personal feelings. Included in this classification are some contributions from retired people in the community.

The committee assigned the task of handling the Seward campaign felt strongly that a real effort should be made to give personal meaning to the people of Roseville who had contributed funds. The chamber staff arranged material for a scrapbook covering the letters sent in by people, newspaper clippings following the course of the campaign and other material of interest to the people of Seward. In addition a tape recording was made with many contributors or representative of a group stating his own feelings about the respective contribution. A copy of the excellent talk given by Jack Werner was also included.

At the suggestion of Chamber Executive Director Paul Short, local pilots were contacted and a group of physicians volunteered their plane for a direct flight to Seward. One of the physicians, Dr. Jack Watkins, a former Navy carrier pilot in World War II, offered to fly the plane up. He was joined by another pilot, Glenn Engle, operator of his own flying service who volunteered to share flying and navigation duties on the 5,000-mile trip.

Since survival gear occupied the weight factor of one passenger space, the only remaining space was allotted to Rex Hosea, a vacationing television cameraman who provided his own film to record the journey and also the efforts of the people of Seward toward rebuilding. This films will provide a complete report to the people of Roseville and the surrounding regional area and may spur even more interest in Seward's phoenix-like return to its former status.

The three men delivered a $2,570 check to Seward residents. Roseville's campaign is perhaps unique not in its fund total, but in that it represents a broad base effort involving the total community acting under the leadership of an aggressive chamber of commerce. Citizens have advanced unusual ideas such as the special car race and seen them through to completion. Young school children have participated along with adults. The entire campaign has been a total community effort—the real citizen action found in any vital city.

Roseville has no local community chest, no local Red Cross funds, and over 50 percent of its people already participate in similar efforts at places of employment in the adjacent metropolitan area. This entire campaign was all an extra effort on the part of these citizens.

By way of analogy, the Seward campaign required "rekindling the flame of an old romance" in this case through much publicity some 2 months after Seward's disaster. The flame was rekindled and has burned brightly.

These funds do not go as relief or a handout but are sent by an admiring citizenry who see a small community of 1,800 people meeting the great challenge of survival head-on. It is hoped that the tenacity and desire to come back previously evidenced by the people of Seward in receiving All America City recognition, will be given fresh impetus by the knowledge that young children, working adults and even pensioners, dug a little deeper to help. They all had one sincere desire—to reach out across 3,000 miles and help another city come back from disaster to destiny.

THE VIEWS OF BANKERS ON THE SO-CALLED 25-PERCENT GOLD COVER

Mr. DOUGLAS. Mr. President, as shown in the Congressional Record, at page 63, last January I commented on the inquiries which the Joint Economic Committee had been making of leading bankers as to the advantages and disadvantages of modifying or repealing the 25-percent gold reserve requirement against Federal Reserve note and deposit liabilities. In addition to the comments previously cited, comments by another banker have just come to my attention and I think they will be of interest to all who believe that the requirement no longer serves a useful domestic purpose, and weakens the international position of the dollar.

I ask unanimous consent to have printed at this point in the Record a clipping from the American Banker of August 25.

There being no objection, the article was ordered to be printed in the Record, as follows:

Lower Fed 25-Percent Gold Cover, Bunting Urges at Pennsylvania Bankers Association School Opener

Lewisburg, Pa.—Now is the time to lower the 25-percent gold cover needed by the Federal Reserve for its obligations, John R. Bunting, vice president and economist, First Pennsylvania Banking & Trust Co., Philadelphia, urged here.

The former Federal Reserve Bank of Philadelphia official addressed the opening banquet Sunday of the 1964 Pennsylvania School of Banking, conducted by the Pennsylvania Bankers Association at Bucknell University.

"The gold situation is not critical at this precise moment," Mr. Bunting said, "but why wait for a crisis before taking action?"

He noted that gold backing has been hovering around the 29-percent level, and as such, has not yet hampered Federal Reserve policy, but it could soon.

"All kinds of uncertainties would creep into the thinking of the business and banking communities if the ratio were permitted to ease down further toward 25 percent," he said. "Action now would allay apprehension and permit a continuation of the sound business and banking policies of the recent past."

He said there's no magic in the 25 percent figure. Before the end of World War II, the requirement was 40 percent. "Most foreign nations have no formal gold cover requirements," he added and warned that a 25-percent gold cover soon will impinge on the Fed's ability to add to the money supply.

"This must not be permitted to happen," he said.

THE AMERICAN PEOPLE REGARD GOLDWATER AS RADICAL AND JOHNSON AS MIDDLE OF ROADER

Mr. McGOVERN. Mr. President, Louis Harris, one of the Nation's most experienced public-opinion samplers, has learned that American voters tend to regard GOP presidential candidate Goldwater as a "radical," whereas they view President Johnson as a "middle of the roader." Forty-five percent of the voters believe Goldwater to be a radical, whereas only 3 percent so identify President Johnson. Eight percent of the people identified Goldwater as a middle of the roader, whereas 42 percent so identified President Johnson.

I agree with the judgment of the American people on this issue. I regard Mr. Goldwater as the most unstable radical and extremist ever to run for the Presidency in either political party. His views on both domestic-policy issues and foreign-policy issues place him outside the time-honored traditions of American political life.

On the other hand, President Johnson has demonstrated, during his years as majority leader of the Senate, under President Eisenhower, and as Vice President with President Kennedy, and now as President, that he is a reasonable, responsible, restrained leader, suited both by intellect and temperament to lead the most powerful nation in the world.

Mr. Goldwater, for example, would give military commanders in the field the power to start a nuclear war, rather than maintain that authority in the Presidency, where it has always resided. This is dangerous radicalism of the worst kind.

Mr. President, I ask unanimous consent to have printed in the Record the results of the Harris poll, as published today in the Washington Post; and also an editorial deploring the Goldwater nuclear-war policy. The editorial was published today in the Washington Daily News, a Scripps-Howard newspaper.

There being no objection, the article and the editorial were ordered to be printed in the Record, as follows:

[From the Washington Post, Sept. 8, 1964]

Many View Election as Pitting Radical and Middle of Roader

(By Louis Harris)

In the view of many American voters, this year's presidential campaign is a contest between a "radical"—Senator Barry Goldwater—and a "middle of the roader"—President Johnson.

By this measure, the electorate does indeed feel that in the two candidates for the Presidency it has "a choice and not an echo." But the claim of Senator GOLDWATER's supporters that their candidate stands for the conservative philosophy of government and that Mr. Johnson symbolizes the liberal is not the way most people see it, at least at this stage of the campaign.

In this survey of a carefully selected cross section of American voters we sought to determine how their conceptions of the political philosophies of the major candidates compared with their own. After asking them to rate themselves, we asked:

"Where would you say each of these people stands politically—conservative, middle of the road, liberal, or radical—(Johnson, Miller, Goldwater, Humphrey)?"

Voter position versus candidates' position

[In percent]

	Voters consider—		
	Themselves	Goldwater	Johnson
Conservative	36	40	25
Middle of road	44	8	42
Liberal	19	7	30
Radical	1	45	3

It is immediately apparent that most voters believe Senator GOLDWATER to be far more radical than they are themselves. In fact, the public sees itself as somewhere between middle of the road and conservative in its current mood. By contrast, in the view of most people, Senator GOLDWATER ranks somewhere between conservative and radical.

Mr. Johnson is considered to stand between the liberal and middle-of-the-road positions, although one voter in every four believe he is a conservative. Carefully, the Democratic candidate is much closer to the national norm than the Republican nominee.

The candidates for Vice President present a somewhat different pattern. Republican WILLIAM MILLER is looked on as a conservative, while Democratic HUBERT HUMPHREY is thought of as a liberal. However, more people believe Senator HUMPHREY is either a conservative or middle of the roader than think he is a liberal. And one in six feel that Mr. MILLER is a radical. Here is how voters stand vis-a-vis Senator HUMPHREY and Representative MILLER:

Voters' position versus vice presidential candidates' position

[In percent]

	Voters consider—		
	Themselves	Miller	Humphrey
Conservative	36	46	21
Middle of road	44	26	32
Liberal	19	11	41
Radical	1	17	6

Some have suggested that in Senator HUMPHREY, the Democrats selected an "extreme liberal" to balance Senator GOLDWATER's stand as an "extreme conservative." The results of this survey clearly show that at least at the beginning of the campaign, the public sees no such counterpoise. And realistically, the positions of the vice-presidential candidates will have less to do with the outcome of the election than those of the top men on the tickets.

In 1952, General Eisenhower convinced voters that his was essentially a middle of the road and conservative position which reflected that of the country as a whole. In 1964, much of Mr. Johnson's current wide lead can be attributed to his ability to impress as a middle of the roader.

[From the Washington Daily News, Sept. 8, 1964]

JOHNSON IN DETROIT

President Johnson clearly accepted the challenge of Senator GOLDWATER as to policy on nuclear weapons when he opened his campaign yesterday in Detroit.

Mr. Johnson stressed his work on behalf of the nuclear test ban treaty, which Senator GOLDWATER opposed in the Senate. He took responsibility for cutting back "unnecessary nuclear production."

Senator GOLDWATER has urged that NATO commanders have authority to use tactical nuclear weapons.

To this President Johnson's answer was plain:

"For 19 peril-filled years no nation has loosed the atom against another. To do so now, is a political decision of the highest order. It would lead us down an uncertain path of blows and counterblows whose outcome none may know. No President of the United States can divest himself of the responsibility for such a decision."

With that we agree heartily. We trust Senator GOLDWATER will still further reconsider his views on this issue.

We have no doubt a vast majority of the public favors keeping responsibility for the bomb right where it is. That is the law and there is no remote chance Congress will change it, whoever wins the election.

President Johnson's manner in Detroit tended to confirm reports he will try to keep his campaigning on an impersonal, abstract level, leaving the rough-and-tumble to his running mate, Senator HUBERT HUMPHREY. In the speech which opened his campaign he mentioned no names, made no accusations. His emphasis was on national unity and brotherhood, peace and prosperity.

These aims, of course, are universal, and this speech, dealing in general principle, lacked detail on means to achieve them. Actually, it involved little novelty since even President Johnson's stand on nuclear policy had been stated many time before.

The speech also lacked partisan fire but that, apparently, was deliberate—the soft answer which turneth away wrath. The Democratic fireworks apparently are to be expected later.

CHARLES TAFT ON APPORTIONMENT ISSUE

Mr. McGOVERN. Mr. President, one of the Nation's most respected citizens, Charles P. Taft, of Cincinnati, Ohio, has written to the Washington Daily News a thoughtful letter in which he states some of the weaknesses in the case of those who are trying to have the Supreme Court's decision on legislative apportionment set aside.

I ask unanimous consent to have printed in the RECORD Mr. Taft's letter, which was published today in the Washington Daily News.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, Sept. 8, 1964]

CHARLES TAFT REPLIES TO OUR EDITORIAL

I note with interest your "system" editorial on apportionment of State legislatures. Your argument is summarized in the last paragraph, which reads as follows:

"Why shouldn't it be made constitutional for the voters of California, for instance, if they so choose, to set up one house of its legislature on an other-than-population basis to keep Los Angeles County from dominating its legislature."

You neglect one very important historical fact. The Constitution provided for two Senators from each State as the "great compromise" essential to secure the ratification of the Constitution. The smaller States would not have gone along except on this basis.

The great compromise has been damned at frequent intervals since 1787, especially after events like the defeat of the League of Nations by the Senate in 1920, or the kowtowing to the "silver" Senators at various times in the last 30 years before silver became scarce.

Your suggestion of one house not based on population, designed to protect the rest of the State from Los Angeles County, clearly implies that the people of Los Angeles County are somehow second-class citizens. The same comment would imply to similar suggestions about Ohio or any other State. They put Cincinnatians or Clevelanders in the category of second-class citizens.

In 1647, the famous Putney debate took place between Cromwell and the Levellers who were the representatives of Cromwell's army. Cromwell claimed that if anything but property qualifications qualified a man to vote, then those without property, being more numerous, would take the property away from those that had it.

The Levellers insisted that the poorest man in England had a life to live as much as the richest man, and "Therefore, sir, I think it is clear that no man should be under a government except by his own consent."

Cromwell has been proven wrong, and the Levellers right.

This is the heart of our democracy, and your proposal rejects it.

CHARLES P. TAFT.

CINCINNATI, OHIO.

CAN WHALES SURVIVE?

Mr. BARTLETT. Mr. President, can whales survive? I only wish I knew the answer to this question. Men of good will of all nations can, when acting in concert, insure that this mighty mammal will survive far into the future, and perhaps for as long as any life at all is left on this earth or in the seas. But the greed of man, his insatiable desire for profit, no matter what the consequences may be, is imperiling the whale population. It can soon be lost to us. We had thought the formation and the operations of the International Whaling Commission would serve to preserve the stocks of whales, which has been declining at a dangerous rate, especially in the Antarctic, the largest whaling area of all. Many nations became concerned over the reduction of this international resource. In 1960, at the annual meeting of the International Whaling Commission, a motion was passed—largely at the initiative of the United States—to appoint a committee of scientists to study the Antarctic whale stocks and to recommend conservation measures. All members of the Commission—including Japan—agreed to abide by the recommendations of the scientists, and to accept such recommendations as binding after July 31, 1964.

What happened? What happened—or, rather, what failed to happen—is alarming. Scientists presented, this year, recommendations for smaller whale catches. The Japanese delegation refused to accept these findings. The Director General of the Food and Agricultural Organization of the United Nations sent to the meeting two letters pleading with all members to recognize the need for whale conservation. The evidence points strongly and definitely to the fact that the Japanese ignored the letters and all other protests.

Mr. President, the August 1964 issue of the Fishermen's News, an authoritative publication, printed at Seattle, published an editorial report entitled "The Case Against Japan." It was written by John Wedin.

So far as I can discover, the statements made in the report are accurate. Mr. Wedin is a specialist in all matters having to do with the world's fisheries. His report is a somber one. Nevertheless, it should be read by all who want to be sure that the stocks of the things that live today, land and marine, will not disappear forever.

I ask unanimous consent that the editorial report by Mr. Wedin be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From Fishermen's News, August 1964]

Japan is catching whales in the Antarctic—the world's best whaling grounds—with such an irascible greed that the whale stocks soon will be extinct or so reduced that they can never recover. Japan has disregarded the warnings of eminent biologists and has refused to abide by her obligations under the International Whaling Convention. As is so often the case, other countries which might otherwise undertake whale conservation measures, will seek to follow Japan's shortsighted leadership to join in the kill.

This is not the first example of conservation—Japanese style. Japan's fishery record—both at home and on the seas of the world—is one of systematic depradation.

Their policy of expansion into new areas to maintain a growing fleet and to increase catches can work reasonably well as long as new areas remain, but the day of reckoning is near at hand. There will be no new, unexploited areas for Japan's greedy and expanding fleet to harvest beyond sustained yield.

Eminent Japanese biologist Dr. Kasahara in 1961 lectures at the University of British Columbia charged that United States and Canadian conservation of halibut stocks was an example of "overemphasized" biology. The record book is well documented with the "underemphasized" techniques of Japan in the eastern Bering Sea halibut conditions of 1964.

The examples of Japan's protein greed at the cost of total depletion are numerous and thoroughly documented. The present policy toward Antarctic whales is merely another example.

The whales are an international resource, and, if they are properly conserved, can be utilized profitably by many countries. Participating governments have expressed concern over the state of whale stocks. They have proposed drastic conservation measures. Japan has blocked them.

Japan is neither novice nor small factor in world whaling. She boasts the world's largest whaling fleets—takes more than half the whale catch.

Japan is quick to answer that she agrees each year to a whale quota. The numbers accepted, however, are farcical in view of scientific evidence of declining whale stocks. Japan agreed to a quota in Eastern Bering Sea as well, far below her recommended figure and even then the resource is staggering. Japan agreed reluctantly to a provisional line to help protect U.S. salmon stocks. Bristol Bay is a failure again in 1964. In whaling, there are barely enough whales left each year in the ocean to comprise Japan's accepted quotas.

The United States is a member of the 17-nation International Whaling Commission, as is Japan. Though the United States has not hunted whales in the Antarctic since 1939, she has retained membership in the Commission in the hope that conservation might be served. She has pressed diligently for protective measures.

In 1960, the Commission agreed to appoint a committee of scientists to study the Antarctic whale stocks and to recommend conservation measures. All members agreed to abide by the recommendations which were to be effective by July 31 of this year.

The scientists were selected—one from the United States, one from New Zealand, and a third from the Food and Agriculture Organization of the United Nations. They selected the blue, fin, and humpback whales as a basis for study as 30 years of statistics were available.

The trio found that the catch of blue whales had declined from a postwar high of 9,192 in 1946–47 to only 102 in 1963–64; fin whales, from 28,761 in 1960–61 to 13,870 in 1963–64; and humpbacks from 2,394 in 1958–59 to only 2 whales in 1963–64. The handwriting, long visible on the wall, was transferred to the annual meeting's blackboard for all to see.

In June of this year, the world whaling nations gathered at Sandefjord, Norway, to study the report. There was little doubt—aside from Japan—as to the gravity of the situation. The International Whaling Commission outlined two proposals if the resource was to survive (1) cease catching blue and humpback whales for 50 years, (2) cease catching fin whales for 8 years; then resume capture with a total annual limit of 20,000 whales, or, continue catching them at the rate of 4,000 per year for the next 11 to 13 years, and resume higher levels of capture thereafter.

For the record, in 1962–63 Japan alone took 10,475 of a total Antarctic catch of 18,668 fin whales; in 1963–64, 8,453 out of 13,870.

Expected Japanese opposition was strong from the beginning. Noting that the report would be forthcoming in 1964, Japan last year refused to reaffirm her commitment to abide by the recommendations of the scientific committee.

The rest is history. Japan, leader in the commercial whaling business, refused to accept the findings. Instead, she made a separate agreement with the other Antarctic whaling countries—U.S.S.R., Norway, and the Netherlands. They, Japan principally of course, would harvest an international quota of 8,000 blue-whale units. Under standard whaling measures, one blue whale unit equals one blue whale, two fin whales or two and one-half humpback whales.

The quota is too high. Whaling stocks are in jeopardy, and a world fishery resource is teetering at the edge of oblivion. Japan has won another international conservation skirmish. Japan's greedy commercialization has once again defeated world conservation at the bargaining table. It is not unlike her conduct in the North Pacific and in the other sea fisheries of the world.

The pity is that there may never be a rebuilding of stocks. Unlike halibut, salmon, and other resources which Japan now seeks to exploit in the North Pacific, the whale stocks, once reduced to the edge of extinction may never attain commercially exploitable size no matter what future conservation measures may be applied. The horse is gone, the barn door is open; closing it now would not even save face.

The Japanese, previously concerned only with saving face in international dealings, are now seeking the Madison Avenue goal of "image." The recent Japanese delegation which visited the United States is a part of this program for better fishery image in the world fisheries. Even while Mr. Kobayashi and company were shaking hands with U.S. fishery conservationists, Japanese ships were steaming to Prince William Sound to gobble up the gleanings of a salmon price dispute—not, in our opinion, so much for immediate profit but to plant a foot in the door of raw fish trade which can only lead to further participation in the effort, eventually the catching of the fish.

Even as the Japanese as visitors spoke of "better understanding"—closer relationships to insure a lasting North Pacific resource for all participating nations, the Japanese whaling fleets were ominously preparing for the kill. The time has come for fishermen and fisheries representatives to recognize Japan for what she is, a greedy nation to which conservation is a child's game, unfit for the rugged commercialized ocean fisheries. A nation which regards abstention as a tottering formula, unfit for useful fishery management. A nation which seeks an image in the form of a painted face.

The fishery "Pearl Harbor" is as well calculated, but there should be no element of surprise. The record, from Japan's local flounder fishery to her most recent record in whaling, is there for all to see.

As Soviet Russia is to peace, so is Japan to world fisheries.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

The Chair lays before the Senate the unfinished business.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes—cloture motion.

The PRESIDING OFFICER. The question is on agreeing to the so-called Dirksen amendment.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments of the Senate numbered 1, 2, and 3 to the bill (H.R. 5159) to authorize and direct that certain lands exclusively administered by the Secretary of the Interior be classified in order to provide for their disposal or interim management under principles of multiple use and to produce a sustained yield of products and services, and for other purposes, severally with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendments of the Senate numbered 3, 4, and 5 to the bill (H.R. 5498) to provide temporary authority for the sale of certain public lands; and that the House concurred in the amendments of the Senate numbered 1, 2, 6, 7, and 8 to the bill, severally with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H.R. 12371) to amend the District of Columbia Sales Tax Act to provide an exemption for operations of the majority and minority rooms of the House of Representatives from the taxes imposed by such act and the District of Columbia Use Tax Act, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 12371) to amend the District of Columbia Sales Tax Act to provide an exemption for operations of the majority and minority rooms of the House of Representatives from the taxes imposed by such act and the District of Columbia Use Tax Act, was read twice by its title and referred to the Committee on the District of Columbia.

ECONOMIC DEVELOPMENT PROGRAMS FOR DEVELOPMENT OF THE APPALACHIAN REGION

Mr. MANSFIELD. Mr. President, the way of the peacemaker is hard, indeed. It is with trepidation that I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 1318, S. 2782.

I do so with the stipulation that no votes will be taken on this measure today or tomorrow and that Senators who are interested in speaking on the Dirksen-Mansfield amendment will have ample opportunity to do so.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from Montana?

Mr. DOUGLAS. Mr. President, reserving the right to object—and I shall not object—I take it that the distinguished majority leader intends that the debate should open today.

Mr. MANSFIELD. Yes.

Mr. DOUGLAS. In that case, I think there should be a quorum call, so that the opening speech may be heard by a proper number of Senators. I do not wish to usurp the functions of the majority leader, but I hope that he will suggest the absence of a quorum, so that we may have a proper audience to listen to the opening address by the distinguished Senator from West Virginia [Mr. RANDOLPH], which I assume will follow.

Mr. MANSFIELD. I shall be delighted to do so. The Senator from Illinois anticipated my thoughts.

Mr. DOUGLAS. I am glad that we move together.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PROXMIRE. Is this the Appalachia bill?

Mr. MANSFIELD. Yes.

Mr. PROXMIRE. It is my understanding that two or three Senators were waiting, before the morning hour, to speak on the Dirksen amendment.

Mr. MANSFIELD. They will have ample opportunity to do so.

The **PRESIDING OFFICER.** The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2782) to provide public works and economic development programs and the planning and coordination needed to assist in the development of the Appalachian region.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Appalachian Regional Development Act of 1964".

Findings and Statement of Purpose

SEC. 2. The Congress hereby finds and declares that the Appalachian region of the United States, while abundant in natural resources and rich in potential, lags behind the rest of the Nation in its economic growth and that its people have not shared properly in the Nation's prosperity. The region's uneven past development, with its historical reliance on a few basic industries and a marginal agriculture, has failed to provide the economic base that is a vital prerequisite for vigorous, self-sustaining growth. The State and local governments and the people of the region understand their problems and have been working and will continue to work purposefully toward their solution. The Congress recognizes the comprehensive report of the President's Appalachian Regional Commission documenting these findings and concludes that regionwide development is feasible, desirable, and urgently needed. It is, therefore, the purpose of this Act to assist the region in meeting its special problems, to promote its economic development, and to establish a framework for joint Federal and State efforts toward providing the basic facilities essential to its growth and attacking its common problems and meeting its common needs on a coordinated and concerted regional basis. As the region obtains the needed physical and transportation facilities and develops its human resources, the Congress expects that the region will generate a diversified industry, and that the region will then be able to support itself, through the workings of a strengthened free enterprise economy.

TITLE I—THE APPALACHIAN REGIONAL COMMISSION

Membership and Voting

SEC. 101. (a) There is hereby established an Appalachian Regional Commission (hereinafter referred to as the "Commission") which shall be composed of one Federal member, hereinafter referred to as the "Federal representative", appointed by the President by and with the advice and consent of the Senate, and one member from each participating State in the Appalachian region. The Federal representative shall be a Cochairman of the Commission. Each State member may be the Governor, or his designee, or such other person as may be provided by the law of the State which he represents. The State members of the Commission shall elect a Cochairman of the Commission from among their number.

(b) Except as provided in section 105, decisions by the Commission shall require the affirmative vote of the Federal representative and of a majority of the State members (exclusive of members representing States delinquent under section 105). In matters coming before the Commission, the Federal representative shall, to the extent practicable, consult with the Federal departments and agencies having an interest in the subject matter.

(c) Each State member shall have an alternate, appointed by the Governor or as otherwise may be provided by the law of the State which he represents. The President, by and with the advice and consent of the Senate, shall appoint an alternate for the Federal representative. An alternate shall vote in the event of the absence, death, disability, removal, or resignation of the State or Federal representative for which he is an alternate.

(d) The Federal representative shall be compensated by the Federal Government at level IV of the Federal Executive Salary Schedule of the Federal Executive Salary Act of 1964. His alternate shall be compensated by the Federal Government at not to exceed the maximum scheduled rate for grade GS-18 of the Classification Act of 1949, as amended, and when not actively serving as an alternate for the Federal representative shall perform such functions and duties as are delegated to him by the Federal representative. Each State member and his alternate shall be compensated by the State which they represent at the rate established by the law of such State.

Functions of the Commission

SEC. 102. In carrying out the purposes of this Act, the Commission shall—

(1) develop, on a continuing basis, comprehensive and coordinated plans and programs and establish priorities thereunder, giving due consideration to other Federal, State, and local planning in the region;

(2) conduct and sponsor investigations, research, and studies, including an inventory and analysis of the resources of the region, and, in cooperation with Federal, State, and local agencies, sponsor demonstration projects designed to foster regional productivity and growth;

(3) review and study, in cooperation with the agency involved, Federal, State, and local public and private programs and, where appropriate, recommend modifications or additions which will increase their effectiveness in the region;

(4) formulate and recommend, where appropriate, interstate compacts and other forms of interstate cooperation, and work with State and local agencies in developing appropriate model legislation;

(5) encourage the formation of local development districts;

(6) encourage private investment in industrial, commercial, and recreational projects;

(7) serve as a focal point and coordinating unit for Appalachian programs;

(8) provide a forum for consideration of problems of the region and proposed solutions and establish and utilize, as appropriate, citizens and special advisory councils and public conferences; and

(9) advise the Secretary of Commerce on applications for grants for administrative expenses to local development districts.

Recommendations

SEC. 103. The Commission may, from time to time, make recommendations to the President and to the State Governors and appropriate local officials with respect to—

(1) the expenditure of funds by Federal, State, and local departments and agencies in the region in the fields of natural resources, agriculture, education, training, health and welfare, and other fields related to the purposes of this Act; and

(2) such additional Federal, State, and local legislation or administrative actions as the Commission deems necessary to further the purposes of this Act.

Liaison Between Federal Government and the Commission

SEC. 104. The President shall provide effective and continuing liaison between the Federal Government and the Commission and a coordinated review within the Federal Government of the plans and recommendations submitted by the Commission pursuant to sections 102 and 103.

Administrative Expenses of the Commission

SEC. 105. (a) For the period ending on June 30 of the second full Federal fiscal year following the date of enactment of this Act, the administrative expenses of the Commission shall be paid by the Federal Government. Thereafter, such expenses shall be paid equally by the Federal Government and the States in the region. The share to be paid by each State shall be determined by the Commission. The Federal representative shall not participate or vote in such determination. No assistance authorized by this Act shall be furnished to any State or to any political subdivision or any resident of any State, nor shall the State member of the Commission participate or vote in any determination by the Commission while such State is delinquent in payment of its share of such expenses.

(b) Not to exceed $2,200,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

Administrative Powers of Commission

SEC. 106. To carry out its duties under this Act, the Commission is authorized to—

(1) adopt, amend, and repeal bylaws, rules, and regulations governing the conduct of its business and the performance of its functions.

(2) appoint and fix the compensation of an executive director and such other personnel as may be necessary to enable the Commission to carry out its functions, except that such compensation shall not exceed the salary of the alternate to the Federal representative on the Commission as provided in section 101. No member, alternate, officer, or employee of the Commission, other than the Federal representative on the Commission and his alternate and Federal employees detailed to the Commission under paragraph (3) shall be deemed a Federal employee for any purpose.

(3) request the head of any Federal department or agency (who is hereby so authorized) to detail to temporary duty with the Commission such personnel within his administrative jurisdiction as the Commission may need for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(4) arrange for the services of personnel from any State or local government or any subdivision or agency thereof, or any intergovernmental agency.

(5) make arrangements, including contracts, with any participating State government for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for, or continue in, another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel. The Civil Service Commission of the United States is authorized to contract with the Commission for continued coverage of Commission employees, who at date of Commission employment are Federal employees, in the retirement program and other employee benefit programs of the Federal Government.

(6) accept, use, and dispose of gifts or donations of services or property, real, personal, or mixed, tangible or intangible.

(7) enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in carrying out its functions and on such terms as it may deem appropriate, with any department, agency, or instrumentality of the United States or with any State, or any political subdivision, agency, or instrumentality thereof, or with any person, firm, association, or corporation.

(8) maintain a temporary office in the District of Columbia and establish a permanent office at such location as it may select and field offices at such other places as it may deem appropriate.

(9) take such other actions and incur such other expenses as may be necessary or appropriate.

Information

SEC. 107. In order to obtain information needed to carry out its duties, the Commission shall—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable, a Cochairman of the Commission, or any member of the Commission designated by the Commission for the purpose, being hereby authorized to administer oaths when it is determined by the Commission that testimony shall be taken or evidence received under oath;

(2) arrange for the head of any Federal, State, or local department or agency (who is hereby so authorized, to the extent not otherwise prohibited by law) to furnish to the Commission such information as may be available to or procurable by such department or agency; and

(3) keep accurate and complete records of its doings and transactions which shall be made available for public inspection.

Personal Financial Interests

SEC. 108. (a) Except as permitted by subsection (b) hereof, no State member or alternate and no officer or employee of the Commission shall participate personally and substantially as member, alternate, officer, or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter in which, to his knowledge, he, his spouse, minor child, partner, organization (other than a State or political subdivision thereof) in which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest. Any person who shall violate the provisions of this subsection shall be fined not more than $10,000, or imprisoned not more than two years, or both.

(b) Subsection (a) hereof shall not apply if the State member, alternate, officer, or employee first advises the Commission of the nature and circumstances of the proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter and makes full disclosure of the financial interest and receives in advance a written determination made by the Commission that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Commission may expect from such State member, alternate, officer, or employee.

(c) No State member or alternate shall receive any salary, or any contribution to or supplementation of salary for his services on the Commission from any source other than his State. No person detailed to serve the Commission under authority of paragraph (4) of section 106 shall receive any salary or any contribution to or supplementation of salary for his services on the Commission from any source other than the State, local, or intergovernmental department or agency from which he was detailed or from the Commission. Any person who shall violate the provisions of this subsection shall be fined not more than $5,000, or imprisoned not more than one year, or both.

(d) Notwithstanding any other subsection of this section, the Federal representative and his alternate on the Commission and any Federal officers or employees detailed to duty with it pursuant to paragraph (3) of section 106 shall not be subject to any such subsection, but shall remain subject to sections 202 through 209 of title 18, United States Code.

(e) The Commission may, in its discretion, declare void and rescind any contract, loan, or grant of or by the Commission in relation to which it finds that there has been a violation of subsection (a) or (c) of this section, or any of the provisions of sections 202 through 209, title 18, United States Code.

TITLE II—SPECIAL APPALACHIAN PROGRAMS

Part A—New programs

Appalachian Development Highway System

SEC. 201. (a) The Secretary of Commerce (hereafter in this section referred to as the "Secretary" is authorized to assist in the construction in the region of an Appalachian development highway system (not to exceed a total of two thousand eight hundred and fifty miles in length of which not to exceed five hundred miles shall be local access roads that will serve specific recreational, residential, commercial, industrial, or other like facilities or will facilitate a school consolidation program). The system, in conjunction with the Interstate System and other Federal-aid highways in the region will provide a highway system which will open up an area or areas with a developmental potential where commerce and communication have been inhibited by lack of adequate access. The provisions of title 23, United States Code, that are applicable to Federal-aid primary highways, and which the Secretary determines are not inconsistent with this Act, shall apply to the Appalachian development highway system.

(b) As soon as feasible, the Commission shall submit to the Secretary its recommendations with respect to (1) the general corridor location and termini of the development highways, (2) the designation of local access roads to be constructed, (3) priorities for construction of the local access roads and of the major segments of the development highways, and (4) other criteria for the program authorized by this section. Before any State member participates in or votes on such recommendations, he shall have obtained the recommendations of the State highway department of the State which he represents.

(c) The Secretary shall have authority to approve in whole or in part such recommendations or to require modifications or revisions thereof. In no event shall the Secretary approve any recommendations for any construction which would require for its completion the expenditure of Federal funds (other than funds available under title 23, United States Code) in excess of the appropriation authorizations in subsection (g). On its completion each development highway not already on the Federal-aid primary system shall be added to such system and shall be required to be maintained by the State.

(d) In the construction of highways and roads authorized under this section, the States may give special preference to the use of mineral resource materials indigenous to the Appalachian region.

(e) For the purposes of research and development in the use of coal and coal products in highway construction and maintenance, the Secretary is authorized to require each participating State, to the maximum extent possible, to use coal derivatives in the construction of not to exceed 10 per centum of the roads authorized under this Act.

(f) Federal assistance to any construction project under this section shall not exceed 50 per centum of the costs of such project, unless the Secretary determines, pursuant to the recommendation of the Commission, that assistance in excess of such percentage is required in furtherance of the purposes of this Act, but in no event shall such Federal assistance exceed 70 per centum of such costs.

(g) To carry out this section, there is hereby authorized to be appropriated $840,000,000.

Demonstration Health Facilities

SEC. 202. (a) In order to demonstrate the value of adequate health and medical facilities in the region, the Secretary of Health, Education, and Welfare is authorized to make grants for the construction, equipment, and operation of multicounty demonstration health facilities, including hospitals, regional health diagnostic and treatment centers, and other facilities necessary to health. Grants for such construction (including initial equipment) shall be made in accordance with the applicable provisions of title VI of the Public Health Service Act (42 U.S.C. 291–291z) and the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (77 Stat. 282), without regard to any provisions therein relating to appropriation authorization ceiling or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

(b) No grant under this section for construction (including initial equipment) shall exceed 80 per centum of the cost of the project. Not to exceed $41,000,000 of the funds authorized in section 401 shall be available for construction grants under this section.

(c) Grants under this section for operation (including equipment other than initial equipment) of a project may be made up to 100 per centum of the costs thereof for the two-year period beginning on the first day such project is in operation as a health facility. For the next three years of operations such grants shall not exceed 50 per centum of such costs. No grants for operation of a project shall be made after five years following the commencement of such operations. Not to exceed $28,000,000 of the funds authorized in section 401 of this Act shall be available for operating grants under this section.

Pasture Improvement and Development

SEC. 203. (a) In order to promote the conservation and fuller utilization of the region's important land and water resources, the Secretary of Agriculture is authorized to make grants to landowners to assist in the improvement and development of pastureland for livestock in the region. Grants to any landowner under this section shall not exceed 80 per centum of the costs of improving and developing twenty-five acres of pastureland owned by such landowner. Such improvement and development of pastureland shall be carried out under the provisions of an agreement to be entered into by the landowner and the Secretary of Agriculture, for such period not to exceed ten years as the Secretary may determine, which shall include such terms and conditions as the Secretary may deem necessary to effectuate the purposes of this section and to assure that such improvement and development of pastureland will be properly established, and adequately maintained during the period of agreement, in accordance with technically sound standards and procedures.

(b) In carrying out the provisions of this section, the Secretary of Agriculture shall utilize the services of the Soil Conservation Service, and the State and local committees provided for in section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590(b)), and is authorized to utilize the facilities, services, and authorities of the Commodity Credit Corporation. The Corporation shall not make any expenditures to carry out the provisions of this subsection unless funds specifically appropriated for such purpose have been transferred to it.

(c) Not to exceed $17,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

Timber Development Organizations

SEC. 204. (a) In order that the region shall more fully benefit from the timber stands that are one of its prime assets, the Secretary of Agriculture is authorized to—

(1) provide technical assistance in the organization and operation, under State law, of timber development organizations having as their principal objective the carrying out of timber development programs to achieve improved timberland productivity, better quality timber, and an increased return for landowners through (A) continuity of management, cutting practices, and marketing, (B) the administrative or physical consolidation of small holdings into efficient management units, and (C) other appropriate timber growing practices;

(2) provide not more than one-half of the initial capital requirements of such a timber development organization, to be used only for the improvement of timber growing, including better management, cutting, and marketing of timber, through loans under the applicable provisions of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1926 et seq.). (b) Not to exceed $5,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

Mining Area Restoration

SEC. 205. (a) In order to further the economic development of the region by rehabilitating areas presently damaged by deleterious mining practices, the Secretary of the Interior is authorized to—

(1) make financial contributions to States in the region to seal and fill voids in abandoned coal mines in accordance with the provisions of the Act of July 15, 1955 (30 U.S.C. 571 et seq.), without regard to section 2(b) thereof (30 U.S.C. 572(b) or to any provisions therein limiting assistance to anthracite coal formations, or to the Commonwealth of Pennsylvania. Grants under this paragraph shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act.

(2) plan and execute projects for extinguishing underground and outcrop mine fires in the region in accordance with the provisions of the Act of August 31, 1954 (30 U.S.C. 551 et seq.), without regard to any provisions therein relating to annual appropriation authorization ceilings. Grants under this paragraph shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act.

(3) expand and accelerate fish and wildlife restoration projects in the region in accordance with the provisions of the Act of September 2, 1937 (16 U.S.C. 669 et seq.), and the Act of August 9, 1950 (16 U.S.C. 777 et seq.), without regard to any provisions therein relating to apportionments among the States and to limitations on the availability of funds. The expenses of projects under this paragraph shall be paid solely out of funds specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the computation of the apportionments among the States pursuant to any other provisions of law.

(b) For the fiscal years 1965 and 1966, notwithstanding any other provision of law, the Federal share of mining area restoration projects carried out under subsection (a) of this section and conducted on lands other than federally owned lands shall not exceed 75 per centum of the total cost thereof. Strip mine restoration projects shall be carried out only on lands, public or private, on which there is provided access and use by the public to assure an adequate public benefit.

(c) The Congress hereby declares its intent to provide for a study of a comprehensive, long-range program for the purpose of reclaiming and rehabilitating strip and surface mining areas in the United States. To this general end, the Secretary of the Interior shall, in full cooperation with the Secretary of Agriculture, the Tennessee Valley Authority, and other appropriate Federal, State, and local departments and agencies, and with the Commission, make a survey and study of strip and surface mining operations and their effects in the United States. The Secretary of the Interior shall submit to the President his recommendations for a long-range comprehensive program for reclamation and rehabilitation of strip and surface mining areas in the United States and for the policies under which the program should be conducted, and the President shall submit these to the Congress, together with his recommendations, not later than July 1, 1966. By July 1, 1965, the Secretary shall make an interim report to the Commission summarizing his findings to that date on those aspects of strip and surface mining operations in the region that are most urgently in need of attention. Such study and recommendations shall include, but not be limited to, a consideration of the following matters—

(1) the nature and extent of strip and surface mining operations in the United States and the conditions resulting therefrom;

(2) the ownership of the real property involved in strip and surface mining operations;

(3) the effectiveness of past action by States or local units of government to remedy the adverse effects of strip and surface mining operation by financial or regulatory measures, and requirements for appropriate State legislation, including adequate enforcement thereof, to provide for proper reclamation and rehabilitation of areas which may be strip and surface mined in the future;

(4) the public interest in and public benefits which may result from reclamation, rehabilitation, and appropriate development and use of areas subjected to strip and surface mining operations, including (i) economic development growth, (ii) public recreation, (iii) public health and safety, (iv) water pollution, stream sedimentation, erosion control, and flood control, (v) highway programs, (vi) fish and wildlife protection and restoration, (vii) scenic values, and (viii) forestry and agriculture;

(5) the appropriate roles of Federal, State, and private interests in the reclamation and rehabilitation of strip and surface mining areas and the relative costs to be borne by each, including specific consideration of (i) the extent, if any, to which strip and surface mine operators are unable to bear the cost of remedial action within the limits imposed by the economics of such mining activity, and (ii) the extent to which the prospective value of lands and other natural resources, after remedial work has been completed, would be inadequate to justify the landowners doing the remedial work at their expense; and

(6) the objectives and the total overall costs of a program for accomplishing the reclamation and rehabilitation of existing strip and surface mining areas in the United States, giving adequate consideration to (i) the economic benefits in relation to costs, (ii) the prevention of future devastation of reclaimed and rehabilitated areas, (iii) the avoidance of unwarranted financial gain to private owners of improved property, and (iv) the types of aid required to accomplish such reclamation and rehabilitation.

(d) Not to exceed $21,500,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

Water Resource Survey

SEC. 206. (a) The Secretary of the Army is hereby authorized and directed to prepare a comprehensive plan for the development and efficient utilization of the water and related resources of the Appalachian region, giving special attention to the need for an increase in the production of economic goods and services within the region as a means of expanding economic opportunities and thus enhancing the welfare of its people, which plan shall constitute an integral and harmonious component of the regional economic development program authorized by this Act.

(b) This plan may recommend measures for the control of floods, the regulation of the rivers to enhance their value as sources of water supply for industrial and municipal development, the generation of hydroelectric power, the prevention of water pollution by drainage from mines, the development and enhancement of the recreational potentials of the region, the improvement of the rivers for navigation where this would further industrial development at less cost than would the improvement of other modes of transportation, the conservation and efficient utilization of the land resource, and such other measures as may be found necessary to achieve the objectives of this section.

(c) To insure that the plan prepared by the Secretary of the Army shall constitute a harmonious component of the regional program, he shall consult with the Commission and the following: the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Health, Education, and Welfare, the Secretary of the Interior, the Tennessee Valley Authority, and the Federal Power Commission.

(d) The plan prepared pursuant to this section shall be submitted to the Commission. The Commission shall submit the plan to the President with a statement of its views, and the President shall submit the plan to the Congress with his recommendations not later than December 31, 1967.

(e) The Federal agencies referred to in subsection (c) of this section are hereby authorized to assist the Secretary of the Army in the preparation of the plan authorized by this section, and the Secretary of the Army is authorized to enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary to the preparation of this plan and on such terms as he may deem appropriate, with any department, agency, or instrumentality of the United States or with any State, or any political subdivision, agency, or instrumentality thereof, or with any person, firm, association, or corporation.

(f) The plan to be prepared by the Secretary of the Army pursuant to this section shall also be coordinated with all comprehensive river basin plans heretofore or hereafter developed by United States study commissions, interagency committees, or similar planning bodies, for those river systems draining the Appalachian region.

(g) Not to exceed $5,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

Part B—Supplementations and modifications of existing programs

Vocational Education Facilities

SEC. 211. (a) In order to provide basic facilities to give the people of the region the training and education they need to obtain employment, the Secretary of Health, Education, and Welfare is authorized to make grants for construction of the school facilities needed for the provision of vocational education in areas of the region in which such education is not now adequately available. Such grants shall be made in accordance with the provisions of the Vocational Education Act of 1963 (77 Stat. 403), without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the computation of the allotments among the States made pursuant to any other provision of law.

(b) Not to exceed $16,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

Sewage Treatment Works

SEC. 212. (a) In order to provide facilities to assist in the prevention of pollution of the region's streams and to protect the health and welfare of its citizens, the Secretary of Health, Education, and Welfare is authorized to make grants for the construction of sewage treatment works in accordance with the provisions of the Federal Water Pollution Control Act (33 U.S.C. 466 et seq.), without regard to any provisions therein relating to appropriation authorization ceilings or to allotments among the States. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this Act, and shall not be taken into account in the computation of the allotments among the States pursuant to any other provision of law.

(b) Not to exceed $6,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

Amendments to Housing Act of 1954

SEC. 213. (a) Section 701(a) of the Housing Act of 1954 (40 U.S.C. 461(a)), is amended by striking the word "and" in paragraph (4), by substituting for the period at the end of paragraph (5) the phrase "; and" and by adding a new paragraph (6) to read as follows:

"(6) The Appalachian Regional Commission, established by the Appalachian Regional Development Act of 1964, for comprehensive planning for the Appalachian region as defined by section 403 of such Act."

(b) Section 701(b) of the Housing Act of 1954 (40 U.S.C. 461(b)), is amended by adding before the phrase "for not more than 75 per centum of such estimated cost" the phrase "or the Appalachian Regional Commission".

Supplements to Federal Grant-in-Aid Programs

SEC. 214. (a) In order to enable the people, States, and local communities of the region, including local development districts, to take maximum advantage of Federal grant-in-aid programs (as hereinafter defined) for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share, the Secretary of Commerce is authorized, pursuant to specific recommendations of the Commission approved by him and after consultation with the appropriate Federal officials, to allocate funds appropriated to carry out this section to the heads of the departments, agencies, and instrumentalities of the Federal Government responsible for the administration of such Federal grant-in-aid programs. Funds so allocated shall be used for the sole purpose of increasing the Federal contribution to projects under such programs above the fixed maximum portion of the cost of such project otherwise authorized by the applicable law. Funds shall be so allocated for Federal grant-in-aid programs for which funds are available under the Act authorizing such programs. Such allocations shall be available without regard to any appropriation authorization ceilings in such Act.

(b) The Federal portion of such costs shall not be increased in excess of the percentages established by regulations promulgated by the Secretary of Commerce, and such regulations shall in no event authorize the Federal portion of such costs to exceed 80 per centum thereof.

(c) The term "Federal grant-in-aid programs" as used in this section means those Federal grant-in-aid programs authorized by this Act for the construction or equipment of facilities, and all other Federal grant-in-aid programs authorized on or before the effective date of this Act by Acts other than this Act for the construction or equipment of facilities, including but not limited to grant-in-aid programs authorized by the following Acts: Federal Water Pollution Control Act; Watershed Protection and Flood Prevention Act; title VI of the Public Health Service Act; Vocational Education Act of 1963; Library Services Act; Federal Airport Act; part IV of title III of the Communications Act of 1934; Higher Education Facilities Act of 1963. The term shall not include (A) the program for the construction of the development highway system authorized by section 201 of this Act or any other program relating to highway or road construction, or (B) any other program for which loans or other Federal financial assistance, except a grant-in-aid program, is authorized by this or any other Act.

(d) Not to exceed $90,000,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

Part C—General Provisions

Maintenance of Effort

SEC. 221. No State and no political subdivision of such State shall be eligible to receive benefits under this Act unless the aggregate expenditures of State funds, exclusive of Federal funds, for the benefit of the area within the State located in the region are maintained at a level which does not fall below the average level of such expenditures for its last two full fiscal years preceding the date of enactment of this Act. In computing the average level of expenditure for its last two fiscal years, a State's past expenditure for participation in the National System of Interstate and Defense Highways shall not be included. The Commission shall recommend to the President or such Federal officer or officers as the President may designate, a lesser requirement when it finds that a substantial population decrease in that portion of a State which lies within the region would not justify a State expenditure equal to the average level of the last two years or when it finds that a State's average level of expenditure, within an individual program, has been disproportionate to the present need for that portion of the State which lies within the region.

Consent of States

SEC. 222. Nothing contained in this Act shall be interpreted as requiring any State to engage in or accept any program under this Act without its consent.

Program Implementation

SEC. 223. A program authorized under any section of this title shall not be implemented until plans with respect to such program have been recommended by the Commission and have been submitted to and approved or modified by the President or such Federal officer or officers as the President may designate.

Program Development Criteria

SEC. 224. (a) In developing recommendations on the programs and projects to be given assistance under this Act, and in establishing within those recommendations a priority ranking of the requests for assistance presented to the Commission, the Commission shall follow procedures that will insure consideration of the following factors:

(1) the relationship of the project or class of projects to overall regional development;

(2) the population and area to be served by the project or class of projects including

the relative per capita income and the unemployment rates in the area;

(3) the relative financial resources available to the State or political subdivisions or instrumentalities thereof which seek to undertake the project;

(4) the importance of the project or class of projects in relation to other projects or classes of projects which may be in competition for the same funds;

(5) the prospects that the project for which assistance is sought will improve, on a continuing rather than a temporary basis, the opportunities for employment, the average level of income, or the economic and social development of the area served by the project.

(b) Nothing in this Act shall authorize any assistance under this Act to be used (1) in relocating establishments from one area to another; (2) to finance the cost of industrial plants, commercial facilities, machinery, working capital; (3) to finance the cost of facilities for the generation, transmission, or distribution of electric energy; or (4) to finance the cost of facilities for the production, transmission, or distribution of gas (natural, manufactured, or mixed).

TITLE III—ADMINISTRATION

Local Development Districts—Certification

SEC. 301. For the purposes of this Act, a "local development district" shall be an entity certified to the Commission either by the Governor of the State or States in which such entity is located, or by the State officer designated by the appropriate State law to make such certification, as having a charter or authority that includes the economic development of counties or parts of counties or other political subdivisions within the region. No entity shall be certified as a local development district for the purposes of this Act unless it is one of the following:

(1) a nonprofit incorporated body organized or chartered under the laws of the State in which it is located;

(2) a nonprofit agency or instrumentality of a State or local government;

(3) a nonprofit agency or instrumentality created through an interstate compact; or

(4) a nonprofit association or combination of such bodies, agencies, and instrumentalities.

Grants for Administrative Expenses of Local Developmental Districts and for Research and Demonstration Projects

SEC. 302 (a) The Secretary of Commerce is authorized—

(1) either directly or through arrangements with the Commission, to make grants for administrative expenses to local development districts. The amount of any such grant shall not exceed 75 per centum of such expenses in any one fiscal year. No grants for administrative expenses shall be made to a local development district for a period in excess of three years beginning on the date the initial grant is made to such development district. The local contributions for administrative expenses may be in cash or in kind, fairly evaluated, including but not limited to space, equipment, and services; and

(2) either directly or through arrangements with appropriate public or private organizations (including the Commission), to provide funds for investigation, research, studies, and demonstration projects, but not for construction purposes, which will further the purposes of this Act.

(b) Not to exceed $5,500,000 of the funds authorized in section 401 of this Act shall be available to carry out this section.

Annual Report

SEC. 303. Not later than six months after the close of each fiscal year, the Commission shall prepare and submit to the Governor of each State in the region and to the President, for transmittal to the Congress, a report on the activities carried out under this Act during such year.

TITLE IV—APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

Authorization of Appropriations

SEC. 401. In addition to the appropriations authorized in section 201 for the Appalachian development highway system, there is hereby authorized to be appropriated for the period ending June 30, 1966, to be available until expended, not to exceed $237,200,000 to carry out this Act.

Applicable Labor Standards

SEC. 402. All laborers and mechanics employed by contractors or subcontractors in the construction, alteration, or repair, including painting and decorating, of projects, buildings, and works which are financially assisted through the Federal funds authorized under this Act, shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5). The Secretary of Labor shall have with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176, 64 Stat. 1267, 5 U.S.C. 133—133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

Definition of Appalachian Region

SEC. 403. As used in this Act, the term "Appalachian region" or "the region" means that area of the eastern United States consisting of the following counties:

In Alabama, the counties of Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Colbert, Coosa, Cullman, De Kalb, Elmore, Etowah, Fayette, Franklin, Jackson, Jefferson, Lawrence, Limestone, Madison, Marion, Marshall, Morgan, Randolph, Saint Clair, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker, and Winston;

In Georgia, the counties of Banks, Barrow, Bartow, Carroll, Catoosa, Chattooga, Cherokee, Dade, Dawson, Douglas, Fannin, Floyd, Forsyth, Franklin, Gilmer, Gordon, Gwinnett, Habersham, Hall, Haralson, Heard, Jackson, Lumpkin, Madison, Murray, Paulding, Pickens, Polk, Rabun, Stephens, Towns, Union, Walker, White, and Whitfield;

In Kentucky, the counties of Adair, Bath, Bell, Boyd, Breathitt, Carter, Casey, Clark, Clay, Clinton, Cumberland, Elliott, Estill, Fleming, Floyd, Garrard, Green, Greenup, Harlan, Jackson, Johnson, Knott, Knox, Lauret, Lawrence, Lee, Leslie, Letcher, Lewis, Lincoln, McCreary, Madison, Magoffin, Martin, Menifee, Monroe, Montgomery, Morgan, Owsley, Perry, Pike, Powell, Pulaski, Rockcastle, Rowan, Russell, Wayne, Whitley, and Wolfe;

In Maryland, the counties of Allegany, Garrett, and Washington;

In North Carolina, the counties of Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Davie, Forsyth, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Stokes, Surry, Swain, Transylvania, Watauga, Wilkes, Yadkin, and Yancey;

In Ohio, the counties of Adams, Athens, Belmont, Brown, Clermont, Gallia, Guernsey, Harrison, Highland, Hocking, Jackson, Jefferson, Lawrence, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Ross, Scioto, Vinton, and Washington;

In Pennsylvania, the counties of Allegheny, Armstrong, Beaver, Bedford, Blair, Bradford, Butler, Cambria, Cameron, Carbon, Centre, Clarion, Clearfield, Clinton, Columbia, Crawford, Elk, Erie, Fayette, Forest, Fulton, Greene, Huntingdon, Indiana, Jefferson, Juniata, Lackawanna, Lawrence, Luzerne, Lycoming, McKean, Mercer, Mifflin, Monroe, Montour, Northumberland, Perry, Pike, Potter, Schuylkill, Snyder, Somerset, Sullivan, Susquehanna, Tioga, Union, Venango, Warren, Washington, Wayne, Westmoreland, and Wyoming;

In South Carolina, the counties of Anderson, Cherokee, Greenville, Oconee, Pickens, and Spartanburg;

In Tennessee, the counties of Anderson, Bledsoe, Blount, Bradley, Campbell, Carter, Claiborne, Clay, Cocke, Coffee, Cumberland, De Kalb, Fentress, Franklin, Grainger, Greene, Grundy, Hamblen, Hamilton, Hancock, Hawkins, Jackson, Jefferson, Johnson, Knox, Loudon, McMinn, Macon, Marion, Meigs, Monroe, Morgan, Overton, Pickett, Polk, Putnam, Rhea, Roane, Scott, Sequatchie, Sevier, Smith, Sullivan, Unicoi, Union, Van Buren, Warren, Washington, and White;

In Virginia, the counties of Alleghany, Bath, Bland, Botetourt, Buchanan, Carroll, Craig, Dickenson, Floyd, Giles, Grayson, Highland, Lee, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe.

All the counties of West Virginia.

Severability

SEC. 404. If any provision of this Act, or the applicability thereof to any person or circumstance, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Termination

SEC. 405. This Act shall cease to be in effect on July 1, 1970.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 562 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Bible
Boggs
Carlson
Church
Clark
Curtis
Dirksen
Dominick
Douglas
Ellender
Ervin
Gruening
Hart
Inouye
Jordan, Idaho
Magnuson
Mansfield
McClellan
McNamara
Metcalf
Miller
Monroney
Morton
Mundt
Nelson
Proxmire
Randolph
Salinger
Sparkman
Talmadge
Walters
Williams, N.J.
Williams, Del.
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Tennessee [Mr. GORE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Wyoming [Mr. MCGEE], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Oregon [Mr. MORSE], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from South Carolina [Mr. THURMOND], are absent on official business.

I also announce that the Senator from Nevada [Mr. CANNON], the Senator from Mississippi [Mr. EASTLAND], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Indiana [Mr. HARTKE], the Senator from Washington [Mr. JACKSON], the Senator from North Carolina [Mr. JORDAN], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island [Mr. PELL], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Texas [Mr. YARBOROUGH], are necessarily absent.

I further announce that the Senator from Alabama [Mr. HILL] and the Senator from Massachusetts [Mr. KENNEDY], are absent because of illness.

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. BEALL], the Senator from New Hampshire [Mr. COTTON], the Senator from Hawaii [Mr. FONG], the Senator from Arizona [Mr. GOLDWATER], the Senator from Nebraska [Mr. HRUSKA], the Senators from New York [Mr. JAVITS and Mr. KEATING], the Senator from New Mexico [Mr. MECHEM], the Senator from Vermont [Mr. PROUTY], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Wyoming [Mr. SIMPSON], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The PRESIDING OFFICER. (Mr. SALINGER in the chair). A quorum is not present.

Mr. RANDOLPH. Mr. President, I move that the Sergeant at Arms be directed to request the presence of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. BENNETT, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, Mr. CASE, Mr. COOPER, Mr. FULBRIGHT, Mr. HAYDEN, Mr. HICKENLOOPER, Mr. HOLLAND, Mr. HUMPHREY, Mr. JOHNSTON, Mr. KUCHEL, Mr. LAUSCHE, Mr. MCCARTHY, Mr. MCGOVERN, Mrs. NEUBERGER, Mr. PASTORE, Mr. PEARSON, Mr. ROBERTSON, Mr. RUSSELL, Mr. SMATHERS, Mrs. SMITH, and Mr. STENNIS entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

ORDER OF BUSINESS

Mr. RANDOLPH. Mr. President, it is my understanding that the pending business is S. 2782; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. RANDOLPH. Mr. President, I yield to the Senator from Ohio [Mr. YOUNG], with the understanding that I do not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the rule of germaneness be waived for the remainder of the day.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. RANDOLPH. Mr. President, I shall discuss the Appalachian regional development bill later in the afternoon; but it is my desire now to accommodate Senators who wish to discuss subjects not pertinent to that measure.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to the Senator from Montana.

Mr. METCALF. I wish to speak briefly on the reapportionment problem. Will the Senator from West Virginia yield to me after the Senator from Ohio has completed his remarks?

Mr. RANDOLPH. I shall yield first to the Senator from Ohio, and immediately afterward to the Senator from Montana.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—CLOTURE MOTION

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. YOUNG of Ohio. Mr. President, the pending amendment regarding the Supreme Court reapportionment decisions is one of the most important and far-reaching legislative proposals ever to come before the Senate. How we act upon it will shape the governments of all our States, the Federal Government and the lives of all Americans for generations to come. It is unfortunate that a legislative proposal of such great significance should be hurriedly debated and given halfhearted consideration.

The Senate debated the recently enacted civil rights bill for more than 100 days. The bill before us is also a civil rights bill, for it affects the voting rights of well over half of the citizens of our Nation. Stripped of all its verbiage, the amendment comes down to the essential question of whether we are willing to recognize the concept of "one man, one vote" in our democracy. It is foolhardy to try to resolve this issue hurriedly and without careful deliberation during the closing days of the Congress in the charged atmosphere of an election year campaign.

It is, perhaps, regrettable that the Federal courts had to intervene in this matter. However, the States asked for it. They have had years to take some corrective action but, in most instances, have done nothing. In fact, by doing nothing, many States violated their own constitutions. The people who are being deprived of fair representation—for the most part Americans living in metropolitan areas—had no alternative but to appeal to the Federal courts once their petitions were rejected by their State courts.

The Supreme Court ruling was, quite simply, a ruling in favor of fair representation for all citizens. The pending amendments is, by admission of its chief sponsor, in reality an attempt to gain time so that a constitutional amendment can be adopted which would strip the Supreme Court of its power to rule on apportionment cases. This legislative proposal is no postponement of the issue; it is no breather to give State legislatures time to reapportion themselves. In effect, it will allow evil to perpetuate itself. It will permit present State legislatures, many of which are comprised of representatives from counties having only a fraction of the population of other counties, to have the same total representation in the State legislature, and the opportunity to prevent reapportionment for decades to come. Never before was the adage "Justice delayed is justice denied" as appropriate to the circumstances.

Not only will this affect the composition of our State legislatures but also of our Federal Government. The legislature of each State draws the boundaries for congressional districts. Under the status quo, rural-dominated legislatures have to a great extent so gerrymandered their States that citizens living in cities and their suburbs do not have fair representation in the House of Representatives of the U.S. Congress. The proposal is nothing more than a blatant attempt to stop the clock of progress and to perpetuate a system whereby millions of our citizens do not receive fair representation in the legislative bodies of this Nation.

There are numerous examples of some State legislatures sitting for 50 years or more without so much as acknowledging the requirement of their own State constitutions regarding apportionment. I am glad to say that in my State of Ohio the situation is not so desperate. However, even in Ohio there is a need for reform. The Ohio constitution grants at least one representative in the State house of representatives for each of the 88 counties. This is because of the so-called Hanna amendment. It was adopted under the leadership of Marcus Alonzo Hanna, who was then the boss of the Republican Party in Ohio and was ambitious to become a Senator of the United States at a time when the legislatures of the various States elected U.S. Senators. Following the adoption of the Hanna amendment, under which each of the 88 counties had at least 1 representative in the State legislature, Hanna was in fact chosen by the Legislature of Ohio and represented my State as a Senator of the United States. That was a good many years ago.

Vinton County, one of Ohio's 88 counties, has a population of 10,274. Cuyahoga County, in which I live, has a population of more than 1,600,000. Cuyahoga County has 17 members of the House of Representatives of the General Assembly of Ohio, and Vinton County, having a population of 10,274, has 1. My vote in Cuyahoga County is worth a very small fraction of the vote of a resident of Vinton County, when it comes to the selection of a member of the House of Representatives of the General Assembly of Ohio.

Lake County, which adjoins Cuyahoga County to the east, has a population of 148,000. Also adjoining both Cuyahoga and Lake Counties is Geauga County. The difference is not quite so bad there; but Geauga County, with a population of 48,000, has one representative in the General Assembly of Ohio. The same sort of people, having the same interests, live in Cuyahoga, Lake, and Geauga Counties. Yet Lake County, with a population of 150,000 compared with its neighboring county of Geauga, with 48,000, has but one representative in the general assembly.

The 68 less densely populated counties of Ohio, with a population of 2,760,000, have 68 representatives in the House of Representatives of the Ohio Legislature. The remaining 20 more heavily populated counties of my State having a total population of 6,946,000, have only 66 representatives in the legislature. The result is that 28.4 percent of Ohio's population has 50.7 percent of the seats in the house.

Regarding the State senate, I am glad to note, that the situation in Ohio is not so bad. There, it would require only a minority of 44.8 percent to elect a majority.

In addition, the amendment represents a wrong of even greater magnitude. It is also an attempt on the part of some persons to discredit and weaken the Supreme Court of the United States because those citizens disagree with many of the important decisions handed down by that great Court, of which we all have good reason to be proud.

The proposal strikes at the heart of the Federal system of checks and balances. It strikes at the very heart of our democracy. It seems to me unconscionable for Congress to allow itself to be used for such purposes. I strongly urge that this legislative proposal be tabled or laid aside until it can receive the consideration due it by what has been termed the greatest deliberative body in the world.

I firmly believe that votes should be cast by persons on an equal basis. As one born and reared in a rural county—I was born in Puckerbrush Township in Huron County, Ohio, a county not far distant—perhaps 50 miles—from Cuyahoga County, where I now live. Huron County is strictly a rural county with a population of approximately 47,000.

I know from living in a rural area of Ohio, and from having lived in urban areas of my State, that citizens of our cities will not act unjustly, capriciously, or vengefully in legislative matters.

Equal representation for all citizens without discrimination cannot be dangerous, despite the view of those who are opposed to this, including my opponent in Ohio for election as a Senator, come November.

On what basis, for example, does he regard citizens of Franklin County or Cuyahoga County, or of his own Hamilton County—which contains the very fine and beautiful city of Cincinnati—to be intellectually or morally inferior to citizens of Union or Vinton Counties?

I ask unanimous consent to have an editorial printed in the RECORD which was published in the Cleveland Press on Saturday, August 15, 1964, entitled "Taft Knows Better"; also an editorial published in the Toledo Blade of August 22, entitled "Unjustified Means"; and an editorial published in the Akron Beacon Journal of August 5, entitled, "Stopping the Clock." These three newspapers, the Cleveland Press, the Toledo Blade, and the Akron Beacon Journal, are regarded by knowledgeable people throughout the United States as among the greatest and the most respected newspapers in the Nation.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Cleveland Press, Aug. 15, 1964]

TAFT KNOWS BETTER

Congressman ROBERT TAFT, a big-city Republican (Cincinnati), can't be allowed to go unchallenged on his statements Thursday regarding Ohio apportionment.

TAFT denied that Ohio's Legislature was dominated by rural elements. He said he knew because he had served there for 6 years.

How could the Congressman have served for that long and not know:

That 28.4 percent of Ohio's population has 50.7 percent (a majority) of the regular house seats in Columbus? Or, to put it another way—

That the 68 smallest counties, population 2,760,608, have 68 regular representatives—while the 20 largest counties, population 6,945,789, have only 66 seats? And also—

That the seven largest counties have 51.8 percent of Ohio's population and only 35.8 percent of the regular house seats?

The two most powerful figures in the legislature—Representative Roger Cloud and Senator Stanley Mechem—stride from the cornfields into the capitol. And their control over lawmakers could hardly be more complete.

TAFT was testifying for a constitutional amendment which would stymie reapportionment of Ohio's house, ordered by the U.S. Supreme Court.

In supporting this amendment, Congressman TAFT said he feared the rural counties of southern Ohio would be underrepresented if population were the sole consideration for legislative seats.

What does TAFT think of the plight of underrepresented city dwellers in Cuyahoga and Lake Counties, to name only a couple?

Would he rather represent wornout coal mines and pine trees or people?

[From the Toledo (Ohio) Blade, Aug. 22, 1964]

UNJUSTIFIED MEANS

As the Senate continued to wrestle over Senator EVERETT DIRKSEN's effort to postpone application of the Supreme Court's State reapportionment rulings, some commentators began to look beyond his tactics to find merit in his goal.

Columnist Walter Lippmann, for instance, declared in last Tuesday's Blade that there is a great deal to be said in favor of taking a breather in the reapportionment battles. In brief, his argument was: So drastic a change in our political structure as the realinement of representative power is a proper subject for deliberation and debate. Congress and the people should be brought into the decision through, say, a proposed constitutional amendment to modify the rules laid down by the Court.

Consequently, Mr. Lippmann found these advantages in delay of such overriding importance as to excuse Senator DIRKSEN's technique, which the columnist conceded is "a bit awkward and rather inconvenient."

We, too, can see the value in carefully weighing the full potential impact of the Court's mandate, especially the order that both houses of a legislature should represent population to the exclusion of all other interests and factors.

This is why we have expressed the hope that lower courts would allow time for study of all the problems involved in each State's specific situation. And this is why we have granted the need in some States to take account of geographic peculiarities or unusual population concentrations, even while allocating seats within the general one-man-one-vote framework.

Yet, just because of this concern, we think the question raised by Senator DIRKSEN's strategy is not whether it is justified by the need for caution, but whether it really serves that goal.

Is attention properly focused on the problems of reapportionment by attaching the delay proposal as a rider to a bill as irrelevant as the foreign aid authorization? Is full-scale deliberation encouraged by throwing a last-minute "monkey wrench" into the legislative works?

Experience with this kind of tactic—and it is a familiar one in legislative halls—compels a negative answer to both questions. The result of such maneuvers, in fact, is usually just the opposite of calm, reasoned, wise action.

It is for that very reason that the device is most often used to block rather than to promote constructive movement. And that is why Senator DIRKSEN's aim seems to be protection of vested political interests rather than correction of the imbalance of power in legislative chambers.

[From the Akron Beacon Journal, Aug. 5, 1964]

STOPPING THE CLOCK

Amending the Constitution of the United States is not something which can be done overnight—or even within a year.

The usual process involves a favorable two-thirds vote by each House of Congress and then ratification by the legislatures of three-fourths (38) of the States. Since many legislatures meet only once in 2 years and all but one have two houses, ratification is a time-consuming process. Even in the case of a noncontroversial amendment, it usually takes 3 or 4 or more years.

It is understandable, therefore, that Representative WILLIAM M. MCCULLOCH, of Ohio, is afraid that his proposed amendment nullifying the Supreme Court's "one person, one vote" decision will be too late—if, indeed, it ever should be adopted.

MCCULLOCH and others in Congress want to write into the Constitution a provision that only one house in a State legislature must be apportioned on a population basis. This would mean that the other house, in the words of Chief Justice Warren, could represent trees, or cows, or acres.

Federal courts are already hewing to the new precedent set by the Supreme Court and, in some States legislatures are moving to correct the imbalance without waiting for court orders.

Fearful that the reform in representation may soon be accomplished, Representative MCCULLOCH has introduced an interim resolution which would abolish, for a period of 7 years, the power of either State or courts to decree the reapportionment of one house of a State legislature.

In a parallel move, Senator DIRKSEN yesterday pushed through the Senate Judiciary Committee a bill to halt court orders for reapportionment until, in each case, a State legislature has held two regular sessions.

In other words, this would give 2 to 4 years for legislatures to act on the proposed constitutional amendment, while keeping the present apportionment in status quo.

It seems to us highly questionable whether the constitutional interpretations of the Supreme Court can be nullified or delayed by a mere act of Congress.

To be sure, the Constitution may be amended, but can Congress overrule the Court while the amendment process goes on?

MCCULLOCH's resolution, which goes further than DIRKSEN's bill, would even tell the State legislatures that they couldn't proceed with reapportionment.

Isn't that a direct contradiction of all that he and other States righters have been screaming about? They say they don't want any interference with the right of the States to set up their legislative apportionment in their own way. And now MCCULLOCH would have Congress tell them they can't give fair representation.

The U.S. Supreme Court ruled on this subject only after it became apparent that citizens had no other recourse against legislatures which neglected or refused to apportion representation on a fair basis.

Under prodding, many of the legislatures, including Ohio's, are now facing their responsibilities.

Is the clock now to be turned back, so that all the inequities of unequal representation can be perpetuated? That's the purpose of Dirksen's and McCulloch's last-ditch fight to keep the status quo.

Mr. YOUNG of Ohio. Mr. President, the editorial in the Cleveland Press, which is a Scripps-Howard newspaper, the first of that great chain of newspapers, with a circulation of more than 350,000, states:

Congressman Robert Taft a big-city Republican (Cincinnati), cannot be allowed to go unchallenged on his statements Thursday regarding Ohio apportionment.

Taft denied that Ohio's Legislature was dominated by rural elements. He said he knew because he had served there for 6 years.

How could the Congressman have served for that long and not know: That 28.4 percent of Ohio's population has 50.7 percent (a majority) of the regular house seats in Columbus? Or, to put it another way—

That the 68 smallest counties, population 2,760,608, has 68 regular representatives—while the 20 largest counties, population 6,945,789, have only 66 seats? And also—

That the seven largest counties have 51.8 percent of Ohio's population and only 35.8 percent of the regular house seats?

The editorial continues, explaining that:

Taft was testifying for a constitutional amendment which would stymie reapportionment of Ohio's house, ordered by the U.S. Supreme Court.

In supporting this amendment, Congressman Taft said he feared the rural counties of southern Ohio would be underrepresented if population were the sole consideration for legislative seats.

What does Taft think of the plight of underrepresented city dwellers in Cuyahoga and Lake Counties, to name only a couple?

Would be rather represent wornout coal mines and pine trees or people?

The Toledo Blade, which is one of the great newspapers of this country, stated:

As the Senate continued to wrestle over Senator Everett Dirksen's effort to postpone application of the Supreme Court's State reapportionment rulings, some commentators began to look beyond his tactics to find merit in his goal.

Columnist Walter Lippmann, for instance, declared in last Tuesday's Blade that there is a great deal to be said in favor of taking a breather in the reapportionment battles. In brief, his argument was: So drastic a change in our political structure as the realinement of representative power is a proper subject for deliberation and debate. * * *

Consequently, Mr. Lippmann, who is certainly one of the most respected columnists in this country—

found these advantages in delay of such overriding importance as to excuse Senator Dirksen's technique, which the columnist conceded is "a bit awkward and rather inconvenient."

We, too, can see the value in carefully weighing the full potential impact of the Court's mandate, especially the order that both houses of a legislature should represent population to the exclusion of all other interests and factors.

This is why we have expressed the hope that lower courts would allow time for study of all the problems involved in each State's specific situation. And this is why we have granted the need in some States to take account of geographic peculiarities or unusual population concentrations, even while allocating seats within the general one-man-one-vote framework.

That is a perfectly logical statement. The situation in some States—Alaska, for example—might be unique. Undoubtedly the situation is different in that new State. Perhaps there is good reason to have every section represented. However, it might be a reason that would not apply to a State such as Ohio, with a population of 10 million in a compact area, as contrasted with a huge State such as Alaska.

The columnist is certainly accurate in his statement that time should be given in which to determine the factors involved in every State in the Union.

The editorial continues:

Yet just because of this concern, we think the question raised by Senator Dirksen's strategy is not whether it is justified by the need for caution, but whether it really serves that goal.

Is attention properly focused on the problems of reapportionment by attaching the delay proposal as a rider to a bill as irrelevant as the foreign aid authorization? Is full-scale deliberation encouraged by throwing a last-minute monkey wrench into the legislative works?

Experience with this kind of tactic—and it is a familiar one in legislative halls—compels a negative answer to both questions. The result of such maneuvers, in fact, is usually just the opposite of calm, reasoned, wise action.

It is for that very reason that the device is most often used to block rather than to promote constructive movement. And that is why Senator Dirksen's aim seems to be protection of vested political interests rather than correction of the imbalance of power in legislative chambers.

We in the Senate should be vigilant to prevent any disturbance in the delicate relationship between the three coordinate and equal branches of our Government—the legislative, executive, and judicial.

The third editorial to which I referred appeared in the Akron Beacon Journal under the caption "Stopping the Clock." I also call this editorial to the attention of my colleagues as an outstanding editorial printed in one of the great newspapers of my State.

The editorial reads:

[From the Akron Beacon Journal, Aug. 5, 1964]

Stopping the Clock

Amending the Constitution of the United States is not something which can be done overnight—or even within a year.

The usual process involves a favorable two-thirds vote by each House of Congress and then ratification by the legislatures of three-fourths (38) of the States. Since many legislatures meet only once in 2 years and all but one have two houses, ratification is a time-consuming process. Even in the case of a noncontroversial amendment, it usually takes 3 or 4 or more years.

It is understandable, therefore, that Representative William M. McCulloch, of Ohio, is afraid that his proposed amendment nullifying the Supreme Court's "one-person, one-vote" decision will be too late—if, indeed, it ever should be adopted.

McCulloch and others in Congress want to write into the Constitution a provision that only one house in a State legislature must be apportioned on a population basis. This would mean that the other house, in the words of Chief Justice Warren, could represent trees, or cows, or acres.

That could be the effect if the cloture motion should be agreed to, and this measure were passed.

The editorial continues:

Federal courts are already hewing to the new precedent set by the Supreme Court and, in some States, legislatures are moving to correct the imbalance without waiting for court orders.

Fearful that the reform in representation may soon be accomplished, Representative McCulloch has introduced an interim resolution which would abolish, for a period of 7 years, the power of either State or courts to decree the reapportionment of one house of a State legislature.

In a parallel move, Senator Dirksen yesterday pushed through the Senate Judiciary Committee a bill to halt court orders for reapportionment until, in each case, a State legislature has held two regular sessions.

In other words, this would give 2 to 4 years for legislatures to act on the proposed constitutional amendment, while keeping the present apportionment in status quo.

It seems to us highly questionable whether the constitutional interpretations of the Supreme Court can be nullified or delayed by a mere act of Congress.

To be sure, the Constitution may be amended, but can Congress overrule the Court while the amendment process goes on?

McCulloch's resolution, which goes further than Dirksen's bill, would even tell the State legislatures that they couldn't proceed with reapportionment.

Isn't that a direct contradiction of all that he and other States righters have been screaming about? They say they don't want any interference with the right of the States to set up their legislative apportionment in their own way. And now McCulloch would have Congress tell them they can't give fair representation.

The U.S. Supreme Court ruled on this subject only after it became apparent that citizens had no other recourse against legislatures which neglected or refused to apportion representation on a fair basis.

Under prodding, many of the legislatures, including Ohio's, are now facing their responsibilities.

Is the clock now to be turned back, so that all the inequities of unequal representation can be perpetuated? That's the purpose of Dirksen's and McCulloch's last-ditch fight to keep the status quo.

We in this Nation are proud that we have three coordinate branches of our Government—the legislative, executive, and the judicial. The pending amendment, if enacted, would destroy that equality which our Founding Fathers proposed. I hope that the pending amendment will be defeated.

I strongly urge against taking any precipitate action on the measure until it can be considered in a deliberative manner, in a calmer atmosphere, after the new Congress convenes next January.

As a U.S. Senator, representing the sovereign State of Ohio, I shall vote against the motion to close debate on this matter. I feel that we should put this aside altogether, not seek to have it adopted during this session of the Congress, and immediately go on with business that we should attend to; and then we should adjourn sine die.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I yield.

Mr. METCALF. I have heard the excellent presentation made by the Senator from Ohio. The Senator has analyzed the so-called Dirksen amendment as to its effect on his own State. He has made an excellent presentation for a continuation of the debate until another Congress convenes and we can analyze, work on, and hear evidence about a proposed constitutional amendment, which is the way to approach the subject.

Has the Senator from Ohio completed his remarks?

Mr. YOUNG of Ohio. Yes; I yield the floor.

Mr. METCALF. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. METCALF. As I understand, by unanimous consent the Senator from West Virginia [Mr. RANDOLPH] yielded the floor to the Senator from Ohio [Mr. YOUNG], and then the Senator from Ohio [Mr. YOUNG] yielded to the junior Senator from Montana.

The PRESIDING OFFICER. The Senator is correct.

Mr. METCALF. At the conclusion of my remarks, will the Senator from West Virginia again have the floor?

The PRESIDING OFFICER. The Senator is correct.

Mr. METCALF. I thank the Chair.

Mr. President, I wish to address myself briefly to the same proposal about which the Senator from Ohio spoke, namely, the proposed amendment relative to reapportionment.

As a preface and in order to demonstrate objectiveness on this question I will analyze, as best I can, how the reapportionment provision will apply in Montana. This is an anniversary year in Montana; we are celebrating our centennial as a territory, and our 75th year as a State. The Organic Act of 1864 served as the Montana Constitution for the first 25 years. Section 4 of that act provided as follows:

> 4. *And be it further enacted*, That the legislative power and authority of the said territory shall be vested in the Governor and a legislative assembly. The legislative assembly shall consist of a council and house of representatives. The council shall consist of seven members having the qualifications of voters, as hereinafter prescribed, whose term of office shall continue two years. The house of representatives shall, at its first session, consist of thirteen members, possessing the same qualifications as prescribed for the members of the council, and whose term of service shall continue one year. The number of representatives may be increased by the legislative assembly, from time to time, to twenty-six, in proportion to the increase of qualified voters; and the council, in like manner, to thirteen. An apportionment shall be made, as nearly equal as practicable, among the several counties or districts for the election of the council and representatives, giving to each section of the territory representation in the ratio of its qualified voters as nearly as may be. And the members of the council and of the house of representatives shall reside in, and be inhabitants of, the district, or county, or counties for which they may be elected, respectively.

Congress in enacting that law apparently intended that the council and the house of representatives should be apportioned "as nearly equal as practicable" on the basis of population.

When Montana became a State and adopted its constitution, it changed this concept of equal apportionment for both houses to one that is contained in the following provisions:

> ARTICLE VI
>
> SEC. 2. The legislative assembly shall provide by law for an enumeration of the inhabitants of the State in the year 1895, and every tenth year thereafter; and at the session next following such enumeration, and also at the session next following an enumeration made by the authority of the United States, shall revise, and adjust the apportionment for representatives on the basis of such enumeration according to ratios to be fixed by law.
>
> SEC. 3. Representative districts may be altered from time to time as public convenience may require. When a representative district shall be composed of two or more counties, they shall be contiguous, and the districts as compact as may be. No county shall be divided in the formation of representative districts.
>
> SEC. 4. Whenever new counties are created, each of said counties shall be entitled to one Senator, but in no case shall a senatorial district consist of more than one county.

The first Governor of Montana, Joseph K. Toole, was a delegate to the constitutional convention and he argued eloquently and fought long and hard against the proposition that each county would be entitled to one senator "and no more."

Governor Toole, more than three-fourths of a century ago, in a statement that has a prophetic ring to it, said:

> This section is inherently wrong and does not meet the requirements of the Constitution of the United States which guarantees to every State a republican form of government. The counties in Montana, whether they contain 200 or 200,000 inhabitants are all placed on equal footing. What I understand to be meant by a republican form of government is a government where sovereignty is confided to and immediately exercised by the popular will.

Governor Toole suggested that it was appropriate and desirable for each county to have at least one senator in order that local interests have an expression but the limitation of one senator to each county was strenuously resisted on the same grounds as the Supreme Court of the United States laid down in Reynolds against Sims.

Mr. Arthur J. Craven, another member of the Montana Constitutional Convention, made a speech that sounds as if it came directly out of the decision of the Supreme Court 75 years later. He said, that the idea of one senator, and no more than one senator, for each county was "equivalent to saying, Go over all this broad domain of ours and let the rocks and the grasses and the squirrels and the cattle have representation instead of men and women—the most preposterous idea, I think, that has ever been seriously considered by a parliamentary assembly."

But the convention did not go along with these ideas. The spokesmen for equal representation were 75 years ahead of their time. Instead, the provisions above quoted were adopted and approved by Congress in the Enabling Act.

At the time the constitutional convention met in 1889 there were about 130,000 people in Montana territory. Half of these lived in three counties, Silver Bow, Deer Lodge, and Lewis and Clark, that are the mining counties of Montana. The cities of Butte, Anaconda, and Helena controlled the territorial legislature, and the smaller counties—smaller in population—had come to resent this tricounty control. It was the mining counties against the ranching and farming economy of the rest of the State.

It must also be remembered that in 1889 Montana was a State of the old frontier. Even the best roads were dirt, and most of them were impassable in inclement weather. Horses and buggies and wagon trains made the already great distances seem even greater. County seats were small, and in remote areas there was more loyalty to the county and its immediate region than to the rest of the vast territory.

Therefore, the original constitutional convention for Montana was a battleground of the same questions as have been recently decided by the U.S. Supreme Court. Delegates from the farming counties, rural districts that were sparsely populated, fought to contain the influence of the richer and more populous mining counties. The plan for the representation of rocks, grass, squirrels and cattle instead of men and women, won.

During the course of the debate an amendment was offered to provide for "at least one senator per county." And when this was defeated, and the original proposal that there be not more than one senator per county was adopted, one of the newspapers from outside the three most populous counties commented:

> We are pleased to state that the swinishness of the populous counties has met with a check.

There is no doubt that the Montana Constitutional Convention knew what it was doing when it apportioned the senate in the way it did. Although the debate did mention the Federal analogy, the members differentiated it and did not accept it as the basis for the apportionment finally arrived at. The apportionment of the senate was a deliberate effort on the part of rural and sparsely settled counties to wrest control from the three richest and most populous counties. In doing so, one of the greatest of Montana's early Governors warned the members that they were violating the Constitution of the United States.

In 1889 there were 16 counties in Montana, by 1925 40 new counties had been created and the Montana Senate consisted of 56 members. Some of these counties were needed. In some eastern Montana counties the county seat was as much as 200 miles away over impassable and nonexistent roads. But county splitting, and the establishment of county seats became such a popular sport during the homesteading years that many new counties of small population were formed. These counties have not realized the optimistic hopes of their founders. The dreams of the county busters disappeared in the farm depression of the twenties. From 1901 on, the legislature provided that each new county would be entitled to at least one representative. This, of course, upset the balance in the house of representatives so that both branches of the Montana Legislature became malapportioned.

I can personally testify to such disproportionment, because I served as a representative to the Montana Legislature in 1937, when the house of representatives consisted of 102 members, taxing even the accommodations of the house chamber.

In 1961 an apportionment act established the ratio of population for representatives at 1 per 8,500 or major fraction. This aggravated malapportionment in that branch of the legislature. An example is Ravalli County which I represented in 1937. There are 12,341 people. For years it had had two representatives. But in 1963 it lost its second representative because it fell short of the 8,500 plus a major fraction—4,251—or a total of 12,751 for a second representative—410 people short. Yet in the State of Montana there are 17 counties with less than the 3,841 people by which Ravalli County exceeded the 8,500 figure.

Today the senate in Montana is composed of 56 members, one from each of the 56 counties. In the 1960 election the smallest county—Petroleum—had 535 registered voters. The most populous county—Yellowstone—had 36,407 registered voters. Therefore, the elector in Petroleum County has a voting power in the State senate of over 70 times the voting power of an elector in Yellowstone County. Petroleum County with 535 registered voters and Ravalli County with 6,459 voters have the same representation in the house of representatives; one vote.

Now, what will a realinement and a reapportionment do to the political composition of the house of representatives and the State senate if the decision of the U.S. Supreme Court is followed? This is a difficult question, and at the present time I have not the local election returns that will permit an accurate analysis of the effect. In a recent article in the Montana Business Quarterly, a publication of the School of Business Administration of Montana State University, Mr. Douglas C. Chaffey published a proposal for "Legislative Apportionment in Montana" that would comply with the decision of the U.S. Supreme Court. Mr. Chaffey is a native of Montana, a graduate of the business school, and is now studying for his doctorate at the University of Wisconsin.

Mr. Chaffey has proposed that districts of approximately 7,000 be created for the house of representatives in the Montana Legislature which would retain the present membership of 94. For reapportionment of the State senate a constitutional amendment would be necessary to eliminate the provision that each county was entitled to one senator. He creates senatorial districts of more than one county based on population. Using a ratio of 20,000 persons for each senator he has drawn senatorial districts that will substantially change the political complexion of the Montana Legislature.

It is admittedly difficult to extrapolate the present membership of the State senate upon a new system of elections. For example some of the leading and most influential State senators are from the rural counties. Given their prestige and their public acceptance these men would be elected from any larger senatorial district regardless of party affiliation.

But merely for the purpose of demonstrating the effect of a reapportionment on the basis of population as recommended by Mr. Chaffey, I have worked out what might have happened in 1960 had the vote for State senator been cast in the same proportion as the vote for Governor, for President, and for U.S. Senator in the 1960 election.

Montana now has 35 Democratic State senators and 21 Republicans. The proposal made by Mr. Chaffey would create 20 senatorial districts in Montana with a total of 33 elected senators. The table for the population breakdown and the number of State senators for each district is as follows.

I ask unanimous consent that it be included in the CONGRESSIONAL RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

A proposed apportionment of the Montana Senate

Senatorial district	Population	Senators
1. Yellowstone, Carbon	87,333	4
2. Cascade	73,418	4
3. Missoula, Mineral, Ravalli	60,041	3
4. Silver Bow, Jefferson	50,751	3
5. Flathead, Lincoln	45,502	2
6. Lewis and Clark, Meagher, Broadwater	33,426	2
7. Glacier, Pondera, Toole, Teton	32,448	2
8. Deer Lodge, Granite, Powell	28,656	1
9. Hill, Chouteau, Liberty, Blaine	29,364	1
10. Wheatland, Mussellshell, Fergus, Golden Valley, Judith Basin	27,024	1
11. Gallatin	26,045	1
12. Phillips, Valley	23,107	1
13. Custer, Fallon, Carter, Powder River	22,192	1
14. Daniels, Sheridan, Roosevelt	22,043	1
15. Dawson, Garfield, McCone, Prairie, Wibaux	21,632	1
16. Park, Stillwater, Sweet Grass	21,984	1
17. Lake, Sanders	19,984	1
18. Big Horn, Treasure, Rosebud	17,539	1
19. Beaverhead, Madison	12,405	1
20. Richland	10,541	1
Total (20 districts)	674,767	33

Mr. METCALF. Using Mr. Chaffey's proposal and the Democratic and Republican vote for Governor in 1960 as a guide for the probable vote for Democratic and Republican State senators in these districts, it would consist of 27 Republicans and 6 Democrats. If the 1960 returns in the presidential contest between John F. Kennedy and Richard M. Nixon be used as a guide, it would be closer, there would be 20 Republican State senators and 13 Democratic senators.

Richard Nixon carried the State for President by about 7,000 votes; former Gov. Donald G. Nutter was elected Governor by a plurality of 28,500 votes. On the other hand, I was elected U.S. Senator in the same statewide election by 4,000. Using the election returns in the U.S. Senate race as a guide, the margin would change and the State senate would consist of 18 Democrats and 15 Republicans.

The trial courts of record in Montana are the district courts. In order to attempt to balance the work of the courts, the counties have long been combined into judicial districts. The table for the combination of counties in each judicial district and the number of judges therein is contained in a table which I ask unanimous consent to have included in the CONGRESSIONAL RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Judicial district	Counties	Population	Number of judges
1st	Broadwater and Lewis and Clark.	30,810	2
2d	Silver Bow	46,454	2
3d	Deer Lodge, Granite, and Powell.	28,656	1
4th	Missoula, Mineral Lake, Ravalli, and Sanders.	80,025	3
5th	Beaverhead, Jefferson, and Madison.	17,287	1
6th	Park and Sweet Grass	16,458	1
7th	Dawson, McCone, Richland, and Wibaux.	27,837	1
8th	Cascade and Chouteau	80,766	3
9th	Teton, Pondera, Toole, and Glacier.	34,417	1
10th	Fergus, Judith Basin, and Petroleum.	17,997	1
11th	Flathead and Lincoln	45,502	2
12th	Liberty, Hill, and Blaine	29,368	1
13th	Yellowstone, Big Horn Carbon, Stillwater, and Treasure.	104,211	3
14th	Meagher, Wheatland, Golden Valley, and Musselshell.	11,733	1
15th	Roosevelt, Daniels, and Sheridan.	21,944	1
16th	Custer, Carter, Fallon, Prairie, Powder River, Garfield, and Rosebud.	32,661	2
17th	Phillips and Valley	23,107	1
18th	Gallatin	26,045	1

Mr. METCALF. There are 28 district judges; and again using the 1960 election results for Governor, President, and U.S. Senator as a guide and assuming that there would be as many State senators as there are now district judges, the results would come out about the same as in the above proposal. If the election returns for Governor were transferred to the State senator race, the Montana State Senate would not consist of 35 Democrats and 21 Republicans as now organized, but would be 23 Republicans and 5 Democrats. Using the presidential election returns, the ratio would be 18 Republicans and 10 Democrats; and again using the returns in my contest in 1960, there would be a slight Democratic advantage of 16 Democrats and 12 Republicans.

It is obvious from these figures that any reapportionment of the Montana State Senate would work to the advantage of the Republican Party. There are outstanding and experienced and well-known men in each party whose personal following would change the values given above. But over the years and considering the whole State the ratio would probably work out to the advantage of the Republican Party.

An apportionment with districts such as are suggested by Mr. Chaffey however, does give a basis for practical malapportionment and misrepresentation in the same manner as I have earlier suggested. I mentioned the Fourth Judicial

District where the large county of Missoula completely dominated the smaller surrounding counties. Another such example is the combination of Yellowstone County with a population of 79,016 and Carbon County with a population of 8,317 into one senatorial district to elect 4 State senators. Actually the entire number would come from Yellowstone County and unless there were an exceptional and well-known individual from Carbon County that area and its special interests would never be represented. This is why I believe that we should have hearings on a constitutional amendment to permit one house of a bicameral legislature to be represented by other than a population ratio. On the other hand, there may be serious and overriding political reasons that should prohibit such a division of legislative authority and the whole question should be threshed out in thorough and comprehensive hearings before the legislative committees of the Congress who are skilled in these political questions and not come to us as an amendment to a foreign aid authorization bill.

Mr. President, I have shown what would probably happen in the State of Montana if there were a reapportionment of the State senate. It would work to the advantage of the Republican Party.

I have demonstrated this because I still believe that we should oppose the present amendment and vote against the present proposal to invoke cloture on next Thursday, and vote for a constitutional amendment, and for comprehensive and thorough hearings on such an amendment, to properly and adequately appraise the political aspects of the situation.

According to Madison's reports of the debates in the Constitutional Convention, on June 11 the Chairman, Benjamin Franklin said:

> It has given me great pleasure to observe that till this point, the proportion of representation, came before us, our debates were carried on with great coolness and temper. If anything of a contrary kind, has on this occasion appeared, I hope that it will not be repeated; for we are sent here to consult, not to contend, with each other; and declarations of a fixed opinion, and of determined resolution, never to change it, neither enlighten nor convince us. Positiveness and warmth on one side, naturally beget their like on the other; and tend to create and augment discord and division in a great concern, wherein harmony and union are extremely necessary to give weight to our councils, and render them effectual in promoting and securing the common good.
>
> I must own that I was originally of the opinion that it would be better if every Member of Congress, or our National Council, were to consider himself rather as a representative of the whole, than as an agent for the interests of a particular State; in which case the proportion of Members for each State would be of less consequence, and it would not be very material that they voted by States or individually. But I find this not to be expected. I now think the number of Representatives should bear some proportion of the number of the represented.

Franklin was speaking on the issue of suffrage in the proposed National Legislature which became Congress in the final draft of the Constitution. But I find this quotation appropriate at this time because this is the first occasion since I became the junior Senator from Montana that I have disagreed so strongly from the position taken by my senior colleague. Because of my affection and regard for him, and my respect for his wisdom and leadership I hope that I can today set forth my differences with him on this issue without engendering the warmth that Franklin sought to avoid. At the same time I am convinced that in justice to my constituents and my esteem for my colleague, the majority leader, that I set forth the reasons why I oppose the amendment he has cosponsored with the minority leader, the distinguished Senator from Illinois. As Franklin said:

> I now think the number of representatives should bear some proportion to the number of the represented.

I must confess when the decision in *Baker* v. *Carr*, 369 U.S. 186, was handed down in March of last year, I did not read the case. I read about the decision in the newspapers and periodicals and actually arrived at no conclusion about it, other than to say that it was about time that something was done about malapportionment in some of the congressional districts. Nor did I read the other decisions that followed until the last few weeks when this amendment was first advanced. I have now read and studied to the best of my ability not only Baker against Carr, but Reynolds against Sims; WMCA, Inc. against Lomenzo; Roman against Sincock; Maryland Committee for Fair Representation against Tawes; Lucas against the Forty-fourth General Assembly of Colorado; Davis against Mann, all relating to various phases of the reapportionment question. In addition, I have reread some of the Federalist Papers, several Law Review articles, and the minutes of the procedures of the Constitutional Convention. After such, by no means exhaustive research, I have come to the conclusion that I agree with Reynolds against Sims:

> We hold that, as a basic constitutional standard, the equal protection clause requires that the seats in both houses of a bicameral State legislature must be apportioned on a population basis. Simply stated, an individual's right to vote for State legislators is unconstitutionally impaired when its weight is in a substantial fashion diluted when compared with the votes of citizens living in other parts of the State.

Again later on the Court says:

> By holding that as a Federal constitutional requisite both houses of a State legislature must be apportioned on a population basis, we mean that the equal protection clause requires that a State make an honest and good faith effort to construct districts, in both houses of its legislature as nearly of equal population as is practicable.

These declarations are reinforced by statements made by our Founding Fathers. For example, James Wilson, a delegate to the 1887 Constitutional Convention said:

> The doctrine of representation is this—first the representative ought to speak the language of his constituents, and secondly that his language or vote shall have the same influence as though the constituents gave it.

And Jefferson said:

> Equal representation is so fundamental a principle in a true republic that no prejudice can justify its violation, because the prejudices themselves cannot be justified.

The Declaration of Independence stresses the democratic ideals of equality and the right of representation. The Northwest Ordinance of 1887 provided that all the people would be forever entitled to representation in the legislature in proportion to their members.

But if one of the basic assumptions of democratic rule is the one man, one vote concept so that all citizens will have approximately the same political voting weight in both houses of a bicameral State legislature, I am not certain that sound political doctrine requires such an apportionment. In his dissenting opinion in Reynolds against Sims, Mr. Justice Harlan enumerates some of the factors that have been used as criteria for establishing electoral districts in one body of a bicameral legislature other than population. They are as follows:

> First, history; second, economics of other sorts of group interests; third, area; fourth, geographical considerations; fifth, a desire "to insure effective representation for sparsely settled areas"; sixth, "availability of access of citizens to their representatives"; seventh, theories of bicameralism (except those approved by the Court); eighth, occupation; ninth, "an attempt to balance urban and rural power"; tenth, the preference of a majority of voters in the State.

I find merit in Justice Harlan's argument that "legislators can represent their electors only by speaking for their interests—economic, social, political—many of which do reflect the place where the electors live."

For example, in Montana, where I grew up, the Fourth Judicial District, which is the district for original trial of cases under the jurisdiction of the first court of record, was composed of five counties: Missoula, Mineral, Lake, Ravalli, and Sanders. Missoula County had a voter registration of 22,000, and the combined registration of the outlying counties was 18,300. Time and again I have seen a lawyer from Mineral, or Sanders, or Ravalli, or Lake run for one of the two positions open for district judge and get a majority of the vote in all the outlying counties and still be defeated by the hometown candidates in Missoula. If the judicial district had been a senatorial electoral district, the electors of the outlying counties would have been more effectively disfranchised than residents of malapportioned districts. But this is a matter for a constitutional amendment, and the questions raised by the various criteria mentioned by Justice Harlan, and others, are questions that should be carefully explored in comprehensive congressional hearings and not be regarded as side issues to a foreign aid authorization bill in the closing days of a Congress.

The controversy in which we are engaged in reminiscent of the last days of the 85th Congress when I was a Member of the other body and several bills limiting the power of the Supreme Court were still pending. The House sent to the Senate such legislation as the notorious H.R. 3, which was a broad preemption bill, a bill modifying the Supreme Court's decision in the Mallory case, and a bill to limit Federal judicial review of State criminal trials by habeas corpus. This latter proposition has come under popular scrutiny as a result of the New Yorker magazine articles that have been issued as a book under the title of "Gideon's Trumpet."

By a curious coincidence the dates are almost identical. The then majority leader of the Senate, now President Johnson, wanted to adjourn sine die on August 23. The target date this year was August 22.

In that year Senator HUMPHREY and Senator DOUGLAS led the assault on the legislation, and when Congress adjourned a little group of Senators had defeated the congressional attack on the courts.

But that year the questions were a little different. For example, there was the preemption issue brought up, chiefly, by the decision of the Supreme Court in *Pennsylvania* v. *Nelson,* 350 U.S. 497 (1956), in which the U.S. Supreme Court held that the Pennsylvania State sedition act was invalid because the Federal Government had preempted this area and the State no longer had any power.

H.R. 3 would have provided:

> No act of Congress shall be construed as indicating an interest on the part of Congress to occupy the field in which such act operates to the exclusion of any State laws on the same subject matter unless such act contains an express provision to that effect, or unless there is a direct and positive conflict between such act and the State law so that the two cannot be reconciled or consistently stand together.

A second section of the bill dwelt directly with the Nelson case and provided that Federal antisubversion legislation could not prevent enforcement of State sedition statutes.

Section 1, if enacted, would have been a broad statutory declaration by Congress that it does not intend to preempt any field without a specific declaration of such an intent. The mischief of H.R. 3, of course, was that it was retroactive. But clearly such a declaration is within the power of the legislative branch.

Another decision was that of *Yates* v. *United States,* 354 U.S. 298, which involved the conviction of 14 Communists in California for violation of the Smith Act. This case did not question the constitutionality of the Smith Act, but it did consider statutory interpretation, judicial procedure, and evidence. The convictions of five defendants were reversed, and nine defendants were granted a new trial.

In the majority opinion of Yates, Justice Harlan relied on one of the oldest rules of statutory interpretation—that penal laws are to be strictly construed. This rule, as Chief Justice Marshall said in *U.S.* v. *Wiltberger,* 5 Wheat. 76, "is founded on the tenderness of the law for the rights of individuals; and on the plain principle that the power of punishment is vested in the legislature, not in the Court, which is to define a crime, and ordain its punishment." The Court went on to interpret and construe the word "organize" in the Smith Act in a very narrow way that excluded the defendants before the bar. This decision was actually based on a desire, as stated above by Justice Harlan, to have the Court leave the question of legislating to the Congress, even though the decision was attacked as judicial legislating.

A third question that brought about the attack on the Supreme Court in the 85th Congress was the passport decision. The power to give the Secretary of State broad discretionary powers to deny passports dated back to the basic statute, passed in 1856, which provided:

> The Secretary of the State may grant and issue passports * * * under such rules as the President shall designate and prescribe.

In *Kent* v. *Dulles,* 375 U.S. 116 (1958), the Court held that the right to travel was an individual constitutional right, protected by the due process clause, that could not be infringed by vague and indefinite statutory implication. If the right was to be limited, a clear and specific statutory foundation had to be laid and these limitations had to be subject to the classic rules for delegation of legislative power to the executive.

I have dwelt upon these cases in some detail because I want to point out the essential difference between what is being attempted at this time and what the advocates of the bills to curb the Supreme Court were attempting in the 85th Congress.

Incidentally, on August 21, 1958, in a crucial vote the Senate recommitted the preemption bill by a vote of 41 to 40. Both authors of the present amendment and the then majority leader, and now President Johnson voted to recommit the bill. I ask unanimous consent that the rollcall on that vote be printed at this point in the RECORD.

There being no objection, the vote was ordered to be printed in the RECORD, as follows:

Yeas, 41: Aiken, Anderson, Beall, Bennett, Bible, Carroll, Case of New Jersey, Case of South Dakota, Chavez, Church, Clark, Cooper, Dirksen, Douglas, Green, Hayden, Hennings, Humphrey, Jackson, Javits, Johnson of Texas, Kefauver, Kennedy, Langer, Lausche, Magnuson, Malone, Mansfield, McNamara, Morse, Morton, Murray, Neuberger, O'Mahoney, Pastore, Proxmire, Purtell, Saltonstall, Symington, Wiley, Yarborough.

Nays, 40: Barrett, Bridges, Butler, Byrd, Capehart, Cotton, Curtis, Dworshak, Eastland, Ellender, Ervin, Fulbright, Goldwater, Gore, Hickenlooper, Hill, Hoblitzell, Jenner, Johnston of South Carolina, Jordan, Knowland, Kuchel, Long, Martin of Iowa, Martin of Pennsylvania, McClellan, Mundt, Potter, Revercomb, Robertson, Russell, Schoeppel, Smith of Maine, Sparkman, Stennis, Talmadge, Thurmond, Thye, Watkins, Williams.

Not voting, 15: Allott, Bricker, Bush, Carlson, Flanders, Frear, Holland, Hruska, Ives, Kerr, Monroney, Payne, Smathers, Smith of New Jersey, Young.

Mr. METCALF. Mr. President, I have emphasized that in each of the categories mentioned the Supreme Court was interpreting statutes and defining statutory rights or limiting statutory restrictions that had been created by Congress.

The passport issue, the loyalty-security issue, the preemption issue—all turned upon the construction of legislative language, upon the application of classic rules for ascertaining legislative intent, upon basic considerations coming to us from the common law upon protecting from vague statutory language the rights of individuals charged with crimes. Such decisions are always within the purview of the Supreme Court; and when the Court misjudges legislative intent, misconstrues legislative language, or points out that the statute is indefinite or obscure, the legislature or Congress has the duty and obligation to examine the decision and correct the wrong legislative interpretation, or redefine the crime, or clarify the language.

But in the amendment offered by the majority and minority leaders, we are not only confronted with statutory interpretation and determination of legislative intent, but we have before us a basic constitutional issue. Justice Holmes once declared:

> If American law were to be represented by a single figure, skeptic or worshipper alike would agree without dispute that the figure could be one alone, and that one John Marshall.

Of course, the great decision of Chief Justice Marshall was that of Marbury against Madison, 1 Cranch. 137—1803. Marbury against Madison established the principle of the supremacy of the judiciary in constitutional matters. The authority of the U.S. Supreme Court to declare a statute unconstitutional was laid down, an authority that is now firmly established in American jurisprudence.

In the Dirksen amendment, as in the Tuck bill, we are not confronted by legislative interpretation, or by clarification of language that has been held to be vague or indefinite. We are faced with a series of decisions that hold that "one man, one vote" is a basic constitutional proposition for electors for the House of Representatives of the Congress, and equally for both houses of a bicameral State legislature. The majority leader has said that one purpose of his amendment is to gain some time for the legislatures to act. He says that he regrets that the Court did not mention "deliberate speed" with which the States could comply with the decision, as was mentioned in the school segregation cases. But a reading of Reynolds against Sims forcefully demonstrates that great flexibility is permitted by the Court, even more than a solitary mention of "deliberate speed."

In the statement of the case, the Court pointed out that the Alabama constitution required reapportionment immediately after each decennial census and yet, in spite of population changes, no such reapportionment had taken place since 1901. Here, then, is more than a half century of inaction; certainly this is not precipitous activity on the part of the Court. Throughout the opinion the Court has laid down flexible standards in language such as:

> By holding that as a Federal constitutional requisite both houses of a State legislature must be apportioned on a population basis, we mean that the equal protection clause

> requires that a State make an honest and good-faith effort to construct districts, in both houses of its legislature, as nearly of equal population as is practicable. We realize it is a practical impossibility to arrange legislative districts so that each one has an identical number of residents, or citizens, or voters. Mathematical exactness or precision is hardly a workable constitutional requirement.

Again the legislative act:

> Would be constitutionally valid, so long as the resulting apportionment was one based substantially on population and the equal-population principle was not diluted in any significant way. Somewhat more flexibility may therefore be constitutionally permissible with respect to State legislative apportionment than in congressional redistricting.

Then the Court works out the technique of handling the cases, not making general rules but declaring:

> Developing a body of doctrine on a case-by-case basis appears to us to provide the most satisfactory means of arriving at detailed constitutional requirements in the area of State legislative apportionment.

It is just this case-by-case analysis as a judicial process that the Congress proposes to halt by the pending amendment.

I read from the case of Roman against Sincock:

> Our affirmance of the decision below is not meant to indicate approval of the District Court's attempt to state in mathematical language the constitutionally permissible bounds of discretion in deviating from apportionment according to population.[1] In our view the problem does not lend itself to any such uniform formula, and it is neither practicable nor desirable to establish rigid mathematical standards for evaluating the constitutional validity of a State legislative apportionment scheme under the equal protection clause. Rather, the proper judicial approach is to ascertain whether, under the particular circumstances existing in the individual State whose legislative apportionment is at issue, there has been a faithful adherence to a plan of population-based representation, with such minor deviations only as may occur in recognizing certain factors that are free from any taint of arbitrariness or discrimination.

Mr. President, in Wesberry against Sanders, the Court held that congressional representation must be based on population as nearly as is practicable. There is also provision for flexibility insofar as the time is concerned. Reynolds against Sims says that limitations on the frequency of reapportionment are justified by the need for stability and continuity in the organization of the legislative system, although undoubtedly reapportionment no more frequently than every 10 years leads to some imbalance in the population of districts toward the end of the decennial periods, and also to the development of resistance to change on the part of some incumbent legislators. In substance, we do not regard the equal protection clause as requiring daily, monthly, annual or biennial reapportionment so long as a State has a reasonably conceived plan for a periodic readjustment of legislative representation.

So, the real flexibility is in compliance with the decision of the Supreme Court. The rigidity that is deplored is in adopting the pending amendment that will stay all proceedings.

But the basic proposition through all the reapportionment cases is the constitutional right of the individual to have his vote count for just as much as any other individual's. This is the golden thread that runs through all the decisions. In Baker against Carr the Court said:

> We conclude that complainant's allegations of a denial of equal protection present a justiciable constitutional cause of action upon which appellants are entitled to a trial and decision. The right asserted is within the reach of judicial protection under the 14th amendment.

Mr. PROXMIRE. Mr. President, will the Senator from Montana yield?

The PRESIDING OFFICER (Mr. McGOVERN in the chair). Does the Senator from Montana yield to the Senator from Wisconsin?

Mr. METCALF. I am glad to yield to the Senator from Wisconsin.

Mr. PROXMIRE. The Senator's contention that, as he puts it, the golden thread consistently runs through the court decisions, is that it is a constitutional right of each individual to have his vote count as every other individual vote; is that not correct?

Mr. METCALF. The Senator is correct. It is a basic, individual constitutional right, with which I agree. I believe that an examination of the Federalist Papers, the minutes of the original Constitutional Convention, and other documents of our Founding Fathers, will bear out that it was the original intention in both legislatures and in the House of Representatives that the one-man one-vote principle should be a part of our republican form of government.

Mr. PROXMIRE. As I understand, then, what is most unfortunate and wrong about the Dirksen and the Tuck proposals is that they would have the Congress to intervene, after a Supreme Court decision, and suspend or overrule the action of the Supreme Court, which would in effect end judicial review as we have known it and would seriously weaken the division of powers; is that not correct?

Mr. METCALF. The Senator is quite correct. The Senator has anticipated an argument I am about to make further on in my address, that adoption of either the Tuck or the Dirksen proposal would seriously hamper the separability of power which is a basic consideration in our form of government.

Mr. PROXMIRE. If the Senator intends to develop that point a little later let me revert to an earlier point he made—one which has not received sufficient stress and discussion on the floor; namely, the timing of the action by the Supreme Court, whether the Supreme Court has demanded precipitate, sudden, instant response on the part of State legislatures, whether it has required them to apportion in an unreasonably short time, or whether, in the judgment of the Senator from Montana, who has been a judge himself and has had the opportunity to study these cases carefully, the Supreme Court has allowed adequate time in such cases, so that the State legislature would have an opportunity to act, with the will to do so, without serious inconvenience.

Mr. METCALF. I most certainly do. I believe that is a special point. As was pointed out in one case, it was 50 years since there had been reapportionment, so that there was no precipitate action on the part of the Supreme Court.

Mr. PROXMIRE. In what case?

Mr. METCALF. Reynolds against Sims.

Mr. PROXMIRE. Reynolds against Sims.

Mr. METCALF. Certainly, no case comes to the U.S. Supreme Court, to a district court, or to a circuit court, without someone bringing in the case. There must be some underlying action before the case can even be brought into court. As I have pointed out from these decisions, the Court points out that each of the States must have its rights, its liabilities, and its duties allowed upon a State-by-State and a case-by-case basis. Here, we are asked to pass general legislation at a late date in the Congress, and without any hearings, which would prohibit any action by any courts; whereas the Court says that we should not act too precipitately. We do not require mathematical precision. We do not require daily, monthly, yearly, or even decennial reapportionment.

But we require that as much as practicable be accomplished, that there be a reapportionment, so that as a practical matter the one man, one vote principle would be applied to State legislatures.

Mr. PROXMIRE. What the Court has tried to do is to apply this principle on an individual basis, depending on the merits of each case, and examining the merits carefully. The Court has tried to lay down rules of flexibility so that each State can adopt its own procedure in accordance with its own particular and peculiar problems—historical problems, and so forth. It is in a position to do that individually because of the nature of the judicial system. But Congress would substitute a blanket order which, in the case of Michigan, Wisconsin, and many other States, could result in a chaotic situation.

Mr. METCALF. I believe that is true in the case of Illinois.

Mr. PROXMIRE. Yes. Whereas, Congress might provide a remedy in one or two other States, the Supreme Court is trying to study each case individually and decide it on a fundamental basis as it decided the Reynolds against Sims case, as to how the various States can comply with that order and do it most conveniently and most appropriately, but eventually.

Mr. METCALF. That is correct. It decided it on the basic facts that are presented to the district court in adversary procedure for that purpose. It admonished each of the district courts that might hear the case that there is no hard-and-fast rule, that they must do the best practical thing under the circumstances. There is the real flexibility, the genuine flexibility that is in the Supreme Court decision, rather than the rigidity of the amendment, which states, in effect, "You shall cease the hearing of all cases until 1966."

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[1] The court below suggested that population-variance ratios smaller than 1½ to 1 would presumably comport with minimal constitutional requisites, while ratios in excess thereof would necessarily involve deviations from population-based apportionment too extreme to be constitutionally sustainable. See 215 F. Supp., at 190.

Mr. PROXMIRE. I thank the Senator.

Mr. METCALF. I spoke about the right of the individual to have his vote count for as much as the vote of any other individual. I stated that the vote was a basic, individual, constitutional right.

In Reynolds against Sims, the Court stated:

> We hold that, as a basic constitutional standard, the equal protection clause requires that the seats in both houses of a bicameral State legislature must be apportioned on a population basis. Simply stated, an individual's right to vote for State legislators is unconstitutionally impaired when its weight is in a substantial fashion diluted when compared with votes of citizens living in other parts of the State.

And later the Court said:

> Congress simply lacks the constitutional power to insulate States from attack with respect to alleged deprivations of individual constitutional rights.

I enumerate these cases and emphasize the fact that we are talking about what the Court has said in all the cases about the basic, individual, constitutional right. I seek to differentiate what was done in the 85th Congress when a group—some of the same group who are opposing this amendment and the minority and the majority leader—now the President of the United States—and others made a strong fight to prevent Congress from overruling the Supreme Court in cases where no basic, constitutional right was involved. It involved merely a case of statutory interpretation or construction of legislative language, or the definition of a crime. That is a thing on which the Court frequently conflicts with the legislature, and the legislature in turn says, "This is what we meant. This is what our real interpretation is."

Then, once the legislature has spoken, the Court continues and follows through with the construction of the language, as the amended bill provides.

But we are dealing here with a basic, individual, constitutional right. We are not dealing with the definition of a crime, the construction of statutory language, or the interpretation of the Constitution. We are dealing with something that goes further back than that. We are dealing with something that is as substantial as the right of a trial by jury or the right of freedom of speech.

I think of an analogy. Suppose we were to say that the right of women to vote interferes with the election of some of our officers, and someone suggests the introduction of a constitutional amendment in the next Congress, but that until then we should pass a law that women would not have the right to vote. That would be a clear violation of the 19th amendment. Of course, we could not do that. Suppose we were to say that because of the unfortunate situation in Mississippi, Alabama, and Georgia, we are convinced that the people in Mississippi, Alabama, and Georgia do not have a fair jury trial, and until the civil rights situation has cleared up, for a couple of years, we would set aside the right of trial by jury in that situation, and there would be no more jury trials.

Clearly, such an act would be unconstitutional, whether we were to do it for a day, a week, or as the Tuck bill provides, set aside a constitutional right forever. That is the difference between what happened in the 85th Congress and what is being attempted here today.

Mr. PROXMIRE. Is it not true that, pursuing the same analogies that the Senator from Montana did, Congress might in a time of national emergency and hysteria suspend the right of free speech, the right of worship, which are the most fundamental rights that have been written into the first amendment of the Constitution, which, in the judgment of many Americans, distinguishes this country as the bastion of liberty more than any other phase of our entire Government? The right of an equal vote in the State legislature is just as fundamental in principle on the basis of the Supreme Court decision as any of the other rights which the people of America have been willing to fight and die for.

Mr. METCALF. We could paraphrase the Dirksen amendment and say, "Instead of the one-man, one-vote suspension and instead of saying that no court can have jurisdiction to entertain any case brought under the provisions of the Bill of Rights, we will suspend the entire Bill of Rights until 1966," or, as the Tuck bill provides, suspend it forever. We are now talking about constitutional rights. This is not a statutory decision. This is not construction of language. This is not a tempering of words. The Court has held in the cases that I have already enumerated, and that I shall read later, that this is a basic, individual, constitutional right.

Mr. PROXMIRE. The distinguished Senator from Montana is making a highly significant speech. I hope that our colleagues will have an opportunity to study it in the RECORD. This issue goes to the very heart of our objections to the Dirksen amendment.

Some of us feel very deeply about one man, one vote. Some of us feel very strongly about the inequity this proposal would work against many of our urban citizens. And, while that is very important, it seems to me that it is not in the same class as an objection as the fundamental principle that the Senator from Montana is stressing now, that our very constitutional rights are threatened if we agree to the Dirksen amendment, which seeks to abridge, postpone, or destroy a ruling of the Supreme Court by an act of Congress.

I believe that the Senator from Montana is presenting this argument in an unanswerable way. I have not heard a single word of argument to refute what the Senator has said so far.

It would be very interesting if those who support the Dirksen amendment could find any way to meet that argument. They have talked about inconvenience to State legislatures. They have talked about an analogy with the U.S. Senate. They have talked about how the farm groups and rural groups need greater representation. I have studied the CONGRESSIONAL RECORD very carefully, as has the Senator from Montana. Proponents of the Dirksen amendment have not begun to answer the fundamental issue which is at stake, namely, Shall the Supreme Court be in a position to protect and affirm constitutional rights, or shall it not? That is the question which is at stake. The Senator from Montana is making the most significant speech on this subject to date.

Mr. METCALF. I thank the Senator from Wisconsin for his remarks. He has pointed out that this is the most dangerous constitutional crisis that our Nation has ever faced, because if Congress can set aside a basic constitutional right such as one-man, one-vote has been declared to be, Congress can set aside any other part of the Constitution, and we would see the end of our constitutional form of government. It alarms me and concerns me that so many Senators who continually talk about the Constitution and about constitutional government have signed the cloture motion, have spoken in defense of the postponement of constitutional rights, and have wished to repeal decision after decision, going back to the great decision of Chief Justice Marshall in Marbury against Madison.

In Davis against Mann, a case coming to the U.S. Supreme Court from Virginia, the majority opinion summarized the holding of Reynolds against Sims as follows:

> In *Reynolds* v. *Sims*, decided also this date, we held that the equal-protection clause requires that seats in both houses of a bicameral State legislature must be apportioned substantially on a population basis. Neither of the houses of the Virginia General Assembly, under the 1962 statutory provisions here attacked, is apportioned sufficiently on a population basis to be constitutionally sustainable.

In Lucas against The Forty-fourth General Assembly of the State of Colorado, the question was on the apportionment of the Colorado State senate as approved by a majority vote of the electorate of Colorado in a referendum submitted for that purpose. The Court examined the apportionment provided and concluded:

> That the fact that a challenged legislative apportionment plan was approved by the electorate is without Federal constitutional significance, if the scheme adopted fails to satisfy the basic requirements of the equal-protection clause.

The Court said:

> Apportionment of senate seats * * * clearly involves departures from population-based representation too extreme to be constitutionally permissible.

In WMCA against Lomenzo, a New York case, the Court said:

> Neither house of the New York Legislature, under the State constitutional formulas and the implementing statutory provisions here attacked, is presently or, when reapportioned on the basis of 1960 census figures, will be apportioned sufficiently on a population basis to be constitutionally sustainable.

So here we are dealing with a vastly different proposition than that which confronted us in the 85th Congress. Here is a constitutional right which the proposed amendment will set aside or temporarily stay for a period, as I have discussed in the colloquy just held with the Senator from Wisconsin [Mr. PROXMIRE].

If there is one thing that Marbury against Madison decided it is that the legislative branch cannot destroy the individual constitutional rights of citizens. This proposition is basic in the law and is the foundation for the declaration in Wesberry against Saners that "laws which debase a citizen's right to vote" come under this power. Not only is it hornbook law that the Supreme Court is the constitutional guardian against congressional encroachments upon the constitutional rights of the citizen, but it is equally as well established that Federal rights under the U.S. Constitution may be protected from violation by acts of the States. This has been statutory law since the original Judiciary Act in the First Congress. It is basic case law since Marbury against Madison. This is the holding in the landmark cases of *Fletcher* v. *Peck* (6 Cr. 807), and *McCullough* v. *Maryland* (4 Wh. 316). One of the functions of the U.S. Supreme Court is to pass on the constitutionality of State laws and the Constitution itself establishes the U.S. Supreme Court as the final tribunal for constitutional adjudication. For example, in *Cooper* v. *Aaron* (358 U.S. 1, (1958)), which was a case involving interposition, the Court said that Marbury against Madison had laid down the duty "to say what the law is" and then continued:

> This decision declared the basic principle that the Federal judiciary is supreme in the exposition of the law of the Constitution, and that principle has ever since been respected by this Court and the country as a permanent and indispensable feature of our constitutional system.

In *Martin* v. *Hunter's Lessee* (1 Wheaton, 304 (1816)), the State of Virginia had confiscated land grants relying on a statute prohibiting aliens from inheriting real property.

In 1813, the Supreme Court ruled against Virginia's action but the State's court of appeals held that section 25 of the Judiciary Act of 1789 was unconstitutional and refused to obey the mandate. Section 25 of the Judiciary Act authorized the Supreme Court to review any State court decisions that challenged the validity of Federal authority.

The case was again brought before the Supreme Court in 1816, and Justice Story logically, learnedly, and thoroughly delivered a telling blow to the compact theory and sustained the theory of the basic constitutional right. He held that the Supreme Court review of State laws is necessary to maintain uniformity of decisions throughout the whole United States. I quote from the decision in the case of *Martin* v. *Hunter's Lessee* (1 Wheaton U.S. 304):

> The third article of the Constitution is that which must principally attract our attention. * * * The language of the article throughout is manifestly designed to be mandatory upon the legislature. Its obligatory force is so imperative that Congress could not without violation of its duty, have refused to carry it into operation. The judicial power of the United States shall be vested [not may be vested] in one supreme court and such inferior courts as Congress may, from time to time ordain and establish.
>
> If then, it is a duty of Congress to vest the judicial power of the United States, it is a duty to vest the whole judicial power. The language, if imperative as to one part, is imperative as to all. If it were otherwise, this anomaly would exist: That Congress might successively refuse to vest the jurisdiction in any one class of cases enumerated in the Constitution, and thereby defeat the jurisdiction as to all; for the Constitution has not singled out any class on which Congress is bound to act in preference to others.

We are suspending for a period or taking away from the citizen a basic constitutional right guaranteed by the Federal Constitution.

Up to now I have outlined some of the methods by which Congress has sought to control the Supreme Court. In the 85th Congress the general preemption proposal, the modification of the loyalty and passport statutes were legislative means of control that did not touch the Constitution. Similarly back in the famous so-called Court-packing plan of the New Deal, the proposal was not to suspend constitutional rights and privileges but to expand the Supreme Court in the hope that newly appointed judges would reverse the previous decisions of the Court.

Another technique that has been adopted is to take away the remedy from the citizen so that it is admitted that he has a basic right but no remedy to enforce that right. It is contended that this is what is being done in this case. I have been unable to satisfy myself as to whether or not the requirement of due process with respect to judicial review of constitutional questions means that such review by the Federal courts, but our concept of Federal supremacy dating from Marbury against Madison and reiterated in cases whose numbers are legion would seem to argue that it does.

The pending amendment is directed to any Federal court. It would leave to the State and local courts the enforcement of Federal constitutional rights of individuals. In *Bush* v. *Orleans School Board* (D.C., La.), 188 F. Supp. 916, 924–925 (1940), affirmed, 365 U.S. 569, the Court quoted from "Warren's Supreme Court in U.S. History," volume 1, pages 27–28, 1923 edition, as follows:

> Changes * * * restricting the appellate jurisdiction of the Court * * * would result in leaving final decision of vastly important national questions in the State or inferior Federal courts, and would effect a disastrous lack of uniformity in the construction of the Constitution so that fundamental rights might vary in different parts of the country.

The question here, then, is whether or not the Congress can suspend jurisdiction of the Federal courts over legislative apportionment which has been held to involve a basic constitutional right. In removing the remedy and directing a legislative act suspending the jurisdiction of "any court" to exercise either original jurisdiction or review of a question concerning the violation of the Constitution of the United States, does not Congress exceed its constitutional power?

The existing statutes relating to original jurisdiction that would be amended by implication by the Dirksen-Mansfield rider are:

> Sec. 1331. Federal Question; Amount in Controversy; Costs.—
>
> (a) The district courts shall have original jurisdiction of all civil actions wherein the matter in controversy exceeds the sum or value of $10,000 exclusive of interest and costs, and arises under the Constitution, laws, or treaties of the United States.
>
> (b) Except when express provision therefor is otherwise made in a statute of the United States, where the plaintiff is finally adjudged to be entitled to recover less than the sum or value of $10,000, computed without regard to any setoff or counterclaim to which the defendant may be entitled, and exclusive of interests and costs, the district court may deny costs to the plaintiff and, in addition, may impose costs on the plaintiff. (June 25, 1948, ch. 646, 62 Stat. 930; July 25, 1958, Public Law 85–554, sec. 1, 72 Stat. 415.)
>
> Sec. 1343. Civil Rights and Elective Franchise.—
>
> The district courts shall have original jurisdiction of any civil action authorized by law to be commenced by any person:
>
> (1) To recover damages for injury to his person or property, or because of the deprivation of any right of privilege of a citizen of the United States, by any act done in furtherance of any conspiracy mentioned in section 1985 of title 42;
>
> (2) To recover damages from any person who fails to prevent or to aid in preventing any wrongs mentioned in section 1985 of title 42 which he had knowledge were about to occur and power to prevent;
>
> (3) To redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the United States;
>
> (4) To recover damages or to secure equitable or other relief under any Act of Congress providing for the protection of civil rights, including the right to vote. (June 25, 1948, ch. 646, 62 Stat. 932; Sept. 3, 1954, ch. 1263, sec. 42, 68 Stat. 1241; Sept. 9, 1957, Public Law 85–315, pt. III, sec. 121, 71 Stat. 637.)
>
> Sec. 2281. Injunction Against Enforcement of State Statute; Three-Judge Court Required.—
>
> An interlocutory or permanent injunction restraining the enforcement, operation, or execution of any State statute by restraining the action of any officer of such State in the enforcement or execution of such statute or of an order made by an administrative board or commission acting under State statutes, shall not be granted by any district court or judge thereof upon the ground of the unconstitutionality of such statute unless the application therefor is heard and determined by a district court of three judges under section 2284 of this title. (June 25, 1948, ch. 646, 62 Stat. 968.)
>
> Sec. 1983. Civil Action for Deprivation of Rights.—
>
> Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress. (R.S. sec. 1979.)

> SEC. 1988. PROCEEDINGS IN VINDICATION OF CIVIL RIGHTS.—
>
> The jurisdiction in civil and criminal matters conferred on the district courts by the provisions of this chapter and title 18, for the protection of all persons in the United States in their civil rights, and for their vindication, shall be exercised and enforced in conformity with the laws of the United States, so far as such laws are suitable to carry the same into effect; but in all cases where they are not adapted to the object, or are deficient in the provisions necessary to furnish suitable remedies and punish offenses against law, the common law, as modified and changed by the constitution and statutes of the State wherein the court having jurisdiction of such civil or criminal cause is held, so far as the same is not inconsistent with the Constitution and laws of the United States, shall be extended to and govern the said courts in the trial and disposition of the cause, and, if it is of a criminal nature, in the infliction of punishment on the party found guilty. (R.S. sec. 722.)

In addition this would affect the various provisions of the Civil Rights Act of 1964, Public Law 88–352.

Some of the statutes relating to appellate procedure and review that would be altered and amended by implication by the adoption of the Dirksen-Mansfield rider are:

> SEC. 1253. DIRECT APPEALS FROM DECISIONS OF THREE-JUDGE COURTS.—
>
> Except as otherwise provided by law, any party may appeal to the Supreme Court from an order granting or denying, after notice of hearing, an interlocutory or permanent injunction in any civil action, suit or proceeding required by any Act of Congress to be heard and determined by a district court of three judges. (June 25, 1948, ch. 646, 62 Stat. 928.)
>
> SEC. 1254. COURTS OF APPEALS; CERTIORARI; APPEAL; CERTIFIED QUESTIONS.—
>
> Cases in the courts of appeals may be reviewed by the Supreme Court by the following methods:
>
> * * * * *
>
> (2) By appeal by a party relying on a State statute held by a court of appeals to be invalid as repugnant to the Constitution, treaties or laws of the United States, but such appeal shall preclude review by writ of certiorari at the instance of such appellant, and the review on appeal shall be restricted to the Federal questions presented.
>
> SEC. 1257. STATE COURTS; APPEAL; CERTIORARI.—
>
> Final judgments or decrees rendered by the highest court of a State in which a decision could be had, may be reviewed by the Supreme Court as follows:
>
> * * * * *
>
> (2) By appeal, where is drawn in question the validity of a statute of any State on the ground of its being repugnant to the Constitution, treaties or laws or the United States, and the decision is in favor of its validity.
>
> (3) By writ of certiorari, where the validity of a treaty or statute of the United States is drawn in question or where the validity of a State statute is drawn in question on the ground of its being repugnant to the Constitution, treaties or laws of the United States, or where any title, right, claimed under the Constitution, treaties or statutes of, or commission held or authority exercised under, the United States. (June 25, 1948, ch. 646, 62 Stat. 929.)
>
> SEC. 1441. ACTIONS REMOVABLE GENERALLY.—
>
> * * * * *
>
> (b) Any civil action of which the district courts have original jurisdiction founded on a claim or right arising under the Constitution, treaties or laws of the United States shall be removable without regard to the citizenship or residence of the parties. Any other such action shall be removable only if none of the parties in interest properly joined and served as defendants is a citizen of the State in which such action is brought.
>
> SEC. 1984. SAME; REVIEW OF PROCEEDINGS.—
>
> All cases arising under the provisions of this act in the courts of the United States shall be reviewable by the Supreme Court of the United States, without regard to the sum in controversy, under the same provisions and regulations as are provided by law for the review of other causes in said court. (Mar. 1, 1875, ch. 114, sec. 5, 18 Stat. 337.)

Article III of the U.S. Constitution gives to Congress authority over the inferior Federal courts. The article is as follows:

> SECTION 1. The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior Courts as the Congress may from time to time obtain and establish. * * *
>
> SEC. 2. The judicial power shall extend to all Cases in Law and Equity, arising under this Constitution, the Laws of the United States. * * *

Congress has changed the jurisdiction of the inferior courts from time to time. For example, in 1801 in the words of the Constitution, Congress granted the inferior Federal courts jurisdiction of "all cases in law and equity, arising under the Constitution and the laws of the United States." The next session of Congress withdrew this broad grant of power. In 1875 the Federal "inferior" courts were given jurisdiction over cases where the amount in controversy was $500 or more, in 1887 this was increased to $2,000, in 1911 to $3,000, and in 1958 to $10,000. But this is not a case for the enforcement of a right to collect $500 or $2,000 or $10,000 in a damage suit. This is a question of enforcement of a constitutional right.

As for review, the Congress has almost always granted review to the U.S. Supreme Court from decisions of the district court.

The power granted to the judiciary in article III of the Constitution is not self-enacting insofar as the inferior courts are concerned. In 1793 Justice Iredell in *Chisholm* v. *Georgia* (2 Dall 419, 423) said:

> I conceive that all courts of the United States must receive, not merely their organization as to the number of judges of which they are to consist; but all their authority, as to the matter of their proceeding from the legislature only.

In 1789 Congress forbade diversity of citizenship suits on promissory notes, and this was sustained as a valid power of Congress:

> The judicial power [except in a few specified instances] belongs to Congress.

In Bank of the United States against Deveau, the Supreme Court said that a right to sue does not imply a right to sue in Federal Court unless such power is expressly granted by an act of Congress.

In *Stuart* v. *Laird* (1 Cr. 799 (1803)), the Supreme Court affirmed the power of Congress to remove a suit from one circuit to another. In *U.S.* v. *Hudson and Goodwin* (7 Cr. 32, 33)), the Court said:

> The power which Congress possess to create Courts of inferior jurisdiction, necessarily implies the power to limit the jurisdiction of those Courts to particular objects.

In *Sheldon* v. *Still* (8 How. 441, 448–449 (1850)), the question was the jurisdiction of the circuit court, Mr. Justice Grier said:

> The Constitution has defined the limits of the judicial power of the United States, but has not prescribed how much of it shall be exercised by the circuit court; consequently, the statute which does prescribe the limits of their jurisdiction, cannot be in conflict with the Constitution, unless it confers powers not enumerated therein.

The Court concluded:

> Having a right to prescribe, Congress may withhold from any Court of its creation jurisdiction of any of the enumerated controversies.

Such were the early cases. They have been cited over and over again as sustaining the power of Congress to withdraw from the "inferior" Federal courts original jurisdiction to adjudicate certain categories of cases.

But these cases deal with statutory rights and with the existence of remedies. The cases do not deal with judicial review. They do not raise constitutional questions. In a very cursory survey in the time at hand, I have found but one case which did specifically treat the constitutional question. This was *Mayor of Nashville* v. *Cooper* (6 Wall. 247, 251–2 (1868)). In that case the Court—Justice Swayne—prefaced its decision with the usual and familiar rule:

> This Court has the power to declare an act of Congress to be repugnant to the Constitution, and therefore invalid. But the duty is one of great delicacy, and only to be performed where the repugnancy is clear, and the conflict irreconcilable. Every doubt is to be resolved in favor of the constitutionality of the law.

The circuit court decision, according to Justice Swayne's opinion, proceeded "entirely upon the grounds of constitutional invalidity." Therefore, it is appropriate to take into consideration the discussion that this case made of the question even though the actual decision was on another issue. Here are some quotations from the decision:

> The Constitution provides, that "the judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish," and that this power "shall extend to all cases, in law and equity, arising under this Constitution and the laws of the United States."
>
> The power here under consideration is given in general terms. No limitation is imposed. The broadest language is used. "All cases" so arising are embraced. None are excluded. How jurisdiction shall be acquired by the inferior courts, whether it shall be original or appellate, or original in part and appellate in part, and the manner of procedure in its exercise after it has been acquired, are not prescribed.

Later:

> As regards all courts of the United States inferior to this tribunal, two things are necessary to create jurisdiction, whether original or appellate. The Constitution must

> have given the Court the power to take it, and an act of Congress must have supplied it. There concurrence is necessary to vest it. It is the duty of Congress to act for that purpose up to the limits of the granted power. They may fall short but cannot exceed it. To the extent that such action is not taken, the power lies dormant.

As to leaving the Federal constitutional question to be determined by the State courts, the Court had this to say:

> It is the right and the duty of the national government to have its Constitution and laws interpreted by its own judicial tribunals. * * * The courts of the several States might determine the same questions in different ways. There would be no uniformity of decisions.

It would appear that these early cases have uniformly held that all jurisdiction may be removed from the inferior courts, that jurisdiction must be specifically granted and if not granted lies dormant.

The general authority in the Supreme Court to review constitutional questions in the absence of statute granting such an authority is more doubtful. In *Chisholm* v. *Georgia* (2 Dall. 419, 423 (1793)), Justice Iredell held:

> I conceive that all the courts of the United States must receive not merely their organization as to the number of judges of which they are to consist; but all their authority, as to manner of their proceeding, from the legislature only.

In another discussion of this question I will review in detail some of the early cases, both on the authority of the inferior Federal courts and on the imposition of the power in Congress to delimit appellate review and withhold and withdraw jurisdiction from the Federal courts.

Suffice to say at this time that the most celebrated case is *Ex Parte McCardle* (6 Wall. 318 (1868); 7 Wall. 506 (1869)). McCardle was arrested by the military authorities under the provision of the Reconstruction Acts. He filed a petition for a writ of habeas corpus alleging unlawful restraint and challenging the validity of the acts. After a hearing in the Federal circuit for southern Mississippi, McCardle was remanded to the custody of the military. He appealed to the U.S. Supreme Court under the provisions of the statute—14 Stat. 386. Before the Supreme Court could act, Congress enacted new legislation—15 Stat. 44—withdrawing appellate jurisdiction from the Court on "appeals which have been or may hereafter be taken." The Supreme Court said:

> Without jurisdiction the Court cannot proceed at all in any cause. Jurisdiction is power to declare the law and when it ceases to exist, the only function remaining to the Court is that of announcing the fact and dismissing the cause.

It should be noted, however, that the statute is strictly interpreted and it is only an appeal to the Supreme Court that was taken away. There still remained a right to appeal to the circuit courts in habeas corpus proceedings.

It is this strict construction and the actual fact that McCardle was very narrowly limited that has permitted scholars to suggest that McCardle is not authority for full and complete power over the appellate jurisdiction of the Federal courts.

There are cases under the due-process doctrine that seem to indicate that Congress cannot prevent a test of the constitutionality of a statute, see for example, *United States* v. *Carolene Products Co.* (304 U.S. 144 (1938)):

> We may assume for present purposes that no pronouncement of a legislature can forestall attack upon the constitutionality of the prohibition which it enacts * * * a statute would deny due process which precluded the disproof in judicial proceedings of all facts which would show or tend to show that a statute depriving the suitor of life, liberty or property had a rational basis.

The same is true of the supremacy doctrine for instance in *St. Joseph Stock Yards Co.* v. *U.S.* (298 U.S. 38), Justice Brandeis commented:

> The supremacy of law demands that there shall be an opportunity to have some court decide whether an erroneous rule of law was applied; and whether the proceeding in which facts were adjudicated were conducted regularly. To that extent, the person asserting a right, whatever its source, should be entitled to the independent judgment of a court on the ultimate questions of constitutionality.

If the Dirksen amendment, or the even more restrictive Tuck bill, is enacted there will be withdrawal and withholding from the inferior and the appellate courts of any power of enforcement of an individual constitutional right. No Congress has gone so far, no court has yet been confronted with so far reaching a proposition as this one that directs "any court" to withhold enforcement. I have grave doubts that the legislative branch of Government can so completely dominate the judicial branch in a constitutional question. In a future speech I will analyze the different cases and attempt to demonstrate that suspending both original and appellate jurisdiction over State apportionment cases is violative of the due-process clause of the fifth amendment.

But even if it is conceded that the Congress has a right to withhold, to suspend, and to withdraw individual constitutional rights, it is wrong in principle.

A basic doctrine of our American Government is that of separation of powers. The three departments of Government "should be kept completely independent of the others, so that the acts of each shall not be controlled by, or subjected to, directly or indirectly, the coercive influence of neither of the others—*Humphrey* v. *U.S.* (295 U.S. 602).

Ours is a government of law. Judge John J. Parker, in an eloquent article in the American Bar Association Journal, volume XXXVI, page 523, 1950, said:

> Society, whether a free society or not, is not a mere aggregation of individuals. It is an organism. The law is the life principle of that organism.

This respect for law is basic to us. If we can overturn the fundamental law of the Constitution by taking away or withholding a man's constitutional right to having a vote equal to that of other men, then we can take other constitutional rights away in the same manner. There are those that complain that murders and assaults in Mississippi are not being punished because of the difficulty of getting convictions by a jury. But shall we take away the right to indictment and jury trial? Such a right would be endangered if we embark on this first step. The freedoms of the press and of speech, and of religion can be taken away in the same manner and the Bill of Rights set aside, as I suggested previously to the Senator from Wisconsin, and the entire Bill of Rights could be set aside.

Prof. Bernard Schwarz, a student of the French political system pointed out:

> The French experience shows that a constitution which cannot be judicially enforced contains but empty words. It is judicial review which ensures that the American Constitution is not violated and gives that instrument its practical meaning. It is the failure of the French courts to assert a review power over the constitutionality of acts of the legislature that has made the various constitutions in France mere paper instruments.

In Russia, Vyshinky once said:

> From top to bottom the Soviet social order is penetrated by the single general spirit of the oneness of the authority of the toiler. The program of the All-Union Communist Party (of Bolsheviks) rejects the bourgeois principle of separation of powers.

Madison, writing in the Federalist, said:

> [I]t may clearly be inferred that, in saying, "There can be no liberty where the legislative and executive powers are united in the same person, or body of magistrates," or, "if the power of judging be not separated from the legislative and executive powers," he [Montesquieu] did not mean that these departments ought to have no partial agency in, or no control over, the acts of each other. His meaning, as his own words import, and still more conclusively as illustrated by the example in his eye, can amount to no more than this, that where the whole power of one department is exercised by the same hands which possess the whole power of another department, the fundamental principles of a free constitution are subverted.

The contest between the three departments in National, State, and local governments still goes on from day to day with varying results, but with all of the skirmishes, sometimes none too edifying, the goal remains constant—a government of law rather than of official will or whim. This goal can only be attained by a government of limited powers distributed both vertically and horizontally, as a glance at the dictatorships of today and yesterday will demonstrate to all who are willing to learn from the experience of others.

These views are in marked contrast to those of the Founding Fathers. Washington, in his Farewell Address, warned:

> The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism.

John Adams reasoned:

> It is by balancing each of these three powers against the other two, that the efforts in human nature toward tyranny can alone be checked and restrained, and any degree of freedom preserved in the Constitution.

Jefferson was of the same mind:

> The concentrating of these in the same hand is precisely the definition of despotic government. It will be no alleviation that these powers will be exercised by a plurality of hands and not by a single one; 173 despots would surely be as oppressive as 1.

Madison was equally emphatic:

> The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of "tyranny."

No concept of government has been so unanimously accepted by all the statesmen whose genius brought into being the American Nation as has the doctrine of the separation of governmental powers.

I am convinced that the Dirksen amendment is wrong, it is wrong in the spirit of the Constitution, it is wrong in the principle of the separation of powers, it is wrong in the doctrine of the supremacy of the law. It should be rejected.

SENATOR METCALF'S GREAT SPEECH ON LEGISLATIVE APPORTIONMENT

Mr. McGOVERN. Mr. President, one of the great speeches of this Congress was delivered today by the thoughtful junior Senator from Montana [Mr. METCALF]. Senator METCALF, a distinguished jurist in his own right, has carefully traced the mistaken notions on which the Dirksen apportionment amendment is based. He has made perfectly clear that the Dirksen proposal would create a dangerous precedent under which Congress could prevent the courts from protecting basic American constitutional rights. In this case, the equality of individual voting rights for all citizens is threatened. But, as Senator METCALF has warned, if Congress can prevent the courts from protecting a single right of a citizen, Congress could use that precedent to set aside the entire Bill of Rights.

The Dirksen amendment is a dagger aimed at the heart of our constitutional system, and especially at the integrity and authority of the Supreme Court.

I trust that every Member of Congress will read the carefully drafted, compelling speech made this afternoon by Senator METCALF. While I was presiding over the Senate, I had the privilege of hearing a portion of the speech; and I intend to read the entire speech carefully when it is printed in the CONGRESSIONAL RECORD.

MEMORIAL TRIBUTE TO LATE SPEAKER SAM RAYBURN BY JAMES A. FARLEY

Mr. RANDOLPH. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Washington [Mr. MAGNUSON] with the understanding that I shall retain my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. I thank the Senator from West Virginia.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a memorial tribute to the late Speaker of the House of Representatives, Hon. Sam Rayburn, delivered by Hon. James A. Farley at the Democratic National Convention at Atlantic City, N.J., August 27, 1964. It is an intelligent analysis of the great career of the Speaker of the House of Representatives.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

MEMORIAL TRIBUTE TO THE LATE SPEAKER OF THE HOUSE OF REPRESENTATIVES, SAM RAYBURN, DELIVERED BY THE HONORABLE JAMES A. FARLEY AT THE DEMOCRATIC NATIONAL CONVENTION IN ATLANTIC CITY, N.J., AUGUST 27, 1964

Speaker MCCORMACK, Senator HARTKE, members of the clergy, ladies, and gentlemen of the convention, and my friends, the Congress of the United States is the mighty structure of American liberty. Neither our country nor any other country—neither the American people nor any other people—can call themselves free—unless there is an open legislative parliament where the will of the people can be enacted into law. Indeed, the Congress of the United States is literally freedom in action.

In this 20th century, two great men prided themselves on being "men of the House"—Sir Winston Churchill and Speaker Sam Rayburn. Their accomplishments are such that the 20th century's histories of their countries—and the laws they sponsored—are almost biographies of their lives. In his various capacities Speaker Sam Rayburn caused to be enacted into law more than 100 pieces of legislation. Today, they are the guidelines of every American's daily life. They range from rural electrification and collective bargaining to securities regulations and social security.

These laws, I know, he believed to be both his life work and his monument. No one of them has been repealed. On the contrary, every one of them has been expanded. Since both major parties have embraced their principles in their platforms they are now the dynamic force in the expanding American way of life.

Speaker Sam Rayburn believed—as Pericles and Sir Winston Churchill—that the only victory is in persuasion. And no man in its long history has carried more weight of persuasion in the Congress. When he spoke, Members of the House not only heard—they listened. They listened not because he aroused them with dramatic oratory, not because he soothed them with his mellow voice, not even because he compelled them with his flawless logic. They followed him because they trusted him. They accepted his leadership because he moved them as a sincere and knowledgeable captain of soundest judgment—an exalted and yet practical man—who truly knew whereof he spoke—and spoke only whereof he knew. The breadth of his vision was matched by the depth of his integrity. He was a Texan, and in the Texas tradition his word was his bond.

I have mentioned the more than 100 basic laws because I know that it is for them he would like you to remember him. And so I ask you to recall that in large part:

Because of Sam Rayburn the hard earned savings of the American people are no longer the subject of heartless market manipulation. They are guarded by a Securities and Exchange Commission.

Because of Sam Rayburn, the small deposits of the tens of millions of American working people are no longer in danger of any bank failure. They are protected by the insurance of the U.S. Government.

Because of Sam Rayburn and the late great Senator Wagner, an individual American need no longer stand helpless in the marketplace, forced to sell his labor as a commodity. He has the protection of collective bargaining. Because of Sam Rayburn there has been incorporated into the laws of this land the Fourth Commandment of the laws of God: "Honor thy father and thy mother, that thy days may be long upon the land." No longer does our Nation turn its back on the men and women who are too old to work. Social security protects their ego and their self-respect. This is not only a matter of the Nation's laws—but because of Speaker Sam Rayburn it is now a part of the Nation's conscience.

Here I cannot refrain from stating that I have known three generations of great Americans from Texas. I know that if Speaker Sam Rayburn were here tonight he would unhesitatingly say that much of what he accomplished he owed to his great teacher, Speaker of the House, Vice President of the United States John Nance Garner who brought him up in the ways of the Congress.

And, presumptious as it may seem, I most earnestly believe that the President of the United States would be the first to say that for much of his effectiveness he is indebted to the instruction and advice of Speaker Sam Rayburn. As a Democrat and an American I am thankful to God the President of the United States is the representative of that tradition because of the precepts of Speaker Sam Rayburn, the Nation and the world could not be in more knowledgeable, more courageous, nor more honorable hands.

There is one single act of legislation, however, which to me especially hallows the name of Speaker Sam Rayburn. Because of his tremendous efforts it is the law of our land that children may no longer be compelled to spend the precious hours of childhood at hard work. No longer are little girls in the mills and little boys in the mines part of our national economy. Because of Sam Rayburn they have been elevated to their proper place—the single great asset of our national treasury.

By his generalship in the House, Speaker Sam Rayburn wrote the emancipation proclamation for American childhood—a law which in my opinion gave more freedom to more children—boys and girls—without regard to race, creed, or color, than any document in recorded history.

• "Suffer little children to come unto Me," said our Maker—and if this be the mightiest law of all—it is upon it that I commend my old friend to you—the American people—and to God—your faithful servant, Mr. Sam of Texas.

SITE FOR CONSTRUCTION OF SEA LEVEL CANAL CONNECTING THE ATLANTIC AND PACIFIC OCEANS

Mr. MAGNUSON. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 2701.

The PRESIDING OFFICER (Mr. McGOVERN in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 2701) to provide for an investigation and study to determine a site for the construction of a sea level canal connecting the Atlantic and Pacific Oceans, which were, on page 1, line 4, strike out "seven" and insert "five"; on page 1, line 4, strike out all after "men" down through and including "Commission" in line 6, and insert "from private life"; on page 2, strike out lines 13 through 17, inclusive, and insert:

> SEC. 3. The Commission shall report to the President for transmittal to Congress on

July 31, 1965, with respect to its progress, and each year thereafter until the completion of its duties. The President shall submit such recommendations to the Congress as he deems advisable. The Commission shall continue until the President determines that its duties are completed, but not later than June 30, 1968.

And on page 2, line 20, strike out "Act." and insert "Act, not to exceed $17,500,000.".

Mr. MAGNUSON. Mr. President, S. 2701, which was originally introduced by me, finally turned out to be a bill agreed to by all members of the Committee on Commerce. Therefore, it can be called a committee bill. It provides for an investigation and study to determine a site for the construction of a sea level canal to connect the Atlantic and Pacific Oceans. The bill was introduced on March 26, 1964.

The bill was unanimously approved by the Committee on Commerce after extensive hearings had been held on several similar legislative proposals. The Senate passed the bill without amendment on March 30. The measure has now been considered and passed by the House with several minor amendments. I find the amendments acceptable, and I am advised by the distinguished senior Senator from New Hampshire [Mr. COTTON], the ranking minority member of the Commerce Committee, who played an important role in the passage of the bill, and who also introduced a bill in January on this subject, that he has no objection to accepting the amendments of the House. I have discussed the amendments with other members of the committee, and they have no objection.

The legislation is of great importance to our national defense and our foreign commerce. The physical inadequacy of the present Panama Canal requires that plans be made immediately for the construction of a new and wider canal, one which would permit the passage of larger ships and more rapid transit for all vessels.

The intricate and complex locks of the existing canal, which measure 1,000 feet in length and 110 feet in width, already preclude our modern aircraft carriers and many tankers and passenger liners from passage of the canal. Such a restriction on the free flow of commerce is of vital concern to the United States, when it is considered that 70 percent of the cargo tonnage now transiting the Panama Canal involves goods which either originate in or are destined to the United States.

A sea level canal would require far less maintenance than a lock-type canal and would prove less vulnerable to a nuclear attack. The transit time through a sea level canal would be only half that through the present water route, with a consequent reduction in shipping costs.

The bill passed by the Senate would authorize the President to appoint a commission to study a most suitable site for a sea level canal connecting the Atlantic and Pacific.

Several sites have been suggested as being engineeringly feasible. They include two sites in the Republic of Panama itself for a sea level canal, and one site in Nicaragua, which is a much older proposal and has been considered by the United States, Nicaragua, and other countries for many years.

In 1938, when the senior Senator from Washington was a Member of the House, the Committee on Naval Affairs appointed a subcommittee of which I was a member and the present President of the United States, then Representative Johnson, was a member. The subcommittee, in 1938, explored the possibility of the construction of a Nicaraguan canal, which, as Senators may recall, would include the use of a large lake and would connect with the Gulf of Mexico. In 1938, the Panama Canal was handling commercial traffic quite well. Along came World War II, and many of the proposals for the construction of a new canal were laid aside. Meanwhile, commercial shipping has increased in large volume.

Another site proposed, which would involve a shorter distance between the Atlantic and Pacific coasts, would be located at the Gulf of Tehuantepec in Mexico. This would be a more costly canal, but it would not only be a sea level canal, but would cut off a great number of miles for the passage of traffic.

Another site has been proposed, in Colombia. Only last December or January, President Johnson, who as a Member of the House was associated with me in the study of 1938, sent a mission to Colombia to discuss with the Colombian Government and its engineers the possibility of constructing a sea level canal through that country. So a number of sites are involved.

The Senate bill would authorize the President to appoint a Commission to study the most suitable site from all angles—economy, cost, engineering feasibility, time of transit, and also the question of treaties with the countries concerned. This project affects all the nations of the free world.

The House amendments to the Senate bill would authorize the President to appoint five rather than seven members to the Commission. They would require that the appointees all be selected from private life. The House bill adds provisions which direct the Commission to file an annual status report with Congress and require the Commission to complete its duties not later than June 30, 1968. The Senate bill directed the Commission to report to Congress by January 31, 1966.

Whereas the Senate bill placed no limit on authorized funds, the House bill places a ceiling of $17.5 million. It is understood that this limitation would permit a study of the two most likely sites, one in Panama and the second in Colombia.

It is my opinion that these amendments are generally constructive. I personally would have preferred giving the President broader authority to appoint members of the Commission from public as well as from private life, including Members of Congress; but I am certain that the President will be able to accomplish the purposes of the legislation with the inclusion of the House amendment.

I am hopeful that the Commission will reach a conclusion much earlier than June 30, 1968. Nothing in the bill requires the Commission to wait until that date.

I feel certain that the Secretary of State; the Secretary of the Army, under whose jurisdiction is the Corps of Engineers; and the Chairman of the Atomic Energy Commission, who are specifically included in the Senate bill, will be considered ex officio as members of the Commission, because they are the heads of the departments and agencies directly involved.

It is proposed that if and when a decision is made, following a proper study and the negotiation of proper treaties on a site for a sea level canal within the next 2, 3, or 4 years, or perhaps even earlier, we shall conduct a great experiment in the construction of the canal by the use of small nuclear explosions.

Mr. President, this would open up a whole new field of peaceful uses for atomic energy. It would open up a field for harbor development, canal development, dredging, and all kinds of programs which could do much to reshape parts of the world, and make them better for transportation and for the people living in the areas. It could open up an era in the Arctic and the Antarctic for the establishment of harbors which heretofore have been impossible because of ice conditions.

The Atomic Energy Commission and the Corps of Engineers will play a very important part in this program, as will the State Department, because we shall have to formulate treaties.

I wish it clearly understood—and I have discussed this question with all the members of my committee, with the House committee, with the Department of the Army, and the Chairman of the Atomic Energy Commission—that when this Commission of private members is appointed by the President the departments I have mentioned, as well as probably two or three Members of Congress from both committees, House and Senate, will be a part of the deliberations, because in the end we shall have to make the final decision anyway.

I am certain that the Secretary of State, the Secretary of the Army, and the Chairman of the Atomic Energy Commission, who were specifically included in the Senate bill, will be considered the same as ex officio members since they are the head of the departments and agencies most directly involved. I assume also that the chairmen of the Senate and House committees with jurisdiction over the Panama Canal and interoceanic canals generally will also be asked to advise in a similar capacity.

Mr. President, I ask unanimous consent to have printed in the RECORD an opening statement I made at the commencement of the hearings on this subject by the Senate Committee on Commerce.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The unfortunate crisis which exists between our Nation and the Government of Panama has brought into question once again the sufficiency of the canal from a commercial as well as a strategic viewpoint.

With the passage of time the physical limitations of the Panama Canal are increasingly apparent. In 1910, when the canal first opened, traffic was light; on an average five ships transited per day. The canal now averages 30 transits per day, and by 1980 it is forecast—and this is a conservative forecast—that interoceanic traffic will exceed its capabilities. Thereafter ships will be required to wait in line for the privilege of passage, at great expense to shipowners and, ultimately, to consumers.

There are other physical limitations inherent in the present Panama Canal. Its intricate and complex locks, which measure 1,000 feet in length and 110 feet in width, already preclude our modern aircraft carriers, supertankers, and passenger liners from passage. That such restriction on the free flow of transisthmian commerce is of vital concern to us is apparent when we consider that 70 percent of cargo tonnage transiting the Panama Canal involves goods which either originate in, or are destined for, the United States.

This is very important, because it points up very dramatically our deep interest in this canal, a future canal, or other canals.

Fortunate we are that while the Panama Canal rapidly recedes into obsolescence, our technological advances in the use of atomic energy for peaceful purposes have provided us with a means, safe and relatively inexpensive, for the construction of a sea level canal possessing all the attendant advantages—strategic, diplomatic, and commercial—over its lock-type counterpart.

Obviously, a sea level canal would require far less maintenance than a lock-type canal, and, probably, it would prove less vulnerable to nuclear attack. It is significant, also, that the time of transit through a sea level canal would be reduced by approximately 50 percent, with consequent reduction in costs of shipping.

Nuclear excavation, it is estimated, would permit construction of a sea level canal in one-fifth of the time and at one-quarter the expense of excavation by conventional means. One of the major questions to be resolved, therefore, is whether or not any one of the several routes suggested for a new canal would lend itself to such nuclear excavation as may be permitted under the nuclear test ban treaty—which this committee will explore with proper witnesses.

This committee has jurisdiction over legislative matters pertaining to certain aspects of the Panama Canal and to interoceanic canals generally, and also jurisdiction over foreign commerce. The committee members have not lacked diligence in proposing legislation to expedite an immediate investigation into the need for a second transisthmian canal and a study to determine the most suitable site therefor and the most expeditious means of excavation. The two bills pending before the Senate and referred to this committee for our consideration, although generally similar in legislative purpose, differ substantially in the means of attaining the desired end.

Senator COTTON's bill, S. 2428, would authorize the President to appoint a Commission, including representatives of the Panama Canal Company, to make a study, with cost estimates, of means for increasing the capacity and security of the Panama Canal or the construction of a new canal to meet the future needs of interoceanic commerce and national defense.

S. 2428 is identical in many respects to proposed legislation submitted by the administration to the 87th Congress in 1962, with the following exception: Instead of directing the Panama Canal Company alone to make the study, it would empower the President to appoint a Commission, including representatives of the Company, to do so.

S. 2497, which I introduced, and which is cosponsored by Senators Pastore, Bartlett, Engle, Jackson, McGee, and Yarborough, and several other Senators who want to be cosponsors, would direct the Secretary of State, the Secretary of Defense, and the Atomic Energy Commission, acting jointly, to make an investigation and study to determine the best site for the construction of an interoceanic canal at sea level through the American isthmus and the best means to effect such construction. Pursuant to the terms of S. 2497, a final report to Congress would be required within 6 months.

Mr. COTTON. Mr. President, last January, when I first introduced proposed legislation calling for a study of the possible sites for a new sea level canal to replace the existing Panama Canal, our relations with the Republic of Panama were strained, almost to the breaking point, by a series of violent riots.

The immediate tensions now have eased somewhat and fevers are no longer at the boiling point. The problems of Panama and the Canal Zone can be viewed more objectively and more coolly. In this light, it has become very clear that the replacement of the existing Panama Canal with a modern, sea level waterway between the Atlantic and Pacific Oceans is inevitable, regardless of the future course of the American-Panamanian relations.

A new canal must be built because the present one is fast becoming saturated with traffic and will be inadequate to meet the demands of commerce within the next 15 or 20 years, if not sooner. Modern excavating techniques with nuclear explosions, if they can be used, would make a sea level canal possible and reasonable, and such a canal would eliminate the costly, time-consuming, and vulnerable system of locks required in the present canal.

A new canal will be a defense and a commercial necessity before too many years have passed. It may also prove to be the means for putting the relations between the United States and Panama on a firmer footing of mutual understanding and respect.

These important goals cannot be achieved overnight, and we must use the time available to us in the best way. That is why I regard it as important to complete the enactment of this proposed legislation at the current session of Congress, so that the study of the best site for a new canal can proceed without delay.

As Senators will recall, S. 2701 was unanimously reported from the Senate Commerce Committee as an original bill. It was based on S. 2428, which I introduced and on S. 2497, which was proposed by the Senator from Washington [Mr. MAGNUSON], and the Senator from Rhode Island [Mr. PASTORE].

The changes made in S. 2701 by the House of Representatives are matters of detail and in most respects, in my opinion, improve the legislation.

I hope that the Senate will approve the amendments of the House to the bill and send it on to the President.

Mr. MAGNUSON. Mr. President, I move the Senate accept the House amendments to S. 2701.

The motion was agreed to.

ECONOMIC DEVELOPMENT PROGRAMS FOR DEVELOPMENT OF THE APPALACHIAN REGION

The Senate resumed the consideration of the bill (S. 2782) to provide public works and economic development programs and the planning and coordination needed to assist in the development of the Appalachian region.

Mr. RANDOLPH. Mr. President, the Appalachian Regional Development Act of 1964 is the product of 4 years of concentrated study and planning by officials at the local, State, and Federal levels.

The origins of the bill go back to 1960, when the Governors of nine Appalachian States—more recently joined by the Governors of the States of Ohio and South Carolina—voluntarily formed a conference of Appalachian Governors.

After 3 years of intense study of regional problems during the past 2 years, under the chairmanship of Gov. W. W. Barron, of West Virginia, the Governors concluded that Federal participation was essential if we were to achieve comprehensive solutions to many of the most pervasive social and economic problems of this important area of the United States.

On April 9, 1963, President John F. Kennedy responded to the request of the Governors for Federal assistance by establishing the President's Appalachian Regional Commission.

He gave the responsibility for the direction of this Commission to the Under Secretary of Commerce, Hon. Franklin D. Roosevelt, Jr.

The Commission conducted a yearlong study of the region, including two tours throughout the region and frequent consultations in the States and in Washington with representatives of all segments of the economic life of the region and with State and Federal officials.

On April 9, 1964, the Commission submitted its report to President Johnson containing detailed recommendations for a coordinated program of local, State, and Federal investment to develop the natural and human resources of the region. This report was the product of a cooperative effort of 13 Federal departments and agencies, and the States of Alabama, Georgia, Kentucky, Maryland, North Carolina, Pennsylvania, Tennessee, Virginia, and West Virginia.

President Johnson responded to the report with his message to the Congress on April 29, 1964, accompanied by a draft bill.

The region comprises parts of 10 States and now all of the State of West Virginia. West Virginia, the State which I am in part representing, is the State which is entirely encompassed within the provisions of the bill.

Mr. President, when President Johnson, the Chief Executive of the United States, received this report, it was most carefully considered at the White House. The President himself responded to the report with his message to Congress on April 29, 1964, which was accompanied with a draft of an Appalachian Region Development Act of 1964.

This bill was introduced by the senior Senator from West Virginia on April 29,

1964. It was my belief—shared by others in this body, and within the Federal administration, as well as the States—that we should attempt to have as wide a representation of cosponsorship on the legislation as was feasible. I was joined in the introduction of the bill by 35 other Members of this body. I read the names of those Senators into the RECORD: BARTLETT, BAYH, BEALL, BREWSTER, BURDICK, BYRD of West Virginia, CLARK, COOPER, DODD, DOUGLAS, GRUENING, HART, HARTKE, HUMPHREY, INOUYE, JOHNSTON, KENNEDY, MAGNUSON, McCARTHY, McGOVERN, McNAMARA, METCALF, MORSE, MORTON, MOSS, MUSKIE, NELSON, NEUBERGER, PASTORE, PELL, RIBICOFF, SCOTT, WALTERS, WILLIAMS of New Jersey, and YOUNG of Ohio.

The draft of the bill, to which I have made reference, S. 2782, was the subject of exhaustive hearings by the Committee on Public Works.

The draft bill was the subject of exhaustive hearings by the Committee on Public Works of this body. During every phase of legislative consideration of this measure from the time the bill was received from the administration, during the hearings, and during executive sessions on the measure, under the chairmanship of the able senior Senator from Michigan [Mr. McNAMARA] those primarily responsible for guiding the legislation in the House and Senate maintained the closest liaison. I would also add that the distinguished ranking minority member of the Senate Committee on Public Works [Mr. COOPER] was kept advised of the actions of the majority at all points and was most helpful.

I believe it is important to state for the record that the very closest liaison was manifested between the members of the Committee on Public Works of the Senate and the members of the Committee on Public Works of the House. I sat in the House hearings in an attempt to keep current on the testimony and the varying viewpoints which were expressed by witnesses from certain sections and segments of our society.

Senator COOPER was most helpful and cooperative not only during the hearings, but also in the fashioning of a valid measure in the executive sessions of the committee.

It cannot be said, therefore, that this legislation is either hastily conceived or ill-considered. It was no so-called bright bureaucrat—a term which I heard recently—who brought this legislation into being in a bureaucratic Washington. This legislation came from the wellsprings of the thoughts, the yearnings, and the planning of the Governors and their representatives, and officials of local government. They were later joined by the Governors of the States of Ohio and South Carolina.

So, with all the vigor at my command, I say that this is no election-year, political patronage measure. This measure is presented in this body in the belief that it is a valid, constructive approach to at least a partial settlement of the problems of the Appalachian region.

Mr. President, I reemphasize that the proposed program has passed through every phase of local, State, and Federal screening. It embodies a truly regional conception of Federal, State, and local partnership. It is a practical, realistic, and, in my opinion, relatively modest effort to develop the resources of the Appalachian region and to compensate in some degree for the years of partial neglect in that troubled area—an area which is peopled by good men and women who desire a hand and not a handout. They are men and women who, with programs of the type which are included in the proposed effort, would bring about the development of the area.

What would be accomplished under the bill? The membership of the entire Congress has every right to expect us to spell out in a definitive manner exactly what is proposed.

MAJOR PROVISIONS OF THE ACT

The Appalachian Regional Development Act would establish an Appalachian Regional Commission composed of one Federal member or his alternate and the Governors of the 11 participating States or their representatives. The Commission will conduct studies and research and will recommend programs to the President and to State and local officials, but it will not be an operating agency and it will have no authority over any other agency of government. It is sheer nonsense, therefore, to refer to the Commission as a "new Federal octopus."

The opposition has charged that because all recommendations of the Commission must be made by affirmative vote of the majority of State members and the concurrence of the Federal representative, the act gives an unwarranted veto power to the Federal member. In reply, I would point out that section 222 of the act gives an absolute veto power to the Governor of any State over any program to be conducted within his State. I would also add that since the Commission is empowered not only to recommend the expenditure of substantial sums of Federal funds, but also enter into contracts obligating the Federal Government, it would be fiscally irresponsible on the part of the Federal Government not to require the affirmative vote of the Federal representative before such action could be taken.

What costs would be involved in the proposed legislation?

The Appalachian bill would authorize $1 billion, $77 million for a regional program of highway construction, the building of multicounty health and hospital facilities, vocational education facilities, water and sewage treatment works, pasture improvement, land reclamation of strip-mined areas, and timber development.

The bulk of the funds, $840 million, will be in Federal assistance to the States for the construction of a 2,350-mile network of development highways and 500 miles of local access roads, on the basis of 70 to 30 percent Federal-State participation.

The development highway system represents a new departure in the concept of roadbuilding in the United States, though we have for a number of years applied this concept to our economic assistance programs abroad. Heretofore, the construction and improvement of Federal-aid highways have been on the basis of cost-benefit ratios justified by present and projected traffic counts. The development roads, however, would be constructed on the basis of the economic potential of a particular area and would be designed to unlock, in degree at least, previously isolated regions and thereby create new economic activity.

The local access roads will be for the purpose of providing improved access to specific recreational, commercial, and industrial facilities and for such purposes as school consolidation and natural resource development.

In conjunction with the Interstate System, the development road network will provide States of the region with access to all of the surrounding population centers and will open many of our most attractive and scenic areas for increased recreational use by millions and millions of Americans who will come from teeming, congested metropolitan areas.

I might add that this program is in addition to the accelerated construction of timber development roads in the national forest, which will be part of the general increase in activity of the U.S. Department of Agriculture in the Appalachian region. This program will also enhance the recreational potential of the national forests of the region, as well as increase the harvesting of timber.

A second major feature is the authorization of $41 million for the construction of multicounty health and hospital facilities, of which the Federal Government will bear 80 percent of the cost of construction and 100 percent of the cost of operation for the first 3 years.

To illustrate the contribution which this phase of the program might make to West Virginia, for example, let me quote briefly from a letter I recently received from the Lions Club in Clay County, in my State. I hope that those Members of the Senate who are in the Chamber will carefully consider what this letter states and that Senators will read the RECORD:

> The Clay Lions Club is endeavoring to construct a diagnostic and treatment center here to meet a very urgent need. This county, with a population of 11,000, has only 1 doctor, a general practitioner past 80 years of age, and the nearest hospital facilities are 50 miles distant.
>
> While he continues valiantly, our doctor cannot be expected, at his age, to meet our medical needs for any great length of time, and we are unable to attract any younger doctor possessing the means to furnish his own facilities.

One county in the State of West Virginia in the Appalachian region, populated by 11,000 persons, has the services of only 1 doctor, a general practitioner, past age of 80.

Of course, I could not predict—that the needs of Clay County would be met under section 202, the medical facilities provision of the act. However, another section of the act, which would authorize $90 million to supplement existing grant-in-aid programs up to 80 percent, would enable the citizens of Clay County to avail themselves of more generous assistance under the Hill-Burton Act, if not under the special provisions of this act.

A third feature of the program—and one which has come under considerable fire from Members of Congress from the Midwestern States—is that which would provide for pasture improvement in Appalachia with a view toward increasing the production of feeder calves. This section would authorize $17 million for use by the Secretary of Agriculture in making 80-percent grants for the improvement of up to 25 acres of pasture land for each farmer. Other funds would be available for low-interest loans for the improvement of additional acreage and for technical assistance to the farmer.

It is estimated that there are more than 9 million acres of pasture land in Appalachia in need of improvement—not 10 years from now, not 5 years from now, but as soon as we can do the job.

Secretary of Agriculture Freeman has estimated that the average net return to the typical small farm from the feeder calf program would be in the range of $200 to $500 per farm.

This is not a big figure, but it is an important figure. I do not designate it as a grand sum of money, but for those farmers—and there are many marginal income farm families in the area—it could mean the difference between a son of that farm family finishing high school or dropping out. It could mean the difference between an elderly couple continuing their lives on the farm, or moving to the city and living on some form of public assistance.

I say that in the presence of the Senator from Michigan [Mr. McNamara], who is intensely interested in this area, although it does not encompass his own State, because he realizes that the strength of a region is the strength of the country and of all the States. If we can increase the income of these people, to a level above that of mere marginal subsistence, they will not have to rely on public assistance of one kind or another for their sustenance.

Studies by the U.S. Department of Agriculture, and independent studies by agriculturalists at West Virginia University, have indicated the feasibility of the pasture improvement program I have touched on this afternoon. It would be applicable to many areas in the Appalachian region.

I regret that this portion of the Appalachian bill is the one which is most likely to come under attack in the Senate. I know it will be the subject of an amendment or amendments. I do not wish to be negative, but this portion may be dropped from the bill. I know of the opposition to it in the House by a group of Representatives from the West and Midwest.

If the proposed legislation passes in general, and we are not able to hold this provision of the program this year, I shall endeavor in the 89th Congress to amend the act to provide for this important feature for the future of the area.

It is almost universally recognized that most of our Federal farm support programs are of primary value to the specialized farm regions and of greatest value to the large corporation farms. Yet we maintain our fond talk about the value of the family farm. I think it is long overdue that we do something for the family farmer—particularly in Appalachia—rather than merely talk about him. Especially is this so, when we consider that among the 19 congressional districts in the country at large which have the lowest farm operator level of living, 14 of them are located in Appalachia.

One of the major underdeveloped resources of Appalachia is the immense reserve of timber. With some 60 percent of the land area covered by forests, no regional development program could be effective which fails to consider the potential of such lands in terms of recreational uses, timber products, and land and water conservation.

In recent years there have been many encouraging developments in the timber-products industry within Appalachia through significant capital investments by private firms. The developmental highway system, the programed acceleration on the national forests of the construction of timber development roads, and the intensified research in Appalachian hardwoods planned by the Forest Service will, I hope, encourage the continued progress of our timber products industry.

However, much of the commercial forest land of the region exists in small holdings and woodlots of 50 to 100 acres, a landownership pattern which presents serious obstacles to the development of modern and efficient management and harvesting practices. In West Virginia, for example, it is estimated that some 4,500,000 acres exist in holdings of less than 100 acres, and another 2,900,000 are in holdings of between 100 and 500 acres. In order to consolidate these holdings, managerially and physically, into larger and more efficient units of management, the Appalachian Development Act would authorize $5 million for loans and technical assistance to timber development organizations.

I am aware of some degree of anxiety among members of the timber products industry regarding this feature of the act. However, I believe such concern is premature, and I would strongly emphasize that it is not the intent of Congress to put the Federal Government in competition with the forest products industry, nor to subsidize inefficient management. There are, however, many thousands of small farmers and timber owners in Appalachia for whom their timberland is their major source of capital worth. They are hampered by inadequate knowledge and insufficient holdings from realizing the full income value of their land; and their needs cannot be overlooked in any realistic or equitable plan for regional economic development.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. RANDOLPH. I am glad to yield to the Senator from Iowa, a member of the Committee on Public Works, who gave his attention to this subject matter and participated in the hearings.

Mr. MILLER. I do not wish to intrude on the Senator's explanation of the bill unless the intrusion involves something of considerable importance. Perhaps we could have a brief colloquy on the point the Senator has been covering, so that the Record will be in proper sequence with respect to it. Will the Senator indulge me for a few comments and perhaps to ask a question or two?

Mr. RANDOLPH. Yes; I shall be glad to do so at this time. I would have preferred to conclude my discussion, but I shall certainly be glad to accommodate the Senator in this regard.

Mr. MILLER. I thank the Senator. The Senator as usual is his most cooperative self. I deeply appreciate it.

The Senator knows that in committee I raised the point about the agricultural section of the bill. My recollection is that the disposition of practically all the members of the other party in this committee, if not all of them, was to oppose any amendment to delete this portion of the bill.

Mr. RANDOLPH. Is the Senator referring to the pasture land improvement program?

Mr. MILLER. The Senator from Iowa is referring to the pasture land improvement program.

Mr. RANDOLPH. At this point, the record should be developed, as the Senator from Iowa will do well; but I have had conversations with other members of the Committee on Public Works, including the Senator from Montana [Mr. Metcalf] and the Senator from Utah [Mr. Moss]. Those two Senators, at least, as members of the majority party, are concerned, as is the Senator from Iowa, a member of the minority, in reference to this particular provision of the bill.

Mr. MILLER. I am pleased to receive that information, because it is my recollection that that concern was not expressed by either of the two Senators whom the Senator from West Virginia has mentioned at the time the bill was considered in committee, although I recognize that it should have been. Because of the interests which they represent, coming, as they do, from large livestock-producing States, I welcome their considering the possibility to remove this section from the bill.

The point ought to be made that every member of the committee and, I believe, every Member of the Senate is concerned about the future of some of the small farmers in the Appalachian region. Our concern goes beyond them; but we are discussing the Appalachia bill, and that is what I am talking about now.

We all recognize that small farmers have practically no future in this area and that, if possible, something should be done to provide them with a future. However, the point that I made in committee, and wish to make on the floor of the Senate, is that in the present state of agricultural development, permitting small farmers to pasture a few extra heads of cattle will not provide them with a future. If anything, it will only prolong the agony of submarginal income and a substandard of living. The future for people like that and their families must be found in industrial development in the region.

We have found this to be true in Iowa, where it is well known that farm operations are and have been moving into larger units, while the farm population has steadily declined. The people who have to move off the farms because their units are too small to provide them and their families with a reasonable living standard have no place to find a future except in industrial development, in jobs furnished not only in nearby towns and cities in Iowa, but in other cities throughout the country.

One of the most distressing problems of my State is that we export many of our younger people, and a good number of our older people, to other States, because they have been literally forced off the farms, farms which have not been large enough to provide them with proper sustenance.

It seems to me that when we are considering a problem of imbalance between production and consumption of livestock, with the result that a tremendous controversy has been waged over the increased meat imports situation that has developed in the past 2 or 3 years, and when we have been paying much of the taxpayers' money to farmers to retire land from the growing of crops that are in surplus, we are going in the opposite direction by including this section in the bill.

Granted that the objective of helping people is laudable, I believe that we are going contrary to the established policy of this administration and previous administrations, which has been to reduce the production of crops and, if anything, to reduce the amount of livestock being raised, so that there will not be an imbalance between production and consumption.

I cannot see how much of a future will be afforded the small farmers who might come under this part of the bill; at the same time, I can see how, collectively, it could aggravate the agricultural problem. I do not believe that the record made before the committee contains any substantial evidence to indicate that anything other than a prolongation of substandard living will take place.

The Secretary of Agriculture testified that this program would not materially interfere with the national agricultural picture. I know that he testified that it would be helpful to the people concerned. But I do not recall that he used any persuasive statistics. It was an opinion that was expressed. The opinion was contrary to the opinion that has been expressed by a number of people in the agricultural business.

For example, I recall a leading editorial in the Des Moines Register which, I am quite sure, was written by a person who has been among the foremost in trying to recognize that changing times demand changes in agriculture. The editorial stated that one of the defects in the proposed legislation is this particular section of the bill, and that the reason why it is a defect is that it tends to perpetuate small, uneconomic-sized farms. When I say "small," I am not talking about the family farm as such; because when we refer to a family farm, I am sure most of us are talking about a family farm that is big enough to support a family. I believe the Secretary of Agriculture used that definition some time ago. I cannot see how one of the small farms in Appalachia, with the assistance provided by this section of the bill, will be much of a family farm, if it has not been a family farm until now. If it has not been a farm large enough to sustain a family until now, I do not believe that what is proposed by the bill would improve the situation noticeably.

As I said before, a concern of many of us who come from the livestock and agricultural areas, including the Senators from Iowa, Montana, and Utah, whom the Senator from West Virginia referred to earlier, is that this provision will cause more of an imbalance between production and consumption, and we are now struggling with that very problem. One reason why farm parity has declined from 81 to 74 in the past 3 years has been the imbalance between production and consumption. Much is being done to try to improve the situation. Public Law 480 has been continued by Congress. Our exports of surplus grains have been greatly stepped up. Our marketings abroad in normal export channels—for example, in the soybean industry—have been greatly stepped up. Yet we continue to pay out hundreds of millions of dollars in an effort to bring consumption and production more into balance.

I have spoken on this subject a little longer that I had planned to. The RECORD should show the main reason why I have submitted and had printed an amendment to the bill. My amendment is numbered 1239. It would delete from the bill the section relating to pasturage.

Mr. RANDOLPH. I should like to respond to the Senator by saying that I disagree with the assertion that this provision would merely cause more of an imbalance between production and consumption, and I believe the longrun trends of beef consumption in America support my view and that of Secretary of Agriculture Freeman. But I am realistic. I doubt if we could hold this provision of the bill in the House. I believe that it could be held in the Senate. I am not sure, however. The thoughts of the Senator and the thoughts of other Senators on this subject might well prevail. I am realistic, as I have just indicated, with reference to the provision.

I should like to complete my discussion at this time by stating that 60 percent of the citizens who live in the Appalachian region live in rural sections of the country; therefore although the Senator has referred to the advisability of industrial development and expansion—and I certainly agree that the development should move forward—there yet exists the problem of rural Appalachia. We must intelligently work with one kind of program or another for the people who still live on the land of Appalachia—a good land.

Mr. MILLER. Let me suggest that those who live on the good land in economic-sized units are already receiving benefits from various programs, not the least of which are soil conservation activities. I have no objection to this program. What I have objection to is the fact that many of these people will find, if they come under this section and take advantage of it, it will be only a temporary palliative which will not provide them with a future, and that they may be encouraged to stay on and participate in uneconomic-sized units.

I am not asking them to do a single thing more than the farmers and their families in my State of Iowa have done. I have noted with great concern the drop in our farm population. It has made its impact in some of our smaller towns which at one time were viable, growing communities; and some of them are, unfortunately, losing their population. But people who have literally been forced off the farms have either gone into cities or towns and found jobs, or they have gone out as far as the west coast.

Mr. RANDOLPH. Or gone on relief in the cities as well as finding jobs. Is that not correct?

Mr. MILLER. I do not doubt that some of them have. Incidentally, this was one of the reasons why I offered an amendment to the area redevelopment act bill last year. The Senator from West Virginia will recall that it was opposed by the leadership and was defeated; but my amendment would have sought to include rural areas in the area redevelopment program—areas which have lost substantial population—the idea being that instead of allowing a situation to continue in which some people from the rural areas would go into the large cities and aggravate the unemployment situation, we should hold them back in the rural areas and develop the area from an industrial standpoint, so that they would not need to move into the cities to aggravate the unemployment problem.

I do not suggest that underprivileged farmers and their families in Appalachia do anything more than underprivileged farmers in Iowa, South Dakota, Nebraska, or other States are now doing. However, I believe that it would be unfair to them to give them what amounts to a mere pittance, something which might cause them to have false hopes regarding their future.

I believe that it would be far better to consider this program with its great accent on industrial development, and say to the people that we are trying to help the region develop industrially, so that they can move into the cities and towns and obtain jobs with a future. I know that this is the main purpose behind the bill. To that extent, I must say that I believe the objective is sound.

Of course, I have another point in this connection which was discussed at some length in the minority views. Mr. President, in that connection, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a portion of the minority views.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MILLER. Mr. President, I am concerned about the other aspects of the bill, one of them being that some of the counties, in fact a good many of them, included in the Appalachia definition, are counties which cannot qualify as distressed areas under other legislation passed by Congress. I have an amendment on this subject which I propose to offer at the appropriate time.

Mr. RANDOLPH. Mr. President, I do not desire at this point to answer the argument of the Senator from Iowa [Mr. MILLER] regarding the deletion from the program of certain counties. I shall develop the committee opposition of the majority to the position with regard to that amendment at the proper time.

Mr. MILLER. I appreciate that. To draw the colloquy to a conclusion, I again express my appreciation to the very able Senator from West Virginia, whom I consider a warm friend and one with whom I feel most privileged to serve on the committee. I was hopeful that perhaps the leadership on the bill might agree to accept an amendment deleting this particular section. In view of our colloquy, I hope that he will give this suggestion careful consideration, because I believe that this is a defect which is recognized by other Senators, as well as by myself, and it might detract from the acceptance of the proposed legislation if it were included when the Senate completes its action.

Mr. RANDOLPH. Mr. President, the views of the Senator from Iowa, a member of the Senate Public Works Committee, with particular reference to the two amendments to the pending legislation, were advanced during the hearings and also in executive session. The further colloquy and explanation this afternoon, I am sure, will be helpful to an intelligent determination of the problems.

Mr. President, a fifth major action program specifically tailored to Appalachia is the $22 million authorized for reclamation of strip mined lands and for the Secretary of the Interior to conduct a study of the effects of surface mining. Last year, the West Virginia Legislature enacted an intelligent and progressive strip mining law, which has enlisted the compliance and cooperation of responsible management officials in the coal mining industry. The same cannot be said of all the Appalachian States, however; and until our neighboring States have laws of equal strength elements of the coal industry will operate under the threat of competitive disadvantage, however slight. I would hope that the Appalachian Regional Commission, and the study to be performed by the Secretary of the Interior, would lead to more uniformity of strip mining laws among the States of the Appalachian region.

At this point, I mention the pending bill, sponsored by our able colleague, the Senator from Ohio [Mr. LAUSCHE]. Several of us joined him in this proposal, which has to do with the proposed study of reclamation areas which are scarred by strip mining operations.

These are the principal action programs embodied in the act, though as I mentioned earlier, it provides funds also for additional assistance to the Appalachian region under existing grant-in-aid programs, which are already in existence. These include $16 million for construction of vocational education facilities under the Vocational Education Act of 1963; $6 million for the construction of sewage treatment control facilities under the Water Pollution Control Act; and $90 million to supplement any other existing Federal grant-in-aid under such acts as the Federal Airport Act, the Higher Education Facilities Act of 1963, the Watershed Protection and Flood Prevention Act, and the Library Services Act. Grants under all of these supplementary provisions may be made up to 80 percent of the total cost of construction and without reference to the formula for State apportionment under existing statutes.

Finally, I would mention two provisions which look to the future and which were incorporated in the bill largely at my request. It authorizes $5 million for the first regionwide, comprehensive study of the water resources of Appalachia. This study will integrate comprehensive river basin studies, and it will provide for the first time a plan for regional development of our water resources on a multipurpose basis.

Second, the act would encourage the experimental use of coal products in construction of the developmental road system, by allowing each State to set aside 10 percent of its allocated mileage under this system for the purpose of testing coal products and other indigenous materials. Some of the most knowledgeable experts in the field of highway research have indicated to me that coal dust as an aggregate and coal products as binders may have an immense potential in the highway construction industry, but that we shall never know what these products can do in the highway construction program until we provide an adequate testing program. It is my hope that this legislation will establish such a testing program.

The Appalachian Regional Development Act is a long-overdue effort to resolve some of our most stubborn problems by local, State, and Federal partnership. And I am confident that if this program is imaginatively administered with a view toward enlisting local and State participation in the establishment of multicounty development districts, it will move affected counties of the region well along the road of adequate utilization of our natural resources and sustained economic growth.

This legislation presumes a balanced economy, with adequate attention being given to industrial development, community facilities improvements, natural resources, and the enhancement of the recreation potential of the natural beauties of our State.

One final point—it does not create another permanent layer of bureaucracy in the Federal Government. The Appalachian Regional Development Act will expire on July 1, 1970, and with it will expire the Commission and the other administrative machinery. It assumes, therefore, that we can do the job of bringing a much improved economy to the region within the decade of the 1960's. I believe we can. And I believe we will.

EXHIBIT 1

PREFERENTIAL TREATMENT FOR APPALACHIA

A Federal program to benefit all of the citizens of the United States is one thing. A Federal program to benefit some or all of the citizens of one selected area or of a few selected States simply because of their place of residence is an entirely different thing.

H.R. 11946 would provide for a massive Federal spending program ($1,077,200,000 to start) for an area designated "Appalachia"—an area comprising 355 counties in 11 States. How the boundaries of Appalachia were determined is open to speculation. A spokesman for the Governor of Virginia, who conceded that most of the Virginia counties in Appalachia are not economically depressed, commented that the prosperous counties were included "because somewhere 2 or 3 years ago some individual drew a line on the map at the foot of the mountains."

Regardless of how the boundaries of Appalachia were determined, the fact remains that H.R. 11946 would establish a special massive relief program for one comparatively small part of the Nation to the exclusion of other equally deserving areas.

This preferential treatment is "justified" by statistics which purport to show that Appalachia lags behind national averages in several categories. But Appalachia is not the only area which is below national averages. The Ozark Mountain region, the upper Great Lakes iron ore region, several of the Southern States, areas in the West and the Northeast, and other areas can demonstrate below average conditions in terms of low per capita income, low family income, high unemployment rates, or other categories. According to the June 1964 edition of "Area Labor Market Trends," published monthly by the U.S. Department of Labor, there are 715 areas in the United States having substantial unemployment, and 551 of these are areas having substantial and persistent unemployment.

Whether below national averages are indicia of economic distress is a matter open to debate. But, conceding that they are for the purpose of discussing the matter, the question remains as to why one below-average area should be given preference over other below-average areas.

We believe that the special Appalachia relief proposal discriminates against every other area in the United States which has unemployment rates, income rates, and other conditions comparable to or worse than those in Appalachia.

A WASTEFUL AND INEFFECTIVE FARM PROGRAM

To promote the raising of more livestock in Appalachia, section 203 of H.R. 11946 authorizes the Secretary of Agriculture to make grants to landowners in amounts up to 80 percent of the costs of improving and developing 25 acres of pastureland owned by such landowner in the region.

This section raises several serious problems. There is an obvious inconsistency with any sound approach to a national agricultural program to give Federal funds to landowners of one region for the purpose of bringing land into production, while at the same time the Federal Government is paying landowners of other regions to remove better land from production. The production of beef in the United States reached an alltime record high last year, and the importation of beef into the United States also reached an alltime high in 1963. This increased production and importation of beef brought about a decline in gross cash receipts for beef producers and a reduction in the average net price of beef for the producer. Since the U.S. Department of Agriculture has reported that the high level of cattle slaughter and the resulting decrease in average prices will probably be maintained for a substantial period of time under existing Federal regulatory authority, the increase in beef production in Appalachia is further inconsistent with national agricultural objectives.

It is also difficult to justify the expenditure of Federal funds for the purpose of placing more land into beef production and to simultaneously expend Federal funds to maintain storage facilities for existing beef surpluses and to purchase excess beef poundage through diversion programs.

The bill is not clear as to what constitutes a landowner with respect to the number of acres eligible for assistance. If four members of one family each owns 25 acres of a hundred-acre farm, then it is conceivable that all 100 acres could be improved under the provisions of this section. It is also conceivable that a landowner could own farms in Georgia, Ohio, and North Carolina, in the Appalachian region, and still be eligible for assistance for the improvement of only 25 acres—75 acres less than the family of four.

One of the cruelest aspects of this pasture improvement section is the false hopes it will raise among many of the farmers in Appalachia. To subsidize uneconomic farm units and to lead these farmers to believe that under present conditions they can become viable, productive, and economic units, when in fact and according to the testimony of Secretary of Agriculture Freeman this cannot be done even with this pasture improvement assistance, would be a cruel hoax. Twenty-five acres of pasture in Appalachia will support at most only six to eight animal units. Improvement of 25 acres of pasture simply would not be enough to make a cow-calf operation economic, if this is what the bill envisions. A large farm unit would be needed. This pasture improvement section will perpetuate the status quo, instead of doing away with rural poverty. It will, unfortunately, prolong the almost inevitable closing of uneconomic farm units.

The limitation of the program to pasture improvement and development is too narrow to deal effectively with total agricultural problems in Appalachia, but the provisions of this section apply to a sufficiently significant percentage of the total farm acreage in this Nation to affect the overall national objectives of the agricultural program, and as a result this section very seriously jeopardizes the stability of that program.

It is not clear as to which agency of the Department of Agriculture will administer this program.

This section unduly discriminates against those farmers of the United States outside the Appalachian area. In essence, this section will be ineffective in Appalachia, and it has an enormously damaging potential for other regions of the United States.

Mr. RANDOLPH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM WEDNESDAY TO THURSDAY AT NOON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourn tomorrow, it stand in adjournment until 12 o'clock noon on Thursday.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PROXMIRE. The effect of the Senator's request is that the cloture vote would come at 1 o'clock on Thursday. Is that correct?

Mr. MANSFIELD. That is correct.

Mr. PROXMIRE. I thank the Senator.

ON THE STAFFING OF INTERNATIONAL ORGANIZATIONS

Mr. CHURCH. Mr. President, I invite the attention of my colleagues to certain actions taken by President Johnson on August 17 concerning the staffing of international organizations. On that date, the President stated his intention of making sure that the best qualified American citizens will be available to accept service with the many international organizations—now more than 50 in number—in which our country participates. In accordance with this policy, the President issued a memorandum to the heads of executive departments and agencies designed to stimulate greater efforts in this field.

My purpose in stressing this development is threefold. In the first place, if the policy of encouraging Americans of the highest caliber to enter the international civil service is to be fully implemented, the more publicity given to this effort the better. Second, I would like to give credit where it is due: a number of State Department officials and advisers—and I think Assistant Secretary Harlan Cleveland should be singled out for particular praise—have been working faithfully and long to bring this policy to fruition. In the third place, I believe the President's announcement represents the culmination of a notable instance of close and useful cooperation between the executive and legislative branches. For the Subcommittee on International Organization Affairs of the Senate Foreign Relations Committee, of which I have the honor to be chairman, has done its best to encourage this development since the publication, in April of last year, of a report on the subject by the State Department's Advisory Committee on International Organizations, headed by Sol M. Linowitz.

That report outlined in clear and concise terms the problem which has been confronting us for some half dozen years, and which has grown in proportion to the degree it has been slighted. There has been an increasing disparity between the numbers of Americans working as professional staff members with various international organizations, on the one hand, and the amount of U.S. Government interest in, and financial support for, those organizations, on the other. Our scrupulous respect for the concept of an international civil service has been accompanied by a somewhat casual attitude toward insuring its proper growth and operation. Although many talented and dedicated Americans are currently employed by the various international agencies, it is clear that a much higher overall level of qualified U.S. personnel could result from the adoption of encouraging recruitment measures.

These organizations are a salient and, I believe, very useful fact of international life—no matter how many wistful admirers of bygone days might wish them out of existence. Outside of a wildly drastic policy of complete withdrawal from such organizations, and thus from world realities, we have no choice but to strive for their improvement and for a better record of U.S. citizen participation in their operations. The alternative is to leave the field to forces which might, in time, prove increasingly inimical to our interests. For it is obvious that not all United Nations members share our respect for the principle of an international civil service set forth in articles 100 and 101 of the U.N. Charter.

It is in keeping with this view that I heartily applaud the recent actions taken by our President. They deserve to be more widely known, and they should be enthusiastically received by all those who wish to further strengthen the U.S. position in world affairs.

Mr. President, I ask unanimous consent to insert in the Record at this point copies of President Johnson's statement and memorandum, along with a copy of an article on the subject in the New York Times of August 17, 1964.

There being no objection, the statement, memorandum, and article were ordered to be printed in the Record, as follows:

THE WHITE HOUSE.

The President today made the following statement:

"I have issued a memorandum which seeks to assure that the very highest caliber of Americans will be available for staffing the international organizations in which the United States plays a role.

"Over the years, U.S. participation in such organizations has been constantly increasing. We have sponsored many of them and we contribute financially to all of them. At the present time we belong to more than 50 such groups.

"It seems to me to be the part of wisdom to back our stake in such groups with the very highest caliber of people available. The capacity and effectiveness of these organizations depend upon the quality of those who administer them. And even though I have a great deal of respect for the efforts of those Americans already working in them, I do not feel we have done enough to help these agencies secure the services of highly qualified American men and women from private life and from Government agencies.

"Final responsibility for selecting people rests quite properly with the appropriate agencies themselves. But it is our duty, not only to the international agencies but to our own country, to be certain that in recruiting their personnel, these agencies have ready access to talented and dedicated Americans who are qualified by every prudent test.

"With that thought in mind, I have approved the attached memorandum.

"THE WHITE HOUSE,
"*Washington.*

"MEMORANDUM TO THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

"It is the policy of this Government to do its full share to assist in the development of sound, efficient international organizations to keep the peace, to resolve disputes, to promote peaceful change, to conduct a world war against poverty, to exchange technology, and for other purposes.

"At the present time we belong to more than half a hundred such organizations. We have sponsored many of them. We contribute financially to all of them.

"But the capacity and efficiency of these organizations depend, in the end, upon the quality and the motivations of the international civil servants who administer them. These organizations—and our national interest in their fortunes—deserve the services of some of the ablest citizens of the United States. In past years we have not done enough to help these agencies secure the services of highly qualified men and women from private life and from Government agencies.

"Final responsibility for selection of personnel to staff international organizations rests, of course, with the appropriate officers of those organizations. But we must make sure that recruitment of their personnel is supported by ready access to talented citizens of this country who are qualified for positions in the international agencies.

"It is my desire that: (1) All executive departments and agencies take affirmative and continuing steps to assist international organizations to obtain properly qualified U.S. candidates for employment.

"(2) All executive departments and agencies encourage their able employees to accept assignments with international organizations in accordance with the authority of Public Law 85–795, and give positive recognition to the Government's interest in the training and career advancement advantages of such employment.

"(3) All executive departments and agencies continue employer contributions toward Federal retirement and insurance benefits for employees serving international organizations in accordance with the authority of Public Law 85–795, in the absence of arrangements for such contributions by the employing international organization.

"(4) All executive departments and agencies assist actively in finding qualified candidates in their fields of specialization when requested to do so by the agencies having primary responsibility.

"(5) The Secretary of State provide leadership and coordination of this effort and develop policies and procedures to advance it, including the seeking of assistance from the State and local governments and from nongovernmental organizations in locating qualified candidates in private employment.

"(6) The Secretary of State report annually on the effectiveness of the recruitment program in behalf of international organizations established herein.

"This memorandum shall be published in the Federal Register."

President Seeks High-Caliber Men for Key U.N. Posts—Directs Agencies To Strive To Make Qualified People Available for Positions

(By Tad Szulc)

Washington, August 16.—President Johnson directed all Government executive departments and agencies today to help assure that "the very highest caliber of Americans" will be available for key posts in the United Nations and other international organizations.

The President's directive assured that the Government careers of U.S. officials will be protected while they are serving with international agencies, was contained in a special memorandum to the heads of the departments and agencies.

In another move, President Johnson issued a statement addressed to the leaders of 110 countries urging that all nations join through the United Nations "to place the peaceful realism of space off limits to the designs of aggressors on earth."

PHOTOS ARE PROVIDED

The appeal accompanied a set of photographs of the moon, taken by the television cameras of the Ranger 7 spacecraft last July 31, that Mr. Johnson sent to the leaders. Each set, according to the President, "includes five photographs taken at distances from the lunar surface varying from 480 miles down to 100 feet."

In the directive on personnel for international agencies, Mr. Johnson said in a covering statement that it was "the part of wisdom to back our stake" in more than 50 international groups to which the United States belongs.

Other officials suggested that the growing United Nations role in worldwide peacekeeping and other sensitive activities made it imperative for Americans to hold a reasonable number of key positions in the Secretariat.

Those officials said the Soviet Union was conducting an aggressive campaign to obtain a maximum number of executive positions in the United Nations and other organizations. They said it would be undesirable if the control of operations in such cases as Congo or Cyprus fell into the wrong hands.

The view here was that Soviet officials in the Secretariat remained primarily loyal to the Soviet Union instead of acting as independent international civil servants as prescribed by article 100 of the charter.

Mr. Johnson said that "even though I have a great deal of respect for the efforts of those Americans already working [in international organizations] I do not feel we have done enough to help these agencies secure the services of highly qualified American men and women from private life and from Government agencies."

The President's directive to the heads of the departments to help in the recruitment, presents both a marked change of U.S. policies and the culmination of a long pereparatory effort in that direction.

The U.S. Government previously made no special effort to encourage Americans to seek high level employment in the United Nations and other international organizations because the accepted interpretation of the charter's article 100 was that it was up to the Secretariats to choose their own officials.

While Mr. Johnson recognized that "final responsibility for selection of personnel" rested with the organizations themselves, the new policy calls for encouragement of highly qualified Americans to make themselves available for key posts.

TWO REASONS GIVEN

The two main reasons for the change in policy, it was said here, are recognition of the increasing executive role of the United Nations and specialized agencies in all fields and the realization that the first generation of key international civil servants from the Western countries is approaching retirement, with a "second generation" to be developed.

Officials said that, while it was not the intention of the administration to flood the agencies with Americans, there was a keen desire to have Americans in important positions when "all other things were equal."

The President's directive was an outgrowth of a report on "Staffing International Organizations" prepared in April 1963, by an advisory State Department committee for the Assistant Secretary of State for International Organization Affairs, Harlan Cleveland.

The 12-member committee was headed by Sol M. Linowitz, chairman of the board of the Xerox Corp. Its other members were:

Robert Amory, Jr., chief of the Budget Bureau's international division; Harding F. Bancroft, executive vice president of the New York Times; Andrew W. Cordier, former Under Secretary General of the United Nations; Lawrence S. Finkelstein, vice president of the Carnegie Endowment for International Peace; Karney A. Grasfield, a partner in the Washington law firm of Touche, Ross, Bailey & Smart.

Also, Ernest A. Gross, former Deputy Representative in the United Nations Security Council; Arthur Larson, former Director of the U.S. Information Agency; John W. Macy, Jr., Chairman of the Civil Service Commission; Joseph Pois, professor of public administration at the University of Pittsburgh's Graduate School of Public and International Affairs; Marshall D. Shulman, former special assistant to the Secretary of State, and Francis O. Wilcox, former Assistant Secretary of State for International Organization Affairs.

UNDER 15 PERCENT AMERICANS

The report said Americans represented just under 15 percent of professional staffs in the United Nations and specialized agencies, although under the prevailing criteria the aim for U.S. representation is actually higher.

The President's directive, which named Secretary of State Dean Rusk as coordinator of the new program, does not concern itself with clerical or office positions, but only with the top level of policymaking or executive posts.

Two of eight posts of special under secretaries in the United Nations are now held by Americans. They are Dr. Ralph J. Bunche, in charge of political affairs, and Paul G. Hoffman, in charge of the Economic Development Fund.

One of these posts directly under the level of the Secretary General, U Thant, is held by a Soviet official, Vladimir P. Suslov.

Three specialized agencies are headed by Americans. They are David Morse, Director-General of the International Labor Organization; Maurice Pate, Executive Director of the International Children's Emergency Fund, and Gerald Gross, head of the International Telecommunications Organization.

Mr. Johnson said in his statement on peace in space, that "since the beginning of our space effort, the United States has invited and urged all nations to make this vital new exploration a joint venture of international cooperation."

He noted that 60 countries "now work voluntarily in this pursuit" and said that the United States continues to hope that "the extent of such international cooperation will be enlarged."

Last December, the United States and the Soviet Union joined in supporting a resolution in the United Nations General Assembly calling for international cooperation in the peaceful use of space.

RETURN TO THE SENATE FROM THE HOUSE OF H.R. 11865, THE SOCIAL SECURITY BILL

Mr. COOPER. Mr. President, I wish to thank the majority leader, the Senator from Montana [Mr. Mansfield], for doing his best earlier today to accommodate a request I had made in connection with the Social Security Amendments of 1964, H.R. 11865, passed by the Senate last Thursday, shortly before the Senate recessed for the Labor Day weekend.

I ask unanimous consent that there be printed in the Record at this point, a copy of my letter to the majority leader, along with my letter to Senator Long, who managed the bill in the Senate, and copies of telegrams I received from Mr. James L. Sublett, executive secretary of the Teachers' Retirement System of Kentucky, and from Mr. Roger H. Jones, president of the Kentucky Education Association—but not until after the final vote on the Senate bill, Thursday afternoon, September 3.

There being no objection, the letters and telegrams were ordered to be printed in the RECORD, as follows:

SEPTEMBER 4, 1964.

Hon. MIKE MANSFIELD,
U.S. Senate, Washington, D.C.

DEAR MIKE: I understand you have asked that H.R. 11865, the social security amendments of 1964 as passed by the Senate yesterday, be messaged to the House at noon on Tuesday.

I would like to ask if it would be possible, without seriously inconveniencing your plans, to postpone this action until, say, 1 o'clock on Tuesday.

My purpose is to have the opportunity to ask unanimous consent that the final vote be reconsidered for the express and limited purpose of proposing an amendment. The amendment affects Kentucky and no other State. I understand, of course, that this would not be possible unless, after talking to Senator BYRD and Senator WILLIAMS, I find that this procedure is acceptable to the Finance Committee.

The amendment consists of striking out lines 2 and 3 on page 40 of the bill, which specifically add Kentucky to the list of 17 States now authorized to divide their State and local government retirement systems into two parts for purposes of social security coverage.

This provision was contained in the House bill. However, only yesterday, I received word from the president of the Kentucky Education Association, and the board of trustees of the Kentucky Teachers Retirement System, that both State organizations of teachers are strenuously opposed to the provision—which principally affects only teachers in the State of Kentucky.

Because the provision is controversial in Kentucky, and this information was received so late, it would be helpful if it could be considered in conference.

I know this is an unusual request, but perhaps I can talk to you about it and will look for you before the Senate convenes on Tuesday.

Sincerely yours,
JOHN SHERMAN COOPER.

SEPTEMBER 4, 1964.

Hon. RUSSELL B. LONG,
U.S. Senate, Washington, D.C.

DEAR RUSSELL: The social security bill as passed in the Senate yesterday contains a provision in new section 109, specifically adding Kentucky to the list of 17 States now authorized to divide their State and local government retirement systems into two parts for purposes of social security coverage.

This provision was contained in the House bill. However, only yesterday, I received word from the president of the Kentucky Education Association, and the Board of Trustees of the Kentucky Teachers Retirement System, that both State organizations of teachers are strenuously opposed to the provision.

Since the matter has turned out to be controversial, principally affects teachers in Kentucky whose organizations oppose the provision, and affects no other State, it would be helpful if it could be considered in conference. But, this will not be possible unless we could secure unanimous consent when the Senate convenes on Tuesday to reconsider the final vote for the express and limited purpose of asking that lines 2 and 3 on page 40 be stricken from the bill.

I know this is an unusual request. But, if you have no objection and could accept the amendment, it would be very helpful and I am sure could be disposed of quickly.

I would like very much to talk to you about this and will try to see you when the Senate convenes on Tuesday.

Sincerely yours,
JOHN SHERMAN COOPER.

JOHN SHERMAN COOPER,
U.S. Senator,
Capitol, Washington, D.C.:

Board of trustees, Kentucky Teachers' Retirement System strongly oppose section 12 of H.R. 11865. Teacher retirement contribution increases to 7 percent of salary July 1965. Addition of social security at approximately 5 percent too great a burden for teacher and taxpayer. Studies show 50 percent Kentucky teachers are married women with social security coverage through husband. Enactment of this legislation means eventual weakening of one of strongest retirement programs in Nation. Original proposal as sponsored by Congressman Snyder came from small group of older teachers in Louisville who are interested in windfall. Twenty-five school districts would be required to raise local property tax rate beyond present legal limit to pay employers portion of tax. Cost in Pulaski County 20 cents of $1.50 rate. Laurel County would need 21 cents beyond the legal $1.50 rate. Strongly urge every effort to delete this provision.

JAMES L. SUBLETT,
Executive Secretary, Teachers' Retirement System of State of Kentucky.

Senator JOHN SHERMAN COOPER,
Senate Office Building,
Washington, D.C.:

For a number of years the Kentucky Education Association has been opposed to combining Kentucky Teachers' Retirement System with any other retirement plan, including social security. As late as 1963 the KEA delegate assembly composed of 600 teachers from throughout Kentucky reaffirmed its position as follows: "We reaffirm the position taken by KEA in keeping the Kentucky retirement system actuarially sound in preference to supplmentary coverage from other sources."

ROGER H. JONES,
President, Kentucky Education Association.

Mr. COOPER. Briefly, the bill as passed by the House and sent to the Senate contained a provision adding the States of Alaska and Kentucky to the list of 17 States now authorized to divide their State and local government retirement systems into two parts, for purposes of social security coverage.

When I received word that this provision might not be desired by the majority of teachers in Kentucky, I did send a telegram to Mr. Sublett and to Mr. Jones on Wednesday, September 2. But, as the letters explain, I did not receive their response until after the Senate had acted upon the entire bill. Although I had received no advice on this subject from the two organizations earlier, because of their opposition, I thought it would be helpful to have the provision considered in conference.

I appreciate very much the courtesy of the majority leader in taking the unusual action of securing a Senate order requesting that the House of Representatives return the bill to the Senate, so that I might have the opportunity of making a unanimous-consent request to remove the Kentucky provision from the Senate bill, so that it could be considered in conference between the two Houses. I understand that when the order of the Senate was received by the Secretary of the Senate, the House of Representatives had already adjourned until Thursday, September 10, so that it was impossible for this to be done.

I know that the authority granted by the provision in the bill is permissive; that before it could be put into effect, enabling legislation by the Kentucky General Assembly would probably be required; that the teachers' retirement system could not be divided unless the State decided to do so; and, finally, that if the State did so decide, the question would be submitted to State and local groups of teachers, for their decision by referendum or as individuals. So I do not think any action can be taken against the wishes of the majority of the teachers in Kentucky, who now have their own retirement system.

I know that my colleague from Kentucky [Mr. MORTON], who is a member of the Finance Committee, also tried to correct this provision, and, I am sure, joins in expressing to the majority leader our thanks for his extraordinary action in helping to explore every possibility of carrying out the wishes of the teacher organizations of our State.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes—cloture mention.

Mr. HART. Mr. President, those of us who are attempting to bring the Senate to a fuller understanding of the implications of the very real dangers that are inherent in the effort, in effect, to overrule the decision of the Supreme Court on reapportionment of State legislatures have been encouraged greatly by the growing support across the country for our efforts.

Earlier today we made the point that we feel it is not a flattering commentary that the Senate continues to consider this complex and far-reaching proposal without the benefit of a single page of hearings, or a day of consideration by a standing committee of the Senate.

We are approaching the time when the roll will be called on cloture, the effort to terminate the Senate debate. In this setting, it seems important that this RECORD show some of the opposition which has developed to the Dirksen amendment in many of the States where fair-apportionment groups have long been carrying on the struggle to achieve constitutional representation in the State legislatures.

Mr. President, in order that there may be some indication available of the concern that is expressed, I shall read into the RECORD some of the communications which, as one Senator who has been attempting to get the facts before the Senate and the public, I have received recently.

As early as June 23, the League of Women Voters of Oklahoma, more vigilant than most of us, issued the following statement in opposition to measures

which would restrict the jurisdiction of the Supreme Court in State reapportionment cases:

Statement, League of Women Voters of Oklahoma, June 23, 1964

The bloc of Congressmen now contemplating an amendment to the U.S. Constitution to prevent the U.S. Supreme Court from ruling on cases of apportionment of State legislatures is threatening the balance of powers on which our Government is based. The Constitution provides guards for individual rights and individual liberties. To restrict the Supreme Court by constitutional amendment and to deny recourse to minorities and individuals whose rights may be threatened weakens the fabric of our form of government.

Congress has a way right now to override the Supreme Court, and it has used it in the past. After the Supreme Court declared a Federal income tax unconstitutional, Congress passed by a two-thirds vote an amendment which was ratified in 1913 by three-fourths of the States, the 16th amendment, which granted Congress the power to tax incomes.

If two-thirds of the Congressmen feel the decisions of the Court in the case of reapportionment of State legislatures are too far-reaching, let them attempt a remedy by trying to solve the problem of unrepresentative State governments, not by destroying the only recourse left to the underrepresented. Let them draft a positive amendment, not an amendment designed to destroy the checks and balances.

On August 31, an emergency committee of 175 civic leaders and interested citizens met in Oklahoma City in support of fair apportionment and in opposition to measures pending before the Congress to overturn the Supreme Court's decision. The meeting was chaired by the distinguished mayor of Oklahoma City, the Honorable George H. Shirk.

Following are two resolutions adopted by this meeting, articles which subsequently appeared in the Oklahoma City Times and the Daily Oklahoman, and an editorial which appeared in the Oklahoma Journal:

Resolution I

Whereas the Supreme Court of the United States has held that under the U.S. Constitution all citizens of each State are entitled to equal and fair representation in their State legislatures; and

Whereas a special three-judge U.S. district court in Oklahoma City, Okla., has decreed that the Legislature of Oklahoma must be reapportioned to give each citizen, regardless of the place of his residence, an equal voice in the selection of the lawmakers of this State; and

Whereas such constitutional rights for certain citizens have long been denied by the failure of the State legislature to reapportion itself according to the constitution of Oklahoma, as well as the U.S. Constitution; and

Whereas there is pending in Congress certain legislation which has as its purpose the delay and ultimate defeat of the rights of all citizens to fair and equal representation; and such legislation, known as the Tuck bill and the Dirksen-Mansfield amendment, is incompatible with the American sense of fair play and represents an attack upon the ideal of equal representation of all citizens in their State legislatures: Now, therefore, we, the undersigned, do hereby

Resolve, That the Tuck bill and the Dirksen-Mansfield amendment should be defeated so that all citizens may be secure in their constitutional rights and just representation in the State legislatures.

And we further resolve that copies of the foregoing resolution be sent, together with such names that are subscribed thereto, to our representatives in the Congress of the United States.

Resolution III

Whereas the specially constituted Federal district court hearing the Oklahoma legislative reapportionment cases has had its prior decision affirmed on appeal by the U.S. Supreme Court, and such decision required equal representation in both houses of the Oklahoma Legislature; and

Whereas prior to entering its decree, the Federal district court repeatedly emphasized the solemn duty of the legislators to reapportion the Oklahoma Legislature and the court withheld its order of judicial reapportionment until after the 1964 session of the legislature refused to pass reapportionment legislation which would be consistent with the Constitution of Oklahoma and of the United States; and

Whereas there have been scurrilous attacks upon the Federal court, which court courageously performed its judicial duty under the concept that this is a nation whose principles are based on a rule of law, and all persons are bound by such rule of law: Now, therefore, we do hereby

Resolve and hope, That Oklahomans will accept the final decision of the courts which secures equal representation to all of our citizens, regardless of place of residence, and will refrain from any further actions which would tend to lessen our respect for judicial decisions or which would divide Oklahomans to the detriment of our great State.

We do also hope that all fair-minded Oklahomans share our belief that the obtaining of equal legislative representation for all of our citizens is a victory for all citizens and a defeat for none, and that all sections of our State shall together move forward in harmony and mutual respect to the end that our State may benefit therefrom.

[From the Oklahoma City (Okla.) Times, Sept. 1, 1964]

Apportion Support

A convincing demonstration of local support for fair reapportionment and concern over threats to it was given by the large attendance at the Monday luncheon of the Emergency Committee for Reapportionment.

Although the luncheon was held on short notice to beat efforts in Congress to cripple reapportionment, more than 170 persons crowded into the session to show support for the cause. Resolutions and petitions to be forwarded to Congress and to our city council were signed by those present.

The hearty applause given as the chairman, Mayor Shirk, introduced such longtime toilers in the reapportionment vineyard as Attorneys Norman Reynolds, Del Stagner, Sid White, and Jack Hewett, and Mrs. Trimble Latting demonstrated Oklahoma City's backing. Mrs. Latting recently was designated by the three-judge Federal court to draw the reapportionment map under which the September 29 elections will be held.

Beyond that the crowd was briefed on the threats to reapportionment under bills now in Congress. These are the Tuck bill which in effect would kill reapportionment, and the Dirksen amendment which would delay it for 16 months.

V. P. Crowe, prominent Oklahoma City attorney who was keynoter for the meeting, pointed out that the latter was a device by which a constitutional amendment to take reapportionment out of the hands of the Federal courts could be rushed through the presently malapportioned legislatures of the States before reapportionment can take place.

Crowe said that a constitutional issue even greater than reapportionment itself was involved here. That is the question of whether Congress just because it doesn't happen to like a Federal court ruling can pass legislation to take the entire matter out of the hands of the courts. He said the Tuck and Dirksen bills would be nothing less than passing laws to take away from the Supreme Court the right to interpret the Constitution—a right fundamental to our system since the earliest day of the Republic.

Particularly in relation to reapportionment, Crowe said, "the right to vote in our society is too important to be stripped of judicial protection."

Reynolds gave a history of the long fight for reapportionment in Oklahoma and stressed that it is "just bunk" to say the courts are acting hastily here.

Those at the meeting agreed to wire or write Senators MONRONEY and EDMONDSON opposing the Tuck and Dirksen measures. Other citizens of Oklahoma County also can help the caues by doing likewise. (Senate Office Building, Washington, D.C.).

[From the Oklahoma Journal, Sept. 1, 1964]

Voter Needs Protection

"Sired by expediency and born from the womb of politics."

That is the description given Monday to the Dirksen amendment to the Tuck bill.

A crowd numbering almost 200 greeted the expression with approbation at a downtown hotel.

They were members of the emergency committee for reapportionment meeting to muster forces in opposition of last-ditch efforts of malapportionment forces to deny the individual his voting rights.

V. P. Crowe, a longtime foe of malapportionment, rang the bell when he declared, "I haven't heard the people complain about reapportionment—it's the politician—the fellow in office."

He pointed out that the Dirksen amendment is aimed at buying time so malapportionment forces can launch further legislation to perpetuate a system the courts have declared to be unconstitutional.

The question naturally comes to mind, Who is the final arbiter in matters dealing with the Constitution—the Supreme Court or Congress?

It was made amply clear at Monday's meeting the individual's right to vote is direly in need of judicial protection in America.

[From the Daily Oklahoman, Sept. 1, 1964]

Committee Urges Veto of Tuck Bill

The "emergency committee for reapportionment" Monday launched an attack against pending legislation in the U.S. Senate aimed at stalling Federal court reapportionment orders.

By resolution, the committee urged defeat of the Tuck bill, authored by Representative WILLIAM TUCK, Democrat, of Virginia, and an amendment to the foreign aid bill proposed by Senator EVERETT DIRKSEN, Republican, of Illinois.

The Tuck bill, which passed August 16 in the House, would take reapportionment out of the hands of the Federal courts.

"FREEZE" SOUGHT

The Dirksen amendment would "freeze" all reapportionment under court orders until January 1, 1966.

Copies of the resolution, along with the signatures of about 200 persons attending Monday's meeting, will be sent to members of Oklahoma's congressional delegation. Senator MIKE MONRONEY has said he is in favor of the **Dirksen amendment.**

The committee also asked the City Council of Oklahoma City to reaffirm its stand on legislative reapportionment. The council has previously passed a strong resolution favoring reapportionment of the State legislature.

VIEWS GIVEN

V. P. Crowe, attorney, told the emergency committee that the Dirksen amendment supposedly would give various State legislatures time to comply with constitutional apportionment provisions.

However, he said, the general supposition is that the amendment's purpose is to give the present malapportioned legislatures time to pass a constitutional amendment to take reapportionment out of the hands of the Federal courts.

This would require approval by 38 legislatures.

Crowe said Congress is invading the right of the U.S. Supreme Court to interpret the Constitution, and asserted that is a more important issue even than reapportionment.

MOVE CALLED THREAT

"It is a threat to the people of this country for the Congress to tell the U.S. Supreme Court how to rule on constitutional questions," he said.

Quoting the High Tribunal itself, Crowe asserted: "The right to vote in this country is too important to strip of judicial protection."

Mayor Shirk, who heads the committee, introduced several persons who have worked actively for reapportionment. They included Norman Reynolds, Del Stagner, Sid White, Jack Hewett and Mrs. Trimble Latting.

Reynolds traced events in the reapportionment controversy, starting back in 1946.

He said the legislature has had plenty of time to reapportion itself, but hasn't and never would.

Those in Georgia who have been working long years for fair apportionment stand opposed to the Dirksen amendment. Following is a letter I have received from Mr. Alva W. Stewart, of Atlanta, Ga., and a statement by Mr. Israel Katz, of Atlanta, counsel for plaintiffs in the pending Georgia legislative reapportionment case, Toombs against Fortson:

ATLANTA, GA.,
August 29, 1964.

Hon. PHILIP A. HART,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HART: As a State correspondent of the National Civic Review and an ardent supporter of the National Municipal League, I wish to go on record as endorsing the June 1964 decision of the U.S. Supreme Court relating to apportionment of State legislatures.

This decision is long overdue and will contribute materially toward giving residents of urban areas throughout the Nation the representation to which they are entitled in their State legislatures. The "one man, one vote" doctrine enunciated by the Court in this decision is a logical corollary of the Court's ruling in *Baker* v. *Carr* (Mar. 1962).

The Federal analogy argument which has been used frequently by so many critics of the Court's decision is not valid for the obvious reason that the cities and counties do not bear the same relationship to the State government as the 50 States bear to the National Government. Our States still possess some degree of sovereignty; our counties and municipalities have never, and do not now, possess this attribute.

For too long a time many of our State legislators have been representing pigs, chickens, and trees rather than people. The representation of nonhuman constituents may have some advantages to the lawmakers, but such representation is patently unfair if it is done at the expense of men and women who are deprived of representation on the State level. As any impartial observer of State government in recent years will admit, thousands of urban residents in almost every State have been deprived of adequate representation in their State legislative bodies.

Like many other Americans, I would rather see these inequities in representation reduced or eliminated by State legislatures instead of the Supreme Court. However, if the legislatures failed to discharge their constitutional mandate to reapportion themselves periodically, I believe the Court is fully justified in ordering reapportionment based entirely upon population.

I hope you will continue your efforts to support the Court's ruling and to oppose the Dirksen proposal or any other proposal which would have the effect of either nullifying or delaying the Court's decision. You can be assured that thousands of students of municipal and State government stand behind you and your Senate colleagues who are exerting their efforts toward defeating the Dirksen proposal.

Sincerely yours,

ALVA W. STEWART.

STATEMENT ON LEGISLATIVE APPORTIONMENT

There was a time in Georgia prior to the *Baker* v. *Carr* decision, when our Georgia House of Representatives controlled by constituencies representing 22 percent of the people, would adopt very regressive legislation. These bills in turn would go over to our State senate, wherein a majority then controlled by constituencies representing approximately 5 percent of the people, would alter such regressive legislation to make it even more regressive. The final bill would then be passed on to our Governor, elected under a county-unit system from constituencies representing 22 percent of the people, whereupon the bill would be signed into law.

Thanks to the Supreme Court decisions in *Baker* v. *Carr* and *Sanders* v. *Gray*, we do not have quite that situation in Georgia today. Yet our house where all revenue and appropriation bills must originate, is still controlled by constituencies containing 22 percent or less of the population of Georgia. Of course, only a majority vote in those constituencies are necessary to elect their representatives, so that it is entirely possible that slightly over 11 percent of the people have the final say-so in the selection of the majority of the representatives to the lower house of the Georgia General Assembly. In January of 1965, our general assembly, so malapportioned, will adopt a $1 billion appropriations bill. The power to tax and spend is of the essence of government, yet the majority of the people have little effective representation in this regard. I am enclosing a self-explanatory affidavit, submitted in *Toombs* v. *Fortson*, the Georgia reapportionment case, which affidavit and table attached gives an idea of the way that a malapportioned legislature avoids meeting the fiscal needs of the people in the more populous areas. Little wonder that we have to increasingly call on Washington to meet unfulfilled needs.

In Georgia, we have the amazing spectacle of our population based body, the Georgia senate, constantly caving in on matters of basic principle, and acquiescing in the position of the lower house, even where the general welfare is diametrically opposed, and where the position of the senate has been diametrically opposed.

For instance, our Georgia senate at its last session, although owing its very existence to the Supreme Court decision in *Baker* v. *Carr*, went along with a house resolution denouncing the U.S. Supreme Court for ruling in apportionment cases. Why? Several of the senators when questioned about their vote, said simply that "We have to work with the lower house, you know, and we thought it would make them feel better, and appreciate that we were friendly to them, if we went along with that resolution." Others more honestly pointed out that their senatorial districts, since becoming based on population, embraced 8, 10, or 12 of the old rural representative districts, not yet reapportioned, and that to adopt any position opposed to that many lower house representatives, was certain to mean stern and swift political reprisal, and probably political death. Although there should only be two, three or at the outside four representative districts in any Georgia senatorial district, based on a population, this goal has not yet been obtained, and the political reality is as stated.

Although the State senate almost unanimously felt that the State school superintendent should be appointed, so as to free this office from political pressures that make it difficult to get the best qualified man, the senate flip-flopped and voted 43 to 9 to have the State school superintendent elected, because this was the position of the rurally dominated lower house. Although the State senate had virtually unanimously voted 2-year terms for the house, and 4-year terms for the senate, the State senate acquiesced that the house would also have 4-year terms because otherwise no legislation could be passed through the lower house. These illustrations could be repeated ad infinitum, and recounted perhaps best by members of the general assembly, who as a practical matter know that you do not have popular based government, where one of the two bodies is thoroughly malapportioned.

For Congress to be so irresponsible as to favor legislation that would permit one of the two houses of the general assembly to be on any basis, however, unrepresentative of the population, is a complete abdication of duty. What this would mean is that the States of this great Nation, would never realize full potential, and harness their full resources in a modern world.

It would also mean that areas wherein States could operate and administer services in a responsible manner, would be circumscribed indeed, and a continuing need for Federal supervision and administration would continue and increase. Those who are truly in favor of local self-government, could not be against letting the majority of a people in a particular State, govern their own destinies. Certainly in a homogeneous type society as that found in Georgia, there is no reason to view the 159 counties as little sovereignties, that need protection against one another, in the same manner that the Thirteen Original States of the Federal Constitution felt that they needed protection, thus resulting in the great compromise over the makeup of the U.S. Senate. It is simply an absurdity propounded, in order to keep an inordinate amount of power into the hands of a discouragingly small percentage of the population. Primarily it is expressed by those who really do not believe in self-government, but who simply want to retain power.

We have had a long fight in Georgia for true representative government, and are on the threshhold of obtaining that type of government for the first time in a hundred years. Our three-judge Federal court has recently ruled that the lower house of the general assembly must reapportion itself in time for the 1966 elections, and that special elections must be held prior to 1966 to insure that a representative lower house takes office at that time. To have the Congress of the United States frustrate this struggle for democracy, is almost beyond what one can bear.

I have no political ambitions, but I entreat the Members of Congress to disdain this last gasp attack on democracy, and instead to support the U.S. Supreme Court, rather than destroy it.

Israel Katz,
Former President of Active Voters of Georgia, and Counsel for Plaintiffs in Georgia Legislative Reapportionment Case, Toombs v. Fortson, Now Pending.

Following is a statement made before the House Judiciary Committee by Mr. Eugene H. Nickerson, county executive of Nassau County, N.Y.:

August 12, 1964.

Statement of Eugene H. Nickerson Opposing Proposals To Stay Reapportionment by Congressional Action

I am county executive of Nassau County, the most populated county in New York State outside of the city of New York, and a party to the New York reapportionment case now pending in the District Court for the Eastern District of New York. I strongly urge the defeat of the present proposal to frustrate the right of the 1,400,000 citizens of Nassau County and millions of other citizens throughout our State to reapportionment of New York's State Legislature on a constitutional basis.

The New York case, *WMCA* v. *Lomenzo*, was commenced more than 3 years ago, in May of 1961. It has been before the U.S. Supreme Court twice on appeal. The three-judge statutory U.S. District Court for the Southern District of New York has held extensive hearings on the matter both before and after the June 15 decision of the U.S. Supreme Court; hundreds of pages of testimony and scores of exhibits were before that Court.

Republican State officials have used every device possible to delay reapportionment despite the clear ruling of the U.S. Supreme Court that our present New York Legislature and scheme of apportionment was unconstitutional. They have created synthetic difficulties and shouted "impossibility" and "impracticability" although in just a few days in Nassau County attorney's office under my direction and the New York City corporation counsel's office drew maps and devised a full timetable for immediate reapportionment and constitutional elections in November of this year. Although we pressed for immediate reapportionment, the Federal statutory district court has, in what we consider to be extreme deference to sensibilities of State officials, decided not to interfere with elections to be held in November of this year and to permit the present malapportioned legislature to sit for yet another year.

Now it is proposed to deny the individual constitutional rights of our citizens still longer by closing the Federal courts to them, as Senator Dirksen proposes, or by suggesting further delay as is proposed in a "compromise" reported in yesterday's New York Times permitting, but not requiring, stays in the Federal courts. Amendment No. 1191, attached to bill H.R. 11380, amends title 28 of the United States Code by requiring a stay "until the end of the second regular session of the legislature" of the State. This means a further denial of our rights for from 2 years until eternity.

I address myself to what I shall refer to as the Dirksen proposal for a mandatory stay. The so-called compromise providing for permissive stays is not as objectionable but it serves no useful purpose. In the first place, as I have already pointed out, the courts already have this power and they have exercised it in New York and elsewhere to deny immediate reapportionment. In the second place, it would constitute an unseemly interference by the Congress in pending litigations in favor of State officials acting unconstitutionally and against individuals whose rights are currently being violated.

The points I would like to make are two. The first is that, any interference by Congress at this stage of these litigations would unfairly deprive millions of citizens of both New York State and the Nation of constitutional rights which they are legally and morally entitled to as of now. The second is that any proposal, such as that of Senator Dirksen, derogating from the jurisdiction of the Federal courts, must be condemned as contrary to basic American constitutional principles of judicial review and separation of powers. It strikes at the heart of our traditional process of constitutional adjudication.

We in Nassau County are particlularly concerned because it is our residents who are the most discriminated against in the matter of legislative representation of any county in the State of New York. In this respect our plight typifies that of suburban communities throughout the country. While not wishing to regale you gentlemen by a parade of horrible examples, I think a few illustrations of the unfair handicap placed upon us in the State of New York would be helpful in your comprehending why we, in Nassau County, feel so strongly about this matter.

The least populous assembly district in the State is Schuyler County with a citizen population of 14,974. The average assembly district in Nassau County has a citizen population of 212,634—almost 15 times the population of the State's least populous district. The largest assembly district in our county has a citizen population of 314,721—21 times the population of the assembly district composed of Schuyler County.

In the State senate each Nassau County senator represents 2½ times the population of the least populous senate district. Our neighboring Long Island county of Suffolk is disadvantaged even more than we in its representation in the senate. Its single senator represents 650,112 citizens—nearly four times that of the least populous district.

It is thus obvious, as the Supreme Court has found, that the constitutional rights of the people of Nassau County and the State of New York are presently being violated.

What is involved is not only the precious right to vote and the right to equal representation but the protection of the social and economic well-being of the people of our county our State and this country who are presently seriously underrepresented.

We in Nassau County are continually suffering from our lack of equal representation. The denial of proper voting rights to Nassau County residents results in unfair tax burdens being placed on them, in inadequate distribution of funds for education and other important municipal services, such as police, sewage, and transportation required in densely populated suburban areas, and in a failure of the legislature to enact legislation vital to the well-being of Nassau County.

New York State is presently under court order to reapportion by April 1965 in time to hold elections for a constitutionally apportioned legislature in November 1965. With equal and constitutional representation at long last within the grasp of our citizens, it seems anomalous to suspend such action while the political forces, which for so long have unfairly dominated the legislatures of New York and other States, make a desperate last-ditch attempt to protect the rotten borough system they have used to make a mockery of our democratic system of equal voting rights. Gentlemen, it is time, I submit, for all tampering with the votes of American citizens to cease. One test should guide us: "one man—one vote."

The U.S. Supreme Court has determined what is a constitutional apportionment. I have always understood that the Constitution, as interpreted by the Supreme Court, could only be altered by constitutional amendment. Now, however, the attempt is being made by simple act of Congress to forbid citizens to exercise their constitutional rights for a period of at least 2 years. Constitutional rights cannot be so toyed with.

We in New York must now wait 1 more year for a constitutional legislature. To require us to wait longer is unfair, unwarranted—and a betrayal of our constitutional rights.

The Dirksen proposal would have the effect of denying Federal courts original jurisdiction to hear reapportionment cases for a period of time and would also deny the Supreme Court the right to review decisions of the highest State courts in reapportionment cases.

While it would not, theoretically, prevent an application for relief to the State courts, the proponents undoubtedly hope that State courts would not act while the Federal courts were stayed. In view of the supremacy clause of the Constitution, however, it is difficult to see how any State court could refrain from enforcing the U.S. constitutional right to equal apportionment were actions brought in State courts. Denying Federal jurisdiction in these cases would be, therefore, a first sledge hammer blow calculated to cause our Constitution to crumble into 50 separate little constitutions. The Constitution of the United States has endured for almost 175 years—it is, as you know, the world's oldest continuous and operative Constitution. This Nation has always—with one tragic exception, 100 years ago—believed that the Constitution must be finally interpreted by one voice and one voice only. No federal system could exist with each of its component parts deciding for itself what its basic and common constitutional duties and responsibilities mean.

We have long found it far better to adhere to the interpretation of the Constitution by the Supreme Court of the United States rather than to allow it to be interpreted finally by each of the States. This function of judicial review was perhaps best summed up by Mr. Justice Story in the 1816 Supreme Court case of *Martin* v. *Hunter's Lessee*, 1 Wheaton 304, 348, where he stated: "A motive * * * perfectly compatible with the most sincere respect for State tribunals might induce the grant of appellate power over their decisions. That motive is the importance, and even necessity of uniformity of decisions throughout the whole United States, upon all subjects within the purview of the Constitution. Judges of equal learning and integrity, in different States, might differently interpret a statute, or a treaty of the United States, or even the Constitution itself; if there were no revising authority to control these jarring and discordant judgments, and harmonize them into uniformity, the laws, the treaties, and the Constitution of the United States would be different in different States, and might, perhaps, never have precisely the same construction, obligation, or efficacy, in any two States."

While I have no intention of making any jurisprudential statement on the Constitution, as a lawyer, who had the high privilege and honor of serving as law clerk to the Chief Justice of the United States, Harlan F. Stone, I feel obliged to say a few words concerning ex parte McCardle, a decision upon which so much reliance is being put. Few legal historians would today justify as sound the statute which deprived the Supreme Court of its appellate powers in cases arising out of Reconstruction measures.

Indeed, only recently did Mr. Justice Douglas remark that "There is a serious question whether the McCardle case could command a majority view today" *Glidden Co. v. Idanok,* 370 U.S. 530, 605 (1962) (dissenting opinion).

When it seemed that the Supreme Court would hold invalid some of those harsh and restrictive measures adopted during Reconstruction following the Civil War, Congress limited the power of the Supreme Court. Looking back with the wisdom of 100 years of experience, it is clear that the Supreme Court should not have been muzzled. A free Supreme Court might have corrected abuses and avoided the backlash of unjust repressions of the Negro which has resulted in so many of the race problems which plague us today.

It must be noted that even the doubtful authority of the McCardle case gives no support to the abrogation of Federal jurisdiction to protect the constitutional rights of individuals. That case only involved a limitation on the appellate jurisdiction of the Supreme Court to hear appeals in certain cases decided in lower Federal courts.

The exercise by Congress of its control over Federal jurisdiction must be subject to compliance with the 5th and 14th amendments. Power to control the jurisdiction of the Federal courts must not be so exercised as to deprive any person of life, liberty, or property without due process of law or equal protection under the laws.

Interference by Congress in specific pending cases violates the spirit of article III of the Constitution, vesting "The judicial power of the United States in the Federal courts." The "judicial power," section 2 of article III provides, "shall extend to all cases, in law and equity, arising under this Constitution." The reapportionment cases arise, as you know, under the "equal protection of the laws" clause of the 14th amendment. Thus, the Dirksen proposal, in addition to being unsound, may well be itself unconstitutional.

I urge you gentlemen to remember that the Supreme Court has always been one of the three pillars of our Government. At one time or another liberals have thought it would destroy this Nation, conservatives have thought it would destroy us, labor and business have each condemned it, but all have subsequently recognized that they were wrong and that their liberty and well-being required this great Court to remain free.

We need only cast our thoughts back less than 30 years to recall another era when the Supreme Court was being challenged—then on the ground that it was too conservative. Some of those who then spoke passionately against President Roosevelt's "court packing" bill now urge a "court hamstringing" bill even more corrosive of our constitutional scheme of government. To limit and destroy the power of the Federal courts to protect individual constitutional rights strikes at the heart of the Constitution itself.

This country's theory of freedom and individual rights is under attack both at home and abroad. Now, more than at any time before in our history, we must stand firm and protect our constitutional heritage, our concept of individual right under law. The issue is of transcendental important. Do not, I urge you gentlemen, permit the pique of the moment, or the disagreement of some with a particular decision of the Supreme Court, to furnish the excuse for tearing down the constitutional structure which shelters us all.

Here is a statement on the reapportionment situation in Vermont by Mr. John H. Downs, an attorney in St. Johnsbury, Vt.:

STATEMENT OF JOHN H. DOWNS ABOUT REAPPORTIONMENT IN VERMONT

A Federal three-judge court has ruled that the Vermont Legislature must be reapportioned. Particular attention is directed to the house, a majority of its 246 members, each of whom represents 1 town, being elected by 11 percent of the voters. Such a directive has been long overdue.

The court has given Vermont until April 1, 1965, in which to complete the task. Vermonters have tackled more difficult tasks and solved them in less time.

As a member of the house of representatives since 1961, and chairman of the house ways and means committee in 1963–64, I am satisfied that the job of reapportionment can be done and will be completed promptly so long as it continues to be legally necessary for it to be accomplished.

I oppose Senator Dirksen's amendment and any legislative attempt to delay the implementation of the court order, or otherwise to affect the Supreme Court's jurisdiction. I do not agree with Senator Aiken when he suggests that reapportionment cannot be achieved within the time limit of the present court order.

Most Vermonters who suggest that more time is needed—and I do not include Senator Aiken among those—desire delay for the sole reason that they hope the passage of time will make any reapportionment unnecessary.

In Vermont there is no compelling reason why the vote of a citizen of our smallest town should have any greater or less weight than the vote of a citizen of our largest city. Vermont is a small State and we are a closely knit people, with proper regard and consideration for the rights of each other. We act expeditiously, even though it hurts, when the necessary goal is clearly indicated.

I hope the U.S. Congress will resist all legislative measures which will delay Vermonters in getting on with the task at hand.

The following is a statement by the League of Women Voters of Oregon in support of one-man, one-vote apportionment for their State legislature:

STATEMENT OF THE LEAGUE OF WOMEN VOTERS OF OREGON

In the November 6, 1962, general election, the League of Women Voters of Oregon opposed an amendment to the constitution which read as a ballot title: "Legislative Apportionment Constitutional Amendment—Purpose: Changes Legislative Apportionment Formula—Creates 30 Permanent Representative Districts—Permits Enlargement of Senate to 35—Enlarges House to 65 or More—Provides for Enforcement."

The league opposes freezing into the constitution fixed representative districts. The "permanent districting plan" would set into the constitution 30 representative districts guaranteed of one representative regardless of population; and would make further provision for 35 additional representatives to be allotted on a population basis; with no constitutional limit set on the size of the house.

Because there will always be fluctuation in the population, the league believes that the mechanics of establishing districts should be statutory and not frozen into the constitution. It opposes guaranteeing representation to a district without regard to population. A major premise in the league stand is that a legislator can represent only people, not geography.

The league's opposition to the area reapportionment plan is based on a position reached in 1952 after 3 years' study of reapportionment.

In 1952 the league cosponsored with the Young Democrats and Young Republicans the initiative petition that became the amendment enforcing reapportionment. The 1952 amendment brought about the first reapportionment in 41 years by requiring reapportionment every 10 years; and enabling appeal to the State supreme court by electors whose degree of representation was so small to be unconstitutional. The judicial review clause of the amendment was used in 1961 when petitioners to the Supreme Court challenged the constitutionality of the 1961 legislature's reapportionment. The appeal was successful, and the Court ordered another plan drawn up by the secretary of state.

There was an effort in the 1957 session to change the method of apportionment adding five representatives and allowing each county at least one. The league opposed the change. Similar proposals have come up repeatedly in the legislature; all of which the league has acted against.

The League of Women Voters of Oregon has as its continuing responsibility the support of apportionment of the legislature on the basis of population.

I have received the following letter from Mr. David Friedland, of Friedland, Schneider & Friedland, Jersey City, N.J., who represents the plaintiffs in the pending New Jersey legislative reapportionment suit:

AUGUST 24, 1964.

Senator PHILIP A. HART,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HART: I represent the plaintiffs in the suit which has been brought to reapportion the New Jersey Legislature and which has been pending in our State court for approximately 2 years.

I know that you are actively engaged in the battle designed to perserve our constitutional freedoms. I hope that you will understand that it is out of a desire to preserve the integrity of the Supreme Court and to affirmatively secure the establishment of equal voting rights for New Jersey residents, that I address this letter to you. If you desire, you may include these remarks in the CONGRESSIONAL RECORD.

In New Jersey a minority of the people have always been able to control both houses of our State legislature. Presently only 19 percent of the people can elect a majority of the senate, while 46.5 percent of our people can elect a majority of our assembly. The system as applied over the years has resulted in a financial stranglehold on the cities and other areas of major population concentration. All pleas for aid to our cities go unheeded, while measures which favor a minority of the people are passed with ease.

There is no impediment to immediate change in New Jersey. The Supreme Court decision in Reynolds can be implemented immediately without undue haste. In an effort to show that reapportionment could be accomplished in a fair and impartial manner, we solicited the services of the Electronic Business Services Corp. and they prepared several impartial reapportionment plans incorporating the population principle. Numerous plans can be achieved by resort to modern science literally overnight. These plans could be put into full force and effect within a few months. We do not have primary elections in the State of New Jersey until April of 1965. Implementation of the Supreme Court decision would, therefore, not disrupt the electoral process in the State of New Jersey. I have included a copy of our brief which I hope you will read and include as part of my remarks on this matter.

I am quite concerned that the passage of the Dirksen legislation might result in a delay of the effectuation of our constitutional rights. I understand, in fact, that there is no pretense about the legislation. Its declared purpose is to secure a delay of the implementation of federally protected constitutional rights. The delay is sought on the presumption that a constitutional amendment is needed in order to change the effect of the U.S. Supreme Court decision. In most cases, however, the only people who favor such delays are those who are already entrenched in office and are now at the very last moment grasping for a political stall in order to save their jobs.

I hope that the Senate will not be deceived. I believe that we are involved in a struggle which may ultimately determine whether or not we are a government of the people, by the people, and for the people.

Very truly yours,

DAVID FRIEDLAND.

I have received the following letter from Mr. Upton Sisson, of Gulfport, Miss., who has been active in the reapportionment efforts in that State:

AUGUST 27, 1964.

Senator PHILIP A. HART,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HART: I am in receipt of a letter from Mr. William J. D. Boyd of the National Municipal League in New York City requesting that I furnish to you any statements or speeches which I have made in connection with legislative reapportionment.

While I have made many speeches on the subject of legislative reapportionment, I have no written copies of the same. I was attorney for the complainants in a suit filed in the chancery court of this State styled *Marvin Fortner, et al.* v. *Ross Barnett, et al.* In my final argument to the court in that case, I made the following statement:

"It has been said that Mississippi is unfair to the Negro; I say that Mississippi is not even fair to its own white people in the matter of legislative reapportionment."

In an amici curiae brief, which I filed in *Baker* v. *Carr,* in the U.S. Supreme Court, I made the following observations:

"Without any thought or intention to reflect, in any way, discredit of any kind upon those fine and substantial citizens who dwell in our rural areas, nevertheless the gravamen of reapportionment cases arises as a controversy, at least to a large extent, between rural and urban areas. The rural areas, on the one hand, strongly oppose their displacement in the dominant political power acquired by them through inheritance and maintained by refusal of relinquishment, while the urban areas, on the other hand, seek equal representation as a fundamental and inherent right under a republican form of government.

"Equal representation is a right under the concept of democracy as guaranteed by the Constitution of the United States, and special favor is tenable neither as a divine nor political privilege. While it is true that nature, in her partiality, designates here and there an individual as the favored recipient of her special endowments, and ordains him to a particular sphere of eminence, it is rarely that she allocates such an array of special talents within the confines of rural areas to the exclusion of urban areas, and on the whole it may be safely assumed that the destiny of the several States will be protected and preserved as well through equal representation as it will by dominant rural minority control. If we must concede preemption by rural minorities in the field of legislative representation, then under what conceiveable theory can the advocates of democracy criticize totalitarianism, and most especially today when the whole world is literally on fire?

"It is indeed a strange manifestation of equity and fairness to demand States rights on the one hand, and at the same time to deny individual rights within the State itself. Obviously these individual rights cannot be salvaged by the people through political resort to the election polls, for the apparent reason that the legislatures will not allow a referendum thereon when so to do would be tantamount to their political demise. Therefore, if relief in the matter of legislative reapportionment is denied by this Court it may not be entirely facetious to predict that some legislatures, assured of their impunity in matters violative of the U.S. Constitution, may shortly grant letters of marque and reprisal, and even perhaps enact bills of attainder against those who dare challenge their authority. And it is feared that in some areas the legislative frustration resulting from the Court's recent nullification of the doctrine of interposition will serve to increase the retaliatory proclivities of such bodies to an extent which might well endanger the enactment of sane legislation, but which condition could, and would, be greatly diluted, if not entirely dissipated upon reapportionment.

"If the purposes of a State constitution are to be effectuated, the popular representation provisions of that instrument must be honored.

"Noncompliance defeats the purpose of the Constitution itself. The judicial role in the problem is one of holding government to its constitutional course.

"A failure to secure compliance with the constitutional mandate regularly to reapportion is not merely a matter of a legislative duty left undone; it is a failure to secure for the people such government as our Constitution assures them they shall have. Where the legislative branch has failed to meet so fundamental a duty, the judicial branch should then act to uphold the Constitution. The policies underlying the structure of the government and the distribution of its powers, are not frustrated but rather are fulfilled by such judicial action."

If you desire to use these statements in connection with your opposition to pending legislation designed to set aside holdings by our U.S. Supreme Court in the matter of reapportionment, you have my permission to do so.

I am also enclosing herewith copy of a letter which I have this day written to Congressman WILLIAM COLMER from the Fifth Congressional District of Mississippi.

Trusting that you will be successful in your endeavor to prevent legislation which would in any way disturb the U.S. Supreme Court holdings on reapportionment, and with kindest regards, I am

Sincerely yours,

UPTON SISSON.

Following is a letter from Mr. Forest Frank, executive director, of the City Charter Committee, Cincinnati, Ohio, and a statement representing the position of that organization in opposition to the measures now pending before the Congress:

CITY CHARTER COMMITTEE,
Cincinnati, Ohio, August 27, 1964.

Senator PHILIP A. HART,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: Because of your expressed interest in the problem presented by current proposals to curb the authority of the Federal courts in reviewing protests against legislative malapportionment, I am enclosing herewith a brief statement of the position of the city charter committee, of which I am executive director.

The city charter committee through its officers was the plaintiff in one of the suits before the Supreme Court, which precipitated the recent wave of criticism against the Court. Membership in the city charter committee is composed of Republicans, Democrats, and independents and is numbered in the thousands. We appeal to you to support our position that the Federal courts must be permitted to retain jurisdiction in these matters and to oppose the current attacks being made on that position.

Respectfully,

FOREST FRANK,
Executive Director.

STATEMENT OF CITY CHARTER COMMITTEE, CINCINNATI, OHIO

Critics of the one-man, one-vote principles underlying recent court decisions in the field of legislative apportionment profess to find little or no connection between the plight of urban areas and the unfair distribution of seats in our State legislatures.

How much actual firsthand knowledge these critics have of either subject, urban problems or legislative malapportionment, is debatable. As an organization with a 40-year history of effort to improve local government the city charter committee, however, speaks with considerable experience. And it is our view that legislative malapportionment is one of the major reasons the city of Cincinnati and Hamilton County, Ohio, today are hamstrung in meeting both current fiscal needs and the greater fiscal problems involved in trying to do justice to human needs of the community.

Such matters as long overdue reorganization of county government, home rule in taxation, annexation, distribution of State-collected taxes originally earmarked for local government, matching funds for relief, aid to dependent children, maintenance of through highways—these are only a beginning of the long list of items in pursuit of which Cincinnati and Hamilton County along with other major Ohio urban areas are periodically frustrated by the Ohio General Assembly. The root of the frustration is the Hanna amendment to the Ohio constitution of 1903—an amendment proposed and adopted for purely political motives—by which Vinton County with barely 10,000 population has the same voice in the House of Representatives of Ohio as Lake County with 150,000 population.

Ohio has 88 counties; its urban population is centered in 16 of these and chiefly in 8 of the 16. The early apportionment provisions of the Ohio constitution (written and adopted in 1851) were reasonable and based largely on a requirement of the original Northwest Territory Act making equality of representation mandatory.

The Hanna amendment by guaranteeing every county one seat in the house of representatives gravely distorted this original plan of apportionment. The distortion has become acute since 1920 until now counties having less than 30 percent of the population of the State are in complete control of the house of representatives. The number of counties which owe their disproportionate influence in the house to the Hanna amendment has grown from 8 in 1910 to 40 in 1920 and 48 in 1964. Contrary to the arguments of the present critics of the Federal court rulings in this area, it was clearly not the intention of Ohio voters in 1851 to guarantee every Ohio county its own representative. In 1851, 13 of the 88 counties lacked the one-half quota of population required to qualify for a seat in the legislature. As a result, the 13 were joined to neighboring counties for the election of representatives. In short, it is apparent that framers of the Ohio constitution in 1851 felt they had gone far enough when they conferred a separate seat on counties possessing only one-half of the normal quota for representation. And it is this position that the Supreme Court in effect has upheld by its decision in our suit requesting repeal of the Hanna amendment.

The representatives of the rural counties of Ohio have repeatedly been asked to permit Ohio citizens to vote on the subject of retention or repeal of the Hanna amendment—and each time they have turned the request down. There is a provision in the Ohio constitution for initiative in these matters—but the terms of the provision are such that without at least token support from a few rural counties, it is impossible to bring the matter on the ballot by initiative petition. Needless to say, no such support is available.

Under the circumstances it is inconceivable that Congress should permit political considerations to undermine the position of the cities of Ohio further—or for that matter the cities of other States discriminated against in this respect.

The city charter committee representing thousands of citizens of both political parties, Republicans and Democrats, as well as independents of neither party affiliation, earnestly urges the Members of Congress to be wary of the unjust position into which they are being persuaded by critics of the Federal courts. In the case of Ohio, the Federal courts have not tried to tell Ohio legislators or Ohio officials how they shall proceed in the business of equitable apportionment. They have merely laid down guidelines that a fair apportionment process should take into consideration. Congress can hardly improve on their handiwork.

REPUBLICAN VICE-PRESIDENTIAL NOMINEE MAKES FALSE CHARGES ON IMMIGRATION REFORM AND ASYLUM FOR REFUGEES FROM COMMUNIST TYRANNY

Mr. HART. Mr. President, most of the problems which concern the electorate of this country and make up the real world of the middle of the 20th century are difficult enough wisely to resolve without exaggeration, innuendo, negativism, half truths, or deliberate confusion. Yet these are precisely the contributions being made by the Republican vice-presidential nominee as he begins his campaign.

In his Labor Day address to citizens of South Bend, Ind., false statements were made in two areas of public concern—immigration reform and asylum for refugees from Communist tyranny. These were echoes of the know-nothing days of American history. There is no justification that I can imagine for turning time back to these days of vision and discord.

According to news reports, the Republican vice-presidential nominee said that the administration's immigration bills would "open the floodgates for virtually any and all who would wish to come and work in this country." He went on to say that if these bills passed the Congress, "the number of immigrants next year will increase threefold and in subsequent years will increase even more." In other words, Mr. President, according to the Republican nominee's estimate, we could anticipate some 1 million immigrants annually. And finally, Mr. President, the Republican nominee laid unemployment and welfare problems at the doorstep of a new immigration policy.

But what are the facts about the administration bill? What are the facts about a bill which carries out the objectives long sought by four American Presidents—President Truman, President Eisenhower, President Kennedy, and President Johnson?

What are the facts about a bill which reflects the stated goals in the past and current platforms of our major political parties, excepting only the retrogressive 1964 Republican platform, which I feel sure has been rejected by so many members of that historic party? What are the facts about proposals to abolish the national origins quota system, which carry with them the support of at least 36 Senators, including such distinguished Republicans as the Senator from New Jersey [Mr. CASE], the Senator from Hawaii [Mr. FONG], the two Senators from New York [Mr. KEATING and Mr. JAVITS], the Senator for California [Mr. KUCHEL], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Pennsylvania [Mr. SCOTT]?

In brief, Mr. President, the facts are these.

The bill represents a consensus of religious, voluntary, labor, and nationality organizations who believe this is the kind of reform needed and long overdue. Contrary to the charge made by the Republican vice-presidential nominee, the proponents of immigration reform have no desire to increase significantly the annual number of immigrants. His charge is absurd and irresponsible, as testimony in the hearing record of the House Judiciary Committee, of which he is a member, indicates clearly.

Nor do we propose to alter the financial, security, and health, or other individual checks on those who would come to our shores. Those who would be a public charge or a threat to our security would continue to be barred from entry.

Certainly we must attack the problem of unemployment and underemployment in this Nation. This is a high priority in President Johnson's program. The solution lies—in part at least—in training the unskilled, in removing racial bars to equal employment opportunities, and in expanding the economy through sound tax and fiscal policies designed to stimulate economic growth. That we have made progress in these areas is on the record for all to see, but with no appreciable help from the Republican ticket. And in my book, selective immigration, on a new and rational basis, can assist this growth.

Mr. President, it serves no useful purpose to make immigration the scapegoat for the problem of unemployment. Such reasoning only generates confusion, perpetuates our problems, creates a false issue, gives cause for doubt among our friends, and ammunition to our enemies on the claimed vitality of our free and democratic society.

Mr. President, the objectives of the bipartisan immigration program, berated by the Republican vice-presidential nominee in fashion designed to play on economic fears and ancient prejudices are modest and right and very American. That is why it claims such widespread support in America's mainstream of morality and commonsense.

What are these objectives? First, to strike from the law books an immigration policy which discriminates against immigrants from eastern and southern Europe, and which carries with it immoral concepts of race superiority.

A newcomer should not arrive at our Nation's door, hat in hand, apologizing for his parentage or birthplace. We have every right to ask him "What can you contribute to America?" And if his contribution promises to be a constructive one, what matters where he comes from. This is the great vice of the national origins quota system.

Second, to remove the difficulties confronting our citizens who seek to bring close relatives into this country. And what could be more just, more desirable and good for society than the preservation of the family unit?

Third, to speed America's growth rate by stressing the entry of skilled and professional persons, with a view toward contributing to national goals in such fields as defense, science, technology, public health, and cultural enrichment.

Fourth, to provide a continuing and flexible authority for the admission of refugees from Communist tyranny—for whom the national Republican nominees profess to have such sympathy.

Mr. President, for Congress to pass an immigration bill with the objectives I have listed, would mark a great achievement for this Nation.

The people of this Nation expect their elected representatives to act with reason, and with faith in America. They expect us to act with skill and ingenuity, and with progress and compassion in the finest traditions of freedom and justice.

Apparently there are those who do not agree with this traditional American approach to things.

Mr. President, the Republican vice presidential nominee also had some things to say about the Cuban refugee program.

He said:

> We cannot continue to subsidize each visiting Cuban family with checks from our Federal Treasury forever.

Well, no one has suggested that, Mr. President—neither President Eisenhower, who began the program of asylum, nor President Kennedy or President Johnson.

But America has given asylum to Cuban refugees and has sought to assist them to lead reasonably normal and productive lives while they remain the guests of America. Asylum for refugees is part of our tradition. To assist them is part of the effort for the security of freedom.

Of the 250,000 Cubans in this country, most are contributing guests in our society.

Only last week the Department of Health, Education, and Welfare informed me that less than 25,000 remained on relief, and the number is decreasing daily. For the Republican nominee to suggest that Federal money is keeping the Cubans alive is an insult to the industrious refugee, a disservice to competent and experienced administrators of the Cuban refugee program, and a total lack of appreciation for the splendid efforts of America's private voluntary agencies, civic organizations, religious organizations, and individual citizens who have seen fit to put their sense of democracy and freedom to work in a very concrete, living, practical way.

As chairman of the Judiciary Subcommittee on Refugees and Escapees, I assure the American people that the asylum program for Cuban refugees is a story of great success, something of which this Nation and its people should and could be proud. Especially to be commended are the voluntary agencies—Catholic Relief Services of the National Catholic Welfare Conference, Church World Service, United HIAS, and the International Rescue Committee.

I am confident that the strain of compassion that is typically American will survive the onslaught of negativism born of little men, born of suspicion and ignorance, floated at the beginning of a campaign, a campaign which requires that there be a constructive discussion of the issues that confront us, a discussion that will be rich in facts and precision and consistent with the traditions we claim to be ours. I hope in the days ahead that will be so.

ADJOURNMENT

Mr. HART. Mr. President, if there is no further business to come before the Senate, in accordance with the order previously entered, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 31 minutes p.m.), under the previous order, the Senate adjourned until tomorrow, Wednesday, September 9, 1964, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 8, 1964:

IN THE AIR FORCE

The following Air Force officers for appointment as permanent professors, U.S. Air Force Academy, under provisions of section 9333(b) title 10, United States Code:

Philip J. Erdle, 23327A
Roland E. Thomas, 73551A
Malham M. Wakin, 47751A

IN THE MARINE CORPS

The following-named officers of the Marine Corps for temporary appointment to the grade of colonel subject to qualification therefor as provided by law:

Lowman, John, Jr.
Walker, Carl E.
Baldwin, Robert E.
Roane, Eugene S., Jr.
Paul, John F.
Simmons, David H.
Johnson, Richard W.
Grove, John R.
Codispoti, Gildo S.
Graham, Lawrence L.
Sitter, Carl L.
Leitner, Warren A.
Jerue, George E.
Galbreaith, Don W.
Hammerbeck, Edward E.
Sadler, Mitchell O.
Lemay, John, Jr.
Perkins, Thurman L.
Staples, Murray M.
Motelewski, Joseph R.
Fenton, Francis I., Jr.
Fegan, Joseph C., Jr.
Foxworth, Robert F.
Anglin, Emmett O., Jr.
Brant, Robert E.
Shinn, Leo B.
Dodson, Frederick C.
Corey, Russell E.
Anderson, Nels E.
Brown, Leslie E.
Hubbard, Jay W.
Graham, William M., Jr.
Nesbit, William P.
Greason, Edward H.
Givens, Harry L., Jr.
Greene, Charles H., Jr.
Gross, Leo V. R.
Ryder, Bertram S.
McCarthy, Edward R.
Hogan, Francis C.
Harte, Franklin J.
Brenneman, Richard A.
Bradley, Gilbert D.
White, William K.
Hazlett, Wesley W.
Green, Wiley A.
Dalby, Marion C.
Mulroney, Peter J.
Walker, Charles E.
Greene, Thomas N.
De Long, Phillip C.
Harper, Edwin A.
Maclean, William G., Jr.
Fry, William F.
Castagna, Anthony J.
Sherbondy, Arthur L.
Faser, Karl E.
Haffey, Eugene H.
Keagy, Lowell T.
Shelly, Kermit H.
Gehri, Donald J.
Bonner, Joel E., Jr.
Phillips, William T.
Olson, Virgil D.
Lengel, Dwain L.
Johnston, Oscar B.
Noel, Paul A., Jr.
Rickabaugh, David D.
Horne, Thomas M.
Wortman, Harry D.
MacNeil, John A.
Brewster, David A., Sr.
Matheson, Bruce J.
Hanthorn, Jack E.
Fuss, Paul
Shute, James J.
Padalino, Mauro J.
Lownds, David E.
Loprete, Joseph E.
Antley, William E., Jr.
Sheppard, Frank J.
Kersey, Robert W.
Radics, Emil J.
Pittman, Howard T.
Wilcox, Wilbur D.
Cook, Edward
Mehaffey, Harold N.
Ross, George O.
Frey, Leroy T.
Saxon, Thomas J., Jr.
Peebles, Robert R.
Schmidt, George C., Jr.
Tuma, James W.
Read, Benjamin S.
Quint, Frederick A.
Canton, John S.
Hall, Reverdy M.
Fris, Edward S.
Baird, Robert
Lang, Frank C.
Williams, Walter L.
Sturdevan, Garth K.
Ord, James B., Jr.
Wegley, Don E.
Johnson, Earl W.
Lynch, Robert J., Jr.
Armstrong, Victor A.
La Mar, Robert L.
Mosca, Herbert P., Jr.
Bryant, George M.
Harper, James A.
Ross, Thomas J.
Moriarty, Paul M.
Reed, Edwin O.
Miller, Thomas H., Jr.
Mickelson, Laurel M.
Dair, William G., Jr.
Lehnert, Robert C.
Barbour, Robert J.
Finlayson, Edwin H.

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant subject to qualification therefor as provided by law:

Templeton, Donald L.
Hearney, Richard D.
French, Guy B.
Caskey, Robert D.
Currie, Herbert L.
Hendricks, John B.
Sketoe, James G.
Doxsee, Donald T.
Schnell, Durwood K.
Connor, Charles R.
Sharp, Harry F.
Farrell, Patrick G.
Irons, Jerrold T.
Da Grosa, John B.
Galbraith, William F., Jr.
Harborth, William M.
Lucas, Richard J.
McCoy, Charles B.
Retoske, Denis W.
Riley, Michael B.
Shockey, Donald K., Jr.
Suber, Eddie J., Jr.
Carroll, James O.
Green, Jerry M.
Miller, Jon
Alton, Thomas R. H.
Collins, Melville W., Jr.
Howe, Richard G.
Matthews, James M., Jr.
Oberndorfer, Gerald J.
Toomey, Cornelius R., II
Roane, Everette S.
Tatum, Reiss P.
Badiner, Samuel
Coker, Lee D.
Paul, Dwight A., Jr.
Cobb, Danal J., III
Greene, Lyndol G.
McAdams, Gregory A.
Stron, Walter E., III

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant subject to qualification therefor as provided by law:

Bates, John F.
Burgett, George S.
Burns, Donald E.
Byron, Michael J.
Connell, James E.
Davis, Donald R.
Ek, Steven J.
Heflin, William L.
Litz, Eugene M.
Manning, Douglas E.
Mitchell, James M., Jr.
Pollock, Jimmie R.
Reilly, Michael J.
Thomas, Blake K.
Tompkins, Howell A., Jr.
Walker, Richard W.
Ward, Alexander K.
Watson, John D.
Sears, Kenneth M.
Donoho, Robert C.
Homan, Franklin J., II
McCarthy, Patrick L., Jr.
Cox, Millard
Repp, David M.
Smith, George E., Jr.
Adams, Charles N.
Statler, Frank L., Jr.
Wingenbach, Edward C., III
Rooney, Christopher J.
Brown, Robert W., Jr.
Best, Coy T., Jr.
Carter, Thomas C.
Henson, Jerry L.
Huddleston, Charles R.
Martin, Christopher E.
Morgan, John J., Jr.
McCulley, Michael D.
Graham, Alton G.
Geltz, Robert B.
Nugent, Gerard P., Jr.
Thomas, Ernest A., Jr.
Bianchino, Richard L.
Duffy, Charles J.
Moore, David W.
Shelton, Roy H., Jr.
Barton, Francis J.
Moser, Ervin D.
O'Brien, Paul W.
Rider, Jon K.
Brown, Raul B.
Boyd, Thornton
Barclay, Boyd L.
Cuny, Charles D.
Ek, Paul R.
Sullivan, John A., Jr.
Osborne, Ronald G.
Wellman, Donald A.
Brumbaugh, Clay A.
Libbey, Jacob E.
Archilles, Dennis M.

IN THE AIR FORCE

The following-named officers for temporary appointment in the U.S. Air Force under the provisions of chapter 839, title 10 of the United States Code:

To be major general

Brig. Gen. Gordon H. Austin, 1207A, Regular Air Force.

Brig. Gen. Ivan W. McElroy, 1338A, Regular Air Force.

Brig. Gen. Horace A. Hanes, 2060A, Regular Air Force.

Brig. Gen. Fred J. Ascani, 4036A, Regular Air Force.

Brig. Gen. Gordon T. Gould, Jr., 4040A, Regular Air Force.

Brig. Gen. Arthur G. Salisbury, 4224A, Regular Air Force.

Brig. Gen. Kenneth E. Pletcher, 19136A, Regular Air Force, medical.

Brig. Gen. Gordon M. Graham, 7761A, Regular Air Force.

Brig. Gen. Harry E. Goldsworthy, 1631A, Regular Air Force.

Brig. Gen. Robert W. Manss, 2713A, Regular Air Force.

Brig. Gen. John D. Lavelle, 4359A, Regular Air Force.

Brig. Gen. Duward L. Crow, 18061A, Regular Air Force.

Brig. Gen. Irving L. Branch, 1557A (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Leo F. Dusard, Jr., 1869A (colonel, Regular Air Force), U.S. Air Force.

To be brigadier general

Col. Charles B. Stewart, 1204A, Regular Air Force.

Col. Roland J. Barnick, 1946A, Regular Air Force.

Col. Frank P. Wood, 3928A, Regular Air Force.

Col. John L. Locke, 4042A, Regular Air Force.

Col. Benjamin W. Dunn, 18875A, Regular Air Force, dental.

Col. George E. Brown, 4425A, Regular Air Force.

Col. Albert W. Schinz, 4646A, Regular Air Force.

Col. Robert F. Worley, 4906A, Regular Air Force.

Col. John R. Dyas, 4968A, Regular Air Force.

Col. William C. Lindley, Jr. 5006A, Regular Air Force.

Col. William B. Kyes, 5064A, Regular Air Force.

Col. Robert L. Petit, 5213A, Regular Air Force.

Col. Adrian W. Tolen, 3041A, Regular Air Force.

Col. Ernest L. Ramme, 6360A, Regular Air Force.

Col. Arthur W. Cruikshank, Jr., 8107A, Regular Air Force.

Col. Edward B. Giller, 8696A, Regular Air Force.

Col. William H. Reddell, 8874A, Regular Air Force.

Col. George B. Simler, 9236A, Regular Air Force.

Col. Thomas H. Beeson, 9767A, Regular Air Force.

Col. Richard F. Shaefer, 10096A, Regular Air Force.

Col. Maurice F. Casey, 36992A (major, Regular Air Force), U.S. Air Force.

To be Judge Advocate General

Brig. Gen. Robert W. Manss, 2713A, Regular Air Force, for appointment as the Judge Advocate General, U.S. Air Force, for a period of 4 years beginning Oct. 1, 1964, in the permanent grade of major general in the Regular Air Force. This nomination is made under the provisions of section 8072, title 10 of the United States Code.

To be brigadier general

Brig. Gen. Thomas P. Corwin, AO328499 (colonel, Air Force Reserve), U.S. Air Force, for appointment as a Reserve commissioned officer in the U.S. Air Force in the grade of brigadier general under the provisions of section 8376. title 10, of the United States Code.

IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be major

Chirafisi, Donald, O61409.

To be captain

Cummings, George P., Jr., O87717.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3298:

To be first lieutenants

Alix, Richard R., O92283.
Allen, Gordon W., O94803.
Alley, Norman L., O94665.
Amlong, Thomas K., O98042.
Anderson, Charles E., O90146.
Atkinson, John H., 3d, O99605.
Austin, Thomas S., Jr., O94160.
Avila, Carmelo, O94161.
Axsom, Donald E., O93113.
Baggot, James M., Jr., O93350.
Baker, Tracy, 2d, O92304.
Bartholomew, Alanson D., 2d, O95501.
Bedford, Ben C., Jr., O98570.
Belenski, Alexander B. A., O94804.
Bennett, John L., O94669.
Bergeron, Richard J., Jr., O94670.
Berner, Ronald E., O94805.
Bernier, Ralph D., O93358.
Berry, Terry G., O94511.
Bevis, Coleman O'N., Jr., O94512.
Bodziony, Ronald, O92337.
Bond, John C., O93360.
Bonds, Gerald D., O91767.
Bone, David McK., O94366.
Bosserman, David C., O99486.
Bouton, Peter H., O97282.
Bowling, Ernest R., O92345.
Boyersmith, Joseph C., O92347.
Bradberg, Richard R. O94673.
Bradley, Larry E., O94165.
Britton, Joseph D., O99616.
Brooks, Milton D., O95016.
Brown, Richard L., O99061.
Brown, Wade G., O92364.
Buckley, James M., O92369.
Busby, John F., O92375.
Bush, Charles R., O94675.
Calhoun, Richard W., O99619.
Cameron, Ralph G., O93369.
Canavan, Thomas J., Jr., O98099.
Carroll, Robert H., O94175.
Cartlich, George L., 3d, O94974.
Chinn, Mitchell E., O95139.
Chrissinger, John E., O94519.
Chronis, Nicholas N., O94375.
Cleland, Robert J., O92398.
Conerly, Jerry M., O93377.
Coughlin, James P., O93378.
Coutant, Norman J., Jr., O94679.
Crockett, William R., 2d, O94680.
Crosby, Phillip A., O94521.
Culpepper, George V., O94975.
Danner, Robert F., O99811.
Darcy, Richard E., O94808.
Darlington, Robert D., O94682.
Davison, Daniel P., O94683.
DeBastiani, Richard J., O98058.
Decker, David J., O91407.
DeKeyrel, Burdette L., O92868.
Deryck, John L., O95643.
DeRubbo, Daniel J., Jr., O94186.
Devlin, Owen F., O92433.
Dixon, Richard A., O94684.
Dougherty, Charles H., O94383.
Ebbesen, Samuel E., O93278.
Edwards, Fred C., O94189.
Eggleston, Daniel M., Jr., O99058.
Eppley, Vernon LeR., O94526.
Farley, Joseph I., Jr., O92652.
Flores, Jose M., O94193.
Flory, Richard A., O94387.
Fluer, Larry L., O93403.
Fogarty, Francis P., Jr., O93404.
Furgeson, Charles T., O94528.
Gaun, George A., O99319.
Green, Thomas S., O96991.
Greene, Robert F., O99652.
Greenhaw, Herman H., Jr., O93419.
Guiberson, Ronald M., O94690.
Hamilton, Thomas C., O93423.
Hammett, Jack C., Jr., O93186.
Hanson, Frederick A., O94812.
Hardy, David J., Jr., O94529.
Harmon, David, O92523.
Haulsee, Richard W., O92529.
Hitchcock, Dickey, O94396.
Henthorn, Richard E., O94814.
Holaday, Richard K., O92554.
Holder, Arthur T., O94397.
Hollis, Glenn D., O97873.
Horton, Charles R., O92557.
Horton, James M., O94815.
Howes, Ralph C., Jr., O99331.
Ioanidis, Gabriel, O94399.
Ippolito, Richard, O98071.
Jackson, Allan C., O93205.
Jarrell, Norman D., O92575.
Johannesen, Nils P., O92581.
Johnson, Lewis A., O93210.
Jolley, Bobby L., O97586.
Jones, Nova G., O94694.
Josten, David A., O94208.
Kallina, Gerald F., O94695.
Kara, Miles L., O99251.
Karrer, Robert J., Jr., O99888.
Kenefick, Francis J., O93446.
Kind, Peter A., O93217.
Knight, James R., O94699.
Kobylarz, James M., O98176.
Krapf, Thomas K., O93222.
Kravitz, Lawrence R., O99672.
Lane, Harry G., O94100.
Langhorne, Thomas O., Jr., O92630.
Larens, James M., O94403.
LeFew, Charles F., O99904.
Lemp, James F., O94211.
Lezaj, Edwin G., O92645.
MacKenzie, Thomas S., O98484.
MacStravic, James A., O96775.
Maddox, Edgar D., O94614.
Mannix, Joseph R., O99684.
McBride, Dennis P., O92678.
McCormack, John C., O92682.
McCormick, Allen L., 3d, O94408.
McDonald, Edward M., O97231.
McGough, Robert E., O94409.
McGranahan, Richard E., O93465.
Medley, Thomas J., O97947.
Melendez, Hector N., O94222.
Mercado, Alejandro, O94224.
Miller, George R., Jr., O94706.
Mitchell, Dana W., O92719.
Mitchell, Robert C., O92721.
Moorhead, Michael M., O99696.
Muller, Michael G., O97336.
Naumann, Terrell K., O99697.
Newell, Arthur L., O94709.
Newman, Neil E., O94977.
Nicholls, Deloy H., O94710.
Nunziato, Carl A., O92763.
Olson, Robert R., O92775.
O'Sullivan, John D., O94228.
Owens, Ronald C., O92779.
Patete, Frank M., O95122.
Patterson, Freddie L., O94419.
Pedone, Peter J., O96343.
Perry, Stephen M., O99948.
Petersen, Elwin A., O92796.
Phillips, Billy J., O94826.
Phipps, Allen M., O94827.
Piasecki, Ronald L., O93270.
Poist, Joseph E., O94828.
Polk, Charles B., O94429.
Price, David S., O93893.
Price, Hugh A., O94236.
Prickett, Thomas R., O99713.
Primmer, Ronald R., O94712.
Ranc, Richard D., O97426.
Richardson, James K., Jr., O92829.
Roach, Robert W., O94716.
Roberts, William M., O94238.
Robinson, Thomas W., O97966.
Rusk, James E., O94979.
Russo, Joseph P., O93919.
Saarel, Douglas A., O92855.
Sackowitz, Russell M., O92856.
Scott, James, O93294.
Seery, Joseph P., O97353.
Sewell, Gerald L., O99100.
Sharp, Warren H., O94720.
Shaw, Edward W., O99731.
Shepard, James L., O94721.
Shepherd, William M., O99991.
Shum, Ronald M., O94832.
Simerly, Julian C., Jr., O94723.
Simpson, Jerry J., O99994.
Sindy, Ronald L., O97355.
Smart, Eric E., O99999.
Small, Michael C., O92894.
Smith, Donald J., O92899.
Smith, Edgar D., O93951.
Smith, Robert H., O92902.
Smith, Ted H., O93510.
Smith, Tommy J., O94549.
Smith, William R., Jr., O92906.
Smittle, Nelson D., O95695.
Smock, Jimmie E., O94425.
Sones, Richard A., O99125.
Spicuzza, William L., O97057.
Spisak, John J., O92913.
Solymosy, Edmond S., O94982.
Sponski, John J., O92914.
Staten, Eugene B., O98082.
Storey, Donald L., O94726.
Stump, Charles H., O92093.
Stumpff, Steven O., OF100012.
Sullivan, Dennis B., O95712.
Sulzen, Robert H., O94428.
Sutherland, Ian D. W., O94652.
Tate, Van B., O92948.
Taylor, John C., Jr., OF100015.
Thomas, Everett R., O94835.
Thomas, James M., O93317.
Thompson, Louis M., Jr., O97840.
Thorson, Glen J., O94144.
Threefoot, Philip St. G., O93321.
Thurmond, George H., O93322.
Tierney, James L., O97988.
Tilton, William M., O94555.
Tipton, James D., O98016.
Tison, Weyman B., Jr., O99403.
Toomepuu, Tonu, 092958.
Turner, John A., 094727.
Villines, Larry K., 094728.
Walker, Thomas L., O93327.
Walters, David L., O94837.
Ward, James L., O93328.

Waterson, Robert J., 3d, O92979.
Watson, Walter E., 3d, O94560.
Watt, Murray B., O94561.
Watters, Richard H., O95403.
Watters, Robert A., Jr., O94730.
Weigand, Robert W., O95279.
Weisser, Roland J., Jr., O94838.
Welch, William A., O94839.
Weld, Seth L., 3d, O92982.
Wieting, Gary L., O94731.
Wilkinson, Gordon R., O92995.
Williams, Robert L., Jr., O93541.
Willms, Walter R., O96901.
Winter, Norman E., O95124.
Word, Alan A., O94733.
Wright, Raymond P., O94840.
Wylie, Robert McC., O94563.
Yablon, Stuart H., OF100051.
Yeaney, Jerry D., O94842.
Young, Danny A., O94269.
Zipperer, Frank E., O93346.

To be first lieutenants, Women's Army Corps

Ferrell, Rena M., L625.
Scribner, Elizabeth E., L622.
Seibert, Nancy L., L619.

To be first lieutenants, Medical Service Corps

Berlin, Jack E., O94440.
Carestia, Ralph R., O94806.
Chin, Gordon O., O94518.
Clack, R. C., O93142.
Frickey, Norman G., O96968.
Garrett, Thomas C., O93414.
Green, Thomas, O94196.
Kirkpatrick, Harold C., O95121.
Loryea, Robert S., O99343.
Nesbitt, Earl W., O94708.
O'Barr, Billy J., O95075.
Schultz, Paul L., O94423.
Sheridan, Richard M., O94722.
Spencer, William R., O99501.
Stidham, Paul E., O93309.

To be first lieutenants, Army Nurse Corps

Brice, Betty, N3104.
Saunders, Martha E., N3136.

To be first lieutenant, Army Medical Specialist Corps

Boyer, Helen C., M10197.

The following-named officer for appointment as professor of military art and engineering, U.S. Military Academy, under the provisions of title 10, United States Code, sections 4331 and 4333:

Griess, Thomas E., O25533.

The following-named officer for appointment as professor of law, U.S. Military Academy, under the provisions of title 10, United States Code, sections 4331 and 4333:

Lough, Frederick C., O21118.

The following-named persons for appointment in the Regular Army by transfer in the grades specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, and 3290:

To be captains

Boroski, Marvin R. (MSC), O85727.
Fazio, Robert A., Jr. (MSC), O95017.

To be second lieutenant

Kendall, John L. (MSC), O94248.

To be second lieutenant, Medical Service Corps

Goldberg, Bertram (Arty), O95935.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

To be majors

Mitchell, Willis F., O1917696.
Penn, Raymond B., Jr., O1913226.
Spitz, William M., O1924507.
Williams, Henry G., Jr., O2262872.

To be captains

Anderson, Jack W., Jr., O4006784.
Bouey, John D., Jr., O4046566.
Brill, Herbert W., O4009224.
Bromke, Chester E., O4046738.
Brooks, Herman L., O4034818.
Brooks, Standish O., O1915328.
Buckley, Donald C., O4006138.
Buff, Thomas W., O4074785.
Cobbs, Richard C., O4031204.
Cooper, Ted V., O4043887.
DeMio, Dante C., O4010450.
Dunlap, Roger L., O4063799.
Eisenbarth, Roland W., O5700282.
English, Paul L., O2005168.
Fossett, John L., O1915487.
Fountain, Charles D., O4006146.
Fugit, Daniel S., O1690974.
Fuller, Thomas W., O4031460.
Gaydar, Leonard E., O5202269.
Griffin, Hardy L., O4075802.
Griffiths, Meryl A., O2263679.
Grigg, Vernon C., Jr., O5203586.
Hamilton, John D., O2265474.
Hasting, Richard A., O1919246.
Heck, Norman W., Jr., O5502938.
Holland, Leland J., O4030911.
Holton, Duval G., Jr., O2266350.
Honore, Charles E., O4071290.
Jackson, John D., O4075335.
Johnson, Stanley C., O4040699.
Johnston, James W., Jr., O4030912.
Kirchmaier, Charles S., Jr., O1923049.
Koreski, Rolland A., O5701978.
Litherland, Ivan R., O1890151.
Lockhart, William H., O999399.
Loudermilk, James R., Jr., O5203380.
Mayo, Willie A., Jr., O5303371.
McCarthy, Thomas P., Jr., O4031334.
McCloskey, William J., O4006578.
McCracken, John R., O2103687.
Moore, Robert L., O4006674.
Ott, Luther D., O5401005.
Peterson, Alfred L., O4074314.
Powell, Albert W., O5201564.
Powell, John W., O5201123.
Rosenfield, Joseph N., O4084579.
Sexton, Lionel F., O1932517.
Sposito, Paul, O4034706.
Stronach, Ronald E., O5304074.
Thomas, John A., Jr., O4019070.
Thompson, Mitchell G., O4076188.
Thornton, Olen D., O4060423.
Victor, Henry J., O4011090.
Voelkel, Eugene, O5400859.
Volpe, Joseph J., O2295515.
Vornsand, Glenn E., O1941041.
Waggener, Robert N., O5301565.
Watson, Jay D., Jr., O4050626.
White, Leroy, O4042637.
Williams, James H., Jr., O4049280.
Williams, Jimmie, O4031714.
Wood, Joseph S., Jr., O4021133.
Young, James L., O1935603.

To be first lieutenants

Allen, Kenneth D., O5310844.
Alston, Norman W., O5404880.
Bangerter, Jerald C., O5704195.
Benvenuto, James V., O5213274.
Bias, William K., O5206416.
Bisantz, Anthony E., O5008641.
Bloom, John D., O5508478.
Boliaris, Daniel F., Jr., O5505514.
Bortel, James L., O5508479.
Bosch, Brian J., O5308559.
Cash, John A., O5000349.
Chladek, Gary F., O5514609.
Clinton, James E., III, O5405463.
Collins, Robert M., O5510063.
Dankert, Derald T., O5507401.
Darling, Ivan R., O5507488.
Dearlove, James W., O5007647.
DeYoung, Clarence M., Jr., O5706281.
Dollner, David V. H., O5405512.
Dungan, Avalon L., O5400723.
Fetterolf, Robert J., O5210332.
Fink, Jerry D., O4057558.
Garshak, Francis D., O5207491.
Gay, Andrew M., Jr., O5405659.
Giddens, James L., O5409788.
Gorrell, Stanley L., Jr., O5401099.
Green, William V., O5410554.
Grenier, Paul W., O5009093.
Haddock, Argie E., O5705610.
Hale, Donald E., O5213141.
Hall, Henry W., O5405749.
Hallman, Rodney G., O5402970.
Hambric, John L., O5704852.
Harper, William E., O5402296.
Hazelwood, Robert R., O5410308.
Heyman, William, O5405406.
Holloway, Aubrey J., O5303103.
Hyde, John M., II, O5512365.
Janusz, Edward R., O5008261.
Jewell, James C., O5512005.
Jones, Leonard D., O5306155.
Kail, Richard L., O5509003.
Kaley, Peter M., O4065831.
Kelly, William P., O5007370.
Lacy, William A., O5511446.
Lagasse, Peter F., O2314899.
Laing, Wesley N., Jr., O5210742.
Lehman, Bob E., O4061209.
Leonard, Daniel R., O5507340.
Littlefield, William S., O5010597.
Long, Glenn W., O4075512.
Lyerly, Edward D., O5308461.
Martin, Cary W., O2313357.
Miller, Roger D., O5215083.
Moats, Bruce E., Jr., O5207396.
Morrison, Marvin E., Jr., O2273116.
Mosburg, Henry L., O5307376.
Muenter, Robert H., O5410772.
Murdock, Delon T., O5307115.
Neary, John F., Jr., O5311493.
Neill, James K., O5309294.
Nixon, Charlie J., O5310375.
Oncale, Taylor A., O4071333.
Ostermeier, William F., O5505720.
Paul, Bruce O., O5209128.
Pena, Alfonso V., O5409628.
Penrod, David J., O1941941.
Perkins, Marshall H., O5308224.
Perry, Charles C., O5205255.
Potter, Anthony D., O5001180.
Purvis, Marida R., O5309936.
Quinn, Richard L., O5705650.
Rhoads, David G., O4000488.
Rodriguez, Robert, O5009328.
Rondiak, Roman, O5008401.
Ross, Barry D., O5307689.
Russell, Donald A., Jr., O5209471.
Russell, John R., O5008130.
Ryan, Thomas F., O5512114.
Schafer, Donald D., O5510365.
Sherrod, Dale E., O5402745.
Singleton, Richard, O5304647.
Steiger, Donald W., O5702938.
Stephens, Glen C., O5304383.
Stofft, William A., O5509565.
Stucker, Ronald E., O5216367.
Symons, Rodney W., O5409331.
Tifverman, Lawrence H., O5010929.
Tinsley, Robert C., O5403524.
Trang, Myron L., O5704133.
Trout, Nelson C., O5405641.
Van Zandt, Homer R., O5402319.
Whisler, John C., O5212219.
Williams, Donnie H., O5401008.
Williams, Onus V., O4070623.
Williams, Phillip W., O5314377.
Wilson, Sanford H., O5203909.

To be second lieutenants

Abrams, Creighton W., III, O5013613.
Alberghini, Joseph A., O5010395.
Allen, James E., O5212889.
Armstrong, David B., O5414099.
Baer, James T., O2311229.
Bailey, Richard E.
Berry, Peter T., O5010566.
Bianco, Frederick A., O5207039.
Bowker, Lewis W., O5314827.
Burke, Edward J., O5315064.
Childress, John R., O5515687.
Coleman, Ronald A., O5406135.

Costello, Daniel S., O5215404.
Coty, Adrian P., O5009953.
Craig, David B., O5406206.
Dahoney, Richard H., O5014153.
Esposito, Anthony L., O5018182.
Foley, Paul P., O5010977.
Garofalo, Ferdinand P., O5315210.
Girardot, David C., Jr., O5515782.
Grant, Scott W., O5314466.
Gray, Clyde E., II, O5413600.
Greer, Robert H., O2311438.
Guillen, Luis E., Jr., O5014125.
Hagerty, Neil M., O5007584.
Heying, David R., O5515327.
Hocker, William E., O5219542.
Hull, Vernon R., O5513927.
Kevit, Robert J., O5406216.
Lanier, Jimmy N., O5314664.
Lauder, Ralph H., O5412895.
Lewis, Barry C., O5406262.
Lindsey, David H., O2308947.
Love, Earnest E., O5412610.
Lucas, Kenneth W., O5516434.
Marcum, Leonard G., O5706353.
Marr, Francis C., O5010322.
McDaniel, Quannah L., O2311587.
McGarry, Andrew T., O5010600.
McLaughlin, Michael G., O5216164.
McPherson, Arthur R., O5316242.
Metelko, James E., O5517319.
Meurrens, Bernard E., O5514611.
Milam, Michael M., O5413177.
Miller, Ivan W., O5215082.
Miller, Kenneth A., O5515482.
Miller, William A., O5317382.
Moerbe, Ronald H., O5414383.
Mooney, James E., Jr., O5314596.
Mooradian, Moorad, O2293893.
Morey, Carter, O5315248.
Murray, David B., O5012282.
Nichols, Robert A., O5413603.
Palmer, Charles S., O5313216.
Pate, Robert A., O5315258.
Patterson, William T., O5313691.
Piper, Billy J., O5413842.
Posey, Larry O., O5213862.
Poynter, William D., O5412779.
Radwell, Thomas J., Jr., O5218350.
Ray, Webster D., O5412446.
Reed, Arthur W., O5406069.
Richardson, O'Brene, O5220778.
Ruhmann, Richard A., O5514755.
Rutz, Stephen F., O5217148.
Sands, William D., III, O5316519.
Sharp, Raymond D., Jr., O5314509.
Sheehy, Stephen P., O5215163.
Sherwood, George R., O5215164.
Speaker, Theodore A., O5312482.
Swing, Walter M., O2308220.
Taylor, Kenneth D., O5413384.
Todd, William A., III, 05706989.
Vogels, Bob J., 05313562.
Wager, Joseph S., O5216279.
Wahlbom, Philip C., Jr., O5316706.
Wells, Charles T., O5414311.
Whitehouse, Gregory K., O5412857.
Whitlock, Gary B., O5316251.
Wiggins, Harry R., O5704771.
Winslow, William R., O5216602.

The following-named persons for appointment in the Regular Army of the United States, in the grades and branches specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, 3294, and 3311:

To be major, Medical Corps

Cohn, Gerald H.

To be major, Medical Service Corps

Huth, Verlan E., O1685569.

To be captain, Army Medical Specialist Corps

Sanchez, Aida N., M2978.

To be captains, Army Nurse Corps

Burton, Cora L., N902864.
Lewis, Margaret A., N2292212.

To be captain, Chaplain

Dimont, Albert M., O2295109.

To be captains, Dental Corps

Chambless, Lewis A., Jr., O5315571.
Cuba, Phillip J., O5518662.
Cucolo, Frank A., O5004777.
Eandiorio, Leo M., O5213593.
Gallegos, Leander T., O2283865.
Hartman, Robert L., O74716.
Leider, Alan S., O5004817.
Loke, Michael W. T., O5306734.
Matalon, Victor, O5707329.
McCormick, Jim L., O5217198.
McDonald, Terry D., O5518253.
Nelson, John F., O2295828.
Oglesby, Erby R., O5301102.
Paquette, Omer E., O5213629.
Shade, Ned L., O5213669.

To be captains, Medical Corps

Buker, Robert H.
Cavalli, Richard E., O2300669.
Edwards, John W., Jr., O3091581.
Kirk, Phillip B., O4056981.
Kopp, Albert A., O5012836.
Liakos, William G., O75672.
Lindberg, Robert F., O5014894.
Mologne, Lewis A., O2288740.
Raia, Theodore J., Jr., O5014737.
Rowland, Robert C., O2313021.
Sosnow, Bertram E., O5217673.
Whitehead, William J., O5312964.

To be captains, Medical Service Corps

Ockert, Carroll A., O4084214.
Vigneault, Marcel L., O4038960.

To be first lieutenant, Army Nurse Corps

Butler, Mary C., N5411243.

To be first lieutenant, Dental Corps

Henry, Samuel W.

To be first lieutenants, Judge Advocate General's Corps

Carlos, Thomas P., O5311828.
Letendre, Robert W., O2313435.
Ray, Paul H., O5405162.
Ream, David, W., O5704289.
Sherwood, John T., Jr., O2344298.
Wente, David O., O2311844.

To be first lieutenants, Medical Corps

Barclay, William A., O2309351.
Barreca, Nicholas E., O5002743.
Bogart, John N., O5312901.
Chenoweth, Richard G., O2309412.
Cudia, Joseph, O2309339.
Hovey, Leslie M., O2313028.
Hunter, John D., Jr., O2309381.
Peck, Morgan S., O2313023.
Robinson, Theodore A., O2313015.
Sacks, Richard P., O2313084.
Stark, Fred R., O2309356.
Woldoff, Mitchell, O2313111.

To be first lieutenants, Medical Service Corps

Ditmars, Dennis L., O2295968.
Malone, Richard L., O2299828.
Servis, Hubert T., O2314588.
Smith, James M., O5306125.

To be first lieutenant, Women's Army Corps

Leibst, Mitzi D., L2304914.

To be second lieutenant, Army Nurse Corps

Woods, Patricia M., N2310130.

To be second lieutenants, Medical Service Corps

Brown, Carl D., O5410843.
Meyer, Gregory C., O5208078.
Rexrode, Robert W., O2308891.
Warner, David J., O2308219.

To be second lieutenant, Women's Army Corps

Cain, Carolyn H., L5317071.

The following-named distinguished military students for appointment in the Regular Army of the United States in the Medical Service Corps, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, and 3290:

Finney, Jackie L.
Murray, James H., Jr.
Ott, Janvier M.
Wiggins, David E.

The following-named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

Adkins, Theodore W.
Alkire, Monte C.
Auvil, Daniel L.
Battles, Fred C.
Beavers, James A.
Bethel, Lester F., Jr.
Bittenbender, Edward H., Jr.
Bogan, Robert
Bohonak, Michael, Jr.
Botts, Thomas M.
Bradham, Ramon F.
Bradley, Glenwood E.
Braun, Bruce A.
Broer, James M.
Brown, Stanley W., Jr.
Brugge, Robert R.
Bruncsak, Joseph C.
Bunnell, Rodger R.
Cella, James J.
Chun, Kenneth W. H.
Clotfelter, Wayne R.
Code, Ronald L.
Conter, Edward N., III
Cooper, Jackson H., Jr.
Cox, Thomas A., Jr.
Criss, Marshall W.
Cross, Paul W.
Crowder, Lewis H.
Crowe, Bobby N.
deRosset, William S.
Dowdy, James T.
Dukes, Ronnie J.
Eubank, Allan L.
Falconer, Thomas J.
Flowers, James P.
Froemel, Ernest C.
Gaunt, David C.
Gilmore, Lee R.
Glas, Robert E.
Goss, Barry W.
Grant, Thomas R.
Hall, Phillip T., Jr.
Hall, Richard A.
Hall, Wilburn C., Jr.
Hanson, Robert W.
Hayes, Kemp W.
Heeb, Larry J.
Helms, Robert F., II
Hill, Christopher S.
Holder, William B., Jr.
Iglehart, Richard B.
Jefferson, Wilson C., Jr.
Jones, William H.
Jurkus, Anthony F., Jr.
Kalahar, Edward D., O5710054.
Kapke, John H.
Kasner, Michael W.
Kenney, Phillip L.
King, Donald E.
Knightly, John R.
Kolb, Justin C.
Kons, David D.
Lambert, Johnny L.
Lockrem, Bernard J., Jr.
Lohmann, Gary A.
Maas, Alexis
Magnuson, John W.
Mahley, Donald A., II
Mantiply, Samuel W.
Marin, Nels V., Jr.
Maskiell, Robert G.
Massaro, Glenn R.
Matthews, David I.
Matthews, Lorraine C., Jr.
McDonald, Theodore, III
Mevis, Gary L.
Mikkelsen, Morris E.
Moye, Robert J.
Mueller, Edmund L., III
Murphy, Richard D.
Newport, Richard W.
Osborne, Leonard L.
Parham, James B.
Pratto, Charles W.
Prenger, Ronald J.
Proulx, Norbert A.
Rabideau, Dennis G.
Ramsey, Lawrence A., Jr.
Ransberger, Lawrence H., Jr.
Ransdell, Richard N. O5710119.
Rehberg, Clark F., II
Rusch, Ronald A.
Schrimsher, Geoffrey
Schroeder, Galen L.
Sessen, George N.
Shaevitz, Howard
Simmons, Ernest H.
Sinclair, Richard N., II
Spencer, Laird B., Jr.
Sprouse, Marvin E., Jr.
Stender, William H., Jr.
Stevens, Leroy G.
Stracensky, Gary C.
Tarr, Richard C.
Tavernetti, Leonard R.
Thiele, Hans J.
Thorburn, John E.
Uhlenhake, Barry J.
Vande Ven, Martin L.
Vaughan, Ronald W.
Wallace, Gerald O.
Wallace, John R.
Warner, Lance C.
Warren, James F., Jr.
Wells, George W., Jr.
White, Peter H.
Wilhelm, Richard D.
Williams, Arthur F., Jr
Williams, Melvin T.
Williams, William R.
Wood, William R.
Wyatt, LaWayne A.
Yates, Stanley F., Jr.

THE JUDICIARY

Linton M. Collins, of the District of Columbia, to be judge of the U.S. Court of Claims vice Sam E. Whitaker, retired.

DIPLOMATIC SERVICE

Raul H. Castro, of Arizona, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to El Salvador.

WITHDRAWAL

Executive nomination withdrawn from the Senate September 8, 1964:

I withdraw the nomination sent to the Senate on August 3, 1964, of Erma L. Loose to be postmaster at Dauberville, in the State of Pennsylvania.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 8, 1964:

POSTMASTERS

ALASKA

Noble R. Spees, Galena.
Emery W. Kunkle, Talkeetna.

ARKANSAS

Bonnie L. Houchin, Fisher.
Alfred D. Brannan, Hope.
Virgel A. Guynes, Moro.
Joseph C. Parks, Prairie Grove.
George R. Brister, West Helena.

CALIFORNIA

Roy S. Harris, Bellflower.
Henry H. Neidenbach, Danville.
Katherine B. McClain, El Monte.
David Selcer, Long Beach.
Charles A. Rigoni, Palmdale.
George A. Brook, Redwood City.
M. Dolores Pacheco, Samoa.
Marjory E. Duckworth, Standish.
J. Paul de la Garrigue, Venice.

COLORADO

Elmer D. Vagher, Bristol.

CONNECTICUT

Charles W. Smith, North Franklin.

FLORIDA

Robert A. Mann, Lake Monroe.
John J. Boylan, Lake Worth.
Frederic J. McCabe, Jr., Sharpes.

GEORGIA

Carlos O. Henderson, Alpharetta.
White L. Smith, Bartow.
Evelyn P. Gregory, Clinchfield.
Boyce G. Creel, Doraville.
Marie E. Cox, Junction City.

ILLINOIS

Marco B. Petrunich, Mount Olive.

IOWA

Carson A. Ratliff, Garwin.
William J. Vonderhaar, Humboldt.
Keith C. Wiese, Keystone.
James D. Wilson, Oakland.
Nicholas D. Roach, Rock Rapids.
Larry E. Blair, Rockwell City.
James F. Drew, Waukon.

KANSAS

Dale P. Coleman, Denison.
Orval F. Jordan, Dighton.
William E. Wilson, Mound City.
Billy M. Warren, Oakley.
Douglas H. Innes, Phillipsburg.
Ray Hinnen, Potwin.
Alfred E. Stuteville, Spring Hill.
Donald L. Briggs, Stilwell.

LOUISIANA

Clifford C. Hughes, Dodson.

MAINE

Earlon A. Paine, Bethel.
Shirley M. Burgess, Chebeague Island.

MARYLAND

Betty J. McMullen, Charlestown.

MICHIGAN

Tracy W. Vaughn, Jackson.
Walter E. Marshall, Levering.
Donald W. Schroeder, Ravenna.
Betty M. Rhoades, Washington.

MISSISSIPPI

Orwin J. Scharr, Ocean Springs.
Sammie R. Buchanan, Philipp.
Ora B. Hudnall, Porterville.
Jane W. Head, Stoneville.

MISSOURI

Jeff H. Shiflett, Fayette.
Delbert S. Golden, Rutledge.

NEW YORK

Glen R. Freeborough, Allentown.
Robert K. Baker, Argyle.
Barbara I. Sheeks, Barrytown.
Dick L. Spooner, Brookfield.
Donald M. Griffith, Carthage.
Gordon P. Atwell, Clarence.
Joseph F. Carrigan, East Rockaway.
William H. Allen, Elba.
William P. Hirsch, Fishkill.
Archie C. Raimondi, Glasco.
Muriel J. MacBain, Madison.
James E. O'Donnell, Newcomb.
Edward M. Matus, St. Johnsville.
Andrew J. Burr, Jr., Scio.
Anthony F. Caffrey, Syracuse.

NORTH CAROLINA

W. Frank Beshears, Deep Gap.
David E. Hough, Mount Pleasant.

NORTH DAKOTA

J. Donald Burns, Bowman.
Joseph R. Kihne, Cavalier.
Cecil G. Cordahl, Hatton.

OHIO

Ray L. Chadwell, Amesville.
Joseph J. Scanlon, Cincinnati.
Nelson E. Sundermeier, Cleveland.
Carl J. Boeshart, Danville.
John R. Thompson, Jamestown.
William H. Theisen, Nelsonville.
Eber J. Boysel, West Mansfield.

OKLAHOMA

Helen W. Armstrong, Bowlegs.
Lorenzo S. Eales, Hobart.
Margie D. Kirkpatrick, Kremlin.
Ruby E. Langford, Terral.
P. Allen McDonald, Valliant.

OREGON

Leao M. Johnson, Lyons.

PENNSYLVANIA

Catherine S. Golobish, East Millsboro.

SOUTH CAROLINA

John D. Nettles, Cordova.

SOUTH DAKOTA

Harold A. Loof, Corona.
Garfield C. Kraft, Wessington Springs.

TEXAS

Lloyd L. Bryan, Cross Plains.

VIRGINIA

Frances O. Ashworth, Bristow.

WASHINGTON

Ralph W. Nicholls, Quincy.

WEST VIRGINIA

Lester W. Perry, Jr., Chapmanville.
Roberta L. Price, Rachel.
George E. Teter, Riverton.
Roland Emmett Florence, Washington.
Beatrice K. Smith, Waverly.

WISCONSIN

J. Miles Thompson, Lancaster.

ATOMIC ENERGY AGENCY

The following-named persons to the office indicated:

Glenn T. Seaborg, of California, to be the representative of the United States of America to the eighth session of the General Conference of the International Atomic Energy Agency.

Henry DeWolf Smyth, of New Jersey, to be alternate representative of the United States of America to the eighth session of the General Conference of the International Atomic Energy Agency.

Frank K. Hefner, of Virginia, to be alternate representative of the United States of America to the eighth session of the General Conference of the International Atomic Energy Agency.

John Gorham Palfrey, of New York, to be alternate representative of the United States of America to the eighth session of the General Conference of the International Atomic Energy Agency.

James T. Ramey, of Illinois, to be alternate representative of the United States of America to the eighth session of the General Conference of the International Atomic Energy Agency.

Gerald F. Tape, of Maryland, to be alternate representative of the United States of America to the eighth session of the General Conference of the International Atomic Energy Agency.

* * *

HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 8, 1964

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

St. Luke 14: 11: *Whosoever exalteth himself shall be abased; and he that humbleth himself shall be exalted.*

Almighty God, may we daily strive to bring our faltering and groping spirits into harmony with Thy divine spirit and learn the secret of victorious and joyous living.

Grant that we may interpret the dealings and dispensations of Thy providence as the messengers of Thy wisdom and grace.

We earnestly beseech Thee that when we stand at the crossroads of life, not knowing the way, we may hear and heed Thy still small voice, saying unto us, "This is the way; he that followeth Me shall not walk in darkness."

Inspire us with a sense of Thy conquering power and strengthen us with that faith which believes that nothing can ever impede the progress of Thy kingdom of truth and righteousness.

Hear us in the name of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, September 4, 1964, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ratchford, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11865. An act to increase benefits under the Federal old-age, survivors, and disability insurance system, to provide child's insurance benefits beyond age 18 while in school, to provide widow's benefits at age 60 on a reduced basis, to provide benefits for certain individuals not otherwise eligible at age 72, to improve the actuarial status of the trust funds, to extend coverage, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Byrd of Virginia, Mr. Long of Louisiana, Mr. Smathers, Mr. Anderson, Mr. Gore, Mr. Williams of Delaware, and Mr. Carlson to be the conferees on the part of the Senate.

ADJOURNMENT OVER

Mr. McFALL. Mr. Speaker, I ask unanimous consent that when the House adjourns today it stand adjourned until Thursday next and that when the House adjourns on Thursday it stand adjourned until Monday, September 14.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder if anyone can tell the House when this Congress is likely to adjourn so that some of us can go home and do a little campaigning. This apparently is going to be a week utterly wasted from what I now hear. There are Members of Congress—and I am one of them—who cannot order out an Air Force jetplane and take my wife and go out campaigning at taxpayer expense. I would like to hear from someone as to when this Congress expects to adjourn. Does the gentleman have any idea, since he is the appointed spokesman for the leadership?

Mr. McFALL. If the gentleman will yield for that purpose——

Mr. GROSS. Of course.

Mr. McFALL. I do not think anyone can say at the present time when we will adjourn. I do not think there is an answer to the gentleman's question at the moment.

Mr. GROSS. Mr. Speaker, I would still like to have someone, if there is anyone in this Chamber who can do so, tell me how we can waste an entire legislative week at this time and expect to get out of Washington this year.

Mr. HALLECK. Mr. Speaker, will the gentleman yield to me?

Mr. GROSS. I am glad to yield to the gentleman if he can enlighten us.

Mr. HALLECK. Mr. Speaker, of course I cannot undertake to speak for the majority in respect to the program. I think it is only fair that I should say at this point that the Speaker called me this morning to say that the arrangement that had originally been contemplated to make the request to send the social security bill to conference tomorrow had been abandoned, with the idea that the request would be made next Monday.

In view of the fact that there is no legislative business before the House this week, I told the Speaker that in my opinion, and as far as I was concerned, I would have no objection to adjourning over until Thursday and then from Thursday to Monday. Further, as far as I am concerned, I want to say to the gentleman from Iowa that no one is any more anxious than I to adjourn this Congress sine die. But I am sure also that there is no sense in meeting here if we are to be called upon to consider a lot of legislation that I would be opposed to and that in my opinion should never be brought up. If the other body can get to the point where we can adjourn, from all that I can see, the House of Representatives could move very quickly to adjournment. And certainly I would be for that.

Mr. GROSS. Mr. Speaker, I would say to the distinguished minority leader that someone in the majority leadership ought to take the responsibility for this dillydallying and dwaddling that is going on. I say again that we can be here from now until the last of this year under these circumstances. I, for one, do not like it at all. I will say to the gentleman that I shall object to going over from Thursday to Monday; I will not object to going over from today until Thursday. If the gentleman wants to divide his request, I will consent at this time to going over until Thursday, but not from Thursday until Monday.

Mr. McFALL. Mr. Speaker, I shall revise my request and I now ask unanimous consent that when the House adjourns today it stand adjourned to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

ELEVENTH ANNUAL REPORT OF CORREGIDOR-BATAAN MEMORIAL COMMISSION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 360)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Pursuant to the provisions of Public Law 193, Eighty-third Congress, as amended, I hereby transmit to the Congress of the United States the Eleventh Annual Report of the Corregidor-Bataan Memorial Commission for the fiscal year ended June 30, 1964.

Lyndon B. Johnson.

The White House, *September 8, 1964.*

TWELFTH SEMIANNUAL REPORT OF OFFICE OF MINERALS EXPLORATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

I transmit herewith the Twelfth Semiannual Report of the Office of Minerals Exploration from the Secretary of the Interior as prescribed by section 5 of the act of August 21, 1958, entitled "To provide a program for the discovery of the mineral reserves of the United States, its territories and possessions by encouraging exploration for minerals, and for other purposes."

Lyndon B. Johnson.

The White House, *September 8, 1964.*

THE LATE THEODOSIA McKNIGHT JOHNSON

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, "Dodie" the beloved wife of the distinguished Sergeant at Arms of the House of Representatives has passed away. Theodosia McKnight Johnson, wife of Zeake W. Johnson, Sergeant at Arms of the House of Representatives, died early Sunday, September 6, of a heart ailment at Washington Hospital Center. She was 53.

Mrs. Johnson, of soft voice and southern manners, was a popular Capitol guide until illness forced her to retire 3 years ago. The Johnsons lived at 110 Maryland Avenue NE.

A native of Greenville, S.C., Mrs. Johnson attended Furman University and came to Washington in 1931 as aid to the late Representative John J. McSwain, Democrat, of South Carolina.

She devoted much of her time to work with children at Friendship House on Capitol Hill.

Besides her husband, she is survived by two brothers, Philip K. McKnight, of Winston-Salem, N.C., and Herbert C. McKnight, of 105 W. Linden Street, Alexandria, and a sister, Mrs. R. V. Magill, of Greenville, S.C.

She was a lovely and wonderful person. I think every Member of the House knew her, loved her, and appreciated her. We share the great grief which has come upon Zeake.

The funeral services will be tomorrow, Wednesday, at 2 p.m. at Gawlers on Wisconsin Avenue with interment to follow in Arlington National Cemetery.

I am certain that the House would want me to extend this expression of our regard and sympathy to Zeake Johnson in his very great loss.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to my distinguished colleague.

Mr. HALLECK. Mr. Speaker, I was shocked, as I am sure we all were, when I learned this morning of the death of Mrs. Johnson.

Zeake, of course, is well known to all of us and a number here in this body, myself included, have known both the Sergeant at Arms and his late wife for many years. For these fine people the activities here in the Capitol have been a major part of their lives.

It is, as I say, with great sorrow that we learn of Mrs. Johnson's passing.

Mr. Speaker, I thank the gentleman from Florida for calling it to the attention of the Members of the House of Representatives. I join with him in his expression of sympathy.

CHICAGO SUN-TIMES ENDORSES JOHNSON

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include an editorial from the Chicago Sun-Times endorsing the election of President Johnson.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent, I am extending my remarks at this point to include the full text of the editorial in the Chicago Sun-Times of September 8, 1964, endorsing Lyndon Johnson for President. In previous presidential campaigns the Sun-Times had endorsed Republicans, Eisenhower in 1952 and 1956 and Nixon in 1960. The editorial follows:

Why We Endorse Mr. Johnson

On June 10—a month before the Republican National Convention at San Francisco—the Sun-Times declared it would support President Johnson's candidacy if Senator Barry Goldwater became the GOP presidential nominee.

That which has happened since has strengthened our conviction that the well-being of America and the peace of the world will be better served by keeping Mr. Johnson in the White House.

The Nation faces a choice between two opposing philosophies of government, a choice that will affect American lives for years to come. We cannot accept the Goldwater philosophy. Neither do we believe the Arizona Senator has the capacity to serve as the Chief Executive of this Nation.

The Sun-Times in 1952 and in 1956 endorsed Dwight D. Eisenhower for President. In 1960 our choice was Richard M. Nixon. This year we are for the Democratic candidates, Mr. Johnson and Hubert H. Humphrey, not because our views have changed but because the Republican Party changed—temporarily, we hope—when it chose Goldwater. That change would not thave occurred if the GOP had nominated Gov. William W. Scranton, Gov. Nelson A. Rockefeller, or Gov. George Romney.

The election of President Johnson would mean a continuation of fundamental foreign policies that have guided the United States under both Democratic and Republican administrations since World War II.

Goldwater has a long record of opposition to those policies. His record and statements justify the fear that if he were elected, international tensions would increase. What he would do is uncertain since he has been erratic and inconsistent in his discussions of world affairs. He stresses the military rather than the diplomatic approach in solving international problems.

The bipartisan policies followed by Washington in the last few years have not brought total peace but they have avoided total war. Communist aggression has been held in check with force where necessary and with diplomacy where possible. Despite the loss of Cuba to the Communists the free world has been strengthened. Every President in this nuclear age—Mr. Truman, Mr. Eisenhower, Mr. Kennedy, and Mr. Johnson—has been aware of his responsibility to act both with courage and restraint in situations that could bring war.

Goldwater alone of the leaders of either party in this country has shown a dangerous casualness toward the use of atomic weapons. He would delegate to military commanders in the field the authority to initiate the use of small tactical nuclear weapons. The authority to push the nuclear button by law belongs only to the President. Considering Goldwater's reckless and jingoistic attitude toward the use of nuclear weapons we could not vote for him even if his vague and sometimes conflicting domestic policies were susceptible to rationalization.

We have often disagreed with the Democrats on domestic matters and we expect to disagree from time to time with President Johnson. For example, we believe Mr. Johnson was wrong in pressing Congress to graft a hospitalization plan for the aged on the social security system. But we would rather have a President who is wrong about medicare than one who is wrong about nuclear warfare.

While we disagree and will continue to disagree with some Democratic domestic policies we concede and applaud the fact that Mr. Johnson has proposed a positive program. He has definite ideas about what he believes is necessary to make this country a better place in which to live.

Goldwater's program is a negative one. He stresses what he would undo in Government rather than what we would do. His aim, he says, is not to pass laws but to repeal them. Which laws would he abolish? The GOP platform is no help in guessing what Government might be like with Goldwater in the White House. The platform promises a continuation of some Federal efforts that Goldwater has said should be abolished; for example, in 1960, in "Conscience of a Conservative," Goldwater said there should be prompt and final termination of the farm subsidy program. He has now accepted a platform that pledges to continue price supports. Goldwater last week said he realizes many changes in Government cannot be made overnight.

We must believe that Goldwater would follow his own bent in the White House rather than his party platform. Last January he said that "at best, political platforms are a packet of misinformation and lies." If he is true to his own earlier beliefs, he will make serious overtures to sell TVA and withdraw the Government from some social welfare programs, public power, housing, and urban renewal.

President Johnson has shown an appreciation of the need for prudence in spending. He has helped develop the climate of confidence in which the economy is booming and has attracted support from important elements in the business community. He has come to grips with the problem of poverty that still exists in this most affluent of all societies.

Personality, experience, ability, and knowledge are all factors to be considered in the election of a President.

President Johnson has shown an ability to get things done. He knows the art of politics and that of getting men and women to work with him to bring his programs to realization. He has proved himself to be a masterful leader.

Goldwater gives every evidence of the military approach in the handling of his fellow men. He is neither a compromiser nor a persuader. In his victory at San Francisco he permitted no deviation from his extremist line and, it was not until the meeting at Hershey, weeks later, that he made a gesture toward party unity by consulting with the elements he had defeated.

Goldwater differed with the 1960 Republican platform and voted contrary to the majority of his Republican colleagues in the Senate on at least 23 occasions. At the San Francisco convention, the American public saw the difference between Goldwater and his own party clearly when speaker after speaker praised the Civil Rights Act and took credit for helping pass it. Goldwater, their candidate, had voted against it.

Goldwater has been the spokesman for an element in America that has been unhappy at the speed and complication of the 20th century; one that distrusts Federal Government even in areas where local government has failed. He attracts groups that resent Negro demands for equal rights.

In their hearts, most Americans, we believe, know that Goldwater's election would complicate the race problem, not ease it. Those who would vote for him because they resent Negro civil rights militancy, would neither end the militancy nor help bring about the understanding and harmony that will make it unnecessary. Mr. Johnson, we believe, is better fitted to try to bring about that understanding.

In Barry Goldwater's world the United States is a fearful place in which to live, plagued by centralized planning, redtape, regimentation, and public officials who are leading the Nation into socialism.

He would turn back the clock to a halcyon day. He would return to a day that in reality never existed and cannot exist. Technology, science, our expanding population, the increased mobility of our people, the rising standards of living and education, the demands of Negroes for their constitutional rights, the shrinking of the world in time and space, the changes abroad that have matched the changes here—all have, indeed, made life today more complicated and swifter. We may not like it, but 20th century government must play a role in the lives of everyone.

Since this is so, we would feel more secure, more optimistic and confident of America's future with Mr. Johnson or Humphrey in the White House than Goldwater or his running mate, William E. Miller. Mr. Johnson is aware of the challenges and problems of our times. We cannot believe Goldwater truly understands them.

BREAD TAX PHONY ISSUE

Mr. ANDREWS of North Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. ANDREWS of North Dakota. Mr. Speaker, in my job of representing the eastern half of North Dakota, one of the outstanding agricultural areas in our Nation, I periodically run into completely false reports in eastern papers about farmers and food prices.

Currently it seems to be the popular thing to say that the price of bread is going up two cents a loaf because the farmers are getting certificates for their wheat necessitating a large increase in the price of flour. The labeling of a farm program as a "Bread Tax" makes much more difficult the job we have to do in securing sensible and workable farm programs. It is typical, I think, of the distortions and half-truths of those who deliberately want to misprесent the farmer's position in order to further their own selfish ends, and it quite bluntly is just plain not true.

Let us look at the facts. As of the first of this month, the price of flour in New York City was $6.67 a hundredweight, compared to the year-ago price on the same date of $6.42 a hundredweight—an increase of 25 cents per hundredweight or actually only about 4 percent. Since there is only about 2.7 cents worth of flour in a loaf of bread anyway, the increase will amount to about one-tenth of 1 cent per loaf, so if bread prices are increased by 2 cents somebody else is getting 20 times as much as the farmer.

I think we must remember that nowhere in the world are people fed better than America and for less of their total income.

MORE SCANDALS IN THE AREA REDEVELOPMENT ADMINISTRATION

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, the September issue of the Reader's Digest contains another article dealing with the Area Redevelopment Administration which exposes incredible mismanagement, bureaucratic blundering, and sordid attempts at coverup. This story is called "When the Bubble Burst in Crockett, Tex.," and it is written by the magazine's Washington editor, Charles Stevenson. It is really a tragic story of a small town that placed its faith in the promises of the Federal Government, and got badly burned for doing so. Briefly, the ARA brought to town a promoter named J. Paul Dawson, who proposed to build a glittering new manufacturing plant costing more than half a million dollars, most of it to come from the Federal Government. Dawson represented himself as president of a firm called "Audio Electronics, Inc." of Houston, Tex., and he proposed to manufacture a wonderful new electronics device that played tape and projected pictures and would be in high demand in the world of education. He proposed to sell 1,300,000 shares of stock to the people in and around Crockett and Houston; and all too many Texans, reassured by the ARA's announcement that it intended to loan $382,000 to Dawson, got stung. The incredible truth as exposed in the Reader's Digest story is that Dawson, at the very time the ARA announced its approval of a loan to him, had pending against him in Montana a suit for stock fraud that grew out of a similar scheme to manufacture a wondrous new electronic painkilling machine, and after it turned out that he did not have clear rights to manufacture the machine, several doctors and dentists who had invested $21,000 in his scheme sued for fraud. What's more, a Montana jury of the Federal district court agreed that they had been defrauded and awarded them a $21,000 verdict.

But there is an even more shocking and portentous involvement of the ARA's adventure in Texas which is not revealed in the Digest article, and which shows the need for a thorough investigation into the agency. The ARA approval of the $382,000 loan to Audio Electronics was announced in Washington on March 6, 1963, by ARA press lease No. 63-83, a copy of which I will insert at the end of my remarks. My own investigation shows that 3 days after this announcement, on March 9, 1963, J. Paul Dawson, the president of Audio Electronics, made a $10,000 cash payment, for which he got no receipt whatsoever, to a mysterious man by the name of Carl Thompson in Los Angeles. On the 12th or 13th, he made another $10,000 cash payment to the same man. Supposedly, this money was to be a sort of "finder's fee" or commission for obtaining a loan of $500,000 to finance Audio Electronics' share of the Crockett factory. According to the district attorney's office in Los Angeles, after the Securities and Exchange Commission commenced its investigation of Audio Electronics, Carl Thompson was called before an SEC hearing on May 22, 1963, and took the fifth amendment on every question asked him about this cash payment. Also, another man by the name of John Keith, who is supposed to have introduced Dawson and Thompson, was called at another hearing on July 26, and he too took the fifth amendment on all questions. Dawson has stated under oath to the Securities and Exchange Commission that Thompson had represented himself as being an official of a wealthy foundation in Los Angeles and could arrange a half-million-dollar loan for the new plant.

However, it is a fact that on March 14, 1963, Robert E. West, regional director of the Small Business Administration, wrote Dawson a formal letter of authorization for the $382,649 loan authorized by the Area Redevelopment Administration. This is an ominous sequence of events: On March 6 the ARA announces the loan, in the interval Dawson, the president of the benefiting company, pays out $20,000 cash in Los Angeles to a mysterious loan broker, and on March 14 Dawson receives his formal letter of authorization which he apparently used in his promotional literature in efforts to sell stock in his Crockett manufacturing plan. There is no evidence that the $20,000 cash was paid to any Federal official. In fact, this may well have been another case of one con man "conning" another, as sometimes happens in the peculiar world of confidence games. However, in view of the unusual and even frantic efforts of the ARA bureaucrats to cover up the facts behind their adventure in Crockett, it seems to me that Congress needs to conduct a thorough investigation to air all the circumstances and facts of this case, to remove every cloud of suspicion, to find out where and how the ARA went wrong, and how the prestige of the White House and the U.S. Senate came to be draped around a man like J. Paul Dawson. The people whose taxes go to pay for this incredible agency deserve to know the truth, the whole truth, about this sordid episode.

[Release by the U.S. Department of Commerce, Mar. 6, 1963]

ARA LOAN TO HELP CREATE 180 NEW JOBS IN ELECTRONICS PLANT AT CROCKETT, TEX.

The Area Redevelopment Administration of the U.S. Department of Commerce today announced approval of a $382,649 industrial loan to help establish an electronics plant employing 180 skilled workers in Crockett, Tex.

ARA Administrator William L. Batt, Jr., said the loan would be made to Audio Electronics, Inc., of Crockett for a plant to produce electronic equipment including sound tape playback and audio-visual projection and recording units used as learning aids.

Total cost of the Crockett project will be $588,691. ARA's loan, which will run for 25 years at an annual interest rate of 4 percent, will be supplemented by a $58,869 loan being made by the Houston County Development Fund, a local nonprofit corporation, and by $147,173 in equity to be furnished by the electronics company. The funds will be used to buy land, construct buildings and to purchase machinery and equipment.

The Small Business Administration investigated the project for the Area Redevelopment Administration and made recommendations to ARA leading to final approval. SBA and ARA have cooperated in this manner on all industrial and commercial projects since the ARA program began 22 months ago.

Crockett is located in Houston County which was designated as eligible to participate in the Area Redevelopment Administration program because of its previous participation in the Rural Areas Development program of the U.S. Department of Agriculture.

SMALL BUSINESS ADMINISTRATION,
Dallas, Tex., March 14, 1963.

Re ARA-297,530-DAL.
AUDIO ELETRONICS, INC.
Houston, Tex.

GENTLEMAN: Enclosed is an authorization for a loan in the amount of $382,649, dated

March 6, 1963, executed by the Administrator, Area Redevelopment Administration, setting forth the approved terms and conditions under which the loan will be made to you.

If the terms and conditions of said authorization are acceptable to you, and if you agree to comply with each and every condition imposed by said authorization, and immediately evidence such acceptance by the execution and return of the acceptance clause set forth on the attached copy of this letter, we will set aside funds in the amount of the authorization for a loan.

Sincerely,

Robert E. West,
Regional Director.

(Enclosure: Authorization.)

AMENDMENT TO EXEMPT OLD ORDER AMISH FROM SOCIAL SECURITY

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Schweiker] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, I call the attention of my colleagues to an important amendment to H.R. 11865 approved by the other body last week. This amendment would exempt sects such as the Old Order Amish from participation in the social security program because their religious doctrines and convictions forbid them to participate in insurance programs. The present law impinges upon the long-established religious beliefs and practices of these people.

In the 87th Congress and again in the present Congress, I have sought enactment of legislation to provide this exemption. I feel strongly that our Government must not ride roughshod over the religious rights of a minority. Such is the case under present law. In 1961 the Federal Government seized three horses belonging to an Amish farmer in Pennsylvania and sold them at public auction to obtain money for social security payments which the man refused to make because of his religious convictions. There are currently numerous Federal liens against property of the Amishmen simply because they have declined to violate their religious beliefs.

Today we are closer than ever before to correcting this wrong. The bill as passed by the other body will be going to conference shortly. I urge my colleagues to join the fight to retain this important amendment in the bill.

The amendment provides that any member of a recognized religious sect, who is an adherent of established teachings by reason of which he is conscientiously opposed to the acceptance of benefits under the social security program, may file an application to waive such benefits and be exempt from social security taxes.

The applicant would submit evidence to the Secretary of the Treasury to substantitate his membership in the sect and his adherence to such teachings. In addition, he would be asked to show that the sect has been in existence and has had such teachings for at least 6 years preceding enactment and that it has been the practice of the sect to make provision for the care of elderly or dependent members. If the requirements for exemption were met, it would become effective for all taxable years after December 31, 1957, but would cease to be effective at any time that an individual no longer met the exemption requirements.

My colleagues will be interested to know that I have been advised by the Treasury Department that legislation to exempt the Old Order Amish from participation in the social security program would be constitutional. In an opinion which I shall insert in the Record, General Counsel G. d'Andelot Belin has advised me that "there is no valid constitutional objection to the proposed exemption and that the question of exemption is one of public policy for Congress to determine."

Mr. Belin has further stated that "the proposed exemption would in all probability be held a valid accommodation of the general law to permit religious liberty under the free exercise clause."

Time is of the essence in this matter. The Treasury Department has indicated that it will soon be forced to take further action for the collection of the unpaid taxes. I feel sure a majority of my colleagues share with me the belief that there must be no further incidents like the 1961 seizure and sale of Pennsylvania Amishman Valentine Blyer's work horses. I ask the support of the Members of this body in retaining this amendment. For the benefit of my colleagues, I insert at this point in the Record the amendment, part of a background memorandum on this subject prepared jointly by the Department of Health, Education, and Welfare, and the Treasury Department, the opinion to which I referred by Treasury Department General Counsel G. d'Andelot Belin, and an editorial from the Berwick (Pa.) Enterprise of November 7, 1963.

The amendment is as follows:

At the proper place in the bill, insert the following:

"Sec. 117 (a) Subsection (c) of section 1402 of the Internal Revenue Code of 1954 is amended by striking out 'or' at the end of paragraph (4), by striking out the period at the end of paragraph (5) and inserting in lieu thereof '; or', and by adding after paragraph (5) the following new paragraph:

"'(6) The performance of service by an individual during the period for which an exemption under subsection (h) is effective with respect to him.'

"(b) Subsection (c) of section 211 of the Social Security Act is amended by striking out 'or' at the end of paragraph (4), by striking out the period at the end of paragraph (5) and inserting in lieu thereof '; or', and by adding after paragraph (5) the following new paragraph:

"'(6) the performance of service by an individual during the period for which an exemption under section 1402(h) of the Internal Revenue Code of 1954 is effective with respect to him.'

"(c) Section 1402 of the Internal Revenue Code of 1954 is further amended by adding at the end thereof the following new subsection:

"'(h) Members of Certain Religious Faiths.—

"'(1) Exemption.—Any individual may file an application (in such form and manner, and with such official, as may be prescribed by regulations under this chapter) for an exemption from the taxes imposed by this chapter if he is a member of a recognized religious sect or division thereof and is an adherent of established tenets or teachings of such sect or division by reason of which he is conscientiously opposed to acceptance of the benefits of any private or public insurance, making payments in the event of death, disability, old-age, or retirement or making payments toward the cost of or providing services for medical care (including the benefits of the insurance system established by title II of the Social Security Act). Such exemption may be granted only if the application contains or is accompanied by

"'(A) such evidence of such individual's membership in, and adherence to the tenets or teachings of, the sect or division thereof as the Secretary or his delegate may require for purposes of determining such individual's compliance with the preceding sentence, and

"'(B) his waiver of all benefits and other payments under title II of the Social Security Act on the basis of his wages and self-employment income as well as all such benefits and other payments to him on the basis of the wages and self-employment income of any other person, and

only if the Secretary of Health, Education, and Welfare finds that

"'(C) such sect or division thereof has the established tenets or teachings referred to in the preceding sentence.

"'(D) it is the practice, and has been for a period of time which he deems to be substantial, for members of such sect or division thereof to make provision for their elderly or dependent members which in his judgment is reasonable in view of their general level of living, and

"'(E) such sect has been in existence and has had such tenets or teachings for not less than 6 full calendar years preceding enactment of this subsection.

"'(2) Time for Filing Application.—For purposes of this subsection, an application must be filed:

"'(A) in the case of an individual who has self-employment income (determined without regard to this subsection and section 1402(c)(6)) for any taxable year beginning after December 31, 1957, and ending before January 1, 1964, in or before the fourth calendar month beginning after the date of the enactment of this subsection.

"'(B) in any other case, on or before the due date of the return (including any extension thereof) for the first taxable year beginning after December 31, 1963, for which he has self-employment income (so determined).

"'(3) Period for Which Exemption Effective.—A tax exemption pursuant to this subsection with respect to any individual shall be effective for all taxable years beginning after December 31, 1957, but not for any such year prior to the first year for which the requirements of paragraph (1) are met with respect to him; and shall cease to be effective for and after the first taxable year after the filing of such application in which he ceases to meet such requirements.'

"(d) Section 202 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"'WAIVER OF BENEFITS

"'(v) Notwithstanding any other provisions of this title, in the case of any individual who files a waiver of benefits and other payments under this title as required under section 1402(h) of the Internal Revenue Code of 1954 and is granted a tax exemption thereunder, no benefits or other payments shall be payable under this title to him, and no benefits or other payments under this title shall be payable on the basis of his wages and self-employment income to any other person, after the filing of such waiver; except that, if thereafter such individual's tax exemption under such section 1402(h) ceases to be effective, such waiver shall cease to be applicable in the case of benefits and other payments under this title to the extent based on his self-employment income for and after the first taxable year for which such tax exemption ceases to be effective and on his wages for and after the calendar year (if any) which begins in or with the beginning of such taxable year.'

"(e) If refund or credit of any overpayment resulting from an exemption under section 1402(h) of the Internal Revenue Code of 1954 is prevented on the date of the enactment of this Act, or at any time within one year from such date, by the operation of any law or rule of law, refund or credit of such overpayment may, nevertheless, be made or allowed if claim therefor is filed within one year after the date of the enactment of this section. No interest shall be allowed or paid on any overpayment resulting from the enactment of this subsection. In the case of any such refund, any self-employment income with respect to which such overpayment was made shall, notwithstanding the provisions of section 205 of the Social Security Act, not be included in determining entitlement to or amount of any payments under title II of such Act."

Request of the Old Order Amish for Exemption From the Social Security Self-Employment Tax

BACKGROUND OF THE PROBLEM

The following background information indicates the basic nature of the social security program, the general character of religious objections to participation in social security, and the present situation of the Old Order Amish in relation to social security.

Compulsory nature of social security

The social security program is designed to provide old-age, survivors, and disability insurance protection for American families, regardless of family size, income, or other factors. Under this program workers (and their employers) and the self-employed contribute while working so that the contributor and his family may have a continuing income when earnings cease or are greatly reduced because of retirement in old-age, long-term disability, or death. About 9 out of 10 working people and their families are covered under the program.

Social security can carry out its purpose only under conditions of compulsory coverage. Compulsory coverage assures that there will be a given distribution of what might be called poor risks—those who will get considerably more than they pay in—and good risks. Under a voluntary program, there would be an unduly high proportion of poor risks. Many people could predict with reasonable certainty whether or not they would get a large return on thier contributions and those choosing coverage would generally be the ones who could expect to receive benefit bargains. This would increase the cost of the program for all who participate. Those given a choice as to coverage would have an unfair advantage over those workers and employers whose coverage would continue to be on a compulsory basis and who would have to help bear the increased cost arising from the individual voluntary coverage. Moreover, under individual voluntary coverage, many who need social security protection most would not participate. Many low income workers would choose not to pay the contributions because of the press of day-to-day financial problems, although in the long run social security protection would be especially valuable to such workers and their families.

Individual voluntary coverage is now provided under social security only in respect to services performed in the exercise of the ministry (including the performance of the duties of a Christian Science practitioner). The exclusion from coverage of such services (where coverage is not elected) is not a personal exclusion but an occupational exclusion. Thus, a minister who engages in any employment or self-employment other than the exercise of the ministry—whether or not he elects coverage of his ministerial services—is covered on the same basis as all other persons. Once a minister elects coverage of his services in the ministry, the election is irrevocable and, once the time for election passes, a minister who has not elected coverage may no longer do so.

Religious objections to coverage under social security

Representatives of those divisions of the Amish Mennonites generally classed as Old Order Amish (with some 19,000 adult members) have objected to social security taxes on grounds that social security is a form of insurance, and that their participation in an insurance program would show mistrust in the providence and care of God to meet future needs. This basis for objection is shared by the Old Order Mennonites (about 5,000 members), by at least some of the followers of Father Divine (some 300,000 members), and by an unknown number of small sects, such as the Hutterites (a Mennonite group with 2,300 members, who practice communal living) and the division of the Plymouth Brethren known as Exclusives.

Another religious basis for opposing participation in social security is adherence to a principle of separatism—the belief that one's sect or group should keep apart from all other persons. The Old Order Amish, for example, place great importance on the scriptural admonition: "Be ye not unequally yoked together with unbelievers: for what fellowship hath righteousness with unrighteousness? and what communion hath light with darkness?" Separatism is also a cardinal principle of some groups which have not indicated their attitudes toward social security: for example, the Black Muslims, perhaps the prime exponents of separatism, and Jehovah's Witnesses, with 287,000 members in the United States, all of whom are held by the sect to be ministers. There would seem to be considerable doubt that participation in social security is compatible with the belief of Jehovah's Witnesses that the end of the world is close at hand—1984, at latest—and objections to social security have been received from individual members from time to time.

Each of the above-mentioned groups has come into conflict with Federal or State law on questions other than social security. All oppose compulsory military service, and there have been various other conflicts with State or local laws, such as the refusal of the Old Order Amish to permit their children to attend school beyond the 8th grade, and the refusal of Jehovah's Witnesses and the Black Muslims to salute the flag.

The Christian Science Church opposed provision of disability benefits under social security on religious grounds.

Old Order Amish

The 19,000 Old Order Amish Mennonites live in about 270 communities in 19 States. The communities are known as church districts; however, there are no meeting houses and worship is conducted in private homes. Each community is headed by a bishop. There is no hierarchy above the bishops and no formal organization among the various communities. Thus each bishop is able to interpret doctrine independently of views held in other communities.

Amish who do not belong to old order groups—e.g., a category known as Beachy Amish—have adopted relatively modern ways of living, and are apparently not opposed to social security. There continue to be cleavages in which Old Order Amish communities, or segments of communities, split off to adopt more modern ways of living. One-third or more of the offspring of Old Order Amish parents do not continue in the sect. As in virtually any group there are marginal members, some of whom eventually become separated from the sect. The Amish strive continually to maintain their communities against worldly temptations; an effective means of maintenance has been their stand against high school education and their doctrine of shunning,[1] with its grave economic implications for individuals who are so ill equipped to prosper outside the community.

The Old Order Amish relate practically every detail of their way of living to religious beliefs, which in turn are based on literal interpretation of scriptural texts. The Old Order Amish attempt to pursue a life similar in its course to that of the German peasant of perhaps the 17th or 18th century. The farm way of life is justified on religious grounds because being "in the country" separates the group from more worldly, less firm followers of Scripture. Consideration has been given to the use of nonmechanized farming methods as one way of differentiating (in proposed legislation) the Old Order Amish from other religious objectors to social security. But even among the Old Order Amish there have been various concessions to the changing times. For example, though a tractor may not be used in the field, it is permissible to use a tractor to furnish belt power. The Old Order Amish farmer is generally allowed to have one- or two-cylinder gasoline motors for his farm operations. The Old Order Amish make a significant distinction between owning and merely using modern conveniences. For example, in some communities it is permissible to have electric current and appliances in a mortgaged home but not after the mortgage is paid off. A significant distinction is also made between members of the sect and those who are members of the Amish community but not members of the sect—for example, Amish youngsters, who do not become members of the Old Order Amish until they are baptized (which usually occurs in their later teens). A case has been described in which a young man deferred baptism for a period of time so as to enable continued ownership of an automobile and a tractor, with which he not only provides transportation for his numerous family and neighbors but also works his father's large farm and many of his neighbors.[2]

History of the problem

The problem of the Old Order Amish with social security dates mainly from 1955 when coverage of self-employed farm operators began. (However, some members of the sect who take employment in town have been covered as far back as 1937.) Although the law does not require that social security benefits must be accepted, the Old

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[1] "Amish Society," by John A. Hostetler, p. 144.

[2] "Our Amish Neighbors," by William I. Schreiber, p. 77.

Order Amish bishops assert that required payment of social security taxes obliges their members to participate in the social security program—an insurance program—and thus to act contrary to their religious beliefs. Though the social security tax provisions are not included with the benefit provisions in the Social Security Act, but are part of the Internal Revenue Code, the bishops seem to look upon the social security taxes as in the nature of a personal premium paid for insurance. The bishops believe that their members should pay other types of taxes, pursuant to the scriptural admonition to "render unto Caesar the things that are Caesar's." In general, the creed of the sect (also held by some other groups) dictates that members should obey civil laws except where they "militate against the law, will, and commandments of God." [3]

The religious objection to the insurance principle is not clear cut. For example, the Old Order Amish make systematic arrangements for protection against property loss from fire, storm, and other causes, under which, after a loss occurs, members contribute labor and make a monetary contribution related to their net worth. One such group arrangement, known as the Amish Mutual Fire Insurance Association of Atglen, Pa., was organized by the Old Order Amish of Lancaster County in 1875 and was licensed as an insurance company in Maryland and Pennsylvania. The Old Order Amish do not consider this type of arrangement to be insurance because there is no advance funding. Liability insurance is apparently not considered to be contrary to their religious beliefs—a conclusion based on the view that liability insurance provides indemnity not to the insured but to the party suffering damages. It seems clear, however, that the Old Order Amish are strongly opposed to life insurance even though the survivors, not the insured, are protected under it.[4]

There is no question, of course, as to the sincerity of the assertion of the Old Order Amish bishops that participation in social security is contrary to their religious beliefs, and a number of the Amish farmers carry out this objection to the point of open refusal to pay social security taxes and active resistance to the execution by the Government of liens on their bank accounts to satisfy unpaid taxes. During many discussions with representatives of the Social Security Administration, the bishops have consistently refused to consider any compromise solution short of exclusion from social security coverage. On the other hand, a number of individual members of the sect have claimed old-age insurance benefits under social security when they became eligible for such benefits. It appears that at least some of the Old Order Amish—particularly, younger members—are undergoing a change in attitude toward social security and are coming to regard it as a good thing. This is quite consistent with their increasing acceptance of various innovations of the 20th century.

As noted, the problem of those Old Order Amish who actively resist social security coverage is related mainly (though not entirely) to the social security self-employment tax.[5] The enforcement problem was thrust on the national scene when one Amishman, Valentine Y. Byler, of New Wilmington, Pa., who had no bank account, could not be persuaded to pay his tax for the years 1956–59. In the spring of 1961 the Government seized three of his six plow horses, sold them at public auction, and applied the proceeds against his outstanding liability. After consultation with an attorney who had become interested in civil liberties cases, Mr. Byler brought suit on the grounds of infringement of the freedom of religion guaranteed under the first amendment.

Given assurance that the constitutionality of the tax would be tested in court, and that the statute of limitations on collection of taxes would be waived by the Amish, the Commissioner of Internal Revenue agreed in October 1961, to suspend all forceful collection of tax until the issue was resolved in court. On January 21, 1963, the suit was dismissed with prejudice on motion of the plaintiffs, Mr. and Mrs. Byler. (This action was apparently based on religious objections to participating in litigation, and was taken without consultation with the plaintiff's attorney.) As an alternative course, Old Order Amish bishops appealed to the Congress and bills were introduced during the 87th Congress to exempt them from the tax. The Treasury Department and the Department of Health, Education, and Welfare pointed out objections to these bills on administrative and precedent grounds. During consideration by the 87th Congress of H.R. 10606, the Public Welfare Amendments of 1962, one of these bills (S. 2031) was adopted as a Senate amendment but was dropped in conference. Appended is a list of bills which have been introduced in the 88th Congress for the purpose of permitting exclusion from social security on grounds of religion or conscience, or to make coverage voluntary for self-employed farmers.

Although the suit to test the constitutionality of the self-employment tax as it applies to the Old Order Amish was never tried, the moratorium on the collection of tax has not been terminated by the Internal Revenue Service. According to the most recent report of the Service, there are some 1,500 delinquent Amish accounts, the delinquencies ranging for the most part for periods from 1 to 3 years and involving nearly $250,000 in tax liabilities.

The moratorium was intended as a temporary measure. Since tax liabilities are not satisfied but only postponed by this moratorium, it cannot be extended for too long a period of time. The 6-year period of limitation on collection of tax will expire this year in some cases. Some Old Order Amish have already indicated that they would not sign waivers to extend the collection period. The Government, therefore, in these cases soon will be forced to take action for the collection of taxes due from these individuals or else allow its collection rights to lapse.

TREASURY DEPARTMENT,
Washington, August 12, 1964.

Hon. RICHARD S. SCHWEIKER,
House of Representatives,
Washington, D.C.

DEAR MR. SCHWEIKER: I am enclosing herewith the opinion of Mr. Belin, the General Counsel of the Treasury Department, relating to the constitutionality of optional exemption of members of a certain religious faith from the social security self-employment tax or optional recovery of the tax paid.

Sincerely yours,

STANLEY S. SURREY,
Assistant Secretary.

(Enclosure.)

THE GENERAL COUNSEL OF THE TREASURY,
Washington, D.C., August 6, 1964.

CONSTITUTIONALITY OF OPTIONAL EXEMPTION OF MEMBERS OF A CERTAIN RELIGIOUS FAITH FROM THE SOCIAL SECURITY SELF-EMPLOYMENT TAX OR OPTIONAL RECOVERY OF THE TAX PAID

Legislation has been proposed in the present and the previous Congress to provide optional exemption from the social security self-employment tax for "a member or adherent of a recognized religious faith whose established tenets or teachings are such that he cannot in good conscience without violating his faith accept the benefits of insurance," upon a finding by the Secretary of Health, Education, and Welfare that his application for exemption was made in good faith and that the members of such religious faith make adequate provision for elderly members to prevent their becoming public wards.[1] Senators CLARK and SCOTT, among the chief proponents of this legislation, have explained that the faith in question is that of those Amish Mennonites who are known as the plain people or Old Order Amish who live in relative independence and isolation in rural communities and adhere strictly to many literal biblical injunctions, including reliance on divine providence for their care. The consistency and sincerity of the sect is attested to by the refusal of most of their members to accept social security benefits or pay the self-employment tax.

In the consideration of these bills in Congress the question was raised as to whether the proposed exemption would be constitutional and the views of the Treasury Department were requested. This opinion is in response to that request. Since then, additional legislative proposals, including an alternative proposal of relief for the Amish in the form of tax recovery in place of tax exemption, have been discused in a joint statement by the Treasury Department and the Department of Health, Education and Welfare, entitled "Request of the Old Order Amish for Exemption from the Social Security Self-Employment Tax," which was transmitted to interested Members of Congress by a joint letter dated July 20, 1964. In connection with the earlier request, it is also appropriate to consider the constitutionality of these proposals, as well as the constitutionality of the various limitations included, or suggested for inclusion, in the definition of the faith whose members or adherents would be eligible for exemption. The joint statement referred to above reviews the religious tenets and modes of life of these Amish and provides an extended analysis of the social security system and the possible effects of an exemption. I will not, therefore, in this opinion cover any of this factual material. A copy of this joint statement is attached hereto.

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[3] "The Dordrecht Confession (1632)." In reference to civil government, this confession also directs believers "faithfully to pay it custom, tax, and tribute." One article of the confession forbids defense by force.

[4] The first reference to insurance in basic documents related to Amish religious background appears in "Christian Fundamentals," adopted by the Mennonite General Conference in 1921, which states that "life insurance is inconsistent with filial trust in the providence and care of our heavenly Father." A more recent commentary, in "The Mennonite Encyclopedia," explains: "This refers to commercial life insurance only. The (Mennonite) brotherhood has a growing awareness of its obligation to make systematic provision for the economic needs of its members including financial assistance for the widows and orphans in event of serious incapacity or death."

[5] The self-employment tax rate is now 5.4 percent, and is applicable to the first $4,800 of annual net earnings from self-employment. Virtually all self-employment, except self-employment as a doctor of medicine, is compulsorily covered under social security for any year in which an individual has annual net earnings of at least $400 from self-employment. The current social security tax rate for employers and employees is 3⅝ percent each.

[1] S. 294, 88th Cong.; H.R. 10606, 87th Cong., among others.

Conclusion on tax exemption and tax recovery

My conclusion, based upon a review of the principles of constitutional law, is that there is no valid constitutional objection to the proposed exemption and that the question of exemption is one of public policy for Congress to determine. After discussion of the grounds for this conclusion I will review in the latter part of this opinion the constitutionality of various proposed additional limitations upon the exemption.

This conclusion concerning tax exemption comprehends any provision by Congress for tax recovery, since tax exemption is the most complete relief that could be given. In the subsequent discussion, therefore, the constitutional conclusions with respect to the requirements of uniformity, of the first amendment, and of due process should be read as also extending to a provision for tax recovery.

Congress and the States have provided for the recovery of taxes in various situations where for reasons of public policy the legislature has determined this to be appropriate. I have found no constitutional challenge of these provisions. For example, 26 U.S.C. 6420 provides for refund of the gasoline taxes paid for gasoline used for farming purposes. A similar provision in the Virginia Code, section 58–715 (Supp. 1964), includes refunds for gasoline used for public or nonsectarian school buses. Title 26 U.S.C. 6418 provides for refund of the Federal tax on sugar manufactured in the United States to those who use such sugar as livestock feed or in the distillation of alcohol.

If members of the designated religious faith were permitted to choose to recover in monthly installments the amount, and only the amount, of the social security taxes they have paid, they would be under a limitation which operated to their disadvantage as compared with other social security taxpayers to whom an indefinite amount of social security recovery would be available in the form of insurance. Consequently, it would seem that no other social security taxpayer would be in a position to claim that the tax recovery allowed to the Amish in any way discriminated against his or added to his tax burden.

1. The requirement of uniformity: The Constitution provides in article I, section 8, clause 1: "The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States; * * *." This canon of uniformity has been long established to be a requirement of geographical uniformity only. *Knowlton* v. *Moore*, 178 U.S. 41 (1900); *Brushaber* v. *Union P.R. Co.*, 240 U.S. 1 (1916); *Fernandez* v. *Wiener*, 326 U.S. 340 (1945). Insofar as uniformity may be required as an element of reasonableness under the due process clause, the problems are dealt with in my discussion of the application of that clause.

2. The first amendment: The proposed exemption, if allowed, would represent a determination by Congress that an accommodation of the self-employment tax law to prevent offense to religious scruples against insurance would not be contrary to public policy. The first amendment provides that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; * * *." The question is whether an exemption from the social security tax would be constitutional as an accommodation or mitigation of a general requirement in order to permit the free exercise of a religion or whether it would be an "aid" to the specified religion at the expense of other religions and therefore be an unconstitutional establishment of religion.

It is my conclusion that the proposed exemption would in all probability be held to be a valid accommodation of the general law to permit religious liberty under the free exercise clause. The subsidiary question whether the definition of the persons exempted may be a reasonable classification under the due process clause is discussed in a subsequent part of this opinion. I base my conclusion on the following decisions of Federal and State course, particularly the Supreme Court, which interpret the first amendment to permit accommodations to religious beliefs. This discussion will be followed by an analysis of those cases which hold that certain governmental action is a violation of the establishment clause, in order to make clear that this exemption would not be an establishment of religion.

The classic example of the application of the free exercise clause is the series of cases which have upheld congressional exemption of conscientious objectors from military service. The validity of this exemption was first established by the *Selective Draft Law Cases*, 245 U.S. 366 (1918) upholding the exemption in the draft law of members of religious sects "whose tenets prohibited the moral right to engage in war." The Solicitor General had argued (p. 374) that this exemption did not establish such religions but simply aided their free exercise. The court considered that the Congressional authority to provide such exemption was so obvious that it need not argue the point (p. 389–390).

The present Universal Military Training and Service Act enacted June 24, 1948, c. 625, 62 Stat. 604, as amended, in section 6(j), 50 U.S.C. App. 456(j), exempts from combatant training and service in the Armed Forces a person "who by reason of religious training and belief, is conscientiously opposed to participation in war in any form." This exemption continues to be recognized as constitutional under the free exercise clause. *Clark* v. *United States*, 236 F. 2d 13 (9th Cir. 1956), cert. denied, 352 U.S. 882 (1956); *United States* v. *Jakobson*, 325 F. 2d 409 (2d Cir. 1963), cert. granted 32 L.W. 3385, May 5, 1964. Certiorari was granted in the Jakobson case and in two other conscientious objector cases,[2] apparently in order to reconcile the conflict between the second and ninth circuits as to whether the statutory definition of "religious training and belief" as being a "belief in a relation to a Supreme Being" may constitutionally be applied to exclude a conscientious objector whose belief is based on humanistic prinicples. This conflict is one essentially concerned with reasonable classification of an exemption under the due process clause, discussed below. It does not concern the constiutional right of Congress to exempt conscientious objectors under the free exercise clause.

In the Jakobson case the second circuit faced the problem whether "making exemption from military service turn on religious training and belief as stated in section 6(j) aids religions, and more particularly religions based on a belief in the existence of God" (p. 414) and thereby conflicts with the holding in *Torcaso* v. *Watkins*, 367 U.S. 488 (1961). There it was determined that Maryland could not require an oath affirming a belief in God as a prerequisite to becoming a notary public. The Jakobson court concluded that "the important distinction seems to us to be that, in contrast to Maryland's notary public oath, Congress enacted this statute, in mitigation of what we assume to be the constitutionally permissible course of denying exemptions to all objectors, for the very purpose of protecting 'the free exercise' of religion by those whose religious beliefs were incompatible with military service which Congress had the right to require" (pp. 414–415).

An exemption identical with that in the 1948 military training act was specifically included in section 337(a) of the Immigration and Naturalization Act of June 27, 1952, c. 477, 66 Stat. 163, 258, 8 U.S.C. 1448(a). This statutory exemption followed the decision of the Supreme Court in *Girouard* v. *United States*, 328 U.S. 61 (1946) ruling that the naturalization law need not be, and should not be, interpreted to exclude an alien who would not promise to bear arms because of religious scruples. Justice Douglas, for the majority, reaffirming principles enunciated in earlier dissents by Justices Hughes and Holmes, said, "The struggle for religious liberty has through the centuries been an effort to accommodate the demands of the state to the conscience of the individual" (p. 68).

The general exemption from taxation of religious groups, activities and property is another example of the exercise by legislatures of the constitutional authority to make exemptions to aid in the free exercise of religion, which continues to be upheld against contentions that the exemption operates to establish the religions thus benefitted.[3] Under this exemption a unique religious doctrine may make an activity of one religious group exempt as having a religious purpose which would not be exempt when carried on by other groups not holding to that doctrine.[4] The exemption from taxation of religious activities and occupations is incorporated into the Social Security Act itself which provides optional exemptions for ministers, Christian Science practitioners, employees of religious organizations and members of religious orders (26 U.S.C. 1402 (c) and (e) and 3121(b)(8)).

A further illustration of the principle that a legislature may accommodate particular religious beliefs without violating the first amendment is the case of *Zorach* v. *Clauson*, 343 U.S. 306 (1952). Here the Supreme Court held that the New York Legislature did not violate the establishment clause by authorizing public schools to release children 1 hour early every week for religious instruction off the school grounds. It said:

"When the State encourages religious instruction or cooperates with religious authorities by adjusting the schedule of public events to sectarian needs, it follows the best of our traditions. For it then respects the religious nature of our people and accommodates the public service to their spiritual needs" (pp. 313–314).

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[2] *United States* v. *Seeger*, 326 F. 2d 846 (2d Cir. 1964), and the *Jakobson* case, compared with *Peter* v. *United States*, 324 F. 2d 173 (9th Cir. 1963). The *Peter* case followed *Etcheverry* v. *United States*, 320 F. 2d 873 (9th Cir. 1963) on which certiorari was denied, 375 U.S. 320 (1963). The influence of the 2d circuit against the definition is shown in *MacMurray* v. *United States*, 330 F. 2d 928 (9th Cir. 1964).

[3] *Swallow* v. *United States*, 325 F. 2d 97 (10th cir. 1963); *General Finance Corp.* v. *Archetto* (R.I. 1961) 176 A. 2d 73, appeal dismissed, 369 U.S. 423 (1962); *Fellowship of Humanity* v. *County of Alameda*, 315 P. 2d 394 (Cal. Dist. Ct. App. 1957); *Lundberg* v. *County of Alameda*, 298 P. 2d 1 (Cal. 1956), appeal dismissed, sub nom., *Heisey* v. *County of Alameda*, 352 U.S. 921 (1956).

[4] "Golden Rule Church Association," 41 T.C. 719 (1964), (Nonacq. May 19, 1964).

The distinction between *Zorach and McCollum* v. *Board of Education*, 333 U.S. 203 (1948) well illustrates the distinction between the two first amendment clauses for in McCollum the released time plan was held unconstitutional as an establishment of religion as classrooms and the force of the school were used in that plan.

The most important case, for our purposes, is the recent Supreme Court decision in *Sherbert* v. *Verner*, 374 U.S. 398 (1963). In this case the Court required South Carolina to accommodate the requirements of its unemployment compensation law to the religious scruples of an adherent of a particular sect, the Seventh-day Adventists. In three separate opinions the members of the Court balanced the demands of the free exercise clause against the prohibitions of the establishment clause. The opinion and the concurring opinion determined that the denial of unemployment benefits to a person unavailable for suitable work on Saturday because, being an Adventist she could not for religious beliefs work on Saturday, was a restriction on the free exercise of her religion and, therefore, unconstitutional. The dissenting opinion contended that the accommodation of Adventists was a question of policy for the legislature and that while the legislature could constitutionally exempt the Adventist from the requirements for eligibility placed upon all other persons the legislature was not required to do so. Consequently, the full Court apparently would agree that Congress could constitutionally make an exemption from the general requirements of taxation and compulsory insurance of persons who because of religious scruples are unwilling to accept social security insurance. It is solely the constitutional ability of Congress to make this exemption to which this opinion is addressed.

The reasoning in the Sherbert case needs to be examined as it bears upon the power of Congress in this area. The principle of accommodation of a general law to a particular religious scruple is the same in this situation as in Sherbert though the facts differ in that in the Sherbert case the accommodation was for the purpose of enabling the Adventist to receive welfare benefits and in the Amish situation the accommodation would be for the purpose of exempting the Amish from benefits as well as from taxation for these benefits.

First, the Court says that while "the consequences of such a disqualification to religious principles and practices may be only an indirect result of welfare legislation" and that no criminal sanctions compel work on Saturday, the indirect discrimination is nevertheless a burden on the free exercise of the Adventist's religion. It requires her to abandon her religious precept or forgo a welfare benefit generally available (pp. 403, 404). In the social security situation the employment tax is supported by civil and criminal sanctions of assessed penalties and fine, imprisonment and forfeiture, so that the justification for congressional relief is even clearer.

Second, the court points out that while the State may not discriminate invidiously between religions the accommodations required to be allowed to the Adventist would not be discriminatory but rather would remove a discrimination based upon her religion, since the law does not disqualify persons who do not work on Sundays (at 406). An exemption for those sects which cannot in good conscience accept the insurance for which they are taxed would not be an invidious discrimination against other religions which have no such scruple and whose members are therefore able to accept the insurance for which they are taxed.

Third, the court points out that the administrative problems concerned and the possibility of spurious claims do not justify a restriction on the free exercise of religion (at 407).

Then the court concludes (at 409) that its holding does not foster the "establishment" of the Seventh-day Adventist religion in South Carolina for the extension of unemployment benefits to Adventists is not like the involvement of religions with secular institutions which the establishment clause is designed to forestall as shown in its decision announced the same day, *School District of Abington Township* v. *Schempp*, 374 U.S. 203 (June 17, 1963). In fact the Sherbert ruling reversed the State court ruling that allowance for the religious obligation of the Adventist would be an unconstitutional discrimination in her favor. See *Sherbert* v. *Verner*, 240 S.C. 286, 125 S.E. 2d 737, 746 (1962).

In the Schempp and its companion case, *Murray* v. *Curlett*, decided with the same opinion, the court found that the States were establishing religion in their public schools by requiring Bible reading and the recitation of prayers therein. These decisions are developments of the prior term's opinion in *Engel* v. *Vitale*, 370 U.S. 421 (1962) holding that the requirement of recitation in the public schools of a State-authored prayer was a violation of the establishment clause which prohibits Government from placing its "power, prestige, and financial support * * * behind a particular religious belief" (p. 431). In the Schempp case the court develops the idea that Government must remain "neutral," a term derived from the 5-to-4 decision in *Everson* v. *Board of Education*, 330 U.S. 1 (1947). In its context in the several establishment cases this term means an inability of the State to use its powers to require religious observances or to use public funds for the support of religious institutions. None of the holdings applies the establishment clause to forbid the granting of an exemption from Government coercion of a secular action to accommodate religious scruples under the free exercise clause. The latter clause is predicated, says the Schempp court, on Government coercion which impinges on religious practice, 374 U.S. at 223. The distinction between these two historic lines of decisions has permitted the Schempp case to be decided consistently with the Sherbert case on the same day.

In sum, then, an exemption removes a handicap to the free exercise of a particular religion placed upon it by force of Government; it is not a requirement by the Government that the particular religion be practiced or observed or supported by nonadherents.

The meaning of the Sherbert case is made unmistakable in its application by the court in the recent case, *In re Jenison*, 375 U.S. 14 (1963). Here the court "in the light of *Sherbert* v. *Verner*" vacated the judgment of the Minnesota Supreme Court in *In re Jenison*, 265 Minn. 96, 120 N.W. 2d 515 (1963). The Minnesota court had held a person selected for jury duty in contempt of court for refusing to serve on the jury because of a religious belief based upon the biblical injunction against judging other persons. The Minnesota court had reasoned that jury duty, being a primary duty of all citizens, was superior to a religious belief deemed by the court contrary to public order, citing *Reynolds* v. *United States*, 98 U.S. 145 (1878) which held that Congress could prohibit polygamy as a violation of the social order.

Since the Supreme Court has now held that Government must accommodate even the highest duties of citizens to sincere religious scruples, it is probable that it would hold that Congress may accommodate the religious scruple against insurance by allowing for such a scruple an optional exemption, or a lesser form of relief, from social security taxation and benefits.

3. The due process clause: Under the due process clause of the fifth amendment tax statutes must provide reasonable classifications of the subjects taxed or regulated and reasonable exemptions, if exemptions are provided. But, as has been firmly established by the Supreme Court, particularly in cases upholding the various exemptions provided in the Social Security Act and State unemployment compensation acts (*Carmichael* v. *Southern Coal Co.*, 301 U.S. 495 (1937); *Steward Machine Company* v. *Davis*, 301 U.S. 543 (1937); *Helvering* v. *Davis*, 301 U.S. 619 (1937)), the outer bounds of what is a reasonable tax or exemption classification allow a wider play of legislative judgment than many other areas of the law where the "reasonable" standard is applied. In these cases the court assured legislatures that they had the widest powers of selection and classification in taxing some at one rate, others at another and exempting others altogether, where distinctions were based upon "considerations of policy and practical convenience."

Claims of discriminatory treatment under social security continue to be rejected as not "patently arbitrary." *Flemming* v. *Nestor*, 363 U.S. 603, 611 (1960). Recently, *Smart* v. *United States*, 222 F. Supp. 65 (S.D.N.Y. 1963), upheld a higher tax on (American) employees of the United Nations, as the means employed bore a substantial and logical relation to the objective; and *Lesson* v. *Celebrezze*, 225 F. Supp. 527 (E.D.N.Y. 1963), accepted differences in dependency determination for children of a deceased mother from that for children of a deceased father, based on family support experience. See also *Cape Shore Fish Co.* v. *United States*, 330 F. 2d 961 (Ct. Cl. 1964), and *Abney* v. *Campbell*, 206 F. 2d 836 (5th Cir. 1953) on fishing vessel employment differences and on domestic service differences respectively.

The requirement that exemptions have a reasonable basis applies as well to exemptions based upon religious scruples provided by Congress in conformity with the first amendment. In a nontax area this requirement has been recently reviewed in the second circuit decisions, pending review in the Supreme Court, on the reasonableness of the selective service definition of religious training and belief as being confined to belief in a Supreme Being. *United States* v. *Jakobson*, 325 F. 2d 409 (2d Cir. 1963) and *United States* v. *Seeger*, 326 F. 2d 846 (2d Cir. 1964); certiorari granted in both cases, 32 L.W. 3385, May 5, 1964. In these cases the court determined that an exemption from bearing arms based on religious belief was a constitutional accommodation of religion, but that a restriction of the definition of religion to a Supreme Being was too narrow in view of its conclusion that a conscience sincerely compelled to refrain from bearing arms because of a "mystical force of 'Godness' " or a "compulsion to follow the paths of 'goodness' " might be religious in nature (Seeger, p. 853). In other words, at least in the second circuit, the exemption on the grounds of religious objection must reach all who have sincere objections which could be interpreted as religious in nature.

In the social security situation, however, a classification may be as limited as circumstances require, as indicated in the Smart and other cases, supra.

In fact the Social Security Act and its amendments have characteristically carved out exemptions which are as narrow as required by the sociological facts, including differences among vocations and religious attitudes. Thus, for example, lawyers are covered by the self-employment tax, ministers, including Christian Science practitioners, are optionally covered, but doctors and persons who have taken the vow of poverty as a member of a religious order are completely exempted (26 U.S.C. 1402 (c) and (e), and 42 U.S.C. 411(c) (4) and (5)). When the self-employment tax was passed in 1950 the act excluded the performance of service by a minister of a church or a member of a religious order or by a Christian Science practitioner in the exercise of their callings, in order to avoid impairment of religious liberty (Senate Finance Committee hearings on H.R. 6000, 81st Cong., Jan. 17, 1950, pt. 1, pp. 1 and 3). The exemption was made optional in the 1954 amendment of the act for these classes of persons except the mendicant orders. These exemptions have not been challenged.

The reason for the present proposal to exempt members of religious sects, as such, is solely that they have a religious objection to receiving insurance. Accordingly, a classification of such sects for exemption purposes, with appropriate safeguards, would reach all those whom Congress would have a reasonable ground to exempt and would, therefore, not be arbitrary nor violative of due process.

This conclusion is the basis of the opinion of the staff of the Joint Committee on Internal Revenue Taxation and that of the American Law Division of the Library of Congress provided to Senator CLARK under dates of November 9, 1962, and September 19, 1962, respectively. These opinions conclude that the proposed exemption would be constitutional as it would apply to all those who fall within the classification and that the classification is reasonable, CONGRESSIONAL RECORD, volume 109, part 1, pp. 463, 464. A copy of these opinions as reproduced in the CONGRESSIONAL RECORD is attached.

Since, therefore, Congress may exempt those members of a religious faith who have scruples against receiving insurance, the next question is what practical safeguards Congress may designate to assure that only those who come within the policy of the exemption obtain the exemption, without imposing arbitrary limitations.

Limitations on the exemption

The joint statement by the Treasury Department and the Department of Health, Education, and Welfare reviewing the problems created by the proposed exemption for the Amish contains in section 3 suggested additional limitations upon the exemption. These limitations are proposed as possible means to protect the social security system from an unintended extension of exemptions from compulsory insurance which would weaken and dilute it. The extensions of the exemption might occur, according to this joint statement, either through the formation of additional faiths claiming opposition to acceptance of benefits as one of their tenets or through the redefinition by various existing separatist groups of their tenets to include such opposition.

I shall consider each of these proposed additional limitations, designated "a" through "e," to determine whether the limitation may be considered by the courts to be a reasonable classification and consistent with the due process clause. I shall also suggest a limitation, designated "f," which was not among those proposed but which may be found to limit the exemption reasonably and realistically to the groups which Congress intends to accommodate by this exemption.

(a) An explicit limitation of the exemption to the old order Amish: This limitation would probably be considered arbitrary since the designation of one sect to the exclusion of other sects having the same scruple would be inconsistent with the congressional policy of removing the Government coercion of belief which constitutes the denial of the free exercise of religion. It would also probably constitute an invalid preference of one particular faith over those which were similarly situated. The facts presented to Congress indicate that there may be certain other sects of the Amish and possibly other religious groups who have the same religious scruple which is now being coerced. Furthermore, the exemption of a single named group will be held to be arbitrary[5] unless the relation to the public good is clearly demonstrable.[6]

(b) Limitation to members of a sect, excluding adherents who are not members; and (c) limitation to members of sects who "take care of their own": These limitations are being considered together since at least some of the bills before Congress provide that a necessary condition of exemption is a finding by the Secretary of Health, Education, and Welfare that the sect makes provision for its elderly "members." This condition would probably be considered a necessary and proper public policy consideration and, therefore, a reasonable condition upon which to base eligibility for exemption. The purpose of Congress in this legislation would be to assure the fulfillment of the welfare purpose of social security while relaxing that feature of social security which impinges on the free exercise of religion. Moreover, since individuals can seldom guarantee their own future against deprivation and need, it would be reasonable for Congress to provide that to qualify for an exemption a person must be a member of a sect which shares the religious commitment, both with respect to refusing State insurance and providing for that sect's welfare. Consequently, since the sect aspect is essential, it would seem reasonable to limit the qualification for exemption to persons who are members of a qualifying sect. As said by Justices Black and Douglas in *Board of Education* v. *Barnette,* 319 U.S. 624, 643 (1943): "No well-ordered society can leave to the individuals an absolute right to make final decisions, unassailable by the State, as to everything they will or will not do."

(d) Limitation to sects which require members to follow the occupation of farming as a matter of religious principle: This limitation, as phrased, would not be appropriate on the basis of the facts given in the joint statement. It is there stated that "most old-order Amish communities permit members to make their living as self-employed carpenters or masons" (p. 9). The possibility of limiting the exemption to sects which are established in farming communities for religious reasons is suggested and discussed below.

(e) Limitation to religious groups which were established before 1935: Any limitation which designates a cutoff date would generally be less reasonable than one which on its face shows some relationship to the public purpose of the statute. For example, a requirement that the sect shall have demonstrated over a period of years its ability to take care of its own members would probably be more acceptable as a classification. The text of certain of the legislative proposals already contain this principle in that they refer to the sect to be exempted as one which is "established." I would see no reason why the extent or the test of establishment might not be specifically spelled out. There is some authority that a "classification which draws a line in favor of existing businesses as against those later entering the field will be upheld if any reasonable and substantial basis can be found to justify the classification." *Del Mar Canning Co.* v. *Payne,* 29 Cal. 2d 380, 175 P. 2d 231, 232 (1946). The circumstances justifying such a discrimination must provide substantial reason. *Mayflower Farms* v. *Ten Eyck,* 297 U.S. 266 (1936). It is probable that the unusual situation of the Amish with respect to social security would be considered a substantial reason for a limitation of the classification to established sects.

(f) Limitation to sect established in farming communities for religious reasons: The faith, the members of which are to be exempted, might be described not only as one whose established tenets would be violated by the acceptance of insurance, and one which provides for elderly and dependent members, but as one which for religious reasons is established in farming communities. These limitations might be reasonable if Congress found after sufficient inquiry that they were necessary to assure that the exemption would be confined to sects which were religiously motivated and responsible, and to assure that the welfare purpose of social security would be fulfilled. Congress might reasonably find that the restriction of the exemption to those sects established in farming communities would be justified on the ground that such a sect could be more certainly relied upon to identify and provide for its dependent and elderly members than those in the mobile and transient urban environment. Conversely, the limitation would have the effect of excluding sects which subsequently organize for the purpose of exemption from social security, as it is unlikely that these would or could establish themselves in farming communities for religious or other reasons. The limitation would exclude other present separatist groups whose principles might, but do not specifically, include refusal of social security benefits. Legislation which distinguishes farming situations from others because of sociological and economic differences has taken many forms and has been accepted by the courts. See, for example, *Tigner* v. *Texas,* 310 U.S. 141 (1940), rehearing denied, 310 U.S. 659 (1940).

G. D'ANDELOT BELIN,
General Counsel.

[From the Berwick Enterprise, Nov. 7, 1963]

A GOOD MOVE

We hope a bill introduced by Representative RICHARD S. SCHWEIKER, Republican, at Washington, has clear sailing. The Pennsylvania legislator seeks to get a fair deal for the Old Order Amish, whose religion forbids participation in such a thing as the Federal social security program.

Representative SCHWEIKER's bill would permit member churches whose established doctrines forbid participation in such programs, on religious grounds, to waive their benefit rights and to be exempted from social security taxes.

Applicants for such exemption would be asked to show that members of their faith make adequate provisions for elderly members to prevent their need of public aid in their later years. Certainly the Amish, who take such good care of their elder citizens, would have no trouble proving that they make such provision.

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[5] *Eyers Woolen Co.* v. *Gilsum,* 84 N.H. 1, 146 Atl. 511 (1929); *Baltimore* v. *Starr Methodist Protestant Church,* 106 Md. 281, 67 Atl. 261 (1907). Cf. *United States* v. *Department of Revenue of Illinois,* 191 F. Supp. 723 (N.D. Ill. 1961) invalidating a retail tax on sales to the Federal but not to the State government.

[6] *William* v. *Mayor and City Council of Baltimore,* 289 U.S. 36 (1933).

Indignation was practically nationwide when the Federal Government, in 1961, seized three horses belonging to an Amish farmer, in this State, and sold them at public auction in order to obtain money for social security payments that the man had refused to make because of his religious beliefs.

Representative Schweiker summed things up well when he said, "Such action is an example of Government riding roughshod over the religious rights of a minority." He added, "It is difficult for me to understand why we cannot permit religious groups to conscientiously object to economic regulation when we rightfully recognize their right to object to the military draft. The Amish for many years have demonstrated their willingness and ability to take care of their financial and welfare needs without Government intervention."

He might add that the Amish continue to be outstanding citizens—asking no favors and expecting none—earning their own way and being obligated to no one. And yet, ill-advised oppression of that valuable group of citizens, by some Federal nincompoops, forced dozens of those families to move to Canada where they were welcomed with open arms.

MAINE SUGARBEET QUOTA

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. LANGEN. Mr. Speaker, I have asked the Secretary of Agriculture to transfer the sugarbeet quota originally allocated to Aroostook County, Maine, and award it to a proven beet-growing area such as the Red River Valley of Minnesota and North Dakota.

In my letter to the Secretary, I stated:

> I have read with considerable interest the published reports that an engineering company working on the Maine sugarbeet project says the Great Western Sugar Co. of Denver has postponed indefinitely its plans to build a sugarbeet processing plant in that area. The report indicates that the highly acid soil in the area would be of questionable quality for the raising of beets profitably.

I have protested before the use of Area Redevelopment Administration funds to promote sugarbeets in such unproven areas as this one in Maine and another in New York State. It just does not make sense that allotments should be given to unproven areas when we have farmers in the valley who have proven through the years that beets can be a profitable crop. Now that it appears the Maine plant will not be built, this allotment should be promptly transferred, and the valley is prepared to build a processing plant and get into production immediately.

The Area Redevelopment Administration approved $30,000 for a technical assistance study to show that beets could be grown in the Maine area. Also, a $6.9 million loan had been approved by ARA for the new plant. It is obvious that taxpayer money went down the drain in another ARA effort to promote the sugarbeet industry in an unproven area to the disadvantage of proven areas. It is also obvious that ARA support of such projects has prompted the Agriculture Department to approve allotments that might otherwise never have been made.

It constitutes another major blunder, and the blame rests squarely on the ARA doorstep.

DEMS PLAY POLITICS WITH U.S. SUGAR INDUSTRY

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. LANGEN. Mr. Speaker, it is no wonder that this administration and the Democrat-controlled House Agriculture Committee have failed to recommend action on needed sugar legislation. They are so busy playing politics with the cane sugar interests that the beet sugar industry is left high and dry.

I am referring to the appointment of Irvin A. Hoff to coordinate the Democratic election campaign in the 11 Western States. Hoff, as executive director of the U.S. Cane Sugar Refiners Association, has vigorously lobbied against efforts by our sugarbeet producers to increase the beet sugar quotas. It must seem obvious to our beet growers in Minnesota and elsewhere that the campaign assignment given to Hoff is a clear indication that this administration has no intention of pushing for new legislation during this session of Congress. And the irony of this whole mess is that Hoff, a sworn enemy of the beet people, will be politicking in eight States where sugarbeets are grown.

It ought to be interesting when the citizens of these States start to ask Mr. Hoff a few questions. I would particularly like to hear what some of those sugarbeet producers will ask him, especially when they recall that Hoff has referred to them in the past as "greedy" and "heavily subsidized."

It is time for the administration to admit its mistake in putting Hoff in charge of their western campaign activities. And it is time this administration came out in support of legislation to increase the marketing quotas for sugarbeets. There is still time to act on such bills as my own that would provide sufficient tonnage to protect our present growers and provide for needed new expansion. The Department of Agriculture must make an immediate recommendation and the House Committee on Agriculture must initiate prompt consideration of this problem. Our sugarbeet farmers will be watching with considerable interest.

PROTECTION OF DOMESTIC INDUSTRY FROM UNFAIR FOREIGN COMPETITION

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Bow] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. BOW. Mr. Speaker, the livelihood of 70 men and women who are employed by the Dover Chemical Co. in my district is threatened by the efforts of a giant international concern to take over the domestic market for chlorinated paraffin, and I wish once again to call attention to the need for vigorous enforcement of existing laws, and improvements in our laws, to protect domestic industry from unfair foreign competition.

The facts are as follows: chlorinated paraffin is a product manufactured by some eight U.S. companies and is the principal product, the bread and butter, of at least three or four of them including Dover Chemical Corp. Dover and the others sell their product for about 14 or 15 cents per pound.

Now the Imperial Chemical Industries, one of the world's largest chemical companies, has entered the market, offering the same product through a wholly owned American subsidiary for 9.5 cents per pound.

The product is shipped from ICI affiliates in the United Kingdom where it is sold at a price of 11.06 cents per pound.

This may be of little consequence to the larger companies for whom chlorinated paraffin is only one of many, many products, but it is a matter of life and death to Dover and similar concerns who certainly cannot meet competition of this kind.

I have advised the Dover Chemical Corp. to ask the Commissioner of Customs for an antidumping investigation, which I hope may be undertaken on an emergency basis, for my constituent cannot survive if this unfair competition continues for even a relatively short period of time.

It seems to me that all of the elements of a violation of the Antidumping Act are present in the facts as I have them.

ICI offers the product in Great Britain for 11.06 cents per pound. It offers the product in Canada, manufactured by the same English plant, for about 14 cents. And it offers the product in the United States, even after paying a duty of 1.38 cents per pound, for 9.5 cents. This is between 4.5 and 5.5 cents below the going price and the small U.S. competitor obviously cannot meet that price. The obvious purpose is to remove U.S. competition, after which time we may assume that ICI's price in the United States will rise again to reflect true costs, including the duty, and a reasonable profit.

While the mere offering of two rather obscure grades of a little known commodity at an unfair price may not seem of great import, it is just this kind of activity on the part of large international corporations, multiplied by hundreds of commodities, which threatens many jobs and many small companies in this country.

Our firms can and will compete with any foreign manufacturer when it comes to efficiency, salesmanship, service and fair prices, but they obviously cannot compete with a subsidized operation of this kind.

Once again, I trust that the Commissioner of Customs will act promptly for each day that this situation persists threatens the economic existence of this new and growing chemical industry in my district and the jobs of the 70 men and women who are employed in it.

LT. GEN. ROBERT W. BURNS, THE "GI'S GENERAL"

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, last Saturday, September 5, 1964, a wonderful man, Lt. Gen. Robert W. Burns, passed away. Only last Wednesday he had announced his retirement from the U.S. Air Force after 35 years of service to his country. His last assignment was as commander of the Air Training Command with headquarters at Randolph Air Force Base in San Antonio, Tex. In 1943 he became commander of the Air Defense Wing at Drew Field, Fla., and was soon reassigned to the 8th Fighter Command in Great Britain. In 1944 he was made director of operations for the 8th Air Force. In 1945 he was assigned to be commander of the 4th Combat Wing. When the 8th Air Force moved to Okinawa after VE-day, he became its chief of staff for operations. In 1948 he took command of the U.S. forces in Japan. In 1951 he was named Chairman of the Inter-American Defense Board in Washington, D.C., and at the same time was appointed senior Air Force member of the Military Staff Committee of the United Nations.

This brief history of the record of achievement of General Burns, impressive as it is, does not reveal the depth and, in my opinion, the greatness of the man. He earned the title "GI's General" because of the attention he paid to the needs of the low men on the military totem pole, the enlisted personnel. Too often the enlisted man, the GI, is forgotten, except, of course, in time of war or other national need when he is called upon to make every sacrifice including the supreme one. General Burns knew this and remained conscious of the services rendered by the enlisted man and the obligation of treating him fairly and justly. Most of all he never forgot that the enlisted man is a human being with human problems.

One incident in particular is illustrative as well as instructive. In the spring of 1959 General Burns, then chief of the U.S. Forces in Japan, learned that six enlisted men trying to get to California to be with their families during personal emergencies had been bumped off their plane to make room for a lieutenant colonel and his family who were going to Hawaii for a vacation. General Burns, upon learning of the facts, ordered the plane back to Tachikawa Air Force Base, near Tokyo, although it had taken off half an hour earlier. He then drove to the runway and stood by personally as the enlisted men boarded the plane.

General Burns was in the prime of his life when he was struck down by the fate which awaits us all. He was only 55 years of age. Yet he had already served 35 years with the armed services. His record alone indicates the dedication, the loyalty, and the brilliant success that marked his military career. What he might have accomplished after his retirement we will never know. The loss of one whose past achievements contained the promise of more to come is always the saddest loss.

It is fitting that we in Congress acknowledge the contributions of Gen. Robert W. Burns, the "GI's General" and the fact that America has lost one of its finest citizens.

A TRIBUTE TO DOUGLAS DILLON

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the Department of the Treasury has been operating for more than 3 years with such efficiency, economy, and success that we are liable to overlook its chief administrator, the Honorable Douglas Dillon, Secretary of the Treasury. Little glamor or notoriety attaches to the administration of the Nation's fiscal and monetary affairs, and so the spotlight of public acclaim does not often fall on our Secretaries of the Treasury. Also, matters of the national economy are at best difficult to evaluate as to their success or failure, and often it is hard to tell whether or not we have a good Secretary of the Treasury. On the other hand the functions and the work of the Department of the Treasury are so intertwined with the national economy as a whole that, to a large extent, the success of the latter will depend upon the success of the former. With this as a guide the Department of the Treasury comes off well indeed, for we are now experiencing one of the longest peacetime economic boom periods in the history of this country, a boom period which began with the Kennedy-Johnson administration and with the appointment of Douglas Dillon as Secretary of the Treasury.

There is another equally important reason motivating the statement that I am making today. It is my intent to deliver this tribute as one who does daily battle on the frontlines of the political wars, so to speak, and who is able to observe and benefit from the day-in and day-out efforts of Secretary Dillon and his staff to help keep us Members of Congress supplied with the necessary facts and information regarding both the national and international economy within the purview of his jurisdiction in his official capacity. I have addressed a great number of letters and inquiries to Secretary Dillon requesting information and guidance necessary to the performance of my own duties. All of my communications have always been promptly and satisfactorily answered. Further, some weeks ago, in April, I had the rare opportunity of accompanying Secretary Dillon to Panama City, Panama for a Hemispheric Inter-American Development Bank Conference, and I was able to see first hand the depth and the wisdom of Secretary Dillon, his tremendous grasp of intricate details, and his consciousness of the human factor in an area which is often reduced to dollars and cents, facts and figures.

I do not believe Secretary Dillon will be much flattered or impressed by these few words from a Congressman who is completing his first full term in Congress. They are offered, though, in all sincerity as a tribute and a small gesture of appreciation personally and in behalf of the people of my district, the 20th Congressional District of San Antonio, Tex. It is my belief that we have in the Honorable Douglas Dillon one of the great Secretaries of the Treasury in the history of the United States.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. MACGREGOR (at the request of Mr. STAFFORD), for 30 minutes, on Monday, September 14, 1964.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

(The following Member (at the request of Mr. STAFFORD) and to include extraneous matter:)

Mr. MICHEL.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1642. An act to provide for the sale of the U.S. Animal Quarantine Station, Clifton, N.J., to the city of Clifton to provide for the establishment of a new station and for other purposes;

H.R. 6601. An act to authorize the Secretary of Agriculture to sell certain land in Grand Junction, Colo., and for other purposes; and

H.R. 10809. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1965, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 27. An act to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes.

ADJOURNMENT

Mr. McFALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 14 minutes p.m.), under its previous order, the House adjourned until Thursday, September 10, 1964 at 12 o'clock.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2518. A letter from the Secretary of the Army, transmitting reports of the number of officers on duty with Headquarters, Department of the Army and the Army General Staff on June 30, 1964, pursuant to section 3031(c) of title 10, United States Code; to the Committee on Armed Services.

2519. A letter from the Assistant Secretary Export-Import Bank of Washington, transmitting a report that the Export-Import Bank of Washington on September 1, 1964, issued its guarantee with respect to certain companies, pursuant to title III of the Foreign Aid and Related Agencies Appropriation Act of 1964, and to the Presidential determination of February 4, 1964; to the Committee on Foreign Affairs.

2520. A letter from the Acting Comptroller General of the United States, transmitting report on increased costs resulting from ineffective use of automatic data processing system in supply management at the Philadelphia Naval Shipyard, Philadelphia, Pa., Department of the Navy; to the Committee on Government Operations.

2521. A letter from the Acting Comptroller General of the United States, transmitting report on deficiencies in the administration of the Navajo Indian reesrvation road construction program in the States of Arizona and New Mexico, Bureau of Indian Affairs, Department of the Interior; to the Committee on Government Operations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN:

H.R. 12583. A bill to provide that Federal savings and loan associations shall give notice in writing to shareholders of their annual meetings, and to facilitate the solicitation of proxies by shareholders of such associations; to the Committee on Banking and Currency.

By Mr. GRIFFIN:

H.R. 12584. A bill for the relief of certain displaced nationals of the Netherlands; to the Committee on the Judiciary.

By Mr. MacGREGOR:

H.R. 12585. A bill to reduce the retailers excise taxes on jewelry, furs, toilet preparations, and luggage and handbags from 10 to 5 percent on July 1, 1965, and to repeal such taxes on July 1, 1966; to the Committee on Ways and Means.

By Mr. SHRIVER:

H.R. 12586. A bill to amend the Internal Revenue Code of 1954 to grant an additional income tax exemption for a taxpayer supporting a dependent who has attained age 65 or is blind; to the Committee on Ways and Means.

By Mr. WESTLAND:

H.R. 12587. A bill to provide for the assessing of Indian trust and restricted lands within the Lummi Indian diking project on the Lummi Indian Reservation in the State of Washington, through a drainage and diking district formed under the laws of the State; to the Committee on Interior and Insular Affairs.

By Mr. ROBISON:

H.J. Res. 1171. Joint resolution to set national policies for local airline service; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. FOREMAN presented a bill (H.R. 12588) for the relief of Allen Roger Bradford which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Labor Day Reflections

EXTENSION OF REMARKS
OF
HON. ROBERT H. MICHEL
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 8, 1964

Mr. MICHEL. Mr. Speaker, under unanimous consent, I include some thoughts with respect to Labor Day, 1964, which we should all contemplate:

Mr. Speaker, "To Labor Is To Pray." This, as you probably know, was the motto of Benedict, who, of course, was the founder of the Benedictine Order. It therefore was not surprising, when in reviewing previous Labor Day comments of world leaders, to find this philosophy carried through in the radio broadcast on September 1, 1944, of Pope Pius XII—just over 20 years ago this Labor Day.

The Pope stated:

> Private property is a natural fruit of labor, a product of intense activity of man, acquired through his energetic determination to insure and develop with his own strength his own existence and that of his family, and to create for himself and his own an existence of just freedom, not only economic, but also political, cultural, and religious. If a worker is deprived of hope to acquire some personal property, what other natural stimulus can be offered him that will inspire him to hard work, labor, saving, and sobriety today, when so many nations and men have lost everything and all they have left is their capacity for work?

Mr. Speaker, there can be no doubt but what, in the latter instance, the Pope was referring to those nations whose workers have been enslaved in Marxist-Leninist chains. Joseph Stalin had previously admitted this in 1936 when he said:

> In the U.S.S.R. the principle of socialism is realized.

To prove his point he quoted article 12 of the Constitution of the Union of Soviet Socialist Republics:

> From each according to his ability, to each according to his work.

Scholars tell us that this article in the Soviet Constitution was taken from Karl Marx's critique of the Gotha program in 1875 when he summed it all up by saying:

> From each according to his abilities, to each according to his needs.

Now, Mr. Speaker, I want you to listen closely to just one more quote:

> We are going to try to take all of the money that we think is unnecessarily being spent and take it from the "haves" and give it to the "have nots" that need it so much.

I am sure that statement has sent shivers down the spine of the laboring man for it denies an individual the right to private property and the fruits of his labor. This statement was not made in an Iron Curtain country, it was said by President Lyndon Baines Johnson in his White House speech of January 15, 1964. Now think about that for a while.

Labor Day Speech by the President of the United States

EXTENSION OF REMARKS
OF
HON. MIKE MANSFIELD
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Tuesday, September 8, 1964

Mr. MANSFIELD. Mr. President, on yesterday, Labor Day, the President of the United States made an outstanding address in Cadillac Square, Detroit, Mich. I believe the address should be read in full and I ask unanimous consent that the literal transcript of the speech, as given, be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT, CADILLAC SQUARE, DETROIT, MICH.

Mr. Barber, Governor and Mrs. Romney, Mayor Cavanaugh, Senator Hart, Senator McNamara, Congressman Staebler, Walter Reuther, Governor Swainson, Secretary Williams, my good friends in the Michigan congressional delegation, my fellow countrymen, this is a great day in a historic place. Here, and today, we begin to move toward new years of achievement for America. Sixteen years ago an American President came here and he promised then that America would "enter a new period of hope." That President was Harry S. Truman.

You gave him support and he gave you that hope. Four years ago another great American stood where I stand today and he said, "Give my your hand * * * and this country can move again." That man was John Fitzgerald Kennedy.

You reached out your hand and America began to move. I have come here today to pledge that if all Americans will stand united we will keep moving. This country is not going to turn its back on the future. This country is not going to turn away from the upward course of prosperity or from the urgent hopes of peace. This country is not going to turn away from the needs of the jobless and the hungry, the poor and the oppressed. This country is not going to turn from unity to hostility, from understanding to hate.

So today I have come here in Cadillac Square to call for national unity. I plead for brotherhood among men and understanding among nations. This is not just a slogan. It is not based on empty hopes or upon remote dreams. It flows from the facts of life in 1964.

I have traveled to every section of this country, I have talked to people in every walk of life. And I have found that most of the American people are united. There are, of course, issues which stir passion and conflicting interests. But most Americans have the same hopes for themselves and their children. They have the same desires for themselves and their country. They know that, for the most part, we no longer struggle among ourselves for a larger share of limited abundance. We labor, instead, to increase the total abundance of us all. Responsible business knows that fair wages are essential to its prosperity. Responsible labor knows that fair profits are essential to rising employment. Farmers and city dwellers, bankers and laborers know that by strengthening each group we strengthen the Nation—by pursuing the growth of all, we advance the welfare of each.

And all of us know that we have a mortal stake in the peace of this world. And that the only real test, the only test that really counts, is what is good for America. And what is good for America is good for all of us.

I want to talk briefly today about three of the goals which are good for America, which reflect the common purpose of most Americans, which are the basis of unity in our country. These are the goal of prosperity, the goal of justice, and the goal of peace.

First, the goal of prosperity. This is the 43d month of the greatest peacetime prosperity in the history of all the United States. The last 4 years, in Michigan alone, unemployment dropped from 10.2 percent to 5.3 percent. The average weekly earnings for manufacturing workers went up 23 percent. A new tax cut will raise personal income by $1½ billion and create 90,000 new jobs. And what is true for Michigan is true for other parts of America. As long as I am President I will lead this country toward increased prosperity. We will continue until every man has a job, and until every family has a decent income. And this is what most Americans want.

The second part of our common purpose is justice. Justice is a country where every man has an equal chance to use his talents, to pursue his desires, and to provide for his family. We seek to give every American, of every race and color, and without regard to how he spells his name, his full constitutional rights under our Constitution and under the laws of the land. We seek to conquer the conditions which condemn millions to hopeless poverty.

We seek to find a job for every man who wants to work. We seek to care for the old through medical care under social security. The jobless with increased unemployment compensation; the oppressed with minimum wage protection. And this is what we think most Americans want.

Third among our common goals is peace. Peace is more than the absence of aggression. It is the creation of a world community in which every nation can follow its own course without fear of its neighbors. In that pursuit we have developed a threefold policy. First, we have built a military strength greater than the world has ever known before. Second, in Cuba and in the waters around Vietnam we proved that we would stand firm in the defense of freedom. And everywhere we have worked to extend the domain of liberty. Third, we patiently labored to open new avenues to peace. The result of these efforts since 1961 is our world of 1964. In this world in which we live today, no nation, new or old, has gone Communist since Cuba went in 1959. In this world the solid unity of communism has begun to crack. We have worked to help the nations of Eastern Europe move toward independence. This is their people's goal and this is our people's continuing resolve.

In this world the influence and the prestige of freedom is on the rise. Hands of friendship have replaced the clenched fists of angry mobs. In this world the strength of freedom is greater and the prospects for peace are brighter.

It is not enough, I think, just to want peace or to talk peace, or to hope for peace. We must constantly work for peace. And I want you to know that today your Government is working for peace. And that is why I, as a Congressman, worked to help pass the Marshall plan. That is why, as a Senator during the Eisenhower administration, I went to the United Nations, at President Eisenhower's request, to urge and to invite all nations of the world to join the United States in the peaceful exploration of outer space.

And that is why, as Vice President of the United States, I worked long and hard for the treaty banning nuclear tests in the atmosphere. We slowed down the deadly poisoning of the air we breathe, and the milk that our children drink. We do not want every mother to live in fear that her baby may be born crippled or deformed. And we, too, must remember that we organized the Peace Corps which started the spirit of America and carried it to remote villages on every continent of the world. And also that is why, as President, I ordered a cutback of unnecessary nuclear production. And that is why I will continue to support every realistic measure that will bring the world closer to peace without increasing the danger to freedom.

Yes, it is men that make peace. Modern weapons are not like any other. In the first nuclear exchange, 100 million Americans and more than 100,000 Russians would all be dead. And when it was over, our great cities would be in ashes, our fields would be barren, our industry would be destroyed, and our American dreams would have vanished.

As long as I am President I will bend every effort to make sure that that day never comes. I am not the first President to speak here in Cadillac Square, and I do not intend to be the last.

Make no mistake. There is no such thing as conventional nuclear weapons. For 19 peril filled years no nation has loosed the atom against another. To do so now is a political decision of the highest order. And it would lead us down an uncertain path of blows and counterblows whose outcome none may know. No President of the United States of America can divest himself of the responsibility for such a decision. Any man who shares control of such enormous power must remember that "He that is slow to anger is better than the mighty; and he that ruleth his spirit is better than he that taketh a city."

These common purposes, prosperity, justice and peace, are the foundation of American unity. Our future is almost upon us. Man has never lived in a more exciting time. The world is changing before our eyes. Either we will move to meet these changes or they will overwhelm us. On the one hand is opportunity of shining promise; on the other is a power to destroy the world. Those nations or individuals who seek today to divide us, who preach strife and dissension, and hate and fear, and smear, strike at our hopes and strike at the hopes of all the people of the world.

When I was young, I often walked out after supper and looked up at the scattered Texas sky. As a boy, on those still nights, I wondered what those heavens had seen, what they would see, and what they might bring to me. The world has turned many times since then, but still in the evening I sometimes walk out and look across the great Capital City where I live, and I dream the same dreams, and I ask the same questions. Just as you do, I sit and think of today's events and tomorrow's problems. I feel glad in my family and concern for my children.

It is then that I remember the men who captured my native soil from the wilderness. They endured much so that others might have much. Their dream was for the children; mine, too, is for the child, even now struggling toward birth.

What will the observing skies say of the world that we have built for him? I want all the ages of man to yield him their promise, the child will find all knowledge open to him; the growing boy will shape his spirit in a house of God and his ways in the house of his family. The young man will find reward for his work and feel pride in the product of his skills. The man will find leisure and occasion for the closeness of family, and an opportunity for the enrichment of life. The citizen will enrich the Nation, sharing its rule, walking its streets, adding his views to its counsel, secure always from the unjust and the arbitrary power of his fellows. The least among us will find contentment, and the best among us will find greatness, and all of us will respect the dignity of the one and admire the achievements of the other.

At the end of the journey, he will look back and say, "I have done all that a man could do, built all, shared all, experienced all." And then people shall say to people, group to group, man to man, "There on this earth as in the eyes of God walks my brother."

Well, this is my dream. It is not the grand vision of a powerful and feared nation. It concerns the simple wants of people. But this is what America is really all about. All the rest, the power and the wealth, the life of freedom and the hopes for peace, the treasured past and the uncertain future—all of this will stand or fall on this. Reality rarely matches dream, but only dreams give nobility to purpose.

This is the star that I hope to follow. This is the star which I know that most of you at some time have seen, and which I first glimpsed many, many years ago, one night out in the West.

United we stand; divided we fall. So today I say to these thousands assembled here, whose only concern is what is best for their country, let us bring the capitalist, the manager, the worker, and the Government to one table to share in the fruits of all of our dreams and all of our work, and let's leave for our children, as we enjoy for ourselves, the greatest country that any man has ever known.

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